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Title 3
The President

Revised as of January 1, 2024

2023 Compilation and Parts 100–102

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Beginning with 1976, Title 3 compilations also include regulations contained in Chapter I, Executive Office of the President.

Supplementary publications include: Presidential documents of the Hoover Administration (two volumes), Proclamations 1870–2037 and Executive Orders 5076–6070; Consolidated Indexes for 1936–1965; and Consolidated Tables for 1936–1965.

Explanation

The Code of Federal Regulations is a codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government. The Code is divided into 50 titles which represent broad areas subject to Federal regulation. Each title is divided into chapters which usually bear the name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas.

Each volume of the Code is revised at least once each calendar year and issued on a quarterly basis approximately as follows:

Title 1 through Title 16.....as of January 1
Title 17 through Title 27.....as of April 1
Title 28 through Title 41.....as of July 1
Title 42 through Title 50.....as of October 1

The appropriate revision date is printed on the cover of each volume.

LEGAL STATUS

The contents of the Federal Register are required to be judicially noticed (44 U.S.C. 1507). The Code of Federal Regulations is prima facie evidence of the text of the original documents (44 U.S.C. 1510).

HOW TO USE THE CODE OF FEDERAL REGULATIONS

The Code of Federal Regulations is kept up to date by the individual issues of the Federal Register. These two publications must be used together to determine the latest version of any given rule.

To determine whether a Code volume has been amended since its revision date (in this case, January 1, 2024), consult the ''List of CFR Sections Affected (LSA),'' which is issued monthly, and the ''Cumulative List of Parts Affected,'' which appears in the Reader Aids section of the daily Federal Register. These two lists will identify the Federal Register page number of the latest amendment of any given rule.

EFFECTIVE AND EXPIRATION DATES

Each volume of the Code contains amendments published in the Federal Register since the last revision of that volume of the Code. Source citations for the regulations are referred to by volume number and page number of the Federal Register and date of publication. Publication dates and effective dates are usually not the same and care must be exercised by the user in determining the actual effective date. In instances where the effective date is beyond the cut-off date for the Code a note has been inserted to reflect the future effective date. In those instances where a regulation published in the Federal Register states a date certain for expiration, an appropriate note will be inserted following the text.

OMB CONTROL NUMBERS

The Paperwork Reduction Act of 1980 (Pub. L. 96–511) requires Federal agencies to display an OMB control number with their information collection request.

Many agencies have begun publishing numerous OMB control numbers as amendments to existing regulations in the CFR. These OMB numbers are placed as close as possible to the applicable recordkeeping or reporting requirements.

PAST PROVISIONS OF THE CODE

Provisions of the Code that are no longer in force and effect as of the revision date stated on the cover of each volume are not carried. Code users may find the text of provisions in effect on any given date in the past by using the appropriate List of CFR Sections Affected (LSA). For the convenience of the reader, a ''List of CFR Sections Affected'' is published at the end of each CFR volume. For changes to the Code prior to the LSA listings at the end of the volume, consult previous annual editions of the LSA. For changes to the Code prior to 2001, consult the List of CFR Sections Affected compilations, published for 1949-1963, 1964-1972, 1973-1985, and 1986-2000.

''[RESERVED]'' TERMINOLOGY

The term ''[Reserved]'' is used as a place holder within the Code of Federal Regulations. An agency may add regulatory information at a ''[Reserved]'' location at any time. Occasionally ''[Reserved]'' is used editorially to indicate that a portion of the CFR was left vacant and not dropped in error.

INCORPORATION BY REFERENCE

What is incorporation by reference? Incorporation by reference was established by statute and allows Federal agencies to meet the requirement to publish regulations in the Federal Register by referring to materials already published elsewhere. For an incorporation to be valid, the Director of the Federal Register must approve it. The legal effect of incorporation by reference is that the material is treated as if it were published in full in the Federal Register (5 U.S.C. 552(a)). This material, like any other properly issued regulation, has the force of law.

What is a proper incorporation by reference? The Director of the Federal Register will approve an incorporation by reference only when the requirements of 1 CFR part 51 are met. Some of the elements on which approval is based are:

(a) The incorporation will substantially reduce the volume of material published in the Federal Register.

(b) The matter incorporated is in fact available to the extent necessary to afford fairness and uniformity in the administrative process.

(c) The incorporating document is drafted and submitted for publication in accordance with 1 CFR part 51.

What if the material incorporated by reference cannot be found? If you have any problem locating or obtaining a copy of material listed as an approved incorporation by reference, please contact the agency that issued the regulation containing that incorporation. If, after contacting the agency, you find the material is not available, please notify the Director of the Federal Register, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001, or call 202-741-6010.

CFR INDEXES AND TABULAR GUIDES

A subject index to the Code of Federal Regulations is contained in a separate volume, revised annually as of January 1, entitled CFR INDEX AND FINDING AIDS. This volume contains the Parallel Table of Authorities and Rules. A list of CFR titles, chapters, subchapters, and parts and an alphabetical list of agencies publishing in the CFR are also included in this volume.

An index to the text of ''Title 3—The President'' is carried within that volume.

The Federal Register Index is issued monthly in cumulative form. This index is based on a consolidation of the ''Contents'' entries in the daily Federal Register.

A List of CFR Sections Affected (LSA) is published monthly, keyed to the revision dates of the 50 CFR titles.

REPUBLICATION OF MATERIAL

There are no restrictions on the republication of material appearing in the Code of Federal Regulations.

INQUIRIES

For a legal interpretation or explanation of any regulation in this volume, contact the issuing agency. The issuing agency's name appears at the top of odd-numbered pages.

For inquiries concerning CFR reference assistance, call 202–741–6000 or write to the Director, Office of the Federal Register, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001 or e-mail *fedreg.info@nara.gov*.

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ELECTRONIC SERVICES

The full text of the Code of Federal Regulations, the LSA (List of CFR Sections Affected), The United States Government Manual, the Federal Register, Public Laws, Compilation of Presidential Documents and the Privacy Act Compilation are available in electronic format via *www.govinfo.gov*. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202-512-1800, or 866-512-1800 (toll-free). E-mail, *ContactCenter@gpo.gov*.

The Office of the Federal Register also offers a free service on the National Archives and Records Administration's (NARA) website for public law numbers, Federal Register finding aids, and related information. Connect to NARA's website at *www.archives.gov/federal-register*.

The eCFR is a regularly updated, unofficial editorial compilation of CFR material and Federal Register amendments, produced by the Office of the Federal Register and the Government Publishing Office. It is available at *www.ecfr.gov*.

OLIVER A. POTTS,
Director,
Office of the Federal Register.
January 1, 2024.

Explanation of This Title

This volume of ''Title 3—The President'' contains a compilation of Presidential documents and a codification of regulations issued by the Executive Office of the President.

The 2023 Compilation contains the full text of those documents signed by the President that were required to be published in the *Federal Register.* Signature date rather than publication date is the criterion for inclusion. With each annual volume, the Presidential documents signed in the previous year become the new compilation.

Chapter I contains regulations issued by the Executive Office of the President. This section is a true codification like other CFR volumes, in that its contents are organized by subject or regulatory area and are updated by individual issues of the *Federal Register*.

Presidential documents in this volume may be cited ''3 CFR, 2023 Comp.'' Thus, the preferred abbreviated citation for Proclamation 10513 appearing on page 1 of this book, is ''3 CFR, 2023 Comp., p. 1.'' Chapter I entries may be cited ''3 CFR.'' Thus, the preferred abbreviated citation for section 100.1, appearing in chapter I of this book, is ''3 CFR 100.1.''

This book is one of the volumes in a series that began with Proclamation 2161 of March 19, 1936, and Executive Order 7316 of March 13, 1936, and that has been continued by means of annual compilations and periodic cumulations. The entire Title 3 series, as of January 1, 2024, is encompassed in the volumes listed on page iv.

For readers interested in proclamations and Executive orders prior to 1936, there is a two-volume set entitled *Proclamations and Executive Orders, Herbert Hoover* (March 4, 1929, to March 4, 1933). Codified Presidential documents are published in the *Codification of Presidential Proclamations and Executive Orders* (April 13, 1945—January 20, 1989). Other public Presidential documents not required to be published in the *Federal Register*, such as speeches, messages to Congress, and statements, can be found in the *Compilation of Presidential Documents* and the *Public Papers of the Presidents* series. A selection of these Office of the Federal Register publications are available for sale from the Superintendent of Documents, Government Publishing Office, Washington, DC 20402.

This book was prepared under the direction of John Hyrum Martinez, Director of the Publications and Services Division; Kimberly R. Silver, Supervisor of the Presidential and Legislative Publications Unit; and Lois M. Davis, Editor.

Cite Presidential documents in this volume
3 CFR, 2023 Comp.
thus: **3 CFR, 2023 Comp., p. 1**

Cite chapter I entries in this volume
3 CFR
thus: **3 CFR 100.1**

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2023 Compilation—Presidential Documents

Proclamations

Proclamation 10513 of January 13, 2023

Martin Luther King, Jr., Federal Holiday, 2023

By the President of the United States of America

A Proclamation

Today, we honor the Reverend Dr. Martin Luther King, Jr., by continuing his unfinished work to redeem the soul of America.

Dr. King came of age in the South during a time when racial discrimination was the law of the land. Black Americans risked jail time for accessing public accommodations like drinking fountains, parks, restrooms, restaurants, and hotels. Their voting rights were denied by complicated, onerous, and discriminatory rules. Even if they attempted to register to vote, they could be fired from their jobs, be run off of their farms, or face vigilante violence.

Dr. King imagined a different future for America—an America he called the ''Beloved Community.'' Building the Beloved Community required a key shift in human understanding. It meant looking beyond external differences to see the union of all humankind. It also meant finding a way to deal with our grievances without animosity, in a way that recognized the interconnectedness of all humanity and allowed us to move forward together.

From the pulpit to the podium to the streets, Dr. King devoted his life to the quest for this Beloved Community in our Nation. His activism and moral authority helped usher in the Civil Rights Act of 1964 and the Voting Rights Act of 1965. He gave a voice to the restless spirit of millions yearning for change. He gave us a roadmap to unify, to heal, and to sustain the blessings of the Nation to all of its people.

But the work continues because it remains unfinished. That is why my Administration has called on the Congress to pass the John Lewis Voting

Rights Advancement Act and the Freedom to Vote Act to ensure that every citizen has a voice in deciding our future.

In keeping with Dr. King's campaign for economic justice and the rights of workers, my Administration is striving to make the American Dream a reality for every family. By creating good-paying jobs, investing in the middle class, improving access to affordable housing and quality education, and closing the racial and gender wealth gaps, we can give hardworking families the dignity Dr. King would say they deserve.

Dr. King called for greater fairness in our health care system, and my Administration is pushing to put quality, affordable health care within reach of all people—especially the most vulnerable and marginalized Americans. By lowering costs and improving access, we can make health care a right and not just a privilege.

Dr. King preached that ''darkness cannot drive out darkness, only light can do that.'' In his memory, we strive to challenge violence and bigotry with grace and goodness. We work to embed equity and opportunity into all of the Federal Government's policies and programs. And we serve to bring together a Nation in our dedication to these ideals.

This Sunday, I will pay my respects and express my gratitude for his life and legacy by speaking at services at his cherished Ebenezer Baptist Church. On this day of commemoration, service, and action, let us hold up a mirror to America and ask ourselves: What kind of country do we want to be? Will we honor Dr. King's legacy by rising together—buttressed by each other's successes, enriched by each other's differences, and made whole by each other's compassion? I believe we can. It will require constant care for our democracy, stubborn faith in this great experiment, and a commitment to stamping out discrimination in all forms. It will demand honest reflection about how far we have come and how far we have yet to go to be the best version of ourselves. But like Dr. King, I know that there is nothing beyond this Nation's capacity and that we will fulfill the promise of America for all Americans—perfecting the Union we love and must protect.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim Monday, January 16, 2023, as the Martin Luther King, Jr., Federal Holiday. I encourage all Americans to observe this day with appropriate civic, community, and service projects in honor of Dr. King and to visit MLKDay.gov to find Martin Luther King, Jr., Day of Service projects across our country.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of January, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10514 of January 13, 2023

Religious Freedom Day, 2023

By the President of the United States of America
A Proclamation

On Religious Freedom Day, we reflect on our right to practice, pray, and preach our faiths peacefully and openly. Across the country, we practice many different religions. We celebrate many different traditions. And we honor our faiths in many different ways and places—from churches, to mosques, to synagogues, to temples. This religious freedom—this freedom to practice religion fully and freely or to practice no religion at all—is enshrined in our Constitution. And together we must continue to preserve and protect it.

This effort is as important now as it has ever been. In the United States, we are facing a rising tide of antisemitism and renewed attacks against certain religious groups. Across the world, minority communities—including Uyghurs, Rohingya, Ahmadiyya Muslims, Jews, Christians, Bahá'ís, Yezidis, atheists, and humanists—continue to face intimidation, violence, and unequal protection under the law. This hate is harmful to our communities and countries, and it is on all of us to speak out and stop it.

That is exactly what my Administration is doing. We established the Protecting Places of Worship Interagency Policy Committee last January, and implemented the largest-ever increase in funding for the physical security of non-profits—including churches, gurdwaras, mosques, synagogues, temples, and other houses of worship. In my 2023 Budget proposal, I called for another large increase in funding for this key program. In September, we hosted the United We Stand Summit, the first White House summit on combating hate-motivated violence, including violence on the basis of religion. In December, I established a new interagency group to increase and better coordinate the Federal Government's efforts to counter antisemitism, Islamophobia, and other forms of bias and discrimination within the United States. As its first order of business, this group is developing a national strategy to fight antisemitism. To build bridges across beliefs and backgrounds, the White House Office of Faith-Based and Neighborhood Partnerships is collaborating with diverse faith and community leaders on a range of projects—including helping families recover from disasters, distributing COVID–19 vaccines, improving maternal and child health, and resettling refugees across the United States.

The United States is also speaking out and standing up against religious persecution around the world. Last year, my Administration provided $20 million to help promote religious freedom and protections for members of religious minorities globally, including helping ensure that people everywhere can practice their faiths free from fear. I appointed Rashad Hussain as Ambassador at Large for International Religious Freedom—the first Muslim to hold this post—and Deborah Lipstadt, a Holocaust expert, as the first Ambassador-level Special Envoy to Monitor and Combat Antisemitism. As a founding member of the International Religious Freedom or Belief Alliance, we also have coordinated with partners around the world to promote the rights of religious minority groups and combat persecution. And we are

ensuring that United States diplomats continue to receive training on religious freedom and its central importance to our work.

Faith has sustained me throughout my life. For me and for so many others, it serves as a reminder of both our collective purpose and potential in the world. But for far too many people within our borders and beyond, practicing their faith still means facing fear and persecution. Today, let us recommit ourselves to ending this hate. And let us work together to ensure that people of all religions—and no religion—are treated with equal dignity and respect.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim January 16, 2023, as Religious Freedom Day.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of January, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10515 of January 20, 2023

50th Anniversary of the *Roe* v. *Wade* Decision

By the President of the United States of America

A Proclamation

Fifty years ago, on January 22, 1973, the Supreme Court issued its landmark 7–2 decision in *Roe* v. *Wade,* protecting a woman's constitutional right to choose. This case reaffirmed basic principles of equality, reinforced the fundamental right to privacy, and resolved that women in this country could control their own destinies—making deeply personal decisions free from political interference.

The Court got *Roe* right 50 years ago. It was a balanced decision with broad national consensus that the majority of Americans have continued to support for the last 50 years. And it was a constitutional principle upheld by justices appointed by Democratic and Republican Presidents alike.

But 7 months ago, a conservative majority on the Supreme Court overturned *Roe.* Never before has the Court taken away a right so fundamental to Americans. In doing so, it put the health and lives of women across this Nation at risk. The Supreme Court opened the door for new challenges to other fundamental freedoms, including access to contraception and the right to marry whom you love. Millions of women now live in States with extreme bans on abortion, many without exceptions for rape and incest, or, where doctors can be jailed for providing reproductive care. Today, trailblazers who fought heroically for the *Roe* v. *Wade* decision are watching the next generation grow up without its protections.

On what would have been the 50th anniversary of protections under *Roe* v. *Wade,* my Administration is resolute in its commitment to defending reproductive rights and continuing our Nation's progress toward equality for

all. In response to the Court's extreme *Dobbs* v. *Jackson Women's Health Organization* decision, I issued Executive Orders to ensure that patients receive care during medical emergencies; to protect access to contraception and abortion services, including access to medication approved by the Food and Drug Administration; and to improve the safety of patients, providers, and clinics. My Administration is helping to safeguard patients' privacy over their health data and is ensuring that women everywhere have access to accurate information about their reproductive rights. I also created an Interagency Task Force on Reproductive Healthcare Access to lead our Government-wide response. And senior Administration leaders, including Vice President Kamala Harris, have traveled the country listening to women, health care providers, legal experts, and State and local officials to ensure that our efforts are reaching those most in need of support.

Since the Court's decision to overturn *Roe,* Americans across the country—from California to Kansas to Michigan—have made clear at the ballot box that they believe the right to choose is fundamental and should be preserved. Still, we know that the only way to truly secure the right to choose is for the Congress to codify the protections of *Roe* v. *Wade.* I continue to call on the Congress to pass legislation to make those protections the law of the land once and for all. Until then, I will continue to use my Executive authority to protect women and families from harm in the wake of the *Dobbs* decision.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 22, 2023, as the 50th Anniversary of the *Roe* v. *Wade* Decision. I call upon Americans to honor generations of advocates who have fought for reproductive freedom, to recognize the countless women whose lives and futures have been saved and shaped by the *Roe* v. *Wade* decision, and to march forward with purpose as we work together to restore the right to choose.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of January, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10516 of January 22, 2023

Honoring the Victims of the Tragedy in Monterey Park, California

By the President of the United States of America
A Proclamation

As a mark of respect for the victims of the senseless acts of violence perpetrated on January 21, 2023, in Monterey Park, California, by the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, I hereby order that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and

on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until sunset, January 26, 2023. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of January, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10517 of January 31, 2023

American Heart Month, 2023

By the President of the United States of America

A Proclamation

During American Heart Month, we recommit to supporting the more than 120 million Americans living with a cardiovascular condition; advancing groundbreaking and lifesaving research; and expanding access to affordable health care, prescription drugs, and healthy lifestyles.

Heart disease has long been the leading cause of death in the United States, claiming nearly 700,000 lives a year. Nearly half of all American adults have at least one major risk factor for cardiovascular disease. From heart attacks and strokes to high blood pressure, the threat of cardiovascular disease touches almost every family in our Nation. But while heart conditions can be costly and deadly, they are also often preventable with access to affordable health care, advancements in technology, and lifestyle changes.

There is so much we can do to keep advancing our fight against heart disease. Last March, I was proud to launch a major biomedical innovation initiative, the Advanced Research Projects Agency for Health, to drive breakthroughs in preventing, detecting, and treating life-threatening conditions like Alzheimer's, diabetes, and cancers—progress that can lead to critical advancements on a range of cardiovascular diseases as well. Meanwhile, to help more families afford existing treatments, the Inflation Reduction Act will cap out-of-pocket prescription drug costs for seniors on Medicare at $2,000 a year, no matter the medication—including those that work to prevent blood clots, lower blood pressure or cholesterol, manage diabetes, and otherwise promote heart health. That landmark law will also bring down the cost of health coverage under the Affordable Care Act and allow more Americans to gain coverage. This will help more people access free preventative services like blood pressure and obesity screenings and afford quality, comprehensive care if diagnosed.

My Administration is working to help more people lead heart-healthy lifestyles as well. At last fall's White House Conference on Hunger, Nutrition, and Health—the first in over 50 years—we released a national strategy to reduce diet-related diseases. This includes providing healthy, free meals to

millions more school kids; boosting Medicaid and Medicare coverage for services like nutrition and obesity counseling; expanding incentives for fruits and vegetables in the Supplemental Nutrition Assistance Program; and increasing access to parks and exercise, especially in underserved communities. To further reduce smoking, a major cause of heart disease, the Food and Drug Administration has also proposed a rule to ban menthol-flavored cigarettes and flavored cigars, which are popular among first-time smokers.

As treatments and access to care improve, we can each help to raise awareness of the importance of a healthy heart. Exercising regularly, eating well, managing weight, and avoiding smoking or vaping are proven to reduce the risk of cardiovascular disease. And we can save lives by each learning the warning signs of a heart attack or stroke and consulting a doctor if we have risk factors or symptoms.

We encourage all Americans to help bring attention to heart health by wearing red on National Wear Red Day, held on Friday, February 3rd. This month and always, we honor the memories of those we have lost to heart disease, and we celebrate the courage of the countless loved ones who are living strong, full lives despite having heart conditions. I am committed to doing all I can to improve their futures.

To learn more about heart health, please talk to your health care provider or visit CDC.gov/heartdisease.

In acknowledgement of the importance of the ongoing fight against cardiovascular disease, the Congress, by Joint Resolution approved December 30, 1963, as amended (36 U.S.C. 101), has requested that the President issue an annual proclamation designating February as ''American Heart Month.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim February 2023 as American Heart Month, and I invite all Americans to participate in National Wear Red Day on February 3, 2023. I also invite the Governors of the States, the Commonwealth of Puerto Rico, officials of other areas subject to the jurisdiction of the United States, and the American people to join me in recognizing and reaffirming our commitment to fighting cardiovascular disease and extending the promise of a long and healthy life across this country.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of January, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10518 of January 31, 2023

National Black History Month, 2023

By the President of the United States of America

A Proclamation

During National Black History Month, we celebrate the legacy of Black Americans whose power to lead, to overcome, and to expand the meaning

and practice of American democracy has helped our Nation become a more fair and just society. This country was established upon the profound but simple idea that all people are created equal and should be treated equally throughout their lives.

It is an idea America has never fully lived up to, but it is an idea we have never fully walked away from either. The struggles and challenges of the Black American story to make a way out of no way have been the crucible where our resolve to fulfill this vision has most often been tested. Black Americans' struggles for freedom, equal treatment, and the right to vote; for equal opportunities in education, housing, and the workplace; for economic opportunity, equal justice, and political representation; and so much more have reformed our democracy far beyond its founding. Black Americans have made a way not only for themselves but also have helped build a highway for millions of women, immigrants, other historically marginalized communities, and all Americans to more fully experience the benefits of our society.

From the start, the Biden-Harris Administration has been committed to using the power of the Federal Government to address the long-standing disparities that have hampered the progress of Black communities. On day one of my Presidency, I issued an Executive Order to advance equity and racial justice in every policy we pursue. I began by appointing the most diverse Cabinet in American history. I have continued to nominate a historic number of Black judges to the Federal bench—including Justice Ketanji Brown Jackson, the first Black woman to serve on the Supreme Court.

During the height of the COVID–19 crisis, my Administration provided relief to hardworking families, which cut the rate of poverty in Black American communities by nearly a third and cut the rate of poverty among Black children by more than half. My health care policies have dramatically increased health care access and reduced costs for Black American families and capped insulin bills for seniors at $35 per month per prescription.

We are also working to address centuries of neglected infrastructure in Black American communities. My Administration is leading the replacement of lead pipes embedded in cities across America so that every child can safely turn on the faucet and drink clean water. We are expanding public transit and providing high-speed internet to every neighborhood in the country so parents can get to work and children can do their homework in the comfort of their own homes.

We are using every avenue to confront racial discrimination in housing and in mortgage lending and to help build generational wealth in Black communities. We are working to ensure that any housing agency that receives Federal funds will reach beyond the simple promise not to discriminate and will instead take meaningful, affirmative steps to overcome historic patterns of segregation, giving every person a fair chance to live where they choose. We are addressing the negative impacts of redlining and other forms of financial discrimination. And we are working to end a discriminatory system of appraisals that assigns lesser values to Black-owned family homes than to similar homes owned by white families.

Additionally, we have invested nearly $6 billion in Historically Black Colleges and Universities. We have also taken historic action to ease the burden of crippling student debt—action which benefits so many Black students and families. I am proud to have permanently authorized the Minority Business Development Agency and to have given it expanded authority to help grow Black-owned businesses. I have set a goal to increase the share of Federal contracting dollars going to small disadvantaged businesses by 50 percent by 2025, which will bring up to an additional $100 billion in capital to these businesses.

In May 2022, I signed an Executive Order promoting effective, accountable, and transparent community policing—delivering the most significant police reform in decades. Among other important measures that increase transparency and accountability, it raises policing standards by banning choke holds, restricting no knock warrants, and requiring body-worn cameras on patrols and during searches and arrests. It creates a new national law enforcement database to track records of misconduct, and it aims to safely reduce incarceration, support rehabilitation and reentry, and address racial disparities in our criminal justice system. Additionally, I signed three new hate crime bills, including the Emmett Till Antilynching Act which finally made lynching a Federal crime.

Equal access to the ballot box is the beating heart of our democracy. Without it, nothing is possible; with it, anything is. I restored the Civil Rights Division of the Department of Justice, appointing top attorneys to oversee enforcement of civil rights laws, and the Department has doubled the voting rights enforcement staff. Every agency of my Administration has been ordered to expand access to voter registration and election information. These are all important steps, but I will continue to push the Congress to repair the damage to voting rights in this country by passing the John Lewis Voting Rights Advancement and Freedom to Vote Acts, to ensure every American has a voice in the democratic process.

This year, on what would have been Dr. King's 94th birthday, I was honored to be the first sitting President to deliver a sermon at Sunday service at his cherished Ebenezer Baptist Church in Atlanta. The life of Dr. King demonstrates that democracy is an enduring covenant that must be persistently renewed; nothing about it is guaranteed. During National Black History Month, we honor and continue the work of Black Americans who have created a more fair and inclusive democracy, helping our Nation move closer to the realization of its full promise for everyone.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim February 2023 as National Black History Month. I call upon public officials, educators, librarians, and all the people of the United States to observe this month with relevant programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of January, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10519 of January 31, 2023

National Teen Dating Violence Awareness and Prevention Month, 2023

By the President of the United States of America
A Proclamation

Across America, young people are impacted by abusive relationships, suffering in silence as they are threatened with or subjected to physical violence, sexual violence, psychological aggression, or stalking from a current or former intimate partner. During National Teen Dating Violence Awareness and Prevention Month, we bring this scourge out of the shadows, recommit to promoting healthy relationships, and join together with a clear message to survivors: You are not alone. Support is close by, and justice is within reach.

Each year, around 12 percent of American high schoolers experience physical or sexual violence at the hands of an intimate partner. Young women, transgender teens, and gender nonconforming youth are disproportionately affected. Dating violence can also occur on social media, online, and through other electronic communication in the form of cyberstalking, nonconsensual distribution of intimate images, and other technology-facilitated harms. This trauma not only affects survivors' health, safety, and aspirations as teenagers—it can also follow them into adulthood and increase the risk of violence in future relationships.

When we teach teens about healthy, nonviolent relationships, we support their development and create safer, healthier communities for everyone. That is why my Administration is advancing efforts by the Centers for Disease Control and Prevention to provide training for educators, families, and community members to teach young people how to form healthy relationships and leave abusive ones. These tools can be found at VetoViolence.CDC.gov. My Task Force to Address Online Harassment and Abuse is also committed to addressing ways that technology can be used to cause harm, including as a form of dating violence among young people. Additionally, in 2022 I worked with the Congress to reauthorize and strengthen the Violence Against Women Act, including enhancing grant programs and increasing funding for non-profit organizations, Tribes, and local governments that are working to reduce and address teen dating violence.

By recognizing the signs of dating and domestic violence, setting positive examples of healthy relationships that lift up instead of tear down, and making clear that abuses of power are never acceptable, we can build a culture where respect is the norm, dignity is the rule, and safety is the expectation—both online and offline. We can measure up to the standards of equality, opportunity, and justice that define our Nation at its best.

If you or someone you know is involved in an abusive relationship of any kind, immediate and confidential support is available through the National Domestic Violence Hotline's project focused on supporting young people by visiting loveisrespect.org, calling 1–866–331–9474 (TTY: 1–800–787–3224), or texting ''LOVEIS'' to 22522.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim February 2023 as National Teen Dating Violence Awareness and Prevention Month. I call upon everyone to educate themselves and others about teen dating violence so that together we can stop it.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of January, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10520 of February 3, 2023

30th Anniversary of the Family and Medical Leave Act

By the President of the United States of America

A Proclamation

For 30 years, the Family and Medical Leave Act (FMLA) has given American workers the right to take time to care for themselves and their loved ones without losing their jobs. When President Clinton signed it into law on February 5, 1993, I was proud to have fought for it as a United States Senator alongside tenacious advocates and Members of Congress.

Before its passage, parents were not guaranteed time off for staying home with a newborn or sick child, and workers could lose their health insurance for taking leave to fight an illness. The FMLA ended that for millions of Americans, guaranteeing up to 12 weeks of unpaid leave annually to care for a spouse, a parent, a child, or themselves, and preserving their jobs until they returned. The law has given countless Americans peace of mind in their toughest moments. It has made workplaces fairer and healthier. And it has made it easier for millions of women—who still disproportionately shoulder caregiving responsibilities—to remain in the workforce, benefitting our whole economy.

But it is not enough to just protect people's jobs; we must also protect their paychecks so every American worker can afford to be there for their loved ones. The COVID–19 pandemic made this even more obvious. The United States is one of the only countries in the world that does not provide paid leave to its workers, undermining the health and economic security of families and our Nation. As millions more Americans join today's so-called ''sandwich generation,'' struggling to care for both young kids and aging parents, we need to help.

That is why, when I took office as President, I proposed the first national paid family and medical leave program in our history. Paid leave would help bring more people back into the workforce—boosting productivity, securing wages, and easing budgets for working families. And it would give workers more dignity and control over their own lives.

During the depths of the COVID–19 pandemic, my Administration expanded the Child Tax Credit to give millions of families a little more

breathing room, helping cut child poverty to the lowest rate on record. We gave 200,000 childcare providers the funding needed to keep their doors open, serving over 9.5 million children nationwide. We invested $145 million in the National Family Caregiver Support Program, which gives family and other informal care providers counseling, training, and respite care to support loved ones. I recently signed the Pregnant Workers Fairness Act to ensure that employers make reasonable accommodations related to pregnancy, childbirth, or related medical conditions. And just yesterday, I signed a Presidential Memorandum to make sure Federal employees are able to access leave when they need it, to the fullest extent possible.

I ran for President to restore the backbone of this country—the middle class. My Administration is fighting for working families across the board. We are lowering health care costs and prescription drug costs. We are reducing home energy bills. We have created nearly 11 million jobs, reducing unemployment to a 50-year low as wages keep rising. And we have protected the pensions that over a million American workers and retirees worked for their whole lives, making sure they can retire with dignity and respect. Thirty years after the FMLA was signed, we reaffirm that nothing is more important than being there for the ones you love when they need you most.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim February 5, 2023, as the 30th Anniversary of the Family and Medical Leave Act. I call upon Americans to honor those who advocated for this crucial legislation and to join the fight for the dignity and rights of workers across this Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of February, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10521 of February 24, 2023

National Eating Disorders Awareness Week, 2023

By the President of the United States of America

A Proclamation

Nearly 1 in 10 Americans are expected to develop an eating disorder in their lifetime. When left untreated, eating disorders can have devastating effects on a person's health. Each of us has the power to help people who are struggling to receive the support and treatment they need and to promote a culture that treats everyone with dignity and respect. During National Eating Disorders Awareness Week, we call attention to this serious health condition and reaffirm that, with early access to treatment and support, a full recovery is possible.

My Administration is taking action to address eating disorders. Through the National Institute of Mental Health, we are working to develop better

therapies and interventions. Through the Substance Abuse and Mental Health Services Administration (SAMHSA) and funding for the National Center of Excellence for Eating Disorders, we are also helping health care providers, families, caregivers, and community members access new tools and trainings to help detect and treat eating disorders.

I made tackling the mental health crisis a key pillar of my Administration's Unity Agenda, and since coming into office, I have invested billions of dollars to improve access to mental health services. For example, we are expanding Certified Community Behavioral Health Clinics, which deliver 24/7 mental health care to millions of Americans, regardless of their ability to pay. We are also shaping brighter futures for the next generation by helping schools hire more counselors, social workers, and nurses; expanding training for health care professionals; integrating mental health into primary care; strengthening enforcement of mental health parity laws; and addressing the harms of bullying and social media platforms that fuel eating disorders, depression, and self-harm.

This week, let us acknowledge the families of those struggling with eating disorders as they care for their loved ones. Let us recommit to celebrating and supporting our fellow Americans who are on their road to recovery. And let us spread the word that help is just a phone call away: The SAMHSA National Helpline at 1–800–662–4357 is a confidential, free, 24-hours-a-day, 365-days-a-year information and referral service. For anyone experiencing a crisis, immediate and confidential help is also available by calling or texting 988, the National Suicide and Crisis Lifeline.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim February 26 through March 4, 2023, as National Eating Disorders Awareness Week. I encourage citizens, government agencies, private businesses, nonprofit organizations, and other interested groups to join in activities that will increase awareness of what Americans can do to prevent eating disorders and that will improve access to care and other support services for those currently living with an eating disorder.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of February, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10522 of February 24, 2023

Adjusting Imports of Aluminum Into the United States

By the President of the United States of America

A Proclamation

1. On January 19, 2018, the Secretary of Commerce (Secretary) transmitted to the President a report on the Secretary's investigation into the effect of imports of aluminum articles on the national security of the United States

under section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862). The Secretary found and advised the President of his opinion that aluminum articles are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security of the United States.

2. In Proclamation 9704 of March 8, 2018 (Adjusting Imports of Aluminum Into the United States), the President concurred in the Secretary's finding that aluminum articles are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security of the United States, and decided to adjust the imports of aluminum articles by imposing a 10 percent ad valorem tariff on such articles imported from most countries.

3. In Proclamation 9704, the President also directed the Secretary to monitor imports of aluminum articles and inform the President of any circumstances that in the Secretary's opinion might indicate the need for further action under section 232 of the Trade Expansion Act of 1962, as amended, with respect to such imports.

4. The Secretary has informed me that the capacity utilization in the domestic aluminum industry remains well below the target capacity utilization level recommended in the January 2018 report. The Secretary has also informed me that two of the five remaining aluminum smelters in the United States are in danger of closing as a result of continued high levels of aluminum imports and high energy prices.

5. In the Secretary's January 2018 report, the Secretary recommended that the President consider applying a higher tariff to a list of specific countries should the President determine that all countries should not be subject to the same tariff. One of the countries on that list was the Russian Federation (Russia). As the Secretary explained in that report, Russia is among the major exporters of aluminum to the United States for domestic consumption. While aluminum imports from Russia have declined from the volume in the Secretary's 2018 report, Russia remains the fifth largest source of imported aluminum in the United States, and the imports of aluminum from Russia have increased in both 2021 and 2022. Distortions that result from overcapacity threaten market-oriented aluminum industries and Russia's aluminum industry in particular is extremely export oriented, with Russia being the largest exporter of unwrought aluminum in 2021 and Russian domestic consumption accounting for just 22 percent of Russian production across 2021 and 2022. United States imports of Russian aluminum increased by 53 percent between March and July 2022.

6. Russia continues its unjustified, unprovoked, unyielding, and unconscionable war against Ukraine. The Russian aluminum industry is a key part of Russia's defense industrial base and has played a major role in supplying Russia with weapons and ammunition used in the war. In addition, Russia's war against Ukraine has caused global energy prices to rise, causing direct harm to the United States aluminum industry.

7. To further reduce imports of aluminum articles and increase domestic capacity utilization, I have determined that it is necessary and appropriate to impose:

(a) beginning on March 10, 2023, a 200 percent ad valorem tariff on aluminum articles that are the product of Russia and derivative aluminum articles that are the product of Russia; and

(b) beginning on April 10, 2023, a 200 percent ad valorem tariff on aluminum articles where any amount of primary aluminum used in the manufacture of the aluminum articles is smelted in Russia, or the aluminum articles are cast in Russia, and derivative aluminum articles where any amount of primary aluminum used in the manufacture of the derivative aluminum articles is smelted in Russia, or the derivative aluminum articles are cast in Russia.

(c) ''Primary aluminum'' is defined as new aluminum metal that is produced from alumina (or aluminum oxide) by the electrolytic Hall-Heroult process.

8. The Secretary has advised me that the tariff adjustment described in paragraph 7 of this proclamation will be a significant step toward ensuring the viability of the domestic aluminum industry.

9. In adopting the tariff adjustment described in paragraph 7 of this proclamation, I recognize that concerns about aluminum imports from Russia and their impact on our national security are shared by other countries, and that we need to work together with our partners to ensure that the global market distortions caused by Russian aluminum articles do not distort our markets and threaten our national security. Any country that imposes a tariff of 200 percent or more on its imports of aluminum articles that are products of Russia may be exempt from the tariff imposed by this proclamation.

10. Section 232 of the Trade Expansion Act of 1962, as amended, authorizes the President to adjust the imports of an article and its derivatives that are being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security.

11. Section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483), authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTSUS) the substance of statutes affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States of America, including section 232 of the Trade Expansion Act of 1962, as amended, section 301 of title 3, United States Code, and section 604 of the Trade Act of 1974, as amended, do hereby proclaim as follows:

(1) In order to establish increases in the duty rate on imports of aluminum articles that are the product of Russia, or where any amount of primary aluminum used in the manufacture of the aluminum articles is smelted in Russia, or the aluminum articles are cast in Russia, subchapter III of chapter 99 of the HTSUS is modified as provided in the Annex to this proclamation. In order to establish increases in the duty rate on imports of derivative aluminum articles that are the product of Russia, or where any amount of primary aluminum used in the manufacture of the derivative aluminum articles is smelted in Russia, or the derivative aluminum articles are cast in Russia, subchapter III of chapter

99 of the HTSUS is modified as provided in the Annex to this proclamation.

(2) Clause 2 of Proclamation 9704, as amended, is further amended in the second sentence by deleting ''and'' before ''(i)'' and inserting before the period at the end: '', and (j) on or after 12:01 a.m. eastern standard time on March 10, 2023, from all countries except Argentina, Australia, Canada, Mexico, and from the member countries of the European Union through 11:59 p.m. eastern standard time on December 31, 2023, from the United Kingdom, for aluminum articles covered by headings 9903.85.25 through 9903.85.44, inclusive, and from Russia. Further, except as otherwise provided in notices published pursuant to clause 3 of this proclamation, aluminum articles imports covered by clause 1 of this proclamation that are products of Russia shall be subject to a 200 percent ad valorem rate of duty with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on March 10, 2023; and aluminum articles imports covered by clause 1 of this proclamation where any amount of primary aluminum used in the manufacture of the aluminum articles is smelted in Russia, or the aluminum articles are cast in Russia, shall be subject to a 200 percent ad valorem rate of duty with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on April 10, 2023.'' Clause 2 of Proclamation 9704, as amended, is further amended by deleting the last sentence and inserting in lieu thereof: ''These rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported aluminum articles, shall apply to imports of aluminum articles from each country as specified in the preceding two sentences.''

(3) The first two sentences of clause 1 of Proclamation 9980 of January 24, 2020 (Adjusting Imports of Derivative Aluminum Articles and Derivative Steel Articles Into the United States), are revised to read as follows:

''In order to establish increases in the duty rate on imports of certain derivative articles, subchapter III of chapter 99 of the HTSUS is modified as provided in the Annex to this proclamation. Except as otherwise provided in this proclamation, all imports of derivative aluminum articles specified in the Annex to this proclamation shall be subject to an additional 10 percent ad valorem rate of duty, and all imports of derivative steel articles specified in the Annex to this proclamation shall be subject to an additional 25 percent ad valorem rate of duty, with respect to goods entered for consumption, or withdrawn from warehouse for consumption, as follows: (i) on or after 12:01 a.m. eastern standard time on February 8, 2020, these rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported derivative aluminum articles or steel articles, shall apply to imports of derivative aluminum articles described in the Annex to this proclamation from all countries except Argentina, the Commonwealth of Australia (Australia), Canada, and the United Mexican States (Mexico) and to imports of derivative steel articles described in the Annex to this proclamation from all countries except Argentina, Australia, Brazil, Canada, Mexico, and South Korea; (ii) on or after 12:01 a.m. eastern standard time on January 1, 2022, these rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported derivative aluminum articles or steel articles, shall apply to imports of derivative

aluminum articles described in the Annex to this proclamation from all countries except Argentina, Australia, Canada, the member countries of the European Union, and Mexico and to imports of derivative steel articles described in the Annex to this proclamation from all countries except Argentina, Australia, Brazil, Canada, the member countries of the European Union, Mexico, and South Korea; (iii) on or after 12:01 a.m. eastern daylight time on April 1, 2022, these rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported derivative aluminum articles or steel articles, shall apply to imports of derivative aluminum articles described in the Annex to this proclamation from all countries except Argentina, Australia, Canada, the member countries of the European Union, and Mexico and to imports of derivative steel articles described in the Annex to this proclamation from all countries except Argentina, Australia, Brazil, Canada, the member countries of the European Union, Japan, Mexico, and South Korea; (iv) on or after 12:01 a.m. eastern daylight time on June 1, 2022, these rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported derivative aluminum articles or steel articles, shall apply to imports of derivative aluminum articles described in the Annex to this proclamation from all countries except Argentina, Australia, Canada, the member countries of the European Union, and Mexico, and to imports of derivative steel articles described in the Annex to this proclamation from all countries except Argentina, Australia, Brazil, Canada, the member countries of the European Union, Japan, Mexico, and South Korea, and except from Ukraine through 11:59 p.m. eastern daylight time on June 1, 2023; (v) on or after 12:01 a.m. eastern daylight time on June 1, 2022, these rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported derivative aluminum articles or steel articles, shall apply to imports of derivative aluminum articles described in the Annex to this proclamation from all countries except Argentina, Australia, Canada, the member countries of the European Union, Mexico, and the UK, and to imports of derivative steel articles described in the Annex to this proclamation from all countries except Argentina, Australia, Brazil, Canada, the member countries of the European Union, Japan, Mexico, South Korea, and the UK, and except from Ukraine through 11:59 p.m. eastern daylight time on June 1, 2023; and (vi) on or after 12:01 a.m. eastern standard time on March 10, 2023, these rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported derivative aluminum articles or steel articles, shall apply to imports of derivative aluminum articles described in the Annex to this proclamation from all countries except Argentina, Australia, Canada, the member countries of the European Union, Mexico, the UK, and Russia, and to imports of derivative steel articles described in the Annex to this proclamation from all countries except Argentina, Australia, Brazil, Canada, the member countries of the European Union, Japan, Mexico, South Korea, and the UK, and except from Ukraine through 11:59 p.m. eastern daylight time on June 1, 2023. Further, except as otherwise provided in this proclamation, all imports of derivative aluminum articles specified in the Annex to this proclamation that are the product of Russia shall be subject to a 200 percent ad valorem rate of duty with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on March 10, 2023; and

all imports of derivative aluminum articles specified in the Annex to this proclamation where any amount of primary aluminum used in the manufacture of the derivative aluminum articles is smelted in Russia, or the derivative aluminum articles are cast in Russia, shall be subject to a 200 percent ad valorem rate of duty with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on April 10, 2023. Primary aluminum is defined as new aluminum metal that is produced from alumina (or aluminum oxide) by the electrolytic Hall-Heroult process.''

(4) For purposes of implementing the duty increases in this proclamation, importers shall provide to U.S. Customs and Border Protection (CBP) information necessary to identify the countries where the primary aluminum used in the manufacture of aluminum articles imports, covered by clause 1 of Proclamation 9704, and derivative aluminum articles, specified in Annex I of Proclamation 9980, are smelted and information necessary to identify the countries where such aluminum articles imports and derivative aluminum articles are cast. CBP shall implement the smelt and cast information requirements as soon as practicable.

(5) The modifications to the HTSUS made by the Annex to this proclamation shall be effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on March 10, 2023, and shall continue in effect, unless such actions are expressly reduced, modified, or terminated.

(6) Any imports of aluminum articles that are the product of Russia shall not be eligible for any General Approved Exclusions as set forth in supplement number 3 to part 705 of title 15 of the Code of Federal Regulations if entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on March 10, 2023, and any imports of aluminum articles where any amount of primary aluminum used in the manufacture of the aluminum articles is smelted in Russia, or the aluminum articles are cast in Russia, shall not be eligible for any General Approved Exclusions as set forth in supplement number 3 to part 705 of title 15 of the Code of Federal Regulations if entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on April 10, 2023. Any imports of derivative aluminum articles that are the product of Russia shall not be eligible for any General Approved Exclusions as set forth in supplement number 3 to part 705 of title 15 of the Code of Federal Regulations if entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on March 10, 2023, and any imports of derivative aluminum articles where any amount of primary aluminum used in the manufacture of the derivative aluminum articles is smelted in Russia, or the derivative aluminum articles are cast in Russia shall not be eligible for any General Approved Exclusions as set forth in supplement number 3 to part 705 of title 15 of the Code of Federal Regulations if entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on April 10, 2023.

(7) Any imports of aluminum articles that are the product of Russia shall not be eligible for in-quota treatment for any quota or tariff-rate quota maintained under the authority of section 232 of the Trade Expansion

Act of 1962, as amended, if entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on March 10, 2023, and any imports of aluminum articles where any amount of primary aluminum used in the manufacture of the aluminum articles is smelted in Russia, or the aluminum articles are cast in Russia shall not be eligible for in-quota treatment for any quota or tariff-rate quota maintained under the authority of section 232 of the Trade Expansion Act of 1962, as amended, if entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on April 10, 2023.

(8) Any imports of aluminum articles or derivative aluminum articles that are the product of Russia, where any amount of primary aluminum used in the manufacture of the aluminum articles or derivative aluminum articles is smelted in Russia, or the aluminum articles or derivative aluminum articles are cast in Russia, that were admitted into a U.S. foreign trade zone under ''privileged foreign status'' as defined in 19 CFR 146.41, shall be subject upon entry for consumption made on or after 12:01 a.m. eastern standard time on March 10, 2023, to the provisions of the tariff in effect at the time of the entry for consumption.

(9) Any provision of previous proclamations and Executive Orders that is inconsistent with the actions taken in this proclamation is superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of February, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

ANNEX

TO MODIFY CERTAIN PROVISIONS OF CHAPTER 99 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

Section A. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on March 10, 2023, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States ("HTSUS") is hereby modified as follows:

1. The following new subdivision (vii) is inserted at the end of U.S. note 19(a) to subchapter III of chapter 99 of the HTSUS:

"(vii)(A) Heading 9903.85.67 and 9903.85.69 provides the ordinary duty treatment of aluminum articles that are products of Russia, as enumerated in subdivision (b) of this note. For any such goods that are eligible for special tariff treatment under any of the free trade agreements or preference programs listed in general note 3(c)(i) to the tariff schedule, the duty provided in such heading shall be collected in addition to any special rate of duty otherwise applicable under the appropriate tariff subheading, except where prohibited by law. Goods for which entry is claimed under a provision of chapter 98 and which are subject to the additional duties prescribed herein shall be eligible for and subject to the terms of such provision and applicable U.S. Customs and Border Protection ("CBP") regulations, except that duties under subheading 9802.00.60 shall be assessed based upon the full value of the imported article. No claim for entry or for any duty exemption or reduction shall be allowed for the aluminum products enumerated in subdivision (b) of this note under a provision of chapter 99 that may set forth a lower rate of duty or provide duty-free treatment, taking into account information supplied by CBP, but any additional duty prescribed in any provision of this subchapter or subchapter IV of chapter 99 shall be imposed in addition to the duty in heading 9903.85.67 or 9903.85.69.

(B) Heading 9903.85.68 and 9903.85.70 provides the ordinary duty treatment of derivative aluminum articles that are the product of Russia, as enumerated in subdivision (a)(iii) of this note. For any such products that are eligible for special tariff treatment under any of the free trade agreements or preference programs listed in general note 3(c)(i) to the tariff schedule, the duty provided in these headings shall be collected in addition to any special rate of duty otherwise applicable under the appropriate tariff subheading, except where prohibited by law. Goods for which entry is claimed under a provision of chapter 98 and which are subject to the additional duties prescribed herein shall be eligible for and subject to the terms of such provision and applicable U.S. Customs and Border Protection ("CBP") regulations, except that duties under subheading 9802.00.60 shall be assessed based upon the full value of the imported article. No claim for entry or for any exemption or reduction shall be allowed for the aluminum products enumerated in subdivision (b) of this note under a provision of chapter 99 that may set forth a lower rate of duty or provide duty-free treatment, taking into account information supplied by CBP, but any additional duty prescribed in any provision of this subchapter or subchapter IV of chapter 99 shall be imposed in addition to the duty in heading 9903.85.68 or 9903.85.70.".

2. The first sentence of U.S. note 19(c) to subchapter III is modified by deleting "and 9903.85.21" and inserting ", 9903.85.21, and 9903.85.67 through 9903.85.70" in lieu thereof.

3. The first sentence of U.S. note 19(d) to subchapter III is modified by deleting "or heading 9903.85.21" and inserting ", heading 9903.85.21, or headings 9903.85.67 through 9903.85.70" in lieu thereof; and such sentence is further modified by deleting "and 9903.85.06" and by inserting after "heading 9903.85.21" the language "or headings 9903.85.67 through 9903.85.70".

4. The following new heading is inserted in numerical sequence in such subchapter III, with the material inserted in the HTSUS columns entitled "Heading/Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special" and "Rates of Duty 2", respectively:

Heading/ Subheading	Article description	Rates of Duty		
		1		2
		General	Special	
"9903.85.67	Aluminum articles that are the product of Russia, the foregoing under the terms of note 19(a)(vii)(A) to this subchapter and provided for in the tariff headings or subheadings enumerated in note 19(b) to this subchapter, except any exclusions that may be determined and announced by the Department of Commerce	The duty provided in the applicable subheading + 200%	The duty provided in the applicable subheading + 200% (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	The duty provided in the applicable subheading + 200%
9903.85.68	Derivative aluminum articles that are products of Russia, when such derivative articles are provided for in the headings or subheadings enumerated in note 19(a)(iii) to this chapter, except any exclusions that may be determined and announced by the Department of Commerce.....	The duty provided in the applicable subheading + 200%	The duty provided in the applicable subheading + 200% (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	The duty provided in the applicable subheading + 200%
9903.85.69	Except for goods provided for in heading 9903.85.67,			

Heading/ Subheading	Article description	Rates of Duty		
		1		2
		General	Special	
	aluminum articles that are the product of Russia, the foregoing under the terms of note 19(a)(vii)(A) to this subchapter and provided for in the tariff headings or subheadings enumerated in note 19(b) to this subchapter, admitted into a U.S. foreign trade zone under "privileged foreign status" as defined in 19 CFR 146.41, prior to 12:01 a.m. eastern standard time on March 10, 2023, except any exclusions that may be determined and announced by the Department of Commerce	The duty provided in the applicable subheading + 200%	The duty provided in the applicable subheading + 200% (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	The duty provided in the applicable subheading + 200%
9903.85.70	Except for goods provided for in heading 9903.85.68, derivative aluminum articles that are products of Russia, when such derivative articles are provided for in the headings or subheadings enumerated in note 19(a)(iii) to this chapter, admitted into a U.S. foreign trade zone under "privileged foreign status" as defined in 19 CFR 146.41, prior to 12:01 a.m. eastern standard time on March 10, 2023, except any exclusions that may be determined and announced by the Department of Commerce.....	The duty provided in the applicable subheading + 200%	The duty provided in the applicable subheading + 200% (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	The duty provided in the applicable subheading + 200%”

Section B. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on April 10, 2023, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States ("HTSUS") is hereby modified as follows:

1. Note 19(a)(vii)(A) is modified by adding in the first sentence after the comma the following phrase: "or where any amount of primary aluminum used in the manufacture of the aluminum articles is smelted in Russia, or where the aluminum articles are cast in Russia,".

2. Note 19(a)(vii)(B) is modified by adding in the first sentence after the comma the following phrase: "or where any amount of primary aluminum used in the manufacture of the derivative aluminum articles is smelted in Russia, or where the derivative aluminum articles are cast in Russia,".

3. Note 19(a)(vii)(A) and (B) are each modified by adding at the end thereof the following new sentences: "All shipments of any article that is otherwise eligible to be entered under a provision that is subject to quantitative limitations, and where any amount of primary aluminum used in the manufacture of the article is smelted in Russia, or the articles are cast in Russia, shall be entered under headings 9903.85.67 through 9903.85.70. Except as otherwise provided in this subdivision, the duty provided in these headings shall be collected on the full value of the article that contains primary aluminum smelted in Russia, or contains articles cast in Russia."

4. The first sentence of U.S. note 19(d) to subchapter III is modified by deleting "or heading 9903.85.21" and inserting ", heading 9903.85.21, or headings 9903.85.67 through 9903.85.70 " in lieu thereof; and such sentence is further modified by deleting "and 9903.85.06" and by inserting after "heading 9903.85.21" the language "or headings 9903.85.67 through 9903.85.70, inclusive,".

5. The article description of headings 9903.85.67 and 9903.85.69 are each modified by inserting after "of Russia" the phrase ", or where any amount of primary aluminum used in the manufacture of the aluminum articles is smelted in Russia, or where the aluminum articles are cast in Russia,".

6. The article description of headings 9903.85.68 and 9903.85.70 are each modified by inserting after "of Russia" the phrase ", or where any amount of primary aluminum used in the manufacture of the derivative aluminum articles is smelted in Russia, or where the derivative aluminum articles are cast in Russia,".

7. The article description of headings 9903.85.69 and 9903.85.70 are each modified by deleting the phrase "prior to 12:01 a.m. eastern standard time on March 10, 2023" and inserting in its place the phrase "prior to 12:01 a.m. eastern standard time on April 10, 2023".

Proclamation 10523 of February 24, 2023

Increasing Duties on Certain Articles From the Russian Federation

By the President of the United States of America
A Proclamation

1. On April 8, 2022, I signed the Suspending Normal Trade Relations with Russia and Belarus Act (19 U.S.C. 2434 note) (Suspending NTR Act). Section 3(a) of the Suspending NTR Act suspended nondiscriminatory tariff treatment for products of the Russian Federation and of the Republic of Belarus, and imposed the rates of duty set forth in column 2 of the Harmonized Tariff Schedule of the United States (HTSUS) on all products of the Russian Federation and of the Republic of Belarus, effective as of April 9, 2022. Section 3(b)(1) of the Suspending NTR Act provides that the President may proclaim increases in the column 2 rates of duty applicable to products of the Russian Federation and of the Republic of Belarus.

2. On April 8, 2022, I signed the Ending Importation of Russian Oil Act (22 U.S.C. 8923 note). Section 2 of the Ending Importation of Russian Oil Act prohibits imports of all products of the Russian Federation classified under chapter 27 of the HTSUS, in a manner consistent with any implementation actions issued under Executive Order 14066 of March 8, 2022.

3. In Executive Order 14066 of March 8, 2022, I prohibited, inter alia, the importation into the United States of the following products of Russian Federation origin: crude oil; petroleum; petroleum fuels, oils, and products of their distillation; liquefied natural gas; coal; and coal products.

4. In Executive Order 14068 of March 11, 2022, I prohibited, inter alia, the importation into the United States of the following products of Russian Federation origin: fish, seafood, and preparations thereof; alcoholic beverages; and non-industrial diamonds.

5. In Proclamation 10420 of June 27, 2022, I stated that I had determined that increasing the column 2 rates of duty to 35 percent ad valorem on certain products of the Russian Federation was warranted and consistent with the foreign policy interests of the United States. I also stated that the United States will monitor the implementation of the increased duties, and that I may revisit this determination, as appropriate.

6. In accordance with section 3(b)(1) of the Suspending NTR Act, I have determined that increasing the column 2 rates of duty to 35 percent ad valorem on certain additional products of the Russian Federation and to 70 percent ad valorem on certain other additional products of the Russian Federation, the importation of which has not already been prohibited, is warranted and consistent with the foreign policy interests of the United States. In addition, I have determined that increasing the column 2 rates of duty from 35 percent ad valorem to 70 percent ad valorem on certain products covered by Proclamation 10420 of June 27, 2022, the importation of which has not already been prohibited, is warranted and consistent with the foreign policy interests of the United States. These products are listed in the Annex to this proclamation. The United States will monitor the implementation of the increased duties, and I may revisit this determination, as appropriate.

7. Section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483), authorizes the President to embody in the HTSUS the substance of statutes affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States of America, including section 3 of the Suspending Normal Trade Relations with Russia and Belarus Act; section 301 of title 3, United States Code; and section 604 of the Trade Act of 1974, as amended, do hereby proclaim as follows:

(1) To increase the column 2 rates of duty on imports of certain articles of the Russian Federation as set forth in paragraph 6 of this proclamation, subdivision (b) to U.S. Note 30 to subchapter III of chapter 99 of the HTSUS is modified and new HTSUS heading 9903.90.09 and new subdivisions (c) and (d) to U.S. Note 30 to subchapter III of chapter 99 of the HTSUS are established, as provided for in the Annex to this proclamation.

(2) The modifications to the HTSUS made by clause 1 of this proclamation shall be effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on April 1, 2023, and shall continue in effect, unless such actions are expressly reduced, modified, or terminated.

(3) Any provision of previous proclamations and Executive Orders that is inconsistent with the actions taken in this proclamation is superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of February, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

ANNEX

Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on April 1, 2023, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (HTSUS) is modified:

1. by deleting "as provided for in this note" from subdivision (a) of U.S. note 30 to subchapter III of chapter 99 and by inserting "as provided for in subdivisions (a) and (b) of this note" in lieu thereof.

2. by deleting the following 8-digit subheadings from subdivision (b) to U.S. note 30 to subchapter III of chapter 99:

"7202.11.50	7304.29.20	7318.22.00
7202.21.10	7304.29.31	7325.10.00
7202.29.00	7304.29.41	7408.11.60
7202.30.00	7304.29.50	7408.19.00
7202.41.00	7306.29.20	7409.21.00
7202.49.10	7306.29.60	7410.22.00
7202.70.00	7307.99.10	7604.29.30
7204.21.00	7308.90.60	7604.29.50
7204.29.00	7310.10.00	7605.11.00
7204.49.00	7310.29.00	7606.12.30
7205.29.00	7311.00.00	7606.12.60
7207.12.00	7314.41.00	7613.00.00
7216.91.00	7318.15.20	7801.10.00
7224.90.00	7318.15.40	7801.99.90".
7304.29.10	7318.16.00	

3. by inserting the following 8-digit subheadings in subdivision (b) to U.S. note 30 to subchapter III of chapter 99 in numerical sequence:

"2601.12.00	2846.90.40	7110.31.00
2615.10.00	2846.90.80	7110.39.00
2803.00.00	7102.21.30	7110.41.00
2804.90.00	7102.21.40	7110.49.00
2805.12.00	7102.29.00	7502.10.00
2816.10.00	7110.11.00	7502.20.00
2834.29.10	7110.19.00	7504.00.00
2846.90.20	7110.29.00	8708.10.30".

4. by inserting the following new heading 9903.90.09 in numerical sequence, with the material in the new heading inserted in the columns of the HTSUS labeled "Heading/Subheading", "Article Description", "Rates of Duty 1-General", "Rates of Duty-1 Special", and "Rates of Duty 2", respectively:

Heading/ Subheading	Article Description	Rates of Duty		
		1		2
		General	Special	
"9903.90.09	Articles the product of the Russian Federation, as provided for in U.S. note 30(c) to this subchapter and as provided for in the subheadings enumerated in U.S. note 30(d) to this subchapter			70%".

5. by inserting the following new subdivisions (c) through (d) to U.S. note 30 to subchapter III of chapter 99 in alphabetical sequence:

"(c) For the purposes of heading 9903.90.09, articles that are the product of the Russian Federation, as provided for in subdivisions (c) and (d) of this note, shall be subject to a 70 percent *ad valorem* rate of duty in lieu of the rates of duty provided for such articles in column 2 of the HTSUS in chapters 1 to 97. All articles that are the product of the Russian Federation that are classified in the subheadings enumerated in U.S. note 30(d) to subchapter III of chapter 99 are subject to the 70 percent *ad valorem* rate of duty imposed by heading 9903.90.09.

As provided in U.S. note 1 to subchapter III of chapter 99, articles that are the product of the Russian Federation that are classified in the subheadings enumerated in U.S. note 30(d) to subchapter III of chapter 99 are subject to a 70 percent *ad valorem* rate of duty under heading 9903.90.09 in lieu of the rates of duty provided therefor in column 2 of the HTSUS in chapters 1 to 97.

The duties imposed by heading 9903.90.09 do not apply to goods for which entry is claimed under a provision of chapter 98 of the HTSUS, except for goods entered under subheadings 9802.00.40, 9802.00.50, and 9802.00.60, and heading 9802.00.80. For subheadings 9802.00.40, 9802.00.50, and 9802.00.60, the duties imposed by heading 9903.90.09 apply to the value of repairs, alterations, or processing performed abroad, as described in the applicable subheading. For heading 9802.00.80, the duties imposed by heading 9903.90.09 apply to the value of the article less the cost or value of such products of the United States, as described in heading 9802.00.80.

Products of the Russian Federation that are provided for in heading 9903.90.09 and classified in one of the subheadings enumerated in U.S. note 30(d) to subchapter III of chapter 99 shall continue to be subject to antidumping, countervailing, or other duties, fees, exactions and charges that apply to such products, as well as to the 70 percent *ad valorem* rate of duty imposed by heading 9903.90.09.

(d) Heading 9903.90.09 applies to all products of the Russian Federation that are classified in the following 8-digit subheadings:

7201.10.00
7202.11.50
7202.21.10
7202.29.00
7202.30.00
7202.41.00
7202.49.10
7202.70.00
7202.92.00
7203.10.00
7204.21.00
7204.29.00
7204.49.00
7205.29.00
7207.12.00
7208.10.30
7208.10.60
7208.25.30
7208.36.00
7208.37.00
7208.38.00
7208.39.00
7208.40.30
7208.40.60
7208.51.00
7208.52.00
7208.53.00
7208.54.00
7208.90.00
7209.16.00
7209.17.00
7209.18.60
7210.41.00
7210.49.00
7210.61.00
7210.69.00
7210.70.60
7212.40.10
7212.40.50
7213.10.00
7214.20.00
7214.99.00
7216.69.00
7216.91.00
7217.10.60
7217.10.90
7217.20.30
7222.30.00
7224.90.00
7225.11.00
7225.19.00
7226.11.10
7226.11.90
7226.19.90
7228.40.00
7228.50.10
7228.50.50
7228.60.80
7304.19.10
7304.24.40
7304.29.10
7304.29.20
7304.29.31
7304.29.41
7304.29.50
7304.31.60
7304.39.00
7305.11.10
7305.12.10
7306.29.20
7306.29.60
7306.30.50
7307.99.10
7308.90.30
7308.90.60
7310.10.00
7310.29.00
7311.00.00
7314.41.00
7318.15.20
7318.15.40
7318.16.00
7318.22.00
7325.10.00
7403.11.00
7408.11.60
7408.19.00
7409.21.00
7410.22.00
7601.10.30
7601.10.60
7601.20.30
7601.20.60
7601.20.90
7604.10.30
7604.10.50
7604.21.00
7604.29.30
7604.29.50
7605.11.00
7605.19.00
7605.21.00
7605.29.00
7606.11.30
7606.11.60
7606.12.30
7606.12.60
7606.91.30
7606.91.60
7606.92.30
7606.92.60
7607.11.90
7607.19.60
7607.20.10
7607.20.50
7612.90.50
7613.00.00
7801.10.00
7801.99.90
8108.20.00
8108.30.00
8112.31.00
8112.41.10
8112.92.07
8112.92.10
8112.92.30
8112.92.40".

Proclamation 10524 of February 28, 2023

American Red Cross Month, 2023

By the President of the United States of America
A Proclamation

In the aftermath of the Civil War, Clara Barton founded the American Red Cross. Its national headquarters, just a few blocks from the White House, was built as a memorial to the women of the Civil War. For nearly 142 years, the employees, volunteers, and supporters of the American Red Cross have met loss and disaster with compassion and care. They remind us that we must leave no one behind. This month, we celebrate the ordinary citizens who perform extraordinary acts of service, and we honor the Red Cross for its commitment to making our country and world a better place.

Across America, I have seen the work of the Red Cross firsthand. When hurricanes make landfall and floodwaters rise, the Red Cross is ready to provide food, shelter, and emergency supplies. When wildfires spread and tornadoes uproot communities, volunteers arrive from around the country to help survivors heal, recover, and rebuild. We have also turned to the American Red Cross to respond to crises overseas in the wake of natural disasters and in preparation for emergencies before they happen. The old saying is still true today: The Red Cross is always there.

During American Red Cross Month, I encourage Americans to learn more about the steps involved in donating blood by visiting redcross.org. If you can give blood, I hope you will. I also encourage Americans to learn or teach first aid and to participate in Sound the Alarm events to prevent home fires. It is in our Nation's DNA to lift each other up, especially on the frontlines of emergencies and disasters. I know that Americans will always answer the call—doing whatever it takes for as long as it takes to help out those in need.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America and Honorary Chair of the American Red Cross, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 2023 as American Red Cross Month. I encourage all Americans to observe this month with relevant programs, ceremonies, and activities, and to support the work of service and relief organizations.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10525 of February 28, 2023

Irish-American Heritage Month, 2023

By the President of the United States of America
A Proclamation

During Irish-American Heritage Month, I think of my great-great grandparents—the Blewitts of County Mayo and the Finnegans of County Louth. Like so many other Irish immigrants who sought a new beginning in the United States, they arrived on our shores with hearts full of hope and dreams of the future. With grit and determination, they worked hard. And as they built their lives, they helped build America—never forgetting where they came from, always remembering the courage and pride they brought with them from the old country, and passing these traits down to each new generation.

That pride lives on today in the hearts of Irish Americans across our Nation. It lives on in business owners, scientists, and labor leaders who hold dear the Irish belief that everyone deserves to be treated with dignity. And it runs deep in so many first responders, public servants, and brave service members who defend our lives and liberties—the same liberties that so many Irish immigrants and Irish Americans helped preserve and protect.

President John F. Kennedy once said, ''Our two nations, divided by distance, have been united by history.'' Today, the Republic of Ireland and the United States are also bound in our hope for the future—a future that is equal, just, and prosperous for all of our people. Together, our nations have stepped up to address COVID–19 and the climate crisis. We have spoken out for human rights around the world and supported the people of Ukraine as they defend themselves against Russia's brutal war. And this year, we commemorate the 25th anniversary of the Good Friday Agreement that helped create a more peaceful and prosperous future for the people of Northern Ireland.

Ireland and the United States are forever bound together by our people and our passion. Everything between us runs deep. In the years ahead, I look forward to strengthening the partnership between our countries and the friendship between our people even further.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 2023 as Irish-American Heritage Month. I call upon all Americans to celebrate the achievements and contributions of Irish Americans to our Nation with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10526 of February 28, 2023

National Colorectal Cancer Awareness Month, 2023

By the President of the United States of America

A Proclamation

During National Colorectal Cancer Awareness Month, we call attention to the second leading cause of cancer deaths in America—by sharing information about risk factors, promoting life-saving early screenings, and improving access to affordable treatment. In remembrance of every life cut short by this devastating disease, my Administration is determined to end cancer as we know it.

When a loved one is diagnosed with cancer, every minute counts. But patients can be overwhelmed by a flood of medical information, and they too often struggle to afford life-saving care. Our country needs to do more to help patients and families navigate the cancer care system. We need to learn from patients' experiences, and we need to share data and knowledge to help prevent other families from encountering the same obstacles to prevention and care. When it comes to colorectal cancer, we must also focus our efforts on those most likely to develop this disease, including Americans over the age of 45; Black Americans; people with a family history of colorectal cancer; and people who smoke, consume alcohol, or are obese.

Because early detection drastically improves survival rates, the independent United States Preventive Services Task Force recommends regular screenings for all Americans who are older than 45 or have other risk factors. People should consult a doctor if they experience symptoms including blood in their stool, a change in bowel habits, stomach pain, bloating, persistent cramps, or unexplained weight loss. Vital screenings like colonoscopies can detect cancer early and remove precancerous growths, preventing the disease before it starts.

My Administration is working around the clock to develop new treatments that can turn this and other kinds of cancer from life-threatening diseases into chronic ones that people can live with and that can even cure certain forms of cancer. The First Lady and I reignited the Cancer Moonshot initiative that I began as Vice President, setting a new goal of cutting the Nation's cancer death rate in half in the next 25 years while better supporting patients and caregivers. To develop bold breakthroughs in preventing, diagnosing, and treating cancer and other deadly diseases, I established the Advanced Research Projects Agency for Health (ARPA–H), securing $2.5 billion in funding with bipartisan support from the Congress. And last fall, I signed an Executive Order to help ensure that biotechnology invented in America is made in America, growing our economy and strengthening our supply chains for vital medications.

At the same time, we are continuing to make existing cancer care more affordable. The American Rescue Plan expanded the Affordable Care Act, which requires insurers to pay for cancer screenings and primary care visits and to cover cancer survivors and others who have preexisting conditions. Last year, I signed the Inflation Reduction Act, which will cap costs for prescription drugs—including life-saving cancer medicines—for seniors on Medicare at $2,000 per year. My Administration has worked with the private sector to bring cancer screenings to more communities; develop and

test new treatments; and share data, which can accelerate research and save lives. My Administration is also promoting cancer prevention and healthy diets, which can reduce the risk of colorectal cancer. As part of our national strategy to end hunger and reduce diet-related diseases, we are working to provide healthy, free meals to millions more school kids; boost Medicaid and Medicare coverage for services like nutrition and obesity counseling; and make fruits and vegetables more affordable for low-income families.

The task ahead is great, but I am optimistic. Many thousands of families have shared their cancer stories with me over the years; each time, I am reminded how personal this pain is and how universal the dream of a cure continues to be. This common cause can unite this Nation and the world to join together and marshal the resources, brightest minds, and most dedicated advocates to finally end cancer once and for all.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 2023 as National Colorectal Cancer Awareness Month. I encourage all citizens, government agencies, private businesses, non-profit organizations, and other groups to join in activities that will increase awareness and prevention of colorectal cancer. I also encourage Americans to visit HealthCare.gov and learn more about signing up for health coverage under the Affordable Care Act.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10527 of February 28, 2023

Women's History Month, 2023

By the President of the United States of America

A Proclamation

During Women's History Month, we celebrate the countless women who have fought tirelessly and courageously for equality, justice, and opportunity in our Nation. We also reaffirm our commitment to advancing rights and opportunities for women and girls in the United States and around the world. We are mindful that we are building on the legacy of both recognized trailblazers and unsung heroines who have guided the course of American history and continue to shape its future.

The full participation of women is a foundational tenet of democracy. Women—often women of color—have been on the frontlines, fighting for and securing equal rights and opportunity throughout our country's history as abolitionists, civil rights leaders, suffragists, and labor activists. Women continue to lead as advocates for reproductive rights, champions of racial justice, and LGBTQI+ equality. Throughout history, these women have opened the doors of opportunity for subsequent generations of dreamers

and doers. As community leaders, educators, doctors, scientists, child care providers, and more, women power our economy and lead our Nation. As first responders and service members, they stand watch over our lives and liberties. As innovators, entrepreneurs, and essential workers in every industry, they represent the very best of America.

But despite significant progress, women and girls continue to face systemic barriers to full and equal participation in our economy and society. Last year, the Supreme Court overturned *Roe* v. *Wade*, stripping away a constitutional right from the American people and the ability of millions of women to make decisions about their own bodies, putting their health and lives at risk. Disparities persist in economic security, health care, and caregiving responsibilities, especially for women and girls of color. Those who perform critical work, including those who care for our children and our families, are too often overlooked, underpaid, and undervalued.

Ours is the only Nation in the world established upon a profound but simple idea—that all people are created equal. My Administration is committed to upholding that idea and to making its promise real for every American. That is why I created the Gender Policy Council to advance gender equity and equality across the Federal Government. It is why I released the first-ever national gender strategy to promote the rights and opportunities of women at home and abroad, which outlines my Administration's commitment to equal access to education, economic security for women and families, health care, and freedom from gender-based violence. As we implement the Bipartisan Infrastructure Law, the CHIPS and Science Act, and the Inflation Reduction Act, we are working to reduce barriers so that women can access new jobs in sectors where they have been historically underrepresented. I have signed historic legislation to ensure equal protection for pregnant women and nursing mothers in the workplace. And I strengthened and reauthorized the Violence Against Women Act, a major milestone in our ongoing efforts to ensure all people can live free from violence. Finally, in December 2022, I was proud to sign the Respect for Marriage Act and defend the rights of LGBTQI+ and interracial couples.

My Administration will continue to defend reproductive freedom to ensure that all Americans—regardless of their gender, race, ethnicity, sexual orientation, gender identity, or income—have the ability to make the choices that are right for themselves and their families. I have taken executive action to safeguard access to reproductive care, including medication abortion, help ensure women can receive emergency medical care, protect patients' privacy and access to accurate information about their reproductive rights, and combat discrimination in the health care system. I continue to call on the Congress to pass a Federal law restoring the protections of *Roe* v. *Wade* so all women in every State have the right to choose. And my Administration released the first Blueprint for Addressing the Maternal Health Crisis to save lives and address systemic discrimination that many women face every day in our health care system, including women of color, women in rural communities, and women with disabilities.

Leading our efforts is the most diverse group of women at the highest levels of Government in United States history, including Vice President Kamala Harris and a record number of female cabinet secretaries. Together with the most diverse set of judges ever nominated to the Federal bench—

including Supreme Court Justice Ketanji Brown Jackson—women are seated at every table where decisions are being made.

This month, as we continue our work to advance gender equity and equality, let us celebrate the contributions of women throughout our history and honor the stories that have too often gone untold. Let us recognize that fundamental freedoms are interconnected: when opportunities for women are withheld, we all suffer; and when women's lives are improved, we all gain. Let us strive to create a Nation where every woman and girl knows that her possibilities know no bounds in America.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 2023 as Women's History Month. I call upon all Americans to observe this month and to celebrate International Women's Day on March 8, 2023, with appropriate programs, ceremonies, and activities. I also invite all Americans to visit WomensHistoryMonth.gov to learn more about the vital contribution of women to our Nation's history.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10528 of March 1, 2023

Read Across America Day, 2023

By the President of the United States of America

A Proclamation

On Read Across America Day, our Nation recognizes the value of literacy to our democracy. We celebrate the books that inspire our children to dream big, expand the limits of their understanding, and explore diverse perspectives and cultures through the eyes of others. We also honor educators, parents, librarians, authors, mentors, and everyone who fosters the power of reading to open doors of opportunity and build greater awareness about the complex world around us.

''The more that you read,'' Dr. Seuss wrote, ''the more things you will know. The more that you learn, the more places you'll go.'' In other words, knowledge is power. Books impart lessons that enrich our lives, stimulate our curiosity, promote contemplation and reflection, and affirm the myriad possibilities available to every person. Reading transports kids to unique places where they can embrace unfamiliar ideas, develop their own intellect, and spark creativity in their lives. Our children are the kite strings that lift our national ambitions, and inspiring them to read is essential to America's future.

Unfortunately, not all children have the same access to empowering books, dynamic instruction, or environments that foster curiosity. Learning disruptions during the COVID–19 pandemic led many American children to miss reading benchmarks—particularly in historically underserved communities.

My Administration is committed to improving literacy across America and supporting the devoted educators on the frontlines of this work. That is why our American Rescue Plan invested a historic $122 billion to help schools reopen safely, promote academic recovery, increase teacher pay, enhance mental health services, and expand afterschool and summer programs. Since I took office, public schools have hired 457,000 educators and staff, including reading specialists, and we continue to take steps to strengthen the teacher pipeline across the country. Meanwhile, my goal is to make 2 years of high-quality preschool available to every child in America. Research shows that children who start school at 3 and 4 years old are far more likely to graduate from high school and continue their education. My Administration is also promoting adult literacy through our Adult Education State grants, which support programs that help adults become better readers, obtain a secondary school diploma, transition to postsecondary education and training, and gain the knowledge and skills necessary for employment and self-sufficiency.

In the words of the First Lady, a lifelong English teacher, ''loving to read means loving to learn.'' On Read Across America Day and every day, let us nurture our children with the resources and support they need to become proficient and passionate readers. Let us make books accessible, reading fun, and education meaningful. Let us continue striving to put the next generation of Americans on a path of lifelong learning and limitless possibilities.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 2, 2023, as Read Across America Day. I call upon children, families, educators, librarians, public officials, and all the people of the United States to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10529 of March 3, 2023

National Consumer Protection Week, 2023

By the President of the United States of America

A Proclamation

Families deserve to be protected from the fraudsters and scammers who often prey on the most vulnerable among us, draining real money from the pockets of hard-working Americans. This National Consumer Protection

Week, we urge every American to learn about their legal rights as consumers and the resources available to defend those rights. Consumer protection is critical to building a healthy economy from the bottom up and middle out, and it is a question of basic fairness and justice.

After a few tough years, America is in the midst of a historic economic recovery—growth is up, wages are up, and unemployment is at a 50-year low. Manufacturing is booming, and more than 10 million Americans have applied to start their own businesses—the most in any 2 years on record. As people finally start to feel like they have a little bit of breathing room, we cannot let fraud, cybercrimes, or unfair business practices interrupt the progress we have made.

My Administration is taking historic action to make sure that when American consumers enter the marketplace, they get fair deals from honest brokers. Shortly after I took office, I signed an Executive Order to promote fair competition across our economy—because when companies have to compete on a fair, transparent playing field, it lowers prices for consumers, raises wages for workers, and makes our whole country more innovative and productive. The Department of Justice and Federal Trade Commission (FTC) have undertaken efforts to address anticompetitive conduct that hurts consumers and workers, including preventing further consolidation in the shipping and publishing industries and proposing a ban on non-compete agreements. As I have long said: Capitalism without competition is not capitalism; it is exploitation.

As I said in my State of the Union Address, we are cracking down on those unfair, hidden ''junk fees'' like bank overdraft charges, cell phone cancellation fees, or surprise ticketing costs that sneak up on consumers, hiding the full price of what they are buying or making it much too hard to switch to a cheaper product. For example, the Federal Communications Commission (FCC) finalized rules that would require cable and internet providers to list fees and services up front, on clear, easy-to-read labels. The Consumer Financial Protection Bureau (CFPB) is pressing banks and credit card companies to get rid of surprise overdraft charges, bounced-check charges, and unfair late fees. The CFPB has also proposed new rules to cut excessive credit card late fees from roughly $30 to $8. The Department of Transportation helped convince major airlines to rebook trips for free if they cancel a flight and issued a notice encouraging airlines to seat children next to an accompanying adult at no additional cost. And the FTC has pushed electronics makers to let consumers choose where to get their products fixed, saving on repair costs. These things matter—they add up fast, and when we act together, American consumers will save billions of dollars every year.

Meanwhile, the FTC is going after student loan scams, mortgage scams, price gouging, and identity theft and is working with law enforcement to crack down on other predatory practices. The FCC is working to stop today's scourge of illegal robocalls by sharing call-blocking tools and working to reduce spoofing by requiring phone companies to implement caller ID authentication.

To protect online privacy, the FTC is considering new rules that would limit how much personal data companies can collect from consumers and sell to third parties. The CFPB is also considering a rule to give consumers

more control over their personal financial data, which in turn gives them more freedom over where they choose to put their money.

Every American has the power to stand up for their own consumer rights and to help protect their communities and loved ones. We urge everyone to visit consumer.ftc.gov to learn more about today's risks and the resources available for fighting them and to report any suspected fraud. To report issues with a consumer financial product, like aggressive debt collection, inaccurate credit reporting, or unfair medical billing, visit consumerfinance.gov/complaint.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 5, 2023, through March 11, 2023, as National Consumer Protection Week. I call upon government officials, industry leaders, and advocates across the Nation to share information about consumer protection and provide our citizens with information about their rights as consumers.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10530 of March 13, 2023

National Equal Pay Day, 2023

By the President of the United States of America

A Proclamation

Despite historic growth, rising wages, and unemployment at a near record low, women working full-time, year-round are paid an average 84 cents for every dollar paid to men. Pay disparities are even more pronounced for Black women, Native American women, Latinas, many Asian American women, and women with disabilities. On Equal Pay Day, we call attention to this injustice and the pay disparities that add up to hundreds of thousands of dollars in lost income over a lifetime, undermining financial security for women and families across our Nation. My Administration is working to change that.

Discrimination accounts for some of the pay gap. In nearly every job—90 percent of occupations, from retail to business to professional sports—women are still paid, on average, less than men. They can be the very best at what they do but still have to fight for equal pay. The pay gap also stems from women's disproportionate caregiving responsibilities for children and aging loved ones, which can force them to forgo job opportunities, reduce their work hours, or leave the workforce at times. And part of it is due to the fact that women are underrepresented in careers that offer good pay and benefits, while fields where they are overrepresented, like teaching and nursing, do not pay what they should, despite being critical to our communities and economy.

To right that wrong and truly level the playing field, we need to not only crack down on discrimination but also address the systemic issues behind the pay gap. My Administration has been laser-focused on rooting out pay inequity and dismantling the barriers that women face in the workplace and across our economy. When COVID–19 forced millions of women out of the workforce, often to care for their families at home, women's labor participation fell to its lowest level in 35 years. But we sent billions in direct stimulus relief to families to help make ends meet. We provided another $24 billion in funds to stabilize child care providers, supporting working parents. Today, millions of American women are back at work—and a record 12 million jobs have been created since I took office, with many more to come in good-paying clean energy and semiconductor careers of the future. And we are working to ensure that those workers who will power our economy for years to come have access to child care, giving women more opportunities to succeed.

Meanwhile, I took executive action to raise the minimum wage that Federal contractors are required to pay their workers, directly benefiting tens of thousands of women. I also issued Executive Orders to consider the use of salary history in pay-setting decisions for Federal workers and to promote efforts to achieve pay equity for job applicants and employees of Federal contractors. I have fought for every worker's right to join a labor union and collectively bargain, which has been proven to lift women's wages, and I also signed historic legislation strengthening workplace protections and support for pregnant women and nursing mothers. I will never stop pushing to expand access to quality child and elder care while boosting pay for professional caregivers, who are disproportionately women of color.

We have used the power of our example and put women at the head of the table across the highest levels of Government—from the Vice Presidency, to the Supreme Court, to the most diverse Cabinet in our history, which is the first ever to have equal numbers of women and men. Doing so sets expectations for women leaders across the country and in every workplace and shows our daughters and granddaughters that there is nothing a man can do that a woman cannot do.

But we clearly still have a long way to go. To tackle pay discrimination head-on, I continue to urge the Congress to pass the Paycheck Fairness Act, which would increase transparency, making it harder for employers to justify disparities and easier for workers to hold them accountable. Information is power, and people need to know if they are being unfairly paid. We also have to get more families the support needed for both women and men to lead full careers—including paid family and medical leave and affordable child, elder, and home care so no one in this country is ever again forced to choose between the job they need and the family they love.

I have often said that a job is about more than a paycheck—it is about dignity and respect. It is about honoring the basic bargain that when you work hard in this country, you get ahead. Equal pay is about justice and fairness and living up to our values and who we are as a Nation. Together, we have to make sure that our daughters have the same rights and opportunities as our sons.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and

the laws of the United States, do hereby proclaim March 14, 2023, as National Equal Pay Day. I call upon all Americans to recognize the full value of women's skills and their significant contributions to the labor force, acknowledge the injustice of wage inequality, and join efforts to achieve equal pay.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10531 of March 17, 2023

National Poison Prevention Week, 2023

By the President of the United States of America

A Proclamation

Each year, Americans report more than 2 million poisoning cases and tens of thousands of children are treated for poisoning in emergency rooms after accidentally ingesting dangerous household chemicals. For survivors and their families, the experience can be traumatizing and recovery can be long and difficult. During National Poison Prevention Week, we urge every American to take careful steps to keep their loved ones safe, and we thank the poison control centers across the country that stand guard, providing lifesaving advice and care around the clock.

The Congress has worked for decades to protect Americans from poisonous household products, and President John F. Kennedy issued the first Presidential Proclamation calling out this threat in 1962. Today, that work continues. Most poisoning cases are accidental and preventable, often involving children who mistakenly ingest medicines, batteries, dangerous chemicals found in household cleaning items, hand sanitizers, or even the liquid nicotine used in e-cigarettes.

It is essential to store harmful products in child-resistant packaging, throw away unfinished medicines, and keep other potential poisons out of the sight and reach of small children. That is why, last year, I signed a new law to improve child-resistant closures on consumer products that use small batteries. And we need to encourage older Americans to clearly label their medications or keep them in their original packaging to avoid dangerous mix-ups.

We cannot ignore the equally important fact that Americans are being poisoned by illegal synthetic opioids, including highly toxic fentanyl, sometimes even on their first use. More than 107,000 Americans lost their lives to a drug overdose or poisoning in 2021. My National Drug Control Strategy takes aggressive action to disrupt supply and to expand access to lifesaving naloxone, treatments, and recovery services while also investing in prevention.

Anyone who thinks that someone, including themselves, has been poisoned should immediately call the National Poison Control help line at

800–222–1222 to be connected to a local poison control center. Trained experts, including doctors, nurses, and pharmacists, are ready to offer real-time help and can often solve a poisoning emergency over the phone. Learn more about their lifesaving services at poisonhelp.hrsa.gov.

To encourage Americans to learn more about the dangers of unintentional poisonings and to take appropriate preventive measures, on September 26, 1961, the United States Congress, by joint resolution (75 Stat. 681), authorized and requested the President to issue a proclamation designating the third week of March each year as ''National Poison Prevention Week.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim March 19 through March 25, 2023, to be National Poison Prevention Week. I call upon all Americans to observe this week by taking actions to safeguard their families and friends from poisonous products, chemicals, and medicines often found in our homes and to raise awareness of these dangers to prevent accidental injuries and deaths.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10532 of March 20, 2023

National Agriculture Day, 2023

By the President of the United States of America

A Proclamation

American farms remind us of the beauty and generosity of our Nation. They feed the country and the world, and with each new planting season, they embody that most American of things—possibilities. On National Agriculture Day, we celebrate all the farmers, farmworkers, ranchers, fishers, foresters, and other agricultural workers who do so much to make our Nation strong, fuel our economy, and steward our lands. America owes them.

There is a common spirit across America's agricultural community: a respect for tradition, a drive to innovate, and a commitment to never giving up—even when the going gets tough. Small farmers, ranchers, and meat processors also face many challenges. Extreme weather, made worse by the climate crisis, is destroying crops and decimating herds. Markets for seeds, feed, and fertilizer are dominated by a few large companies, raising the cost of doing business. Corporate consolidation has reduced what small producers can get in exchange for their crops and livestock, lowering farmer incomes and workers' paychecks. Too many feel forced to give up farms that their families spent generations growing. A lack of competition has distorted the market.

I have often said that capitalism without competition is not capitalism—it is exploitation. My Administration is working to promote fair competition across our economy, including in agriculture. We are encouraging antitrust agencies to focus on anti-competitive practices in agricultural markets. We are working to secure the so-called ''right to repair'' so farmers can fix their own machinery and tractors, rather than being required to send them back to the manufacturer. We are making it easier for farmers to bring claims against exploitative poultry processors, and the American Rescue Plan has invested $1 billion to help smaller meat processors expand operations.

To ease rising costs, we are also investing $500 million in domestic independent fertilizer production and expanding crop insurance to support more farmers who are willing to risk double cropping. The Bipartisan Infrastructure Law is rebuilding roads, bridges, railways, and ports and is expanding broadband, particularly in rural areas, which will transform supply chains. The Inflation Reduction Act is investing a historic $40 billion in climate-smart agriculture and other programs that can help producers stay on their lands, including approximately $18 billion for conservation and easements and $3.1 billion in relief for distressed borrowers. The Act also dedicates resources to help address generations of systemic discrimination that have denied farmers of color equal access to opportunities and credit.

We will also keep fighting for the farm and food workers who form the backbone of our economy, working with unions to improve workforce training and workplace safety—whether on farms and ranches, at processing or packing plants, or in delivery and food preparation. Every worker is entitled to fair pay, safe conditions, and the free and fair choice to join a union. That includes the large portion of agricultural workers who are undocumented, many of whom have built lives and worked here for decades. In return for all that they have done to keep America running, undocumented farmworkers should have a pathway to citizenship. Our economy needs them, and they deserve dignity and respect.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 21, 2023, as National Agriculture Day. I call upon all Americans to join me in recognizing and reaffirming our commitment to and appreciation for our country's farmers, farmworkers, ranchers, fishers, foresters, and all those who work in the agriculture sector across the Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10533 of March 21, 2023

Establishment of the Avi Kwa Ame National Monument

By the President of the United States of America
A Proclamation

Yuman Tribes tell that creation began at a towering mountain in the southernmost reaches of Nevada at the confluence of the Mojave and Sonoran Deserts. The Mojave people call this mountain Avi Kwa Ame, or Spirit Mountain. The mountain and the surrounding arid valleys and mountain ranges are among the most sacred places for the Mojave, Chemehuevi, and some Southern Paiute people, and are also significant to other Tribal Nations and Indigenous peoples, including the Cocopah, Halchidhoma, Havasupai, Hopi, Hualapai, Kumeyaay, Maricopa, Pai Pai, Quechan, Yavapai, and Zuni. These Tribal Nations have been here since time immemorial, and the area contains evidence of human occupancy reaching back more than 10,000 years. Tribal members still sing songs, passed from generation to generation throughout their history, that tell the stories of travel and connection to the springs, peaks, and valleys in alignment with the migration patterns of game species, the availability of water, and the life cycles of the plants they have continually harvested.

For the Tribal Nations that trace their creation to Avi Kwa Ame, the power and significance of this place reside not just in the mountain itself, but radiate across the valleys and mountain ranges of the surrounding desert landscape containing the landmarks and spiritually important locations that are linked by oral traditions and beliefs. Tribal Nations have shared those traditions and beliefs across many generations through Salt Songs, Bird Songs, and other origin songs, which are central to Tribal members' knowledge of the landscape, enabling them to navigate across the diverse terrain, find essential resources, and perform healing, funeral, and other rituals. These traditional and place-based songs connect Tribal members to their homelands, allowing for profound relationships with Avi Kwa Ame and its surroundings and providing healing and spiritual connections even if they are far from home.

The presence of Avi Kwa Ame—which has been designated as a Tribal cultural property and listed on the National Register of Historic Places—in the eastern portion of the area provides a distinctive lens through which members of Tribal Nations experience these sacred lands, the plants and animals found there, and their spiritual traditions. In these traditions, power emanates from the mountain itself, creating spiritual and visual connections throughout the landscape.

The Avi Kwa Ame landscape includes the McCullough and Lucy Gray Mountains in the west; the Piute and Eldorado Valleys, split by the Highland Mountains, in the center; the Castle and Dead Mountains in the south; and the Eldorado Mountains and the monument namesake, Avi Kwa Ame, part of the Newberry Mountains, in the east. This entire landscape is an object of historic and scientific interest requiring protection under section 320301 of title 54, United States Code (the ''Antiquities Act''). The landscape as a whole is significant and unique, providing context for each of its constituent parts, which are themselves objects warranting protection.

As well as being an object itself, the landscape contains innumerable individual geologic features, archaeological sites, and havens for sensitive and threatened species—including the Mojave desert tortoise, Gila monster, and desert bighorn sheep—and it provides habitat for centuries-old Joshua trees and other objects that are independently of historic or scientific interest and require protection under the Antiquities Act. Some of the objects are also sacred to Tribal Nations; are sensitive, rare, or vulnerable to vandalism and theft; or are dangerous to visit and, therefore, revealing their specific names and locations could pose a danger to the objects or the public.

People have lived, traveled, and worked in this landscape for more than 10,000 years. Across the Avi Kwa Ame landscape, projectile points and pictographs give testament to Indigenous peoples' hunting activities, while groundstone artifacts, milling artifacts, and ancient quarries demonstrate how tools were created and used to find, extract, and process both plant and mineral resources. Fluted projectile points, which are some of the earliest stone tool technologies in North America and rarely recorded in southern Nevada, have been found in the McCullough Mountains and nearby areas. Numerous rockshelters can be found amid the cliffs that surround these valleys, where ancestral Indigenous peoples camped or lived. Pottery fragments as old as 1,500 years, found near some of these rockshelters, are believed to have been used either in more stable settlements or camps or for safely transporting materials across long distances. While evidence of the passage of Indigenous peoples is present throughout the landscape, more permanent occupation in the area was limited by water availability, and most camping areas or settlements were temporary, facilitating hunting or allowing people to gather plants or minerals. The Piute Valley is at the center of paleoclimate and anthropological studies focusing on paleoclimatic changes and their influences on uses of the land by Indigenous peoples.

Many of the plant and animal species that live in this landscape have spiritual, cultural, or medicinal value to Indigenous peoples. Traditional hunting of bighorn sheep in the mountainous areas of southern Nevada remains culturally important for some Tribal Nations today. For centuries, people have gathered piñon nuts in the ridges of the McCullough, Newberry, and New York Mountains. The McCullough Mountains contain rockshelters, lithic scatters, artifact scatters, petroglyphs, pine nut caches, a trail, and a residential camp; these places were likely used for winter camps that allowed Indigenous peoples to hunt and collect piñon nuts. To the north, the Highland Mountains hold evidence of many residential camps, quarries, and rockshelters, as well as petroglyphs depicting resources in the area, such as acorns, large game, and water. One rockshelter in the Highland Mountains is particularly unique in that it contains hundreds of well-preserved, otherwise perishable objects, including some likely used for capturing small game. To the northeast, the Eldorado Mountains feature petroglyphs likely inscribed by members of the Fort Mojave Tribe and pictographs that likely were used to provide direction and facilitate travel as people migrated or searched for resources, while the Newberry Mountains in the south contain evidence of quarrying and rockshelters. Ancient Indigenous peoples visited the Castle and New York Mountains to obtain stone such as obsidian for tools, leaving behind petroglyphs and other evidence of their presence. Hiko Spring and the adjacent canyon contain numerous

Indigenous petroglyphs along with etchings made by Euro-American settlers as far back as the late 19th century. Rockshelters are also found in the Newberry Mountains, and canyons in the area, including Grapevine Canyon and Sacatone Wash, contain petroglyphs that mark the presence of Indigenous peoples for millennia. The cliffs above Bridge Canyon contain constructed rock walls that continue to be studied to determine their origin and purpose.

The Avi Kwa Ame area's rugged geology, which is unlike the rest of southern Nevada, tells the story of a landscape dramatically changed by its volcanic history, which has sparked the imaginations of geologists for more than 150 years. Each mountain range—the Highland, Castle, Eldorado, Newberry, Lucy Gray, McCullough, and New York Mountains—has long served as a distinct and important scientific resource to geologists. The plutons, intrusive dikes, and other igneous formations in these ranges have provided particularly important insights into the study of volcanism during the Tertiary period, especially the Miocene epoch.

The Avi Kwa Ame area's desert location and geography also allow for a soundscape that is among the most naturally quiet in the United States. Additionally, the area's exceptional dark skies, rare in highly populated Clark County, have been noted for the excellent stargazing opportunities they offer and for benefits to migratory birds.

The Lucy Gray Mountains, captured within the western border of the area, include incised drainages within rounded igneous boulder fields and isolated springs that support an important migration route for desert bighorn sheep. Rising between the flat expanses of the Ivanpah and Piute Valleys, this range represents an important area for igneous geology and soils research related to volcanism and tectonism.

To the northwest, the McCullough Mountains are characterized by an undulating crest flanked by rocky outcrops and cliffs, punctuated by black basalt and springs. For millennia, Indigenous peoples have sought refuge in the higher elevations that provide respite from the heat of the valley floor; sustenance in the form of piñon nuts and game for hunting; and water and shelter. The ancient Precambrian rock and its desert vegetation—ranging from creosote in the low elevation, to blackbrush and Joshua trees in the middle elevations, to old-growth piñon and juniper in the peaks—provide habitat for desert bighorn sheep and many other animal species.

Running north-south through the center of the landscape, the Highland Mountains contain distinctive large, tilted, colorful igneous and sedimentary rocks and stark cliffs of exposed Precambrian rock. These mountains provide a vital home to a small remnant herd of desert bighorn sheep that survived when most other sheep populations in Nevada were lost to drought, human encroachment, disease, and other environmental pressures. Indigenous peoples camped and hunted in these mountains, and ancient rockshelters and petroglyphs are found throughout the range. Igneous features in the area have also been the subject of decades of geological study by researchers seeking to enhance understanding of ancient volcanic activity.

The low-lying Piute and Eldorado Valleys run through the center of the Avi Kwa Ame area. These valleys contain spiritual pathways and trails that emanate from Avi Kwa Ame that have been followed by Yuman peoples for

generations and continue to be significant to Tribal Nations today. Characterized by Mojave Desert vegetation, these valleys provide core habitat for the ancient and threatened Mojave desert tortoise. To the southwest, the Castle Mountains extend from within the Avi Kwa Ame area across the border into California, providing important connectivity for bighorn sheep migrating between southern Nevada and protected lands within California.

In the northeast corner lie the Eldorado Mountains, formed of Precambrian rock and containing sharp ridges with narrow, deep canyons extending to the east that fade into bajadas on the western slope. The highest of these mountains, Ireteba Peak, is named after Irataba, a Mojave Tribal leader of the mid-1800s. Water is scarce here and summer temperatures exceed 120 degrees Fahrenheit, yet the area contains evidence of longstanding human activity, including petroglyphs and pictographs, as well as historic mine sites.

The turbulent geologic past of the Avi Kwa Ame area has sculpted a landscape of steep cliffs, rolling foothills and bajadas, and arid valleys with limited water. Precambrian schist, gneiss, and granite can be found on the west side of the Eldorado Mountains and McCullough Mountains and in the Eldorado Valley, as well as in the Nellis Wash area. The Piute and Eldorado Valleys and the mountains surrounding them have long been a focus for studies of groundwater, geology, alluvial fan formation, flood hazard management, continental extension, and faulting and volcanism.

Among the quartzite cliffs and felsic plutonic rock of the Newberry Mountains, which form part of the eastern boundary of the Avi Kwa Ame area, stands Spirit Mountain, the highest peak within the range. Avi Kwa Ame has been studied extensively by geologists researching the processes that cause the formation of geologic features, such as dikes and batholiths, as well as the development of new methods for geochronology. The mountain's geology features Precambrian rocks in the north and white and pink granitic spires in the south. Avi Kwa Ame and the surrounding Newberry Mountains are foundational in the creation stories of the Mojave, Pai Pai, Cocopah, Kumeyaay, Havasupai, Maricopa, Hualapai, Yavapai, Quechan, and Halchidhoma and are recognized by many Tribes as a place of great spiritual importance. In the foothills of the Newberry Mountains, Hiko Spring Canyon contains the year-round Hiko Spring, an area that has been used by humans for hundreds if not thousands of years, evinced by a collection of petroglyphs depicting bighorn sheep, handprints, and other geometric shapes, as well as historic rock carvings.

Many of the features that made this landscape accessible to Indigenous peoples were also used by Euro-American settlers and traders. Early expeditions of fur traders, miners, and the military passed through the southern part of the Avi Kwa Ame landscape, often following the Mojave Trail, which is still visible today. The trail is part of a network of ancient trails used by Indigenous peoples to safely traverse the harsh and unforgiving Mojave Desert. The easternmost miles of the Mojave Trail in Nevada pass by Granite Springs in the far southeastern corner of the Avi Kwa Ame area. The springs were the first stop on the Mojave Trail for ancient Indigenous peoples heading west from the Colorado River and have provided life-sustaining water to many generations of travelers. The area contains petroglyphs and rockshelters and holds historic and cultural significance for Tribal Nations.

In 1826, Jedediah Smith led a fur trapping expedition on a segment of the Old Spanish National Historic Trail, subsequently labeled the Mojave Road, which was the first use by traders of European descent. The Mojave Road, which bisects the Avi Kwa Ame landscape, continued to be used by traders and settlers traveling between New Mexico and California throughout the 19th century. To the east, within Grapevine Canyon in the Bridge Canyon Wilderness, evidence of 19th century mining roads from the Searchlight District remains on the landscape, as do traces of the Quartette Railroad, which the Quartette Mining Company operated in the early 1900s between Searchlight and the Colorado River. The New York Mountains and Piute Valley were also later used for military training exercises for armored vehicles as part of the Desert Training Center during World War II and during the Cold War, including some under the command of General George S. Patton. Additionally, in the Chiquita Hills area, there is evidence of training operations, including foxholes, rock walls, and gun turrets.

While there is evidence of Indigenous mining in the area going back hundreds of years, the 1890s saw settlers of European descent in the area discover a number of valuable mineral deposits, including turquoise, gold, silver, copper, lead, and molybdenum, which gave rise to a number of mining districts that are replete with evidence of the landscape's mining history. Southwest of the Wee Thump Joshua Tree Wilderness, near the California border, the Crescent Townsite area contains the remnants of a rich history of mining of turquoise and gold, including evidence of railroad construction and mineral exploration and extraction. The surrounding historic Crescent Mining District, which stretched into the New York Mountains and the south end of the McCullough Range, was a hub for turquoise mining in the late 19th century. There is evidence of mining in this area by Indigenous peoples since at least the late 13th century. Workshops, homes, pottery, and polishing tools have all been found, indicating that Indigenous peoples mined the Crescent Peak area for turquoise long before Europeans permanently settled in the Americas. The area was later developed for gold mining; remnants of the mining history, including an early 20th century arrastra and remnants of a railroad, are scattered among ancient Joshua trees standing sentinel to the passage of generations. While limited studies have occurred, the historic mining districts of Searchlight and Newberry, along with areas in Nellis Wash, also contain remnants of the area's mining past that may provide new historical insights into the metal extraction industry in the area during the first half of the 20th century. As a testament to the harsh and remote landscape and the limited resources necessary to support human habitation, materials from early mining activity and railroads were often repurposed to support subsequent mining and construction of homes and other buildings both inside and outside the Avi Kwa Ame area.

Piute Valley also contains the historic Walking Box Ranch site, which is known for its significance in the history of cattle ranching, mining, entertainment, and politics in southern Nevada. The ranch, initially part of vast holdings grazed by historic Rock Springs Land and Cattle Company in the 19th century, was sold off in the 1920s and was purchased by Hollywood silent film stars Clara Bow and Rex Bell in 1931. The couple operated the ranch together for over a decade as a functioning cattle ranch and occasional vacation retreat for their Hollywood friends. Among the dignitaries hosted by the Bells were General Patton and some of his troops while they

were training in the area during World War II. Later, Bell went into politics and served as Nevada's Lieutenant Governor. The United States acquired the property in 2005, and the entire ranch, including the main house, outbuildings and related structures, and associated landscape features, is considered architecturally significant as a well-maintained example of cattle ranch property of the Southwest. Of particular interest are the main house, which features Spanish Colonial Revival architecture, and the barn and elements of the corrals, which provide preserved examples of railroad tie construction.

The rich human history revealed by the Avi Kwa Ame area coexists with the area's scientifically significant biological diversity, rare plants and animals, and ecology. As a whole and across a broad range of taxa, the Avi Kwa Ame area has been noted for providing ecological and habitat connectivity for a wide range of species, offering great potential for scientific studies of plants, animals, and ecosystems. Situated where the Mojave and Sonoran Desert ecosystems converge, and incorporating a wide elevation gradient that supports a broad range of ecosystems, the area both provides homes to a diverse range of species and communities and offers tremendous potential to support adaptation to climate change.

The bajadas and rolling valleys of the Avi Kwa Ame area support plant communities ranging from creosote-bursage scrub, shadscale scrub, and blackbrush to piñon-juniper woodland. The area showcases the transition between the vegetation of the Sonoran and Mojave Deserts, creating unique assemblages of species that do not typically occupy the same ecosystems and as a result are of interest to ecologists, climate scientists, and biologists. Biological soil crusts, desert pavement, and bedrock cliffs and outcrops support unique soil environments and can be found throughout the Avi Kwa Ame area. The Eldorado Valley and Lucy Gray Mountains in particular are of interest to biologists who study biological soil crusts. Nearly the entire area has been classified as an Ecologically Core or Ecologically Intact portion of the Mojave Desert region. Sites spanning a vegetation gradient in the Newberry Mountains provide data for botanists and climate scientists to study changes in climate, land use, and vegetation, and to understand paleoclimate, climate and vegetation change, and desert community ecology. The creosote-white bursage scrub community fills the valleys, plains, and bajadas at low elevations in the Avi Kwa Ame area. This plant community also supports four-winged saltbush and wolfberry. Dune-like sandy soils are home to creosote bush and big galetta grass, while the lowest elevations are spotted with Mojave yucca or Joshua trees. Catclaw acacia, honey mesquite, and sweetbush, rare in arid environments, can be found in washes. The area is also home to rare plants, including the yellow two-tone penstemon, two-toned beardtongue, rosy two-toned penstemon, and white-margined penstemon, as well as rare bryophytes such as American dry rock moss in Grapevine Canyon.

Joshua trees, found in both the Piute and Eldorado Valleys and west toward the Lucy Gray Mountains, are predicted to be negatively impacted by climate change because of their slow growth and weather-dependent reproduction, and the Piute Valley is scientifically important for studies of this fragile species. In the southwest portion of the area, along the California border from the New York Mountains to the Piute Valley, visitors find thriving forests, particularly around the portion of Highway 164 that runs from Searchlight to the California border. This portion of Highway 164 is

known as ''Joshua Tree Highway'' because of the unique density of these trees. Just north of the New York Mountains and Highway 164, the Wee Thump Joshua Tree Wilderness and surrounding area comprise a stunning, old-growth Joshua tree forest, home to Nevada's largest known Joshua tree. The wilderness, named for the Paiute phrase for ''ancient ones,'' contains trees up to 800 years old. Many bird species rely heavily on the nesting cavities the trees provide, and the Wee Thump area is both home to western bluebirds, northern flickers, hairy woodpeckers, and ash-throated flycatchers; and the location of Nevada's only known sightings of the gilded flicker.

Dry slopes, ridges, and valley bottoms found across the Avi Kwa Ame landscape support shadscale scrub plant communities, featuring budsage, winterfat, rabbitbrush, big sagebrush, spiny hopsage, and black greasewood, along with native desert grasses such as bottlebrush squirreltail, Sandberg bluegrass, and Indian ricegrass, and flowering plants such as polished blazingstar. Middle-elevation slopes and upper bajadas are home to blackbrush scrub communities, which shade into piñon-juniper woodland in upper elevations. In the lower reaches of the Newberry Mountains, Mojave Desert plants such as teddy bear cholla, Mojave yucca, barrel cactus, and even smoke tree can also be found. One of the few wet areas, Grapevine Wash, supports cottonwood trees and canyon grape, along with cattails and rushes. The location of the Newberry Mountains at the convergence of the Mojave, Great Basin, and Sonoran Deserts makes the area the terminus for the range of 45 plant species, resulting in an area of unusual diversity that is significant for studies of climate, vegetation, and environmental change.

Along with diverse plant communities, the Avi Kwa Ame landscape supports an array of desert wildlife, including many species that rely on the area's natural springs and seeps. The Hiko, Piute, and Roman dry washes are internationally known for the important bird habitat they provide, including catclaw acacia, mesquite, cottonwood, desert willow, and sandbar willow that provide rare pockets of habitat for species distinct from those in the surrounding desert. Additionally, Phainopepla, a sensitive species that is the most northerly representative of silky flycatchers, use the trees for nesting and eat mistletoe seeds in these washes, making them uniquely important for this species in Nevada.

The landscape overall supports a broad array of bird species and has long been important for ornithologists. A diverse cadre of raptors, such as ferruginous hawk, bald eagle, golden eagle, burrowing owl, and peregrine falcon hunt their prey and nest, both above and below ground, in the stark landscape. Species of interest to both amateur and professional ornithologists make their homes here, including Gambel's quail, sage thrasher, Bendire's thrasher, Costa's hummingbird, gilded flicker, rufous hummingbird, cactus wren, northern mockingbird, ash-throated flycatcher, American goldfinch, and potentially Yuma ridgeway's rail.

A broad variety of desert mammal species also make their homes in the area, ranging from the tiny pocket gopher to large ungulates like mule deer, along with a diversity of predators including bobcats and ring-tailed cats. An incredible array of bat species, including 18 species that have been identified as at-risk by the Bureau of Land Management (BLM), call the landscape home, including pollinators like the pallid bat, the rare spotted

bat, and a diverse group of insectivorous bat species that roost in rock crevices, former mines, and other small spaces. The area provides important habitat and vital connectivity for the Nelson (desert) bighorn sheep. The Highland Range has been identified as crucial bighorn habitat, and bighorn sheep also traverse the ridges of the McCullough and Lucy Gray Mountains, the western slopes of the Newberry Mountains, and the Nellis Wash.

Among reptiles and amphibians, the area is most notable as habitat for the threatened Mojave desert tortoise. The elusive desert tortoise, with its long lifespan, low juvenile survival rate, and extreme capacity for conserving water, is a rare and incredible symbol of this challenging landscape. The Piute and Eldorado Valleys and other low-lying portions of the Avi Kwa Ame area, including Nellis Wash, have long been recognized as the highest priority for desert tortoise habitat conservation and restoration in southern Nevada; the connectivity and condition of the habitat as well as its location within critical habitat recovery units make this area uniquely suited to supporting tortoise conservation. The area is also critical to scientific studies of desert tortoise population biology, genetics, and ecology.

Many other reptile species rely on the area, including the elusive and beautiful banded Gila monster; the stocky, iguana-like chuckwalla; the western banded gecko; and the colorful Great Basin collared lizard. Species unique to and emblematic of the Mojave Desert, including the Mojave Desert sidewinder and Mojave shovel-nosed snake, make their homes here, along with the shimmering, nocturnal desert rosy boa, all of which are BLM sensitive species. Amphibians, which are rare in harsh desert environments, including the Arizona toad, also survive in this dry environment, and the red-spotted toad has been known to breed in Grapevine Canyon.

The flowering plants that survive despite the challenges of the sunbaked landscape, such as the brilliant fields of wildflowers in the Newberry Mountains, support and are supported by pollinators like the monarch butterfly, northern Mojave blue butterfly, MacNeill sooty wing skipper, and flat-faced cactus bee. The area also contains potential habitat for the endemic Mojave gypsum bee and Mojave poppy bee.

Protection of the Avi Kwa Ame area will preserve its diverse array of natural and scientific resources, ensuring that the cultural, prehistoric, historic, and scientific values of this area endure for the benefit of all Americans. The living landscape holds sites of historical, traditional, cultural, and spiritual significance; is the setting of the creation story of multiple Tribal Nations; and is inextricably intertwined with the sacred significance of Avi Kwa Ame. The area contains numerous objects of historic and scientific interest, and it provides world-class outdoor recreation opportunities, including hiking, camping, birdwatching, motorized touring, stargazing, hunting, and pursuing amateur geology, all of which support a growing travel and tourism economy in the region.

WHEREAS, the Antiquities Act authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Federal Government to be national monuments, and to reserve as a part thereof parcels of land, the limits of which shall be confined to the smallest area compatible with the proper care and management of the objects to be protected; and

WHEREAS, I find that each of the objects identified above, and objects of the type identified above within the area, are objects of historic or scientific interest in need of protection under 54 U.S.C. 320301, regardless of whether they are expressly identified as an object of historic or scientific interest in the text of this proclamation; and

WHEREAS, I find that the unique objects and resources within the Avi Kwa Ame landscape, in combination, make the landscape more than the mere sum of its parts, and the entire landscape within the boundaries reserved by this proclamation is an object of historic and scientific interest in need of protection under 54 U.S.C. 320301; and

WHEREAS, I find that there are threats to the objects identified in this proclamation, and in the absence of a reservation under the Antiquities Act, the objects identified in this proclamation are not adequately protected by applicable law or administrative designations, thus making a national monument designation and reservation necessary to protect the objects of historic and scientific interest in the Avi Kwa Ame landscape for current and future generations; and

WHEREAS, I find that the boundaries of the monument reserved by this proclamation represent the smallest area compatible with the protection of the objects of scientific or historic interest as required by the Antiquities Act; and

WHEREAS, it is in the public interest to ensure the preservation, restoration, and protection of the objects of scientific and historic interest on the Avi Kwa Ame lands, including the entire monument landscape, reserved within the Avi Kwa Ame boundary;

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by the authority vested in me by section 320301 of title 54, United States Code, hereby proclaim the objects identified above that are situated upon lands and interests in lands owned or controlled by the Federal Government to be the Avi Kwa Ame National Monument (monument) and, for the purpose of protecting those objects, reserve as part thereof all lands and interests in lands owned or controlled by the Federal Government within the boundaries described on the accompanying map, which is attached hereto and forms a part of this proclamation. These reserved Federal lands and interests in lands encompass approximately 506,814 acres. Due to the distribution of the objects of the types identified in this proclamation across the Avi Kwa Ame landscape, and because the landscape itself is an object in need of protection, to confine the boundaries of the monument to the smallest area compatible with the proper care and management of the objects of historic or scientific interest requires the reservation of the entire area described on the accompanying map.

All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or other disposition under the public land laws, from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.

This proclamation is subject to valid existing rights. If the Federal Government subsequently acquires any lands or interests in lands not owned or controlled by the Federal Government within the boundaries described on

the accompanying map, such lands and interests in lands shall be reserved as a part of the monument, and objects of the type identified above that are situated upon those lands and interests in lands shall be part of the monument, upon acquisition of ownership or control by the Federal Government.

The Secretary of the Interior (Secretary) shall manage the monument, pursuant to applicable legal authorities, through the BLM, as a unit of the National Landscape Conservation System, and through the National Park Service (NPS), in accordance with the terms, conditions, and management direction provided by this proclamation. The NPS and the BLM shall manage the monument cooperatively and shall prepare an agreement to share, consistent with applicable laws, whatever resources are necessary to properly manage the monument; however, the NPS shall continue to have primary management authority over the portion of the monument within the Lake Mead National Recreation Area, and the BLM shall have primary management authority over the remaining portion of the monument. After issuance of this proclamation, the Secretary shall, consistent with applicable legal authorities, transfer administrative jurisdiction of lands managed by the Bureau of Reclamation within the boundaries of the monument to the BLM.

For purposes of protecting and restoring the objects identified above, the Secretary shall prepare and maintain a monument management plan (management plan). In preparing the management plan, the Secretary shall take into account, to the maximum extent practicable, maintaining the undeveloped character of the lands within the monument, minimizing impacts from surface-disturbing activities, providing appropriate access for hunting and wildlife management, and emphasizing the retention of natural quiet, dark night skies, and visual resources. The Secretary shall provide for maximum public involvement in the development of the management plan, including consultation with federally recognized Tribal Nations and State and local governments. In the development and implementation of the management plan, the Secretary shall maximize opportunities, pursuant to applicable legal authorities, for shared resources, operational efficiency, and cooperation.

The Secretary, through the BLM, shall establish and maintain an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.) with the specific purpose of providing information and advice regarding the development of the management plan and management of the monument. This advisory committee shall consist of a fair and balanced representation of interested stakeholders. A majority of the membership shall be made up of members of Tribal Nations with a historical connection to the lands within the monument, with the remaining members representing local governmental entities, recreational users, conservation organizations, wildlife or hunting organizations, the scientific community, business owners, and local citizens.

In recognition of the importance of Tribal participation in the care and management of the objects identified above, and to ensure that management decisions affecting the monument are informed by and reflect Tribal expertise and Indigenous Knowledge, the Secretary shall meaningfully engage the Tribal Nations with historical and spiritual connections to the monument lands in the development of the management plan and management

of the monument. The Secretary shall enter into a memorandum of understanding with interested Tribal Nations to set forth terms, pursuant to applicable laws, regulations, and policies, for co-stewardship of the monument.

Nothing in this proclamation shall be deemed to enlarge or diminish the rights or jurisdiction of any Tribal Nation. The Secretary shall, to the maximum extent permitted by law and in consultation with Tribal Nations, ensure the protection of sacred sites and cultural properties and sites in the monument and provide access to Tribal members for traditional cultural, spiritual, and customary uses, consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996), Executive Order 13007 of May 24, 1996 (Indian Sacred Sites), and the November 10, 2021, Memorandum of Understanding Regarding Interagency Coordination and Collaboration for the Protection of Indigenous Sacred Sites. Such uses shall include collection of medicines, berries and other vegetation, forest products, and firewood for personal noncommercial use so long as each use is carried out in a manner consistent with the proper care and management of the objects identified above.

Livestock grazing has not been permitted in the monument area since 2006, and the Secretary shall not issue any new grazing permits or leases on such lands.

Nothing in this proclamation shall be construed to preclude the renewal or assignment of, or interfere with the operation, maintenance, replacement, modification, upgrade, or access to, existing flood control, utility, pipeline, and telecommunications facilities; roads or highway corridors; seismic monitoring facilities; or other water infrastructure, including wildlife water developments or water district facilities, within or adjacent to an existing authorization boundary. Existing flood control, utility, pipeline, telecommunications, and seismic monitoring facilities, and other water infrastructure, including wildlife water developments or water district facilities, may be expanded, and new facilities of such kind may be constructed, to the extent consistent with the proper care and management of the objects identified above and subject to the Secretary's authorities and other applicable law.

For purposes of protecting and restoring the objects identified above, the Secretary shall prepare a transportation plan that designates the roads and trails on which motorized and non-motorized mechanized vehicle use will be allowed. Except for emergency or authorized administrative purposes, including appropriate wildlife management, motorized vehicle use in the monument shall be permitted only on roads and trails documented as existing as of the date of this proclamation. Any additional roads or trails designated for motorized vehicle use must be designated only for the purposes of public safety needs or protection of the objects identified above. The Secretary shall monitor motorized and non-motorized mechanized vehicle use and designated roads and trails to ensure proper care and management of monument objects.

To further the protection of the monument, the Secretary shall evaluate opportunities to work with local communities to locate and develop a visitor center or other visitor information facilities to enhance public services and promote management efficiencies.

Nothing in this proclamation shall preclude low-level overflights of military aircraft, the designation of new units of special use airspace, or the use or establishment of military flight training routes over the lands reserved by this proclamation. Nothing in this proclamation shall preclude air or ground access to existing or new electronic tracking communications sites associated with the special use airspace and military training routes.

So long as carried out in a manner consistent with the proper care and management of the objects identified above, nothing in this proclamation shall preclude the safe and efficient operation of airplanes over the lands reserved by this proclamation.

Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Nevada (State), including its jurisdiction and authority with respect to fish and wildlife management, including hunting on Federal lands. The Secretary shall seek to continue collaborating with the State on wildlife management and shall expeditiously explore entering into a memorandum of understanding, or amending an existing memorandum of understanding, with the State to facilitate such collaboration.

Nothing in this proclamation alters, modifies, or amends the Clark County Multi-Species Habitat Conservation Plan.

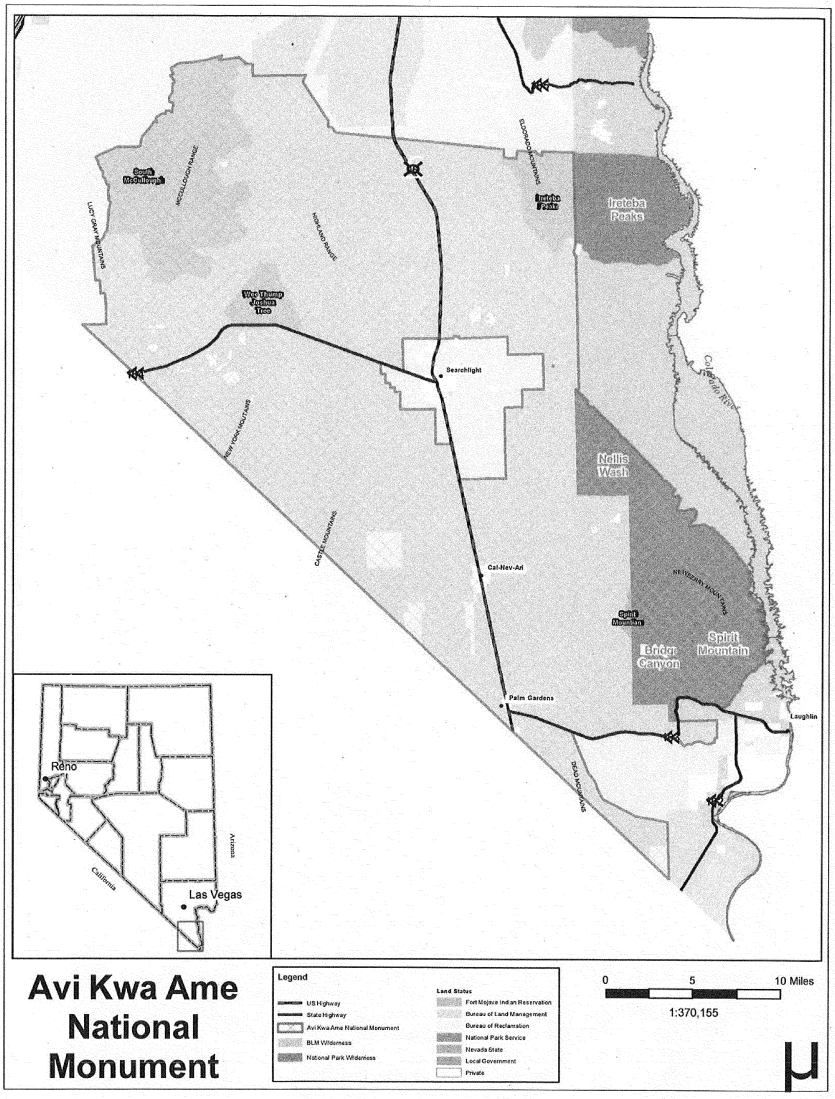
If any provision of this proclamation, including its application to a particular parcel of land, is held to be invalid, the remainder of this proclamation and its application to other parcels of land shall not be affected thereby.

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of the monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.


Avi Kwa Ame National Monument
Legend
US Highway
State Highway
Avi Kwa Ame National Monument
BLM Wilderness
National Park Wilderness
Land Status
Fort Mojave Indian Reservation
Bureau of Land Management
Bureau of Reclamation
National Park Service
Nevada State
Local Government
Private
0 5 10 Miles
1:370,155
Searchlight
Cal-Nev-Ari
Palm Gardens
Laughlin
Nellis Wash
Spirit Mountain
Ireteba Peaks
Reno
Las Vegas
California
Arizona

Proclamation 10534 of March 21, 2023

Establishment of the Castner Range National Monument

By the President of the United States of America
A Proclamation

Each year, as winter gives way to spring, Mexican Gold Poppies burst into bloom, transforming the undeveloped desert plains and hills of Castner Range into a sea of vibrant yellows, oranges, and reds framed by the rugged mountains and azure blue sky. Visitors from across the Nation come to witness this natural wonder, and families from local communities gather to mark quinceañeras, weddings, and other special occasions with this colorful tableau as backdrop. Located on Fort Bliss near the heart of El Paso, Texas, Castner Range—stretching from the heights of the Franklin Mountains, eastward across canyons and arroyos, and descending to lower elevation plains of the Chihuahuan Desert—serves as a testament to the modernization of the American military and the military service members who trained there from 1926 to 1966. In addition to containing evidence of Castner Range's important historical role in our Nation's national defense, Castner Range hosts significant archeological sites documenting the history of the Tribal Nations that inhabited the area since time immemorial, rare plant and animal habitat, and unique geological features. Once it is safe for public access following remediation of military munitions and munitions constituents, Castner Range will become a natural classroom offering unique opportunities to experience, explore, and learn from nature in a unique setting that is close to a major urban center. Access to nature is particularly important for underserved communities, like those bordering Castner Range, that have historically had less access to our public lands. Castner Range will also provide opportunities for important research on archeological sites, plant and animal communities, and geological features in areas that have been inaccessible for many decades.

The Department of the Army acquired Castner Range in the 1920s and 1930s, and with the establishment of an Anti-Aircraft Training Center in 1940, Castner Range—and Fort Bliss more broadly—became the largest overland air defense missile range and training center in the world. In 1945, Fort Bliss became home to the 1st Anti-aircraft Guided Missile Battalion, the first missile battalion in Army history. In 1948, the Army established the 1st Guided Missile Regiment at Fort Bliss, which later became the 1st Guided Missile Brigade. This unique component trained at Castner Range and provided skills to the Army as it transitioned into the era of modern guided-missile warfare. In the 1960s, a training area known as the ''Vietnam Village'' was constructed and used for close combat exercises, but military training on Castner Range largely ended in 1966. As a result of the cessation of military activities, much of this rugged landscape has since been reclaimed by nature.

Archeologists have identified 41 archeological sites within Castner Range despite access restrictions due to remaining munitions in the area. Some of these sites are culturally important to Tribal Nations and Indigenous Peoples—including Apache and Pueblo peoples and the Comanche Nation, Hopi Tribe, and Kiowa Indian Tribe of Oklahoma—and provide evidence of Indigenous Peoples' presence in the area from at least 6,000 B.C. Three

of those sites—the Fusselman Canyon Rock Art District, the Northgate Site, and the Castner Range Archeological District—are listed in the National Register of Historic Places.

Within Castner Range, there is a site that contains rock art from around 1350 A.D. depicting animal footprints, geometric designs, a human handprint, and a bird's head. Pottery and arrow shaft straighteners have also been found in the area. Another site includes several rock shelters, a shallow cave, bedrock mortars, and rock art, which is visible on the overhangs and undersides of fallen and stacked granitic boulders. Similarities between the rock art in this area and rock art found in Hueco Tanks State Park to the east and at sites in Mexico provide evidence of interactions among the ancient Indigenous Peoples in the region. Elsewhere within Castner Range, evidence of occupation from approximately 250 to 1500 A.D. includes burial sites, roasting pits, a pit house, ceramics, and other artifacts. Initial investigations in another area within Castner Range have uncovered evidence of occupation between 900 B.C. and 1400 A.D., including rock art, fire pits, pottery, bedrock mortars, and lithic scatters. Additional opportunities to study these sites and potentially identify new sites will become available as closed areas are opened to researchers and Tribal Nations are consulted or otherwise engaged in relevant approval processes, providing new insights into the history of Indigenous Peoples in the area.

The area also contains the World War II-era Anti-Mechanized Target Firing Range, which was built by the Army in 1940 and is eligible for listing in the National Register of Historic Places due to its significance to military history. This firing range was used as a high-speed anti-tank weapons training course to provide soldiers with essential training in preparation for combat in World War II. Today the foundations and other remnants stand as a physical reminder of this pivotal moment in world history.

Evidence of mining that occurred before the Army's acquisition of Castner Range can be found at the El Paso Tin Mine site, which is also eligible for listing in the National Register of Historical Places and contains the remains of a tin mine briefly in operation at the turn of the 20th Century. As World War II drove a surge in the demand for tin, the mine reopened briefly in 1942, but the lack of abundant tin caused the mine to close again shortly thereafter.

Although completely contained within the city limits of El Paso, Castner Range is undeveloped due to its history of military use and, following the cessation of live fire exercises more than half a century ago, Castner Range has reverted to a state that is representative of the natural Chihuahuan ecosystem of the region. Indian Springs, Cottonwood Springs, Mundy Springs, and Whispering Springs provide sources of water and rare habitat for wildlife in this harsh desert ecosystem. The area also provides habitat for a large and diverse array of Chihuahuan Desert plants, birds, and mammals. The United States Fish and Wildlife Service has indicated that habitat is likely to exist for the American peregrine falcon, Mountain plover, Golden eagle, Texas horned lizard, black-tailed prairie dog, Baird's sparrow, Western burrowing owl, Franklin Mountains talussnail, Alamo beard tongue, Sand prickly pear, Desert night-blooming cereus, and the endangered Sneed pincushion cactus. Golden eagles and Western burrowing owls, for example, have been observed at Castner Range.

Castner Range also contains undeveloped geological resources. The Franklin Mountains and various landslide blocks along the eastern front of the mountains define the topography of the highest elevations of Castner Range. Over time, erosional events exposing the Red Bluff Granite followed by the deposition of the Bliss Sandstone have resulted in a geologic feature known as an unconformity. The Castner Limestone formation of the mid-elevation foothills is the oldest rock in the El Paso area and contains abundant, well-preserved, and ancient Precambrian fossilized algae. Two specimens were closely examined in 1958 and were identified as *Oollenia frequens.* It is expected that future research will identify other specimens once access becomes possible. On the desert floor of the lower elevations and emanating from Fusselman Canyon and similar mountain canyons, Castner Range contains the Franklin Mountains' only remaining undeveloped alluvial fans—broad, sloping triangular areas created when rapidly moving water descending through canyons emerges onto the desert floor and deposits eroded material.

WHEREAS, section 320301 of title 54, United States Code (the ''Antiquities Act''), authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Federal Government to be national monuments, and to reserve as a part thereof parcels of land, the limits of which shall be confined to the smallest area compatible with the proper care and management of the objects to be protected; and

WHEREAS, I find that Castner Range contains significant archeological and paleontological resources, rare and fragile biological and ecological resources, and unique geological features that are of scientific interest; and

WHEREAS, I find that Castner Range contains sites of cultural significance to Tribal Nations and Indigenous Peoples; and

WHEREAS, I find that Castner Range is an important part of the history of Native Americans and the United States military; and

WHEREAS, I find it is in the public interest to preserve and protect the objects of scientific and historic interest located within Castner Range; and

WHEREAS, I find that each of the objects identified above, and those of the same sort that may not be expressly identified in this proclamation, are objects of historic or scientific interest in need of protection under 54 U.S.C. 320301; and

WHEREAS, I find that there are threats to the objects identified in this proclamation and that a national monument reservation is necessary to protect the land along with its objects of historic and scientific interest within Castner Range for current and future generations; and

WHEREAS, I find that the boundaries of the monument reserved by this proclamation represent the smallest area compatible with the proper care and management of the objects of scientific or historic interest to be protected by the Antiquities Act;

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by the authority vested in me by section 320301 of title 54, United States Code, hereby proclaim the objects identified above that are

situated upon lands and interests in lands owned or controlled by the Federal Government to be the Castner Range National Monument (monument) and, for the purpose of protecting those objects, reserve as part thereof all lands and interests in lands owned or controlled by the Federal Government within the boundaries described on the accompanying map, which is attached hereto and forms a part of this proclamation. These reserved Federal lands and interests in lands encompass approximately 6,672 acres.

All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or other disposition under the public land laws or laws applicable to the Department of the Army, including withdrawal from location, entry, and patent under the mining laws; from disposition under all laws relating to mineral, solar, and geothermal leasing; and from conveyance under section 2844 of the National Defense Authorization Act (NDAA) for Fiscal Year 2013.

The Secretary of the Army (Secretary) shall manage the monument pursuant to applicable legal authorities, including section 2846 of the NDAA for Fiscal Year 2018, and in accordance with the terms, conditions, and management direction provided by this proclamation. The Secretary shall prepare, in consultation with the Secretary of the Interior, a management plan for the monument, which shall include access for outdoor recreational opportunities as well as historic and scientific research at a time and in a manner determined by the Secretary (considering ongoing and future remediation of hazardous substances or munitions, any needed controls to ensure explosives safety, and other limitations provided in law), consistent with the proper care and management of the objects identified above. The Secretary shall promulgate such regulations for management of the monument as the Secretary deems appropriate. The Secretary shall provide for maximum public involvement in the development of the management plan, including consultation with federally recognized Tribal Nations, State and local governments, and interested stakeholders. The final decision over any management plan and regulations rests with the Secretary.

The Secretary shall expeditiously conduct military munitions response actions at Castner Range in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. 9615 *et seq.*), and section 2846 of the NDAA for Fiscal Year 2018, and shall conduct response actions in a phased manner that allows for public access to areas of the monument when and under the conditions necessary to protect human health and safety. Nothing in this proclamation shall affect the responsibilities and authorities of the Department of Defense under applicable environmental laws within the monument boundaries. Nothing in this proclamation shall affect the Secretary's ability to authorize access to and remediation of contaminated lands within the monument.

The Secretary shall, to the maximum extent permitted by law and in consultation with Tribal Nations, ensure the protection of sacred sites and traditional cultural properties and sites in the monument and provide access to Tribal members for traditional cultural, spiritual and customary uses, consistent with the American Indian Religious Freedom Act, 42 U.S.C. 1996, and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites). Such uses shall include allowing collection of medicines, berries and other

vegetation, forest products, and firewood for personal non-commercial use in a manner consistent with the proper care and management of the objects identified herein, and in consideration of the presence of military munitions and munitions constituents.

In recognition of the importance of these lands and objects to Tribal Nations, and to ensure that management decisions affecting the monument reflect Tribal expertise and Indigenous Knowledge, the Secretary shall meaningfully engage with Tribal Nations with cultural ties to the area to develop the management plan and to inform subsequent management of the monument.

The establishment of this monument is subject to valid existing rights, including valid water rights. Consistent with the proper care and management of the objects identified above, nothing in this proclamation shall be construed to preclude the renewal or assignment of, or interfere with the operation, maintenance, replacement, modification, or upgrade of, existing water infrastructure, including flood control, pipeline, or other water management infrastructure; State highway corridors rights-of-way; or existing utility and telecommunications rights-of-way or facilities within or adjacent to the boundaries of existing authorizations within the monument.

Nothing in this proclamation shall preclude low-level overflights of military aircraft, flight testing or evaluation, the designation of new units of special use airspace, or the use or establishment of military flight training routes or transportation over the lands reserved by this proclamation.

Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Texas with respect to fish and wildlife management. Nothing in this proclamation shall be deemed to enlarge or diminish the rights or jurisdiction of any Tribal Nation.

Nothing in this proclamation shall be construed to alter the authority or responsibility of any party with respect to emergency response activities within the monument, including wildland fire response or search and rescue operations.

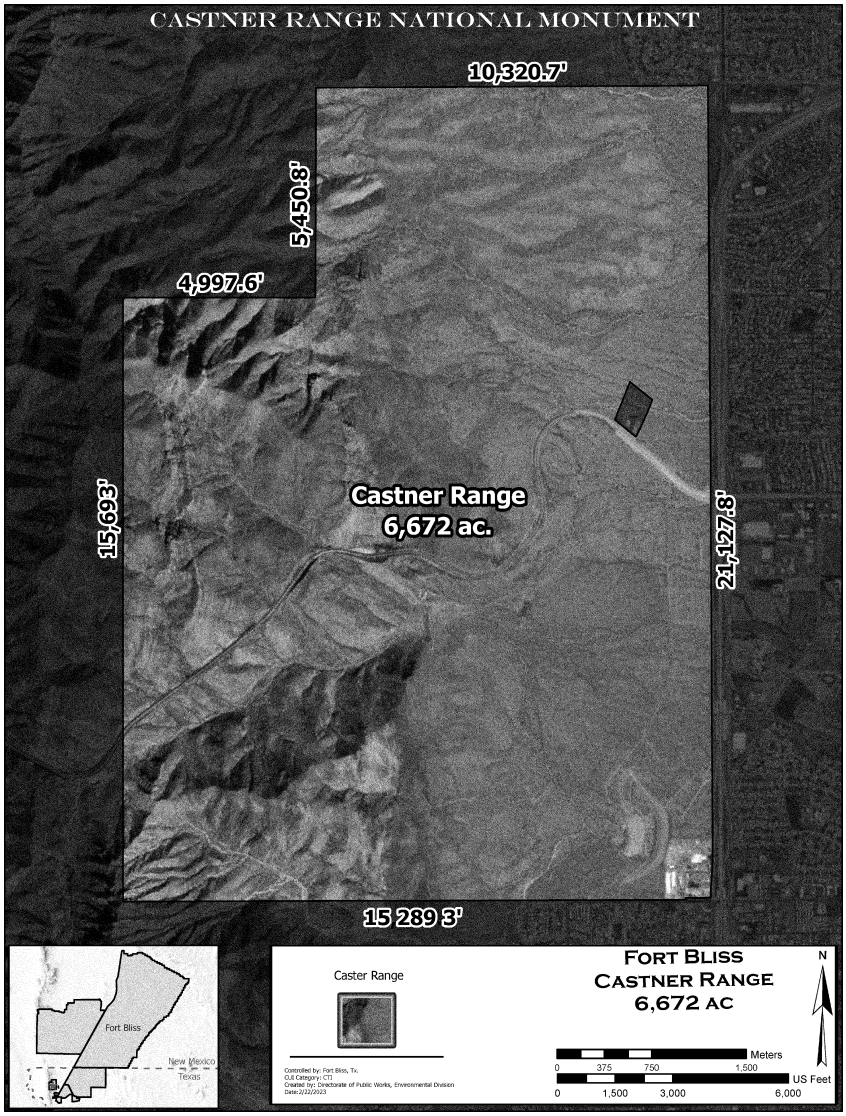
Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the national monument shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of the monument and not to locate or settle upon any of the lands thereof.

If any provision of this proclamation, including application to a particular parcel of land, is held to be invalid, the remainder of this proclamation and its application to other parcels of land shall not be affected thereby.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.


CASTNER RANGE NATIONAL MONUMENT
10,320.7'
5,450.8'
4,997.6'
15,693'
Castner Range
6,672 ac.
21,127.8'
15 289 3'
Fort Bliss
New Mexico
Texas
Caster Range
Controlled by: Fort Bliss, Tx.
CUI Category: CTI
Created by: Directorate of Public Works, Environmental Division
Date:2/22/2023
FORT BLISS
CASTNER RANGE
6,672 AC
N
Meters
0 375 750 1,500
US Feet
0 1,500 3,000 6,000

Proclamation 10535 of March 24, 2023

Greek Independence Day: A National Day of Celebration of Greek and American Democracy, 2023

By the President of the United States of America
A Proclamation

Today, we honor the heroism of Greek revolutionaries who fought for their independence more than two centuries ago and celebrate the sacred idea that has always bound our great nations together: that ''we the people'' hold the power to shape our own destinies.

The story of our shared values and common purpose reaches back to America's founding, when ancient Athenian democracy helped inspire the Framers of our democracy to forge a new system of self-government. Just a few decades later, in 1821, when the courageous women and men of Greece rose up to declare their own independence from the Ottoman Empire, young patriots from the newly formed United States crossed the Atlantic to support the Greek fight for freedom. During World War II, Greeks and Americans joined together against the forces of fascism, understanding in their cores that democracy is worth the sacrifice.

Today, the alliance between Greece and the United States has never been stronger. Together, we are deepening our cooperation on climate and energy, trade and investment, pandemic response, disaster relief, and so much more to shape a healthier, more prosperous, and more just world. In the face of Russia's brutal aggression against Ukraine, Greece has once more demonstrated its moral courage and its values—condemning Russia's aggression and welcoming Ukrainian refugees. Every generation has to defeat democracy's mortal foes, and together, we will continue to show the world that the darkness that drives autocracy can never extinguish the flames of liberty.

As Greece and the United States meet the future together, the ties of family and the contributions of Greek Americans continue to strengthen our partnership at every turn. Greek Americans are leaders in every industry and every community, helping build an economy that works for everyone and working toward greater social justice for all. I have been blessed with lifelong friendships and political mentors in the Greek American community, and I have seen firsthand how Greek culture and values enrich our American fabric.

This Greek Independence Day, as we mark 202 years of friendship between the modern Hellenic Republic and the United States, let us recommit to defending democracy together—standing up for the rights, equality, and dignity of all people.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 25, 2023, as Greek Independence Day: A National Day of Celebration of Greek and American Democracy. I call upon the people of the United States to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10536 of March 27, 2023

Honoring the Victims of the Tragedy in Nashville, Tennessee

By the President of the United States of America
A Proclamation

As a mark of respect for the victims of the senseless acts of violence perpetrated on March 27, 2023, in Nashville, Tennessee, by the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, I hereby order that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until sunset, March 31, 2023. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10537 of March 30, 2023

César Chávez Day, 2023

By the President of the United States of America
A Proclamation

Today, we honor César E. Chávez by carrying on the cause—''La Causa''—to which he dedicated his life: championing the dignity and rights of every worker, using nonviolence to fight for justice, and standing with organized labor to build an economy that rewards work and not just wealth.

César E. Chávez came of age picking produce and cotton in the fields of California. He labored in intense heat, all too familiar with the harms of poisonous pesticides. And he learned early on about the power of organizing for basic dignity and respect through his work with Fred Ross and the Community Service Organization. Working alongside trailblazing labor activist Dolores Huerta and inspired by heroes like Dr. Martin Luther King,

Jr. and Mahatma Gandhi, he founded the United Farm Workers of America in 1962. Over the following three decades, Chávez marched, fasted, and boycotted—campaigning for collective bargaining rights, a minimum wage, unemployment insurance, and better health and safety standards for his fellow workers. His courage opened America's eyes to injustice and ushered in a new age of opportunity for farm workers and the working class.

On what would be his 96th birthday, Chávez's life and legacy as a leader of the labor and civil rights movements continue to guide our efforts to grow our economy from the bottom up and the middle out—fighting every day for America's working class. My Administration is creating good-paying jobs, protecting the retirement savings of millions of union workers, pushing to ban unfair non-compete agreements, and strengthening workers' rights to organize. Since I took office, the Department of Labor has recovered $16.3 million in back pay and damages—compensation employers owed to their employees—for nearly 20,000 farmworkers. This hard-earned money can mean a worker's ability to pay rent, buy groceries, or save for their children's futures.

The Department of Labor is also working on new rules to protect workers from extreme heat in the workplace, and it is conducting inspections in industries with high incidences of heat-related illnesses or deaths. Meanwhile, the Department of Agriculture has provided hundreds of millions of dollars in financial assistance to farmworkers and meatpacking workers for expenses incurred due to the COVID–19 pandemic. It has also helped agricultural employers to implement more robust health and safety standards.

There is more work to do. That is why I continue to call for paid sick leave for every worker in America; for stronger organizing and collective bargaining rights; and for better conditions for people who work on farms, on ranches, and across the food and agricultural industry. I encourage the Congress to pass the Protecting the Right to Organize Act. I also encourage the Congress to pass the Farm Workforce Modernization Act to create a pathway to citizenship for farmworkers, who put food on our tables and sustain our Nation.

This César Chávez Day, as we celebrate an American hero, let us be united in our efforts to stand up for the dignity and rights of all workers. I proudly keep a bust of César E. Chávez in the Oval Office, which reminds me daily of my commitment to the Latino community and to the American people. The First Lady has honored his legacy with the Chávez family in Keene and Delano, California, home of Chávez's movement. I want to ensure the American Dream is within reach of all who live in our Nation, not just because it is right for our economy, but because it is the right thing to do for humanity. In Chávez's own words, ''The love for justice that is in us is not only the best part of our being, but it is also the most true to our nature.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 31, 2023, as César Chávez Day. I call upon all Americans to observe this day as a day of service and learning, with appropriate service, community, and education programs to honor César E. Chávez's enduring legacy.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10538 of March 30, 2023

Transgender Day of Visibility, 2023

By the President of the United States of America
A Proclamation

Transgender Day of Visibility celebrates the joy, strength, and absolute courage of some of the bravest people I know—people who have too often had to put their jobs, relationships, and lives on the line just to be their true selves. Today, we show millions of transgender and nonbinary Americans that we see them, they belong, and they should be treated with dignity and respect. Their courage has given countless others strength, but no one should have to be brave just to be themselves. Every American deserves that freedom.

Transgender Americans shape our Nation's soul—proudly serving in the military, curing deadly diseases, holding elected office, running thriving businesses, fighting for justice, raising families, and much more. As kids, they deserve what every child deserves: the chance to learn in safe and supportive schools, to develop meaningful friendships, and to live openly and honestly. As adults, they deserve the same rights enjoyed by every American, including equal access to health care, housing, and jobs and the chance to age with grace as senior citizens. But today, too many transgender Americans are still denied those rights and freedoms. A wave of discriminatory State laws is targeting transgender youth, terrifying families and hurting kids who are not hurting anyone. An epidemic of violence against transgender women and girls, in particular women and girls of color, has taken lives far too soon. Last year's Club Q shooting in Colorado was another painful example of this kind of violence—a stain on the conscience of our Nation.

My Administration has fought to end these injustices from day one, working to ensure that transgender people and the entire LGBTQI+ community can live openly and safely. On my first day as President, I issued an Executive Order directing the Federal Government to root out discrimination against LGBTQI+ people and their families. We have appointed a record number of openly LGBTQI+ leaders, and I was proud to rescind the ban on openly transgender people serving in the military. We are also working to make public spaces and travel more accessible, including with more inclusive gender markers on United States passports. We are improving access to public services and entitlements like Social Security. We are cracking down on discrimination in housing and education. And last December, I signed the Respect for Marriage Act into law, ensuring that every American can marry the person they love and have that marriage accepted, period.

Meanwhile, we are also working to ease the tremendous strain that discrimination, bullying, and harassment can put on transgender children—more than half of whom seriously considered suicide in the last year. The Department of Education is, for example, helping ensure that transgender students have equal opportunities to learn and thrive at school, and the Department of Justice is pushing back against extreme laws that seek to ban evidence-based gender-affirming health care.

There is much more to do. I continue to call on the Congress to finally pass the Equality Act and extend long-overdue civil rights protections to all LGBTQI+ Americans to ensure they can live with safety and dignity. Together, we also have to keep challenging the hundreds of hateful State laws that have been introduced across the country, making sure every child knows that they are made in the image of God, that they are loved, and that we are standing up for them.

America is founded on the idea that all people are created equal and deserve to be treated equally throughout their lives. We have never fully lived up to that, but we have never walked away from it either. Today, as we celebrate transgender people, we also celebrate every American's fundamental right to be themselves, bringing us closer to realizing America's full promise.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 31, 2023, as Transgender Day of Visibility. I call upon all Americans to join us in lifting up the lives and voices of transgender people throughout our Nation and to work toward eliminating violence and discrimination against all transgender, gender nonconforming, and nonbinary people.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10539 of March 31, 2023

Arab American Heritage Month, 2023

By the President of the United States of America

A Proclamation

The Arab American story is the American story—one of diverse backgrounds and faiths, vibrant tradition, bold innovation, hard work, commitment to community, and stalwart patriotism, all coming together to accomplish something greater than any one of us. This month, we join together to celebrate the immeasurable contributions of Arab Americans to our Nation and recommit ourselves to the timeless work of making sure that all people have the opportunity to achieve the American Dream.

Ours is a Nation shaped by the immigrant's heart, and generations of brave and hopeful people from across all countries, including from the Arab

world, have woven their unique heritages, customs, and talents into the tapestry of America. Today, the achievements of Arab Americans are reflected in the arts and sciences; in businesses and faith communities; in classrooms and hospitals; and in police stations, firehouses, and every branch of the military. Arab Americans are also proudly serving throughout my Administration, bringing a diversity of expertise that helps make this country stronger, more prosperous, and more just.

Sadly, we also recognize that, even as Arab Americans enrich our Nation, many continue to face prejudice, bigotry, and violence—a stain on our collective conscience. Hate must have no safe harbor in this country. We must affirm that sentiment again and again. That is why, on my first day in office, I issued the Proclamation on Ending Discriminatory Bans on Entry to The United States, which harmed the Arab American community. I also signed an Executive Order charging the Federal Government with advancing equity for historically underserved communities, including Arab Americans. I was proud to host a first-of-its-kind United We Stand Summit at the White House and announce new measures to help communities prevent and respond to hate-based threats, bullying, and harassment. I established a new interagency group to coordinate the Federal Government's efforts to fight antisemitism and Islamophobia, which impact Arab Americans. And my Administration is also exploring adding a new data category to the census for Middle Eastern and North African communities as part of our vital work to ensure that Arab Americans are seen, valued, consulted, and properly considered as new policy is made.

I have worked closely with our partners across the Middle East and North Africa to advance a common vision for the world as well as a more peaceful, prosperous, and integrated region. Together, we are strengthening our ability to address shared challenges, from regional security to climate change; fostering economic development and cooperation in science, technology, renewable energy, and space; and bringing greater peace and prosperity to all of our people.

The United States is the only Nation in the world founded on an idea—the idea that we are all created equal and deserve to be treated equally throughout our lives. As a Nation, we have never fully lived up to that promise, but we have never walked away from it either. This Arab American Heritage Month, let us all strive to honor our fundamental values and advance equity and opportunity for all people, affirming once again that diversity is our country's greatest strength.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2023 as Arab American Heritage Month. I call upon all Americans to learn more about the history, culture, and achievements of Arab Americans and to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10540 of March 31, 2023

Care Workers Recognition Month, 2023

By the President of the United States of America

A Proclamation

Across America, care workers help raise our children, assist seniors as they age with dignity, and support people with disabilities—giving families peace of mind and making it possible for millions of Americans to earn a paycheck while their loved ones are safe and secure. These unsung heroes strengthen our communities and form the backbone of our Nation's economy. This month, we honor their extraordinary contributions and commit to supporting them with better pay, better benefits, and the recognition they have long deserved.

Despite all they give to this country, care workers—including child care workers, home care workers, and long-term care workers—are among the lowest-paid workers in America. Some juggle multiple jobs, and many leave the profession altogether in search of better options. The vast majority of care workers are women, and a disproportionate share are people of color, so this chronic underpayment deepens gender and racial wealth gaps. During the COVID–19 pandemic, many care workers were forced to put themselves and their families at risk, just to do their jobs. And the care workforce continues to recover slowly, making it hard for families to find care. This leads to hundreds of billions in lost wages each year and only heightens the obligation placed on the Nation's more than 50 million family caregivers.

As many have said, care is the work that makes all other work possible. That is why my Administration invested over $39 billion from our American Rescue Plan to help child care providers keep their doors open and to provide child care workers with higher pay, bonuses, and other benefits—reducing turnover and attracting new staff. To date, these efforts have helped 220,000 child care programs, which employ more than 1 million child care workers and have the capacity to serve 9.6 million children. At the height of the pandemic, we delivered financial relief to nearly 300,000 child care workers through our expanded earned income tax credit. We know we must do more, so my most recent budget proposes investing $600 billion over 10 years to expand access to high-quality child care and free, high-quality preschool. This funding will allow States to increase pay for child care workers while helping the families of more than 16 million children afford child care.

Meanwhile, we are promoting the use of apprenticeship programs and partnering with employers, unions, and others to recruit, train, and keep long-term care workers on the job while also helping them advance their careers as registered and licensed nurses. My Budget calls on the Congress to invest $150 billion over the next decade to improve and expand Medicaid home- and community-based services—making it easier for seniors and people with disabilities to receive care in their own homes. This funding would improve the quality of jobs for home care workers and support family caregivers.

Our message this month to care workers across America is simple: The work you do matters. You are there for families when they need you

most—providing comfort, strength, and compassion that inspire us all. Your devotion to the people and communities you serve represents the best of America's character, and we will always stand with you, ensuring you are seen, valued, and rewarded fairly for the work you do.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2023 as Care Workers Recognition Month. I call upon all Americans to celebrate the contributions of care workers to our Nation with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10541 of March 31, 2023

Month of the Military Child, 2023

By the President of the United States of America

A Proclamation

This month, we honor the over 2 million children of our service members and veterans, whose support and sacrifice help keep our military strong and our Nation secure. These young Americans already understand what it means to serve, shouldering the unique demands of military life with courage and tenacity.

Whenever the First Lady and I meet with military children, we are amazed by their strength and selflessness. Most of these young patriots uproot their lives every few years—starting at new schools, making new friends, and learning new cultures and customs in different corners of the country and around the globe. They often celebrate birthdays and holidays with an empty seat at the dinner table. Many have marked graduations without one of their biggest fans in the crowd. So often, these children serve as Hidden Helpers, becoming caregivers for their wounded, ill, or injured loved ones—and far too many have grown up with the enduring grief of having lost a parent.

As a Nation, we have many obligations, but we have only one truly sacred obligation: to prepare our troops we send into harm's way and to care for them and their families while they are deployed and when they return home. Our military-connected children are at the heart of this sacred obligation. My Administration is stepping up to meet this obligation. We have expanded the Military Parental Leave Program, which enables service members to spend needed time with their families following a child's birth, adoption, or placement for long-term foster care. Through the Joining Forces initiative, the First Lady is leading our efforts to support military-connected children in their classrooms and help ease the burdens created by the highly mobile military lifestyle. We are also investing to provide their parents with access to affordable, quality child care.

The English poet John Milton once wrote, ''They also serve who only stand and wait.'' Every day, military-connected children stand tall with pride for their parents and our Nation. They make sacrifices—big and small—so their parents can continue to serve and protect this country. These young people represent the very best of America, and we will always be grateful for their service to our Nation. May God bless our troops and their families, caregivers, and survivors.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 2023 as the Month of the Military Child. I call upon the people of the United States to honor the children of our service members and veterans with appropriate ceremonies and activities. I also encourage Americans everywhere to find ways to support military-connected children, including by wearing purple during the month of April in honor of their service.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10542 of March 31, 2023

National Cancer Control Month, 2023

By the President of the United States of America

A Proclamation

Cancer has touched nearly every American family, and it remains the second leading cause of death in the United States. During National Cancer Control Month, we call on all Americans to join our movement to end cancer as we know it. By raising awareness of the risk factors, promoting life-saving regular screenings, investing in research, and expanding access to affordable treatment, we can give patients, survivors, and their families the hope and new beginnings they deserve.

We have made enormous progress in the half-century since our country first declared war on cancer. We have learned it is not a single disease but, in fact, over 200 different types of cancers caused by different genetic mutations. We have discovered life-saving prevention and early detection measures, new medicines, and innovative therapies, slashing the death rate by a third since 1991. But despite all that progress, cancer still claims the lives of over 600,000 Americans a year. And for many communities of color, the mortality rates are far worse, with Black Americans facing the highest mortality rate of any racial and ethnic group for all cancers combined and for most major cancers. Patients and their loved ones are still overwhelmed by a flood of unfamiliar information; worried about how they will pay for treatment; and awash in bewilderment, frustration, and fear. And those who have lost someone have often lost a piece of their soul.

I am more confident than ever, though, that we can change things. Last year, as part of the Unity Agenda that I outlined during my State of the

Union Address, the First Lady and I reignited the Cancer Moonshot initiative that President Barack Obama first asked me to lead in 2016. We have set a new goal to cut America's cancer death rate by half in the next 25 years, turning more cancers from death sentences into treatable diseases and creating a more supportive experience for patients and families. As a first step, I established the Advanced Research Projects Agency for Health, securing $2.5 billion in bipartisan funding from the Congress to develop breakthroughs in preventing, diagnosing, and treating cancer and other deadly diseases. This will pioneer partnerships to get those breakthroughs to the clinic. Additionally, I signed an Executive Order that will require biotechnology to be made in America, preserving access to lifesaving medications and making sure we lead the world in biotech innovation.

Improving treatment options is only part of the fight—we also need to make those treatments more affordable for everyone. To that end, the American Rescue Plan expanded the Affordable Care Act, which requires insurers to pay for cancer screenings and primary care visits and to cover cancer survivors and others who have preexisting conditions. We are working to make sure insurers cover patient navigation services, too, to help patients, caregivers, and families through screening, diagnosis, treatment, and survival. Meanwhile, the Inflation Reduction Act will cap out-of-pocket drug costs for seniors on Medicare at $2,000 per year. This is a gamechanger for cancer patients in particular, whose medicines can currently cost seven times that. And the Honoring our PACT Act is ensuring that veterans exposed to cancer-causing toxic substances during their military service get the health care and benefits that they have earned.

More than a third of all cancer cases are preventable, so my Administration is working to reduce people's exposure to risk factors. That starts with tackling the top cause of cancer deaths in this country: smoking. The Food and Drug Administration has proposed rules to ban menthol cigarettes and flavored cigars, which could prevent hundreds of thousands of deaths. For help quitting or avoiding smoking in the first place, visit SmokeFree.gov, call 1–800–QUIT–NOW, or text QUITNOW to 333888.

We are also making it easier for Americans to adopt healthy eating and exercise habits, which have been shown to lower cancer risk. Our national strategy to end hunger seeks to provide healthy, free school meals to millions of kids; boost Medicaid and Medicare coverage for things like nutrition and obesity counseling; and make fruits and vegetables more affordable for low-income families.

Because detecting cancer early can increase survival, we urge all Americans to catch up on routine screening appointments they may have missed during the pandemic and to encourage loved ones to do the same. In the last year, the Centers for Disease Control and Prevention issued more than $200 million in grants to support cancer screening in every State, many United States territories, and Tribal Nations. The Department of Health and Human Services is helping community health centers improve access to early detection, too. To learn which screenings are right for you, talk to your health care provider, visit cdc.gov/cancerscreeningorcancer.gov/screeningtests, or call 1–800–4–CANCER.

The fight against cancer is personal to so many families, including ours. It is one of the reasons I ran for President. And it is something big that

we can all do together. Cancer does not care if you are Republican or Democrat—we need everyone in the game. We need the scientific and medical communities, bringing their boldest thinking. We need the private sector, testing new treatments and sharing more knowledge. We need people living with cancer, survivors, caregivers, and families, whose absolute courage this work is all about. For the lives we can save and those we have lost, let this be a truly American moment that rallies the country and the world together to end cancer as we know it and to cure some cancers for good.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim April 2023 as National Cancer Control Month. I encourage citizens, government agencies, private businesses, nonprofit organizations, and other interested groups to join in activities that will increase awareness of what Americans can do to prevent, detect, treat, and control cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10543 of March 31, 2023

National Child Abuse Prevention Month, 2023

By the President of the United States of America

A Proclamation

During National Child Abuse Prevention Month, we want every young person in the United States who has faced the fear and pain of abuse or neglect to know they are not alone. We see you and will always fight to protect your safety and well-being. We reaffirm our commitment to listening to children, standing with brave survivors, and reaching out across our communities to support families and to help others in need.

I was raised to believe that the greatest sin in life is the abuse of power, and the abuse of a woman or child is the worst of all. Yet millions of children of every race, religion, and background face neglect or physical, emotional, or sexual abuse in America every year. It can leave deep, lasting scars, making it harder to learn in school, to form trusting relationships, to build self-esteem, and to escape cycles of abuse long-term. It denies far too many children the promise of America and risks cutting them off from their dreams and undermining their ability to reach their full potential.

We have a moral obligation to protect every child in America and to help survivors heal. That is why, as a United States Senator, I wrote and passed the Violence Against Women Act, to help secure safety and justice for women and children impacted by domestic violence. We have fought ever since to keep building on that law—including with last year's bipartisan reauthorization, which increased support for prevention, trauma-informed services, and training for courts while also expanding recognition of Tribal courts' jurisdiction in cases involving non-Native perpetrators of child

abuse. As President, I also signed the American Rescue Plan, investing an additional $350 million to improve State child protective services and community-based child abuse prevention programs. The Department of Justice is providing resources to Children's Advocacy Centers across the country that support child abuse victims by supporting law enforcement efforts to investigate and prosecute child abuse and funding law enforcement task forces to combat online child exploitation. I also signed legislation eliminating the Federal statute of limitations for child sex abuse crimes so justice can still be done even after survivors become adults. And we are helping State and territorial health departments prevent sexual violence and provide trauma-informed training to support recovery among the 1 in 4 girls and 1 in 13 boys who will face sexual abuse before they turn 18.

To support our children, we are continuing our efforts to reduce child poverty across the board, including by fighting to restore the Child Tax Credit, which in 2021 helped slash child poverty to its lowest rate ever. We know that poverty can trigger interventions in which children are sometimes unnecessarily removed from their homes. My new budget requests $10 billion to help keep families safely together and to better fund child abuse prevention and treatment services.

Meanwhile, a dangerous wave of cynical State investigations is targeting families just because they love and support their transgender children. These State campaigns are government overreach at its worst. From the Department of Justice to the Department of Health and Human Services, my Administration will keep working to make sure that politicians do not unlawfully weaponize child protective services against loving families who simply want to support their kids and help them to be themselves.

It has been said that a Nation is judged by how we treat the most vulnerable among us. Nowhere is that truer than when it comes to protecting our children, making sure they grow up safe from harm and surrounded by love. That is on all of us. For more information on how to recognize and report child abuse or neglect, as well as on how to support loving families and safe communities, visit childwelfare.gov.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2023 as National Child Abuse Prevention Month. I call upon all Americans to observe this month by joining together as a Nation to promote the safety and well-being of all children and families and to recognize the child-welfare professionals and allies who work tirelessly to protect our children. Let us also honor the strength and resilience of survivors of child abuse.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10544 of March 31, 2023

National Donate Life Month, 2023

By the President of the United States of America

A Proclamation

More than 400,000 Americans in every corner of our country are alive today thanks to the tremendous generosity and courage of organ donors. During National Donate Life Month, we honor donors and their families who have turned pain into purpose by sharing the gift of life with loved ones in need or countless others whom they have never met. We encourage everyone to follow their lead and register as an organ, eye, tissue, or bone marrow donor, bringing hope and healing to so many others.

Last year, American doctors completed our Nation's one-millionth organ transplant, a tremendous milestone in the history of a procedure pioneered and honed in America. We are now performing transplants at a record pace, with higher success rates and increased lifespans for recipients. Still, every 10 minutes, someone new joins the waiting list—fighting organ failure or blood cancer, their futures hanging in the balance. More than 100,000 people, including 1,900 children, are currently on the waiting list. A majority of them are people of color, for whom it can sometimes be more difficult to find a good donor match. Seventeen Americans die every day while waiting for a transplant.

We each have the power to change that. Just one person can save up to 8 lives through organ donation after they die and improve another 75 lives through eye and tissue donation. Registering as a donor does not change the quality of care that you receive in your lifetime. It allows you to give countless others a second chance at life and your family to find peace amid grief while leaving an extraordinary legacy of compassion and dignity.

Each year, thousands of Americans choose to donate an organ while still living, a profoundly courageous act of connection and healing.

My Administration is working across the board to support organ donation and to make sure living donors and recipients have the affordable health care and prescription drug coverage they need before and after a transplant and throughout their lives. We have acted to extend Medicare coverage of vital drugs for kidney transplant patients. And just recently, we launched the Organ Procurement and Transplantation Network (OPTN) Modernization Initiative to better serve the needs of patients and families across the country. We have published data on organ donors, organ procurements, transplant waitlists, and transplant recipients. We will foster competition, working to promote the use of innovative technology and ensure the highest quality of care is provided to patients. We are committed to a modernized OPTN that is transparent, accountable, and equitable.

We have also launched the transformational Advanced Research Projects Agency for Health, securing $2.5 billion for breakthroughs in the prevention, detection, and treatment of cancer and other deadly diseases, which could one day make many transplants unnecessary.

America is a great Nation because we are a good people—generous, decent, and fair. We look out for our neighbors and lend a hand to those in need. Few things demonstrate that more than the act of becoming an organ donor.

Any adult can register, regardless of age or medical history; in many States, doing so is as simple as checking a box when renewing your driver's license or signing up online. I encourage all Americans to visit organdonor.gov to learn more about organ, eye, and tissue donation or bloodstemcell.hrsa.gov for more information on donating bone marrow. We celebrate everyone who makes this deeply generous choice to give others the gift of life.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2023 as National Donate Life Month. I call on every person who can to share the gift of life and hope by becoming an organ, eye, tissue, or bone marrow donor. I also call on this Nation to observe National Pediatric Transplant Week from April 23 through April 29, a week dedicated to ending the pediatric transplant waiting list.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10545 of March 31, 2023

National Sexual Assault Awareness and Prevention Month, 2023

By the President of the United States of America

A Proclamation

Freedom from sexual assault is a basic human right. Yet tens of millions of Americans—our family and friends, colleagues, neighbors, and classmates—carry the trauma of sexual assault with them. National Sexual Assault Awareness and Prevention Month is an important time to speak out, stand with courageous survivors, and finally change the culture that has allowed sexual violence to exist for far too long.

Sexual violence affects all people, regardless of geography, race, age, ethnicity, gender, religion, sexual orientation, gender identity, or economic background. One in four women and 1 in 26 men have survived a rape or attempted rape. Abuse can happen anywhere—at work, at home, at school, in other public places, or online. It can lead to depression, anxiety, PTSD, and other physical and emotional wounds. We must keep fighting to make clear how important consent is and how sexual assault can be a crime. And we must help survivors access safety, justice, and healing.

That is why I wrote the landmark Violence Against Women Act (VAWA) 30 years ago, at a time when domestic violence and sexual assault were often swept under the rug. We changed that. VAWA has given us tools to prevent and prosecute sexual assault and provide support for survivors. It has helped to save and rebuild so many lives, and I have never quit working to strengthen the law, including expanding protections when VAWA

was reauthorized in 2000, 2005, 2013, and most recently in 2022. These efforts have expanded support for survivors, especially for people of color, members of the LGBTQI+ community, and immigrants, and have broadened protections to cover online abuse, such as the non-consensual distribution of intimate images. We increased VAWA funding this past year by 20 percent to a historic $700 million for 2023.

Today, we are doing more to help survivors in underserved communities and rural areas. We are working to reduce the backlog of untested rape kits as many survivors continue to wait for justice. We are improving trauma-informed training for law enforcement and making sure that adult survivors of child sexual abuse can get help, including legal help and support for healing. And we have ensured that Tribal courts have jurisdiction over non-Native perpetrators suspected of committing crimes of sexual assault, sex trafficking, and child abuse on Tribal lands. Additionally, through the American Rescue Plan, we have delivered $1 billion in additional funding for rape crisis centers, culturally specific community support organizations, and other domestic violence and sexual assault services nationwide.

We have also reformed how the military investigates and prosecutes sexual assault, sexual harassment, and related crimes, including by shifting authority from commanders to independent prosecutors. I issued an Executive Order listing sexual harassment and the wrongful distribution of intimate images as offenses under the Uniform Code of Military Justice.

I launched a Federal task force to tackle the rise in online sexual harassment and abuse, recommending concrete steps for prevention, accountability, research, and support for survivors. And I signed laws ending forced arbitration and limiting the enforcement of non-disclosure agreements to ensure people who have experienced sexual assault and sexual harassment in the workplace can pursue justice.

While we have made progress addressing sexual violence over the years, there is still much work to do. As President, I have expanded funding for campus prevention efforts, building on the work I did as Vice President when we launched ''It's On Us''. I signed an Executive Order calling on the Department of Education to protect students from discrimination based on sex, including sex-based harassment and sexual violence. And I will continue to fight tirelessly to realize the promise of Title IX, which requires institutions to prevent and address sexual violence and harassment. I have called on young men in particular to speak up and stand against abuse—because the real test of character is having the guts to do the right thing. And I have been awed by the courage of countless survivors in every part of the country who have come forward to push for justice and have inspired many others to do the same. It is on us all to stand with them.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 2023 as National Sexual Assault Awareness and Prevention Month. I urge all Americans to support sexual assault survivors, including when survivors reach out and disclose abuse, and to strengthen our efforts to prevent this abuse in the first place.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand twenty-three, and of the

Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10546 of March 31, 2023

Second Chance Month, 2023

By the President of the United States of America
A Proclamation

America has always been a land of second chances, founded on fresh starts, new possibilities, and the belief that every person deserves to be treated with dignity and respect. During Second Chance Month, we recommit to helping people forge the new beginnings they have earned and building a safer and more just society.

I believe in redemption—but for hundreds of thousands of Americans released from State and Federal prisons each year, or the nearly 80 million who have an arrest or conviction record, it is not always easy to come by. A criminal record can prevent them from landing a steady job, a safe place to live, quality health care, or the chance to go to back school. It can keep them from ever getting a loan to buy a home, start a business, or build a future. It can bar them from voting. As a result, three-quarters of formerly incarcerated people remain unemployed a year after their release—and joblessness is a top predictor of recidivism. We are not giving people a real second chance.

Our justice system should instead be based on the simple premise that once someone completes their sentence, they should have the chance to earn a living, build a life, and participate in our democracy as fellow citizens. Instead of giving people $25 and a bus ticket when they are released, we have to help them address their underlying needs as they re-enter society. It will keep families whole, build stronger and safer communities, grow our economy, and reduce recidivism long-term.

To do that, we need education, job, and substance use programs, during and after incarceration. My Administration is, for example, investing nearly $1 billion in job training, recovery, and reentry services. We are implementing changes to the Pell Grant program so people can earn a college degree while still in prison, jumpstarting new lives. Once they are released, we are helping them to find jobs rebuilding America through our historic infrastructure law; and we have expanded access to small business loans, so no one's past keeps them from building a better future.

There is much more to do. Last summer, I released my Safer America Plan, which calls on the Congress to invest $15 billion more in mental health and substance use services, job training, affordable housing, and other resources to help people rebuild their lives. It also urges the Congress to end restrictions on people with criminal records receiving disability insurance, Supplemental Nutrition Assistance Program food assistance, or other Federal benefits that would help them get back on their feet.

At the same time, we have to invest in preventing crime and breaking the cycle of recidivism. To that end, my Administration has put $3 billion in American Rescue Plan funds toward mental health and substance use programs. We are allocating $400 million this year to keep young people from becoming involved in the juvenile justice system. And my Safer America Plan would increase support for State and local crime prevention, including community violence intervention, which has been shown to reduce gun violence by up to 60 percent. We have also taken historic steps to end our Nation's failed approach to marijuana. Sending people to prison for possession has upended too many lives for conduct that many States no longer prohibit. It has seen Black and Brown Americans disproportionately arrested, prosecuted, and convicted; and imposed unfair barriers to housing, employment, and education. Last fall, I announced a full pardon for Federal and DC simple possession offenses, while calling on other elected officials to do the same at the State and local levels where most marijuana prosecutions take place.

Meanwhile, we are working to reverse generations of disinvestment, rebuilding America's economy from the bottom up and middle out to leave no one behind. We have created a record 12 million jobs in the last 2 years and now have the near lowest unemployment rate in a half-century, putting good-paying work within everyone's reach, including people with past arrests or convictions. Our historic investments in infrastructure, manufacturing, and clean energy will help to close the racial wealth gap, investing in people and communities that have been overlooked for too long. That is what second chances look like, and every American should have an equal shot at one.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2023 as Second Chance Month. I call upon all government officials, educators, volunteers, and all the people of the United States to observe the month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10547 of March 31, 2023

National Public Health Week, 2023

By the President of the United States of America

A Proclamation

The field of public health is grounded in the fundamental truth that we are all in this together—that our health is connected and we are stronger as a Nation when we work together to lift everyone's well-being. During National Public Health Week, we celebrate the life-saving work that our public health professionals do to keep Americans healthy and safe.

All of America has seen the importance of public health during the past 3 years. The pandemic shut down our businesses, closed our schools, and robbed us of so much, including the lives of over one million Americans. While the virus is not gone, we have made enormous progress, and it no longer controls our lives. More than 230 million Americans are fully vaccinated. COVID deaths are down more than 90 percent. Schools and businesses are open and thriving. And these gains are thanks in large part to the absolute courage and commitment of everyone who contributes to protecting our public health—including first responders and social workers, scientists and researchers, doctors and nurses, and so many others.

Public health professionals have been shaping our country for the better since long before COVID arose. From expanding access to immunizations and improving safety standards for food, traffic, and the workplace, to advocating for cleaner air and water, public health professionals have improved the lives of all Americans and made our country stronger, healthier, and more prosperous.

Looking ahead, there is so much more to do to end health disparities, keep advancing science, and improve the health and well-being of all Americans. That starts by making sure everyone has access to quality health care. Under my Administration, we have expanded coverage through the Affordable Care Act, making it cheaper and easier to sign up and saving millions of families $800 a year. Through the American Rescue Plan, we invested $7.6 billion in community health centers, and my latest budget would put us on a path to doubling the size of the Health Center Program, which funds care in underserved areas. We are also bringing down the cost of lifesaving drugs like insulin and investing in next-generation breakthroughs to prevent, diagnose, and treat deadly diseases like cancer through the new Advanced Research Projects Agency for Health.

To take on the public health epidemic of gun violence, we passed the most significant gun safety law in three decades, which includes enhanced background checks for individuals under age 21, and funding for red flag laws that can help keep guns from people who are a danger to themselves and others. The law also makes historic investments in mental health, and it complements the launch of the 9–8–8 National Suicide & Crisis Lifeline and additional work to protect kids online. Additionally, I reauthorized the landmark Violence Against Women Act that I first wrote in 1990 and expanded protections for survivors of domestic violence. And we are fighting the opioid epidemic by cracking down on fentanyl trafficking; pushing for tougher penalties for suppliers; and expanding access to life-saving naloxone, treatment, and recovery services.

We have also made the biggest-ever investment in fighting the public health threat represented by the climate crisis. Our Justice40 Initiative works to ensure that 40 percent of our clean energy investments flow to disadvantaged communities that have so often borne the brunt, including the health consequences, of environmental damage. The Bipartisan Infrastructure Law is replacing poisonous lead pipes that go into 10 million homes and 400,000 schools and child care centers so that every child in America can turn on the faucet and drink clean water.

And we have released a national strategy to end hunger and reduce diet-related diseases like diabetes and obesity. The strategy provides millions of students with free, nutritious school meals and helps Americans exercise

and make healthy choices in the foods they eat. We are also supporting people who want to quit smoking, and the Food and Drug Administration has proposed rules to ban menthol cigarettes and flavored cigars, which could save hundreds of thousands of lives.

Since the Supreme Court's extreme decision to strip women of their fundamental right to choose, I have also taken urgent executive action to safeguard emergency care and protect patients' privacy. The Congress must act now to codify the protections of *Roe* v. *Wade* into law so women in every State have the right to make their own health care decisions. At the same time, my Administration is also working to end the maternal health crisis that leaves Black and Native American women up to three times more likely than white women to die during pregnancy.

These are all vital public health issues. Their range reminds us how connected our health is to the health of others. That is why the United States has continued to lead on global health challenges like HIV/AIDS, tuberculosis, and malaria, as well as COVID. Working with the G20 and other partners, we created the Pandemic Fund to strengthen global pandemic preparedness, prevention, and response. And at home, we invested over $7 billion into strengthening the capacity of State and local public health departments to respond to future public health crises—including by launching the new Public Health AmeriCorps to train a strong, diverse public health workforce for the future.

As we look ahead, we have a choice to make. We can repeat the mistakes of the past that left us vulnerable to public health crises like COVID, or we can seize the opportunity to better prepare ourselves for the future and build a stronger public health system in every community nationwide. Let's choose to move forward, celebrating our dedicated public health professionals and making America more healthy, resilient, and just.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 3 through April 9, 2023, as National Public Health Week. I call on all citizens, government agencies, private businesses, nonprofit organizations, and other groups to take action to improve the health of our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10548 of March 31, 2023

Education and Sharing Day, USA, 2023

By the President of the United States of America
A Proclamation

On Education and Sharing Day, we honor the memory of the Lubavitcher Rebbe, Rabbi Menachem Mendel Schneerson, who devoted his life to outreach and teaching—building bridges, challenging us to grow, and championing tolerance and learning.

Forced to flee Nazi-occupied Europe during World War II, the Rebbe witnessed some of history's darkest moments. But his faith and a lifetime of study had already taught him that education is both the antidote to hate and the cornerstone of humanity as a whole. From Brooklyn, he turned pain into purpose and built a global movement devoted to education, fellowship, and healing. His work established schools and community institutions dedicated to helping people reach their full potential. He offered guidance to Presidents and celebrated the rich diversity of our Nation, advocating throughout for compassion and learning. Education, he once said, should not just be about training individuals to earn a living, but it should also be about making a better living for society as a whole. Instructors should not just teach; they should teach justice. Students should not only learn but also build character.

My Administration has stood firm in defending the core values that the Rebbe championed and that we all share as Americans—the idea that everyone is created equal and must be treated with dignity and respect throughout their lives. We are committed to stamping out intolerance, so nothing stops children from learning and no one is denied the promise of America. In this country, hate will never prevail.

The Rebbe told us, ''We must translate pain into action and tears into growth.'' That is what education makes possible. Children are the kite strings that hold our national ambitions aloft—everything America will be tomorrow depends on how we deliver for our young people today. So let us remember his teachings. Let us prepare our children to be tolerant, curious, and moral, ensuring that they lift up others as they rise.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2, 2023, as Education and Sharing Day, USA. I call upon all government officials, educators, volunteers, and all the people of the United States to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10549 of March 31, 2023

World Autism Awareness Day, 2023

By the President of the United States of America

A Proclamation

There is no one way to be autistic—each individual with autism experiences it differently—but together, autistic people make industries, communities, and our Nation stronger. Today, we celebrate the achievements of neurodiverse people everywhere and champion the equal rights and dignity of all those living on the autism spectrum.

Here in the United States, more than 5.4 million adults are autistic, and 1 in every 44 children has been diagnosed with autism. Yet this developmental disability is still misunderstood. Autistic people continue to face obstacles when seeking employment, health care, education, and housing, and the immense contributions of people with autism are often overlooked. We owe it to our fellow Americans to address the disparities they face and to support autistic people with tools that facilitate clearer communication, increased productivity, and greater independence.

That is why my Administration is funding cutting-edge research to enable earlier autism diagnoses and to develop more resources to help neurodiverse people of all ages thrive. Recognizing that Autism Spectrum Disorder is categorized as a disability, my American Rescue Plan provided $25 billion to States to make it easier for people with disabilities, including autism, to receive care at home. We also rolled out new tools and strategies for partner organizations to connect disabled Americans with stable housing while helping them pay rent, fight eviction, and prevent homelessness.

Last year, I was proud to reauthorize Kevin and Avonte's Law, which expands training for first responders and others giving care to people with autism. And in my recent State of the Union Address, I called on the Congress to increase its support for community living for people with disabilities.

My Administration is also boosting employment opportunities for autistic and other historically marginalized Americans. I was proud to sign an Executive Order advancing diversity, equity, inclusion, and accessibility in the Federal workforce, which will help create new jobs for Americans with autism and make space for their voices in the policy-making process.

We are helping State and local governments, employers, and nonprofits tap Federal funds to hire more Americans with disabilities like autism through competitive integrated employment practices. We are cracking down on employers who discriminate on the basis of disability, and we are fighting to end the unfair use of sub-minimum wages. I continue to urge States that have not yet expanded Medicaid coverage under the Affordable Care Act to do the right thing and provide health insurance to those currently locked out of Medicaid support that would otherwise be available to them from the Federal Government. Medicaid expansion would help many Americans with disabilities, including those with autism.

To support students with autism, the Department of Education is ensuring that public schools uphold their obligation to provide free and appropriate public education in the least restrictive environment to all students. My

Administration has also issued new guidance to help schools avoid the discriminatory use of discipline, which too often impacts autistic students, whose needs and behaviors are commonly misunderstood.

As we build a more inclusive, just, and equal Nation, we aim to lead by the power of our example. I reestablished the role of Special Advisor on International Disability Rights at the Department of State to prioritize disability rights in our policy discussions with foreign nations. The United States Agency for International Development is advancing disability inclusion as part of its democracy, climate, humanitarian, and peacebuilding activities. And as co-chair of the Global Action on Disability Network and a participant in the Global Disability Summit, the United States continues to promote the equal human rights of people with disabilities worldwide.

America is founded on the idea that all people are created equal and deserve to be treated equally throughout their lives. Today and always, let us strive to live up to this ideal. Let us embrace our diversity; empower each other to reach our full potential; and promote the basic decency, acceptance, and fairness we know is right.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2, 2023, as World Autism Awareness Day. I call upon all Americans to learn more about autism to improve early diagnosis, to learn more about the experiences of autistic people from autistic people, and to build more welcoming and inclusive communities to support people with autism.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10550 of April 7, 2023

National Former Prisoner of War Recognition Day, 2023

By the President of the United States of America

A Proclamation

On National Former Prisoner of War Recognition Day, we honor the more than half a million service members who sacrificed their freedom as prisoners of war in order to defend freedom for their fellow Americans. These brave patriots remind us of the grave costs of war and the sacrifice we ask of those who fight for us. We owe them and their families, caregivers, and survivors a debt of gratitude we can never fully repay.

This year, we mark the 50th anniversary of Operation Homecoming, the repatriation of nearly 600 Americans held captive during the Vietnam War, as well as the 70th anniversary of Operations Big Switch and Little Switch, which brought home more than 3,700 American prisoners of the Korean War. These heroes—and other prisoners of war from every conflict throughout our history—stand among the bravest of our Nation, serving honorably

under intolerable circumstances. Their unwavering courage helped defend an idea unlike any other in human history: the idea of the United States of America.

Our Nation has many obligations, but our one truly sacred obligation is to equip those we send into harm's way and to care for them and their families when they return home. To every prisoner of war now safely reunited with their loved ones: We will never fail to honor your sacrifice. To every family still awaiting answers about a hero who went missing in action: We will never stop working to bring them home. And to every service member defending our Nation and our values around the world today: We will never forget what you give to this country each day.

May God bless our former prisoners of war and their families, caregivers, and survivors, and may God protect our troops.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 9, 2023, as National Former Prisoner of War Recognition Day. I call upon Americans to observe this day by honoring the service and sacrifice of all former prisoners of war as our Nation expresses its eternal gratitude for their sacrifice. I also call upon Federal, State, and local government officials and organizations to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10551 of April 10, 2023

Black Maternal Health Week, 2023

By the President of the United States of America

A Proclamation

Black Maternal Health Week is a reminder that so many families experience pain, neglect, and loss during what should be one of the most joyous times of their lives. It is an urgent call for action. Black women in America are three times more likely to die from pregnancy-related complications than white women. This is on top of the fact that women in America are dying at a higher rate from pregnancy-related causes than in any other developed nation.

Tackling this crisis begins with understanding how institutional racism drives these high maternal mortality rates. Studies show that Black women are often dismissed or ignored in hospitals and other health care settings, even as they suffer from severe injuries and pregnancy complications and ask for help. Systemic inequities are also to blame. When mothers do not have access to safe and stable housing before and after childbirth, they are at greater risk of falling ill. When women face barriers traveling to the hospital for prenatal and postpartum checkups, they are less likely to remain

healthy. Air pollution, water pollution, and lead pipes can have dangerous consequences for pregnant women and newborns. And when families cannot afford nutritious foods, they face worse health outcomes.

That is why my Administration wrote the Blueprint for Addressing the Maternal Health Crisis, which lays out specific actions that the Federal Government will take to improve maternal health, and secured funding from the Congress to help implement it. Vice President Kamala Harris has been a leader on the issue of maternal mortality for years and led the charge to improve maternal health outcomes, including by issuing a call to action to address disparities in maternal care. She continues to elevate the issue nationally, convening State legislators, medical professionals, and others so all mothers can access the care they need before, during, and after childbirth.

Additionally, my American Rescue Plan gave States the option to provide a full year of postpartum coverage to Medicaid beneficiaries—up from just 60 days of coverage. As a result, my Administration has approved requests from 30 States and Washington, D.C. to provide women with Medicaid coverage with a full year of postpartum coverage, and we have made this option permanent for every State that extends Medicaid postpartum coverage. My Administration has helped facilitate Medicaid expansion in four States since I took office, and I continue to call on the Congress to close the Medicaid coverage gap. We are also working to expand and diversify the maternal health workforce, helping health care providers hire and train diverse and culturally-competent physicians, certified nurse midwives, doulas, and community health workers to support women during pregnancy, delivery, and postpartum care. My American Rescue Plan included historic investments in our health workforce, and my Budget includes $471 million to reduce maternal mortality and morbidity rates—improving access to care in rural communities, expanding implicit bias training for health care providers, and further supporting the perinatal health workforce.

Because expecting mothers deserve to know where to find the best care, the Department of Health and Human Services created a new ''Birthing Friendly'' hospital designation, a public-facing recognition of the quality and safety of maternity care which will be publicly reported on the Care Compare website beginning this Fall. My Administration is committed to implementing the No Surprises Act, which helps ensure that women are protected from certain unexpected out-of-network medical bills that can come up during pregnancy, postpartum care, and delivery.

One in 5 women in America experience maternal mental health conditions like postpartum depression, anxiety, or substance use disorder, so we launched the Maternal Mental Health Hotline. By calling 1–833–9–HELP4MOMS—a confidential, 24-hour, toll-free number—new and expecting moms can now connect with professional counselors. We are also supporting and expanding maternal mental health screening programs, including for postpartum depression. My Administration is also partnering with community-based organizations to help pregnant people access addiction services and work with professionals trained in treating substance use disorder.

We are protecting the job security and workplace rights of pregnant and nursing mothers—including Black women, who are more likely to be fired, quit, or be forced to return to work after giving birth before it is healthy

for them to do so. Over the past 2 years, I signed legislation to ensure employers make reasonable accommodations for pregnant workers and job applicants, expand the use of break time and access to private spaces for millions of nursing parents, and study the unique maternal health challenges facing veterans and help ensure they get the quality health care they deserve through the Department of Veterans Affairs.

At the same time, my Administration is using the power of the Federal Government to address the long-standing disparities that Black communities continue to face—disparities that directly impact the health and well-being of Black mothers. During the height of the COVID–19 crisis, my Administration provided relief to hardworking families, cutting the rate of poverty for Black Americans by nearly a third.

We are also confronting racial discrimination in housing; expanding public transit to every neighborhood in the country; improving access to affordable and healthy food through our National Strategy on Hunger, Nutrition, and Health; and tackling dangerous environmental injustices that have hit communities of color the hardest.

This week, as we continue our work to make pregnancy and childbirth safe, dignified, and joyful for all, let us remember that health care should be a right and not a privilege. Let us give thanks to the extraordinary maternal health care workforce, which serves its patients and their families every day. And let us join in common cause to end the tragedy of maternal mortality once and for all.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 11 through April 17, 2023, as Black Maternal Health Week. I call upon all Americans to raise awareness of the state of Black maternal health in the United States by understanding the consequences of institutional racism; recognizing the scope of this problem and the need for urgent solutions; amplifying the voices and experiences of Black women, families, and communities; and committing to building a world in which Black women do not have to fear for their safety, their well-being, their dignity, or their lives before, during, and after pregnancy.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10552 of April 14, 2023

Days of Remembrance of Victims of the Holocaust, 2023

By the President of the United States of America

A Proclamation

During *Yom HaShoah* and throughout these days of remembrance, we mourn the six million Jews who were murdered during the horror of the

Holocaust—as well as the millions of Roma and Sinti, Slavs, disabled persons, LGBTQI+ individuals, and political dissidents who were murdered at the hands of the Nazis and their collaborators. Together with courageous survivors, descendants of victims, and people around the world, we renew our solemn vow: ''never again.''

Last year, I returned to Yad Vashem, the World Holocaust Remembrance Center, to pay tribute to the lives that were stolen during this dark chapter of our history and to honor their memory. I will never forget meeting with two survivors on that sacred ground and hearing their stories. The horrors of the Holocaust are painful to recount—the savage murder of innocent families and the systemic dehumanization of entire populations. We remember the cries for help that went unanswered and the bright futures cut short. We must never look away from the truth of what happened. The rite of remembrance becomes more urgent with each passing year, as fewer survivors remain to share their stories and open our eyes to the harms of unchecked hatred.

Unfortunately, hatred never truly goes away. It only hides—lurking until it is given the oxygen to emerge again. We have seen this hard truth across our country, from swastikas on cars and antisemitic banners on bridges to attacks against Jewish people at schools and synagogues and outright Holocaust denialism. The venom and violence of antisemitism goes against all the values we stand for as Americans. And it is a stark reminder—as my dear friend Elie Wiesel once said—that ''Indifference is always the friend of the enemy.'' And as my father taught me, ''silence is complicity.''

My Administration has not and will not be indifferent. That is why I appointed Deborah Lipstadt, a historian of the Holocaust, as the first Ambassador-level Special Envoy to Monitor and Combat Antisemitism. We are developing a national strategy to counter antisemitism—mobilizing the full weight of the Federal Government to fight this scourge of hate in America—and we have co-sponsored a United Nations resolution to combat Holocaust denial through education. We secured the largest increase in funding ever for the physical security of nonprofits, including synagogues, Jewish Community Centers, Jewish day schools, and other houses of worship. And I convened the first-ever White House summit on combating hate-fueled violence because nobody should fear going to a religious service, wearing a symbol of their faith, or simply being who they are.

Hate must have no safe harbor in America or anywhere else. Today and always, we make our message clear: Evil will not win. Hate will not prevail. And the violence of antisemitism will not be the story of our time. Together, we can ensure that ''never again'' is a promise we keep.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 16 through April 23, 2023, as a week of observance of the Days of Remembrance of Victims of the Holocaust, and I call upon the people of the United States to observe this week and pause to remember victims and survivors of the Holocaust.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of April, in the year of our Lord two thousand twenty-three, and of the

Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10553 of April 14, 2023

National Volunteer Week, 2023

By the President of the United States of America

A Proclamation

This week, we honor the selfless spirit of Americans who volunteer, and we sound the call for more Americans to seize opportunities to serve their communities.

Every day across America, volunteers are performing extraordinary acts of service. They are repairing and rebuilding homes, educating our youth, and connecting people to jobs. They are supporting veterans and military families, helping to run our elections, and combating climate change. In the aftermath of natural disasters, neighbors volunteer to restore communities and cook hot meals. And amid a pandemic, volunteers have stepped forward to help administer vaccines and provide lifesaving resources to people in need.

Volunteering defines America. Our Nation is a place where light triumphs over darkness, where we seek to lift everyone up, and where we lead not by the example of our power but by the power of our example. As those who volunteer know firsthand, service also benefits the volunteer. It can teach important skills, help build professional networks, and provide an empowering sense of purpose. Volunteering brings people together, uniting us around our common belief in the dignity and equality of every person and giving us a chance to learn from others we might otherwise never meet.

This year marks the 30th anniversary of AmeriCorps. In the decades since President Clinton created this Federal agency, more than a million Americans have fanned out to communities across our country to serve neighbors, respond and rebuild after natural disasters, educate students in need, and provide critical support in the face of public health challenges like the opioid crisis and COVID–19. Every year, AmeriCorps matches over 140,000 AmeriCorps Seniors volunteers with service opportunities. AmeriCorps embodies our Nation's commitment to service, and I was proud to strengthen it with a historic $1 billion investment through our American Rescue Plan. My new Budget calls on the Congress to raise the living allowance provided to AmeriCorps members, making national service more accessible to Americans of all backgrounds. It also calls for the largest-ever request in funding for the Peace Corps in order to expand opportunities for Americans to volunteer overseas. For over 60 years, Peace Corps volunteers have worked in dozens of countries on projects related to agriculture, community development, education, environmental protection, health, and improving opportunities for youth.

Additionally, my Administration hosted the United We Stand Summit, convening civic, faith, philanthropic, and business leaders to address the

hate-fueled violence that threatens our democracy. Responding to this call to action, leading community organizations announced a new partnership, A Nation of Bridgebuilders, to train tens of thousands of Americans in techniques that build bridges across diverse identities and backgrounds—including storytelling, finding shared values, and volunteering together in common purpose. This initiative will host over 1,000 service events in more than 300 communities, improving lives and bringing Americans closer together.

This week, I encourage all Americans to seek volunteer opportunities near you and to visit AmeriCorps.gov and peacecorps.gov/volunteer to learn more about getting involved. Large and small acts of service can mean so much—lifting spirits, opening up new doors of opportunity, and cementing our identity as a great country full of good people.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 16 through April 22, 2023, as National Volunteer Week. I call upon all Americans to observe this week by volunteering in service projects across the country and pledging to make service a part of their daily lives.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10554 of April 21, 2023

National Park Week, 2023

By the President of the United States of America

A Proclamation

Edward Abbey, park ranger and author, wrote that ''Every man, every woman, carries in heart and mind the image of the ideal place, the right place, the one true home, known or unknown, actual or visionary.'' For so many Americans, this place can be found in our magnificent National Park System. From the pristine lakes of Glacier National Park to the breathtaking cliffs of Acadia and from Independence Hall in Philadelphia to the César E. Chávez National Monument in California, these 424 cultural treasures and natural wonders provide endless opportunities for recreation, reflection, and inspiration. This week, we celebrate our cherished National Park System and recommit ourselves to protecting it for years to come.

Preserving our remarkable lands, which have been home to Tribal Nations since time immemorial, not only bridges our past to our present but also invests in our planet's future. By tending to our forests, we support our trees' ability to cycle carbon dioxide out of the atmosphere. By safeguarding our wetlands, we shore up our defenses against hurricanes and superstorms and improve our chances of beating back forest fires. Ensuring the health of our ecosystems is vital to our fight against the climate crisis and our resilience when disasters strike.

That is why I launched the ''America the Beautiful'' initiative during my first year in office. This set a national goal of voluntarily conserving 30 percent of our country's lands and waters by 2030. Our National Park System is a cornerstone of this conservation effort, and expanding and protecting it is key to meeting our goal.

My Administration is also investing over a billion dollars through our Bipartisan Infrastructure Law to help Federal agencies, including the National Park Service, restore our extensive system of national parks and public lands. This funding supports critical ecosystems by combating invasive species, replanting vegetation, and improving soil health. It expands recruitment, training, and pay for thousands of brave wildland firefighters. And it supports new trails, roads, bridges, and other transportation within national parks, making it easier and safer to travel and see the sights. These efforts go hand-in-hand with our Inflation Reduction Act, the largest investment in combating climate change in American history. With this law, the National Park Service will hire new employees, and we will build out clean energy charging stations across our national parks and public lands, bringing us closer to a net-zero emissions future.

I have been proud to use executive authorities—including my authority under the Antiquities Act—to protect and expand some of America's most cherished natural wonders in and outside the National Park System. I designated the Camp Hale-Continental Divide Monument in Colorado and protected Alaska's Tongass National Forest. I restored protections for Alaska's Bristol Bay, Minnesota's Boundary Waters Area Watershed, Utah's Bears Ears and Grand Staircase-Escalante National Monuments, and the Northeast Canyons and Seamounts National Monuments. And last month, I established our two newest national monuments—Avi Kwa Ame National Monument in Nevada and Castner Range National Monument in Texas—protecting nearly 514,000 total acres of public land.

Throughout this work, my Administration is ensuring that all Americans have equal access to our national parks. My new Budget requests $3.8 billion from the Congress for the National Park Service so we can improve transportation options to and from these sites—making it easier for all Americans to visit, especially people in underserved communities and people with disabilities. We are taking steps to recognize traditional indigenous knowledge and to expand Tribal co-stewardship of national parks because drawing upon Tribal Nations' deep expertise of these lands is key to sustaining them. And through the Outdoor Recreation Legacy Partnership, the National Park Service is helping renovate and build public parks and other outdoor spaces in communities with little access to outdoor recreation.

Our national parks are the envy of the world. Jill and I have taken our children and grandchildren to these extraordinary places around the country to remind them of the magnificence and majesty of America. They unite us all and are the birthright that we pass down from generation to generation. This week and always, let us appreciate these national treasures that our ancestors conserved for us and rededicate ourselves to preserving them for all Americans to enjoy.

On April 22, the National Park Service will be offering free entry to all national parks. I encourage everyone to take advantage of this opportunity and to visit these treasured places.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 22 through April 30, 2023, as National Park Week. I encourage all Americans to find their park, recreate responsibly, and enjoy the benefits that come from spending time in the natural world.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10555 of April 21, 2023

National Crime Victims' Rights Week, 2023

By the President of the United States of America
A Proclamation

Every person deserves to feel safe in their home, school, workplace, and community. Yet each year, millions of Americans fall victim to acts of violence, theft, fraud, and other crimes. Often, the pain and trauma can have long-term impacts. During National Crime Victims' Rights Week, we recommit to the work of preventing crime, supporting victims as they heal, and holding offenders accountable.

Beyond the physical, psychological, and emotional scars, victims and their families too often bear the economic burden of the crimes they suffered—such as lost income, medical bills, or expenses for temporary housing. As a United States Senator, I was proud to support the Victims of Crime Act in 1984, which created a Crime Victims Fund using fines from Federal prosecutions to directly compensate victims and finance victim assistance services. In recent years, the fund's balance declined significantly, so I signed a bill in 2021 to rebuild it and ensure that victims can access these critical resources.

Last year, I also reauthorized and strengthened the Violence Against Women Act (VAWA), which I first wrote as a United States Senator more than 30 years ago to change the laws and culture around the scourge of domestic and sexual violence in America. For decades, this law has supported shelters and rape crisis centers; funded housing and legal assistance for survivors of abusive relationships, sexual assault, and stalking; and helped train law enforcement agencies and courts to make the justice system more responsive to survivors' needs.

As President, I increased funding for VAWA to its highest level so that we can hold more offenders accountable and allow more victims to access trauma-informed care—especially victims from underserved communities, including those from the LGBTQI+ community and rural areas. Tribal courts will now be able to exercise jurisdiction over non-Native perpetrators of sexual assault, child abuse, and sex trafficking. The law also enables

victims to take people who disseminate their intimate images without consent to court, and it provides training for law enforcement, prosecutors, and victim service providers in addressing online abuse and cyberstalking.

I signed into law the COVID–19 Hate Crimes and Khalid Jabara-Heather Heyer NO HATE Acts, which help State, local, and Tribal law enforcement agencies better track and prosecute hate-fueled acts of violence against people from marginalized groups, including by establishing state-run reporting hotlines for victims of hate crimes. We also made lynching a Federal hate crime for the first time in American history with the Emmett Till Antilynching Act, giving prosecutors more power to pursue perpetrators of these vile acts. I also hosted the United We Stand Summit, convening civic, faith, philanthropic, and business leaders to prevent and respond to hate crimes, and to help survivors of hate crimes and their communities heal from these tragic events.

While my Administration continues to take historic action to reduce gun crime, we are also taking action to help survivors of gun violence and families that have lost loved ones to this public health epidemic. Last June, I was proud to sign the Bipartisan Safer Communities Act, the most sweeping gun safety law in nearly three decades. Among other steps, this law helps keep guns out of the hands of dating partners convicted of violent crimes and provides over a billion dollars to address the youth mental health crisis in America, especially trauma experienced by survivors of gun violence. In March 2023, I signed an Executive Order directing key members of my Cabinet to submit a proposal for improving Federal support for communities and individuals impacted by gun violence.

Supporting crime victims also requires building trust between the public and law enforcement. When someone falls victim to a crime, first responders should have the resources they need to ensure victims feel heard, valued, and supported. We have provided States with over $10 billion to improve law enforcement training, fund community violence interventions, purchase necessary equipment like body-worn cameras, clear court backlogs, and support crime victims. My Safer America Plan calls for an additional $37 billion to prevent crime, reduce gun violence, and create a fairer justice system—including by hiring 100,000 more officers for safe, effective, and accountable community policing, consistent with the standards of my policing Executive Order, which will also help strengthen public trust in law enforcement.

This week and every week, let us all commit to doing our part to help prevent crimes and to provide survivors with the resources they need to heal, pursue justice, and emerge stronger. If you or a loved one are a victim of crime, I encourage you to visit www.Crimevictims.gov.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 23 through April 29, 2023, as National Crime Victims' Rights Week. I call upon all Americans to observe this week by participating in events that raise awareness of victims' rights and services and by volunteering to serve and support victims in their time of need.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of April, in the year of our Lord two thousand twenty-three, and of the

Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10556 of April 21, 2023

Earth Day, 2023

By the President of the United States of America
A Proclamation

America's natural wonders help define who we are as a Nation. They unite and renew us, a constant reminder of something bigger than ourselves. But nature is not only a catalyst for reflection—it demands action. On Earth Day, we celebrate the modern environmental movement that kicked off 53 years ago, when millions of Americans of every age and background first rallied together to change our laws and become better stewards of our planet. Because of their courage and commitment, the Environmental Protection Agency was created to safeguard our environment and the health of all Americans, and the National Oceanic and Atmospheric Administration was established to help protect our ocean. The Congress passed the Clean Water Act to restore our rivers and streams; the 1970 Clean Air Act to slash deadly emissions; and the Endangered Species Act, which has helped prevent 99 percent of potential extinctions of species under its care. Advocates have since built a global coalition that today will see a billion people worldwide take action to protect the Earth. Their work has called us all to conscience and has inspired us to reject the false choice between a sustainable planet and a strong economy. Today we are continuing to prove that we can and must demand both.

This work has never been more urgent. Climate change is a clear and present danger—in the words of UN Secretary General Antonio Guterres, it is a ''code red for humanity.'' We see it across the world and in every corner of our country: more destructive hurricanes and tornadoes; more severe and longer-lasting droughts; and wildfires that have destroyed millions of acres—more land than many whole States. Extreme weather is disrupting our supply chains and overwhelming our energy grids, costing America $165 billion in damages last year alone and often hitting low-income communities hardest. Deforestation, biodiversity loss, toxic spills, and plastic pollution only make things worse. Our economy, our national security, and our children's futures are at stake.

When I was sworn in as President, we set groundbreaking goals to cut America's greenhouse gas emissions in half by 2030 and achieve net-zero emissions by 2050 in order to keep global warming below the critical 1.5-degrees-Celsius threshold. We immediately rejoined the Paris Agreement and have worked to strengthen global resilience—rallying 130 nations to commit to slashing methane emissions, working to halt deforestation, and putting healthy ecosystems at the heart of healthy economies. At home, we are in the midst of a generational upgrade in our infrastructure; and we passed the most aggressive climate investment law in history, making

record investments in green manufacturing, clean public transit, and climate-smart agriculture while giving families tax credits to make their homes more energy efficient. In the first 2 years of my Administration, more solar, wind, and battery storage technology were deployed in the United States than any prior 2-year period. In 2022 alone, wind and solar provided nearly three-quarters of new power generation capacity in the United States. We are making the United States the world's electric vehicle leader, building a nationwide network of 500,000 charging stations and providing tax credits to help families afford electric cars and save on the cost of gasoline. Throughout, we are making sure that the technology powering our clean energy future is made in America by American workers, creating good-paying union jobs. Since we know environmental factors can impact businesses and markets, I have made sure that pension fund managers can continue to take those factors into account.

As we unleash this new era of economic growth powered by clean energy, we are also making historic investments in environmental justice—cleaning up toxic waste, improving air quality, capping old oil and gas wells, and expanding safe outdoor spaces across the country so communities smothered by the legacy of pollution can rebuild. We are working to replace every lead pipe left in America so children everywhere can turn on the faucet and drink clean water, and we are partnering with communities to get dangerous ''PFAS'' chemicals out of their water supplies. To complement and enable these efforts, today I signed an Executive Order committing the Federal Government to incorporating environmental justice perspectives, values, and considerations into our work. I have also committed to working with the Congress to quadruple American support for global climate finance, unlocking the additional pools of private investment needed to bring the world along. There is no denying that we are in this together.

At home, we have also deepened our conservation work, preserving our natural wonders as bridges to our past and future. Our ''America the Beautiful'' Initiative aims to conserve at least 30 percent of our Nation's lands and waters by 2030; in its first year, we protected more territory than any administration since President John F. Kennedy's. Last Earth Day, I signed an Executive Order strengthening America's forests to harness their power in the fight against climate change and reduce wildfire risk. I have designated magnificent lands from Avi Kwa Ame—or Spirit Mountain—in Nevada to Camp Hale in Colorado as national monuments, restored protections to treasures like Bears Ears and Grand Staircase-Escalante in Utah, and acted to protect the Tongass National Forest and Bristol Bay in Alaska.

The environmentalist and author Rachel Carson once wrote: ''Those who contemplate the beauty of the Earth find reserves of strength that will endure as long as life lasts.'' Today, we renew that strength to keep building on our progress. The challenges we face are great, but our capacity is greater. The inspiring passion of young people and climate activists, civil society and Indigenous communities, and thoughtful consumers and forward-thinking businesses is galvanizing the world to finally deliver a more equitable, prosperous, and just planet, preserved for generations to come.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 22, 2023, as Earth Day. Today, I encourage all Americans to reflect on the need to protect our

precious Earth; to heed the call to combat our climate and biodiversity crises while growing the economy; and to keep working for a healthier, safer, more equitable future for all.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10557 of April 26, 2023

70th Anniversary of the Lavender Scare

By the President of the United States of America
A Proclamation

Our Nation has made tremendous progress in advancing the cause of equality for LGBTQI+ Americans. To keep building on that progress, we must reflect honestly on the darkest chapters of our story and on how far we have come. Seventy years ago, as the Cold War set in, President Eisenhower signed an Executive Order banning LGBTQI+ Americans from serving in the Federal Government. This action codified a shameful chapter in our Nation's history known as the ''Lavender Scare.'' It was a decades-long period when 5,000 to 10,000 LGBTQI+ Federal employees were investigated, were interrogated, and lost their jobs simply because of who they were and whom they loved.

On this anniversary, we acknowledge the importance of telling the complete history of our Nation, reflecting on the lives changed by this discrimination, honoring the courageous Americans who fought to end this injustice, and celebrating the contributions of today's proud LGBTQI+ public servants—including members of our Armed Forces.

Our Nation was founded on the sacred idea that all of us are created equal and deserve to be treated equally under our laws. But for so many members of the LGBTQI+ community, hate, discrimination, and isolation throughout our country's history have denied them the full promise of America. The Lavender Scare epitomized—and institutionalized—this injustice. As LGBTQI+ employees were forced out of the workforce, the Federal Government attempted to defend its policies by propagating false and hateful stereotypes—accusing this community of being a threat to our national security and unworthy of public trust. Employees who were fired under these policies often lost future employment, other opportunities, and even relationships with their own families. Many endured poverty and public disgrace. Some took their own lives as a result of the trauma they had to bear.

While this is a story of profound injustice, it is also a story of remarkable bravery. From seeking relief in the courts to picketing in front of the White House, activists stood up for their rights and helped lay the foundation for the modern-day LGBTQI+ civil rights movement. One such trailblazer was Franklin Kameny, an Army astronomer, who after being fired because he was gay, dedicated over 50 years of his life to activism and helping

LGBTQI+ workers stand up for their rights. In 2009, I was proud to meet Frank Kameny in the Oval Office as President Obama and I officially expanded many Federal benefits to same-sex partners of Government employees.

I am equally proud to have mandated additional protections for the fundamental rights of LGBTQI+ Americans. I have appointed barrier-breaking LGBTQI+ leaders to the highest levels of Government, including the first openly gay Senate-confirmed Cabinet Secretary, the first two openly transgender Americans to be confirmed by the United States Senate, and the first open lesbian to achieve the rank of Ambassador. When Americans tune in to the daily White House press briefing, they see the first openly gay White House Press Secretary representing my Administration on the world stage.

But this is just the beginning. I rescinded the discriminatory ban on transgender service members, paving the way for these brave Americans to once again serve openly in the United States military. I signed an Executive Order on Advancing Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce, taking additional steps to ensure that LGBTQI+ public servants are treated with dignity and respect. I also signed a landmark Executive Order charging the Federal Government to prevent and combat discrimination on the basis of sexual orientation and gender identity. Federal agencies have since strengthened or clarified protections for LGBTQI+ Americans in housing, health care, education, employment, credit and lending services, and the criminal justice system. Just last year, I proudly signed the Respect for Marriage Act to defend the rights of LGBTQI+ and interracial couples.

The struggle for equal justice is not over. Today and in each generation, we must rededicate ourselves to ending the hatred and discrimination that LGBTQI+ Americans continue to face. That includes addressing a wave of discriminatory laws that target them—especially transgender children—and that echo the hateful stereotypes and stigma of the Lavender Scare. My Administration is standing firmly with brave LGBTQI+ Americans to push back against these injustices.

Great nations face their history openly and honestly: the good, the bad, and the truth. Today, we make our message simple to every public servant who suffered from the un-American policies and discrimination of the Lavender Scare: We see your sacrifices. We acknowledge what you lost and what you wrongfully endured. I have mandated my Administration to do all we can to write a new chapter of our American story that will demonstrate our abiding commitment to equal rights, respect for human dignity, and limitless opportunity for all.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 27, 2023, as the 70th Anniversary of the Lavender Scare. I call upon government officials and the people of the United States of America to honor the contributions of LGBTQI+ public servants, to recognize the lives impacted by the Lavender Scare, and to celebrate the great diversity of the American people.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of April, in the year of our Lord two thousand twenty-three, and of

the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10558 of April 27, 2023

Workers Memorial Day, 2023

By the President of the United States of America

A Proclamation

A record 160 million Americans get up and go to work every day to provide for their families, build their communities, and earn a piece of the American Dream. But too many are exposed to unsafe working conditions, injured, or even killed in preventable accidents on the job. And millions of firefighters, police officers, and other first responders put their lives on the line as a matter of course to keep the rest of us safe. We need to have their backs. On Workers Memorial Day, we honor every American worker who has sacrificed their own life or well-being; we stand with the unions that fight for them every day; and we recommit to protecting the fundamental right to a safe and healthy workplace.

I ran for office to restore the backbone of America—the middle class—and I am proud to be the most pro-labor President in history. The middle class built this country, and union workers built the middle class. Nearly every law protecting workers' rights passed because unions fought for it. That includes the Occupational Safety and Health Act, which took effect 51 years ago today, laying the groundwork for foundational health, safety, and whistleblower protections that continue to protect workers nationwide.

My Administration has built on that legacy from the start, securing $200 million in American Rescue Plan funding to help keep workers safe and guarantee paid sick leave during the COVID–19 pandemic. We protected pensions for millions of workers and retirees so that hardworking Americans can enjoy the healthy and stable retirement they worked their whole lives to secure. The historic infrastructure, manufacturing, and clean energy laws that I signed as part of our Investing in America agenda are spurring billions of dollars in private investments and helping to create millions of good-paying jobs while requiring strong labor practices like prevailing wages, expanding Registered Apprenticeships, and protecting benefits for coal miners with black lung disease. Throughout, we have stood against union busting and supported striking workers, who fight for better pay and safer conditions. We have cracked down on wage theft and worker misclassification so employers cannot avoid paying fair wages or full benefits. We are making it easier for workers to report abuses and unsafe working conditions, even if they are undocumented—improving safety, boosting pay, and raising standards for everyone.

At the same time, my Administration has strengthened workplace safety enforcement and training, hiring hundreds of new workplace inspectors and increasing site visits by 30 percent. We launched a program to inspect workplaces for extreme heat, which can harm construction, farm, factory, warehouse, delivery, and other workers. We have invested more than $100

million in training farm workers to avoid injuries. And we have fought for first responders by cracking down on toxic PFAS—the so-called ''forever chemicals'' that have been used for years to produce firefighting equipment and fire suppression agents, making firefighters sick—and funding research into PFAS alternatives. I also signed bills qualifying more than 10,000 Federal firefighters for critical workers' compensation and extending tax-free retirement benefits to firefighters permanently disabled on the job and to families of late firefighters who faced trauma. My latest Budget would invest $430 million more to help Federal agencies promote safe worksites, protect benefits, increase penalties for labor violations, and end child labor for good. Our Administration has worked across the board to expand access to health care through the Affordable Care Act and Medicaid, saving millions of families $800 a year each on premiums. Today, more Americans have health insurance than ever before in our history.

We have more to do. For starters, the United States is still one of the only countries in the world that does not guarantee paid sick leave, forcing too many workers to have to choose between a paycheck and caring for a sick or injured loved one or for themselves. The Congress needs to pass sick days for all and a national paid leave program right away to change that.

A safe and healthy workplace is fundamental. In the United States of America, no one should have to risk their lives just to make a living. Today, we honor those workers who put it all on the line, and we keep their families in our hearts. We celebrate the whistleblowers and union organizers whose courage and persistence has saved countless lives, and we join them in standing up for all American workers, who are the best in the world.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 28, 2023, as Workers Memorial Day. I call upon all Americans to observe this day with appropriate service, community, and education programs and ceremonies in memory of those killed or injured due to unsafe working conditions.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10559 of April 28, 2023

Asian American, Native Hawaiian, and Pacific Islander Heritage Month, 2023

By the President of the United States of America
A Proclamation

During Asian American, Native Hawaiian, and Pacific Islander Heritage Month, our Nation celebrates the diversity of cultures, breadth of achievement, and remarkable contributions of these communities; of brave immigrants who, motivated by the promise of possibilities, picked up their lives and found new homes here; of native peoples who have stewarded these lands since time immemorial; and of community leaders shaping a brighter future for us all. Throughout our history, they have represented the bigger story of who we are as Americans and embodied the truth that our diversity is our strength as a Nation.

Asian Americans, Native Hawaiians, and Pacific Islanders (AA and NHPIs) represent us at every level of government, including Vice President Kamala Harris, the first Vice President of South Asian descent; Ambassador Katherine Tai, the first Asian American United States Trade Representative; and Dr. Arati Prabhakar, who is the first South Asian American to lead the White House Office of Science and Technology Policy. Earlier this year, I was also proud to nominate Julie Su to serve as the Secretary of Labor. From historic Oscar-winning performances in film to achievements across business, culture, sports, and civil rights, AA and NHPIs shape and strengthen the fabric of this Nation. We see their contributions as business owners and caregivers as well as their service in the military and on the frontlines during the COVID–19 pandemic.

Despite the immeasurable ways AA and NHPIs enrich this country, we continue to see persistent racism, harassment, and hate crimes against these communities. Attacks on Asian American women and elders, have left too many families afraid to leave their homes and too many loved ones traumatized. The devastating murder of eight victims in Atlanta, six of whom were women of Asian descent, pierced the soul of this Nation. This year, after the shootings in Monterey Park and Half Moon Bay, both the Vice President and I visited California to honor the victims; grieve with the community; and witness their resilience, heroism, and courage. Hate must have no safe harbor in America, and every person deserves to be treated with dignity and respect. To address the rising tide of anti-Asian violence, I signed the bipartisan COVID–19 Hate Crimes Act into law—which included the Jabara-Heyer No HATE Act, making it easier for Americans to report hate crimes and to help State, local, and Tribal law enforcement agencies better track these hateful acts.

This year I was proud to launch the first-ever National Strategy to Advance Equity, Justice, and Opportunity for Asian American, Native Hawaiian, and Pacific Islander Communities. This plan reflects my Administration's commitment to improving the lives of AA and NHPIs—ensuring that the census collects accurate data so they are properly reflected when new policy is made; advancing safety, inclusion, and belonging for AA and NHPI communities; promoting language access and preservation; advancing AA and

NHPI representation in the Federal workforce; and striving toward an equitable COVID–19 recovery. The White House was proud to host celebrations such as Diwali, Eid al-Fitr, Lunar New Year, Nowruz, and Vesak so we could celebrate with diverse AA and NHPI communities from across the Nation.

We are also creating economic opportunities for AA and NHPI workers and business owners. The Small Business Administration has distributed nearly $16 billion in loans to AA and NHPI entrepreneurs since I took office. I was proud to sign Executive Orders to ensure the Federal workforce reflects the diversity of the American people. Our efforts are paying off. In the Asian American community, unemployment has fallen by more than half since I took office, and as of 2021, entrepreneurship had risen at the fastest rate in over a decade.

As we make progress to advance equity and opportunity, we know our work is far from done. To help more AA and NHPIs see themselves in the story of America, I signed historic legislation bringing us closer to creating the National Museum of Asian Pacific American History and Culture. To honor the traditional practices and ancestral pathways of Pacific Island voyagers, I expanded protections for the Pacific Remote Islands. To help Americans reckon with and learn from more shameful chapters of our history, I signed into law the Amache National Historic Site Act, which establishes a memorial to the 10,000 Japanese Americans who were unjustly incarcerated at Amache during World War II. Facing past wrongs helps us build a more just and equitable future.

This country's fundamental promise holds that every person is created equal and deserves to be treated equally throughout their lives. We have never fully lived up to that ideal, but we have never walked away from it either. This month, we renew our work to put the American Dream within reach of all people, and we celebrate the vibrancy, contributions, and future of AA and NHPI communities across America.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2023 as Asian American, Native Hawaiian, and Pacific Islander Heritage Month. I call upon all Americans to learn more about the history of AA and NHPIs and to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10560 of April 28, 2023

Jewish American Heritage Month, 2023

By the President of the United States of America
A Proclamation

This month, we celebrate the enduring heritage of Jewish Americans, whose values, culture, and contributions have shaped our character as a Nation. For generations, the story of the Jewish people—one of resilience, faith, and hope in the face of adversity, prejudice and persecution—has been woven into the fabric of our Nation's story. It has driven us forward in our ongoing march for justice, equality, and freedom as we recommit to upholding the principles of our Nation's founding and realizing the promise of America for all Americans.

For centuries, Jewish refugees fleeing oppression and discrimination abroad have sailed to our shores in search of sanctuary. Early on, they fought for religious freedom, helping define one of the bedrock principles upon which America was built. Union soldiers celebrated Passover in the midst of the Civil War. Jewish suffragists fought to expand freedom and justice. And Jewish faith leaders linked arms with giants of the Civil Rights Movement to demand equal rights for all.

Jewish Americans continue to enrich every part of American life as educators and entrepreneurs, athletes and artists, scientists and entertainers, public officials and activists, labor and community leaders, diplomats and military service members, public health heroes, and more. Last year, I was proud to host the White House's first-ever Jewish New Year reception. During our Hanukkah celebration, I was also proud to unveil the first-ever permanent menorah at the White House—reinforcing the permanency of Jewish culture in America. In my own life, the Jewish community has been a tremendous source of friendship, guidance, and strength through seasons of pain and seasons of joy.

But there is also a dark side to the celebrated history of the Jewish people—a history marked by genocide, pogrom, and persecution—with a through line that continues in the record rise of antisemitism today. We have witnessed violent attacks on synagogues, bricks thrown through windows of Jewish businesses, swastikas defacing cars and cemeteries, Jewish students harassed on college campuses, and Jews wearing religious attire beaten and shot on streets. Antisemitic conspiracy theories are rampant online, and celebrities are spouting antisemitic hate.

These acts are unconscionable and despicable. They carry with them terrifying echoes of the worst chapters in human history. Not only are they a strike against Jews, but they are also a threat to other minority communities and a stain on the soul of our Nation. I decided to run for President after I saw this hatred on display during the rally in Charlottesville, when neo-Nazis marched from the shadows spewing the same antisemitic bile that was heard in Germany in the 1930s. These incidents remind us that hate never truly goes away—it only hides until it is given just a little oxygen. It is our obligation to ensure that hate can have no safe harbor in America and to protect the sacred ideals enshrined in our Constitution: religious freedom, equality, dignity, and respect. That is the promise of America.

I have made clear that I will not remain silent in the face of this antisemitic venom, vitriol, and violence. During my first year in office, I signed the bipartisan COVID–19 Hate Crimes Act to help State and local law enforcement better identify and respond to hate crimes. I appointed Deborah Lipstadt, a historian of the Holocaust, as the first Ambassador-level Special Envoy to Monitor and Combat Antisemitism. And my Administration also secured the largest increase in funding ever for the physical security of nonprofits, including synagogues, Jewish Community Centers, and Jewish day schools.

At my direction, we are also developing the first national strategy to counter antisemitism that outlines comprehensive actions the Federal Government will undertake and that reflects input from over a thousand Jewish community stakeholders, faith and civil rights leaders, State and local officials, and more. This strategy will help combat antisemitism online and offline, including in schools and on campuses; improve security to prevent antisemitic incidents and attacks; and build cross-community solidarity against antisemitism and other forms of hate.

But governance alone cannot root out antisemitism and hate. All Americans—including business and community leaders, educators, students, athletes, entertainers, and influencers—must help confront bigotry in all its forms. We must each do our part to put an end to antisemitism and hatred and create a culture of respect in our workplaces, schools, and homes and across social media.

This Jewish American Heritage Month, let us join hands across faiths, races, and backgrounds to make clear that evil, hate, and antisemitism will not prevail. Let us honor the timeless values, contributions, and culture of Jewish Americans, who carry our Nation forward each and every day. And let us rededicate ourselves to the sacred work of creating a more inclusive tomorrow, protecting the diversity that defines who we are as a Nation, and preserving the dignity of every human being—here at home and around the world.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2023 as Jewish American Heritage Month. I call upon all Americans to learn more about the heritage and contributions of Jewish Americans and to observe this month with appropriate programs, activities, and ceremonies.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of April, in the year two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10561 of April 28, 2023

National Building Safety Month, 2023

By the President of the United States of America
A Proclamation

Modern building codes help to ensure that our homes, schools, workplaces, and gathering spots are safely constructed and secure, keeping the power on, our country strong, and our lives moving forward. During National Building Safety Month, we recommit to helping every community in America make all of its structures safer, more sustainable, and more resilient for the future.

From planning and design to construction and renovation, many buildings are safer today than they were decades ago. But nearly two-thirds of Americans live in communities that have not yet adopted the latest building codes, which are designed to avoid damages and keep emerging threats like climate change from further devastating communities with increasingly powerful fires, floods, and storms. We need to do more to help everyone prepare for and prevent disasters; to promote building safety; and to support our too-often overlooked engineers, construction workers, and code enforcement inspectors, who do so much every day to keep Americans safe.

My Administration has taken major steps in that direction. Last year, we launched a new National Initiative to Advance Building Codes, designed to help State, local, Tribal, and territorial governments adopt the latest building standards. With our once-in-a-generation infrastructure law, we are rebuilding the Nation's roads, bridges, ports, water systems, and more; we are investing over $50 billion to weatherize American homes and to help protect communities against droughts, heat, and floods; and we are replacing toxic lead pipes in 10 million homes and 400,000 schools or child care centers so every American can turn on the faucet and drink clean water. We are also investing in training workers to meet and enforce new standards.

The Inflation Reduction Act, meanwhile, is America's biggest-ever investment in fighting climate change, providing $1 billion to help States and localities adopt building energy codes that reduce greenhouse gas emissions. It invests another nearly $1 billion to improve energy efficiency and indoor air quality in federally-supported housing and make these properties more resilient to climate impacts. At the same time, the Federal Emergency Management Agency has helped rebuild communities devastated by floods, fires, tornadoes, and hurricanes while incentivizing the use of low-carbon materials when rebuilding. Across the board, we have committed to sending 40 percent of the benefits of certain Federal investments—including investments in clean energy, energy efficiency, affordable housing, and pollution reduction—to disadvantaged communities, which too often have been left out and left behind.

Regularly-updated building codes and tough enforcement are key to safety—but we can each do our part to build a stronger, more resilient America. To keep your homes safe, we urge all Americans to change the batteries in your smoke alarms; to regularly check that your appliances, vents, plumbing, and electrical systems are working; and to keep an eye out for

mold and pests that can make loved ones sick. If you live in wildfire country, find time to clear the leaves and debris from around your home. While there are few things more proudly American than do-it-yourself renovations, make sure your work is in line with local requirements designed to save lives or hire qualified contractors to do it for you. Finally, we urge everyone to support their local code enforcement inspectors and to give them the respect and thanks they deserve for keeping us safe and making all our communities more resilient.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2023 as National Building Safety Month. I encourage citizens, government agencies, businesses, nonprofits, and other interested groups to join in activities that raise awareness about building safety. I also call on all Americans to learn more about how they can contribute to building safety at home, at work, and in their communities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10562 of April 28, 2023

National Foster Care Month, 2023

By the President of the United States of America
A Proclamation

The more than 391,000 American children and youth living in foster care deserve to grow up in safe and loving homes devoted to their health, happiness, and advancement. This month, we honor the absolute courage of young people in foster care, who too often endure challenges that no child should ever have to confront, and we give thanks to the dedicated kinship and foster parents who care for them during their times of greatest need. We recognize the biological parents and families of foster children who work hard to overcome difficult circumstances so they can safely reunite with their children. We also rededicate ourselves to supporting the volunteers and professionals who help America's foster youth find temporary and permanent homes.

Despite the selflessness and service of loving foster parents across the country, children in foster care often face an uphill battle in achieving their full potential. Many carry lasting physical and emotional scars from trauma they experienced at a young age, which can increase their risk of mental health issues or lead to substance use disorders. These challenges are magnified for children of color, who are disproportionately represented in the child welfare system: 1 in 9 Black children and 1 in 7 Native American children spend part of their childhood in foster care. Meanwhile, recent estimates suggest 30 percent of youth in foster care identify as LGBTQI+.

To fulfill our Nation's responsibility to our children, we need to prevent the conditions that lead to kids entering foster care in the first place. My Administration has invested hundreds of millions of dollars in community-based child abuse and neglect prevention programs, and we are requesting an increase from the Congress for these programs. We are also proposing a $5 billion expansion of evidence-based foster care prevention services to allow more children to remain safely in their own homes with their own families. Because poverty can trigger interventions that unnecessarily remove children from their families, we are fighting to restore the expanded Child Tax Credit, which in 2021 helped slash child poverty to its lowest rate ever. And as a dangerous wave of cynical State investigations targets families with transgender children, we will keep working to stop politicians from weaponizing child protective services against loving families who simply want to support their kids and help them to be their authentic selves.

For children and youth already in the foster care system, we must continue finding them loving temporary homes and, ultimately, safe and supportive permanent homes. My Administration is working to help States place more children with relatives and other trusted adults instead of in group homes. We are seeking to make it easier for biological parents to safely reunite with their children by providing these families with legal representation to help them navigate the complex child welfare system.

To make adoption and legal guardianship more manageable for families who could otherwise create safe and supportive homes, I have called for the adoption tax credit to be made fully refundable and proposed extending it to legal guardians—including grandparents, aunts, uncles, and other relatives. This would provide more breathing room to the kinship caregivers currently raising nearly one-third of all children in the foster care system, and it would also help reduce racial inequities in our country's child welfare system.

To further increase the number of loving families who can take in foster children, I issued an Executive Order removing barriers and combating biases that make it harder for LGBTQI+ families to foster and adopt. At the same time, we are working with State child welfare agencies to make sure LGBTQI+ youth are placed in supportive environments that see and value them for who they are.

Since coming to office, my Administration has worked hand-in-hand with States to help youth aging out of the foster care system to stay in school, participate in job training programs, pay their bills, and transition to adulthood. I have also expanded the Military Parental Leave Program, which enables service members to spend needed time with their families following a child's birth, adoption, or placement in long-term foster care. My latest Budget calls for $9 billion to provide housing vouchers to all 20,000 youth exiting foster care annually—a key step in helping them secure stable housing during this difficult transition. I have also called for an additional $1 billion to help youth aging out of foster care find a job, enroll in and afford higher education, obtain basic necessities, and access preventative health care.

One of my great privileges during my career in public service has been meeting some of the remarkable young people in foster care and their foster parents. I have seen what good foster care can do. Despite the challenges

that no young person should ever have to face, loving foster families can help children become independent, confident, successful members of society and can be a critical resource to children and families in times of need. Ensuring that children who are separated from their families are placed in loving and supportive environments, while ensuring that as many families as possible have the resources they need to remain safely together, is a moral duty we all share and an investment in America's future that will pay dividends for generations to come.

This National Foster Care Month, we express our gratitude to every loving foster parent in America, and we acknowledge every young person navigating the child welfare system, unsure of what the future might hold. You can succeed, and my Administration will do all it can to provide you with the tools and resources you need and the secure, respectable upbringing you deserve to create a meaningful life.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2023 as National Foster Care Month. I call upon all Americans to observe this month by reaching out in their neighborhoods and communities to the children and youth in foster care and their families, to those at risk of entering foster care, and to kin families and other caregivers.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10563 of April 28, 2023

National Mental Health Awareness Month, 2023

By the President of the United States of America
A Proclamation

During National Mental Health Awareness Month, we honor the absolute courage of the tens of millions of Americans living with mental health conditions, and we celebrate the loved ones and mental health professionals who are there for them every day. Treatment works, and there is no shame in seeking it. Together, we will keep fighting to get everyone access to the care they need to live full and happy lives.

As Americans, we have a duty of care to reach out to one another and leave no one behind. But so many of our friends, colleagues, and loved ones are battling mental health challenges, made worse by the isolation and trauma of COVID–19. Two in five adults report anxiety and depression, and two in five teens describe experiencing persistent sadness or hopelessness, exacerbated by social media, bullying, and gun violence. Drug overdose deaths are also near record highs, and suicide is the second leading cause of death among young people. It does not have to be this way.

As President, I released a new national strategy to transform how we understand and address mental health in America—supporting and training more providers, improving access to care, and building healthy environments that promote mental health. This work is a core pillar of the Unity Agenda that I outlined in my first State of the Union Address. Mental health is health; it affects everyone, regardless of race, gender, politics, or income. Promoting it is one of the big things that we can all agree to do together as Americans to make our country stronger.

The United States has long faced a shortage of mental health providers. It takes an average of 11 years to get treatment after the onset of symptoms, and less than half of Americans struggling with mental illness ever receive the care they need. This is especially true in rural and other underserved communities. That is why the American Rescue Plan made our Nation's biggest-ever investment in mental health and substance use programs—recruiting, training, and supporting more providers at the State and local levels, including in our schools. Last year, when we passed the Nation's first major gun safety law in nearly 30 years, it contained measures to further increase the number of school psychologists and counselors available to our kids, to make it easier for schools to use Medicaid to deliver mental health care, and to expand the Certified Community Behavioral Health Clinics that deliver 24/7 care. Additionally, we have invested in training more first responders to address mental health-related issues.

Last year, we also launched 988 as the Nation's new Suicide and Crisis Lifeline so anyone in the midst of a crisis can receive life-saving confidential help right away. We added dedicated counselors trained in supporting LGBTQI+ youth to the 988 lifeline, and for veterans, we made it easier to reach the Veterans Crisis Line by dialing 988 and pressing 1 to reach trained crisis responders. We created a separate Maternal Mental Health Hotline to help mothers navigate mental health issues like postpartum depression, anxiety, and substance use disorders, which affect one in five pregnant and postpartum women. Far too often, these disorders go undiagnosed and untreated, so we have invested in programs that bolster screening and treatment and call specific attention to them during Maternal Mental Health Awareness Week, which we also observe this month. Finally, we have passed historic laws that further require insurers to cover mental health care as they would any other kind of treatment, that lower prescription drug costs, and that expand health coverage generally. I am proud that we have seen historic health insurance coverage gains since I took office.

At the same time, we are fighting to expand access to prevention and treatment for substance use disorders, including opioid use disorder, which have devastated so many families and communities. This includes expanding access to mental health and substance use treatment in jails and prisons and during reentry to support people when they return home. And last year, we passed a law making it easier for doctors to prescribe effective addiction treatment. Anyone suffering should know they are not alone: We believe in recovery, and we celebrate the courage of the 23 million Americans who have come so far down that road.

We are also expanding mental health care for service members and veterans, to better honor our sacred obligation to the troops we send into harm's way and to care for them and their families when they are home.

We cannot keep losing 17 veterans a day to the silent scourge of suicide. My Administration is increasing access to mental health care, hiring more mental health professionals, and investing in programs that recruit veterans to help one another get the support they need. And we are working to expand rental assistance and job placement programs to help smooth veterans' return to civilian life. I have also signed laws extending counseling, benefits, and other mental health resources to first responders and their families to help them heal from the trauma that they or their loved ones faced on the job.

There is much more to do. For one, we must finally hold social media companies accountable for the experiments they are running on our children for profit. I have called on the Congress to limit the personal data that tech companies collect, to ban targeted advertising directed at minors, and to require social media platforms to put health and safety first, especially for kids.

We all have a role to play in ending the stigma around mental health issues. It starts by showing compassion, so everyone feels free to ask for help. If you are facing a crisis, dial 988 to reach the National Suicide and Crisis Lifeline. If you are a new or expecting mother, you can call 1–833–9–HELP4MOMS for confidential professional advice. If you are feeling overwhelmed or just need someone to talk to, ask your healthcare provider, contact the Substance Abuse and Mental Health Services Administration's National Helpline at 1–800–662–HELP, or visit www.FindSupport.gov. If someone you know is going through a tough time, reach out and tell them you are there for them. We are all in this together.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2023 as National Mental Health Awareness Month. I call upon citizens, government agencies, private businesses, nonprofit organizations, and other groups to join in activities and take action to strengthen the mental health of our communities and our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10564 of April 28, 2023

National Physical Fitness and Sports Month, 2023

By the President of the United States of America
A Proclamation

Forty years ago, our Nation observed its first National Physical Fitness and Sports Month to promote the benefits of exercising and leading a healthy lifestyle. Since then, we have learned more about how physical activity can

improve mental health, reduce the risk of disease, and foster social connection. This month, we recommit to making fitness accessible in every community and encourage all Americans to adopt healthy habits that strengthen our bodies and minds and increase the prospect of a long and healthy life.

Studies show that regular exercise can have a dramatic impact on our health, lowering the likelihood of heart disease, stroke, type 2 diabetes, and some types of cancer. It also improves memory and sleep, increases our ability to focus, and reduces symptoms of depression and anxiety. This is particularly important for people most affected by diet-related diseases, including communities of color, people living in rural areas and territories, people with disabilities, older adults, LGBTQI+ people, military families, and veterans. For young people, sports can also be a great way to build leadership skills, learn teamwork, forge friendships, and foster mental health.

But too often, obstacles prevent Americans from getting the exercise they need. Less than half of Americans live within a half-mile of a park. Adults who work multiple jobs or take care of family members have less time to pursue an active lifestyle. Low-income families typically have less access to safe streets and playgrounds. Youth sports leagues can be unaffordable, leaving students with few fitness options if their school cuts back on physical education.

No one's health should suffer because exercise opportunities are too expensive or because outdoor spaces are too far away. That is why I released a National Strategy on Hunger, Nutrition, and Health to make America a stronger, healthier Nation. I am also working with the Congress to make outdoor spaces more accessible by increasing the number of parks around our country and expanding opportunities for people to travel to national parks and other public lands. We have partnered with State, local, Tribal, and territorial governments to improve community access to parks and spaces within our communities where people can be physically active. And to encourage a healthy lifestyle for our Nation's kids, my Administration has been working with summer schools and after-school programs to expand physical education opportunities. We've also invested $800 million into communities across the country to help redesign roads and make sidewalks and crosswalks safer for people to walk, bike, and roll. My Administration has also partnered with business, civic, academic, and philanthropic leaders who have committed billions of dollars to take on projects like improving physical education curricula and taking children on trips to national parks.

But we must do more. That is why I launched the White House Challenge to End Hunger and Build Healthy Communities. This initiative encourages all sectors of society to make bold and impactful commitments to offer Americans more opportunities to be physically active in their schools and communities. I also recently announced my upcoming appointments to the President's Council on Sports, Fitness, and Nutrition, which promotes access to healthy foods and physical activity for all Americans. Those appointees include prominent athletes, anti-hunger and nutrition advocates, health care professionals, and other leaders.

In addition, my Administration continues to support the Centers for Disease Control and Prevention's ''Active People, Healthy Nation'' initiative,

which provides local governments, schools, and community organizations with a blueprint to help 27 million Americans become more physically active by 2027. We are also supporting the Department of Health and Human Services' ''Move Your Way'' campaign, which informs Americans about the newest guidance on staying healthy through physical activity.

This month, I encourage all Americans to find ways to be active, whether it is taking a walk or hike, joining a gym, trying a new fitness class, signing up for a local sports team, or registering for a community race. I also call on State, local, Tribal, and territorial governments, as well as business leaders, to make physical activity more accessible to all. When we invest in our health, we foster healthy homes, more productive communities, and a more resilient society for generations to come.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2023 as National Physical Fitness and Sports Month. I call upon the people of the United States to make daily physical activity a priority, to support efforts to increase access to sports opportunities in their communities, and to pursue physical fitness as an essential part of healthy living.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10565 of April 28, 2023

Older Americans Month, 2023

By the President of the United States of America
A Proclamation

On this 60th anniversary of Older Americans Month, we honor our Nation's senior citizens, whose lifetimes of hard work, devotion to family, and commitment to community have laid the foundation for the country we are today. We have a rock-solid responsibility to ensure our Nation's seniors can age with dignity and financial security.

When President John F. Kennedy issued the first proclamation recognizing older Americans, approximately a third of seniors lived in poverty, and close to half were without health insurance. Our Nation rallied together to confront this crisis, passing Medicare to deliver affordable, quality health care to our seniors; strengthening Social Security, the bedrock of American retirement; and ultimately raising so many seniors out of poverty. We extended lifespans and provided critical breathing room to Americans who had worked hard their whole lives. But there is still more work to do to ensure that no senior lies in bed at night wondering how they are going to pay for lifesaving drugs, put food on the table, or support their children and grandchildren.

That is one reason why I signed the Inflation Reduction Act. For those on Medicare, this law caps the cost of insulin at $35 per month and will cap out-of-pocket prescription drug costs at $2,000 per year. That means seniors could save upwards of tens of thousands of dollars on lifesaving drugs—including for cancer, heart disease, Alzheimer's, and more. It also means Americans can get vaccinated for free against shingles, whooping cough, tetanus, and other diseases. And by holding drug companies responsible when they increase prices faster than inflation and finally allowing Medicare to negotiate drug prices, this law is helping bring down prescription drug costs for seniors across our country. Affordable health care is about basic dignity, which is also why I issued an Executive Order calling on the Food and Drug Administration to make hearing aids available over the counter without a prescription. Now, millions of adults with mild-to-moderate hearing loss can save as much as $3,000 per pair by buying hearing aids at a store or online without a prescription.

At the same time, standing by our seniors means honoring our Nation's fundamental promise that when it comes time to retire after working hard and contributing to our economy, Social Security and Medicare will be there for you. I am committed to defending these vital programs—a lifeline for millions of seniors—which is why my newest Budget extends the life of the Medicare Trust Fund by at least 25 years. And I will veto any effort to deny older Americans the benefits they have earned.

We must keep building on this progress. Older Americans should be able to live, work, and participate in their communities with dignity. That's why I recently signed an Executive Order on Increasing Access to High-Quality Care and Supporting Caregivers. I call on the Congress to expand on the investments we have already made to help seniors receive care in their own homes and to support family caregivers—including aging caregivers—and the home care workers who perform selfless work every day. I also call on the Congress to expand access to nutrition counseling for seniors and others with Medicare coverage, to increase funding for nutrition services for older adults, and to pilot coverage of medically tailored meals in Medicare—actions that are also part of my Administration's National Strategy on Hunger, Nutrition, and Health. We need to improve the quality and safety of nursing homes and protect vulnerable residents and the health care heroes who care for them. And we must keep pushing to end cancer as we know it and win the fight against other deadly diseases that deny us time with those we love most.

Older Americans are the pillars of our community, and we owe it to them to value their wisdom, celebrate their contributions, and champion their well-being. To older Americans across this Nation, we will always support you.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2023 as Older Americans Month. This month and beyond, I call upon all Americans to celebrate older adults for their contributions, support their independence, and recognize their unparalleled value to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of April, in the year of our Lord two thousand twenty-three, and of

the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10566 of April 28, 2023

National Hurricane Preparedness Week, 2023

By the President of the United States of America
A Proclamation

Powerful hurricanes, typhoons, and tropical storms can devastate our communities, threaten the lives of our families, and damage everything we have worked so hard to build. During National Hurricane Preparedness Week, we raise awareness about the hazards posed by hurricanes and share resources to help Americans stay safe and protect their property before these storms make landfall. We also celebrate the remarkable first responders and community members who help rescue, recover, and rebuild in the aftermath of these natural disasters.

During last year's hurricane season, especially in Florida and Puerto Rico, we witnessed the overwhelming damage these storms so often leave in their wake. Families lost their homes. Business owners lost their livelihoods. Survivors were left with unimaginable grief. As the climate crisis intensifies, the impacts of storm surges, flooding, mudslides, and heavy rainfall will only increase, and communities that lack the resources to respond and recover will be hit hardest.

That is one reason why I signed the historic Bipartisan Infrastructure Law, which will keep Americans safer from natural disasters by building stronger roads and bridges, improving levees and floodwalls, and making our power grid more resilient. This law includes over $50 billion to shore up our defenses against flooding and other weather and climate disasters. It provides States with billions of dollars to prepare evacuation routes and improve other at-risk coastal infrastructure. It also invests in community-wide planning to ensure that those most impacted by extreme weather have a voice in preparing for the future.

Our Inflation Reduction Act takes these efforts a step further, making the largest investment in our Nation's history to combat climate change. With historic funding for green manufacturing, clean energy development, and climate-smart agriculture, this law puts us on a path to cut America's greenhouse gas emissions in half by 2030. It gives families tax credits to make their homes more energy efficient, saving money and helping ensure that the power stays on when the grid goes down. And it provides the National Oceanic and Atmospheric Administration with billions of dollars to improve weather forecasting and invest in resilience projects in coastal communities that will help them more easily recover from extreme weather events.

These actions build on our efforts to ensure communities consider climate resilience as they plan for the future—from modernizing building codes so that structures are more protective and less pollutive to harnessing the

power of ecosystems like reefs, beaches, and wetlands, which keep us safer during storms.

These bold investments will benefit our communities for years to come. But as we enter another hurricane season, every American can do their part to plan, prepare, and protect their families. Check your insurance policies to ensure they are up to date. Put your important documents in a location where they are easy to find. Know your local evacuation route, and have an emergency kit ready to go. Help increase awareness about the risks among your friends, family, and neighbors. And when storms approach, pay attention to storm surge and hurricane warnings, and follow the guidance from your local authorities, including guidance about when it is safe to return to affected areas.

As we prepare, we must also remember and honor the courage, kindness, and resilience of our fellow Americans. As President, I have issued dozens of disaster declarations to support the American people wherever they live, and every time, first responders have worked around the clock to save lives and provide food and shelter. Neighbors, community organizations, and faith groups have opened their doors to people in need. Workers have rebuilt homes, schools, and businesses to make them more resilient to future disasters. Scientists have helped communities adapt and remain safe. Families, having often lost everything, have found the strength to move forward. Time and again, in America's most trying moments, we are reminded that we are a great Nation because we are a good people.

This National Hurricane Preparedness Week, let us each recommit to doing our part to help safeguard our families, our communities, and our Nation from these devastating natural disasters.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 30 through May 6, 2023, as National Hurricane Preparedness Week. I urge all Americans to help build our climate resilient Nation so that individuals, organizations, and community leaders are empowered to take action to make their communities more resilient to extreme weather and climate change. I call on our Federal, State, Tribal, territorial, and local government agencies to share information that will protect lives and property.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10567 of April 28, 2023

National Small Business Week, 2023

By the President of the United States of America

A Proclamation

From barber shops, beauty salons, and pizza parlors to manufacturing companies and mom-and-pop shops, Americans have applied to form a record 10.5 million small businesses in the past 2 years. This week, we celebrate the backbone of our economy and the glue of our communities: our small businesses, which help make our Nation strong.

Nearly half of all private sector workers in our country are employed by small businesses. These businesses also account for almost half of our Nation's gross domestic product. They create many of the goods and services Americans rely on to sustain their everyday lives. For many families, owning a small business is also the fulfillment of their dreams, their path to a better life, their chance to build a family legacy, and a source of community enrichment. But as so many entrepreneurs know well, success can never be taken for granted.

Success requires access to capital to meet payroll, pay rent, buy inventory, and grow. Small businesses need resilient supply chains so products can get out the door and arrive on time, and they need high-speed Internet to process transactions and connect with customers around the world. They also need the confidence that, when the going gets tough, support is close by.

When companies were shuttering their doors and laying off workers at the height of the COVID–19 pandemic, my Administration delivered a capital infusion of more than $450 billion to the small business sector to keep Main Streets across America operating and employees on the payroll. To create long-term benefits for our economy, I signed the Bipartisan Infrastructure Law, the CHIPS and Science Act, and the Inflation Reduction Act. Together, these new laws are creating billions of dollars in contracting opportunities for America's small businesses and investing hundreds of billions of Federal dollars to rebuild our infrastructure, bring manufacturing back to America, and launch a clean energy revolution right here in the United States.

Our historic investment in semiconductors—the tiny computer chips that power everything from smartphones to cars—will create a manufacturing boom, including for small businesses throughout the semiconductor supply chain. Record funding for clean energy development means small businesses have the opportunity to build electric and other fuel cell vehicles and charging stations. My Administration is committed to investing in America and empowering its small businesses to thrive. I underscored that during my State of the Union Address when I announced new standards that require all construction materials used in these new Federal infrastructure projects to be made in America—ensuring our country's future is built right here at home.

We need to make sure all American small business owners benefit from these investments. That is why I am committed to improving access to capital, contracts, technical expertise, and financial and legal assistance for

small business owners from historically underrepresented communities. Through our State Small Business Credit Initiative, States, territories, and Tribal governments are helping small business owners, including socially and economically disadvantaged entrepreneurs, access billions of dollars in loans and investments. The Small Business Administration is revamping its existing loan programs to expand access to small-dollar loans and increase the number of lenders that offer guaranteed loans, both of which can make a major difference for the smallest businesses and minority- and women-owned businesses that may have trouble accessing capital.

One of the first actions taken by my Administration was to make the Minority Business Development Agency a permanent part of the Department of Commerce. In March, I hosted the second annual Women's Small Business Summit at the White House, where I announced the establishment of the largest network of Women's Business Centers ever across America. My Administration has invested nearly $70 million in this network, expanding it to all 50 States for the first time in our history. The centers offer training and mentoring to help women entrepreneurs develop business plans, launch new businesses, and access credit and capital.

Vice President Kamala Harris has convened small business owners and entrepreneurs across our Nation to inform them about the resources, capital, and support we are offering them. Last year she announced the formation of the new Economic Opportunity Coalition, an alliance of private sector companies and nonprofits committing tens of billions of dollars of investments in community financial institutions and small businesses. In April of this year, she and the Deputy Treasury Secretary Wally Adeyemo announced our new $1.73 billion investment in the Community Development Financial Institutions Fund, which provides historically underserved and often low-income communities access to credit, capital, and financial support to grow their businesses.

We are making progress, but I know there is more we can do. I have set a goal to award 15 percent of all Federal contracts to small disadvantaged businesses by 2025, which will bring an estimated additional $100 billion in Federal contracting money to these companies. My new Budget calls for an additional $341 million for the Community Development Financial Institutions Fund, and I am seeking an additional $30 million for the Community Navigators Pilot Program—which we have already supported with $100 million—so that local nonprofits, government agencies, and organizations can help new entrepreneurs navigate the complex paperwork involved in applying for small business loans.

Building an economy from the middle out and bottom up, not the top down, means investing in America's small businesses. It means opening up doors of opportunity for doers, dreamers, and job creators who represent the restless, bold, and optimistic American spirit. When we make these investments and support these innovators, our Main Streets thrive, our families have good-paying jobs, and America's future truly knows no bounds.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 30 through May 6, 2023, as National Small Business Week. I call upon all Americans to recognize the contributions of small businesses to the American economy,

continue supporting them, and honor the occasion with programs and activities that highlight these important businesses.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10568 of April 28, 2023

Law Day, U.S.A., 2023

By the President of the United States of America

A Proclamation

When our Founding Fathers convened to write the Constitution over 235 years ago, they set in motion an experiment that changed the world. America would not be a land of kings but a Nation of laws. Since then, generations of Americans have worked to defend and improve our laws, hold accountable those who break or undermine them, and ensure equal rights and protections for all. On Law Day, we celebrate the rule of law and rededicate ourselves to the pursuit of a more perfect Union.

Our Nation and world are at an inflection point. At home and around the globe, autocrats and dictators threaten the rule of law. Our democracy is under strain, with people's rights, including the sacred right to vote, at risk. We face a choice between moving backward—unravelling so much of the progress our Nation has made—or moving forward toward a future of possibilities and promise.

We must choose to move forward. That is why my Administration is protecting the right to vote—the right from which all others flow, including the power to establish our Nation's laws. Since taking office, I have issued an Executive Order promoting access to voter registration and election information, and signed into law the Electoral Count Reform Act, which establishes clear guidelines for certifying and counting electoral votes to help preserve the will of the people against future attempts to overturn our elections. The Department of Justice has also strengthened its ability to fight unlawful voter suppression in the courts. I continue to call on the Congress to pass the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act to further strengthen our democracy.

Respecting the rule of law also means supporting equal access to justice. My Administration reestablished the Department of Justice's Office for Access to Justice to help ensure that all Americans, regardless of wealth or status, have quality legal aid when they need it and to remove barriers—including language barriers—that prevent people from understanding and navigating the legal system.

We are also working to ensure that hate has no safe harbor in America. I signed the bipartisan COVID–19 Hate Crimes Act into law, making it easier to report hate crimes and helping State, local, and Tribal law enforcement agencies better track these crimes. I secured the largest-ever increase in

funding for the physical security of nonprofits, including churches, gurdwaras, mosques, synagogues, temples, and other houses of worship. I convened the first-ever White House Summit on combating hate-fueled violence, bringing together stakeholders from around the country to reaffirm that nobody should fear going to a religious service, wearing a symbol of their faith, or simply being who they are. And I established a new interagency group to counter antisemitism, Islamophobia, and related forms of bias and discrimination within the United States.

The United States is standing up for the rule of law around the world. We will continue to marshal security, humanitarian, and economic support for Ukraine as they defend themselves against Russia's unjust war, which is also an attack on the bedrock principle of sovereignty. To support democracy worldwide, I cohosted the second Summit for Democracy in March, bringing together government, civil society, and private sector representatives from around the world to promote transparent and accountable governance, democratic resilience, and respect for human rights. We must support free and independent media, fight the corruption that undermines democratic institutions, ensure new technology is used to strengthen democracy, and defend free and fair elections.

The theme of this year's Law Day, ''Cornerstones of Democracy: Civics, Civility, and Collaboration,'' acknowledges that each of us has a role to play in defending democracy and the guardrails that make it possible. It also recognizes that the rule of law depends on us seeing one another not as enemies but as fellow Americans. This great national experiment only works if we respect each other's differences, protect each other's freedoms, and work together to ensure that ''We, the People,'' get to choose our own fate and make our own future.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, in accordance with Public Law 87–20, as amended, do hereby proclaim May 1, 2023, as Law Day, U.S.A. I call upon all Americans to acknowledge the importance of our Nation's legal and judicial systems with appropriate ceremonies and activities and to display the flag of the United States in support of this national observance.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10569 of April 28, 2023

Loyalty Day, 2023

By the President of the United States of America
A Proclamation

America was founded on the sacred proposition that we are all created equal; entitled to be treated with dignity and respect; and deserving of equal access to justice, opportunity, and freedom. On Loyalty Day, we rededicate ourselves to delivering that promise of America to all Americans.

We are a Nation that has sought to encourage and inspire loyalty through our actions. We do that by honoring the Constitution, upholding the rule of law, and respecting free and fair elections. As Americans, we are called to unequivocally condemn political violence and hate-motivated attacks; they have no place in our democracy. We must open the doors of opportunity even wider to others because the promise of this country is big enough for everyone to succeed. And we must stand up for truth and resist lies and disinformation that would tear us apart.

Our democracy has endured for generations because Americans have stood together to defend it. That includes brave service members, veterans, and their families, selfless first responders who protect our communities, and hardworking people of all backgrounds who build our Nation and power our prosperity.

''We, the People,'' are the heirs of a big, complicated country unlike any other in the world. Whoever we are and whatever our job, we all have a part to play in sustaining and advancing this great American experiment by being informed citizens, engaged community members, respectful neighbors, and thoughtful patriots.

Today, we remember that America is a covenant requiring constant care and commitment. Let us agree that upholding democracy must never be a partisan issue but rather an American issue. And let us keep the flame of liberty burning in our time as it did for past generations of Americans—through the fight for our independence; the Civil War; the Great Depression; two World Wars; the Civil Rights Movement; and all the sustained struggles of citizens to make America more prosperous, just, and free.

To celebrate our shared American spirit and the sacrifices so many of our fellow citizens have made, the Congress, by Public Law 85–529, as amended, has designated the first day of May each year as Loyalty Day. On this day, let us reaffirm our commitment to the values that bind us together and honor all those who have defended our freedom and ideals.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim May 1, 2023, as Loyalty Day. This Loyalty Day, I call upon the people of the United States to join in this national observance, display the American Flag, and pledge allegiance to our Republic for which it stands.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of April, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10570 of May 3, 2023

National Day of Prayer, 2023

By the President of the United States of America

A Proclamation

In periods of peace and prosperity and in times of struggle and strife, countless Americans turn to prayer to seek guidance, bolster our faith, and brace our spirits when we need it most. Prayer is both a personal and communal act—composed of our most intimate thoughts and a practice observed by multitudes across our diverse Nation in every language, culture, religion, and belief system. On this National Day of Prayer, we recognize the profound power of prayer, grounded in deep humility and hope.

The right to pray is enshrined in our Constitution and stamped firmly in the American tradition. The belief that prayer can move mountains is, at its core, a belief in making the impossible possible. There is nothing more American than believing in the endless possibilities of what we can do when we do it together.

Throughout our history, prayer has empowered moral movements and fueled efforts to strengthen our democracy. It was deeply rooted in the fight to abolish slavery and the expansion of voting rights and voter access. And it continues to compel us to uphold our founding creed that all of us are created equal, are made in the image of God, and deserve to be treated with dignity and equality throughout our lives.

We will never fully know how prayer has quietly influenced every aspect of American life—bringing comfort to service members on the battlefield, grounding the spirits of astronauts in space, guiding the healing hands of medical professionals tending to our loved ones, and fortifying the faiths of millions of worshippers in every corner of our Nation. There is hardly an aspect of American life that is not touched by the silent supplications of prayer to fulfill our hopes and our aspirations.

Earlier this year, I was honored to speak at a Sunday service at the Reverend Dr. Martin Luther King, Jr.'s Ebenezer Baptist Church in Atlanta, now pastored by Senator Raphael Warnock. In that sacred place, praying and contemplating Dr. King's moral vision of a ''Beloved Community,'' we were reminded that so much more unites us than divides us. We are all bound together by our love of country and our belief in democracy. Today, I pray that we can see each other as we should: not as enemies but as neighbors, and not as adversaries but as fellow Americans and human beings. Only when we see ourselves in each other will justice, as scripture tells us, ''roll down like waters,'' righteousness become ''a mighty stream,'' and America fulfill its true promise as a land of liberty and justice for all.

The Congress, by Public Law 100–307, as amended, has called on the President to issue each year a proclamation designating the first Thursday in May as a ''National Day of Prayer.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 4, 2023, as a National Day of Prayer. I call upon the citizens of our Nation to give thanks, in accordance with their own faith and conscience, for our many freedoms

and blessings, and I invite all people of faith to join me in asking for God's continued guidance, mercy, and protection.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10571 of May 4, 2023

Missing or Murdered Indigenous Persons Awareness Day, 2023

By the President of the United States of America
A Proclamation

On Missing or Murdered Indigenous Persons Awareness Day, we remember the many lives shattered or lost, and commit to working with Native communities to find justice, keep families safe, and help them heal.

Indian Country has been gripped by an epidemic of missing or murdered Indigenous people, whose cases far too often go unsolved. Families have been left investigating disappearances on their own, demanding justice for their loved ones, and grieving pieces of their souls. Generations of activists and organizers have pushed for accountability, safety, and change. We need to respond with urgency and the resources needed to stop the violence and reverse the legacy of inequity and neglect that often drives it.

When I ran for President, I promised to work across jurisdictions to break this cycle of violence. Under the leadership of Secretary Deb Haaland, the Department of the Interior created a new unit to speed up investigations, bring families closure, and keep Native communities safe. At our 2021 White House Tribal Nations Summit, I signed an Executive Order that tasked Federal agencies with investigating the causes of this crisis, collecting better data on these overwhelmingly underreported crimes, and developing a strategy to combat this epidemic, which most often impacts women, girls, LGBTQI+ people in the community, and Two-Spirit Native Americans.

At the 2022 Summit, we built on that progress by announcing that all United States Attorneys' Offices operating in Indian Country would better prioritize addressing this crisis. The Federal Bureau of Investigation has new personnel focusing specifically on missing and murdered Indigenous cases. The Departments of Justice and Interior are coordinating their efforts to more effectively investigate and prosecute these crimes using trauma-informed and culturally responsive approaches. The Department of Justice established a new position devoted to ensuring victims and their families have a voice throughout the criminal justice process.

My Administration is helping Native American survivors and victims' families pursue justice in Tribal courts too. Last year, I worked with the Congress to reauthorize and strengthen the Violence Against Women Act—a law that I first wrote as a United States Senator over 30 years ago to end

the scourge of gender-based violence. This time, we expanded recognition of Tribal courts' jurisdiction over non-Native perpetrators suspected of committing crimes of stalking, sexual assault, child abuse, and sex trafficking on Tribal lands. At the same time, we are investing in shelters and rape crisis centers on Tribal lands, housing and legal assistance for survivors, and trauma-informed training that helps law enforcement and courts be more responsive. We are working to address the underlying causes of violence, from human trafficking to longstanding economic disparities, systemic racism, historical trauma, and the need for services to address substance use disorders.

Our efforts are guided by Indigenous survivors and victims' families—and by our enduring Nation-to-Nation relationships. That is why we have convened Tribal leaders, law enforcement, service providers, survivors, and family members of missing and murdered people to work together to combat this epidemic and support paths to healing. The United States is also working with the governments of Mexico and Canada, and with Indigenous women leaders from all three countries, to better coordinate our response__all the while ensuring that we uphold our solemn trust and treaty responsibilities, strengthening our Nation-to-Nation ties.

For the thousands of families who have lost or are still looking for a friend or loved one, I know this day is full of purpose and pain. Know that your fight to cast light on these injustices has already saved lives. Our Government has a solemn obligation to ensure that every case of a missing or murdered Indigenous person is met with swift, effective action to finally bring justice and healing. Together, we will get that done.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 5, 2023, as Missing or Murdered Indigenous Persons Awareness Day. I call on all Americans and ask all levels of government to support Tribal governments and Tribal communities' efforts to increase awareness and address the issues of missing or murdered Indigenous persons through appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10572 of May 5, 2023

National Teacher Appreciation Day and National Teacher Appreciation Week, 2023

By the President of the United States of America
A Proclamation

In schools across America, teachers are arriving early to set up classrooms, spending long hours educating students, and staying late to prepare tomorrow's lesson plans. Their devotion to our children embodies the best of America—ready to serve and eager to see others thrive. Today and during this week, we celebrate our Nation's remarkable teachers and early childhood educators, and we recommit to having their backs, just as they have ours.

In the words of the First Lady, a lifelong educator, teaching is a calling—a way to live out the belief that we can shape our corner of the world, one student at a time. But shaping that world demands a lot. Teaching happens inside and outside the classroom. It often includes spending extra time coaching teams, supporting student clubs, and helping kids catch up when they have fallen behind. It means giving young children the foundational skills for success during a critical period of their development. It also demands being endlessly adaptable, like at the height of the COVID–19 pandemic, when many classes went online and teachers had to find new ways to keep students engaged and learning. When Jill and I recently hosted the 2023 National Teacher of the Year ceremony at the White House, we were deeply inspired again by the dedication, creativity, and loving strength of our Nation's educators.

We owe our teachers and early childhood educators so much. We need to pay them better, improve their working conditions, and focus on recruitment and retention. My Administration's American Rescue Plan supported early childhood programs and helped K–12 schools across the country reopen, hire more educators, boost salaries, increase mental health services, and expand afterschool and summer programs. Thanks to our investments, public schools across the country have added more than 500,000 educators and staff. Compared with before the pandemic, the number of school social workers nationwide is up 48 percent, the number of school nurses is up 42 percent, and the number of school counselors is up 10 percent.

My Fiscal Year 2024 Budget calls for $600 billion to provide access to high-quality child care and preschool programs so all families can afford to enroll their children and so early childhood educators have higher wages. It would also increase funding for Title I schools—which serve some of the most disadvantaged communities in our Nation—to give teachers a raise and expand their ranks. And it calls on the Congress to increase salaries for Head Start staff and invest $300 million to help address shortages of special education teachers across America.

My Administration has worked to fix the Public Service Loan Forgiveness program—a key step in meeting our commitment to those who have chosen this vital profession and other areas of public service. To date, we have

helped over 450,000 public service employees, including teachers, get nearly $31 billion in student loan forgiveness. In many cases, educators have had their entire student debt wiped out.

Supporting our teachers also demands that we keep them and their students safe at school. Last year, I signed the most significant gun safety law in nearly three decades, which includes enhanced background checks for individuals under the age of 21 and funding for States to enact red flag laws that can help keep guns from people who are a danger to themselves and others. This law also authorized more than $1 billion to improve student mental health, enabling schools to hire and train thousands of new mental health professionals. Schools should be places to learn, make friends, and feel the support of a real community. No teacher or student should have to wonder whether the goodbye hug they give their loved ones before going to school one day will be their last.

The greatness of a nation is measured in part by how it prepares the next generation to succeed. On National Teacher Appreciation Day and during National Teacher Appreciation Week, we honor the remarkable educators entrusted with this responsibility. As I have traveled the country and met so many of our teachers—and seen their passion and dedication—I have never been more confident in the future of America.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 9, 2023, as National Teacher Appreciation Day and May 7 through May 13, 2023, as National Teacher Appreciation Week. I call upon all Americans to recognize the hard work and dedication of our Nation's teachers and to observe this day and this week by supporting teachers through appropriate activities, events, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10573 of May 5, 2023

Public Service Recognition Week, 2023

By the President of the United States of America

A Proclamation

Every day, more than 20 million dedicated public servants in small towns and big cities across our Nation go to work to make sure that America works for all of us. From teaching our children and delivering the mail to controlling air traffic in our skies, overseeing our elections, fighting fires, keeping our streets safe, and defending our country in uniform, these remarkable Americans are the lifeblood of our democracy. This week, we honor them and celebrate all they give to this country.

I have had the great privilege of working with public servants who lift up others and so seldom seek recognition or personal acclaim in return. I have also witnessed the sacrifices of families who serve alongside them, like those who uproot their lives every few years when a family member's job calls on them to find a new home, and law enforcement families who wait bravely for loved ones to come back from their shifts. Public servants embody the timeless creed of this Nation found in the words of President John F. Kennedy: ''Ask not what your country can do for you—ask what you can do for your country.''

At a time when public servants are facing threats and hostility simply for doing their jobs, their continued willingness to serve is even more meaningful and important. We have an obligation to support them and to recognize and value their commitment and sacrifice. Our Nation's future depends on ensuring our public servants have good jobs with competitive pay and benefits, along with the resources they need to accomplish their work. It also depends on the next generation of smart, dedicated people answering the call of public service and joining their ranks, helping deliver the promise of America to more of our citizens. That is why my American Rescue Plan provided $350 billion to State, Tribal, and local governments to keep public servants on the payroll and make vital new hires—including first responders, teachers, and public works employees. My Safer America Plan calls on the Congress to provide our law enforcement officers with more mental health and wellness resources and to recruit and hire 100,000 more police officers for safe, effective, and accountable community policing, consistent with the standards of my policing Executive Order.

Meanwhile, my Administration is taking steps to protect, empower, and rebuild the career Federal workforce. I issued Executive Orders increasing the minimum wage for Federal employees to $15 per hour, making Government jobs more competitive and giving hardworking Americans more breathing room. To ensure public servants reflect the diversity of the communities they serve and to draw on the full range of talent we have across our Nation, I took executive action to protect Federal employees against discrimination on the basis of gender identity or sexual orientation, and launched a Government-wide initiative to advance diversity, equity, inclusion, and accessibility in the Federal workforce. And I established a White House Task Force on Worker Organizing and Empowerment, led by Vice President Harris, to strengthen the right to unionize among Federal Government workers. To ensure that employment in the Federal workforce continues to be based on merit, skill, and experience—and does not become politicized—I have also called for legislation to protect the integrity of the civil service.

Public servants so often come out of school with debt that can take more than a decade to pay off, so my Administration has also worked to fix the Public Service Loan Forgiveness program. To date, we have helped over 450,000 public servants—including teachers, first responders, nurses, and members of the military—get nearly $31 billion in loan forgiveness.

These actions are all part of my plan to build a country that rewards work and not just wealth, especially for those who dedicate their lives to improving the lives of others. These are investments in America's future. When we support our public servants with the recognition and resources they deserve, our loved ones are safer in their communities, our families are more

likely to get the high-quality services they need in a timely manner, our economy is stronger, and we put ourselves on a path to win the race for the future.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 7 through May 13, 2023, as Public Service Recognition Week. I call upon all Americans to celebrate public servants and their contributions this week and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10574 of May 7, 2023

Honoring the Victims of the Tragedy in Allen, Texas

By the President of the United States of America
A Proclamation

As a mark of respect for the victims of the senseless acts of violence perpetrated on May 6, 2023, in Allen, Texas, by the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, I hereby order that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until sunset, May 11, 2023. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10575 of May 9, 2023

Revoking the Air Travel COVID–19 Vaccination Requirement

By the President of the United States of America
A Proclamation

Today, we are in a different phase of the response to the coronavirus disease 2019 (COVID–19) pandemic than we were in October 2021, when I issued Proclamation 10294 of October 25, 2021 (Advancing the Safe Resumption of Global Travel During the COVID–19 Pandemic). At the time, new variants of SARS–CoV–2, the virus that causes COVID–19, had emerged globally and my Administration was responding to variants that were more transmissible or caused more severe disease than the original virus strain. Consistent with guidance from our public health experts, I determined that it was in the interests of the United States to adopt an international air travel policy that relied primarily on vaccination to limit the risk that the COVID–19 virus, including variants of that virus, would be introduced, transmitted, and spread into and throughout the United States.

Now, we have successfully marshaled a whole-of-government response to make historic investments in broadly accessible vaccines, tests, and therapeutics to help us combat COVID–19. Our public health experts have issued guidance that allows all travelers to understand mitigation measures to protect themselves and those around them. Our healthcare system and public health resources throughout the country are now better able to respond to any potential surge of COVID–19 cases without significantly affecting access to resources or care. Globally, COVID–19 cases and deaths are at their lowest levels since the start of the pandemic. As we continue to monitor the evolving state of COVID–19 and the emergence of virus variants, we have the tools to detect and respond to the potential emergence of a variant of high consequence. Considering the progress that we have made, and based on the latest guidance from our public health experts, I have determined that we no longer need the international air travel restrictions that I imposed in October 2021.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States, by the authority vested in me by the Constitution and the laws of the United States of America, including sections 212(f) and 215(a) of the Immigration and Nationality Act, 8 U.S.C. 1182(f) and 1185(a), hereby find that, except as provided in any other applicable proclamation, the unrestricted entry of persons described in section 2 of Proclamation 10294 is no longer detrimental to the interests of the United States. I therefore hereby proclaim the following:

Section 1. *Revocation.* Proclamation 10294, except sections 1, 6, 7, and 8 thereof, is revoked.

Sec. 2. *Review of Agency Actions.* The Secretary of State, the Secretary of Health and Human Services (including through the Director of the Centers for Disease Control and Prevention), the Secretary of Transportation, and the Secretary of Homeland Security shall review any regulations, orders, guidance documents, policies, and any other similar agency actions developed pursuant to Proclamation 10294 and, as appropriate, shall consider

revising or revoking these agency actions consistent with the policy set forth in this proclamation.

Sec. 3. *Effective Date.* This proclamation is effective at 12:01 a.m. eastern daylight time on May 12, 2023.

Sec. 4. *General Provisions.* (a) Nothing in this proclamation shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This proclamation shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This proclamation 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, or entities, its officers, employees, or agents, or any other person.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10576 of May 11, 2023

Military Spouse Appreciation Day, 2023

By the President of the United States of America

A Proclamation

The English poet John Milton wrote, ''They also serve who only stand and wait.'' Today, we honor the nearly one million military spouses who serve and strengthen our Nation alongside their loved ones in uniform. While navigating the many demands of life in a military family, they remain strong, caring, and resourceful—representing the very best of who we are as Americans.

Like our service members, military spouses know what it means to make sacrifices for our values and freedoms—stepping up every day to shoulder the unique burdens that come with military life. They selflessly care for others, often balancing their responsibilities at home and work while praying that their spouse returns home safely. They bring their diverse talents to all sectors to provide for their families and communities, even in the face of demanding and difficult circumstances. They strive to make birthdays and holidays special, even when there is an empty seat at the dinner table. And during some of life's toughest moments, military spouses are there for each other—forging lasting friendships grounded in support, service, and selflessness.

Our Nation has many obligations, but we have only one truly sacred obligation: to prepare those we send into harm's way and to care for them and

their families while they are deployed and when they return home—including our military spouses. My Administration is working to ensure we meet this obligation, including through the First Lady's Joining Forces initiative, which is committed to supporting military and veteran families, caregivers, and survivors. We have broadened pathways to Federal careers for military spouses and started a new program to connect military spouses with private sector employers through paid fellowships. We have expanded scholarship opportunities for many military spouses so they can get professional licenses, certificates, or associate degrees and find good jobs. We are broadening parental leave for service members and increasing access to affordable and dependable child care—including making it easier to save for child care and working to make pre-kindergarten universal at all Department of Defense Education Activity Schools. And as we continue working to ensure military spouses have the resources they need to thrive in all aspects of life, we call upon more communities to hire and support military spouses, harnessing their unique skills, strengths, and experiences.

We have asked so much of our military spouses for so long. Yet every time Jill and I meet with spouses, we are struck by their extraordinary commitment and fortitude. They are the solid steel spine that bears up under every burden and the courageous heart that rises to every challenge, even while their service and sacrifice too often go unsung. Today we pause to lift up their stories, invest in their abilities, and ensure they have the support they need to achieve their aspirations. May God bless our military spouses and families, and may God protect our troops.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 12, 2023, as Military Spouse Appreciation Day. I call upon the people of the United States to honor military spouses with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10577 of May 12, 2023

National Defense Transportation Day and National Transportation Week, 2023

By the President of the United States of America
A Proclamation

To have the world's strongest military and leading economy, the United States must have the world's best transportation system. And to achieve that, we must prepare and equip the world's best workforce to build it. Today and this week, we celebrate the American workers who build our infrastructure, power our economy, bolster our national security, and are the backbone of this Nation. We also recommit to investing in our Nation's infrastructure and strengthening critical supply chains.

National Defense Transportation Day dates back to 1957, a year after President Dwight D. Eisenhower signed the landmark Federal-Aid Highway Act. This law helped build America's interstate highway system, which is critical to our national security. In the years since, we have seen how modern transportation makes it possible to deploy service members quickly and to ship defense supplies and equipment efficiently. It also means first responders can act fast when a crisis occurs.

The interstate highway system also proved vital to our national prosperity—connecting small towns with big cities, allowing goods to ship to all corners of the country and world, and turning our infrastructure into the envy of the globe. But gradually, we stopped investing in our infrastructure. As we allowed the quality of our roads, bridges, ports, and railways to deteriorate, so too did the reliability of America's transportation system.

I took office determined to change that. I signed the Bipartisan Infrastructure Law—a once-in-a-generation investment in rebuilding America and putting Americans across the country to work doing it. It is the most significant investment in our infrastructure since President Eisenhower. To date, we have already funded more than 25,000 projects—upgrading roads, bridges, and tunnels from California to Ohio to New York; renovating major airports from Massachusetts to Georgia to Oregon; and upgrading our rail infrastructure on the Northeast Corridor, bringing world-class rail to new corners of the country. We are also paving new highways so trucks filled with goods can get to their destinations faster and deepening channels so ships can move in and out of harbors more efficiently.

Additionally, the Bipartisan Infrastructure Law is the largest investment in public transit in the history of our country. It improves subways and commuter rail in some of the busiest travel corridors in America, easing traffic congestion and making it easier for people to get where they need to go. Thanks to this law, we will replace thousands of diesel school buses with electric buses so our kids do not have to inhale diesel exhaust fumes, which can make them sick. And we are helping local governments retrofit subway stations so people who need an elevator or ramp can reliably access our rail systems. All told, these actions will improve transit for millions of Americans while reducing emissions.

These investments are part of our mission to build a clean energy future. As part of that effort, we are creating a national network of electric vehicle charging stations across America. In time, finding a place to charge your electric vehicle will be as easy as pulling into a gas station. And our Inflation Reduction Act, the largest investment ever made to tackle climate change, is providing incentives for companies to electrify heavy-duty vehicles and for consumers to buy electric cars and fuel cell vehicles.

As we improve our transportation system, we must make good on our promise that the workers who are designing, building, and maintaining it are seeing the benefits. Many of these new jobs in construction, trucking, and the railroad industry will be union jobs with good pay and good benefits, providing the breathing room American families deserve. We are also investing in workforce development; expanding Registered Apprenticeships and pre-apprenticeship programs; and spurring commitments from employers, unions, and community-based organizations to invest in training and

apprenticeships. And we worked hand in hand with the trucking industry to improve safety and job quality through the Biden Trucking Action Plan.

Finally, we are working to rectify our Nation's past mistakes when it comes to where and how we build new infrastructure. Nearly six decades ago, the expansion of the interstate highway system routed many highways directly through Black and brown communities, destroying entire neighborhoods or cutting them off from economic opportunity. In response, my Administration launched the Reconnecting Communities Pilot Program—the first-ever Federal initiative to cap highways and add green spaces in an effort to unify neighborhoods that had been divided. Our goal is to ensure that our investments reach places that have historically been forgotten, opening doors of opportunity and strengthening communities as cranes go up and shovels dig into the ground.

On this National Defense Transportation Day and throughout National Transportation Week, I am proud to say that we are embarking on an infrastructure decade. Our investments to create the world's best and safest roads, bridges, railroads, ports, airports, and more will make our economy and country stronger. And by empowering America's workers—who in turn power our national prosperity—we will continue to build an economy from the middle out and bottom up, not the top down. That is America at its best—reinventing, rebuilding, and reimagining a future of boundless possibilities.

In recognition of the ongoing contributions of our Nation's transportation system and in honor of the devoted professionals who work to sustain its tradition of excellence, the United States Congress has requested, by joint resolution approved May 16, 1957, as amended (36 U.S.C. 120), that the President designate the third Friday in May of each year as ''National Defense Transportation Day'' and, by joint resolution approved May 14, 1962 (36 U.S.C. 133), that the week in which that Friday falls be designated as ''National Transportation Week.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim Friday, May 19, 2023, as National Defense Transportation Day; and May 14 through May 20, 2023, as National Transportation Week. I urge all Americans to observe these occasions with appropriate ceremonies, programs, and activities as we show our appreciation to those who build and operate our Nation's transportation systems.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10578 of May 12, 2023

National Women's Health Week, 2023

By the President of the United States of America
A Proclamation

During National Women's Health Week, our Nation recommits to improving the health and well-being of women and girls across America and encouraging them to make their health a priority.

The White House officially observed its first National Women's Health Week in 2010, the same year we passed the landmark Affordable Care Act. This law ended the shameful practices of denying women coverage for preexisting conditions and charging them more for health care simply because they are women. It extended crucial preventive care, like cancer screenings, to millions more Americans and expanded access to basic health services, like maternity care.

As President, I have worked hard to protect the expanded health care coverage provided to millions by the Affordable Care Act and to strengthen Medicaid for those who need it. At the same time, I have acted to improve the well-being of women and their families, including slashing prescription drug prices and saving American families hundreds of dollars a year on health insurance premiums. I am proud that our Nation has seen historic health insurance coverage gains since I took office, and I am working to ensure that health care is a right in our Nation, not a privilege.

But so many women are still denied this right, especially when it comes to making deeply personal decisions about their own bodies and health. Last year, the Supreme Court overturned *Roe* v. *Wade*, with grave repercussions for millions of women across the country. Since then, women having miscarriages have been turned away from emergency rooms by health care professionals afraid of the legal consequences of providing care. Women have been told they need to wait until they are sicker before they can be seen by a doctor. Others have been denied prescriptions they need, and still others are forced to travel hundreds of miles away from their homes and families, across State lines, to access life-saving care.

In response to this crisis, I have issued two Executive Orders to protect a woman's right to access comprehensive reproductive health care services, including abortion and contraception. My Administration is working to ensure that patients receive care during medical emergencies; safeguard patients' privacy and their sensitive health information; and promote the safety and security of patients as well as providers, who are delivering the evidence-based, lawful care and treatment that they have been trained to provide. My Administration will continue to defend access to medication abortion and I will also continue to call on the Congress to restore the protections of *Roe* v. *Wade* in Federal law, which would secure the right to choose once and for all.

My Administration is also leading efforts to tackle the maternal health crisis, which has resulted in American women—particularly Black and Native American women—dying at a higher rate from pregnancy-related causes than in any other developed nation. As part of my Blueprint for Addressing

the Maternal Health Crisis, we have extended Medicaid postpartum coverage across America and taken steps to grow and diversify the maternal health workforce, and we are working to improve access to care in rural communities and address systemic inequities that put many women at greater risk of pregnancy-related complications.

Vice President Kamala Harris has been a leader on the issue of maternal mortality for years, and she continues to elevate the problem nationally, convening State legislators, medical professionals, and private industry leaders to work together to develop solutions so all women can access the care they need before, during, and after childbirth.

To address the mental health challenges that new and expecting mothers may face, including postpartum depression, anxiety, or substance use disorder, my Administration launched the National Maternal Mental Health Hotline (1–833–TLC–MAMA) and the Maternal Mental Health Task Force, charged with improving maternal mental health in this country. We are making other investments in women's mental health as well, such as expanding Certified Community Behavioral Health Clinics, which deliver 24/7 mental health care to millions of Americans, regardless of their ability to pay. And my 2024 Budget proposes spending tens of billions over the next 10 years to transform our behavioral health system.

Standing up for women's health also means preventing gender-based violence and helping survivors access safety, justice, and healing. Last year, I was proud to reauthorize and strengthen the landmark Violence Against Women Act, which I first introduced in the United States Senate more than 30 years ago. We have increased funding for shelters and rape crisis centers, expanded access to housing and legal assistance for survivors of abusive relationships, and enhanced training for law enforcement agencies and courts. We have also expanded support for survivors—including addressing the needs of LGBTQI+ survivors and other underserved populations—and have broadened protections to cover online abuse, such as the non-consensual distribution of intimate images.

My Administration is fighting a wave of extreme State policies that target transgender women and girls to prevent or limit access to evidence-based, gender-affirming health care just because of who they are. I have challenged my Administration to address discrimination wherever we find it and to ensure equal access to health care for all Americans.

The First Lady and I are committed to ending cancer as we know it through the reignited Cancer Moonshot, including for the nearly one million American women who will be diagnosed with cancer this year. My Administration increased our investment in the Centers for Disease Control and Prevention's National Breast and Cervical Cancer Early Detection Program, which provides breast and cervical cancer screening and diagnostic services to those with low incomes who are uninsured or otherwise qualify for the program. We are bringing together community health centers and leading cancer centers to facilitate access to life-saving cancer screenings and close the screening gap. We have also created the Advanced Research Projects Agency for Health (ARPA–H) to deliver new, innovative, comprehensive ways to prevent, detect, and treat cancer and other diseases.

In addition, my Administration will continue its work to prevent health conditions that affect women, including heart disease and diabetes. Heart

disease is the number one killer of women in this country. My Administration has a national strategy that seeks to improve access to affordable, healthy food; better integrate nutrition into the health care system; support physical activity for all; and enhance research into food and nutrition security. At the same time, experts agree it is important that women get regular checkups, preventive screenings, vaccinations, and mental health care.

This week, we make our message clear to women and girls across America: Your health impacts the future of our Nation. Achieving everything America aspires to be depends on the health, safety, and support we give to all women, who are leaders in every industry, in every community, and in every family.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 14 through May 20, 2023, as National Women's Health Week. During this week, I encourage all Americans to join us in a collective effort to improve and support the health of women and girls and promote health equity for all. I encourage all women and girls to prioritize their health and catch up on any missed screenings, routine care, and vaccines.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10579 of May 12, 2023

Peace Officers Memorial Day and Police Week, 2023

By the President of the United States of America
A Proclamation

Every day when law enforcement officers pin on their badges, they make an extraordinary commitment to the American people: to rush toward danger regardless of the risk and to faithfully stand up for the rule of law. Across our neighborhoods, towns, and cities, they put themselves in harm's way, hoping to return home safely to their families. On Peace Officers Memorial Day and during Police Week, we celebrate the remarkable courage of our law enforcement community and honor the fallen heroes who made the ultimate sacrifice to protect their fellow Americans.

As a Nation, we expect a lot from our law enforcement officers. They save lives by keeping our roads, subways, and highways safe and responding to domestic violence incidents and natural disasters. We ask them to ensure public safety, build trust within our neighborhoods, and protect the well-being of our communities. Too often, they are also called upon to respond to mass shootings, drug overdoses, mental health crises, and more. Being a law enforcement officer is not just what they do; it is who they are.

The same is true for their families, who sacrifice alongside these heroic Americans. It takes a special person to marry or be the child of a law enforcement officer—knowing the uncertainty as their loved one walks out the door and dreading the possibility of receiving that phone call.

No memorial can ever fill the void left in the hearts of those who have lost a loved one in the line of duty. But their sacrifices in full service to their communities and to our Nation will never be forgotten. We will continue to honor their memories with actions that help keep our law enforcement officers and communities safe from harm.

When I took office at the height of the pandemic, State, local, Tribal, and territorial law enforcement budgets were shrinking. Some agencies were facing their lowest staffing levels in decades, undermining their ability to perform their jobs. That is why we provided crucial funding to help police departments build new training facilities, recruit new personnel, and give officers a raise. I also expanded benefits for first responders who were disabled in the line of duty and their families. And I signed laws improving officer wellness by expanding critical mental health resources to address the physical and emotional trauma that so many members of our law enforcement community experience.

Meanwhile, I have taken steps to keep law enforcement officers safer on the job by signing the most sweeping gun safety law in nearly three decades. It helps keep more guns out of the hands of dangerous people, including by broadening restrictions on domestic abusers, which is critical because domestic violence calls can often turn deadly for police. This law also supports crisis interventions, including extreme risk protection orders, and provides a billion dollars to address the mental health crisis in America. We are also strengthening background checks for 18 to 20-year-olds trying to purchase guns, helping prosecutors crack down on illegal gun sales, and reining in ghost guns that police across the country are increasingly finding at crime scenes.

As I have often said, when it comes to keeping our communities safe, the answer is not to defund the police. It is to fund them with the resources and training they need to protect and serve our communities and to build trust with the American public. My Safer America Plan calls on the Congress to invest in recruiting, hiring, and training more than 100,000 additional officers for effective, accountable community policing, consistent with the standards of my policing Executive Order. My plan also invests in programs that send social workers and other professionals to respond to calls that should not be the responsibility of law enforcement. And it invests $5 billion in proven crime-prevention strategies like community violence interruption. We must not accept the false choice between public safety and public trust; they are two sides of the same coin.

At the National Law Enforcement Memorial in Washington, D.C., there is a quote engraved on the wall that reads, ''It is not how these officers died that made them heroes, it is how they lived.'' Today, during this week, and year-round, we express our gratitude for the courageous women and men of our Nation's law enforcement community. We honor the memory of the members who made the ultimate sacrifice and pray for their families. And we recommit ourselves to the sacred task of creating a safer and more just Nation for all Americans.

By a joint resolution approved October 1, 1962, as amended (76 Stat. 676), and by Public Law 103–322, as amended (36 U.S.C. 136–137), the President has been authorized and requested to designate May 15 of each year as ''Peace Officers Memorial Day'' and the week in which it falls as ''Police Week.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim May 15, 2023, as Peace Officers Memorial Day and May 14 through May 20, 2023, as Police Week. I call upon all Americans to observe these events with appropriate ceremonies and activities and salute our Nation's brave law enforcement officers and remember their peace officer brothers and sisters who have given their last full measure of devotion in the line of duty. I also call on the Governors of the United States and its Territories, and appropriate officials of all units of government, to direct that the flag be flown at half-staff on Peace Officers Memorial Day. I further encourage all Americans to display the flag at half-staff from their homes and businesses on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10580 of May 12, 2023

Mother's Day, 2023

By the President of the United States of America

A Proclamation

On Mother's Day, we celebrate the moms and the women filling the role of a mother in our lives, who bless us with a total sense of what it means to be family. They believe in us so we can believe in ourselves. They sacrifice to give us opportunities they never had. They are there for us at our highest points and our lowest moments, lifting us up when we need it most.

The lessons I learned from my mother, Catherine Eugenia ''Jean'' Finnegan Biden, continue to guide me today. She led with honor. She believed everyone deserved to be treated equally. She reminded my siblings and me that failure was inevitable, but giving up was never an option. She would say that courage is the greatest virtue, because without courage, you cannot love with abandon.

My wife, First Lady Jill Biden, has loved our children and grandchildren with abandon as well. She was the glue that helped put our family back together after my boys and I experienced profound loss. Every day, her joy, wisdom, and strength bring light to so many, including the students she teaches full time.

Across the country, mothers are nurturing children, providing for families, and driving innovation in every field. They serve at the highest levels of government, lead our Nation's military, and power our economy—running

some of the biggest companies in the world and operating beloved small businesses on Main Streets across America. At the same time, many mothers work night shifts and jobs that often do not pay them enough to make ends meet and support their families. As moms continue knocking down the barriers that stand in the way of all women and girls reaching their full potential, my Administration is working to give them support and opportunity. Our American Rescue Plan helped keep the doors open for 220,000 child care providers—90 percent of which are owned and staffed by women—so families could go to work while their children were cared for. We expanded the Child Tax Credit and cut child poverty in half during our first year in office. The historic infrastructure, manufacturing, and clean energy laws I signed as part of our Investing in America agenda are creating good-paying jobs for women in sectors where they have been previously underrepresented. And to ensure that new and expecting mothers can thrive in the workplace, I signed into law new protections for pregnant workers and nursing parents in the workplace: the Pregnant Workers Fairness Act and the Providing Urgent Maternal Protections for Nursing Mothers Act.

Meanwhile, Vice President Kamala Harris is leading the charge to make pregnancy and childbirth safer for all women and to make sure pregnant women and moms in all communities are treated fairly. We released a Blueprint for Addressing the Maternal Health Crisis to lower the rates of maternal mortality and morbidity; reduce disparities in maternal health; and improve the experiences of women before, during, and after birth across the country. Our American Rescue Plan gave States the option to extend Medicaid postpartum coverage for a full year—up from just 60 days—and we have already approved requests from over 30 States and Washington, D.C., to expand this coverage. And my Administration continues fighting for a national, comprehensive paid family and medical leave program.

Today, at family gatherings across America, let us give thanks for all the mothers and mother-figures, who we love so much. Let us be sure to make the most of our precious time together. Let us also keep in our prayers those who observe this day with a hole in their heart, missing a mom's irreplaceable presence and the comfort it brings, as well as the mothers who know the pain of losing a child. Finally, let us continue working to extend our country's promise of dignity and opportunity to America's mothers—the least we can do for the people in our lives who have given us the most.

The Congress, by joint resolution approved May 8, 1914 (38 Stat. 770), has designated the second Sunday in May each year as ''Mother's Day'' and requested the President to call for its appropriate observance.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim May 14, 2023, as Mother's Day. I urge all Americans to express their love, respect, and gratitude to mothers everywhere. I call upon all citizens to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10581 of May 18, 2023

National Hepatitis Testing Day, 2023

By the President of the United States of America
A Proclamation

Thousands of Americans die every year of viral hepatitis—infections of the liver that can be managed or cured if patients know they are infected and can get treatment. On National Hepatitis Testing Day, we urge Americans to get tested and recommit to ensuring that those who are diagnosed can receive lifesaving care.

Viral hepatitis is a hidden epidemic. For those with hepatitis C, which spreads through contact with infected blood and is the most common strain, it can be years between the time someone is infected and when they first present symptoms, leaving far too many unaware that they are sick. This can further spread the virus, delay treatment, and lead to serious liver disease—including cirrhosis, liver failure, liver cancer, and even death. Pregnant women with untreated hepatitis C can also pass the virus on to their newborns. It disproportionately affects Black Americans and Native Americans, who too often cannot access quality health care, and it is more common among those experiencing homelessness and those who are incarcerated as more than a third of people in a jail or prison can be positive at a given time. The good news is that we now have a cure for hepatitis C that is 95 percent effective—but its high cost, among other factors, has kept it from many of the more than 2 million Americans in need.

My new Budget includes a bold plan to change that this decade—ending hepatitis C as a public health threat by expanding testing, slashing the high cost of treatment, and promoting awareness of the risks and the cure. It draws on work that the Department of Veterans Affairs has done in treating more than 100,000 affected veterans since 2014. My plan would make testing quicker and simpler with more point-of-care diagnostic tests so patients can be tested and treated in a single visit, rather than having to return several times before determining their infection status. It would pioneer innovative approaches to treating hepatitis C, including a national antiviral subscription model, so more Americans can get affordable care and taxpayers can save billions of dollars through prevention and the reduced need for treatment of advanced liver diseases. My plan would also support grassroots public health groups; train more health care professionals; and expand mobile, telehealth, and community sites focused on hepatitis testing and care. And it would boost progress toward a hepatitis C vaccine.

We are also taking steps to prevent hepatitis B—the second most common strain of the virus among adults, which can lead to premature death in 15

to 25 percent of cases. We are fortunate to already have a hepatitis B vaccine; it has been widely recommended for children for over 30 years, and the Centers for Disease Control and Prevention now urges all adults under 60 to be screened and vaccinated too. This is especially important among Asian American, Native Hawaiian, and Pacific Islander communities, who account for almost 60 percent of chronic hepatitis B cases in this country.

Working to beat hepatitis is something that all Americans can agree is important. It is within our power to save tens of thousands of lives and billions of dollars in health care costs, and by reducing liver cancer, these steps will also bring us closer to meeting our moonshot goal of ending cancer as we know it, achieving one of the greatest public health victories of all time. Every American can do their part—ask your health care provider about getting tested for hepatitis B and C and about being vaccinated for hepatitis B if you have not yet done so. And ask the Congress to back our push to eliminate the threat of viral hepatitis from the United States for good.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 19, 2023, as National Hepatitis Testing Day. I encourage all Americans to join in activities that will increase awareness about viral hepatitis and what we can do to prevent and treat it.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10582 of May 19, 2023

National Safe Boating Week, 2023

By the President of the United States of America

A Proclamation

Every year, nearly 100 million Americans go boating in our Nation's lakes, rivers, bays, and oceans—a number that surged during the pandemic, as more people sought peace outdoors. With summer now approaching, countless families are again drawn to the promise and possibility of time on the water. During National Safe Boating Week, we remind one another to be safe and responsible and to do all we can to prevent boating accidents and prepare for emergencies.

Whether fishing, sailing, canoeing, kayaking, jet skiing, or motor boating, safe boating starts with planning ahead. More than 10 percent of American households now own some kind of boat, and they should each make sure their vessel meets Federal safety standards. The civilian Coast Guard Auxiliary can send volunteers to examine boats for free and tell their owners how to improve safety. Free boating safety courses are available in all 50 States, and the Coast Guard Auxiliary and groups like America's Boating

Club train people online and in-person in boat handling, marine navigation, engine maintenance, weather prediction, and more.

Simple things can be life-saving: life jackets, weather forecasts, maps—especially in unfamiliar areas—and emergency communications tools. Boating sober, without alcohol or drugs, is so important. And every boat operator should always wear their engine-cut-off switch lanyard in order to automatically stop the boat if they are thrown into the water.

Operating a boat is a serious thing, like driving a car. It demands attention and caution, even as it gives boaters a profound feeling of freedom and peace. This week, we thank the courageous members of the United States Coast Guard—along with the Federal, State, Tribal, and local partners—who sacrifice so much to protect boaters and help rescue those in need at a moment's notice. We should honor their work by each doing our own part to keep life on the water safe.

In recognition of the importance of safe boating practices, the Congress, by joint resolution approved on June 4, 1958 (36 U.S.C. 131), as amended, has authorized and requested the President to proclaim annually the 7-day period before Memorial Day weekend as ''National Safe Boating Week.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim May 20 through May 26, 2023, as National Safe Boating Week. I encourage all Americans who participate in boating activities to observe this occasion by learning more about safe boating practices and by taking advantage of boating safety education opportunities. I also encourage the Governors of the States and Territories, and appropriate officials of all units of government, to join me in encouraging boating safety in every community.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10583 of May 19, 2023

Emergency Medical Services Week, 2023

By the President of the United States of America
A Proclamation

Every day, across our country, paramedics, emergency medical technicians, 911 dispatchers, and other first responders rush to fellow Americans' aid with compassion and lifesaving strength. During Emergency Medical Services (EMS) Week, we celebrate their service and recommit to getting them the resources and support they need to do their essential frontline work for us all.

The pandemic made every American aware of the absolute courage and incredible sacrifices made by EMS providers nationwide. They have had to work longer hours, taking on new roles and new risks, often at great personal cost—whether braving a deadly virus, rushing to save victims of gun

violence, enduring dangerous natural disasters, or simply supporting people at the most vulnerable moments of their lives. We owe them. We have a duty to care for those who care for us.

Since I took office, my Administration has worked to help State, local, Tribal, and territorial governments keep EMS providers on the payroll, buy better equipment, and improve training. We have made resources available to help first responders deal with trauma and burnout. And we are helping to ease the crippling student debt burden that so many EMS providers live with by finally fixing the Public Service Loan Forgiveness program. I am proud that, to date, we have helped over 450,000 public service employees, including EMS providers, see billions of dollars in student loans erased. Meanwhile, we are working to ease staffing shortages by making it easier for fire departments to retain and recruit more firefighters, who often provide emergency medical services so other first responders will not be stretched thin.

Saving lives is not just what tireless EMS providers do—it is who they are. I have seen their commitment up close. They are the steel spine of our Nation, and they give each of us the peace of mind of knowing that someone will be there to catch us if we fall.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 21 through May 27, 2023, as National Emergency Medical Services Week. I call upon public officials, doctors, nurses, paramedics, EMS providers, and all the people of the United States to observe this week with appropriate programs, ceremonies, and activities to honor our brave EMS workers and to pay tribute to the EMS providers who have lost their lives in the line of duty.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10584 of May 19, 2023

World Trade Week, 2023

By the President of the United States of America
A Proclamation

My Administration is committed to building an economy from the bottom up and middle out, ensuring every worker gets a fair shot at the American Dream. Global trade is a key part of making that dream a reality. By expanding markets around the world for American businesses and crafting rules for fair competition, we can empower our workers, protect our planet, and promote inclusive prosperity. During World Trade Week, we recommit to writing a new story on trade—a worker-centered story—where everyone has dignity and opportunity and no one is left behind.

This new story begins with investing in America. For decades, the middle class and thriving towns across America were hollowed out as good-paying jobs moved overseas and factories at home closed down. My Administration is changing that. Through our blue-collar blueprint for America, we have created more than 12 million jobs and brought unemployment down to its lowest rate in more than 50 years. Across the country, we are witnessing a manufacturing boom, and factories are coming back to America to produce the semiconductors that power everything from cellphones and automobiles to the technology that will power our clean energy future. In every State, construction is underway to rebuild our roads, bridges, ports, airports, and water systems.

These investments in our country will help us maintain our innovative edge, boost our industrial capacity, and ensure we have the best-trained workforce—making us a stronger, more capable partner for our allies and all those who share our vision for a more equitable economic future around the world. That is why 13 economies in the Indo-Pacific stepped up to join the United States in strengthening labor standards, incentivizing the use of clean energy, and protecting our economies from corruption. Together with 11 of our neighbors in the Western Hemisphere, we are working to drive inclusive regional economic growth and create good-quality jobs. We are working to increase trade with Kenya and Taiwan—two vibrant partners in critical parts of the world. And we are working closely with international partners to build more resilient and reliable supply chains for critical minerals used in products like electric vehicle batteries.

We are also deepening our cooperation with the European Union—negotiating the world's first emission-based trade arrangement on steel and aluminum to reward fair trade, promote clean manufacturing, and generate good jobs on both sides of the Atlantic. At the same time, the United States and the European Union are collectively addressing unfair competition from non-market economies and authoritarian regimes and working to eliminate forced labor from global supply chains.

We know that, with every new commitment we make, we must also enforce existing ones to build trust and confidence in trade. That is why my Administration has been laser-focused on working through the United States-Mexico-Canada Agreement to uphold our commitment to workers' rights and environmental protections and to ensure that our dairy farmers and businesses in the energy and agricultural biotechnology sectors are treated fairly. We also remain committed to the World Trade Organization and to working with nations around the world to help the institution more effectively promote fair competition, transparency, and the rule of law while fostering supply chain resiliency through improved border procedures and addressing challenges like the climate crisis.

At home, my Administration is incorporating diverse voices into our policymaking—from small businesses and entrepreneurs to manufacturers, farmers, ranchers, fishers, and producers—to ensure trade works for more sectors of the American economy. We are taking steps to expand the benefits of trade to historically underrepresented and underserved communities, including making it easier for small- and medium-sized enterprises to access loans and loan guarantees offered by the Export-Import Bank of the United States, and working to double the number of businesses receiving export assistance from the Department of Commerce.

In America, we believe that everyone deserves a shot at prosperity. My Administration will continue to make sure trade is a force for good for all Americans—lifting up workers and businesses, forging lasting partnerships around the globe, and building a better and brighter tomorrow for us all.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 21 through May 27, 2023, as World Trade Week. I call upon all Americans to observe this week and to celebrate with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10585 of May 19, 2023

Armed Forces Day, 2023

By the President of the United States of America
A Proclamation

On Armed Forces Day, we honor all the members of our Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard, and National Guard and Reserve forces. United by a common call to serve, these brave patriots not only comprise the finest fighting force the world has ever known but also represent the very best of our Nation.

Today, less than 1 percent of Americans currently wear the uniform—stepping up to defend the other 99 percent of our Nation with honor and courage. Through trials and testing as well as dangers and deployments, our service members remain resilient and resolved in their mission. They—and their families, caregivers, and survivors—also shoulder unique burdens, serving and sacrificing for our Nation's core values: freedom, democracy, and liberty. And this year, as we mark the 50th anniversary of our all-volunteer force and the 75th anniversaries of a desegregated military and women's integration, we are reminded that our Armed Forces are stronger and more capable than ever because of the diverse range of skillsets and experiences of our service members.

On Armed Forces Day, we also renew our sacred obligation to all those who serve: to prepare them when we send them into harm's way and care for them and their families while they are deployed and when they return home. That is exactly what my Administration is doing. I have signed more than 25 bipartisan bills, including the PACT Act—the most significant law in our Nation's history to help millions of veterans who were exposed to toxic fumes from burn pits or other toxic substances during their military service—to ensure our service members and veterans and their families, caregivers, and survivors get the support they deserve. We have also expanded access to mental health care for our service members and veterans—a critical step in reducing suicides, which continue to claim far too

many lives of our military members. My Administration has also worked to fix the Public Service Loan Forgiveness program—a key step in meeting our commitment to service members and those who have chosen other professions in public service. To date, we have helped over 450,000 borrowers who work in public service, including service members, get nearly $31 billion in student loan forgiveness. And, through the First Lady's Joining Forces initiative, we are helping military spouses find good-paying jobs, ensuring military-connected children are supported in their classrooms, and aiding this community with resources to improve their health and well-being.

Our Nation also has an obligation to ensure that every service member—regardless of gender, gender identity, sexual orientation, race, or religious background—feels safe in the ranks and has their contributions fully valued. Within my first month in office, I was proud to rescind the ban on openly transgender people serving in the military because no patriot should be barred from serving their country for being their authentic self. My Administration worked with the Congress to reform how the military investigates and prosecutes sexual assault, sexual harassment, domestic violence, and other related crimes, including by shifting authority from commanders to independent prosecutors. Working with leaders across the Department of Defense, I will continue to ensure that a culture of decency and respect always prevails within our ranks—including speaking out and standing up against harassment, abuse, and hate in all its forms.

Throughout our history, America's Armed Forces have been sentinels of liberty and defenders of dignity. By keeping the flame of freedom burning bright, they have made our Nation stronger and the world safer. So today, let us all join together in honoring their courage, sacrifice, and service.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, and Commander in Chief of the Armed Forces of the United States, continuing the precedent of my predecessors in office, do hereby proclaim the third Saturday of each May as Armed Forces Day.

I direct the Secretary of Defense, on behalf of the Army, Navy, Air Force, Marine Corps, Space Force, and the Secretary of Homeland Security on behalf of the Coast Guard, to plan for appropriate observances each year, with the Secretary of Defense responsible for soliciting the participation and cooperation of civil authorities and private citizens. I invite the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States to provide for the observance of Armed Forces Day within their respective jurisdictions each year in an appropriate manner designed to increase public understanding and appreciation of the Armed Forces of the United States. I also invite veterans, civic leaders, and other organizations to join in the observance of Armed Forces Day each year.

Finally, I call upon all Americans to display the flag of the United States at their homes and businesses on Armed Forces Day, and I urge citizens to learn more about military service by attending and participating in the local observances of the day.

Proclamation 10400 of May 20, 2022, is hereby superseded.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10586 of May 19, 2023

National Maritime Day, 2023

By the President of the United States of America
A Proclamation

On National Maritime Day, we honor the thousands of dedicated merchant mariners who serve on United States vessels around the world. During times of both peace and war, merchant mariners are always there—stepping up to transport equipment, troops, and goods across the globe to make our country safer and stronger.

With professionalism and passion, merchant mariners have forged us into the maritime Nation we are today. During the Revolutionary War, merchant vessels joined the vastly outnumbered American fleet to help defend our independence. During World War II, as our brave service members battled the forces of fascism, more than a quarter-million members of the Merchant Marine volunteered to transport tanks, ammunition, and troops across the Atlantic and Pacific theaters. Many of them made the ultimate sacrifice in the service of freedom. And today, merchant mariners not only help move hundreds of billions of dollars' worth of cargo through our 25,000 miles of waterways and more than 360 commercial ports annually—they also crew vessels of our United States Ready Reserve, shipping vital military cargo to help the people of Ukraine defend themselves against Russia's brutal war.

My Administration remains steadfast in its support of the Merchant Marine as well as the Jones Act, which ensures American workers see the benefits of our domestic maritime industry. We are also making historic investments to improve our maritime supply chains by making it easier, faster, cheaper, cleaner, and safer for ships to get in and out of our ports. We are strengthening our support for licensed Merchant Marine Officers, including requesting $196 million in my 2024 Budget to upgrade the United States Merchant Marine Academy's campus, expand training, and help prevent sexual assault and support survivors—because every person at the Academy deserves to feel safe and have their contributions fully valued. We are also working to advance diversity, equity, and inclusion in the ranks of the Merchant Marine because our economy and national security are strongest when we draw on the full skillsets and diversity of our Nation.

The United States Merchant Marine underpins our Nation's prosperity and upholds our Nation's highest principles—freedom, liberty, and dignity. Today, and every day, we honor merchant mariners' service and sacrifice and renew our commitment to stand by their side, from sea to shining sea.

The Congress, by a joint resolution approved May 20, 1933, has designated May 22 of each year as ''National Maritime Day'' to commemorate the first

transoceanic voyage by a steamship in 1819 by the S.S. Savannah. By this resolution, the Congress has authorized and requested the President to issue annually a proclamation calling for its appropriate observance. I also request that all ships sailing under the American flag dress ship on that day.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim May 22, 2023, as National Maritime Day. I call upon all Americans to observe this day and to celebrate the United States Merchant Marine and maritime industry with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10587 of May 26, 2023

Prayer for Peace, Memorial Day, 2023

By the President of the United States of America

A Proclamation

On Memorial Day, we honor America's beloved daughters and sons who gave their last full measure of devotion to this Nation. We can never fully repay the debt we owe these fallen heroes. But today, we vow to rededicate ourselves to the work for which they gave their lives, and we recommit to supporting the families, caregivers, and survivors they left behind.

For generations, stretching back to the formation of our country, these courageous people answered duty's call, willing to give their lives for that which we all hold dear. They fought for our Independence. They defended our democracy. They sacrificed for our freedom. And today, as they lie in eternal peace, we continue to live by the light of liberty that they so bravely kept burning bright around the world.

This is always a day where pain and pride are mixed together. To all those who are mourning the loss of a service member—including America's Gold Star Families—we see you and grieve with you. And we know that on this day especially, the pain of their absence can feel overwhelming. But for so many of you, that pain is wrapped around the knowledge that your loved one was part of something bigger than any of us; that they chose a life of mission and purpose; and that they dared all, risked all, and gave all to preserve and defend an idea unlike any other in human history: the United States of America.

These brave service members are not only the heart and soul of our country—they are the very spine. Today—and every day—we remember their service and ultimate sacrifice to our Nation. We reflect on our sacred and enduring vow to care for their families. And together, as we pause and pray, we pledge to continue defending freedom and democracy in their honor. May God bless our fallen heroes, and may God protect our troops.

In honor and recognition of all of our fallen service members, the Congress, by a joint resolution approved May 11, 1950, as amended (36 U.S.C. 116), has requested that the President issue a proclamation calling on the people of the United States to observe each Memorial Day as a day of prayer for permanent peace and designating a period on that day when the people of the United States might unite in prayer and reflection. The Congress, by Public Law 106–579, has also designated 3:00 p.m. local time on that day as a time for all Americans to observe, in their own way, the National Moment of Remembrance.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim Memorial Day, May 29, 2023, as a day of prayer for permanent peace, and I designate the hour beginning in each locality at 11:00 a.m. of that day as a time when people might unite in prayer and reflection. I urge the press, radio, television, and all other information media to cooperate in this observance. I further ask all Americans to observe the National Moment of Remembrance beginning at 3:00 p.m. local time on Memorial Day.

I request the Governors of the United States and its Commonwealths and Territories, and the appropriate officials of all units of government, to direct that the flag be flown at half-staff until noon on this Memorial Day on all buildings, grounds, and naval vessels throughout the United States and in all areas under its jurisdiction and control. I encourage families, friends, and neighbors to post tributes to our fallen service members through the Veterans Legacy Memorial at vlm.cem.va.gov so that we may learn more about the lives and contributions of those buried in National, State, and Tribal veteran cemeteries. I also request the people of the United States to display the flag at half-staff from their homes for the customary forenoon period.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10588 of May 31, 2023

Adjusting Imports of Steel Into the United States

By the President of the United States of America
A Proclamation

1. On January 11, 2018, the Secretary of Commerce (Secretary) transmitted to the President a report on the Secretary's investigation into the effect of imports of steel mill articles (steel articles) on the national security of the United States under section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862). The Secretary found and advised the President of his opinion that steel articles are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security of the United States.

2. In Proclamation 9705 of March 8, 2018 (Adjusting Imports of Steel Into the United States), the President concurred in the Secretary's finding that steel articles, as defined in clause 1 of Proclamation 9705, as amended by clause 8 of Proclamation 9711 of March 22, 2018 (Adjusting Imports of Steel Into the United States), are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security of the United States, and decided to adjust the imports of those steel articles by imposing a 25 percent ad valorem tariff on such articles imported from all countries except Canada and Mexico. The proclamation further stated that any country with which we have a security relationship is welcome to discuss with the United States alternative ways to address the threatened impairment of the national security caused by imports from that country, and noted that, should the United States and any such country arrive at a satisfactory alternative means to address the threat to the national security such that the President determines that imports from that country no longer threaten to impair the national security, the President may remove or modify the restriction on steel articles imports from that country and, if necessary, adjust the tariff as it applies to other countries, as the national security interests of the United States require.

3. In Proclamation 10403 of May 27, 2022 (Adjusting Imports of Steel Into the United States), I suspended the tariffs set forth in Proclamation 9705 for the import of steel articles and derivative steel articles from Ukraine for 1 year. I also instructed the Secretary to monitor the situation in the domestic steel industry and developments in Ukraine's steel industry and inform me of any need to terminate or extend this suspension.

4. The Secretary has informed me that the situation with regard to Ukraine's steel industry has not changed since the issuance of Proclamation 10403. Ukraine's steel industry continues to be significantly disrupted by the Russian Federation's unjustified, unprovoked, unyielding, and unconscionable war against Ukraine. The significant disruption in Ukraine's steel production has decreased the total amount of steel produced by Ukraine. While the amount of steel imported into the United States from Ukraine increased slightly in 2022 compared to 2021, it is still below the average import volume prior to 2021, and in 2022 it accounted for less than 1 percent of all steel imports into the United States. At the same time, the steel industry has been historically important to Ukraine, and both the United States and Ukraine have an interest in maintaining that industry as an economic lifeline while the country recovers. The Secretary has also informed me that the United States and Ukraine continue to be engaged in broad security discussions. The current disruption of Ukrainian steel production has been part of those discussions, and the ongoing discussion is anticipated to include alternative measures to prevent imports of steel from Ukraine from threatening the national security of the United States as Ukraine's steel production recovers from the significant disruption caused by the war.

5. The Secretary has also informed me that the disruption of the Ukrainian steel industry has caused some steel articles from Ukraine to be further processed in countries that are members of the European Union. Expanding the scope of Proclamation 10403 to include the suspension of the tariffs on products from the European Union made from steel originating in Ukraine

will greatly assist the Ukrainian steel industry. A certificate of origin attesting to the Ukrainian origin of the steel articles further processed in a member country of the European Union shall be required for duty-free treatment.

6. In light of the Secretary's findings, I conclude that Ukraine's present situation remains a special case and that an extension of the suspension of tariffs in Proclamation 10403 and the inclusion of steel articles from Ukraine further processed in a member country of the European Union is warranted. The Secretary shall continue to monitor the situation in the domestic steel industry and developments in Ukraine's steel industry and inform me of any need to terminate or extend this suspension.

7. In light of my determination to adjust the tariff proclaimed in Proclamation 9705 as applied to eligible steel articles and derivative steel articles that are the product of Ukraine, I have considered whether it is necessary and appropriate in light of our national security interests to make any corresponding adjustments to such tariff as it applies to products of other countries. I have determined that it is necessary and appropriate, at this time, to maintain the current tariff level as it applies to products of other countries.

8. Section 232 of the Trade Expansion Act of 1962, as amended, authorizes the President to take action to adjust the imports of an article and its derivatives that are being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security.

9. Section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483), authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTSUS) the substance of statutes affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States of America, including section 232 of the Trade Expansion Act of 1962, as amended, section 301 of title 3, United States Code, and section 604 of the Trade Act of 1974, as amended, do hereby proclaim as follows:

(1) To establish duty-free treatment on imports of steel articles when such are the products of Ukraine as set forth in clauses 2 and 3 of this proclamation, U.S. Note 16 of subchapter III of chapter 99 of the HTSUS is amended as provided for in the Annex to this proclamation.

(2) Clause 2 of Proclamation 9705, as amended, is revised to read as follows:

''(2)(a) In order to establish certain modifications to the duty rate on imports of steel articles, subchapter III of chapter 99 of the HTSUS is modified as provided in the Annex to this proclamation and any subsequent proclamations regarding such steel articles.

(b) Except as otherwise provided in this proclamation, or in notices published pursuant to clause 3 of this proclamation, all steel articles imports covered by heading 9903.80.01, in subchapter III of chapter 99 of the HTSUS, shall be subject to an additional 25 percent ad valorem rate of duty with respect to goods entered for consumption, or withdrawn from

warehouse for consumption, as follows: (i) on or after 12:01 a.m. eastern daylight time on March 23, 2018, from all countries except Argentina, Australia, Brazil, Canada, Mexico, South Korea, and the member countries of the European Union; (ii) on or after 12:01 a.m. eastern daylight time on June 1, 2018, from all countries except Argentina, Australia, Brazil, and South Korea; (iii) on or after 12:01 a.m. eastern daylight time on August 13, 2018, from all countries except Argentina, Australia, Brazil, South Korea, and Turkey; (iv) on or after 12:01 a.m. eastern daylight time on May 20, 2019, from all countries except Argentina, Australia, Brazil, South Korea, and Turkey; (v) on or after 12:01 a.m. eastern daylight time on May 21, 2019, from all countries except Argentina, Australia, Brazil, Canada, Mexico, and South Korea; (vi) on or after 12:01 a.m. eastern standard time on January 1, 2022, from all countries except Argentina, Australia, Brazil, Canada, Mexico, and South Korea, and except the member countries of the European Union through 11:59 p.m. eastern standard time on December 31, 2023, for steel articles covered by headings 9903.80.65 through 9903.81.19, inclusive; (vii) on or after 12:01 a.m. eastern daylight time on April 1, 2022, from all countries except Argentina, Australia, Brazil, Canada, Mexico, and South Korea, and except the member countries of the European Union through 11:59 p.m. eastern standard time on December 31, 2023, for steel articles covered by headings 9903.80.65 through 9903.81.19, inclusive, and from Japan, for steel articles covered by headings 9903.81.25 through 9903.81.80, inclusive; (viii) on or after 12:01 a.m. eastern daylight time on June 1, 2022, from all countries except Argentina, Australia, Brazil, Canada, Mexico, South Korea, and Ukraine through 11:59 p.m. eastern daylight time on June 1, 2023, and except the member countries of the European Union through 11:59 p.m. eastern standard time on December 31, 2023, for steel articles covered by headings 9903.80.65 through 9903.81.19, inclusive, and from Japan and the United Kingdom (UK), for steel articles covered by subheadings 9903.81.25 through 9903.81.78 and heading 9903.81.80, and from the member countries of the European Union, for steel articles covered by heading 9903.81.81; and (ix) on or after 12:01 a.m. eastern daylight time on June 1, 2023, from all countries except Argentina, Australia, Brazil, Canada, Mexico, South Korea, and Ukraine through 11:59 p.m. eastern daylight time on June 1, 2024, and except the member countries of the European Union through 11:59 p.m. eastern standard time on December 31, 2023, for steel articles covered by headings 9903.80.65 through 9903.81.19, inclusive, and from Japan and the UK, for steel articles covered by subheadings 9903.81.25 through 9903.81.78 and heading 9903.81.80, and from the member countries of the European Union, for steel articles covered by heading 9903.81.81, and from the member countries of the European Union where the steel used in the manufacture of the steel article is melted and poured in Ukraine through 11:59 p.m. eastern daylight time on June 1, 2024. Further, except as otherwise provided in notices published pursuant to clause 3 of this proclamation, all steel articles imports from Turkey covered by heading 9903.80.02, in subchapter III of chapter 99 of the HTSUS, shall be subject to a 50 percent ad valorem rate of duty with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on August 13, 2018, and prior to 12:01 a.m. eastern daylight time on May 21, 2019. All steel articles imports covered by heading 9903.80.61, in subchapter III of chapter 99 of the HTSUS, shall

be subject to the additional 25 percent ad valorem rate of duty established herein with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on the date specified in a determination by the Secretary granting relief. These rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported steel articles, shall apply to imports of steel articles from each country as specified in the preceding three sentences''.

(3) The first two sentences of clause 1 of Proclamation 9980 of January 24, 2020 (Adjusting Imports of Derivative Aluminum Articles and Derivative Steel Articles Into the United States), are revised to read as follows:

''In order to establish increases in the duty rate on imports of certain derivative articles, subchapter III of chapter 99 of the HTSUS is modified as provided in Annex I and Annex II to this proclamation. Except as otherwise provided in this proclamation, all imports of derivative aluminum articles specified in Annex I to this proclamation shall be subject to an additional 10 percent ad valorem rate of duty, and all imports of derivative steel articles specified in Annex II to this proclamation shall be subject to an additional 25 percent ad valorem rate of duty, with respect to goods entered for consumption, or withdrawn from warehouse for consumption, as follows: (i) on or after 12:01 a.m. eastern standard time on February 8, 2020, these rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported derivative aluminum articles or steel articles, shall apply to imports of derivative aluminum articles described in Annex I to this proclamation from all countries except Argentina, the Commonwealth of Australia (Australia), Canada, and the United Mexican States (Mexico), and to imports of derivative steel articles described in Annex II to this proclamation from all countries except Argentina, Australia, Brazil, Canada, Mexico, and South Korea; (ii) on or after 12:01 a.m. eastern standard time on January 1, 2022, these rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported derivative aluminum articles or steel articles, shall apply to imports of derivative aluminum articles described in Annex I to this proclamation from all countries except Argentina, Australia, Canada, the member countries of the European Union, and Mexico, and to imports of derivative steel articles described in Annex II to this proclamation from all countries except Argentina, Australia, Brazil, Canada, the member countries of the European Union, Mexico, and South Korea; (iii) on or after 12:01 a.m. eastern daylight time on April 1, 2022, these rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported derivative aluminum articles or steel articles, shall apply to imports of derivative aluminum articles described in Annex I to this proclamation from all countries except Argentina, Australia, Canada, the member countries of the European Union, and Mexico, and to imports of derivative steel articles described in Annex II to this proclamation from all countries except Argentina, Australia, Brazil, Canada, the member countries of the European Union, Japan, Mexico, and South Korea; (iv) on or after 12:01 a.m. eastern daylight time on June 1, 2022, these rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported derivative aluminum articles or steel articles, shall apply to imports of derivative aluminum articles described in Annex

I to this proclamation from all countries except Argentina, Australia, Canada, the member countries of the European Union, Mexico, and the UK, and to imports of derivative steel articles described in Annex II to this proclamation from all countries except Argentina, Australia, Brazil, Canada, the member countries of the European Union, Japan, Mexico, South Korea, and the UK, and except from Ukraine through 11:59 p.m. eastern daylight time on June 1, 2023; (v) on or after 12:01 a.m. eastern standard time on March 10, 2023, these rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported derivative aluminum articles or steel articles, shall apply to imports of derivative aluminum articles described in Annex I to this proclamation from all countries except Argentina, Australia, Canada, the member countries of the European Union, Mexico, the UK, and Russia, and to imports of derivative steel articles described in Annex II to this proclamation from all countries except Argentina, Australia, Brazil, Canada, the member countries of the European Union, Japan, Mexico, South Korea, and the UK, and except from Ukraine through 11:59 p.m. eastern daylight time on June 1, 2023; and (vi) on or after 12:01 a.m. eastern daylight time on June 1, 2023, these rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported derivative aluminum articles or steel articles, shall apply to imports of derivative aluminum articles described in Annex I to this proclamation from all countries except Argentina, Australia, Canada, the member countries of the European Union, Mexico, the UK, and Russia, and to imports of derivative steel articles described in Annex II to this proclamation from all countries except Argentina, Australia, Brazil, Canada, the member countries of the European Union, Japan, Mexico, South Korea, and the UK, and except from Ukraine through 11:59 p.m. eastern daylight time on June 1, 2024.''

(4) Any imports of steel articles from Ukraine that were admitted into a U.S. foreign trade zone under ''privileged foreign status'' as defined in 19 CFR 146.41, prior to 12:01 a.m. eastern daylight time on June 1, 2022, shall be subject upon entry for consumption made on or after 12:01 a.m. eastern daylight time on June 1, 2022, to the 25 percent rate of duty imposed by Proclamation 9705, as amended; and any imports of steel articles from the member countries of the European Union where the steel used in the manufacture of the steel article is melted and poured in Ukraine that were admitted into a U.S. foreign trade zone under ''privileged foreign status'' as defined in 19 CFR 146.41, prior to 12:01 a.m. eastern daylight time on June 1, 2023, shall be subject upon entry for consumption made on or after 12:01 a.m. eastern daylight time on June 1, 2023, to the 25 percent rate of duty imposed by Proclamation 9705, as amended.

(5) Steel articles from a member country of the European Union where the steel used in the manufacture of the steel article is melted and poured in Ukraine are not eligible for, and shall not count against, the in-quota volume of the tariff-rate quota established in clause 1 of Proclamation 10328 of December 27, 2021 (Adjusting Imports of Steel Into the United States).

(6) Steel articles from Ukraine eligible for treatment under clauses 2 and 3 of this proclamation must be accompanied by a certificate of origin in order to be eligible for duty-free treatment. The Secretary, in consultation with the Secretary of Homeland Security and the United States Trade Representative, is authorized to take such actions as are necessary to ensure

compliance with this requirement. Failure to comply could result in applicable remedies such as the collection of the tariff set forth in clause 2 of Proclamation 9705 and clause 1 of Proclamation 9980, or penalties under United States law.

(7) Any provision of previous proclamations and Executive Orders that is inconsistent with the actions taken in this proclamation is superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Annex

Modifications to Chapter 99 of the Harmonized Tariff Schedule of the United States

Section A. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on June 1, 2023, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States ("HTS") is hereby modified as follows:

1. Subdivision (a) of U.S. note 16 to such subchapter Is modified by revising the final sentence to read: "Unless otherwise provided in this note, iron or steel products covered by subdivision (b) of this note that are the product of Ukraine and, if entered on or after June 1, 2023, are accompanied by a certificate of origin upon entry into the customs territory of the United States, shall be exempt from the duty provided for in heading 9903.80.01 entered for consumption during the period from 12:01 a.m. eastern daylight time on June 1, 2022, through 11:59 p.m. eastern daylight time on June 1, 2024, and iron or steel products covered by subdivision (b) of this note that are the product of a member country of the European Union where the steel used in the manufacture of the steel articles is melted and poured in Ukraine shall be exempt from the duty provided for in heading 9903.80.01 entered for consumption during the period from 12:01 a.m. eastern daylight time on June 1, 2023 through 11:59 p.m. eastern daylight time on June 1, 2024."

2. Subdivision (a)(ii) of such U.S. note 16 is modified by inserting after "therefrom" in the first sentence of such subdivision the phrase ", other than products of Ukraine that are accompanied by certificates of origin (if entered on or after June 1, 2023) and are entered for consumption during the period from 12:01 a.m. eastern daylight time on June 1, 2022, through 11:59 p.m. eastern daylight time on June 1, 2024,'.

3. The following new heading is inserted in numerical sequence in such subchapter III, with the material inserted in the columns entitled "Heading/Subheading", "Article Description", and "Rates of Duty 1 General", respectively:

"9903.81.82	Iron or steel products described in subdivision (b) of note 16 to this subchapter that are melted and poured in Ukraine and are products of the member countries of the European Union enumerated in U.S. note 16(f) to this subchapter.....	Free		
9903.81.83	Iron or steel products described in subdivision (b) of note 16 to this subchapter, when such are products of Ukraine and are not accompanied by certificates of origin.....	The duty provided in the applicable		

	:	: subheading +	:	:
	:	: 25%	:	:
9903.81.84	: Derivative iron or steel products enumerated	:	:	:
	: in note 16(a)(ii) to this subchapter, when such	:	:	:
	: goods are products of Ukraine and are not	:	:	:
	: accompanied by certificates of origin……	: The duty pro-	:	:
	:	: vided in the	:	:
	:	: applicable	:	:
	:	: subheading +	:	:
	:	: 25%”	:	:

Proclamation 10589 of May 31, 2023

Black Music Month, 2023

By the President of the United States of America
A Proclamation

During Black Music Month, we pay homage to legends of American music, who have composed the soundtrack of American life. Their creativity has given rise to distinctly American art forms that influence contemporary music worldwide and sing to the soul of the American experience.

Much of Black music is rooted in African rhythms, coupled with the experience of slavery and struggle in America. Barred from expressing themselves in their native tongues, enslaved people developed a language to articulate their hopes, dreams, sense of loss, and tenacity to overcome the harrowing nature of their lives. They used music to strategically and creatively voice their most deeply held feelings. Today, the creative ways that Black music tells stories of trial and triumph in American life continue to move us all to understand the common struggles of humanity. Spirituals, gospel, the blues, R&B, rock and roll, jazz, pop, rap, hip-hop, and more have molded American culture and given rise to new American art forms emulated around the globe.

Since taking office, my Administration has supported American creators and communities—uplifting more voices, inspiring new generations, and showing the full power of our example as a great Nation. We have invested hundreds of millions of dollars in strengthening the National Endowment for the Arts and the National Endowment for the Humanities while securing over a billion more to help concert halls, theaters, museums, libraries, and other venues recover from the COVID–19 pandemic. I have also had the honor of celebrating legendary Black musicians at the White House who, along with thousands more across the country, have made a lifetime of contributions to this Nation.

This month, we celebrate the songs and artists that challenge us to think critically, stand up to injustice, and believe in ourselves. We recommit to expanding the promise of dignity and opportunity for all Americans. And we revel in the sounds, spirit, and soul of some of the very best music ever created.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2023 as Black Music Month. I call upon public officials, educators, and all the people of the United States to observe this month by honoring Black musicians and raising awareness and appreciation of Black music.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10590 of May 31, 2023

Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Pride Month, 2023

By the President of the United States of America
A Proclamation

In June 1969, a courageous group of Americans rose up to protest the violence and marginalization they faced in what became known as the Stonewall Uprising. Police had raided the Stonewall Inn—a gay bar located in New York City—and for the next six days they clashed with LGBTQI+ protestors, who bravely stood their ground. Their courage sparked a civil rights movement for the liberation of the LGBTQI+ community and changed our Nation forever.

During Pride Month, we honor a movement that has grown stronger, more vibrant, and more inclusive with every passing year. Pride is a celebration of generations of LGBTQI+ people, who have fought bravely to live openly and authentically. And it is a reminder that we still have generational work to do to ensure that everyone enjoys the full promise of equity, dignity, protection, and freedom.

Today, our Nation faces another inflection point. In 2023 alone, State and local legislatures have already introduced over 600 hateful laws targeting the LGBTQI+ community. Books about LGBTQI+ people are being banned from libraries. Transgender youth in over a dozen States have had their medically necessary health care banned. Homophobic and transphobic vitriol spewed online has spilled over into real life, as armed hate groups intimidate people at Pride marches and drag performances, and threaten doctors' offices and children's hospitals that offer care to the LGBTQI+ community. Our hearts are heavy with grief for the loved ones we have lost to anti-LGBTQI+ violence.

Despite these attacks, the LGBTQI+ community remains resilient. LGBTQI+ Americans are defiantly and unapologetically proud. Youth leaders are organizing walkouts at high schools and colleges across the country to protest discriminatory laws. LGBTQI+ young people and their parents are demonstrating unimaginable courage by testifying in State capitols in defense of their basic rights.

They are not alone: My entire Administration stands proudly with the LGBTQI+ community in the enduring struggle for freedom, justice, and equality. And we are making strides. On my first day in office, I signed a historic Executive Order charging the entire Federal Government with protecting LGBTQI+ people from discrimination—from health care to housing, education, employment, banking, and the criminal justice system. Last December, surrounded by dozens of couples who have fought for marriage equality in the courts for decades, I had the great honor of signing into law the landmark Respect for Marriage Act. This bipartisan law protects the rights of same-sex and interracial couples—like caring for one's sick partner and receiving spousal benefits. Deciding who to marry is one of life's most profound decisions, so we etched a simple truth into law: Love is love.

Meanwhile, I have taken unprecedented steps to support LGBTQI+ youth. During Pride Month last year, I signed an Executive Order charging Federal

agencies with combating the dangerous and discredited practice of so-called ''conversion therapy.'' I also directed agencies to help end the crisis of homelessness among LGBTQI+ youth and adults and to address discrimination that LGBTQI+ kids face in foster care. The Department of Justice is combating laws that target transgender children, and the Departments of Education and Health and Human Services have proposed new rules to protect LGBTQI+ Americans from discrimination in health care, at school, and in sports. I also established the White House Task Force to Address Online Harassment and Abuse to develop concrete actions to prevent and respond to online harassment and abuse, which disproportionately target LGBTQI+ people. Additionally, my Administration made it easier for LGBTQI+ youth to access vital mental health support. Now, by calling the 988 Suicide & Crisis Lifeline and dialing the number 3, LGBTQI+ youth can speak to counselors who have been specifically trained to support them.

This country is stronger and more just when America's leaders reflect the full diversity of our Nation, so I have appointed a historic number of highly qualified openly LGBTQI+ judges and public servants at all levels of the Federal Government. Our Armed Forces are most capable when all patriots can serve their country, so I protected the right of transgender people to once again serve openly in the military.

But there is more to do, like passing the bipartisan Equality Act, which would strengthen civil rights protections for LGBTQI+ people and families across America. We must also address the disproportionate levels of homelessness, poverty, and unemployment in the LGBTQI+ community and end the crisis of violence against transgender women and girls of color. We must support LGBTQI+ activists around the globe who are standing up for basic human rights and LGBTQI+ survivors of gender-based violence. And we must end the HIV/AIDS epidemic once and for all. Our collective freedoms are inextricably linked: when one group's dignity and equality are threatened, we all suffer. This month and every month, let us celebrate the pride that powers the movement for LGBTQI+ rights and commit to doing our part to help realize the promise of America, for all Americans.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2023 as Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Pride Month. I call upon the people of the United States to recognize the achievements of the LGBTQI+ community, to celebrate the great diversity of the American people, and to wave their flags of pride high.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10591 of May 31, 2023

National Caribbean-American Heritage Month, 2023

By the President of the United States of America
A Proclamation

During Caribbean-American Heritage Month, we celebrate the achievements and dreams of the millions of people of Caribbean origin now living in the United States while honoring the shared history of joy and perseverance that has united and enriched life across our region for centuries.

There is no single Caribbean American identity. The mix of cultures, languages, and religions alive across the United States and the islands reflects the diversity of spirit that defines the American story. Meanwhile, our countries are bound by common values and a shared history—overcoming the yoke of colonialism, confronting the original sin of slavery, and charting new opportunities across borders and generations.

Since our founding, Caribbean Americans from Alexander Hamilton to Colin Powell have contributed to the United States in the most profound ways. Today, pathbreakers like Supreme Court Justice Sonia Sotomayor continue advancing our work toward a more perfect Union. I am especially proud of the extraordinary leaders of Caribbean heritage now serving in my Administration—from Vice President Kamala Harris to Secretary of Education Miguel Cardona, Secretary of Homeland Security Alejandro Mayorkas, and White House Press Secretary Karine Jean-Pierre. And I take equal pride in the generations of Caribbean Americans who literally built this country—bringing tremendous hope and energy to bear as small business owners, teachers, health care workers, military service members, union organizers, community leaders, and so much more.

For too long, too many have faced systemic barriers to success. As President, I have issued two separate Executive Orders to change that, pushing to advance racial justice across every policy that my Administration pursues. As we have passed historic laws to rebuild our Nation's infrastructure, lower prescription drug costs, create a clean energy economy, and transform American manufacturing to once again lead the world, we have done so with an eye for equity, rebuilding our economy from the middle out and bottom up. As a result, we have created 12.7 million jobs—bringing Black and Latino unemployment to record lows—and we have helped millions to start and grow their own businesses. At the same time, we are using all the tools we have to make our Nation's broken immigration system as orderly, safe, and humane as possible, sending support to the border while expanding lawful pathways for Cubans, Haitians, Nicaraguans, and Venezuelans—among others—to come to the United States without taking the dangerous journey to our southern border. What we really need is for the Congress to finally pass comprehensive immigration reform, including a pathway to citizenship for Dreamers, farm and essential workers, and temporary status holders, many of whom are from the Caribbean. I will not quit pressing the Congress to act.

Beyond our borders, we are working with our Caribbean partners to expand opportunity and keep the region safe so more of our neighbors can build lives at home. We partnered with the Caribbean Community (CARICOM) in

November 2022 to launch the Crime Gun Intelligence Unit and disrupt firearms trafficking in the region. We are also working to improve access to development financing and advance clean energy projects across the Caribbean through the United States-Caribbean Partnership to Address the Climate Crisis 2030.

A central promise of this country is the idea that everyone is created equal and deserves to be treated equally throughout their lives. It is a cornerstone of our common heritage in this hemisphere, even as we keep striving to finally make that vision real. Caribbean-American Heritage Month is a chance to celebrate the rich diversity that covenant has brought us and to renew its promise for future generations of Caribbean Americans and for us all.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2023 as National Caribbean-American Heritage Month. I encourage all Americans to join in celebrating the history, culture, and achievements of Caribbean Americans with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10592 of May 31, 2023

National Homeownership Month, 2023

By the President of the United States of America
A Proclamation

During National Homeownership Month, we recognize the power of owning a home when raising a family, planting roots in a community, building equity, and passing down generational wealth to continue the American Dream for generations to come. We recognize that a place to call home, regardless of owning or renting, is essential to a life of security, dignity, and hope.

That is why my Administration is committed to removing barriers to homeownership. During the COVID–19 pandemic, when mortgage payments became harder to make and rents rose 26 percent nationally, my Administration took action to ensure people could stay in their homes. We extended foreclosure moratoriums for millions of households, provided financial relief for homeowners who had fallen behind on their mortgage payments, delivered nearly 11 million emergency rental assistance payments, developed the first ever national infrastructure to stop eviction, and provided 70,000 emergency housing vouchers. To build on this progress, we recently awarded more than 19,000 new Housing Choice Vouchers—the largest expansion of flexible rental assistance in 20 years.

We are taking additional steps to make housing more affordable. Over the past decades, rising prices have forced people to spend more than 30 percent of their incomes on housing in many places around the country, too often locking Americans out of the prospect of buying a home altogether. In February, the Department of Housing and Urban Development (HUD) made annual mortgage insurance premiums cheaper, saving Americans with Federal Housing Administration (FHA)-insured mortgages an average of $800 per year. The FHA also made it easier for first-time homebuyers to qualify for mortgage financing by allowing underwriters to take into account positive rental history to determine creditworthiness. And HUD is making it easier for Americans to access resources that help with homeownership, foreclosure avoidance and eviction, financial literacy, financial planning, and more.

At the same time, we are hard at work implementing our Housing Supply Action Plan with a goal of addressing and eliminating the root causes of the affordable housing shortfall by 2027. That includes making it easier to build mixed-income housing using Low-Income Housing Tax Credits. We have helped housing projects build multifamily homes by making more affordable financing options available. And with the historic investments through my Bipartisan Infrastructure Law, we are making low-interest loans available to developers and State, local, Tribal, and territorial governments to build new housing close to public transit locations. The law will also connect communities with vital resources like water and high-speed internet that increase home values and a tax base to fund important things like local schools.

Today, across America, there is a historic number of affordable, multifamily units currently under construction. And my Fiscal Year 2024 Budget calls for $175 billion to build on this progress. It would provide down payment assistance to first-time, first-generation homebuyers—helping to make a key part of the American Dream a reality. It would create a new tax credit to directly support building or renovating affordable homes for low- or middle-income buyers. It would also help State and local governments fight restrictive zoning laws and other red tape that stalls new construction and drives up housing prices. Further, my Budget includes provisions to prevent evictions and bring us closer to our goal of reducing homelessness by 25 percent by 2025.

These actions go hand-in-hand with our work to combat racial discrimination in housing, including everything from ending the legacy of redlining to addressing the cruel fact that a home owned by a Black family is too often undervalued compared to the same kind of home owned by a white family. The Fair Housing Act bans discrimination against renters or potential buyers on the basis of race, but studies show that many Americans are still denied equal treatment in the housing market. That is why the Department of Justice and HUD are cracking down on discrimination and why my Administration is taking bold action to root out bias in the appraisal process.

I have often said that the middle class is not just a number—it is a value set. It is about the issues that matter to every American family: a good education; economic opportunity; and access to quality, affordable health care. Having a safe, decent, and affordable place to call home is a key part of that.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2023 as National Homeownership Month. I call upon the people of this Nation to safeguard the American Dream by ensuring that everyone has access to an affordable home in a community of their choice.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10593 of May 31, 2023

National Immigrant Heritage Month, 2023

By the President of the United States of America

A Proclamation

America is more than a place; it is an idea. It is the idea that everyone is created equal and deserves to be treated equally throughout their lives and that everyone should have a fair shot and an equal chance to get ahead. That is what has drawn people to our shores for centuries. It is what makes us who we are. And that very idea of America has been advanced by immigrants from every part of the world—my ancestors and yours. Their dreams built America, and during National Immigrant Heritage Month, we celebrate their courage.

The First Lady and I are proud descendants of immigrants—the Giacoppas, from the northeast corner of Sicily in Italy, and the Finnegans of County Louth and the Blewitts of County Mayo in Ireland. Vice President Harris was born in Oakland, California, to parents who emigrated from India and Jamaica. Like so many who still come here seeking a better future, our parents and great-grandparents could not be sure what life would bring. But they had faith that, for their children and grandchildren, anything would be possible in America. And they were right.

Many families also came to America in search of a better future and the promise of the American Dream, and each wave of newcomers brings energy and new ideas to move our Nation forward. Today, one third of our doctors and nearly three quarters of our farmworkers are immigrants, and so many more are essential workers, first responders, and military service members. Immigrants own approximately one in five businesses, create millions of jobs, pay hundreds of billions in taxes, and spend even more on American goods. Almost half of all Fortune 500 companies were started by immigrants or their kids. Immigrants help strengthen our diplomatic and people-to-people ties around the world. It's simple: immigrants keep our Nation strong and our economy growing.

That truth used to be something most of us agreed on. President Ronald Reagan proudly signed a law giving an opportunity to 2.7 million undocumented people to seek permanent residence. President George W. Bush

pushed hard for comprehensive immigration reform. On day one of my Presidency, I sent the Congress my plan that includes a pathway to citizenship for Dreamers, people with temporary status, farmworkers, and essential workers; smarter border solutions, including more equipment and modern infrastructure; and provisions to clear court backlogs, speed up processing, and protect families. Let us come together again in a bipartisan way to fix our broken immigration system for good.

Until the Congress acts, my Administration will keep using every tool we have to make the system more orderly, safe, and humane. We have announced new pathways for nationals of Cuba, Nicaragua, Venezuela, Haiti, and other countries in the region to come here lawfully. And in May, we joined with partners across the Western Hemisphere to launch a plan to open new centers where people can receive help with applying to come to the United States, rather than making the dangerous trek at the mercy of criminal organizations and smugglers. At home, we have expanded whistleblower protections for undocumented workers so they too can call out wage theft or unsafe working conditions, improving things for everyone. And we have strengthened the Deferred Action for Childhood Arrivals (DACA) program that for more than 10 years has allowed 800,000 Dreamers to live and work freely in the only country they know as home. In addition, we have recently proposed a plan to expand DACA recipients' access to health care through the Affordable Care Act and Medicaid.

Immigration has always been essential to America, and this month, we reflect on the strength and spirit of immigrants that have been passed down through families and infused in our Nation. This spring, I had the chance to travel back to Ireland, to walk the ground my ancestors walked, and to celebrate the bonds that connect us still. Over the years, stories of that place have become part of my soul. I stood beside a cathedral built of bricks that my great-great-great-grandfather supplied. I imagined his son bringing his family across the ocean during the famine of 1850, leaving all they had known for hope on a distant shore. I remembered stories of his son—my great-grandfather—who kept those roots alive in Scranton, helping to found the Irish American Association, chairing the St. Patrick's Day Parade, and passing that pride on to his granddaughter—my mom. It is a pride that speaks to the history and the values that bind us: immigrant values of hard work, dignity, and respect that I have tried to pass on to my own children and grandchildren.

Most Americans have their own version of that same story: ancestors who overcame incredible odds to build new lives in this promised land and contribute to the fabric of our Nation. And we see those same values alive at the White House every time we celebrate our proud immigrant communities, whose holidays and rich cultures give new life to our Nation—including Diwali, the Hindu festival of lights; Eid, the feast ending Ramadan; Greek Independence Day, a celebration of freedom and democracy; and the Lunar New Year, a festivity committing to new beginnings. We see that spirit of hope at every naturalization ceremony, when we celebrate the journey completed by millions of people whose courage and commitment have earned them a title that is equal to that of President in our democracy—the title of ''citizen.'' This month, we honor our ancestors by working to keep the torch of liberty lit and held high.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2023 as National Immigrant Heritage Month. I call upon the people of the United States to learn more about the history of our Nation's diverse and varied immigrant communities and to observe this month with appropriate programming and activities that remind us of the values of diversity, equity, and inclusion.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10594 of May 31, 2023

National Ocean Month, 2023

By the President of the United States of America

A Proclamation

The ocean makes life on Earth possible—feeding us, sustaining livelihoods, and connecting economies across the globe. It bonds us as a source of recreation and rejuvenation for our spirits and links us to our heritage through Indigenous communities who have stewarded our marine habitats since time immemorial. Through its rich ecosystems of diverse plants, animals, and other species, it is also central to our fight against the climate crisis and to creating a cleaner, safer, and healthier future. During National Ocean Month, we recommit to protecting and conserving our precious ocean and to harnessing its power to shape a more sustainable planet.

My Administration is acting with urgency and a seriousness of purpose. Around the globe, the climate crisis today is drastically impacting marine life, coastal communities, and the ocean economy. The past eight years have been the warmest on record—and more than 90 percent of excess heat has been absorbed by the ocean. Rising temperatures force marine life to move away from their usual habitats, straining communities and working families who rely on fisheries for a living and for sustenance. Increasing acidity in our seas, along with nutrient and plastic pollution, endangers species and threatens food supplies. Higher sea levels make storm surges even more dangerous for coastal communities.

But we are not powerless in the face of these challenges—and the ocean can be an effective tool to confront them. That is why my Administration has joined together with State, Tribal, territorial, and local partners to implement the first-ever United States Ocean Climate Action Plan. With billions of dollars from our Bipartisan Infrastructure Law and our Inflation Reduction Act—the most significant climate investment in American history—we are advancing new offshore wind projects with an ambitious goal of deploying 30 gigawatts by 2030, enough to power 10 million homes while also protecting biodiversity. We are modernizing America's infrastructure and electrifying equipment at our ports to decrease the carbon footprint of cargo ships and build cleaner supply chains. And as part of

our strategy to place environmental justice at the center of our ocean climate action, we are supporting communities that have been smothered by a legacy of pollution.

At the same time, we are protecting ecosystems and supporting the communities who rely on them. Together with our international partners, we are cracking down on illegal, unreported, and unregulated fishing. And we are working to strengthen sustainable fisheries, ensuring hardworking Americans can continue to provide for their families and feed our Nation.

As part of my America the Beautiful Initiative—which set a goal of conserving 30 percent of America's lands and waters by 2030—we are also taking steps toward designating new national marine sanctuaries. Toward that aim, I issued a Presidential Memorandum to consider designating more than 700,000 square miles around the Pacific Remote Islands as a new national marine sanctuary. If completed, this area would be among the largest marine protected areas on the planet. And it would honor the traditional practices and ancestral pathways of Pacific Island voyagers. With input from Tribal partners, my Administration also began the designation process for multiple new national marine sanctuaries, including the Hudson Canyon in the Atlantic Ocean and the Chumash Heritage National Marine Sanctuary off the coast of Southern California.

These actions make us safer. Healthy ecosystems like mangroves, seagrasses, and salt marshes take carbon out of the atmosphere while creating natural buffers that help absorb the force of hurricanes, typhoons, and tropical storms before they reach our communities. That is why my Administration is investing more than $500 million to help fortify these and other, nature-based climate solutions and create good-paying jobs for Americans in the process.

It is hard to imagine just how much of the ocean we have yet to discover and what possibilities for the future of human and planetary health, as well as for our economy, lie beneath its surface. This National Ocean Month, let us honor its beauty and bounty with action and commit to protecting and conserving it for generations to come.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2023 as National Ocean Month. I call upon Americans to take action to protect, conserve, and restore our ocean and coasts.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10595 of June 9, 2023

Flag Day and National Flag Week, 2023

By the President of the United States of America
A Proclamation

On Flag Day and during National Flag Week, we celebrate the enduring strength and promise that the stars and stripes on our flag have always embodied as they fly proudly across our country and around the world.

Our flag tells America's story—the story of an ever-evolving Nation. Thirteen colonies joining together and winning independence, forming a great Union of States that has grown bigger and more just across generations—a place where everyone is entitled to certain unalienable rights, among them life, liberty, and the pursuit of happiness. It is an emblem of our strength at home and abroad, synonymous with America as a force for good in the world. It has flown on battlefields since the Revolution and reminded allies and adversaries throughout the last century that the darkness of autocracy is no match for the flame of liberty. It flies over grand celebratory monuments, and it accompanies headstones at sacred places like Arlington National Cemetery, where Jill and I recently paid tribute to the hundreds of thousands of brave Americans who made the ultimate sacrifice for our freedom and future, giving their lives so our Nation might live. We honor their unbending sense of duty and courage and remember their faith that we would be worthy of their sacrifice.

Old Glory stands for hope, pride, and progress. It is stamped on our exports, hung from booming factories, and painted on spacecraft that travel high above our skies—a symbol of the American spirit that keeps innovating, building, and breaking boundaries. It waves for justice and equality. It adorns courtrooms and classrooms. And it presides over free and fair elections at polling places across the Nation, reinforcing the promise of our democracy.

Our flag embodies the very soul of America—a soul that has endured because of sacrifices made by generations of Americans, whose mission we must keep alive to ensure democracy endures. The Stars and Stripes belongs to all Americans and reminds us that much more unites us than divides us. It flies proudly in small town squares, on downtown skyscrapers, in high school gyms, in our biggest sports stadiums, and on our military bases. Wherever our flag is, it stands for freedom, justice, and opportunity; it is a beacon of democracy and the fundamental American promise that everyone is created equal and united in pursuit of a more perfect Union.

To commemorate the adoption of our flag in 1777, the Congress, by joint resolution approved on August 3, 1949, as amended (63 Stat. 492), designated June 14 of each year as ''Flag Day'' and requested the President issue an annual proclamation calling for its observance and for the display of the flag of the United States on all Federal Government buildings. The Congress also requested, by joint resolution approved June 9, 1966, as amended (80 Stat. 194), that the President issue annually a proclamation designating the week in which June 14 occurs as ''National Flag Week'' and calling upon all citizens of the United States to display the flag during that week.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim June 14, 2023, as Flag Day, and the week starting June 11, 2023, as National Flag Week. I direct the appropriate officials to display the flag on all Federal Government buildings during this week, and I urge all Americans to observe Flag Day and National Flag Week by displaying the flag and honoring all of our brave service members and revering those who gave their last full measure of devotion defending our freedoms. I encourage the people of the United States to observe with pride and all due ceremony those days from Flag Day through Independence Day, set aside by the Congress (89 Stat. 211), as a time to honor the American spirit, to celebrate our history and the foundational values we strive to uphold, and to publicly recite the Pledge of Allegiance to the Flag of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of June, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10596 of June 14, 2023

World Elder Abuse Awareness Day, 2023

By the President of the United States of America

A Proclamation

Around the world, a silent epidemic of elder abuse is denying seniors the ability to age with dignity, security, and grace. No nation is immune. In America, 1 in 10 people over the age of 60 has experienced some form of elder abuse, with cases still widely underreported. On World Elder Abuse Awareness Day, we highlight the signs of this crisis, lift up the voices of survivors, and strive to improve resources for those on a path to healing.

Fighting elder abuse begins with bringing it out of the shadows and raising awareness about its many forms. While some victims show injuries from physical or sexual violence, others experience psychological abuse, neglect, and financial exploitation, which may be more difficult to detect. These offenses can happen anywhere—at home with family or friends, at work among colleagues, online, and in other public and private places. Wherever it occurs, it is antithetical to the basic American belief that every human being, regardless of age, deserves to be treated with dignity and respect.

To date, my Administration has invested over $430 million to strengthen Adult Protective Services across our country, improving their ability to investigate reports of elder abuse; support survivors with emergency needs like food, shelter, or law enforcement protection; and help provide medical and mental health treatment, legal and financial assistance, and more. My 2024 Budget calls for an additional $43 million beyond our current spending level to support these vital programs.

Last year, I reauthorized and strengthened the Violence Against Women Act, which includes dedicated funding for service providers, law enforcement, and prosecutors responding to domestic and sexual violence experienced by older adults. And because America's seniors saw over $3 billion siphoned from their pockets by fraudsters and scammers last year, the Federal Trade Commission, the Federal Communications Commission, the Consumer Financial Protection Bureau, and other regulatory agencies have been laser-focused on identifying, preventing, and, where appropriate, taking enforcement action against loan scams, mortgage scams, romance scams, price gouging, and identity theft. Every American—especially seniors who have worked their whole lives for what they have—deserves the peace of knowing that they are protected from exploitation and that help is close at hand should emergencies arise.

But the security of elderly people involves more than protecting them against malicious schemes. My Administration is also working to improve the quality of care that older Americans receive at home and in other residential settings. Long-term care costs for the elderly and people with disabilities are up 40 percent over the last decade, and too many care workers are underpaid and undervalued. In fact, too many are leaving the profession altogether. That is why, in addition to implementing a National Strategy to Support Family Caregivers, I signed an Executive Order on Increasing Access to High-Quality Care and Supporting Caregivers. It will make long-term care more accessible and affordable for families; support family caregivers shouldering immense responsibility; and improve job quality for home care workers and staff at nursing homes, which in turn bolsters the workforce. I continue calling on the Congress to pass laws that improve the safety and quality of care in nursing homes. My new Budget would also invest $150 billion over the next decade to improve and expand Medicaid home- and community-based services—making it easier for seniors and people with disabilities to receive quality care in their own homes.

The same principles guiding my Administration's work to protect and support the elderly at home also motivate our partnerships abroad. United States local law enforcement agencies, through Department of State programs, are training foreign counterparts to help them investigate crimes against the elderly and provide assistance to victims. Through the first-ever Strategy on Global Women's Economic Security, we are also working to improve conditions and opportunities for caregivers around the world, many of whom are older women or support aging adults. Our Strategy to Prevent and Respond to Gender-based Violence Globally is meanwhile focused on fighting elder abuse as a form of gender-based violence, recognizing that gender-based violence affects people of all ages, including older adults.

Today, let us pledge to protect seniors who deserve to be treated with dignity and respect not only because of a lifetime of contribution but because of their overriding humanity. It is fundamental that we shape a world that values seniors' wisdom, celebrates their achievements, and treats their lives and rights as sacred, and it is within our reach to make it a reality.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 15, 2023, as World Elder Abuse Awareness Day. I encourage all Americans to be diligent, work together to strengthen existing partnerships, and develop new opportunities

to improve our Nation's prevention and response to elder abuse, neglect, and exploitation.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of June, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10597 of June 16, 2023

Father's Day, 2023

By the President of the United States of America
A Proclamation

On Father's Day, we celebrate the dads, stepdads, grandfathers, and father figures in our lives, who shape who we are and set an example for the kind of people we aspire to be. They sacrifice so we can succeed, they mentor us so we can reach our potential, and they believe in us so we can learn to believe in ourselves. Across America, fathers work tirelessly every day to build a better future for their families, devoting their lives to ensuring that their children are safe, supported, and empowered to pursue their dreams. Today, we honor these men who have showered us with guidance, encouragement, and unconditional love.

Fathers are critical to raising the next generation and to teaching their daughters and sons about the values that matter most. They demonstrate responsible fatherhood and foster healthy perspectives on masculinity. Along the way, dads help their children navigate life's most difficult challenges, nurture their confidence and character, and give them the tools to develop a moral compass.

My dad, Joseph Robinette Biden Sr., taught me values early in life that continue to inspire me today. I can still hear his voice at the dinner table explaining that everyone deserves to be treated with dignity and respect. I remember him saying that the measure of a person is not how many times or how hard we get knocked down but how fast we get back up. And he taught me that, above all, family is the beginning, middle, and end—a lesson I have passed down to my children and grandchildren.

My father also used to say that a job is about a lot more than just a paycheck—it's about dignity, pride, a sense of self-worth, and your ability to look your child in the eye and tell them everything will be okay. That idea is at the heart of my commitment to building our economy from the bottom up and the middle out, with millions of good-paying jobs in manufacturing, construction, clean energy, and more. It has also guided our work to cut the cost of lifesaving prescription drugs and slash health insurance premiums, so no parent has to lie awake at night wondering how they can afford to pay their monthly bills and provide for their children. And as I said in my 2023 State of the Union Address, we will ensure that we protect Social Security and Medicare so that our fathers and grandfathers can age with dignity.

But we still have much more work to do, such as delivering affordable child care, paid family leave, and improved home care for seniors. I am confident that our Nation can come together to build a brighter future for all of our families.

As we honor the fathers and father figures in our lives, we also know this day falls hard on children without their fathers and fathers without their children. It is hard seeing that empty chair at the kitchen table; experiencing birthdays, anniversaries, and holidays without them; and remembering everyday things—the small things, the details that matter the most. We keep in our prayers all those who mark today with a hole in their heart, missing a father figure they love—whether by accident, illness, or another cruel twist of fate. And as we pray, we remember that no matter where they are, our dads' love for us and our love for them is a gift that never goes away. It will always be with us.

Today, as we express our gratitude for the men who have enriched our lives, let us remember that family is life's greatest blessing and responsibility; that we owe it to ourselves and our loved ones to make the most of our precious time together; and that our Nation would not be where it is today without our beloved fathers and father figures.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, in accordance with a joint resolution of the Congress approved April 24, 1972, as amended (36 U.S.C. 109), do hereby proclaim June 18, 2023, as Father's Day. I direct the appropriate officials of the Government to display the flag of the United States on all Government buildings on this day. Let us honor our fathers, living and deceased, and show them the love and gratitude they deserve.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of June, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10598 of June 16, 2023

Juneteenth Day of Observance, 2023

By the President of the United States of America

A Proclamation

One of my proudest actions as President has been signing the bipartisan law establishing Juneteenth as the first new Federal holiday since the Dr. Martin Luther King, Jr. holiday nearly four decades ago. On this Juneteenth Day of Observance, we commemorate America's dedication to the cause of freedom.

On June 19, 1865—months after the Civil War ended and more than 2 years after President Lincoln signed the Emancipation Proclamation freeing enslaved people—Union troops arrived in Galveston, Texas, to free 250,000 people still held in bondage. The arrival of Major General Gordon Granger

and his troops signaled that the Federal Government would not relent until the last enslaved people in America were free.

On Juneteenth, we commemorate that day and honor the tireless work of abolitionists who made it their mission to deliver the promise of America for all Americans. We honor the generations of activists who have advanced the need for our Nation to recognize Juneteenth as a way to reconcile our past as we build a new American future together—advocates like former State Representative Al Edwards, who authored the bill that made Texas the first state to designate Juneteenth a holiday, and Ms. Opal Lee, known as the grandmother of Juneteenth, who joined me at the bill signing that finally made it a Federal holiday.

Importantly, making Juneteenth a Federal holiday was only one part of my Administration's efforts to advance racial equity and ensure that America lives up to its highest ideals. With the expansion of the Child Tax Credit under the American Rescue Plan, we cut Black child poverty by half. From historic laws in my Investing in America agenda—in infrastructure, advanced manufacturing and clean energy, and lower prescription drug costs—to historic investments in Historically Black Colleges and Universities, our Nation is in the midst of rebuilding an economy from the middle out and the bottom up, instead of the top down. As a result, Black unemployment has been at a historic low and we are increasing access to affordable homeownership for Black Americans and combating bias in the home appraisal process. We are building a Federal bench that looks like America, with more Black women confirmed as circuit court judges than every other Presidency combined. I have taken action on marijuana reform by pardoning prior District of Columbia and Federal simple marijuana possession offenses and directed a review of marijuana scheduling. With the support of families, civil rights leaders, and law enforcement, I signed a historic Executive Order on police reform at the Federal level. And we passed the most significant gun safety law in nearly 30 years. My Administration's student debt relief plan that would provide $10,000 in relief for eligible borrowers and $20,000 in relief for borrowers who received Pell Grants is a critical step forward—among Black undergraduate borrowers, 70 percent received a Pell Grant. And in this Administration, we make it clear that history matters. Black history and Black stories will not be erased, denied, or banned from our Nation's conscience no matter how hard people may try.

But we know there is more to do. As we observe Juneteenth, we remind ourselves of the sacred proposition rooted in Scripture and enshrined in our Declaration of Independence: that we are all created equal in the image of God and each of us deserves to be treated equally throughout our lives. That is the promise of America that every generation is charged to keep alive. While the opposition may seem fierce and the fire of conflict may be intense, the story of Juneteenth reveals that freedom, justice, and equality will always prevail.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 19, 2023, as Juneteenth Day of Observance. I call upon the people of the United States to acknowledge and condemn the history of slavery in our Nation and recognize how the impact of America's original sin remains. I call on every American to celebrate Juneteenth and recommit to working together to

eradicate systemic racism and inequity in our society wherever they find it.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of June, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-seventh.

JOSEPH R. BIDEN, JR.

Proclamation 10599 of July 14, 2023

Captive Nations Week, 2023

By the President of the United States of America

A Proclamation

During Captive Nations Week, we reaffirm our support for brave people around the world who are standing up to oppressive rule and striving for greater freedom, greater dignity, and greater democracy.

When President Dwight D. Eisenhower proclaimed the first Captive Nations Week in 1959, he appealed directly to the hundreds of millions living behind the Iron Curtain—firm in the knowledge that authoritarianism could never erase a people's love of liberty. Over the coming decades, courageous women and men joined together to demand their fundamental freedoms and human rights. But the battle against oppression did not end with the Cold War. The forces of autocracy continue to reassert themselves. In Iran, Belarus, Syria, Cuba, Venezuela, Nicaragua, the Democratic People's Republic of Korea, the People's Republic of China, and elsewhere, we are seeing an all too familiar contempt for the rule of law, for democracy, for human rights, and even for the truth itself.

This is all too evident in Russia's brutal aggression against its neighbor Ukraine and in the Ukrainian people's courageous defense of their sovereignty, freedom, land, and lives. And around the world, countless more are working every day in their own countries to advance the essential democratic principles that unite free people everywhere: the rule of law; free and fair elections; the freedom of the press; the freedom to speak, write, and assemble; and the freedom to worship as one chooses. These advocates and champions of democracy are living proof that the darkness that drives autocracy can never extinguish the flame of liberty that lights the souls of free people everywhere.

The United States is proud to stand with all those who fight for freedom. We will continue supporting democratic reformers and human rights defenders around the world, who are working for a future where women and girls can exercise their rights equally and contribute fully to society, where members of religious and ethnic minorities can live their lives without harassment, where LGBTQI+ people can live and love freely, and where citizens and the press can question and criticize their leaders without fear of reprisal.

Two years ago, at the first Summit for Democracy, I was proud to launch the Presidential Initiative for Democratic Renewal, with more than $400

million in initiatives to defend and grow democratic resilience with partners around the globe. This year, at our second Summit, I committed another $690 million to keep growing our work to advance democracy internationally. Democracy—transparent and accountable government of, for, and by the people—is our most powerful tool to realize lasting peace, expand prosperity, and protect human dignity.

The United States will continue to lead not just by the example of our power but the power of our example. That is why, since my first day in office, my Administration has also taken decisive action to restore and strengthen democracy here at home. I issued an Executive Order promoting access to voter registration and election information, and I signed into law the Electoral Count Reform Act, which helps preserve the will of the people against future attempts to overturn our elections. The Department of Justice has strengthened its ability to fight unlawful voter suppression. And I continue to call on the Congress to pass the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act.

During this Captive Nations Week, as we honor the bravery of democratic reformers and human rights defenders everywhere, I am reminded of the words of the philosopher Kierkegaard: ''Faith sees best in the dark.'' To those living in darkness today: We honor your resilience. To those who are committed to the cause of liberty: We are your partner for a better future.

The Congress, by joint resolution approved July 17, 1959 (73 Stat. 212), has authorized and requested the President to issue a proclamation designating the third week of July of each year as ''Captive Nations Week.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim July 16 through July 22, 2023, as Captive Nations Week. I call upon all Americans to reaffirm our commitment to championing those around the world who are working, often at great personal risk, to secure liberty and justice for all.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of July, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10600 of July 14, 2023

National Atomic Veterans Day, 2023

By the President of the United States of America
A Proclamation

The dawn of the nuclear age is familiar to many—the development of new science, but also new risks and destruction, as witnessed by the devastation at Hiroshima and Nagasaki. But the lesser-known story is that of the members of our Armed Forces who participated in nuclear tests from 1945 to 1962 or were exposed to radioactive material at home and abroad—our courageous Atomic Veterans.

Today, we remember their service and sacrifice and recommit to ensuring they receive the benefits and care they deserve. Atomic Veterans bore unusual risk but were sworn to secrecy throughout their service and beyond, unable to discuss the nature of their experiences and contributions. As a result, many were unable to get care for the serious health conditions they developed. Cancers caused by radiation exposure often went untreated as claims for injuries and diseases associated with Atomic Veterans' service were denied. And although the 1996 repeal of the Nuclear Radiation and Secrecy Agreements Act allowed Atomic Veterans to finally tell their story and receive benefits, thousands had already passed away without their families knowing the full extent of their service. To this day, many remain unaware of the benefits now available to them through the Department of Veterans Affairs.

Our Nation has many obligations, but we have only one truly sacred obligation: to prepare those we send into harm's way and care for them and their families while they are deployed and when they return home—including our Atomic Veterans. My Administration is making good on this promise. I have signed laws that support veterans who developed cancer and other medical conditions stemming from our World War II nuclear program. That includes the PACT Act—one of the most significant laws in our Nation's history to help veterans who were exposed to toxins, radiation, and chemicals during their service access the care and benefits they and their families deserve.

This month, let us join together to remember the service of our Atomic Veterans. Let us recommit to honoring the sacrifices they made for our Nation's safety and security. And let us continue to build a future of peace and a world free from the threat of nuclear weapons.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 16, 2023, as National Atomic Veterans Day. I call upon all Americans to observe this day with appropriate ceremonies and activities that honor our Nation's Atomic Veterans, whose brave service and sacrifice played an important role in the defense of our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of July, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10601 of July 21, 2023

Made in America Week, 2023

By the President of the United States of America
A Proclamation

American workers are the best in the world; and today, with a historic Investing in America agenda, we are proving that the phrase ''Made in America'' is not just a slogan—it is a reality. During Made in America Week, we

celebrate the workers, unions, and innovators who power our Nation's prosperity and make it possible for America to once again lead the world in manufacturing.

American manufacturing has long been the backbone of our economy. But for decades, companies moved jobs and production overseas, hollowing out the middle class, rewarding wealth instead of work, leaving our supply chains vulnerable, and robbing countless communities of a sense of pride and self-worth. I ran for President to change that—and thanks to the historic legislation that we have passed in these last 2 years, it is happening. Those laws form the foundation of our Investing in America agenda, which has already attracted hundreds of billions of dollars in private investment and created nearly 800,000 new manufacturing jobs in everything from semiconductors and electric car batteries to clean energy technology and more.

Our Bipartisan Infrastructure Law makes a once-in-a-generation investment in rebuilding America's roads, bridges, railways, ports, airports, and water systems, using American-made iron, steel, manufactured products, and construction materials. And because this bill included provisions like $7.5 billion to build a national network of 500,000 electric vehicle charging stations with American-made equipment, we have seen a boom in manufacturing and private investment here at home. Our historic CHIPS and Science Act brings semiconductor manufacturing home, protecting national security and boosting our supply of those tiny computer chips that power everything from cell phones and computers to washing machines. Our Inflation Reduction Act, meanwhile, makes our biggest investment in fighting the climate crisis in history, with tax credits to boost demand for American-made clean energy technology. We are expanding Registered Apprenticeship and pre-apprenticeship programs, training the next generation of American workers to lead the world in these new industries throughout the 21st century. Last month, we launched www.Invest.gov, an interactive website showing the historic public and private investments that these laws are bringing to States and territories across the country so Americans everywhere can see ''Made in America'' progress in their own communities and feel new hope and pride reborn.

At the same time, we are using the purchasing power of the Federal Government—the largest buyer of consumer goods in the world—to directly boost demand for American-made products. During my first week as President, I signed an Executive Order directing agencies to tighten Buy America and Buy American policies, close loopholes, increase coordination, and ensure transparency. We also enacted the biggest change to the Buy American Act in nearly 70 years, now requiring a record 60 percent of the value of products' components to be American-made, which will reach 75 percent by 2029. We are also using a federally funded national network—the Manufacturing Extension Partnership—to increase the capabilities of small- and medium-sized domestic manufacturers so that they win more Federal contracts. And to help all American businesses find these opportunities, we launched www.MadeinAmerica.gov.

These historic actions are making sure American workers make American goods on American soil—a key part of my Administration's mission to rebuild our economy from the middle out and bottom up, not the top down. America has always been a can-do country full of possibilities, and together

we will keep working to make our economy the most competitive and innovative in the world, while leaving no one behind. This week, we can all feel new pride in those three powerful words—Made in America.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 23 through July 29, 2023, as Made in America Week. I call upon all Americans to observe this week by celebrating Made in America and supporting American workers and domestic businesses that are the backbone of building a future here in America.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of July, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10602 of July 25, 2023

Establishment of the Emmett Till and Mamie Till-Mobley National Monument

By the President of the United States of America

A Proclamation

The brutal lynching of Emmett Till in Mississippi in 1955 and the subsequent courage of his mother, Mamie Till-Mobley, to ensure his death would not be in vain helped bring broad national attention to the injustices and inequality that Black people experienced during the Jim Crow era across the United States and, in particular, the South. The story—one that is shaped by the fight for civil rights and the historic movement called the Great Migration, during which millions of Black people moved out of the South—is rooted in the specific places where Emmett Till lived and traveled in his too-short life: Chicago, where Mamie Till-Mobley came with her family for better opportunities and then mourned her son at the Roberts Temple Church of God in Christ; and the Mississippi Delta, where Emmett Till was murdered in an act of racial violence while visiting relatives, where the recovery of his body is memorialized at Graball Landing, and where his assailants were wrongfully acquitted at the Tallahatchie County Second District Courthouse. These places contain historic objects that illuminate the complicated fabric of our Nation and the injustice and inequality that Black people continue to experience today. They are places where we can learn about and reflect on the specific, painful events that ended Emmett Till's life and the larger history of Black oppression, resistance, and resilience, which ultimately culminated in a movement that bent our Nation's laws toward justice.

The Roberts Temple Church of God in Christ, the Tallahatchie County Second District Courthouse, Graball Landing, and the objects located at those sites have historic importance that arises from the roles that Emmett Till and Mamie Till-Mobley played in the birth and early evolution of the Civil Rights Movement. Mamie Till-Mobley was born Mamie Elizabeth Carthan

near Webb, Mississippi, in 1921. When Mamie was 2 years old, her family moved to the suburb of Summit on the southwest side of Chicago, Illinois, where her father found work at the Argo Corn Products Refining Company.

The Carthan family was one of many Black families who left rural southern States and moved to urban industrial centers in northern, midwestern, and western States to escape racial violence and to pursue greater economic and educational opportunities.

On July 25, 1941, Mamie gave birth to Emmett Louis Till at Cook County Hospital in Chicago. She raised Emmett among his grandparents and extended family who lived nearby.

In August 1955, when Emmett was 14 years old and on summer break from school, he convinced his mother to let him visit their extended family who lived in the Mississippi Delta. Along with his granduncle Moses Wright and 16-year-old cousin Wheeler Parker, Jr., Emmett boarded Illinois Central's *City of New Orleans* train for the nearly 12-hour ride to Mississippi. Moses Wright's oldest son, 16-year-old Maurice, met the trio at the station in Grenada, Mississippi, and they made the last 30 miles of the journey in the family's pickup truck to stay at the Wrights' home outside rural Money, Mississippi.

On the evening of Wednesday, August 24, 1955, Emmett joined his cousins—Maurice Wright, Wheeler Parker, Jr., and 12-year-old Simeon Wright—and several of their friends to buy candy at Bryant's Grocery and Meat Market country store in Money.

Carolyn Bryant, the white store clerk, claimed Emmett made inappropriate advances toward her—a claim disputed by Emmett's cousins and friends. According to Till's cousin Wheeler Parker, Jr., 14-year-old Emmett whistled at Bryant outside the store, which violated the unwritten laws of segregated society in the Mississippi Delta. The group quickly loaded back into their vehicle and fled.

At about 2:00 a.m. on Sunday, August 28, 1955, the Wright family was awakened by two armed white men, identified by Moses Wright as store owner Roy Bryant, husband of Carolyn Bryant, and his half-brother, J.W. Milam. Moses Wright testified that the two men were armed with a gun and a flashlight and were looking for the ''boy that done the talking down at Money.'' The two white men directed Emmett Till to get dressed, abducted him from the Wright home, and drove away with him. Moses Wright notified the county sheriff. Within 48 hours after the abduction, J.W. Milam and Roy Bryant were arrested on kidnapping charges, and the news of Emmett Till's abduction began to hit newspapers locally and in Chicago.

On Wednesday, August 31, 1955, Emmett Till's body was pulled from the Tallahatchie River near Graball Landing in Tallahatchie County. Moses Wright confirmed that the badly beaten body was that of his grandnephew, Emmett Till.

Emmett Till suffered a brutal murder. His body was found with barbed wire tied around his neck and attached to a 70-pound cotton gin fan. A 2005 autopsy, prompted by the reopening of the investigation by the Federal Bureau of Investigation, revealed fractures of both of Emmett's wrists, a fracture of his left femur, multiple fractures of his skull, and a gunshot wound to the head.

Almost immediately after Emmett's badly beaten body was recovered, the county sheriff directed that he be buried quickly. His body was prepared at the Tutwiler Funeral Home and a grave was being dug at the local Church of God in Christ cemetery in Money when Mamie Till-Mobley contacted her Mississippi family, interrupting the burial process and insisting that her son's body be returned to Chicago.

Mamie Till-Mobley met her son's body at the train station in Chicago and confirmed his identity. Defying orders from the Tutwiler Funeral Home to keep the casket sealed, Mamie Till-Mobley decided to hold an open-casket funeral. When the funeral director asked if he should retouch Emmett's distorted face to make him more presentable, Mamie Till-Mobley responded, ''Let the world see what I've seen.''

The funeral service for Emmett Till began Saturday, September 3, 1955, at the Roberts Temple Church of God in Christ in Bronzeville, a historically Black neighborhood on Chicago's South Side. The church was the first that Mamie Till-Mobley's mother attended when she moved to Chicago, and it formed a central part of the family's life and community. Roberts Temple played a prominent role in Chicago's Black community: it was considered the ''Mother Church'' in Northern Illinois for the influential Church of God in Christ denomination and served as a hub for social, spiritual, and economic activities. The church grew considerably during the Great Migration.

When Mamie Till-Mobley arrived at the funeral service, the church's 1,800 seats were overflowing, and an estimated 5,000 additional mourners gathered along the adjacent sidewalks, streets, church property, and surrounding blocks. Due to the overwhelming turnout, Mamie delayed Emmett's burial to allow more time for mourners to pay their respects. Press estimates of the crowd ranged from 10,000 on the first day to as many as 125,000 people over the 3 days before Emmett's burial on Tuesday, September 6, 1955. Today, the Roberts Temple Church of God in Christ still stands as a prominent feature on State Street, as it did in 1955.

The trial for the murder of Emmett Till began just weeks after his lynching, on September 19, 1955, at the Tallahatchie County Second District Courthouse in Sumner, Mississippi. Between 50 and 70 reporters attended, representing southern newspapers such as the Greenville *Delta Democrat-Times* and the Charleston *Mississippi Sun*, as well as national media including the *New York Times*, *Newsweek*, and the *Nation*. The segregated courtroom, which has been painstakingly restored to its appearance during the trial, required Black reporters to sit behind a railing and at a table separate from white reporters. Photos from the period show a packed courtroom with a crowd gathering outside open windows to hear the trial. The *New York Times* described ''an atmosphere of controlled hostility'' in the stifling heat of the 250-person courtroom. One night during the trial, a cross was burned in front of the hotel where the jurors were sequestered.

Throughout the trial, the town of Mound Bayou, located more than 30 miles and 2 counties away from the courthouse, served as a safe haven for Mamie Till-Mobley, Black reporters, and members of the NAACP who arrived in Mississippi. The State of Mississippi was segregated, including Mound Bayou, which was an all-Black town founded in 1887 by and for Black people. Hosting Mamie Till-Mobley and the NAACP at his home in

Mound Bayou, Dr. T.R.M. Howard provided tight security with a checkpoint and round-the-clock guards to protect the trial attendees. On September 23, 1955, after a 5-day trial, an all-white jury acquitted Roy Bryant and J.W. Milam of Emmett Till's murder after just over an hour of deliberation.

In January 1956, following their acquittal, Bryant and Milam gave a paid interview to *Look* magazine in which they confessed to the murder, further underscoring the miscarriage of justice. Eyewitness accounts that additional people were involved in the kidnapping, torture, and murder of Emmett Till were omitted from the magazine article and never pursued by officials.

The Graball Landing river site, located just outside Glendora, Mississippi, is the area along the Tallahatchie River where many believe Emmett Till's body was recovered, although changes in river flows and erosion since 1955 make it difficult to determine the site with precision. Located where the Black Bayou meets the Tallahatchie River, Graball Landing is a natural break in the vegetation along the riverbank that served as a steamboat landing until 1894 and thereafter as a local fishing site. In the years that followed Emmett Till's murder, Graball Landing became the site of a community-led memorial. In 2008, the Emmett Till Memorial Commission erected a memorial sign at Graball Landing. Within 6 months, the sign was torn down by vandals and thrown into the river. When a replacement memorial sign was erected, it was not long until the sign was riddled with bullet holes. A third memorial sign was dedicated in 2018, and about a month later, it too was scarred by gunfire. The current memorial sign at Graball Landing was dedicated on October 19, 2019—it is over an inch thick, weighs more than 500 pounds, and is bulletproof.

Emmett Till's torture and killing was one of at least three other racially motivated murders in Mississippi during the summer of 1955. Emmett was also among the thousands of Black people killed by lynching in the United States over the 100 years following the Civil War. If Emmett Till had been buried in Mississippi, his story might have been entombed along with him. His mother's acts of resistance and bravery in demanding her son's body be returned to Chicago and in holding an open-casket service helped ensure Emmett's death was not a statistic, but a spark to galvanize the Civil Rights Movement in America. Months afterward, in December 1955, Rosa Parks refused to surrender her bus seat to a white man. She later explained, ''I thought of Emmett Till and I couldn't go back.''

The Reverend Dr. Martin Luther King, Jr., too, would cite Emmett Till in his sermons. He later recollected: ''Emmett Till, a mere boy, unqualified to vote, but seemingly used as a victim to terrorize Negro citizens and keep them from the polls. While the blame for the grisly mutilation of Till has been placed upon two cruel men, the ultimate responsibility for this and other tragic events must rest with the American people themselves. It rests with all of us, black and white, who call ourselves civilized men. For democracy demands responsibility, courage, and the will-to-freedom from all men.''

For the remainder of her life, well into her 80s, Mamie Till-Mobley furthered the memory of her son Emmett through her work as an educator and activist, carrying a message of healing, reconciliation, forgiveness, and hope.

Conserving the Roberts Temple Church of God in Christ, the Tallahatchie County Second District Courthouse, and Graball Landing will ensure that the historical value of these sites will remain for the benefit of all Americans, providing opportunities to learn about Emmett Till's life and death and the historical and cultural context interwoven with his story. Conserving these places and the resources they contain will also honor the bravery of Mamie Till-Mobley and other Americans like her who, in the face of unimaginable injustice, have helped lead us toward a more equal and perfect Union.

WHEREAS, section 320301 of title 54, United States Code (the ''Antiquities Act''), authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Federal Government to be national monuments, and to reserve as a part thereof parcels of land, the limits of which shall be confined to the smallest area compatible with the proper care and management of the objects to be protected; and

WHEREAS, Graball Landing has long been recognized as the location where Emmett Till's body was recovered from the Tallahatchie River and, more recently, as a memorial site to inform and educate the public about Emmett Till's murder; and

WHEREAS, the memorial signs placed at Graball Landing to inform the public about Emmett Till's murder have their own important role in civil rights history, including through their repeated defacement and replacement, and thus are themselves significant cultural and historic objects; and

WHEREAS, the Roberts Temple Church of God in Christ marks the location of a historic event when tens of thousands of people came together, overflowing from the church into the surrounding sidewalks and streets, to mourn the murder of a 14-year-old boy and honor the strength of his mother and, in recognition of this, the church was designated as a Chicago Landmark by the City of Chicago Commission on Chicago Landmarks on March 29, 2006; and

WHEREAS, the Tallahatchie County Second District Courthouse is nationally significant based on its association with the history of Jim Crow, the dawn of the Civil Rights Movement, and the site of the Emmett Till murder trial in September 1955; and was designated as a Mississippi Landmark on February 28, 1990, and added to the National Register of Historic Places on March 6, 2007; and

WHEREAS, James Walker Sturdivant has donated to the Federal Government for the purpose of establishing a unit of the National Park System fee interest in approximately 4.31 acres of land in the area known as Graball Landing adjacent to the Tallahatchie River; and

WHEREAS, the Roberts Temple Church of God in Christ, with the support of the National Trust for Historic Preservation, has donated to the Federal Government for the purpose of establishing a unit of the National Park System a Conservation Easement consisting of approximately 0.27 acres over 2 parcels, which includes the historic Roberts Temple Church of God in Christ (Church Building); a Preservation and Use Easement consisting of a lot of approximately 0.09 acres over the property immediately adjacent to the Church Building; and fee interest in approximately 0.55 acres of land

currently used as the church parking lot—all of which encompass land where crowds gathered in September 1955; and

WHEREAS, Tallahatchie County has donated to the National Park Foundation fee interest in the Tallahatchie County Second District Courthouse and the associated Emmett Till Interpretive Center building across the street, totaling approximately 0.48 acres; and

WHEREAS, the National Park Foundation has relinquished and conveyed all of these lands and interests in lands associated with the Tallahatchie County Second District Courthouse and the Emmett Till Interpretive Center building to the Federal Government for the purpose of establishing a unit of the National Park System; and

WHEREAS, the designation of a national monument to be administered by the National Park Service would recognize the historic significance of the Roberts Temple Church of God in Christ, the Tallahatchie County Second District Courthouse, and Graball Landing, particularly the events that transpired at these locations related to the life and death of Emmett Till, his mother Mamie Till-Mobley, and the Civil Rights Movement, and would provide a national platform for preserving and interpreting this important history; and

WHEREAS, it is in the public interest to preserve and protect the objects of historic interest associated with the story of Emmett Till and Mamie Till-Mobley and the birth of the American Civil Rights Movement in Illinois and Mississippi;

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by the authority vested in me by section 320301 of title 54, United States Code, hereby proclaim, set apart, and reserve as the Emmett Till and Mamie Till-Mobley National Monument (monument), the objects identified above and all lands and interests in lands owned or controlled by the Government of the United States within the boundaries described on the accompanying maps entitled ''Emmett Till and Mamie Till-Mobley National Monument Boundary,'' which are attached to and form a part of this proclamation, for the purpose of protecting those objects. The reserved Federal lands and interests in lands within the monument's boundaries encompass approximately 5.7 acres, which is the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws, including withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing. The establishment of this monument is subject to valid existing rights, including the July 21, 2023, deed for parcel 20–03–106–036 in Chicago with reserved rights for parking. Lands and interests in lands within the monument's boundaries not owned or controlled by the United States shall be reserved as part of the monument, and objects identified above that are situated upon those lands and interests in lands shall be part of the monument, upon acquisition of ownership or control by the United States.

The Secretary of the Interior shall manage the monument through the National Park Service, pursuant to applicable legal authorities and consistent

with the purposes and provisions of this proclamation. For the purpose of preserving, interpreting, and enhancing the public understanding and appreciation of the monument, the Secretary of the Interior, through the National Park Service, shall prepare a management plan for the monument. The management plan shall ensure that the monument fulfills the following purposes for the benefit of present and future generations: (1) to preserve the historic and cultural resources within the boundaries of the monument; (2) to interpret the story of Emmett Till and Mamie Till-Mobley and its significance to the fight against racism and the dismantling of Jim Crow; and (3) to commemorate the birth of the Civil Rights Movement. The National Park Service shall develop the management plan in consultation with local communities, organizations, and the general public in the regions of the monument to set forth the desired relationship of the monument to and support for other sites evaluated in the Mississippi Civil Rights Special Resources Study such as the Glendora Cotton Gin (currently known as the Emmett Till Historic Intrepid Center), Mound Bayou, and the Tutwiler Funeral Home, as well as sites in Chicago such as the Emmett Till Boyhood Home.

The National Park Service shall consult with appropriate Federal, State, and local agencies and nongovernmental organizations in planning for interpretation and visitor access and services at the monument.

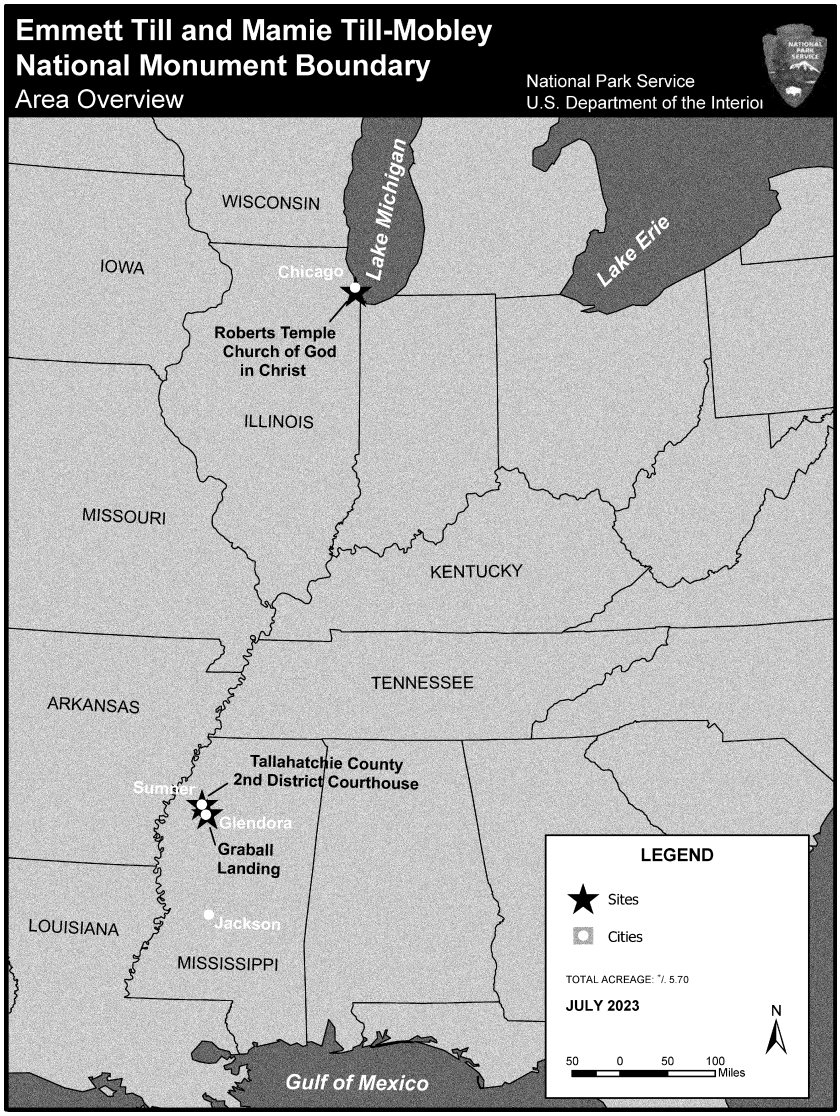
The National Park Service is directed, as appropriate, to use applicable authorities to seek to enter into agreements with other entities to address common interests and promote management efficiencies, including the provision of visitor services, interpretation and education, establishment and care of museum collections, and preservation of historic objects. These entities may include, in Illinois, the Roberts Temple Church of God in Christ, the Bronzeville-Black Metropolis National Heritage Area, and the Emmett Till and Mamie Till-Mobley Institute; and, in Mississippi, the Emmett Till Historic Intrepid Center, the County of Tallahatchie, the Mississippi Delta National Heritage Area, and the Emmett Till Interpretive Center.

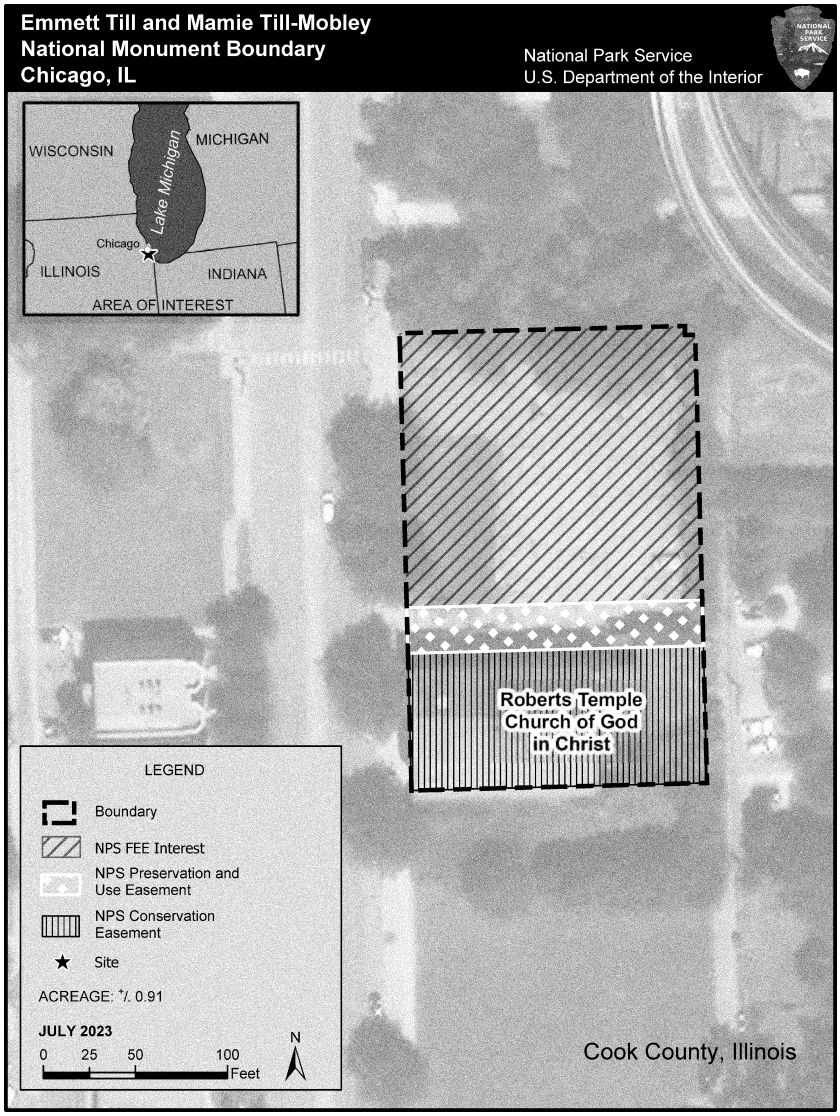
Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

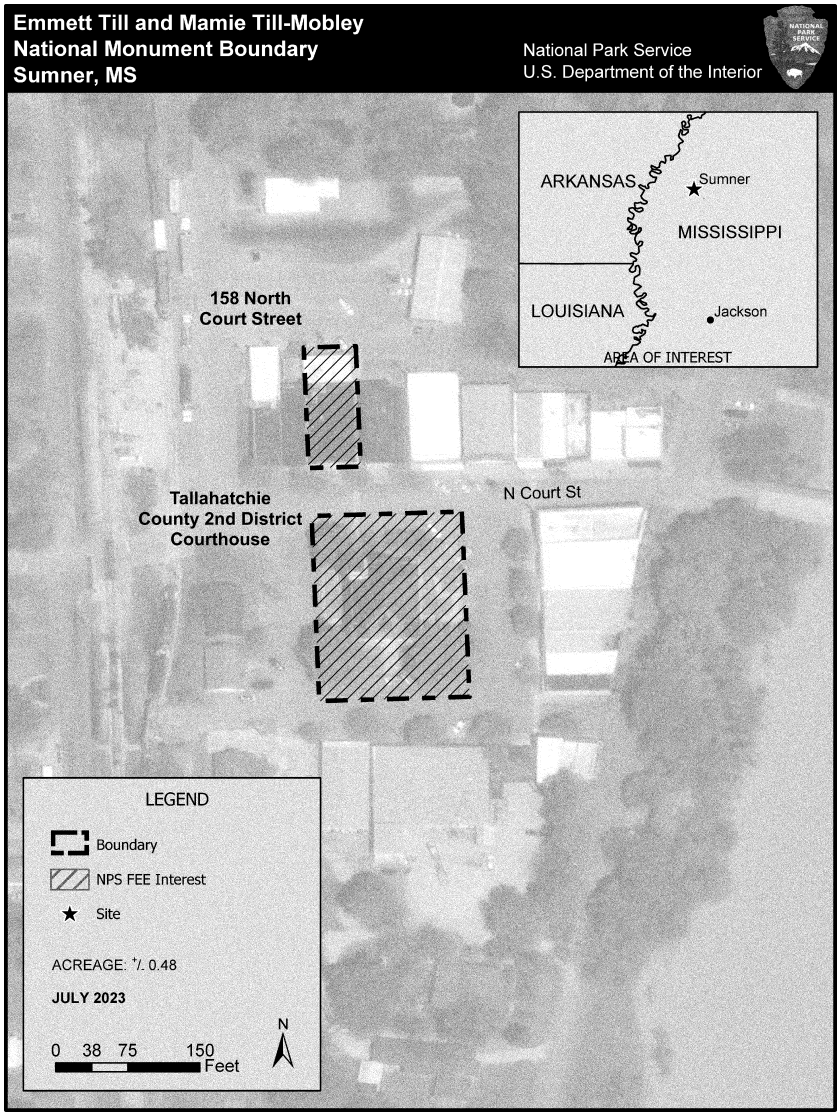
Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

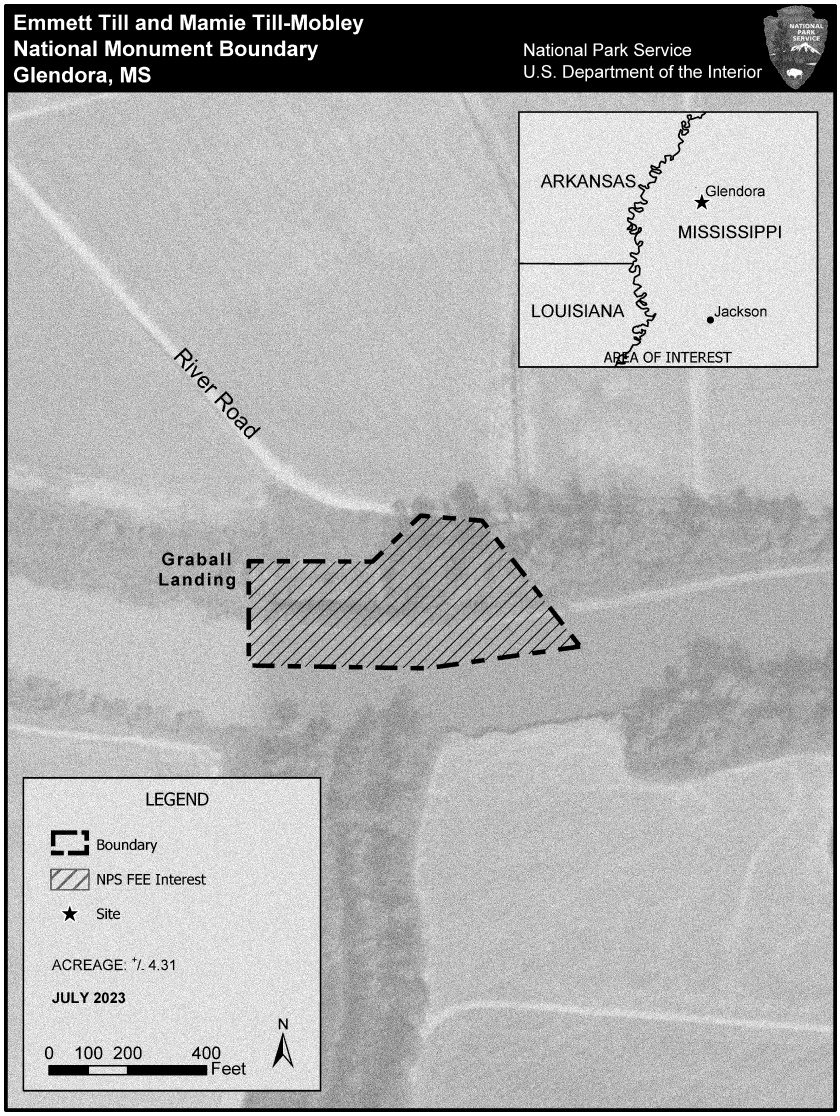
IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of July, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.


Emmett Till and Mamie Till-Mobley
National Monument Boundary
Area Overview
National Park Service
U.S. Department of the Interior
WISCONSIN
IOWA
Chicago
Lake Michigan
Lake Erie
Roberts Temple
Church of God
in Christ
ILLINOIS
MISSOURI
KENTUCKY
TENNESSEE
ARKANSAS
Tallahatchie County
2nd District Courthouse
Sumner
Glendora
Graball
Landing
Jackson
LOUISIANA
MISSISSIPPI
Gulf of Mexico
LEGEND
Sites
Cities
TOTAL ACREAGE: 7/. 5.70
JULY 2023
N
50 0 50 100
Miles


Emmett Till and Mamie Till-Mobley
National Monument Boundary
Chicago, IL
National Park Service
U.S. Department of the Interior
WISCONSIN
MICHIGAN
Lake Michigan
Chicago
ILLINOIS
INDIANA
AREA OF INTEREST
Roberts Temple
Church of God
in Christ
LEGEND
Boundary
NPS FEE Interest
NPS Preservation and
Use Easement
NPS Conservation
Easement
Site
ACREAGE: +/- 0.91
JULY 2023
0 25 50 100
Feet
N
Cook County, Illinois


Emmett Till and Mamie Till-Mobley
National Monument Boundary
Sumner, MS
National Park Service
U.S. Department of the Interior
ARKANSAS
Sumner
MISSISSIPPI
LOUISIANA
Jackson
AREA OF INTEREST
158 North
Court Street
N Court St
Tallahatchie
County 2nd District
Courthouse
LEGEND
Boundary
NPS FEE Interest
Site
ACREAGE: +/- 0.48
JULY 2023
0 38 75 150
Feet
N


Emmett Till and Mamie Till-Mobley
National Monument Boundary
Glendora, MS
National Park Service
U.S. Department of the Interior
ARKANSAS
Glendora
MISSISSIPPI
LOUISIANA
Jackson
AREA OF INTEREST
River Road
Graball
Landing
LEGEND
Boundary
NPS FEE Interest
Site
ACREAGE: +/- 4.31
JULY 2023
N
0 100 200 400
Feet

Proclamation 10603 of July 25, 2023

Anniversary of the Americans with Disabilities Act, 2023

By the President of the United States of America
A Proclamation

Thirty-three years ago, the Congress passed the Americans with Disabilities Act (ADA)—one of the most important civil rights laws in our history. Its tireless champion, Senator Tom Harkin of Iowa, celebrated with a speech on the United States Senate floor in American Sign Language. His remarks were not only a tribute to his brother, who was deaf, but a message to the millions of Americans with disabilities that, in this country, everyone is equal and deserves to be treated with dignity and respect. I was proud to co-sponsor that landmark law back then, and I am proud to celebrate its lasting legacy with a renewed push for opportunity and justice today.

It is hard for younger generations to imagine a world without the ADA, but before it existed, if you were disabled, stores could turn you away and employers could refuse to hire you. Transit was largely inaccessible. America simply was not built for all Americans, but courageous activists pushed to change that. In 1973, the Congress passed the landmark Rehabilitation Act, banning discrimination by any federally funded entity. Then, 17 years later, a bipartisan group of legislators persevered in passing the ADA, banning discrimination against people with disabilities in most areas of public life, from the workplace and public schools to public transit and telecommunications.

The ADA has had a profound impact, but we still have much more work to do. Disabled Americans are still three times less likely to have a job; and when they do, they often earn less for doing the same work. Voting locations, transit, and public spaces are too often inaccessible. And we need to continue building a culture that not only protects disability rights but also celebrates disability pride.

My Administration has worked hard to build on the ADA's foundation. Soon after I came into office, I signed an Executive Order advancing opportunities for people with disabilities in the Federal workforce; and we are helping State and local governments, employers, and nonprofits tap Federal funds to hire more Americans with disabilities as well. We ended the use of unjust sub-minimum wages in Federal contracts, and the Department of Labor is working around the clock to protect the rights of disabled workers. The Department of Justice and Department of Health and Human Services also developed guidance for emergency responders to better protect the rights of people with disabilities. And to ensure that every American has the opportunity to exercise their fundamental right to vote, I signed an Executive Order directing agencies to make voter registration and information about voting resources more accessible.

We are also rebuilding our Nation's infrastructure and making transit and public spaces more accessible. Our Bipartisan Infrastructure Law makes our Nation's biggest investment ever in accessible transit. This includes $1.75

billion to repair and improve accessibility in transit stations across America—including in some of our oldest and busiest railways. This historic investment also expands access to high-speed Internet, so millions of disabled Americans can work, study, and stay connected from home. The Department of Transportation is working to improve air travel for all, including for people who use wheelchairs. And the United States Access Board is developing new guidelines under the ADA that will improve the accessibility of sidewalks, streets, crosswalks, and other public rights of way.

We also know the isolation and loss of the pandemic hit the disability community especially hard. That is a big reason why we provided tens of billions of dollars to States to expand Medicaid—an essential lifeline for 21 million Americans, including many in the disability community. And last month, I worked with members of the Congress to reach a bipartisan budget deal that protects Social Security, Medicare, and Medicaid. I also signed an Executive Order to improve jobs and support for caregivers and provide more care options for people with disabilities and their families. I continue to urge States that have not yet expanded Medicaid under the Affordable Care Act to at least cover residents who are currently locked out. And I call on the Congress to improve and expand home- and community-based services so more seniors and people with disabilities can live independently in their own homes.

The ADA is an essential foundation to this continued work—a reminder that we can still do big things in America when we come together. For over 61 million disabled Americans, it is much more than a law—it is the key to equality, opportunity, and independence. And for our country, it is a testament to our character and commitment to keep pushing to finally realize the full promise of America for all Americans.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 26, 2023, as the Anniversary of the Americans with Disabilities Act. I encourage Americans to celebrate the 33rd year of this defining moment in Civil Rights law and the essential contributions of individuals with disabilities to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of July, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10604 of July 26, 2023

National Korean War Veterans Armistice Day, 2023

By the President of the United States of America

A Proclamation

This year marks the 70th anniversary of the Alliance between the United States and the Republic of Korea—an unbreakable bond forged by American and Korean service members who fought side-by-side from 1950 to

1953. These patriots braved dangers and deprivations, facing down war and death in defense of democracy. Today, we remember their service. Together, we honor their sacrifice—including more than 36,000 Americans and more than 7,000 Korean Augmentation to the United States Army soldiers who laid down their lives for a world of greater liberty and freedom.

During President Yoon's recent trip to the United States, we visited the Korean War Veterans Memorial—laying wreaths in honor of the brave Korean and American women and men who served and sacrificed. It was a solemn reminder that our Alliance was not born out of shared borders but shared beliefs—including democracy, security, and freedom. Today, those beliefs are upheld by the thousands of Korean and American troops who continue to stand together on the Korean Peninsula. And they remain the source of our shared strength—keeping the Alliance between the Republic of Korea and the United States the linchpin of peace, stability, and prosperity in the Indo-Pacific region and, increasingly, around the world.

Today, we also pause to remember the thousands of United States troops who went missing in action during the Korean War. That includes Army Corporal Luther H. Story, who was awarded the Medal of Honor for his extraordinary heroism during a battle on the Pusan Perimeter in 1950. Our Nation was able to bring Corporal Story home this year when his remains were finally identified and returned to his family. And we will never stop working to bring home every one of our missing heroes.

Today—70 years after the armistice was signed by representatives of the United States as head of the United Nations Command, the People's Republic of China, and North Korea—let us honor the Korean War Veterans who fought to defend the security and stability we enjoy today. Let us renew our commitment to the democratic values for which they served and sacrificed. And together, let us continue to ensure that our Alliance with the Republic of Korea continues to contribute to global peace and prosperity.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 27, 2023, as National Korean War Veterans Armistice Day. On this day, I encourage all Americans to reflect on the strength, sacrifices, and sense of duty of our Korean War Veterans and bestow upon them the high honor they deserve. I call upon all Americans to observe this day with appropriate ceremonies and activities that honor and give thanks to our distinguished Korean War Veterans.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of July, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10605 of August 4, 2023

National Health Center Week, 2023

By the President of the United States of America
A Proclamation

Every year, our Nation's nearly 1,400 federally funded community health centers provide critical, accessible, and affordable medical, dental, and behavioral health care to over 30 million Americans. Spread across every State and territory, these vital health care centers help make real the promise that health care in this country should be a right, not a privilege. During National Health Center Week, we celebrate their dedicated staff and recommit to providing the resources these vital centers need to continue protecting the well-being of the American people.

From the beginning of my Administration, we have made historic investments to strengthen our Nation's community health center network. Through the American Rescue Plan, we invested $7.6 billion to grow the health center workforce, update facilities, and provide them with the necessary resources to fight the COVID–19 pandemic. The Bipartisan Infrastructure Law is rebuilding our roads, highways, water systems, and high-speed internet to better connect people and places with the care they need. My latest Budget would renew critical support for the Health Center Program and put it on a path to double its size and expand its reach.

Community health centers are key to tackling health care disparities in underserved communities. By improving access to screenings, they bring us closer to ending cancer as we know it, which is the goal of my Cancer Moonshot Initiative. By connecting more Americans to behavioral health services, they build an infrastructure of service that addresses mental health needs—a key pillar of my Unity Agenda. By supporting the delivery of pregnancy-related care, they improve the lives of mothers and children across the country.

Time and again, evidence reveals that health centers make a powerful difference in the communities they serve. During the height of the COVID–19 pandemic, community health care centers distributed over 20 million vaccines—nearly 70 percent of which went to people of color and more than 20 percent to those who lived in rural areas. In these ways, they help bridge a critical gap in access to lifesaving prevention and treatment. And because of their patient-majority governing board structure, health centers ensure that their mission and decision-making are informed not only by medical experts but, principally, by the people they serve.

These investments are a matter of human dignity and fairness. When we fail to invest in the health outcomes of some communities, we all suffer. But when we take the necessary actions to improve care in every zip code, we are all better for it.

This week, we thank the heroic health center staff on the front lines of improving lives. We acknowledge your sacrifice and courage, especially at the height of the pandemic. We are grateful for your daily work that saves lives and protects the future of our country. You make the promise of America

real—a promise to lift everyone up and leave no one behind. My Administration is committed to supporting you as you make our Nation healthier, more resilient, and more just.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim the week of August 6 through August 12, 2023, as National Health Center Week.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of August, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10606 of August 8, 2023

Establishment of the Baaj Nwaavjo I'tah Kukveni—Ancestral Footprints of the Grand Canyon National Monument

By the President of the United States of America
A Proclamation

Since time immemorial, many Tribes of the Southwest have lived and prayed among the canyons and plateaus of a landscape unlike any other in the world. The region is described in numerous languages. Many of the Indigenous names for the area reflect the deep interconnection between the land and its Tribal Nations. For example, the Havasupai call it baaj nwaavjo, or ''where Indigenous peoples roam.'' To the Hopi, it is i'tah kukveni, or ''our ancestral footprints.'' In English, we call the canyon that lies at the center of this region ''the Grand Canyon.''

In addition to its profound historical, cultural, and religious significance, the Grand Canyon region is known around the world for containing some of the greatest natural wonders on the planet. The area supports remarkable geology and a diversity of wildlife and plants that flourish in its vast and well-connected ecosystem.

The Grand Canyon region has played a central role in America's conservation history. In 1893, 2 years after the establishment of the National Forest System, the area was designated as the Grand Canyon Forest Reserve. In 1908, 2 years after the Congress passed the Antiquities Act, President Theodore Roosevelt used his authority under the Act to protect some of the deepest canyons along the Colorado River as a national monument. In 1919, 3 years after the establishment of the National Park Service, the Congress created Grand Canyon National Park. Today, millions of people from around the world come to the Grand Canyon region each year to visit, learn in, and explore the national park and the plateaus and canyons that surround it. The conservation and stewardship of the broader Grand Canyon region have helped safeguard the integrity of vital natural resources important to the Nation's health and well-being, including clean drinking water that flows through the region's springs and streams and into the Colorado

River, before eventually reaching the taps of millions of homes across the Southwest.

The history of the lands and resources in the Grand Canyon region also tells a painful story about the forced removal and dispossession of Tribal Nations and Indigenous peoples. The Federal Government used the establishment of Grand Canyon National Park to justify denying Indigenous peoples access to their homelands, preventing them from engaging in traditional cultural and religious practices within the boundaries of the park. Despite these barriers, Tribal Nations and Indigenous peoples persevered and continued to conduct their long-standing practices on sacred homelands just outside the boundaries of the national park, among the vast landscapes of plateaus, canyons, and tributaries of the Colorado River.

The lands outside of the national park contain myriad sensitive and distinctive resources that contribute to the Grand Canyon region's renown. In many of these lands outside of the national park, however, the Federal Government permitted or encouraged intensive resource exploration and extraction to meet the needs of the nuclear age. For decades, the Tribal Nations and Indigenous peoples of the Grand Canyon region have worked to protect the health and wellness of their people and the lands, waters, and cultural resources of the region from the effects of this development, including by cleaning up the abandoned mines and related pollution that has been left behind.

Much of the health and vitality of the Grand Canyon region today is attributable to the tireless work of Tribal Nations and Indigenous peoples, the lands' first and steadfast stewards. In the tradition of their ancestors, who fought to defend the sovereignty of their nations and to regain access to places and sites essential to their cultural and traditional practices, Tribal Nations and Indigenous peoples have remained resolute in their commitment to protect the landscapes of the region, which are integral to their identity and indispensable to the health and well-being of millions of people living in the Southwest.

Efforts to address the legacy of dispossession and exclusion of Tribal Nations and Indigenous peoples in the Grand Canyon region and to conserve the region's cultural and natural resources beyond the boundaries of Grand Canyon National Park span several decades. In 1975, the Congress took a first step toward addressing these earlier injustices when it restored lands along the Grand Canyon's rim to the Havasupai Tribe and established cultural use lands as part of an expansion of Grand Canyon National Park. More recently, legislation has been introduced in multiple Congresses to permanently conserve the lands to the south, northeast, and northwest of Grand Canyon National Park for the benefit of Tribes, the public, and future generations. In addition, in 2012, the Secretary of the Interior withdrew many of these lands from the location of new mining claims for a 20-year period.

Conserving lands that stretch beyond Grand Canyon National Park through an abiding partnership between the United States and the region's Tribal Nations will ensure that current and future generations can learn from and experience the compelling and abundant historic and scientific objects found there, and will also serve as an important next step in understanding and addressing past injustices.

The natural and cultural objects of the lands have historic and scientific value that is unique, rich, and well-documented. The sweeping plateaus to the south, northeast, and northwest of Grand Canyon National Park constitute three distinct areas, each of which is an integral part of the broader Grand Canyon ecosystem. The northwestern area, which is administered by both the Bureau of Land Management (BLM) within the Department of the Interior and the U.S. Forest Service (Forest Service) within the Department of Agriculture, begins at the western edge of the Kanab watershed and northern boundary of Grand Canyon National Park and stretches north to the Shinarump Cliffs and Moonshine Ridge. The northeastern area primarily includes parts of House Rock Valley, which are administered by the BLM and the Forest Service, and extends west from Marble Canyon along the Colorado River to the edge of the Kaibab Plateau. The southern area includes a portion of the Coconino Plateau to the south of Grand Canyon National Park that is managed by the Forest Service, and extends from the border of the Havasupai Indian Reservation in the west to the Navajo Nation in the east.

While the greater Grand Canyon region is indisputably a cultural resource in its entirety, the landscapes in these three discrete areas are themselves historically and scientifically significant. They give context to the individual geologic features and other resources found there, contain numerous archaeological sites, and provide havens for sensitive and endangered species—including the California condor, desert bighorn sheep, and endemic plant and animal species—all of which constitute objects of independent historic or scientific interest. The landscapes are also integrally connected to the Indigenous Knowledge amassed by the Tribal Nations and Indigenous peoples in the area over countless generations. Some of the objects in these areas are sacred to Tribal Nations; are sensitive, rare, or vulnerable to vandalism and theft; or are unsafe to visit. Therefore, revealing their specific names or locations could pose a danger to the objects or to the public.

These areas lie within the homelands of numerous Tribal Nations—including the Havasupai Tribe, Hopi Tribe, Hualapai Tribe, Kaibab Band of Paiute Indians, Las Vegas Paiute Tribe, Moapa Band of Paiutes, Paiute Indian Tribe of Utah, Navajo Nation, San Juan Southern Paiute Tribe, Yavapai-Apache Nation, Pueblo of Zuni, and the Colorado River Indian Tribes—who describe the lands here as a cultural landscape to which their ancestors belong. The surrounding plateaus, canyons, and tributaries of the Colorado River are central and sacred components of the origin and history of multiple Tribal Nations, weaving together overlapping spiritual, cultural, and territorial systems. Many Tribes note that their ancestors are buried here and refer to these areas as their eternal home, a place of healing, and a source of spiritual sustenance. Like their ancestors, Indigenous peoples continue to use these areas for religious ceremonies; hunting; and gathering of plants, medicines, and other materials, including some found nowhere else on Earth.

The areas to the south, northeast, and northwest of Grand Canyon National Park contain over 3,000 known cultural and historic sites, including 12 properties listed on the National Register of Historic Places, and likely a great many more in areas not yet surveyed. All three areas contain locations that are sacred or significant to the Apache, Havasupai, Hopi, Hualapai, Navajo, Southern Paiute, Yavapai, and Zuni Peoples, whose ancestors lived, hunted, farmed, and gathered here, some moving among

camps in different places to take advantage of the best seasonal times and locations to hunt or harvest resources. More than 50 species of plants that grow in these areas, including catsclaw, willow, soapweed, and piñon, have been identified as important to Tribal Nations. Historic shared use by different Tribes of the plateaus in the three areas, including for farming, hunting, and resource gathering on the Coconino Plateau, helped build strong, intergenerational relationships among the Tribal Nations that call this region home.

For hundreds of years, Tribal Nations and Indigenous peoples used trails across portions of all three distinct landscapes to access sacred or important sites in surrounding areas such as the Grand Canyon, Mount Trumbull, and the Hopi salt mine. For example, routes throughout the southern area connect the Grand Canyon with the Paiute, Hopi, and Navajo homelands. Historically significant pathways in all three areas can still be seen on the landscape, and in many cases, they continue to be actively used.

In the northwestern area, within the larger Kanab Creek drainage and particularly along Kanab Creek, there is evidence of ancient villages and habitations, including cliff houses, storage sites, granaries, pictographs, and pottery. The Kanab Plateau contains dwelling sites, including one known to have been occupied nearly 1,000 years ago, evidencing agricultural use and hunting by early inhabitants. The Kaibab Band of Paiute farmed in the area, which served as an important trade and transportation route, resource procurement and hunting area, and refuge during Euro-American encroachment into traditional territories. The pictographs and petroglyphs found in the Kanab Creek drainage present a spectacular collection of rock art. One pictograph and petroglyph site in Kanab Creek Canyon has been used for over 2,000 years, including for Ghost Dance ceremonies in the 19th century. Also in the northwest, the BLM manages the Moonshine Spring and its associated historic cultural sites as the Moonshine Ridge Area of Critical Environmental Concern. Nearby Antelope Spring, Shinarump Cliffs, and Yellowstone Spring house historically important cultural sites, and the northwestern portion of the area is a historically significant resource and hunting area for the Southern Paiute.

In House Rock Valley in the northeastern area, many remnants of homes, storage buildings, pottery, and tools illustrate the area's rich and extensive human history. The area has long been historically important to Tribal Nations for hunting and resource gathering, including to the Kaibab Band of Paiute for hunting deer and pronghorn and gathering piñon nuts, and to the San Juan Paiute for seasonal seed collection.

In the southern area, visible for miles in all directions, rises Red Butte, a towering landmark that is eligible for inclusion on the National Register of Historic Places as a traditional cultural property. Called Wii'i Gdwiisa by the Havasupai and Tsé zhin Ii'ahi by the Navajo, it is defined by an eroded rock and basalt cap from ancient lava and is sacred to the Havasupai, Hualapai, Navajo, Hopi, and Zuni Peoples. Red Butte and the surrounding area are central to Tribal creation stories, and dense concentration of flaked stone tools and pottery provide evidence of thousands of years of human habitation there. Additionally, more recent Navajo and Havasupai encampments in the area date to the early to middle 1900s. South of Red Butte,

Gray Mountain, called Dziłbeeh by the Navajo, is mentioned in Navajo ceremonial songs, stories, and rituals, and has long served as a refuge for the Navajo people.

There are many other physical remnants of human habitation in the southern area, including lithic sites containing stone tools that may be more than 10,000 years old and more recent sites containing finely decorated pottery sherds that are between 800 and 1,100 years old. Across the southern area, there is evidence of tool production using local materials and the historic use of fire for land management. Rock paintings, cave shelters, shrines, pit houses, masonry structures, and sites for religious ceremonies can be found throughout.

The southern area also provides important opportunities for research about ancient occupation, including a long-term archaeological study area in the upper basin of the Coconino Plateau where research has been conducted for decades. This study area has led to research on the sourcing of materials for pottery, the conditions that influenced where people lived and congregated, the history and use of anthropogenic fire, methods for recording archaeological sites, methods for protecting cultural resources, and human modification of bedrock, among other topics. Additionally, research has occurred in the area on the relationship between historic climate change and human occupation, including how climate changes affected construction techniques by the Indigenous peoples in the region, the viability of farming, the use of fire, and available resources.

A defining feature of the three areas is their unique sedimentary and tectonic history, which has resulted in high scientific interest and made the groundwater dynamics of the region among the best studied in the United States. Subsequent studies of the areas' hydrology may prove important to understanding the formation of the Grand Canyon and the dynamics of groundwater and aquifers in the arid Colorado Plateau. Groundwater moving through this complex and distinctive system eventually flows into the meandering and majestic Colorado River, across hundreds of miles of arid and desert lands. The areas' unique hydrology has supported Indigenous peoples and other forms of life since time immemorial and continues to play an essential role in providing drinking water and supporting agricultural production and other services for millions of people across the Southwest.

The three areas' extensive fractures and faults direct the flow of water, resulting in the formation of seeps and springs that serve as small oases in the otherwise hot, dry landscape, and support some of the most biodiverse habitats in the Colorado Plateau. The hydrologic features of these landscapes are unique and highly interconnected, with groundwater moving through the Redwall-Muav aquifer in the south and through fractures and linked cave passages. The Havasupai and Hualapai Tribes, as well as the town of Tusayan, Arizona, and other towns in the region, rely on the southern area's groundwater. Ultimately, the areas' groundwater flows to the surrounding tributaries, into the Colorado River, and through the Grand Canyon, serving as one of many features tying this landscape together. Much of the water in the areas to the northeast, northwest, and south of the Grand Canyon, from creeks to streams, only runs seasonally based on melting snowpack and monsoon rains.

The geology and hydrologic system of the Grand Canyon and these three landscapes are deeply intertwined. Located within the Colorado Plateau and adjacent to the Grand Canyon, the areas' remarkable geology is characterized by exposed sedimentary rock and high, sometimes deeply incised, plateaus. The Mississippian-aged Redwall Limestone, known for the stunning red cliffs of the Grand Canyon itself, is present throughout the three landscapes and is the most abundant component of the Redwall-Muav aquifer. This aquifer overlaps with the southern portion of the Grand Canyon landscape, underneath the Coconino Plateau. Dissolution of the Redwall and associated Muav limestones has resulted in the formation of hundreds of karst features such as caves, caverns, and channels.

In the northeastern area, the Glen Canyon Group—a geologic formation composed of Navajo Sandstone, the Kayenta Formation, and the Moenave Formation—represents a continuation of the strikingly beautiful and significant geology found at the adjacent Vermilion Cliffs National Monument. The Kaibab Formation, another geologic formation that is prevalent throughout all three areas, forms most of the rim rock of the Grand Canyon and is responsible for additional significant cave and karst formations in these three regions as well as in Wupahtki National Monument and Grand Canyon National Park itself.

The Toroweap Fault crosses the northwestern area and is one of the most active faults in Arizona. Due to the relative prevalence of seismic activity, scientists have studied the area to better understand tectonism and faulting, the geologic history of the Colorado Plateau, and the hydrologic history of the Colorado River. Similarly, the Kanab Plateau, also in the northwestern area, has been important for studies of faulting and tectonism, stratigraphy and sediment deposition, and hydrology.

In the northeastern area, scientists have studied the House Rock Valley, known in the Southern Paiute language as Aesak, meaning ''basket shaped,'' to understand patterns of deposition and erosion. Stratigraphy—the study of rock layers—in this area has been important for developing a broader understanding of how the Grand Canyon formed.

In the southern area, the Coconino Plateau provides important opportunities to enhance understanding of tectonic uplift, canyon incision, and hydrological dynamics of regional aquifers. Over time, studies of the landscape's geology have also helped improve understanding of the geologic history of the Grand Canyon and Colorado Plateau as a whole. These studies have produced new theories regarding when and how the geologic structures in the area formed or eroded. Sites in this landscape have also been instrumental to long-term scientific studies of air pollution, airborne particulates, and visibility, as well as to studies on the use of satellite imagery to map geological formations. Paleontological resources are also found throughout the area, with fossils documented in written scientific literature for nearly 150 years. The Kanab Creek area in particular is known for brachiopod fossils that date back to the Carboniferous period.

The areas to the northeast, northwest, and south of the Grand Canyon are home to an abundant diversity of plant and animal species of scientific interest. Spanning a vast and unique range of geological and ecological systems, the areas showcase ecological transitions, ranging from the Mojave Desert and riparian habitats at low elevations; to Great Basin grassland, Great Basin woodland, and Great Basin desert scrubland at intermediate

elevations; to Rocky Mountain subalpine conifer forests, subalpine grasslands, and montane conifer forests at higher elevations. Ponderosa pine stands, some with old growth characteristics, can also be found at higher elevations.

Riparian vegetation in the area is rare and precious in this largely arid region. The northwest area houses parts of Kanab Creek, a stream with largely intermittent flow that is home to native riparian plant species. The occasional perennial pools help to support the Kaibab National Forest's only cottonwood-willow riparian forest, an important habitat type in Arizona and the broader Southwest. Kanab Creek provides a habitat for federally listed bird species, including potentially the threatened western yellow-billed cuckoo and endangered southwestern willow flycatcher, both of which have been sighted nearby. The creek also provides a habitat for sensitive amphibian species, including potentially the northern leopard frog.

In the grasslands found throughout the northwestern and southern areas, dominant vegetation species include native grasses, shrubs such as sagebrush and saltbush, and nearby juniper woodlands and savannas. The southern area is home to endemic and sensitive plant species, such as the Arizona leatherflower, Arizona phlox, Tusayan rabbitbrush, and Morton wild buckwheat. Grassland mammals, such as the pronghorn, and birds and raptors, such as the ferruginous hawk and the western burrowing owl, can also be found there.

Within the Great Basin desert-scrub habitat of the northwestern and northeastern areas, shrub species such as sagebrush and rabbitbrush grow alongside native grasses, wildflowers and other forbs, and occasionally cacti. This habitat type is home to unique mammal species including the Townsend's ground squirrel, the northern grasshopper mouse, and the more broadly distributed mule deer and bighorn sheep. Birds and reptiles characteristic of this community include the sage thrasher, sage sparrow, desert horned lizard, and Great Basin and Plateau tiger whiptails. The northeastern area also includes a portion of an important fall raptor migration route. The endangered Brady pincushion cactus and candidate species Paradine plains cactus, along with the sensitive Marble Canyon milkvetch and Paria Plateau fishhook cactus, can all be found in the northeastern area. The Siler pincushion cactus can be found in the far reaches of the northwestern area, particularly in the Moonshine Ridge and Johnson Springs Areas of Critical Environmental Concern.

Piñon and juniper woodlands are present at intermediate elevations and are particularly prevalent in the northwestern and southern areas. The piñon and juniper trees are accompanied by a sparse understory of native grasses and shrubs. This community is home to birds such as the pinyon jay and juniper titmouse. Along with characteristic reptiles and small mammals, this ecosystem also provides important winter range for elk and mule deer.

Petran montane conifer forests are found at the highest elevations, primarily in the southern area. Ponderosa pine dominates these forests, but Douglas fir, white fir, Gambel oak, and other tree and brush species can also be found there. Several mammal species are dependent on ponderosa pine, including the Abert's squirrel. Bird species representative of this area include the northern goshawk, Merriam's turkey, and a variety of raptors and neotropical migratory songbirds. Elk and mountain lions are also found there.

The landscape is also home to other significant species of scientific interest. The endemic Grand Canyon ringlet butterfly and Tusayan rabbitbrush are present in the southern area, as may be the endangered and endemic Sentry milkvetch. The endangered Fickeisen plains cactus can be found in all three areas. The endemic Kaibab monkey grasshopper occasionally can be found along the eastern edge of the Kaibab uplift in the northeastern area. The endemic Grand Canyon rose, which has been identified as at risk by the BLM (termed BLM-sensitive), can be found in the northwestern area, the northeastern area, and potentially also the southern area.

The area provides an important habitat for many notable mammal species, including desert bighorn sheep, which frequent canyons in the area. Kanab Creek's Hack Canyon is one of two canyons where sheep were extirpated and reintroduced in the 1980s, and the population there is studied for its contributions to genetic diversity of the species and to enhance understanding of predation by mountain lions. Pronghorn, elk, bison, and mountain lions can be found on and around the area's plateaus, in addition to mule deer, which travel through the northwestern and northeastern areas as part of an important migratory corridor. The sensitive Allen's lappet-browed bat, along with five other sensitive bat species, can be found in the northeastern and northwestern areas, and possibly the southern area as well, and the endemic and sensitive House Rock Valley chisel-toothed kangaroo rat can be found in the northeastern area. The House Rock Wildlife Area, part of which falls within the northeastern area, contains a herd of bison that is an important contributor to the genetic diversity of bison populations across the United States. House Rock also provides a habitat for pronghorn and a winter range for mule deer.

Cliffs and rock outcrops throughout the landscapes are home to unique birds including peregrine falcons, bald eagles, golden eagles, and a reintroduced population of endangered California condors. The threatened Mexican spotted owl nests in the northwestern area. Over time, the area has been scientifically important for ecological studies of climate change, ecosystem ecology, vegetation communities, historical fire regimes, and bat ecology. The area also contains all or portions of five separate habitat linkages identified as important to wildlife habitat connectivity and threatened by development by the Arizona Wildlife Linkages Workgroup, a working group of public and private organizations and agencies in Arizona.

In addition to sustaining Indigenous peoples, vegetation, and wildlife since time immemorial, the northeastern, northwestern, and southern areas also have supported more recent Euro-American settlers. For example, visitors to the northwestern part of this area can trace the route taken by the 1776 Dominguez-Escalante expedition in search of a northern route between Santa Fe and Monterrey. Mormon settlers in the late 19th century developed the Honeymoon Trail in the northeastern area to travel between their homes in Arizona and the temple in St. George, Utah, following trails used by Tribal Nations to access sites such as Deer and House Rock Springs.

These settlers, along with early miners, loggers, and ranchers, left behind scattered remnants of their presence throughout the areas. Hull Cabin, built in 1889 by sheep ranchers within the southern area and near the South Rim of the Grand Canyon, is listed on the National Register of Historic Places. The cabin is currently maintained for visitors and memorializes the area's early ranching and early Forest Service administrative use of the

area. The Emerald/Anita mine and associated Camp Anita, which briefly operated at the end of the 19th century, evidences Arizona's copper mining history, while the Apex Logging Camp contains evidence of the timber industry between 1928 and 1936 and is the focus of ongoing research by an archaeological field school. Located at the top of the steepest grade on the Grand Canyon Railroad line, the town of Apex was once the headquarters camp of the Saginaw and Manistee Lumber Company and provided wood that was used to build the railroad, timber the mines, and construct the resorts along the South Rim of the Grand Canyon. Remnants of these structures, such as the foundation of a one-room school house constructed from two converted box cars, building platforms, domestic trash scatters, and railroad beds can still be seen today and help tell the story of Apex and its outlying camps, which between 1928 and 1936 provided a home for lumberjacks and locomotive crews.

The southern area also includes three other noteworthy historic sites: The decommissioned Red Butte Airfield, which is listed on the National Register of Historic Places, operated in the 1920s to bring visitors, including celebrities like Amelia Earhart, Charles Lindbergh, and Will Rogers, to view the wonders of the Grand Canyon. The Grandview Lookout Tower and its two-room cabin, located near the South Rim of the Grand Canyon, were built by the Civilian Conservation Corps in 1936 to aid the Forest Service and the National Park Service in detecting wildland fires. And the Tusayan Ranger Station, which is also listed on the National Register of Historic Places, comprises six historic buildings constructed between 1939 and 1942, including a house, a barn, and a corral.

Protecting the areas to the northeast, northwest, and south of the Grand Canyon will preserve an important spiritual, cultural, prehistoric, and historic legacy; maintain a diverse array of natural and scientific resources; and help ensure that the prehistoric, historic, and scientific value of the areas endures for the benefit of all Americans. As described above, the areas contain numerous objects of historic and scientific interest, and they provide exceptional outdoor recreational opportunities, including hiking, hunting, fishing, biking, horseback riding, backpacking, scenic driving, and wildlife-viewing, all of which are important to the travel- and tourism-based economy of the region.

WHEREAS, section 320301 of title 54, United States Code (the ''Antiquities Act''), authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Federal Government to be national monuments, and to reserve as a part thereof parcels of land, the limits of which shall be confined to the smallest area compatible with the proper care and management of the objects to be protected; and

WHEREAS, the landscapes of the areas to the northeast, northwest, and south of the Grand Canyon have been profoundly sacred to Tribal Nations and Indigenous peoples of the Southwest since time immemorial; and

WHEREAS, I find that the unique historic and scientific characteristics of the landscapes, and the collection of objects and resources therein, make the landscapes more than the mere sum of their parts, and thus the entire

landscapes within the boundaries of each area reserved by this proclamation are themselves objects of historic and scientific interest in need of protection under section 320301 of title 54, United States Code; and

WHEREAS, I find that all the objects identified above are objects of historic or scientific interest in need of protection under section 320301 of title 54, United States Code, regardless of whether they are expressly identified as objects of historic or scientific interest in the text of this proclamation; and

WHEREAS, I find that there are threats to the objects identified above, and, in the absence of a reservation under the Antiquities Act, these objects are not adequately protected by the current withdrawal, administrative designations, or otherwise applicable law because current protections do not require executive departments and agencies (agencies) to ensure the proper care and management of the objects and some objects fall outside of the boundaries of the current withdrawal; thus a national monument reserving the lands identified herein is necessary to protect the objects of historic and scientific interest identified above for current and future generations; and

WHEREAS, I find that the boundaries of the monument reserved by this proclamation represent the smallest area compatible with the proper care and management of the objects of scientific or historic interest identified above, as required by the Antiquities Act, including the landscapes within the boundaries of the three areas reserved and, independently, the collection of objects within those landscapes; and

WHEREAS, it is in the public interest to ensure the preservation, restoration, and protection of the objects of scientific and historic interest identified above, including the entire landscapes within the boundaries reserved by this proclamation;

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by the authority vested in me by section 320301 of title 54, United States Code, hereby proclaim the objects identified above that are situated upon lands and interests in lands owned or controlled by the Federal Government to be the Baaj Nwaavjo I'tah Kukveni—Ancestral Footprints of the Grand Canyon National Monument (monument) and, for the purpose of protecting those objects, reserve as part thereof all lands and interests in lands that are owned or controlled by the Federal Government within the boundaries described on the accompanying map, which is attached hereto and forms a part of this proclamation. These reserved Federal lands and interests in lands encompass approximately 917,618 acres. As a result of the distribution of the objects across the Baaj Nwaavjo I'tah Kukveni—Ancestral Footprints of the Grand Canyon areas, and additionally and independently, because the landscapes within each of the three monument areas are objects of scientific and historic interest in need of protection, the boundaries described on the accompanying map are confined to the smallest area compatible with the proper care and management of the objects of historic or scientific interest identified above.

All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or other disposition under the public land laws or laws applicable to the Forest Service, other than by exchange that furthers the protective purposes of the monument; from location, entry, and patent

under the mining laws; and from disposition under all laws relating to mineral and geothermal leasing.

This proclamation is subject to valid existing rights. If the Federal Government subsequently acquires any lands or interests in lands not currently owned or controlled by the Federal Government within the boundaries described on the accompanying map, such lands and interests in lands shall be reserved as a part of the monument, and objects of the type identified above that are situated upon those lands and interests in lands shall be part of the monument, upon acquisition of ownership or control by the Federal Government.

Nothing in this proclamation shall be construed to alter the valid existing water rights of any party, including the United States, or to alter or affect agreements governing the management and administration of the Colorado River, including any existing interstate water compact.

The Secretary of the Interior and the Secretary of Agriculture (Secretaries) shall manage the monument through the BLM and Forest Service, respectively, in accordance with the terms, conditions, and management direction provided by this proclamation. The Forest Service shall manage the portion of the monument within the boundaries of the National Forest System and the BLM shall manage the remainder of the monument. The lands administered by the Forest Service shall be managed as part of the Kaibab National Forest. The lands administered by the BLM shall be managed as a unit of the National Landscape Conservation System.

For purposes of protecting and restoring the objects identified above, the Secretaries shall jointly prepare a management plan for the monument and shall promulgate such rules and regulations for the management of the monument as they deem appropriate for those purposes. The Secretaries, through the BLM and Forest Service, shall consult with other Federal land management agencies or agency components in the local area, including the National Park Service, in developing the management plan. In promulgating any management rules and regulations governing National Forest System lands within the monument and developing the management plan, the Secretary of Agriculture, through the Forest Service, shall consult with the Secretary of the Interior, through the BLM.

The Secretaries shall provide for maximum public involvement in the development of the management plan, as well as consultation with federally recognized Tribal Nations and conferral with State and local governments. In preparing the management plan, the Secretaries shall take into account, to the maximum extent practicable, maintaining the undeveloped character of the lands within the monument; minimizing impacts from surface-disturbing activities; providing appropriate access for livestock grazing, recreation, hunting, fishing, dispersed camping, wildlife management, and scientific research; and emphasizing the retention of natural quiet, dark night skies and scenic attributes of the landscape. In the development and implementation of the management plan, the Secretaries shall maximize opportunities, pursuant to applicable legal authorities, for shared resources, operational efficiency, and cooperation, and shall, to the maximum extent practicable, carefully incorporate the Indigenous Knowledge or special expertise offered by Tribal Nations and work with Tribal Nations to appropriately protect that knowledge.

The Secretaries shall explore opportunities for Tribal Nations to participate in co-stewardship of the monument; explore entering into cooperative agreements or, pursuant to the Indian Self-Determination and Education Assistance Act, 25 U.S.C. 5301 *et seq.,* contracts with Tribes or Tribal organizations to perform administrative or management functions within the monument; and explore providing technical and financial assistance to improve the capacity of Tribal Nations to develop, enter into, and carry out activities under such cooperative agreements or contracts. The Secretaries shall further explore opportunities for funding agreements with Tribal Nations relating to the management and protection of traditional cultural properties and other culturally significant programming associated with the monument.

The Secretaries shall consider appropriate mechanisms to provide for temporary closures to the general public of specific portions of the monument to protect the privacy of cultural, religious, and gathering activities of members of Tribal Nations.

The Secretaries, through the BLM and Forest Service, shall establish an advisory committee under the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.,* to provide information and advice regarding the development of the management plan and, as appropriate, management of the monument. The advisory committee shall consist of a fair and balanced representation of interested stakeholders, including the Arizona Game and Fish Department; other State agencies and local governments; Tribal Nations; recreational users; conservation organizations; wildlife, hunting, and fishing organizations; the scientific community; the ranching community; business owners; and the general public in the region.

In recognition of the importance of collaboration with Tribal Nations to the proper care and management of the objects identified above, and to ensure that management of the monument reflects tribal expertise and Indigenous Knowledge, a Baaj Nwaavjo I'tah Kukveni—Ancestral Footprints of the Grand Canyon Commission (Commission) is hereby established to provide guidance and recommendations on the development and implementation of the management plan and on the management of the monument. The Commission shall consist of one elected officer each from any Tribal Nation with ancestral ties to the area that has entered a cooperative agreement or similar arrangement with the Secretaries, through the BLM or Forest Service, in which the Tribal Nation and the Secretaries agree to co-stewardship of the monument through shared responsibilities or administration; has expressed, by Tribal resolution, an intention to join the Commission; and has designated an elected officer as the respective Tribe's representative. The Commission may adopt such procedures as it deems necessary to govern its activities, so that it may effectively partner with agencies by making continuing contributions to inform decisions regarding the management of the monument. The Secretaries shall explore opportunities to provide support to the Commission to enable participation in the planning and management of the monument.

The Secretaries shall meaningfully engage the Commission, or, should the Commission no longer exist, the relevant Tribal Nations through some other entity composed of one elected Tribal government officer from each

of the Tribes represented on the Commission (comparable entity), in the development of the management plan and to inform the subsequent management of the monument. To that end, the Secretaries shall, in developing, revising, or amending the management plan, carefully and fully consider integrating the Indigenous Knowledge and special expertise of the members of the Commission or comparable entity. The management plan for the monument shall also set forth parameters for continued meaningful engagement with the Commission or comparable entity in the implementation of the management plan.

Nothing in this proclamation shall be deemed to alter, modify, abrogate, enlarge, or diminish the rights or jurisdiction of any Tribal Nation. The Secretaries shall, to the maximum extent permitted by law and in consultation with Tribal Nations, ensure the protection of sacred sites and cultural properties and sites in the monument and shall provide access to Tribal members for traditional cultural, spiritual, and customary uses, consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996), the Religious Freedom Restoration Act (42 U.S.C. 2000bb *et seq.*), Executive Order 13007 of May 24, 1996 (Indian Sacred Sites), and the November 10, 2021, Memorandum of Understanding Regarding Interagency Coordination and Collaboration for the Protection of Indigenous Sacred Sites. Such uses shall include, but are not limited to, the collection of medicines, berries, plants and other vegetation for cradle boards and other purposes, and firewood for ceremonial practices and personal noncommercial use, so long as each use is carried out in a manner consistent with the proper care and management of the objects identified above.

Nothing in this proclamation shall be construed to preclude the renewal or assignment of, or interfere with the operation, maintenance, replacement, modification, upgrade, or access to, existing or previously approved flood control, utility, pipeline, and telecommunications sites or facilities; roads or highway corridors; seismic monitoring facilities; wildlife management structures; or water infrastructure, including wildlife water developments or water district facilities, within the boundaries of existing or previously approved authorizations within the monument. Existing or previously approved flood control, utility, pipeline, telecommunications, and seismic monitoring facilities; roads or highway corridors; wildlife management structures; and water infrastructure, including wildlife water developments or water district facilities, may be expanded, and new facilities of such kind may be constructed, to the extent consistent with the proper care and management of the objects identified above and subject to the Secretaries' authorities, other applicable law, and the provisions of this proclamation related to roads and trails.

For purposes of protecting and restoring the objects identified above, the Secretaries shall prepare a transportation plan that designates the roads and trails on which motorized and non-motorized mechanized vehicle use, including mountain biking, will be allowed. The transportation plan shall include management decisions, including road closures and travel restrictions consistent with applicable law, necessary to protect the objects identified in this proclamation. Except for emergency purposes, authorized administrative purposes, wildlife management conducted by the Arizona Game and Fish Department, and the retrieval of legally harvested elk and

bison, which are otherwise consistent with applicable law, motorized vehicle use in the monument may be permitted only on roads and trails documented as existing in BLM and Forest Service route inventories that exist as of the date of this proclamation. Any additional roads or trails designated for motorized vehicle use must be designated only for public safety needs or the protection of the objects identified above.

The Secretaries shall explore mechanisms, consistent with applicable law, to enable the protection of Indigenous Knowledge or other information relating to the nature and specific location of cultural resources within the monument and, to the extent practicable, shall explain any limitations on the ability to protect such information from disclosure before it is shared with agencies.

Nothing in this proclamation shall be deemed to prohibit grazing pursuant to existing leases or permits within the monument, or the renewal or assignment of such leases or permits, which the BLM and Forest Service shall continue to manage pursuant to their respective laws, regulations, and policies.

Nothing in this proclamation shall affect the BLM's or Forest Service's ability to authorize access to and remediation or monitoring of contaminated lands within the monument, including for remediation of mine, mill, or tailing sites, or for the restoration of natural resources.

Nothing in this proclamation shall preclude low-level overflights of military aircraft, flight testing or evaluation, the designation of new units of special use airspace, the use or establishment of military flight training routes, or low-level overflights and landings for wildlife management conducted by the Arizona Game and Fish Department over the lands reserved by this proclamation. Nothing in this proclamation shall preclude air or ground access to existing or new electronic tracking communications sites associated with special use airspace and military training routes.

Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction or authority of the State of Arizona with respect to fish and wildlife management, including hunting and fishing, on the lands reserved by this proclamation, or to affect the State's access to the monument for wildlife management, including access prior to and during the development of the management and transportation plans provided for above. The Secretaries shall seek to develop and implement science-based habitat and ecological restoration projects within the monument and shall seek to collaborate with the State of Arizona on wildlife management within the monument, including through the development of new, or the continuation of existing, memoranda of understanding with the Arizona Game and Fish Department.

The Secretaries may carry out vegetative management treatments within the monument to the extent consistent with the proper care and management of the objects identified above, with a focus on addressing ecological restoration; wildlife connectivity; or the risk of wildfire, insect infestation, invasive species, or disease that would endanger the objects identified in this proclamation or imperil public safety. Nothing in this proclamation shall be construed to alter the authority of any party with respect to the use of prescribed fire within the monument.

Nothing in this proclamation shall be construed to alter the authority or responsibility of any party with respect to emergency response activities within the monument, including wildland fire response.

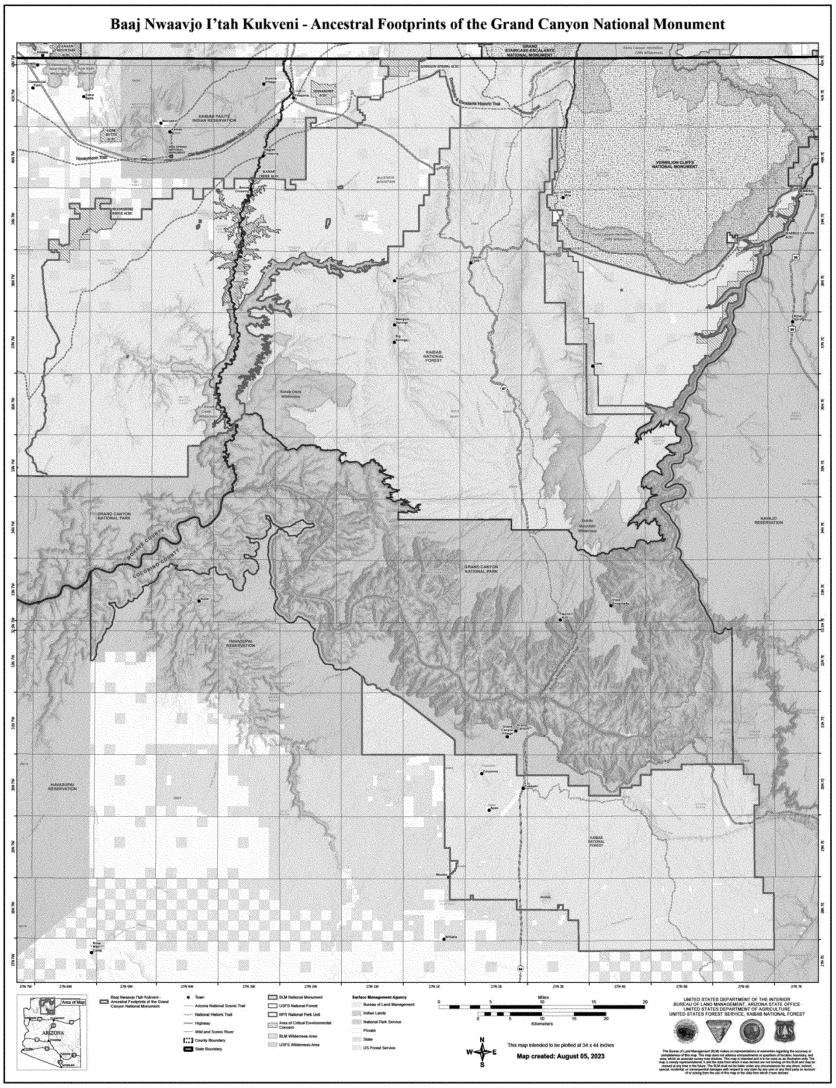
Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of the monument and not to locate or settle upon any of the lands thereof.

If any provision of this proclamation, including its application to a particular parcel of land, is held to be invalid, the remainder of this proclamation and its application to other parcels of land shall not be affected thereby.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of August, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.


Baaj Nwaavjo I'tah Kukveni - Ancestral Footprints of the Grand Canyon National Monument
Map created: August 05, 2023

Proclamation 10607 of August 18, 2023

National Employer Support of the Guard and Reserve Week, 2023

By the President of the United States of America
A Proclamation

The United States military is the greatest fighting force in the history of the world—and that's in no small part due to our National Guard and Reserve members, who stand ready to defend our Nation at a moment's notice. Just as these brave women and men have shown ultimate faith to our country, many of their employers have gone above and beyond to keep faith with them. This week, we honor our Guard and Reserve troops for all that they sacrifice to keep our country and their communities safe. And we thank their employers, whose support makes their service possible.

Our National Guard and Reserve members are not only a source of pride for the military, they are also often the bedrock of their communities. While serving as citizen Soldiers and Airmen of the National Guard and Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen of the Reserve, they serve as teachers, pastors, public servants, engineers, medical professionals, small business owners, mothers, fathers, and so much more. Every day, they balance the competing demands of civilian life and military service, including leaving their communities at a moment's notice when our country calls.

Many patriotic employers have stepped up to do all that they can to support the mission of their Guard and Reserve employees. They offer generous leave policies while service members are deployed or undergoing military training. They ensure that spouses and families maintain access to health care and benefits while their loved ones are away. And they demonstrate steadfast support for the service members who sacrifice so much for all of us. That matters—it ensures that our National Guard and Reserve members can continue to strengthen our national security while maintaining meaningful roles at home.

The Biden family is a National Guard family, and we remain inspired by all Americans who choose to serve something bigger than themselves, just as our son Major Beau Biden did in the Delaware Army National Guard. We owe our troops, including our Guard and Reserve members, a debt of gratitude that we can never fully repay. During National Employer Support of the Guard and Reserve Week, let us also show our appreciation to employers for all that they do to support the brave Americans who stand at the ready to dare all, risk all, and give all for our Nation.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim August 20 through August 26, 2023, as National Employer Support of the Guard and Reserve Week. I call upon all Americans to observe this week by honoring our National Guard and Reserve service members, who sacrifice so much to keep our country and communities safe and secure, and to commend the employers who empower these service members to thrive.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of August, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10608 of August 25, 2023

Overdose Awareness Week, 2023

By the President of the United States of America
A Proclamation

The overdose epidemic is a national crisis, and for millions of Americans, it is personal. Too many families have lost their children, siblings, parents, and friends to substance misuse and overdose. Every loss is a painful reminder that we must take bold action to end our Nation's overdose epidemic. During Overdose Awareness Week, we reaffirm our commitment to beating this public health and public safety epidemic—in memory of all those we have lost and to protect all the lives we can still save.

People with substance use disorder face too many barriers to treatment. And while synthetic opioids, like illicitly produced fentanyl, are driving the majority of overdose deaths today and perpetuating addiction, we know that prevention and recovery are possible if people get the support and treatment they need. That's why my Administration established a National Drug Control Strategy that goes after two major drivers of the overdose epidemic: untreated addiction and drug trafficking.

My Administration has worked hard to ensure that substance use disorder is treated like any other disease, funding the expansion of prevention, treatment, harm reduction, and recovery support services. As a part of my Unity Agenda, we passed a law making it easier for doctors to prescribe effective treatments, leading to an unprecedented and historic expansion that finally put help within reach for millions of Americans.

Through the American Rescue Plan, we delivered more than $5 billion to strengthen and expand State and community mental health and substance use disorder services. We also addressed the mental health of frontline workers, like nurses, who are dealing with this crisis every day, by directing $103 million specifically to meet their needs. And my Bipartisan Safer Communities Act went even further—providing billions of dollars to improve mental health services for young people, including hiring and training more school mental health counselors so young people get the care they need.

We continue to fight the stigmatization that surrounds substance use disorder so people feel comfortable reaching out for help when they need it. The Food and Drug Administration approved two Naloxone products—an opioid overdose reversal medication—for over-the-counter use. Now, every American will be able to access this life-saving medication. And our new National Response Plan to address the deadly combination of fentanyl mixed with xylazine coordinates efforts across all of government to confront this dangerous emerging threat.

My Administration is also disrupting the flow of illicit drugs by making it costlier to bring killer drugs into America; going after drug traffickers' profits; and targeting their financial networks, supply chains, and delivery routes, including on the internet. We have strengthened coordination and information sharing among our intelligence and domestic law enforcement agencies to dismantle drug traffickers and their networks. So far, my Administration has seized more than 1.6 million pounds of drugs before they crossed the border and entered into our communities, including over 42,500 pounds of illicitly manufactured fentanyl. And we are not done. Drug overdose deaths leveled off in 2022 after sharp increases from 2019 to 2021. Now, we must double down on this work, which is why my proposed budget for Fiscal Year 2024 requests a historic $46.1 billion for national drug control programs. The Congress must act to invest in solutions that will prevent these drugs from ever hitting our streets and getting into the hands of our loved ones, including by passing all of the measures called for in my Administration's 2021 recommendations to the Congress on reducing illicit fentanyl-related substances, which will strengthen public health and public safety.

Today, I grieve with all those who have lost someone to an overdose. May we find hope in the more than 20 million brave Americans recovering from substance use disorder, who show us what is possible when people have the care, treatment, and support they need. My Administration will continue to ensure that our Nation has the resources we need to address this crisis, prevent illicit drugs from reaching our communities, and finally defeat the overdose epidemic in our Nation.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim August 27 through September 2, 2023, as Overdose Awareness Week. I call upon citizens, government agencies, civil society organizations, health care providers, and research institutions to raise awareness of substance use disorder so that our Nation can combat stigmatization, promote treatment, celebrate recovery, and strengthen our collective efforts to prevent overdose deaths. August 31st also marks Overdose Awareness Day, on which we honor and remember those who have lost their lives to the drug overdose epidemic.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of August, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10609 of August 25, 2023

Women's Equality Day, 2023

By the President of the United States of America

A Proclamation

America is the only Nation in the world based on an idea—the idea that all people are created equal and deserve to be treated equally throughout

their lives. We have never fully lived up to that idea, but we have never walked away from it either. On Women's Equality Day, we honor the pioneering suffragists who persisted through decades of struggle to finally win American women the right to vote, and we celebrate the advocates and everyday heroes who have continued the long march for equality ever since. On this day, we recommit to delivering a better future for all of America's daughters and for our Nation.

The 19th Amendment was certified 103 years ago, but more remained to be done—especially for women of color, many of whom fought for the right to vote for another four decades until the Voting Rights Act passed in 1965. Today, women still face discrimination and threats to their health and safety, as well as gaps in pay, access to health care, and caregiving responsibilities. These gaps are often even greater for women and girls of color. Last year, the Supreme Court overturned *Roe* v. *Wade*, eliminating a woman's constitutional right to make fundamental decisions about her own body and putting women's health and lives at risk. And we are facing new efforts to suppress the fundamental right to vote and undermine our democracy.

My Administration is committed to realizing the promise of the suffragists, who knew that equality begins at the ballot box and requires women to have a seat at the table. That is why we will keep fighting to pass the John Lewis Voting Rights Advancement Act to restore and strengthen the Voting Rights Act and the Freedom to Vote Act to ensure fair Congressional maps give all Americans an equal chance to be heard. It is also why I have delivered on my promise to build an Administration that looks like America—with courageous leaders like Vice President Kamala Harris and the record number of women who serve in our Nation's first gender-equal Cabinet leading the way. I have also appointed more Black women to Federal appellate courts—including the first Black woman on the Supreme Court, Justice Ketanji Brown Jackson—than all prior Presidents combined. And I established the White House Gender Policy Council to advance gender equity and equality across all domestic and foreign policy.

Equality also means ensuring women's economic security—and I am pleased that a majority of the record 13 million jobs we have added to our economy since I took office are held by women. We are working to ensure women have access to opportunities in sectors like manufacturing and construction, where women have long been underrepresented. I also signed an Executive Order to eliminate discriminatory pay practices and advance pay equity. I have fought for safe and healthy workplaces, including by signing into law long-overdue protections for pregnant, postpartum, and nursing workers. I signed an Executive Order with the most comprehensive set of actions ever to support caregivers and expand child- and long-term care, and we have made other historic investments in affordable child care while requiring firms that receive significant Federal dollars to ensure that high-quality child care is available so parents can actually take the new jobs that we are creating.

We have to ensure women's physical safety as well. As a United States Senator, I wrote the Violence Against Women Act to not only change the laws but also the culture that had allowed the scourge of domestic violence, sexual assault, and other forms of gender-based violence to persist

in America. As Vice President and now as President, I have worked to reauthorize and strengthen that law, improving law enforcement training, increasing support for survivors, addressing online harassment and abuse, expanding services for LGBTQI+ survivors, and more. I have also pushed to improve our military justice system, signing into law and implementing bipartisan reforms to better prevent and respond to sexual assault, sexual harassment, and domestic violence in the Armed Forces.

This year, we also mark the 100th anniversary of the introduction of the Equal Rights Amendment. It is long past time to definitively enshrine the principle of gender equality in the Constitution, and I will continue to fight for the Equal Rights Amendment as I have throughout my career. Together we can and must build a future where our daughters have all the same rights and opportunities as our sons, where all women and girls have a chance to realize their God-given potential, and where we can finally realize the full promise of America for all Americans. May we be a Nation worthy of the abilities and ambitions of our women and girls.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim August 26, 2023, as Women's Equality Day. I call upon the people of the United States to celebrate and continue to build on our country's progress toward gender equality and to defend and strengthen the right to vote.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of August, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10610 of August 31, 2023

National Childhood Cancer Awareness Month, 2023

By the President of the United States of America
A Proclamation

During National Childhood Cancer Awareness Month, we honor the extraordinary courage, strength, and optimism of the tens of thousands of families now fighting the leading cause of death by disease for children: cancer. We remember the bright lives cut short and recommit to ending cancer as we know it, for all those we have lost and all those we can save.

Cancer is brutal no matter whom it strikes, but it is particularly cruel when it affects the youngest among us. When they should be learning in school and playing outside, children with cancer are oftentimes fighting for their lives in hospitals instead. A cancer diagnosis takes a tremendous toll on their family, friends, and community. Caregivers are often left struggling to deal with a flood of medical information, to make sense of treatment options, and to navigate mounting medical bills all while trying to stay hopeful and steal moments of joy with their loved ones.

Over the past 50 years, cancer researchers have made major advances treating some types of pediatric cancer—but we have much more to do. Last year, the First Lady and I reignited the Cancer Moonshot, setting an ambitious new goal to cut America's overall cancer death rate by at least half over the next 25 years, turn more cancers from death sentences into treatable diseases, and improve support for patients and families. As a first step, I worked with the Congress to establish the Advanced Research Projects Agency for Health, securing $2.5 billion in bipartisan funding to develop breakthroughs in preventing, diagnosing, and treating cancer and other deadly diseases and pioneering partnerships to get those breakthroughs out to patients and clinics across the Nation. We're also making lifesaving health care more affordable for millions of American families, expanding health care coverage for families through Medicaid and the Affordable Care Act, and helping millions of families save $800 per year on health insurance premiums.

At the same time, the National Cancer Institute has developed a National Cancer Plan to speed up the development of effective cancer treatments, including those for children. The Institute's Childhood Cancer Data Initiative is also providing free molecular testing of tumors, further helping my Administration implement the RACE for Children Act, to quickly identify and approve precision pediatric cancer drugs. Earlier this year, I was also proud to sign the Childhood Cancer STAR Reauthorization Act, boosting funding for childhood cancer research, including research into late effects of childhood cancer treatment and new ways to care for survivors. And as a part of the Cancer Moonshot, the National Cancer Institute launched the *Childhood Cancer–Data Integration for Research, Education, Care, and Clinical Trials,* a first-of-its-kind, public-private partnership that will help children, adolescents, and young adults with cancer and their families reach out for support, connect to excellent care, and obtain opportunities to participate in research.

During National Childhood Cancer Awareness Month, we honor the absolute courage of the tens of thousands of children who fight cancer every day and all of the loved ones who support them. And we recognize the medical professionals, researchers, companies, philanthropies, and academic institutions who search tirelessly for early detection methods, better and safer treatments and even cures. Together, we will create a cancer-free future for our kids.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2023 as National Childhood Cancer Awareness Month. I encourage citizens, government agencies, private businesses, nonprofit organizations, the media, and other interested groups to increase awareness of what Americans can do to support the fight against childhood cancer. I encourage anyone experiencing uncertainty around risk factors or treatment options, or looking for other opportunities for support to connect with a trained specialist at 1–800–4–CANCER or visit www.cancer.gov.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of August, in the year of our Lord two thousand twenty-three, and of the

Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10611 of August 31, 2023

National Ovarian Cancer Awareness Month, 2023

By the President of the United States of America
A Proclamation

This year, nearly 20,000 women in the United States will be diagnosed with ovarian cancer—the deadliest of all female reproductive system cancers. Like so many American families, the pain of cancer and the devastation left in its wake are personal for me and my family. During National Ovarian Cancer Awareness Month, we stand in solidarity with the brave women fighting this terrible disease. We honor the mothers, sisters, daughters, wives, and friends we have tragically lost. And we renew our commitment to ending cancer as we know it.

Despite remarkable scientific breakthroughs, no reliable method for asymptomatic screening and detection exists, often delaying discovery until the cancer has progressed to far deadlier, advanced stages. Even for patients who receive a timely diagnosis, the flood of medical information can be overwhelming, and the cost of life-saving care can be financially crippling. Thousands of Americans pay more than $10,000 per year for ovarian cancer drugs.

Our Nation must do more to change that. Last year, the First Lady and I reignited the Cancer Moonshot, setting ambitious goals to cut the overall cancer death rate by at least half in the next 25 years, turning more cancers from death sentences into treatable diseases and working to improve the experience for patients and their families. As a first step, I worked with the Congress to establish the Advanced Research Projects Agency for Health, securing $2.5 billion in bipartisan funding to drive scientific breakthroughs in preventing, detecting, and treating cancer and other deadly diseases and pioneering partnerships to get those breakthroughs out to clinics and patients.

My Administration is also working to get patients and their families the breathing room they deserve—since taking office, we have lowered prescription drug costs and made lifesaving health care more affordable for millions of American families. We have strengthened Medicaid and the Affordable Care Act, expanding health care coverage to millions of Americans and helping 13 million people save $800 per year on health insurance premiums. The Inflation Reduction Act will also cap out-of-pocket drug costs for people on Medicare at $2,000 per year, even for expensive cancer drugs.

We also know that early detection greatly improves chances of survival for ovarian cancer. All women should discuss risk factors with their doctors and remain vigilant against symptoms. Experts recommend that patients with a personal or family history of breast or ovarian cancer—or whose ancestry is associated with harmful gene variants—have a discussion of risk

factors with their doctors to see if genetic counseling and testing may be appropriate.

Every day, people across the country share their stories of cancer with me—stories of pain and perseverance, stories of loss and love, and stories of heartache and hope. In observance of National Ovarian Cancer Month, let us pay tribute to all the lives we can save and to all the lives we have lost. Let us support the families and medical community working tirelessly to provide them with treatment and care. And let us recommit to ending cancer as we know it, once and for all.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2023 as National Ovarian Cancer Awareness Month. I call upon the people of the United States to speak with their doctors and health care providers to learn more about ovarian cancer. I encourage citizens, government agencies, private businesses, nonprofit organizations, the media, and other interested groups to increase awareness of what Americans can do to detect and treat ovarian cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of August, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10612 of August 31, 2023

National Preparedness Month, 2023

By the President of the United States of America

A Proclamation

In America, we pride ourselves on emerging from every crisis stronger than when we entered it. That is because our people are resilient—and when we invest in preparing them for disasters seen and unforeseen, we can meet every challenge together. This National Preparedness Month, we recommit to doing just that: Building a stronger and more resilient Nation and equipping Americans with the resources they need to remain safe and secure.

This year alone, historic flooding, wildfires, smoke, and extreme heat has claimed the lives of many Americans and, more broadly, threatened the lives and livelihoods of people across our Nation. Other Americans have had to face personal emergencies at a moment's notice—whether it is supply chains breaking down and preventing them from accessing the products they need, prolonged power outages because of extreme weather events, or a health emergency that puts a loved one in the hospital. And, climate change is making many of these challenges more ferocious, frequent, and costly.

To meet these challenges of today—and prepare for the crises of tomorrow—my Administration is taking historic action to invest in the security and well-being of America and Americans. That is what my Invest in

America agenda is all about. Between the funding from the Bipartisan Infrastructure Law and the Inflation Reduction Act alone, we have secured more than $50 billion so far in climate resilience so that communities can better withstand the impacts of climate change and extreme weather. That includes making transportation infrastructure more resilient by elevating roads and bridges over projected flood zones, planting urban trees to mitigate heat, increasing pay for our Federal firefighters, and upgrading housing and buildings to make them more energy efficient and better able to withstand extreme weather. These investments are also about securing our future: They put us on a path to cut America's greenhouse gas emissions in half by 2030, help communities prepare for climate-related disasters, and invest in American workers and American-made products. Together, we will ensure that, when disaster hits, our economy stays strong, Americans' livelihoods remain secure, and critical goods and services are there when we need them most.

When disaster does strike, every American should have peace of mind knowing that they can access health care for themselves and their family. That is why we expanded Affordable Care Act health care coverage for millions of Americans through the Inflation Reduction Act, saving millions of working families an average of $800 a year on their health care premiums.

This National Preparedness Month, may we honor all of our first responders, who run toward disaster at a moment's notice. May we also recognize that our Nation is best prepared to face disaster when our national security, climate security, and economic security are strong and when every American has the resources and support they need. To learn more about readiness, visit www.Ready.gov or www.Listo.gov for Spanish speakers. With the help of our partners in every sector and across local, State, Tribal, and territorial governments, may we all meet this moment and protect our families, communities, and country for generations to come.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2023 as National Preparedness Month. I encourage all Americans to recognize the importance of preparedness and work together to enhance our resilience and readiness.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of August, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10613 of August 31, 2023

National Prostate Cancer Awareness Month, 2023

By the President of the United States of America

A Proclamation

This year alone, more than 280,000 Americans will be diagnosed with prostate cancer. During National Prostate Cancer Awareness Month, we honor

the lives ended too soon and all those we can still save by redoubling our efforts to end cancer as we know it.

When someone is diagnosed with prostate cancer, every second counts. But patients are too often left advocating for basic care while drowning in a flood of medical information. Even when treatment is available, some struggle to afford it or insurance may not cover it. And stark inequities exist: Black men are more than twice as likely to die from prostate cancer in this country than other men.

Our Nation must do more to change that. Last year, the First Lady and I reignited the Cancer Moonshot, setting an ambitious new goal to cut America's cancer death rate by at least half over the next 25 years, turning more cancers from death sentences into treatable diseases and improving support for patients and families. I worked with the Congress to establish the Advanced Research Projects Agency for Health, securing $2.5 billion in bipartisan funding to develop breakthroughs in preventing, diagnosing, and treating cancer and other deadly diseases and pioneering partnerships to get those breakthroughs out to clinics and patients. We are making lifesaving cancer care more affordable for millions of Americans, expanding coverage through Medicaid and the Affordable Care Act, and helping many who had received relief during the pandemic to keep saving $800 a year on insurance premiums. The Inflation Reduction Act will soon cap total out-of-pocket prescription drug costs for seniors on Medicare at $2,000 a year—including for expensive cancer medicines—which could save some prostate cancer patients up to $6,000 a year.

We are also working to make sure prevention, detection, and treatment procedures are available to patients of all communities and backgrounds. The National Institutes of Health is continuing expansive research into environmental and genetic factors to better understand why prostate cancer disproportionately affects Black men. In response to our Cancer Moonshot, the Department of Veterans Affairs expanded its National Precision Oncology Program to better tailor treatments to individual veterans. And we know that screening matters: Experts recommend that men with a higher risk of cancer—based on race or ethnicity, family history, or other factors—discuss it with their doctors.

Everyone's journey with cancer is different, but the First Lady and I know how hard it can be on the whole family. To all those caring for loved ones with prostate cancer and all those facing it themselves, we stand with you. My Administration is working around the clock on breakthroughs that can bring hope and more choices to the fight against this disease.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2023 as National Prostate Cancer Awareness Month. I encourage citizens, government agencies, private businesses, nonprofit organizations, and other interested groups to join in activities that will increase awareness of what Americans can do to prevent and cure prostate cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of August, in the year of our Lord two thousand twenty-three, and of the

Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10614 of August 31, 2023

National Recovery Month, 2023

By the President of the United States of America
A Proclamation

During National Recovery Month, we celebrate the more than 20 million Americans who have had the courage to seek help for substance use disorder, showing millions of others that recovery is possible. We honor their resilience and recommit to making sure that every American has access to the services and support they need to rebuild lives of purpose and hope.

Substance use disorder affects families in every corner of our country. Drug overdoses last year took more than 100,000 American lives. Addressing this crisis is a core pillar of my Unity Agenda—one of the big issues we can tackle together as a Nation.

That work starts by fulfilling the promise of true parity for mental health and substance use disorder treatment for all Americans. Mental health and substance use disorder care is health care. It is essential to people's well-being—to their ability to lead full and productive lives, to find joy and meaning, to take care of themselves and their loved ones, and to give back to their communities and our Nation. It is about dignity. Health insurers should cover it the same way they would cover treatment for a broken bone or any other kind of health condition. And since I took office, that is what we have been fighting to do.

The American Rescue Plan delivered more than $5 billion to expand mental health and substance use disorder services. I have worked with a group of bipartisan members of the Congress to make it easier for doctors to prescribe effective treatments for opioid use disorder, and the Food and Drug Administration has approved two Naloxone products for over-the-counter use, expanding access to life-saving opioid-reversal medications that can prevent fatal overdoses. We have expanded the Nation's system of Certified Community Behavioral Health Clinics, opening 140 new centers to provide frontline care, regardless of a patient's ability to pay. We also launched a nationwide Suicide and Crisis Lifeline (9–8–8), which connects callers to trained counselors around the clock. The Department of Labor created a Recovery-Ready Workplace Resource Hub to help employers support and hire people in recovery.

We have come a long way toward improving access to care and building our Nation's recovery support services infrastructure, but there is much more to do. Last month, my Administration proposed a new rule that would require health insurers to identify any gaps in the mental health and substance use disorder care they provide and to ensure that mental and physical health services are equally accessible. We are also working with

States to ensure that millions of Medicaid patients enrolled in private Medicaid health plans have coverage for mental health and substance use disorder services. In all, my Fiscal Year 2024 Budget requests a historic $46 billion for prevention, treatment, and recovery services for substance use disorder, as well as reducing the supply of deadly drugs.

Millions of Americans know and love someone who is in recovery. We want everyone to know that they are never alone. As a Nation working together, we can make recovery real for more Americans.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2023 as National Recovery Month. I call upon all citizens, government agencies, private businesses, nonprofit organizations, and other groups to take action to promote recovery and improve the health of our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of August, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10615 of August 31, 2023

National Sickle Cell Awareness Month, 2023

By the President of the United States of America
A Proclamation

During National Sickle Cell Awareness Month, we recognize the perseverance and strength of the community of people living with this disease and recommit to developing more effective treatments.

Approximately 100,000 Americans have Sickle Cell Disease (SCD)—a group of inherited red blood cell disorders that can cause acute, chronic pain and serious health complications, including infections, strokes, organ damage, vision problems, and serious fatigue. Living with SCD often means putting the goals and plans of everyday life on hold to accommodate the demands of the disease, enduring frequent unplanned hospital stays and struggling to pay for costly treatments not covered by insurance.

There is no widely available cure for SCD. While bone marrow and stem cell transplants can work for some people with SCD, low donor availability and treatment-related complications put those options out of reach for many living with the disease. Although SCD affects people of all backgrounds, it disproportionately affects Black and Hispanic Americans. Combined with the documented disparities in treatment and care, people living with SCD often lack access to specialized care, treatment, and information about the disease, and they face barriers to receiving pain management and treatment support.

That is why my Administration is working tirelessly to close these health disparities and help deliver the care SCD patients and their families deserve. We are working with State, territorial, and local governments, nonprofits, and private sector partners to make that happen. The Centers for Disease Control and Prevention's Sickle Cell Data Collection program is gathering more comprehensive information on the experiences of SCD patients, which will inform new treatments and health care services. The Centers for Medicare & Medicaid Services is developing a Cell and Gene Therapy Access Model, which would help Medicaid beneficiaries gain access to potentially life-changing, high-cost specialty drugs for illnesses like sickle cell disease. The Health Resources and Services Administration is assisting with early identification and treatment of SCD and helping community-based organizations and clinics conduct testing, counseling, and education. The Food and Drug Administration has approved new drug therapies that help people with SCD manage their pain, and the National Institutes of Health (NIH) is funding clinical trials to test new advancements in the alleviation of chronic pain for those living with SCD. NIH is also researching possible personalized treatment approaches for SCD-associated pain. And through its ''Cure Sickle Cell Initiative,'' we are accelerating the development of effective and accessible genetic therapies that will help cure SCD once and for all.

This month, we acknowledge all those living with SCD and the many health and medical professionals working to find new treatments and a cure for this disease. May we honor the progress we have made together and strengthen our resolve in finding a cure for SCD.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2023 as National Sickle Cell Awareness Month. I call upon the people of the United States to learn more about Sickle Cell Disease and the progress we are making to reduce the burden of this disease on our fellow Americans.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of August, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10616 of August 31, 2023

National Wilderness Month, 2023

By the President of the United States of America

A Proclamation

America's natural wonders are marvels of the world. People travel across seas and continents to behold the spirit of this great land embodied by our majestic mountains, breathtaking deserts, emerald valleys, and mighty rivers. During National Wilderness Month, we celebrate the power and promise of our country's extraordinary natural gifts and renew our commitment to protecting them for generations to come.

When we conserve our country's landscapes and wilderness, we do more than preserve their beauty for our own enjoyment. We safeguard the future of people who depend on and sustain the land as a way of life—Indigenous peoples, farmers and ranchers, recreation businesses, and rural communities. We enshrine landmarks that identify the places where the history of our Nation was made. We protect sacred spaces that have been stewarded by Tribal Nations since time immemorial. And we mitigate the impacts of climate change to help make our country more resilient.

A respect for nature's ability to support and enrich our lives has led my Administration to develop the most ambitious land and water conservation agenda in American history. During my first week in office, I issued an Executive Order establishing the country's first-ever National Conservation Goal to conserve at least 30 percent of our lands and waters by 2030. It is the cornerstone of my ''America the Beautiful'' campaign to support locally led and voluntary conservation and restoration efforts across the country. I also signed an Executive Order to protect America's forests, harness the power of nature in the fight against climate change, and initiate the first National Nature Assessment to evaluate the state of our lands, waters, and wildlife. And with funding through the Bipartisan Infrastructure Law and alongside the Department of Agriculture, I have created a nearly $1 billion Community Wildfire Defense grant so that communities can take steps to protect themselves from the devastation of wildfires.

With the help of critical partners in every sector, we continue to make strong progress toward these conservation and climate goals. Together, my Bipartisan Infrastructure Law and Inflation Reduction Act represent the largest investment in climate and conservation ever—accelerating the clean energy economy here at home, protecting communities from climate impacts, and creating good-paying jobs that boost our economy. The new National Monuments I have designated will protect the soaring peaks of Camp Hale in Colorado, the irreplaceable Avi Kwa Ame in Nevada, the magnificent Castner Range in Texas, and the sacred sites and lands that surround the Grand Canyon. We have conserved the ancient and vast conifers of the Tongass National Forest; safeguarded the incomparable Bristol Bay watershed in Alaska; and restored protections for Bears Ears, Grand Staircase-Escalante, and the Northeast Canyons and Seamounts National Monuments.

My Administration has protected the Boundary Waters in Minnesota and Chaco Canyon in New Mexico, and we are accelerating efforts to restore the Great Lakes, the Chesapeake Bay, the Everglades, and the Columbia River Basin. At my direction, the Secretary of Commerce has begun exploring the designation of approximately 770,000 square miles in the Pacific Ocean, an area almost three times the size of Texas, as a new national marine sanctuary to protect the integrity of our oceans. The Department of the Interior has also begun the process of preserving more than 13 million acres of lands of significant natural and cultural value in the Western Arctic. And I declared the entire United States Arctic Ocean off-limits to new oil and gas development. These landscapes and sacred spaces are precious. If they are lost, they can never be replaced.

Though these are great accomplishments, I realize we still have much more work to do to protect our wilderness. That is why we are continuing to take ambitious steps to accelerate conservation. We are coordinating across Federal agencies and encouraging collaboration with non-Federal partners to

better conserve ecological connectivity and wildlife corridors. We are also partnering with Tribal Nations, working together as co-stewards of the lands that are most precious to them.

To harness the tremendous power of the ocean to help in our fight against the climate crisis, we published the first-ever United States Ocean Climate Action Plan, and the Budget I released earlier this year includes new funding to ensure our natural areas are accessible to all Americans. I want to build on legislation I signed last year that established Wilderness Act protections for more than 182,000 acres of public lands in Nevada, so I look forward to continuing to work with the Congress to advance locally led and locally supported proposals for protecting our most unique and beautiful lands and waters.

This National Wilderness Month, we renew our commitment to protecting our wilderness areas and ensuring that all their splendor is passed down from generation to generation of Americans, helping to bridge our past and our future.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2023 as National Wilderness Month. I encourage all Americans to experience our Nation's outdoor heritage, to recreate responsibly and leave no trace, to celebrate the value of preserving an enduring wilderness, and to strengthen our commitment to protecting these vital lands and waters now and for future generations.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of August, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10617 of September 1, 2023

Labor Day, 2023

By the President of the United States of America
A Proclamation

I have often said that the middle class built this country and that unions built the middle class. On Labor Day, we honor that essential truth and the dedication and dignity of American workers, who power our Nation's prosperity.

They have built the railways, highways, and waterways that connect us from coast to coast, have forged the look and feel of American cities, and have protected our communities and families as first responders. Organized workers have fundamentally transformed how we live and work in this country—from securing the 8-hour work day and overtime pay to mandating standard safety practices in workplaces and earning better health care, pensions, and other benefits for all workers.

American workers are the best in the world, but over the past few decades, too many leaders embraced an economic theory that failed them and our unions. It is called trickle-down economics. It is the belief that we should cut taxes for the wealthy and big corporations and wait for the benefits to trickle down to workers and American families. It is a belief that we should shrink public investment in infrastructure and public education. It is a tax policy that encourages corporations to move operations and jobs overseas.

Trickle-down policies slashed investments in people and communities and allowed big corporations to amass more power while limiting the ability of workers to join unions. It did not matter where companies made things, as long as it helped their bottom line—even if it meant losing the very workers who had helped them succeed. Companies cut staff, shipped good jobs overseas, prioritized cheap labor, and silenced workers' voices. As a result, factories and businesses across the country shut down, entire communities were hollowed out, and for many working people, a path to better their circumstances would never be within reach. People working as hard as ever could not get ahead because it was harder to buy a home, pay for a college education, start a business, and retire with dignity. The moment we embraced trickle-down economics, we walked away from who we are and from the way our Nation was built.

I knew our Nation could not continue with those same failed policies, so I came into office determined to build an economy that grows from the middle out and bottom up, not the top down. And it is working. We have added over 13 million jobs, including 800,000 manufacturing jobs. We added more jobs in my first two years than any President in a single 4-year term because we are investing in America and Americans again.

The Bipartisan Infrastructure Law I signed is a once-in-a-generation investment that puts Americans to work rebuilding our Nation's infrastructure using American-made materials. We have announced nearly 37,000 new projects since we passed the bill. For me, it was a top priority that the overwhelming majority of these investments be covered by Davis-Bacon prevailing wage requirements to make sure the hundreds of thousands of jobs we create are good-paying jobs.

We passed the CHIPS and Science Act to bring semiconductor manufacturing back to American shores and ensure that the United States leads the world in innovation. It has attracted over $166 billion in investment and ignited a semiconductor manufacturing boom. Our Inflation Reduction Act helps build the clean energy industries of the future here at home while incentivizing companies to adopt strong labor standards. Our American Rescue Plan includes funding to protect over two million union workers, retirees, and their families from benefit cuts to the pensions they have earned. All of these investments mean good-paying jobs that American workers can raise their families on, many of which do not require a 4-year college degree.

By investing more in Registered Apprenticeships and in career and technical education programs than any previous administration, we are ensuring that every American—from every region and background—can access the training and education needed to participate in our Nation's economic prosperity. My Administration is working to crack down on non-compete agreements that keep 30 million Americans from taking new jobs with higher wages in their field. We are taking action to protect workers' health

and safety from hazards they may be exposed to on the job, such as silica dust and other toxic materials. And my Administration is empowering American workers and giving working families some breathing room by bringing the cost of prescription drugs and health care down for millions of Americans.

I promised to be the most pro-union President in history, and I firmly believe that every worker in America should have the free and fair choice to join a union or organize and bargain collectively with their employer without coercion or intimidation. That is because when organized labor wins, our Nation wins. My Administration will continue to support and encourage labor unions so that workers have a seat at the decision-making table, an opportunity to speak truth to power, and the support to fight for the dignity and respect they deserve.

On Labor Day, we stand in solidarity with all the workers who lift our Nation to new heights and all the labor unions who give all workers power and voice. May we continue working to restore the American Dream for every person willing to work hard in our Nation by embracing what has always been the foundation of our country's success: investing in America and American workers.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 4, 2023, as Labor Day. I call upon all public officials and people of the United States to observe this day with appropriate programs, ceremonies, and activities that honor the energy and innovation of working Americans.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10618 of September 7, 2023

National Days of Prayer and Remembrance, 2023

By the President of the United States of America
A Proclamation

Twenty-two years ago—on September 11, 2001—2,977 precious lives were stolen from us in attacks of deliberate evil on our Nation. On the National Days of Prayer and Remembrance, we come together to renew our sacred vow: Never forget. Never forget the parents, children, spouses, friends, and loved ones we lost that day. Never forget the heroes who stepped up to rescue their fellow Americans and help our communities rebuild in the hours—and years—thereafter. And never forget our obligation to honor their memories and service by building a safer and more secure future for all.

To all the families of the victims who have had to endure the absence of a loved one over the last two decades, I know that 22 years is both a lifetime and no time at all. The very memories that help us heal can also open up the hurt and take us back to the moment the grief was raw—to the moment when a loved one and their dreams were stolen from us in an instant. Today, when that grief feels especially great, the First Lady and I hold you close to our hearts.

We also join all those who are mourning the loss of patriots who stepped up when their country needed them most. My mom believed the greatest virtue of all was courage and that someday the bravery that exists in every heart will be summoned. For many, that day was September 11, 2001. Patriotic citizens and first responders ran into the searing flames and crumbling buildings to save their fellow Americans. And in the years that followed, thousands more served and sacrificed to prevent another attack on the United States.

These brave heroes remind us that—through all that has changed over these last two decades—the enduring resolve of the American people has never wavered. What was destroyed in the attacks, we have repaired. What was threatened, we have fortified. We have never ceased in our mission to defend ourselves against those who seek to do us harm and to deliver justice to those responsible for attacks against our people. And during our darkest hour, we regained our light by finding something all too rare—unity.

Today, the charge left for all of us is to find renewal and resolve in remembrance. For it is not enough to only reflect on the souls we lost on September 11th; we must also continue to build a Nation worthy of their highest aspirations—one that remembers, for all our flaws and disagreements, there is nothing we cannot accomplish when we stand together and defend with all our hearts that which makes us unique in the world: our democracy.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 8, 2023, through September 10, 2023, as National Days of Prayer and Remembrance. I ask that the people of the United States honor the victims of September 11, 2001, and their loved ones with prayer, contemplation, memorial services and visits, bells, candlelight vigils, and other activities. I invite people around the world to join. I call on the citizens of our Nation to give thanks for our many freedoms and blessings, and I invite all people of faith to join me in asking for God's continued guidance, mercy, and protection.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10619 of September 8, 2023

National Hispanic-Serving Institutions Week, 2023

By the President of the United States of America
A Proclamation

Education beyond high school should be a ticket to the middle class—and across our Nation, more than 500 Hispanic-Serving Institutions have helped to make that promise real, opening the doors of opportunity a bit wider for generations of Hispanic college students. During National Hispanic-Serving Institutions Week, we celebrate their important work.

Today's students are part of the most talented, resilient, and diverse generation in our history. But while creativity and work ethic are abundant, not everyone has an equal shot yet. That is why Hispanic-Serving Institutions are so essential. Two-thirds of all Hispanic college students in America attend one; they provide a quality education and empower underserved students—including Dreamers and first-generation college students—to earn degrees and build better lives for their families. And with the Supreme Court's recent decision to effectively end affirmative action, their work is as critical as ever.

My Administration is committed to strengthening these vital institutions and supporting their students through graduation and beyond. The American Rescue Plan invested $11 billion in Hispanic-Serving Institutions—the largest investment in Hispanic college students in our Nation's history. And through our White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Hispanics, we are working together to support Hispanic and Latino college students and invest in the future of Hispanic and Latino communities.

We have also increased Pell Grants for low-income families by the largest amount in over a decade, easing the overwhelming cost of college for about half of all Hispanic undergraduates. We fixed the Public Service Loan Forgiveness program so borrowers who become teachers, police officers, social workers, military service members and other public servants get the debt relief they are entitled to under the law. We are reducing the amount that student loan borrowers have to repay on their undergraduate loans to 5 percent of their discretionary income each month, down from 10 percent—the most generous repayment program ever. That is going to save the typical borrower around $1,000 a year. And last year, I introduced the most ambitious student debt relief plan ever, which was on the verge of helping more than 40 million Americans. When the Supreme Court wrongly struck down that plan, we moved immediately to open an alternative path to relief that could further reduce costs for many Hispanic borrowers. No administration has fought harder for student debt relief than mine—and we are not done yet.

This week, I am thinking about Julieta García, the first Hispanic woman in history to serve as president of an American college. Last year, I had the honor of giving her the Presidential Medal of Freedom for her work building a culture of excellence, affirmation, and curiosity for generations of students. Reflecting on her career, she once said, ''My job was always to thrust open the doors of opportunity.'' That is what Hispanic-Serving Institutions

do—and that is what America is all about: widening the aperture of opportunity for everyone.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 10 through September 16, 2023, as National Hispanic-Serving Institutions Week. I call on public officials, educators, and all the people of the United States to observe this week with appropriate programs, ceremonies, and activities that acknowledge the many ways these institutions and their graduates contribute to our country.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10620 of September 8, 2023

National Grandparents Day, 2023

By the President of the United States of America

A Proclamation

On National Grandparents Day, we give thanks to grandparents, who are the heart and soul of so many families.

Offering wisdom, sharing their own stories of courage and resilience, or leading us forward by the power of their example, grandparents define who we are and shape who we become. The First Lady and I were blessed with loving grandparents, and our grandchildren are the love of our lives and the life of our love.

For many families, grandparents are the glue holding everyone together. They drive their grandchildren to school and babysit when parents are busy. Sometimes, they become primary caregivers, giving children a stable home and loving role model. Grandparents give advice to young parents, pass on timeless family stories to younger generations, and open their hearts and homes for the people they love. I will never forget when my own grandpop took my family in when my father lost his job. My grandpop was a true example of what makes grandparents so special.

My Administration is working to respect the dignity of our grandparents and seniors. Through our Inflation Reduction Act, Medicare now has the authority to negotiate for lower prescription drug prices. Seniors on Medicare who used to pay as much as $400 a month for insulin are now paying $35 a month. In 2025, we are capping out-of-pocket spending on prescription drugs at the pharmacy at $2,000 annually for those on Medicare, making it easier to afford medication. My proposed budget will extend the Medicare trust fund for at least 25 years, preserving essential programs that Americans have counted on for generations. And as I have promised, I will continue fighting to protect Social Security and Medicare and will not agree to any cuts to either program.

On this occasion, my Administration reaffirms our commitment to looking after our Nation's grandparents, especially those who care for children. Last year, the Department of Health and Human Services released the first National Strategy to Support Family Caregivers. This plan outlines nearly 350 actions the Federal Government can take to support the health, well-being, and financial security of family caregivers, including the 2.7 million grandparents who serve as caregivers for children each year. Additionally, I signed an Executive Order directing Federal agencies to increase support of family caregivers and provide more care options for people with disabilities and their families. The American Rescue Plan provided $145 million to deliver counseling, training, and short-term relief to grandparents and other care providers. And for grandparents looking to share their love, the AmeriCorps Seniors Foster Grandparent program provides seniors with the opportunity to mentor young people in their communities.

Whether your grandparents called this country home from the moment they were born or came from distant shores, they have worked hard to give their children and their grandchildren a more prosperous future. In our hearts, we carry the lessons our grandparents instilled in us. And in ways big and small, we strive to build a future worthy of their highest hopes. On National Grandparents Day, we give thanks to our grandparents for their unconditional love and unmatched inspiration.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 10, 2023, as National Grandparents Day. I call upon all Americans to celebrate the important role that grandparents play in the lives of their families and the children and grandchildren they love.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10621 of September 8, 2023

World Suicide Prevention Day, 2023

By the President of the United States of America
A Proclamation

On World Suicide Prevention Day, we hold all those affected by suicide close in our hearts—the Americans we have lost to this public health problem, the loved ones who mourn their heart-wrenching losses, and all the families and professionals working to support those in crisis. Though we recognize there is no single cause or single solution to suicide, we know that access to support and treatment can save lives. My Administration remains committed to expanding suicide prevention programs to reach every community in our Nation and ensuring all Americans can receive the care and support they deserve.

My Administration is working to tackle the mental health crisis, including by addressing the many risk factors associated with suicide—it is a core pillar of my Unity Agenda and one of the big challenges we as a society can overcome together. We have laid out a strategy to transform how mental health is understood, accessed, treated, and integrated in and out of health care settings. Our goals are to strengthen the mental health system's capacity, connect more Americans to care, and create healthy environments that strengthen mental health.

In 2021, more than 48,000 Americans were lost to suicide, over 12.3 million adults seriously considered suicide, and 1.7 million people attempted suicide. Suicide is the second leading cause of death among youth and young adults between the ages of 10 and 24 years old. And the suicide rate for veterans was more than 50 percent greater than for non-veteran adults. Yet despite the fact that so many Americans struggle with their mental health, treatment is often too expensive or inaccessible.

In 2021, less than half of all adults with mental illness received care for it. For children, the numbers are even worse. Nearly 70 percent of our kids who seek care for mental health or substance use cannot get it. Parents, teachers, school nurses, and counselors are telling us there is a serious youth mental health crisis happening right now in this country. But insurers still make it far too difficult to get mental health care. With too few mental health providers in their plan's network, patients with private insurance are often forced to seek out-of-network care at significantly higher costs, if they can find it.

Recently, my Administration proposed new steps to meaningfully expand access to mental health care in America, including requiring health insurance plans to identify gaps in the mental health care that they provide and to fix them. Under this plan, insurers would have to measure how often they require prior authorization for mental health care treatment and how often they deny those requests.

I have heard the despair from families everywhere, watching their spouse's, child's, or loved one's light dim, knowing they need help but lacking the means to get it. This sense of helplessness strips families of their confidence and dignity. Health insurers should cover mental health crises the same way they would cover treatment for a broken bone or any other physical health condition. Since I took office, my Administration has been fighting to make that a reality.

Our American Rescue Plan delivered nearly $5 billion to expand Federal and State mental health and substance use services. Last year, when we passed the Nation's first major gun safety law in nearly three decades, we added measures to further expand the number of school psychologists and counselors available to our kids, make it easier for schools to use Medicaid to deliver mental health services, and increase the number of Certified Community Behavioral Health Clinics that deliver 24/7 care.

We have also launched 988, the National Suicide and Crisis Lifeline, which connects those experiencing a mental health crisis to a trained crisis counselor right away. And we established the National Maternal Mental Health Hotline to help mothers navigate mental health issues that can be reached by dialing 1–833–TLC–MAMA (1–833–852–6262). And to those experiencing emotional distress or thoughts of suicide: Please know that you are

loved and that there is hope. I encourage you to call or text 988 for free, confidential support.

We are also investing in mental health care and suicide prevention efforts for service members and veterans to better honor our sacred obligation to the troops we send into harm's way by caring for them and their families when they return. We are hiring more mental health professionals and investing in programs that recruit veterans to help others get the support they need. We are working to expand rental assistance and job placement programs for our veterans to help reduce financial strain. And to help our first responders heal from any trauma they faced on the job, I have also signed laws that extend counseling, benefits, and other mental health resources.

As the world joins together to honor the memories of those we lost to suicide and their loved ones, may we recommit to ensuring that help and support are accessible and affordable to every American.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 10, 2023, as World Suicide Prevention Day. I call upon all Americans, communities, organizations, and levels of government to join me in creating hope through action and committing to preventing suicide across America.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10622 of September 8, 2023

Patriot Day and National Day of Service and Remembrance, 2023

By the President of the United States of America

A Proclamation

Today we remember all the heroes who were forged in the hours, days, and years that followed that terrible morning of September 11, 2001—ordinary Americans who, amidst the terror, smoke, and flames, demonstrated extraordinary courage and selflessness. Together, their bravery helped prove to our Nation and the world that what those terrorists most hoped to wound could never be broken: the character of our Nation.

In the crucible that was September 11th, we saw just how deep that character goes. We saw it in the civilians, service members, and first responders who leapt into action that day, running into the searing flames and crumbling buildings—risking and losing their own lives to save others. We saw it in the incredible courage and resolve of the passengers on board Flight 93, who refused to let their plane be used as a weapon against more innocent Americans. We saw it in the police officers and firefighters who returned to the twisted steel and broken concrete slabs of Ground Zero and the Pentagon for months—breathing in toxins and ash that would damage

their own health but nonetheless refusing to stop searching through the destruction. And we saw it in the millions of Americans across our country who responded to the September 11th attacks by signing up to defend our Constitution and join the greatest fighting force in the history of the world.

In the years since September 11th, hundreds of thousands of American troops have served—and sacrificed—around the world to deny terrorists safe haven and protect the American people. The First Lady and I hold in our hearts all those whose loved ones gave their last full measure of devotion in this fight. We owe them—and all our veterans and Gold Star Families as well as their survivors, caregivers, and loved ones—a debt of gratitude. While we can never fully repay that debt, we will never fail to meet our sacred obligation: to prepare and equip all those we send into harm's way and care for them and their families when they return.

In honor of all the lives we lost 22 years ago—and in honor of all the heroes who have given their whole souls to the cause of this Nation every moment since—may today not only be observed with solemn remembrance but also with renewal and resolve. And I invite all Americans to observe this day with service; you can find opportunities to volunteer in your community by visiting americorps.gov/911-day. Together, may we continue to demonstrate that the rights and freedoms that those terrorists sought to destroy on September 11, 2001, remain unwavering—strengthened by generations of Americans who have dared all and risked all to defend, protect, and preserve our democracy.

By a joint resolution approved December 18, 2001 (Public Law 107–89), the Congress has designated September 11 of each year as ''Patriot Day,'' and by Public Law 111–13, approved April 21, 2009, the Congress has requested the observance of September 11 as an annually recognized ''National Day of Service and Remembrance.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim September 11, 2023, as Patriot Day and National Day of Service and Remembrance. I call upon all departments, agencies, and instrumentalities of the United States to display the flag of the United States at half-staff on Patriot Day and National Day of Service and Remembrance in honor of the individuals who lost their lives on September 11, 2001. I invite the Governors of the United States and its Territories and interested organizations and individuals to join in this observance. I call upon the people of the United States to participate in community service in honor of those our Nation lost, to observe this day with appropriate ceremonies and activities, including remembrance services, and to observe a moment of silence beginning at 8:46 a.m. eastern daylight time to honor the innocent victims who perished as a result of the terrorist attacks on September 11, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10623 of September 14, 2023

National Hispanic Heritage Month, 2023

By the President of the United States of America

A Proclamation

During National Hispanic Heritage Month, we honor the diverse history of generations of Latinos, whose aspirations and achievements have shaped the soul of our Nation.

I have often said that America can be defined in one word: possibilities. The Hispanic community has always embodied that ideal. It lives in the dreams of those who have only just arrived here and in the legacy of families who have been here for centuries. Latinos have helped chart America's course since our start—as doctors and engineers; artists and entrepreneurs; and leaders in science, business, labor, government, and military and across grassroots movements. Their faith and drive have pushed our country to grow, prosper, and pursue its highest ideals.

My Administration is working to make the American Dream real for everyone, including by expanding opportunities for Latinos across the country. Since I took office, we have seen over 13 million new jobs created. Unemployment is near a 50-year low. We helped more than 2.5 million Latinos enroll in health insurance through the Affordable Care Act—that is an increase of more than 50 percent since 2020. We expanded the Child Tax Credit, which slashed child poverty by over 40 percent among Latinos to the lowest rate on record. I signed the most significant gun safety legislation in 30 years. We have invested in community colleges, Pell Grants, and Hispanic-Serving Institutions, helping more Latino students access higher education. And we have made Puerto Rico's economic recovery and development a priority by providing funding for new infrastructure and clean energy projects and upgrading their transportation.

We are doing all this by investing in America—rebuilding our Nation's roads, bridges, ports, and public transportation; replacing every lead pipe in the country; and expanding access to high-speed internet. Our historic Inflation Reduction Act is giving families more breathing room by lowering health insurance and prescription drug costs, including capping the cost of insulin at $35 a month for people with Medicare. And it makes the biggest investment ever in combating climate change while bringing environmental justice to communities of color, including Latinos, that have been exposed to legacy pollution.

At the same time, on my first day in office, I sent the Congress a plan to finally fix our Nation's broken immigration system—securing our border while building a fair, orderly, and humane process for migration that keeps families together and protects workers from exploitation. It also includes a pathway to citizenship for Dreamers, temporary status holders, and farm workers.

Throughout our work, the leadership of my four Latino Cabinet members—Secretary of Health and Human Services Xavier Becerra, Secretary of Education Miguel Cardona, Secretary of Homeland Security Alejandro Mayorkas, and Small Business Administrator Isabella Guzman—has made an immense difference. And tens of thousands of other Latinos serving our

Nation continue to inspire us all—including history-makers like Supreme Court Justice Sonia Sotomayor; educators like Dr. Julieta García, to whom I awarded the Medal of Freedom; brave police officers like the fallen Wilbert Mora and Jason Rivera, who posthumously received the Medal of Valor; and the 28 Hispanic Federal judges that I nominated and have seen confirmed. And countless more are enriching our country in meaningful ways, including legendary artists like José Feliciano, Judith Baca, and Antonio Martorell—who each received the National Arts Medals—and Richard Blanco, who I awarded the National Humanities Medal.

During National Hispanic Heritage Month, we salute the vital contributions of these public servants and of the more than 62 million Latinos who help make our Nation stronger every day. Latino history is American history. It is a story of hard work, family, faith, pride, and possibility, and it is proof that there is nothing we cannot do when we do it together.

In recognition of the achievements of the Hispanic community, the Congress, by Public Law 100–402, as amended, has authorized and requested the President to issue annually a proclamation designating September 15 through October 15 as ''National Hispanic Heritage Month.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 15 through October 15, 2023, as National Hispanic Heritage Month. I call upon all Americans to observe this month with appropriate ceremonies, activities, and programs that celebrate Hispanic heritage and recognize the impact Hispanic peoples have had on our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10624 of September 14, 2023

National POW/MIA Recognition Day, 2023

By the President of the United States of America

A Proclamation

Unbreaking and unbending in their devotion to duty, our service members have sacrificed everything to keep our people and our democracy safe. While more than 81,000 of these brave service members still remain missing and unaccounted for, they are not—and will never be—forgotten. On National POW/MIA Recognition Day, we honor the devotion and courage of all those missing and unaccounted for, renew our commitments to their families, and promise to never cease in our efforts to bring them home.

Above the White House and the United States Capitol—and at military bases, memorials, cemeteries, and homes across America—we fly the POW/MIA flag, and we remember what it represents: the thousands of spouses, parents, sons, daughters, and loved ones who served and sacrificed for our

freedom and future; loved ones who mourn with unanswered questions still in their hearts; and the debt of gratitude we owe them that we can never fully repay. We cannot and must not forget our obligation to our unreturned heroes—no matter how long it takes.

Earlier this year, I had the honor of announcing that after over seven decades of being unaccounted for, United States Army Corporal Luther H. Story—a Medal of Honor recipient who gave his life fighting in the Korean War—was no longer missing. His remains were identified, returned to his family, and laid to rest near his Georgia hometown with the highest honor he deserves. His story is just one powerful reminder that, just as our service members have kept ultimate faith to our country, we must do everything we can to keep faith for them.

On this day, may we recommit to our search efforts for all those missing and unaccounted for, as well as our support for their families. May we honor the remarkable bravery, sacrifice, and commitment to service of former prisoners of war. And may we continue to keep the flame of liberty burning bright and continue working toward a more perfect Union for which our service members sacrifice so much.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 15, 2023, as National POW/MIA Recognition Day. Let all who read this know that America remains grateful to our heroes held in the worst imaginable conditions as prisoners of war. Additionally, I encourage my fellow citizens across the Nation to reflect on today and let us not forget those heroes who never returned home from the battlefields around the world or their families who are still waiting for answers. I call upon Federal, State, and local government officials and private organizations to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10625 of September 15, 2023

Constitution Day and Citizenship Day, and Constitution Week, 2023

By the President of the United States of America
A Proclamation

More than two centuries ago, our Founders set in motion the most extraordinary experiment of self-government the world has ever known with three simple words: ''We, the People.'' These timeless words from our Constitution help capture the very idea of America—that we are all created equal and deserve to be treated equally throughout our lives. On Constitution Day and Citizenship Day, and during Constitution Week, we recommit to doing

the work of upholding our Constitution, defending our democracy, and building an America that is more prosperous, more equal, and more just.

History requires us to acknowledge that we have never fully lived up to the promise of America. But we have never fully walked away from it either. Burning inside each generation of Americans is the flame of liberty lit at Independence Hall that has guided our Nation from the horrors of slavery to the justice of abolition, from the tragedy of a Civil War to the preservation of our Union, and from economic turmoil and world wars to movements for universal suffrage and civil rights. Our commitment to a Government—of, by, and for the people—has ensured that our Nation remains a citadel of liberty.

American democracy hinges on a fundamental freedom guaranteed by our Constitution: the right to vote. In our own time, as in generations past, this freedom has been under attack. The Supreme Court weakened the landmark Voting Rights Act, and States have enacted dozens of anti-voting laws in the years since. In one of the darkest moments of our Nation's history, on January 6, 2021, we saw the violent and deadly insurrection at the Capitol perpetrated by election deniers. My Administration will not allow the right to vote and have that vote counted be taken from the American people. This year, I signed the Electoral Count Reform Act to preserve the will of the people and help protect the peaceful transfer of power. And I continue to urge the Congress to pass the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act to restore and expand voting protections and to prevent voter suppression.

But there is still more work to do. Protecting our civil rights is the duty of each and every American. In the wake of the Supreme Court's decision to eliminate a woman's right to choose—a constitutional right that it had recognized for nearly 50 years—my Administration took action to protect access to reproductive care, and we are continuing to call on the Congress to restore the protections of *Roe* v. *Wade*. As some seek to erase our history and ban books, we are making it clear that we cannot just choose to learn what we want to know and not what we should know. We must learn everything—the good, the bad, and the truth of who we are as a Nation. That is what great nations do. And we are a great Nation. The diversity that defines America is a strength, not a weakness, and we will continue to fight for the full inclusion of all Americans in the promise of America.

As we celebrate our Constitution, we also celebrate the rights and responsibilities of citizenship. We honor everyday Americans who always do extraordinary things. And we welcome our newest citizens and immigrants—many of whom left the only home they have ever known with hopes of pursuing the American Dream, bringing new energy and ideas that move our Nation forward. That is why, on day one of my Administration, I sent the Congress my plan to reform the immigration system. And until the Congress acts, we will keep using every tool we have to make immigration more orderly, safe, and humane.

America is founded on an idea—one stronger than any army, bigger than any ocean, and more powerful than any dictator or tyrant. It is the most powerful idea in the history of the world, and it beats in the hearts of the people in this country. It is the idea that America guarantees that everyone be treated with dignity. It gives hate no safe harbor. It instills in everyone

the belief that, no matter where you start in life, there is nothing you cannot achieve. Whether your ancestors were native to these shores or they were brought here forcibly and enslaved—or whether they immigrated generations back, like my family from Ireland, or they just arrived in search of a better life for their families—the idea of America unites all of us. Today and every day, we celebrate this idea imagined in our Constitution and preserved through the noble labors of Americans past and present. And we reaffirm our commitment to ensuring this idea lives on for generations to come.

To honor the timeless principles enshrined in our Constitution, the Congress has, by joint resolution of February 29, 1952 (36 U.S.C. 106), designated September 17 as ''Constitution Day and Citizenship Day'' and authorized the President to issue a proclamation calling on United States officials to display the flag of the United States on all Government buildings on that day. By joint resolution of August 2, 1956 (36 U.S.C. 108), the Congress further requested that the President proclaim the week beginning September 17 and ending September 23 of each year as ''Constitution Week.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 17, 2023, as Constitution Day and Citizenship Day, and September 17 through September 23 as Constitution Week. On this day and during this week, we celebrate our Constitution and the rights of citizenship that together we enjoy as the people of this proud Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10626 of September 15, 2023

National Farm Safety and Health Week, 2023

By the President of the United States of America

A Proclamation

America's farmers, farmworkers, and ranchers are the backbone of our Nation. They feed our families, power much of our economy, and help America lead the world. We owe them the dignity and certainty of knowing they are safe on the job. During National Farm Safety and Health Week, we renew our Nation's commitment to protecting the well-being of everyone who works in agriculture.

The prosperity that American farms provide our Nation can come with great personal risk. Agriculture has long been one of our most dangerous industries, with nearly six times as many fatalities as other industries, often due to tractor rollovers and road accidents while moving equipment from farm to field. Heavy labor, unsafe pesticides, extreme heat and weather, volatile markets, and other uncertainties can cause stress and injury. At the

same time, nearly 200 rural hospitals have closed since 2005, making it harder to find emergency treatment and health care in agricultural areas.

When I ran for office, I promised to be the most pro-worker President in history and to get rural communities the resources they need to keep everyone healthy and safe. My Administration has fought to keep workers safe on the job—including issuing the first-ever Heat Hazard Alert, ramping up enforcement of heat-safety violations, increasing inspections in high-risk industries like agriculture, and working toward a national standard for workplace heat-safety rules. The Department of Agriculture is investing $500 million in American Rescue Plan funds in rural health care services so more Americans can get needed care closer to home. The Bipartisan Infrastructure Law is investing $65 billion in broadband, boosting access to remote telehealth services. The Inflation Reduction Act is slashing health care coverage premiums and prescription drug prices for seniors. At the same time, we have proposed new rules to require health insurers to cover mental health care the way they would anything else, moving toward real mental health parity. We have opened 140 new Certified Community Behavioral Health Clinics and launched the nationwide Suicide and Crisis Lifeline (9–8–8) connecting those in crisis to trained counselors by phone, text, or chat.

Meanwhile, my Administration is also focused on growing the rural economy more broadly. We are getting States the funds they need to expand access to small and midsized meat and poultry processing so producers have a better shot at fair prices. We are harnessing the bioeconomy and creating new revenue streams for farmers by supporting new and innovative products, like plant-based packing materials and sustainable aviation fuels. Throughout, we are making sure small and midsized farmers and ranchers have a chance to succeed right where they are from so the wealth they generate stays in their communities and their children can keep farming, building a stronger rural economy long-term.

America's farms, farmworkers, and ranchers represent the best of our Nation. Working together, we can make sure they have all they need to live healthy and safe lives.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 17 through September 23, 2023, as National Farm Safety and Health Week. I call upon the people of the United States—including America's farmers; ranchers; and agriculture-related institutions, organizations, and businesses—to reaffirm a dedication to farm safety and health. I also urge all Americans to express appreciation and gratitude to our farmers, farmworkers, and ranchers for their tireless service to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10627 of September 18, 2023

National Voter Registration Day, 2023

By the President of the United States of America

A Proclamation

The right to vote and to have that vote counted is the threshold of democracy. Without it, nothing is possible, but with it, anything is. On National Voter Registration Day, we reaffirm our commitment to ensuring every American has equal opportunity to participate in our democracy, and we encourage all eligible Americans to register to vote.

Since the founding of our country, countless Americans have fought to secure the right to vote and to have that vote counted for all. Women did not secure the right to vote until 1920. Black Americans were denied full citizenship and voting rights up until 1965. Time and again, Americans have fought against great opposition—they have marched, protested, and even died for the right to vote. They have done the hard work of our democracy by registering voters and getting them to the polls.

Yet, even today, the voting rights of so many hang in the balance. The Supreme Court weakened the landmark Voting Rights Act, and in the years since, States have enacted dozens of anti-voting laws. On January 6, 2021—one of the darkest moments of our Nation's history—we saw the violent and deadly insurrection at the Capitol perpetrated by election deniers. It is clear that the fight to preserve our democratic values and norms is not over. Just as generations of Americans past rose to the occasion, protecting and securing the right to vote, we must answer the call to fight for our democracy today.

Delivering a Government by and for the people begins and ends with the ballot box. My Administration will do everything in our power to protect it. It is why I signed an Executive Order that established a whole-of-government effort to promote access to voter registration and election information all across America, including in underserved communities. In response, Federal agencies have taken action to help make it easier for veterans and college students to register to vote. The Department of Justice has also doubled its voting rights staff. As President, I will continue to fight back against State legislation that undermines the will of the American people. I continue to call on the Congress to pass the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act to expand access to voting and prevent voter suppression. Passing these laws is the only way to fully secure the right to vote in every State.

Today, I think of the words of the late civil rights trailblazer Representative John Lewis: ''Democracy is not a state; it is an act.'' As our democracy faces threats from those who seek to weaken the right to vote, it has never been more important to act—to protect and expand the right to vote. I know that we will—not just because our cause is just, our vision is clear, and our hearts are full but because generations of Americans refused to give up until they secured voting rights for all of us. Now it is our turn to secure the right to vote for all Americans once more. For the generations to come, for the strength of our democracy, and for the preservation of our extraordinary experiment in self-government, we must remain committed to securing the right to vote for all and redeeming the soul of our Nation.

On National Voter Registration Day, I call on all eligible Americans to ensure that they are registered to vote by checking that their registration is accurate and up to date and to help their communities do the same. Visit www.Vote.gov for more information on how to register to vote. I also urge policymakers and constituents alike to join me in preserving, reinforcing, and expanding this essential constitutional right.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 19, 2023, as National Voter Registration Day. I call on all eligible Americans to observe this day by ensuring that they are accurately registered and by committing to cast a ballot in upcoming elections.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10628 of September 22, 2023

National Historically Black Colleges and Universities Week, 2023

By the President of the United States of America
A Proclamation

Our Nation's Historically Black Colleges and Universities (HBCUs) are rooted in a fundamental tenet of our democracy: A quality education is a right that belongs to all people, and every single American should be free to pursue the limits of their talent and ambition. During National Historically Black Colleges and Universities Week, we recommit to supporting and investing in HBCUs so they can continue the essential work of educating and empowering students who enrich the soul of our Nation.

Throughout their history, HBCUs have instilled in their students a sense of culture and purpose and a commitment to making a difference in the lives of all Americans. They are centers of academic excellence, producing 40 percent of all Black engineers in America, 50 percent of all Black lawyers in America, 70 percent of all Black doctors and dentists in America, and 80 percent of all Black judges in America. They are incubators of scholars and educators; advocates and athletes; and leaders in every sector of our society, including industry, public interest firms, faith, medicine, and the arts and sciences. They have molded trailblazers, visionaries, and public servants, who have helped make our democracy more inclusive and equitable. I see the excellence of HBCUs manifested every day in my Administration by HBCU alumni who are gifted members of my cabinet—like Vice President Kamala Harris and Administrator of the Environmental Protection Agency Michael Regan—and in staff serving at all levels of my Administration.

Despite the wealth of their contributions to our society, HBCUs often do not have the same endowments and financial resources as other colleges and universities. That is not only unfair—it undermines the full potential of our Nation. It means leading institutions are often unable to build and fund research labs, which can lead to the new technologies and innovations that define American excellence. That is why, with the help of Vice President Harris, my Administration has delivered more than $7 billion to HBCUs—including to prepare students to contribute to the future in high-demand and high-income fields, like cybersecurity, engineering, biochemistry, and health care. I have also re-established the White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for HBCUs to increase their participation in Federal programs that offer greater access to funding, ensuring HBCUs can continue to be engines of opportunity in the future.

While talent, creativity, and the willingness to work hard are everywhere in this country, equal opportunity is not. To make sure every American has the opportunity to pursue higher education, my Administration has increased the maximum Pell Grant by $900—the largest increase in the last decade—and my new budget will put us on a path to double the maximum award by 2029. Further, in response to my budget, the Congress established a program to provide direct support to academic institutions by creating and sustaining evidence-based strategies that support students through college re-enrollment, retention, and completion.

There is still so much to do to make higher education more accessible and affordable. Last year, I announced a student debt relief plan, and we were on the verge of providing thousands of dollars in relief to more than 40 million Americans. Then the Supreme Court ruled against it, derailing an opportunity that would have changed so many lives for the better. Though that decision closed one door, I responded immediately by announcing that my Administration is pursuing an alternative path for debt relief, and that we finalized the Saving on a Valuable Education Program (SAVE)—the most affordable student loan repayment program ever created.

This program calculates loan payments based on a student's income and family size, not on the size of the loan. Under this plan, some students' monthly payments will drop to zero, and others will save around $1,000 a year. Borrowers who pay what they owe on this plan will no longer see their loans grow due to unpaid interest, and the program will get some borrowers to forgiveness faster. I will never stop fighting to create the student debt relief Americans need to help restore their faith in the American Dream. With the Supreme Court's decision to effectively end affirmative action, my Administration will continue fighting to put quality education within reach of everyone and fulfill the promise of America for all Americans. Lastly, my Administration is aware that there have been threats by domestic extremists who may seek to spread fear on HBCU campuses. We are committed to protecting any and all Americans who find themselves on the frontline of domestic extremist threats or violence.

More than five decades ago, in response to an act of racist terror, a young Morehouse student named Martin Luther King, Jr. wrote a letter to the Atlanta Constitution saying, ''We want and are entitled to the basic rights and

opportunities of American citizens.'' In those words, we see just one example of the sacred and proud tradition of HBCUs: opening the doors of opportunity wider for students, helping them find the power in their voice, and giving them the tools to make true change in our world. Today, we recommit to supporting HBCUs that, in raising the next generation of dreamers and doers, bring more equity, prosperity, and opportunity for our Nation.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 24 through September 30, 2023, as National Historically Black Colleges and Universities Week. I call upon educators, students, public officials, professional organizations, corporations, and all Americans to observe this week with appropriate programs, ceremonies, and activities that acknowledge the countless contributions these institutions and their alumni have made to our country.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10629 of September 22, 2023

Asian American and Native American Pacific Islander-Serving Institutions Week, 2023

By the President of the United States of America

A Proclamation

During National Asian American and Native American Pacific Islander-Serving Institutions (AANAPISIs) Week, we celebrate all the possibilities that these institutions unlock for Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) students, particularly those from low-income, first-generation, and underrepresented backgrounds. Every generation of Americans has benefited by opening the doors of opportunity to include those who have been left behind. By putting higher education within reach of AA and NHPI students, our Nation's nearly 200 AANAPISIs embody my belief that diversity is our strength as a Nation.

For so many, higher education is a ticket to a better life. But while talent, creativity, and determination are found in people all across this country, not everyone has an equal shot at higher education. AA and NHPI communities encompass more than 50 ethnicities with a variety of identities, cultures, histories, and backgrounds—many come from lower-income backgrounds, or are the first in their family to graduate college, indigenous, or recent immigrants, or have faced a legacy of discrimination in our Nation. That is why the work of our AANAPISIs is so critical for broadening the opportunity of higher education to more Americans and realizing the full potential of AA and NHPI communities.

AANAPISIs enroll nearly half of all AA and NHPI undergraduates, and they confer almost 50 percent of associate degrees and nearly 30 percent of baccalaureate degrees of all AA and NHPI students. These vital institutions empower students to earn degrees and reach their full potential while providing culturally responsive services and culturally sustaining programs that include tutoring, advising, career development and counseling, and more. With the Supreme Court's recent decision to effectively end affirmative action in college admissions, the work to make higher education accessible to all is as essential as ever. We need to keep open the doors of opportunities and ensure that the promise of America is big enough for everyone to succeed.

My Administration is committed to strengthening these critical institutions and supporting our Nation's AA and NHPI communities. Through the American Rescue Plan, we have invested $5 billion in AANAPISIs. Further, I re-established the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders, and I released a National Strategy to Advance Equity, Justice, and Opportunity for AA and NHPI Communities—addressing everything from combating anti-Asian hate to making Government services more accessible.

We are also fighting to make higher education more affordable for students across the country. My Administration has increased Pell Grants for low-income families by the largest amount in over a decade and fixed the Public Service Loan Forgiveness program so borrowers who become teachers, police officers, social workers, service members, and other public servants get the debt relief they are entitled to under the law. When the Supreme Court wrongly struck down our most ambitious student debt relief plan ever, we moved immediately to open an alternative path to debt relief that could further reduce costs for many AA and NHPI borrowers. My Saving on a Valuable Education (SAVE) plan will cut payments on undergraduate loans in half, bring many low-income borrowers' loan payments to $0 per month, and provide early forgiveness for borrowers with low balances.

This generation of students is the most gifted, talented, and tolerant in American history—and it is up to all of us to give them the resources and opportunity they need to reach their full potential. During Asian American and Native American Pacific Islander-Serving Institutions Week, may we recommit to supporting these institutions as they raise the next generation of AA and NHPI dreamers and doers.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 25 through October 1, 2023, as Asian American and Native American Pacific Islander-Serving Institutions Week. I call on public officials, educators, and all the people of the United States to observe this week with appropriate programs, ceremonies, and activities that acknowledge the many ways these institutions and their graduates contribute to our country.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10630 of September 22, 2023

National Hunting and Fishing Day, 2023

By the President of the United States of America
A Proclamation

America's natural wonders are the heart and soul of our Nation, and the tens of millions of Americans who hunt and fish have often led the fight to conserve them. On National Hunting and Fishing Day, we recommit to the work of conservation and celebrate the place that hunting and fishing hold in our national story, embodying the American spirit of adventure and resourcefulness.

Hunting and fishing have long been a way of life and a cherished pastime in our Nation, and central to the cultures and livelihoods of Tribal Nations. From day one, I have taken historic steps to conserve the lands and waters that these activities rely on and to ensure our public lands are available to every American.

In my first week as President, I signed an Executive Order establishing our country's most ambitious conservation goal ever: to conserve or restore at least 30 percent of our Nation's lands and waters by 2030. In just my first year in office, we protected more territory than any President since John F. Kennedy. We have protected iconic and sacred places from Alaska's Tongass Forest to Avi Kwa Ame National Monument and the Bears Ears and Grand Staircase-Escalante National Monuments—all as part of our ''America the Beautiful'' initiative to support locally led conservation and restoration work. In addition, we have expanded access for hunting and fishing on over two million acres of land within our national wildlife refuge system, the largest such expansion in recent history. Working together with the Hunting and Wildlife Conservation Council, the Departments of Agriculture and the Interior are pursuing further improvements to hunters' and anglers' access to public lands and waters.

At the same time, climate change poses an existential threat to wildlife and their habitats. Longer heatwaves and droughts, more unpredictable storms, and more devastating wildfires make hunting and fishing tougher and far riskier. We have fought to change that. Through the landmark Inflation Reduction Act, my Administration is making the biggest investment in combating the climate crisis in the history of the world by strengthening clean energy, advancing environmental justice, and shoring up communities' resilience to extreme weather, ensuring that hunting and fishing can sustainably continue as they have for generations.

It is simple: Hunting and fishing are part of who we are as Americans—central to our history, heritage, and prosperity and ingrained in the soul of our Nation. Protecting the natural resources that allow hunting and fishing are also an important part of upholding our sacred trust, treaty, and subsistence responsibilities to Tribal Nations and Indigenous communities. On National Hunting and Fishing Day, we honor these profound contributions and recommit to working together with sportsmen and sportswomen, land owners, State officials, local leaders, and Tribal Nations to safeguard our great outdoors for the ages.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 23, 2023, as National Hunting and Fishing Day. I call upon all Americans to observe this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10631 of September 22, 2023

National Public Lands Day, 2023

By the President of the United States of America
A Proclamation

Our public lands—including our national parks, monuments, forests, and wildlife preserves—are irreplaceable and home to so many of the natural wonders that represent the heart and soul of our Nation. They unite and inspire us, and from generation to generation, they have sustained us. On National Public Lands Day, we welcome every American to celebrate our Nation's lands and waters in all their splendor.

As we honor the power and promise of our Nation's natural majesty, we also recommit to conserving our lands and waters for generations to come. When we conserve our public lands, we are doing more than protecting their beauty. We protect the places where history was made. We safeguard the air we breathe and the water we drink. We defend the livelihoods of people who depend on these lands and waters as a way of life, like our ranchers, outfitters, guides, and rural and Indigenous communities. We honor the sacred lands that Tribal Nations have stewarded since time immemorial. We make our Nation more resilient to the impacts of climate change.

That is why my Administration has developed the most ambitious land and water conservation agenda in American history. During my first week in office, I issued an Executive Order establishing the country's first-ever National Conservation Goal to protect at least 30 percent of our lands and waters by 2030. That means supporting locally led, voluntary conservation and restoration efforts across the country—the very cornerstone of my ''America the Beautiful'' initiative. I also signed an Executive Order to protect America's forests, harness the power of nature in the fight against climate change, and initiate the first National Nature Assessment to evaluate the state of our lands, waters, and wildlife.

Together, we have made strong progress toward those goals. My Inflation Reduction Act represents the largest investment in our history dedicated to confronting the climate crisis. Along with investments from the Bipartisan Infrastructure Law, these investments will also help fuel environmental justice and conservation efforts, including more than $50 billion dedicated to

strengthening the resilience of our communities and ecosystems to the impacts of climate change. To address the wildfire crisis, many Americans who care for our Nation's forests are using these investments to implement critical conservation and stewardship practices, working toward our goal of reducing the wildfire risk on up to 50 million acres of public and private land through science-based fuels and forest health treatments—a land size equal to that of South Dakota.

I have designated five new national monuments and restored protections for lands and waters across the country. In Alaska, we protected the Tongass National Forest and the salmon of Bristol Bay and took significant steps to protect the fragile coastal plain of the Arctic National Wildlife Refuge and special areas in the Western Arctic. We restored the protections and status that the previous administration rolled back in the Bears Ears National Monument, the Grand Staircase-Escalante National Monument, and the North East Canyons and Seamounts Marine National Monument. I had the honor of visiting Camp Hale Continental Divide in Colorado last year and adding it to the list of national monuments, for the first time in our history. I established the Avi Kwa Ame National Monument in Nevada, considered one of the most sacred places on Earth by several Tribal Nations. Most recently, I protected almost one million acres of public land around the Grand Canyon National Park as the new Baaj Nwaavjo I'tah Kukveni National Monument. I declared the entire United States Arctic Ocean off-limits to new oil and gas development, and my budget for next year requests new funding to ensure that public lands are accessible to every American.

In celebration of our public lands, several Federal agencies have announced that all of our country's national parks, forests, refuges, and grasslands will have a ''Fee-Free Day'' on September 23rd so everyone can access some of our Nation's most iconic places and all their wonder, free of charge. There are also several fee-free days throughout the year, and the last for 2023 will occur on Veterans Day, November 11th. Whether it is visiting the rolling hills of the Appalachians, the majestic Grand Canyon, or the towering peaks of Mt. Rainier in Washington State, I encourage all Americans to take some time to explore the beauty our country has to offer.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 23, 2023, as National Public Lands Day. I invite all Americans to join me in a day of service for our public lands. I also encourage volunteers from across the Nation to celebrate and care for our lands and waters by reforesting the land, maintaining trails, building bridges, nurturing native ecosystems, removing invasive species, and doing other conservation work to serve the lands and waters that support and sustain us.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10632 of September 25, 2023

Gold Star Mother's and Family's Day, 2023

By the President of the United States of America

A Proclamation

On this day of solemn remembrance, my heart is with all our Nation's Gold Star mothers and fathers, wives and husbands, and daughters and sons—all the families who are grieving a loved one, a patriot, who died fighting to defend our country and preserve our freedom. Today, we keep the faith with all those who kept faith with us by recommitting to our sacred obligation as a Nation to always care for the families of those who gave their last full measure of devotion to our Nation.

From the fields of Yorktown and the shores of Normandy to the rice paddies of Busan and Saigon, the valleys of Kandahar, and the mountains of Sinjar, generations of brave men and women have laid down their lives—not for a person or place but for an idea unlike any other in human history: the idea of the United States of America. And together, they helped deliver a Nation grounded in freedom, democracy, equality, tolerance, opportunity, and justice. All of us live by the light of the flame of liberty that our fallen heroes kept burning. Their legacies—guarded and strengthened by each generation—will always live on in our Nation.

I know that days of remembrance can bring grieving families right back to the first terrible moments when the hurt was so raw. The pain of remembering those we have lost and the pride in who they were and how they lived can be inseparable. As we honor the courage and sacrifice of all those who died in uniform, the First Lady and I are keeping all our Gold Star families in our prayers. And my Administration has made it a top priority to fulfill our Nation's promise to care for military and veteran families, caregivers, and survivors—the loved ones who provide strength through countless deployments and serve our Nation in so many ways, all while enduring their loved one's absence. Over the past two and a half years, I have signed into law more than 25 bipartisan laws to support our service members and veterans as well as their families, caregivers, and survivors, and we will always stand with our Gold Star families to ensure they have support and resources to help them heal.

On Gold Star Mother's and Family's Day, we grieve for those who paid the ultimate price to keep our Nation safe and secure and for the families who will always feel their absence. May we continue to honor their sacrifice by working toward that more perfect union, for which so many patriots lived and died, and may we always keep faith with our Gold Star families who carry their light forward each day.

The Congress, by Senate Joint Resolution 115 of June 23, 1936 (49 Stat. 1895 as amended), has designated the last Sunday in September as ''Gold Star Mother's Day.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim Sunday, September 24, 2023, as Gold Star Mother's and Family's Day. I call upon all Government officials to display the flag of the United States over Government buildings

on this special day. I also encourage the American people to display the flag and hold appropriate ceremonies as a public expression of our Nation's gratitude and respect for our Gold Star Mothers and Families.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10633 of September 29, 2023

Cybersecurity Awareness Month, 2023

By the President of the United States of America

A Proclamation

Digital technologies today touch nearly every aspect of American life—from our classrooms and communities, to our economy and national security. That is why—this Cybersecurity Awareness Month—my Administration renews our commitment to securing cyberspace and seizing the unlimited potential of our digital future.

From the start of my Administration, I have made cybersecurity a national security priority because cyber threats affect every sector of society, from the critical infrastructure that underpins our daily lives to the schools where we educate our children and the products we use in our homes. In May 2021, I issued an Executive Order to modernize the Federal Government's cyber defenses—creating mechanisms for agencies to quickly identify and respond to cyberattacks. I instituted minimum cybersecurity standards for critical infrastructure sectors, including mandates for the protection of pipelines, rail, and aviation. This past August, the White House hosted a Cybersecurity for K–12 Schools Summit, where we announced new resources for schools to address the threat of ransomware attacks. We launched the ''U.S. Cyber Trust Mark'' program with voluntarily participation from leading product manufacturers and retailers to help Americans choose safer smart devices to bring into their homes—while also establishing security standards for software purchased by the Government, helping to raise the market standard for digital technologies writ large. In July, we released a new National Cyber Workforce and Education Strategy, which will empower more Americans to pursue careers in the cyber field and strengthen our resilience for generations to come. And, as we implement historic legislation like the Inflation Reduction Act, the Bipartisan Infrastructure Law, and the CHIPS and Science Act, we are committed to incorporating cybersecurity measures into everything we build and produce—from bridges and roads to computer chips and the electrical grid.

Cyber threats cross borders, which is why we are also taking the same historic action on the global stage. In 2021, my Administration established the International Counter-Ransomware Initiative, which will convene for the third time this fall in Washington, D.C., bringing together more than 40 partners from around the globe to address the scourge of ransomware. We have created new cyber dialogues with allies and partners to enhance our

collective cyber defense and deterrence—including launching a new virtual rapid response mechanism at NATO to ensure Allies can effectively and efficiently offer each other support in response to cyber incidents. And, early this year, we released a new National Cybersecurity Strategy—which will allow us to work in lockstep with our partners to ensure cyberspace is grounded in democratic values—not those of our autocratic competitors.

Our world—including our digital world—stands at an inflection point, where the decisions we make today will determine the direction of our world for decades to come. This is particularly true as we develop and enforce norms for conduct in cyberspace. We must ensure the Internet remains open, free, global, interoperable, reliable, and secure—anchored in universal values that respect human rights and fundamental freedoms. And, we must ensure that digital connectivity is a tool that uplifts and empowers, not one used for repression and coercion. Today, and every day, the United States commits to advancing this vision from a position of strength—leading in lockstep with our allies and partners everywhere who share our aspiration for a brighter digital future.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2023 as Cybersecurity Awareness Month. I call upon the people, businesses, and institutions of the United States to recognize and act on the importance of cybersecurity and to observe Cybersecurity Awareness Month in support of our national security and resilience. I also call upon business and institutions to take action to better protect the American people against cyber threats and create new opportunities for American workers to pursue good-paying cyber jobs. Americans can also take immediate action to better protect themselves such as turning on multifactor authentication, updating software on computers and devices, using strong passwords, and remaining cautious of clicking on links that look suspicious.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10634 of September 29, 2023

National Arts and Humanities Month, 2023

By the President of the United States of America

A Proclamation

During the throes of the American Revolution, General George Washington wrote a letter to the American Academy of Arts and Sciences saying, ''The arts and sciences [are] essential to the prosperity of the State and . . . the ornament and happiness of human life.'' His words are a reminder that, since our founding days, America's arts and humanities have helped tell the story of our Nation. They represent the freedom of expression that empowers Americans to speak and think independently and creatively. They

build bridges of understanding by chronicling the shared experiences of hope, heartbreak, joy, and pain that help us see ourselves in one another. And they record and wrestle with the truth of our history while envisioning all the possibilities our future holds. During National Arts and Humanities Month, we celebrate all the artists and scholars whose works depict the rich, enduring soul of our Nation.

My Administration is committed to ensuring that appreciation of and access to the arts and humanities are within the reach of every American. My American Rescue Plan invested over $1 billion to help libraries, theaters, concert halls, and other venues, and we have invested hundreds of millions more into strengthening the National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH). I also signed an Executive Order to make art more accessible to people from underserved communities, elevate new voices through the arts and humanities, and expand opportunities for artists and scholars.

In coordination with the White House United We Stand Summit, the NEH launched a new initiative titled ''United We Stand: Connecting Through Culture'' that leverages the arts and humanities to combat hate-motivated violence—utilizing the power of art to promote civic engagement and cultural understanding. This project helps reaffirm our Nation's central promise that hate will have no safe harbor in America. And we recently announced the top five awardees of *Art x Climate*—the first-ever call for visual art that will be featured in the fifth National Climate Assessment.

One of the greatest joys The First Lady and I have is the opportunity to celebrate the arts through performances and screenings here at the White House. Over the past two and a half years, we have held screenings of films, welcomed dancers to the state floor, and hosted musicians and poets whose performances captured our hearts and souls in a way that only artists can. And I have honored the indelible impact of incredible artists and scholars—from a poet and a painter to musicians and actors—by awarding National Humanities Medals and National Medals of Arts and by hosting Kennedy Center honorees here at the White House. Each of these artists are a testament to a larger truth: that we are a great Nation in large part because of the power of the arts and humanities, which is forever stamped into America's DNA.

During National Arts and Humanities Month, may we celebrate all the artists and scholars who have dared to reveal the good, bad, and truth of our Nation, and, in the process, have strengthened the covenant that is our democracy.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2023 as National Arts and Humanities Month. I call on the people of the United States to observe this month with appropriate programs, ceremonies, and celebrations.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10635 of September 29, 2023

National Breast Cancer Awareness Month, 2023

By the President of the United States of America
A Proclamation

Cancer touches nearly every family in America, including mine. That is why finding cures and addressing the needs of patients and their families is a central pillar of my Unity Agenda, as I discussed in my very first State of the Union address—it is the kind of goal that can unite us all as Americans, regardless of our differences. This National Breast Cancer Awareness Month, let us all recommit to the work of ending cancer as we know it. May we honor those we have lost, offer strength to those who continue to live with breast cancer, and work to protect the health of future generations.

Nearly 300,000 women will be diagnosed with breast cancer this year, and one in eight women in America will be diagnosed with the disease in their lifetimes. We have made enormous progress in our decades-long fight against cancer—discovering new prevention and early-detection measures and exploring medicines and therapies to extend and save lives. Despite these advancements, a breast cancer diagnosis is not only frightening but also a doorway into a confusing world of appointments, procedures, and expenses. While facing months of grueling treatments, breast cancer patients and their families are flooded with a bewildering amount of medical information to decipher and often have to advocate to receive basic care and attention. On top of these stresses, they also worry about paying their medical bills.

That is why the First Lady and I reignited the Cancer Moonshot and set ambitious goals to cut the overall cancer death rate by at least half in the next 25 years, transform more cancers from death sentences into treatable diseases, and improve the treatment experience for patients and their families. As a first step toward realizing these goals, I established the Advanced Research Projects Agency for Health (ARPA–H) and secured $2.5 billion in bipartisan funding to drive scientific breakthroughs in prevention, detection, and treatment for cancer and other diseases. The agency is pioneering partnerships to help disseminate the impact of those breakthroughs to clinics and patients. And recently, it announced research into the use of mRNA technology, an innovative component of the COVID–19 vaccine, to train our own immune systems to fight cancer and other diseases. It will also lead the exploration of novel technologies to enhance the precision and accuracy of surgical procedures involved in removing cancerous tumors from the body. Also, the first class of Moonshot scholars has been selected, which will help build a cancer research workforce that better represents the diversity of America and prepare a new wave of innovators in the cancer field.

Improving treatment options is only part of the fight. We also need to make those treatments affordable for everyone who needs them. That is why I made it a priority for the Inflation Reduction Act to cap out-of-pocket drug

costs for seniors on Medicare at $2,000 per year—including expensive cancer drugs. My Administration has also strengthened Medicaid and the Affordable Care Act (ACA) to expand and protect health care coverage, saving nearly 15 million Americans $800 per year on health insurance premiums.

Because screening and early detection are critical to saving the lives of breast cancer patients, my Administration remains committed to maintaining and improving the accessibility of cancer care secured in the ACA. This means requiring insurers to pay for cancer screenings—including mammograms—as well as maintaining coverage for cancer survivors and others who have preexisting conditions. In addition, we are doubling our investment and making new alliances with community health centers that provide early detection and support services to underserved communities. Most recently, we also expanded access to breast cancer screenings for any veteran exposed to burn pits—regardless of their age or family history.

More information is available online at cancer.gov/types/breast or by calling 1–800–422–6237 to reach information specialists at the National Cancer Institute, who can answer cancer-related questions in English and Spanish. Also, the Centers for Disease Control and Prevention's National Breast and Cervical Cancer Early Detection Program provides breast cancer screenings and diagnostic services to those with low incomes who are uninsured or otherwise qualify for the program—learn more at cdc.gov/cancer/nbccedp/screenings.htm.

For the lives we can save and those we have lost, let this National Breast Cancer Awareness Month be a moment of unity that rallies the country to end cancer as we know it. Together, we can give patients, survivors, and their families the care, hope, and support they deserve.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2023 as National Breast Cancer Awareness Month. I encourage citizens, government agencies, private businesses, nonprofit organizations, and other interested groups to join in activities that will increase awareness of what Americans can do to prevent and control breast cancer and pay tribute to those who have lost their lives to this disease.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10636 of September 29, 2023

National Clean Energy Action Month, 2023

By the President of the United States of America
A Proclamation

America is once again leading the world in the fight against climate change, and our Nation is in the midst of a clean energy revolution—reducing pollution, lowering energy costs, creating good-paying jobs, and making sure clean energy technologies are made in America. During National Clean Energy Action Month, we celebrate that historic progress and commit to continue working to build a more sustainable and energy secure Nation for future generations.

Clean energy has never been more essential. The climate crisis is driving extreme heat, deeper droughts, deadlier storms, and stronger wildfires, destroying lives and livelihoods—last year alone, major disasters caused over $177 billion in damages. Climate change is the existential threat of our time, and clean energy is key to tackling it.

My Administration is focused on fueling America's clean energy future so we lead the world in industries like solar, wind, geothermal, and advanced nuclear energy. When I took office, we set ambitious goals of reaching 100 percent clean electricity by 2035 and achieving net-zero-emissions by 2050. To get there, I signed the landmark Inflation Reduction Act, which makes the biggest investment in fighting climate change and advancing clean energy in the history of the world. It provides tax credits and rebates that can save families thousands of dollars by installing solar panels, energy-saving appliances, and heat pumps; weatherizing their homes to be more resilient against extreme weather; and purchasing American-made electric cars. The law is expected to triple wind power generation, increase solar production eightfold by 2030, and put tens of billions back in the pockets of Americans. Together with my Administration's Bipartisan Infrastructure Law, these investments could help us reach 80 percent clean energy by 2030.

As I have often said, when I think of climate change, I think of jobs—good-paying clean energy jobs. Since the beginning of my Administration, the private sector has announced more than $240 billion in new clean energy manufacturing investments. That includes more than $70 billion in electric vehicle and battery investments since I signed the Inflation Reduction Act. The clean energy projects that have moved forward in the past year are creating more than 170,000 clean energy jobs. My Administration is incentivizing companies to pay every one of those workers a prevailing wage and to use registered apprenticeships and made-in-America materials. And we are leaving no community behind—from the investments we are making to factories being built and jobs we are creating, we are seeing new opportunities in rural America, in the heartland, in energy communities, and all across our country.

My Administration is also working to upgrade our Nation's infrastructure. We have made the biggest investment in America's power grid ever, laying new transmission lines so clean energy can reach every corner of the country. We are installing more than 500,000 electric vehicle charging stations on roads nationwide. And we are speeding up permitting for clean energy

projects while proposing new emissions standards to reduce pollution from oil and gas producers, power plants, and vehicles.

Today, the United States is deploying more solar and wind power than ever. Electric vehicle sales and clean energy manufacturing are booming. But we have much more to do. The climate crisis will not wait, nor will clean energy competitors in other nations. Americans must come together to win the clean energy future—the future of our economy, our national security, and our children and grandchildren all depend on it.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2023 as National Clean Energy Action Month. I call upon all Americans to recognize this month with action by investing in clean energy in their homes and businesses; using new tax credits to cut emissions while saving money on their energy bills and electric vehicles; talking to neighbors, friends, and coworkers about the opportunities to address the climate crisis; and working together to mitigate climate change and achieve a healthier environment for all.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10637 of September 29, 2023

National Disability Employment Awareness Month, 2023

By the President of the United States of America

A Proclamation

People with disabilities have long strengthened our economy and expanded our Nation's possibilities. During National Disability Employment Awareness Month, we recognize the immense contributions of disabled Americans, and we recommit to delivering America's full promise of equal dignity, respect, and opportunity for every American.

I had the honor of helping to pass the Rehabilitation Act in my first year in the United States Senate. Then, in 1990, with the help of activists and bipartisan legislators and under the leadership of Senator Tom Harkin, we passed the Americans with Disabilities Act (ADA)—a groundbreaking civil rights law that banned discrimination against people with disabilities in most areas of public life, including in workplaces, schools, and public transit. I was proud to co-sponsor that law back then and to build on its lasting legacy in the Obama-Biden Administration, including by setting hiring goals for people with disabilities in Federal contracts.

While the Rehabilitation Act and the ADA made significant strides toward equal opportunity for people with disabilities, there is more work to do. People with disabilities are three times less likely to have a job, and when they do, they are often paid less money for doing the same work.

Since the start of the my Administration, we have been working hard to promote job opportunities for Americans with disabilities. I truly believe that a workforce that includes people with disabilities is one that is stronger and more effective. And as the Nation's largest employer, the Federal Government has a responsibility to set the standard for fair and decent practices in the workplace. That is why, in my first year in office, I issued an Executive Order to prioritize diversity, equity, inclusion, and accessibility in the Federal Government. That Executive Order directs agencies to identify and remove barriers to hiring and promotion for job applicants and employees with disabilities as well as maximize the accessibility of workplaces.

My Administration has also ended the use of unfair sub-minimum wages in Federal contracts, which previously allowed employers to pay workers with disabilities less than the minimum wage for federally contracted workers. Meanwhile, the Department of Labor is working around the clock to protect the rights of disabled workers on Federal contracts and to promote their competitive integrated employment alongside other similarly situated workers without disabilities. The Office of Disability Employment Policy launched several national online dialogues to solicit broad stakeholder input on the effectiveness of employment programs and services for people from underrepresented groups within the disability community. In addition, we are coordinating with our partners at all levels of government, in the private sector, and in civil society to use Federal funding to provide new employment opportunities to people with disabilities.

My Bipartisan Infrastructure Law is also funding projects that are lowering transportation barriers that prevent disabled Americans from finding employment. This once-in-a-generation investment in our Nation's infrastructure is making transit and public services more accessible. It includes $1.75 billion to repair and improve accessibility in transit stations across America and $65 billion to expand access to high-speed internet so more disabled Americans can work, study, and stay connected from home. In August, the Department of Justice issued a notice of proposed rulemaking under Title II of the ADA that aims to improve web and mobile applications access for people with disabilities and clarify how public entities—primarily State and local governments—can meet their existing ADA obligations as many of their activities shift online, further breaking down barriers to employment.

America is the only country in the world founded on an idea: that we are all created equal and deserve to be treated equally throughout our lives. This National Disability Employment Awareness Month, we celebrate all the people with disabilities who have moved our Nation closer to realizing that ideal and, in the process, have made America more prosperous, inclusive, and humane. As we celebrate the progress we have made, may we continue to open the doors of opportunity even wider for people with disabilities by advancing access and equity.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2023 as National Disability Employment Awareness Month. I urge all Americans to embrace the talents and skills of workers with disabilities and to promote the right to equal employment opportunity for all.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10638 of September 29, 2023

National Domestic Violence Awareness and Prevention Month, 2023

By the President of the United States of America

A Proclamation

Domestic violence touches every community in this Nation. Americans of every race, religion, and background are affected; its consequences transcend generations, impacting children and reshaping whole families. During National Domestic Violence Awareness and Prevention Month, we stand with the tens of millions of people who have experienced intimate partner violence, and we thank the first responders, service providers, and community members who work to make sure that every American can live in safety, with dignity and respect.

I was always taught there is no worse sin than the abuse of power, especially when that abuse is directed toward a partner. But just decades ago, much of our Nation wanted to keep the issue of domestic violence in the shadows. Survivors sat in shame, and society often looked away from what people too often dismissed as a ''family affair.''

I have spent more than 30 years of my life working to change that—to end gender-based violence in the United States and around the world. I wrote the original Violence Against Women Act (VAWA) in 1990, which made strides toward shifting the legal and social burdens away from survivors, holding offenders accountable, and addressing gendered violence as a shared priority with a determined and coordinated response. That law introduced our Nation to countless brave survivors, whose stories changed the way America saw this issue. It created the National Domestic Violence Hotline to provide confidential support nationwide. It supported shelters, rape crisis centers, housing, and legal assistance, creating life-saving options for survivors and their children. And it helped to train police, advocates, prosecutors, and judges to make our justice system more responsive to survivors. It saved lives and helped survivors rebuild.

Since then, every time we have reauthorized VAWA, we have improved it—broadening its scope to include stalking and sexual assault in 2000, expanding access to services for immigrants and communities of color in 2005, and recognizing criminal jurisdiction of Tribal courts over non-Indian perpetrators and protections for LGBTQI+ individuals in 2013. And last year, we reauthorized VAWA again and strengthened access to services for survivors from underserved and marginalized communities, expanded special Tribal criminal jurisdiction with support for Native communities, and recognized the need to combat cybercrimes and address online harassment and abuse. We brought the Federal Government's investment in life-saving

gender-based violence programs to $700 million this year alone—the highest funding level in history—and to $1 billion in next year's budget.

Last year, I also signed the most significant gun safety law we have had in nearly 30 years, which keeps firearms out of the hands of convicted domestic abusers. Another law I signed ensures we continue to sustain the Crime Victims Fund to help domestic violence survivors cover abuse-related costs like medical bills, lost wages, and temporary housing. And further, I signed a law empowering survivors of workplace sexual assault and sexual harassment to take their cases to court. We fundamentally transformed how the military prosecutes sexual assault and domestic violence within its ranks, shifting to specialized prosecutors independent from commanders. We have established a civil cause of action for anyone who has had their intimate photos shared without their consent, and we are working to prevent the spread of deepfake non-consensual images too. And last May, we released the first-ever National Plan to End Gender-Based Violence, laying out a Government-wide plan to prevent and address sexual violence, intimate partner violence, stalking, and other forms of gender-based violence.

Despite all this progress, we have more to do. Four in 10 American women and nearly 3 in 10 American men are still impacted by sexual abuse, physical violence, or stalking by an intimate partner at some point in their lifetimes. If you or someone you know needs help today, immediate and confidential support is available 24/7 through the National Domestic Violence Hotline by visiting thehotline.org, call 1–800–799–7233 (TTY 1–800–787–3224), or text ''START'' to 88788.

Every survivor should know that they are not alone and they deserve better. Together, we will keep spreading awareness, changing culture, supporting survivors, and moving toward a world free of gender-based violence.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2023 as National Domestic Violence Awareness and Prevention Month. I call upon each of us to change the social norms that permit domestic violence, provide meaningful support to survivors, and express gratitude to those working diligently on prevention and response efforts. Together, we can transform the country and build a Nation where all people live free from violence.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10639 of September 29, 2023

National Youth Justice Action Month, 2023

By the President of the United States of America
A Proclamation

During National Youth Justice Action Month, we recognize that young people deserve second chances, and we recommit to transforming the juvenile justice system by creating safer and more supportive communities where young people can thrive.

Between 2000 and 2020, the youth population in juvenile justice facilities declined by nearly 80 percent. But those who do enter the juvenile justice system are often confined in unsafe environments, live with trauma and mental health conditions that go untreated, and serve adult sentences. They are disproportionately young people of color and young people with disabilities. Without the support, resources, or guidance for meaningful rehabilitation, many young people who are released can fall back into old patterns that lead to their return to the justice system.

My Administration has made historic investments in improving our youth justice system. We are working to shift its focus from punishment to support and making our Nation's promise of equal justice a reality for all. My Administration is establishing and expanding evidence-based diversion programs when appropriate and broadening access to lawyers who will advocate for and advise children who are facing juvenile and criminal justice system involvement. For those leaving the system, our investments and programs are helping youth find housing, educational opportunities, mentorship, job training, and other services to support them once they return home. My new budget also calls for $760 million to advance juvenile justice programs with the goal of making the entire system more equitable.

I believe that to keep children out of trouble we need to ensure all of them have a fair shot at building a bright future with access to good schools, safe communities, and equal opportunities. To this end, my Administration has launched the National Partnership for Student Success to bring together 250,000 people across the country to serve as tutors and mentors for our students. We have secured $1.3 billion in funding for rural and inner-city schools to support afterschool and summer learning programs for K–12 students.

We also doubled funding for Full-Service Community Schools that support students and their families outside of the classroom with services like health care and career counseling. And when we passed the Nation's first major gun safety law in nearly three decades, we included measures to further increase the number of school psychologists and mental health counselors available to our children, and we made it easier for schools to use Medicaid to deliver health services, including mental health care. My Administration also launched 988, the National Suicide and Crisis Lifeline, which can connect young people experiencing a crisis with trained crisis counselors via phone, chat, and text. And we have invested in mobile crisis response teams, which often work with law enforcement to deliver immediate mental health professional support for those in crisis.

Our young people are the kite strings that keep our national ambitions aloft—the future of our Nation is in their hands. During National Youth Justice Action Month, we recommit to expanding opportunities for all of our Nation's children and building a justice system that allows our youth to thrive.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 2023 as National Youth Justice Action Month. I call upon all Americans to observe this month by taking action to support our youth and by participating in appropriate ceremonies, activities, and programs in their communities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10640 of September 29, 2023

National Youth Substance Use Prevention Month, 2023

By the President of the United States of America
A Proclamation

During National Youth Substance Use Prevention Month, we rededicate ourselves to building a better future for America's children. No one should have to struggle with substance use alone. Every young person deserves to live a full and healthy life and have every opportunity to reach their highest potential.

Last year, our Nation lost nearly 111,000 Americans to fatal overdoses—1,000 of those lost to overdose were children and adolescents less than 18 years old. No family should have to know the pain of losing a child to the opioid and overdose epidemic. Losing a child is like losing a piece of your soul. We owe it to all those who are struggling with substance use or who have lost a loved one to overdose to finally put an end to this crisis.

That is why beating the opioid epidemic is a key pillar of my Unity Agenda. It is one of the most pressing issues facing our Nation that we must all tackle together. My Administration has invested over $169 billion in total for drug control policies and programs, including programs to expand evidence-based prevention programs for our youth. In schools, we are working to hire and train more mental health counselors, social workers, and other health professionals supporting students. We are providing educators and school-based medical professionals with resources to prevent substance use and fatal overdoses. And we are making it easier for schools to bill Medicaid to deliver health services, including mental health and substance use care.

Beyond the classroom, my Administration is supporting Drug-Free Communities coalitions in all 50 States so that local communities can acquire the

tools and resources they need to prevent youth substance use. But prevention also means increasing awareness about the dangers of illicit fentanyl, which fuels the vast majority of overdoses in youth. So, my Administration launched a social media campaign to educate youth on the dangers of this deadly drug and the lifesaving effects of opioid-reversal medications like Naloxone.

To support Americans of all ages who need access to substance use disorder treatment, my Administration has announced new actions that would improve and strengthen coverage for mental health and substance use and ensure that more than 150 million Americans with private health insurance can better access substance use treatment under their insurance plan. My Administration proposed a rule this summer that reinforces the fundamental goal of the 2008 Mental Health Parity and Addiction Equity Act, ensuring families have the same access to mental health and substance use benefits as they do to physical health benefits. The rule proposes making it easier to get in-network mental health care and eliminating administrative barriers to access that keep people from getting the care they need, when they need it.

Over the past 2 years, we have seen immense progress, but there is still work to do. That means we are investing in what works—prevention, treatment, and recovery support. My Fiscal Year 2024 budget called for $3.5 billion for prevention programming for youth—an increase of more than $800 million from last year—so we can keep America's children safe from the harms of substance use and fentanyl poisoning.

Today's young people represent the most gifted, talented, and tolerant generation in American history. It is our national responsibility to protect them. During National Youth Substance Use Prevention Month, we recommit to providing families, educators, and communities with access to lifesaving resources. Together, we will ensure that young people have the tools they need to thrive. Our children deserve nothing less.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2023 as National Youth Substance Use Prevention Month. Let us all take action to implement practice- and evidence-based prevention strategies and improve the health of our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10641 of September 29, 2023

National Community Policing Week, 2023

By the President of the United States of America
A Proclamation

All Americans want the same thing: neighborhoods free of violence and crime, for our loved ones to come home safely each day, and fair and impartial justice under the law. During National Community Policing Week, we recommit to achieving those goals by strengthening the trust and partnership between law enforcement and communities across our Nation.

The vast majority of police officers put their lives on the line every day to do the right thing. They pin on their shield and walk out the door toward danger, risking their lives to keep the rest of us safe. They are good, dedicated, honorable people, who work hard to cultivate positive relationships with the communities they have sworn to protect, serving at a time when working in law enforcement is harder than it has ever been. Law enforcement officers are expected to act as counselors, social workers, and psychologists as they respond to drug overdoses, domestic violence, abandoned children, mental health crises, and other incredibly challenging situations.

Trust between law enforcement and the communities they serve is the foundation of public safety. When officers on the beat know the neighborhoods and the families they are serving and protecting; when they get the training, resources, and tools they need to do their jobs; and when they earn the community's trust, we are all safer and stronger. Without public trust, there is less public safety—crimes go unreported, cases go unsolved, witnesses fear coming forward, victims suffer in isolation, perpetrators remain free, and justice remains undelivered.

That is why my Administration has taken historic steps to support community policing and strengthen public trust in law enforcement by providing officers with the resources and training they need to be the partners and protectors our communities deserve. When funding for police was at risk because of the pandemic, my Administration's American Rescue Plan delivered a historic $350 billion to help States and cities respond. Hundreds of communities across our Nation have committed over $10 billion of those funds to retain and hire more officers; pay overtime and bonuses; and secure more crisis responders and personnel to provide for substance use disorder, mental health, and violence intervention services. We committed more Federal resources to supporting State and local law enforcement in the first year of my Administration than almost any other year on record. Furthermore, I signed the most sweeping gun safety law in nearly 30 years to ensure that officers are not out-gunned on the streets. And we are strengthening background checks for gun purchasers, cracking down on illegal gun sales, and reigning in ghost guns that officers have increasingly reported finding at crime scenes.

After Senate Republicans blocked the passage of the George Floyd Justice in Policing Act in 2021, I signed an Executive Order—with the support of leaders from law enforcement and civil rights groups as well as affected families, including the Floyd family—that put Federal policing on a path

to becoming the gold standard for effective and accountable policing. Incorporating key elements of the George Floyd Justice in Policing Act, the Executive Order requires Federal law enforcement agencies to ban chokeholds, restrict no-knock warrants, provide de-escalation training, and implement stronger use-of-force policies that include the duty to intervene and render medical aid. Further, we mandated that Federal officers submit use-of-force data to the FBI's Use-of-Force Data Collection and log officer misconduct and commendation records into a new national accountability database. The Executive Order also directs Federal resources to support similar reforms within State, Tribal, local, and territorial law enforcement agencies as we continue to call on the Congress to pass the George Floyd Justice in Policing Act.

My Administration's Safer America Plan builds on these actions by seeking an additional $37 billion to hire 100,000 more State and local police officers trained in safe, effective, and accountable community policing consistent with the standards in my Executive Order; to provide law enforcement with mental health and wellness resources; to ensure more psychologists and social workers are available to respond to a crisis alongside them; and to establish and support programs that are proven to tackle the root causes of crime.

There is no greater responsibility of government than ensuring the safety of the American people and those who sacrifice to protect us all. This week, let us recognize the heroism, selflessness, and courage of police officers across America. Let us honor the communities they serve for their undaunted efforts to advance equal justice, safety, and dignified treatment for all. And let us commit to building a future that supports public safety, promotes trust, and unites communities across the Nation.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 1 through October 7, 2023, as National Community Policing Week. I call upon law enforcement agencies, elected officials, and all Americans to observe this week by recognizing ways to improve public safety, build trust, and strengthen community relationships.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10642 of September 29, 2023

Child Health Day, 2023

By the President of the United States of America

A Proclamation

To build a future worthy of our children's highest aspirations, we must ensure they have the resources and support they need to thrive. This Child

Health Day, we recommit to helping our children live healthy lives so they can reach their highest potential.

Our most fundamental obligation to our children is to keep them safe. The devastating truth is that firearms are the leading cause of death for children in America. That is unacceptable. Kids and parents should not live in fear of everyday places turning into warzones. That is why I signed the most significant gun safety law in nearly 30 years to keep guns out of dangerous hands. I have also taken more meaningful executive action than any President in history to keep communities safe. And I recently established the first-ever White House Office of Gun Violence Prevention to build upon these measures.

My Administration has invested billions of dollars to improve mental health services for young people, including hiring and training more school mental health counselors so young people can get the care they need. I have heard from parents, teachers, nurses, and kids across the country about the mental health crisis among youth in their communities. Tackling the mental health crisis and the many ways it affects our communities is a part of my Unity Agenda—one of the big things we can come together as a society to solve. Our American Rescue Plan made our Nation's biggest-ever investment in mental health and substance use programs—recruiting, training, and supporting more providers at the State and local levels, including in our schools. Our gun safety law also expands the number of Certified Community Behavioral Health Clinics that deliver 24/7 care.

My Administration is also taking steps to make it easier for schools to use Medicaid to deliver mental health care. And we launched 988, the Nation's new Suicide and Crisis Lifeline, so anyone in the midst of a crisis can receive free life-saving, confidential help right away. My Administration is working to fulfill our promise of full mental health parity for all Americans. This includes a new proposed rule that would require insurers to identify gaps in the mental health care they provide and address any differences between the way they cover mental health care and physical health care, as a way to reach any American who may need help. Further, we must do more to make the Internet a safe place for children. I have called on the Congress to limit the personal data that tech companies collect, ban targeted advertising directed at minors, and require social media platforms to put health and safety first, especially for kids. And to protect our children's physical health, my Administration has taken steps to remove thousands of flavored e-cigarettes from the market, which are known to be particularly addictive to children.

No parent or caregiver should have to lie awake at night wondering how they will find the means to care for a child's most basic needs—whether it is paying for a trip to the emergency room or putting a healthy meal on their table. Our Inflation Reduction Act is lowering costs for Americans, saving millions of families $800 a year on health care premiums. My Administration also modernized the Thrifty Food Plan for the first time since 1975, helping millions of families afford a nutritious, practical, cost-effective diet. And we are working toward our goal of expanding free school meals to 9 million more children by 2032—a first major step toward free healthy school meals for all.

In 2021, we slashed child poverty rates by nearly half for all children in this Nation—driven by our expansion of the Child Tax Credit, which

helped millions of families afford basic necessities. We reauthorized and reinvested in the Maternal, Infant, and Early Childhood Home Visiting Program, which has been shown to improve maternal and child health and advance child development and readiness to participate in school. We know that investments like these can improve children's health outcomes throughout their lifetimes, which is why I am continuing to fight to restore the expanded Child Tax Credit.

We also recognize that addressing the climate crisis is critical to protecting our children's futures. Parents across the Nation have told me unforgettable stories of environmental injustice—living near factories and seeing the paint on their cars peel off because the air was so corrosive, drinking water contaminated by nitrates and arsenic, and feeling fear when their children play outside in toxic air and rain. The peril these families face opposes everything we stand for as a Nation—and it is a big reason why my Administration has taken on the most ambitious climate and environmental justice agenda in American history.

Through the Bipartisan Infrastructure Law, I am working to replace every single lead pipe in America because everyone should be able to turn on a faucet at home or at school and drink clean and safe water. My Inflation Reduction Act makes the most significant investment in climate ever, which includes investing in air quality sensors near factories so nearby communities can know how safe their air is. And we made a commitment to conserve 30 percent of all our Nation's lands and waters by 2030 so that we can protect our natural wonders for the ages.

Children are the kite strings that keep our national ambitions aloft—they are the dreamers and doers that will one day lead our Nation forward. It is up to all of us to make sure they grow up happy and healthy, they are treated with the dignity and respect they deserve, and their futures are full of endless possibilities. May we continue to care for children's health and, in turn, create a better future for our Nation.

The Congress, by a joint resolution approved May 18, 1928, as amended (36 U.S.C. 105), has called for the designation of the first Monday in October as Child Health Day and has requested that the President issue a proclamation in observance of this day.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim Monday, October 2, 2023, as Child Health Day. I call upon families, child health professionals, faith-based and community organizations, and governments to help ensure that America's children stay safe and healthy.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10643 of September 29, 2023

Death of Dianne Feinstein

By the President of the United States of America
A Proclamation

Senator Dianne Feinstein was a pioneering American and a true trailblazer. In San Francisco, she showed enormous poise and courage in the wake of tragedy, and became a powerful voice for American values. In the United States Senate, she turned passion into purpose, and led the fight to ban assault weapons, also making her mark on everything from national security to the environment to protecting civil liberties. Senator Feinstein was a role model for so many Americans and she had an immense impact on younger female leaders for whom she generously opened doors. She was a historic figure, and our country will benefit from her legacy for generations.

As a mark of respect for the memory of Senator Dianne Feinstein, by the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, I hereby order that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until sunset, on the day of interment. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of September, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10644 of October 5, 2023

National Manufacturing Day, 2023

By the President of the United States of America
A Proclamation

On National Manufacturing Day, we celebrate American workers—the best workers in the world, who are leading a new manufacturing boom in our Nation—and we pledge to keep investing in them to make sure the future is Made in America.

Manufacturing is the backbone of our economy, but for the past few decades, we have not always treated it that way. We were told that trickle-down economics was the only way forward—cutting taxes for the wealthy and big corporations; slashing public investment in priorities like education, infrastructure, and health care; and letting American manufacturing jobs be shipped overseas. As a result, economic inequality only grew. And

with every manufacturing town that was hollowed out, communities lost not just jobs but also pride and self-worth.

I ran for President to change that—to grow our economy from the middle out and bottom up, not the top down, moving from trickle-down economics to what some in the press are calling ''Bidenomics.'' Our plan is working. We have seen over 13 million new jobs created, including 800,000 manufacturing jobs. Unemployment has been below 4 percent for the longest stretch in over 50 years. And our inflation rate is among the lowest across the world's major economies. It is simple: Bidenomics means we are growing our economy by strengthening the middle class and making things in America again.

As a result, companies are reinvesting in America, building factories that will power our economy for years to come. Since I took office, we have attracted over $500 billion in private investment to American manufacturing and the industries of the future. Real spending on factory construction doubled in the last 2 years, and hit a record high in August, after falling under my predecessor—and so far this year, it has contributed more to gross domestic product growth than any 6 months on record. Instead of exporting American jobs, we are creating American jobs and exporting American products again.

This progress is possible because we are doing what has always worked best in our country—investing in America and in American workers. The Bipartisan Infrastructure Law that I signed puts Americans to work rebuilding our Nation's roads, bridges, ports, and more using American-made materials. We have already announced more than 37,000 new projects across all 50 States. The CHIPS and Science Act is making sure the United States leads the world in innovation by bringing semiconductor manufacturing home so we never again rely on foreign supply chains for the computer chips that power everything in our lives, from cellphones and cars to sophisticated weapons systems. The Inflation Reduction Act is powering a clean energy revolution, increasing our production of essential batteries and clean energy technologies and making sure a sustainable and energy independent future is Made in America. And we are collaborating with employers, unions, community colleges, high schools, and other partners to help more Americans train for the good manufacturing jobs and careers that these investments are creating.

But we are not only making things in America again—we are making sure the Federal Government buys American as well. I started by introducing the most robust updates to the Buy American Act in nearly 70 years, increasing the proportion of American-made content required in federally-acquired goods. I announced new standards requiring that the lumber, glass, fiber optic cables, and other construction materials used in Federal infrastructure projects must be made in America. And I signed an Executive Order requiring Federal research-and-development agencies to prioritize domestic manufacturing when it comes time to bring taxpayer funded inventions to market. When the Federal Government spends taxpayers' money, we are making sure it is on American products made by American workers, creating American jobs.

For too long, too many of us have been told to give up on American manufacturing. I will never do that. We are living through one of the greatest industrial revivals in our Nation's history. There is no one that America

cannot outcompete. We used to lead the world in manufacturing, and by investing in America and in our people, we are leading the world in manufacturing growth. Jobs are coming home. Factories are coming home. And we are feeling pride once again in the phrase that is finally a reality and not just a slogan: ''Made in America.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 6, 2023, as National Manufacturing Day. I encourage all Americans to look for ways to get involved in your community and join me in participating in National Manufacturing Day and, most importantly, buying American.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10645 of October 6, 2023

Fire Prevention Week, 2023

By the President of the United States of America

A Proclamation

During Fire Prevention Week, my Administration reaffirms our commitment to preventing fires before they happen and mitigating the damage when devastation strikes. We also honor our brave firefighters and first responders, who put their lives at risk to save others and help their communities rebuild from the rubble.

This year, we have already seen tens of thousands of wildfires burn over two million acres to the ground. And climate change will only intensify the threats that wildfires pose. Further, over one thousand Americans and dozens of firefighters have died in fires this year. Whether they are fires that start at home, in parks or neighborhoods, or in forests and the great outdoors, the devastation these fires cause mean far more than numbers can capture—they reflect lives lost; families heartbroken; natural resources wiped out; and homes, businesses, community centers, and so much more destroyed.

That is why my Investing in America Agenda includes the most significant climate investment in history. As part of that agenda, the Bipartisan Infrastructure Law is investing billions of dollars for enhanced drought resilience, early wildfire detection, and post-wildfire restoration and rehabilitation. And with historic funding for green manufacturing, clean energy development, and climate-smart agriculture, the Inflation Reduction Act is putting us on a path to cut America's carbon emissions by at least half by 2030.

My Administration is doing everything we can to make sure firefighters have the resources they need to do their jobs as safely, effectively, and efficiently as possible. I am proud to have increased the Federal firefighter

minimum wage to $15 an hour—a critical first step in giving these heroes the pay, respect, and dignity they deserve. We have also created new programs to improve recruitment, retention, and professional opportunities for Federal firefighters. In addition, we have increased Federal funding for local fire departments to hire more firefighters and expanded Federal grant programs to pay for hundreds of emergency response vehicles and thousands of sets of turnout gear.

In times of tragedy, we so often find the most profound stories of hope and heroism. Across the country, the First Lady and I have been amazed by the courage and strength of those we have seen reestablishing their lives in the aftermath of devastating fires—neighbors helping neighbors, communities coming together, and people from all walks of life working with one another to rebuild what has been lost, making our Nation more resilient. We remain focused on the recovery and rebuilding efforts in Maui, where the First Lady and I visited in August to demonstrate our support for the community. To the people of Maui, who have shown such courage—this Nation stands with you.

This week, we also encourage Americans to take the time to educate themselves on fire prevention and safety. This year's Fire Prevention Week theme—''Cooking safety starts with YOU. Pay attention to fire prevention''—emphasizes the simple actions we can all take to remain safe while preparing food. That includes: being alert while cooking and turning the stove off if leaving the kitchen is necessary; keeping anything that can catch fire away from stovetops; turning pot handles toward the back of the stove; and keeping a lid nearby.

This Fire Prevention Week, let us honor those we have lost in these catastrophes, remain vigilant to prevent future fires from occurring, vow to support those who rush into danger to help us in times of need, and recommit to spreading awareness about the importance of fire safety.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 8 through October 14, 2023, as Fire Prevention Week. I call on all Americans to participate in this observance with appropriate programs and activities and by renewing their efforts to prevent fires and their tragic consequences.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10646 of October 6, 2023

National School Lunch Week, 2023

By the President of the United States of America
A Proclamation

I have often said that children are the kite strings that keep our national ambitions aloft. During National School Lunch Week, we recognize that the health and well-being of children is a national priority and that every student should have access to healthy meals. We also reaffirm our support of the National School Lunch Program and all school nutrition professionals nationwide for the work they do to feed 30 million children each school day.

School lunches have long been a lifeline for so many students across our country. For all families, including those that qualify for free or reduced-price school lunch, parents have the peace of mind of knowing there is a healthy, balanced meal available to their children. And children, fueled by their school lunches, can more effectively focus and learn in the classroom. In fact, studies show that nutritious school lunches may increase academic performance and reduce the likelihood of childhood obesity. And we know these school lunches are especially important for lower-income children, children of color, and children living in rural areas or territories, since they are less likely to have access to food outlets that sell healthier foods.

In order to build a stronger and healthier Nation, my Administration has made the well-being of American families and our children a priority. Our American Rescue Plan expanded the Child Tax Credit, which helped keep food on the table for millions of families during the pandemic, slashed child poverty by nearly 50 percent, and cut food insufficiency for families with children by more than 25 percent. My Administration also modernized the Thrifty Food Plan for the first time since 1975, making sure that the millions of families receiving Supplemental Nutrition Assistance Program benefits can afford a nutritious, practical, cost-effective diet. And last year, I convened the first White House Conference on Hunger, Nutrition, and Health in over 50 years, bringing together advocates, food companies, health care providers, and leaders from across the Government and Federal agencies. We also released a national strategy to end hunger and reduce diet-related diseases by 2030. This strategy includes the goal of expanding access to healthy, free school meals to 9 million more kids in the next decade, a major step toward free healthy school meals for every student.

We have already made significant progress. By making permanent the American Rescue Plan program that gives families money to buy groceries in the summer months when school is not in session, we are fulfilling our commitment to ensure each American child has a nutritious meal every day. We are also giving more schools the option to make healthy school meals available to all students at no cost to their families during the school year. And we are continuing to support schools so they can cook more meals from scratch and purchase more food from local farmers and ranchers. That means children will have healthier meals, and farmers and ranchers will be able to participate in reliable markets, strengthening rural economies. I also continue to call on the Congress to restore my enhanced

Child Tax Credit, which helped millions of families afford healthy food at home.

In America, no child should ever go to bed hungry—without healthy food, our children cannot thrive. And no child's future should be determined by where they were born or their family's income. During National School Lunch Week, we recognize that helping our children fulfill their highest potential begins with access to healthy and nutritious meals at school. And we honor all the farmers, ranchers, teachers, school nutrition professionals, and staff who make these lunches possible and nourish the soul of America.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 8 through October 14, 2023, as National School Lunch Week. I call upon all Americans to recognize and commemorate all those who operate the National School Lunch Program with activities that raise awareness of the steadfast efforts in supporting the health and well-being of our Nation's children.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10647 of October 6, 2023

German-American Day, 2023

By the President of the United States of America

A Proclamation

On German-American Day, we honor the over 40 million Americans who claim German heritage and the countless ways they have strengthened the diverse fabric of our Nation.

They have since the beginning. In 1683, 13 German families fled religious persecution at home and founded the first German settlement just outside of Philadelphia. Ever since, the story of German Americans has been inextricable from the story of America: German Americans fought for our freedom in the Revolutionary War, debates over the deliberations of the Continental Congress happened in German coffeehouses, a local German newspaper was the first to break the news that the Declaration of Independence had been signed, and so much more.

Today, German Americans continue to enrich our Nation's character and culture as leaders in every sector and community. They also form the cornerstone of our Nation's strong bonds with Germany and its people. As capable allies and close friends, the partnership between Germany and the United States is essential to our joint efforts to address global challenges—from tackling climate change and food insecurity to defending human rights and democracy. And together, we will continue to stand up for the values that unite us—freedom, liberty, and sovereignty—including standing

with the brave people of Ukraine as they defend themselves against Russia's brutal aggression.

On this day—340 years after the first German settlement was founded on American shores—let us celebrate the incredible legacy of generations of German Americans and the unbreakable bonds of friendship between our two countries.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim October 6, 2023, as German-American Day. I urge all Americans to celebrate the rich and varied history of German Americans and remember the many contributions they have made to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10648 of October 6, 2023

Columbus Day, 2023

By the President of the United States of America
A Proclamation

Today, we celebrate all the Italian Americans, whose courage and character reflect and help define our Nation.

In 1891, 11 Italian Americans were murdered in one of the largest mass lynchings in our Nation's history. In the wake of this horrific attack, President Benjamin Harrison established Columbus Day in 1892. For so many people across our country, that first Columbus Day was a way to honor the lives that had been lost and to celebrate the hope, possibilities, and ingenuity Italian Americans have contributed to our country since before the birth of our republic.

More than a century later, we mark Columbus Day with that purpose—celebrating the heritage of Italian Americans, whose hands helped build our Nation and whose hearts have always carried faith in the American Dream. For many Italian Americans, the story of Christopher Columbus' voyage—from the Spanish port of Palos de la Frontera on behalf of Queen Isabella I and King Ferdinand II—remains a source of pride. It reflects the stories of trips across the Atlantic that so many Italian Americans grew up hearing at the dinner table, whether tales of ancestors who set sail on wooden boats across rough waters to begin new lives on our shores or grandparents who immigrated here with little more than hope in their hearts. These are stories of people leaving everything they knew and loved behind for the promise of opportunity in the United States.

Today, we honor those stories told around the dinner table and celebrate what these hopeful Italian American newcomers brought to our Nation. Italian Americans are educators, service members, doctors, engineers, artists, Government officials, and leaders and innovators in every field. The

Italian American community is also a source of strength for our Nation's enduring relationship with Italy—an essential NATO ally and partner in the European Union. Together, we are working to address the challenges of our time, especially supporting the people of Ukraine in defense of their freedom.

America was founded on an idea: that we are all created equal, endowed by our creator with certain inalienable rights, and deserve to be treated equally throughout our lives. Though we have never fully lived up to that idea, our aspirations have never let us walk away from it either. Today, we honor all the Italian Americans who never walked away from our fundamental creed and who, for generations, have helped realize the full promise of our Nation.

In commemoration of Christopher Columbus' historic voyage 531 years ago, the Congress, by joint resolution of April 30, 1934, and modified in 1968 (36 U.S.C. 107), as amended, has requested the President proclaim the second Monday of October of each year as ''Columbus Day.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim October 9, 2023, as Columbus Day. I direct that the flag of the United States be displayed on all public buildings on the appointed day in honor of our diverse history and all who have contributed to shaping this Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10649 of October 6, 2023

Indigenous Peoples' Day, 2023

By the President of the United States of America

A Proclamation

On Indigenous Peoples' Day, we honor the perseverance and courage of Indigenous peoples, show our gratitude for the myriad contributions they have made to our world, and renew our commitment to respect Tribal sovereignty and self-determination.

The story of America's Indigenous peoples is a story of their resilience and survival; of their persistent commitment to their right to self-governance; and of their determination to preserve cultures, identities, and ways of life. Long before European explorers sailed to this continent, Native American and Alaska Native Nations made this land their home, some for thousands of years before the United States was founded. They built many Nations that created powerful, prosperous, and diverse cultures, and they developed knowledge and practices that still benefit us today.

But throughout our Nation's history, Indigenous peoples have faced violence and devastation that has tested their limits. For generations, it was

the shameful policy of our Nation to remove Indigenous peoples from their homelands; force them to assimilate; and ban them from speaking their own languages, passing down ancient traditions, and performing sacred ceremonies. Countless lives were lost, precious lands were taken, and their way of life was forever changed. In spite of unimaginable loss and seemingly insurmountable odds, Indigenous peoples have persisted. They survived. And they continue to be an integral part of the fabric of the United States.

Today, Indigenous peoples are a beacon of resilience, strength, and perseverance as well as a source of incredible contributions. Indigenous peoples and Tribal Nations continue to practice their cultures, remember their heritages, and pass down their histories from generation to generation. They steward this country's lands and waters and grow crops that feed all of us. They serve in the United States military at a higher rate than any other ethnic group. They challenge all of us to celebrate the good, confront the bad, and tell the whole truth of our history. And as innovators, educators, engineers, scientists, artists, and leaders in every sector of society, Indigenous peoples contribute to our shared prosperity. Their diverse cultures and communities today are a testament to the unshakable and unbreakable commitment of many generations to preserve their cultures, identities, and rights to self-governance. That is why, despite centuries of devastation and turmoil, Tribal Nations continue to thrive and lead in countless ways.

When I came into office, I was determined to usher in a new era in the relationship between the Federal Government and Tribal Nations and to honor the solemn promises the United States made to fulfill our trust and treaty obligations to Tribal Nations. That work began by appointing Native Americans to lead on the frontlines of my Administration—from the first Native American Secretary of the Interior Deb Haaland and dozens of Senate-confirmed Native American officials to the over 80 Native American appointees serving across my Administration and in the Federal courts. I restored the White House Council on Native American Affairs to improve interagency coordination and decision-making as well as the White House Tribal Nations Summit to bring together key members of my Administration and the leaders of hundreds of Tribal Nations.

Last year, I signed a new Presidential Memorandum that creates uniform standards for consultation between the Federal Government and Tribal Nations. And together, we are making historic investments in Indian Country. That includes $32 billion from the American Rescue Plan, the largest one-time direct investment in Indian Country in American history; more than $13 billion to rebuild infrastructure, the single largest investment in Indian Country infrastructure in history; and the biggest investment ever to combat the existential threat of climate change, including $700 million dedicated to climate change response in Native communities.

We are also working to improve public health and safety for Native Americans. That is why I signed an Executive Order that helps us respond more effectively to the epidemic of missing and murdered Indigenous peoples. And when we reauthorized the Violence Against Women Act last year, I was proud to include historic provisions that reaffirm Tribal sovereignty and restore Tribal jurisdiction. I have also requested a $9.1 billion infusion for Indian Health Services and asked the Congress to make that funding a mandatory part of the Federal budget for the first time in our history.

My Administration will also continue using all the authority available to it, including the Antiquities Act, to protect sacred Tribal lands. We have already restored protections for Bears Ears and Grand Staircase-Escalante in Utah and the Northeast Canyons and Seamounts National Monument in New England. I have declared new national monuments at the Camp Hale-Continental Divide in Colorado, Avi Kwa Ame in Nevada, and Baaj Nwaavjo I'tah Kukveni in Arizona to protect lands that are sacred to so many Tribes. My Administration has also signed at least 20 new co-stewardship agreements with Tribes, and we are working on many more.

As we celebrate Indigenous Peoples' Day, may we renew the enduring soul of our Nation-to-Nation relationships—a spirit of friendship, stewardship, and respect.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 9, 2023, as Indigenous Peoples' Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities. I also direct that the flag of the United States be displayed on all public buildings on the appointed day in honor of our diverse history and the Indigenous peoples who contribute to shaping this Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10650 of October 6, 2023

Leif Erikson Day, 2023

By the President of the United States of America

A Proclamation

It is believed that, roughly a millennium ago, Leif Erikson and his crew became the first Europeans to set foot in North America. These Norse explorers boldly charted new paths that would inspire adventurers for centuries to come. With bravery, optimism, and tireless effort, Leif Erikson embodied many of the same traits that future generations of Danes, Finns, Icelanders, Norwegians, and Swedes would weave into the fabric of America's story. This Leif Erikson Day, we join together to honor the heritage of our Nordic communities and celebrate all they have done to strengthen our country.

Throughout our Nation's history, countless Nordic immigrants have come to America—many with little more than the hope in their hearts. Motivated by the promise of possibilities and the search for the American Dream, these families packed up their lives on distant shores to build new homes here. Establishing communities across our Nation, Nordic Americans have contributed so much to our society. Nordic migrants helped lay our country's foundations by fighting for liberty in our Armed Forces; establishing churches, schools, and businesses; and playing essential roles in the labor

movement. And as public servants, doctors, engineers, entrepreneurs, community leaders, and so much more, Nordic Americans continue to push our Nation ever forward, enriching every part of American life.

Today, my Administration also reaffirms our strong relations with Nordic nations and their people. Grounded in our shared values of democracy, freedom, and justice, America is working with our Nordic partners to take on our greatest challenges. We are collaborating to address the climate crisis by increasing opportunity and investments in emerging technologies. And we are working together to preserve a free and open Indo-Pacific and to provide security and humanitarian assistance to the people of Ukraine as they defend themselves against Russia's brutal invasion. In service of these missions, last year, the United States supported the ratification process for Finland to join NATO—culminating in the fastest ratification period in modern history. We continue to fully support Sweden's membership in our alliance. Our nations are stronger together, and we will continue working with these capable and committed partners.

This Leif Erikson Day, we celebrate the tremendous contributions of Nordic Americans to our Nation. Most of all, we rededicate ourselves to the American spirit of adventure embodied in Leif Erikson's journey roughly a millennium ago. Let us continue to pursue bravely principles of liberty, equality, and justice so all people in our country can achieve the American Dream.

To honor Leif Erikson, son of Iceland and grandson of Norway, and to celebrate Nordic-American heritage, the Congress, by joint resolution (Public Law 88–566) approved on September 2, 1964, has authorized the President of the United States to proclaim October 9th of each year as ''Leif Erikson Day.''

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim October 9, 2023, as Leif Erikson Day. I call upon all Americans to celebrate the contributions of Nordic Americans to our Nation with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10651 of October 10, 2023

General Pulaski Memorial Day, 2023

By the President of the United States of America

A Proclamation

Today, we celebrate the life and legacy of General Casimir Pulaski—whose story is forever woven into our Nation's fight for independence and who remains a source of inspiration for all those standing for the cause of freedom around the world.

Born and raised in Warsaw, General Pulaski long fought against the Russian domination of Poland. In 1777—after learning of our young Nation's aspiration for independence—he stepped up to serve alongside American soldiers in the Revolutionary War, including leading a critical counterattack that helped slow British advances. In 1779, General Pulaski made the ultimate sacrifice for our country—giving his life so that our Nation and our ideas of freedom, equality, and democracy might live.

General Pulaski's heroism represents just one of the countless contributions that Polish people have made to promote liberty around the world—contributions we continue to see today. Since Russia's brutal full-scale invasion of Ukraine last year, the world has witnessed countless acts of courage and conviction by the people of Poland for the causes of freedom and human decency. They have donated tanks, artillery, and aircraft to support Ukraine's self-defense and have become a key hub for aid from other partners. As I have seen first-hand during my trips to Poland these past 2 years, they have embraced Ukrainian refugees during this dark moment, offering them safety, hope, and light.

General Pulaski famously wrote to George Washington regarding the fight for our independence, ''I came here, where freedom is being defended, to serve it, and to live or die for it.'' He laid down his life, not for a place, person, or President but for an idea unlike any other idea in all of human history—the idea of the United States of America, a citadel of liberty and beacon of freedom. As we pay tribute to his life and service, may we also honor our friends in Poland and our vibrant Polish American community, which continues to uphold his legacy and keep the flame of freedom burning bright.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 11, 2023, as General Pulaski Memorial Day. I encourage all Americans to commemorate this occasion with appropriate programs and activities paying tribute to General Casimir Pulaski and honoring all those who champion freedom around the world.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10652 of October 10, 2023

International Day of the Girl, 2023

By the President of the United States of America

A Proclamation

On International Day of the Girl, we recognize that when every girl around the world has the opportunity to realize her potential, the possibilities for our future are limitless.

Girls are dreamers and doers leading our world forward—growing up to become changemakers, innovators, entrepreneurs, service members, activists, public servants, and so much more. When we empower girls and ensure they have the resources they need to thrive, countries and economies are stronger, and the entire world is more secure. Yet in far too many places, girls are still being denied equal opportunity, prohibited from contributing to their communities and deprived of the freedom to pursue their dreams without violence and intimidation.

That is why my Administration puts women and girls at the heart of everything we do. I established the White House Gender Policy Council to advance gender equity and equality across all domestic and foreign policy. I released the first-ever United States National Strategy on Gender Equity and Equality, which provides a road map to advance the economic security, safety, health, and well-being of women and girls at home and around the world.

Every girl in America deserves an equal shot at fulfilling her highest aspirations and setting a strong foundation for the future often begins in the classroom. That is why my Administration has secured a historic $130 billion for America's K–12 schools and invested $39 billion in colleges and universities. Funding from our American Rescue Plan has put more teachers in our classrooms and more counselors, social workers, and other staff in our schools and is providing high-quality tutoring; supporting record expansion of summer and after-school programming; improving air quality in schools and addressing environmental and safety needs in aging school buildings; and providing a wide range of student supports.

We are also working to ensure that we tackle the mental health crisis, which is taking a toll on our Nation's kids—especially girls. The American Rescue Plan made our country's biggest-ever investment in mental health and substance use programs—including resources to recruit, train, and support more providers at the State and local levels, including in our schools. We are also working to increase the number of school psychologists and mental health counselors available to our kids to make it easier for schools to bill Medicaid to deliver health services, including mental health care, and to expand the Certified Community Behavioral Health Clinics that deliver 24/7 care to those in need, regardless of their ability to pay.

Young women have also demanded that our Nation do better to protect us all from the scourge of gun violence. Last year, I signed the Nation's first major gun safety law in nearly 30 years to prevent gun violence, increase access to mental health care, and save lives. We established the first-ever White House Office of Gun Violence Prevention to build upon these measures.

My Administration also remains committed to ending gender-based violence, a human rights issue that undermines the safety, security, and dignity of girls everywhere. This includes taking steps to address the harmful impacts of social media on young people and responding to online harassment and abuse, which disproportionately impacts youth, particularly girls. In my State of the Union Address, I called on the Congress to pass legislation that strengthens our children's privacy and online safety. We have worked with the Congress to reauthorize and strengthen the Violence Against Women Act, and we recently released a National Plan to End Gender-Based Violence—our country's first Government-wide plan to prevent

and address sexual violence, intimate partner violence, stalking, and other forms of gender-based violence. We will continue supporting the rights of all women and girls—including transgender women and girls and all members of the LGBTQI+ community—across the Nation.

The United States is committed to empowering girls globally. Last year, we requested a historic doubling of foreign assistance to promote gender equity globally—to provide a record $2.6 billion in 1 year, including investments in the health, education, and empowerment of girls and young women—and I am pleased to say we have not only met but exceeded that request. Additionally, we are supporting equitable access to health care. We are working to improve access to education with a goal of reaching 15 million girls and young women by 2025. We are continuing to advance the efforts outlined in our updated United States Strategy to Prevent and Respond to Gender-Based Violence Globally.

Today, I am reminded of a message First Lady Jill Biden delivered to girls everywhere at an event honoring the Secretary of State's International Women of Courage awardees: ''When you learn and explore, when you raise your voice, when you move through the world with your shoulders back and your head held high, step by step, you shift the ground beneath you . . . And as you take those steps, as you grow into the women you will be, remember: You are never alone.'' On International Day of the Girl, let us renew this commitment. Let us continue to build a future worthy of the abilities and ambitions of all girls—one with no limit to how far their dreams and talents can carry them.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 11, 2023, as International Day of the Girl. I call upon the people of the United States to observe this day with programs, ceremonies, and policies that advance equity and opportunity for girls everywhere.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10653 of October 13, 2023

National Character Counts Week, 2023

By the President of the United States of America

A Proclamation

Whenever the First Lady and I travel across America, we witness both the incredible diversity of our country and the essential qualities that hold us all together. Americans possess an optimism that is tested yet resolute; a courage that digs deep when we need it the most; and an unshakable faith in one another, our Nation, and the future we can build together. During National Character Counts Week, we recognize the extraordinary character

that resides in the soul of every American and the collective power we wield when we embrace one of our country's most fundamental principles: E pluribus unum—Out of many, one.

Every day, Americans prove that we are a good Nation because we are good people. I have seen firsthand the incredible character of firefighters, police officers, service members, and their families, each of whom sacrifice every day to protect the rest of us. I have seen that very character in nurses and doctors, who are a source of light and hope for so many enduring hard times. I have seen it in artists, scholars, and journalists, who dare to tell the truth of our Nation. I have seen it in the union workers, who fight to make sure all of us get the dignity and respect we deserve. I have seen it in mothers, fathers, and caregivers, who work hard to build a future worthy of their children's greatest dreams. I have seen it in all the teachers who go above and beyond to help students believe in themselves. I have seen it in our country's young people—the most talented, tolerant, and educated generation in history.

Americans with exemplary character abound in our Nation. That is why I have never doubted that America can do great things when we work together. In my first State of the Union Address, I proposed a Unity Agenda that outlined four problems we can solve together as a Nation: beating the opioid epidemic, tackling the mental health crisis, supporting our veterans and their families, and ending cancer as we know it. We have made real progress. Together, we passed a law making it easier for doctors to prescribe effective treatments for opioid use disorder. We passed the Bipartisan Safer Communities Act, making historic changes to gun safety laws and key investments in mental health services. We launched Advanced Research Project Agencies for Health (ARPA–H) to drive breakthroughs in the fight against cancer, Alzheimer's, diabetes, and so much more. We passed the Sergeant First Class Heath Robinson Honoring our PACT Act to ensure that veterans exposed to toxic substances during their military service get the benefits and care they deserve and never have to fight alone.

While we have made strides to unite the Nation around common causes, we have also made it a priority to fight back against forces that divide us and to remove obstacles that limit Americans' ability to realize their full potential. We hosted the ''United We Stand'' Summit at the White House, where we reaffirmed our commitment to fighting hate and racism and announced new measures to make sure hate has no safe harbor in America. We released a national strategy to end hunger and reduce diet-related disease by 2030, a moral duty we all share. No matter what we are working toward—whether it is addressing the climate crisis, reducing the cost of health care, or rebuilding our economy—respecting the character and dignity of the American people is at the heart of everything we do.

I have often said that America is the only Nation in the world founded on an idea: that we are all created equal and deserve to be treated equally throughout our lives. Though we have never fully lived up to this promise, our national character has ensured we have never fully walked away from it either. Today of all days, let us remember that character is destiny—in our lives and in the life of the Nation—and that the soul of America depends on the souls of all Americans. As we reflect on the very best of our Nation's character, may we recommit to lifting each other up and working together to form a more perfect Union.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 15 through October 21, 2023, as National Character Counts Week. Now and throughout the year, I encourage all Americans to engage in efforts that honor and express the best attributes of our character, extend the hand of fellowship to their neighbors, and unite in service to their communities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10654 of October 13, 2023

National Forest Products Week, 2023

By the President of the United States of America

A Proclamation

For generations, America's forests have been a source of recreation and relaxation for millions of people; a sacred place for Tribal ceremonies and cultural practices; and a source of livelihood for foresters, loggers, mill workers, carpenters, Tribes, local communities, and others who rely on forest products and healthy forest ecosystems to support themselves, their families, and their communities. This National Forest Products Week, my Administration recommits to conserving our beautiful forests. When we responsibly steward the abundant renewable resources found in our Nation's forestlands, we not only protect the environment but also support a critical pillar of our economy that uplifts communities across America.

From lumber and paper to clean water and fresh air, we depend on our forests to protect our environment and fuel our economy. But our forests—and the jobs and livelihoods of those who work in them—are endangered by a range of risks, including the existential threat of climate change. Extreme heat, more intense droughts, and decades of poor forest management have turned wildfire season into wildfire years—destroying countless acres of forestland and spreading smoky haze across our country.

From day one, my Administration has been committed to maintaining the health, diversity, and productivity of our forests. In my first week as President, I signed an Executive Order establishing the ''America the Beautiful'' Initiative—our country's first-ever national conservation goal—committing to conserve at least 30 percent of all our Nation's lands and waters by 2030 through voluntary, locally-led efforts across the country. Keeping foresters and farmers working across our country in a sustainable manner is central to this initiative.

We are building on these successes with my Investing in America Agenda. Through the Bipartisan Infrastructure Law, we are making our forests and our communities more resilient by removing overgrown vegetation from land near homes and power lines, improving evacuation routes in areas

susceptible to wildfires, and finding and removing invasive species that can cause fires to spread more easily. With historic funding from the Inflation Reduction Act—the largest climate investment in the history of the world—for tree planting, sustainable forest management, and fire prevention, we are reducing the effects of climate change on our forests. I am proud to have increased the Federal firefighter minimum wage to $15 an hour—a critical first step in giving these heroes the pay, respect, and dignity they deserve.

My Administration is also working to create more opportunities for producers of American forest products. With a combination of funding from the Bipartisan Infrastructure Law and the Inflation Reduction Act, my Administration is supporting American businesses that advance forest conservation and create jobs—awarding millions of dollars through the Wood Innovations, Community Wood, and Wood Products Infrastructure Assistance grant programs. These initiatives are expanding the sustainable and innovative use of American wood products and wood waste materials to produce renewable energy, strengthening emerging wood markets, and supporting sustainable forest management.

Our Nation's majestic forests are at the heart of who we are as Americans, connecting us to something bigger than ourselves. Conserving them not only sustains a vital part of our country's economy but also preserves a key part of the American story for future generations. During National Forest Products Week, my Administration recommits to safeguarding and stewarding our precious forests so that we, our children, and our grandchildren can enjoy them for many years to come.

To recognize the importance of the many products generated by our Nation's forests, the Congress, by Public Law 86–753 (36 U.S.C. 123), as amended, has designated the week beginning on the third Sunday in October of each year as ''National Forest Products Week'' and has authorized and requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 15 through October 21, 2023, as National Forest Products Week. I call upon the people of the United States to join me in this observance and in recognizing all Americans who are responsible for the stewardship of our Nation's beautiful forested landscapes.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10655 of October 13, 2023

Blind Americans Equality Day, 2023

By the President of the United States of America
A Proclamation

On Blind Americans Equality Day, my Administration celebrates the contributions that people who are blind or low vision have made to our country, and we recommit to creating a more accessible Nation where everyone has the opportunity to realize their full potential.

More than 33 years ago, the United States Congress passed the Americans with Disabilities Act, a landmark civil rights law that banned discrimination against people with disabilities in many areas of public life. I was proud to co-sponsor that historic bill as a United States Senator, and I am proud of its lasting impact today.

Despite the progress we have made, we have more work to do to uphold the rights of Americans with visual disabilities. Less than half of blind or low vision Americans are employed. Public services—including online resources—are often designed in ways that make them inaccessible to this community. These are but a few of the many obstacles blind and low vision Americans still face.

As President, I have made it a priority to end discrimination, increase independence, and expand opportunity for everyone, including Americans who are blind or low vision. Soon after taking office, I issued an Executive Order to establish a Government-wide policy of diversity, equity, inclusion, and accessibility in the workplace to promote fairness in the labor market for Americans with disabilities. This Executive Order directs agencies to find and remove barriers to hiring and promotion for job applicants and employees who are disabled. Further, my Administration ended the practice of paying people employed through the AbilityOne Commission—which creates opportunities for people who are blind or have significant disabilities—less than minimum wage. I have also named the first-ever White House Disability Policy Director, whose team is working every day to defend and advance the rights of Americans with disabilities. I awarded José Feliciano the National Medal of Arts, recognizing his immense contributions as a guitarist and pioneering artist who has bridged cultures and styles, won Grammy Awards, and opened doors for generations of Latino artists and the heart of our Nation.

My Administration has also taken steps to increase accessibility for blind and low vision Americans. Through the Bipartisan Infrastructure Law, we are reducing the barriers that blind Americans face in their daily lives by investing $1.75 billion to improve the accessibility of transit stations across America. Under my direction, the Department of Transportation is working to expand access to transportation for people with disabilities. Meanwhile, the Department of Justice has proposed a new rule that would make State and local governments' web and mobile apps more accessible, enabling those who are blind or low vision to access critical online resources. Additionally, the National Institutes of Health designated people with disabilities as a population with health disparities, which will encourage research

specific to the health issues and unmet health needs for blind and low vision Americans. I am also proud to have secured billions of dollars to expand educational opportunities for students with disabilities.

This Blind Americans Equality Day, let us rededicate ourselves to defending and strengthening the rights of blind and low vision Americans so each and every person in our Nation has the chance to achieve the American Dream.

By joint resolution approved on October 6, 1964 (Public Law 88–628, as amended), the Congress authorized October 15 of each year as ''White Cane Safety Day,'' which is recognized today as ''Blind Americans Equality Day,'' to honor the contributions of blind and low vision Americans.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 15, 2023, as Blind Americans Equality Day. I call upon all the people of the United States—including all government officials, educators, and volunteers—to mark this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10656 of October 20, 2023

Minority Enterprise Development Week, 2023

By the President of the United States of America
A Proclamation

During Minority Enterprise Development Week, we honor the innovators and job creators who run our minority-owned businesses and recommit to providing them with the resources they need to thrive and continue being engines of our economy.

Minority enterprises provide critical goods and services; generate nearly $2 trillion in revenue each year; and serve as reminders of realized American dreams and fulfilled hopes of economic mobility, community uplift, and generational wealth. But even as minority entrepreneurs make critical contributions to our country, they still face barriers that prevent them from reaching their full potential. Capital is frequently inaccessible to minority-owned businesses. Firms owned by minorities are more likely to experience financial stress than those owned by non-minorities. For too long, minority-owned companies had less access to Government contracts, keeping them from accessing some of the more than $650 billion spent by the Federal Government on purchasing goods and services. These conditions have made it so people who have the skills, the drive, and the determination to succeed are often unable to win in our economy.

My Administration is working to open the doors of opportunity to include those who have been left behind for too long. On my first day as President,

I issued an Executive Order directing the Federal Government to use all the tools at its disposal to advance racial equity and support underserved communities, and we have taken steps to promote opportunities specifically for small disadvantaged businesses ever since. For example, in my Executive Order on Further Advancing Racial Justice and Support for Underserved Communities, I directed agencies to make efforts to increase the share of Federal contracts going to these companies to 15 percent by 2025. Within a year, we increased the amount these companies earned from Federal contracts by $7.5 billion—totaling nearly $70 billion in Fiscal Year 2022 alone. In addition, the Small Business Administration (SBA) has supported billions of dollars in lending to small businesses that would otherwise struggle to access vital capital. As part of those efforts, SBA has supported over $4 billion in loans to Black- and Latino-owned small businesses. Since 2020, the rate of SBA-backed loans going to Asian American-owned businesses has increased by about 40 percent; more than doubled for Black-owned businesses; and doubled for Latino-owned businesses, reaching a record $3 billion in lending. Indeed, Asian American-, Black-, and Latino-owned businesses are seeing faster creation rates today than they have in years. We have provided billions of dollars in investments to support Historically Black Colleges and Universities, Hispanic-Serving Institutions, and Asian American and Native American Pacific Islander-Serving Institutions as they help build the next generation of minority entrepreneurs.

Through the American Rescue Plan, which I signed soon after coming into office to vaccinate the Nation and rebuild our economy, we invested $10 billion to re-establish and improve the State Small Business Credit Initiative—a program that leverages investments from the public and private sectors to increase access to capital for small businesses across the country. Our Bipartisan Infrastructure Law also expanded and made permanent the Minority Business Development Agency to ensure that support is always available to minority-owned businesses. We have also implemented other historic bills like the Inflation Reduction Act and the CHIPS and Science Act, we are ensuring minority business enterprises benefit from billions of dollars of investments to rebuild our roads and bridges, bring manufacturing back to America, and unleash a clean energy boom here at home.

America is the only Nation in the world founded on the idea that we are all created equal and deserve to be treated equally throughout our lives. We have never fully lived up to that promise, but we have never walked away from it either. This Minority Enterprise Development Week, my Administration remains dedicated to living up to our founding idea by leveling the playing field for minority-owned businesses, ensuring every American has the chance to build a business they can be proud of and realize their American Dream.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 22 through October 28, 2023, as Minority Enterprise Development Week. I call upon the people of the United States to acknowledge and celebrate the achievements and contributions of minority business owners and enterprises and commit to promoting systemic economic equality.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of October, in the year of our Lord two thousand twenty-three, and of the

Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10657 of October 23, 2023

United Nations Day, 2023

By the President of the United States of America
A Proclamation

Seventy-seven years ago, leaders from around the globe gathered for the first United Nations General Assembly. With the horrors of World War II weighing on their hearts and the hopes of humanity resting on their shoulders, they established institutions that are an enduring legacy of the progress we have made in creating a world where all people can live with dignity. This United Nations Day, we renew our commitment to sustaining and strengthening those institutions. As we commemorate the 75th anniversary of the adoption of the Universal Declaration of Human Rights, may we live up to its fundamental promise by continuing to advance the causes of freedom, justice, and peace in the world.

We are at an inflection point in world history. From Russia's brutal invasion of Ukraine and Hamas' brutal terrorist attack on Israel to the threat of climate change, we face enormous challenges to the systems our forebearers fought so hard to create. The decisions we make now will determine our course for generations to come. The United States has a duty to lead in this critical moment. We will continue to join together with international partners under a common vision for the future of the world. This means working together to accelerate progress toward the Sustainable Development Goals (SDGs)—17 goals adopted by all United Nations member states in 2015 as a call to action and clear roadmap for people and the planet. Through the SDGs, we can advance toward a future where extreme poverty does not exist, our children do not go hungry, everyone has access to quality health care, workers are empowered, our environment is protected, entrepreneurs and innovators can access opportunity, conflicts are resolved peacefully, and countries can chart their own course. We will also continue to strengthen the United Nations' ability to end conflicts, build peace, defend human dignity, and respond to the humanitarian impacts of war. No nation can meet these challenges alone, and my Administration recognizes the critical role the United Nations plays in bringing about that vision.

Our country stands ready to continue the charge toward making that vision a reality by seeking a more secure, prosperous, and equitable world for everyone. We are working across the board to make global institutions more responsive, more effective, and more inclusive. Working closely with our international partners, we are closing global infrastructure gaps, bolstering the bonds that unite our nations, and unlocking endless opportunities that represent hope and possibility for all people. Through our Partnership for Workers' Rights, we are partnering with other United Nations member states around the world to give workers the tools they need to exercise

their rights, promote a safe and decent work environment, advance a worker-centered clean energy transition, harness technology, and confront and condemn workplace discrimination in all its ugly forms. Meanwhile, we will continue working with our international partners to tackle the climate crisis and any other challenges we are confronted with.

When we stand together and recognize the common hopes that bind all humanity, we hold in our hands the power to bend the arc of history. So often, the work of the United Nations has been a reminder of those hopes, bringing us all closer together and pushing us to recognize one another as human beings worthy of dignity and respect. This United Nations Day, let us rededicate ourselves to supporting the United Nations in its mission to preserve peace, prevent conflict, and alleviate human suffering.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 24, 2023, as United Nations Day. I urge the Governors of the United States and its Territories, and the officials of all other areas under the flag of the United States, to observe United Nations Day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10658 of October 26, 2023

Honoring the Victims of the Tragedy in Lewiston, Maine

By the President of the United States of America
A Proclamation

As a mark of respect for the victims of the senseless acts of violence perpetrated on October 25, 2023, in Lewiston, Maine, by the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, I hereby order that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until sunset, October 30, 2023. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10659 of October 27, 2023

National First Responders Day, 2023

By the President of the United States of America
A Proclamation

Every day, Americans across the country witness the absolute courage and selfless sacrifice of our first responders. Whether they are police officers and sheriff's deputies protecting our communities; firefighters running into burning buildings; or emergency medical technicians, paramedics, 911 dispatchers, 988 crisis responders, and other public health workers providing emergency care, these heroes are always there for us when we need them. On National First Responders Day, we honor and celebrate these extraordinarily brave women and men who put themselves in harm's way to keep our Nation safe.

Today we ask more of our first responders than ever before. Law enforcement officers who serve and defend communities across America are constantly confronted with dangerous threats. Firefighters face growing challenges as climate change makes deadly fires more frequent and ferocious. Relief workers are responding to public emergencies that have no precedent. Emergency medical service providers are working longer hours since the pandemic while taking on new roles and risks. Yet every day, our first responders answer the call while seldom seeking recognition in return, irrespective of the personal toll.

My Administration is committed to supporting and protecting our Nation's first responders. That is why I signed the American Rescue Plan, which provides States, cities, and Tribes with billions of dollars to retain and hire more law enforcement officers, firefighters, and emergency health providers; pay overtime and bonuses; and keep communities safe. Last year I was proud to sign into law the most sweeping gun safety bill in nearly 30 years to ensure our officers are not out-gunned on the streets. We are also strengthening background checks for gun purchasers, cracking down on illegal gun sales, and reining in ghost guns that are frequently used in violent crimes. In 2021, I signed into law the Protecting America's First Responders Act, expanding death, disability, and education benefits for first responders killed or permanently disabled in the line of duty as well as their families.

In addition, I secured $600 million in my Bipartisan Infrastructure Law package to boost Federal firefighter pay and increased the minimum wage to $15 an hour—a critical first step in giving these heroes the pay, respect, and dignity they deserve. Meanwhile, we are supporting crisis response efforts through my Investing in America agenda, which includes funding to improve community resilience to natural disasters. My Administration also launched the National Firefighter Registry for Cancer, the largest effort ever undertaken to understand and reduce the risk of cancer among firefighters. I was proud to sign the Federal Firefighters Fairness Act of 2022 to provide access to job-related disability benefits to firefighters diagnosed with certain kinds of cancer or lung disease as well as legislation funding research on mitigating the risks firefighters face from toxic PFAS—so-called ''forever chemicals''—while ensuring the Department of Defense will no longer purchase gear that contains PFAS as soon as an alternative is available.

Today and every day, we thank our first responders for their immeasurable service and recommit to giving them the tools they need to succeed. We remember the patriots who lost their lives running toward danger to protect others. We honor the families of the first responders who continue to sacrifice so their loved ones can serve the rest of us and keep our communities safe. These heroes possess a rare commitment to their fellow Americans. They represent the best of who we are, and they are a big reason why I have never been more optimistic about our country's future.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 28, 2023, as National First Responders Day. I call upon all the people of the United States to observe this day with appropriate programs, ceremonies, and activities to honor our brave first responders and to pay tribute to those who have lost their lives in the line of duty.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10660 of October 31, 2023

Critical Infrastructure Security and Resilience Month, 2023

By the President of the United States of America

A Proclamation

Throughout our history, America has been a can-do country full of possibilities. Our people are models of grit, drive, and determination, and when we properly prepare ourselves, we can meet any challenge that comes our way and ensure future generations thrive. This Critical Infrastructure Security and Resilience Month, let us recommit to reinforcing our critical infrastructure and remaining vigilant to threats that undermine our collective security and economic prosperity.

That means protecting our investments from all hazards and ensuring the infrastructure that American people rely on every day is secure and resilient. Climate change is making natural disasters more frequent, ferocious, and costly, straining our highways, railways, waterways, and energy systems. These disruptions—whether a natural disaster, a pandemic, or a cyberattack—exploit vulnerabilities in our supply chains and make it more difficult to access critical products when people need them. State and nonstate actors, such as criminals and violent extremists, continue to target our power grids, pipelines, health care systems, and water systems—threatening the infrastructure that underpins our economy, public health and safety, and national security. As President, I am committed to building a better future for our country by making America's critical infrastructure more secure and addressing the threats and hazards that place them at risk.

Bolstering the Nation's infrastructure is a cornerstone of my Investing in America agenda. With a combination of funding from the American Rescue

Plan, Bipartisan Infrastructure Law, the Inflation Reduction Act, and the CHIPS and Science Act, we are investing billions of dollars to enhance the security of our infrastructure by elevating roads and bridges above projected flood zones, supporting community resilience programs, reducing the strain put on our power grids, and so much more. These investments will save lives, protect our families, render a strong and innovative economy, enhance our resilience to disasters, and provide peace of mind to millions of Americans.

We know that to protect our critical infrastructure we must improve our cybersecurity. From the very beginning of my Administration, we have worked tirelessly to strengthen our Nation's cyber defenses. During my first year in office, I issued an Executive Order on Improving the Nation's Cybersecurity, a crucial step toward defending against the increasingly malicious cyber campaigns targeting our infrastructure. My Bipartisan Infrastructure Law builds on this progress by investing $1 billion to bolster cybersecurity for State, local, Tribal, and territorial governments. I am proud to have appointed senior cybersecurity officials who are laser-focused on anticipating and responding to cyber threats and ensuring that the Federal Government leverages all of its resources to improve the cybersecurity of the Nation's critical infrastructure. These priorities have been catalyzed by my National Cybersecurity Strategy released earlier this year, which lays out our strategy to enhance the cybersecurity and resilience of our Nation's critical infrastructure and the American people.

While my Administration is investing to protect America's critical infrastructure, we are also working with our international partners to build sustainable, resilient infrastructure around the globe. At the G20 Summit earlier this year, through the Partnership for Global Infrastructure and Investment, I was proud to unveil the launch of the landmark United States partnership with the European Union to develop the Trans-African Corridor. We are working with partners to connect the Democratic Republic of the Congo and Zambia to regional and global trade markets through the Port of Lobito in Angola, including by launching feasibility studies for a new greenfield rail line expansion between Zambia and Angola. This reliable and cost-effective corridor will increase efficiencies, secure regional supply chains, enhance economic unity, generate jobs, and decrease the carbon footprint in both countries. We hope to pursue opportunities to connect our initial investments across the continent to Tanzania and, ultimately, the Indian Ocean. Through quality infrastructure investments in key economic corridors like these, we are creating a better future filled with opportunity, dignity, and prosperity for everyone.

The United States is the only country in the world that becomes stronger after every challenge we face. Time and again, we have seen that when we work together, nothing is beyond our capacity. This Critical Infrastructure Security and Resilience Month, let us come together in common cause to bolster our Nation's critical infrastructure and create a more resilient nation and economy for generations to come.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2023 as Critical Infrastructure Security and Resilience Month. I call upon the people of the United States to recognize the importance of protecting our Nation's

infrastructure and to observe this month with appropriate measures to enhance our national security and resilience.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10661 of October 31, 2023

National Adoption Month, 2023

By the President of the United States of America
A Proclamation

Children are the kite strings that hold our Nation's ambitions aloft, and every one of them deserves to grow up in a safe and loving home. This National Adoption Month, we celebrate all the families made whole through adoption and recommit to ensuring that every child can build a life of happiness and well-being.

Today, more than a hundred thousand children are awaiting adoption in our Nation's foster care system, hoping for the love, connection, and a lasting foundation that a permanent family can provide. To help more families cover the cost of adoption, I have urged the Congress to make the adoption tax credit fully refundable so that every adoptive family benefit, regardless of income, and can focus on building supportive lives together. I have proposed making legal guardians eligible as well so that loving grandparents, aunts, uncles, and others can care for children and keep extended families together. I have also expanded the Military Parental Leave Program, allowing service members to spend more time with their families after a child is born, adopted, or placed with them through long-term foster care. At the same time, my Administration is working to remove barriers that make it harder for LGBTQI+ families to adopt, including by providing State child welfare agencies with training and funds to better support and place LGBTQI+ youth in safe and compassionate environments.

Still, thousands of young people unfortunately will not be adopted before they age out of foster care. To help ease that transition, my latest budget called for $9 billion to provide housing vouchers to all 20,000 adolescents exiting foster care annually; and I sought another $1 billion to support job placement, health care, access to higher education, and other programs. My Administration is also working closely with States to help foster youth stay in school, train for jobs, pay their bills, and begin promising adult lives.

During National Adoption Month, we recognize the bonds of love shared by adoptive families across America. We celebrate the millions of adoptive and kinship families who have opened their hearts to provide safe and caring homes. We thank the foster families and dedicated professionals who help so much along the way. We stand with foster youth and adoptees of all ages and want you to know that you are never alone. This month especially, we encourage anyone who is considering adoption to take that brave

and loving step forward, growing their families and adding profound meaning to their lives.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2023 as National Adoption Month. I encourage all Americans to honor this month by helping the children and youth in your communities secure their forever homes and find the love and connection that they need to thrive.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10662 of October 31, 2023

National Alzheimer's Disease Awareness Month, 2023

By the President of the United States of America

A Proclamation

Over six million Americans live with Alzheimer's disease, a form of dementia that deprives people of their precious memories, thoughts, and identity. During National Alzheimer's Disease Awareness Month, we honor the extraordinary courage, strength, and resilience of people facing this devastating disease. We recognize the support of families and caregivers who stand by their loved one's side and help them age with dignity. We resolve to continue advancing scientific research and treatment options to ensure a brighter future for all Americans facing Alzheimer's.

Today, Alzheimer's remains a leading cause of death in older adults. It exacts an emotional, physical, and financial toll on the entire family of those who are diagnosed—especially for African Americans and Latinos, who are more likely to develop dementias than any other races or ethnicities, and for individuals with Down syndrome, who are at higher risk for Alzheimer's. My Administration has taken numerous actions to help treat and prevent this terrible disease. We worked with the Congress to secure $2.5 billion in bipartisan funding for the Advanced Research Projects Agency for Health (ARPA–H). This agency is developing critical breakthroughs in preventing, diagnosing, and treating Alzheimer's and other deadly diseases and pioneering partnerships to get those breakthroughs out to clinics and patients.

Earlier this year, the Food and Drug Administration granted the first-ever approval for a prescription drug that can alter the course of Alzheimer's in some people, rather than simply treat symptoms—a sign of hope to so many patients and families affected by this disease. In addition, I was proud to sign an Executive Order on Increasing Access to High-Quality Care and Supporting Caregivers. As a result, the Centers for Medicare and Medicaid Services (CMS) announced a groundbreaking model that will offer a comprehensive package for care management and coordination for

people living with Alzheimer's and related dementias, caregiver support and education, and respite services. Meanwhile, CMS continues to offer services that help people access cognitive care assessments, ensuring that those with Alzheimer's receive the care they need. In addition, the Centers for Disease Control and Prevention is creating a uniform national public health infrastructure focused on increasing early detection and diagnosis of Alzheimer's disease and related dementias, reducing dementia risk, preventing avoidable hospitalizations, and supporting caregivers of those living with dementia.

This November, let us honor the memory of those we have tragically lost to Alzheimer's. Let us recognize the millions of Americans who are living with the impact of this condition every day and all the incredible caregivers, doctors, researchers, and advocates supporting them. Let us come together as a Nation; carry forward a spirit of hope; and recommit to doing everything we can to prevent, treat, and eliminate this disease.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2023 as National Alzheimer's Disease Awareness Month. I call on the people of the United States of America to honor and support those living with Alzheimer's and the many people who continue extraordinary and tireless efforts to combat this disorder. I encourage all Americans to visit www.Alzheimers.gov for evidence-based resources and information.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10663 of October 31, 2023

National Diabetes Month, 2023

By the President of the United States of America
A Proclamation

One in ten Americans has diabetes, and of that group, one in five of them do not know that they do. While this chronic condition is becoming more common, there is so much that we can do to help prevent and manage it. During National Diabetes Month, we recommit as a Nation to making treatment more affordable, improving care, and finally finding a cure.

Every day, millions of Americans with diabetes struggle to afford life-saving insulin. It costs drug companies just $10 a vial to produce, but some charge more than 30 times that amount. Americans across the country have told me how those high prices sometimes force them to ration their medication, too often resulting in dangerous health complications that could have been avoided. Too many of them know what it is like to lay awake at night, staring at the ceiling, wondering how to choose between putting food on the table and buying the insulin they need to stay alive. It is wrong.

I ran for President to rebuild the middle class—and that includes working to make health care a right in this country, not a privilege. For decades, big pharmaceutical companies have blocked efforts to lower prescription drug costs, but together, we took them on and won. Last year, I signed the Inflation Reduction Act, one of the most significant laws ever passed to reduce prescription drug prices, capping insulin at $35 per month for seniors on Medicare, down from as much as $400 per month. The Inflation Reduction Act finally gave Medicare the ability to negotiate for lower drug prices, starting this year with ten drugs—including treatments for diabetes—benefiting more than nine million Americans. The law also requires drug companies that raise prices faster than inflation to pay the difference back to the Government, saving seniors up to $618 per dose of medication. Seniors and other Part D enrollees with high drug spending will have their out-of-pocket drug costs capped at about $3,500 next year. In 2025, the Inflation Reduction Act will cap total out-of-pocket drug costs for all seniors on Medicare at $2,000 per year, period. There is more to do, but these steps will put money back in the pockets of millions of families, easing fears and giving them just a little more breathing room.

While we keep working to make diabetes medications more affordable, my Administration is also focused on prevention, early interventions, improving treatments, and finding a cure. Today, one in three American adults has prediabetes, with a risk of developing Type 2 diabetes within 5 years. Diabetes has serious consequences. It is a leading cause of death in the United States, and once diagnosed, increases one's risk of heart attack, stroke, blindness, kidney failure, and loss of toes, feet, or legs. It is important to be aware of diabetes risk factors, many of which relate to nutrition and physical activity deficits. To learn more about risk factors and how to combat prediabetes, visit the Centers for Disease Control and Prevention National Diabetes Prevention Program: https://www.cdc.gov/diabetes/prevention/index.html.

Last year, we launched the Advanced Research Project Agency for Health (ARPA–H) to drive breakthroughs in preventing, detecting, and treating deadly diseases, including diabetes. Research advances have already helped develop several new diabetes drugs, including the first that can delay the onset of Type 1 diabetes, giving recently diagnosed people more time before starting insulin. This year, the Food and Drug Administration also approved the first cell therapy for adults with Type 1 diabetes who cannot safely manage their glucose levels with insulin as well as the first new oral medication for children with Type 2 diabetes in over two decades. We remain committed to robust research investment and to providing pathways to drive the development and delivery of additional, effective treatments and much-needed cures.

At the same time, we have expanded health coverage nationwide and lowered health care costs for millions of Americans, including the nearly 15 million Americans who buy their coverage under the Affordable Care Act and are saving $800 per year on their premiums. We are also cracking down on surprise medical bills and junk health insurance plans that look affordable but then stick consumers with big hidden costs. Last year, we held the first White House Conference on Hunger, Nutrition, and Health in over 50 years where we convened advocates, health care providers, food companies, and officials from every level of government. We have laid out a vision to prevent and reduce the pervasiveness of diet-related disease,

like diabetes, across the United States by 2030, outlining a comprehensive strategy to end hunger and put healthy food on the table. Our plan incorporates steps to better prevent and manage diabetes, including by expanding access to nutrition counseling and working with the Congress to make the Medicare Diabetes Prevention Program permanent.

We want all 37 million Americans with diabetes to know that we have their backs and that the historic progress we have made to lower insulin prices is just the first step. This month, we celebrate the courage and resilience of this community; and we honor the medical professionals, loved ones, and advocates who do so much to help support it and keep driving us toward a cure.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim the month of November 2023 as National Diabetes Month. I call upon all Americans, school systems, government agencies, nonprofit organizations, health care providers, research institutions, and other interested groups to join in activities that raise diabetes awareness and help prevent, treat, and manage this disease.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10664 of October 31, 2023

National Entrepreneurship Month, 2023

By the President of the United States of America
A Proclamation

Whether they are running family restaurants or opening new factories, American entrepreneurs create businesses that are the heart and soul of our communities. This National Entrepreneurship Month, we honor the job creators, business owners, and daring innovators who remind us of the promise of the American Dream.

When I first took office, the American economy was reeling. Small businesses across the Nation were being crushed. Hundreds of thousands of storefronts were closed for good, and millions more were hanging on by a thread. But over the past few years, our economic plan has unlocked extraordinary opportunities for entrepreneurs. In my first 2 years in office, we saw a record 10.5 million new business applications—the most ever recorded in a 2-year period in American history. Asian American-, Black-, and Latino-owned businesses are seeing faster creation rates today than they have in years. The economy has created nearly 14 million new jobs. Our entrepreneurs form the backbone of our Nation's economy, and I remain committed to making sure they have the resources they need to succeed.

As my Administration implements historic legislation that is transforming our economy, we are working to ensure entrepreneurs reap the benefits. My Administration is leveraging American Rescue Plan funds to provide billions of dollars of capital and technical support to small businesses across the country so they can start and scale their businesses in high-growth, high-wage industries. We are also investing in small disadvantaged businesses to provide fair opportunities to entrepreneurs from underserved and underrepresented communities who have historically been left behind, including through the Minority Business Development Agency, which was made permanent through the Bipartisan Infrastructure Law. Last year, the Federal Government awarded a record $162.9 billion in contracts to small businesses, and $69.9 billion of that investment went to small disadvantaged businesses. In addition, the Small Business Administration has supported over $4 billion in loans to Black-owned and Latino-owned small businesses, marking significant increases from 2020. Through the CHIPS and Science Act, we are making strategic, localized investments to drive technology- and innovation-centric growth and create good jobs for American workers from all backgrounds. The Inflation Reduction Act is cutting health insurance and energy costs for entrepreneurs, doubling research-and-development tax credits for small businesses, and incentivizing manufacturers to use American suppliers.

Our entrepreneurs are models of drive, resilience, and determination—the very virtues that built America. From small towns to big cities, these dreamers and doers are the glue that holds our communities together and the fuel that propels our Nation forward. As President, I recognize the critical contributions that our Nation's entrepreneurs make, and I remain committed to giving them the support they need to thrive.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2023 as National Entrepreneurship Month. I call upon all Americans to commemorate this month with appropriate programs and activities and to celebrate November 21, 2023, as National Entrepreneurs' Day.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10665 of October 31, 2023

National Family Caregivers Month, 2023

By the President of the United States of America

A Proclamation

How we treat our children, parents, and loved ones and how we value those who care for them are fundamental to who we are as a Nation. Early care and education give young children a strong start in life while long-term care helps older Americans, veterans, and people with disabilities live

and work with dignity. During National Family Caregivers Month, we honor the Americans who lift up our communities and our Nation by providing dignified, professional, and invaluable care to the people we cherish the most.

The cost of care in this country is too high, and the pay for care workers is too low. A majority of Americans struggle to find affordable, high-quality care for themselves and their loved ones. At the same time, care workers remain among the lowest-paid workers in the country, though their jobs are some of the most demanding. More than half of long-term care employees and nearly 20 percent of child care workers leave their jobs every year. As a result, many Americans are forced to leave their own jobs behind to care for their loved ones.

No one should have to choose between the parents who raised them, the loved ones who depend on them, or the paycheck they rely on to care for their families. That is why as soon as I got into office, I signed the American Rescue Plan to help millions of families afford child care. Through that law, we provided $145 million to help the National Family Caregiver Support Program deliver counseling, training, and short-term relief to family caregivers and other informal care providers. We also helped States expand and strengthen Medicaid home care programs, increased Child Care and Development Block Grants that help low-income families afford child care, and provided crucial support to stabilize the child care sector more broadly. Consequently, we were able to keep the doors of 220,000 child care providers open during the pandemic, ensuring nearly 10 million children received care.

Last year, we also issued the first-ever national Strategy to Support Family Caregivers, outlining hundreds of actions that the Federal Government can take to support family caregivers' health, well-being, and financial security. We required companies seeking significant Federal funding from our CHIPS and Science Act to submit a plan on how they will help employees access affordable child care. Further, my Administration proposed a rule that would set a Federal floor for staffing levels in nursing homes. This spring, joined by people with disabilities, family caregivers, long-term care workers, early educators, veterans, and aging advocates, I signed a historic Executive Order that calls for the most comprehensive set of actions of any administration to date to increase access to high-quality child care and long-term care and support for caregivers. The order improves access to home-based care for people with disabilities and veterans, expands access to mental health benefits to care workers and veteran family caregivers, lowers child care costs for hard-working families, builds the supply of high-quality care to provide more options to individuals and families, helps protect workers from exploitation, and much more.

This week, we recognize the love and sacrifice of millions of American caregivers. They are the backbone of our country, caring for young children, aging parents, disabled veterans, injured service members, and others who need support and medical assistance. Let us celebrate and honor our caregivers and renew our efforts to protect their dignity, health, and security. Because when we care for our caregivers, we honor our American ideals and move closer to a future where no one in this Nation is left behind.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2023 as National Family Caregivers Month. I encourage all Americans to reach out to those who provide care for our Nation's family members, friends, and neighbors in need to honor and thank them.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10666 of October 31, 2023

National Lung Cancer Awareness Month, 2023

By the President of the United States of America

A Proclamation

This year, nearly 250,000 Americans will be diagnosed with lung cancer, the leading cause of cancer death in the United States. During National Lung Cancer Awareness Month, we honor the resilient people who have faced this diagnosis, the loved ones who rally to their side, and the medical professionals who do all they can to help patients survive and heal. We recommit to ending cancer as we know it by investing in new, affordable ways to prevent, detect, and treat this deadly disease.

In recent years, improved treatments, as well as enhanced early detection, have brought us closer toward turning cancer diagnoses from death sentences into treatable diseases. However, challenges persist for patients and their families. It can be challenging to determine the best course of treatment. The treatment itself can be grueling. Medical bills can pile up. For some, progress is still too slow. This includes Black men, who are disproportionately likely to develop and die from lung cancer; people living in rural communities, where mortality rates remain stubbornly high; and women under 50 years old, who are diagnosed with lung cancer at higher rates than men of the same age.

As a Nation, we must come together to change that. That is why the First Lady and I reignited the Cancer Moonshot, setting ambitious goals to cut the cancer death rate by at least half in the next 25 years and improve the experience of patients and families. As a first step, my Administration secured $2.5 billion in funding for the Advanced Research Projects Agency for Health (ARPA–H). The scientists, innovators, and public health professionals funded by ARPA–H are driving breakthroughs in preventing, detecting, and treating cancer and other deadly diseases. Throughout our history, the United States has led the world in scientific innovation and discovery. We will continue to do so on our way to ending cancer as we know it.

My Administration is also investing in screening and early detection—services that are critical to diagnosing lung cancer in its beginning stages and saving lives. The Centers for Disease Control and Prevention—along with

other agencies, community health centers, and partners in the private sector—is providing early detection knowledge and support services to underserved communities. We remain committed to increasing lung cancer screening rates for those most at risk and encourage everyone to talk to their doctor about symptoms.

There are additional steps each of us can take to reduce the impact of lung cancer in our own lives. For many, that starts with quitting smoking, the number one cause of lung cancer and the single-largest driver of cancer deaths in America. This year, our White House Smoking Cessation Forum brought together public health workers, health care providers, people living with cancer and their caregivers, and others to expand access to programs that help people who want to quit and ensure that these programs are accessible to everyone. Last year, the Food and Drug Administration proposed rules to prohibit menthol cigarettes and flavored cigars to help adults who are trying to quit smoking and to prevent children from becoming the next generation of smokers. Help is available to those who want to quit smoking at www.BeTobaccoFree.gov or www.smokefree.gov or by calling 877–44U–QUIT.

Additionally, my Administration has taken significant steps to make cancer treatments affordable for everyone. Through the Inflation Reduction Act, out-of-pocket drug costs for seniors on Medicare will soon be capped at $2,000 per year—including expensive cancer drugs that sometimes cost several times that. We strengthened Medicaid and the Affordable Care Act (ACA), expanding health care coverage for millions of Americans and helping nearly 15 million people save an average of $800 per year on health insurance premiums. I remain committed to maintaining the accessibility of cancer care secured in the ACA, including requiring insurers to pay for cancer screenings and primary care visits and covering cancer survivors and others who have preexisting conditions. I signed the PACT Act into law—one of the most significant laws ever to help veterans exposed to toxic materials, some of whom develop lung cancer and other diseases. This law expands access to benefits and services to veterans, ensuring they have access to health care, free screenings, and benefits through the Department of Veterans Affairs. The law also provides access to survivor benefits for families of veterans who died due to a toxic-related illness. I was also proud to sign the Federal Firefighters Fairness Act, giving more than 10,000 firefighters and their families critical workers' compensation and other benefits by making sure certain kinds of heart problems, lung disease, and cancers are presumed to be caused by the job.

Cancer has touched nearly every family in America—including mine. During National Lung Cancer Awareness Month, the First Lady and I have one message to the Nation: There is hope. We see it in the extraordinary courage and strength of all who are facing this deadly disease and in the families and loved ones who support them. We see it in the researchers who are chasing new breakthroughs and the health care workers who care for their patients with compassion and skill. This month and every month, we must seize the urgency of this moment to find better solutions, treatments, and cures and to unite as one Nation to end cancer as we know it.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and

the laws of the United States, do hereby proclaim November 2023 as National Lung Cancer Awareness Month. I call upon the people of the United States to speak with their doctors and health care providers to learn more about lung cancer. I encourage citizens, government agencies, private businesses, nonprofit organizations, the media, and other interested groups to increase awareness about what Americans can do to prevent, detect, and treat lung cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10667 of October 31, 2023

National Native American Heritage Month, 2023

By the President of the United States of America

A Proclamation

During National Native American Heritage Month, we recognize the invaluable contributions of Native peoples that have shaped our country and honor the hundreds of Tribal Nations who continue exercising their inherent sovereignty as vital members of the overlapping system of governments in the United States. We also recommit to supporting Tribal sovereignty; upholding the Federal Government's solemn trust and treaty responsibilities; and working in partnership with Tribal Nations to advance prosperity, dignity, and safety for all Native peoples.

Since time immemorial, Native communities have passed down rich cultures, knowledge, traditions, and ways of life. But throughout our history, Native peoples' cultures, identities, and governments were not always seen as a part of this Nation but as a threat to it. Native people were pressured to assimilate, banned from practicing their traditions and sacred ceremonies, and forced from their homes and ancestral homelands. This violence and devastation cost countless lives, tore families apart, and caused lasting damage to Tribal communities and institutions.

Despite centuries of violence and oppression, Native peoples remain resilient and proud. Today, Native Americans are essential to the fabric of the United States. They serve in the United States Armed Forces at higher rates than any other ethnic group. They continue to steward so many of our great lands. Their contributions to science, humanities, arts, public service, and more have brought prosperity for all of us. Their diverse cultures and communities continue to thrive and lead us forward.

Since the beginning of my Administration, I have been determined to help champion a new and better chapter in the story of our Nation-to-Nation relationships. I started by appointing Native Americans to lead in my Administration—including the first Native American Secretary of the Interior Deb Haaland, dozens of Senate-confirmed Native American officials, and over 80 Native American appointees serving across my Administration and in

the Federal courts. I restored the annual White House Tribal Nations Summit to advance communication between key members of my Administration and the leaders of hundreds of Tribal Nations. My Administration formally recognized Indigenous Knowledge as one of the many important bodies of knowledge that contributes to the scientific, technical, social, and economic advancements of the United States and our collective understanding of the natural world.

Together with leadership from Tribal Nations, we are making historic investments in Indian Country. Our American Rescue Plan invested $32 billion in Tribal Nations—the largest one-time direct investment in Indian Country in American history. Our Bipartisan Infrastructure Law invested more than $13 billion to rebuild infrastructure, the single largest investment in Indian Country infrastructure in history. Our Inflation Reduction Act also made the largest investment ever to combat the existential threat of climate change, including $700 million dedicated to climate change response in Native communities. Last year, I signed a Presidential Memorandum that improves consultation between the Federal Government and Tribal Nations.

My Administration is also working to address the impacts of harmful Federal policies of the past while ensuring Native communities are safe and healthy. Through the Department of the Interior's Road to Healing initiative, Native language preservation, public safety initiatives, and bold new investments, we are supporting Native American families and their communities as they heal. We are also working to improve public health and safety for Native Americans. I signed an Executive Order that helps us respond more effectively to the epidemic of missing and murdered Indigenous peoples. Last year, when we reauthorized the Violence Against Women Act, I was proud to include historic provisions that reaffirm Tribal sovereignty and restore Tribal jurisdiction. My budget for Fiscal Year 2024 also requested a $9.1 billion infusion for the Indian Health Service, and I have asked the Congress to make that funding a mandatory part of the Federal budget for the first time in our history.

We are also committed to partnering with Tribal Nations to protect and steward their sacred and ancestral lands and waters. Through Tribal co-stewardship agreements, we work directly with Tribal Nations to make decisions about how to manage those lands that are most precious to them—recognizing and utilizing the invaluable knowledge they have from countless generations. I established new national monuments protecting lands sacred to Tribal Nations at Baaj Nwaavjo I'tah Kukveni in Arizona, the Camp Hale-Continental Divide in Colorado, and Avi Kwa Ame in Nevada. I also restored protections for the Northeast Canyons and Seamounts Marine National Monument in New England and Bears Ears and Grand Staircase-Escalante in Utah.

This month, we celebrate Native American history and culture. We are reminded that with hard work and a commitment to our founding ideals, we can address the wrongs of our past and become a more perfect Union—one that ensures liberty, justice, dignity, and equality for all.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2023 as National Native American Heritage Month. I urge all Americans, as well as

their elected representatives at the Federal, State, and local levels, to observe this month with appropriate programs, ceremonies, and activities. Also, I urge all Americans to celebrate November 24, 2023, as Native American Heritage Day.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10668 of October 31, 2023

National Veterans and Military Families Month, 2023

By the President of the United States of America

A Proclamation

The poet John Milton once wrote, ''They also serve who only stand and wait.'' During National Veterans and Military Families Month, we recognize that our military and veteran families answer our Nation's call to duty, and we recommit to doing right by their service and sacrifice.

For me, the First Lady, and the entire Biden family: It is personal. When our son Beau was deployed to Iraq, we learned what it meant to pray every day for the safe return of someone you love. Our grandkids learned what it meant to have their dad overseas in a warzone instead of at home, tucking them into bed and reading them a story every night. Millions of Americans have had that experience. To all the mothers and fathers, sisters and brothers, sons and daughters, spouses and partners, and loved ones who stand alongside our veterans and service members: You are the solid steel spine that bears up under every burden and the courageous heart that rises to every challenge.

Our Nation has only one truly sacred obligation—to prepare those we send into harm's way and care for them and their families while they are deployed and when they return home. Since the beginning of my Administration, fulfilling that obligation has been my top priority. In June, I signed an Executive Order that establishes the most comprehensive set of administrative actions in our Nation's history to support the economic security of military and veteran spouses, caregivers, and survivors. It encourages all Federal agencies to do more to retain military spouses through flexible policies, improves the ability for spouses to maintain their employment when moving overseas, allows spouses to seek advice on overseas employment issues through military legal assistance offices for the first time, and improves spouses' access to quality, dependable, and affordable child care.

Since the beginning of my Administration, I have signed more than 30 bipartisan bills to expand the services and benefits that support our veterans and their families, caregivers, and survivors—including the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act, the most significant expansion of benefits and services for toxin exposed veterans and survivors in over 30 years. We released a

national strategy to reduce military and veteran suicide by tackling some of the root causes of this crisis—like addressing financial insecurity by expanding job training opportunities for transitioning service members and veterans and their spouses and increasing funding to prevent and eliminate homelessness. Further, I signed an Executive Order that implemented historic, bipartisan military justice reforms to transform how the military handles sexual assault and domestic violence cases in order to make our military safer and more just. Earlier this year, I directed the Department of Defense to review pay and benefits for our military members, because our Armed Forces and their families deserve a 21st century compensation system that reflects their service and sacrifice. Additionally, the First Lady's Joining Forces initiative is providing support to military and veteran families, caregivers, and survivors by improving economic opportunity for military families, making school transitions easier for military children, and expanding resources to promote health and well-being for this community.

Our fighting force is the greatest in the world—in no small part because, year after year and decade after decade, military and veteran families have had their loved ones' backs. As a country, we owe it to these families to have their backs. This year—as we celebrate 50 years of an all-volunteer force—may we also recognize the bravery and dedication of our military and veteran families and work to repay the debt of gratitude we owe each one of them.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2023 as National Veterans and Military Families Month. I call upon the people of the United States to honor veterans and military families with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10669 of November 7, 2023

Veterans Day, 2023

By the President of the United States of America

A Proclamation

This Veterans Day, we honor the generations of women and men who have served and sacrificed—not for a person, a place, or a President—but for an idea unlike any other: the idea of the United States of America. For nearly 250 years, our veterans have defended the values that make us strong so that our Nation could stand as a citadel of liberty, a beacon of freedom, and a wellspring of possibilities.

Today, I am thinking of all our Nation's veterans, who put their lives on the line to protect our democracy, values, and freedom around the world.

We honor our wounded warriors, so many of whom the First Lady and I have met over the years, who are bound by a common sense of duty, courage, and optimism, and we remember those who are still missing in action or prisoners of war and renew my pledge to bring them home. Our military families, caregivers, and survivors also answer the call to serve. I remember so clearly the pride I felt in our son Beau during his service in Iraq as well as those mornings I saw the First Lady saying a prayer for his safe return. Our veterans and their families give so much to our Nation, and we owe them a debt we can never fully repay.

As a Nation, we have many obligations, but we only have one truly sacred obligation: to prepare and equip the brave women and men we send into harm's way and to care for them and their loved ones when they return home. Since the beginning of my Administration, we have worked to make good on that promise, passing nearly 30 bipartisan laws to support our veterans and service members and their families, caregivers, and survivors. That includes the PACT Act—the most significant effort in our Nation's history to help millions of veterans exposed to toxic substances during their military service. Since I signed the PACT Act into law last year, more than 478,000 veterans and survivors are already receiving benefits—ensuring that veterans exposed to burn pits and other harmful substances and their loved ones get access to the care and support they need.

My Administration is also committed to ending veteran suicide and homelessness and ensuring that our veterans have the resources they need to live full lives and thrive in their communities. We released a national strategy to reduce military and veteran suicide by improving lethal means safety and enhancing crisis care as well as by addressing the economic, legal, and mental health issues that impact veterans. The Department of Veterans Affairs is also funding community-led suicide prevention programs, which help connect veterans and their families to needed services. Every veteran deserves a roof over their head, which is why we have taken bold actions to end veteran homelessness, permanently housing more than 40,000 veterans last year and investing $1 billion to provide supportive services to help homeless and at-risk veterans and their families. My Budget also proposes tripling the number of rental-assistance vouchers for extremely low-income veterans to prevent homelessness. Further, we have taken steps to improve the economic security of veterans and their families by expanding job training programs for transitioning veterans and their spouses and issuing rules to protect them from predatory educational institutions. We are also working to ensure every veteran has access to the benefits and services they have earned.

Earlier this year, I signed an Executive Order directing more than 50 actions to improve access to child care and long-term care for Americans, including military and veteran families, and to support family caregivers, especially those who care for our veterans. Recognizing the talents and contributions of veteran and military spouses, caregivers, and survivors to our workforce, I signed an Executive Order establishing the most comprehensive set of administrative actions in our Nation's history to support their economic security—increasing training and employment opportunities for military spouses in the workforce throughout the transition to veteran spouses status and encouraging all Federal agencies to do more to retain military and veteran spouses through flexible policies. The First Lady's Joining Forces initiative is further supporting military and veteran families,

caregivers, and survivors by improving economic opportunities and expanding resources to promote health and well-being for this community.

As we mark the 50th anniversary of an all-volunteer force and the 75th anniversary of the full integration of women in the Armed Forces and the desegregation of the troops, my Administration reaffirms our commitment to supporting everyone who serves in our Armed Forces. We have taken steps to ensure that the more than 918,000 women veterans enrolled in the Department of Veterans Affairs health care have equitable access to benefits and health services, in part by expanding access to reproductive health care. We have worked to proactively review the military records of veterans discharged under ''Don't Ask, Don't Tell'' and to modernize the process of upgrading discharges to help all veterans access their earned benefits. We will continue to support our LGBTQI+ veterans and veterans of color who have made innumerable contributions to our Nation and have truly made our military stronger, tougher, and more capable.

This Veterans Day, may we honor the incredible faith that our veterans hold, not just in our country but in all of us. They are the solid-steel backbone of our Nation, and we must endeavor to continue being worthy of their sacrifices by working toward a more perfect Union and protecting the freedoms that they have fought to defend.

In respect and recognition of the contributions our veterans and their families, caregivers, and survivors have made to the cause of peace and freedom around the world, the Congress has provided (5 U.S.C. 6103(a)) that November 11 of each year shall be set aside as a legal public holiday to honor our Nation's veterans.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim November 11, 2023, as Veterans Day. I encourage all Americans to recognize the valor, courage, and sacrifice of these patriots through appropriate ceremonies and private prayers and by observing two minutes of silence for our Nation's veterans. I also call upon Federal, State, and local officials to display the flag of the United States of America and to participate in patriotic activities in their communities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of November, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10670 of November 8, 2023

World Freedom Day, 2023

By the President of the United States of America

A Proclamation

On World Freedom Day, we remember that the hammer blow that brought down the Berlin Wall and the might that lifted the Iron Curtain were not sparked by the words of any single leader—it was the people of Europe

who spent decades fighting to free themselves and defend democracy. Together, we recommit ourselves to this cause—knowing that the darkness that drives autocracy is no match for the flame of liberty that lights the souls of free people everywhere.

Around the globe, we are seeing a revival of the forces of autocracy, which are once again demonstrating contempt for the rule of law, democratic freedom, and the truth itself. Russia's ongoing aggression against Ukraine is another battle in the long struggle between liberty and authoritarianism, one that compels us to remember that the fight for democracy is perennial and that we must stand up for our values each and every day.

That is exactly what the United States is doing. Together with our partners and allies, the United States will continue to defend the fundamental freedoms and human rights entitled to every person around the world. We will continue working toward a future where women and girls can enjoy equal rights and equal participation in their societies; where Indigenous groups, people with disabilities, and racial, ethnic, and religious minorities do not have their potential stifled by systemic discrimination; and where LGBTQI+ people are not persecuted or targeted with violence because of who they are. We will continue to stand with people around the world striving for a brighter future in the face of autocratic attempts to forge a darker path. As we support democracy abroad, we are mindful that our own democracy is still at risk. My Administration is working tirelessly to show that democracies can deliver on the challenges that matter most in peoples' lives, and I call on the American people to remain vigilant in the defense of our democratic values and institutions.

As we honor the hope felt around the world 34 years ago today when Berliners finally crossed from East to West and ushered in a new future, we remember that when we choose to stand together and recognize the common hopes that bind all humanity, we hold in our hands the power to bend the arc of history. Together, may we continue to live up to the promises we have made to ourselves, to the vulnerable, and to all those who will inherit the world we create. May we work side-by-side to bend the arc of history for the good of the world.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim November 9, 2023, as World Freedom Day. I call upon the people of the United States of America to remember the hope symbolized by the fall of the Berlin Wall and reaffirm our dedication to freedom and democracy.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of November, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10671 of November 9, 2023

American Education Week, 2023

By the President of the United States of America
A Proclamation

The promise of America has always been tied to the promise of our public education. This American Education Week, we celebrate our schools as beacons of hope and possibility, pillars of our communities, and cornerstones of our democracy. We recommit to investing in all the schools, educators, and staff—the kite strings that keep our national ambitions aloft.

A great education opens doors and changes lives. From our astronauts, artists, scientists, and software developers to our engineers, entrepreneurs, manufacturers, and medical professionals, countless Americans first discovered their potential in our public schools. Many further honed their talents in our universities, community colleges, Registered Apprenticeship programs, and career and technical education programs. That is what makes our Nation one of possibilities: Here in the United States everyone has the chance to learn, grow, and pursue their dreams, no matter who they are or where they grew up. But there is more we can still do to ensure every child has a fair shot. Despite heroic efforts by our Nation's teachers, the pandemic further deepened existing achievement gaps after years of flat or declining achievement in math and reading nationwide.

That is why my Administration has secured a historic $130 billion for America's K–12 schools. This funding has put more teachers in our classrooms and more counselors, social workers, and other staff in our schools. Additionally, this funding is providing high-quality tutoring, supporting record expansions of summer and after-school programming, improving air quality in schools, addressing environmental and safety needs in aging school buildings, and creating other critical initiatives designed to support our students. We also recognize that our students cannot thrive at school unless they are healthy and safe. The American Rescue Plan also made our country's biggest-ever investment in mental health and substance use programs, supplying the resources to recruit, train, and support more providers at the State and local levels—including in our schools. I also signed the Bipartisan Safer Communities Act into law—the first major Federal gun safety legislation passed in nearly 30 years, getting us closer to a world where every school in America is free from the threat of gun violence. This legislation also included historic levels of funding to address youth mental health, including $2 billion to create safe, inclusive learning environments for students and hire and train more mental health professionals for schools, which is where students are most likely to receive these crucial services. My Administration also released a national strategy to end hunger and reduce diet-related diseases in America by 2030—including by advancing a pathway to provide free, healthy school meals for all children.

We are fighting for our youngest learners too. We know that if we start early in both reading and math and make kindergarten a sturdy bridge between the early years and early grades, we set the stage for their lasting academic success. In fact, providing America's children with a strong foundation during their first 5 years can form the basis for lifelong health and well-being as well as achievement in education and their future careers. I

will continue to press for high-quality, free preschool for all three- and four-year-olds.

My Administration also secured nearly $40 billion for colleges and universities in the American Rescue Plan. Importantly, we have invested billions of dollars in Historically Black Colleges and Universities, Tribal Colleges and Universities, and Minority Serving Institutions, such as Hispanic-Serving Institutions and Asian American and Native American Pacific Islander-Serving Institutions. I have made it a priority to make college more affordable for Americans, and have worked with the Congress to increase the maximum Pell Grant by $900 since the beginning of my Administration, helping over 6 million eligible students pay for school. Further, my Administration has approved $127 billion in student loan debt relief for nearly 3.6 million borrowers—more than any President in history. We have also fixed the Public Service Loan Forgiveness program so that borrowers who go into public service, including public school teachers, get the debt relief they have earned. Borrowers who work in public service can apply for the Public Service Loan Forgiveness program at www.studentaid.gov/pslf. Our SAVE plan, once fully implemented, will make student loan repayment more affordable than ever before, slashing payments to $0 for borrowers who earn less than about $15 an hour, saving them over $1,000 a year, and ending the runaway student loan interest responsible for ballooning balances. Enrolling in SAVE takes less than 10 minutes.

While we are making historic investments in colleges and universities, we also believe that every person in our Nation deserves access to the American Dream, whether they have a college degree or not. That is why we have invested more in Registered Apprenticeships and technical career training programs than any administration in history. These programs empower workers to earn while they learn and offer them a path toward good-paying jobs. In addition, the Departments of Education and Labor are collaborating to expand Registered Apprenticeships for educators. To help raise a new generation of talented educators from underrepresented backgrounds, we are working to increase high-quality teacher preparation programs and strengthen and diversify the teacher pipeline.

During American Education Week, we recognize the critical role education plays in realizing the defining creed of our Nation—that we are a land of possibilities. We celebrate all the dedicated educators, school counselors, nurses, bus drivers, security guards, custodians, cafeteria workers, and other school staff, who keep our schools running and support our students' health, safety, and success. Together, we will ensure that every student has the resources and opportunities they need to thrive.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 12 through November 18, 2023, as American Education Week. I call upon all Americans to mark this week with appropriate programs, ceremonies, and activities honoring those who devote their talents and energies to helping our children reach their full potential and to building school communities where all students feel they belong.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of November, in the year of our Lord two thousand twenty-three, and of the

Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10672 of November 9, 2023

National Apprenticeship Week, 2023

By the President of the United States of America
A Proclamation

I have always believed that the middle class built America and unions built the middle class, and Registered Apprenticeship programs across our country have produced some of the best-trained workers in the world. During National Apprenticeship Week, we recommit to supporting Registered Apprenticeship programs, which offer America's workers direct pathways to good-paying jobs with dignity and respect.

I ran for office to build an economy from the middle out and bottom up—one in which every American willing to work hard can get a job wherever they call home. Registered Apprenticeships make that possible for so many by honing their skills, paying them while they learn, and putting them on a path to get a good-paying job. Apprenticeships not only strengthen our workforce today, they give workers the skills needed for industries of the future—whether it is modernizing our infrastructure and building clean energy technologies or addressing cybersecurity threats.

That is why we have invested more in Registered Apprenticeships and career technology education programs than any previous administration in American history. Our American Rescue Plan and Bipartisan Infrastructure Law have invested billions of dollars in workforce training for good jobs, including significant investments to help States, employers, labor organizations, educational institutions, and workforce intermediaries develop and expand Registered Apprenticeship and pre-apprenticeship programs. My Administration's efforts have already helped develop over 4,000 new Registered Apprenticeship programs and led to the hiring of more than one million new apprentices. Through enhanced tax credits our Inflation Reduction Act provides strong incentives for employers to connect Registered Apprentices with clean energy projects that are essential in our work to build a clean energy future in America.

Last year, my Administration launched programs designed to strengthen and diversify Registered Apprenticeships across industries. Our Apprenticeship Ambassador Initiative assembles a national network of more than 200 organizations committed to increasing the number of apprentices across many industries while recruiting people from historically underrepresented communities to join the American workforce and participate in industries of the future. These organizations have already committed to hiring over 10,000 new apprentices. This initiative includes creating clean energy apprenticeships and jobs in communities that have suffered legacy pollution. Additionally, these Registered Apprenticeships help employers build a more diverse workforce while empowering workers with the resources they need to thrive, including on-the-job learning experience, job-

related instruction with a mentor, and a clear pathway to a good-paying job. Through the Department of Labor's Women in Apprenticeship and Nontraditional Occupations grant program, my Administration is also continuing to invest in training women to enter the skilled trades and other occupations where they have long been underrepresented.

In addition, we are working within industries to address workforce needs in critical sectors. Through my Administration's Advanced Manufacturing Sprint and Workforce Hubs Initiative, we are working to secure private-sector, union, State, and local commitments to expand pre-apprenticeship and Registered Apprenticeship programs. The Department of Education and the Department of Labor have helped expand K–12 teacher Registered Apprenticeship programs to 27 States with over 1,500 teacher apprentices to ensure our schools have enough educators to teach the next generation of leaders. Through the Department of Labor's Scaling Apprenticeship Readiness Across the Building Trades Initiative, we are enrolling at least 7,000 people in construction industry apprenticeships to build roads, bridges, and highways, so that America can have the best infrastructure in the world once again. Our 90-day Trucking Apprenticeship Challenge has helped get more truck drivers on the road, keeping our supply chains moving. And our 120-day Cybersecurity Apprenticeship Sprint has resulted in thousands of apprentices getting hired, who will learn the skills needed to protect our personal information and national interests from cyberthreats.

I have often said that America can be defined in one word: possibilities. That is what Registered Apprenticeships are all about—giving workers the skills and opportunity to support their families while building the industries of the future. During National Apprenticeship Week, we celebrate the apprentices across our country who lift our workforce to new heights and the apprenticeship programs that make their success possible. We recommit to doing what has always worked best for our Nation: investing in America and American workers.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 12 through November 18, 2023, as National Apprenticeship Week. I urge the Congress, State and local governments, educational institutions, industry and labor leaders, apprentices, and all Americans to support Registered Apprenticeship programs in the United States of America and to raise awareness of their importance in building a diverse and robust workforce to strengthen our national economy.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of November, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10673 of November 14, 2023

America Recycles Day, 2023

By the President of the United States of America
A Proclamation

On America Recycles Day, we recognize the critical role recycling plays in caring for our environment and addressing the existential threat of climate change. We honor the people, communities, and organizations that are working every day to recycle and responsibly steward our natural resources. We recommit to each doing our own part to secure a greener, cleaner, and more sustainable future for our communities, country, and planet.

Over a third of the world's greenhouse gas emissions—and many of the toxins and pollutants that harm public health—come from the production and processing of materials that people use every day. That is why recycling and reducing waste as much as possible is so important. By recycling, we send less waste to landfills and reduce the need for raw materials, thereby saving energy and conserving valuable natural resources. Still, our country faces too many barriers to recycling. Some Americans are unsure about which materials can be recycled, and municipalities struggle to establish connections with markets that can use their recycled materials. Many people, especially people of color and low-income Americans, have suffered disproportionately from the damaging effects of pollution, including landfilled, dumped, or incinerated waste.

To improve the way our Nation recycles, my Administration made the largest investment in recycling in nearly three decades through our Bipartisan Infrastructure Law. These funds have helped launch dozens of new initiatives, including projects to improve waste management, reduce harm in communities that have long faced environmental injustice, and increase public awareness and education about recycling. We also released a National Recycling Strategy to highlight the ways government, industry, and other entities can utilize our recycling and waste management systems—including best practices for collecting recyclable products, reaching markets for these materials, and funding the latest recycling technologies that will protect public health and the environment. In pursuit of our goal to reach net-zero greenhouse gas emissions by 2050, I signed the Inflation Reduction Act, which made the largest investment in climate action in history.

There is still more we can do to improve recycling practices across the country. I call upon manufacturers and businesses to offer more sustainable products, to reuse materials and reduce the use of raw materials, to adopt effective recycling practices, and to design and build durable projects that are fully recyclable. I also call upon all Americans to learn what is recyclable in their cities and towns, sort waste into the appropriate bins, embrace reusable containers, engage in food composting, and reduce the use of nonrecyclable materials, such as many single-use plastics. Everyone has a role to play, and by working together to recycle, we can improve the health of our environment and our world for generations to come.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 15, 2023, as

America Recycles Day. I call upon the people of the United States of America to observe this day with appropriate programs and activities, and I encourage all Americans to continue their environmental efforts by recycling throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of November, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10674 of November 15, 2023

National Rural Health Day, 2023

By the President of the United States of America
A Proclamation

America's rural communities are indispensable to who we are as a Nation, where over 60 million people who live in rural America fuel our economy and help forge our future. On National Rural Health Day, we recommit to investing in rural communities and delivering affordable, quality health care so that generations of rural Americans can thrive.

No one should have to lie awake at night wondering if they can afford or access health care for their family, but that is the reality for so many in rural America. Rural Americans are more likely to live in poverty, be older, and have disabilities while also having fewer health care providers within reach. We know that when rural Americans do not have the chance to thrive in their local economy, they leave home in search of opportunity elsewhere. When they do, small businesses, schools, and rural hospitals suffer, and the services and support systems people need to succeed disappear. Since 2010, over 150 rural hospitals have either closed down or stopped providing in-patient care, damaging rural economies where hospitals are often one of the largest employers and leaving families scrambling for health care.

When I came into office, I was committed to investing in rural America, starting with the health and well-being of its residents. Our American Rescue Plan directed $8.5 billion to rural providers so they could keep hospitals and clinics open during the pandemic. We also supported the establishment of a new Rural Emergency Hospital designation, which provides struggling rural hospitals with a new option for maintaining a presence within the community. We have provided $1.5 billion in scholarships and student loan assistance for rural clinicians and nurses so that medical personnel can fill these critical roles.

My Administration has also worked to modernize and support rural health care facilities by providing millions of dollars to provide direct health services, expand infrastructure, and supply technical assistance to rural hospitals facing financial distress. Further, we have made historic investments in the expansion of rural broadband and services that can be delivered via telehealth to Medicare beneficiaries.

We are also tackling some of the health crises that impact rural communities by working to improve maternal health, address the mental health crisis, and beat the opioid epidemic. My Administration's Blueprint for Addressing the Maternal Health Crisis lays out our vision for making America the best country in the world to have a baby. Expanding mental health and substance use disorder services remains a core pillar of my Unity Agenda. That is why we are recruiting, training, and supporting more providers across the country as part of the largest-ever investment in these types of programs.

Additionally, we are investing in the next generation of rural Americans, fighting for a future where all children have the resources they need to live full and healthy lives. That is why my Administration released a national strategy to end hunger and reduce diet-related diseases in America by 2030—including advancing a pathway to provide free, healthy school meals for all children. We are also working to support schools in sourcing more local food for on-campus meals, bringing new revenue to farms and increased economic development in rural communities.

At the same time, we are lowering health care costs for every American, no matter their zip code. We expanded health care coverage through the Affordable Care Act, saving millions of families up to $800 a year on their health care premiums. I also signed the Inflation Reduction Act, which capped the cost of insulin at $35 per month for people with Medicare. The Inflation Reduction Act also empowered Medicare to negotiate lower drug prices for the first time in American history. The first ten drugs Medicare selected for negotiation treat everything from blood clots to cancer and are used by nine million people. Building on this progress, we are also requiring prescription drug companies to reimburse Medicare if they raise prices for seniors at a higher rate than inflation, which will save some seniors as much as $618 on every dose of their medication.

Finally, my Administration is implementing historic legislation that will help rural Americans find more opportunities in their hometowns. Through my Bipartisan Infrastructure Law, rural Americans are being hired to rebuild safer bridges, roads, and highways in their own communities and to bring clean water, clean energy, and high-speed internet to their neighbors. Companies are investing hundreds of billions of dollars to create thousands of jobs across America—including rural America—and are manufacturing more products in rural communities.

I have often said that health care is a right, not a privilege. On National Rural Health Day, we recommit to this principle and to putting affordable, quality health care within reach of all rural Americans.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 16, 2023, as National Rural Health Day. I call upon the people of the United States to reaffirm our dedication to the health and well-being of rural America.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of November, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10675 of November 17, 2023

National Family Week, 2023

By the President of the United States of America
A Proclamation

My father always said that family is the beginning, the middle, and the end. Family is everything. During National Family Week, we celebrate the love, support, and resilience of the tens of millions of American families that make our Nation strong and keep the American Dream alive.

For too long, too many families in this country have lived with the prospect of an uncertain future. Too many parents have lain awake at night staring at the ceiling, wondering how they will make rent, send their kids to college, retire, or pay for medication. Too many have had to move far away from their hometowns to earn a living. I ran for President to change all that—to finally rebuild a strong middle class and grow our economy from the middle out and bottom up, giving hardworking families across the country a little more breathing room.

The historic legislation that we have since enacted is delivering, investing in American families and in America's future. The American Rescue Plan kept millions of families in their homes, food on the table, and folks on the job through the pandemic. Thanks to the Bipartisan Infrastructure Law, over 40,000 projects are currently underway to rebuild our Nation's roads, bridges, and ports, expand access to clean drinking water, and connect every home to high-speed internet. We are also working to revitalize American manufacturing—we have helped create nearly 800,000 manufacturing jobs, and through the CHIPS and Science Act, we are making historic investments across the country. The Inflation Reduction Act has made health care coverage cheaper for nearly 15 million Americans—it is set to cap out-of-pocket prescription drug costs for seniors on Medicare at $2,000 per year, and it has already slashed their insulin costs to $35 per month from as much as $400, helping families pay their monthly bills. Through the PACT Act, we are helping veterans who were exposed to toxic materials while serving get the health care and benefits that they and their families deserve. I am fighting hard to protect children and families from the scourge of gun violence—last year, I signed our Nation's most significant gun safety law in nearly 30 years, strengthening background checks, increasing the effective use of red flag laws, and expanding access to mental health services. I am fighting to ensure that all families have equal rights and dignity. That is why I was so proud to sign the Respect for Marriage Act into law, protecting the right to marriage for same-sex and interracial couples. I also signed an Executive Order that calls for the most comprehensive set of executive actions of any administration in history to increase high-quality child care, long-term care, and support for caregivers, ensuring that families have access to the support they need.

We have more to do to keep building on all of this progress, to make sure that every family in America has an equal shot at a better life of dignity and respect. During National Family Week, we celebrate the importance of spending time with loved ones, both the families that we are born into and the families that we create throughout our lives. Families are an essential

part of the glue that holds our Nation together across generations, and we will never stop investing in their dreams.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 19 through November 25, 2023, as National Family Week. I invite States, communities, and individuals to join together in observing this week with appropriate ceremonies and activities to honor our Nation's families.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of November, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10676 of November 17, 2023

National Child's Day, 2023

By the President of the United States of America

A Proclamation

Our Nation's children are the kite strings that keep our national ambitions aloft—they are the dreamers and doers, who will determine the course of our future. From an early age, young people lead the way by volunteering in their communities, modeling compassion and tolerance, and pushing us to address the critical issues of our time like climate change and gun violence. This generation of young people is the most gifted, tolerant, talented, and educated in American history. They are the reason I am so optimistic about the future. On National Child's Day, we recommit to ensuring that every child has the resources and opportunities they need to reach their full potential.

That is why my Administration has invested billions of dollars in America's schools. These funds are putting more teachers in our classrooms, supporting tutoring programs, financing building renovations, replacing lead pipes, and more. Our Bipartisan Infrastructure Law is expanding access to reliable high-speed internet so every student can log on at any time, regardless of their zip code.

We are also prioritizing the health and safety of our children. By expanding the Child Tax Credit, my Administration cut the child poverty rate nearly in half, and I continue to call on the Congress to reinstate this expansion because no child should grow up in poverty. We are also working to lower the cost of health care and expand access to affordable, nutritious meals for millions of families. My Administration released a national strategy to end hunger and reduce diet-related diseases in America by 2030—including advancing a pathway to provide free, healthy school meals for all children. New vaccines are rolling out that protect children against COVID–19, RSV, and the flu, which you can learn more about at www.vaccines.gov. We are also supporting LGBTQI+ children and families by safeguarding access to health care and preventing harmful so-called ''conversion therapy.''

Further, we are working with State child welfare agencies to make sure LGBTQI+ youth are placed in safe and loving homes. To curb the epidemic of gun violence in America—now the leading cause of death of children in the United States—I was proud to sign into law the most significant gun safety legislation in nearly 30 years. This law will save children's lives, but we cannot stop until we finally pass an assault weapons ban.

Mental health is just as important as physical health, which is why I am addressing the youth mental health crisis head-on. My Administration has advanced measures to increase the number of school psychologists and counselors available to our kids and to make it easier for schools to use Medicaid to deliver mental health care, including services under the Individuals with Disabilities Education Act. We also proposed a rule that would require insurers to finally cover mental health care just as they do physical care. Further, we must do more to make the internet a safe place for children. I have called on the Congress to limit the personal data that tech companies collect, ban targeted advertising directed at minors, and strengthen protections that safeguard children's health and safety online.

Finally, all this progress means little if our children do not inherit a healthy planet. That is why I fought so hard to pass the Inflation Reduction Act, a landmark bill that contains the largest investment to tackle climate change in history. The Act will help our children breathe cleaner air and drink cleaner water. It is also creating the jobs of the future so our kids can graduate into a strong clean energy economy.

Every child deserves the opportunity to thrive because when they dream big, our whole Nation is opened to new possibilities. The children of today are the global leaders of tomorrow. That is why this National Child's Day, we recommit to fulfilling the promise of America for every child and building a future worthy of their dreams.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 20, 2023, as National Child's Day. I call upon all government officials, educators, volunteers, and all the people of the United States of America to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of November, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10677 of November 21, 2023

Death of Rosalynn Carter

By the President of the United States of America
A Proclamation

Throughout her life as First Lady of Georgia and First Lady of the United States, Rosalynn Carter exemplified hope, warmth, and a steadfast commitment to doing all she could to address many of our society's greatest needs. She was a champion for equal rights and opportunities for women and girls; an advocate for mental health and wellness for all; and a supporter of the often unseen and uncompensated caregivers of our children, aging loved ones, and people with disabilities. Above all, the deep love shared between Jimmy and Rosalynn Carter is the definition of partnership, and their humble leadership is the definition of patriotism.

As a mark of respect for the memory of Rosalynn Carter, by the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, I hereby order that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions from November 25, 2023, until sunset, on the day of interment. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of November, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10678 of November 22, 2023

Thanksgiving Day, 2023

By the President of the United States of America
A Proclamation

As families, loved ones, and friends across the country come together to celebrate Thanksgiving, let us be grateful for all the blessings of this Nation and its limitless possibilities.

Throughout our country's history, this season of reflection and giving thanks comes in good times and tough ones. Before there was a United States of America, the Pilgrims celebrated Thanksgiving in honor of their first successful harvest and the support and generosity of the Wampanoag

people who made it possible. Amid the fierce battle for our Nation's independence, General George Washington and his troops celebrated Thanksgiving on the way to Valley Forge. During the Civil War, President Abraham Lincoln proclaimed Thanksgiving a national holiday to honor the blessings of our country, even as he fought to preserve our Union.

This week, Americans will gather with their loved ones and families, celebrating the love they share and the traditions they built together. To those who are also enduring hard times or grieving the loss of a loved one, know that we are thinking of you.

We are truly a good Nation because we are a good people—the First Lady and I see it every time we travel the country because we meet so many incredible people doing the most extraordinary things. We have met with service members, veterans, and their families, who have selflessly served and sacrificed for our country. We have witnessed the resolve of firefighters, police officers, and first responders, who risk their lives every day to protect us. We have seen the best of our character in the doctors, nurses, scientists, public servants, union workers, and teachers, who ensure everyone is taken care of and no one is left behind. We have seen all the possibilities this Nation holds in the mothers, fathers, and caregivers, who work hard to build a future worthy of their children's greatest dreams, and in young people across the country, who are the most talented, engaged, and educated generation in history.

This Thanksgiving we are grateful for our Nation and the incredible soul of America. May we all remember that we are the United States of America—there is nothing beyond our capacity if we do it together.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim Thursday, November 23, 2023, as a National Day of Thanksgiving. I encourage the people of the United States of America to join together and give thanks for the friends, neighbors, family members, and strangers who have supported each other over the past year in a reflection of goodwill and unity.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of November, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10679 of November 30, 2023

National Impaired Driving Prevention Month, 2023

By the President of the United States of America

A Proclamation

This holiday season, too many American families will have an empty seat at their table after losing a loved one in a drunk or drug-impaired driving accident. More than 10,000 Americans die every year in these preventable crashes. During National Impaired Driving Prevention Month, we call on

everyone to help save a life by planning ahead, calling for a ride, only driving when sober, and helping friends and loved ones do the same every time.

Nearly a third of deadly car wrecks in America involve alcohol, and some 26 million people drove under the influence in 2020, endangering themselves, passengers and passersby, and the law enforcement officers who work to keep our roads safe. Just one drink or pill can destroy a cascade of lives.

The best way to reduce the deadly cost of impaired driving is prevention, which starts by raising awareness of its risks and consequences and by working to treat substance misuse in the first place. The National Highway Traffic Safety Administration has invested in media campaigns like ''If You Feel Different, You Drive Different''; ''Drive Sober or Get Pulled Over''; and ''Drive High, Get a DUI,'' but it is on all of us to help spread the word, offer to be a designated driver for others when we can, and call a ride or ask for help when we need it. Meanwhile, for Fiscal Year 2024, my Administration asked the Congress for $26 billion more to fund prevention, treatment, and recovery support services for substance misuse and $20 billion to reduce the supply of illicit substances entering our country to help keep communities safe. Since taking office, my Administration has committed to provide over $169 billion in drug control funding to end the overdose crisis.

My Administration is advancing new tools that can help prevent driving under the influence and improve road safety. Our Bipartisan Infrastructure Law invests in technologies that can detect and prevent impaired driving, and it requires all new passenger cars to include features like collision warnings and automatic emergency braking, which can help to avoid accidents. The Department of Transportation's National Roadway Safety Strategy works to eliminate traffic deaths and make crashes less destructive. For example, their Safe Streets and Roads for All program offers more than $800 million in grants to help cities, counties, Tribes, and other organizations plan and implement measures improve the safety of our Nation's roadways.

As we head into the holiday seasons, we urge Americans everywhere to do the right thing. If you plan on drinking, arrange a sober ride home in advance; ride-sharing apps have made getting home safely easier than ever. If you have used any substance, never get behind the wheel. If you see someone—a friend, loved one, colleague, or anyone else—putting themselves or others at risk, offer to help. It matters. You could save a life.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 2023 as National Impaired Driving Prevention Month. I urge all Americans to make responsible decisions and take appropriate measures to prevent impaired driving.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of November, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10680 of November 30, 2023

World AIDS Day, 2023

By the President of the United States of America
A Proclamation

On World AIDS Day, my message is simple: Let us finish the fight.

Since recognizing the first World AIDS Day 35 years ago, we have made enormous progress in preventing, detecting, and treating HIV—greatly reducing annual HIV diagnoses and transmission. But despite these advancements, about 39 million people continue to live with HIV, including more than one million people in the United States. Far too often, people living with HIV face discrimination that prevents them from accessing the care they need. So, as we reflect on our progress today, we must also come together to renew our promise to end the HIV/AIDS epidemic.

At home, my Administration has taken historic steps to achieve this goal. During my first year in office, I reestablished the White House Office of National AIDS Policy and launched a new National HIV/AIDS Strategy—a roadmap for using innovative community-driven solutions to end the HIV/AIDS epidemic in the United States by 2030. This year, my Administration also ended the disgraceful practice of banning gay and bisexual men from donating blood. We continue to work with State and community leaders to repeal or reform so-called HIV criminalization laws, which wrongly punish people for exposing others to HIV. I have asked the Congress for $850 million for the Department of Health and Human Services' Ending the HIV Epidemic Initiative to aggressively reduce new HIV cases, fight the stigma that stops many people from getting care, and increase access to pre-exposure prophylaxis (PrEP)—a critical drug that can help prevent the spread of HIV.

We are also focused on ending HIV/AIDS as a public health threat worldwide by 2030 under the bipartisan President's Emergency Plan for AIDS Relief (PEPFAR). PEPFAR has reduced transmissions, expanded testing, and saved more than 25 million lives in over 50 partner countries over the last two decades. Further, PEPFAR is focusing on forging a future where every HIV infection is prevented, every person has access to treatment, and every generation can live free from the stigma that too often surrounds HIV. My Administration is committed to working with the Congress to pass a clean PEPFAR reauthorization bill to extend this lifesaving bipartisan program for 5 years and end HIV/AIDS by 2030.

We are within striking distance of eliminating HIV-transmission. We have the science. We have the treatments. Most of all, we have each other. On this 35th World AIDS Day—let us honor all the families who have lost a loved one to this disease and all the people currently living with HIV/AIDS. Let us remember the activists, scientists, doctors, and caregivers who have never given up in the fight against the HIV/AIDS epidemic. Let us recommit to finishing this fight—together.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 1, 2023, as

World AIDS Day. I urge the Governors of the United States and its Commonwealths and Territories, the appropriate officials of all units of government, and the American people to join the HIV community in activities to remember those who have lost their lives to AIDS and to provide support, dignity, and compassion to people with HIV.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of November, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10681 of December 1, 2023

International Day of Persons with Disabilities, 2023

By the President of the United States of America

A Proclamation

On International Day of Persons with Disabilities, we recommit to building a world where disabled people everywhere are treated with the dignity and respect they deserve and are afforded an equal shot at achieving their dreams.

Many Americans can still recall when—just over three decades ago—a person could legally be denied service in a restaurant and employers could refuse to hire them on the basis of their disability. Since the beginning of my career, I have worked hard to change that. One of my earliest acts as a United States Senator was co-sponsoring the Rehabilitation Act, which banned discrimination on the basis of disability by any entity funded by the Federal Government. Years later, I was proud to co-sponsor the Americans with Disabilities Act—a landmark piece of legislation that banned discrimination against disabled people in workplaces, schools, public transit, and more.

In the years since, over 180 nations around the world have passed similar laws, delivering justice to millions of people with disabilities worldwide. But there is still more to do at home and abroad to ensure they have equal opportunities. Too often, disabled Americans are unable to vote, get to and from school, and enjoy public spaces, and are paid less for doing the same work. Around the world, disabled people continue to face discrimination, harassment, exploitation, abuse, and violence, which inhibits their full participation in society.

That is why my Administration has worked to ensure that the dignity and rights of disabled Americans are lifted in every policy we pursue. Through my American Rescue Plan, we have taken action to improve access to health care for disabled Americans, including providing billions of dollars to all 50 States to expand home- and community-based services under Medicaid so that more people with disabilities can live independently at home. Through the Bipartisan Infrastructure Law, we have invested billions of dollars more in building a country that works for everyone—from repairing and improving accessibility in airports and transit stations to expanding

access to high-speed internet so more disabled Americans can work, study, and stay connected from home. Additionally, the Department of Justice proposed standards for State and local governments to make their internet content and mobile apps more accessible to disabled Americans so that they can easily do things like travel to and from work and school, care for themselves and their loved ones, and vote.

My Administration is also working to uphold the dignity and freedom of disabled people worldwide. For example, I released the first-ever memorandum on Advancing Worker Empowerment, Rights, and High Labor Standards Globally, which directed departments and agencies to account for the particular needs of persons with disabilities in promoting labor rights. At the United Nations General Assembly in September, I met with leaders from Central Asia at the first-ever C5+1 Presidential Summit and launched a joint disability rights initiative aimed at integrating disability rights, promoting inclusive education, and increasing infrastructure accessibility. At the Department of State, I reestablished the role of Special Advisor on International Disability Rights so that the needs of disabled people are consistently represented in foreign policy. Through our participation as a co-chair of the Global Action on Disability Network and a participant in the Global Disability Summit, the United States continues to stand for the equal rights of people with disabilities around the world.

Today, as we celebrate the dignity, resilience, and immense contributions of disabled people everywhere, we recognize that our progress is not just about protecting disability rights—it is about promoting disability pride. For many of the over one billion disabled people around the world, disability is a source of identity and power—and it is our responsibility to ensure everyone has equal opportunities to reach their full potential.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 3, 2023, as International Day of Persons with Disabilities. I call on all Americans to observe this day with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10682 of December 4, 2023

Death of Sandra Day O'Connor

By the President of the United States of America

A Proclamation

Justice Sandra Day O'Connor was an American icon, the first woman on our Nation's highest court. She spent her career committed to the stable center, pragmatic and in search of common ground. Defined by her no-nonsense Arizona ranch roots, Justice O'Connor overcame discrimination early

on, at a time when law firms too often told women to seek work as secretaries, not attorneys. She gave her life to public service, even holding elected office, and never forgot those ties to the people whom the law is meant to serve. She sought to avoid ideology, and was devoted to the rule of law and to the bedrock American principle of an independent judiciary. Justice O'Connor never quit striving to make this Nation stronger, calling on us all to engage with our country and with one another, and her institute's work to promote civics education and civil discourse has touched millions. She knew that for democracy to work, we have to listen to each other, and remember how much more we all have in common as Americans than what keeps us apart.

As a mark of respect for the memory and longstanding service of Sandra Day O'Connor, retired Associate Justice of the Supreme Court of the United States, I hereby order, by the authority vested in me by the Constitution and the laws of the United States of America, that on the day of her interment, the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until sunset on such day. I also direct that the flag shall be flown at half-staff for the same period at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10683 of December 6, 2023

National Pearl Harbor Remembrance Day, 2023

By the President of the United States of America

A Proclamation

On this day 82 years ago, 2,403 service members and civilians were killed in a painful and unprovoked attack on our Armed Forces. On National Pearl Harbor Remembrance Day, we remember these women and men, who gave their last full measure of devotion to our Nation. We honor the brave service members who—with the horrors of Pearl Harbor weighing on their hearts and the hopes of humanity resting on their shoulders—answered the call to defend freedom against the forces of fascism during World War II.

The stories of the Greatest Generation's ultimate courage and commitment continue to inspire an enduring sense of unity and purpose throughout our Nation. They remind us that, in the darkest of moments, we have the power to bend the arc of history toward a freer and more just future. They remind us that, from death, destruction, and division, we can build a better world—one grounded in peace and security. They remind us that the forces of tyranny and terrorism are no match for the flame of liberty that burns

in the hearts of free people everywhere. Above all, they remind us that every generation can—and must—defeat democracy's mortal foes.

Together, we must continue to answer that call. We must continue to honor our sacred obligation to care for our service members; veterans; and their families, caregivers, and survivors—including our World War II veterans, who dared all and risked all for our country. With bipartisan support in the Congress, my Administration is meeting that obligation—including now welcoming all World War II veterans to enroll in Veterans Affairs health care services, regardless of length of service or financial status.

As we honor the patriots who perished on this tragic day 82 years ago and the service members who defended democracy in the days and years that followed, let us carry forward their mission of forging a better future for humankind, one of greater dignity, opportunity, and security for all. Let us remember that we are the United States of America—and there is nothing beyond our capacity if we do it together.

The Congress, by Public Law 103–308, as amended, has designated December 7 of each year as ''National Pearl Harbor Remembrance Day.'' Today, let us commemorate the patriots who were wounded and who perished on December 7, 1941, and continue to fulfill our sacred obligation to care for our service members; veterans; and their families, caregivers, and survivors.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim December 7, 2023, as National Pearl Harbor Remembrance Day. I encourage all Americans to reflect on the courage shown by our brave service members that day and remember their sacrifices. I ask us all to give sincere thanks and appreciation to the survivors of that unthinkable day. I urge all Federal agencies, interested organizations, groups, and individuals to fly the flag of the United States at half-staff on December 7, 2023, in honor of those American patriots who died as a result of their service at Pearl Harbor.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10684 of December 8, 2023

Human Rights Day and Human Rights Week, 2023

By the President of the United States of America

A Proclamation

Seventy-five years ago, the Universal Declaration of Human Rights captured a remarkable act of collective hope. Drafted by a committee representing different regions, faiths, and philosophies and adopted by the United Nations General Assembly, the rights enumerated in the declaration are universal and enduring. On Human Rights Day and during Human Rights Week, we reaffirm our commitment to upholding the equal and inalienable rights of all.

The United States was founded on an idea, at once the simplest and the most powerful idea in the history of the world: that we are all created equal and endowed with certain inalienable rights. Generations later, in the wake of World War II and the Holocaust, the United States joined countries around the world to create the United Nations and enshrine that same idea in the Universal Declaration of Human Rights.

Today, the United States—together with our partners and allies—continues to defend fundamental freedoms and human rights wherever they are under threat. We stand with people everywhere defending their rights against the forces of autocracy—demonstrating to the world that the flame of liberty still lights the souls of free people everywhere.

This year, we also affirmed our commitment to democratic renewal globally at the second Summit for Democracy, bringing together nearly 100 government leaders and hundreds of representatives from civil society and the private sector as well as journalists, technologists, and youth leaders from around the world. The Summit galvanized progress to protect human rights, bolster democratic reforms, fight corruption, support free and independent media, advance technology that works for democracy, combat the misuse of technology, and defend free and fair elections and political processes.

I have often said that one of America's greatest strengths is that we lead not by the example of our power but by the power of our example. We are strongest in the world when we live by our values at home, and we must never cease working to uphold the dignity and protect the rights of every person in this country and promote protection of those same rights globally. That is why my Administration has established the White House Gender Policy Council, which works to ensure women and girls enjoy equal rights and equal participation in society by advancing the women, peace and security agenda, preventing and responding to gender-based violence, and more. We have worked to strengthen civil rights for LGBTQI+ people at home and around the world and to protect same-sex marriage. We have led an intensive effort to counter the proliferation and misuse of commercial spyware that has enabled human rights abuses around the world. We are working to address systemic racism, advance racial equity, bolster support for underserved communities throughout the Federal Government, address inequities in our law enforcement and criminal justice systems, and expand accessibility for people with disabilities. As we look at today's global challenges online and offline, from conflict, democratic backsliding, and global pandemics to misinformation, the misuse of technology, the climate crisis, and food insecurity, the Universal Declaration of Human Rights is a bedrock upon which we must tackle these issues and promote the full enjoyment of all human rights.

Today, as we celebrate Human Rights Day, the start of Human Rights Week, and the 75th anniversary of the Universal Declaration of Human Rights, may we all recommit to securing the equal rights of every member of the human family and working together for the advancement of all humankind. Together, we can—and we will—bend the arc of history toward a freer and more just world for all.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 10, 2023, as

Human Rights Day and the week beginning December 10, 2023, as Human Rights Week. I call upon the people of the United States to mark these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10685 of December 11, 2023

Suspension of Entry as Immigrants and Nonimmigrants of Persons Enabling Corruption

By the President of the United States of America

A Proclamation

On June 3, 2021, through National Security Study Memorandum 1 (NSSM–1), I established the fight against global corruption as a core national security interest, stating that corruption threatens United States national security, economic equity, global anti-poverty and development efforts, and democracy itself. By effectively preventing and countering corruption and demonstrating the advantages of transparent and accountable governance, we can secure a critical advantage for the United States and other democracies.

On December 6, 2021, pursuant to NSSM–1, my Administration issued the first United States Strategy on Countering Corruption (Strategy), which recognizes the strategic impact of corruption and directs the modernization of our efforts to prevent and combat it. The Strategy also seeks to deepen global partnerships and commitment to eliminate safe havens for corrupt actors and their criminal proceeds, including in the United States.

The Strategy reflects the idea that corruption, including kleptocracy, cannot thrive without a supportive network of actors who enable and often benefit from such conduct. Activity by these ''enablers''—who are often professional service providers—often occurs through opaque legal structures and financial mechanisms. This activity can take many forms, such as supporting corrupt actors in the performance of, benefitting from, evading responsibility for, or laundering the proceeds of corruption.

Collaboration between corrupt public officials and their enablers is pernicious and facilitates the spread of corruption across borders and across sectors. The United States therefore needs to invoke all available legal, policy, diplomatic, economic, and financial tools to deter those who perpetuate corruption, whether they are public officials or private individuals. These tools include authorities to counter money laundering and terrorist financing, as well as targeted financial sanctions—such as those specified in Executive Order 13818 of December 20, 2017 (Blocking the Property of Persons Involved in Serious Human Rights Abuse or Corruption)—which can prevent the flow of corrupt proceeds through United States and international financial systems.

Other existing authorities, including Presidential Proclamation 7750 of January 12, 2004 (To Suspend Entry as Immigrants or Nonimmigrants of Persons Engaged in or Benefiting From Corruption), and the provision commonly included at section 7031(c) of the annual Department of State, Foreign Operations, and Related Programs Appropriations Act (e.g., Public Law 117–328), have allowed the United States Government to deny safe haven to certain corrupt actors by restricting their entry into the United States. However, additional authority is needed to fully address the supporting networks of enablers of corruption, including those who may seek entry into the United States.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States, including sections 212(f) and 215(a) of the Immigration and Nationality Act, 8 U.S.C. 1182(f) and 1185(a), and section 301 of title 3, United States Code, hereby find that the unrestricted immigrant and nonimmigrant entry into the United States of persons described in section 1 of this proclamation, except as provided for in section 4 of this proclamation, would be detrimental to the interests of the United States, and that their entry should be subject to certain restrictions, limitations, and exceptions. I therefore hereby proclaim the following:

Section 1. *Suspension and Limitation on Entry.* The entry into the United States, as immigrants or nonimmigrants, of the following persons is hereby suspended:

(a) Persons who have enabled, facilitated, or otherwise been involved in significant corruption, including through the laundering of its proceeds or obstruction of judicial or investigative processes, among other acts; and

(b) The immediate family members of the persons described in subsection (a) of this section.

Sec. 2. *Authority of the Secretary of State to Identify Covered Individuals.* Persons covered by section 1 of this proclamation shall be identified by the Secretary of State, or the Secretary's designee, in the Secretary's sole discretion, pursuant to such procedures as the Secretary may establish.

Sec. 3. *Implementation of Suspension and Limitation on Entry.* The Secretary of State shall implement this proclamation as it applies to visas pursuant to such procedures as the Secretary of State, in consultation with the Secretary of Homeland Security, may establish. The Secretary of Homeland Security shall implement this proclamation as it applies to the entry of noncitizens pursuant to such procedures as the Secretary of Homeland Security, in consultation with the Secretary of State, may establish.

Sec. 4. *Scope of Suspension and Limitation on Entry.* Section 1 of this proclamation shall not apply to:

(a) any lawful permanent resident of the United States;

(b) any individual who has been granted asylum by the United States, any refugee who has already been admitted to the United States, or any individual granted withholding of removal or protection under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and nothing in this proclamation shall be construed to affect any individual's eligibility for asylum, refugee status, withholding of removal, or protection under the Convention Against Torture, consistent with the laws and regulations of the United States; and

(c) any person otherwise covered by section 1 of this proclamation, upon determination by the Secretary of State that the person's entry would not be contrary to the interests of the United States, including when the Secretary of State so determines, based on a recommendation of the Attorney General, that the person's entry would further important United States law enforcement objectives. In exercising this responsibility, the Secretary of State shall consult the Secretary of Homeland Security on matters related to admissibility or inadmissibility within the authority of the Secretary of Homeland Security.

Sec. 5. *Termination.* This proclamation shall remain in effect until terminated by the President. The Secretary of State shall, as circumstances warrant, recommend whether the President should continue, modify, or terminate this proclamation.

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

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This proclamation shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) Nothing in this proclamation shall be construed to derogate from United States Government obligations under applicable international agreements, or to suspend entry based solely on a noncitizen's ideology, opinions, or beliefs. Nothing in this proclamation shall be construed to limit the authority of the United States to admit or to suspend the admission or entry of particular individuals into the United States under the Immigration and Nationality Act (8 U.S.C. 1101 *et seq.*) or under any other provision of United States law.

(d) This proclamation 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, or entities, its officers, employees, or agents, or any other person.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10686 of December 14, 2023

Bill of Rights Day, 2023

By the President of the United States of America

A Proclamation

On December 15, 1791, after years of debate and deliberation, our forebearers ratified the Bill of Rights. In doing so, they forever enshrined

the fundamental rights and liberties we hold sacred as Americans and set in motion the greatest self-governance experiment in the history of the world.

The freedoms guaranteed by the Bill of Rights—the freedoms of religion, speech, press, assembly, privacy, and more—have helped define who we are as a people and served as our Nation's enduring North Star. The 17 additional Amendments that have been ratified since have opened the doors of opportunity wider to each new generation. But time and again we have been reminded that progress is not linear and freedom is never guaranteed; it requires constant vigilance.

The Supreme Court took away a constitutional right from the American people, denying women across the Nation the right to choose, a right that had been enshrined in a half-century of precedent. In recent years, more than 20 States have passed laws that make it harder to vote. A wave of anti-LGBTQI+ bills is threatening Americans' freedom to live openly and authentically. As a Nation, we have a duty to oppose these regressions and defend the values represented in our founding documents.

As President, I act on that duty every day. In the wake of the Supreme Court decision overturning *Roe* v. *Wade,* I issued three Executive Orders to protect a woman's ability to access comprehensive reproductive health care services. I continue to call on the Congress to restore the protections of *Roe* v. *Wade* in Federal law. Because the right to vote and have your vote counted is the threshold of democracy, I continue to urge the Congress to pass the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act. These bills would restore and expand access to the ballot and prevent voter suppression. I was also proud to sign the Electoral Count Reform Act, helping preserve the will of the people and protect the peaceful transfer of power. My Administration has made strides in defending the rights and dignity of the LGBTQI+ community. On my first day in office, I signed a historic Executive Order charging the Federal Government with protecting LGBTQI+ people from discrimination. Last December, surrounded by dozens of couples who have fought for marriage equality in the courts for decades, I had the great honor of signing into law the landmark Respect for Marriage Act to protect the rights of same-sex and interracial couples.

It is worth giving our all for the rights and liberties that undergird our democracy, for they define the soul of our Nation. This cause should unite every one of us, regardless of political affiliation. In the face of threats posed to our institutions, we must remember that democracies do not have to die violently—they can die quietly, when people fail to stand up for the values and guarantees enshrined in our Nation's Constitution. This Bill of Rights Day, let us all recommit to safeguarding the fundamental freedoms secured in those first 10 Amendments and those that followed. In our lives and in the life of our Nation, let us keep marching toward our North Star—making real the promise of dignity, equality, and opportunity for all.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 15, 2023, as Bill of Rights Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10687 of December 15, 2023

Wright Brothers Day, 2023

By the President of the United States of America
A Proclamation

One hundred twenty years ago on the sand dunes of Kitty Hawk, North Carolina, two brothers forever changed the course of history. Wilbur and Orville Wright achieved one of the most transformative technological advancements in the history of humankind: the first-ever sustained, controlled, and powered flight. This Wright Brothers Day, we honor Wilbur and Orville's quintessentially American spirit of innovation and ingenuity, and we celebrate their enduring legacy as pioneers who took our Nation to new heights.

On December 17, 1903, after years of arduous research, meticulous designs, and dangerous trials, Wilbur and Orville launched the Wright Flyer. Twelve seconds and 120 feet later, the brothers had achieved controlled flight. Their feat propelled our Nation forward, accelerating advancements in aeronautics and bringing us closer to unlocking the full potential of humanity. Through their determination and bold vision, the Wright Brothers laid the foundations for some of the greatest technological developments on record—from breaking the sound barrier and stepping foot on the moon to flying a helicopter on Mars and launching deep-space telescopes that are answering some of the fundamental questions of the universe. The legacy of the Wright brothers lives on through the talents and spirits of today's American dreamers and doers.

Most of all, Wilbur and Orville's advancement led to a new American innovation: modern air travel. My Administration is committed to preserving and investing in this legacy by enhancing safety and comfort from takeoff to landing. Through the Bipartisan Infrastructure Law, we are improving airport infrastructure across the country—expanding capacity at airport terminals, increasing energy efficiency, and making air travel more accessible for people with disabilities—all while creating good jobs across our Nation.

I have often said that America can be defined in one word: possibilities. This Wright Brothers Day, let us recognize these two courageous brothers from Dayton, Ohio, for reminding us what we can accomplish when we work together to reach our loftiest dreams and tackle our greatest challenges. May we recommit to carrying forward their bold spirit of creativity and cooperation as we forge a better future for all.

The Congress, by a joint resolution approved December 17, 1963, as amended (77 Stat. 402; 36 U.S.C. 143), has designated December 17 of each year as ''Wright Brothers Day'' and has authorized and requested the President

to issue annually a proclamation inviting the people of the United States to observe that day with appropriate ceremonies and activities.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim December 17, 2023, as Wright Brothers Day.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10688 of December 22, 2023

Granting Pardon for the Offense of Simple Possession of Marijuana, Attempted Simple Possession of Marijuana, or Use of Marijuana

By the President of the United States of America
A Proclamation

In Proclamation 10467 of October 6, 2022 (Granting Pardon for the Offense of Simple Possession of Marijuana), I exercised my authority under the Constitution to pardon individuals who committed or were convicted of the offense of simple possession of marijuana in violation of the Controlled Substances Act and section 48–904.01(d)(1) of the Code of the District of Columbia (D.C. Code). As I have said before, convictions for simple possession of marijuana have imposed needless barriers to employment, housing, and educational opportunities. Through this proclamation, consistent with the grant of Proclamation 10467, I am pardoning additional individuals who may continue to experience the unnecessary collateral consequences of a conviction for simple possession of marijuana, attempted simple possession of marijuana, or use of marijuana. Therefore, acting pursuant to the grant of authority in Article II, Section 2, of the Constitution of the United States, I, Joseph R. Biden Jr., do hereby grant a full, complete, and unconditional pardon to all current United States citizens and lawful permanent residents who, on or before the date of this proclamation, committed or were convicted of the offense of simple possession of marijuana, attempted simple possession of marijuana, or use of marijuana, regardless of whether they have been charged with or prosecuted for these offenses on or before the date of this proclamation, in violation of:

(1) section 844 of title 21, United States Code, section 846 of title 21, United States Code, and previous provisions in the United States Code that prohibited simple possession of marijuana or attempted simple possession of marijuana;

(2) section 48–904.01(d)(1) of the D.C. Code and previous provisions in the D.C. Code that prohibited simple possession of marijuana;

(3) section 48–904.09 of the D.C. Code and previous provisions in the D.C. Code that prohibited attempted simple possession of marijuana; and

(4) provisions in the Code of Federal Regulations, including as enforced under the United States Code, that prohibit only the simple possession or use of marijuana on Federal properties or installations, or in other locales, as currently or previously codified, including but not limited to 25 C.F.R. 11.452(a); 32 C.F.R. 1903.12(b)(2); 36 C.F.R. 2.35(b)(2); 36 C.F.R. 1002.35(b)(2); 36 C.F.R. 1280.16(a)(1); 36 C.F.R. 702.6(b); 41 C.F.R. 102–74.400(a); 43 C.F.R. 8365.1–4(b)(2); and 50 C.F.R. 27.82(b)(2).

My intent by this proclamation is to pardon only the offenses of simple possession of marijuana, attempted simple possession of marijuana, or use of marijuana in violation of the Federal and D.C. laws set forth in paragraphs (1) through (3) of this proclamation, as well as the provisions in the Code of Federal Regulations consistent with paragraph (4) of this proclamation, and not any other offenses involving other controlled substances or activity beyond simple possession of marijuana, attempted simple possession of marijuana, or use of marijuana, such as possession of marijuana with intent to distribute or driving offenses committed while under the influence of marijuana. This pardon does not apply to individuals who were non-citizens not lawfully present in the United States at the time of their offense.

Pursuant to the procedures in Proclamation 10467, the Attorney General, acting through the Pardon Attorney, shall review all properly submitted applications for certificates of pardon and shall issue such certificates of pardon to eligible applicants in due course.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10689 of December 27, 2023

50th Anniversary of the Endangered Species Act, 2023

By the President of the United States of America

A Proclamation

Fifty years ago, the Congress passed one of the world's most critical conservation laws—the Endangered Species Act. Ever since, the Endangered Species Act has prevented 99 percent of all fish, wildlife, and plants under its protection from going extinct. This law has safeguarded the incredible biodiversity across our Nation, supported the recovery of imperiled species, and conserved the habitats they depend on. As we observe this anniversary, my Administration recommits to conserving America's flora and fauna for generations to come.

Before the Endangered Species Act, Federal law lacked a unified framework to protect species facing extinction, including plants and animals that have long populated this country. When these species vanish, it jeopardizes the ecosystems and people that depend on them. Because America's biodiversity is central to our national heritage and identity, courageous activists and scientists refused to let our precious wildlife disappear. With these

activists and scientists leading the way, a group of bipartisan members of Congress came together to pass the Endangered Species Act. This law expanded the endangered species list, established new protections for them, and empowered agencies to enforce any violations of those protections. I was proud to vote for and contribute to the passage of the Endangered Species Act back then, and I am proud now of its lasting legacy. Because of these protections, nearly 300 species have avoided extinction—from the American alligator to the bald eagle, our national symbol.

My Administration has remained committed to restoring the full power and promise of the Endangered Species Act and conserving our Nation's lands and waters. We proposed two rules that restore critical parts of the Endangered Species Act that were weakened during the previous administration and recommit to using the best available science to manage species. Additionally, our Inflation Reduction Act invests billions of dollars in conservation efforts—like forest management, ecosystem restoration, watershed protection, and other efforts that will support the recovery of imperiled wildlife and their habitats. That funding also includes $125 million for endangered species, directly benefiting more than 300 species currently listed under the Endangered Species Act.

From day one of my Administration, I have taken historic steps to conserve our natural treasures for the ages. During my first week in office, I issued an Executive Order establishing the country's first-ever National Conservation Goal to conserve at least 30 percent of our lands and waters by 2030. That goal is at the heart of my ''America the Beautiful'' initiative to support locally led, voluntary conservation and restoration efforts across the country. We are delivering on those efforts—during my first year in office, we protected more lands and waters than any American President since John F. Kennedy. As we have pursued these conservation efforts, we have continued to work with farmers, ranchers, fishermen, landowners, Indigenous peoples, and rural communities, who do the everyday work of sustaining and cultivating our lands.

Additionally, my Administration began the designation process for multiple new national marine sanctuaries, including the Hudson Canyon in the Atlantic Ocean, the Chumash Heritage National Marine Sanctuary off the coast of Southern California, and more than 700,000 square miles around the Pacific Remote Islands. If completed, the Pacific Remote Islands sanctuary would be among the largest marine protected areas on the planet. The Department of the Interior has also begun the process of conserving more than 13 million acres of lands of significant natural and cultural value in America's Western Arctic.

Finally, we cannot adequately protect our Nation's biodiversity if we do not combat the existential threat of climate change. That is why my Inflation Reduction Act made the largest investment in climate and conservation ever. Along with funding from the Bipartisan Infrastructure Law, these investments have helped protect our iconic outdoor spaces, implement climate-smart agriculture practices, preserve our historic sites, and make our Nation more resilient to the devastating impacts of climate change. I also signed an Executive Order to protect America's forests, support nature-based solutions to climate change, and initiate the first National Nature Assessment to evaluate the state of our lands, waters, and wildlife.

As we celebrate the 50th anniversary of the Endangered Species Act, we recognize the incredible progress we have made over the past five decades to protect endangered species as well as all that is possible when we come together to conserve our planet. Together, we can ensure that all our Nation's treasures—its lands, water, and all the incredible wildlife it holds—will be enjoyed for generations to come.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 28, 2023, as the 50th Anniversary of the Endangered Species Act. I call upon Americans to honor all the progress we have made toward protecting endangered species and to work together to conserve our Nation's incredible biodiversity.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10690 of December 28, 2023

Adjusting Imports of Aluminum Into the United States

By the President of the United States of America
A Proclamation

1. On January 19, 2018, the Secretary of Commerce (Secretary) transmitted to the President a report on the Secretary's investigation into the effect of imports of aluminum articles on the national security of the United States under section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862). The Secretary found and advised the President of his opinion that aluminum articles are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security of the United States.

2. In Proclamation 9704 of March 8, 2018 (Adjusting Imports of Aluminum Into the United States), the President concurred in the Secretary's finding that aluminum articles are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security of the United States, and decided to adjust the imports of aluminum articles (aluminum articles), by imposing a 10 percent ad valorem tariff on such articles imported from all countries except Canada and Mexico. Proclamation 9704 further stated that any country with which the United States has a security relationship is welcome to discuss alternative ways to address the threatened impairment of the national security caused by imports from that country, and noted that, should the United States and any such country arrive at a satisfactory alternative means to address the threat to the national security such that the President determines that imports from that country no longer threaten to impair the national security, the President may remove or modify the restriction on aluminum articles imports from that country and, if necessary, adjust the tariff as it applies

to other countries, as the national security interests of the United States require.

3. In Proclamation 9710 of March 22, 2018 (Adjusting Imports of Aluminum Into the United States), the President noted the continuing discussions with the European Union (EU) on behalf of its member countries on satisfactory alternative means to address the threatened impairment to the national security by aluminum articles imported from the EU. Recognizing that the EU has an important security relationship with the United States, the President determined that the necessary and appropriate means to address the threat to the national security posed by imports of aluminum articles from the member countries of the EU was to continue the ongoing discussions and to exempt aluminum articles imports from these countries from the tariff proclaimed in Proclamation 9704 until May 1, 2018. In Proclamation 9739 of April 30, 2018 (Adjusting Imports of Aluminum Into the United States), the President noted that, unless the President determines by further proclamation that the United States has reached a satisfactory alternative means to remove the threatened impairment to the national security by imports of aluminum articles from the member countries of the EU, the tariff proclaimed in clause 2 of Proclamation 9704 shall be effective June 1, 2018, for these countries.

4. In Proclamation 10327 of December 27, 2021 (Adjusting Imports of Aluminum Into the United States), I noted that the United States successfully concluded discussions with the EU on behalf of the EU's member countries on satisfactory alternative means to address the threatened impairment of the national security posed by aluminum articles imports from the EU. The United States and the EU agreed to expand coordination involving trade remedies and customs matters, monitor bilateral steel and aluminum trade, cooperate on addressing non-market excess capacity, and annually review their arrangement and their ongoing cooperation. In addition, the United States and the EU agreed to seek to conclude, by October 31, 2023, negotiations on global steel and aluminum arrangements to restore market-oriented conditions and support the reduction of carbon intensity of steel and aluminum across modes of production.

5. Pursuant to the agreement described in Proclamation 10327, the United States implemented a number of actions, including a tariff-rate quota that restricts the quantity of aluminum articles imported into the United States from the EU without the application of the tariff proclaimed in Proclamation 9704. I concluded that these measures provide an effective, long-term alternative means to address any contribution by EU aluminum articles imports to the threatened impairment to the national security by restraining aluminum articles imports to the United States from the EU, limiting transshipment, and discouraging excess aluminum capacity and production. In light of this agreement, I also determined that specified volumes of eligible aluminum articles imports from the EU no longer threaten to impair the national security and decided to exclude such imports from the EU up to a designated quota from the tariff proclaimed in Proclamation 9704 through December 31, 2023. I also found that the agreed-upon aggregate tariff-rate quota volume, totaling 18,000 metric tons of unwrought aluminum and 366,040 metric tons of semi-finished wrought aluminum, is consistent with the objective of reaching and sustaining a sufficient capacity utilization rate in the domestic aluminum industry.

6. During the past 2 years, the United States and the EU have made substantial progress to identify the sources of non-market excess capacity and the actions needed to address distortions resulting from that non-market excess capacity. The United States and the EU are continuing their discussions on global steel and aluminum arrangements to restore market-oriented conditions in their steel and aluminum sectors and support the reduction of the greenhouse gas emissions intensity of steel and aluminum across all modes of production. These discussions are anticipated to include alternative measures to prevent imports of aluminum from the EU from threatening the national security of the United States.

7. In light of the ongoing discussions and joint actions pursuant to the agreement described in Proclamation 10327, I have determined that the necessary and appropriate means to address the threat to the national security posed by imports of aluminum articles from the member countries of the EU is to continue the discussions and joint actions with the EU and to extend the tariff-rate quota that restricts the quantity of aluminum articles imported into the United States from the EU without the application of the tariff proclaimed in Proclamation 9704. In order to be eligible for in-quota treatment, all imports of aluminum articles from the EU must be accompanied by a certificate of analysis. In my judgment, these measures will provide an effective, long-term alternative means to address any contribution by EU aluminum articles imports to the threatened impairment of the national security by restraining aluminum articles imports to the United States from the EU, limiting transshipment, discouraging excess aluminum capacity and production, and strengthening the United States-EU partnership in a fashion that will better enable future arrangements.

8. In light of the ongoing discussions and joint actions taken pursuant to the agreement described in Proclamation 10327, I have determined that specified volumes of eligible aluminum articles imports from the EU will no longer threaten to impair the national security and have decided to exclude such imports from the EU up to a designated quota from the tariff proclaimed in Proclamation 9704 through December 31, 2025. The United States will monitor the implementation and effectiveness of the tariff-rate quota and other measures agreed upon with the EU in addressing our national security needs, and I may revisit this determination, as appropriate.

9. The alternative means, including the tariff-rate quota, align with the recommendations specified in the original investigation into the effect of imports of aluminum articles on the national security of the United States under section 232 of the Trade Expansion Act of 1962, as amended. The agreed-upon aggregate tariff-rate quota volume specified in the 2021 agreement between the United States and the EU, totaling 18,000 metric tons of unwrought aluminum and 366,040 metric tons of semi-finished wrought aluminum, remains consistent with the objective of reaching and sustaining a sufficient capacity utilization rate in the domestic aluminum industry.

10. In light of my determination to adjust the tariff proclaimed in Proclamation 9704 as applied to eligible aluminum articles imports from the EU, I have considered whether it is necessary and appropriate in light of our national security interests to make any corresponding adjustments to such tariff as it applies to other countries. I have determined that it is necessary and appropriate, at this time, to maintain the current tariff level as it applies to other countries.

11. Section 232 of the Trade Expansion Act of 1962, as amended, authorizes the President to adjust the imports of an article and its derivatives that are being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security.

12. Section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483), authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTSUS) the substance of statutes affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States of America, including section 232 of the Trade Expansion Act of 1962, as amended, section 301 of title 3, United States Code, and section 604 of the Trade Act of 1974, as amended, do hereby proclaim as follows:

(1) Clause 2 of Proclamation 9704, as amended, is further amended in the second sentence by deleting ''and'' before ''(j)'' and inserting before the period at the end: '', and (k) on or after 12:01 a.m. eastern standard time on March 10, 2023, from all countries except Argentina, Australia, Canada, Mexico, and from the member countries of the European Union through 11:59 p.m. eastern standard time on December 31, 2025, from the United Kingdom, for aluminum articles covered by headings 9903.85.25 through 9903.85.44, inclusive, and from Russia.''

(2) Imports of aluminum articles from member countries of the EU in excess of the tariff-rate quota quantities shall remain subject to the duties imposed by clause 2 of Proclamation 9704, as amended. The Secretary, in consultation with the United States Trade Representative and the Secretary of Homeland Security, shall recommend to the President, as warranted, updates to the in-quota volumes contained in this proclamation.

(3) Aluminum articles from a member country of the EU imported under an exclusion granted pursuant to clause 3 of Proclamation 9704, as amended, shall count against the in-quota volume of the tariff-rate quota implemented in Proclamation 10327 and extended in this proclamation.

(4) Aluminum articles eligible for in-quota treatment under the tariff-rate quota implemented in Proclamation 10327 and extended in this proclamation must be accompanied by a certificate of analysis in order to receive such treatment. The Secretary, in consultation with the Secretary of Homeland Security and the United States Trade Representative, is authorized to take such actions as are necessary to ensure compliance with this requirement. Failure to comply could result in applicable remedies or penalties under United States law.

(5) U.S. note 19(a)(v) to subchapter III of chapter 99 of the HTSUS is amended by inserting, after the last sentence of the first paragraph, the sentence ''A Certificate of Analysis for a smelted (unalloyed) primary aluminum used in a product imported under the above subheadings, or such other information as may be required by U.S. Customs and Border Protection, must be supplied by the importer in order to make entry under this subdivision.''

(6) The modifications made by this proclamation shall be effective with respect to goods entered for consumption, or withdrawn from warehouse

for consumption, on or after 12:01 a.m. eastern standard time on January 1, 2024, and shall continue in effect, unless such actions are expressly reduced, modified, or terminated.

(7) Any imports of aluminum articles from the member countries of the EU that were admitted into a United States foreign trade zone in ''privileged foreign status'' as defined in 19 CFR 146.41, prior to 12:01 a.m. eastern standard time on January 1, 2024, shall be subject upon entry for consumption made on or after 12:01 a.m. eastern standard time on January 1, 2024, to the provisions of the tariff-rate quota in effect at the time of the entry for consumption.

(8) Any provision of previous proclamations and Executive Orders that is inconsistent with the actions taken in this proclamation is superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10691 of December 28, 2023

Adjusting Imports of Steel Into the United States

By the President of the United States of America

A Proclamation

1. On January 11, 2018, the Secretary of Commerce (Secretary) transmitted to the President a report on the Secretary's investigation into the effect of imports of steel mill articles (steel articles) on the national security of the United States under section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862). The Secretary found and advised the President of his opinion that steel articles are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security of the United States.

2. In Proclamation 9705 of March 8, 2018 (Adjusting Imports of Steel Into the United States), the President concurred in the Secretary's finding that steel articles, as defined in clause 1 of Proclamation 9705, as amended by clause 8 of Proclamation 9711 of March 22, 2018 (Adjusting Imports of Steel Into the United States), are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security of the United States, and decided to adjust the imports of those steel articles by imposing a 25 percent ad valorem tariff on such articles imported from all countries except Canada and Mexico. The proclamation further stated that any country with which the United States has a security relationship is welcome to discuss alternative ways to address the threatened impairment of the national security caused by imports from that country, and noted that, should the United States and any such country arrive at a satisfactory alternative means to address the threat to the national security such that the President determines that imports from that country no longer threaten to impair the national security, the President

may remove or modify the restriction on steel articles imports from that country and, if necessary, adjust the tariff as it applies to other countries, as the national security interests of the United States require.

3. In Proclamation 9711, the President noted the continuing discussions with the European Union (EU) on behalf of its member countries on satisfactory alternative means to address the threatened impairment to the national security by imports of steel articles from these countries. Recognizing that the member countries of the EU have an important security relationship with the United States, the President determined that the necessary and appropriate means to address the threat to the national security posed by imports of steel articles from these countries was to continue the ongoing discussions and to exempt steel articles imports from these countries from the tariff proclaimed in Proclamation 9705 until May 1, 2018.

4. In Proclamation 9740 of April 30, 2018 (Adjusting Imports of Steel Into the United States), the President noted that, unless the President determines by further proclamation that the United States has reached a satisfactory alternative means to remove the threatened impairment to the national security by imports of steel articles from the member countries of the EU, the tariff proclaimed in clause 2 of Proclamation 9705 shall be effective June 1, 2018, for these countries.

5. In Proclamation 10328 of December 27, 2021 (Adjusting Imports of Steel Into the United States), I noted that the United States successfully concluded discussions with the EU on behalf of its member countries on satisfactory alternative means to address the threatened impairment of the national security posed by steel articles imports from the EU. Specifically, the United States and the EU agreed to expand coordination involving trade remedies and customs matters, monitor bilateral steel and aluminum trade, cooperate on addressing non-market excess capacity, and annually review their arrangement for alternative means and their ongoing cooperation. In addition, the United States and the EU agreed to seek to conclude, by October 31, 2023, negotiations on global steel and aluminum arrangements to restore market-oriented conditions and support the reduction of carbon intensity of steel and aluminum across modes of production.

6. Pursuant to the agreement described in Proclamation 10328, the United States implemented a number of actions, including a tariff-rate quota that restricts the quantity of steel articles imported into the United States from the EU without the application of the tariff proclaimed in Proclamation 9705. I concluded that these measures provide an effective, long-term alternative means to address any contribution by EU steel articles imports to the threatened impairment of the national security by restraining steel articles imports to the United States from the EU, limiting transshipment, discouraging excess steel capacity and production, and strengthening the United States-EU partnership in a fashion that will better enable future arrangements. In light of that agreement, I also determined that specified volumes of eligible steel articles imports from the EU no longer threaten to impair the national security and decided to exclude such imports from the EU up to a designated quota from the tariff proclaimed in Proclamation 9705 through December 31, 2023. I determined that the alternative means, including the tariff-rate quota, advance the recommendations in the Secretary's January 2018 report. I also noted that the agreed-upon aggregate tariff-rate quota volume specified in the agreement between the United States

and the EU, totaling 3.3 million metric tons, is consistent with the objective of reaching and maintaining a sufficient capacity utilization rate in the domestic steel industry.

7. During the past 2 years, the United States and the EU have made substantial progress to identify the sources of non-market excess capacity and the actions needed to address distortions resulting from that non-market excess capacity. The United States and the EU are continuing their discussions on global steel and aluminum arrangements to restore market-oriented conditions in their steel and aluminum sectors and support the reduction of the greenhouse gas emissions intensity of steel and aluminum across all modes of production. These discussions are anticipated to include alternative measures to prevent imports of steel from the EU from threatening the national security of the United States.

8. In light of the ongoing discussions and joint actions taken pursuant to the agreement described in Proclamation 10328, I have determined that the necessary and appropriate means to address the threat to the national security posed by imports of steel articles from the member countries of the EU is to continue the discussions and joint actions with the EU and to extend the tariff-rate quota that restricts the quantity of steel articles imported into the United States from the EU without the application of the tariff proclaimed in Proclamation 9705. In order to be eligible for in-quota treatment, steel articles must be melted and poured in the EU. In my judgment, these measures will provide an effective, long-term alternative means to address any contribution by EU steel articles imports to the threatened impairment of the national security by restraining steel articles imports to the United States from the EU, limiting transshipment, discouraging excess steel capacity and production, and strengthening the United States-EU partnership in a fashion that will better enable future arrangements.

9. In light of the ongoing discussions and joint actions taken pursuant to the agreement described in Proclamation 10328, I have determined that specified volumes of eligible steel articles imports from the EU will no longer threaten to impair the national security and have decided to exclude such imports from the EU up to a designated quota from the tariff proclaimed in Proclamation 9705 through December 31, 2025. The United States will monitor the implementation and effectiveness of the tariff-rate quota and other measures agreed upon with the EU in addressing our national security needs, and I may revisit this determination, as appropriate.

10. The alternative means, including the tariff-rate quota, advance the recommendations contained in the Secretary's January 2018 report. The agreed-upon aggregate tariff-rate quota volume specified in the 2021 agreement between the United States and the EU, totaling 3.3 million metric tons, remains consistent with the objective of reaching and maintaining a sufficient capacity utilization rate in the domestic steel industry.

11. In Proclamation 10328, the United States agreed to renew for 2 calendar years all exclusions that were granted and utilized to import steel products tariff-free from the EU in Fiscal Year 2021. The United States will renew for 2 calendar years all exclusions that were utilized to import steel products free from section 232 tariffs from the EU in Fiscal Year 2021 and the first quarter of calendar year 2022. These exclusions were granted by the Department of Commerce due to a lack of domestic availability of the specified products in the United States.

12. In light of my determination to adjust the tariff proclaimed in Proclamation 9705 as applied to eligible steel articles imported from the EU, I have considered whether it is necessary and appropriate in light of our national security interests to make any corresponding adjustments to such tariff as it applies to other countries. I have determined that it is necessary and appropriate, at this time, to maintain the current tariff level as it applies to other countries.

13. Section 232 of the Trade Expansion Act of 1962, as amended, authorizes the President to adjust the imports of an article and its derivatives that are being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security.

14. Section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483), authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTSUS) the substance of statutes affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States of America, including section 232 of the Trade Expansion Act of 1962, as amended, section 301 of title 3, United States Code, and section 604 of the Trade Act of 1974, as amended, do hereby proclaim as follows:

(1) Clause 2 of Proclamation 9705, as amended, is revised to read as follows:

''(2)(a) In order to establish certain modifications to the duty rate on imports of steel articles, subchapter III of chapter 99 of the HTSUS is modified as provided in the Annex to this proclamation and any subsequent proclamations regarding such steel articles.

(b) Except as otherwise provided in this proclamation, or in notices published pursuant to clause 3 of this proclamation, all steel articles imports covered by heading 9903.80.01, in subchapter III of chapter 99 of the HTSUS, shall be subject to an additional 25 percent ad valorem rate of duty with respect to goods entered for consumption, or withdrawn from warehouse for consumption, as follows: (i) on or after 12:01 a.m. eastern daylight time on March 23, 2018, from all countries except Argentina, Australia, Brazil, Canada, Mexico, South Korea, and the member countries of the European Union; (ii) on or after 12:01 a.m. eastern daylight time on June 1, 2018, from all countries except Argentina, Australia, Brazil, and South Korea; (iii) on or after 12:01 a.m. eastern daylight time on August 13, 2018, from all countries except Argentina, Australia, Brazil, South Korea, and Turkey; (iv) on or after 12:01 a.m. eastern daylight time on May 20, 2019, from all countries except Argentina, Australia, Brazil, South Korea, and Turkey; (v) on or after 12:01 a.m. eastern daylight time on May 21, 2019, from all countries except Argentina, Australia, Brazil, Canada, Mexico, and South Korea; (vi) on or after 12:01 a.m. eastern standard time on January 1, 2022, from all countries except Argentina, Australia, Brazil, Canada, Mexico, and South Korea, and except the member countries of the European Union through 11:59 p.m. eastern standard time on December 31, 2023, for steel articles covered by headings 9903.80.65 through 9903.81.19, inclusive; (vii) on or after 12:01 a.m. eastern daylight time on April 1, 2022, from all countries except Argentina, Australia, Brazil, Canada, Mexico, and

South Korea, and except the member countries of the European Union through 11:59 p.m. eastern standard time on December 31, 2023, for steel articles covered by headings 9903.80.65 through 9903.81.19, inclusive, and from Japan, for steel articles covered by headings 9903.81.25 through 9903.81.80, inclusive; (viii) on or after 12:01 a.m. eastern daylight time on June 1, 2022, from all countries except Argentina, Australia, Brazil, Canada, Mexico, South Korea, and Ukraine through 11:59 p.m. eastern daylight time on June 1, 2023, and except the member countries of the European Union through 11:59 p.m. eastern standard time on December 31, 2023, for steel articles covered by headings 9903.80.65 through 9903.81.19, inclusive, and from Japan and the United Kingdom (UK), for steel articles covered by subheadings 9903.81.25 through 9903.81.78 and heading 9903.81.80, and from the member countries of the European Union, for steel articles covered by heading 9903.81.81; (ix) on or after 12:01 a.m. eastern daylight time on June 1, 2023, from all countries except Argentina, Australia, Brazil, Canada, Mexico, South Korea, and Ukraine through 11:59 p.m. eastern daylight time on June 1, 2024, and except the member countries of the European Union through 11:59 p.m. eastern standard time on December 31, 2023, for steel articles covered by headings 9903.80.65 through 9903.81.19, inclusive, and from Japan and the UK, for steel articles covered by subheadings 9903.81.25 through 9903.81.78 and heading 9903.81.80, and from the member countries of the European Union, for steel articles covered by heading 9903.81.81, and from the member countries of the European Union where the steel used in the manufacture of the steel article is melted and poured in Ukraine through 11:59 p.m. eastern daylight time on June 1, 2024; and (x) on or after 12:01 a.m. eastern standard time on January 1, 2024, from all countries except Argentina, Australia, Brazil, Canada, Mexico, South Korea, and Ukraine through 11:59 p.m. eastern daylight time on June 1, 2024, and except the member countries of the European Union through 11:59 p.m. eastern standard time on December 31, 2025, for steel articles covered by headings 9903.80.65 through 9903.81.19, inclusive, and from Japan and the UK, for steel articles covered by subheadings 9903.81.25 through 9903.81.78 and heading 9903.81.80, and from the member countries of the European Union, for steel articles covered by heading 9903.81.81, and from the member countries of the European Union where the steel used in the manufacture of the steel article is melted and poured in Ukraine through 11:59 p.m. eastern daylight time on June 1, 2024. Further, except as otherwise provided in notices published pursuant to clause 3 of this proclamation, all steel articles imports from Turkey covered by heading 9903.80.02, in subchapter III of chapter 99 of the HTSUS, shall be subject to a 50 percent ad valorem rate of duty with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on August 13, 2018, and prior to 12:01 a.m. eastern daylight time on May 21, 2019. All steel articles imports covered by heading 9903.80.61, in subchapter III of chapter 99 of the HTSUS, shall be subject to the additional 25 percent ad valorem rate of duty established herein with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on the date specified in a determination by the Secretary granting relief. These rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported steel articles, shall apply to imports of steel articles from each country as specified in the preceding three sentences''.

(2) Steel eligible for in-quota treatment under the tariff-rate quota implemented in Proclamation 10328 and extended in this proclamation must be melted and poured in a member country of the EU in order to receive such treatment. The Secretary, in consultation with the Secretary of Homeland Security and the United States Trade Representative, is authorized to take such actions as are necessary to ensure compliance with this requirement. Failure to comply could result in applicable remedies such as the collection of the tariff set forth in clause 2 of Proclamation 9705, or penalties under United States law.

(3) Imports of steel articles from member countries of the EU in excess of the tariff-rate quota quantities implemented in Proclamation 10328 and extended in this proclamation shall remain subject to the duties imposed by clause 2 of Proclamation 9705, as amended. The Secretary, in consultation with the United States Trade Representative and the Secretary of Homeland Security, shall recommend to the President, as warranted, updates to the in-quota volumes contained in this proclamation.

(4) Steel articles from a member country of the EU imported under an exclusion granted pursuant to clause 3 of Proclamation 9705, as amended, shall not count against the in-quota volume of the tariff-rate quota extended in this proclamation.

(5) The Secretary is directed to renew all utilized exclusions granted pursuant to clause 3 of Proclamation 9705, as amended, and utilized in Fiscal Year 2021 (October 1, 2020, through September 30, 2021) and the first quarter of calendar year 2022 (January 1, 2022, through March 31, 2022), for the import of steel articles from one or more member countries of the EU for a period of 2 years from the date of this proclamation. The renewed exclusions shall be for an annual volume equal to that volume imported from a member country of the EU pursuant to the exclusions in Fiscal Year 2021 and the first quarter of calendar year 2022. The Secretary shall communicate to U.S. Customs and Border Protection of the Department of Homeland Security the exclusions and the volumes of steel articles from member countries of the EU that are allowed under this provision. The Secretary shall, by publication on the internet, or by other means, inform importers of the availability and volume of exclusions renewed by this provision. This provision does not alter or modify in any way the ability of importers to seek additional exclusions in accordance with clause 3 of Proclamation 9705, as amended, and as implemented by the Department of Commerce, for the import of steel articles from a member country of the EU.

(6) U.S. note 16(f) to subchapter III of chapter 99 of the HTSUS is amended by inserting, at the end of the first sentence of such note subdivision, the phrase ‘‘, provided that such iron or steel products are melted and poured in any member country of the European Union’’ after the final appearance of the word ‘‘subdivision’’.

(7) The modifications made by this proclamation shall be effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on January 1, 2024, and shall continue in effect, unless such actions are expressly reduced, modified, or terminated.

(8) Any imports of steel articles from the member countries of the EU that were admitted into a United States foreign trade zone under ''privileged foreign status'' as defined in 19 CFR 146.41, prior to 12:01 a.m. eastern standard time on January 1, 2024, shall be subject upon entry for consumption made on or after 12:01 a.m. eastern standard time on January 1, 2024, to the provisions of the tariff-rate quota in effect at the time of the entry for consumption.

(9) Any provision of previous proclamations and Executive Orders that is inconsistent with the actions taken in this proclamation is superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10692 of December 29, 2023

To Take Certain Actions Under the African Growth and Opportunity Act and for Other Purposes

By the President of the United States of America

A Proclamation

1. In Proclamation 9834 of December 21, 2018, the President determined that the Islamic Republic of Mauritania (Mauritania) was not making continual progress in meeting the requirements described in section 506A(a)(1) of the Trade Act of 1974, as amended (the ''Trade Act''), as added by section 111(a) of the African Growth and Opportunity Act (the ''AGOA'') (title I of Public Law 106–200, 114 Stat. 251, 257–58), 19 U.S.C. 2466a(a)(1). Thus, pursuant to section 506A(a)(3) of the Trade Act (19 U.S.C. 2466a(a)(3)), the President terminated the designation of Mauritania as a beneficiary sub-Saharan African country for purposes of section 506A(a)(1) of the Trade Act.

2. Section 506A(a)(1) of the Trade Act authorizes the President to designate a country listed in section 107 of the AGOA (19 U.S.C. 3706) as a ''beneficiary sub-Saharan African country'' if the President determines that the country meets the eligibility requirements set forth in section 104 of the AGOA (19 U.S.C. 3703), as well as the eligibility criteria set forth in section 502 of the Trade Act (19 U.S.C. 2462).

3. Pursuant to section 506A(a)(1) of the Trade Act, based on actions the Government of Mauritania has taken, I have determined that Mauritania meets the eligibility requirements set forth in section 104 of the AGOA and the eligibility criteria set forth in section 502 of the Trade Act, and I have decided to designate Mauritania as a beneficiary sub-Saharan African country.

4. Section 112(c) of the AGOA, as amended in section 6002(a)(3) of the Africa Investment Incentive Act of 2006 (division D, title VI, Public Law 109–432, 120 Stat. 2922, 3190–93), 19 U.S.C. 3721(c), provides special rules for

certain apparel articles imported from ''lesser developed beneficiary sub-Saharan African countries.''

5. I have also determined that Mauritania satisfies the criterion for treatment as a ''lesser developed beneficiary sub-Saharan African country'' under section 112(c) of the AGOA.

6. In Proclamation 7350 of October 2, 2000, the President initially designated the Central African Republic, the Gabonese Republic (Gabon), Republic of Niger (Niger), and the Republic of Uganda (Uganda) as beneficiary sub-Saharan African countries for purposes of section 506A(a)(1) of the Trade Act.

7. Section 506A(a)(3) of the Trade Act provides that the President shall terminate the designation of a country as a beneficiary sub-Saharan African country for purposes of section 506A if the President determines that the country is not meeting the requirements described in section 506A(a)(1) of the Trade Act.

8. Pursuant to section 506A(a)(3) of the Trade Act, I have determined that the Central African Republic, Gabon, Niger, and Uganda do not meet the requirements described in section 506A(a)(1) of the Trade Act. Accordingly, I have decided to terminate the designations of the Central African Republic, Gabon, Niger, and Uganda as beneficiary sub-Saharan African countries for purposes of section 506A of the Trade Act, effective January 1, 2024.

9. On April 22, 1985, the United States and Israel entered into the Agreement on the Establishment of a Free Trade Area between the Government of the United States of America and the Government of Israel (USIFTA), which the Congress approved in section 3 of the United States-Israel Free Trade Area Implementation Act of 1985 (the ''USIFTA Implementation Act'') (Public Law 99–47, 99 Stat. 82 (19 U.S.C. 2112 note)). Section 4(b) of the USIFTA Implementation Act provides that, whenever the President determines that it is necessary to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel provided for by the USIFTA, the President may proclaim such withdrawal, suspension, modification, or continuance of any duty, or such continuance of existing duty-free or excise treatment, or such additional duties, as the President determines to be required or appropriate to carry out the USIFTA. In order to maintain the general level of reciprocal and mutually advantageous concessions with respect to agricultural trade with Israel, on July 27, 2004, the United States entered into an agreement with Israel concerning certain aspects of trade in agricultural products during the period January 1, 2004, through December 31, 2008 (United States-Israel Agreement Concerning Certain Aspects of Trade in Agricultural Products (the ''2004 Agreement'')).

10. In Proclamation 7826 of October 4, 2004, the President determined, pursuant to section 4(b) of the USIFTA Implementation Act and consistent with the 2004 Agreement, that, in order to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel provided for by the USIFTA, it was necessary to provide duty-free access into the United States through December 31, 2008, for specified quantities of certain agricultural products of Israel. Each year from 2008 through 2022, the United States and Israel entered into agreements to extend the period that the 2004 Agreement was in force for 1-year periods to allow additional time for the two governments to conclude an agreement to replace the 2004

Agreement. To carry out the extension agreements, the President in Proclamations 8334 of December 31, 2008; 8467 of December 23, 2009; 8618 of December 21, 2010; 8770 of December 29, 2011; 8921 of December 20, 2012; 9072 of December 23, 2013; 9223 of December 23, 2014; 9383 of December 21, 2015; 9555 of December 15, 2016; 9687 of December 22, 2017; 9834 of December 21, 2018; 9974 of December 26, 2019; 10128 of December 22, 2020; 10326 of December 23, 2021; and 10509 of December 23, 2022, modified the Harmonized Tariff Schedule of the United States (HTS) to provide duty-free access into the United States for specified quantities of certain agricultural products of Israel, each time for an additional 1-year period. On November 13, 2023, the United States entered into an agreement with Israel to extend the period that the 2004 Agreement is in force for an additional 1-year period, through December 31, 2024, to allow for further negotiations on an agreement to replace the 2004 Agreement. Pursuant to section 4(b) of the USIFTA Implementation Act, I have determined that it is necessary, in order to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel provided for by the USIFTA, to provide duty-free access into the United States for an additional 1-year period, through the close of December 31, 2024, for specified quantities of certain agricultural products of Israel, as provided in Annex I of this proclamation.

11. Section 604 of the Trade Act, as amended (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, and of other acts affecting import treatment, and actions taken thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to section 111(a) of the AGOA, sections 506A(a)(1) and 506A(a)(3) of the Trade Act, section 4(b) of the USIFTA Implementation Act, and section 604 of the Trade Act, as amended, do proclaim that:

(1) Mauritania is designated as a beneficiary sub-Saharan African country for purposes of section 506A of the Trade Act.

(2) In order to reflect this designation in the HTS, general note 16(a) to the HTS is modified by inserting in alphabetical sequence in the list of beneficiary sub-Saharan African countries ''Islamic Republic of Mauritania''.

(3) For purposes of section 112(c) of the AGOA, Mauritania is a lesser developed beneficiary sub-Saharan African country.

(4) In order to provide the tariff treatment intended under section 112(c) of the AGOA, note 2(d) to subchapter XIX of chapter 98 of the HTS is modified by inserting in alphabetical sequence in the list of lesser developed beneficiary sub-Saharan African countries ''Islamic Republic of Mauritania;''.

(5) The designations of the Central African Republic, Gabon, Niger, and Uganda as beneficiary sub-Saharan African countries for purposes of section 506A of the Trade Act are terminated, effective January 1, 2024.

(6) In order to reflect in the HTS that beginning January 1, 2024, the Central African Republic, Gabon, Niger, and Uganda shall no longer be designated as beneficiary sub-Saharan African countries, general note 16(a) to the HTS is modified by deleting ''Central African Republic'', ''Gabonese Republic'', ''Republic of Niger'', and ''Republic of Uganda'' from the list of beneficiary sub-Saharan African countries. Note 7(a) to subchapter II and note 1 to subchapter XIX of chapter 98 of the HTS are each modified by deleting ''Uganda'' from the list of beneficiary countries. Further, note 2(d) to subchapter XIX of chapter 98 of the HTS is modified by deleting ''Central African Republic;'', ''Niger;'', and ''Republic of Uganda;'' from the list of lesser developed beneficiary sub-Saharan African countries.

(7) The modifications to the HTS set forth in paragraphs (1) through (6) of this proclamation shall be effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after January 1, 2024.

(8) In order to implement tariff commitments under the 2004 Agreement through December 31, 2024, the HTS is modified as set forth in Annex I of this proclamation.

(9) The modifications and technical rectifications to the HTS made by Annex I of this proclamation shall enter into effect on the applicable dates set forth in Annex I of this proclamation.

(10) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

ANNEX I

TEMPORARY EXTENSION OF CERTAIN PROVISIONS OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

Effective with respect to eligible agricultural products of Israel which are entered for consumption, or withdrawn from warehouse for consumption, on or after January 1, 2024, and through the close of December 31, 2024, subchapter VIII of chapter 99 of the Harmonized Tariff Schedule of the United States is hereby modified as follows:

1. U.S. note 1 to such subchapter is modified by striking "December 31, 2023," and by inserting in lieu thereof "December 31, 2024".

2. U.S. note 3 to such subchapter is modified by adding at the end of the "Applicable time period" column in the table "Calendar year 2024" and by adding at the end of the "Quantity (kg)" column opposite such year the quantity "466,000".

3. U.S. note 4 to such subchapter is modified by adding at the end of the "Applicable time period" column in the table "Calendar year 2024" and by adding at the end of the "Quantity (kg)" column opposite such year the quantity "1,304,000".

4. U.S. note 5 to such subchapter is modified by adding at the end of the "Applicable time period" column in the table "Calendar year 2024" and by adding at the end of the "Quantity (kg)" column opposite such year the quantity "1,534,000".

5. U.S. note 6 to such subchapter is modified by adding at the end of the "Applicable time period" column in the table "Calendar year 2024" and by adding at the end of the "Quantity (kg)" column opposite such year the quantity "131,000".

6. U.S. note 7 to such subchapter is modified by adding at the end of the "Applicable time period" column in the table "Calendar year 2024" and by adding at the end of the "Quantity (kg)" column opposite such year the quantity "707,000".

Proclamation 10693 of December 29, 2023

National Human Trafficking Prevention Month, 2024

By the President of the United States of America

A Proclamation

More than 27 million people around the world endure the abhorrent abuse of human trafficking and forced labor, including thousands of people right here in the United States. It is a threat to global security, public safety, and human dignity. During National Human Trafficking Prevention Month, we reaffirm our commitment to ending these predatory crimes at home and across the globe.

In 2021, I signed an updated National Action Plan to Combat Human Trafficking, outlining my Administration's efforts to prevent trafficking, prosecute perpetrators, and protect survivors. The plan reflects our commitment to standing up for the most vulnerable among us, and it is a foundation for our work to ensure safe, orderly, and humane migration. Federal agencies are today working closely with governments and organizations around the world to address the root causes of trafficking, bring traffickers to justice, and support survivors as they recover and rebuild their lives.

The plan also reflects our commitment to workers' rights and ending forced labor in global supply chains. Two years ago, I signed the bipartisan Uyghur Forced Labor Prevention Act, and we will continue working with global leaders to make sure that American imports are produced without forced labor and that the global economic system offers traffickers no safe harbor. More recently, I issued a first-ever Presidential Memorandum elevating and integrating workers' rights and high labor standards into our Nation's foreign policy priorities, including preventing forced labor and other abuses.

The vast majority of human trafficking victims are women and girls. In 2022, we reauthorized the Violence Against Women Act, which I first wrote as a United States Senator some 30 years ago—this time expanding the jurisdiction of Tribal courts to prosecute non-Native American sex traffickers. The American Rescue Plan also provided tens of thousands of housing vouchers to help people fleeing domestic violence or human trafficking find a safe home and reclaim their lives. As we work to help people disproportionately affected by human trafficking, including members of racial and ethnic minorities, women and girls, the LGBTQI+ community, and migrants, we remain committed to learning from and partnering with survivors to support their recoveries and to recruit their help in better spotting and preventing these too often overlooked crimes.

There is no greater sin than the abuse of power, and human trafficking is among the worst abuses that exist. We must each play a role in ending it; we cannot turn away. This month, we urge every American to learn how to identify the signs of trafficking and to share the National Human Trafficking hotline (888–373–7888)—an important resource to report a tip or to ask for help. Together, we must make sure every human being is free to live a life full of dignity and respect.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and

the laws of the United States, do hereby proclaim January 2024 as National Human Trafficking Prevention Month. I call upon businesses, civil society organizations, communities of faith, families, and all Americans to recognize the vital role we play in combating human trafficking and to observe this month with appropriate programs and activities aimed at preventing all forms of human trafficking.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10694 of December 29, 2023

National Mentoring Month, 2024

By the President of the United States of America

A Proclamation

During National Mentoring Month, we celebrate the millions of mentors across the country who step up and give their time, care, and hearts to make sure every young person in our Nation has a fair shot at the American Dream.

For most young people, a bond or even a conversation with someone who believes in them can make a tremendous difference in their lives, exposing them to new goals, new ideas, and new ways of doing things. Since day one, my Administration has been working to support those kinds of relationships—in schools, in communities, and in the workforce. Through the American Rescue Plan, we secured a historic $130 billion for America's K–12 schools, which helped put more teachers in classrooms and more counselors, social workers, and supportive staff in our schools. States and districts have also used these investments to provide high-quality tutoring and summer and after-school programs for students. Further, it boosted funding for AmeriCorps to expand its service options and hire new mentors to volunteer in our communities. My Administration also launched the National Partnership for Student Success last year, with a goal of recruiting 250,000 adults by the summer of 2025 to encourage, tutor, and coach young people as they chart a path forward. At the same time, working with labor unions, we have made historic investments in pre-apprenticeship and Registered Apprenticeship programs that provide guidance and skills to help young people build meaningful careers. In addition, we created the American Climate Corps—a workforce training and service initiative that will put more than 20,000 Americans to work in clean energy, conservation, and climate resilience jobs.

These programs give young people a chance to connect with others—to discover who they are, what they care about, and how to achieve their dreams. Any one of us can have a positive impact on a young person's life if we take the time to let them know that someone is on their side. Doing so, often has a tremendously powerful impact on a mentor's life as well. During National Mentoring Month, I urge Americans of all ages—friends,

neighbors, college students, coaches, employers, community and faith leaders, and everyday people just looking to make a difference—to visit americorps.gov/serve and partnershipstudentsuccess.org to learn more about becoming a mentor or tutor.

The greatness of a nation is measured in part by how it prepares its next generation to succeed. Ours is a great Nation, and together, as mentors, we can each change a young person's life for the better—and with it, help guarantee our country a future of unlimited possibilities.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 2024 as National Mentoring Month. I call upon Americans across the country to observe this month with mentoring, appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

Proclamation 10695 of December 29, 2023

National Stalking Awareness Month, 2024

By the President of the United States of America

A Proclamation

During National Stalking Awareness Month, we honor the strength and resilience of the millions of people across this country who have endured stalking. We reaffirm our commitment to building a future where everyone can live free from fear, threats, and abuse.

Stalking at its core is an abuse of power. It affects one in three women and one in six men in their lifetimes. It can happen in person or online; it can be committed by a stranger or someone you know. The fear it sparks can be all-consuming, shattering one's sense of security, safety, and certainty. It can threaten loved ones and even force victims to uproot their lives and move at a moment's notice. It is wrong.

One of my proudest achievements in life was writing and championing the landmark Violence Against Women Act some 30 years ago in the United States Senate. It began to change our culture, bringing these crimes out of the shadows and getting survivors the services and support they needed. Over the years, I worked with courageous advocates to keep expanding protections and boosting access to healing and justice. In 2022, I was proud to sign a reauthorization of the law, increasing investment in prosecution, prevention, and support for survivors of domestic violence, sexual assault, and stalking. The new law also creates a Federal civil cause of action for the non-consensual distribution of intimate images and expands the jurisdiction of Tribal courts to prosecute non-Native American perpetrators of stalking, sexual assault, child abuse, and sex trafficking.

At the same time, we are working to make sure our response keeps pace with technology and protects all Americans from online harassment and cybercrime. In 2022, I created the White House Task Force to Address Online Harassment and Abuse to help stop technology-facilitated gender-based violence. It aims to find new ways to boost accountability, support survivors, and further research the threat. Survivors, parents, educators, advocates, medical and legal professionals, and others have shared their expertise with the task force, which will help inform their work.

This past May, I also released America's first-ever National Plan to End Gender-Based Violence, which tackles the issue on seven fronts—prevention, healing, housing, online safety, the justice system, crisis response, and data. Since the beginning of my Administration, the Department of Justice's Office on Violence Against Women has provided grants to law enforcement, prosecutors, courts, and community organizations to work together to stop stalking and other gender-based crimes. The Department of Housing and Urban Development has provided tens of thousands of emergency housing vouchers to help stalking victims and others find a safe place to rebuild their lives.

Too often, stalking happens in the shadows, hidden from the view of others. This month, we shine a harsh light on these crimes to make clear that this kind of harassment, threat, or unwanted aggressive attention has no place in America. There is so much at stake. Every American deserves to feel safe and protected, have a little peace of mind, and live with dignity and respect.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 2024 as National Stalking Awareness Month. I call on all Americans to speak out against stalking and to support the efforts of advocates, courts, service providers, and law enforcement to help those who are targeted and send the message to perpetrators that these crimes will not go unpunished.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of December, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

EXECUTIVE ORDERS

Executive Order 14091 of February 16, 2023

Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government

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*. On my first day in office, I signed Executive Order 13985 of January 20, 2021 (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government), which charged the Federal Government with advancing equity for all, including communities that have long been underserved, and addressing systemic racism in our Nation's policies and programs. By advancing equity, the Federal Government can support and empower all Americans, including the many communities in America that have been underserved, discriminated against, and adversely affected by persistent poverty and inequality. We can also deliver resources and benefits equitably to the people of the United States and rebuild trust in Government.

Over the past 2 years, through landmark legislation—including the American Rescue Plan Act of 2021 (Public Law 117–2); the bipartisan Infrastructure Investment and Jobs Act (Public Law 117–58) (Bipartisan Infrastructure Law); division A of Public Law 117–167, known as the Creating Helpful Incentives to Produce Semiconductors (CHIPS) Act of 2022; Public Law 117–169, commonly referred to as the Inflation Reduction Act of 2022; and the Bipartisan Safer Communities Act (Public Law 117–159)—as well as executive action, my Administration has vigorously championed racial equity and has advanced equal opportunity for underserved communities. Executive departments and agencies (agencies) have engaged in historic work assessing how their policies and programs perpetuate barriers for underserved communities and developing strategies for removing those barriers. They have made important progress incorporating an evidence-based approach to equitable policymaking and implementation, and they have crafted new action plans to advance equity. In short, my Administration has embedded a focus on equity into the fabric of Federal policymaking and service delivery. Our work to transform the way the Federal Government serves the American people has been complemented by Executive Order 14035 of June 25, 2021 (Diversity, Equity, Inclusion, and Accessibility in

the Federal Workforce), which continues to help ensure that my Administration—the most diverse in our Nation's history—reflects the growing diversity of the communities we serve.

My Administration's commitment to equity has produced better decision-making and more equitable outcomes. We have delivered the most equitable economic recovery in memory, and, driven by the expanded Child Tax Credit, we cut child poverty to its lowest rate on record in 2021, including record low Black, Latino, Native American, and rural child poverty. Under my Administration, the economy has created nearly 11 million jobs, and we have brought down unemployment nationwide—in particular for Black and Latino workers, for whom unemployment rates are near 50-year lows. My Administration has provided emergency rental assistance to help millions of families stay in their homes, and we have prohibited Federal contractors from paying people with disabilities subminimum wages. We are rebuilding roads and bridges, replacing the Nation's lead pipes to provide clean drinking water for all, delivering access to affordable high-speed internet to Americans in both rural and urban communities, investing in public transit, and reconnecting communities previously cut off from economic opportunity by highways, rail lines, or disinvestment. My Administration has provided funding to improve accessibility for passengers with disabilities on rail systems and in airports, expanded health coverage for millions of Americans, and expanded home- and community-based services so more people with disabilities and older adults can live independently. We have secured billions of dollars in direct new investments for Tribal Nations and Native American communities and have directed an increase in the share of Federal Government contract spending awarded to small disadvantaged businesses. My Administration has taken action to strengthen public safety, advance criminal justice reform, correct our country's failed approach to marijuana, protect civil rights, and stand up against rising extremism and hate-fueled violence that threaten the fabric of our democracy. We have taken historic steps to advance full equality for lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) Americans, including by ending the ban on transgender service members in our military; prohibiting discrimination based on sexual orientation, gender identity, and sex characteristics across Federal programs; and signing into law the Respect for Marriage Act (Public Law 117–228) to preserve protections for the rights of same-sex and interracial couples. My Administration is also implementing the first-ever National Strategy on Gender Equity and Equality to ensure that all people, regardless of gender, have the opportunity to realize their full potential.

These transformative achievements have advanced the work of building a more equitable Nation. Yet, members of underserved communities—many of whom have endured generations of discrimination and disinvestment—still confront significant barriers to realizing the full promise of our great Nation, and the Federal Government has a responsibility to remove these barriers. It is imperative to reject the narrow, cramped view of American opportunity as a zero-sum game. When any person or community is denied freedom, dignity, and prosperity, our entire Nation is held back. But when we lift each other up, we are all lifted up. Therefore, my Administration must take additional action across the Federal Government—in collaboration with civil society, the private sector, and State and local government—

to continue the work begun with Executive Order 13985 to combat discrimination and advance equal opportunity, including by redressing unfair disparities and removing barriers to Government programs and services. Achieving racial equity and support for underserved communities is not a one-time project. It must be a multi-generational commitment, and it must remain the responsibility of agencies across the Federal Government. It therefore continues to be the policy of my Administration to advance an ambitious, whole-of-government approach to racial equity and support for underserved communities and to continuously embed equity into all aspects of Federal decision-making.

This order builds upon my previous equity-related Executive Orders by extending and strengthening equity-advancing requirements for agencies, and it positions agencies to deliver better outcomes for the American people. In doing so, the Federal Government shall continue to pursue ambitious goals to build a strong, fair, and inclusive workforce and economy; invest in communities where Federal policies have historically impeded equal opportunity—both rural and urban—in ways that mitigate economic displacement, expand access to capital, preserve housing and neighborhood affordability, root out discrimination in the housing market, and build community wealth; advance equity in health, including mental and behavioral health and well-being; deliver an equitable response to the COVID–19 pandemic; deliver environmental justice and implement the Justice40 Initiative; build prosperity in rural communities; ensure equitable procurement practices, including through small disadvantaged businesses contracting and the Buy Indian Act (25 U.S.C. 47); pursue educational equity so that our Nation's schools put every student on a path to success; improve our Nation's criminal justice system to end unjust disparities, strengthen public safety, and ensure equal justice under law; promote equity in science and root out bias in the design and use of new technologies, such as artificial intelligence; protect the right to vote and realize the promise of our Nation's civil rights laws; and promote equity and human rights around the world through our foreign policy and foreign assistance. By redoubling our efforts, the Federal Government can help bridge the gap between the world we see and the future we seek.

Sec. 2. *Establishing Equity-Focused Leadership Across the Federal Government*. (a) *Establishment of Agency Equity Teams*. The Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the Secretary of Health and Human Services, the Secretary of Housing and Urban Development, the Secretary of Transportation, the Secretary of Energy, the Secretary of Education, the Secretary of Veterans Affairs, the Secretary of Homeland Security, the Administrator of the Small Business Administration, the Commissioner of Social Security, the Administrator of General Services, the Administrator of the United States Agency for International Development, the Administrator of the Environmental Protection Agency, the Administrator of the National Aeronautics and Space Administration, the Director of the National Science Foundation, and the Director of the Office of Personnel Management (agency heads) shall, within 30 days of the date of this order, ensure that they have in place an Agency Equity Team within their respective agencies to

coordinate the implementation of equity initiatives and ensure that their respective agencies are delivering equitable outcomes for the American people.

(i) Each Agency Equity Team shall be led by a designated senior official (senior designee) charged with implementing my Administration's equity initiatives, and shall include senior officials from the office of the agency head and the agency's program, policy, civil rights, regulatory, science, technology, service delivery, financial assistance and grants, data, budget, procurement, public engagement, legal, and evaluation offices, as well as the agency's Chief Diversity Officer, to the extent applicable. Agency Equity Teams shall include a combination of competitive service employees, as defined by 5 U.S.C. 2102(a), and appointees, as defined in Executive Order 13989 of January 20, 2021 (Ethics Commitments by Executive Branch Personnel), and, to the extent practicable, shall build upon and coordinate with the agency's existing structures and processes, including with the agency's environmental justice officer designated pursuant to Executive Order 14008 of January 27, 2021 (Tackling the Climate Crisis at Home and Abroad), and with the senior agency official designated to coordinate with the Gender Policy Council pursuant to Executive Order 14020 of March 8, 2021 (Establishment of the White House Gender Policy Council).

(ii) The senior designee at each agency shall be responsible for delivering equitable outcomes, to the extent consistent with applicable law, and shall report to the agency head.

(iii) Each Agency Equity Team shall support continued equity training and equity leadership development for staff across all levels of the agency's workforce.

(iv) Each agency's senior designee shall coordinate with the agency head, agency budget officials, and the Office of Management and Budget (OMB) to ensure that the Agency Equity Team has sufficient resources, including staffing and data collection capacity, to advance the agency's equity goals. Agency heads shall ensure that their respective Agency Equity Teams serve in an advisory and coordination role on priority agency actions.

(b) *Establishment of the White House Steering Committee on Equity.* There is hereby established a White House Steering Committee on Equity (Steering Committee), which shall be chaired by the Assistant to the President for Domestic Policy. The Steering Committee shall include senior officials representing policy councils and offices within the Executive Office of the President, as appropriate. The Steering Committee shall:

(i) coordinate Government-wide efforts to advance equity;

(ii) coordinate an annual process to consult with agency heads on their respective agencies' Equity Action Plans, established in section 3(a) of this order;

(iii) coordinate with the leadership of the White House Initiatives created by Executive Order 14031 of May 28, 2021 (Advancing Equity, Justice,

and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders); Executive Order 14041 of September 3, 2021 (White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity Through Historically Black Colleges and Universities); Executive Order 14045 of September 13, 2021 (White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Hispanics); Executive Order 14049 of October 11, 2021 (White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Native Americans and Strengthening Tribal Colleges and Universities); and Executive Order 14050 of October 19, 2021 (White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Black Americans);

(iv) coordinate with the White House Environmental Justice Interagency Council to ensure that equity and environmental justice efforts are consistent and mutually reinforcing;

(v) coordinate with the White House Gender Policy Council to align efforts to advance gender equity with broader equity efforts; and

(vi) monitor agencies' activities and promote accountability to ensure that agencies undertake ambitious and measurable steps to deliver equitable outcomes for the American people.

Sec. 3. *Delivering Equitable Outcomes Through Government Policies, Programs, and Activities*. Each agency head shall support ongoing implementation of a comprehensive equity strategy that uses the agency's policy, budgetary, programmatic, service-delivery, procurement, data-collection processes, grantmaking, public engagement, research and evaluation, and regulatory functions to enable the agency's mission and service delivery to yield equitable outcomes for all Americans, including underserved communities.

(a) In September 2023, and on an annual basis thereafter, concurrent with the agencies' submission to OMB for the President's Budget, agency heads shall submit an Equity Action Plan to the Steering Committee. The Equity Action Plan shall include actions to advance equity, including under Executive Order 13985, Executive Order 13988 of January 20, 2021 (Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation), Executive Order 14008, and Executive Order 14020.

(b) Each Equity Action Plan, which shall be made public, shall include:

(i) an update on the progress made by the agency on the actions, performance measures, and milestones highlighted in the preceding year's Equity Action Plan, as well as the agency's performance on the annual Environmental Justice Scorecard established pursuant to section 223 of Executive Order 14008, as applicable;

(ii) potential barriers that underserved communities may face in accessing and benefitting from the agency's policies, programs, and activities, including procurement, contracting, and grant opportunities;

(iii) strategies, including new or revised policies and programs, to address the barriers described in subsection (b)(ii) of this section and to ensure equitable access and opportunity for underserved communities; and

(iv) a description of how the agency intends to meaningfully engage with underserved communities, including through accessible, culturally and

linguistically appropriate outreach, and the incorporation of the perspectives of those with lived experiences into agency policies, programs, and activities.

(c) Starting with formulation of the Fiscal Year 2025 Budget and for each subsequent year, the Director of OMB shall consider how the President's Budget can support the Equity Action Plans described in subsection (a) of this section in order to reinforce agency efforts to meaningfully engage with and invest in underserved communities and advance equitable outcomes.

(d) To ensure effective implementation of Equity Action Plans, and to strengthen the Federal Government's equitable delivery of resources and benefits to all, agency heads shall:

(i) prioritize and incorporate strategies to advance equity—including by pursuing evidence-based approaches, reducing administrative burdens, increasing access to technical assistance, and implementing equitable data practices, consistent with applicable law, into their respective:

(A) agency strategic plans developed pursuant to 5 U.S.C. 306(a);

(B) agency performance plans developed pursuant to 31 U.S.C. 1115 and 1116;

(C) portions of performance plans relating to human and capital resource requirements to achieve performance goals pursuant to 31 U.S.C. 1115(b)(5)(A);

(D) agency priority goals developed pursuant to 31 U.S.C. 1120;

(E) evaluation and evidence-building activities pursuant to the Foundations for Evidence-Based Policymaking Act of 2018 (Public Law 115–435) and section 5 of the Presidential Memorandum of January 27, 2021 (Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking);

(F) customer experience capacity assessments and action plans pursuant to section 280 of OMB Circular A–11 and Executive Order 14058 of December 13, 2021 (Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government);

(G) selection of items for their respective regulatory agendas and plans pursuant to sections 4(b) and (c) of Executive Order 12866 of September 30, 1993 (Regulatory Planning and Review), as amended;

(H) individual performance plans for senior executives consistent with 5 U.S.C. 4312, and for other senior employees consistent with 5 U.S.C. 4302; and

(I) as permitted by law, activities, acquisitions, and strategies that the Director of OMB determines to be appropriate to further the implementation of this order;

(ii) identify opportunities, as appropriate and consistent with applicable law, to incorporate into new regulations and to modify their respective agencies' regulations, internal- and public-facing guidance, and other policies to include advancing equity as part of their respective agencies' missions; and

(iii) promote coordination within and among their respective agencies concerning the elements of their respective Equity Action Plans and the

recommendations of the Interagency Working Group on Equitable Data established in Executive Order 13985.

Sec. 4. *Embedding Equity into Government-wide Processes*.

(a) The Director of OMB shall consider opportunities to review and update internal processes, directives, and Government-wide guidance (such as OMB Circulars and Memoranda) to support equitable decision-making, promote equitable deployment of financial and technical assistance, and assist agencies in advancing equity, as appropriate and wherever possible.

(b) When designing, developing, acquiring, and using artificial intelligence and automated systems in the Federal Government, agencies shall do so, consistent with applicable law, in a manner that advances equity.

Sec. 5. *Delivering Equitable Outcomes in Partnership with Underserved Communities*. Underserved communities often face significant barriers and legacy exclusions in engaging with agencies and providing input on Federal policies and programs that affect them. Agencies must increase engagement with underserved communities by identifying and applying innovative approaches to improve the quality, frequency, and accessibility of engagement. Agencies shall, consistent with applicable law:

(a) conduct proactive engagement, as appropriate, with members of underserved communities—for example, through culturally and linguistically appropriate listening sessions, outreach events, or requests for information—during development and implementation of agencies' respective annual Equity Action Plans, annual budget submissions, grants and funding opportunities, and other actions, including those outlined in section 3(d) of this order;

(b) collaborate with OMB, as appropriate, to identify and develop tools and methods for engagement with underserved communities, including those related to agency budget development and rulemaking;

(c) create more flexibilities, incentives, and guidelines for recipients of Federal funding and permits to proactively engage with underserved communities as projects are designed and implemented;

(d) identify funding opportunities for community- and faith-based organizations working in and with underserved communities to improve access to benefits and services for members of underserved communities; and

(e) identify and address barriers for individuals with disabilities, as well as older adults, to participate in the engagement process, including barriers to the accessibility of physical spaces, virtual platforms, presentations, systems, training, and documents.

Sec. 6. *Creating Economic Opportunity in Rural America and Advancing Urban Equitable Development*. (a) Agencies shall undertake efforts, to the extent consistent with applicable law, to help rural communities identify and access Federal resources in order to create equitable economic opportunity and advance projects that build community wealth, including by providing or supporting technical assistance; incentivizing the creation of good, high-paying union jobs in rural areas; conducting outreach to and soliciting input from rural community leaders; and contributing new resources and support to interagency programs such as the Rural Partners Network.

(b) Agencies shall undertake efforts, to the extent consistent with applicable law, to strengthen urban equitable development policies and practices, such as advancing community wealth building projects; preventing physical and economic displacement as the result of Federal investments; facilitating equitable flows of private capital, including to underserved communities; and incorporating outcome-based metrics focused on urban equitable development in the design and deployment of Federal programs and policies. To support these efforts, the Assistant to the President for Domestic Policy shall issue a policy memorandum on actions agencies can take to advance urban equitable development.

(c) Executive Order 13946 of August 24, 2020 (Targeting Opportunity Zones and Other Distressed Communities for Federal Site Locations), including the amendments it made to Executive Order 12072 of August 16, 1978 (Federal Space Management), and to Executive Order 13006 of May 21, 1996 (Locating Federal Facilities on Historic Properties in Our Nation's Central Cities), is revoked. Executive Orders 12072 and 13006 are reinstated as they were prior to issuance of Executive Order 13946. Executive Order 13853 of December 12, 2018 (Establishing the White House Opportunity and Revitalization Council), is also revoked. All agencies shall, consistent with applicable law, including the Administrative Procedure Act (5 U.S.C. 551 *et seq.*), consider taking prompt action to revoke any rules, regulations, guidelines, or policies implementing these Presidential actions that are inconsistent with the provisions of this order. Further, agencies shall ensure that planning for new Federal facilities or new leases includes consideration of neighborhoods and locations that are near existing employment centers and are accessible to a broad range of the region's workforce and population by public transit (where it exists), consistent with Executive Order 12072. Agencies shall identify displacement risks associated with Federal facility siting and development and shall engage with any community that may be affected, along with appropriate regional and local officials, to mitigate those displacement risks.

Sec. 7. *Advancing Equitable Procurement.* (a) The Government-wide goal for Federal procurement dollars awarded to small business concerns owned and controlled by socially and economically disadvantaged individuals (SDBs) shall be 15 percent in Fiscal Year 2025. In furtherance of this goal, OMB shall set a Government-wide SDB goal for Fiscal Year 2024. The Small Business Administration shall, on an annual basis, work with each agency to establish an agency-specific goal that, in aggregate, supports the Government-wide goal. Further, agencies shall undertake efforts to increase contracting opportunities for all other small business concerns as described in the Small Business Act (15 U.S.C. ch. 14A).

(b) Agencies shall expand procurement opportunities for SDBs through Federal financial assistance, consistent with applicable law, under the Bipartisan Infrastructure Law, the Inflation Reduction Act of 2022, and other Federal financial assistance programs.

Sec. 8. *Affirmatively Advancing Civil Rights.* Agencies shall comprehensively use their respective civil rights authorities and offices to prevent and address discrimination and advance equity for all, including to increase the effects of civil rights enforcement and to increase public awareness of civil rights principles, consistent with applicable law. Agencies shall consider opportunities to:

(a) further elevate their respective civil rights offices, including by directing that their most senior civil rights officer report to the agency head;

(b) ensure that their respective civil rights offices are consulted on decisions regarding the design, development, acquisition, and use of artificial intelligence and automated systems;

(c) increase coordination, communication, and engagement with community-based organizations and civil rights organizations;

(d) increase the capacity, including staffing capacity, of their respective civil rights offices, in coordination with OMB;

(e) improve accessibility for people with disabilities and improve language access services to ensure that all communities can engage with agencies' respective civil rights offices, including by fully implementing Executive Order 13166 of August 11, 2000 (Improving Access to Services for Persons with Limited English Proficiency); and

(f) prevent and remedy discrimination, including by protecting the public from algorithmic discrimination.

Sec. 9. *Further Advancing Equitable Data Practices*. The Office of Science and Technology Policy (OSTP) National Science and Technology Council Subcommittee on Equitable Data shall, to the extent consistent with applicable law, coordinate the implementation of relevant recommendations of the Interagency Working Group on Equitable Data established in Executive Order 13985. The Director of OSTP shall provide a report on the Subcommittee's progress to the Steering Committee every January and July.

Sec. 10. *Definitions*. For purposes of this order:

(a) The term ''equity'' means the consistent and systematic treatment of all individuals in a fair, just, and impartial manner, including individuals who belong to communities that often have been denied such treatment, such as Black, Latino, Indigenous and Native American, Asian American, Native Hawaiian, and Pacific Islander persons and other persons of color; members of religious minorities; women and girls; LGBTQI+ persons; persons with disabilities; persons who live in rural areas; persons who live in United States Territories; persons otherwise adversely affected by persistent poverty or inequality; and individuals who belong to multiple such communities.

(b) The term ''underserved communities'' refers to those populations as well as geographic communities that have been systematically denied the opportunity to participate fully in aspects of economic, social, and civic life, as defined in Executive Orders 13985 and 14020.

(c) The term ''equitable development'' refers to a positive development approach that employs processes, policies, and programs that aim to meet the needs of all communities and community members, with a particular focus on underserved communities and populations.

(d) The term ''community wealth building'' refers to an approach to economic development that strengthens the capacities of underserved communities by ensuring institutions and local economies have ownership models with greater community participation and control. This results in upgrading skills, growing entrepreneurs, increasing incomes, expanding net asset ownership, and fostering social well-being.

(e) The term ''equitable data'' refers to data that allow for rigorous assessment of the extent to which Government programs and policies yield consistently fair, just, and impartial treatment of all individuals.

(f) The term ''algorithmic discrimination'' refers to instances when automated systems contribute to unjustified different treatment or impacts disfavoring people based on their actual or perceived race, color, ethnicity, sex (including based on pregnancy, childbirth, and related conditions; gender identity; intersex status; and sexual orientation), religion, age, national origin, limited English proficiency, disability, veteran status, genetic information, or any other classification protected by law.

Sec. 11. *General Provisions*. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) Agencies not covered by section 2(a) of this order, including independent agencies, are strongly encouraged to comply with the provisions of this order.

(d) 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
February 16, 2023.

Executive Order 14092 of March 14, 2023

Reducing Gun Violence and Making Our Communities Safer

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby order as follows:

Section 1. *Policy.* Every few days in the United States, we mourn a new mass shooting. Daily acts of gun violence—including community violence, domestic violence, suicide, and accidental shootings—may not always make the evening news, but they too cut lives short and leave survivors and their communities with long-lasting physical and mental wounds. We cannot accept these facts as the enduring reality of life in America. Instead, we must together insist that we have had enough, and that we will no longer allow the interests of the gun manufacturers to win out over the safety of our children and Nation.

It is the policy of my Administration that executive departments and agencies (agencies) will pursue every legally available and appropriate action to

reduce gun violence. Through this whole-of-government approach, my Administration has made historic progress to save lives. My Administration has taken action to keep guns out of dangerous hands and especially dangerous weapons off of our streets; hold gun traffickers and rogue gun dealers accountable; fund accountable, effective community policing; and invest in community violence interventions and prevention strategies.

Last year, I signed into law the Bipartisan Safer Communities Act (the ''Act''), the most significant bipartisan gun safety legislation in nearly 30 years. The Act provides communities with new tools to combat gun violence, including enhanced gun background checks for individuals under age 21, funding for extreme risk protection orders and other crisis interventions, and increased mental health resources to help children impacted by gun violence heal from the resulting grief and trauma.

I continue to call on the Congress to take additional action to reduce gun violence, including by banning assault weapons and high-capacity magazines, requiring background checks for all gun sales, requiring safe storage of firearms, funding my comprehensive Safer America Plan, and expanding community violence intervention and prevention strategies. In the meantime, my Administration will continue to do all that we can, within existing authority, to make our communities safer.

Sec. 2. *Implementation of the Bipartisan Safer Communities Act.* The Attorney General, the Secretary of Health and Human Services, the Secretary of Education, and the Secretary of Homeland Security shall each submit a report to the President within 60 days of the date of this order describing what actions their respective agencies have taken to implement the Act, data and analysis regarding the use and early effects of the Act, and additional steps their respective agencies will take to maximize the benefits of the Act. These reports shall include a plan for increasing public awareness and use of resources made available by the Act.

Sec. 3. *Additional Agency Actions to Reduce Gun Violence.* (a) The Attorney General shall develop and implement a plan to:

(i) clarify the definition of who is engaged in the business of dealing in firearms, and thus required to become Federal firearms licensees (FFLs), in order to increase compliance with the Federal background check requirement for firearm sales, including by considering a rulemaking, as appropriate and consistent with applicable law;

(ii) prevent former FFLs whose licenses have been revoked or surrendered from continuing to engage in the business of dealing in firearms;

(iii) publicly release, to the fullest extent permissible by law, inspection reports of FFL dealers cited for violations of the law; and

(iv) support efforts to modernize and make permanent the Undetectable Firearms Act (18 U.S.C. 922(p)).

(b) The Secretary of Defense; the Attorney General; the Secretary of Homeland Security; the Secretary of Health and Human Services, including through the Surgeon General of the United States; the Secretary of Education; and the Secretary of Veterans Affairs shall expand existing Federal campaigns and other efforts to promote safe storage of firearms.

(c) The Secretary of Defense; the Attorney General; the Secretary of Homeland Security; the Secretary of Health and Human Services, including

through the Surgeon General of the United States; and the Secretary of Education shall undertake efforts to encourage effective use of extreme risk protection orders (''red flag'' laws), partnering with law enforcement, health care providers, educators, and other community leaders.

(d) The Attorney General; the Secretary of Health and Human Services, including through the Surgeon General of the United States; the Secretary of Education; the Secretary of Homeland Security; the Director of the Office of Management and Budget; and the heads of other agencies, as appropriate, shall develop a proposal for the President, and submit it no later than September 15, 2023, on how the Federal Government can better support the recovery, mental health, and other needs of survivors of gun violence, families of victims and survivors of gun violence, first responders to incidents of gun violence, and communities affected by gun violence. The proposal should draw on existing evidence, where available, and take into account how to address needs in both the immediate aftermath of mass shootings and in the years following such events. The proposal should recommend any additional executive branch coordination and additional resources or authorities from the Congress needed to implement the proposal, as well as how agencies will assess the outcomes for the activities implemented.

(e) The Secretary of Defense, in consultation with the Attorney General and the Secretary of Homeland Security, shall develop and implement principles to further firearm and public safety practices through the Department of Defense's acquisition of firearms, consistent with applicable law.

(f) The heads of Federal law enforcement agencies shall, as soon as practicable, but no later than 180 days from the date of this order, ensure that their respective law enforcement components issue National Integrated Ballistic Information Network (NIBIN) submission and utilization policies with requirements that are equivalent to, or exceed, the requirements of the policy issued by the Department of Justice on December 12, 2022, to ensure the prompt entry of ballistics data recovered in connection with criminal investigations into NIBIN. In consultation with the Department of Justice, the Department of Defense policies may be tailored to address specific operational considerations.

(g) The Secretary of Transportation, in consultation with the Department of Justice, shall work to reduce the loss or theft of firearms during shipment between FFLs and to improve reporting of such losses or thefts, including by engaging with carriers and shippers.

(h) The Federal Trade Commission is encouraged to issue a public report analyzing how gun manufacturers market firearms to minors and how such manufacturers market firearms to civilians, including through the use of military imagery.

Sec. 4. *Definitions.* For purposes of this order, the term ''Federal law enforcement agency'' means an organizational unit or subunit of the executive branch that employs officers who are authorized to make arrests and carry firearms, and that is responsible for the prevention, detection, and investigation of crime or the apprehension of alleged offenders. The term ''heads of Federal law enforcement agencies'' means the heads of those units or subunits.

Sec. 5. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
March 14, 2023.

Executive Order 14093 of March 27, 2023

Prohibition on Use by the United States Government of Commercial Spyware That Poses Risks to National Security

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.* Technology is central to the future of our national security, economy, and democracy. The United States has fundamental national security and foreign policy interests in (1) ensuring that technology is developed, deployed, and governed in accordance with universal human rights; the rule of law; and appropriate legal authorization, safeguards, and oversight, such that it supports, and does not undermine, democracy, civil rights and civil liberties, and public safety; and (2) mitigating, to the greatest extent possible, the risk emerging technologies may pose to United States Government institutions, personnel, information, and information systems.

To advance these interests, the United States supports the development of an international technology ecosystem that protects the integrity of international standards development; enables and promotes the free flow of data and ideas with trust; protects our security, privacy, and human rights; and enhances our economic competitiveness. The growing exploitation of Americans' sensitive data and improper use of surveillance technology, including commercial spyware, threatens the development of this ecosystem. Foreign governments and persons have deployed commercial spyware against United States Government institutions, personnel, information, and information systems, presenting significant counterintelligence and security risks to the United States Government. Foreign governments and persons have also used commercial spyware for improper purposes, such as to target and intimidate perceived opponents; curb dissent; limit freedoms of expression, peaceful assembly, or association; enable other human rights

abuses or suppression of civil liberties; and track or target United States persons without proper legal authorization, safeguards, or oversight.

The United States has a fundamental national security and foreign policy interest in countering and preventing the proliferation of commercial spyware that has been or risks being misused for such purposes, in light of the core interests of the United States in protecting United States Government personnel and United States citizens around the world; upholding and advancing democracy; promoting respect for human rights; and defending activists, dissidents, and journalists against threats to their freedom and dignity. To advance these interests and promote responsible use of commercial spyware, the United States must establish robust protections and procedures to ensure that any United States Government use of commercial spyware helps protect its information systems and intelligence and law enforcement activities against significant counterintelligence or security risks; aligns with its core interests in promoting democracy and democratic values around the world; and ensures that the United States Government does not contribute, directly or indirectly, to the proliferation of commercial spyware that has been misused by foreign governments or facilitate such misuse.

Therefore, I hereby establish as the policy of the United States Government that it shall not make operational use of commercial spyware that poses significant counterintelligence or security risks to the United States Government or significant risks of improper use by a foreign government or foreign person. In furtherance of the national security and foreign policy interests of the United States, this order accordingly directs steps to implement that policy and protect the safety and security of United States Government institutions, personnel, information, and information systems; discourage the improper use of commercial spyware; and encourage the development and implementation of responsible norms regarding the use of commercial spyware that are consistent with respect for the rule of law, human rights, and democratic norms and values. The actions directed in this order are consistent with the policy objectives set forth in section 6318 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (NDAA FY 2023) (Public Law 117–263) and section 5502 of the National Defense Authorization Act for Fiscal Year 2022 (NDAA FY 2022) (Public Law 117–81).

Sec. 2. *Prohibition on Operational Use.* (a) Executive departments and agencies (agencies) shall not make operational use of commercial spyware where they determine, based on credible information, that such use poses significant counterintelligence or security risks to the United States Government or that the commercial spyware poses significant risks of improper use by a foreign government or foreign person. For the purposes of this use prohibition:

(i) Commercial spyware may pose counterintelligence or security risks to the United States Government when:

(A) a foreign government or foreign person has used or acquired the commercial spyware to gain or attempt to gain access to United States Government computers or the computers of United States Government personnel without authorization from the United States Government; or

(B) the commercial spyware was or is furnished by an entity that:

(1) maintains, transfers, or uses data obtained from the commercial spyware without authorization from the licensed end-user or the United States Government;

(2) has disclosed or intends to disclose non-public United States Government information or non-public information about the activities of the United States Government without authorization from the United States Government; or

(3) is under the direct or effective control of a foreign government or foreign person engaged in intelligence activities, including surveillance or espionage, directed against the United States.

(ii) Commercial spyware may pose risks of improper use by a foreign government or foreign person when:

(A) the commercial spyware, or other commercial spyware furnished by the same vendor, has been used by a foreign government or foreign person for any of the following purposes:

(1) to collect information on activists, academics, journalists, dissidents, political figures, or members of non-governmental organizations or marginalized communities in order to intimidate such persons; curb dissent or political opposition; otherwise limit freedoms of expression, peaceful assembly, or association; or enable other forms of human rights abuses or suppression of civil liberties; or

(2) to monitor a United States person, without such person's consent, in order to facilitate the tracking or targeting of the person without proper legal authorization, safeguards, and oversight; or

(B) the commercial spyware was furnished by an entity that provides commercial spyware to governments for which there are credible reports in the annual country reports on human rights practices of the Department of State that they engage in systematic acts of political repression, including arbitrary arrest or detention, torture, extrajudicial or politically motivated killing, or other gross violations of human rights, consistent with any findings by the Department of State pursuant to section 5502 of the NDAA FY 2022 or other similar findings.

(iii) In determining whether the operational use of commercial spyware poses significant counterintelligence or security risks to the United States Government or poses significant risks of improper use by a foreign government or foreign person, such that operational use should be prohibited, agencies shall consider, among other relevant considerations, whether the entity furnishing the commercial spyware knew or reasonably should have known that the spyware posed risks described in subsections (a)(i) or (ii) of this section, and whether the entity has taken appropriate measures to remove such risks, such as canceling relevant licensing agreements or contracts that present such risks; taking other verifiable action to prevent continuing uses that present such risks; or cooperating in United States Government efforts to counter improper use of the spyware.

(b) An agency shall not request or directly enable a third party to make operational use of commercial spyware where the agency has determined that such use poses significant counterintelligence or security risks to the United States Government or that the commercial spyware poses significant

risks of improper use by a foreign government or foreign person, as described in subsection (a) of this section. For purposes of this order, the term ''operational use'' includes such indirect use.

(c) To facilitate effective interagency coordination of information relevant to the factors set forth in subsection (a) of this section and to promote consistency of application of this order across the United States Government, the Director of National Intelligence (DNI) shall, within 90 days of the date of this order, and on a semiannual basis thereafter, issue a classified intelligence assessment that integrates relevant information—including intelligence, open source, financial, sanctions-related, and export controls-related information—on foreign commercial spyware or foreign government or foreign person use of commercial spyware relevant to the factors set forth in subsection (a) of this section. The intelligence assessment shall incorporate, but not be limited to, the report and assessment required by section 1102A(b) of the National Security Act of 1947, 50 U.S.C. 3001 *et seq.,* as amended by section 6318(c) of the NDAA FY 2023. In order to facilitate the production of the intelligence assessment, the head of each agency shall, on an ongoing basis, provide the DNI all new credible information obtained by the agency on foreign commercial spyware vendors or foreign government or foreign person use of commercial spyware relevant to the factors set forth in subsection (a) of this section. Such information shall include intelligence, open source, financial, sanctions-related, export controls-related, and due diligence information, as well as information relevant to the development of the list of covered contractors developed or maintained pursuant to section 5502 of the NDAA FY 2022 or other similar information.

(d) Any agency that makes a determination of whether operational use of a commercial spyware product is prohibited under subsection (a) of this section shall provide the results of that determination and key elements of the underlying analysis to the DNI. After consulting with the submitting agency to protect operational sensitivities, the DNI shall incorporate this information into the intelligence assessment described in subsection (c) of this section and, as needed, shall make this information available to other agencies consistent with section 3(b) of this order.

(e) The Assistant to the President for National Security Affairs (APNSA), or a designee, shall, within 30 days of the issuance of the intelligence assessment described in subsection (c) of this section, and additionally as the APNSA or designee deems necessary, convene agencies to discuss the intelligence assessment, as well as any other information about commercial spyware relevant to the factors set forth in subsection (a) of this section, in order to ensure effective interagency awareness and sharing of such information.

(f) For any commercial spyware intended by an agency for operational use, a relevant official, as provided in section 5(k) of this order, shall certify the determination that the commercial spyware does not pose significant counterintelligence or security risks to the United States Government or significant risks of improper use by a foreign government or foreign person based on the factors set forth in subsection (a) of this section. The obligation to certify such a determination shall not be delegated, except as provided in section 5(k) of this order.

(g) If an agency decides to make operational use of commercial spyware, the head of the agency shall notify the APNSA of such decision, describing the due diligence completed before the decision was made, providing relevant information on the agency's consideration of the factors set forth in subsection (a) of this section, and providing the reasons for the agency's determination. The agency may not make operational use of the commercial spyware until at least 7 days after providing this information or until the APNSA has notified the agency that no further process is required.

(h) Within 90 days of the issuance of the intelligence assessment described in subsection (c) of this section, each agency shall review all existing operational uses of commercial spyware and discontinue, as soon as the head of the agency determines is reasonably possible without compromising ongoing operations, operational use of any commercial spyware that the agency determines poses significant counterintelligence or security risks to the United States Government or significant risks of improper use by a foreign government or foreign person, pursuant to subsection (a) of this section.

(i) Within 180 days of the date of this order, each agency that may make operational use of commercial spyware shall develop appropriate internal controls and oversight procedures for conducting determinations under subsection (a) of this section, as appropriate and consistent with applicable law.

(j) At any time after procuring commercial spyware for operational use, if the agency obtains relevant information with respect to the factors set forth in subsection (a) of this section, the agency shall determine whether the commercial spyware poses significant counterintelligence or security risks to the United States Government or significant risks of improper use by a foreign government or foreign person, and, if so, shall terminate such operational use as soon as the head of the agency determines is reasonably possible without compromising ongoing operations, and shall notify the DNI and the APNSA.

(k) The Federal Acquisition Security Council shall consider the intelligence assessment described in subsection (c) of this section in evaluating whether commercial spyware poses a supply chain risk, as appropriate and consistent with applicable law, including 41 CFR Part 201–1 and 41 U.S.C. 1323.

(l) The prohibitions contained in this section shall not apply to the use of commercial spyware for purposes of testing, research, analysis, cybersecurity, or the development of countermeasures for counterintelligence or security risks, or for purposes of a criminal investigation arising out of the criminal sale or use of the spyware.

(m) A relevant official, as provided in section 5(k) of this order, may issue a waiver, for a period not to exceed 1 year, of an operational use prohibition determined pursuant to subsection (a) of this section if the relevant official determines that such waiver is necessary due to extraordinary circumstances and that no feasible alternative is available to address such circumstances. This authority shall not be delegated, except as provided in section 5(k) of this order. A relevant official may, at any time, revoke any waiver previously granted. Within 72 hours of making a determination to issue or revoke a waiver pursuant to this subsection, the relevant official who has issued or revoked the waiver shall notify the President, through

the APNSA, of this determination, including the justification for the determination. The relevant official shall provide this information concurrently to the DNI.

Sec. 3. *Application to Procurement.* An agency seeking to procure commercial spyware for any purpose other than for a criminal investigation arising out of the criminal sale or use of the spyware shall, prior to making such procurement and consistent with its existing statutory and regulatory authorities:

(a) review the intelligence assessment issued by the DNI pursuant to section 2(c) of this order;

(b) request from the DNI any additional information regarding the commercial spyware that is relevant to the factors set forth in section 2(a) of this order;

(c) consider the factors set forth in section 2(a) of this order in light of the information provided by the DNI; and

(d) consider whether any entity furnishing the commercial spyware being considered for procurement has implemented reasonable due diligence procedures and standards—such as the industry-wide norms reflected in relevant Department of State guidance on business and human rights and on transactions linked to foreign government end-users for products or services with surveillance capabilities—and controls that would enable the entity to identify and prevent uses of the commercial spyware that pose significant counterintelligence or security risks to the United States Government or significant risks of improper use by a foreign government or foreign person.

Sec. 4. *Reporting Requirements.* (a) The head of each agency that has procured commercial spyware, upon completing the review described in section 2(h) of this order, shall submit to the APNSA a report describing the review's findings. If the review identifies any existing operational use of commercial spyware, as defined in this order, the agency report shall include:

(i) a description of such existing operational use;

(ii) a determination of whether the commercial spyware poses significant counterintelligence or security risks to the United States Government or significant risks of improper use by a foreign government or foreign person, along with key elements of the underlying analysis, pursuant to section 2(a) of this order; and

(iii) in the event the agency determines that the commercial spyware poses significant risks pursuant to section 2(a) of this order, what steps have been taken to terminate its operational use.

(b) Within 45 days of an agency's procurement of any commercial spyware for any use described in section 2(l) of this order except for use in a criminal investigation arising out of the criminal sale or use of the spyware, the head of the agency shall notify the APNSA of such procurement and shall include in the notification a description of the purpose and authorized uses of the commercial spyware.

(c) Within 6 months of the date of this order, the head of each agency that has made operational use of commercial spyware or has procured commercial spyware for operational use shall submit to the APNSA a report on

the actions that the agency has taken to implement this order, including the internal controls and oversight procedures the agency has developed pursuant to section 2(i) of this order.

(d) Within 1 year of the date of this order, and on an annual basis thereafter, the head of each agency that has procured commercial spyware for operational use shall provide the APNSA a report that identifies:

(i) any existing operational use of commercial spyware and the reasons why it does not pose significant counterintelligence or security risks to the United States Government or significant risks of improper use by a foreign government or foreign person, pursuant to section 2(a) of this order;

(ii) any operational use of commercial spyware that was terminated during the preceding year because it was determined to pose significant risks pursuant to section 2(a) of this order, the circumstances under which this determination was made, and the steps taken to terminate such use; and

(iii) any purchases made of commercial spyware, and whether they were made for operational use, during the preceding year.

Sec. 5. *Definitions.* For purposes of this order:

(a) The term ''agency'' means any authority of the United States that is an ''agency'' under 44 U.S.C. 3502(1), other than those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(5).

(b) The term ''commercial spyware'' means any end-to-end software suite that is furnished for commercial purposes, either directly or indirectly through a third party or subsidiary, that provides the user of the software suite the capability to gain remote access to a computer, without the consent of the user, administrator, or owner of the computer, in order to:

(i) access, collect, exploit, extract, intercept, retrieve, or transmit content, including information stored on or transmitted through a computer connected to the Internet;

(ii) record the computer's audio calls or video calls or use the computer to record audio or video; or

(iii) track the location of the computer.

(c) The term ''computer'' shall have the same meaning as it has in 18 U.S.C. 1030(e)(1).

(d) The term ''entity'' means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization.

(e) The term ''foreign entity'' means an entity that is not a United States entity.

(f) The term ''foreign government'' means any national, state, provincial, or other governing authority, any political party, or any official of any governing authority or political party, in each case of a country other than the United States.

(g) The term ''foreign person'' means a person that is not a United States person.

(h) The term ''furnish,'' when used in connection with commercial spyware, means to develop, maintain, own, operate, manufacture, market,

sell, resell, broker, lease, license, repackage, rebrand, or otherwise make available commercial spyware.

(i) The term ''operational use'' means use to gain remote access to a computer, without the consent of the user, administrator, or owner of the computer, in order to:

(i) access, collect, exploit, extract, intercept, retrieve, or transmit the computer's content, including information stored on or transmitted through a computer connected to the Internet;

(ii) record the computer's audio calls or video calls or use the computer to otherwise record audio or video; or

(iii) track the location of the computer.

The term ''operational use'' does not include those uses described in section 2(l) of this order.

(j) The term ''person'' means an individual or entity.

(k) The term ''relevant official,'' for purposes of sections 2(f) and 2(m) of this order, refers to any of the following: the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, the DNI, the Director of the Central Intelligence Agency, or the Director of the National Security Agency. The Attorney General's obligation under section 2(f) of this order and authority under section 2(m) of this order may be delegated only to the Deputy Attorney General.

(l) The term ''remote access,'' when used in connection with commercial spyware, means access to a computer, the computer's content, or the computer's components by using an external network (e.g., the Internet) when the computer is not in the physical possession of the actor seeking access to that computer.

(m) The term ''United States entity'' means any entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches).

(n) The term ''United States person'' shall have the same meaning as it has in Executive Order 12333 of December 4, 1981 (United States Intelligence Activities), as amended.

(o) The term ''United States Government personnel'' means all United States Government employees as defined by 5 U.S.C. 2105.

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

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) Nothing in this order shall be construed to limit the use of any remedies available to the head of an agency or any other official of the United States Government.

(c) This order shall be implemented consistent with applicable law, including section 6318 of the NDAA FY 2023, as well as applicable procurement laws, and subject to the availability of appropriations.

(d) 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
March 27, 2023.

Executive Order 14094 of April 6, 2023

Modernizing Regulatory Review

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to modernize the regulatory process to advance policies that promote the public interest and address national priorities, it is hereby ordered as follows:

Section 1. *Improving the Effectiveness of the Regulatory Review Process.* (a) This order supplements and reaffirms the principles, structures, and definitions governing contemporary regulatory review established in Executive Order 12866 of September 30, 1993 (Regulatory Planning and Review), and Executive Order 13563 of January 18, 2011 (Improving Regulation and Regulatory Review). Any provisions of those orders not amended in this order shall remain in effect. This order also further implements the Presidential Memorandum of January 20, 2021 (Modernizing Regulatory Review).

(b) Section 3(f) of Executive Order 12866 is hereby amended to read as follows:

''(f) ''Significant regulatory action'' means any regulatory action that is likely to result in a rule that may:

(1) have an annual effect on the economy of $200 million or more (adjusted every 3 years by the Administrator of OIRA for changes in gross domestic product); or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, territorial, or tribal governments or communities;

(2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) raise legal or policy issues for which centralized review would meaningfully further the President's priorities or the principles set forth in this Executive order, as specifically authorized in a timely manner by the Administrator of OIRA in each case.''

Sec. 2. *Affirmative Promotion of Inclusive Regulatory Policy and Public Participation.* (a) To the extent practicable and consistent with applicable law, regulatory actions should be informed by input from interested or affected communities; State, local, territorial, and Tribal officials and agencies; interested or affected parties in the private sector and other regulated

entities; those with expertise in relevant disciplines; and the public as a whole. Opportunities for public participation shall be designed to promote equitable and meaningful participation by a range of interested or affected parties, including underserved communities.

(b) To inform the regulatory planning process, executive departments and agencies (agencies) shall, to the extent practicable and consistent with applicable law:

(i) clarify opportunities for interested persons to petition for the issuance, amendment, or repeal of a rule under 5 U.S.C. 553(e);

(ii) endeavor to respond to such petitions efficiently, in light of agency judgments of available resources and priorities; and

(iii) maintain, subject to available resources, a log of such petitions received, and share with the Administrator of the Office of Information and Regulatory Affairs (OIRA), upon request, information on the status of recently resolved and pending petitions.

(c) To inform the development of regulatory agendas and plans, agencies shall endeavor, as practicable and appropriate, to proactively engage interested or affected parties, including members of underserved communities; consumers; workers and labor organizations; program beneficiaries; businesses and regulated entities; those with expertise in relevant disciplines; and other parties that may be interested or affected. These efforts shall incorporate, to the extent consistent with applicable law, best practices for information accessibility and engagement with interested or affected parties, including, as practicable and appropriate, community-based outreach; outreach to organizations that work with interested or affected parties; use of agency field offices; use of alternative platforms and media for engaging the public; and expansion of public capacity for engaging in the rulemaking process.

(d) The Administrator of OIRA, in consultation with relevant agencies, as appropriate, shall consider guidance or tools to modernize the notice-and-comment process, including through technological changes. These reforms may include guidance or tools to address mass comments, computer-generated comments (such as those generated through artificial intelligence), and falsely attributed comments.

(e) Section 6(b)(4) of Executive Order 12866 establishes a process for persons not employed by the executive branch of the Federal Government to request meetings with OIRA officials regarding the substance of regulatory actions under OIRA review. Public trust in the regulatory process depends on protecting regulatory development from the risk or appearance of disparate and undue influence, including in the OIRA review process. In order to reduce this risk or appearance, the Administrator of OIRA shall, to the extent practicable and consistent with applicable law:

(i) Provide information to facilitate the initiation of meeting requests regarding regulatory actions under OIRA review from potential participants not employed by the executive branch of the Federal Government who have not historically requested such meetings, including those from underserved communities; and

(ii) Implement reforms to improve procedures and policies with respect to OIRA's consideration of meeting requests initiated by persons not employed by the executive branch of the Federal Government regarding the

substance of regulatory actions under OIRA review to further the efficiency and effectiveness of such meetings. These reforms may include:

(A) efforts to ensure access for meeting requesters who have not historically requested such meetings;

(B) discouraging meeting requests that are duplicative of earlier meetings with OIRA regarding the same regulatory action by the same meeting requesters;

(C) consolidation of meetings by requester, subject matter, or any other consistently applied factors deemed appropriate to improve efficiency and effectiveness; and

(D) disclosure of data in an open, machine-readable, and accessible format that includes the dates and names of individuals involved in all substantive meetings and the subject matter discussed during such meetings, as required by section 6(b)(4)(C)(iii) of Executive Order 12866, so as to better facilitate transparency and analysis.

Sec. 3. *Improving Regulatory Analysis.* (a) Regulatory analysis should facilitate agency efforts to develop regulations that serve the public interest, advance statutory objectives, and are consistent with Executive Order 12866, Executive Order 13563, and the Presidential Memorandum of January 20, 2021 (Modernizing Regulatory Review). Regulatory analysis, as practicable and appropriate, shall recognize distributive impacts and equity, to the extent permitted by law.

(b) Within 1 year of the date of this order, the Director of the Office of Management and Budget, through the Administrator of OIRA and in consultation with the Chair of the Council of Economic Advisers and representatives of relevant agencies, shall issue revisions to the Office of Management and Budget's Circular A–4 of September 17, 2003 (Regulatory Analysis), in order to implement the policy set forth in subsection (a) of this section.

Sec. 4. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

April 6, 2023.

Executive Order 14095 of April 18, 2023

Increasing Access to High-Quality Care and Supporting Caregivers

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.* High-quality early care and education and long-term care are critical to our Nation's economic growth and economic security. Early care and education give young children a strong start in life, while long-term care helps older Americans and people with disabilities live, work, and participate in their communities with dignity. Access to both types of care is also critical to our national security because it helps ensure the recruitment, readiness, and retention of our military service members.

Throughout this order, early care and education are collectively referred to as ''child care.'' References to ''care'' that do not specify the type of care refer to both child care and long-term care. References to the ''care workforce'' refer to individuals and businesses working in the fields of child care and long-term care.

A sizeable majority of families and individuals in the United States who require care cannot access the affordable, high-quality care they need. The markets for child care and long-term care for persons with disabilities and older adults who need support in their homes and communities fail to deliver enough high-quality care because of a persistent gap between the costs of providing this care and the prices families can pay. High-quality care is labor intensive and requires skilled workers, and providers have limited ability to reduce costs. As a result, even when high-quality care is available, it costs far more than many families and individuals can afford, causing them to forgo care altogether, seek lower-quality care options, juggle unconventional shifts at work, reduce their own paid work hours, drop out of the labor force, or make other arrangements. Care expenditures represent a significant and increasing share of families' budgets, with child care prices growing by approximately 26 percent and some types of long-term care costs growing by over 40 percent in the last decade. Inadequate supply is exacerbated by high turnover in the care workforce. Care workers—disproportionately women of color—are among the lowest-paid in the country and often have to rely on public benefits despite working complex and demanding jobs. Investments in the care workforce are foundational to helping to retain care workers and improving health and educational outcomes. In recent years, more than half of the long-term care workforce and nearly 20 percent of the child care workforce turned over each year. And the workforce remains 8 percent smaller than before the COVID–19 pandemic.

In 2019, more than three in four United States households that searched for care reported difficulty finding adequate care for their young children, and roughly the same share of center-based child care providers turned families away because they lacked enough child care slots. Similarly, more than three in four long-term care service providers have reported not being able to accept new clients, making it harder for older Americans and people with disabilities to find the care they need. Military families consistently cite access to high-quality child care as an impediment to military spouse employment and family economic security. Difficulty accessing care

also poses a challenge for both spouses—and, as data shows, particularly for women in dual military couples—to continuing their service if they have caregiving responsibilities. The need for long-term care is likely to become more acute as our Nation's population ages. By 2060, there will be approximately twice as many adults over the age of 65 than in 2016, and projections indicate that there will be around 8 million long-term care job openings over the next decade.

Family caregivers provide informal, often unpaid, care to help loved ones live in their homes and communities, including caring for aging family members, people with disabilities, and children. At least 53 million people are family caregivers in the United States—including 5.5 million who are caring for wounded, ill, and injured service members and veterans—and many face challenges due to lack of support, training, and opportunities for rest. Family caregivers include spouses, parents, siblings, adult and minor children, grandparents, and other relatives. Family caregivers reflect the diversity of America's communities, and people can assume family caregiving responsibilities at any stage of life. Without adequate resources, family caregiving can affect caregivers' own physical and emotional health and well-being and contribute to financial strain. These negative consequences are felt most acutely by women, who make up nearly two-thirds of family caregivers and drop out of the workforce at a rate three times higher than men.

It is the policy of my Administration to enable families—including our military and veteran families—to have access to affordable, high-quality care and to have support and resources as caregivers themselves. It is also the policy of my Administration to ensure that the care workforce is supported, valued, and paid well. Additionally, care workers should have the free and fair choice to join a union.

The Congress must provide the transformative investments necessary to increase access to high-quality child care—including preschool and Head Start—and long-term care services, as well as high-quality, well-paying jobs that reflect the value the care workforce provides to families and communities. Such investments include removing barriers and providing the funding needed for Tribal Nations to effectively provide high-quality child care and long-term care.

Nearly every other advanced country makes greater public investments in care than the United States. Investing in care is an investment in the future of America's families, workforce, and economy.

While the Congress must make significant new investments to give families in this country more breathing room when it comes to care, executive departments and agencies (agencies) must do what they can within their existing authorities to boost the supply of high-quality early care and education and long-term care and to provide support for family caregivers. Through this order, I direct agencies to make all efforts to improve jobs and support for caregivers, increase access to affordable care for families, and provide more care options for families.

Sec. 2. *Increasing Compensation and Improving Job Quality for Family Caregivers, Early Educators, and Long-Term Care Workers.* (a) To increase compensation and benefits for early childhood educators and long-term care professionals who are providing federally funded services:

(i) the Secretary of Health and Human Services, through the Administrator for the Centers for Medicare and Medicaid Services (CMS), shall issue guidance to States on ways to use enhanced funding to better connect home- and community-based workers who provide services to Medicaid beneficiaries;

(ii) the Secretary of Health and Human Services shall implement strategies to encourage comparability of compensation and benefits between staff employed by Head Start grant recipients and elementary school teachers;

(iii) the Secretary of Health and Human Services shall expand efforts to improve care workers' access to health insurance; and

(iv) the Secretary of Education shall use grant notices for the Child Care Access Means Parents in School (CCAMPIS) program to encourage grantees to improve quality in funded programs, including by increasing compensation and providing support services for early childhood educators who serve children of students at CCAMPIS colleges using Federal and non-Federal funding as appropriate;

(v) the Department of the Treasury shall conduct outreach on the Saver's Match credit, and the Department of Commerce shall conduct—and the Small Business Administration is encouraged to consider conducting—outreach on potential Federal resources available to assist small businesses in offering retirement plans, including a per-employee credit of up to $1,000, as provided in the SECURE 2.0 Act of 2022 (Division T of Public Law 117–328), in order to ensure that the care workforce, including individuals and small businesses, are aware of Federal retirement assistance for which they may be eligible.

(b) To improve working conditions and job quality in federally assisted child care and long-term care programs, encourage providers to establish incentives to recruit and retain workers, help prevent burnout, make it as easy as possible for care workers to access behavioral health services, and thereby improve the care that individuals receive, the Secretary of Health and Human Services shall:

(i) consider additional actions—such as providing guidance, technical assistance, and provider and resident education—and rulemaking on nursing home staffing transparency to promote adequate staffing at nursing homes, building on the Department of Health and Human Services' efforts to propose minimum standards for staffing adequacy at nursing homes;

(ii) consider additional actions to reduce nursing staff turnover in nursing facilities and improve retention of those staff, advancing the Department of Health and Human Services' efforts to measure and adjust payments based on staff turnover; and

(iii) implement strategies to expand mental health support for the care workforce, including early childhood providers supported through the Child Care and Development Fund (CCDF) and Head Start.

(c) To expand training pathways and professional learning opportunities to increase job quality, improve quality of care, and attract new entrants into the care workforce, the Secretary of Labor and the Secretary of Education, in consultation with the Secretary of Health and Human Services, shall:

(i) encourage recipients of Federal financial assistance to expand opportunities for early childhood educators and long-term care professionals through community college programming, career and technical education, Registered Apprenticeship, pre-apprenticeships leading to Registered Apprenticeship, and other job training and professional development;

(ii) make available innovative funding opportunities, develop and evaluate demonstration projects for care training and educational attainment, and provide technical assistance to State, local, and Tribal partners to improve job quality for care occupations; and

(iii) develop partnerships with key stakeholders, including State, local, Tribal, and territorial governments; unions and labor organizations; State and local workforce development boards; institutions of higher education (including community colleges, Historically Black Colleges and Universities, Tribal Colleges and Universities, and Minority Serving Institutions); aging and disability networks; and national- and community-based organizations that focus on care (including professional membership organizations).

(d) To support family caregivers of beneficiaries of Federal health care programs and services, and in conjunction with implementing the 2022 National Strategy to Support Family Caregivers:

(i) the Secretary of Health and Human Services shall, consistent with the criteria set out in section 1115A(b)(2) of the Social Security Act (42 U.S.C. 1315a(b)(2)), consider whether to select for testing by the Center for Medicare and Medicaid Innovation an innovative new health care payment and service delivery model focused on dementia care that would include family caregiver supports such as respite care;

(ii) the Secretary of Health and Human Services shall consider how better to evaluate and clearly set expectations for family caregivers in the Acute Hospital Care at Home program, which allows hospitals to treat in their homes those who would otherwise be hospital inpatients;

(iii) the Secretary of Health and Human Services shall take steps to ensure that hospitals are actively involving family caregivers in the discharge planning process, consistent with CMS condition of participation discharge planning requirements, including by promoting best practices such as partnerships with community-based organizations and using resources from the Administration for Community Living and the Agency for Healthcare Research and Quality;

(iv) the Secretary of Health and Human Services shall increase beneficiary communications and support family caregivers by increasing promotion of the option for Medicare beneficiaries to choose to give family caregivers access to their Medicare information via 1–800–MEDICARE and the State health insurance assistance program networks;

(v) the Secretary of Veterans Affairs shall consider issuing a notice of proposed rulemaking by the end of this fiscal year that would make any appropriate modifications to eligibility criteria for the Program of Comprehensive Assistance for Family Caregivers, which provides services and benefits, including a monthly stipend, for eligible caregivers of veterans who sustained a serious injury or illness in the line of duty; and

(vi) the Secretary of Veterans Affairs shall develop and implement a pilot program to offer psychotherapy via video telehealth to family caregivers within the Program of Comprehensive Assistance for Family Caregivers to improve their access to mental health services.

(e) To improve and expand opportunities through AmeriCorps to encourage more individuals to enter early learning careers, the Chief Executive Officer of AmeriCorps is encouraged to consider:

(i) expanding access to Segal AmeriCorps Education Awards, which AmeriCorps members can use to pay for education and training or reduce their student debt; providing loan forbearance for AmeriCorps members involved in early learning; and providing other benefits to supplement national service activities that support early learning; and

(ii) prioritizing applications that propose to implement or expand high-quality programs focused on early learning and prioritizing projects intended to prepare AmeriCorps members and AmeriCorps Seniors volunteers to enter early learning careers.

(f) To improve jobs of domestic child care and long-term care workers:

(i) the Secretary of Labor shall create and publish in multiple languages, as appropriate, compliance assistance and best practices materials—such as sample employment agreements for domestic child care and long-term care workers and their employers—to promote fair workplaces and ensure the parties know their rights and responsibilities, and shall identify other means to promote employers' adoption of best practices;

(ii) the Secretary of Labor shall work with community and other local partners to expand culturally and linguistically appropriate community outreach and education efforts to domestic child care and long-term care workers in order to combat their exploitation; and

(iii) the Chair of the Equal Employment Opportunity Commission is encouraged to work with the Attorney General, the Secretary of Labor, and the Secretary of Homeland Security to develop materials addressing the employment rights of non-citizen domestic child care and long-term care workers who are legally eligible to work.

(g) To improve data and information on the care workforce:

(i) the Secretary of Labor shall conduct and publish an analysis of early childhood and home care workers' pay in comparison to the pay of other workers with similar levels of training and skill;

(ii) the Secretary of Labor shall issue guidance to help States and localities conduct their own analyses of comparable pay rates for care workers in their respective jurisdictions; and

(iii) the Secretary of Labor and the Secretary of Health and Human Services shall, in consultation with relevant agencies and external experts and organizations, jointly conduct a review to identify gaps in knowledge about the home- and community-based workforce serving people with disabilities and older adults; identify and evaluate existing data sources; and identify opportunities to expand analyses, supplement data, or launch new efforts to provide important data on the home- and community-based care workforce and ensure equity for people with disabilities and older adults. The Secretaries shall publicly release the findings and recommendations of this review no later than April 2024.

Sec. 3. *Making Care More Accessible and Affordable for Families.* (a) To increase access to affordable, high-quality child care and long-term care for workers delivering federally assisted projects:

(i) Agencies shall identify and issue guidance on which agency discretionary, formula, and program-specific funds can be used for child care and long-term care as a supportive service for workers who are being trained for and working on federally funded projects, and in doing so shall consider agency funds made available by the bipartisan Infrastructure Investment and Jobs Act (Public Law 117–58); Public Law 117–169, commonly referred to as the Inflation Reduction Act of 2022; and division A of Public Law 117–167, known as the Creating Helpful Incentives to Produce Semiconductors (CHIPS) Act of 2022.

(ii) With respect to the agency funds identified in subsection (a)(i) of this section:

(A) Agencies shall consider requiring, where appropriate, applicants for Federal job-creation or workforce development funds to provide affordable, accessible, safe, and reliable child care and long-term care for workers carrying out federally assisted projects (including both construction and operating phases where applicable), or shall consider preferencing applicants that use the funds for this purpose or encouraging applicants to use funds for this purpose. Agencies shall provide implementation guidance to relevant program staff and collaborate with the Department of Labor to identify potential support for these actions, including technical assistance for guidance and funding opportunities.

(B) Agencies shall consider providing technical assistance to help funding recipients provide access to child care and long-term care as a supportive service and to connect funding recipients with potential partners, including care associations, community-based organizations, Registered Apprenticeship and pre-apprenticeship programs, and labor unions.

(C) In cases where child care or long-term care is required or encouraged, agencies shall consider collecting information from funding recipients on whether and how they will provide access to child care and long-term care, and how many workers (including apprentices and pre-apprentices) would be affected.

(iii) The Secretary of Labor and the Secretary of Health and Human Services, in consultation with the Secretary of Commerce, shall support the efforts outlined in subsection (a) of this section by issuing guidance and providing technical assistance with best practices and models for how to provide supportive services, including child care and long-term care.

(b) To lower child care costs for families eligible for Federal programs, the Secretary of Health and Human Services shall:

(i) consider issuing regulations to pursue policies to reduce child care costs for families benefiting from CCDF;

(ii) identify potential opportunities to reduce barriers to eligibility for Head Start and CCDF;

(iii) encourage States, through all available avenues, to increase the use of Temporary Assistance for Needy Families funds for basic assistance

and work supports for families—including access to child care—and to spend more funds on cash assistance for families; and

(iv) identify other potential strategies to make child care and Head Start more accessible for those families most in need.

(c) To help more Federal employees access affordable care:

(i) the Director of the Office of Personnel Management shall consider establishing criteria that support equitable and accessible employee participation in child care programs, to include agencies' adoption of income thresholds that are aligned with increasing costs of child care;

(ii) the Director of the Office of Personnel Management shall conduct a review of child care subsidy policy and agency program data to determine the effectiveness of current child care subsidies within the Federal Government;

(iii) the heads of agencies are encouraged to expand employee access to child care services through Federal child care centers, child care subsidies, or contracted care providers; and

(iv) the Department of Defense shall take steps to enhance recruitment and retention of the Department's child development program workers and to improve the affordability of child care for service members by September 2023, in addition to its ongoing efforts as part of the Fourteenth Quadrennial Review of Military Compensation to assess how child care costs impact the ability of the military to attract and retain its workforce.

Sec. 4. *Expanding Options for Families by Building the Supply of Care.* (a) To provide families with more options for high-quality long-term, home-, and community-based care and early learning services:

(i) The Secretary of Health and Human Services shall consider rulemaking to improve access to home- and community-based services under Medicaid. As part of any such rulemaking, the Secretary shall consider taking steps to support provider participation in Medicaid home- and community-based programs.

(ii) The Secretary of Health and Human Services shall issue policies that would support child care providers to give families more options to access high-quality child care providers, and shall update payment practices to improve provider stability and supply.

(iii) The Secretary of Education shall update a guide for schools and districts to expand high-quality early learning programming using Federal funds so that more preschoolers are fully prepared to succeed in school.

(iv) The Secretary of Education and the Secretary of Health and Human Services shall identify and disseminate evidence-based practices for serving children with disabilities and their families in high-quality early childhood education programs, including Head Start. The Secretaries shall also take steps to ensure that services are inclusive of children with disabilities and their families; highlight any resources that are available to aid in that effort, including for preschool-aged children with disabilities under section 619 of the Individuals with Disabilities Education Act (IDEA) and for infants and toddlers with disabilities and their families under Part C of the IDEA; and provide information to support all early childhood programs in meeting their obligations under section 504 of the

Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

(v) The Director of the Bureau of Consumer Financial Protection is encouraged to consider developing financial guidance resources that support families during their care planning.

(vi) The Secretary of Health and Human Services shall take steps to streamline processes for Tribes to use CCDF and Head Start funding to construct and improve facilities, including facilities that are jointly funded.

(vii) The 12 agencies that signed the October 2022 Memorandum of Agreement to implement Public Law 102–477 (the ''Tribal 477 Program'') shall increase the effectiveness of Tribal employment and training programs to ensure child care can be used as a support for families by reducing and streamlining administrative requirements, including through consolidation of budgeting, reporting, and auditing systems.

(b) To expand options for quality home- and community-based services to veterans:

(i) The Secretary of Veterans Affairs shall consider expanding the existing Veteran Directed Care Program—which provides veterans who need help with daily living with a budget to spend on home- and community-based services including personal care services—to all Department of Veterans Affairs Medical Centers by the end of Fiscal Year 2024, and shall consider developing an implementation plan for this expansion by June 2023.

(ii) The Secretary of Veterans Affairs shall consider designing and evaluating a pilot program in no fewer than five veteran sites or in five States for a new Co-Employer Option for delivering veteran home health services. Features of the program may include allowing veterans to choose who provides their care and to determine when and how that care is delivered, and connecting veterans with a third-party agency that would help coordinate administrative tasks and act as an intermediary between veterans and their home health workers. Should the Department of Veterans Affairs implement this pilot program, it shall provide an implementation plan—including cost estimates and evaluation strategy—to the President, through the Assistant to the President for Domestic Policy, before August 31, 2023.

(iii) The Secretary of Veterans Affairs shall consider expanding the Home-Based Primary Care program by adding 75 new interdisciplinary teams to provide care to veterans in their homes.

(c) To increase the supply of providers and options for families by encouraging greater private financial protection, support, and technical assistance for care providers:

(i) the Secretary of the Treasury shall consider providing information to and sharing industry best practices with Community Development Financial Institutions to facilitate capital flows and support to care providers;

(ii) the Administrator of the Small Business Administration is encouraged to consider publishing a guide on how individuals in the care workforce may start and sustainably operate care businesses locally and through Small Business Administration programming; and

(iii) the Director of the Bureau of Consumer Financial Protection is encouraged to consider issuing guidance addressing financial institution practices that may increase the burden on the care workforce, discourage their work, and harm their financial well-being.

(d) To build the capacity of local communities to better coordinate and deliver care:

(i) the Secretary of Health and Human Services shall review existing policies to identify opportunities—including among Tribal communities—to increase the capacity of community care entities by providing operational support to these networks of providers; and

(ii) the Secretary of Agriculture shall use the Rural Partners Network and issue guidance developed in partnership with the Secretary of Health and Human Services to promote opportunities—including by hosting workshops—to increase access to child care and long-term care in rural and Tribal communities.

(e) To make the delivery and design of Federal care assistance and programs work better for families, the care workforce, and people seeking care, the Secretaries of the Treasury, Defense, Agriculture, Labor, Health and Human Services, Education, and Veterans Affairs shall consider—and the Administrator of the Small Business Administration is encouraged to consider—prioritizing engagement with parents, guardians, and other relatives with care responsibilities; individuals receiving long-term care; State and local care experts; care providers and workers; employers; and labor unions.

Sec. 5. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) Where not already specified, independent agencies are encouraged to comply with the requirements of this order.

(d) 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

April 18, 2023.

Executive Order 14096 of April 21, 2023

Revitalizing Our Nation's Commitment to Environmental Justice for All

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to advance environmental justice, it is hereby ordered as follows:

Section 1. *Policy*. To fulfill our Nation's promises of justice, liberty, and equality, every person must have clean air to breathe; clean water to drink; safe and healthy foods to eat; and an environment that is healthy, sustainable, climate-resilient, and free from harmful pollution and chemical exposure. Restoring and protecting a healthy environment—wherever people live, play, work, learn, grow, and worship—is a matter of justice and a fundamental duty that the Federal Government must uphold on behalf of all people.

We must advance environmental justice for all by implementing and enforcing the Nation's environmental and civil rights laws, preventing pollution, addressing climate change and its effects, and working to clean up legacy pollution that is harming human health and the environment. Advancing environmental justice will require investing in and supporting culturally vibrant, sustainable, and resilient communities in which every person has safe, clean, and affordable options for housing, energy, and transportation. It is also necessary to prioritize building an equitable, inclusive, and sustainable economy that offers economic opportunities, workforce training, and high-quality and well-paying jobs, including union jobs, and facilitating an equitable transition of the workforce as part of a clean energy future. Achieving this vision will also require improving equitable access to parks, tree cover, playgrounds, sports fields, rivers, ponds, beaches, lakes, and all of the benefits provided by nature, including America's public lands and waters. Pursuing these and other objectives integral to advancing environmental justice can successfully occur only through meaningful engagement and collaboration with underserved and overburdened communities to address the adverse conditions they experience and ensure they do not face additional disproportionate burdens or underinvestment.

We have more work to do to make environmental justice a reality for our Nation, both for today and for the generations that will follow us. Even as many communities in the United States have prospered and thrived in recent decades, many other communities have been left behind. Communities with environmental justice concerns face entrenched disparities that are often the legacy of racial discrimination and segregation, redlining, exclusionary zoning, and other discriminatory land use decisions or patterns. These decisions and patterns may include the placement of polluting industries, hazardous waste sites, and landfills in locations that cause cumulative impacts to the public health of communities and the routing of highways and other transportation corridors in ways that divide neighborhoods. These remnants of discrimination persist today. Communities with environmental justice concerns exist in all areas of the country, including urban and rural areas and areas within the boundaries of Tribal Nations and United States Territories. Such communities are found in geographic locations that have a significant proportion of people who have low incomes

or are otherwise adversely affected by persistent poverty or inequality. Such communities are also found in places with a significant proportion of people of color, including individuals who are Black, Latino, Indigenous and Native American, Asian American, Native Hawaiian, and Pacific Islander. Communities with environmental justice concerns also include geographically dispersed and mobile populations, such as migrant farmworkers.

Communities with environmental justice concerns experience disproportionate and adverse human health or environmental burdens. These burdens arise from a number of causes, including inequitable access to clean water, clean air, natural places, and resources for other basic human health and environmental needs; the concentration of pollution, hazardous waste, and toxic exposures; and underinvestment in affordable housing that is safe and healthy and in basic infrastructure and services to support such housing, including safe drinking water and effective sewage management. The cumulative impacts of exposure to those types of burdens and other stressors, including those related to climate change and the environment, further disadvantage communities with environmental justice concerns. People in these communities suffer from poorer health outcomes and have lower life expectancies than those in other communities in our Nation. Moreover, gaps in environmental and human health data can conceal these harms from public view, and, in doing so, are themselves a persistent and pernicious driver of environmental injustice.

Nearly three decades after the issuance of Executive Order 12898 of February 11, 1994 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations), the Federal Government must build upon and strengthen its commitment to deliver environmental justice to all communities across America. Our Nation needs an ambitious approach to environmental justice that is informed by scientific research, high-quality data, and meaningful Federal engagement with communities with environmental justice concerns and that uses the tools available to the Federal Government, including enforcement of civil rights and environmental laws. Our Nation must also take further steps to dismantle racial discrimination and institutional bias that disproportionately affect the health, environment, safety, and resiliency of communities with environmental justice concerns.

To ensure that the Nation's policies and investments respond to the needs of every community, all people should be afforded the opportunity to meaningfully participate in agency decision-making processes that may affect the health of their community or environment. The Federal Government must continue to remove barriers to the meaningful involvement of the public in such decision-making, particularly those barriers that affect members of communities with environmental justice concerns, including those related to disability, language access, and lack of resources. The Federal Government must also continue to respect Tribal sovereignty and support self-governance by ensuring that Tribal Nations are consulted on Federal policies that have Tribal implications. In doing so, we must recognize, honor, and respect the different cultural practices—including subsistence practices, ways of living, Indigenous Knowledge, and traditions—in communities across America. As our Nation reaffirms our commitment to environmental justice, the Federal Government must continue to be transparent about, and accountable for, its actions.

It is the policy of my Administration to pursue a whole-of-government approach to environmental justice. This order builds upon my Administration's ongoing efforts to advance environmental justice and equity consistent with Executive Order 13985 of January 20, 2021 (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government), Executive Order 13990 of January 20, 2021 (Protecting Public Health and the Environment and Restoring Science To Tackle the Climate Crisis), Executive Order 14008 of January 27, 2021 (Tackling the Climate Crisis at Home and Abroad), Executive Order 14052 of November 15, 2021 (Implementation of the Infrastructure Investment and Jobs Act), Executive Order 14057 of December 8, 2021 (Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability), Executive Order 14082 of September 12, 2022 (Implementation of the Energy and Infrastructure Provisions of the Inflation Reduction Act of 2022), and Executive Order 14091 of February 16, 2023 (Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government). This order also supplements the foundational efforts of Executive Order 12898 to address environmental justice. In partnership with State, Tribal, territorial, and local governments, as well as community organizations, businesses, and members of the public, the Federal Government will advance environmental justice and help create a more just and sustainable future for all.

Sec. 2. *Definitions*. As used in this order:

(a) ''Agency'' means an executive agency as defined by 5 U.S.C. 105, excluding the Government Accountability Office and independent regulatory agencies, as defined in 44 U.S.C. 3502(5).

(b) ''Environmental justice'' means the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability, in agency decision-making and other Federal activities that affect human health and the environment so that people:

(i) are fully protected from disproportionate and adverse human health and environmental effects (including risks) and hazards, including those related to climate change, the cumulative impacts of environmental and other burdens, and the legacy of racism or other structural or systemic barriers; and

(ii) have equitable access to a healthy, sustainable, and resilient environment in which to live, play, work, learn, grow, worship, and engage in cultural and subsistence practices.

(c) ''Federal activity'' means any agency rulemaking, guidance, policy, program, practice, or action that affects or has the potential to affect human health and the environment, including an agency action related to climate change. Federal activities may include agency actions related to: assuring compliance with applicable laws; licensing, permitting, and the reissuance of licenses and permits; awarding, conditioning, or oversight of Federal funds; and managing Federal resources and facilities. This may also include such activities in the District of Columbia and the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the U.S. Virgin Islands, and other Territories and possessions of the United States.

(d) ''Tribal Nation'' means an American Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges as a federally recognized Tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. 5130, 5131.

Sec. 3. *Government-Wide Approach to Environmental Justice*. (a) Consistent with section 1–101 of Executive Order 12898 and each agency's statutory authority, each agency should make achieving environmental justice part of its mission. Each agency shall, as appropriate and consistent with applicable law:

(i) identify, analyze, and address disproportionate and adverse human health and environmental effects (including risks) and hazards of Federal activities, including those related to climate change and cumulative impacts of environmental and other burdens on communities with environmental justice concerns;

(ii) evaluate relevant legal authorities and, as available and appropriate, take steps to address disproportionate and adverse human health and environmental effects (including risks) and hazards unrelated to Federal activities, including those related to climate change and cumulative impacts of environmental and other burdens on communities with environmental justice concerns;

(iii) identify, analyze, and address historical inequities, systemic barriers, or actions related to any Federal regulation, policy, or practice that impair the ability of communities with environmental justice concerns to achieve or maintain a healthy and sustainable environment;

(iv) identify, analyze, and address barriers related to Federal activities that impair the ability of communities with environmental justice concerns to receive equitable access to human health or environmental benefits, including benefits related to natural disaster recovery and climate mitigation, adaptation, and resilience;

(v) evaluate relevant legal authorities and, as available and appropriate, take steps to provide, in consultation with unions and employers, opportunities for workforce training and to support the creation of high-quality and well-paying jobs, including union jobs, for people who are part of communities with environmental justice concerns;

(vi) evaluate relevant legal authorities and, where available and appropriate, consider adopting or requiring measures to avoid, minimize, or mitigate disproportionate and adverse human health and environmental effects (including risks) and hazards of Federal activities on communities with environmental justice concerns, to the maximum extent practicable, and to address any contribution of such Federal activities to adverse effects—including cumulative impacts of environmental and other burdens—already experienced by such communities;

(vii) provide opportunities for the meaningful engagement of persons and communities with environmental justice concerns who are potentially affected by Federal activities, including by:

(A) providing timely opportunities for members of the public to share information or concerns and participate in decision-making processes;

(B) fully considering public input provided as part of decision-making processes;

(C) seeking out and encouraging the involvement of persons and communities potentially affected by Federal activities by:

(1) ensuring that agencies offer or provide information on a Federal activity in a manner that provides meaningful access to individuals with limited English proficiency and is accessible to individuals with disabilities;

(2) providing notice of and engaging in outreach to communities or groups of people who are potentially affected and who are not regular participants in Federal decision-making; and

(3) addressing, to the extent practicable and appropriate, other barriers to participation that individuals may face; and

(D) providing technical assistance, tools, and resources to assist in facilitating meaningful and informed public participation, whenever practicable and appropriate;

(viii) continue to engage in consultation on Federal activities that have Tribal implications and potentially affect human health or the environment, pursuant to Executive Order 13175 of November 6, 2000 (Consultation and Coordination With Indian Tribal Governments), the Presidential Memorandum of January 26, 2021 (Tribal Consultation and Strengthening Nation-to-Nation Relationships), and the Presidential Memorandum of November 30, 2022 (Uniform Standards for Tribal Consultation), and fulfill obligations established pursuant to Executive Order 13007 of May 24, 1996 (Indian Sacred Sites);

(ix) carry out environmental reviews under the National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.*, consistent with the statute and its implementing regulations and through the exercise of the agency's expertise and technical judgment, in a manner that:

(A) analyzes direct, indirect, and cumulative effects of Federal actions on communities with environmental justice concerns;

(B) considers best available science and information on any disparate health effects (including risks) arising from exposure to pollution and other environmental hazards, such as information related to the race, national origin, socioeconomic status, age, disability, and sex of the individuals exposed; and

(C) provides opportunities for early and meaningful involvement in the environmental review process by communities with environmental justice concerns potentially affected by a proposed action, including when establishing or revising agency procedures under NEPA;

(x) in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, and agency regulations, ensure that all programs or activities receiving Federal financial assistance that potentially affect human health or the environment do not directly, or through contractual or other arrangements, use criteria, policies, practices, or methods of administration that discriminate on the basis of race, color, or national origin;

(xi) ensure that the public, including members of communities with environmental justice concerns, has adequate access to information on Federal activities, including planning, regulatory actions, implementation, permitting, compliance, and enforcement related to human health or the environment, when required under the Freedom of Information Act, 5

U.S.C. 552; the Government in the Sunshine Act, 5 U.S.C. 552b; the Clean Air Act, 42 U.S.C. 7401 *et seq.*; the Clean Water Act, 33 U.S.C. 1251 *et seq.*; the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), 42 U.S.C. 11001 *et seq.*; or other environmental statutes with public information provisions;

(xii) improve collaboration and communication with State, Tribal, territorial, and local governments on programs and activities to advance environmental justice;

(xiii) encourage and, to the extent permitted by law, ensure that Government-owned, contractor-operated facilities take appropriate steps to implement the directives of this order;

(xiv) consider ways to encourage and, as appropriate, ensure that recipients of Federal funds—including recipients of block grant funding—and entities subject to contractual, licensing, or other arrangements with Federal agencies advance environmental justice;

(xv) develop internal mechanisms to achieve the goals of this order, including by:

(A) creating performance metrics and other means of accountability;

(B) identifying and dedicating staff, funding, and other resources; and

(C) providing appropriate professional development and training of agency staff; and

(xvi) consistent with section 2–2 of Executive Order 12898, ensure that Federal activities do not have the effect of:

(A) excluding persons, including populations, from participation in Federal activities on the basis of their race, color, or national origin;

(B) denying persons, including populations, the benefits of Federal activities on the basis of their race, color, or national origin; or

(C) subjecting persons, including populations, to discrimination on the basis of their race, color, or national origin.

(b) The Administrator of the Environmental Protection Agency (EPA) shall:

(i) in carrying out responsibilities under section 309 of the Clean Air Act, 42 U.S.C. 7609, assess whether each agency analyzes and avoids or mitigates disproportionate human health and environmental effects on communities with environmental justice concerns; and

(ii) report annually to the Chair of the Council on Environmental Quality (CEQ) and the White House Environmental Justice Interagency Council (Interagency Council) described in section 7 of this order on EPA's Clean Air Act section 309 reviews regarding communities with environmental justice concerns and provide recommendations on legislative, regulatory, or policy options to advance environmental justice in Federal decision-making.

(c) In carrying out assigned responsibilities under Executive Order 12250 of November 2, 1980 (Leadership and Coordination of Nondiscrimination Laws), the Attorney General shall assess agency efforts to ensure compliance with civil rights laws in programs and activities receiving Federal financial assistance that potentially affect human health or the environment

and shall report annually based on publicly available information to the Chair of CEQ regarding any relevant pending or closed litigation.

Sec. 4. *Environmental Justice Strategic Plans*. (a) No later than 18 months after the date of this order and every 4 years thereafter, each agency shall submit to the Chair of CEQ and make available to the public online an Environmental Justice Strategic Plan.

(b) Each Environmental Justice Strategic Plan shall, based on guidance provided by the Chair of CEQ under section 9 of this order, set forth the agency's vision, goals, priority actions, and metrics to address and advance environmental justice and to fulfill the directives of this order, including through the identification of new staffing, policies, regulations, or guidance documents.

(c) Each Environmental Justice Strategic Plan shall also identify and address opportunities through regulations, policies, permits, or other means to improve accountability and compliance with any statute the agency administers that affects the health and environment of communities with environmental justice concerns. Such measures may include:

(i) increasing public reporting by regulated entities;

(ii) expanding use of pollution measurement and other environmental impact or compliance assessment tools such as fenceline monitoring;

(iii) improving the effectiveness of remedies to provide relief to individuals and communities with environmental justice concerns, such as remedies that penalize and deter violations and promote future compliance, including harm mitigation and corrective action; and

(iv) considering whether to remove exemptions or waivers that may undermine the achievement of human health or environmental standards.

(d) No later than 2 years after the submission of an Environmental Justice Strategic Plan, each agency shall submit to the Chair of CEQ, and make available to the public, an Environmental Justice Assessment that evaluates, based on guidance provided by the Chair of CEQ under section 9 of this order, the effectiveness of the agency's Environmental Justice Strategic Plan. The Environmental Justice Assessment shall include an evaluation of:

(i) the agency's progress in implementing its Environmental Justice Strategic Plan;

(ii) any barriers to implementing the agency's Environmental Justice Strategic Plan; and

(iii) steps taken to address any barriers identified.

(e) An agency's completion of an Environmental Justice Strategic Plan and Environmental Justice Assessment shall satisfy the requirements of section 1–103 of Executive Order 12898.

(f) The Environmental Justice Scorecard established under section 223(d) of Executive Order 14008 shall address agency progress toward achieving the goals outlined in this order and shall include, among other items, a section on agencies' Environmental Justice Strategic Plans and Environmental Justice Assessments.

(g) The Chair of CEQ may request additional periodic reports, information, or evaluations on environmental justice issues from agencies.

(h) Independent regulatory agencies are strongly encouraged to comply with the provisions of this order and to provide a notice to the Chair of CEQ of their intention to do so. The Chair of CEQ shall make such notices publicly available and maintain a list online of such agencies.

Sec. 5. *Research, Data Collection, and Analysis to Advance Environmental Justice*. (a) To address the need for a coordinated Federal strategy to identify and address gaps in science, data, and research related to environmental justice, the Director of the Office of Science and Technology Policy (OSTP) shall establish an Environmental Justice Subcommittee of the National Science and Technology Council (Environmental Justice Subcommittee).

(i) The Director of OSTP, in consultation with the Chair of CEQ, shall designate at least two co-chairs of the Environmental Justice Subcommittee and may designate additional co-chairs as appropriate. The membership of the Subcommittee shall consist of representatives of agencies invited by the Director, in consultation with the Chair of CEQ.

(ii) The Environmental Justice Subcommittee and the Interagency Council described in section 7 of this order shall hold an annual summit on the connection of science, data, and research with policy and action on environmental justice.

(iii) The Environmental Justice Subcommittee shall prepare, and update biennially, an Environmental Justice Science, Data, and Research Plan (Research Plan) to:

(A) analyze any gaps and inadequacies in data collection and scientific research related to environmental justice, with a focus on gaps and inadequacies that may affect agencies' ability to advance environmental justice, including through the Environmental Justice Strategic Plans required under section 4 of this order;

(B) identify opportunities for agencies to coordinate with the research efforts of State, Tribal, territorial, and local governments; academic institutions; communities; the private sector; the non-profit sector; and other relevant actors to accelerate the development of data, research, and techniques—including consideration of Indigenous Knowledge—to address gaps and inadequacies in data collection and scientific research that may affect agencies' ability to advance environmental justice;

(C) provide recommendations to agencies on the development and use of science, data, and research to support environmental justice policy and the agency responsibilities outlined in section 3 of this order;

(D) provide recommendations to the Chair of CEQ on data sources to include in the Climate and Economic Justice Screening Tool established pursuant to section 222(a) of Executive Order 14008;

(E) provide recommendations to agencies on ethical standards, privacy protections, and other requirements for the development and use of science, data, and research addressed in the Research Plan, including recommendations with respect to engaging in consultation with and obtaining consent of Tribal Nations; and

(F) provide recommendations to agencies on:

(1) encouraging participatory science, such as research or data collection undertaken by communities or the public, and, as appropriate, integrating such science into agency decision-making processes;

(2) taking steps to ensure or encourage, as appropriate, that collections of data related to environmental justice include data from the Territories and possessions of the United States;

(3) improving the public accessibility of research and information produced or distributed by the Federal Government, including through the use of machine-readable formats, where appropriate;

(4) disaggregating environmental risk, exposure, and health data by race, national origin, income, socioeconomic status, age, sex, disability, and other readily accessible and appropriate categories;

(5) identifying and addressing data collection challenges related to patterns of historical or ongoing racial discrimination and bias;

(6) analyzing cumulative impacts (including risks) from multiple sources, pollutants or chemicals, and exposure pathways, and accounting for non-chemical stressors and current and anticipated climate change;

(7) in collaboration with Tribal Nations, as appropriate, collecting, maintaining, and analyzing information on consumption patterns of fish, wildlife, and plants related to subsistence and cultural practices of Tribal and Indigenous populations;

(8) providing opportunities for meaningful engagement for communities with environmental justice concerns on the development and design of data collection and research strategies relevant to those communities; and

(9) implementing sections 3–3 and 4–4 of Executive Order 12898 in an efficient and effective manner.

(b) Consistent with sections 3–3 and 4–4 of Executive Order 12898, each agency shall take appropriate steps, considering the recommendations of the Environmental Justice Subcommittee, to promote the development of research and data related to environmental justice, including enhancing the collection of data, supporting the creation of tools to improve the consideration of environmental justice in decision-making, providing analyses of cumulative impacts and risks, and promoting science needed to inform decisions that advance environmental justice.

(c) When conducting research and data collection in furtherance of the directives in this order and Executive Order 12898, agencies shall comply with applicable regulations and directives, including those related to standards of ethics for the protection of human subjects, such as those set forth in Executive Order 12975 of October 3, 1995 (Protection of Human Research Subjects and Creation of National Bioethics Advisory Commission), and the Presidential Memorandum of January 27, 2021 (Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking).

Sec. 6. *Community Notification on Toxic Chemical Releases*. To ensure that the public, including members of communities with environmental justice concerns, receives timely information about releases of toxic chemicals that may affect them and health and safety measures available to address such releases:

(a) Each agency shall report in accordance with sections 301 through 313 of EPCRA after considering applicable EPA guidance and without regard to the Standard Industrial Classification or North American Industry Classification System delineations.

(b) No later than 6 weeks following a release requiring notification by an agency under section 304(a) of EPCRA, the notifying agency shall hold a public meeting providing the information required under section 304(b)(2) of EPCRA, including information on the nature of the release, known or anticipated health risks, and the proper precautions to take as a result. The agency shall provide notice of a public meeting no later than 72 hours after a release.

(c) The Administrator of EPA shall evaluate available legal authorities and consider any additional steps it may require or encourage non-Federal facilities that report releases under EPCRA to undertake in connection with the report.

(d) The Administrator of EPA shall provide the Environmental Justice Subcommittee established by section 5 of this order with an annual report on trends in data in the Toxic Release Inventory established by section 313 of EPCRA to inform the development of the Research Plan required under section 5(a)(iii) of this order.

Sec. 7. *White House Environmental Justice Interagency Council*. (a) Section 1–102(b) of Executive Order 12898, as amended by section 220(a) of Executive Order 14008, and further amended by section 4(b) of Executive Order 14082, creating the White House Environmental Justice Interagency Council, is amended to read as follows:

''(b) Membership. The Interagency Council shall consist of the following additional members:

(i) the Secretary of State;

(ii) the Secretary of Defense;

(iii) the Attorney General;

(iv) the Secretary of the Interior;

(v) the Secretary of Agriculture;

(vi) the Secretary of Commerce;

(vii) the Secretary of Labor;

(viii) the Secretary of Health and Human Services;

(ix) the Secretary of Housing and Urban Development;

(x) the Secretary of Transportation;

(xi) the Secretary of Energy;

(xii) the Secretary of Veterans Affairs;

(xiii) the Secretary of Homeland Security;

(xiv) the Administrator of the Environmental Protection Agency;

(xv) the Director of the Office of Management and Budget;

(xvi) the Chair of the Council of Economic Advisers;

(xvii) the Administrator of General Services;

(xviii) the Executive Director of the Federal Permitting Improvement Steering Council;

(xix) the Director of the Office of Science and Technology Policy;

(xx) the Assistant to the President and National Climate Advisor;

(xxi) the Assistant to the President for Domestic Policy;

(xxii) the Assistant to the President for Economic Policy;

(xxiii) the Executive Director of the White House Gender Policy Council;

(xxiv) the Senior Advisor to the President for Clean Energy Innovation and Implementation; and

(xxv) other relevant agency heads as determined by the Chair of CEQ.''

(b) Section 1–102(d) of Executive Order 12898, as amended by section 220(a) of Executive Order 14008, is further amended by adding the following sentence at the end: ''The Interagency Council shall support and facilitate interagency collaboration on programs and activities related to environmental justice, including the development of materials for environmental justice training to build the capacity of Federal employees to advance environmental justice and to increase the meaningful participation of individuals from communities with environmental justice concerns in Federal activities.''

(c) Section 1–102(g) of Executive Order 12898, as amended by section 220(a) of Executive Order 14008, is amended to read as follows: ''Officers. The head of each agency on the Interagency Council shall designate an Environmental Justice Officer within the agency with the authority to represent the agency on the Interagency Council and with the responsibility for leading agency planning and implementation of the agency's Environmental Justice Strategic Plan, coordinating with CEQ and other agencies, and performing such other duties related to advancing environmental justice as the head of the agency deems appropriate.''

(d) Section 1–102 of Executive Order 12898, as amended by section 220(a) of Executive Order 14008, is further amended by adding the following at the end:

''(h) Memorandum of Understanding. The Interagency Council shall adopt a Memorandum of Understanding among its members that sets forth the objectives, structure, and planned operations of the Interagency Council.

(i) Public meetings. In coordination with the White House Environmental Justice Advisory Council, the Interagency Council shall hold at least one public meeting per year. The Interagency Council shall prepare, for public review, a summary of the comments and recommendations discussed at public meetings of the Interagency Council.

(j) Clearinghouse. The Administrator of EPA, in coordination with the Interagency Council, shall, no later than March 31, 2024, establish a public, internet-based, whole-of-government clearinghouse composed of culturally and linguistically appropriate and accessible materials related to environmental justice, including:

(i) information describing the activities of the members of the Interagency Council to address issues relating to environmental justice;

(ii) information on technical assistance, tools, and resources to assist communities with environmental justice concerns in building capacity for public participation;

(iii) copies of training materials developed by the Interagency Council or its members to help individuals and employees understand and carry out environmental justice activities; and

(iv) any other information deemed appropriate by the Administrator, in coordination with the Interagency Council.''

(e) Section 5–5(a) of Executive Order 12898 is amended to read as follows: ''The public may submit recommendations to Federal agencies relating to the incorporation of environmental justice principles into Federal agency programs or policies. Each Federal agency shall convey such recommendations to the Interagency Council.''

Sec. 8. *White House Office of Environmental Justice*. (a) The White House Office of Environmental Justice is hereby established within CEQ.

(b) The Office shall be headed by a Federal Chief Environmental Justice Officer, who shall be appointed by the President. The Federal Chief Environmental Justice Officer shall advance environmental justice initiatives, including by coordinating the development of policies, programs, and partnerships to achieve the policies set forth in this order; identifying opportunities for collaboration and coordination with State, Tribal, territorial, and local governments; supporting the Interagency Council; and advising the Chair of CEQ and the Interagency Council on environmental justice matters.

(c) The heads of all agencies shall cooperate with the Federal Chief Environmental Justice Officer and provide such information, support, and assistance as the Federal Chief Environmental Justice Officer may request, as appropriate.

Sec. 9. *Guidance*. Within 6 months of the date of this order, the Chair of CEQ shall issue interim guidance, in consultation with the Interagency Council, to inform agency implementation of this order, and shall request recommendations on the guidance from the White House Environmental Justice Advisory Council established by Executive Order 14008 (Advisory Council). To reduce redundancy and streamline reporting obligations, the interim guidance shall identify ways for agencies to align other related efforts, such as obligations that agencies may have under Executive Order 13985 and Executive Order 14008. Within 18 months of the date of this order, the Chair of CEQ shall issue final guidance after considering any recommendations of the Advisory Council. The Chair of CEQ may revise any guidance, or issue additional guidance under this order, as appropriate, and shall consider any additional recommendations made by the Advisory Council in issuing or revising guidance under this section.

Sec. 10. *Reports to the President*. Within 1 year of the date for the submission of agency Environmental Justice Strategic Plans to the Chair of CEQ under section 4(a) of this order, the Chair shall, after consultation with the Interagency Council and after considering recommendations from the Advisory Council, submit to the President a report that describes the implementation of this order, includes each agency's Environmental Justice Strategic

Plan, provides recommendations for additional steps to advance environmental justice, and, beginning with the second report, also provides any insights gathered from each agency's Environmental Justice Assessment required under section 4(d) of this order.

Sec. 11. *General Provisions*. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
April 21, 2023.

Executive Order 14097 of April 27, 2023

Authority To Order the Ready Reserve of the Armed Forces to Active Duty To Address International Drug Trafficking

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and in furtherance of Executive Order 14059 of December 15, 2021 (Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade), which declared a national emergency to address the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by international drug trafficking, it is hereby ordered as follows:

Section 1. *Emergency Authority*. To provide additional authority to the Secretary of Defense and the Secretary of Homeland Security to respond to the national emergency declared in Executive Order 14059, the authority under section 12302 of title 10, United States Code, is invoked and made available, according to its terms, to the Secretary of Defense and the Secretary of Homeland Security. The Secretaries of the Army, Navy, and Air Force, at the direction of the Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, are authorized to order to active duty such units and individual members of the Ready Reserve under the jurisdiction of the Secretary concerned as the Secretary concerned considers necessary, consistent with the terms of section 12302 of title 10, United States Code.

Sec. 2. *General Provisions*. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
April 27, 2023.

Executive Order 14098 of May 4, 2023

Imposing Sanctions on Certain Persons Destabilizing Sudan and Undermining the Goal of a Democratic Transition

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code,

I, JOSEPH R. BIDEN JR., President of the United States of America, hereby expand the scope of the national emergency declared in Executive Order 13067 of November 3, 1997 (Blocking Sudanese Government Property and Prohibiting Transactions With Sudan), and expanded by Executive Order 13400 of April 26, 2006 (Blocking Property of Persons in Connection With the Conflict in Sudan's Darfur Region), finding that the situation in Sudan, including the military's seizure of power in October 2021 and the outbreak of inter-service fighting in April 2023, constitutes an unusual and extraordinary threat to the national security and foreign policy of the United States.

It is the policy of the United States to support a transition to democracy and civilian transitional government in Sudan, to defend such a transitional government from those who would prevent its initial formation through violence and other methods, and, once formed, to protect it from those who would undermine it. The United States, in cooperation with like-minded partners, will help such a transitional government, when formed, meet the needs of the Sudanese people and prepare for democratic elections.

Accordingly, to address the threat described in this order and to take further steps with respect to this national emergency, I hereby order:

Section 1. (a) All property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter

come within the possession or control of any United States person of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:

(i) any foreign person determined by the Secretary of the Treasury, in consultation with the Secretary of State, to be responsible for, or complicit in, or to have directly or indirectly engaged or attempted to engage in, any of the following:

(A) actions or policies that threaten the peace, security, or stability of Sudan;

(B) actions or policies that obstruct, undermine, delay, or impede, or pose a significant risk of obstructing, undermining, delaying, or impeding, the formation or operation of a civilian transitional government, Sudan's transition to democracy, or a future democratically elected government;

(C) actions or policies that have the purpose or effect of undermining democratic processes or institutions in Sudan;

(D) censorship or other actions or policies that prohibit, limit, or penalize the exercise of freedoms of expression, association, or peaceful assembly by individuals in Sudan, or that limit access to free and independent news or information in or with respect to Sudan;

(E) corruption, including bribery, misappropriation of state assets, and interference with public processes such as government oversight of parastatal budgets and revenues for personal benefit;

(F) serious human rights abuse, including serious human rights abuse related to political repression, in or with respect to Sudan;

(G) the targeting of women, children, or any other civilians through the commission of acts of violence (including killing, maiming, torture, or rape or other sexual violence), abduction, forced displacement, or attacks on schools, hospitals, religious sites, or locations where civilians are seeking refuge, or through conduct that would constitute a serious abuse or violation of human rights or a violation of international humanitarian law;

(H) the obstruction of the activities of United Nations missions—including peacekeeping missions, as well as diplomatic or humanitarian missions—in Sudan, or of the delivery of, distribution of, or access to humanitarian assistance; or

(I) attacks against United Nations missions, including peacekeeping operations;

(ii) any foreign person determined by the Secretary of the Treasury, in consultation with the Secretary of State, to be or have been a leader, official, senior executive officer, or member of the board of directors of any entity:

(A) that has, or whose members have, engaged in any activity described in subsection (a)(i) of this section relating to the tenure of such leader, official, senior executive officer, or member of the board of directors; or

(B) whose property and interests in property are blocked pursuant to this order relating to the tenure of such leader, official, senior executive officer, or member of the board of directors;

(iii) any foreign person determined by the Secretary of the Treasury, in consultation with the Secretary of State, to be a spouse or adult child of any person whose property and interests in property are blocked pursuant to this order;

(iv) any foreign person determined by the Secretary of the Treasury, in consultation with the Secretary of State, to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any activity described in subsection (a)(i) of this section or any person whose property and interests in property are blocked pursuant to this order; or

(v) any foreign person determined by the Secretary of the Treasury, in consultation with the Secretary of State, to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this order.

(b) The prohibitions in subsection (a) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted before the date of this order.

Sec. 2. Following the issuance of a determination by the Secretary of State, in consultation with the Secretary of the Treasury and the Administrator of the United States Agency for International Development, that a civilian transitional government has been formed in Sudan, the Assistant to the President for National Security Affairs shall coordinate, through the interagency process identified in National Security Memorandum 2 of February 4, 2021 (Renewing the National Security Council System), or any successor memorandum, the executive branch actions necessary to implement the policy set forth in this order, including coordinating executive departments and agencies (agencies) to mobilize international assistance to support such a civilian transitional government in implementing political, economic, security, and human rights-related reforms essential for completing a democratic transition.

Sec. 3. The prohibitions in section 1 of this order include:

(a) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order; and

(b) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 4. I hereby determine that the making of donations of the types of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to section 1 of this order would seriously impair my ability to deal with the national emergency declared in Executive Order 13067, and expanded by Executive Order 13400 and this order, and I hereby prohibit such donations as provided by section 1 of this order.

Sec. 5. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 6. (a) The unrestricted immigrant and nonimmigrant entry into the United States of noncitizens determined to meet one or more of the criteria set forth in section 1(a) of this order would be detrimental to the interests of the United States, and the entry of such persons into the United States, as immigrants or nonimmigrants, is hereby suspended, except when the Secretary of State or the Secretary of Homeland Security, as appropriate, determines that the person's entry would not be contrary to the interests of the United States, including when the Secretary of State or the Secretary of Homeland Security, as appropriate, so determines, based on a recommendation of the Attorney General, that the person's entry would further important United States law enforcement objectives.

(b) The Secretary of State shall implement this authority as it applies to visas pursuant to such procedures as the Secretary of State, in consultation with the Secretary of Homeland Security, may establish.

(c) The Secretary of Homeland Security shall implement this order as it applies to the entry of noncitizens pursuant to such procedures as the Secretary of Homeland Security, in consultation with the Secretary of State, may establish.

(d) Such persons shall be treated by this section in the same manner as persons covered by section 1 of Proclamation 8693 of July 24, 2011 (Suspension of Entry of Aliens Subject to United Nations Security Council Travel Bans and International Emergency Economic Powers Act Sanctions).

Sec. 7. For the purposes of this order:

(a) the term ''entity'' means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(b) the term ''noncitizen'' means any person who is not a citizen or noncitizen national of the United States;

(c) the term ''person'' means an individual or entity; and

(d) the term ''United States person'' means any United States citizen, lawful permanent resident, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States.

Sec. 8. For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 13067, and expanded by Executive Order 13400 and this order, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

Sec. 9. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may, consistent with applicable law, redelegate any of these functions within the Department of the Treasury. All agencies of the United States shall take all appropriate measures within their authority to implement this order.

Sec. 10. Nothing in this order shall prohibit transactions for the conduct of the official business of the Federal Government or the United Nations (including its specialized agencies, programs, funds, and related organizations) by employees, grantees, or contractors thereof.

Sec. 11. Nothing in this order is intended to affect the continued effectiveness of any action taken pursuant to Executive Order 13761 of January 13, 2017 (Recognizing Positive Actions by the Government of Sudan and Providing for the Revocation of Certain Sudan-Related Sanctions), and Executive Order 13804 of July 11, 2017 (Allowing Additional Time for Recognizing Positive Actions by the Government of Sudan and Amending Executive Order 13761).

Sec. 12. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
May 4, 2023.

Executive Order 14099 of May 9, 2023

Moving Beyond COVID–19 Vaccination Requirements for Federal Workers

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*. In 2021, based on the best available data and guidance from our public health experts, I issued Executive Order 14043 of September 9, 2021 (Requiring Coronavirus Disease 2019 Vaccination for Federal Employees), to direct executive departments and agencies (agencies) to

require coronavirus disease 2019 (COVID–19) vaccination for their employees, and Executive Order 14042 of September 9, 2021 (Ensuring Adequate COVID Safety Protocols for Federal Contractors), to ensure that Federal contractors and subcontractors have adequate COVID–19 safety protocols. I issued those orders at a time when the highly contagious B.1.617.2 (Delta) variant was the predominant variant of the virus in the United States and had led to a rapid rise in cases and hospitalizations. Those orders were necessary to protect the health and safety of critical workforces serving the American people and to advance the efficiency of Government services during the COVID–19 pandemic. Following issuance of those orders, my Administration successfully implemented a vaccination requirement for the Federal Government, the largest employer in the Nation, achieving a 98 percent compliance rate (reflecting employees who had received at least one dose of the COVID–19 vaccine or had a pending or approved exemption or extension request) by January 2022. More broadly, my Administration has effectively implemented the largest adult vaccination program in the history of the United States, with over 270 million Americans receiving at least one dose of the COVID–19 vaccine.

Following this important work, along with continued critical investments in tests and therapeutics that are protecting against hospitalization and death, we are no longer in the acute phase of the COVID–19 pandemic, and my Administration has begun the process of ending COVID–19 emergency declarations. Our public health experts have issued guidance that allows individuals to understand mitigation measures to protect themselves and those around them. Our healthcare system and public health resources throughout the country are now better able to respond to any potential surge of COVID–19 cases without significantly affecting access to resources or care. Since September 2021, COVID–19 deaths have declined by 93 percent, and new COVID–19 hospitalizations have declined by 86 percent. Considering this progress, and based on the latest guidance from our public health experts, we no longer need a Government-wide vaccination requirement for Federal employees or federally specified safety protocols for Federal contractors. Vaccination remains an important tool to protect individuals from serious illness, but we are now able to move beyond these Federal requirements.

Sec. 2. *Revocation of Vaccination Requirements.* Executive Order 14042 and Executive Order 14043 are revoked. Agency policies adopted to implement Executive Order 14042 or Executive Order 14043, to the extent such policies are premised on those orders, no longer may be enforced and shall be rescinded consistent with applicable law.

Sec. 3. *Effective Date.* This order is effective at 12:01 a.m. eastern daylight time on May 12, 2023.

Sec. 4. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
May 9, 2023.

Executive Order 14100 of June 9, 2023

Advancing Economic Security for Military and Veteran Spouses, Military Caregivers, and Survivors

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*. Military-connected families are American working families. Military and veteran families, military caregivers, and survivors face many of the same challenges as their neighbors, but they can carry the additional strains of multiple deployments; frequent moves with little control over their geographic location; caring for wounded, ill, and injured service members or veterans; time apart for training and other demands of military life; and more. The unique demands of military life continue to affect veteran families, military caregivers, and survivors for years after a service member's time in uniform.

Military families, like their civilian counterparts, increasingly look to rely upon dual incomes; however, the 21 percent unemployment rate experienced by active-duty military spouses in the workforce makes that a difficult goal to achieve and maintain. Nearly one in five military families cite challenges with spousal employment as a reason when considering leaving active-duty service. The challenges associated with the military lifestyle, including permanent change-of-station moves every 2 to 3 years on average for active-duty families, mean that military spouses often struggle to find options for work that are portable or allow them to build a sustainable long-term career. Employment challenges are not limited to active-duty spouses, as Reserve and National Guard spouses must balance their careers against the unpredictable nature of the service member's schedule, activations, and deployments. Employment challenges can continue to affect the employability and career trajectory of veteran spouses well after a service member leaves the service.

Recognizing the importance of military family economic well-being to the all-volunteer force, the Federal Government employs more than 16,000 military, veteran, and surviving spouses. As the Nation's largest employer, we must be a model for diversity, equity, inclusion, and accessibility, and, in doing so, we recognize that military spouses are an underserved community. Whether they choose public service, employment in the private sector, or entrepreneurship through building a small business, it is the policy of my Administration to advance economic opportunity for military spouses. My Administration also recognizes the imperative of promoting economic

security for military spouses—the vast majority of whom are women—under the National Strategy on Gender Equity and Equality.

In addition, my Administration understands that access to high-quality, affordable child care is a necessity for working families, and a military readiness issue. While the Department of Defense offers the largest employer-sponsored child care network in the country, military families still face challenges related to capacity and non-traditional work schedules. Many military families seeking care outside of the gates of our military bases struggle to find care they can afford. Because access to child care should not be an impediment to service, I have directed the Secretary of Defense to ensure the Fourteenth Quadrennial Review of Military Compensation, undertaken in January 2023, includes an assessment of child care access and cost in its review of military benefits and pay, along with consideration of factors such as the challenge of military spouse unemployment, frequent military moves, and periods of geographic separation between service members and their spouses, including dual military couples.

Military spouses can also be service members themselves, wearing the Nation's uniform in our Active Components, National Guard, or Reserve forces, with a higher percentage of women service members in a dual military marriage than their male counterparts. As we recognize the 75th anniversary of women's integration into the Armed Forces, my Administration is committed to removing barriers to women's ability to serve, including difficulty in accessing child care, which poses a challenge for both spouses, but disproportionately affects retention for women, especially women in dual military couples, and can play a factor in women's early separation from the Armed Forces.

As we commemorate the 50th anniversary of the all-volunteer force, we must appreciate now more than ever that the commitment and resilience of military-connected families are essential to the recruitment, retention, and readiness of our Armed Forces and the enduring strength of our Nation. Meeting the economic, social, and emotional needs of our military and veteran families, military caregivers, and survivors is a national security imperative. In times of peace and of war, military and veteran families, military caregivers, and survivors have sacrificed much for our country, answering the call to duty time and again. We owe them nothing less than the dignity of a meaningful career and the opportunity to build economic security for their families.

Sec. 2. *Government-wide Military and Veteran Spouse, Military Caregiver, and Survivor Hiring and Retention Strategic Plan and Training.* Given the considerable Federal footprint around many military installations, military spouses are often interested in pursuing careers in the Federal civil service. To ensure that the Federal Government is an employer of choice for military and veteran spouses, military caregivers, and survivors, executive departments and agencies (agencies) must strengthen their ability to recruit, hire, develop, promote, and retain this skilled and diverse pool of talent. To that end:

(a) The Director of the Office of Personnel Management (OPM) and the Deputy Director for Management of the Office of Management and Budget, in consultation with the Secretary of State, the Secretary of Defense, the Secretary of Labor, the Secretary of Veterans Affairs, and the Secretary of Homeland Security, shall develop and issue a Government-wide Military

and Veteran Spouse, Military Caregiver, and Survivor Hiring and Retention Strategic Plan (Military-Connected Plan) within 180 days of the date of this order that builds upon the Government-wide plans required by Executive Order 13583 of August 18, 2011 (Establishing a Coordinated Government-Wide Initiative to Promote Diversity and Inclusion in the Federal Workforce), and Executive Order 14035 of June 25, 2021 (Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce). The Military-Connected Plan shall be updated as appropriate and at a minimum every 4 years. The Military-Connected Plan shall:

(i) define measures of success for the recruitment, hiring, and retention of military and veteran spouses, military caregivers, and survivors based on leading policies and practices in the public, private, and nonprofit sectors;

(ii) include plans for OPM to consult with the Department of Defense and the Department of Homeland Security in developing enhanced support for the retention of military spouses in Federal careers, consistent with merit system principles as defined in 5 U.S.C. 2301;

(iii) consistent with merit system principles, identify strategies—including pursuing development of a legislative proposal, as appropriate—to eliminate, where applicable, barriers to the employment of military and veteran spouses, military caregivers, and survivors in the Federal workforce, including with respect to recruitment; hiring, including an assessment of whether to pursue expanded eligibility for derivative preference; promotion; retention; performance evaluations and awards; professional development programs; mentoring programs or sponsorship initiatives; internship, fellowship, and registered apprenticeship programs; employee resource group and affinity group programs; and training, learning, and onboarding programs;

(iv) identify strategies for marketing the talent, experience, and diversity of military and veteran spouses, military caregivers, and survivors to agencies; and

(v) develop a data-driven approach to increasing transparency and accountability in hiring and retention—including by encouraging agencies to set goals for hiring under the Military Spouse Noncompetitive Appointment Authority established by 5 U.S.C. 3330d and hiring individuals eligible for derivative preference, to use data internally to improve performance, and to use data to publicly report on progress—which would build upon, as appropriate, the reporting requirements of Executive Order 13832 of May 9, 2018 (Enhancing Noncompetitive Civil Service Appointments of Military Spouses).

(b) Beginning with Fiscal Year 2025, the Director of OPM shall revise the title of the ''Employment of Veterans in the Federal Executive Branch'' annual report to ''Employment of Veterans and Military-Connected Spouses and Survivors in the Federal Executive Branch,'' and shall include in the report the existing data previously reported in the ''Employment of Veterans in the Federal Executive Branch'' report, including statistics on the hiring of military and veteran spouses and survivors in a manner that allows for comparison and analysis of the distinct populations and hiring mechanisms.

(c) The Secretary of Veterans Affairs and the Director of OPM shall collaborate on opportunities to better share Federal employee survey data to enable analysis and reporting relevant to the employment of military and veteran spouses and survivors.

(d) In collaboration with the Director of OPM and consistent with 5 U.S.C. 4103, agencies shall provide annual training for agency human resources personnel and hiring managers concerning the employment of military and veteran spouses, military caregivers, and survivors, including training on special authorities for the hiring of military spouses and survivors, and the provision of tools to build the agencies' capacity to make use of applicable hiring authorities, including distribution of the Joining Forces military spouse hiring toolkit, which OPM shall publish on the FedsHireVets website.

(e) The Office of Science and Technology Policy (OSTP) National Science and Technology Council Subcommittee on Equitable Data, as designated by Executive Order 14091 of February 16, 2023 (Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government), shall develop recommendations on ways in which agencies can expand Federal datasets to track outcomes for military and veteran spouses, military caregivers, and survivors. Such recommendations shall be included in the Director of OSTP's reports to the White House Steering Committee on Equity under section 9 of Executive Order 14091.

(f) The Secretaries of Defense, Labor, Veterans Affairs, and Homeland Security shall work together through existing interagency collaborations, including the Transition Assistance Program, to increase training and employment opportunities for military spouses in the workforce through the transition to veteran spouse status.

Sec. 3. *Updates to Federal Training and Hiring Authorities.* To strengthen the ability of the Federal Government to train, develop, and hire military and veteran spouses and survivors:

(a) Beginning with Fiscal Year 2025, agencies shall list the Military Spouse Noncompetitive Appointment Authority established by 5 U.S.C. 3330d when soliciting applications from outside of their workforce for positions announced on USAJOBS or other job posting sites. This requirement applies when using merit promotion procedures to fill competitive service positions.

(b) The Secretary of Labor shall examine the eligibility of military and veteran spouses for programs that provide education, job training, employment services, employer engagement, and other relevant programs, and, as appropriate, shall work to reduce barriers that military and veteran spouses may face in accessing those programs.

(c) The Director of OPM shall examine the eligibility criteria for the Recent Graduates Program established by section 2 of Executive Order 13562 of December 27, 2010 (Recruiting and Hiring Students and Recent Graduates), and, as appropriate, including by recommending Presidential action as necessary, shall work to reduce barriers that military spouses may face in accessing the Program.

Sec. 4. *Retention of Military and Veteran Spouses and Military Caregivers, Including Those Employed by the Federal Government.* In order to support

military and veteran spouses and military caregivers, including those who are employed by the Federal Government:

(a) The Director of OPM shall issue guidance to agencies:

(i) reinforcing existing telework and remote work flexibility options pursuant to 5 U.S.C. 6502 for Federal employees, including military spouses and military caregivers, and encouraging agency leaders to consider these as options for retaining Federal employee military spouses and military caregivers;

(ii) encouraging agencies to support the policies set forth in section 1 of this order by granting up to 5 days of administrative leave to military spouses during a geographic relocation occurring as directed by a service member's orders; and

(iii) encouraging agencies to collaborate so that a military spouse or military caregiver Federal employee may be placed in another Federal agency position when arrangements to retain a military spouse or military caregiver—including following changes to support continuity of care or relocation due to permanent change-of-station orders for the active-duty service member—are unavailable to allow them to continue in their existing position.

(b) The Secretary of State and the Secretary of Defense, when reevaluating or entering agreements with host nations, shall consider work options for military spouses who are performing remote work for non-Department of Defense entities, so as to reduce barriers for military spouses seeking to continue their private sector- or self-employment.

(c) The Secretary of Defense shall coordinate with the heads of the Military Departments, and the Secretary of Homeland Security shall coordinate with the Commandant of the United States Coast Guard, to amend their respective legal assistance instructions to allow for consultation, advice, and assistance to military families on Status of Forces Agreements and other agreements with host nations affecting family employment, so as to provide support for military spouses navigating complex employment requirements related to working remotely while their active-duty service member spouse is stationed overseas. Those amendments shall specify that legal assistance is limited to the personal civil legal affairs of military dependents affected by employment restrictions related to a Status of Forces Agreement or other host nation agreement, and does not extend to their employers or the establishment, management, or taxation of small business organizations.

Sec. 5. *Domestic Employees Teleworking Overseas Policy.* In order to ensure that military spouses are able to equitably and reasonably access opportunities for remote work in their Federal jobs when their service-member spouse receives orders overseas, promote togetherness for military families, and enable agencies that employ military spouses—resilient and talented civil servants—to retain them, the following improvements shall be made to the Domestic Employees Teleworking Overseas (DETO) program implemented by agencies pursuant to the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81):

(a) The Secretary of State and the Secretary of Defense shall enter into a Memorandum of Understanding (MOU) to address residential security and safety requirements for military spouses employed by the Federal Government and working overseas through the DETO program. The MOU shall be communicated to sponsoring agencies, and the Secretaries of State and

Defense shall develop appropriate guidance to communicate the provisions of the MOU to military spouses who are civilian employees of the Federal Government.

(b) To promote consistency and effective coordination in the implementation of the DETO program across the executive branch, agencies shall:

(i) develop common standards for DETO policies, including identification of points of contact and creation of guidelines to ensure that such policies are communicated and advertised in a manner accessible to military spouse employees;

(ii) establish a DETO application system and develop a method to track DETO applications received and processed, as well as application processing timelines; and

(iii) establish time frames for DETO application processing and approvals, considering the time-sensitive nature of decisions for applications by military spouses due to permanent change-of-station moves and other factors unique to military families.

Sec. 6. *Expanding Support for Military and Veteran Spouse Entrepreneurs.* Many military spouses start their own businesses because of a need for flexibility or inability to find or maintain other employment. When military spouses must discontinue their businesses, however, they often cite military moves, rather than lack of profitability, as the reason. To support military spouse entrepreneurs in starting and sustaining their businesses, the Administrator of the Small Business Administration shall:

(a) expand access to resources tailored to military and veteran spouses who are interested in starting or growing a small business, including guidance to help military spouses with relocating a business following a military move; and

(b) evaluate access to capital gaps for military spouse entrepreneurs.

Sec. 7. *Child Care for Military Families.* The Department of Defense operates the largest employer-sponsored child care program in the United States in order to provide military families with support that is essential to overall mission readiness, retention, and recruitment. To build on the existing support and ensure that military families have access to affordable, high-quality child care allowing both the service member and the spouse to pursue professional opportunities, the Secretary of Defense shall:

(a) in coordination with the Director of OPM, establish flexible spending accounts for the care of military dependents, available to military personnel no later than January 1, 2024; and

(b) expand pathways for military spouses to provide certified, home-based child care on military installations, including by providing them with support in seeking licensure and achieving government-mandated quality benchmarks.

Sec. 8. *Definitions.* For the purposes of this order:

(a) The term ''active duty'' has the meaning set forth in 10 U.S.C. 101(d)(1), except that the term also includes ''active Guard and Reserve duty,'' as defined in 10 U.S.C. 101(d)(6)(a).

(b) The term ''agency'' means any authority of the United States that is an ''agency'' under 44 U.S.C. 3502(1), other than those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(5).

(c) The term ''derivative preference'' means those who are ''preference eligible,'' as defined in 5 U.S.C. 2108(3), because they are eligible spouses and parents who use a veteran's preference when the veteran is unable to do so.

(d) The term ''military caregiver'' means the spouse, child, parent, or next of kin of a veteran who is the primary caregiver for a veteran undergoing medical treatment, recuperation, or therapy for a serious injury or illness who was a member of the Armed Forces (including a member of the National Guard or Reserves) and who was discharged or released under conditions other than dishonorable.

(e) The term ''military spouse'' means an individual married to a member of the Armed Forces who is performing active duty.

(f) The term ''survivor'' means the spouse, child, parent, or next of kin of a service member who died while on active duty, or from a service-connected disability following discharge or release under conditions other than dishonorable.

(g) The term ''veteran spouse'' means an individual married to a retired or separated member of the Armed Forces who was discharged or released under conditions other than dishonorable, so long as the marriage occurred prior to or during the service member's active service.

Sec. 9. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

June 9, 2023.

Executive Order 14101 of June 23, 2023

Strengthening Access to Affordable, High-Quality Contraception and Family Planning Services

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*. Women should have access to the healthcare they need, including contraception and family planning services. Access to contraception is essential to ensuring that all people have control over personal decisions about their own health, lives, and families. High-quality contraception improves health outcomes, advances economic stability, and promotes women's overall well-being. Contraception access is linked to improved maternal and child health, expanded educational and professional opportunities, and higher lifetime earnings.

Through new requirements for private health coverage and expanded access to Medicaid, the Affordable Care Act extended access to affordable contraception to millions of women, helping them save billions of dollars on birth control. Yet access to high-quality contraception continues to vary based on income, location, health insurance coverage, and the availability of healthcare providers. Millions of people continue to face barriers to obtaining the contraception they need even as access has become more critical in the wake of the Supreme Court's decision in *Dobbs* v. *Jackson Women's Health Organization*, 142 S. Ct. 2228 (2022), to overturn *Roe* v. *Wade*, 410 U.S. 113 (1973).

Given that the Supreme Court overruled *Roe*, which rested on the fundamental right to privacy in matters of health, bodily autonomy, and family, it has never been more important to protect and expand access to family planning services. *Dobbs* has already had, and will continue to have, devastating implications for women's health. In States with laws that restrict access to abortion, health clinics that provide contraception and other essential health services have shuttered, eliminating critical points of care. Some State officials have adopted policies interfering with access to emergency contraception, including for vulnerable populations. Such policies further threaten women's ability to make decisions about their own bodies, families, and futures. These threats persist despite decades of Supreme Court precedent, beginning with *Griswold* v. *Connecticut*, 381 U.S. 479 (1965), and *Eisenstadt* v. *Baird*, 405 U.S. 438 (1972), affirming the right to contraception. Moreover, an overwhelming majority of Americans support access to contraception.

In the wake of the Supreme Court's decision in *Dobbs*, I issued Executive Order 14076 of July 8, 2022 (Protecting Access to Reproductive Healthcare Services), and Executive Order 14079 of August 3, 2022 (Securing Access to Reproductive and Other Healthcare Services), to direct my Administration to take action to protect access to reproductive healthcare services, including contraception and abortion. In Executive Order 14076, I directed the Secretary of Health and Human Services and the Director of the Gender Policy Council to establish an Interagency Task Force on Reproductive Healthcare Access to coordinate these efforts across my Administration. Consistent with these Executive Orders and other applicable authorities, executive departments and agencies have taken numerous steps to protect and strengthen access to contraception, including:

(a) issuing guidance and convening sponsors of employee benefit plans and health insurers to clarify contraception coverage requirements under the Affordable Care Act;

(b) expanding walk-in contraceptive care services for active duty service members and other Military Health System beneficiaries;

(c) issuing a Notice of Proposed Rulemaking to improve access to affordable contraception for certain dependents of veterans;

(d) providing additional funding to bolster training, develop and expand telehealth infrastructure and capacity, and provide technical assistance for clinics funded under Title X of the Public Health Service Act (42 U.S.C. 300 *et seq.*) (Title X);

(e) strengthening the inclusion of family planning providers in insurance networks for qualified health plans under the Affordable Care Act;

(f) issuing a Notice of Proposed Rulemaking to provide a new pathway for women to access contraceptives when their private health coverage is exempt from covering this benefit;

(g) issuing a Notice of Proposed Rulemaking to strengthen privacy protections under the Health Insurance Portability and Accountability Act of 1996, Public Law 104–191, 110 Stat. 1936, as amended by Public Law 111–5, 123 Stat. 115 (2009), by proposing to prohibit doctors, other healthcare providers, and health plans from using or disclosing individuals' protected health information related to lawful reproductive healthcare, such as contraception use, under certain circumstances;

(h) issuing a Notice of Proposed Rulemaking to ensure healthcare providers that receive Federal financial assistance do not deny healthcare, including contraception, on the basis of any ground protected by Federal law; and

(i) reminding Health Resources and Services Administration (HRSA)-funded health centers of their obligations to provide family planning services to patients consistent with Federal requirements.

Through this order, I direct my Administration to build on this progress and further strengthen and bolster access to affordable, high-quality contraception. It remains the policy of my Administration to support access to reproductive healthcare services and to protect and defend reproductive rights in the face of ongoing efforts to strip Americans of their fundamental freedoms.

Sec. 2. *Improving Access and Affordability Under the Affordable Care Act.* (a) The Secretaries of the Treasury, Labor, and Health and Human Services (Secretaries) shall consider issuing guidance, consistent with applicable law, to further improve Americans' ability to access contraception, without out-of-pocket expenses, under the Affordable Care Act. In doing so, the Secretaries shall consider actions that would, to the greatest extent permitted by law:

(i) ensure coverage of comprehensive contraceptive care, including all contraceptives approved, granted, or cleared by the Food and Drug Administration, without cost sharing for enrollees, participants, and beneficiaries; and

(ii) streamline the process for patients and healthcare providers to request coverage, without cost sharing, of medically necessary contraception.

(b) The Secretaries shall consider additional actions, as appropriate and consistent with applicable law, to promote increased access to affordable over-the-counter contraception, including emergency contraception.

Sec. 3. *Supporting Access Through Medicaid and Medicare*. The Secretary of Health and Human Services, through the Administrator of the Centers for Medicare and Medicaid Services, shall consider taking steps, as appropriate and consistent with applicable law, to:

(a) expand access to affordable family planning services and supplies across the Medicaid program, including by identifying and disseminating best practices for providing high-quality family planning services and supplies, including through Medicaid-managed care; and

(b) improve coverage and payment for contraceptives for Medicare beneficiaries through Medicare Advantage and Medicare Part D plans.

Sec. 4. *Additional Actions to Support Contraception Access*. (a) To promote access to affordable, high-quality contraception, the Secretary of Defense, the Secretary of Veterans Affairs, and the Director of the Office of Personnel Management shall consider additional actions, as appropriate and consistent with applicable law, to:

(i) ensure, where appropriate, robust coverage of contraception under Federal programs;

(ii) offer technical assistance to help promote access to contraception, where relevant; and

(iii) educate Federal program participants and beneficiaries on how to access affordable, high-quality contraception, including through public awareness initiatives that provide timely and accurate information about such access.

(b) To promote access to affordable, high-quality contraception across Federal healthcare programs and relevant human services programs, including through Title X clinics, HRSA-funded health centers, and the Indian Health Service, the Secretary of Health and Human Services shall consider taking actions, as appropriate and consistent with applicable law, to:

(i) encourage all federally funded health centers, including HRSA-funded health centers, to expand the availability and quality of voluntary family planning services offered to beneficiaries;

(ii) support healthcare providers that participate in the Title X program through new technical assistance and training;

(iii) support access to culturally and linguistically appropriate care, including by developing and disseminating materials on family planning services available at federally funded health centers;

(iv) provide guidance on contraception-related obligations, such as confidentiality protections, and technical assistance resources to funding recipients, where relevant; and

(v) support research and data analysis to document gaps and disparities in access to contraception, as well as the benefits of comprehensive coverage for contraception and family planning services through public and private healthcare programs.

(c) The Secretary of Labor shall identify best practices for making affordable, high-quality contraception available to health plan enrollees, participants, and beneficiaries to share with employers and organizations that sponsor private health coverage.

(d) The Secretary of Education shall convene institutions of higher education to share best practices for making affordable, high-quality contraception available, as well as ways to raise awareness of options for accessing contraception.

Sec. 5. *General Provisions*. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

June 23, 2023.

Executive Order 14102 of July 13, 2023

Ordering the Selected Reserve and Certain Members of the Individual Ready Reserve of the Armed Forces to Active Duty

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 121 and 12304 of title 10, United States Code, I hereby determine that it is necessary to augment the active Armed Forces of the United States for the effective conduct of Operation Atlantic Resolve in and around the United States European Command's area of responsibility. In furtherance of this operation, under the stated authority, I hereby authorize the Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, under their respective jurisdictions, to order to active duty any units, and any individual members not assigned to a unit organized to serve as a unit of the Selected Reserve, or any member in the Individual Ready Reserve mobilization category and designated as essential under regulations prescribed by the Secretary concerned, not to exceed 3,000 total members at any one time, of whom not more than 450 may be members of the Individual Ready Reserve, as they deem necessary, and to terminate the service of those units and members ordered to active duty.

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

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
July 13, 2023.

Executive Order 14103 of July 28, 2023

2023 Amendments to the Manual for Courts Martial, United States

By the authority vested in me as President by the Constitution and the laws of the United States of America, including chapter 47 of title 10, United States Code (Uniform Code of Military Justice, 10 U.S.C. 801–946a), and in order to prescribe additions and amendments to the Manual for Courts-Martial, United States, prescribed by Executive Order 12473 of April 13, 1984, as amended, it is hereby ordered as follows:

Section 1. Part II, Part III, Part IV, and Part V of the Manual for Courts-Martial, United States, are amended as described in Annex 1, which is attached to and made a part of this order. The amendments in Annex 1 shall take effect on the date of this order, subject to the following:

(a) Nothing in Annex 1 shall be construed to make punishable any act committed or omitted prior to the date of this order that was not punishable when committed or omitted.

(b) Nothing in Annex 1 shall be construed to invalidate any nonjudicial punishment proceeding, restraint, preliminary hearing, referral of charges, trial in which arraignment occurred, or other action begun prior to the date of this order, and any such nonjudicial punishment proceeding, restraint, preliminary hearing, referral of charges, trial in which arraignment occurred, or other action may proceed in the same manner and with the same effect as if the Annex 1 amendments had not been prescribed.

Sec. 2. Part I, Part II, Part III, Part IV, Part V, and Appendix 12A of the Manual for Courts-Martial, United States, are amended as described in Annex 2, which is attached to and made a part of this order. The amendments in Annex 2 shall apply in accordance with the effective date established by section 539C of the National Defense Authorization Act for Fiscal Year 2022 (NDAA FY 2022), Public Law 117–81, subject to the following:

(a) Nothing in Annex 2 shall be construed to make punishable any act committed or omitted prior to the effective date established by section 539C of the NDAA FY 2022.

(b) Nothing in Annex 2 shall be construed to invalidate any nonjudicial punishment proceeding, restraint, preliminary hearing, referral of charges, trial in which arraignment occurred, or other action begun prior to the effective date established by section 539C of the NDAA FY 2022, and any such nonjudicial punishment proceeding, restraint, preliminary hearing, referral of charges, trial in which arraignment occurred, or other action may proceed in the same manner and with the same effect as if the Annex 2 amendments had not been prescribed.

Sec. 3. Appendix 12B, Appendix 12C, and Appendix 12D are added to the Manual for Courts-Martial, United States, and Part II of the Manual is amended as described in Annex 3, which is attached to and made a part of this order. The additions and amendments in Annex 3 shall take effect on December 27, 2023, and shall apply in accordance with section 539E(f) of the NDAA FY 2022 (10 U.S.C. 853 note), subject to the following:

(a) Nothing in Annex 3 shall be construed to make punishable any act committed or omitted prior to the effective date established by section 539E(f) of the NDAA FY 2022.

(b) Nothing in Annex 3 shall be construed to invalidate any nonjudicial punishment proceeding, restraint, preliminary hearing, referral of charges, trial in which arraignment occurred, or other action begun prior to the effective date established by section 539E(f) of the NDAA FY 2022, and any such nonjudicial punishment proceeding, restraint, preliminary hearing, referral of charges, trial in which arraignment occurred, or other action may proceed in the same manner and with the same effect as if the Annex 3 amendments had not been prescribed.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
July 28, 2023.

ANNEX 1

Section 1. Part II of the Manual for Courts-Martial, United States, is amended as follows:

(a) R.C.M. 104 is amended to read as follows:

"**Rule 104. Command influence**

(a) *General prohibitions.*

(1) *Convening authorities and commanders.*

(A) No court-martial convening authority, nor any other commanding officer, may censure, reprimand, or admonish a court-martial or other military tribunal or any member, military judge, or counsel thereof, with respect to the findings or sentence adjudged by the court-martial or tribunal, or with respect to any other exercise of the functions of the court-martial or tribunal or such persons in the conduct of the proceedings.

(B) No court-martial convening authority, nor any other commanding officer, may deter or attempt to deter a potential witness from participating in the investigatory process or testifying at a court-martial. The denial of a request to travel at government expense or refusal to make a witness available shall not by itself constitute unlawful command influence.

(2) *All persons subject to the UCMJ.* No person subject to the UCMJ may attempt to coerce or, by any unauthorized means, attempt to influence the action of a court-martial or any other military tribunal or any member thereof, in reaching the findings or sentence in any case or the action of any preliminary hearing officer or convening, approving, or reviewing authority with respect to such preliminary hearing officer's or authority's acts concerning the following: any decision to place a Servicemember into pretrial confinement; disposition decisions; rulings on pre-referral matters; findings at a preliminary hearing; convening a court-martial; decisions concerning plea agreements; selecting members; decisions concerning witness requests;

taking action on any clemency or deferment request; or any appellate or post-trial review of a case.

(3) *Scope.*

(A) *Instructions.* Paragraphs (a)(1) and (2) of this rule do not prohibit general instructional or informational courses in military justice if such courses are designed solely for the purpose of instructing personnel of a command in the substantive and procedural aspects of courts-martial.

(B) *Court-martial statements.* Paragraphs (a)(1) and (2) of this rule do not prohibit statements and instructions given in open session by the military judge or counsel.

(C) *Professional supervision.* Paragraphs (a)(1) and (2) of this rule do not prohibit action by the Judge Advocate General concerned under R.C.M. 109.

(D) *Offense.* Paragraphs (a)(1) and (2) of this rule do not prohibit appropriate action against a person for an offense committed while detailed as a military judge, counsel, or member of a court-martial, or while serving as individual counsel.

(E) *General statements regarding criminal activity or offenses.* Paragraphs (a)(1) and (2) of this rule do not prohibit statements regarding criminal activity or a particular criminal offense that do not advocate a particular disposition, do not advocate a particular court-martial finding or sentence, and do not relate to a particular accused.

(b) *Communication between superiors and subordinates.*

(1) A superior convening authority or officer may generally discuss matters to consider regarding the disposition of alleged violations of the UCMJ with a subordinate convening authority or officer, and a subordinate convening authority or officer may seek advice from a superior convening authority or officer regarding the disposition of an alleged offense under the UCMJ.

(2) No superior convening authority or officer may direct a subordinate convening authority or officer to make a particular disposition in a specific case or otherwise substitute the discretion of such authority or such officer for that of the subordinate convening authority or officer.

(c) *Prohibitions concerning evaluations.*

(1) *Evaluation of member or counsel.* In the preparation of an effectiveness, fitness, or efficiency report or any other report or document used in whole or in part for the purpose of determining whether a member of the armed forces is qualified to be advanced in grade, or in determining the assignment or transfer of a member of the armed forces, or in determining whether a member of the armed forces should be retained on active duty, no person subject to the UCMJ may:

(A) Consider or evaluate the performance of duty of any such person as a member of a court-martial; or

(B) Give a less favorable rating or evaluation of any defense counsel or special victims' counsel because of the zeal with which such counsel represented any client. As used in this rule, "special victims' counsel" are judge advocates and civilian counsel, who, in accordance with 10 U.S.C. § 1044e, are designated as Special Victims' Counsel.

(2) *Evaluation of military judge.*

(A) *General courts-martial.* Unless the general court-martial was convened by the President or the Secretary concerned, neither the convening authority nor any member of the convening authority's staff may prepare or review any report concerning the effectiveness, fitness, or efficiency of the military judge detailed to a general court-martial that relates to the performance of duty as a military judge.

(B) *Special courts-martial.* The convening authority may not prepare or review any report concerning the effectiveness, fitness, or efficiency of a military judge detailed to a special court-martial that relates to the performance of duty as a military judge. When the military judge is normally rated or the military judge's report is reviewed by the convening authority, the manner in which such military judge will be rated or evaluated upon the performance of duty as a military judge may be as prescribed in regulations of the Secretary concerned, which shall ensure the absence of any command influence in the rating or evaluation of the military judge's judicial performance.

(d) *Command discretion.*

(1) A superior convening authority or commanding officer may withhold the authority of a subordinate convening authority or officer to dispose of offenses in individual cases, types of cases, or generally.

(2) Except as provided in paragraph (d)(1) of this rule or as otherwise authorized under the UCMJ, a superior convening authority or commanding officer may not limit the discretion of a subordinate convening authority or officer to act with respect to a case for which the subordinate convening authority or officer has the authority to dispose of the offenses."

(b) R.C.M. 201(e) is amended to read as follows:

"(e) *Reciprocal jurisdiction.*

(1) Each armed force has court-martial jurisdiction over all persons subject to the UCMJ.

(2)(A) A commander of a unified or specified combatant command may convene courts-martial over members of any of the armed forces.

(B) So much of the authority vested in the President under Article 22(a)(9), to empower any commanding officer of a joint command or joint task force to convene courts-martial is

delegated to the Secretary of Defense, and such a commanding officer may convene general courts-martial for the trial of members of any of the armed forces assigned or attached to a combatant command or joint command.

(C) A commander who is empowered to convene a court-martial under subparagraphs (e)(2)(A) or (e)(2)(B) of this rule may expressly authorize a commanding officer of a subordinate joint command or subordinate joint task force who is authorized to convene special and summary courts-martial to convene such courts-martial for the trial of members of other armed forces assigned or attached to a joint command or joint task force, under regulations that the superior command may prescribe.

(3)(A) An accused should not ordinarily be tried by a court-martial convened by a member of a different armed force except when the circumstances described in subparagraphs (e)(2)(A) or (B) of this rule exist. However, failure to comply with this non-binding policy does not affect an otherwise valid referral.

(B) The non-binding policy stated by subparagraph (e)(3)(A) of this rule does not apply when one or more of the following circumstances exists:

(i) The court-martial is convened by a commander authorized to convene courts-martial under paragraph (e)(2) of this rule;

(ii) The accused cannot be delivered to the armed force of which the accused is a member without manifest injury to the armed forces;

(iii) The court-martial is convened by a member of the Space Force to try a member of the Air Force; or

(iv) The court-martial is convened by a member of the Air Force to try a member of the Space Force.

(4) Nothing in this rule prohibits detailing to a court-martial a military judge, member, or counsel who is a member of an armed force different from that of the accused, the convening authority, or both.

(5) When a member of one armed force is tried by a court-martial convened by a member of another armed force, the court-martial will use the implementing regulations and procedures prescribed by the Secretary concerned of the military service of the accused. In all cases, departmental review after that by the officer with authority to convene a general court-martial for the command that held the trial, where that review is required by the UCMJ, shall be carried out by the department that includes the armed force of which the accused is a member.

(6) Unless otherwise directed by the President or Secretary of Defense, whenever action under this Manual is required or authorized to be taken by a person superior to—

(A) a commander of a unified or specified combatant command; or

(B) a commander of any other joint command or joint task force that is not part of a unified or specified combatant command,

the matter shall be referred to the Secretary of the armed force of which the accused is a member. The Secretary may convene a court-martial, take other appropriate action, or, subject to R.C.M. 504(c), refer the matter to any person authorized to convene a court-martial of the accused.

(7) When there is a disagreement between the Secretaries of two military departments or between the Secretary of a military department and the commander of a unified or specified combatant command or other joint command or joint task force as to which organization should exercise jurisdiction over a particular case or class of cases, the Secretary of Defense or an official acting under the authority of the Secretary of Defense shall designate which organization will exercise jurisdiction."

(c) R.C.M. 305(j) is amended to read as follows:

"(j) *Review by military judge.* Once the charges for which the accused has been confined are referred to trial, or in a pre-referral proceeding conducted in accordance with R.C.M. 309, the military judge shall review the propriety of pretrial confinement upon motion for appropriate relief.

(1) *Release.* The military judge shall order release from pretrial confinement only if:

(A) The 7-day reviewing officer's decision was an abuse of discretion, and there is not sufficient information presented to the military judge justifying continuation of pretrial confinement under subparagraph (h)(2)(B) of this rule;

(B) Information not presented to the 7-day reviewing officer establishes that the confinee should be released under subparagraph (h)(2)(B) of this rule; or

(C) The provisions of paragraph (i)(1) or (2) of this rule have not been complied with and information presented to the military judge does not establish sufficient grounds for continued confinement under subparagraph (h)(2)(B) of this rule.

(2) *Credit.* Upon sentencing, the military judge shall order administrative credit under subsection (k) of this rule for any pretrial confinement served as a result of an abuse of discretion or failure to comply with the provisions of subsections (f), (h), or (i) of this rule."

(d) R.C.M. 307(b) is amended to read as follows:

"(b) *How charges are preferred; oath.* In preferring charges and specifications —

(1) The person preferring the charges and specifications must sign them under oath before a commissioned officer of the armed forces authorized to administer oaths; and

(2) The writing under paragraph (b)(1) must state that—

(A) the signer has personal knowledge of, or has investigated, the matters set forth in the

charges and specifications; and

(B) the matters set forth in the charges and specifications are true to the best of the knowledge and belief of the signer.

(3) Any procedure, including those by remote means, which appeals to the conscience of the person to whom the oath is administered and which binds that person to properly perform that person's duties under this rule, is sufficient."

(e) R.C.M. 309 is amended to read as follows:

"Rule 309. Proceedings conducted before referral

(a) *In general.*

(1) A military judge detailed under regulations of the Secretary concerned may conduct proceedings under Article 30a, before referral of charges and specifications to court-martial for trial, and may issue such rulings and orders as necessary to further the purpose of the proceedings. A military judge may issue such orders and rulings only when the matters would be subject to consideration by a military judge in a general or special court-martial.

(2) The matters that may be considered and ruled upon by a military judge in proceeding under this rule are limited to those matters specified in subsection (b) of this rule.

(3) If any matter in a proceeding under this rule becomes a subject at issue with respect to charges that have been referred to a general or special court-martial, the matter, to include any motions, related papers, and the record of the hearing, if any, shall be provided to the military judge detailed to the court-martial.

(b) *Pre-referral matters.*

(1) *Pre-referral investigative subpoenas.* A military judge may, upon application by the Government, consider whether to issue a pre-referral investigative subpoena under R.C.M.

703(g)(3)(C). The proceeding may be conducted ex parte and may be conducted in camera.

(2) *Pre-referral warrants or orders for wire or electronic communications.* A military judge may, upon written application by a federal law enforcement officer or authorized counsel for the Government in connection with an ongoing investigation of an offense or offenses under the UCMJ, consider whether to issue a warrant or order for wire or electronic communications and related information as provided under R.C.M. 703A. The proceeding may be conducted ex parte and may be conducted in camera.

(3) *Requests for relief from subpoena or other process.* A person in receipt of a pre-referral investigative subpoena under R.C.M. 703(g)(3)(C), a victim named in a specification whose personal and confidential information has been subpoenaed under R.C.M. 703(g)(3)(C)(ii), or a service provider in receipt of a warrant or court order to disclose information about wire or electronic communications under R.C.M. 703A may request relief on grounds that compliance with the subpoena, warrant, or order is unreasonable, oppressive or prohibited by law. The military judge shall review the request and shall either order the person or service provider to comply with the subpoena, warrant, or order, or modify or quash the subpoena, warrant, or order as appropriate. In a proceeding under this paragraph, the United States shall be represented by an authorized counsel for the Government.

(4) *Pre-referral matters referred by an appellate court.* When a Court of Criminal Appeals or the Court of Appeals for the Armed Forces, in the course of exercising the jurisdiction of such court, remands the case for a pre-referral judicial proceeding, a military judge may conduct such a proceeding under this rule. This includes matters referred by a Court of Criminal Appeals under subsection (e) of Article 6b.

(5) *Pre-referral matters under subsection (c) of Article 6b.* The military judge may

designate a suitable person to assume the rights of a victim who is under 18 years of age (but who is not a member of the armed forces), or who is incompetent, incapacitated, or deceased. Upon appointment by the military judge, the legal guardian of the victim, the representative of the victim's estate, a family member, or any other person designated as suitable by the military judge, may assume the rights of the victim. Under no circumstances may the military judge designate the accused to assume the rights of the victim.

(6) *Pretrial confinement of an accused.* After action by the 7-day reviewing officer under R.C.M. 305(i)(2)(C), a military judge may, upon application of an accused for appropriate relief, review the propriety of pretrial confinement. A military judge may order release from pretrial confinement under the provisions of R.C.M. 305(j)(1).

(7) *The mental capacity or mental responsibility of an accused.*

(A) A military judge may, under the provisions of R.C.M. 706(b)(1), order an inquiry into the mental capacity or mental responsibility of an accused before referral of charges. The proceeding may be conducted ex parte and may be conducted in camera.

(B) A military judge may, under the provisions of R.C.M. 909, conduct a hearing to determine the mental capacity of the accused.

(8) *A request for individual military counsel.* When an accused requests individual military counsel prior to charges being referred to a general or special court-martial, a military judge may review the request subject to the provisions of R.C.M. 506(b).

(9) *Victim's petition for relief.*

(A) A victim of an offense under the UCMJ, as defined in Article 6b(b), may file a motion pre-referral requesting that a military judge require a preliminary hearing officer conducting a preliminary hearing under R.C.M. 405 to comply with:

(i) Articles 6b or 32;

(ii) R.C.M. 405; or

(iii) Mil. R. Evid. 412, 513, 514, or 615.

(B) The military judge may grant or deny such a motion. The ruling is subject to further review pursuant to Article 6b(e).

(c) *Procedure for submissions.* The Secretary concerned shall prescribe the procedures for receiving requests for proceedings under this rule and for detailing military judges to such proceedings.

(d) *Hearings.* Any hearing conducted under this rule shall be conducted in accordance with the procedures generally applicable to sessions conducted under Article 39(a), and R.C.M. 803.

(e) *Record.* A separate record of any proceeding under this rule shall be prepared and forwarded to the convening authority or commander with authority to dispose of the charges or offenses in the case. If charges are referred to trial in the case, such record shall be included in the record of trial.

(f) *Military magistrate.* If authorized under regulations of the Secretary concerned, a military judge detailed to a proceeding under this rule, other than a proceeding under paragraph (b)(2), (b)(7)(B), or (b)(8) of this rule, may designate a military magistrate to preside and exercise the authority of the military judge over the proceeding."

(f) R.C.M. 405(f) is amended to read as follows:

"(f) *Rights of the accused.* At any preliminary hearing under this rule, the accused shall have the right to:

(1) Be advised of the charges under consideration;

(2) Be represented by counsel;

(3) Be informed of the purpose of the preliminary hearing;

(4) Be informed of the right against self-incrimination under Article 31;

(5) In accordance with the terms of R.C.M. 405(j)(4), be present throughout the preliminary hearing;

(6) Cross-examine witnesses on matters relevant to the issues for determination under subsection (a) of this rule;

(7) Present matters relevant to the issues for determination under subsection (a); and

(8) Make a sworn or unsworn statement relevant to the issues for determination under subsection (a).”

(g) R.C.M. 405(h)(3)(B)(iii) is amended to read as follows:

“(iii) If the Government objects to production of the evidence, defense counsel may request that the preliminary hearing officer determine whether the evidence should be produced. If the preliminary hearing officer determines that the evidence is relevant, not cumulative, and necessary to a determination of the issues under subsection (a) of this rule and that the issuance of a pre-referral investigative subpoena would not cause undue delay to the preliminary hearing, the preliminary hearing officer shall direct counsel for the Government to seek a pre-referral investigative subpoena for the defense-requested evidence from a military judge in accordance with R.C.M. 309 or authorization from the general court-martial convening authority to issue an investigative subpoena. If counsel for the Government refuses or is unable to obtain an investigative subpoena, the counsel shall set forth the reasons why the investigative subpoena was not obtained in a written statement that shall be included in the preliminary hearing report under subsection (l) of this rule.”

(h) R.C.M. 405(i)(2)(A) is amended to read as follows:

"(A) *Inadmissibility of certain evidence.* In a case of an alleged sexual offense, as defined under Mil. R. Evid. 412(d), evidence offered to prove that the alleged victim engaged in other sexual behavior or evidence offered to prove any alleged victim's sexual predisposition is not admissible at a preliminary hearing unless—

(i) the evidence would be admissible at trial under Mil. R. Evid. 412(b)(1) or (2); and

(ii) the evidence is not cumulative and is necessary to a determination of the issues under subsection (a) of this rule."

(i) R.C.M. 405(j)(3) is amended to read as follows:

"(3) *Access by spectators.* Preliminary hearings are public proceedings and should remain open to the public whenever possible, whether conducted in person or via remote means. If there is an overriding interest that outweighs the value of an open preliminary hearing, the convening authority or the preliminary hearing officer may restrict or foreclose access by spectators to all or part of the proceedings. Any restriction or closure must be narrowly tailored to protect the overriding interest involved. Before ordering any restriction or closure, a convening authority or preliminary hearing officer must determine whether any reasonable alternatives to such restriction or closure exist, or if some lesser means can be used to protect the overriding interest in the case. The convening authority or preliminary hearing officer shall make specific findings of fact in writing that support the restriction or closure. The written findings of fact shall be included in the preliminary hearing report."

(j) R.C.M. 405(j)(4) is amended to read as follows:

"(4) *Presence of accused.* The accused shall be present for the preliminary hearing.

(A) *Remote presence of the accused.* The convening authority that directed the

preliminary hearing may authorize the use of audio-visual technology between the parties and the preliminary hearing officer. In such circumstances the "presence" requirement of the accused is met only when the accused has a defense counsel physically present at the accused's location or when the accused consents to presence by remote means with the opportunity for confidential consultation with defense counsel during the proceeding. Such technology may include two or more remote sites as long as all parties can see and hear each other.

(B) The accused shall be considered to have waived the right to be present at the preliminary hearing if the accused:

(i) After being notified of the time and place of the proceeding is voluntarily absent; or

(ii) After being warned by the preliminary hearing officer that disruptive conduct will cause removal from the proceeding, persists in conduct that is such as to justify exclusion from the proceeding."

(k) A new R.C.M. 406(c) is inserted immediately after R.C.M. 406(b) to read as follows:

"(c) *Distribution.* A copy of the advice of the staff judge advocate shall be provided to the defense if charges are referred to trial by general court-martial."

(l) R.C.M. 703(d) is amended to read as follows:

"(d) *Employment of expert witnesses and consultants.*

(1) *Experts for the prosecution.* When the employment of a prosecution expert witness or consultant is considered necessary, counsel for the Government shall, in advance of employment of the expert, and with notice to the defense, submit a request for funding of the expert in accordance with regulations prescribed by the Secretary concerned.

(2) *Experts for the defense.* When the employment of a defense expert witness or

consultant is considered necessary, the defense shall submit a request for funding of the expert in accordance with regulations prescribed by the Secretary concerned.

(A) After referral of charges, a denied defense request for an expert witness or consultant may be raised before the military judge. Motions for expert consultants may be raised *ex parte*. The military judge shall determine—

(i) in the case of an expert witness, whether the testimony is relevant and necessary; and

(ii) in the case of an expert consultant, whether the assistance is necessary for an adequate defense.

(B) If the military judge grants a motion for employment of a defense expert witness or consultant, the expert witness or consultant, or an adequate substitute, shall be provided in accordance with regulations prescribed by the Secretary concerned. In the absence of advance approval by an official authorized to grant such approval under the regulations prescribed by the Secretary concerned, expert witnesses and consultants may not be paid fees other than those to which they are entitled under subparagraph (g)(3)(E) of this rule."

(m) R.C.M. 703(g)(3)(G) is amended to read as follows:

"(G) *Relief.* If either a person subpoenaed or a victim named in a specification whose personal and confidential information has been subpoenaed under subparagraph (g)(3)(C)(ii) of this rule requests relief on grounds that compliance is unreasonable, oppressive, or prohibited by law, the military judge or, if before referral, a military judge detailed under Article 30a, shall review the request and shall—

(i) order that the subpoena be modified or quashed, as appropriate; or

(ii) order the person to comply with the subpoena."

(n) R.C.M. 703(g)(3)(H)(iii) is amended to read as follows:

"(iii) *Form.* A warrant of attachment shall be written. All documents in support of the warrant of attachment shall be attached to the warrant, together with any charge sheets and convening orders, if applicable."

(o) R.C.M. 703A is amended to read as follows:

"Rule 703A. Warrant or order for wire or electronic communications

(a) *In general.* A military judge detailed in accordance with Article 26 or Article 30a, may, upon written application by a federal law enforcement officer, trial counsel, or other authorized counsel for the Government in connection with an ongoing investigation of an offense or offenses under the UCMJ, issue one or more of the following:

(1) A warrant for the disclosure by a provider of electronic communication service of the contents of any wire or electronic communication.

(2) A warrant for the disclosure by a provider of remote computing service of the contents of any wire or electronic communication that is held or maintained on that service—

(A) on behalf of, and received by means of electronic transmission from (or created by means of computer processing of communications received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

(B) solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

(3) A warrant or order for the disclosure by a provider of electronic communication service or remote computing service of a record or other information pertaining to a subscriber to

or customer of such service (not including the contents of communications).

(b) *Warrant procedures.*

(1) *Probable cause required.* A military judge shall issue a warrant authorizing the search for and seizure of information specified in subsection (a) of this rule if—

(A) The federal law enforcement officer, trial counsel, or other authorized counsel for the Government applying for the warrant presents an affidavit or sworn testimony, subject to examination by the military judge, in support of the application; and

(B) Based on the affidavit or sworn testimony, the military judge determines that there is probable cause to believe that the information sought contains evidence of a crime.

(2) *Issuing the warrant.* The military judge shall issue the warrant to the federal law enforcement officer, trial counsel, or other authorized counsel for the Government who applied for the warrant.

(3) *Contents of the warrant.* The warrant shall identify the property to be searched, identify any property or other information to be seized, and designate the military judge to whom the warrant must be returned.

(4) *Executing the warrant.* The presence of the federal law enforcement officer, trial counsel, or other authorized counsel for the Government identified in the warrant shall not be required for service or execution of a search warrant issued in accordance with this rule requiring disclosure by a provider of electronic communications service or remote computing service of the contents of communications or records or other information pertaining to a subscriber to or customer of such service.

(5) *Quashing or modifying the warrant.* A military judge issuing a warrant under subsection (a), on a motion made promptly by the service provider, may quash or modify such

warrant, if the warrant is determined to be unreasonable or oppressive or prohibited by law.

(c) *Order procedures.*

(1) A military judge shall issue an order authorizing the disclosure of information specified in paragraph (a)(3) of this rule if the federal law enforcement officer, trial counsel, or other authorized counsel for the Government applying for the order offers specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

(2) *Quashing or modifying order.* A military judge issuing an order under paragraph (c)(1) of this rule, on a motion made promptly by the service provider, may quash or modify such order if the order is determined to be unreasonable, oppressive, or prohibited by law.

(d) *Non-disclosure orders.*

(1) A federal law enforcement officer, trial counsel, or other authorized counsel for the Government acting under this rule may apply to a military judge for an order commanding a provider of electronic communications service or remote computing service to whom a warrant or order under this rule is directed, for such period as the military judge deems appropriate, not to notify any other person of the existence of the warrant or order. The military judge shall issue the order if the military judge determines that there is reason to believe that notification of the existence of the warrant or order will result in an adverse result described in paragraph (d)(2) of this rule.

(2) An adverse result for the purposes of paragraph (d)(1) of this rule is—

(A) endangering the life or physical safety of an individual;

(B) flight from prosecution;

(C) destruction of or tampering with evidence;

(D) intimidation of potential witnesses; or

(E) otherwise seriously jeopardizing an investigation or unduly delaying a trial.

(e) *No cause of action against a provider disclosing information under this rule.* As provided under 18 U.S.C. § 2703(e), no cause of action shall lie in any court against any provider of wire or electronic communication service, its officers, employees, agents, or other specified persons for providing information, facilities, or assistance in accordance with the terms of a warrant or order under this rule.

(f) *Requirement to preserve evidence.* To the same extent as provided in 18 U.S.C. § 2703(f)—

(1) A provider of wire or electronic communication services or a remote computing service, upon the request of a federal law enforcement officer, trial counsel, or other authorized counsel for the Government, shall take all necessary steps to preserve records and other evidence in its possession pending the issuance of an order or other process; and

(2) Shall retain such records and other evidence for a period of 90 days, which shall be extended for an additional 90-day period upon a renewed request by the governmental entity.

(g) *Definition.* As used in this rule, the term "federal law enforcement officer" includes an employee of the Army Criminal Investigation Command, the Naval Criminal Investigative Service, the Air Force Office of Special Investigations, or the Coast Guard Investigative Service who has authority to request a search warrant."

(p) R.C.M. 705(d)(1) is amended to read as follows:

"(1) *In general.* Subject to such limitations as the Secretary concerned may prescribe pursuant to R.C.M. 705(a), a plea agreement that limits the sentence that can be imposed by the court-martial for one or more charges and specifications may contain:

(A) a limitation on the maximum punishment that can be imposed by the court-

martial;

(B) a limitation on the minimum punishment that can be imposed by the court-martial;

(C) limitations on the maximum and minimum punishments that can be imposed by the court-martial; or,

(D) a specified sentence or portion of a sentence that shall be imposed by the court-martial."

(q) R.C.M. 706(b)(1) is amended to read as follows:

"(1) *Before referral.* Before referral of charges, an inquiry into the mental capacity or mental responsibility of the accused may be ordered by the convening authority before whom the charges are pending for disposition, or by a military judge or magistrate in a proceeding conducted in accordance with R.C.M. 309."

(r) R.C.M. 706(c)(3)(A) is amended to read as follows:

"(A) That upon completion of the board's investigation, a statement consisting only of the board's ultimate conclusions as to all questions specified in the order shall be submitted to the officer ordering the examination, the accused's commanding officer, the preliminary hearing officer, if any, appointed pursuant to Article 32, and to all government and defense counsel in the case, the convening authority, and, after referral, to the military judge."

(s) R.C.M. 707(c)(1) is amended to read as follows:

"(1) *Procedure.* Prior to referral, all requests for pretrial delay, together with supporting reasons, will be submitted to the convening authority for resolution. After referral, such requests for pretrial delay will be submitted to the military judge for resolution."

(t) R.C.M. 707(e) is amended to read as follows:

"(e) *Waiver.* Except as provided in R.C.M. 910(a)(2), a plea of guilty that results in a finding of guilty waives any speedy trial issue under this rule as to that offense."

(u) R.C.M. 804(b) is amended to read as follows:

"(b*) Presence by remote means.*

(1) The military judge may order the use of audiovisual technology, such as video teleconferencing technology, between the parties and the military judge for purposes of Article 39(a) sessions, subject to the limitations in paragraph (2) of this rule. Use of such audiovisual technology will satisfy the "presence" requirement of the accused only when the accused has a defense counsel physically present at the accused's location or when the accused consents to presence by remote means with the opportunity for confidential consultation with defense counsel during the proceeding. Such technology may include two or more remote sites as long as all parties can see and hear each other.

(2) The use of audiovisual technology between the parties and the military judge may be used for a plea inquiry under R.C.M. 910(d), (e), and (f) and for presentencing proceedings before a military judge under R.C.M. 1001, only when there are exceptional circumstances that interfere with the normal administration of military justice, as determined by the military judge, and with the consent of the accused. Defense counsel must be physically present at the accused's location during an inquiry prior to the acceptance of a plea under R.C.M. 910(d), (e), and (f) and during presentencing proceedings before a military judge under R.C.M. 1001."

(v) R.C.M. 813(a) through (d) are amended to read as follows:

"(a) *Opening sessions.* Except as noted in subsection (d), when the court-martial is called to order for the first time in a case, the military judge shall ensure that the following is announced:

(1) The order, including any amendment, by which the court is convened;

(2) The name, rank, and unit or address of the accused;

(3) The name and rank of the military judge presiding;

(4) The names and ranks of the members, if any, who are present;

(5) The names and ranks of members who are absent, if presence of members is required

(6) The names and ranks (if any) of counsel who are present;

(7) The names and ranks (if any) of counsel who are absent; and

(8) The name and rank (if any) of any detailed court reporter.

(b) *Later proceedings.* When the court-martial is called to order after a recess or adjournment or after it has been closed for any reason, the military judge shall ensure that the record reflects whether all parties and members who were present at the time of the adjournment or recess, or at the time the court-martial closed, are present.

(c) *Additions, replacement, and absences of personnel.* Whenever there is a replacement of the military judge, any member, or counsel, either through the appearance of new personnel or personnel previously absent or through the absence of personnel previously present, the military judge shall ensure the record reflects the change and the reason for it.

(d) Under R.C.M. 813(a)(1), the name, grade, and position of the convening authority, with the exception of the Secretary concerned, the Secretary of Defense, or the President, shall be omitted from announcement during the opening session of the court-martial."

(w) R.C.M. 909(c) is amended to read as follows:

"(c) *Determination before referral.*

(1) If an inquiry pursuant to R.C.M. 706 conducted before referral concludes that an accused is suffering from a mental disease or defect that renders the accused mentally incompetent to stand trial, the convening authority before whom the charges are pending for

disposition may disagree with the conclusion and take any action authorized under R.C.M. 401, including referral of the charges to trial. If that convening authority concurs with the conclusion, the convening authority shall forward the charges to the general court-martial convening authority. If, upon receipt of the charges, the general court-martial convening authority similarly concurs, then he or she shall commit the accused to the custody of the Attorney General. If the general court-martial convening authority does not concur, that authority may take any action that the authority deems appropriate in accordance with R.C.M. 407, including referral of the charges to trial.

(2) Upon request of the Government or the accused, a military judge may conduct a hearing to determine the mental capacity of the accused in accordance with R.C.M. 309 and subsection (e) of this rule at any time prior to referral."

(x) A new R.C.M. 910(f)(8) is inserted immediately after R.C.M. 910(f)(7) to read as follows:

"(8) *Basis for rejecting a plea agreement.* The military judge of a general or special court-martial shall reject a plea agreement that—

(A) contains a provision that has not been accepted by both parties;

(B) contains a provision that is not understood by the accused;

(C) except as provided in Article 53a(c), contains a provision for a sentence that is less than the mandatory minimum sentence applicable to an offense referred to in Article 56(b)(2);

(D) is prohibited by law; or

(E) is contrary to, or is inconsistent with, these rules with respect to the terms, conditions, or other aspects of plea agreements."

(y) R.C.M. 910(j) is amended to read as follows:

"(j) *Waiver.* Except as provided in paragraph (a)(2) of this rule, a plea of guilty that results in a finding of guilty waives any objection, whether or not previously raised, as to the factual issue of guilt of the offense(s) to which the plea was made and any non-jurisdictional defect as to the offense(s) to which the plea was made that occurred prior to the plea."

(z) R.C.M. 912A(a)(4)(A) is amended to read as follows:

"(A) If the convening authority authorizes the military judge to impanel a specific number of alternate members, the number of members impaneled shall be the number of members required under paragraphs (1), (2), or (3) of this subsection, as applicable, plus the number of alternate members specified by the convening authority. The military judge shall not impanel the court-martial until the specified number of alternate members has been identified. New members may be detailed in order to impanel the specified number of alternate members."

(aa) A new R.C.M. 912A(d)(3)(C) is inserted immediately after R.C.M. 912A(d)(3)(B) to read as follows:

"(C) In a case in which the accused has elected to be tried by a panel consisting of at least one-third enlisted members under R.C.M. 503(a)(2), the convening authority may instruct the military judge to prioritize impaneling a specific number of alternate enlisted members before impaneling alternate officer members. These members shall be identified in numerical order beginning with the lowest remaining random number assigned pursuant to R.C.M. 912(f)(5), after first identifying members under paragraph (1) of this subsection."

(bb) R.C.M. 914(e) is amended to read as follows:

"(e) *Remedy for failure to produce statement.*

(1) *Party refusal to comply.* If the other party elects not to comply with an order to deliver a statement to the moving party, the military judge shall order that the testimony of the witness

be disregarded by the trier of fact and that the trial proceed, or, if it is the trial counsel who elects not to comply, shall declare a mistrial if required in the interest of justice.

(2) *Exception.* In the event that the other party cannot comply with this rule because the statement is lost, and can prove, by a preponderance of evidence, that the loss of the witness statement was not attributable to bad faith or gross negligence, the military judge may exercise the sanctions set forth in paragraph (e)(1) of this rule only if—

(A) the statement is of such central importance to an issue that it is essential to a fair trial, and

(B) there is no adequate substitute for the statement."

(cc) R.C.M. 916(e)(2) is amended to read as follows:

"(2) *Certain aggravated offer-type assault cases.* It is a defense to aggravated assault that the accused:

(A) Apprehended, on reasonable grounds, that bodily harm was about to be inflicted wrongfully on the accused; and

(B) In order to deter the assailant, offered but did not actually inflict or attempt to inflict substantial or grievous bodily harm."

(dd) A new R.C.M. 920(g) is inserted immediately after R.C.M. 920(f) to read as follows:

"(g) *Waiver.* Instructions on a lesser included offense shall not be given when both parties waive such an instruction. After receiving applicable notification of those lesser included offenses of which an accused may be convicted, the parties may waive the reading of a lesser included offense instruction. A written waiver is not required. The accused must affirmatively acknowledge that the accused understands the rights involved and affirmatively waive the instruction on the record. The accused's waiver must be made freely, knowingly, and

intelligently. In the case of a joint or common trial, instructions on a lesser included offense shall not be given as to an individual accused when that accused and the Government agree to waive such an instruction."

(ee) R.C.M. 1003(b)(2) is amended to read as follows:

"(2) *Forfeiture of pay and allowances.* Unless a total forfeiture is adjudged, a sentence to forfeiture shall state the exact amount in whole dollars to be forfeited each month and the number of months the forfeitures will last. Allowances shall be subject to forfeiture only when the sentence includes forfeiture of all pay and allowances. The maximum authorized amount of a partial forfeiture shall be determined by using the basic pay, retired pay, or retainer pay, as applicable, or, in the case of reserve component personnel on inactive duty, compensation for periods of inactive-duty training, authorized by the cumulative years of service of the accused, and, if no confinement is adjudged, any sea or hardship duty pay. If the sentence also includes reduction in grade, expressly or by operation of law, the maximum forfeiture shall be based on the grade to which the accused is reduced. Forfeitures of greater than two-thirds' pay per month may be imposed only during periods of confinement."

(ff) R.C.M. 1003(c)(2) is amended to read as follows:

"(2) *Based on grade of accused.*

(A) *Commissioned or warrant officers, cadets, and midshipmen.*

(i) A commissioned or warrant officer or a cadet or midshipman may not be reduced in grade by any court-martial. However, in time of war or national emergency, the Secretary concerned, or such Under Secretary or Assistant Secretary as may be designated by the Secretary concerned, may commute a sentence of dismissal to reduction to any enlisted grade.

(ii) A commissioned or warrant officer or a cadet or midshipman may not

be sentenced to hard labor without confinement.

(iii) Only a general court-martial, upon conviction of any offense in violation of the UCMJ, may sentence a commissioned or warrant officer or a cadet or midshipman to be separated from the service with a punitive separation. In the case of commissioned officers, cadets, midshipmen, and commissioned warrant officers, the separation shall be by dismissal. In the case of all other warrant officers, the separation shall be by dishonorable discharge.

(B) *Enlisted persons.* See paragraph (b)(9) of this rule and R.C.M. 1301(d)."

(gg) A new R.C.M. 1101(e) is inserted immediately after R.C.M. 1101(d) to read as follows:

"(e) *Modification.* The Statement of Trial Results may be modified as follows:

(1) The military judge may modify the Statement of Trial Results to correct any errors prior to certification of the record of trial under R.C.M. 1112.

(2) The Court of Criminal Appeals, the Court of Appeals for the Armed Forces, and the Judge Advocate General or the Judge Advocate General's designee may modify the Statement of Trial Results in the performance of their duties and responsibilities.

(3) If a case is remanded to a military judge, the military judge may modify the Statement of Trial Results consistent with the purposes of the remand.

(4) Any modification to the Statement of Trial Results must be included in the record of trial."

(hh) R.C.M. 1102(b)(1) is amended to read as follows:

"(1) *Forfeiture.* Unless deferred under R.C.M. 1103 or suspended under R.C.M. 1107, that part of an adjudged sentence that includes forfeitures is executed and takes effect as follows:

(A) *Generally.* Subject to subparagraph (B), if a sentence includes forfeitures in

pay or allowances, or, if forfeiture is required by Article 58b, that part of the sentence shall take effect on the earlier of—

(i) 14 days after the sentence is announced under R.C.M. 1007; or

(ii) in the case of a summary court-martial, the date on which the sentence is approved by the convening authority.

(B) *Accused Not in Confinement.* If an accused is not confined and is performing military duties, that portion of the sentence that provides for forfeiture of more than two-thirds' pay per month shall not be executed."

(ii) A new R.C.M. 1102(b)(6) is inserted immediately after R.C.M. 1102(b)(5) to read as follows:

"(6) *Reduction in Enlisted Grade.*

(A) *Adjudged Reduction.* Unless deferred under R.C.M. 1103 or suspended under R.C.M. 1107, that part of an adjudged sentence that includes reduction in enlisted grade shall take effect on the earlier of—

(i) 14 days after the sentence is announced under R.C.M. 1007; or

(ii) in the case of a summary court-martial, the date on which the sentence is approved by the convening authority.

(B) *Automatic Reduction.* An enlisted accused in a pay grade above E-1 whose sentence as set forth in the judgment of a court-martial includes a dishonorable or bad-conduct discharge, confinement, or hard labor without confinement may be reduced automatically to pay grade E-1 if permitted by, and under circumstances provided in, regulations prescribed by the Secretary concerned."

(jj) A new R.C.M. 1104(e) is inserted immediately after R.C.M. 1104(d) to read as follows:

"(e) *Notice to Victims.* A victim must be notified of any post-trial motion, filing, or hearing that may address:

(1) the findings or sentence of a court-martial with respect to the accused;

(2) the unsealing of privileged or private information of a victim; or

(3) any action resulting in the release of an accused."

(kk) R.C.M. 1106(a) is amended to read as follows:

"(a) *In general.* After a sentence is announced in a court-martial, the accused may submit matters to the convening authority for consideration in the exercise of the convening authority's powers under R.C.M. 1109, 1110, or 1306."

(ll) R.C.M. 1106A(a) is amended to read as follows:

"(a) *In general.* In a case with a crime victim, after a sentence is announced in a court-martial any crime victim of an offense of which the accused was found guilty may submit matters to the convening authority for consideration in the exercise of the convening authority's powers under R.C.M. 1109, 1110, or 1306."

(mm) R.C.M. 1107(b)(2) is amended to read as follows:

"(2) *Suspension after entry of judgment.* The convening authority who convened the original court-martial, the convening authority's successor in command, or a convening authority otherwise designated by the Secretary concerned may suspend any part of the unexecuted part of any sentence except a sentence of death, dishonorable discharge, bad-conduct discharge, dismissal, or confinement for more than six months."

(nn) R.C.M. 1109(e)(3) is amended to read as follows:

"(3) *Who may act.*

(A) Before entry of judgment, the convening authority who convened the original

court-martial or the convening authority's successor in command may act on the recommendation of trial counsel under paragraph (2).

(B) After entry of judgment, the convening authority who convened the original court-martial or the convening authority's successor in command or a convening authority otherwise designated by the Secretary concerned may act on the recommendation of trial counsel under paragraph (2)."

(oo) R.C.M. 1109(e)(5)(B) is amended to read as follows:

"(B) In the case of a recommendation by trial counsel under paragraph (2) of this subsection made more than one year after entry of judgment, the convening authority who convened the original court-martial or the convening authority's successor in command or a convening authority otherwise designated by the Secretary concerned may reduce a sentence only if the substantial assistance of the accused involved—

(i) Information not known to the accused until one year or more after sentencing;

(ii) Information the usefulness of which could not reasonably have been anticipated by the accused until more than one year after sentencing and which was promptly provided to the Government after its usefulness was reasonably apparent to the accused; or

(iii) Information provided by the accused to the Government within one year of sentencing, but which did not become useful to the Government until more than one year after sentencing."

(pp) R.C.M. 1109(e)(7) is amended to read as follows:

"(7) *Action after entry of judgment.* If the convening authority who convened the original court-martial or the convening authority's successor in command or a convening authority

otherwise designated by the Secretary concerned acts on the sentence of an accused after entry of judgment, the action shall be forwarded to the chief trial judge. The chief trial judge, or a military judge detailed by the chief trial judge, shall modify the judgment of the court-martial to reflect the action. The action and the modified judgment shall be forwarded to the Judge Advocate General and shall be included in the original record of trial. The reduction of a sentence under this rule shall not abridge any right of the accused to appellate review."

(qq) R.C.M. 1109(g)(2) is amended to read as follows:

"(2) *Action on sentence.* If the convening authority decides to act on the sentence under this rule, such action shall be in writing and shall include a written statement explaining the action. If any part of the sentence is disapproved, reduced, commuted, or suspended, the action shall clearly state which parts or parts are disapproved, reduced, commuted, or suspended. The convening authority's staff judge advocate or legal advisor shall forward the action with the written explanation to the military judge to be attached to the record of trial."

(rr) R.C.M. 1111(c) is amended to read as follows:

"(c) *Modification of judgment.* The judgment may be modified as follows—

(1) The military judge who entered a judgment may issue a modified judgment to correct any errors prior to certification of the record of trial under R.C.M. 1112.

(2) The Court of Criminal Appeals, the Court of Appeals for the Armed Forces, and the Judge Advocate General or the Judge Advocate General's designee may modify a judgment in the performance of their duties and responsibilities.

(3) If a case is remanded to a military judge, the military judge may modify the judgment consistent with the purposes of the remand.

(4) Any modification to the judgment of a court-martial must be included in the record of

trial."

(ss) R.C.M. 1112(b)(5) is amended to read as follows:

"(5) The election, if any, for application of sentencing rules as in effect on or after January 1, 2019 under R.C.M. 902A; and the election, if any, for sentencing by members in lieu of sentencing by military judge under R.C.M. 1002(b);"

(tt) R.C.M. 1113(b)(3)(C) is amended to read as follows:

"(C) *Disclosure.* Appellate counsel shall not disclose sealed materials in the absence of:

(i) prior authorization of the Judge Advocate General in the case of review under R.C.M. 1201 or 1210;

(ii) prior authorization of the appellate court before which a case is pending review under R.C.M. 1203 or 1204; or

(iii) prior authorization of the Judge Advocate General for a case eligible for review under R.C.M. 1203 or 1204."

(uu) R.C.M. 1113(b)(3)(D) is amended to read as follows:

"(D) For purposes of this rule, reviewing and appellate authorities are limited to:

(i) Judge advocates reviewing records pursuant to R.C.M. 1307;

(ii) Officers and attorneys in the office of the Judge Advocate General reviewing records pursuant to R.C.M. 1201 and 1210;

(iii) Officers and attorneys designated by the Judge Advocate General;

(iv) Appellate judges of the Courts of Criminal Appeals and their professional staffs;

(v) The judges of the United States Court of Appeals for the Armed Forces

and their professional staffs;

(vi) The Justices of the United States Supreme Court and their professional staffs; and

(vii) Any other court of competent jurisdiction."

(vv) R.C.M. 1115(a) is amended to read as follows:

"(a) *In general.* After any general court-martial, except one in which the judgment entered into the record includes a sentence of death, and after any special court-martial in which the judgment entered into the record includes a finding of guilt, the accused may waive or withdraw the right to appellate review by a Court of Criminal Appeals. The accused may sign a waiver of the right to appeal at any time after entry of judgment and may withdraw an appeal at any time before such review is completed."

(ww) R.C.M. 1116(c) is amended to read as follows:

"(c) *General and special courts-martial not reviewed by a Court of Criminal Appeals.* General and special courts-martial with a finding of guilty not reviewed by a Court of Criminal Appeals under Article 66(b)(1) or (3) shall be reviewed under Article 65(d)(2)."

(xx) R.C.M. 1201(h) is amended to read as follows:

"(h) *Application for relief to the Judge Advocate General after final review.*

(1) *In general.* Notwithstanding R.C.M. 1209, the Judge Advocate General may, upon application of the accused or a person with authority to act for the accused or receipt of the record pursuant to R.C.M. 1307(g):

(A) With respect to a summary court-martial previously reviewed under R.C.M. 1307, modify or set aside, in whole or in part, the findings and sentence; or

(B) With respect to a general or special court-martial previously reviewed under paragraph (a)(1) or (2), order such a court-martial to be reviewed under R.C.M. 1203 by the Court of Criminal Appeals.

(2) Timing. To qualify for consideration under this subsection, an accused must submit an application not later than one year after—

(A) In the case of a summary court-martial, the date of completion of review under R.C.M. 1307; or

(B) In the case of a general or special court-martial, the end of the 90-day period beginning on the date the accused is provided notice of appellate rights under R.C.M. 1116(b)(2).

(3) Extension. The Judge Advocate General may, for good cause shown, extend the period for submission of an application under paragraph (h)(2) for a time period not to exceed three additional years. The Judge Advocate General may not consider an application submitted more than three years after the applicable expiration date specified in paragraph (h)(2)."

(yy) R.C.M. 1202(b)(2)(A) is amended to read as follows:

"(A) In every general and special court-martial that includes a finding of guilty, an appellate defense counsel shall be detailed to review the case, unless the accused has waived the right to appeal under Article 61 or submits a written statement declining representation. Upon request, the detailed appellate defense counsel shall represent the accused in accordance with subparagraph (B)."

(zz) A new R.C.M. 1208(c) is inserted immediately after R.C.M. 1208(b) to read as follows:

"(c) *Effective date of sentences.* Once a sentence has been set aside or disapproved, the effective date of a sentence that relates to that portion which was set aside or disapproved shall be calculated from the date a new sentence relating to that portion is adjudged at a new trial, other

trial, or rehearing and shall be in accordance with R.C.M. 1102."

(aaa) R.C.M. 1304(b)(2)(F) is amended to read as follows:

"(F) *Findings and sentence.*

(i) The summary court-martial shall apply the principles in R.C.M. 918 in determining the findings. The summary court-martial shall announce the findings to the accused in open session.

(ii) The summary court-martial shall follow the procedures in R.C.M. 1001 and 1002 and apply the principles in the remainder of Chapter X in determining a sentence, except as follows:

(I) If an accused is found guilty of more than one offense, a summary court-martial shall determine the appropriate confinement and fine, if any, for all offenses of which the accused was found guilty. The summary court-martial shall not determine or announce separate terms of confinement or fines for each offense; and

(II) The summary court-martial shall announce the sentence to the accused in open session.

(iii) If the sentence includes confinement, the summary court-martial shall advise the accused of the right to apply to the convening authority for deferment of the service of the confinement.

(iv) If the accused is found guilty, the summary court-martial shall advise the accused of the rights under R.C.M. 1306(a) and (h) and R.C.M. 1307(h) after the sentence is announced.

(v) The summary court-martial shall, as soon as practicable, inform the convening authority of the findings, sentence, recommendations, if any, for suspension of the

sentence, and any deferment request.

(vi) If the sentence includes confinement, the summary court-martial shall cause the delivery of the accused to the accused's commanding officer or the commanding officer's designee."

(bbb) R.C.M. 1304(b)(2)(G) is deleted.

Section 2. Part III of the Manual for Courts-Martial, United States, is amended as follows:

(a) Mil. R. Evid. 311(c)(3) is amended to read as follows:

"(3) *Good Faith Exception of a Warrant or Search Authorization:* Evidence that was obtained as a result of an unlawful search or seizure may be used if:

(A) the search or seizure resulted from an authorization to search, seize, or apprehend issued by an individual competent to issue the authorization under Mil. R. Evid. 315(d) or from a search warrant or arrest warrant issued by competent civilian authority, or from such an authorization or warrant issued by an individual whom the officials seeking and executing the authorization or warrant reasonably and with good faith believed was competent to issue the authorization or warrant;

(B) the individual issuing the authorization or warrant had a substantial basis for determining the existence of probable cause or the officials seeking and executing the authorization or warrant reasonably and with good faith believed that the individual issuing the authorization or warrant had a substantial basis for determining the existence of probable cause; and

(C) the officials seeking and executing the authorization or warrant reasonably and with good faith relied on the issuance of the authorization or warrant. Good faith is to be determined using an objective standard."

(b) Mil. R. Evid. 311(d)(4)(B) is amended to read as follows:

"(B) *False Statements.* If the defense makes a substantial preliminary showing that a government agent knowingly and intentionally or with reckless disregard for the truth included a false statement or omitted a material fact in the information presented to the authorizing officer, and if the allegedly false statement or omitted material fact is necessary to the finding of probable cause, the defense, upon request, is entitled to a hearing. At the hearing, the defense has the burden of establishing by a preponderance of the evidence the allegation of knowing and intentional falsity or reckless disregard for the truth. If the defense meets its burden, the prosecution has the burden of proving by a preponderance of the evidence, with the false information set aside, that the remaining information presented to the authorizing officer is sufficient to establish probable cause. If the prosecution does not meet its burden, the objection or motion must be granted unless the search is otherwise lawful under these rules."

(c) Mil. R. Evid. 315(b)(2) is amended to read as follows:

"(2) "Search warrant" means express permission to search and seize issued by competent civilian authority or under R.C.M. 703A."

(d) A new Mil. R. Evid. 315(b)(3) is inserted immediately after Mil. R. Evid. 315(b)(2) to read as follows:

"(3) "Warrant for wire or electronic communications" means a warrant issued by a military judge pursuant to 18 U.S.C. §§ 2703(a), (b)(1)(A), or (c)(1)(A) in accordance with 10 U.S.C. § 846(d)(3) and R.C.M. 309(b)(2) and R.C.M. 703A."

(e) Mil. R. Evid. 315(d) is amended to read as follows:

"(d) *Who May Authorize.* A search authorization under this rule is valid only if issued by an impartial individual in one of the categories set forth in paragraphs (d)(1), (d)(2), and (d)(3) of

this rule. Only a military judge may issue a warrant for wire or electronic communications under this rule. An otherwise impartial authorizing official does not lose impartiality merely because the official is present at the scene of a search or is otherwise readily available to persons who may seek the issuance of a search authorization; nor does such an official lose impartial character merely because the official previously and impartially authorized investigative activities when such previous authorization is similar in intent or function to a pretrial authorization made by the United States district courts.

(1) *Commander.* A commander or other person serving in a position designated by the Secretary concerned as either a position analogous to an officer in charge or a position of command, who has control over the place where the property or person to be searched is situated or found, or, if that place is not under military control, having control over persons subject to military law or the law of war;

(2) *Military Judge or Magistrate.* A military judge or magistrate if authorized under regulations prescribed by the Secretary of Defense or the Secretary concerned; or

(3) *Other competent search authority.* A competent, impartial official as designated under regulations by the Secretary of Defense or the Secretary concerned as an individual authorized to issue search authorizations under this rule."

(f) Mil. R. Evid. 404(b) is amended to read as follows:

"(b) *Other Crimes, Wrongs, or Acts.*

(1) *Prohibited Uses.* Evidence of any other crime, wrong, or act is not admissible to prove a person's character in order to show that on a particular occasion the person acted in accordance with the character.

(2) *Permitted Uses.* This evidence may be admissible for another purpose, such as proving

motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident.

(3) *Notice in a Criminal Case.* In a criminal case, the trial counsel must:

(A) provide reasonable notice of any such evidence that the trial counsel intends to offer at trial, so the accused has a fair opportunity to meet it;

(B) articulate in the notice the permitted purpose for which the trial counsel intends to offer the evidence and the reasoning that supports the purpose; and

(C) do so in writing before trial—or in any form during trial if the court, for good cause, excuses lack of pretrial notice."

(g) **Mil. R. Evid. 503 is amended to read as follows:**

"Rule 503. Communications to clergy

(a) *General Rule.* A person has a privilege to refuse to disclose and to prevent another from disclosing a confidential communication by the person to a clergy member or to a clergy member's assistant, if such communication is made either as a formal act of religion or as a matter of conscience.

(b) *Definitions.* As used in this rule:

(1) "Clergy member" means a minister, priest, rabbi, imam, chaplain, or other similar functionary of a religious organization, or an individual reasonably believed to be so by the person consulting the clergy member.

(2) "Clergy member's assistant" means a person employed or assigned to assist a clergy member in the clergy member's capacity as a spiritual advisor.

(3) A communication is "confidential" if made to a clergy member in the clergy member's capacity as a spiritual advisor or to a clergy member's assistant in the assistant's

official capacity and is not intended to be disclosed to third persons other than those to whom disclosure is in furtherance of the purpose of the communication or to those reasonably necessary for the transmission of the communication.

(c) *Who May Claim the Privilege.* The privilege may be claimed by the person, guardian, or conservator, or by a personal representative if the person is deceased. The clergy member or clergy member's assistant who received the communication may claim the privilege on behalf of the person. The authority of the clergy member or clergy member's assistant to do so is presumed in the absence of evidence to the contrary."

(h) Mil. R. Evid. 611(d)(1) is amended to read as follows:

"(1) In a case involving domestic violence or a case involving the abuse of a child, the military judge must, subject to the requirements of subdivision (d)(3) of this rule, allow a child victim or child witness to testify from an area outside the courtroom as prescribed in R.C.M. 914A."

(i) Mil. R. Evid. 611(d)(2)(E) is amended to read as follows:

"(E) "Domestic violence" means conduct that may constitute an offense under Article 128b."

(j) Mil. R. Evid. 803(16) is amended to read as follows:

"(16) *Statements in Ancient Documents.* A statement in a document that was prepared before January 1, 1998, and whose authenticity is established."

(k) Mil. R. Evid. 803(22) is amended to read as follows:

"(22) *Judgment of a Previous Conviction.* Evidence of a final judgment of conviction if:

(A) the judgment was entered after a trial or guilty plea, but not a nolo contendere plea;

(B) the conviction was for a crime punishable by death, dishonorable discharge, or imprisonment for more than a year;

(C) the evidence is admitted to prove any fact essential to the judgment; and

(D) when offered by the prosecution for a purpose other than impeachment, the judgment was against the accused.

The pendency of an appeal may be shown but does not affect admissibility. In determining whether a crime tried by court-martial was punishable by death, dishonorable discharge, or imprisonment for more than one year, the maximum punishment prescribed by the President under Article 56 of the Uniform Code of Military Justice at the time of the conviction applies without regard to whether the case was tried by general, special, or summary court-martial.

(l) Mil. R. Evid. 807 is amended to read as follows:

"(a) *In General.* Under the following conditions, a hearsay statement is not excluded by the rule against hearsay even if the statement is not admissible under a hearsay exception in Mil. R. Evid. 803 or 804:

(1) the statement is supported by sufficient guarantees of trustworthiness—after considering the totality of circumstances under which it is made and evidence, if any, corroborating the statement; and

(2) the statement is more probative on the point for which it is offered than any other evidence that the proponent can obtain through reasonable efforts.

(b) *Notice.* The statement is admissible only if the proponent gives an adverse party reasonable notice of the intent to offer the statement—including its substance and the declarant's name—so that the party has a fair opportunity to meet it. The notice must be provided in writing before the trial or hearing—or in any form during the trial or hearing if the court, for good cause, excuses a

lack of earlier notice."

(m) A new Mil. R. Evid. 902(12) is inserted immediately after Mil. R. Evid. 902(11) to read as follows:

"(12) Reserved."

(n) A new Mil. R. Evid. 902(13) is inserted immediately after new Mil. R. Evid. 902(12) to read as follows:

"(13) *Certified Records Generated by an Electronic Process or System.* A record generated by an electronic process or system that produces an accurate result, as shown by a certification of a qualified person that complies with the certification requirements of Mil. R. Evid. 902(11). The proponent also must meet the notice requirements of Mil. R. Evid. Rule 902(11)."

(o) A new Mil. R. Evid. 902(14) is inserted immediately after new Mil. R. Evid. 902(13) to read as follows:

"(14) *Certified Data Copied from an Electronic Device, Storage Medium, or File.* Data copied from an electronic device, storage medium, or file, if authenticated by a process of digital identification, as shown by a certification of a qualified person that complies with the certification requirements of Mil. R. Evid. 902(11). The proponent also must meet the notice requirements of Mil. R. Evid. 902(11)."

Section 3. Part IV of the Manual for Courts-Martial, United States, is amended as follows:

(a) Paragraph 3.b.(4) is amended to read as follows:

"(4) *Sua sponte duty.* Subject to R.C.M. 920(g), a military judge must instruct panel members on lesser included offenses reasonably raised by the evidence."

(b) Paragraph 6.d. is amended to read as follows:

"d. *Maximum punishment.*

(1) *Solicitation of espionage.* Such punishment that a court-martial may direct, other than death.

(2) *Solicitation of desertion; mutiny or sedition; misbehavior before the enemy.* If the offense solicited or advised is committed or attempted, then the accused shall be punished with the punishment provided for the commission of the offense solicited or advised. If the offense solicited or advised is not committed or attempted, then the following punishment may be imposed: dishonorable discharge, forfeiture of all pay and allowances, and confinement for 15 years, or the maximum punishment of the underlying offense, whichever is lesser.

(3) *Solicitation of all other offenses.* Any person subject to the UCMJ who is found guilty of soliciting or advising another person to commit an offense not specified in subparagraph d.(1)-(2) of this paragraph that, if committed by one subject to the UCMJ, would be punishable under the UCMJ, shall be subject to the following maximum punishment: dishonorable discharge, forfeiture of all pay and allowances, and confinement for 10 years, or the maximum punishment of the underlying offense, whichever is lesser."

(c) Paragraph 19.c.(2) is amended to read as follows:

"(2) *Nature of act.* The cruelty, oppression, or maltreatment, although not necessarily physical, must be measured by an objective standard. Assault, improper punishment, and sexual harassment may constitute this offense if the conduct meets the elements of this offense. Sexual harassment under this paragraph includes influencing, offering to influence, or threatening the career, pay, or job of another person in exchange for sexual favors, and deliberate or repeated offensive comments or gestures of a sexual nature. The imposition of necessary or proper duties

and the exaction of their performance does not constitute this offense even though the duties are arduous or hazardous or both."

(d) Paragraph 20.b. is amended to read as follows:

"b. *Elements.*

(1) *Abuse of training leadership position.*

(a) That the accused was a commissioned, warrant, noncommissioned, or petty officer;

(b) That the accused was in a training leadership position with respect to a specially protected member of the armed forces; and

(c) That the accused engaged in prohibited sexual activity with a person the accused knew was a specially protected junior member of the armed forces.

(2) *Abuse of position as a military recruiter.*

(a) That the accused was a commissioned, warrant, noncommissioned, or petty officer;

(b) That the accused was performing duties as a military recruiter; and

(c) That the accused engaged in prohibited sexual activity with a person the accused knew was an applicant for military service or a specially protected junior member of the armed forces who is enlisted under a delayed entry program."

(e) Paragraph 20.c. is amended to read as follows:

"c. *Explanation.*

(1) *In general.* The prevention of inappropriate sexual activity by trainers, recruiters, and drill instructors with recruits, trainees, students attending service academies, and other potentially vulnerable persons in the initial training environment is crucial to the maintenance of

good order and military discipline. Military law, regulation, and custom invest officers, non-commissioned officers, drill instructors, recruiters, cadre, and others with the right and obligation to exercise control over those they supervise. In this context, inappropriate sexual activity between those potentially vulnerable persons and those with authority to exercise control over them is inherently destructive to good order and discipline.

(2) *Prohibited activity.* The responsibility for identifying relationships subject to this offense and those outside the scope of this offense is entrusted to the individual Services to determine and specify by appropriate regulations. This offense is intended to cover those situations that involve the improper use of authority by virtue of an individual's position in either a training or recruiting environment. Not all contact or associations are prohibited by this article. Service regulations must consider circumstances where pre-existing relationships (for example, marriage relationships) exist. Additionally, this offense criminalizes only activity occurring when there is a training or recruiting relationship between the accused and the alleged victim of this offense.

(3) *Knowledge.* The accused must have actual or constructive knowledge that a person was a "specially protected junior member of the armed forces" or an "applicant for military service" (as those terms are defined in this offense). Knowledge may be proved by circumstantial evidence.

(4) *Consent.* Consent is not a defense to this offense."

(f) Paragraph 20.e. is amended to read as follows:

"e. *Sample specifications.*

(1) *Prohibited act with specially protected junior member of the armed forces.*

In that ___ (personal jurisdiction data), a (commissioned) (warrant) (noncommissioned) (petty)

officer, while in a training leadership position over ___, did (at/on board—location) (subject-matter jurisdiction data, if required), on or about ___ 20__, engage in a prohibited act, to wit: _____ with _____, whom the accused knew was a specially protected junior Servicemember in initial active duty training.

(2) *Prohibited act with an applicant for military service.*

In that ___ (personal jurisdiction data), a (commissioned) (warrant) (noncommissioned) (petty) officer, while in a training leadership position over ___, did (at/on board—location) (subject-matter jurisdiction data, if required), on or about ___ 20__, engage in a prohibited act, to wit: _____ with _____, whom the accused knew was (an applicant for military service) (a specially protected junior member of the armed forces who is enlisted under a delayed entry program)."

(g) Paragraph 51.e. is amended to read as follows:

"e. *Sample specification.*

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____, 20 __, (in the motor pool area) (near the Officers' Club) (at the intersection of _____ and _____) (while in the Gulf of Mexico) (while in flight over North America) physically control [a vehicle, to wit: (a truck) (a passenger car) (_____)] [an aircraft, to wit: (an AH-64 helicopter) (an F-14A fighter) (a KC-135 tanker) (_____)] [a vessel, to wit: (the aircraft carrier USS _____) (the Coast Guard Cutter _____) (_____)], [while drunk] [while impaired by _____] [while the alcohol concentration in (his) (her) (blood or breath) equaled or exceeded the applicable limit under subsection (b) of the text of the statute in paragraph 51 as shown by chemical analysis] [in a (reckless) (wanton) manner by (attempting to pass another vehicle on a sharp curve) (ordering

that the aircraft be flown below the authorized altitude)] [and did thereby cause said (vehicle) (aircraft) (vessel) to (strike and) (injure _____)]."

(h) Paragraph 55. is amended by deleting the following:

"[NOTE: For Article 117a, UCMJ, Wrongful broadcast, *See* Appendix 2, Article 117a, UCMJ]"

(i) Paragraph 60.e.(3) is amended to read as follows:

"(3) *Aggravated sexual contact.*

(a) *By force.*

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20____, [(touch) (cause ____ to touch)] [(directly) (through the clothing)] the (vulva) (penis) (scrotum) (anus) (groin) (breast) (inner thigh) (buttocks) of _____, with [(_____'s body part) (an object), to wit: _____] with an intent to [(abuse) (humiliate) (harass) (degrade) _____] [(arouse) (gratify) the sexual desire of _____] by using unlawful force.

(b) *By force causing or likely to cause death or grievous bodily harm.*

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20__, [(touch) (cause ____ to touch)] [(directly) (through the clothing)] the (vulva) (penis) (scrotum) (anus) (groin) (breast) (inner thigh) (buttocks) of _____, with [(_____'s body part) (an object), to wit: _____] with an intent to [(abuse) (humiliate) (harass) (degrade) _____] [(arouse) (gratify) the sexual desire of _____], by using force likely to cause death or grievous bodily harm to _____, to wit: _____.

(c) *By threatening or placing that other person in fear that any person would be*

subjected to death, grievous bodily harm, or kidnapping.

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20__, [(touch) (cause ____ to touch)] [(directly) (through the clothing)] the (vulva) (penis) (scrotum) (anus) (groin) (breast) (inner thigh) (buttocks) of _____, with [(_____'s body part) (an object), to wit: _____] with an intent to [(abuse) (humiliate) (harass) (degrade) _____] [(arouse) (gratify) the sexual desire of _____], by (threatening _____) (placing _____ in fear) that _____ would be subjected to (death) (grievous bodily harm) (kidnapping).

(d) *By first rendering that other person unconscious.*

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20____, [(touch) (cause ____ to touch)] [(directly) (through the clothing)] the (vulva) (penis) (scrotum) (anus) (groin) (breast) (inner thigh) (buttocks) of _____, with [(_____'s body part) (an object), to wit: _____] with an intent to [(abuse) (humiliate) (harass) (degrade) _____] [(arouse) (gratify) the sexual desire of _____], by rendering _____ unconscious by_____.

(e) *By administering a drug, intoxicant, or other similar substance.*

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20___, [(touch) (cause ____ to touch)] [(directly) (through the clothing)] the (vulva) (penis) (scrotum) (anus) (groin) (breast) (inner thigh) (buttocks) of _____, with [(_____'s body part) (an object), to wit: _____] with an intent to [(abuse) (humiliate) (harass) (degrade) _____] [(arouse) (gratify) the sexual desire of _____], by administering to _____ (by force) (by threat of force) (without the knowledge or permission of _____) a (drug) (intoxicant) (_____) thereby substantially impairing the

ability of _____ to appraise or control (his) (her) conduct."

(j) Paragraph 60.e.(4) is amended to read as follows:

"(4) *Abusive sexual contact.*

(a) *By threatening or placing that other person in fear*.

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20__, [(touch) (cause ____ to touch)] [(directly) (through the clothing)] the (vulva) (penis) (scrotum) (anus) (groin) (breast) (inner thigh) (buttocks) of _____, with [(_____'s body part) (an object), to wit: _____] with an intent to [(abuse) (humiliate) (harass) (degrade) _____] [(arouse) (gratify) the sexual desire of _____], by (threatening _____) (placing _____ in fear).

(b) *By fraudulent representation.*

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20__, [(touch) (cause ____ to touch)] [(directly) (through the clothing)] the (vulva) (penis) (scrotum) (anus) (groin) (breast) (inner thigh) (buttocks) of _____, with [(_____'s body part) (an object), to wit: _____] with an intent to [(abuse) (humiliate) (harass) (degrade) _____] [(arouse) (gratify) the sexual desire of _____], by making a fraudulent representation that the sexual contact served a professional purpose, to wit: _____.

(c) *By false pretense.*

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20__, [(touch) (cause ____ to touch)] [(directly) (through the clothing)] the (vulva) (penis) (scrotum) (anus) (groin) (breast) (inner thigh) (buttocks) of _____, with [(_____'s body part) (an object), to wit: _____] with an

intent to [(abuse) (humiliate) (harass) (degrade) _____] [(arouse) (gratify) the sexual desire of _____], by inducing a belief by (artifice) (pretense) (concealment) that the said accused was another person.

(d) *Without consent.*

In that _____(personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20___, [(touch) (cause ____ to touch)] [(directly) (through the clothing)] the (vulva) (penis) (scrotum) (anus) (groin) (breast) (inner thigh) (buttocks) of _____, with [(_____'s body part) (an object), to wit: _____] with an intent to [(abuse) (humiliate) (harass) (degrade) _____] [(arouse) (gratify) the sexual desire of _____] without the consent of _____.

(e) *Of a person who is asleep, unconscious, or otherwise unaware the act is occurring.*

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20____, [(touch) (cause ____ to touch)] [(directly) (through the clothing)] the (vulva) (penis) (scrotum) (anus) (groin) (breast) (inner thigh) (buttocks) of _____, with [(_____'s body part) (an object), to wit: _____] with an intent to [(abuse) (humiliate) (harass) (degrade) _____] [(arouse) (gratify) the sexual desire of _____], when (he) (she) (knew) (reasonably should have known) that _____ was (asleep) (unconscious) (unaware the sexual contact was occurring due to _____).

(f) *When that person is incapable of consenting.*

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20_____, [(touch) (cause ____ to touch)] [(directly) (through the clothing)] the (vulva) (penis) (scrotum) (anus) (groin) (breast) (inner

thigh) (buttocks) of _____, with [(_____'s body part) (an object), to wit: _____] with an intent to [(abuse) (humiliate) (harass) (degrade) _____] [(arouse) (gratify) the sexual desire of _____], when _____ was incapable of consenting to the sexual contact because (he) (she) [was impaired by (a drug, to wit: _____) (an intoxicant, to wit: _____) (_____)] [had a (mental disease, to wit: _____) (mental defect, to wit: _____) (physical disability, to wit: _____)] and the accused (knew) (reasonably should have known) of that condition."

(k) Paragraph 63.b. is amended to read as follows:

"b. *Elements.*

(1) *Indecent viewing.*

(a) That the accused, without legal justification or lawful authorization, knowingly and wrongfully viewed the private area of another person;

(b) That said viewing was without the other person's consent; and

(c) That said viewing took place under circumstances in which the other person had a reasonable expectation of privacy.

(2) *Indecent recording.*

(a) That the accused, without legal justification or lawful authorization, knowingly recorded (photographed, videotaped, filmed, or recorded by any means) the private area of another person;

(b) That said recording was without the other person's consent; and

(c) That said recording was made under circumstances in which the other person had a reasonable expectation of privacy.

(3) *Broadcasting of an indecent recording.*

(a) That the accused, without legal justification or lawful authorization, knowingly broadcast a certain recording of another person's private area;

(b) That said recording was made without the other person's consent;

(c) That the accused knew or reasonably should have known that the recording was made without the other person's consent;

(d) That said recording was made under circumstances in which the other person had a reasonable expectation of privacy; and

(e) That the accused knew or reasonable should have known that said recording was made under circumstances in which the other person had a reasonable expectation of privacy.

(4) *Distribution of an indecent recording.*

(a) That the accused, without legal justification or lawful authorization, knowingly distributed a certain recording of another person's private area;

(b) That said recording was made without the other person's consent;

(c) That the accused knew or reasonably should have known that said recording was made without the other person's consent;

(d) That said recording was made under circumstances in which the other person had a reasonable expectation of privacy; and

(e) That the accused knew or reasonably should have known that said recording was made under circumstances in which the other person had a reasonable expectation of privacy.

(5) *Forcible pandering.*

That the accused compelled another person to engage in an act of prostitution with any

person.

(6) *Indecent exposure.*

(a) That the accused exposed the accused's genitalia, anus, buttocks, or female areola or nipple;

(b) That the exposure was in an indecent manner; and

(c) That the exposure was intentional."

(l) Paragraph 63.e.(1) is amended to read as follows:

"e. *Sample specifications.*

(1) *Indecent viewing, recording, or broadcasting.*

(a) *Indecent viewing.*

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction, if required), on or about _____ 20__, without legal justification or lawful authorization, knowingly and wrongfully view the private area of _____, without (his) (her) consent and under circumstances in which (he) (she) had a reasonable expectation of privacy.

(b) *Indecent recording.*

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction, if required), on or about _____ 20__, without legal justification or lawful authorization, knowingly (photograph) (videotape) (film) (make a recording of) the private area of _____, without (his) (her) consent and under circumstances in which (he) (she) had a reasonable expectation of privacy.

(c) *Broadcasting or distributing an indecent recording.*

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter

jurisdiction, if required), on or about _____ 20__, without legal justification or lawful authorization, knowingly (broadcast) (distribute) a recording of the private area of _____, when the said accused knew or reasonably should have known that the said recording was made without the consent of _____ and under circumstances in which (he) (she) had a reasonable expectation of privacy."

(m) Paragraph 64.d.(1)(c) is amended to read as follows:

"(c) *Property other than military property of a value of more than $1,000 or any motor vehicle, aircraft, vessel, firearm, or explosive not included in subparagraph d.(1)(b).* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 5 years."

(n) Paragraph 69.c.(1) is amended to read as follows:

"(1) *Access.* "Access" means to gain entry to, instruct, cause input to, cause output from, cause data processing with, or communicate with, the logical, arithmetical, or memory function resources of a computer, computer system, or computer network."

(o) Paragraph 77.d.(1) is amended to read as follows:

"(1) *Simple assault.*

(a) *Generally.* Confinement for 3 months and forfeiture of two-thirds pay per month for 3 months.

(b) *When committed with an unloaded firearm or other dangerous weapon.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 2 years.

(c) *When committed with a loaded firearm.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 4 years."

(p) Paragraph 77.d.(5) is amended to read as follows:

"(5) *Assault with intent to commit specified offenses.*

(a) *Assault with intent to commit murder, rape, or rape of a child.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 20 years.

(b) *Assault with intent to commit voluntary manslaughter, robbery, arson, burglary, kidnapping, sexual assault, or sexual assault of a child.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 10 years."

(q) Paragraph 78. is amended by deleting:

"[NOTE: For Article 128b, UCMJ, Domestic Violence, added as part of the FY19 National Defense Authorization Act, *See* Appendix 2, Article 128b, UCMJ]"

(r) Paragraph 89.c.(2) is amended to read as follows:

"(2) *Personnel action.* For purposes of this offense, "personnel action" means—

(a) any action taken on a Servicemember that affects, or has the potential to affect, that Servicemember's current position or career, including promotion; disciplinary or other corrective action; transfer or reassignment; performance evaluations; decisions concerning pay, benefits, awards, or training; relief and removal; separation; discharge; referral for mental health evaluations; and any other personnel actions as defined by law or regulation, such as 5 U.S.C. § 2302 and DoD Directive 7050.06 (17 April 2015); or,

(b) any action taken on a civilian employee that affects, or has the potential to affect, that person's current position or career, including promotion; disciplinary or other corrective action; transfer or reassignment; performance evaluations; decisions concerning pay, benefits, awards, or training; relief and removal; discharge; and any other personnel actions as defined by law or regulation such as 5 U.S.C. § 2302."

(s) The title of Paragraph 90 is amended to read as follows:

"90. Article 133 (10 U.S.C. 933)—Conduct unbecoming an officer"

(t) Paragraph 90.a. is amended to read as follows:

"a. *Text of statute.*

Any commissioned officer, cadet, or midshipman who is convicted of conduct unbecoming an officer shall be punished as a court-martial may direct."

(u) Paragraph 90.b. is amended to read as follows:

"b. Elements.

(1) That the accused was a commissioned officer, cadet, or midshipman;

(2) That the accused did or omitted to do certain acts; and

(3) That, under the circumstances, these acts or omissions constituted conduct unbecoming an officer."

(v) Paragraph 90.c. is amended to read as follows:

"c. Explanation.

(1) *Officership generally.* As used in the phrase "conduct unbecoming an officer" in this article, "officer" refers to a "commissioned officer, cadet, or midshipman."

(2) *Nature of the offense.* The focus of this article is conduct that is likely to seriously compromise the accused's standing as an officer. A military officer holds a particular position of responsibility in the armed forces, and one critically important responsibility of a military officer is to inspire the trust and respect of the personnel who must obey the officer's orders. Conduct violative of this article is action or behavior in an official capacity that, in dishonoring or disgracing the person as an officer, seriously compromises the officer's character, or action or behavior in an unofficial or private capacity that, in dishonoring or disgracing the officer personally, seriously compromises the person's standing as an officer. This article includes misconduct that approximates, but may not meet every element of, another enumerated offense.

An officer's conduct need not violate other provisions of the UCMJ or be otherwise criminal to violate Article 133. The gravamen of the offense is that the officer's conduct disgraces the officer personally or brings dishonor to the military profession in a manner that affects the officer's fitness to command the obedience of the officer's subordinates so as to effectively complete the military mission. The absence of a "custom of the service," statute, regulation, or order expressly prohibiting certain conduct is not dispositive of whether the officer was on sufficient notice that such conduct was unbecoming.

(3) *Examples of offenses.* Instances of violation of this article include knowingly making a false official statement; dishonorable failure to pay a debt; cheating on an exam; opening and reading a letter of another without authority; using insulting or defamatory language to another officer in that officer's presence or about that officer to other military persons; being drunk and disorderly in a public place; committing or attempting to commit a crime involving moral turpitude; and failing without good cause to support the officer's family.

(4) *Relation to Other Punitive Articles*: This article includes acts made punishable by any other article, provided these acts amount to conduct unbecoming an officer. Thus, a commissioned officer who steals property violates both this article and Article 121. Whenever the offense charged is the same as a specific offense set forth in this Manual, the elements of proof are the same as those set forth in the paragraph that treats that specific offense, with the additional requirement that the act or omission constitutes conduct unbecoming an officer."

(w) Paragraph 91.c.(4)(a)(1)(iii) is as amended to read as follows:

(iii) The Federal Assimilative Crimes Act (18 U.S.C. § 13) is an adoption by Congress of state criminal laws for areas of exclusive or concurrent federal jurisdiction, provided federal criminal law, including the UCMJ, has not defined an applicable

offense for the misconduct committed. The Act applies to state laws validly existing at the time of the offense without regard to when these laws were enacted, whether before or after passage of the Act, and whether before or after the acquisition of the land where the offense was committed. For example, if a person committed an act on a military installation in the United States at a certain location over which the United States had either exclusive or concurrent jurisdiction, and it was not an offense specifically defined by federal law (including the UCMJ), that person could be punished for that act by a court-martial if it was a violation of a noncapital offense under the law of the State where the military installation was located. This is possible because the Act adopts the criminal law of the State wherein the military installation is located and applies it as though it were federal law. As amended, the Act provides that: "Whoever within or upon any of the places now existing or hereafter reserved or acquired as provided in section 7 of this title, or on, above, or below any portion of the territorial sea of the United States not within the jurisdiction of any State, Commonwealth, territory, possession, or district is guilty of any act or omission which, although not made punishable by any enactment of Congress, would be punishable if committed or omitted within the jurisdiction of the State, Territory, Possession, or District in which such place is situated, by the laws thereof in force at the time of such act or omission, shall be guilty of a like offense and subject to a like punishment."

Section 4. Part V of the Manual for Courts-Martial, United States, is amended as follows:

(a) Paragraph 1.f.(4) is amended to read as follows:

"(4) *Statute of limitations.* Except as provided in Article 43(c) and (d), nonjudicial punishment may not be imposed for offenses which were committed more than 2 years before the date of imposition, unless knowingly and voluntarily waived by the member. *See* Article 43(b)(3)."

(b) Paragraph 1.h. is amended to read as follows:

"h. Applicable standards. The burden of proof to be utilized by commanders throughout the nonjudicial punishment process shall be a preponderance of the evidence."

(c) A new paragraph 1.j. is inserted immediately after paragraph 1.i. to read as follows:

"j. *Service regulations and procedures.* Unless otherwise provided, the Service regulations and procedures of the Servicemember shall apply.

(d) Paragraph 4.c.(4) is amended to read as follows:

"(4) Decision. After considering all relevant matters presented by a preponderance of the evidence standard, if the nonjudicial punishment authority—

(A) does not conclude that the Servicemember committed the offenses alleged, the nonjudicial punishment authority shall so inform the member and terminate the proceedings;

(B) concludes that the Servicemember committed one or more of the offenses alleged, the nonjudicial punishment authority shall:

(i) so inform the Servicemember;

(ii) inform the Servicemember of the punishment imposed; and

(iii) inform the Servicemember of the right to appeal (see paragraph 7 of this Part)."

ANNEX 2

Section 1. Part I of the Manual for Courts-Martial, United States, is amended as follows:

(a) Paragraph 3 is amended to read as follows:

"**3. Nature and purpose of military law**

Military law consists of the statutes governing the military establishment and regulations issued thereunder, the constitutional powers of the President and Executive Orders and regulations issued thereunder, and the inherent authority of military commanders. Military law includes jurisdiction exercised by courts-martial and the jurisdiction exercised by commanders with respect to nonjudicial punishment. The purposes of military law are to promote justice, to deter misconduct, to facilitate appropriate accountability, to assist in maintaining good order and discipline in the armed forces, to promote efficiency and effectiveness in the military establishment, and thereby to strengthen the national security of the United States."

(b) Paragraph 4 is redesignated as Paragraph 5 and is amended to read as follows:

"5. Structure and application of the Manual for Courts-Martial

The Manual for Courts-Martial shall consist of this Preamble, the Rules for Courts-Martial, the Military Rules of Evidence, the Punitive Articles, the Nonjudicial Punishment Procedures (Parts I-V), and Appendixes 12A through 12D. This Manual shall be applied in a manner consistent with the purpose of military law.

The Department of Defense (DoD), in conjunction with the Department of Homeland Security, publishes supplementary materials to accompany the Manual for Courts-Martial. These materials consist of a Preface, a Table of Contents, Discussions, Appendices (other than Appendixes 12A through 12D, which were promulgated by the President), and an Index. These supplementary materials do not have the force of law.

The Manual shall be identified by the year in which it was printed; for example, "Manual for Courts-Martial, United States (20xx edition)." Any amendments to the Manual made by Executive Order shall be identified as "20xx" Amendments to the Manual for Courts-Martial, United States, "20xx" being the year the Executive Order was signed.

The DoD-Joint Service Committee on Military Justice (JSC) reviews the Manual for Courts-Martial and proposes amendments to the DoD-for consideration by the President on an annual basis. In conducting its annual review, the JSC is guided by DoD Instruction 5500.17, "Role and Responsibilities of the Joint Service Committee on Military Justice (JSC)." DoD Instruction 5500.17 includes provisions allowing public participation in the annual review process."

(c) A new paragraph 4 is inserted immediately after paragraph 3 to read as follows:

"4. The Evolving Military Justice System

The military operates a modern criminal justice system that recognizes and protects the rights of both the victims of alleged offenses and those accused of offenses. The continuous evolution of the military justice system has progressed through statutes, Executive Orders, regulations, and judicial interpretations. The Uniform Code of Military Justice (UCMJ), enacted in 1950, significantly enhanced the fairness of military justice across the armed forces, including by establishing a civilian appellate court at the system's apex. The Military Justice Act of 1968, which created the position of military judge and enhanced the role of lawyers in the system, resulted in further improvements. The promulgation of the Military Rules of Evidence by a 1980 Executive Order brought court-martial practice into closer alignment with federal civilian criminal practice. In 2014, Congress added a victims' rights article to the UCMJ and also made counsel available to represent certain victims of alleged UCMJ offenses. The Military Justice Act

of 2016 further modernized the military justice system by expanding pretrial judicial authorities, updating trial and post-trial procedures, and enacting new punitive articles. Most recently, the National Defense Authorization Act for Fiscal Year 2022 made historic reforms to the military justice system, including the unprecedented transfer of prosecutorial discretion from commanders to independent, specialized counsel to prosecute certain covered offenses, including sexual assault and domestic violence, as recommended by the Independent Review Commission on Sexual Assault in the Military to strengthen Service members' trust in the military justice system. These and many other improvements have been vital to maintaining a fair, just, and efficient military justice system. The system must continue to evolve to be worthy of those who protect our Nation and its freedoms."

Section 2. Part II of the Manual for Courts-Martial, United States, is amended as follows:

(a) R.C.M. 103 is amended to read as follows:

"Rule 103. Definitions and rules of construction

The following definitions and rules of construction apply throughout this Manual, unless otherwise expressly provided.

(1) "Appellate military judge" means a judge of a Court of Criminal Appeals.

(2) "Article" refers to articles of the Uniform Code of Military Justice unless the context indicates otherwise.

(3) "Capital case" means a general court-martial to which a capital offense has been referred with an instruction that the case be treated as a capital proceeding, and, in the case of a rehearing or new or other trial, for which offense death remains an authorized punishment under R.C.M. 810(d).

(4) “Capital offense” means an offense for which death is an authorized punishment under the UCMJ and Part IV of this Manual or under the law of war.

(5) “Commander” means a commissioned officer in command or an officer in charge except in Part V or unless the context indicates otherwise.

(6) “Convening authority” includes a commissioned officer in command for the time being and successors in command.

(7) “Copy” means an accurate reproduction, however made. Whenever necessary and feasible, a copy may be made by handwriting.

(8) “Court-martial” includes, depending on the context:

(A) The military judge and members of a general or special court-martial;

(B) The military judge when a session of a general or special court-martial is conducted without members under Article 39(a);

(C) The military judge when a request for trial by military judge alone has been approved under R.C.M. 903;

(D) The military judge when the case is referred as a special court-martial consisting of a military judge alone under Article 16(c)(2)(A); or

(E) The summary court-martial officer.

(9) “Days.” When a period of time is expressed in a number of days, the period shall be in calendar days, unless otherwise specified. Unless otherwise specified, the date on which the period begins shall not count, but the date on which the period ends shall count as one day.

(10) “Deferral” of an offense means a special trial counsel declines to prefer charges for an offense or declines to refer charges to court-martial. Once a special trial counsel declines to

prefer or refer charges for an offense, a commander shall exercise authority within the scope of these rules.

(11) "Detail" means to order a person to perform a specific temporary duty, unless the context indicates otherwise.

(12) "Exercise authority over" means when a special trial counsel acts on a covered, related, or known offense in furtherance of a special trial counsel's statutory duties or authorities under Article 24a(c).

(13) "Explosive" means gunpowders; powders used for blasting; all forms of high explosives; blasting materials; fuzes (other than electrical circuit breakers), detonators, and other detonating agents; smokeless powders; any explosive bomb, grenade, missile, or similar device; any incendiary bomb or grenade, fire bomb, or similar device; and any other compound, mixture, or device which is an explosive within the meaning of 18 U.S.C. § 232(5) or 844(j).

(14) "Firearm" means any weapon that is designed to or may be readily converted to expel any projectile by the action of an explosive.

(15) "Joint" in connection with military organization connotes activities, operations, organizations, and the like in which elements of more than one military service of the same nation participate.

(16) "Lead Special Trial Counsel" within the Department of Defense means a general or flag officer with significant experience in military justice who is responsible for a dedicated office within each Military Department from which office the Lead Special Trial Counsel will provide for the overall supervision and oversight of the activities of the special trial counsel of a Military Department or Military Service, and who reports directly to the Secretary concerned, without intervening authority.

(17) “Members.” The members of a court-martial are the voting members detailed by the convening authority.

(18) “Military judge” means a judge advocate designated under Article 26(c) who is detailed under Article 26(a) or Article 30a to preside over a general or special court-martial or proceeding before referral. In the context of a summary court-martial, “military judge” means the summary court-martial officer. In the context of a pre-referral proceeding or a special court-martial consisting of a military judge alone, “military judge” includes a military magistrate designated under Article 19 or Article 30a.

(19) “Military magistrate” means a commissioned officer of the armed forces certified under Article 26a who is performing duties under Article 19 or 30a.

(20) “Party,” in the context of parties to a court-martial or other proceeding under these rules, means:

(A) The accused and any defense or associate or assistant defense counsel and agents of the defense counsel when acting on behalf of the accused with respect to the court-martial or proceeding in question; and

(B) Any trial or assistant trial counsel representing the United States, and agents of the trial counsel or such counsel when acting on behalf of the United States with respect to the court-martial or proceeding in question.

(21) “Preferral” is the act by which a person subject to the UCMJ formally accuses another person subject to the UCMJ of an offense, in accordance with R.C.M. 307(b).

(22) “Referral” is the order of a convening authority or a special trial counsel that one or more charges and specifications against an accused will be tried by a specified court-martial.

(23) “Referral authority” means a convening authority or special trial counsel who may

order that one or more charges and specifications against an accused be tried by a specified court-martial pursuant to R.C.M. 601.

(24) "Special trial counsel" means a judge advocate who is qualified, certified, and assigned as such by the Judge Advocate General of the armed force of which the officer is a member, or, in the case of the Marine Corps, by the Staff Judge Advocate to the Commandant of the Marine Corps, and who is independent of the military chains of command of both the victim and those accused of covered offenses over which a special trial counsel at any time exercises authority in accordance with Article 24a. Special trial counsel shall be well-trained, experienced, highly skilled and competent in handling cases involving covered offenses. Within the Department of Defense, special trial counsel work within dedicated offices under the overall supervision and oversight of a Lead Special Trial Counsel. Within the Coast Guard, special trial counsel work under the overall supervision and oversight of an officer designated under regulations prescribed by the Commandant of the Coast Guard.

(25) "Staff judge advocate" means a judge advocate so designated in the Army, Air Force, or Marine Corps, and means the principal legal advisor of a command in the Navy and Coast Guard who is a judge advocate.

(26) "*Sua sponte*" means that the person involved acts on that person's initiative, without the need for a request, motion, or application.

(27) "Trial counsel," unless otherwise specified in these rules, includes special trial counsel.

(28) "UCMJ" refers to the Uniform Code of Military Justice.

(29) "War, time of." For purposes of R.C.M. 1004(c)(6) and of implementing the applicable paragraphs of Parts IV and V of this Manual only, "time of war" means a period of

war declared by Congress, or the factual determination by the President that the existence of hostilities warrants a finding that a "time of war" exists for purposes of R.C.M. 1004(c)(6) and Parts IV and V of this Manual.

(30) The terms "writings" and "recordings" have the same meaning as in Mil. R. Evid. 1001.

(31) The definitions and rules of construction in 1 U.S.C. §§ 1 through 5 and in 10 U.S.C. §§ 101 and 801."

(b) R.C.M. 104(b)(2) is amended to read as follows:

"(2) *All persons subject to the UCMJ.* No person subject to the UCMJ may attempt to coerce or, by any unauthorized means, attempt to influence the action of:

(A) a court-martial or any other military tribunal or any member thereof, in reaching the findings or sentence in any case or the action of any case; or

(B) any preliminary hearing officer or convening, referral, approving, or reviewing authority with respect to such preliminary hearing officer's or authority's acts concerning the following:

(i) any decision to place a service member into pretrial confinement;

(ii) disposition decisions;

(iii) rulings on pre-referral matters;

(iv) findings at a preliminary hearing;

(v) convening a court-martial;

(vi) decisions concerning plea agreements;

(vii) selecting members;

(viii) decisions concerning witness requests;

(ix) taking action on the findings or sentence;

(x) taking action on any clemency or deferment request; or

(xi) any appellate or post-trial review of a case."

(c) R.C.M. 104(c) is amended to read as follows:

"(c) *Prohibitions concerning evaluations.*

(1) *Evaluation of members, defense counsel, and special victims' counsel.* In the preparation of an effectiveness, fitness, or efficiency report or any other report or document used in whole or in part for the purpose of determining whether a member of the armed forces is qualified to be advanced in grade, or in determining the assignment or transfer of a member of the armed forces, or in determining whether a member of the armed forces should be retained on active duty, no person subject to the UCMJ may:

(A) Consider or evaluate the performance of duty of any such person as a member of a court-martial; or

(B) Give a less favorable rating or evaluation of any defense counsel or special victims' counsel because of the zeal with which such counsel represented any client. As used in this rule, "special victims' counsel" are judge advocates and civilian counsel, who, in accordance with 10 U.S.C. § 1044e, are designated as Special Victims' Counsel."

(d) R.C.M. 105 is amended to read as follows:

"Rule 105. Direct communications: convening authorities and staff judge advocates; among staff judge advocates; with special trial counsel

(a) *Convening authorities and staff judge advocates.* Convening authorities shall at all times communicate directly with their staff judge advocates in matters relating to the administration of military justice, and may communicate directly with special trial counsel, although any input by

the convening authority regarding case dispositions shall be non-binding on the special trial counsel for cases involving covered, known, and related offenses.

(b) *Among staff judge advocates and with the Judge Advocate General.* The staff judge advocate of any command is entitled to communicate directly with the staff judge advocate of a superior or subordinate command, the Judge Advocate General, or, in the case of the Marine Corps, the Staff Judge Advocate to the Commandant of the Marine Corps.

(c) *Communications among special trial counsel, staff judge advocates, and convening authorities.* Special trial counsel, staff judge advocates, and convening authorities may communicate directly while ensuring that all communications regarding case disposition for covered, related, and known offenses are non-binding on the special trial counsel.

(d) *Free from unlawful or unauthorized influence or coercion.* All communications referenced in this rule shall be free from unlawful or unauthorized influence or coercion."

(e) R.C.M. 201(d)(2) is amended to read as follows:

"(2) An act of omission that violates both the UCMJ and local criminal law, foreign or domestic, may be tried by a court-martial, or by a proper civilian tribunal, foreign or domestic, or, subject to R.C.M. 907(b)(2)(C) and regulations of the Secretary concerned, by both."

(f) R.C.M. 201(f)(1)(D) is amended to read as follows:

"(D) *Jurisdiction for Certain Sexual Offenses.* Only a general court-martial has jurisdiction to try offenses under Articles 120(a), 120(b), 120b(a), and 120b(b), and attempts thereof under Article 80."

(g) R.C.M. 201(f)(2)(C) is amended to read as follows:

"(C) *Capital offenses.*

(i) A capital offense for which there is prescribed a mandatory punishment beyond the punitive power of a special court-martial shall not be referred to such a court-martial.

(ii) Other than offenses described in (C)(i):

(I) a general court-martial convening authority over the command that includes the accused may permit any capital offense to be referred to a special court-martial for trial.

(II) a special trial counsel exercising authority over a capital offense may refer such an offense to a special court-martial for trial.

(III) The Secretary concerned may authorize, by regulation, special court-martial convening authorities to refer capital offenses to trial by a special court-martial without first obtaining the consent of the general court-martial convening authority."

(h) R.C.M. 301 is amended to read as follows:

"**Rule 301. Report of offense**

(a) *Who may report.* Any person may report an offense subject to trial by court-martial.

(b) *To whom reports are conveyed.* Ordinarily, any military authority who receives a report of an offense shall forward as soon as practicable the report and any accompanying information to the immediate commander of the suspect. Competent authority superior to that commander may direct otherwise.

(c) *Special trial counsel*. All reports of covered offenses shall be forwarded promptly to a special trial counsel. A special trial counsel shall have the authority to determine whether a reported offense is a covered, known, or related offense in accordance with R.C.M. 303A."

(i) R.C.M. 302(b)(1) is amended to read as follows:

"(1) *Military law enforcement officials.* Persons designated by proper authorities to perform military criminal investigative, guard, or police duties, whether subject to the UCMJ or not, when in each of the foregoing instances, the official making the apprehension is in the execution of law enforcement duties;"

(j) R.C.M. 302(c) is amended to read as follows:

"(c) *Grounds for apprehension.* A person subject to the UCMJ or trial thereunder may be apprehended for an offense triable by court-martial upon probable cause to apprehend. Probable cause to apprehend exists when there is a reasonable belief that an offense has been or is being committed and the person to be apprehended committed or is committing it. Persons authorized to apprehend under R.C.M. 302(b)(2) may also apprehend persons subject to the UCMJ who take part in quarrels, frays, or disorders, wherever they occur."

(k) R.C.M. 303 is amended to read as follows:

"Rule 303. Preliminary inquiry into reported offenses

Except for covered offenses as defined by Article 1(17), upon receipt of information that a member of the command is accused or suspected of committing an offense or offenses triable by court-martial, the immediate commander shall make or cause to be made a preliminary inquiry into the charges or suspected offenses. A commander who receives a report of a covered offense shall promptly forward the report to a special trial counsel in accordance with R.C.M. 301(c) and regulations prescribed by the Secretary concerned."

(l) A new R.C.M. 303A is inserted immediately after R.C.M. 303 to read as follows:

"Rule 303A. Determination by special trial counsel to exercise authority

(a) *Initial determination.* A special trial counsel has the exclusive authority to determine if a reported offense is a covered offense.

(b) *Covered offense.* If a special trial counsel determines that a reported offense is a covered offense or receives a preferred charge alleging a covered offense, a special trial counsel shall exercise authority over that covered offense.

(c) *Related offenses.* If a special trial counsel exercises authority pursuant to R.C.M. 303A(b), the special trial counsel may also exercise authority over any reported offense or charge related to a covered offense, whether alleged to have been committed by the suspect of the covered offense or by anyone else subject to the UCMJ.

(d) *Known offenses.* If a special trial counsel exercises authority pursuant to R.C.M. 303A(b), the special trial counsel may also exercise authority over any offense or charge alleged to have been committed by the suspect of the covered offense.

(e) *Notification to command.* When a special trial counsel exercises authority over any reported offense, the special trial counsel shall notify the officer exercising special court-martial convening authority over the suspect."

(m) R.C.M. 305 is amended to read as follows:

"Rule 305. Pretrial confinement

(a) *In general.* Pretrial confinement is physical restraint, imposed by order of competent authority, depriving a person of freedom pending disposition of charges.

(b) *Who may be confined.* Any person who is subject to trial by court-martial may be confined if the requirements of this rule are met.

(c) *Who may order confinement. See* R.C.M. 304(b).

(d) *When a person may be confined.* No person may be ordered into pretrial confinement except for probable cause. Probable cause to order pretrial confinement exists when there is a reasonable belief that:

(1) An offense triable by court-martial has been committed;

(2) The person confined committed it; and

(3) Confinement is required by the circumstances.

(e) *Advice to the accused upon confinement.* Each person confined shall be promptly informed of: (1) The nature of the offenses for which held;

(2) The right to remain silent and that any statement made by the person may be used against the person;

(3) The right to retain civilian counsel at no expense to the United States, and the right to request assignment of military counsel; and

(4) The procedures by which pretrial confinement will be reviewed.

(f) *Notification to Special Trial Counsel.* If a person who is alleged to have committed a covered offense is ordered into or released from pretrial confinement, the individual ordering confinement or authorizing release shall immediately notify a special trial counsel in accordance with regulations prescribed by the Secretary concerned.

(g) *Military counsel.* If requested by the confinee and such request is made known to military authorities, military counsel shall be provided to the confinee before the initial review under R.C.M. 305(j) or within 72 hours of such a request being first communicated to military authorities, whichever occurs first. Counsel may be assigned for the limited purpose of representing the accused only during the pretrial confinement proceedings before charges are referred. If assignment is made for this limited purpose, the confinee shall be so informed. Unless otherwise provided by regulations of the Secretary concerned, a confinee does not have a right under this rule to have military counsel of the confinee's own selection.

(h) *Who may direct release from confinement.* Any commander of a confinee, an officer appointed under regulations of the Secretary concerned to conduct the review under R.C.M. 305(j) or (k), or, once charges have been referred, a military judge detailed to the court-martial to which the charges against the accused have been referred, may direct release from pretrial confinement. For purposes of this subsection (R.C.M. 305(h)), "any commander" includes the immediate or higher commander of the confinee and the commander of the installation on which the confinement facility is located.

(i) *Notification and action by commander.*

(1) *Report.* Unless the commander of the confinee ordered the pretrial confinement, the commissioned, warrant, noncommissioned, or petty officer into whose charge the confinee was committed shall, within 24 hours after that commitment, cause a report to be made to the commander that shall contain the name of the confinee, the offenses charged against the confinee, and the name of the person who ordered or authorized confinement.

(2) *Action by commander.*

(A) *Decision.* Not later than 72 hours after the commander's ordering of a confinee into pretrial confinement or, after receipt of a report that a member of the commander's unit or organization has been confined, whichever situation is applicable, the commander shall decide whether pretrial confinement will continue. A commander's compliance with this paragraph (R.C.M. 305(i)(2)) may also satisfy the 48-hour probable cause determination of R.C.M. 305(j)(1), provided the commander is a neutral and detached officer and acts within 48 hours of the imposition of confinement under military control. Nothing in R.C.M. 305(d), this subparagraph (R.C.M. 305(i)(2)(A)), or R.C.M. (j)(1) prevents a neutral and detached

commander from completing the 48-hour probable cause determination and the 72-hour commander's decision immediately after an accused is ordered into pretrial confinement.

(B) *Requirements for confinement.* The commander shall direct the confinee's release from pretrial confinement unless the commander believes upon probable cause, that is, upon reasonable grounds, that:

(i) An offense triable by a court-martial has been committed;

(ii) The confinee committed it;

(iii) Confinement is necessary because it is foreseeable that:

(a) The confinee will not appear at trial, pretrial hearing, or preliminary hearing, or

(b) The confinee will engage in serious criminal misconduct; and

(iv) Less severe forms of restraint are inadequate.

Serious criminal misconduct includes intimidation of witnesses or other obstruction of justice, serious injury of others, or other offenses which pose a serious threat to the safety of the community or to the effectiveness, morale, discipline, readiness, or safety of the command, or to the national security of the United States. As used in this rule, "national security" means the national defense and foreign relations of the United States and specifically includes: a military or defense advantage over any foreign nation or group of nations; a favorable foreign relations position; or a defense posture capable of successfully resisting hostile or destructive action from within or without, overt or covert.

(C) *72-hour memorandum.* If continued pretrial confinement is approved, the commander shall prepare a written memorandum that states the reasons for the conclusion that the requirements for confinement in R.C.M. 305(i)(2)(B) have been met. This memorandum may

include hearsay and may incorporate by reference other documents, such as witness statements, investigative reports, or official records. This memorandum shall be forwarded to the 7-day reviewing officer under R.C.M. 305(j)(2). If such a memorandum was prepared by the commander before ordering confinement, a second memorandum need not be prepared; however, additional information may be added to the memorandum at any time.

(j) *Procedures for review of pretrial confinement.*

(1) *48-hour probable cause determination.* Review of the adequacy of probable cause to continue pretrial confinement shall be made by a neutral and detached officer within 48 hours of imposition of confinement under military control. If the confinee is apprehended by civilian authorities and remains in civilian custody at the request of military authorities, reasonable efforts will be made to bring the confinee under military control in a timely fashion.

(2) *7-day review of pretrial confinement.* Within 7 days of the imposition of confinement, a neutral and detached officer appointed in accordance with regulations prescribed by the Secretary concerned shall review the probable cause determination and necessity for continued pretrial confinement. In calculating the number of days of confinement for purposes of this rule, the initial date of confinement under military control shall count as one day and the date of the review shall also count as one day.

(A) *Nature of the 7-day review.*

(i) *Matters considered.* The review under this clause (R.C.M. 305(j)(2)(A)(i)) shall include a review of the memorandum submitted by the confinee's commander under R.C.M. 305(i)(2)(C). Additional written matters may be considered, including any submitted by the confinee. The confinee and the confinee's counsel, if any, shall be allowed to appear before the 7-day reviewing officer and make a statement, if practicable. A

representative of the command may also appear before the reviewing officer to make a statement.

(ii) *Rules of evidence.* Except for Mil. R. Evid., Section V (Privileges) and Mil. R. Evid. 302 and 305, the Military Rules of Evidence shall not apply to the matters considered.

(iii) *Standard of proof.* The requirements for confinement under R.C.M. 305(h)(2)(B) must be proved by a preponderance of the evidence.

(iv) *Victim's right to be reasonably heard.* A victim of an alleged offense committed by the confinee has the right to reasonable, accurate, and timely notice of the 7-day review; the right to confer with the representative of the command and counsel for the Government, if any; and the right to be reasonably heard during the review. However, the hearing may not be unduly delayed for this purpose. The right to be heard under this rule includes the right to be heard through counsel and the right to be reasonably protected from the confinee during the 7-day review. Notice of these rights shall be given to the victim, or victim's counsel, if any, in accordance with regulations of the Secretary concerned

(B) *Extension of time limit.* The 7-day reviewing officer may, for good cause, extend the time limit for completion of the review to 10 days after the imposition of pretrial confinement.

(C) *Action by 7-day reviewing officer.* Upon completion of review, the reviewing officer shall approve continued confinement or order immediate release. If the reviewing officer orders immediate release, a victim of an alleged offense committed by the confinee has the right to reasonable, accurate, and timely notice of the release, unless such notice may endanger the safety of any person.

(D) *Memorandum.* The 7-day reviewing officer's conclusions, including the factual findings on which they are based, shall be set forth in a written memorandum. The memorandum shall also state whether the victim was represented by counsel, whether the victim was notified of the review, was given the opportunity to confer with the representative of the command or counsel for the Government and was given a reasonable opportunity to be heard. A copy of the memorandum and all documents considered by the 7-day reviewing officer shall be maintained in accordance with regulations prescribed by the Secretary concerned and provided to the accused or the Government on request.

(E) *Reconsideration of approval of continued confinement.* The 7-day reviewing officer shall upon request, and after notice to the parties, reconsider the decision to confine the confinee based upon any significant information not previously considered.

(k) *Review by military judge*. Once the charges for which the accused has been confined are referred to trial, or in a pre-referral proceeding conducted in accordance with R.C.M. 309, the military judge shall review the propriety of pretrial confinement upon motion for appropriate relief.

(1) *Release.* The military judge shall order release from pretrial confinement only if:

(A) The 7-day reviewing officer's decision was an abuse of discretion, and there is not sufficient information presented to the military judge justifying continuation of pretrial confinement under R.C.M. 305(i)(2)(B);

(B) Information not presented to the 7-day reviewing officer establishes that the confinee should be released under R.C.M. 305(i)(2)(B); or

(C) The provisions of R.C.M. 305(j)(1) or (2) have not been complied with and information presented to the military judge does not establish sufficient grounds for continued confinement under R.C.M. 305(i)(2)(B).

(2) *Credit.* Upon sentencing, the military judge shall order administrative credit under R.C.M. 305(l) for any pretrial confinement served as a result of an abuse of discretion or failure to comply with the provisions of R.C.M. 305(g), (i), or (j).

(l) *Remedy.* The remedy for noncompliance with R.C.M. 305(g), (i), (j), or (k) shall be an administrative credit against the sentence adjudged for any confinement served as the result of such noncompliance. Such credit shall be computed at the rate of 1 day credit for each day of confinement served as a result of such noncompliance. The military judge may order additional credit for each day of pretrial confinement that involves an abuse of discretion or unusually harsh circumstances. This credit is to be applied in addition to any other credit to which the accused may be entitled as a result of pretrial confinement served. This credit shall be applied first against any confinement adjudged. If no confinement is adjudged, or if the confinement adjudged is insufficient to offset all the credit to which the accused is entitled, the credit shall be applied against hard labor without confinement using the conversion formula under R.C.M. 1003(b)(6), restriction, fine, and forfeiture of pay, in that order. For purposes of R.C.M. 305(l), 1 day of confinement shall be equal to 1 day of total forfeiture or a like amount of fine. The credit shall not be applied against any other form of punishment.

(m) *Confinement after release.* No person whose release from pretrial confinement has been directed by a person authorized in R.C.M. 305(h) may be confined again before completion of trial except upon discovery, after the order of release, of evidence or of misconduct which, either

alone or in conjunction with all other available evidence, meets the criteria for confinement under R.C.M. 305(i)(2)(B)..

(n) *Exceptions.*

(1) *Operational necessity.* The Secretary of Defense may suspend application of R.C.M. 305(e)(3), (e)(4), (g), (i)(2)(A) or (C), or (j) to specific units or in specified areas when operational requirements of such units or in such areas would make application of such provisions impracticable.

(2) *At sea.* R.C.M. 305(e)(3), (e)(4), (g), (i)(2)(C), and (j) shall not apply in the case of a person on board a vessel at sea. In such situations, confinement on board the vessel at sea may continue only until the person can be transferred to a confinement facility ashore. Such transfer shall be accomplished at the earliest opportunity permitted by the operational requirements and mission of the vessel. Upon such transfer, the memorandum required by R.C.M. 305(i)(2)(C) shall be transmitted to the reviewing officer under R.C.M. 305(j) and shall include an explanation of any delay in the transfer.

(o) *Notice to victim of escaped confinee.* Reasonable, accurate, and timely notice of the escape of the prisoner shall be provided to the victim of an alleged offense committed by the confinee for which the confinee has been placed in pretrial confinement or such victim's counsel, if any, unless such notice may endanger the safety of any person."

(n) The title of R.C.M. 306 is amended to read as follows:

"**Rule 306. Initial disposition of offenses over which special trial counsel does not exercise authority**".

(o) R.C.M. 306(a) is amended to read as follows

"(a) *Who may dispose of offenses*.

(1) Except for offenses over which a special trial counsel has exercised authority and has not deferred, each commander has discretion to dispose of offenses by members of that command in accordance with this rule.

(2) Ordinarily the immediate commander of a person accused or suspected of committing offenses over which a special trial counsel has not exercised authority or has deferred initially determines how to dispose of those offenses. A superior commander may withhold the authority to dispose of offenses in individual cases, types of cases, or generally. A superior commander may not limit the discretion of a subordinate commander to act on cases over which authority has not been withheld."

(p) R.C.M. 306(c) is amended to read as follows:

"(c) *Disposition of offenses.* Within the limits of the commander's authority and subject to R.C.M. 306A, a commander may take the actions set forth in this subsection (R.C.M. 306(c)) to initially dispose of a charge or suspected offense.

(1) *No action.* A commander may decide to take no action.

(2) *Administrative action.* A commander may take or initiate administrative action, in addition to or instead of other action taken under this rule, subject to regulations of the Secretary concerned.

(3) *Nonjudicial punishment.* A commander may consider the matter pursuant to Article 15, nonjudicial punishment. *See* Part V.

(4) *Disposition of charges.* Charges may be disposed of in accordance with R.C.M. 401.

(5) *Forwarding for disposition.* A commander may forward a report of suspected offenses or charges to a superior or subordinate authority for disposition."

(q) R.C.M. 306(e)(1) is amended to read as follows:

"(1) For purposes of this subsection (R.C.M. 306(e)), a "sex-related offense" means any allegation of a violation of Article 120, 120b, 120c, or 130, or any attempt thereof under Article 80, occurring on or before December 27, 2023."

(r) A new R.C.M. 306A is inserted immediately after R.C.M. 306 to read as follows:

"**Rule 306A. Initial disposition of offenses over which a special trial counsel exercises authority**

(a) *Disposition of offenses that are not the subject of preferred charges.* Once a special trial counsel has exercised authority over an offense, only a special trial counsel may dispose of that offense, unless a special trial counsel defers the offense. For each offense over which a special trial counsel has exercised authority that is not the subject of a preferred charge, a special trial counsel shall:

(1) Prefer, or cause to be preferred, a charge; or

(2) Defer the offense by electing not to prefer a charge. If a special trial counsel defers the offense, the special trial counsel shall promptly forward the offense to a commander or convening authority for disposition, and the commander or convening authority shall dispose of the offense pursuant to R.C.M. 306.

(b) *Disposition of a preferred specification.* A special trial counsel shall dispose of each preferred specification in accordance with R.C.M. 401A.

(c) *National security matters.* If a commander believes trial would be detrimental to the prosecution of a war or harmful to national security, the matter shall be forwarded to the Secretary concerned for action.

(d) *Sex-related offenses.*

(1) For purposes of this subsection (R.C.M. 306A(d)), "sex-related offense" means any allegation of a violation of Article 120, 120b, 120c, or 130, or any attempt thereof under Article 80.

(2) Under such regulations as the Secretary concerned may prescribe, for alleged sex-related offenses committed in the United States, the victim of the sex-related offense shall be provided an opportunity to express views as to whether the offense should be prosecuted by court-martial or in a civilian court with jurisdiction over the offense. A special trial counsel shall consider the victim's preference for jurisdiction, if available, prior to making an initial disposition decision. For purposes of this rule, "victim" is defined as an individual who has suffered direct physical, emotional, or pecuniary harm as a result of the commission of an alleged sex-related offense as defined in R.C.M. 306A(d)(1).

(3) Under such regulations as the Secretary concerned may prescribe, if the victim of an alleged sex-related offense expresses a preference for prosecution of the offense in a civilian court, a special trial counsel shall ensure that the civilian authority with jurisdiction over the offense is notified of the victim's preference for civilian prosecution. If a special trial counsel learns of any decision by the civilian authority to prosecute or not prosecute the offense in civilian court, the special trial counsel shall ensure the victim, or victim's counsel, if any, is notified."

(s) R.C.M. 307(a) is amended to read as follows:

"(a) *In general.* In accordance with R.C.M. 307(b), preferral is the act by which a person subject to the UCMJ formally accuses another person subject to the UCMJ of an offense. Any person subject to the UCMJ may prefer charges."

(t) R.C.M. 308 is revised to read as follows:

"Rule 308. Notification to accused of charges and required disclosures

(a) *Immediate commander.* The immediate commander of the accused shall cause the accused to be informed of the charges preferred against the accused, and the name of the person who preferred the charges and of any person who ordered the charges to be preferred, if known, as soon as practicable.

(b) *Commanders at higher echelons.* When the accused has not been informed of the charges, commanders at higher echelons to whom the preferred charges are forwarded shall cause the accused to be informed of the matters required under R.C.M. 308(a) as soon as practicable.

(c) *Disclosures generally.* Except as otherwise provided in R.C.M. 308(d) and as soon as practicable after notification to the accused of preferred charges, counsel for the Government shall provide the defense with copies of the charges and any books, papers, documents, data, photographs, or tangible objects that accompanied the charge or charges when preferred. If extraordinary circumstances make it impracticable to provide copies, counsel for the Government shall permit the defense to inspect these items.

(d) *Information not subject to disclosure.*

(1) *Military Rules of Evidence.* Nothing in this rule shall be construed to require the disclosure of information protected from disclosure by the Military Rules of Evidence.

(2) *Work Product.* Nothing in this rule shall require the disclosure or production of notes, memoranda, or similar working papers prepared by counsel or counsel's assistants and representatives.

(3) *Contraband.* If items covered by R.C.M. 308(c) are contraband, the disclosure required under this rule is a reasonable opportunity to inspect said contraband prior to the preliminary hearing.

(4) *Privilege.* If items covered by R.C.M. 308(c) are privileged, classified, or otherwise protected under Section V of Part III, the Military Rules of Evidence, no disclosure of those items is required under this rule. However, counsel for the Government may disclose privileged, classified, or otherwise protected information covered by R.C.M. 308(a) if authorized by the holder of the privilege or, in the case of Mil. R. Evid. 505 or 506, if authorized by a competent authority.

(5) *Protective order if privileged information is disclosed.* If the Government agrees to disclose to the accused information to which the protections afforded by Section V of the Military Rules of Evidence may apply, the convening authority, or other person designated by regulation of the Secretary concerned, may enter an appropriate protective order, in writing, to guard against the compromise of information disclosed to the accused. The terms of any such protective order may include prohibiting the disclosure of the information except as authorized by the authority issuing the protective order, as well as those terms specified by Mil. R. Evid. 505(g)(2)–(6) or 506(g)(2)–(5). (e) *Remedy.* The sole remedy for violation of this rule is a continuance or recess of sufficient length to permit the accused to adequately prepare a defense, and no relief shall be granted upon a failure to comply with this rule unless the accused demonstrates that the accused has been hindered in the preparation of a defense."

(u) R.C.M. 309(a)(2) is amended to read as follows:

"(2) The matters that may be considered and ruled upon by a military judge under this rule are limited to those matters specified in R.C.M. 309(b)."

(v) R.C.M. 309(b)(3) is amended to read as follows:

"(3) *Requests for relief from subpoena or other process.* A person in receipt of a pre-referral investigative subpoena under R.C.M. 703(g)(3)(C), a victim named in a specification

whose personal and confidential information has been subpoenaed under R.C.M. 703(g)(3)(C)(ii), a service provider in receipt of a warrant or court order to disclose information about wire or electronic communications under R.C.M. 703A(a), or a person ordered to sit for a deposition under R.C.M. 702(b)(2) may request relief on grounds that compliance with the subpoena, warrant, or order is unreasonable, oppressive, or prohibited by law. The military judge shall review the request and shall either order the person or service provider to comply with the subpoena, warrant, or order, or modify or quash the subpoena, warrant, or order, as appropriate. In a proceeding under this paragraph, the United States shall be represented by an authorized counsel for the Government."

(w) R.C.M. 309(b)(6) is amended to read as follows:

"(6) *Pretrial confinement of an accused.* After action by the 7-day reviewing officer under R.C.M. 305(j)(2)(C), a military judge may, upon application of an accused for appropriate relief, review the propriety of pretrial confinement. A military judge may order release from pretrial confinement under the provisions of R.C.M. 305(k)(1)."

(x) A new R.C.M. 309(b)(10) is inserted immediately after (b)(9) to read as follows:

"(10) *Pre-referral depositions.* A military judge may, upon application by a party, consider whether to order a pre-referral deposition under R.C.M. 702(c)(2)."

(y) R.C.M. 309(e) is amended to read as follows:

"(e) *Record.* A separate record of any proceeding under this rule shall be prepared and forwarded to the convening authority, special trial counsel, or any combination thereof, with authority to dispose of the charges or offenses in the case. If charges are referred to trial in the case, such record shall be included in the record of trial."

(z) R.C.M. 401(a) is revised to read as follows:

"(a) *Who may dispose of charges.* Only persons authorized to convene courts-martial or to administer nonjudicial punishment under Article 15 may dispose of charges, except for those charges over which a special trial counsel has exercised authority and which must be disposed of in accordance with R.C.M. 401A. A superior competent authority may withhold the authority of a subordinate to dispose of charges in individual cases, types of cases, or generally."

(aa) A new R.C.M. 401A is inserted immediately after R.C.M. 401 to read as follows:

"**Rule 401A. Disposition of charges over which a special trial counsel exercises authority and has not deferred**

(a) *Who may dispose of preferred specifications.* Regardless of who preferred a specification, only a special trial counsel may dispose of a specification alleging a covered offense or another offense over which a special trial counsel has exercised authority and has not deferred. A superior competent authority may withhold the authority of a subordinate special trial counsel to dispose of offenses charged in individual cases, types of cases, or generally.

(b) *Prompt determination.* Special trial counsel shall promptly determine what disposition will be made in the interest of justice and discipline.

(c) *Disposition of preferred specifications.*

(1) *Referral.* For those offenses over which a special trial counsel has exercised authority and not deferred, a special trial counsel may refer a charge and any specification thereunder to a special or general court-martial. If a preliminary hearing in accordance with Article 32 and R.C.M. 405 is required, a special trial counsel shall request a hearing officer and a hearing officer shall be provided by the convening authority.

(2) *Dismissal.* For those offenses over which a special trial counsel has exercised authority and not deferred, a special trial counsel may dismiss any charge or specification

thereunder. A dismissal may be accompanied by a deferral as defined in this rule. Further disposition by a special trial counsel in accordance with this rule or by a convening authority pursuant to RCM 306(c) is not barred.

(3) *Deferral.*

(A) *Pre-referral.* A special trial counsel may defer a charged offense by electing not to refer the charged offense to a special or general court-martial. Upon such a determination, the special trial counsel shall promptly forward the matter to the commander or convening authority for disposition. The commander or convening authority shall dispose of the offense pursuant to R.C.M. 306 or the charged offense pursuant to R.C.M. 401, as applicable. The commander or convening authority may dismiss a charge preferred by a special trial counsel. However, a convening authority may not refer a charge alleging a covered offense to a special or general court-martial.

(B) *Post-referral.* After referral, a charge referred to a general or special court-martial by a special trial counsel must be withdrawn before the offense alleged by that charge may be deferred."

(bb) R.C.M. 402 is amended to read as follows:

"Rule 402. Action by commander not authorized to convene courts-martial

Except for covered offenses and other charges over which a special trial counsel has exercised authority and has not deferred, when in receipt of charges, a commander authorized to administer nonjudicial punishment but not authorized to convene courts-martial may:

(1) Dismiss any charge; or

(2) Forward any charge to a superior commander for disposition."

(cc) R.C.M. 403 is amended to read as follows:

"Rule 403. Action by commander exercising summary court-martial jurisdiction.

(a) *Recording receipt.* Immediately upon receipt of sworn charges, an officer exercising summary court-martial jurisdiction over the command shall cause the hour and date of receipt to be entered on the charge sheet. After recording receipt of charges over which a special trial counsel has exercised authority and has not deferred, the charge sheet shall be returned to the special trial counsel.

(b) *Disposition.* Except for covered offenses and other charges over which a special trial counsel has exercised authority and has not deferred, when in receipt of charges, a commander exercising summary court-martial jurisdiction may:

(1) Dismiss any charge;

(2) Forward any charge (or, after dismissing a charge, the matter) to a subordinate commander for disposition;

(3) Forward any charge to a superior commander for disposition;

(4) Subject to R.C.M. 601(d) and 1301(c), refer any charge to a summary court-martial for trial; or

(5) Unless otherwise prescribed by the Secretary concerned, direct a preliminary hearing under R.C.M. 405, and, if appropriate, forward the report of preliminary hearing with the charges to a superior commander for disposition."

(dd) R.C.M. 404 is amended to read as follows:

"Rule 404. Action by commander exercising special court-martial jurisdiction

Except for covered offenses and other charges over which a special trial counsel has exercised authority and has not deferred, when in receipt of charges, a commander exercising special court-martial jurisdiction may:

(1) Dismiss any charge;

(2) Forward any charge (or, after dismissing a charge, the matter) to a subordinate commander for disposition;

(3) Forward any charge to a superior commander for disposition;

(4) Subject to R.C.M. 201(f)(2)(D) and (E), 601(d), and 1301(c), refer any charge to a summary court-martial or to a special court-martial for trial; or

(5) Unless otherwise prescribed by the Secretary concerned, direct a preliminary hearing under R.C.M. 405, and, if appropriate, forward the report of preliminary hearing with the charges to a superior commander for disposition."

(ee) R.C.M. 404A is deleted.

(ff) R.C.M. 405 is amended to read as follows:

"Rule 405. Preliminary hearing.

(a) *In general.* Except as provided in R.C.M. 405(n), no charge or specification may be referred to a general court-martial for trial until completion of a preliminary hearing in substantial compliance with this rule. The issues for determination at a preliminary hearing are limited to the following: whether each specification alleges an offense; whether there is probable cause to believe that the accused committed the offense or offenses charged; whether the convening authority has court-martial jurisdiction over the accused and over the offense; and to recommend the disposition that should be made of the case. Failure to comply with this rule shall have no effect on the disposition of any charge if the charge is not referred to a general court-martial.

(b) *Earlier preliminary hearing.* If a preliminary hearing on the subject matter of an offense has been conducted before the accused is charged with an offense, and the accused was present at the

preliminary hearing and afforded the rights to counsel, cross-examination, and presentation of evidence required by this rule, no further preliminary hearing is required.

(c) *Who may direct a preliminary hearing.*

(1) Subject to R.C.M. 405(c)(2), unless prohibited by regulations of the Secretary concerned, a preliminary hearing may be directed under this rule by any court-martial convening authority. That authority may also give procedural instructions not inconsistent with these rules.

(2) For charges and specifications over which a special trial counsel has exercised authority, the special trial counsel shall determine whether a preliminary hearing is required. If a special trial counsel determines that a hearing is required, the special trial counsel shall request that a convening authority provide a preliminary hearing officer. Upon such a request, the convening authority shall provide a preliminary hearing officer and direct a preliminary hearing in accordance with this rule. If a special trial counsel determines a previous preliminary hearing is required to be reopened, the convening authority shall direct the preliminary hearing to be reopened.

(d) *Disclosures after direction of a preliminary hearing.*

(1) As soon as practicable but no later than five days after direction of an Article 32 preliminary hearing, counsel for the Government shall provide the defense with copies of, or, if impracticable, permit the defense to inspect:

(A) the order directing the Article 32 preliminary hearing pursuant to this rule (R.C.M. 405);

(B) statements, within the control of military authorities, of witnesses that counsel for the Government intends to call at the preliminary hearing;

(C) evidence counsel for the Government intends to present at the preliminary hearing; and

(D) any matters provided to the convening authority when deciding to direct the preliminary hearing.

(2) *Contraband.* If items covered by R.C.M. 405(d)(1) are contraband, the disclosure required under this rule is a reasonable opportunity to inspect said contraband prior to the preliminary hearing.

(3) *Privilege.* If items covered by R.C.M. 405(d)(1) are privileged, classified, or otherwise protected under Section V of Part III, the Military Rules of Evidence, no disclosure of those items is required under this rule. However, counsel for the Government may disclose privileged, classified, or otherwise protected information covered by R.C.M. 405(d)(1) if authorized by the holder of the privilege, or, in the case of Mil. R. Evid. 505 or 506, if authorized by a competent authority.

(4) *Protective order if privileged information is disclosed.* If the Government agrees to disclose to the accused information to which the protections afforded by Section V of Part III may apply, the convening authority, or other person designated by regulation of the Secretary concerned, may enter an appropriate protective order, in writing, to guard against the compromise of information disclosed to the accused. The terms of any such protective order may include prohibiting the disclosure of the information except as authorized by the authority issuing the protective order, as well as those terms specified by Mil. R. Evid. 505(g)(2)–(6) or 506(g)(2)–(5).

(e) *Personnel.*

(1) Preliminary hearing officer.

(A) The convening authority directing the preliminary hearing shall detail an impartial judge advocate, not the accuser, who is certified under Article 27(b)(2) to conduct the hearing. When it is impracticable to appoint a judge advocate certified under Article 27(b)(2) due to exceptional circumstances:

(i) The convening authority may detail an impartial commissioned officer as the preliminary hearing officer, and

(ii) An impartial judge advocate certified under Article 27(b)(2) shall be available to provide legal advice to the detailed preliminary hearing officer.

(B) Whenever practicable, the preliminary hearing officer shall be equal or senior in grade to the military counsel detailed to represent the accused and the Government at the preliminary hearing.

(C) The Secretary concerned may prescribe additional limitations on the detailing of preliminary hearing officers.

(D) The preliminary hearing officer shall not depart from an impartial role and become an advocate for either side. The preliminary hearing officer is disqualified to act later in the same case in any other capacity.

(2) *Counsel for the Government.*

(A) Subject to R.C.M. 405(e)(2)(B), a judge advocate, not the accuser, shall serve as counsel to represent the Government.

(B) For preliminary hearings requested by a special trial counsel, the special trial counsel shall detail counsel for the Government consistent with regulations prescribed by the Secretary concerned. Any determination by a special trial counsel to prefer or refer charges shall not act to disqualify that special trial counsel as an accuser.

(3) *Defense counsel.*

(A) *Detailed counsel.* Military counsel certified in accordance with Article 27(b) shall be detailed to represent the accused.

(B) *Individual military counsel.* The accused may request to be represented by individual military counsel. Such requests shall be acted on in accordance with R.C.M. 506(b).

(C) *Civilian counsel.* The accused may be represented by civilian counsel at no expense to the Government. Upon request, the accused is entitled to a reasonable time to obtain civilian counsel and to have such counsel present for the preliminary hearing. However, the preliminary hearing shall not be unduly delayed for this purpose. Representation by civilian counsel shall not limit the rights to military counsel under R.C.M. 405(e)(3)(A) or (B).

(4) *Others.* The convening authority who directed the preliminary hearing may also detail or request an appropriate authority to detail a reporter, an interpreter, or both.

(f) *Scope of preliminary hearing.*

(1) The preliminary hearing officer shall limit the inquiry to the examination of evidence, including witnesses, relevant to the issues for determination under R.C.M. 405(a).

(2) If evidence adduced during the preliminary hearing indicates that the accused committed any uncharged offense, the preliminary hearing officer may examine evidence and hear witnesses presented by the parties relating to the subject matter of such offense and make the determination specified in R.C.M. 405(a) regarding such offense without the accused first having been charged with the offense. The rights of the accused under R.C.M. 405(g), and, where it would not cause undue delay to the proceedings, the procedure applicable for production of witnesses and other evidence under R.C.M. 405(i), are the same with regard to both charged and uncharged offenses. When considering uncharged offenses identified during

the preliminary hearing, the preliminary hearing officers shall inform the accused of the general nature of each offense considered and otherwise afford the accused the same opportunity for representation, cross-examination, and presentation afforded during the preliminary hearing of any charged offense.

(3) If evidence adduced during the preliminary hearing indicates that the accused committed any uncharged covered offense and the preliminary hearing was not requested by special trial counsel, the preliminary hearing officer shall provide prompt notice to the convening authority and a special trial counsel and shall submit a copy of the preliminary hearing report to a special trial counsel.

(g) *Rights of the accused.* At any preliminary hearing under this rule the accused shall have the right to:

(1) Be advised of the charges and uncharged misconduct under consideration;

(2) Be represented by counsel;

(3) Be informed of the purpose of the preliminary hearing;

(4) Be informed of the right against self-incrimination under Article 31;

(5) In accordance with the terms of R.C.M. 405(k)(4), be present throughout the taking of evidence;

(6) Cross-examine witnesses on matters relevant to the issues for determination under R.C.M. 405(a);

(7) Present matters relevant to the issues for determination under R.C.M. 405(a); and

(8) Make a sworn or unsworn statement relevant to the issues for determination under R.C.M. 405(a).

(h) *Notice to and presence of victim.*

(1) For the purposes of this rule, a "victim" is an individual who is alleged to have suffered a direct physical, emotional, or pecuniary harm as a result of the commission of an offense under the UCMJ.

(2) A victim of an offense under the UCMJ or the victim's counsel, if any, shall receive reasonable, accurate, and timely notice of a preliminary hearing relating to the alleged offense and a reasonable opportunity to confer with counsel for the Government.

(3) A victim has the right not to be excluded from any public proceeding of the preliminary hearing, except to the extent a similarly situated victim would be excluded at trial.

(i) *Notice, Production of Witnesses, and Production of Other Evidence.*

(1) *Notice.* Prior to any preliminary hearing under this rule, the parties shall, in accordance with timelines set by the preliminary hearing officer, provide to the preliminary hearing officer and the opposing party the following notices:

(A) Notice of the name and contact information for each witness the party intends to call at the preliminary hearing;

(B) Notice of any other evidence that the party intends to offer at the preliminary hearing; and

(C) Notice of any additional information the party intends to submit under R.C.M. 405(l).

(2) *Production of Witnesses.*

(A) *Military Witnesses.*

(i) Prior to the preliminary hearing, defense counsel shall provide to counsel for the Government the names of proposed military witnesses whom the accused requests that the Government produce to testify at the preliminary hearing, and the requested

form of the testimony, in accordance with the timeline established by the preliminary hearing officer. Counsel for the Government shall respond that either (1) the Government agrees that the witness' testimony is relevant, not cumulative, and necessary to a determination of the issues under R.C.M. 405(a) and will seek to secure the witness' testimony for the hearing; or (2) the Government objects to the proposed defense witness on the grounds that the testimony would be irrelevant, cumulative, or unnecessary to a determination of the issues under R.C.M. 405(a).

(ii) If the Government objects to the proposed defense witness, defense counsel may request that the preliminary hearing officer determine whether the witness is relevant, not cumulative, and necessary to a determination of the issues under R.C.M. 405(a).

(iii) If the Government does not object to the proposed defense military witness or the preliminary hearing officer determines that the military witness is relevant, not cumulative, and necessary, counsel for the Government shall request that the commanding officer of the proposed military witness make that person available to provide testimony. The commanding officer shall determine whether the individual is available, and if so, whether the witness will testify in person, by video teleconference, by telephone, or by similar means of remote testimony, based on operational necessity or mission requirements. If the commanding officer determines that the military witness is available, counsel for the Government shall make arrangements for that individual's testimony. The commanding officer's determination of unavailability due to operational necessity or mission requirements is final.

(iv) A victim who is alleged to have suffered a direct physical, emotional, or pecuniary harm as a result of the matters set forth in a charge or specification under consideration and is named in one of the specifications under consideration shall not be required to testify at a preliminary hearing.

(B) *Civilian Witnesses.*

(i) Defense counsel shall provide to counsel for the Government the names of proposed civilian witnesses whom the accused requests that the Government produce to testify at the preliminary hearing, and the requested form of the testimony, in accordance with the timeline established by the preliminary hearing officer. Counsel for the Government shall respond that either (1) the Government agrees that the witness' testimony is relevant, not cumulative, and necessary to a determination of the issues under R.C.M. 405(a) and will seek to secure the witness' testimony for the hearing; or (2) the Government objects to the proposed defense witness on the grounds that the testimony would be irrelevant, cumulative, or unnecessary to a determination of the issues under R.C.M. 405(a).

(ii) If the Government objects to the proposed defense witness, defense counsel may request that the preliminary hearing officer determine whether the witness is relevant, not cumulative, and necessary to a determination of the issues under R.C.M. 405(a).

(iii) If the Government does not object to the proposed civilian witness or the preliminary hearing officer determines that the civilian witness' testimony is relevant, not cumulative, and necessary, counsel for the Government shall invite the civilian witness to provide testimony and, if the individual agrees, shall make arrangements for the witness's testimony. If expense to the Government is to be incurred, the convening authority who directed the preliminary hearing, or the convening authority's delegate, shall determine whether the witness testifies in person, by video teleconference, by telephone, or by similar means of remote testimony.

(3) *Production of other evidence.*

(A) *Evidence under the control of the Government.*

(i) Prior to the preliminary hearing, defense counsel shall provide to counsel for the Government a list of evidence under the control of the Government the accused requests the Government produce to the defense for introduction at the preliminary hearing. The preliminary hearing officer may set a deadline by which defense requests must be received. Counsel for the Government shall respond that either (1) the Government agrees that the evidence is relevant, not cumulative, and necessary to a determination of the issues under R.C.M. 405(a) and shall make reasonable efforts to obtain the evidence; or (2) the Government objects to production of the evidence on the grounds that the evidence would be irrelevant, cumulative, or unnecessary to a determination of the issues under R.C.M. 405(a).

(ii) If the Government objects to the production of the evidence, defense counsel may request that the preliminary hearing officer determine whether the evidence should be produced. The preliminary hearing officer shall determine whether the evidence is relevant, not cumulative, and necessary to a determination of the issues under R.C.M. 405(a). If the preliminary hearing officer determines that the evidence shall be produced, counsel for the Government shall make reasonable efforts to obtain the evidence.

(iii) The preliminary hearing officer may not order the production of any privileged matters; however, when a party offers evidence that an opposing party claims is privileged, the preliminary hearing officer may rule on whether a privilege applies.

(B) *Evidence not under the control of the Government.*

(i) Evidence not under the control of the Government may be obtained through noncompulsory means or by a pre-referral investigative subpoena issued by a military judge under R.C.M. 309 or counsel for the Government in accordance with the process established by R.C.M. 703(g)(3)(C).

(ii) Prior to the preliminary hearing, defense counsel shall provide to counsel for the Government a list of evidence not under the control of the Government that the accused requests the Government obtain. The preliminary hearing officer may set a deadline by which defense requests must be received. Counsel for the Government shall respond that either (1) the Government agrees that the evidence is relevant, not cumulative, and necessary to a determination of the issues under R.C.M. 405(a) and shall issue a pre-referral investigative subpoena for the evidence; or (2) the Government objects to the production of the evidence on the grounds that the evidence would be irrelevant, cumulative, or unnecessary to a determination of the issues under R.C.M. 405(a).

(iii) If the Government objects to production of the evidence, defense counsel may request that the preliminary hearing officer determine whether the evidence should be produced. If the preliminary hearing officer determines that the evidence is relevant, not cumulative, and necessary to a determination of the issues under R.C.M. 405(a) and that the issuance of a pre-referral investigative subpoena would not cause undue delay to the preliminary hearing, the preliminary hearing officer shall direct counsel for the Government to seek a pre-referral investigative subpoena for the defense-requested evidence from a military judge in accordance with R.C.M. 309 or authorization from the general court-martial convening authority to issue an investigative subpoena. If counsel for the Government refuses or is unable to obtain an investigative subpoena, the counsel shall set forth the reasons why the investigative subpoena was not obtained in a written statement that shall be included in the preliminary hearing report under R.C.M. 405(m).

(iv) The preliminary hearing officer may not order the production of any privileged matters; however, when a party offers evidence that an opposing party claims is privileged, the preliminary hearing officer may rule on whether a privilege applies.

(j) *Military Rules of Evidence.*

(1) *In general.*

(A) Only the following Military Rules of Evidence apply to preliminary hearings:

(i) Mil. R. Evid. 301-303 and 305.

(ii) Mil. R. Evid. 412(a), except as provided in R.C.M. 405(j)(2).

(iii) Mil. R. Evid., Section V, Privileges, except that Mil. R. Evid. 505(f)-(h) and (j); 506(f)-(h), (j), (k), and (m); and 514(d)(6) shall not apply.

(B) In applying the rules to a preliminary hearing in accordance with R.C.M. 405(j)(1)(A), the term "military judge," as used in such rules, means the preliminary hearing officer, who shall assume the military judge's authority to exclude evidence from the preliminary hearing, and who shall, in discharging this duty, follow the procedures set forth in such rules. Evidence offered in violation of the procedural requirements of the rules in R.C.M. 405(j)(1)(A) shall be excluded from the preliminary hearing, unless good cause is shown.

(2) *Sex-offense cases.*

(A) *Inadmissibility of certain evidence.* In a case of an alleged sexual offense, as defined under Mil. R. Evid. 412(d), evidence offered to prove that any alleged victim engaged in other sexual behavior or evidence offered to prove any alleged victim's sexual predisposition is not admissible at a preliminary hearing unless—

(i) the evidence would be admissible at trial under Mil. R. Evid. 412(b)(1) or (2); and

(ii) the evidence is relevant, not cumulative, and is necessary to a determination of the issues under R.C.M. 405(a).

(B) *Initial procedure to determine admissibility.* A party intending to offer evidence under R.C.M. 405(j)(2)(A) shall, no later than five days before the preliminary hearing begins, submit a written motion specifically describing the evidence and stating why the evidence is admissible. The preliminary hearing officer may permit a different filing time, but any motion shall be filed prior to the beginning of the preliminary hearing. The moving party shall serve the motion on the opposing party, who shall have the opportunity to respond in writing. Counsel for the Government shall cause the motion and any written responses to be served on the victim, or victim's counsel, if any, or, when appropriate, the victim's guardian or representative. After reviewing the motion and any written responses, the preliminary hearing officer shall either—

(i) deny the motion on the grounds that the evidence does not meet the criteria specified in R.C.M. 405(j)(2)(A)(i) or (ii); or

(ii) conduct a hearing to determine the admissibility of the evidence.

(C) *Admissibility hearing.* If the preliminary hearing officer conducts a hearing to determine the admissibility of the evidence, the admissibility hearing shall be closed and should ordinarily be conducted at the end of the preliminary hearing, after all other evidence offered by the parties has been admitted. At the admissibility hearing, the parties may call witnesses and offer relevant evidence. The victim shall be afforded a reasonable opportunity to attend and be heard, to include being heard through counsel. If the preliminary hearing officer determines that the evidence should be admitted, the victim may directly petition the Court of Criminal Appeals for a writ of mandamus pursuant to Article 6b.

(D) *Sealing.* The motions, related papers, and the record of an admissibility hearing shall be sealed and remain under seal in accordance with R.C.M. 1113.

(k) *Preliminary hearing procedure.*

(1) *Generally*. The preliminary hearing shall begin with the preliminary hearing officer informing the accused of the accused's rights under R.C.M. 405(g). Counsel for the Government will then present evidence. Upon the conclusion of counsel for the Government's presentation of evidence, defense counsel may present matters. Both counsel for the Government and defense counsel shall be afforded an opportunity to cross-examine adverse witnesses. The preliminary hearing officer may also question witnesses called by the parties. If the preliminary hearing officer determines that additional evidence is necessary for a determination of the issues under R.C.M. 405(a), the preliminary hearing officer may provide the parties an opportunity to present additional testimony or evidence. Except as provided in R.C.M. 405(m)(2)(J), the preliminary hearing officer shall not consider evidence not presented at the preliminary hearing in making the determination under R.C.M. 405(a). The preliminary hearing officer shall not call witnesses *sua sponte*.

(2) *Presentation of evidence.*

(A) *Testimony.* Witness testimony may be provided in person, by video teleconference, by telephone, or by similar means of remote testimony. All testimony shall be taken under oath, except that the accused may make an unsworn statement. The preliminary hearing officer shall only consider testimony that is relevant to the issues for determination under R.C.M. 405(a).

(B) *Other evidence.* If relevant to the issues for determination under R.C.M. 405(a) and not cumulative, a preliminary hearing officer may consider other evidence offered by

either counsel for the Government or defense counsel, in addition to or in lieu of witness testimony, including statements, tangible evidence, or reproductions thereof, that the preliminary hearing officer determines is reliable. This other evidence need not be sworn.

(3) *Access by spectators.* Preliminary hearings are public proceedings and should remain open to the public whenever possible, whether conducted in person or via remote means. If there is an overriding interest that outweighs the value of an open preliminary hearing, the convening authority or the preliminary hearing officer may restrict or foreclose access by spectators to all or part of the proceedings. Any restriction or closure must be narrowly tailored to protect the overriding interest involved. Before ordering any restriction or closure, a convening authority or preliminary hearing officer must determine whether any reasonable alternatives to such restriction or closure exist, or if some lesser means can be used to protect the overriding interest in the case. The convening authority or preliminary hearing officer shall make specific findings of fact in writing that support the restriction or closure. The written findings of fact shall be included in the preliminary hearing report.

(4) *Presence of accused.* The accused shall be present for the preliminary hearing.

(A) *Remote presence of the accused.* The convening authority that directed the preliminary hearing may authorize the use of audio-visual technology between the parties and the preliminary hearing officer. In such circumstances, the "presence" requirement of the accused is met only when the accused has a defense counsel physically present at the accused's location or when the accused consents to presence by remote means with the opportunity for confidential consultation with defense counsel during the proceeding. Such technology may include two or more remote sites as long as all parties can see and hear each other.

(B) The accused shall be considered to have waived the right to be present at the preliminary hearing if the accused:

(i) After being notified of the time and place of the proceeding is voluntarily absent; or

(ii) After being warned by the preliminary hearing officer that disruptive conduct will cause removal from the proceeding, persists in conduct which is such as to justify exclusion from the proceeding.

(5) *Recording of the preliminary hearing.* Counsel for the Government shall ensure that the preliminary hearing is recorded by a suitable recording device. A victim named in a specification under consideration may request access to, or a copy of, the recording of the proceedings. Upon request, counsel for the Government shall provide the requested access to, or a copy of, the recording or, at the Government's discretion, a transcript, to the victim or victim's counsel, if any, not later than a reasonable time following dismissal of the charges, unless charges are dismissed for the purpose of rereferral, or court-martial adjournment. This rule does not entitle the victim to classified information or sealed materials consistent with an order issued in accordance with R.C.M. 1113(a).

(6) *Recording and broadcasting prohibited.* Video and audio recording, broadcasting, and the taking of photographs—except as required in R.C.M. 405(k)(5)—are prohibited. The convening authority may, as a matter of discretion, permit contemporaneous closed-caption video or audio transmission to permit viewing or hearing by an accused removed under R.C.M. 405(k)(4) or by spectators when the facilities are inadequate to accommodate a reasonable number of spectators.

(7) *Objections.* Any objection alleging a failure to comply with this rule, other than an objection under R.C.M. 405(m), shall be made to the preliminary hearing officer promptly upon discovery of the alleged error. The preliminary hearing officer is not required to rule on any objection. An objection shall be noted in the preliminary hearing report if the person objecting so requests. The preliminary hearing officer may require a party to file any objection in writing.

(8) *Sealed exhibits and proceedings.* The preliminary hearing officer has the authority to order exhibits, recordings of proceedings, or other matters sealed as described in R.C.M. 1113.

(l) *Supplementary information.*

(1) No later than 24 hours from the closure of the preliminary hearing, counsel for the Government, defense counsel, and any victim named in a specification under consideration (or, if applicable, counsel for such a victim) may submit to the preliminary hearing officer, counsel for the Government, and defense counsel additional information that the submitter deems relevant to the disposition of the charges and specifications.

(2) Defense counsel may submit additional matters that rebut the submissions of counsel for the Government or any victim provided under R.C.M. 405(l)(1). Such matters must be provided to the preliminary hearing officer and to the counsel for the Government within 5 days of the closure of the preliminary hearing.

(3) The preliminary hearing officer shall examine all supplementary information submitted under R.C.M. 405(l) and shall seal, in accordance with R.C.M. 1113, any matters the preliminary hearing officer deems privileged or otherwise not subject to disclosure.

(A) The preliminary hearing officer shall provide a written summary and an analysis of the supplementary information submitted under R.C.M. 405(l) that is not sealed and

is relevant to disposition for inclusion in the report to the convening authority or special trial counsel, as applicable, under R.C.M. 405(m).

(B) If the preliminary hearing officer seals any supplementary information submitted under R.C.M. 405(l), the preliminary hearing officer shall provide an analysis of those materials. The analysis of the sealed materials shall be sealed. Additionally, the preliminary hearing officer shall generally describe those matters and detail the basis for sealing them in a separate cover sheet. This cover sheet shall accompany the sealed matters and shall not contain privileged information or be sealed.

(4) The supplementary information and any summary and analysis provided by the preliminary hearing officer, and any sealed matters and cover sheets, as applicable, shall be forwarded to the convening authority or special trial counsel, as applicable, for consideration in making a disposition determination.

(5) Submissions under R.C.M. 405(l) shall be maintained as an attachment to the preliminary hearing report provided under R.C.M. 405(m).

(m) *Preliminary hearing report.*

(1) *In general.* The preliminary hearing officer shall make a timely written report of the preliminary hearing to the convening authority or, for hearings requested by a special trial counsel, to the special trial counsel. This report is advisory and does not bind the staff judge advocate, convening authority, or special trial counsel, as applicable.

(2) *Contents.* The preliminary hearing report shall include:

(A) A statement of names and organizations or addresses of counsel for the Government and defense counsel and, if applicable, a statement of why either counsel was not present at any time during the proceedings;

(B) The recording of the preliminary hearing under R.C.M. 405(k)(5);

(C) For each specification, the preliminary hearing officer's reasoning and conclusions with respect to the issues for determination under R.C.M. 405(a), including a summary of relevant witness testimony and documentary evidence presented at the hearing and any observations concerning the testimony of witnesses and the availability and admissibility of evidence at trial;

(D) If applicable, a statement that an essential witness may not be available for trial;

(E) An explanation of any delays in the preliminary hearing;

(F) A notation if counsel for the Government refused to issue a pre-referral investigative subpoena that was directed by the preliminary hearing officer and the counsel's statement of the reasons for such refusal;

(G) Recommendations for any necessary modifications to the form of the charges and specifications;

(H) A statement of whether the preliminary hearing officer examined evidence or heard witnesses relating to any uncharged offenses in accordance with R.C.M. 405(f)(2), and, for each such offense, the preliminary hearing officer's reasoning and conclusions as to whether there is probable cause to believe that the accused committed the offense and whether the convening authority would have court-martial jurisdiction over the offense if it were charged;

(I) A notation of any objections if required under R.C.M. 405(k)(7);

(J) The recommendation of the preliminary hearing officer as to the disposition that should be made of the charges and specifications in the interest of justice and discipline. In

making this disposition recommendation, the preliminary hearing officer may consider any evidence admitted during the preliminary hearing and matters submitted under R.C.M. 405(l);

(K) The written summary and analysis required by R.C.M. 405(l)(3)(A); and

(L) A notation as to whether the parties or the preliminary hearing officer considered any offense to be a covered offense.

(3) *Sealed exhibits and proceedings.* If the preliminary hearing report contains exhibits, proceedings, or other matters ordered sealed by the preliminary hearing officer in accordance with R.C.M. 1113, counsel for the Government shall cause such materials to be sealed so as to prevent unauthorized viewing or disclosure.

(4) *Distribution of preliminary hearing report.* The preliminary hearing officer shall promptly cause the preliminary hearing report to be delivered to the convening authority or, for hearings requested by a special trial counsel, to the special trial counsel. Counsel for the Government shall promptly cause a copy of the report to be delivered to each accused. The convening authority or, for hearings requested by a special trial counsel, the special trial counsel shall promptly determine what disposition will be made in the interest of justice and discipline in accordance with R.C.M. 401 or R.C.M. 401A.

(5) *Objections to the preliminary hearing officer's report.* Upon receipt of the report, the parties shall have five days to submit objections to the preliminary hearing officer. Any objection to the preliminary hearing report shall be made to the convening authority who directed the preliminary hearing, via the preliminary hearing officer. The objection shall be served upon the opposing party, and government counsel must provide notice of the objection to any named victim or named victim's counsel, if any. The preliminary hearing officer will forward the objections to the convening authority as soon as practicable. The convening authority may direct

that the preliminary hearing be reopened or take other action, as appropriate. For cases where a special trial counsel has exercised authority, the special trial counsel may request the convening authority reopen the preliminary hearing. Upon such request, the convening authority shall reopen the preliminary hearing. This paragraph does not prohibit a convening authority or special trial counsel from taking other action prior to the expiration of five days allotted for submitting objections. Failure to make a timely objection under this rule shall constitute waiver of the objection.

(n) *Waiver*. The accused may waive a preliminary hearing. However, the preliminary hearing may still be conducted notwithstanding the waiver. Relief from the waiver may be granted by the convening authority, a superior convening authority, or the military judge, as appropriate, for good cause shown. For offenses over which a special trial counsel has exercised authority, a special trial counsel may grant relief from the waiver. If a special trial counsel declines to grant relief from the waiver and the case is referred, the accused may request relief from the military judge."

(gg) R.C.M. 406 is amended to read as follows:

"Rule 406. Pretrial advice and special trial counsel determinations

(a) *Pretrial Advice by the Staff Judge Advocate.*

(1) *General court-martial.* Except as provided by R.C.M. 406(b), before any charge may be referred for trial by a general court-martial, it shall be submitted to the staff judge advocate of the convening authority for consideration and advice. The advice of the staff judge advocate shall include a written and signed statement which sets forth the staff judge advocate's:

(A) Conclusion with respect to whether each specification alleges an offense under the UCMJ;

(B) Conclusion with respect to whether there is probable cause to believe that the accused committed the offense charged in the specification;

(C) Conclusion with respect to whether a court-martial would have jurisdiction over the accused and the offense; and

(D) Recommendation as to the disposition that should be made of the charges and specifications by the convening authority in the interest of justice and discipline.

(2) *Special-court martial.* Subject to R.C.M. 406(b), before any charge may be referred for trial by a special court-martial, the convening authority shall consult a judge advocate on relevant legal issues. Such issues may include:

(A) Whether each specification alleges an offense under the UCMJ;

(B) Whether there is probable cause to believe the accused committed the offense(s) charged;

(C) Whether a court-martial would have jurisdiction over the accused and the offense;

(D) The form of the charges and specifications and any necessary modifications; and

(E) Any other factors relating to disposition of the charges and specifications in the interest of justice and discipline.

(b) *Special trial counsel determinations.* For all charges alleging covered offenses, and other charges over which special trial counsel has exercised authority and has not deferred, referral to a special or general court-martial may be made only by a special trial counsel and the referral must be accompanied by a special trial counsel's written determination that:

(1) each specification under a charge alleges an offense under the UCMJ;

(2) there is probable cause to believe that the accused committed the offense charged; and

(3) a court-martial would have jurisdiction over the accused and the offense.

(c) *Distribution.*

(1) Subject to R.C.M. 406(c)(2), a copy of the written advice of the staff judge advocate shall be provided to the defense if charges are referred for trial by general court-martial.

(2) For those cases over which special trial counsel exercises exclusive authority, a copy of the written determination by special trial counsel shall be provided to the defense if charges are referred for trial by general or special court-martial."

(hh) R.C.M. 406A is deleted.

(ii) R.C.M. 407(a)(1) is amended to read as follows:

"(a) *Disposition.* Except for covered offenses and any other charges over which a special trial counsel has exercised authority and has not deferred, a commander exercising general court-martial jurisdiction, when in receipt of charges, may:

(1) Dismiss any charge;

(2) Forward any charge (or, after dismissing charges, the matter) to a subordinate commander for disposition;

(3) Forward any charge to a superior commander for disposition;

(4) Subject to R.C.M. 201(f)(2)(D) and (E), 601(d), and 1301(c), refer any charge to a summary court-martial or to a special court-martial for trial;

(5) Unless otherwise prescribed by the Secretary concerned, direct a preliminary hearing under R.C.M. 405, after which additional action under this rule may be taken;

(6) Subject to R.C.M. 601(d), refer any charge to a general court-martial."

(jj) R.C.M. 407(b) is amended to read as follows:

"(b) *National security matters.*

(1) Subject to R.C.M. 407(b)(2), when in receipt of charges the trial of which the commander exercising general court-martial jurisdiction finds would probably be detrimental to the prosecution of a war or harmful to national security, that commander, unless otherwise prescribed by regulations of the Secretary concerned, shall determine whether trial is warranted and, if so, whether the security considerations involved are paramount to trial. As the commander finds appropriate, the commander may dismiss the charges, authorize trial of them, or forward them to a superior authority.

(2) For charges and specifications over which a special trial counsel has exercised authority and has not deferred and a commander believes trial would be detrimental to the prosecution of a war or harmful to national security, the matter shall be forwarded to the Secretary concerned.

(kk) A new R.C.M. 502(d)(1)(C) is inserted immediately after R.C.M. 502(d)(1)(B) to read as follows:

"(C) *Qualifications of special trial counsel.* Only judge advocates qualified, certified, and assigned as special trial counsel may be detailed as special trial counsel in general and special courts-martial. In accordance with regulations prescribed by the Secretary concerned, a special trial counsel shall be a judge advocate who is a member of the bar of a Federal court or a member of the bar of the highest court of a State; and is certified to be qualified, by reason of education, training, experience, and temperament, for duty as a special trial counsel by the Judge Advocate General of the armed force of which the officer is a member or, in the case of the Marine Corps, the Staff Judge Advocate to the Commandant of the Marine Corps. Special trial

counsel shall be well-trained, experienced, highly-skilled and competent in handling cases involving covered offenses."

(ll) R.C.M. 502(d)(3)(A) is amended to read as follows:

"(A) The accuser, except that any determination by a special trial counsel to prefer or refer charges shall not disqualify that special trial counsel;".

(mm) R.C.M. 503(a) is amended to read as follows:

"(a) *Members.*

(1) *In general.* The convening authority shall—

(A) detail qualified persons as members for courts-martial in accordance with the criteria described in Article 25;

(B) state whether the military judge is—

(i) authorized to impanel a specified number of alternate members; or

(ii) authorized to impanel alternate members only if, after the exercise of all challenges, excess members remain; and

(C) provide a list of the detailed members to the military judge to randomize in accordance with R.C.M. 911."

(nn) R.C.M. 503(c)(1) is amended to read as follows:

"(1) *By whom detailed.* Trial and defense counsel, assistant trial and defense counsel, and associate defense counsel shall be detailed in accordance with these rules and the regulations of the Secretary concerned. If authority to detail counsel has been delegated to a person, that person may detail himself or herself as counsel for a court-martial. For each general and special court-martial for which charges and specifications were referred by special trial counsel, a special trial counsel shall be detailed as trial counsel, and, in accordance with regulations prescribed by the

Secretary concerned, a special trial counsel may detail other trial counsel who are judge advocates. In a capital case, counsel learned in the law applicable to such cases under R.C.M. 502(d)(2)(C) shall be assigned in accordance with regulations of the Secretary concerned."

(oo) R.C.M. 504(b)(1) is amended to read as follows:

"(1) *General courts-martial.* Unless otherwise limited by superior competent authority, general courts-martial may be convened by persons occupying positions designated in Article 22(a) and by any commander designated by the Secretary concerned or empowered by the President. A commanding officer shall not be considered an accuser solely due to the role of the commanding officer in convening a special or general court-martial to which charges and specifications were referred by a special trial counsel."

(pp) R.C.M. 504(b)(2)(B)(i) is amended to read as follows:

"(i) In the Army, Air Force, or Space Force, by the officer exercising general court-martial jurisdiction over the command; or".

(qq) R.C.M. 505(c)(1)(A) is amended to read as follows:

"(A) *By convening authority.* Before the court-martial is assembled, the convening authority may change the members detailed to the court-martial without showing cause. New members shall be detailed in accordance with R.C.M. 503(a)."

(rr) R.C.M. 505(c)(2)(B) is amended to read as follows:

"(B) *New members.* In accordance with R.C.M. 503(a), new members may be detailed after assembly only when, as a result of excusals under R.C.M. 505(c)(2)(A), the number of members of the court-martial is reduced below the number of members required under R.C.M. 501(a), or the number of enlisted members, when the accused has made a timely written request for enlisted members, is reduced below one-third of the total membership."

(ss) R.C.M. 601 is amended to read as follows:

"Rule 601. Referral

(a) *In general.* Referral is the order of a convening authority or a special trial counsel that one or more charges and specifications against an accused will be tried by a specified court-martial.

(b) *Who may refer.*

(1) Except as provided in R.C.M. 601(b)(2), any convening authority may refer charges to a court-martial convened by that convening authority or a predecessor, unless the power to do so has been withheld by superior competent authority.

(2) For charges over which a special trial counsel has exercised authority and has not deferred, only a special trial counsel may refer charges to a court-martial.

(c) *Disqualification.*

(1) Except as provided in R.C.M. 601(c)(2), an accuser may not refer charges to a general or special court-martial.

(2) A special trial counsel shall not be disqualified from referring charges to a general or special court-martial as a result of having preferred charges or having caused charges to be preferred.

(d) *When charges may be referred.*

(1) *Basis for referral.*

(A) Except as provided in R.C.M. 601(d)(1)(B), if the convening authority finds or is advised by a judge advocate that there is probable cause to believe that an offense triable by a court-martial has been committed and that the accused committed it, and that the specification alleges an offense, the convening authority may refer it. The finding may be based on hearsay in whole or in part. The convening authority or judge advocate may consider information from any

source and shall not be limited to the information reviewed by any previous authority, but a case may not be referred to a general or special court-martial except in compliance with R.C.M. 601(d)(2) or (d)(3). The convening authority or judge advocate shall not be required before charges are referred to resolve legal issues, including objections to evidence, which may arise at trial.

(B) For offenses over which a special trial counsel has exercised authority and has not deferred, if a special trial counsel makes a written determination that each specification under a charge alleges an offense under the UCMJ, there is probable cause to believe that the accused committed the offense charged, and the court-martial would have jurisdiction over the accused and the offense, a special trial counsel may refer it. The finding may be based on hearsay in whole or in part. A special trial counsel may consider information from any source and shall not be limited to the information reviewed by any previous authority, but a case may not be referred to a general court-martial except in compliance with R.C.M. 601(d)(2) or (d)(3). A special trial counsel shall not be required before charges are referred to resolve legal issues, including objections to evidence, which may arise at trial.

(2) *Consideration.* Referral authorities shall consider whether the admissible evidence will probably be sufficient to obtain and sustain a conviction.

(3) *General courts-martial.* Charges may not be referred to a general court-martial unless there has been substantial compliance with the preliminary hearing requirements of R.C.M. 405 and:

(A) The convening authority has received the advice of the staff judge advocate required under R.C.M. 406(a)(1) and Article 34(a); or

(B) A special trial counsel has made a written determination as required under R.C.M. 406(b) and Article 34(c).

(4) *Special courts-martial.* Charges may not be referred to a special court-martial unless:

(A) The convening authority has consulted with a judge advocate as required under R.C.M. 406(a)(2) and Article 34(b); or

(B) A special trial counsel has made a written determination as required under R.C.M. 406(b) and Article 34(c).

(e) *How charges shall be referred.*

(1) *Order, instructions.* Referral shall be by the personal order of the referral authority.

(A) *Capital cases.* If a case is to be tried as a capital case, the referral authority shall so indicate by including a special instruction on the charge sheet in accordance with R.C.M. 1004(b)(1).

(B) *Special court-martial consisting of a military judge alone.* If a case is to be tried as a special court-martial consisting of a military judge alone under Article 16(c)(2)(A), the referral shall so indicate by including a special instruction on the charge sheet prior to arraignment.

(C) *Other instructions.* The referral authority may include any other additional instructions in the order as may be required.

(2) *Joinder of offenses.* In the discretion of the referral authority, two or more offenses charged against an accused may be referred to the same court-martial for trial, whether serious or minor offenses or both, regardless of whether the offenses are connected. Additional charges may be joined with other charges for a single trial at any time before arraignment if all necessary procedural requirements concerning the additional charges have been complied with. After

arraignment of the accused upon charges, no additional charges may be referred to the same trial without consent of the accused.

(3) *Joinder of accused.* Allegations against two or more accused may be referred for joint trial if the accused are alleged to have participated in the same act or transaction or in the same series of acts or transactions constituting an offense or offenses. Such accused may be charged in one or more specifications together or separately, and every accused need not be charged in each specification. Related allegations against two or more accused which may be proved by substantially the same evidence may be referred to a common trial.

(f) *Superior convening authorities.* Except as otherwise provided in these rules, a superior competent authority may cause charges, whether or not referred, to be transmitted to the authority for further consideration, including, if appropriate, referral.

(g) *Parallel convening authorities.*

(1) Except as provided in R.C.M. 601(g)(2), if it is impracticable for the original convening authority to continue exercising authority over the charges, the convening authority may cause the charges, even if referred, to be transmitted to a parallel convening authority. This transmittal must be in writing and in accordance with such regulations as the Secretary concerned may prescribe. Subsequent actions taken by the parallel convening authority are within the sole discretion of that convening authority.

(2) For offenses over which a special trial counsel has exercised authority and has not deferred, a convening authority seeking to transfer charges to a parallel convening authority may do so in accordance with these rules and such regulations prescribed by the Secretary concerned."

(tt) R.C.M. 603(a) is amended to read as follows:

"(a) *In general.* Any person forwarding, acting upon, or prosecuting charges on behalf of the United States, except a preliminary hearing officer appointed under R.C.M. 405, may make major and minor changes to charges or specifications in accordance with this rule. For charges over which a special trial counsel has exercised authority and has not deferred, only a special trial counsel may make or cause to be made major and minor changes to charges or specifications in accordance with this rule."

(uu) R.C.M. 604(a) is amended to read as follows:

"(a) *Withdrawal.*

(1) Except as provided in R.C.M. 604(a)(2), the convening authority or a superior competent authority may for any reason cause any charge or specification to be withdrawn from a court-martial at any time before findings are announced.

(2) For charges over which a special trial counsel has exercised authority and has not deferred, only a special trial counsel may withdraw or cause to be withdrawn any charge or specification from the court-martial at any time before findings are announced."

(vv) R.C.M. 701(a) is amended to read as follows:

"(a) *Disclosure by trial counsel.* Except as otherwise provided in R.C.M. 701(f) and (g)(2), and unless previously disclosed to the defense, trial counsel shall provide the following to the defense:

(1) *Papers accompanying charges; convening orders; statements.* As soon as practicable after service of charges under R.C.M. 602, the trial counsel shall provide the defense with copies of, or, if extraordinary circumstances make it impracticable to provide copies, permit the defense to inspect:

(A) All papers that accompanied the charges presented to the convening authority;

(B) Any written determination made by a special trial counsel pursuant to Article 34;

(C) Any written recommendation from a commander as to disposition;

(D) Any papers sent with charges upon a rehearing or new trial;

(E) The convening order and any amending orders; and

(F) Any sworn or signed statement relating to an offense charged in the case that is in the possession of trial counsel.

(2) *Documents, tangible objects, reports.*

(A) After service of charges, upon request of the defense, the Government shall permit the defense to inspect any books, papers, documents, data, photographs, tangible objects, buildings, or places, or copies of portions of these items, if the item is within the possession, custody, or control of military authorities and—

(i) the item is relevant to defense preparation;

(ii) the Government intends to use the item in the case-in-chief at trial;

(iii) the Government anticipates using the item in rebuttal; or

(iv) the item was obtained from or belongs to the accused.

(B) After service of charges, upon request of the defense, the Government shall permit the defense to inspect the results or reports of physical or mental examinations, and of any scientific tests or experiments, or copies thereof, which are within the possession, custody, or control of military authorities, the existence of which is known or by the exercise of due diligence may become known to the trial counsel if

(i) the item is relevant to defense preparation;

(ii) the Government intends to use the item in the case-in-chief at trial; or

(iii) the Government anticipates using the item in rebuttal.

(3) *Witnesses.* Before the beginning of trial on the merits, trial counsel shall notify the defense of the names and contact information of the witnesses the trial counsel intends to call:

(A) In the prosecution case-in-chief; and

(B) To rebut a defense of alibi, innocent ingestion, or lack of mental responsibility, when the trial counsel has received timely notice under R.C.M. 701(b)(1) or (2).

(4) *Prior convictions of accused offered on the merits.* Before arraignment, the trial counsel shall notify the defense of any records of prior civilian or court-martial convictions of the accused of which the trial counsel is aware and which the trial counsel may offer on the merits for any purpose, including impeachment, and shall permit the defense to inspect such records when they are in the trial counsel's possession.

(5) *Information to be offered at sentencing.* Upon request of the defense, the trial counsel shall:

(A) Permit the defense to inspect such written material as will be presented by the prosecution at the presentencing proceedings; and

(B) Notify the defense of the names and contact information of the witnesses the trial counsel intends to call at the presentencing proceedings under R.C.M. 1001(b).

(6) *Evidence favorable to the defense.* The trial counsel shall, as soon as practicable, disclose to the defense the existence of evidence known to the trial counsel which reasonably tends to—

(A) Negate the guilt of the accused of an offense charged;

(B) Reduce the degree of guilt of the accused of an offense charged;

(C) Reduce the punishment; or

(D) Adversely affect the credibility of any prosecution witness or evidence."

(ww) R.C.M. 701(b)(4) is amended to read as follows:

"(4) *Reports of examination and tests.* If the defense requests disclosure under R.C.M. 701(a)(2)(B), upon compliance with such request by the Government, the defense, on request of the trial counsel, shall (except as provided in R.C.M. 706, Mil. R. Evid. 302, and Mil. R. Evid. 513) permit the trial counsel to inspect the results or reports, or copies thereof, of any physical or mental examinations and of any scientific tests or experiments made in connection with the particular case if the item is within the possession, custody, or control of the defense; and—

(A) the defense intends to use the item in the defense case-in-chief at trial; or

(B) the item was prepared by a witness whom the defense counsel intends to call at trial and the results or reports relate to that witness' testimony."

(xx) R.C.M. 702(b) is amended to read as follows:

"(b) *Who may order.* Upon request of a party:

(1) Subject to R.C.M. 702(b)(2), before referral, a convening authority, or, after referral, the convening authority or the military judge, may order a deposition.

(2) For offenses over which special trial counsel exercises authority:

(i) Before referral, only a military judge may order a deposition, pursuant to R.C.M. 309(b)(3).

(ii) After referral, only a military judge may order a deposition."

(yy) R.C.M. 703(a) is amended to read as follows:

"(a) *In general.* The prosecution, defense, and court-martial shall have equal opportunity to obtain witnesses and evidence, subject to the limitations set forth in R.C.M. 701, including the benefit of compulsory process."

(zz) R.C.M. 703(d) is amended to read as follows:

"(d) *Employment of expert witnesses and consultants.*

(1) *Funding experts for the prosecution.* When the employment of a prosecution expert witness or consultant is considered necessary, counsel for the Government shall, in advance of employment of the expert, and with notice to the defense, submit a request for funding of the expert in accordance with regulations prescribed by the Secretary concerned.

(2) *Funding experts for the defense.* When the appointment or employment of a defense expert witness or consultant is considered necessary, the defense may submit a request for the appointment or funding of the expert in accordance with regulations prescribed by the Secretary concerned.

(A) After referral of charges, a defense request for an expert witness or consultant may be raised before the military judge. Motions for expert consultants may be raised *ex parte*. The military judge shall determine:

(i) in the case of an expert witness, whether the testimony is relevant and necessary;

(ii) in the case of an expert consultant, whether the assistance is necessary for an adequate defense.

(B) If the military judge grants a motion for the appointment or employment of a defense expert witness or consultant, the expert witness or consultant, or an adequate substitute, shall be provided in accordance with regulations prescribed by the Secretary concerned. In the absence of advance approval by an official authorized to grant such approval under the regulations prescribed by the Secretary concerned, expert witnesses and consultants may not be paid fees other than those to which they are entitled under R.C.M. 207(g)(3)(E).

(3) *Notice of expert witnesses.*

(A) *Expert witnesses.*

(i) *Government.* In addition to the requirements of R.C.M. 701(a)(3), the Government shall provide the defense a written summary of the expected testimony from the expert witness.

(ii) *Defense.* After referral of charges, in addition to the requirements of R.C.M. 701(b)(1), the defense shall provide the Government a written summary of the expected testimony from the expert witness.

(B) *Timing.* The military judge shall set a date upon which notices under R.C.M. 703(d)(3)(A) are due to the opposing party.

(C) *Failure to comply.* If at any time it is brought to the attention of the military judge that a party has failed to comply with this rule, the military judge may take one or more of the following actions:

(i) Order the required notice;

(ii) Order the party to permit discovery;

(iii) Grant a continuance;

(iv) Prohibit the party from introducing evidence, calling a witness, or raising a defense not disclosed; and

(v) Enter such other order as is just under the circumstances."

(aaa) R.C.M. 703(g)(3) is amended to read as follows:

"(3) *Civilian witnesses and evidence not under the control of the Government—subpoenas.*

(A) *In general.* The presence of witnesses not on active duty and evidence not under control of the Government may be obtained by subpoena.

(B) *Contents.* A subpoena shall state the command by which the proceeding or investigation is directed, and the title, if any, of the proceeding. A subpoena shall command each person to whom it is directed to attend and give testimony at the time and place specified therein, or to produce evidence—including books, papers, documents, data, writings, or other objects or electronically stored information designated therein at the proceeding or at an earlier time for inspection by the parties. A subpoena shall not command any person to attend or give testimony at an Article 32 preliminary hearing.

(C) *Investigative subpoenas.*

(i) *In general.* In the case of a subpoena issued before referral for the production of evidence for use in an investigation, the subpoena shall command each person to whom it is directed to produce the evidence requested for inspection by the Government counsel who issued the subpoena or for inspection in accordance with an order issued by the military judge under R.C.M. 309(b).

(ii) *Subpoenas for personal or confidential information about a victim.* After preferral, a subpoena requiring the production of personal or confidential information about a victim named in a specification may be served on an individual or organization by those authorized to issue a subpoena under R.C.M. 703(g)(3)(E) or with the consent of the victim. Before issuing a subpoena under this provision and unless there are exceptional circumstances, the victim must be given notice so that the victim can move for relief under R.C.M 703(g)(3)(I) or otherwise object.

(D) *Ex parte request by defense.* Upon request by the defense after referral, including an *ex parte* request, the military judge shall issue a subpoena to compel the production of witnesses if the witness's testimony is determined to be relevant and necessary.

(E) *Who may issue.* A subpoena may be issued by:

(i) the military judge, after referral;

(ii) the summary court-martial;

(iii) the trial counsel of a general or special court-martial;

(iv) the president of a court of inquiry;

(v) an officer detailed to take a deposition; or

(vi) in the case of a pre-referral investigative subpoena, a military judge or, when issuance of the subpoena is authorized by a general court-martial convening authority, the detailed trial counsel or counsel for the Government.

(F) *Notice.* Notice shall be given to all parties for any subpoena issued for a witness post-referral unless, for good cause, the military judge issues a protective order.

(G) *Service.* A subpoena may be served by the person authorized by this rule to issue it, a United States Marshal, or any other person who is not less than 18 years of age. Service shall be made by delivering a copy of the subpoena to the person named and, in the case of a subpoena of an individual to provide testimony, by providing to the person named travel orders and a means for reimbursement for fees and mileage as may be prescribed by the Secretary concerned, or in the case of hardship resulting in the subpoenaed witness's inability to comply with the subpoena absent initial Government payment, by providing to the person named travel orders, fees, and mileage sufficient to comply with the subpoena in rules prescribed by the Secretary concerned.

(H) *Place of service.*

(i) *In general.* A subpoena may be served at any place within the United States, its Territories, Commonwealths, or possessions.

(ii) *Foreign territory.* In foreign territory, the attendance of civilian witnesses and evidence not under the control of the Government may be obtained in accordance with existing agreements or, in the absence of agreements, with principles of international law.

(iii) *Occupied territory.* In occupied enemy territory, the appropriate commander may compel the attendance of civilian witnesses located within the occupied territory.

(I) *Relief.* If a person subpoenaed requests relief on grounds that compliance is unreasonable, oppressive, or prohibited by law, the military judge or, if before referral, a military judge detailed under Article 30a, shall review the request and shall—

(i) order that the subpoena be modified or quashed, as appropriate; or

(ii) order the person to comply with the subpoena.

(J) *Neglect or refusal to appear or produce evidence.*

(i) *Issuance of warrant of attachment.* If the person subpoenaed neglects or refuses to appear or produce evidence, the military judge or, if before referral, a military judge detailed under Article 30a or a general court-martial convening authority, may issue a warrant of attachment to compel the attendance of a witness or the production of evidence, as appropriate.

(ii) *Requirements.* A warrant of attachment may be issued only upon probable cause to believe that the witness or evidence custodian was duly served with a subpoena, that the subpoena was issued in accordance with these rules, that a means of reimbursement of fees and mileage, if applicable, was provided to the witness or advanced to the

witness in cases of hardship, that the witness or evidence is material, that the witness or evidence custodian refused or willfully neglected to appear or produce the subpoenaed evidence at the time and place specified on the subpoena, and that no valid excuse is reasonably apparent for the witness' failure to appear or produce the subpoenaed evidence.

(iii) *Form.* A warrant of attachment shall be written. All documents in support of the warrant of attachment shall be attached to the warrant, together with the charge sheet and convening orders.

(iv) *Execution.* A warrant of attachment may be executed by a United States Marshal or such other person who is not less than 18 years of age as the authority issuing the warrant may direct. Only such non-deadly force as may be necessary to bring the witness before the court-martial or other proceeding or to compel production of the subpoenaed evidence may be used to execute the warrant. A witness attached under this rule shall be brought before the court-martial or proceeding without delay and shall testify or provide the subpoenaed evidence as soon as practicable and be released.

(v) *Definition.* For purposes of R.C.M. 703(g)(3)(J)(i), "military judge" does not include a summary court-martial."

(bbb) R.C.M. 704(c) is amended to read as follows:

"(c) *Authority to grant immunity.*

(1) Except as provided in R.C.M. 704(c)(2), a general court-martial convening authority, or designee, may grant immunity, and may do so only in accordance with this rule.

(2) For offenses over which a special trial counsel has exercised authority and has not deferred, a special trial counsel designated by the Secretary concerned, or that designated special trial counsel's designee, may grant immunity, and may do so only in accordance with this rule.

(3) *Persons subject to the UCMJ.* A general court-martial convening authority, a special trial counsel designated by the Secretary concerned, or their designees, may grant immunity to a person subject to the UCMJ. However, they may grant immunity to a person subject to the UCMJ extending to a prosecution in a United States District Court only when specifically authorized to do so by the Attorney General of the United States or other authority designated under chapter 601 of title 18 of the U.S. Code.

(4) *Persons not subject to the UCMJ.* A general court-martial convening authority, a special trial counsel designated by the Secretary concerned, or their designees, may grant immunity to persons not subject to the UCMJ only when specifically authorized to do so by the Attorney General of the United States or other authority designated in chapter 601 of title 18 of the U.S. Code.

(5) *Limitations on delegation.*

(A) Subject to Service regulations, the authority to grant immunity under this rule may be delegated in writing at the discretion of the general court-martial convening authority to a subordinate special court-martial convening authority. Further delegation is not permitted. The authority to grant immunity or delegate the authority to grant immunity may be limited by superior authority.

(B) Subject to Service regulations, the authority to grant immunity under this rule may be delegated at the discretion of a special trial counsel designated by the Secretary concerned to a subordinate special trial counsel. The authority to grant immunity or delegate the authority to grant immunity may be limited by superior authority. Any delegation shall be in writing."

(ccc) R.C.M. 704(d) is amended to read as follows:

"(d) *Procedure.*

(1) A grant of immunity shall be written and signed by the individual convening authority, special trial counsel designated by the Secretary concerned, or designee who issues it. The grant shall include a statement of the authority under which it is made and shall identify the matters to which it extends.

(2) Subject to Service regulations, the convening authority shall order a person subject to the UCMJ who has received a grant of immunity, to answer questions by investigators or to testify or answer questions by counsel pursuant to that grant of immunity."

(ddd) R.C.M. 704(e) is amended to read as follows:

"(e) *Decision to grant immunity.* Unless limited by superior competent authority, the decision to grant immunity is a matter within the sole discretion of the general court-martial convening authority, special trial counsel designated by the Secretary concerned, as applicable, or their designees. However, if a defense request to immunize a witness has been denied, the military judge may, upon motion by the defense, grant appropriate relief directing that either an appropriate convening authority or special trial counsel designated by the Secretary concerned, as applicable, grant testimonial immunity to a defense witness or, as to the affected charges and specifications, the proceedings against the accused be abated, upon findings that:

(1) The witness intends to invoke the right against self-incrimination to the extent permitted by law if called to testify;

(2) The Government has engaged in discriminatory use of immunity to obtain a tactical advantage, or the Government through its own overreaching, has forced the witness to invoke the privilege against self-incrimination; and

(3) The witness' testimony is material, clearly exculpatory, not cumulative, not obtainable from any other source, and does more than merely affect the credibility of other witnesses."

(eee) R.C.M. 705(a) is revised to read as follows:

"(a) *In general.* Subject to such limitations as the Secretary concerned may prescribe, an accused and the convening authority or the accused and special trial counsel, as applicable, may enter into a plea agreement in accordance with this rule. In cases over which special trial counsel has exercised authority and has not deferred, an agreement may only be entered into between special trial counsel and the accused; however, any such agreement may bind convening authorities and other commanders subject to such limitations as prescribed by the Secretary concerned."

(fff) R.C.M. 705(b) is amended to read as follows:

"(b) *Nature of agreement.* A plea agreement may include:

(1) A promise by the accused to plead guilty to, or to enter a confessional stipulation as to, one or more charges and specifications, and to fulfill such additional terms or conditions that may be included in the agreement and that are not prohibited under this rule; and

(2) A promise by the convening authority or special trial counsel, as applicable, to do one or more of the following:

(A) Refer the charges to a certain type of court-martial;

(B) Refer a capital offense as noncapital;

(C) Withdraw one or more charges or specifications from the court-martial;

(D) Have trial counsel present no evidence as to one or more specifications or portions thereof; and

(E) Limit the sentence that may be adjudged by the court-martial for one or more charges and specifications in accordance with R.C.M. 705(d); or

(3) A promise by either the convening authority or special trial counsel to take other action within their authority."

(ggg) R.C.M. 705(c)(2) is amended to read as follows:

"(2) *Permissible terms and conditions.* R.C.M. 705(c)(1)(A) and (1)(B) do not prohibit the convening authority, special trial counsel, or the accused from proposing the following additional conditions:

(A) A promise to enter into a stipulation of fact concerning offenses to which a plea of guilty or to which a confessional stipulation will be entered;

(B) A promise to testify as a witness in the trial of another person;

(C) A promise to provide restitution;

(D) A promise to conform the accused's conduct to certain conditions of probation before action by the convening authority in a summary court-martial or before entry of judgment in a general or special court-martial as well as during any period of suspension of the sentence, provided that the requirements of R.C.M. 1108 must be complied with before an alleged violation of such terms may relieve the Government of the obligation to fulfill the agreement;

(E) A promise to waive procedural requirements such as the Article 32 preliminary hearing, the right to trial by a court-martial composed of members, the right to request trial by military judge alone, the right to elect sentencing by members if applicable, or the opportunity to obtain the personal appearance of witnesses at presentencing proceedings;

(F) When applicable, a provision requiring that the sentences to confinement adjudged by the military judge for two or more charges or specifications be served concurrently or consecutively. Such an agreement shall identify the charges or specifications that will be served concurrently or consecutively; and

(G) Any other term or condition that is not contrary to or inconsistent with this rule."

(hhh) R.C.M. 705(e)(3) is amended to read as follows:

"(3) *Acceptance by the convening authority or special trial counsel.*

(A) *In general.* The convening authority or special trial counsel, as applicable, may either accept or reject an offer of the accused to enter into a plea agreement or may propose by counteroffer any terms or conditions not prohibited by law or public policy. The decision whether to accept or reject an offer is within the sole discretion of the convening authority or special trial counsel, as applicable. When the convening authority has accepted a plea agreement, the agreement shall be signed by the convening authority or by a person, such as the staff judge advocate or trial counsel, who has been authorized by the convening authority to sign. When special trial counsel has accepted a plea agreement, the agreement shall be signed by special trial counsel.

(B) *Victim consultation.* Prior to the convening authority or special trial counsel, as applicable, accepting a plea agreement, the convening authority or special trial counsel shall make the convening authority's or special trial counsel's best efforts to provide the victim an opportunity to submit views concerning the plea agreement terms and conditions in accordance with regulations prescribed by the Secretary concerned. The convening authority or special trial counsel, as applicable, shall consider any such views provided prior to accepting a plea

agreement. For purposes of this rule, a "victim" is an individual who is alleged to have suffered direct physical, emotional, or pecuniary harm as a result of the matters set forth in a charge or specification under consideration and is named in one of the specifications under consideration."

(iii) R.C.M. 705(e)(4) is amended to read as follows:

"(4) *Withdrawal.*

(A) *By accused.* The accused may withdraw from a plea agreement at any time prior to the sentence being announced. If the accused elects to withdraw from the plea agreement after the acceptance of the plea agreement but before the sentence is announced, the military judge shall permit the accused to withdraw only for good cause shown. Additionally, the accused may withdraw a plea of guilty or a confessional stipulation entered pursuant to a plea agreement only as provided in R.C.M. 910(h) or 811(d).

(B) *By convening authority or special trial counsel.* The convening authority or special trial counsel, as applicable, may withdraw from a plea agreement at any time:

(i) before substantial performance by the accused of promises contained in the agreement;

(ii) upon the failure by the accused to fulfill any material promise or condition in the agreement;

(iii) when inquiry by the military judge discloses a disagreement as to a material term in the agreement; or

(iv) if findings are set aside because a plea of guilty entered pursuant to the agreement is held improvident on appellate review."

(jjj) R.C.M. 706(b)(1) is amended to read as follows:

"(1) *Before referral.* Before referral of charges, an inquiry into the mental capacity or mental responsibility of the accused may be ordered by any applicable convening authority, or by a military judge or magistrate in a proceeding conducted in accordance with R.C.M. 309."

(kkk) R.C.M. 706(b)(2) is amended to read as follows:

"(2) *After referral.* After referral of charges, an inquiry into the mental capacity or mental responsibility of the accused may be ordered by the military judge. The convening authority may order such an inquiry after referral of charges but before beginning of the first session of the court-martial (including any Article 39(a) session) when the military judge is not reasonably available. The military judge may order a mental examination of the accused regardless of any earlier determination by any authority."

(lll) R.C.M. 707(b)(3)(D) is amended to read as follows:

"(D) *Rehearings.* If a rehearing is ordered or authorized by an appellate court, a new 120-day time period under this rule shall begin on the date that the responsible convening authority or, for charges and specifications referred by a special trial counsel, the special trial counsel receives the record of trial and the opinion authorizing or directing a rehearing. An accused is brought to trial within the meaning of this rule at the time of arraignment under R.C.M. 904 or, if arraignment is not required (such as in the case of a sentence-only rehearing), at the time of the first session under R.C.M. 803."

(mmm) R.C.M. 707(c)(1) is amended to read as follows:

"(1) *Procedure.* Prior to referral, all requests for pretrial delay, together with supporting reasons and with notice to the defense, will be submitted to a convening authority with authority over the accused for resolution. The convening authority may delegate this authority to an

Article 32 preliminary hearing officer. After referral, such requests for pretrial delay will be submitted to the military judge for resolution."

(nnn) R.C.M. 707(d)(1) is amended to read as follows:

"(1) *Dismissal.* Dismissal will be with or without prejudice to the Government's right to reinstitute court-martial proceedings against the accused for the same offense at a later date. The charges must be dismissed with prejudice where the accused has been deprived of his or her constitutional right to a speedy trial. In determining whether to dismiss charges with or without prejudice, the court shall consider, among others, each of the following factors: the seriousness of the offense; the facts and circumstances of the case that lead to dismissal; the impact of a re-prosecution on the administration of justice; and any prejudice to the accused resulting from the denial of a speedy trial."

(ooo) R.C.M. 707(f) is amended as follows:

"(f) *Priority.* When considering the disposition of charges and the ordering of trials, a convening authority or special trial counsel shall give priority to cases in which the accused is held under those forms of pretrial restraint defined by R.C.M. 304(a)(3)-(4). Trial of or other disposition of charges against any accused held in arrest or confinement pending trial shall be given priority."

(ppp) R.C.M. 804 is amended to read as follows:

"Rule 804. Presence at court-martial proceedings

(a) *Accused.*

(1) *Presence required.* The accused shall be present at the arraignment, the time of the plea, every stage of the trial including sessions conducted under Article 39(a), voir dire and challenges of members, the return of the findings, presentencing proceedings, and post-trial sessions, if any, except as otherwise provided by this rule. Attendance at these proceedings shall

constitute the accused's appointed place of duty and, with respect to the accused's travel allowances, none of these proceedings shall constitute disciplinary action. This does not in any way limit authority to implement restriction, up to and including confinement, as necessary in accordance with R.C.M. 304 or R.C.M. 305.

(A) *Appearance.* The accused shall be properly attired in the uniform or dress prescribed by the military judge. An accused service member shall wear the insignia of grade and may wear any decorations, emblems, or ribbons to which the accused is entitled. The accused and defense counsel are responsible for ensuring that the accused is properly attired; however, upon request, the accused's commander shall render such assistance as may be reasonably necessary to ensure that the accused is properly attired.

(B) *Custody.* Responsibility for maintaining custody or control of an accused before and during trial may be assigned, subject to R.C.M. 304 and 305, and R.C.M. 804(c)(3), under such regulations as the Secretary concerned may prescribe.

(C) *Restraint.* Physical restraint shall not be imposed on the accused during open sessions of the court-martial unless prescribed by the military judge.

(2) *Continuation of proceeding without presence.* The further progress of the trial to and including the return of the findings and, if necessary, determination of a sentence shall not be prevented and the accused shall be considered to have waived the right to be present whenever an accused, initially present:

(A) Is voluntarily absent after arraignment (whether or not informed by the military judge of the obligation to remain during the trial); or

(B) After being warned by the military judge that disruptive conduct will cause the accused to be removed from the courtroom, persists in conduct which is such as to justify exclusion from the courtroom.

(3) *Remote presence of the accused.*

(A) Except as provided in R.C.M. 804(a)(3)(B), for Article 39(a) sessions, the military judge may order the accused be present via remote means through the use of audiovisual technology. Use of such audiovisual technology will satisfy the "presence" requirement of the accused only when the accused has a defense counsel physically present at the accused's location or when the accused consents to presence by remote means with the opportunity for confidential consultation with defense counsel during the proceeding. Such technology may include two or more remote sites as long as all parties can see and hear each other.

(B) The accused may be present via remote means through the use of audiovisual technology for a plea inquiry under R.C.M. 910(d), (e) and (f), and presentencing proceedings before a military judge under R.C.M. 1001, only when there are exceptional circumstances that interfere with the normal administration of military justice, as determined by the military judge. The accused must consent to the use of audiovisual technology and defense counsel must be physically present at the accused's location for the hearing.

(4) *Voluntary absence for limited purpose of child testimony.*

(A) *Election by accused.* Following a determination by the military judge that remote live testimony of a child is appropriate pursuant to Mil. R. Evid. 611(d)(3), the accused may elect to be voluntarily absent from the courtroom in order to preclude the use of procedures described in R.C.M. 914A.

(B) *Procedure.* The accused's absence will be conditional upon the accused being able to view the witness' testimony from a remote location. Normally, transmission of the testimony will include a system that will transmit the accused's image and voice into the courtroom from a remote location as well as transmission of the child's testimony from the courtroom to the accused's location. A one-way transmission may be used if deemed necessary by the military judge. The accused will also be provided private, contemporaneous communication with his counsel. The procedures described herein shall be employed unless the accused has made a knowing and affirmative waiver of these procedures.

(C) *Effect on accused's rights generally.* An election by the accused to be absent pursuant to R.C.M. 804(a)(4)(A) shall not otherwise affect the accused's right to be present at the remainder of the trial in accordance with this rule.

(b) *Military judge.*

(1) No court-martial proceeding, except the deliberations of the members, may take place in the absence of the military judge. The military judge may attend Article 39(a) sessions via remote means through the use of audiovisual technology.

(2) When a new military judge is detailed under R.C.M. 505(e)(2) after the presentation of evidence on the merits has begun in a trial before a military judge alone, trial may not proceed unless the accused requests, and the new military judge approves, trial by military judge alone, and a verbatim record of the testimony and evidence or a stipulation thereof is read to or played for the new military judge in the presence of the accused and counsel for both sides, or the trial proceeds as if no evidence had been presented.

(c) *Members.*

(1) Unless the accused is tried or sentenced by military judge alone, no court-martial proceeding may take place in the absence of any detailed member except: Article 39(a) sessions under R.C.M. 803; temporary excusal under R.C.M. 911(b); examination of members under R.C.M. 912(d); when the member has been excused under R.C.M. 505, 912(f), or 912A; as otherwise provided in R.C.M. 1104(d)(1); or as otherwise provided in this Manual.

(2) When after presentation of evidence on the merits has begun, a new member is impaneled under R.C.M. 912A, trial may not proceed unless the testimony and evidence previously admitted on the merits, if recorded verbatim, is read to or played for the new member in the presence of the military judge, the accused, and counsel for both sides, or, if not recorded verbatim, and in the absence of a stipulation as to such testimony and evidence, the trial proceeds as if no evidence has been presented.

(d) *Counsel.* As long as at least one qualified counsel for each party is present, other counsel for each party may be absent from a court-martial session. In the case of a court-martial requiring the detailing of a special trial counsel, the presence of a special trial counsel is required unless a special trial counsel determines otherwise and another trial counsel, who is qualified according to Article 27(b), is also present. An assistant counsel who lacks the qualifications necessary to serve as counsel for a party may not act at a session in the absence of such qualified counsel. For purposes of Article 39(a) sessions and subject to R.C.M. 804(a)(3), the presence of counsel may be satisfied via remote means through the use of audiovisual technology.

(e) *Victim and Victim's Counsel.* Subject to R.C.M. 914B, at the discretion of the military judge and for good cause, the victim and victim's counsel may be present through the use of audiovisual technology."

(qqq) R.C.M. 805 is amended to read as follows:

"Rule 805. [Reserved]".

(rrr) R.C.M. 810(a)(4) is amended to read as follows:

"(4) *Additional charges.* A referral authority may refer additional charges for trial together with charges as to which a rehearing has been directed."

(sss) R.C.M. 810(a)(5) is amended to read as follows:

"(5) *Rehearing impracticable.* If a rehearing was authorized on one or more findings, the convening authority, or in cases referred by a special trial counsel, a special trial counsel, may dismiss the affected charges if the referral authority determines that a rehearing is impracticable. If the referral authority dismisses such charges, a rehearing may proceed on any remaining charges not dismissed by the referral authority."

(ttt) R.C.M. 810(f)(1) is amended to read as follows:

"(1) *In general.* A Court of Criminal Appeals may order a remand for additional fact finding, or for other reasons, in order to address a substantial issue on appeal. A remand under this subsection is generally not appropriate to determine facts or investigate matters which could, through a party's exercise of reasonable diligence, have been investigated or considered at trial. Such orders shall be directed to the Chief Trial Judge. The Judge Advocate General, or the Judge Advocate General's delegate, shall designate a general court-martial convening authority who shall provide support for the hearing. In cases which were referred by a special trial counsel, a special trial counsel designated under regulations prescribed by the Secretary concerned shall be notified of any remand."

(uuu) R.C.M. 810(f)(3) is amended to read as follows:

"(3) *Remand impracticable.* If the general court-martial convening authority designated under R.C.M. 810(f)(1) or, in cases which were referred by a special trial counsel, a special trial

counsel determines that the remand is impracticable due to military exigencies or other reasons, a Government appellate attorney shall notify the Court of Criminal Appeals. Upon receipt of such notification, the Court of Criminal Appeals may take any action authorized by law that does not materially prejudice the substantial rights of the accused."

(vvv) R.C.M. 902(b)(3) is amended to read as follows:

"(3) Where the military judge has been or will be a witness in the same case; is the accuser; has forwarded charges in the case with a personal recommendation as to disposition; has referred charges in the case; or, except in the performance of duties as military judge in a previous trial of the same or a related case, has expressed an opinion concerning the guilt or innocence of the accused."

(www) R.C.M. 905(e)(2) is amended to read as follows:

"(2) Other motions, requests, defenses, or objections, except lack of jurisdiction, must be raised before the court-martial is adjourned for that case. Failure to raise such other motions, requests, defenses, or objections shall constitute forfeiture, absent an affirmative waiver."

(xxx) R.C.M. 906(b)(3) is amended to read as follows:

"(3) *Corrections.* Correction of defects in the Article 32 preliminary hearing, pretrial advice, or a written determination by special trial counsel."

(yyy) R.C.M. 906(b)(5) is amended to read as follows:

"(5) *Severance of specifications.* Severance of a duplicitous specification into two or more specifications."

(zzz) R.C.M. 906(b)(7) is amended to read as follows:

"(7) *Discovery and Production.* Discovery and production of evidence and witnesses."

(aaaa) R.C.M. 906(b)(9) is amended to read as follows:

"(9) *Severance of multiple accused.* Severance of multiple accused, if it appears that an accused or the Government is prejudiced by a joint or common trial. In a common trial, a severance shall be granted whenever any accused, other than the moving accused, faces charges unrelated to those charged against the moving accused."

(bbbb) R.C.M. 906(b)(13) is amended to read as follows:

"(13) *Admissibility.* Preliminary ruling on admissibility of evidence."

(cccc) R.C.M. 906(b)(14) is amended to read as follows:

"(14) *Mental capacity or responsibility.* Motions relating to mental capacity or responsibility of the accused."

(dddd) Rule 908(b)(6) is amended to read as follows:

"(6) *Forwarding.* Upon written notice to the military judge under R.C.M. 908(b)(3), the trial counsel shall promptly and by expeditious means forward the appeal to a representative of the Government designated by the Judge Advocate General. The matter forwarded shall include: a statement of the issues appealed; the record of the proceedings or, if preparation of the record has not been completed, a summary of the evidence; and such other matters as the Secretary concerned may prescribe."

(eeee) Rule 908(b)(7) is amended to read as follows:

"(7) *Appeal filed.*

(A) In cases over which a special trial counsel exercises authority, the decision to appeal shall be made by:

(i) if within the Department of Defense, a Lead Special Trial Counsel; or

(ii) if within the Coast Guard, a special trial counsel designated under regulations by the Secretary concerned.

(B) For all other cases, the person designated by the Judge Advocate General shall promptly decide whether to file the appeal with the Court of Criminal Appeals and notify trial counsel of that decision.

(C) If the United States elects to file an appeal, it shall be filed directly with the Court of Criminal Appeals, in accordance with the rules of that court.

(D) In all cases, a representative of the Government designated by the Judge Advocate General will be responsible for the substance and content of submissions to the Court of Criminal Appeals. For appeals in cases over which a special trial counsel exercises authority, the designated representative of the Government will consult with the special trial counsel who authorized the appeal or that special trial counsel's designee concerning the substance and content of appellate filings."

(ffff) R.C.M. 908(c)(3) is amended to read as follows:

"(3) *Action following decision of Court of Criminal Appeals.* After the Court of Criminal Appeals has decided any appeal under Article 62, the accused may petition for review by the Court of Appeals for the Armed Forces, or the Judge Advocate General may certify a case to the Court of Appeals for the Armed Forces. The parties shall be notified of the decision of the Court of Criminal Appeals promptly. If the decision is adverse to the accused, the accused shall be notified of the decision and of the right to petition the Court of Appeals for the Armed Forces for review within 60 days. Such notification shall be made orally on the record at the court-martial or in accordance with R.C.M. 1203(d). If the accused is notified orally on the record, trial counsel shall forward by expeditious means a certificate that the accused was so notified to the Judge Advocate General, who shall forward a copy to the clerk of the Court of Appeals for the Armed Forces when required by the Court. If the decision by the Court of Criminal Appeals

permits it, the court-martial may proceed as to the affected charges and specifications pending further review by the Court of Appeals for the Armed Forces or the Supreme Court, unless either court orders the proceedings stayed. Unless the case is reviewed by the Court of Appeals for the Armed Forces, it shall be returned to the military judge or the convening authority for appropriate action in accordance with the decision of the Court of Criminal Appeals. If the case is reviewed by the Court of Appeals for the Armed Forces, R.C.M. 1204 and 1205 shall apply.

(gggg) R.C.M. 909(c) is revised to read as follows:

"(c) *Determination before referral.*

(1) For offenses over which special trial counsel has not exercised authority or has deferred, if an inquiry pursuant to R.C.M. 706 conducted before referral concludes that an accused is suffering from a mental disease or defect that renders him or her mentally incompetent to stand trial, the convening authority before whom the charges are pending for disposition may disagree with the conclusion and take any action authorized under R.C.M. 401, including referral of the charges to trial. If that convening authority concurs with the conclusion, the convening authority shall forward the charges to the general court-martial convening authority. If, upon receipt of the charges, the general court-martial convening authority similarly concurs, then the general court-martial convening authority shall commit the accused to the custody of the Attorney General. If the general court-martial convening authority does not concur, that authority may take any action that he or she deems appropriate in accordance with R.C.M. 407, including referral of the charges to trial.

(2) For offenses over which special trial counsel has exercised authority and has not deferred, if an inquiry pursuant to R.C.M. 706 conducted before referral concludes that an accused is suffering from a mental disease or defect that renders him or her mentally

incompetent to stand trial, the general court-martial convening authority may disagree with the conclusion and notify special trial counsel who may take any action authorized under R.C.M. 401A, including referral of charges. If the general court-martial convening authority concurs with the conclusion, that authority shall notify special trial counsel and commit the accused to the custody of the Attorney General.

(3) Upon request of the Government or the accused, a military judge may conduct a hearing to determine the mental capacity of the accused in accordance with R.C.M. 309 and R.C.M. 909(e) at any time prior to referral."

(hhhh) R.C.M. 909(g) is amended to read as follows:

"(g) *Excludable delay.* All periods of commitment shall be excluded as provided by R.C.M. 707(c). The 120-day time period under R.C.M. 707 shall begin anew on the date the general court-martial convening authority takes custody of the accused at the end of any period of commitment. For offenses over which a special trial counsel has exercised authority and not deferred, the general court-martial convening authority shall immediately notify a special trial counsel in accordance with regulations prescribed by the Secretary concerned."

(iiii) R.C.M. 910(a) is amended to read as follows:

"(a) *Types of pleas.*

(1) *In general.* An accused may plead as follows:

(A) guilty;

(B) not guilty of an offense as charged, but guilty of a named lesser included offense;

(C) guilty with exceptions, with or without substitutions, not guilty of the exceptions, but guilty of the substitutions, if any; or

(D) not guilty."

(jjjj) R.C.M. 911 is amended to read as follows:

"Rule 911. Randomization and assembly of the court-martial panel

(a) Prior to assembly of the court-martial, at an open session of the court-martial, the military judge, or a designee thereof, shall randomly assign numbers to the members detailed by the convening authority.

(b) The military judge shall determine, after accounting for any excusals by the convening authority or designee, how many members detailed by the convening authority must be present at the initial session for which members are required. The required number of members shall be present, according to the randomly assigned order determined pursuant to R.C.M. 911(a). The military judge may temporarily excuse any member who has been detailed but is not required to be present.

(c) At the initial session for which members are required, the military judge shall cause the members who are present to be sworn, account on the record for any members who are temporarily excused, and then announce assembly of the court-martial.

(d) The military judge shall ensure any additional member is sworn at the first court session at which the member is present."

(kkkk) R.C.M. 912(f)(5) is deleted.

(llll) R.C.M. 912(g) is amended to read as follows:

"(g) *Peremptory challenges.*

(1) *Procedure.* Each party may challenge one member peremptorily. Any member so challenged shall be excused. No party may be required to exercise a peremptory challenge before the examination of members and determination of any challenges for cause have been completed.

Ordinarily, trial counsel shall enter any peremptory challenge before the defense. No member may be impaneled without being subject to peremptory challenge.

(2) *Additional Members.* If members not previously subject to peremptory challenge are required, the procedures in R.C.M. 912(g)(1) shall be followed with respect to such members.

(3) *Waiver.* Failure to exercise a peremptory challenge when properly called upon to do so shall waive the right to make such a challenge. The military judge may, for good cause shown, grant relief from the waiver, but a peremptory challenge may not be made after the presentation of evidence before the members has begun. However, nothing in this subsection shall bar the exercise of a peremptory challenge against a member newly detailed under R.C.M. 505(c)(2)(B), even if presentation of evidence on the merits has begun."

(mmmm) R.C.M. 912A is amended to read as follows:

"Rule 912A. Impaneling members and alternate members

(a) *In general.* After challenges for cause and peremptory challenges are exercised, the military judge of a general or special court-martial with members shall impanel the members based on the order assigned in R.C.M. 911(a), and, if authorized by the convening authority, alternate members, in accordance with the following numerical requirements:

(1) *Capital cases.* In a general court-martial in which the charges were referred with a special instruction that the case be tried as a capital case, the number of members impaneled, subject to R.C.M. 912A(a)(4), shall be twelve.

(2) *General courts-martial.* In a general court-martial other than as described in R.C.M. 912A(a)(1), the number of members impaneled, subject to R.C.M. 912A(a)(4), shall be eight.

(3) *Special courts-martial.* In a special court-martial, the number of members impaneled, subject to R.C.M. 912A(a)(4), shall be four.

(4) *Alternate members.* A convening authority may authorize the military judge to impanel alternate members. When authorized by the convening authority, the military judge shall designate which of the impaneled members are alternate members in accordance with these rules and consistent with the instructions of the convening authority. Alternate members shall not be notified that they are alternate members until they are excused prior to deliberations on findings.

(A) If the convening authority authorizes the military judge to impanel a specific number of alternate members, the number of members impaneled shall be the number of members required under R.C.M. 912A(a)(1), (2), or (3), as applicable, plus the number of alternate members specified by the convening authority. The military judge shall not impanel the court-martial until the specified number of alternate members has been identified. New members may be detailed in order to impanel the specified number of alternate members.

(B) If the convening authority does not authorize the military judge to impanel a specific number of alternate members, and instead authorizes the military judge to impanel alternate members only if, after the exercise of all challenges, excess members remain, the number of members impaneled shall be the number of members required under R.C.M. 912A(a)(1), (2), or (3) and no more than three alternate members. New members shall not be detailed in order to impanel alternate members.

(b) *Enlisted accused.* In the case of an enlisted accused, the members shall be impaneled under R.C.M. 912A(a) in such numbers and proportion that—

(1) If the accused elected to be tried by a court-martial composed of at least one-third enlisted members, the membership of the panel includes at least one-third enlisted members; and

(2) If the accused elected to be tried by a court-martial composed of all officer members, the membership of the panel includes all officer members.

(c) *Number of members insufficient.*

(1) If, after challenges or excusals, the number of detailed members directed to be present by the military judge in accordance with R.C.M. 911(b) is:

(A) fewer than the number of members required for the court-martial under R.C.M. 912A(a), the military judge shall, according to the randomly assigned order determined pursuant to R.C.M. 911(a), determine how many additional detailed members are required and shall direct their presence for member examination in accordance with R.C.M. 912(d).

(B) fewer than the number of members required for the court-martial under R.C.M. 912A(b), the military judge shall, according to the randomly assigned order determined pursuant to R.C.M. 911(a), determine how many additional detailed enlisted members are required and shall direct their presence for member examination in accordance with R.C.M. 912(d).

(2) If, after challenges or excusals, the number of detailed members remaining is fewer than the number of members required for the court-martial under R.C.M. 912A(a) and (b), the convening authority shall detail new members under R.C.M. 503.

(d) *Impaneling members following the exercise of all challenges.* The military judge shall use the following procedures to identify the members who will be impaneled—

(1) In a case in which the accused has elected to be tried by a panel consisting of at least one-third enlisted members under R.C.M. 503(a)(2), the military judge shall:

(A) first identify the one-third enlisted members required under R.C.M. 912A(a) and (b) in numerical order beginning with the lowest random number assigned pursuant to R.C.M. 911(a); and

(B) then identify the remaining members required for the court-martial under

R.C.M. 912A(a) and (b), in numerical order beginning with the lowest random number assigned pursuant to R.C.M. 911(a).

(2) For all other panels, the military judge shall identify the number of members required under R.C.M. 912A(a) and (b) in numerical order beginning with the lowest random number assigned pursuant to R.C.M. 911(a).

(3) If the convening authority:

(A) Authorizes the military judge to impanel a specific number of alternate members, the specified number of alternate members shall be identified in numerical order beginning with the lowest remaining random number assigned pursuant to R.C.M. 911(a), after first identifying members under R.C.M. 912A(d)(1) or (2).

(B) Does not authorize the military judge to impanel a specific number of alternate members, and instead authorizes the military judge to impanel alternate members only if, after the exercise of all challenges, excess members remain, alternate members shall be identified in numerical order beginning with the lowest remaining random number assigned pursuant to R.C.M. 911(a), after first identifying the members under 912A(d)(1) or (2). The military judge shall identify no more than three alternate members.

(C) In a case in which the accused has elected to be tried by a panel consisting of at least one-third enlisted members under R.C.M. 503(a)(2), the convening authority may instruct the military judge to prioritize impaneling a specific number of alternate enlisted members before impaneling alternate officer members. These members shall be identified in numerical order beginning with the lowest remaining random number assigned pursuant to R.C.M. 911(a), after first identifying members under 912A(d)(1).

(4) The military judge shall excuse any members not identified as members or alternate

members, if any.

(e) *Lowest number.* The lowest number is the number with the lowest numerical value.

(f) *Announcement.* After identifying the members to be impaneled in accordance with this rule, and after excusing any excess members, the military judge shall announce that the members are impaneled."

(nnnn) R.C.M. 912B(a) is amended to read as follows:

"(a) *In general.* Prior to the start of deliberations, a member who has been excused after impanelment shall be replaced in accordance with this rule. Alternate members excused after impanelment shall not be replaced."

(oooo) R.C.M. 912B(b) is amended to read as follows:

"(b) *Alternate members impaneled.* Prior to the start of deliberations, an excused member shall be replaced with an impaneled alternate member. The alternate member with the lowest random number assigned pursuant to R.C.M. 911(a) shall replace the excused member, unless in the case of an enlisted accused, the use of such member would be inconsistent with the specific panel composition established under R.C.M. 903. Alternate members who have not replaced impaneled members prior to deliberations on findings shall be excused at the time the court closes for deliberations."

(pppp) A new R.C.M. 912B(d) is inserted immediately after R.C.M. 912B(c) to read as follows:

"(d) *After the start of deliberations.* Once the military judge has closed the court for deliberations, if the number of members is reduced below the requirements of Article 29, trial may not proceed and the military judge shall declare a mistrial."

(qqqq) R.C.M. 914(e)(1) is amended to read as follows:

"(1) *Party refusal to comply.* If the other party elects not to comply with an order to deliver a statement to the moving party, the military judge shall order that the testimony of the witness be disregarded by the trier of fact and that the trial proceed, or, if it is the Government that elects not to comply, shall declare a mistrial if required in the interest of justice."

(rrrr) R.C.M. 914A(b) is amended to read as follows:

"(b) *Definition.* As used in this rule, "remote live testimony" includes, but is not limited to, testimony by video teleconference, closed circuit television, or similar technology."

(ssss) R.C.M. 914B(b) is amended to read as follows:

"(b) *Definition.* As used in this rule, testimony via "remote means" includes, but is not limited to, testimony by video teleconference, closed circuit television, telephone, or similar technology."

(tttt) R.C.M. 918(a)(1)(B) is amended to read as follows:

"(B) not guilty of an offense as charged, but guilty of a lesser included offense;".

(uuuu) R.C.M. 920(g) is amended to read as follows:

"(g) *Waiver.* Instructions on a lesser included offense shall not be given when both parties waive such an instruction. After receiving applicable notification of those lesser included offenses of which an accused may be convicted, the parties may waive a lesser included offense instruction. A written waiver is not required. The accused must affirmatively acknowledge that the accused understands the rights involved and affirmatively waive the instruction on the record. The accused's waiver must be made freely, knowingly, and intelligently. In the case of a joint or common trial, instructions on a lesser included offense shall not be given as to an individual accused when that accused and the Government agree to waive such an instruction."

(vvvv) R.C.M. 924(c)(2) is amended to read as follows:

"(2) the issue of the finding of guilty of the elements in a finding of not guilty only by reason of lack of mental responsibility at any time before announcement of sentence or, where there was no finding of guilty, entry of judgment."

(wwww) R.C.M. 1113(b)(1) is amended to read as follows:

"(1) *Prior to referral.* Prior to referral of charges, the following individuals may examine and disclose sealed materials only if necessary for proper fulfillment of their responsibilities under the UCMJ, this Manual, governing directives, instructions, regulations, applicable rules for practice and procedure, or rules of professional conduct: the judge advocate advising the convening authority who directed the Article 32 preliminary hearing; the convening authority who directed the Article 32 preliminary hearing; the staff judge advocate to the general court-martial convening authority; a military judge detailed to an Article 30a proceeding; the general court-martial convening authority; and special trial counsel for the purposes of making a determination on referral."

(xxxx) R.C.M. 1202(c) is amended as follows:

"(c) *Counsel in capital cases.* To the greatest extent practicable, in any case in which death is adjudged, at least one appellate defense counsel shall, as determined by the Judge Advocate General, be learned in the law applicable to capital cases. Such counsel may, if necessary, be a civilian, and, if so, may be compensated in accordance with regulations prescribed by the Secretary of Defense or the Secretary of Homeland Security, as applicable."

(yyyy) R.C.M. 1203(e) is amended to read as follows:

"(e) *Action on cases reviewed by a Court of Criminal Appeals.*

(1) *Forwarding by the Judge Advocate General to the Court of Appeals for the Armed Forces.* The Judge Advocate General may forward the decision of the Court of Criminal Appeals

to the Court of Appeals for the Armed Forces for review with respect to any matter of law. In such a case, the Judge Advocate General shall cause a copy of the decision of the Court of Criminal Appeals and the order forwarding the case to be served on the accused and on appellate defense counsel. While a review of a forwarded case is pending, the Secretary concerned may defer further service of a sentence to confinement that has been ordered executed in such a case.

(2) *Action when findings are set aside.* In a case reviewed by the Court of Criminal Appeals under this rule in which it has set aside the findings and which is not forwarded to the Court of Appeals for the Armed Forces under R.C.M. 1203(e)(1), the Judge Advocate General shall instruct an appropriate authority to take action in accordance with the decision of the Court of Criminal Appeals. If the Court of Criminal Appeals has authorized a rehearing on findings, the record shall be sent to an appropriate referral authority.

(A) If the Court has authorized a rehearing, but the convening authority to whom the record is transmitted finds a rehearing impracticable, the convening authority shall dismiss the charges.

(B) If the Court has authorized a rehearing, but the special trial counsel to whom the record is transmitted finds a rehearing impracticable, special trial counsel shall dismiss the charges.

(3) *Action when sentence is set aside.* In a case reviewed by the Court of Criminal Appeals under this rule in which it has set aside the sentence and which is not forwarded to the Court of Appeals for the Armed Forces under R.C.M. 1203(e)(1), the Judge Advocate General shall instruct an appropriate authority to modify the judgment in accordance with the decision of the Court of Criminal Appeals. If the Court of Criminal Appeals has authorized a rehearing on sentence, the record shall be sent to an appropriate referral authority.

(A) If the convening authority finds a rehearing impracticable, the applicable convening authority shall order either that a sentence of no punishment be imposed or that the applicable charges be dismissed.

(B) If special trial counsel finds a rehearing impracticable, special trial counsel may dismiss the applicable charges. If special trial counsel makes a determination not to dismiss the applicable charges, the convening authority shall order that a sentence of no punishment be imposed.

(4) *Action when sentence is affirmed in whole or part.*

(A) *Sentence including death.* If the Court of Criminal Appeals affirms any sentence which includes death, the Judge Advocate General shall transmit the record of trial and the decision of the Court of Criminal Appeals directly to the Court of Appeals for the Armed Forces when any period for reconsideration provided by the rules of the Courts of Criminal Appeals has expired.

(B) *Other cases.* If the Court of Criminal Appeals affirms any sentence other than one which includes death, the Judge Advocate General shall cause a copy of the decision of the Court of Criminal Appeals to be served on the accused in accordance with R.C.M. 1203(f).

(5) *Remission or suspension.* If the Judge Advocate General believes that a sentence as affirmed by the Court of Criminal Appeals, other than one which includes death, should be remitted or suspended in whole or part, the Judge Advocate General may, before taking action under R.C.M. 1203(e)(1) or (4), transmit the record of trial and the decision of the Court of Criminal Appeals to the Secretary concerned with a recommendation for action under Article 74 or may take such action as may be authorized by the Secretary concerned under Article 74(a).

(6) *Action when accused lacks mental capacity.* In a review conducted under R.C.M. 1203(b) or (c), the Court of Criminal Appeals may not affirm the proceedings while the accused lacks mental capacity to understand and to conduct or cooperate intelligently in the appellate proceedings. In the absence of substantial evidence to the contrary, the accused is presumed to have the capacity to understand and to conduct or cooperate intelligently in the appellate proceedings. If a substantial question is raised as to the requisite mental capacity of the accused, the Court of Criminal Appeals may direct an examination of the accused in accordance with R.C.M. 706, but the examination may be limited to determining the accused's present capacity to understand and cooperate in the appellate proceedings. The Court may further order a remand under R.C.M. 810(f) as may be necessary. If the record is thereafter returned to the Court of Criminal Appeals, the Court of Criminal Appeals may affirm part or all of the findings or sentence unless it is established, by a preponderance of the evidence—including matters outside the record of trial—that the accused does not have the requisite mental capacity. If the accused does not have the requisite mental capacity, the Court of Criminal Appeals shall stay the proceedings until the accused regains appropriate capacity or take other appropriate action. Nothing in this subsection shall prohibit the Court of Criminal Appeals from making a determination in favor of the accused which will result in the setting aside of a conviction."

(zzzz) R.C.M. 1203(f)(1) is amended to read as follows:

"(1) *Notification of decision.* The accused shall be notified of the decision of the Court of Criminal Appeals in accordance with regulations prescribed by the Secretary concerned."

(aaaaa) R.C.M. 1204(c)(1) is amended to read as follows:

"(1) *In general.* After it has acted on a case, the Court of Appeals for the Armed Forces may direct the Judge Advocate General to return the record to the Court of Criminal Appeals for

further proceedings in accordance with the decision of the court. Otherwise, unless the decision is subject to review by the Supreme Court, or there is to be further action by the President or the Secretary concerned, the Judge Advocate General shall instruct the appropriate authority to take action in accordance with that decision. If the Court has authorized a rehearing, but the convening authority to whom the record is transmitted finds a rehearing impracticable, the convening authority may dismiss the charges. If a special trial counsel referred the affected charges, the special trial counsel shall determine if a rehearing is impracticable. If a special trial counsel determines a rehearing is impracticable, the special trial counsel shall dismiss the charges."

(bbbbb) R.C.M. 1204(c)(4) amended to read as follows:

"(4) *Decisions subject to review by the Supreme Court.* If the decision of the Court of Appeals for the Armed Forces is subject to review by the Supreme Court, the Judge Advocate General shall take no action under R.C.M. 1204(c)(1), (2), or (3) until:

(A) the time for filing a petition for a writ of certiorari with the Supreme Court has expired; or

(B) the Supreme Court has denied any petitions for writ of certiorari filed in the case."

(ccccc) A new R.C.M. 1204(c)(5) is inserted immediately after R.C.M. 1204(c)(4) to read as follows:

"(5) Upon the occurrence of an event described by R.C.M. 1204(c)(4)(A) or (B), the Judge Advocate General shall take action in accordance with R.C.M. 1204(c)(1), (2), or (3). If the Supreme Court issues a writ of certiorari, the Judge Advocate General shall take action under R.C.M. 1205(b)."

(ddddd) R.C.M. 1210(h)(1) is amended to read as follows:

"(1) *Forwarding to appropriate authority.* When a petition for a new trial is granted, the Judge Advocate General shall select and forward the case to an appropriate authority for disposition."

(eeeee) R.C.M. 1301(a) is amended to read as follows:

"(a) *Composition.* A summary court-martial is composed of one commissioned officer on active duty. Unless otherwise prescribed by the Secretary concerned, a summary court-martial shall be of the same armed force as the accused. Summary courts-martial shall be conducted in accordance with the regulations of the military Service to which the accused belongs. Whenever practicable, a summary court-martial should be an officer whose grade is not below lieutenant of the Navy or Coast Guard or captain of the Army, Marine Corps, Air Force, or Space Force. When only one commissioned officer is present with a command or detachment, that officer shall be the summary court-martial of that command or detachment. When more than one commissioned officer is present with a command or detachment, the convening authority may not be the summary court-martial of that command or detachment."

(fffff) R.C.M. 1301(c)(1) is amended to read as follows:

"(1) Subject to Chapter II and R.C.M. 1301(c)(2), summary courts-martial have the power to try persons subject to the UCMJ, except commissioned officers, warrant officers, cadets, aviation cadets, and midshipmen, for any non-capital offense made punishable by the UCMJ."

(ggggg) R.C.M. 1302(a)(3) is amended to read as follows:

"(3) The commander of a detached squadron or other detachment of the Air Force or a corresponding unit of the Space Force."

(hhhhhh) R.C.M. 1306(b)(3) is amended to read as follows:

"(3) *Action on sentence.* The convening authority shall take action on the sentence. The convening authority may approve the sentence as adjudged or disapprove, commute, or suspend, in whole or in part, any portion of an adjudged sentence. The convening authority shall approve the sentence that is warranted by the circumstances of the offense and appropriate for the accused."

Section 3. Part III of the Manual for Courts-Martial, United States, is amended as follows:

(a) Mil. R. Evid. 505(f)(4) is amended to read as follows:

"(4) *Convening Authority and Special Trial Counsel Notice and Action.* If a claim of privilege has been made under this rule with respect to classified information that apparently contains evidence that is relevant and necessary to an element of the offense or a legally cognizable defense and is otherwise admissible in evidence in the court-martial proceeding, the matter must be reported to the convening authority and special trial counsel, as applicable.

(A) The convening authority may institute action to obtain the classified information for use by the military judge in making a determination under Mil. R. Evid. 505(j).

(B) The convening authority or special trial counsel, as applicable, may:

(i) dismiss the charges;

(ii) dismiss the charges or specifications or both to which the information relates; or

(iii) take such other action as may be required in the interests of justice."

(b) Mil. R. Evid. 506(f)(4) is amended to read as follows:

"(4) *Convening Authority and Special Trial Counsel Notice and Action.* If a claim of privilege has been made under this rule with respect to government information that apparently contains evidence that is relevant and necessary to an element of the offense or a legally cognizable defense and is otherwise admissible in evidence in the court-martial proceeding, the matter must be reported to the convening authority and special trial counsel, as applicable.

(A) The convening authority may institute action to obtain the information for use by the military judge in making a determination under Mil. R. Evid. 505(j);

(B) The convening authority or special trial counsel, as applicable, may:

(i) dismiss the charges;

(ii) dismiss the charges or specifications or both to which the information relates; or

(iii) take such other action as may be required in the interests of justice."

(c) Mil. R. Evid. 507(e)(3) is amended to read as follows:

"(3) *Action by the Convening Authority or* S*pecial Trial Counsel.* If the military judge determines that disclosure of the identity of the informant is required under the standards set forth in this rule, and the prosecution elects not to disclose the identity of the informant, the matter must be reported to the convening authority. The convening authority or the special trial counsel, as applicable, may institute action to secure disclosure of the identity of the informant, terminate the proceedings, or take such other action as may be appropriate under the circumstances."

Section 4. Part IV of the Manual for Courts-Martial, United States, is amended as follows:

(a) Paragraph 77.b.(4)(d)(ii) is amended to read as follows:

"(ii) That the accused did so by strangulation or suffocation; and".

(b) Paragraph 77.d.(1)(b) is amended to read as follows:

"(b) *When committed with a firearm or other dangerous weapon.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 2 years."

Section 5. Part V of the Manual for Courts-Martial, United States, is amended as follows:

(a) Paragraph 1.h. is amended to read as follows:

"h. *Burden of proof.* The burden of proof to be utilized by commanders throughout the nonjudicial punishment process shall be a preponderance of the evidence. This means the commanding officer must determine it is "more likely than not" the member committed the offense defined by the UCMJ. Each element of each offense, as defined in the Manual for Courts-Martial, must be supported by a preponderance of the evidence (*i.e.,* "more likely than not"). This standard is more rigorous than a "probable cause" standard of proof used by law enforcement to obtain a warrant but a lower standard of proof than the "beyond a reasonable doubt" standard used at a court-martial."

Section 6. Appendix 12A of the Manual for Courts-Martial, United States, is revised to read as follows:

"**PRESIDENTIALLY-PRESCRIBED LESSER INCLUDED OFFENSES PURSUANT TO ARTICLE 79(b)(2), UNIFORM CODE OF MILITARY JUSTICE"**

This authoritative list provides actual notice of factually similar lesser included offenses designated by the President, pursuant to Article 79(b)(2), that are "reasonably included" in the greater offense. The military justice system has unique, but closely related, military offenses, which are not "necessarily included" lesser offenses under the "elements test." *See United States v. Teters*, 37 M.J. 370 (C.A.A.F. 1993); *see also United States v. Jones*, 68 M.J. 465 (C.A.A.F. 2009). This list is exhaustive as to those lesser included offenses (called "reasonably included

offenses" in the chart below) that the President has designated pursuant to Article 79(b)(2). However, this list is not intended to address, and does not address, those offenses that are necessarily included in a charged offense and are therefore lesser included offenses pursuant to Article 79(b)(1).

Article	Offense (Part IV Citation)	Reasonably Included Offense (RIO) Article	RIO (Part IV Citation)
85 - Desertion	Para. 9.b.(1)-(3)	85 - Desertion	Para. 9.b.(4)
87a - Resistance, flight, breach of arrest, and escape	Par. 12.b.(5)	86 - Absent without leave	Para. 10.b.(3)
87b - Offenses against correctional custody and restriction	Para. 13.b.(1)	86 - Absent without leave	Para. 10.b.(3)
93a - Prohibited activities with military recruit or trainee by person in position of special trust	Para. 20.b.(1); 20.b.(2)	93 - Cruelty and maltreatment	Para. 19.b.
94 - Mutiny or sedition	Para. 21.b.(1)	94 - Mutiny or sedition	Para. 21.b.(6)
100 - Subordinate compelling surrender	Para. 28.b.(1)	100 - Subordinate compelling surrender	Para. 28.b.(2)
103a - Espionage	Para. 32.b.(1)	103a - Espionage	Para. 32.b.(2)
103b - Aiding the enemy	Para. 33.b.(1)	103b - Aiding the enemy	Para. 33.b.(2)
104b - Unlawful enlistment, appointment, or separation	Para. 36.b.	107- False official statements; false swearing	Para. 41.b.(1)
118 - Murder	Para. 56.b.(1); 56.b.(2); 56.b.(3); 56.b.(4)	114 - Endangerment Offenses	Para. 52.b.(1)
119 - Manslaughter	Para. 57.b.(1)	114 - Endangerment Offenses	Para. 52.b.(1)
119a - Death or injury of an unborn child	Para. 58.b.(2); 58.b.(4)	119a - Death or injury of an unborn child	Para. 58.b.(3)
120 - Rape and Sexual Assault	Para. 60.b.(1)	128 - Assault with intent to commit specified offenses (rape)	Para. 77.b.(3)

120 - Rape and Sexual Assault	Para. 60.b.(2)	128 - Assault with intent to commit specified offenses (sexual assault)	Para. 77.b.(3)
120b - Rape of a child	Para. 62.b.(1)	128 - Assault with intent to commit specified offenses (rape of a child)	Para. 77.b.(3)
120b - Rape of a child	Para. 62.b.(2)	128 - Assault with intent to commit specified offenses (sexual assault of a child)	Para. 77.b.(3)
128 - Assault	Para. 77.b.(2); 77.b.(3); 77.b.(4); 77.b.(5)	128 - Assault	Para. 77.b.(1)
134 - Check, worthless making and uttering by dishonorably failing to maintain funds	Para. 94.b.	134 - Debt, dishonorably failing to pay	Para. 96.b.
134 - Child pornography	Para. 95.b.(1); 95.b.(2); 95.b.(3); 95.b.(4)	134 - Indecent conduct	Para. 104.b.
134 - Disloyal statements	Para. 97.b.	88 - Contempt toward officials	Para. 14.b.

”

ANNEX 3

Section 1. Part II of the Manual for Courts-Martial, United States, is amended as follows:

(a) R.C.M. 502(a)(2)(A) is amended to read as follows:

"(A) *Members.* The members of a court-martial shall determine whether the accused is proved guilty and, in a capital case in which the accused is unanimously found guilty of a capital offense, the members shall make a determination in accordance with Article 53(c)(1)(A). Each member has an equal voice and vote with other members in deliberating upon and deciding all matters submitted to them. No member may use rank or position to influence another member. No member of a court-martial may have access to or use in any open or closed session this Manual, reports of decided cases, or any other reference material."

(b) R.C.M. 902A is deleted.

(c) R.C.M. 906(b)(12)(B) is amended to read as follows:

"(B) *As applied to sentence.* Where the military judge finds that the unreasonable multiplication of charges requires a remedy that focuses more appropriately on punishment than on findings, the military judge may find that there is an unreasonable multiplication of charges as applied to sentence. If the military judge makes such a finding, the remedy shall be as set forth in R.C.M. 1002(d)(2). A ruling on this motion ordinarily should be deferred until after findings are entered."

(d) A new R.C.M. 925 is inserted immediately after R.C.M. 924 to read as follows:

"Rule 925. Application of sentencing rules

(a) Only one set of sentencing rules shall apply in a court-martial.

(b) If convicted of any offense for which death may be adjudged, the accused shall be sentenced in accordance with R.C.M. 1004.

(c) Except as provided in R.C.M. 925(b):

(1) If convicted of any offense committed on or before December 27, 2023, the accused shall be sentenced in accordance with the Rules for Courts-Martial in effect prior to December 28, 2023. The military judge shall inquire into the accused's election of sentencing rules after the announcement of findings and before any matter is presented in the presentencing phase.

(2) If convicted of only offenses committed after December 27, 2023, the accused shall be sentenced by a military judge in accordance with R.C.M. 1002(a)(2).

(d) Any elections made by the accused pursuant to R.C.M. 925(c)(1) shall be made orally on the record or be in writing and signed by the accused. The military judge shall ascertain whether the accused has consulted with defense counsel and has been informed of the right to make the election of the applicable sentencing rules."

(e) R.C.M. 1001(a)(1) is amended to read as follows:

"(1) *Procedure.* After findings of guilty have been announced, the Government and defense may present matters pursuant to this rule to aid the court-martial in determining an appropriate sentence. Such matters shall ordinarily be presented in the following sequence:

(A) Presentation by the trial counsel of:

(i) service data relating to the accused taken from the charge sheet;

(ii) personal data relating to the accused and of the character of the accused's prior service as reflected in the personnel records of the accused.

(B) Crime victim's right to be reasonably heard.

(C) Presentation by the defense of evidence in extenuation or mitigation or both.

(D) Rebuttal.

(E) Argument by the trial counsel on sentence.

(F) Argument by the defense counsel on sentence.

(G) Rebuttal argument in the discretion of the military judge."

(f) R.C.M. 1001(b)(2) is amended to read as follows:

"(2) *Personal data and character of prior service of the accused.* Under regulations of the Secretary concerned, the trial counsel may obtain and introduce from the personnel records of the accused evidence of the accused's marital status; number of dependents, if any; and character of prior service. Such evidence includes copies of reports reflecting the past military efficiency, conduct, performance, and history of the accused and evidence of any disciplinary actions, including punishments under Article 15 and summary courts-martial after review has been completed pursuant to Article 64. "Personnel records of the accused" includes any records made or maintained in accordance with departmental regulations that reflect the past military efficiency, conduct, performance, and history of the accused. If the accused objects to a particular document as inaccurate or incomplete in a specified respect, or as containing matter that is not admissible under the Military Rules of Evidence, the matter shall be determined by the military judge. Objections not asserted are forfeited."

(g) R.C.M. 1001(b)(3)(B) is amended to read as follows:

"(B) *Pendency of appeal.* The pendency of an appeal therefrom does not render evidence of a conviction inadmissible. Evidence of the pendency of an appeal is admissible."

(h) R.C.M. 1001(b)(4) is amended to read as follows:

"(4) *Evidence in aggravation.* The trial counsel may present evidence as to any aggravating circumstance directly relating to or resulting from the offenses of which the accused has been found guilty. Evidence in aggravation includes, but is not limited to, evidence of financial, social, psychological, and medical impact on or cost to any person or entity who was

the victim of an offense committed by the accused and evidence of significant adverse impact on the mission, discipline, or efficiency of the command directly and immediately resulting from the accused's offense. In addition, evidence in aggravation may include evidence that the accused intentionally selected any victim or any property as the object of the offense because of the actual or perceived race, color, religion, national origin, ethnicity, sex (including pregnancy), gender (including gender identity), disability, or sexual orientation of any person. Except in capital cases, a written or oral deposition taken in accordance with R.C.M. 702 is admissible in aggravation."

(i) R.C.M. 1001(c) is amended to read as follows:

"(c) *Crime victim's right to be reasonably heard.*

(1) *In general.* After presentation by the trial counsel, a crime victim of an offense of which the accused has been found guilty has the right to be reasonably heard at the presentencing proceeding relating to that offense. A crime victim who makes an unsworn statement under R.C.M. 1001(c)(5) is not considered a witness for the purposes of Article 42(b). If the crime victim exercises the right to be reasonably heard, the crime victim shall be called by the court-martial. The exercise of the right is independent of whether the crime victim testified during findings or is called to testify by the Government or defense under this rule.

(2) *Definitions.*

(A) *Crime victim.* For purposes of R.C.M. 1001(c), a crime victim is an individual who has suffered direct physical, emotional, or pecuniary harm as a result of the commission of an offense of which the accused was found guilty or the individual's lawful representative or designee appointed by the military judge under these rules.

(B) *Victim impact.* For purposes of R.C.M. 1001(c), victim impact includes any financial, social, psychological, or medical impact on the crime victim relating to or arising from the offense of which the accused has been found guilty.

(C) *Mitigation.* For the purposes of R.C.M. 1001(c), mitigation includes any matter that may lessen the punishment to be adjudged by the court-martial or furnish grounds for a recommendation of clemency.

(D) *Right to be reasonably heard.*

(i) *Capital cases.* In capital cases, for purposes of R.C.M. 1001(c), the "right to be reasonably heard" means the right to make a sworn statement. The statement may not recommend a specific sentence.

(ii) *Noncapital cases.* In noncapital cases, for purposes of R.C.M. 1001(c), the "right to be reasonably heard" means the right to make a sworn statement, an unsworn statement, or both. This right includes the right to be heard on any objection to any unsworn statement.

(3) *Contents of statement.* The content of statements made under R.C.M. 1001(c)(4) or (5) may only include victim impact and matters in mitigation, except that, in a noncapital case, the victim may recommend a specific sentence.

(4) *Sworn statement.* The crime victim may make a sworn statement and shall be subject to cross-examination concerning it by the trial counsel and the defense counsel or examination on it by the court-martial.

(5) *Unsworn statement.* The crime victim may make an unsworn statement and may not be cross-examined by the trial counsel or the defense counsel or examined upon it by the court-martial. The Government or defense may, however, rebut any statements of fact therein. The

unsworn statement may be oral, written, or both, and may be made by the crime victim, by counsel representing the crime victim, or both.

(j) R.C.M. 1001(f)(1) is amended to read as follows:

"(1) *In general.* During the presentencing proceedings, there shall be much greater latitude than on the merits to receive information by means other than testimony presented through the personal appearance of witnesses. During presentencing proceedings, a dispute as to the production of a witness at Government expense is a matter within the discretion of the military judge to resolve subject to the limitations in R.C.M. 1001(f)(2)."

(k) R.C.M. 1001(f)(2)(C) is amended to read as follows:

"(C) the other party refuses to enter into a stipulation containing the matters to which the witness is expected to testify, except in an extraordinary case when such a stipulation would be an insufficient substitute for the testimony;".

(l) R.C.M. 1001(h) is amended as follows:

"(h) *Argument.* After introduction of matters relating to the sentence under this rule, counsel for the Government and defense may argue for an appropriate sentence. The trial counsel may not in argument purport to speak for the convening authority or any other higher authority or refer to the views of such authorities or any policy directive relative to punishment or to any punishment or quantum of punishment greater than the court-martial may adjudge. The trial counsel may, however, recommend a specific lawful sentence and may also refer to the sentencing considerations set forth in R.C.M. 1002(f). Failure to object to improper argument before the military judge begins deliberations, or before the military judge instructs the members on sentencing, shall constitute forfeiture of the objection."

(m) R.C.M. 1002 is amended to read as follows:

"Rule 1002. Sentencing determination

(a) *Generally.* Subject to limitations in this Manual, the sentence to be adjudged is a matter within the discretion of the court-martial. A court-martial may adjudge any punishment authorized in this Manual in order to achieve the purposes of sentencing under R.C.M. 1002(c), including the maximum punishment or any lesser punishment, or may adjudge a sentence of no punishment except as outlined below.

(1) *Mandatory minimum.* Unless otherwise authorized, when a mandatory minimum sentence is prescribed by the UCMJ, the sentence for an offense shall include any punishment that is made mandatory by law for that offense. The sentence for an offense may not be greater than the maximum sentence established by law or by the President for that offense.

(2) *Parameters and criteria.*

(A) When an offense is subject to sentencing criteria, the military judge shall consider the applicable sentencing criteria in determining the sentence for that offense.

(B) When an offense is subject to sentencing parameters, the military judge shall sentence the accused for that offense within the applicable parameter, unless the military judge finds specific facts that warrant a sentence outside the applicable parameter. If the military judge imposes a sentence outside a sentencing parameter, the military judge shall include in the record a written statement of the factual basis for the sentence.

(3) If the military judge accepts a plea agreement with a sentence limitation, the court-martial shall sentence the accused in accordance with the limits established by the plea agreement. Subject to Article 53a(c), the military judge shall accept a plea agreement submitted by the parties, except that—

(A) in the case of an offense with a sentencing parameter, the military judge may

reject a plea agreement that proposes a sentence that is outside the sentencing parameter if the military judge determines that the proposed sentence is plainly unreasonable; and

(B) in the case of an offense for which there is no sentencing parameter, the military judge may reject a plea agreement that proposes a sentence if the military judge determines that the proposed sentence is plainly unreasonable.

(b) *Noncapital cases.* The military judge shall determine the sentence of a general or special court-martial in accordance with this subsection in all noncapital cases.

(1) *Segmented sentencing for confinement and fines.* The military judge at a general or special court-martial shall determine an appropriate term of confinement and fine, if applicable, for each specification for which the accused was found guilty. Subject to R.C.M. 1002(a), such a determination may include a term of no confinement or no fine when appropriate for the offense.

(2) *Special court-martial.* The military judge shall, in a special court-martial, to the extent necessary, reduce the total confinement to the maximum confinement authorized under R.C.M. 201(f)(2).

(3) *Unitary sentencing for other forms of punishment.* All punishments other than confinement or a fine available under R.C.M. 1003, if any, shall be determined as a single, unitary component of the sentence, covering all of the guilty findings in their entirety. The military judge shall not segment those punishments among the guilty findings.

(c) *Imposition of sentence.* In sentencing an accused under this rule, the court-martial shall impose punishment that is sufficient, but not greater than necessary, to promote justice and to maintain good order and discipline in the United States Armed Forces, taking into consideration—

(1) the nature and circumstances of the offense and the history and characteristics of the

accused;

(2) the impact of the offense on—

(A) the financial, social, psychological, or medical well-being of any victim of the offense; and

(B) the mission, discipline, or efficiency of the command of the accused and any victim of the offense;

(3) the need for the sentence to—

(A) reflect the seriousness of the offense;

(B) promote respect for the law;

(C) provide just punishment for the offense;

(D) promote adequate deterrence of misconduct;

(E) protect others from further crimes by the accused;

(F) rehabilitate the accused; and

(G) provide, in appropriate cases, the opportunity for retraining and returning to duty to meet the needs of the service; and

(4) the sentences available under these rules.

(d) *Information that may be considered.* The court-martial, in applying the factors listed in R.C.M. 1002(c) to the facts of a particular case, may consider—

(1) Any evidence admitted by the military judge during the presentencing proceeding under R.C.M. 1001; and

(2) Any evidence admitted by the military judge during the findings proceeding."

(n) R.C.M. 1003(b)(5) is amended to read as follows:

"(5) *Restriction to specified limits.* Restriction may be adjudged for no more than 2

months. Confinement and restriction may be adjudged in the same case, but they may not together exceed the maximum authorized period of confinement."

(o) R.C.M. 1003(c)(1)(A)(i) is amended to read as follows:

"(i) *Maximum punishment.* The maximum limits for the authorized punishments of confinement, forfeitures, and punitive discharge (if any) are set forth for each offense listed in Part IV of this Manual. These limitations are for each separate offense, not for each charge, and apply notwithstanding any applicable sentencing parameter. When a dishonorable discharge is authorized, a bad-conduct discharge is also authorized."

(p) R.C.M. 1003(c)(1)(B) is amended to read as follows:

"(B) *Offenses not listed in Part IV.*

(i) *Included or closely related offenses.* For an offense not listed in Part IV of this Manual that is included in or closely related to an offense listed therein, the maximum punishment and the sentencing parameter or criteria shall be that or those of the offense listed; however, if an offense not listed is included in a listed offense, and is closely related to another or is equally closely related to two or more listed offenses, the maximum punishment and the sentencing parameter or criteria shall be the same as that or those of the least severe of the listed offenses.

(ii) *Not included or closely related offenses.* An offense not listed in Part IV and not included in or closely related to an offense listed therein is punishable as authorized by the United States Code or as authorized by the custom of the applicable service. When the United States Code provides for confinement for a specified period or not more than a specified period, the maximum punishment by court-martial shall include confinement for that period. If the period is 1 year or longer, the maximum punishment by court-martial also includes a

dishonorable discharge and forfeiture of all pay and allowances; if the period is 6 months or more but less than 1 year, the maximum punishment by court-martial also includes a bad-conduct discharge and forfeiture of all pay and allowances; if the period is less than 6 months, the maximum punishment by court-martial also includes forfeiture of two-thirds pay per month for the authorized period of confinement."

(q) R.C.M. 1004 is revised to read as follows:

"Rule 1004. Capital cases

(a) *In general.* In addition to the provisions in R.C.M. 1001, the provisions in this rule shall apply in capital cases. Death may be adjudged only when—

(1) Death is expressly authorized under Part IV of this Manual for an offense of which the accused has been found guilty or is authorized under the law of war for an offense of which the accused has been found guilty under the law of war;

(2) The accused was properly notified that the case would be tried as a capital case and was properly notified of the aggravating factors the Government intended to prove;

(3) The accused was convicted of such an offense by either—

(A) the unanimous vote of all twelve members of the court-martial; or

(B) the military judge pursuant to the accused's plea of guilty to such an offense;

(4) The members unanimously find that at least one of the aggravating factors under R.C.M. 1004(c) existed beyond a reasonable doubt for that offense and notice of such factor was provided in accordance with R.C.M. 1004(b);

(5) The members unanimously find that the extenuating and mitigating circumstances are substantially outweighed by any aggravating circumstances, including any relevant aggravating factor(s); and

(6) The members unanimously determine that the sentence for that offense shall be death.

(b) *Notice.*

(1) *Referral.* The referral authority shall indicate that the case is to be tried as a capital case by including a special instruction on the charge sheet. Failure to include this special instruction at the time of the referral shall not bar the referral authority from later adding the required special instruction, provided that—

(A) the referral authority has otherwise complied with the notice requirement of R.C.M. 1004(b)(2); and

(B) if the accused demonstrates specific prejudice from such failure to include the special instruction, the military judge determines that a continuance or a recess is an adequate remedy.

(2) *Arraignment.* Before arraignment, the trial counsel shall give the defense written notice of which specific aggravating factor(s) under R.C.M. 1004(c) the Government intends to prove and to which offense(s) the aggravating factor(s) apply. Failure to provide timely notice under this subsection of any aggravating factors under R.C.M. 1004(c) shall not bar later notice and proof of such additional aggravating factors unless the accused demonstrates specific prejudice from such failure and that a continuance or a recess is not an adequate remedy.

(c) *Aggravating factors.* The trial counsel may present evidence in accordance with R.C.M. 1001(b)(4) tending to establish one or more of the aggravating factors enumerated below. Death may be adjudged only if the members find, beyond a reasonable doubt, one or more of the following aggravating factors:

(1) That the offense was committed before or in the presence of the enemy, except that this factor shall not apply in the case of a violation of Article 118;

(2) That in committing the offense the accused—

(A) Knowingly created a grave risk of substantial damage to the national security of the United States; or

(B) Knowingly created a grave risk of substantial damage to a mission, system, or function of the United States, provided that this subparagraph shall apply only if substantial damage to the national security of the United States would have resulted had the potential damage been effected;

(3) That the offense caused substantial damage to the national security of the United States, regardless of whether the accused intended such damage, except that this factor shall not apply in case of a violation of Article 118;

(4) That the offense was committed in such a way or under such circumstances that the life of one or more persons other than the victim was unlawfully and substantially endangered, except that this factor shall not apply to a violation of Articles 103a or 103b;

(5) That the accused committed the offense with the intent to avoid hazardous duty;

(6) That, only in the case of a violation of Article 118, the offense was committed in time of war and in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in active hostilities;

(7) That, only in the case of a violation of Article 118(1)—

(A) The accused was serving a sentence of confinement for 30 years or more or for life at the time of the murder;

(B) The murder was committed while the accused was engaged in the commission or attempted commission of a separate murder, or any robbery, rape, rape of a child, sexual

assault, sexual assault of a child, aggravated sexual contact, sexual abuse of a child, aggravated arson, burglary, kidnapping, mutiny, sedition, or piracy of an aircraft or vessel; or while the accused was engaged in the commission or attempted commission of any offense involving the wrongful distribution, manufacture, or introduction or possession, with intent to distribute, of a controlled substance; or, while the accused was engaged in flight or attempted flight after the commission or attempted commission of any offense listed in this subparagraph (R.C.M. 1004(c)(7)(B)).

(C) The murder was committed for the purpose of receiving money or a thing of value;

(D) The accused procured another by means of compulsion, coercion, or a promise of an advantage, a service, or a thing of value to commit the murder;

(E) The murder was committed with the intent to avoid or to prevent lawful apprehension or effect an escape from custody or confinement;

(F) The victim was the President of the United States; the President-elect; the Vice President, or, if there was no Vice President, the next officer in the order of succession to the office of President of the United States; the Vice President-elect; any individual who is acting as President under the Constitution and laws of the United States; a Member of Congress (including a Delegate to, or Resident Commissioner in, the Congress) or Member of Congress-elect; a justice or judge of the United States; a chief of state or head of government (or the political equivalent) of a foreign nation; or a foreign official (as such term is defined in 18 U.S.C. § 1116(b)(3)(A)), if the official was on official business at the time of the offense and was in the United States or in a place described in Mil. R. Evid. 315(c)(2) or (c)(3);

(G) The accused then knew that the victim was any of the following persons in the execution of office: a commissioned, warrant, noncommissioned, or petty officer of the United States Armed Forces; a member of any law enforcement or security activity or agency, military or civilian, including correctional custody personnel; or any firefighter;

(H) The murder was committed with intent to obstruct justice;

(I) The murder was preceded by the intentional infliction of substantial physical harm or prolonged, substantial mental or physical pain and suffering to the victim. For purposes of this section, "substantial physical harm" means fractured or dislocated bones, deep cuts, torn members of the body, serious damage to internal organs, or other serious bodily injuries. The term "substantial physical harm" does not mean minor injuries, such as a black eye or bloody nose. The term "substantial mental or physical pain and suffering" is accorded its common meaning and includes torture.

(J) The accused has been found guilty in the same case of another violation of Article 118;

(K) The victim of the murder was under 15 years of age;

(8) That, only in the case of a violation of Article 118(4), the accused was the actual perpetrator of the killing or was a principal whose participation in the burglary, rape, rape of a child, sexual assault, sexual assault of a child, aggravated sexual contact, sexual abuse of a child, robbery, or aggravated arson was major and who manifested a reckless indifference for human life.

(9) [Reserved]

(10) That, only in the case of a violation of the law of war, death is authorized under the law of war for the offense;

(11) That, only in the case of a violation of Article 103, 103a, or 103b—

(A) The accused has been convicted of another offense involving espionage, spying, or treason for which either a sentence of death or imprisonment for life was authorized by statute; or

(B) That in committing the offense, the accused knowingly created a grave risk of death to a person other than the individual who was the victim.

For purposes of R.C.M. 1004, "national security" means the national defense and foreign relations of the United States and specifically includes a military or defense advantage over any foreign nation or group of nations; a favorable foreign relations position; or a defense posture capable of successfully resisting hostile or destructive action from within or without.

(d) *Evidence in extenuation and mitigation.* The accused shall be given broad latitude to present evidence in extenuation and mitigation.

(e) *Basis for findings.* The findings specified by R.C.M. 1004(a)(4) and (a)(5) may be based on evidence introduced before or after findings under R.C.M. 921, or both.

(f) *Instructions.* Instructions shall be given after arguments by counsel and before the members close to deliberate on sentence, but the military judge may, upon request of the members, any party, or *sua sponte*, give additional instructions at a later time.

(1) *Requests for instructions.* During presentencing proceedings or at such other time as the military judge may permit, any party may request that the military judge instruct the members on the law as set forth in the request. The military judge may require the requested instruction to be written. Each party shall be given the opportunity to be heard on any proposed instruction before it is given. The military judge shall inform the parties of the proposed action on such requests before their arguments to the members.

(2) *How given.* Instructions shall be given orally on the record in the presence of all parties and the members. Written copies of the instructions or, unless a party objects, portions of them may also be given to the members for their use during deliberations.

(3) *Required instructions.* Instructions shall include—

(A) The charge(s) and specification(s) for which the members shall make a sentencing determination;

(B) The applicable aggravating factor or factors under R.C.M. 1004(c) and to which charge(s) and specification(s) the aggravating factor or factors apply;

(C) A statement of the procedures for deliberation and voting set out in R.C.M. 1004(g);

(D) A statement informing the members that they are solely responsible for selecting an appropriate determination and may not rely on the possibility of any mitigating action by the convening or higher authority;

(E) A statement that the members should consider all matters in aggravation, whether introduced before or after findings, and matters introduced under R.C.M. 1001(b)(1), (2), (3), and (5);

(F) A statement that the members may consider:

(i) Any evidence admitted by the military judge during the presentencing proceeding under R.C.M. 1001; and

(ii) Any evidence admitted by the military judge during the findings proceeding;

(G) A statement that the members shall consider all evidence in extenuation and mitigation before a sentence of death may be determined; and

(H) Such other explanations, descriptions, or directions that the military judge determines to be necessary, whether properly requested by a party or determined by the military judge *sua sponte*.

(4) *Failure to object.* After being afforded an opportunity to object, failure to object to an instruction or to omission of an instruction before the members close to deliberate shall constitute waiver of the objection. The military judge may require the party objecting to specify in what respect the instructions were improper. The parties shall be given the opportunity to be heard on any objection outside the presence of the members.

(g) *Deliberations and voting.*

(1) *In general.* With respect to each charge and specification for which a sentence of death may be determined, the members shall deliberate and vote after the military judge instructs the members. Only the members shall be present during deliberations and voting. Superiority in rank shall not be used in any manner to control the independence of members in the exercise of their judgment.

(2) *Deliberations.* Deliberations require a full and free discussion of the determination to be made in the case. Unless otherwise directed by the military judge, members may take with them in deliberations their notes, if any; any exhibits admitted in evidence; and any written instructions. Members may request that the court-martial be reopened and that portions of the record be read to them or additional evidence introduced. The military judge may, in the exercise of discretion, grant such requests.

(3) *Voting generally.*

(A) *Duty of members.* Each member has the duty to vote on the necessary findings described in R.C.M. 1004(a)(4)-(6) as applicable. No member may abstain from voting.

(B) *Secret ballot.* Voting shall be by secret written ballot.

(4) *Procedure.*

(A) *Initial process.* The members shall employ the following process for each charge and specification for which death may be determined.

(i) The members shall vote separately on each aggravating factor under R.C.M. 1004(c) that applies to the offense and on which the members have been instructed. The members shall not proceed to R.C.M. 1004(g)(4)(A)(ii) unless the members unanimously find that at least one of the aggravating factors existed beyond a reasonable doubt.

(ii) The members shall vote on whether the extenuating and mitigating circumstances are substantially outweighed by any aggravating circumstances, including any relevant aggravating factor(s) under R.C.M. 1004(c). The members shall not proceed to R.C.M. 1004(g)(4)(B) unless the members unanimously find that any extenuating or mitigating circumstances are substantially outweighed by any aggravating circumstances.

(B) *Voting on a sentencing determination if death may be adjudged.*

(i) If the members unanimously find both that at least one aggravating factor exists and that the extenuating and mitigating circumstances are substantially outweighed by the aggravating circumstances, the members shall vote on the following sentencing determinations, which shall be binding on the military judge. Except as permitted under R.C.M. 1004(i), the members must vote on potential sentence determinations in the order listed below. The members must vote on each option separately from the other option, considering only one option at a time. During the voting on a particular option, each member may cast one vote for or against that option. The order of the options to be considered is:

(I) Death; or

(II) Life in prison without eligibility for parole.

(ii) If all 12 members vote for death, the sentencing determination of the members shall be death. If any member does not vote for death, the sentencing determination of the members shall not be death.

(iii) If the members' initial vote does not reach the required unanimous consensus for death, the members shall vote on life in prison without eligibility for parole. If three-fourths or more of the members vote for life in prison without eligibility for parole, the sentencing determination of the members shall be life in prison without eligibility for parole.

(iv) If the members' vote does not reach three-fourths for life in prison without eligibility for parole, the offense shall be returned to the military judge for imposition of a sentence of a lesser punishment in accordance with R.C.M. 1001.

(C) *Voting on a sentencing determination if death may not be adjudged.*

(i) If the members do not unanimously find that at least one aggravating factor exists or the members do not unanimously find that the aggravating circumstances substantially outweigh the extenuating and mitigating circumstances, the members shall vote on life in prison without eligibility for parole.

(ii) If the members' vote does not reach three-fourths for life in prison without eligibility for parole, the offense shall be returned to the military judge for imposition of a sentence of a lesser punishment in accordance with R.C.M. 1001.

(D) *Counting votes.* The junior member shall collect the ballots and count the votes. The president shall check the count and inform the other members of the result.

(h) *Action after a sentence is reached.* After the members have agreed upon a determination by the required number of votes in accordance with this rule, the court-martial shall be opened, and

the president shall inform the military judge that the members have reached a determination. The military judge may, in the presence of the parties, examine any writing used by the president to state the determination and may assist the members in putting the determination in proper form. If the members voted unanimously for a determination of death, the writing shall indicate which aggravating factor or factors under R.C.M. 1004(c) the members unanimously found to exist beyond a reasonable doubt. Neither that writing nor any oral or written clarification or discussion concerning it shall constitute announcement of the determination.

(i) *Reconsideration.* Subject to this rule, a sentence may be reconsidered at any time before it is announced in open session of the court.

(1) *Clarification of determination.* A sentence determination may be clarified at any time before entry of judgment. When a determination by the members in a capital case is ambiguous, the military judge shall bring the matter to the attention of the members if the matter is discovered before the court-martial is adjourned. If the matter is discovered after adjournment, the military judge may call a session for clarification by the members as soon as practicable after the ambiguity is discovered, or the military judge may resolve the ambiguity.

(2) *Action by the convening authority.*

(A) Prior to entry of judgment, if a convening authority becomes aware that the sentence of the court-martial is ambiguous, the convening authority shall return the matter to the court-martial for clarification. When the sentence of the court-martial appears to be illegal, the convening authority shall return the matter to the court-martial for correction.

(B) Prior to entry of judgment in a case in which a special trial counsel has exercised authority—

(i) if the special trial counsel becomes aware that the sentence of a court-martial is ambiguous, the special trial counsel shall make a binding determination that the convening authority return the matter to the court-martial for clarification; or

(ii) if the sentence of the court-martial appears to be illegal, the special trial counsel shall make a binding determination that the convening authority shall return the matter to the court-martial for correction.

(3) *Reconsideration procedure.* Any member of the court-martial may propose that a determination of the members in a capital case be reconsidered.

(A) *Instructions.* When reconsideration has been requested, the military judge shall instruct the members on the procedure for reconsideration.

(B) *Voting.* The members shall vote by secret written ballot in closed session whether to reconsider a determination.

(C) *Number of votes required for aggravating factors in capital cases.* Members may reconsider a unanimous vote under R.C.M. 1004(g)(4)(A) (i) that an aggravating factor was proven beyond a reasonable doubt if at least one member votes to reconsider. Members may reconsider a unanimous vote under R.C.M. 1004(g)(4)(A)(ii) that any extenuating and mitigating circumstances are substantially outweighed by any aggravating circumstances admissible under R.C.M. 1001(b)(4), including the factors under R.C.M. 1004(c), if at least one member votes to reconsider. In all other circumstances, a vote under R.C.M. 1004(g)(4)(A)(i) or (ii) may be reconsidered only if at least a majority of the members vote for reconsideration.

(D) *Number of votes required for determinations.*

(i) *With a view toward increasing.* Members may reconsider a determination with a view toward increasing the severity of the determination only if at least a

majority votes for reconsideration. However, members may not reconsider a non-unanimous vote for a determination of death.

(ii) *With a view toward decreasing.* Members may reconsider a determination with a view toward decreasing the severity of the determination only if—

(I) In the case of a death determination, at least one member votes to reconsider; or

(II) In the case of a determination of life in prison without eligibility for parole, more than one-fourth of the members vote to reconsider.

(E) *Successful vote*. If a vote to reconsider succeeds, the members will revote in accordance with R.C.M. 1001(g)(3) and (4).

(j) *Sentencing by military judge.*

(1) The military judge shall sentence the accused in accordance with the binding determination of the members under R.C.M. 1004(g). The military judge may include in any sentence to death or life in prison without eligibility for parole any other authorized lesser punishment. When the military judge's sentence includes confinement or fines, the military judge shall determine an appropriate term of confinement and fine for each specification for which the accused was found guilty.

(2) Where there is a finding of guilty for a specification for which death may be adjudged and a finding of guilty for a specification for which death may not be adjudged—

(A) The members shall make a determination for each specification for which death may be adjudged in accordance with subsection (g);

(B) The military judge shall determine the sentence for any specification returned by the members for sentencing of a lesser punishment than death or life in prison without eligibility for parole; and

(C) The military judge shall determine the sentence for all charges and specifications for which death may not be adjudged. If the sentence includes more than one term of confinement, the military judge shall determine whether the terms of confinement will run concurrently or consecutively.

(k) *Other penalties.* When death is an authorized punishment for an offense, all other punishments authorized under R.C.M. 1003 are also authorized for that offense, including confinement for life, with or without eligibility for parole, and may be adjudged in lieu of death, subject to limitations specifically prescribed in this Manual. A sentence of death includes a dishonorable discharge or dismissal as appropriate. Confinement is a necessary incident of a sentence of death, but not a part of it.

(l) *Impeachment of determination.* A determination that is proper on its face may be impeached only when extraneous prejudicial information was improperly brought to the attention of any member, outside influence was improperly brought to bear upon any member, or unlawful command influence was brought to bear upon any member."

(r) R.C.M. 1005 is amended to read as follows:

"Rule 1005. Reconsideration of sentence in noncapital cases

(a) *Reconsideration.* Subject to this rule, a sentence may be reconsidered at any time before such sentence is announced in open session of the court.

(b) *Exceptions.*

(1) If the sentence announced in open session was less than the mandatory minimum prescribed for an offense of which the accused has been found guilty, the court that announced the sentence may reconsider such sentence.

(2) If the sentence announced in open session exceeds the maximum permissible punishment for the offense or the jurisdictional limitation of the court-martial, the court that announced the sentence may reconsider such sentence.

(3) If the sentence announced in open session is not in accordance with a sentence limitation in the plea agreement, if any, the court that announced the sentence may reconsider such sentence.

(c) *Clarification of sentence.* A sentence may be clarified at any time before entry of judgment. When a sentence determined by the military judge is ambiguous, the military judge shall call a session for clarification as soon as practicable after the ambiguity is discovered.

(d) *Action by the convening authority or special trial counsel.*

(1) Prior to entry of judgment, if a convening authority becomes aware that the sentence of the court-martial is ambiguous, the convening authority shall return the matter to the court-martial for clarification. When the sentence of the court-martial appears to be illegal, the convening authority shall return the matter to the court-martial for correction.

(2) Prior to entry of judgment in a case in which a special trial counsel has exercised authority—

(A) if the special trial counsel becomes aware that the sentence of a court-martial is ambiguous, the special trial counsel shall make a binding determination that the convening authority return the matter to the court-martial for clarification.

(B) if the sentence of the court-martial appears to be illegal, the special trial counsel shall make a binding determination that the convening authority shall return the matter to the court-martial for correction.

(e) *Limitation.* A military judge may reconsider a sentence once announced only under the circumstances described in R.C.M. 1005(b)."

(s) R.C.M. 1006 is amended to read as follows.

"Rule 1006. [Reserved]".

(t) R.C.M. 1007(b)(1) is amended to read as follows:

"(1) In a capital case, the determination of the members shall be announced by the military judge. If the members voted unanimously for death, the military judge shall announce which aggravating factor or factors under R.C.M. 1004(c) the members unanimously found to exist beyond a reasonable doubt."

(u) R.C.M. 1008 is amended to read as follows:

"Rule 1008. Impeachment of sentence in noncapital cases

A sentence that is proper on its face may be impeached only when extraneous prejudicial information was improperly brought to the attention of the military judge, outside influence was improperly brought to bear upon the military judge, or unlawful command influence was brought to bear upon the military judge."

(v) R.C.M. 1009 is amended to read as follows:

"Rule 1009. [Reserved]".

(w) R.C.M. 1112(b) is amended to read as follows:

(b) *Contents of the record of trial.* The record of trial contains the court-martial proceedings and includes any evidence or exhibits considered by the court-martial in determining the findings or sentence. The record of trial in every general and special court-martial shall include:

(1) A substantially verbatim recording of the court-martial proceedings except sessions closed for deliberations and voting;

(2) The original charge sheet or a duplicate;

(3) A copy of the convening order and any amending order;

(4) The request, if any, for trial by military judge alone; the accused's election, if any, of members under R.C.M. 903; and, when applicable, any statement by the convening authority required under R.C.M. 503(a)(2);

(5) Exhibits, or, if permitted by the military judge, copies, photographs, or descriptions of any exhibits that were received in evidence and any appellate exhibits;

(6) The Statement of Trial Results;

(7) Any action by the convening authority under R.C.M. 1109 or 1110; and

(8) The judgment entered into the record by the military judge."

(x) R.C.M. 1117 is amended to read as follows:

"Rule 1117. Appeal of sentence by the United States

(a) *In general.* With the approval of the Judge Advocate General concerned, the Government may appeal a sentence announced under R.C.M. 1007 to the Court of Criminal Appeals on the grounds that—

(1) The sentence violates the law;

(2) The sentence is a result of an incorrect application of sentencing parameters or criteria established under Article 56(c); or

(3) The sentence is plainly unreasonable.

(b) *Timing.*

(1) An appeal under this rule must be filed within 60 days after the date on which the judgment of the court-martial is entered into the record under R.C.M. 1111.

(2) Any request for approval must be submitted in sufficient time to obtain and consider submissions under R.C.M. 1117(c)(5).

(c) *Approval process.*

(1) A request from the Government to the Judge Advocate General for approval of an appeal under this rule shall include a statement of reasons in support of an appeal under R.C.M. 1117(a)(1), (a)(2), or (a)(3), as applicable, based upon the information contained in the record before the sentencing authority at the time the sentence was announced under R.C.M. 1007.

(2) A statement of reasons in support of an appeal under R.C.M. 1117(a)(1) shall identify the specific provisions of law at issue and the facts in the record demonstrating a violation of the law in the announced sentence under R.C.M. 1007.

(3) A statement of reasons in support of an appeal under R.C.M. 1117(a)(2) shall identify parameters or criteria at issue and the facts supporting how parameters or criteria were applied incorrectly.

(4) A statement of reasons in support of an appeal under R.C.M. 1117(a)(3) shall identify the facts in the record that demonstrate by clear and convincing evidence that the sentence announced under R.C.M. 1007 was plainly unreasonable.

(5) Prior to acting on a request from the Government, the Judge Advocate General shall transmit the request to the military judge who presided over the presentencing proceeding for purposes of providing the military judge, the parties, and any person who, at the time of

sentencing, was a crime victim as defined by R.C.M. 1001(c)(2)(A), with an opportunity to make a submission addressing the statement of reasons in the Government's request.

(A) The military judge shall establish the time for the parties and crime victims to provide such a submission to the military judge and for the military judge to forward all submissions to the Judge Advocate General. The military judge shall ensure that the parties have not less than 7 days to prepare, review, and transmit such submissions.

(B) Submissions under this paragraph (R.C.M. 1117(c)(5)) shall not include facts beyond the record established at the time the sentence was announced under R.C.M. 1007.

(6) The decision of the Judge Advocate General as to whether to approve a request shall be based on the information developed under this rule.

(7) If an appeal is approved by the Judge Advocate General and submitted to the Court of Criminal Appeals under this rule, the following shall be included with the appeal: the statement of approval, the Government's request and statement of reasons under R.C.M. 1117(c), and any submissions under R.C.M. 1117(c)(5).

(d) *Contents of the record of trial*. Unless the record has been forwarded to the Court of Criminal Appeals for review under R.C.M. 1116(b), the record of trial for an appeal under this rule shall consist of—

(1) Any portion of the record in the case that is designated as pertinent by either of the parties;

(2) The information submitted during the presentencing proceeding; and

(3) Any information required by rule or order of the Court of Criminal Appeals."

Section 2. A new Appendix 12B is inserted immediately after Appendix 12A to read as follows:

"Appendix 12B

Offense Category	Months
1	0–12
2	1–36
3	30–120
4	120–240
5	240–480
6	Confinement for life with eligibility for parole

Sentencing Parameter Table – Confinement Range Categories

Note: For all above categories, if the confinement portion of the maximum authorized punishment for the offense is less than the Offense Category's confinement maximum, the lesser confinement portion of the maximum authorized punishment shall control as the recommended maximum confinement time for that offense. At a special court-martial, for an offense that is a category 3 offense or greater, the jurisdictional maximum period of confinement (12 months) constitutes the parameter; however, the military judge may impose a period of confinement less than the jurisdictional maximum period of confinement upon finding specific facts that warrant such a sentence."

Section 3. A new Appendix 12C is inserted immediately after the new Appendix 12B to read as follows:

"Appendix 12C – Offense Category Chart

Article	*Offense*	*Offense Category*
77	Principals	Dependent on underlying offense
78	Accessory after the fact	Dependent on underlying offense
79	Conviction of offense charged, lesser included offenses, and attempts	Dependent on underlying offense
80	Attempts	Dependent on underlying offense
81	Conspiracy	Dependent on underlying offense
82	Soliciting commission of offenses	
	Solicitation of espionage	Category 4
	Solicitation of desertion, mutiny or sedition, misbehavior before the enemy if committed or attempted	Dependent on underlying offense
	Solicitation of desertion in time of war if not committed or attempted	Criteria
	Solicitation of desertion if not committed or attempted	Category 1
	Solicitation of mutiny or sedition if not committed or attempted	Category 3
	Solicitation of misbehavior before enemy if not committed or attempted	Category 3
	Solicitation of other offense regardless of whether committed or attempted	Dependent on underlying offense
83	Malingering	
	Feigning illness, physical disablement, mental lapse, or mental derangement	
	In time of war or in a hostile fire pay zone	Criteria
	Other	Category 1
	Intentional self-inflicted injury	
	In time of war or in a hostile fire pay zone	Criteria
	Other	Category 2
84	Breach of medical quarantine	
	Breach of medical quarantine involving a quarantinable communicable disease defined by 42 CFR 70.1	Category 1
	Breach of medical quarantine	Category 1
85	Desertion	
	In time of war	Criteria
	Intent to avoid hazardous duty or to shirk important services	Category 2
	Other cases	
	Terminated by apprehension	Category 2
	Terminated otherwise	Category 1
86	Absence without leave	
	Failing to go, going from appointed place of duty	Category 1
	Absence from unit, organization, etc.	
	Not more than 3 days	Category 1
	More than 3, not more than 30 days	Category 1
	More than 30 days	Category 1
	More than 30 days and terminated by apprehension	Category 1
	Absence from guard or watch	Category 1
	Absence from guard or watch with intent to abandon	Category 1
	Absence with intent to avoid maneuvers or field exercises	Category 1
87	Missing movement; jumping from vessel	
	Missing movement	
	Design	Category 2
	Neglect	Category 1
	Jumping from vessel into the water	Category 1
87a	Resistance, flight, breach of arrest, and escape	
	Resisting apprehension	Category 1
	Flight from apprehension	Category 1
	Breaking arrest	Category 1
	Escape from custody, pretrial confinement, or confinement pursuant to Article 15	Category 1
	Escape from post-trial confinement	Category 2
87b	Offenses against correctional custody and restriction	
	Escape from correctional custody	Category 1
	Breach of correctional custody	Category 1
	Breach of restriction	Category 1

Article	*Offense*	*Offense Category*
88	Contempt toward officials	Category 1
89	Disrespect toward superior commissioned officer; assault of superior commissioned officer	
	Disrespect toward superior commissioned officer	
	In command	Category 1
	In rank	Category 1
	Striking, drawing, or lifting up a weapon or offering any violence to superior commissioned officer in execution of office	
	In time or war	Criteria
	Other	Category 2
90	Willfully disobeying superior commissioned officer	
	In time of war	Criteria
	Other	Category 2
91	Insubordinate conduct toward warrant officer, noncommissioned officer, or petty officer	
	Striking or assaulting	
	Warrant officer	Category 2
	Superior noncommissioned or petty officer	Category 2
	Other noncommissioned or petty officer	Category 1
	Willfully disobeying	
	Warrant officer	Category 1
	Noncommissioned or petty officer	Category 1
	Contempt or disrespect	
	Warrant officer	Category 1
	Superior noncommissioned or petty officer	Category 1
	Other noncommissioned or petty officer	Category 1
92	Failure to obey order or regulation	
	Violation of or failure to obey general order or regulation	Category 1
	Violation of or failure to obey other lawful order	Category 1
	Dereliction in performance of duties	
	Through neglect or culpable inefficiency	Category 1
	Through neglect or culpable inefficiency resulting in death or grievous bodily harm	Category 2
	Willful	Category 1
	Willful dereliction of duty resulting in death or grievous bodily harm	Category 2
93	Cruelty and maltreatment	Category 1
93a	Prohibited activities with military recruit or trainee by person in position of special trust	Category 2
94	Mutiny or sedition	Criteria
95	Offenses by sentinel or lookout	
	Drunk or sleeping on post, or leaving post before being relieved	
	In time of war	Criteria
	While receiving special pay under 37 USC 310	Criteria
	In all other places	Category 1
	Loitering or wrongfully sitting on post by a sentinel or lookout	
	In time of war or while receiving special pay under 37 USC 310	Criteria
	Other cases	Category 1
95a	Disrespect toward sentinel or lookout	Category 1
96	Release of prisoner without authority; drinking with prisoner	
	Releasing a prisoner without authority	Category 2
	Allowing a prisoner to escape through neglect	Category 1
	Allowing a prisoner to escape through design	Category 2
	Drinking with prisoner	Category 1
97	Unlawful Detention	Category 2
98	Misconduct as prisoner	Criteria
99	Misbehavior before the enemy	Criteria
100	Subordinate compelling surrender	Criteria
101	Improper use of countersign	Criteria
102	Forcing a safeguard	Criteria
103	Spies	Category 5
103a	Espionage	
	Espionage as a capital offense	Category 5
	Espionage or attempted espionage	Category 5

Article	*Offense*	*Offense Category*
103b	Aiding the enemy	Criteria
104	Public records offenses	Category 2
104a	Fraudulent enlistment, appointment, or separation	
	Fraudulent enlistment or appointment	Category 2
	Fraudulent separation	Category 2
104b	Unlawful enlistment, appointment, or separation	Category 2
105	Forgery	Category 2
105a	False or unauthorized pass offenses	
	Possessing or using with intent to defend or deceive, or making, altering, counterfeiting, tampering with, or selling	Category 2
	All other cases	Category 1
106	Impersonation of officer, noncommissioned or petty officer, or agent or official	
	With intent to defraud	Category 2
	All other cases	Category 1
106a	Wearing unauthorized insignia, decoration, badge, ribbon, device, or lapel button	
	Wrongful wearing of the Medal of Honor; Distinguished Service Cross; Navy Cross; Air Force Cross; Silver Star; Purple Heart: or a valor device on any personal award	Category 1
	All other cases	Category 1
107	False official statements; false swearing	
	False official statement	Category 2
	False swearing	Category 1
107a	Parole violation	Category 1
108	Military property of United States—Loss, damage, destruction, or wrongful disposition	
	Selling or otherwise disposing	
	Of a value of $1,000 or less	Category 1
	Of a value of more than $1,000 or any firearm or explosive	Category 2
	Damaging, destroying, losing or suffering to be lost, damaged, destroyed, sold, or wrongfully disposed	
	Through neglect, of a value or damage of	
	Of a value of $1,000 or less	Category 1
	Of a value of more than $1,000	Category 1
	Willfully, of a value or damage of	
	$1,000 or less	Category 1
	More than $1,000 or of any firearm or explosive	Category 2
108a	Captured or abandoned property	
	Captured, abandoned property; failure to secure, etc.	
	Of a value of $1,000 or less	Category 1
	Of a value of more than $1,000 or any firearm or explosive	Category 2
	Looting or pillaging	Criteria
109	Property other than military property of United States— Waste, spoilage, or destruction	
	Wasting, spoiling, destroying, or damaging non-military property	
	Of a value of $1,000 or less	Category 1
	Of a value of more than $1,000	Category 2
109a	Mail matter: wrongful taking, opening, etc.	Category 2
110	Improper hazarding of vessel or aircraft	
	Willfully and wrongfully	Criteria
	Negligently	Category 2
111	Leaving scene of vehicle accident	Category 1
112	Drunkenness and other incapacitation offenses	
	Drunk on duty	Category 1
	Incapacitation for duty from drunkenness or drug use	Category 1
	Drunk prisoner	Category 1

Article	*Offense*	*Offense Category*
112a	Wrongful use, possession, etc., of controlled substances	
	Wrongful use, possession, manufacture, or introduction of controlled substance	
	Wrongful use or possession of amphetamine, cocaine, heroin, lysergic acid diethylamide, marijuana, methamphetamine, opium, phencyclidine, secobarbital, and Schedule I, II, and III controlled substances	Category 1
	Wrongful manufacture or introduction of amphetamine, cocaine, heroin, lysergic acid diethylamide, marijuana, methamphetamine, opium, phencyclidine, secobarbital, and Schedule I, II, and III controlled substances	Category 2
	Wrongful use, possession, manufacture, or introduction of phenobarbital and Schedule IV and V controlled substances	Category 1
	Wrongful distribution, possession, manufacture, or introduction of controlled substance with intent to distribute, or wrongful importation or exportation of a controlled substance	
	Amphetamine, cocaine, heroin, lysergic acid diethylamide, marijuana, methamphetamine, opium, phencyclidine, secobarbital, and Schedule I, II, and III controlled substances	Category 2
	Phenobarbital and schedule IV and V controlled substances	Category 2
113	Drunken or reckless operation of a vehicle, aircraft, or vessel	
	Resulting in personal injury	Category 2
	No personal injury involved	Category 1
114	Endangerment offenses	
	Carrying concealed weapon	Category 1
	Discharging firearm, willfully, under such circumstances as to endanger human life	Category 1
	Reckless endangerment	Category 1
	Dueling	Category 1
115	Communicating threats	
	Threats and false threats generally	Category 2
	Threats and false threats concerning use of explosives, etc.	Category 3
116	Riot or breach of peace	
	Riot	Category 3
	Breach of the peace	Category 1
117	Provoking speeches or gestures	Category 1
117a	Wrongful broadcast or distribution of intimate visual images	Category 2
118	Murder	
	Article 118(1) or (4)	Category 6
	Article 118(2) or (3)	Category 5
119	Manslaughter	
	Voluntary manslaughter	Category 4
	Involuntary manslaughter	Category 3
	Voluntary manslaughter of a child under 16 years of age	Category 4
	Involuntary manslaughter of a child under 16 years of age	Category 3
119a	Death or injury of an unborn child	
	Injuring or killing an unborn child	Dependent on underlying offense
	Attempting to kill an unborn child	Dependent on underlying offense
	Intentionally killing an unborn child	Dependent on underlying offense
119b	Child endangerment	
	Endangerment by design resulting in grievous bodily harm	Category 3
	Endangerment by design resulting in harm	Category 2
	Other cases by design	Category 2
	Endangerment by culpable negligence resulting in grievous bodily harm	Category 2
	Endangerment by culpable negligence resulting in harm	Category 2
	Other cases by culpable negligence	Category 1

Article	*Offense*	*Offense Category*
120	Rape and sexual assault generally	
	Rape	Category 4
	Sexual assault	Category 3
	Aggravated sexual contact	Category 3
	Abusive sexual contact	Category 2
120a	Mails: deposit of obscene matter	Category 2
120b	Rape and sexual assault of a child	
	Rape of a child	Category 5
	Sexual assault of a child	Category 4
	Sexual abuse of a child	
	Cases involving sexual contact	Category 3
	Other cases	Category 3
120c	Other sexual misconduct	
	Indecent viewing	Category 1
	Indecent recording	Category 2
	Broadcasting or distributing of an indecent recording	Category 2
	Forcible pandering	Category 3
	Indecent exposure	Category 1
121	Larceny and wrongful appropriation	
	Larceny	
	Property of a value of $1,000 or less	Category 1
	Military property of a value of more than $1,000 or of any military motor vehicle, aircraft, vessel, firearm, or explosive	Category 2
	Property other than military property of a value of more than $1,000 or any motor vehicle, aircraft, vessel, firearm, or explosive	Category 2
	Wrongful appropriation	
	Of a value of $1,000 or less	Category 1
	Of a value of more than $1,000	Category 1
	Of any motor vehicle, aircraft, vessel, firearm, explosive, or military property of a value of more than $1,000	Category 1
121a	Fraudulent use of credit cards, debit cards, and other access devices	
	Fraudulent use of a credit card, debit card, or other access device to obtain property of a value of $1,000 or less	Category 1
	Fraudulent use during any 1-year period of a credit card, debit card, or other access device to obtain property the aggregate value of which is more than $1,000	Category 2
121b	False pretenses to obtain services	
	Of a value of $1,000 or less	Category 1
	Of a value of more than $1,000	Category 2
122	Robbery	
	When committed with a dangerous weapon	Category 3
	All other cases	Category 3
122a	Receiving stolen property	
	Receiving, buying, or concealing stolen property of a value of $1,000 or less	Category 1
	Receiving, buying, or concealing stolen property of a value of more than $1,000	Category 2
123	Offenses concerning Government computers	
	Unauthorized distribution of classified information obtained from a Government computer	Category 3
	Unauthorized access of a Government computer and obtaining classified or other protected information	Category 2
	Causing damage to a Government computer	Category 3
123a	Making, drawing, or uttering check, draft, or order without sufficient funds	
	For the procurement of any article or thing of value, with intent to defraud, in the face amount of:	
	$1,000 or less	Category 1
	More than $1,000	Category 2
	For the payment of any past due obligation, or for any other purpose, with intent to deceive	Category 1

Article	*Offense*	*Offense Category*
124	Frauds against the United States	
	Article 124(1) and (2)	Category 2
	Article 124(3) and (4)	
	When amount is $1,000 or less	Category 1
	When amount is more than $1,000	Category 2
124a	Bribery	Category 2
124b	Graft	Category 2
125	Kidnapping	Category 3
126	Arson; burning property with intent to defraud	
	Aggravated arson	Category 3
	Simple arson, where property value is:	
	$1,000 or less	Category 1
	More than $1,000	Category 2
	Burning with intent to defraud	Category 2
127	Extortion	Category 2
128	Assault	
	Simple assault	
	Generally	Category 1
	When committed with an unloaded firearm	Category 2
	Battery	
	Assault consummated by a battery	Category 1
	Assault upon a commissioned officer of the armed forces of the United States or of a friendly foreign power, not in the execution of office	Category 2
	Assault upon a warrant officer, not in the execution of office	Category 2
	Assault upon a noncommissioned or petty officer, not in the execution of office	Category 1
	Assault upon a sentinel or lookout in the execution of duty, or upon any person who, in the execution of office, is performing security police, military police, shore patrol, master at arms, or other military or civilian law enforcement duties	Category 2
	Assault consummated by a battery upon a child under 16 years	Category 2
	Assault with intent to commit murder or rape	Category 3
	Assault with intent to commit voluntary manslaughter, robbery, arson, burglary, or kidnapping	Category 3
	Aggravated assault	
	Aggravated assault with a dangerous weapon	
	When committed with a loaded firearm	Category 3
	When committed upon a child under the age of 16 years	Category 3
	Other cases	Category 2
	Aggravated assault in which substantial bodily harm in inflicted	
	When the injury is inflicted with a loaded firearm	Category 3
	When the injury is inflicted upon a child under the age of 16 years	Category 3
	Other cases	Category 2
	Aggravated assault in which grievous bodily harm is inflicted	
	When the injury is inflicted with a loaded firearm	Category 3
	When the injury is inflicted upon a child under the age of 16 years	Category 3
	Other cases	Category 2
	Aggravated assault by strangulation or suffocation	
	When committed upon a child under the age of 16 years	Category 3
	Other cases	Category 2
128a	Maiming	Category 3
128b	Domestic Violence	
	Commission of violent offense against spouse, intimate partner, or immediate family member of that person	Dependent on underlying offense
	Commission of UCMJ violation against any person with intent to threaten or intimidate spouse, intimate partner, or immediate family member of that person	Dependent on underlying offense

Article	*Offense*	*Offense Category*
	Commission of UCMJ violation against any property, including animal, with intent to threaten or intimidate spouse, intimate partner, or immediate family member of that person	Dependent on underlying offense
	Violation of protection order with intent to threaten or intimidate spouse, intimate partner, or immediate family member of that person	Category 2
	Violation of protection order with intent to commit a violent offense against spouse, intimate partner, or immediate family member of that person	Category 2
	Assaulting spouse, intimate partner, or immediate family member of that person by strangulation or suffocation	
	Aggravated assault by strangulation or suffocation when committed upon a child under 16 years	Category 3
	Other cases	Category 2
129	Burglary; unlawful entry	
	Burglary (with intent to commit an offense punishable under Article 118–120, 120b–121, 122, 125–128a, or 130)	Category 3
	Burglary (with intent to commit any other offense punishable under the UCMJ)	Category 2
	Unlawful entry	Category 1
130	Stalking	Category 2
131	Perjury	Category 2
131a	Subornation of perjury	Category 2
131b	Obstructing justice	Category 2
131c	Misprision of serious offense	Category 2
131d	Wrongful refusal to testify	Category 2
131e	Prevention of authorized seizure of property	Category 1
131f	Noncompliance with procedural rules	
	Unnecessary delay in disposing of case	Category 1
	Knowingly and intentionally failing to enforce or comply with provisions of the UCMJ	Category 2
131g	Wrongful interference with adverse administrative proceeding	Category 2
132	Retaliation	Category 2
133	Conduct unbecoming an officer.	Criteria
134	General article	Criteria
	Animal abuse	
	Abuse, neglect, or abandonment of an animal	Category 1
	Abuse, neglect, or abandonment of a public animal	Category 1
	Sexual act with an animal or cases where the accused caused the serious injury or death of the animal	Category 2
	Bigamy	Category 1
	Check, worthless making and uttering – by dishonorably failing to maintain funds	Category 1
	Child pornography	
	Possessing, receiving, or viewing child pornography	Category 2
	Possessing child pornography with intent to distribute	Category 3
	Distributing child pornography	Category 3
	Producing child pornography	Category 4
	Debt, dishonorably failing to pay	Category 1
	Disloyal statements	Category 1
	Disorderly conduct, drunkenness	
	Disorderly conduct	
	Under such circumstances as to bring discredit upon the military Service	Category 1
	Other cases	Category 1
	Drunkenness	
	Aboard ship or under such circumstances as to bring discredit upon the military Service	Category 1
	Other cases	Category 1

Article	*Offense*	*Offense Category*
134	Drunk and disorderly	
	Aboard ship	Category 1
	Under such circumstances as to bring discredit upon the military Service	Category 1
	Other cases	Category 1
	Extramarital sexual conduct	Category 1
	Firearm, discharging – through negligence	Category 1
	Fraternization	Category 1
	Gambling with subordinate	Category 1
	Homicide, negligent	Category 2
	Indecent conduct	Category 2
	Indecent language	
	Communicated to any child under the age of 16 years	Category 2
	Other cases	Category 1
	Pandering and prostitution	
	Prostitution and patronizing a prostitute	Category 1
	Pandering	Category 2
	Self-injury without intent to avoid service	
	In time of war or in a hostile fire pay zone	Criteria
	Intentional self-inflicted injury	Category 1
	Sexual harassment	Category 2
	Straggling	Category 1"

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Section 4. A new Appendix 12D is inserted immediately after Appendix 12C to read as follows:

"Appendix 12D - List of Sentencing Criteria Offenses

UCMJ Article	Title
82	Solicitation to desert (in time of war)
83	Malingering (in time of war or in hostile fire pay zone)
85	Desertion (in time of war)
89	Striking, drawing, or lifting up a weapon or offering any violence to superior commissioned officer in execution of office (in time of war)
90	Willfully disobeying a lawful order of superior commissioned officer (in time of war)
94	Mutiny or sedition
95	Offenses by sentinel or lookout (in time of war or while receiving special pay under 37 U.S.C. 310)
98	Misconduct as prisoner
99	Misbehavior before the enemy
100	Subordinate compelling surrender
101	Improper use of countersign
102	Forcing a safeguard
103b	Aiding the enemy
108a	Captured or abandoned property (looting or pillaging)
110	Improper hazarding of vessel or aircraft (willfully and wrongfully)
133	Conduct unbecoming an officer
134	General article
134	Self-injury without intent to avoid service (in time of war or in a hostile fire pay zone)

SENTENCING CRITERIA

The military judge shall consider the sentencing criteria established for the following offenses:

Article 82. Solicitation to desert (*in time of war*).

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

Whether the offense disrupted or, in any way, impacted the operations of any organization;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the offense was committed in a way or under circumstances that unlawfully and substantially endangered the life of one or more persons; and

Whether the offense was committed in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities.

Article 83. Malingering (*in time of war or in hostile fire pay zone*).

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

Whether the offense was committed before or in the presence of the enemy;

Whether the offense disrupted or, in any way, impacted the operations of any organization;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the offense was committed in a way or under circumstances that unlawfully and substantially endangered the life of one or more persons;

Whether the offense was committed to avoid the movement of a vessel or hazardous duty or shirk important service; and

Whether the offense was committed in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities.

Article 85. Desertion (*in time of war*).

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

Whether the offense was committed before or in the presence of the enemy;

Whether the offense was committed while the accused was under charges, investigation, or adverse action;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the offense disrupted or, in any way, impacted the operations of any organization;

Whether the offense was committed to avoid the movement of a vessel or hazardous duty or shirk important service;

Whether the offense was committed in a way or under circumstances that unlawfully and substantially endangered the life of one or more persons; and

Whether the offense was committed in a way or under circumstances such that the location from which the accused absented himself or remained absent was a territory in which

the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities.

Article 89. Striking, drawing, or lifting up a weapon or offering any violence to superior commissioned officer in execution of office (*in time of war*).

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

Whether the offense disrupted or, in any way, impacted the operations of any organization;

Whether the offense was committed to avoid the movement of a vessel or hazardous duty or shirk important service;

Whether the offense was committed before or in the presence of the enemy;

Whether the offense was committed before or in the presence of other members of the accused's or the superior commissioned officer's unit;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

The status of the superior commissioned officer and command relationship to the accused;

Whether the accused abused a position of trust or authority, or used specialized skill or training, in a manner that significantly facilitated the offense;

The amount of force or violence used or threatened by the accused and other participants in the offense;

The nature or extent of any injuries suffered by the victim;

Whether the offense was committed in a way that created, or under circumstances creating, a substantial risk of bodily harm or death to any person;

Whether the offense involved the conscious or reckless disregard of a risk of death or serious bodily harm to any person;

Whether the offense involved possession of a dangerous weapon; and

Whether the offense was committed in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities.

Article 90. Willfully disobeying a lawful order of superior commissioned officer (*in time of war*).

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

Whether the offense disrupted or, in any way, impacted the operations of any organization;

Whether the offense was committed to avoid the movement of a vessel or hazardous duty or shirk important service;

Whether the offense was committed before or in the presence of the enemy;

Whether the offense was committed before or in the presence of other members of the accused's or the superior commissioned officer's unit;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

The status of the superior commissioned officer and command relationship to the accused;

Whether the accused abused a position of trust or authority, or used specialized skill or training, in a manner that significantly facilitated the offense;

Whether the offense was committed in a way that created, or under circumstances creating, a substantial risk of bodily harm or death to any person;

Whether the offense involved the conscious or reckless disregard of a risk of death or serious bodily harm to any person;

Whether the offense involved possession of a dangerous weapon; and

Whether the offense was committed in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities.

Article 94. Mutiny or sedition.

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

The accused's relationship to the military or civil authority against which the accused committed the mutiny or sedition;

Whether the offense disrupted or, in any way, impacted the operations of any organization;

Whether the offense was committed to avoid the movement of a vessel or hazardous duty or shirk important service;

Whether the offense was committed before or in the presence of the enemy;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the accused was the actual perpetrator of the offense or was a principal whose participation in the offense was major;

Whether the accused was an organizer, leader, manager, or supervisor in the offense and the number of other participants in the offense;

Whether the accused was a minimal or minor participant in the offense;

Whether the accused abused a position of trust or authority, or used specialized skill or training, in a manner that significantly facilitated the offense;

The amount of force or violence used or threatened by the accused and other participants in the offense;

The nature or extent of any injuries suffered by any victims of the offense;

The nature or extent of any public or private property damage related to the offense;

Whether the offense was committed in a way or under circumstances that unlawfully and substantially endangered the life of one or more persons;

Whether the offense involved the conscious or reckless disregard of a risk of death or serious bodily harm to any person;

Whether the offense involved possession of a dangerous weapon;

Whether the offense involved the conscious or reckless disregard of a risk of serious damage to public or private property; and

Whether the offense was committed in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities.

Article 95. Offenses by sentinel or lookout *(in time of war or while the accused was receiving special pay under 37 U.S.C. 310*).

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

Whether the offense disrupted or, in any way, impacted the operations of any organization;

Whether the offense was committed to avoid the movement of a vessel or hazardous duty or shirk important service;

Whether the offense was committed before or in the presence of the enemy;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the offense was committed in a way or under circumstances that unlawfully and substantially endangered the life of one or more persons; and

Whether the offense was committed in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities.

Article 98. Misconduct as prisoner.

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the accused was the actual perpetrator of the offense or was a principal whose participation in the offense was major;

Whether the accused was an organizer, leader, manager, or supervisor in the offense and the number of other participants in the offense;

Whether the accused was a minimal or minor participant in the offense;

Whether the accused abused a position of trust or authority, or used specialized skill or training, in a manner that significantly facilitated the offense;

The nature of any maltreatment inflicted on other prisoners;

The amount of force or violence used or threatened by the accused and other participants in the offense;

The nature or extent of any injuries suffered by any victims of the offense;

Whether the offense was committed in a way or under circumstances that unlawfully and substantially endangered the life of one or more persons;

Whether the offense involved the conscious or reckless disregard of a risk of death or serious bodily harm to any person;

Whether the offense involved possession of a dangerous weapon;

The nature of any benefits or improvements enjoyed by the accused as a result of his or her conduct; and

Whether the offense was committed in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities.

Article 99. Misbehavior before the enemy.

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

Whether the offense disrupted or, in any way, impacted the operations of any organization;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the accused abused a position of trust or authority, or used specialized skill or training, in a manner that significantly facilitated the offense;

Whether the accused was the actual perpetrator of the offense or was a principal whose participation in the offense was major;

Whether the accused was an organizer, leader, manager, or supervisor in the offense and the number of other participants in the offense;

Whether the accused was a minimal or minor participant in the offense;

Whether the offense was committed in a way or under circumstances that unlawfully and substantially endangered the life of one or more persons;

Whether the offense involved the conscious or reckless disregard of a risk of death or serious bodily harm to any person;

Whether the offense involved possession of a dangerous weapon;

Whether the offense was committed in a way that created, or under circumstances creating, a substantial risk of bodily harm or death to any person; and

Whether the offense was committed in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities.

Article 100. Subordinate compelling surrender.

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

The nature of the conflict or hostilities in which the accused's unit was engaged;

Whether the offense was committed in the immediate presence of the enemy;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the offense impacted the operations of any organization in addition to the unit of the accused;

Whether the offense was committed in a way or under circumstances that unlawfully and substantially endangered the life of one or more persons;

Whether the offense was committed in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities;

Whether the accused abused a position of trust or authority, or used specialized skill or training, in a manner that significantly facilitated the offense;

Whether the offense was committed for the purpose of receiving money or a thing of value;

Whether the accused was the actual perpetrator of the offense or was a principal whose participation in the offense was major;

Whether the accused was an organizer, leader, manager, or supervisor in the offense and the number of other participants in the offense; and

Whether the accused was a minimal or minor participant in the offense.

Article 101. Improper use of countersign.

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

Whether the offense was committed before or in the presence of the enemy;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the offense was committed in a way or under circumstances that unlawfully and substantially endangered the life of one or more persons;

Whether the offense was committed in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities;

Whether the accused abused a position of trust or authority, or used specialized skill or training, in a manner that significantly facilitated the offense; and

Whether the offense was committed for the purpose of receiving money or a thing of value.

Article 102. Forcing a safeguard.

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

That nature of the person or persons, place, or property intended to be protected by the safeguard;

Whether the offense was committed before or in the presence of the enemy;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the offense was committed in a way or under circumstances that unlawfully and substantially endangered the life of one or more persons;

Whether the offense was committed in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities;

Whether the accused abused a position of trust or authority, or used specialized skill or training, in a manner that significantly facilitated the offense;

Whether the offense was committed for the purpose of receiving money or a thing of value;

Whether any person or persons, place, or property intended to be protected by the safeguard was injured or damaged;

Whether the accused was the actual perpetrator of the offense or was a principal whose participation in the offense was major;

Whether the accused actually knew of the safeguard;

Whether the accused was an organizer, leader, manager, or supervisor in the offense and the number of other participants in the offense; and

Whether the accused was a minimal or minor participant in the offense.

Article 103b. Aiding the enemy

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

Whether the accused abused a position of trust or authority, or used specialized skill or training, in a manner that significantly facilitated the offense;

Whether the offense disrupted or, in any way, impacted the operations of any organization;

Whether the accused intended to cause damage to national security;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the offense involved the conscious or reckless disregard of a risk of death or serious bodily harm to any person;

Whether the offense involved possession of a dangerous weapon;

Whether the offense was committed in a way or under circumstances that unlawfully and substantially endangered the life of one or more persons; and

Whether the offense was committed in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities.

Article 108a. Captured or abandoned property (*looting or pillaging*)

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

Whether the offense was committed before or in the presence of the enemy;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the offense was committed in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities;

Whether the accused was the actual perpetrator of the offense or was a principal whose participation in the offense was major;

Whether the accused was an organizer, leader, manager, or supervisor in the offense and the number of other participants in the offense;

Whether the accused was a minimal or minor participant in the offense;

Whether the accused abused a position of trust or authority, or used specialized skill or training, in a manner that significantly facilitated the offense;

Whether the offense involved the conscious or reckless disregard of a risk of death or serious bodily harm to any person;

Whether the offense involved possession of a dangerous weapon;

Whether the offense was committed in a way or under circumstances that unlawfully and substantially endangered the life of one or more persons;

Whether the offense involved the conscious or reckless disregard of a risk of serious damage to public or private property;

The amount of force or violence used or threatened by the accused and other participants in the offense;

The value and nature of the captured or abandoned property; and

The amount of restitution, if any, paid by the accused.

Article 110. Improper hazarding of vessel or aircraft (*willfully and wrongfully*).

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

The position, responsibility, and authority of the accused at the time of the offense;

Whether the offense caused damage to the vessel or aircraft and the amount and type of damage;

Whether the accused committed the offense with the intent to prevent the vessel's or aircraft's deployment, movement, or departure;

Whether the offense occurred in a time of active hostilities;

Whether the offense disrupted or, in any way, impacted the operations of any organization;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the offense involved the conscious or reckless disregard of a risk of death or serious bodily harm to any person;

Whether the accused abused a position of trust or authority, or used specialized skill or training, in a manner that significantly facilitated the offense;

Whether the accused was an organizer, leader, manager, or supervisor in the offense and the number of other participants in the offense; and

Whether the accused was the actual perpetrator of the offense or was a principal whose participation in the offense was major.

Article 133. Conduct unbecoming an officer.

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

The sentencing parameter for the most analogous enumerated offense;

The grade of the accused;

Whether the offense occurred in a time of active hostilities;

Whether the offense disrupted or, in any way, impacted the operations of any organization;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the offense involved a severe lack of integrity and judgment.

Whether the offense involved the conscious or reckless disregard of a risk of death or serious bodily harm to any person; and

Whether the accused abused a position of trust or authority, or used specialized skill or training, in a manner that significantly facilitated the offense.

Article 134. General article.

(A) For offenses under Article 134's "disorders and neglects to the prejudice of good order and discipline" or "conduct of a nature to bring discredit upon the armed forces" clause that are not listed in Part IV of the Manual for Courts-Martial:

(1) For offenses for which the maximum punishment is calculated pursuant to Rule for Courts-Martial 1003(c)(1)(B)(i), the sentencing parameter for the offense that provided the maximum punishment.

(2) For offenses for which the maximum punishment is calculated by reference to a provision of the United States Code pursuant to Rule for Courts-Martial 1003(c)(1)(B)(ii), the Federal Sentencing Guideline range for the offense that provided the maximum punishment.

(3) For offenses for which the maximum punishment is calculated by reference to a custom of the applicable service pursuant to Rule for Courts-Martial 1003(c)(1)(B)(ii), the sentencing parameter for the most analogous enumerated offense.

(B) For offenses under Article 134's "crimes and offenses not capital" clause, the Federal Sentencing Guideline range for the underlying offense.

Article 134. Self-injury without intent to avoid service in a time of war or in a hostile fire pay zone.

The age and experience of the accused;

Any mental impairment or deficiency of the accused;

Whether the offense was committed before or in the presence of the enemy;

Whether the offense disrupted or, in any way, impacted the operations of any organization;

Whether the offense caused damage to the national security of the United States, regardless of whether the accused intended such damage;

Whether the offense was committed in a way or under circumstances that unlawfully and substantially endangered the life of one or more persons; and

Whether the offense was committed in territory in which the United States or an ally of the United States was then an occupying power or in which the United States Armed Forces were then engaged in a contingency operation or active hostilities."

Executive Order 14104 of July 28, 2023

Federal Research and Development in Support of Domestic Manufacturing and United States Jobs

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.* The United States maintains an unparalleled innovation ecosystem with world-class universities, Federal laboratories, research centers, and technology incubators, supported in part by Federal investment. Our world is healthier, smarter, more connected, and more sustainable because of Federal taxpayers' investment in discovery and innovation that has supported the commercialization of new products and services.

My Administration has prioritized support for our unique innovation ecosystem by reinvesting across sectors in research and development (R&D), demonstrations, education, and the necessary infrastructure to accelerate the transition of discoveries quickly from the lab to the marketplace.

This investment is designed to produce cutting-edge technologies that support the competitiveness, domestic manufacturing capacity, and well-being of the United States economy; United States workers; our communities; and our national security. Ensuring the commercialization of federally funded inventions by United States manufacturers—while maintaining intellectual property rights—will build on the successful legacy of the United States in spurring economic growth and enhancing United States competitiveness through R&D. It will also further our joint R&D work with partners and allies to strengthen the resilience of global critical supply chains and secure America's leadership in delivering a net-zero emissions economy by no later than 2050.

Therefore, it is the policy of my Administration that when new technologies and products are developed with support from the United States Government, they will be manufactured in the United States whenever feasible and consistent with applicable law.

Sec. 2. *Coordination and Consultation.* (a) The Assistant to the President for National Security Affairs, the Assistant to the President for Economic Policy, and the Director of the Office of Science and Technology Policy (OSTP) shall coordinate the executive branch actions necessary to implement this order through the interagency process identified in National Security Memorandum 2 of February 4, 2021 (Renewing the National Security Council System).

(b) In implementing this order, the heads of executive departments and agencies (agencies) shall, as appropriate and consistent with applicable law, consult outside stakeholders—such as those in industry; academia, including Historically Black Colleges and Universities, Tribal Colleges and Universities, and other Minority Serving Institutions; non-governmental organizations; communities; labor unions; and State, local, Tribal, and territorial governments—in order to implement the policy identified in section 1 of this order.

Sec. 3. *Strengthening Domestic Manufacturing.* (a) The Secretary of Defense, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Health and Human Services, the Secretary of Transportation, the

Secretary of Energy, the Secretary of Homeland Security, the Director of the National Science Foundation, and the Administrator of the National Aeronautics and Space Administration should consider domestic manufacturing in Federal R&D funding agreement solicitations, as appropriate and consistent with applicable law. These agency heads shall also consider how their respective agencies' R&D funding agreements support broader domestic manufacturing objectives, including the development of production facilities and capabilities broadly supportive of United States manufacturing, as appropriate and consistent with applicable law.

(b) The Director of OSTP, working through the National Science and Technology Council (NSTC) and in coordination with the Director of the Office of Management and Budget's Made in America Office (Made in America Director) and the heads of agencies identified in subsection (a) of this section, shall seek to add ''domestic manufacturing'' to future interagency technology R&D roadmaps, as appropriate. The Director of OSTP shall endeavor to standardize the format of domestic manufacturing considerations in technology R&D roadmaps to ensure that industry, the research community, and agencies create the conditions for new technologies to be produced in the United States once they are commercialized.

(c) In collaboration with the Administrator of the Small Business Administration (SBA), the heads of agencies participating in the Small Business Innovation Research and Small Business Technology Transfer programs are encouraged to advance a coordinated interagency approach to innovation and research solicitations with the goals of reducing barriers to program participation, streamlining access to funding opportunities, and encouraging production of new technologies in the United States. The heads of these agencies are further encouraged to collaborate with the SBA to support small businesses transitioning technologies from intramural and extramural labs to commercial markets.

(d) The heads of agencies that have statutory Other Transaction Authority, or that can use other business arrangements authorized by the Congress, are encouraged, when appropriate, to consider using these authorities to purchase or invest in leading-edge technologies to support their production in the United States. If these agencies use these authorities to purchase or invest in the development of new technologies, the terms of these purchases and investments should ensure that the product is substantially manufactured in the United States, as appropriate and consistent with applicable law.

(e) To further support the commercialization and production in the United States of technologies developed, in part, through federally funded R&D, the heads of agencies identified in subsection (a) of this section are encouraged to establish or enhance the technology transfer and commercialization capabilities of their agencies.

Sec. 4. *Modernizing Reporting of Invention Utilization.* (a) In an effort to streamline reporting requirements for recipients of Federal R&D funding agreements, the heads of agencies identified in section 3(a) of this order should seek to make reporting on the utilization of ''subject inventions'' (as defined in 35 U.S.C. 201(e)) easier and consistent across the United States Government.

(b) To incentivize domestic manufacturing through the reporting of invention disclosures and the utilization of those inventions, the heads of

agencies identified in section 3(a) of this order shall require recipients of Federal R&D funding agreements to track and update the awarding agency on the location in which subject inventions are manufactured.

(c) The heads of agencies identified in section 3(a) of this order should require recipients of Federal R&D funding agreements to report annually to the awarding agency the names of licensees and manufacturing locations of the applicable subject inventions.

(d) Within 60 days of the date of this order, the Secretary of Commerce, through the Director of the National Institute of Standards and Technology (NIST) and in consultation with the Office of Management and Budget (OMB), should develop award terms and conditions regarding the reporting requirements in subsections (a) through (c) of this section to be implemented by each awarding agency identified in section 3(a) of this order. Award terms and conditions shall ensure that the reporting of the information specified in subsections (b) and (c) of this section protects business confidential information, consistent with 35 U.S.C. 202(c)(5), while providing increased visibility to taxpayers on the use of Federal R&D funding in support of domestic manufacturing and job creation.

(e) The Secretary of Commerce, through the Director of NIST and in consultation with the Interagency Working Group for Bayh-Dole, shall consider developing an action plan, including resource requirements, to transition all agencies identified in section 3(a) of this order to the iEdison reporting system to track unclassified subject inventions, patents, and related utilization reports by calendar year 2025. The Secretary of Commerce shall submit the action plan to the Director of OMB within 1 year of the date of this order.

(f) Not later than 120 days after issuance of any final regulations implementing the action plan described in subsection (e) of this section, the heads of agencies identified in section 3(a) of this order shall report to the Director of OMB and the Director of OSTP on steps their respective agencies have taken to transition all unclassified reporting to iEdison by the end of calendar year 2025. These reports may include resource needs and timelines for implementation.

(g) Within 180 days of the date of this order, the Secretary of Commerce, through the Director of NIST and in consultation with the Interagency Working Group for Bayh-Dole, should develop common invention utilization questions (utilization questions), allowing agencies to add agency-specific questions.

(i) The utilization questions should be used by all agencies by May 1, 2024, for subject inventions that a Federal R&D funding agreement recipient has elected to retain title on or after the date of this order.

(ii) The utilization questions should require information on the locations where subject inventions are produced or are used to produce a product.

(iii) The Secretary of Commerce, through the Director of NIST, and the heads of other agencies should aim to minimize the reporting burden on recipients of Federal R&D funding agreements associated with the utilization questions, in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) and applicable OMB guidance.

(h) Within 2 years after the date of this order and annually thereafter, the heads of agencies identified in section 3(a) of this order shall submit

reports to the Made in America Director on the utilization of inventions that were developed through their previous R&D funding agreements and reported after the date of this order, including where products embodying a subject invention or produced through the use of a subject invention were manufactured.

Sec. 5. *Securing Critical and Emerging Technologies Through Domestic Manufacturing.* (a) Within 90 days of the date of this order, the heads of agencies identified in section 3(a) of this order shall consider whether ''exceptional circumstances'' exist warranting a determination that a restriction of the right to retain title to any subject invention funded by their respective agencies' R&D funding agreements will better promote the policy and objectives of the Bayh-Dole Act, as appropriate and consistent with applicable law, including 35 U.S.C. 202(a). Such consideration shall include evaluation of whether ''exceptional circumstances'' exist to warrant the extension of the requirement to manufacture ''substantially in the United States'' to recipients of Federal R&D funding agreements, to non-exclusive licensees of subject inventions, and for use or sale of subject inventions outside the United States, as appropriate and consistent with applicable law, including 35 U.S.C. 202(a). In considering the issuance of such determinations for these purposes, the heads of agencies identified in section 3(a) of this order shall:

(i) consider measures for technologies important to the United States economy and national security, including critical and emerging technologies such as energy storage, quantum information science, artificial intelligence and machine learning, semiconductors and microelectronics, and advanced manufacturing; and

(ii) consider narrowly tailoring terms related to enhanced United States manufacturing while encouraging technology transfer and commercialization, and allowing small businesses and nonprofit organizations to retain ownership of and commercialize their federally funded subject inventions.

(b) The heads of agencies identified in section 3(a) of this order shall consider whether other measures are needed to promote domestic manufacturing of subject inventions funded by their respective agencies.

Sec. 6. *Implementation of this Order.* (a) Within 2 years of the date of this order and annually thereafter for 5 years, the heads of agencies identified in section 3(a) of this order shall submit a report on their respective agencies' implementation of this order to the Director of OMB and the Director of OSTP.

(b) Each report shall include, to the extent possible, a review of this order's effectiveness in using the R&D funding agreements of the agencies identified in section 3(a) of this order to support domestic manufacturing, United States industrial competitiveness, and job creation.

(c) Each report shall include, to the extent possible, identification of any challenges to implementation of this order or to the effectiveness of this order in accomplishing the policy goals described in section 1 of this order, as well as recommendations to address such challenges.

Sec. 7. *Improving the Waiver Process.* (a) Under the Bayh-Dole Act, agencies may waive the requirement that certain products embodying the subject invention or produced through the use of the subject invention be ''manufactured substantially in the United States'' if, as specified in 35

U.S.C. 204, ''reasonable but unsuccessful efforts have been made to grant licenses on similar terms to potential licensees that would be likely to manufacture substantially in the United States'' or ''under the circumstances domestic manufacture is not commercially feasible.''

(b) Every agency should consider developing a process by which the agency may waive the domestic manufacturing requirements for agency-funded technology or technology developed under an agency funding opportunity without a request from a recipient of a Federal R&D funding agreement. As part of its process, an agency should seek concurrence from the Made in America Director to waive the domestic manufacturing requirements, and should set forth specific factors that may support a waiver, including whether the manufacture of the technology outside the United States is in the economic or national security interest of the United States.

(c) The heads of agencies identified in section 3(a) of this order shall ensure that the waiver process for their agency is rigorous, timely, transparent, and consistent, with due regard for all applicable authorities, including Executive Order 14005 of January 25, 2021 (Ensuring the Future Is Made in All of America by All of America's Workers), and the Bayh-Dole Act's requirement that a waiver be available when reasonable but unsuccessful efforts have been made to license to a company that could substantially manufacture in the United States, or when domestic manufacture is not commercially feasible.

(d) The Secretary of Commerce, through the Director of NIST and in consultation with the Interagency Working Group for Bayh-Dole, the NSTC Lab-to-Market Subcommittee, and the Made in America Director, shall provide guidance to agencies on the factors and considerations that should be weighed in determining whether domestic manufacturing is not commercially feasible. Guidance shall be designed to help applicants understand the factors an agency will consider when evaluating a waiver application, and should ensure that a determination of the commercial feasibility of manufacturing abroad is not based on substandard or unacceptable working conditions. Within 90 days of the date of this order, the Secretary of Commerce, through the Director of NIST, shall make the guidance available for public comment.

(e) Within 90 days of the date of this order, the Secretary of Commerce, through the Director of NIST and in consultation with the Interagency Working Group for Bayh-Dole, shall develop common waiver application questions for use by all agencies.

(i) The common waiver application questions should include as relevant criteria, as appropriate and consistent with applicable law:

(A) how the waiver will be used;

(B) why it is important that the subject invention be brought to market;

(C) any potential economic and national security impacts of manufacturing the subject invention abroad;

(D) the benefits that will accrue to domestic manufacturing and United States jobs as a result of the subject invention being brought to market;

(E) whether the applicant is proposing an exclusive or non-exclusive license; and

(F) the conditions under which the subject invention would be manufactured abroad, including unionization of workplaces, health and safety standards, labor and wage laws, and environmental impacts.

(ii) Given the need to maintain agency flexibility, the heads of agencies identified in section 3(a) of this order may add questions to the common waiver application questions, but they should do so sparingly and only as needed to accomplish the policy set forth in this order within their respective agencies' existing authorities.

(f) The heads of agencies identified in section 3(a) of this order shall adopt the common waiver application questions, to the extent consistent with applicable law.

(g) The heads of agencies identified in section 3(a) of this order should acknowledge receipt of waiver applications within 10 business days, to the extent practicable. Once an applicant submits a waiver request application, the reviewing agency should seek to finalize its decision, including negotiations with the applicant as needed, as soon as possible.

(h) Within 270 days of the date of this order, the heads of agencies identified in section 3(a) of this order shall establish agency guidelines for negotiating with waiver applicants to retain as much value or benefit to the United States as possible, as appropriate and consistent with applicable law, while considering technical, business, social, environmental, and economic realities. In assessing a waiver's value to the United States economy, the heads of agencies identified in section 3(a) of this order should consider, as appropriate and in addition to any other relevant factors, potential benefits to domestic manufacturing competitiveness, to United States job creation, and to United States economic and national security.

(i) The heads of agencies identified in section 3(a) of this order should consider limiting waivers to applicants that commit to manufacture in locations that maintain a market economy and for specific agreed-upon purposes.

(ii) The heads of agencies identified in section 3(a) of this order should expect waiver applicants to deliver alternative benefits to the United States as part of an agreement to grant the waiver. Consideration of alternative benefits may include direct or indirect investment in domestic plants and equipment, the creation of high-quality domestic jobs, or further domestic development of the subject invention.

(i) Beginning in fiscal year 2024 and on an annual basis thereafter, the heads of agencies identified in section 3(a) of this order shall provide to the Secretary of Commerce, through the Interagency Working Group for Bayh-Dole, a summary of each waiver application received, approved, and rejected. The summary shall include the terms of any approved waiver and the processing time needed to reach a decision.

(i) The Secretary of Commerce, through the Interagency Working Group for Bayh-Dole, shall publish a periodic summary of the waiver applications in aggregate that describes common reasons for waiver requests, processing times by agency, and recommended policy responses to common challenges.

(ii) Agencies shall ensure that the information submitted for publication to the Secretary of Commerce, through the Interagency Working Group for Bayh-Dole, appropriately protects business confidential and sensitive

information provided by waiver applicants as part of their justification for the waiver, consistent with 35 U.S.C. 202(c)(5). However, the names of applicants seeking a waiver and a summary of the benefits the waiver recipients will provide to the United States should be made available to the public, to the extent permitted by law.

Sec. 8. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of OMB relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
July 28, 2023.

Executive Order 14105 of August 9, 2023

Addressing United States Investments in Certain National Security Technologies and Products in Countries of Concern

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), and section 301 of title 3, United States Code,

I, JOSEPH R. BIDEN JR., President of the United States of America, find that countries of concern are engaged in comprehensive, long-term strategies that direct, facilitate, or otherwise support advancements in sensitive technologies and products that are critical to such countries' military, intelligence, surveillance, or cyber-enabled capabilities. Moreover, these countries eliminate barriers between civilian and commercial sectors and military and defense industrial sectors, not just through research and development, but also by acquiring and diverting the world's cutting-edge technologies, for the purposes of achieving military dominance. Rapid advancement in semiconductors and microelectronics, quantum information technologies, and artificial intelligence capabilities by these countries significantly enhances their ability to conduct activities that threaten the national security of the United States. Advancements in sensitive technologies and products in these sectors will accelerate the development of advanced computational capabilities that will enable new applications that pose significant national security risks, such as the development of more sophisticated

weapons systems, breaking of cryptographic codes, and other applications that could provide these countries with military advantages.

As part of this strategy of advancing the development of these sensitive technologies and products, countries of concern are exploiting or have the ability to exploit certain United States outbound investments, including certain intangible benefits that often accompany United States investments and that help companies succeed, such as enhanced standing and prominence, managerial assistance, investment and talent networks, market access, and enhanced access to additional financing. The commitment of the United States to open investment is a cornerstone of our economic policy and provides the United States with substantial benefits. Open global capital flows create valuable economic opportunities and promote competitiveness, innovation, and productivity, and the United States supports cross-border investment, where not inconsistent with the protection of United States national security interests. However, certain United States investments may accelerate and increase the success of the development of sensitive technologies and products in countries that develop them to counter United States and allied capabilities.

I therefore find that advancement by countries of concern in sensitive technologies and products critical for the military, intelligence, surveillance, or cyber-enabled capabilities of such countries constitutes an unusual and extraordinary threat to the national security of the United States, which has its source in whole or substantial part outside the United States, and that certain United States investments risk exacerbating this threat. I hereby declare a national emergency to deal with this threat.

Accordingly, I hereby order:

Section 1. *Notifiable and Prohibited Transactions.* (a) To assist in addressing the national emergency declared in this order, the Secretary of the Treasury (Secretary), in consultation with the Secretary of Commerce and, as appropriate, the heads of other relevant executive departments and agencies (agencies), shall issue, subject to public notice and comment, regulations that require United States persons to provide notification of information relative to certain transactions involving covered foreign persons (notifiable transactions) and that prohibit United States persons from engaging in certain other transactions involving covered foreign persons (prohibited transactions).

(b) The regulations issued under this section shall identify categories of notifiable transactions that involve covered national security technologies and products that the Secretary, in consultation with the Secretary of Commerce and, as appropriate, the heads of other relevant agencies, determines may contribute to the threat to the national security of the United States identified in this order. The regulations shall require United States persons to notify the Department of the Treasury of each such transaction and include relevant information on the transaction in each such notification.

(c) The regulations issued under this section shall identify categories of prohibited transactions that involve covered national security technologies and products that the Secretary, in consultation with the Secretary of Commerce and, as appropriate, the heads of other relevant agencies, determines pose a particularly acute national security threat because of their potential to significantly advance the military, intelligence, surveillance, or cyber-enabled capabilities of countries of concern. The regulations shall prohibit

United States persons from engaging, directly or indirectly, in such transactions.

Sec. 2. *Duties of the Secretary*. In carrying out this order, the Secretary shall, as appropriate:

(a) communicate with the Congress and the public with respect to the implementation of this order;

(b) consult with the Secretary of Commerce on industry engagement and analysis of notified transactions;

(c) consult with the Secretary of State, the Secretary of Defense, the Secretary of Commerce, the Secretary of Energy, and the Director of National Intelligence on the implications for military, intelligence, surveillance, or cyber-enabled capabilities of covered national security technologies and products and potential covered national security technologies and products;

(d) engage, together with the Secretary of State and the Secretary of Commerce, with allies and partners regarding the national security risks posed by countries of concern advancing covered national security technologies and products;

(e) consult with the Secretary of State on foreign policy considerations related to the implementation of this order, including but not limited to the issuance and amendment of regulations; and

(f) investigate, in consultation with the heads of relevant agencies, as appropriate, violations of this order or the regulations issued under this order and pursue available civil penalties for such violations.

Sec. 3. *Program Development.* Within 1 year of the effective date of the regulations issued under section 1 of this order, the Secretary, in consultation with the Secretary of Commerce and, as appropriate, the heads of other relevant agencies, shall assess whether to amend the regulations, including whether to adjust the definition of ''covered national security technologies and products'' to add or remove technologies and products in the semiconductors and microelectronics, quantum information technologies, and artificial intelligence sectors. The Secretary, in consultation with the Secretary of Commerce and, as appropriate, the heads of other relevant agencies, shall periodically review the effectiveness of the regulations thereafter.

Sec. 4. *Reports to the President.* Within 1 year of the effective date of the regulations issued under section 1 of this order and, as appropriate but no less than annually thereafter, the Secretary, in coordination with the Secretary of Commerce and in consultation with the heads of other relevant agencies and the Director of the Office of Management and Budget, as appropriate, shall provide the President, through the Assistant to the President for National Security Affairs:

(a) to the extent practicable, an assessment of the effectiveness of the measures imposed under this order in addressing threats to the national security of the United States described in this order; advancements by the countries of concern in covered national security technologies and products critical for such countries' military, intelligence, surveillance, or cyber-enabled capabilities; aggregate sector trends evident in notifiable transactions and related capital flows in covered national security technologies and products, drawing on analysis provided by the Secretary of Commerce, the

Director of National Intelligence, and the heads of other relevant agencies, as appropriate; and other relevant information obtained through the implementation of this order; and

(b) recommendations, as appropriate, regarding:

(i) modifications to this order, including the addition or removal of identified sectors or countries of concern, and any other modifications to avoid circumvention of this order and enhance its effectiveness; and

(ii) the establishment or expansion of other Federal programs relevant to the covered national security technologies and products, including with respect to whether any existing legal authorities should be used or new action should be taken to address the threat to the national security of the United States identified in this order.

Sec. 5. *Reports to the Congress.* The Secretary is authorized to submit recurring and final reports to the Congress on the national emergency declared in this order, consistent with section 401(c) of the NEA (50 U.S.C. 1641(c)) and section 204(c) of IEEPA (50 U.S.C. 1703(c)).

Sec. 6. *Official United States Government Business.* Nothing in this order or the regulations issued under this order shall prohibit transactions for the conduct of the official business of the United States Government by employees, grantees, or contractors thereof.

Sec. 7. *Confidentiality.* The regulations issued by the Secretary under this order shall address the confidentiality of information or documentary material submitted pursuant to this order, consistent with applicable law.

Sec. 8. *Additional Notifications and Prohibitions.* (a) Any conspiracy formed to violate any regulation issued under this order is prohibited.

(b) Subject to the regulations issued under this order, any action that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order or any regulation issued under this order is prohibited.

(c) In the regulations issued under this order, the Secretary may prohibit United States persons from knowingly directing transactions if such transactions would be prohibited transactions pursuant to this order if engaged in by a United States person.

(d) In the regulations issued under this order, the Secretary may require United States persons to:

(i) provide notification to the Department of the Treasury of any transaction by a foreign entity controlled by such United States person that would be a notifiable transaction if engaged in by a United States person; and

(ii) take all reasonable steps to prohibit and prevent any transaction by a foreign entity controlled by such United States person that would be a prohibited transaction if engaged in by a United States person.

Sec. 9. *Definitions.* For purposes of this order:

(a) the term ''country of concern'' means a country or territory listed in the Annex to this order that the President has identified to be engaging in a comprehensive, long-term strategy that directs, facilitates, or otherwise supports advancements in sensitive technologies and products that are critical to such country's military, intelligence, surveillance, or cyber-enabled

capabilities to counter United States capabilities in a way that threatens the national security of the United States;

(b) the term ''covered foreign person'' means a person of a country of concern who or that is engaged in activities, as identified in the regulations issued under this order, involving one or more covered national security technologies and products;

(c) the term ''covered national security technologies and products'' means sensitive technologies and products in the semiconductors and microelectronics, quantum information technologies, and artificial intelligence sectors that are critical for the military, intelligence, surveillance, or cyber-enabled capabilities of a country of concern, as determined by the Secretary in consultation with the Secretary of Commerce and, as appropriate, the heads of other relevant agencies. Where applicable, ''covered national security technologies and products'' may be limited by reference to certain end-uses of those technologies or products;

(d) the term ''entity'' means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(e) the term ''person of a country of concern'' means:

(i) any individual that is not a United States person and is a citizen or permanent resident of a country of concern;

(ii) any entity organized under the laws of a country of concern or with a principal place of business in a country of concern;

(iii) the government of each country of concern, including any political subdivision, political party, agency, or instrumentality thereof, or any person owned, controlled, or directed by, or acting for or on behalf of the government of such country of concern; or

(iv) any entity owned by a person identified in subsections (e)(i) through (e)(iii) of this section;

(f) the term ''person'' means an individual or entity;

(g) the term ''relevant agencies'' includes the Departments of State, Defense, Justice, Commerce, Energy, and Homeland Security, the Office of the United States Trade Representative, the Office of Science and Technology Policy, the Office of the Director of National Intelligence, the Office of the National Cyber Director, and any other department, agency, or office the Secretary determines appropriate; and

(h) the term ''United States person'' means any United States citizen, lawful permanent resident, entity organized under the laws of the United States or any jurisdiction within the United States, including any foreign branches of any such entity, and any person in the United States.

Sec. 10. *General Provisions*. (a) The Secretary is authorized to take such actions and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of this order, including to:

(i) promulgate rules and regulations, including elaborating upon the definitions contained in section 9 of this order for purposes of the regulations issued under this order and further prescribing definitions of other terms as necessary to implement this order;

(ii) investigate and make requests for information relative to notifiable or prohibited transactions from parties to such transactions or other relevant persons at any time, including through the use of civil administrative subpoenas as appropriate;

(iii) nullify, void, or otherwise compel the divestment of any prohibited transaction entered into after the effective date of the regulations issued under this order; and

(iv) refer potential criminal violations of this order or the regulations issued under this order to the Attorney General.

(b) Notwithstanding any other provision of this order, the Secretary is authorized to exempt from applicable prohibitions or notification requirements any transaction or transactions determined by the Secretary, in consultation with the heads of relevant agencies, as appropriate, to be in the national interest of the United States.

(c) To the extent consistent with applicable law, the Secretary may redelegate any functions authorized hereunder within the Department of the Treasury. All agencies of the United States Government shall take all appropriate measures within their authority to carry out the provisions of this order.

(d) If any provision of this order, or the application of any provision of this order to any person or circumstance, is held to be invalid, the remainder of this order and its application to any other person or circumstance shall not be affected thereby.

(e) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(f) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(g) 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
August 9, 2023.

Annex

The People's Republic of China

The Special Administrative Region of Hong Kong

The Special Administrative Region of Macau

Executive Order 14106 of August 14, 2023

United States Coast Guard Officer Personnel Management

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, and in order to delegate certain functions concerning the appointment, promotion, separation, and retirement of commissioned officers of the United States Coast Guard, it is hereby ordered as follows:

Section 1. The Secretary of Homeland Security is directed to perform, without approval, ratification, or other action by the President, the following functions vested in the President:

(a) the authority vested in the President by section 2118(a) of title 14, United States Code, to approve, modify, or disapprove the report of a selection board;

(b) the authority vested in the President by sections 2118(b) and 2122(a) of title 14, United States Code, to remove a name of an officer from a selection board report or a list of selectees;

(c) the authority vested in the President by section 2101 of title 14, United States Code, to appoint officers from the categories described in section 2101(a)(1) of title 14, United States Code, to the grades of ensign, lieutenant (junior grade), and lieutenant, and to accept the resignations of officers appointed pursuant to section 2101 of title 14, United States Code;

(d) the authority vested in the President by section 2121(e) of title 14, United States Code, to appoint officers in the grades of lieutenant (junior grade) and lieutenant;

(e) the authority vested in the President by section 2104(a) of title 14, United States Code, to make temporary appointments not above lieutenant in the Regular Coast Guard and Coast Guard Reserve;

(f) the authority vested in the President by section 2150(f) of title 14, United States Code, to approve the report of a board convened to recommend for continuation on active duty officers serving in the grade of captain;

(g) the authority vested in the President by section 571(b) of title 10, United States Code, to appoint by commission regular chief warrant officers in the Coast Guard; and

(h) the authority vested in the President by sections 12241(b) and 571(b) of title 10, United States Code, to appoint by commission reserve chief warrant officers in the Coast Guard.

Sec. 2. (a) During a time of war or national emergency, the Secretary of Homeland Security is directed to perform the authority vested in the President by section 2125 of title 14, United States Code, to suspend the operation of any law relating to the selection, promotion, or involuntary separation of officers of the Coast Guard, and to temporarily promote officers serving on active duty and chief warrant officers serving on active duty, as authorized by section 2125 of title 14, United States Code, without the approval, ratification, or other action by the President.

(b) During a time of war or national emergency, the Secretary of Homeland Security is directed to perform the authority vested in the President

by section 3733 of title 14, United States Code, to suspend the operation of subchapter II of chapter 37 of title 14, United States Code, concerning officers of the Coast Guard Reserve without the approval, ratification, or other action by the President.

(c) The authority delegated to the Secretary of Homeland Security by this section may not be exercised during the time of a national emergency declared by the President, unless the exercise of any such authority is specifically directed by the President in accordance with section 301 of the National Emergencies Act (50 U.S.C. 1631).

(d) The Secretary of Homeland Security shall ensure that actions taken pursuant to the authority delegated by this section are accounted for as required by section 401 of the National Emergencies Act (50 U.S.C. 1641).

Sec. 3. All actions heretofore taken by the President with respect to the matters affected by this order and in force at the time of issuance of this order, including any regulations prescribed or approved by the President with respect to such matters, shall, except as they may be inconsistent with the provisions of this order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order.

Sec. 4. As used in this order, the term ''functions'' embraces duties, powers, responsibilities, authority, or discretion, and the term ''perform'' may be construed to mean ''exercise.''

Sec. 5. Whenever the entire Coast Guard operates as a service in the Navy, the references to the Secretary of Homeland Security in sections 1 and 2 of this order shall be deemed to be references to the Secretary of Defense.

Sec. 6. If any provision of this order or the application of such provision is held to be invalid, the remainder of this order and other dissimilar applications of such provision shall not be affected.

Sec. 7. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

August 14, 2023.

Executive Order 14107 of September 6, 2023

Exemption of Paul H. Maurer From Mandatory Separation

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 8425(e) of title 5, United States Code, it is hereby ordered as follows:

Section 1. Consistent with section 8425(e) of title 5, United States Code, I hereby determine that the public interest requires that Paul H. Maurer, the current Special Agent in Charge of the George W. Bush Protective Detail in Dallas, Texas, shall be exempted from automatic separation under section 8425(b)(1) of title 5, United States Code. The Director of the United States Secret Service retains all applicable supervisory authority over Special Agent Maurer, including authorities vested in him pursuant to chapter 75 of title 5, United States Code.

Sec. 2. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
September 6, 2023.

Executive Order 14108 of September 20, 2023

Ensuring the People of East Palestine Are Protected Now and in the Future

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. *Purpose.* On the evening of February 3, 2023, a Norfolk Southern Railway Company (Norfolk Southern) train carrying hazardous materials derailed in the Village of East Palestine, located in Columbiana County in the State of Ohio. At least 11 rail cars contained hazardous materials, including vinyl chloride, ethylene glycol monobutyl ether, ethyl-hexyl acrylate, butyl acrylates, benzene residue, and isobutylene. Some cars caught fire, and some spilled their loads onto the ground. These substances traveled into local waterways, including Sulphur Run and Leslie Run, and flowed miles downstream. The Village's fire department and several other

fire departments responded. On the evening of February 5, 2023, responders observed a dramatic temperature increase in a derailed tanker rail car. Norfolk Southern expressed serious concern that the temperature change could lead to a catastrophic tanker rail car failure, which could cause an explosion with the potential of deadly shrapnel traveling up to 1 mile. The incident commander on the scene determined that the safest course of action was to conduct a controlled release of the chemicals.

It is critical that Norfolk Southern continue to be held fully accountable under the law for this disaster, and continue to provide resources to address the effects in East Palestine and surrounding communities.

My Administration has mobilized a robust, multi-agency effort to support the people of East Palestine, Ohio, and surrounding communities. Within hours of the Norfolk Southern train derailment, the Environmental Protection Agency (EPA) deployed a team to East Palestine to support State and local emergency and environmental response efforts. On February 21, 2023, EPA issued a Unilateral Administrative Order (UAO) for Removal Actions pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 U.S.C. 9606(a). Pursuant to the UAO, EPA is directing and supervising the cleanup to protect the health, safety, and future of the East Palestine community and other affected communities. Norfolk Southern and its contractors are performing the cleanup under the UAO. Since February 21, 2023, working closely with Federal, State, and local partners, EPA has led and continues to lead cleanup efforts, air quality monitoring, soil sampling, and water sampling to ensure the protection of human health and the environment, keep residents of East Palestine and nearby areas of Ohio and Pennsylvania updated on these and other ongoing efforts, and, importantly, hold Norfolk Southern fully accountable under CERCLA for the cleanup operation. More than 115,000 tons of contaminated soil and more than 33 million gallons of contaminated liquid have been shipped offsite for disposal. The EPA has built and manages an extensive air monitoring and sampling network that uses several different technologies and approaches to provide separate and redundant sources of data on air quality at the derailment site and throughout the area. In addition to monitoring, EPA's network continues to conduct analytical air sampling at many locations in the affected areas. Together, these efforts are designed to ensure that contamination from the site does not enter nearby communities. To date, EPA has collected more than 18,000 air samples and more than 3,000 soil samples. The EPA's State and local partners have collected more than 425 monitoring-well samples and more than 3,200 surface water samples, and have conducted 31 rounds of drinking water sampling. Available data show that no contaminants of concern have been detected at levels of concern in the air in the affected communities at sustained levels since the evacuation order was lifted. Almost no contaminants of concern have been detected at levels of concern in water in surface streams since early May of 2023. Treated municipal drinking water shows no detection of contaminants associated with the derailment. To date, sampling indicates that residential groundwater wells have not been affected by chemicals associated with the derailment.

The Department of Transportation (DOT) has been coordinating with and supporting the National Transportation Safety Board (NTSB) to investigate

the derailment. Officials from two DOT agencies, the Federal Railroad Administration (FRA) and the Pipeline and Hazardous Materials Safety Administration (PHMSA), also arrived on the scene within hours of the incident to investigate the causes of the derailment. The FRA is also assessing Norfolk Southern's compliance with rail safety regulations and scrutinizing Norfolk Southern's overall safety culture. The Federal Emergency Management Agency (FEMA) provided incident management and outreach support on the ground in East Palestine and has been closely coordinating with the Ohio Emergency Management Agency in furtherance of the multi-agency response and recovery effort. The Department of Health and Human Services (HHS), including through the Centers for Disease Control and Prevention (CDC) and the Agency for Toxic Substances and Disease Registry, have also responded, including by deploying a team to conduct public health testing and assessments in the affected areas. The team has supported Federal, State, and local officials already on the ground to evaluate individuals who were exposed or potentially exposed to chemicals and help ensure timely communications to the public.

My Administration is committed to supporting the people of East Palestine and all those affected in surrounding areas of Ohio and Pennsylvania every step of the way, and continuing to hold Norfolk Southern fully accountable under the law.

Sec. 2. *Policy*. It is a continuing priority of my Administration to hold Norfolk Southern fully accountable under the law for this disaster and any of its long-term effects and to provide additional Federal assistance that the affected States, the people of East Palestine, and all those affected in surrounding communities may need.

Sec. 3. *Federal Implementation.* (a) The Department of Homeland Security, EPA, DOT, FEMA, FRA, PHMSA, and HHS are directed to use their authorities and available resources as appropriate to advance the policy established in section 2 of this order.

(b) Within 5 days of the date of this order, pursuant to section 503(b) of the Homeland Security Act of 2002, as amended (6 U.S.C. 313(b)), the Secretary of Homeland Security, through the Administrator of FEMA, shall designate a Federal Disaster Recovery Coordinator (Coordinator) to oversee long-term recovery efforts in the affected communities and conduct a comprehensive assessment of unmet needs of the affected communities in recovering from the derailment beyond the cleanup work directed by EPA. The Coordinator shall identify, in partnership with the State and East Palestine community, any unmet needs that are not addressed by Norfolk Southern and would qualify for Federal assistance, and shall immediately notify the relevant executive department or agency. The Coordinator shall repeat this assessment should Norfolk Southern stop meeting needs that it is currently addressing.

(c) The State of Ohio's request for a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. 5121 *et seq.* (Stafford Act), shall be held in abeyance to allow the State time to submit information on needs that may arise in the future and cannot be addressed by Norfolk Southern, State, and local governments and therefore require Federal assistance under the Stafford Act. If the Administrator of FEMA receives such information from the

State, including with respect to a change in the nature of assistance provided by Norfolk Southern, the Administrator shall immediately assess and submit a recommendation on whether a major disaster declaration is warranted.

(d) The EPA shall continue to direct removal of contaminated soils and wastewater from the site. The EPA shall also ensure that any remaining contamination in surface stream sediments is addressed and that air and water monitoring continue. Within 30 days of the date of this order, EPA shall submit a report to the President on the cleanup efforts and whether Norfolk Southern continues to comply with EPA's UAO to address the imminent and substantial endangerment its derailment caused. The report shall also explain the status of air, soil, surface water, groundwater, and drinking water sampling and monitoring. The EPA shall submit an updated report to the President every 60 days thereafter until all cleanup, assessment, and monitoring work required by EPA's UAO has been completed.

(e) Within 60 days of the date of this order, HHS shall submit a report to the President that summarizes key conclusions from the public health testing and assessments that have been conducted to date and the resources HHS and the CDC have provided to address any health conditions related to the derailment.

(f) In coordination with the affected States, HHS shall continue to monitor the public health consequences of the derailment, including any long-term health issues in the affected communities. Based on that monitoring, and based on the development of any acute medical conditions related to the derailment, the Secretary of Health and Human Services shall consider whether the circumstances warrant a declaration of a public health emergency under 42 U.S.C. 247d and, if the Secretary makes such a declaration, the Secretary shall exercise all appropriate authorities made available by such a declaration. The Administrator of EPA shall also consider, in consultation with HHS, whether the circumstances constitute a public health emergency under 42 U.S.C. 9604(a).

(g) The HHS shall provide technical assistance to the States of Ohio and Pennsylvania in the event that either State considers submitting a proposal for services through the Medicaid program for individuals affected by the derailment, such as an experimental, pilot, or demonstration project under 42 U.S.C. 1315.

(h) Within 60 days of the date of this order, DOT shall submit a report to the President on the actions that DOT is taking in light of the East Palestine train derailment. This report shall be updated within 120 days of the final NTSB investigation; the updated report shall include DOT's preliminary set of follow-on actions, which could include rulemakings, inspection activities, or other actions to ensure accountability. Should the Congress provide DOT with broader authorities than now exist, such new authorities shall be identified and timelines established for action.

Sec. 4. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
September 20, 2023.

Executive Order 14109 of September 29, 2023

Continuance of Certain Federal Advisory Committees and Amendments to Other Executive Orders

By the authority vested in me as President by the Constitution and the laws of the United States of America, and consistent with chapter 10 of title 5, United States Code (commonly known as the Federal Advisory Committee Act), it is hereby ordered as follows:

Section 1. Each advisory committee listed below is continued until September 30, 2025.

(a) Committee for the Preservation of the White House; Executive Order 11145, as amended (Department of the Interior).

(b) President's Commission on White House Fellowships; Executive Order 11183, as amended (Office of Personnel Management).

(c) President's Committee on the National Medal of Science; Executive Order 11287, as amended (National Science Foundation).

(d) Federal Advisory Council on Occupational Safety and Health; Executive Order 11612, as amended (Department of Labor).

(e) President's Export Council; Executive Order 12131, as amended (Department of Commerce).

(f) President's Committee on the International Labor Organization; Executive Order 12216, as amended (Department of Labor).

(g) President's National Security Telecommunications Advisory Committee; Executive Order 12382, as amended (Department of Homeland Security).

(h) National Industrial Security Program Policy Advisory Committee; Executive Order 12829, as amended (National Archives and Records Administration).

(i) Trade and Environment Policy Advisory Committee; Executive Order 12905 (Office of the United States Trade Representative).

(j) Governmental Advisory Committee to the United States Representative to the North American Commission for Environmental Cooperation; Executive Order 12915 (Environmental Protection Agency).

(k) National Advisory Committee to the United States Representative to the North American Commission for Environmental Cooperation; Executive Order 12915 (Environmental Protection Agency).

(l) Good Neighbor Environmental Board; Executive Order 12916, as amended (Environmental Protection Agency).

(m) Presidential Advisory Council on HIV/AIDS; Executive Order 12963, as amended (Department of Health and Human Services).

(n) President's Committee for People with Intellectual Disabilities; Executive Order 12994, as amended (Department of Health and Human Services).

(o) Invasive Species Advisory Committee; Executive Order 13112, as amended (Department of the Interior).

(p) Advisory Board on Radiation and Worker Health; Executive Order 13179 (Department of Health and Human Services).

(q) National Infrastructure Advisory Council; Executive Order 13231, as amended (Department of Homeland Security).

(r) President's Council on Sports, Fitness, and Nutrition; Executive Order 13265, as amended (Department of Health and Human Services).

(s) Interagency Task Force on Veterans Small Business Development; Executive Order 13540 (Small Business Administration).

(t) State, Local, Tribal, and Private Sector (SLTPS) Policy Advisory Committee; Executive Order 13549 (National Archives and Records Administration).

(u) President's Advisory Council on Doing Business in Africa; Executive Order 13675, as amended (Department of Commerce).

(v) President's Council of Advisors on Science and Technology; Executive Order 14007, as amended (Department of Energy).

(w) White House Environmental Justice Advisory Council; Executive Order 14008 (Environmental Protection Agency).

(x) President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders; Executive Order 14031 (Department of Health and Human Services).

(y) President's Board of Advisors on Historically Black Colleges and Universities; Executive Order 14041 (Department of Education).

(z) Presidential Advisory Commission on Advancing Educational Equity, Excellence, and Economic Opportunity for Hispanics; Executive Order 14045 (Department of Education).

(aa) Presidential Advisory Commission on Advancing Educational Equity, Excellence, and Economic Opportunity for Black Americans; Executive Order 14050 (Department of Education).

(bb) President's Committee on the Arts and the Humanities; Executive Order 14084 (Institute of Museum and Library Services).

(cc) President's Advisory Council on African Diaspora Engagement in the United States; Executive Order 14089 (Department of State).

(dd) Commerce Spectrum Management Advisory Committee; initially established pursuant to Presidential Memorandum on Improving Spectrum Management for the 21st Century (November 29, 2004) (Department of Commerce).

(ee) Grand Staircase-Escalante National Monument Advisory Committee; Proclamation 6920 of September 18, 1996, as amended (Department of the Interior).

(ff) San Juan Islands National Monument Advisory Committee; Proclamation 8947 of March 25, 2013 (Department of the Interior).

(gg) Bears Ears National Monument Advisory Committee; Proclamation 9558 of December 28, 2016, as amended (Department of the Interior).

(hh) Gold Butte National Monument Advisory Committee; Proclamation 9559 of December 28, 2016 (Department of the Interior).

(ii) Avi Kwa Ame National Monument Advisory Committee; Proclamation 10533 of March 21, 2023 (Department of the Interior).

(jj) Baaj Nwaavjo I'tah Kukveni-Ancestral Footprints of the Grand Canyon National Monument Advisory Committee; Proclamation 10606 of August 8, 2023 (Department of the Interior).

(kk) National Space-Based Positioning, Navigation, and Timing Advisory Board; Space Policy Directive 7, ''The United States Space-Based Positioning, Navigation, and Timing Policy'' (January 15, 2021) (National Aeronautics and Space Administration).

Sec. 2. Notwithstanding the provisions of any other Executive Order, the functions of the President under chapter 10 of title 5, United States Code, that are applicable to the committees listed in section 1 of this order shall be performed by the head of the department or agency designated after each committee, in accordance with the regulations, guidelines, and procedures established by the Administrator of General Services.

Sec. 3. Sections 1 and 2 of Executive Order 14048 of September 30, 2021, are hereby superseded by sections 1 and 2 of this order.

Sec. 4. Executive Order 14031 of May 28, 2021, is amended as follows:

(a) in section 2(b), by striking ''and'' at the conclusion of subsection (vi), by striking the period at the conclusion of subsection (vii) and replacing it with ''; and'', and by inserting the following new subsection after subsection (vii):

''(viii) ways to expand national awareness of and share information about efforts to advance equity, justice, and opportunity for AA and NHPI communities.'';

(b) in section 2, by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and inserting the following new subsection after subsection (c):

''(d) The members of the Commission shall function as liaisons and spokespersons on behalf of the Commission to relevant State, local, and private entities, and shall share information about the work of the Commission in order to advise the President regarding the development, monitoring, and coordination of executive branch efforts to advance equity, justice, and opportunity for AA and NHPI communities in the United States,

including efforts to close gaps in health, socioeconomic, employment, and educational outcomes.''; and

(c) in section 3, by striking subsection (f) and inserting, in lieu thereof, the following:

''(f) The Initiative shall coordinate with and support the existing regional network of Federal officials who facilitate improved communication, engagement, and coordination between the Federal Government and AA and NHPI communities throughout the United States (Regional Network). Agencies identified as participants in the Initiative shall designate regional agency employees to serve as representatives to the Regional Network and shall seek opportunities, consistent with applicable law and available resources, to provide support and resources to the Regional Network. The Executive Director shall coordinate the efforts of the Regional Network and may establish regular reporting and information-sharing activities between the Regional Network and the Initiative.''.

Sec. 5. Executive Order 14084 of September 30, 2022, is amended as follows:

(a) in section 2(b)(i), by striking ''25'' and inserting in lieu thereof ''30''; and

(b) in section 2, by redesignating subsections (f), (g), (h), and (i) as subsections (g), (h), (i), and (j), respectively, and by inserting after subsection (e) the following new subsection:

''(f) The Executive Director and the members of the Committee may function as liaisons and spokespersons on behalf of the Committee to relevant State, local, and private entities to share information about the work of the Committee in order to advise the President on the implementation of national engagement with Americans necessary to advance the arts, the humanities, and museum and library services.''.

Sec. 6. This order shall be effective September 30, 2023.

Sec. 7. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

September 29, 2023.

Executive Order 14110 of October 30, 2023

Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence

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. *Purpose.* Artificial intelligence (AI) holds extraordinary potential for both promise and peril. Responsible AI use has the potential to help solve urgent challenges while making our world more prosperous, productive, innovative, and secure. At the same time, irresponsible use could exacerbate societal harms such as fraud, discrimination, bias, and disinformation; displace and disempower workers; stifle competition; and pose risks to national security. Harnessing AI for good and realizing its myriad benefits requires mitigating its substantial risks. This endeavor demands a society-wide effort that includes government, the private sector, academia, and civil society.

My Administration places the highest urgency on governing the development and use of AI safely and responsibly, and is therefore advancing a coordinated, Federal Government-wide approach to doing so. The rapid speed at which AI capabilities are advancing compels the United States to lead in this moment for the sake of our security, economy, and society.

In the end, AI reflects the principles of the people who build it, the people who use it, and the data upon which it is built. I firmly believe that the power of our ideals; the foundations of our society; and the creativity, diversity, and decency of our people are the reasons that America thrived in past eras of rapid change. They are the reasons we will succeed again in this moment. We are more than capable of harnessing AI for justice, security, and opportunity for all.

Sec. 2. *Policy and Principles.* It is the policy of my Administration to advance and govern the development and use of AI in accordance with eight guiding principles and priorities. When undertaking the actions set forth in this order, executive departments and agencies (agencies) shall, as appropriate and consistent with applicable law, adhere to these principles, while, as feasible, taking into account the views of other agencies, industry, members of academia, civil society, labor unions, international allies and partners, and other relevant organizations:

(a) Artificial Intelligence must be safe and secure. Meeting this goal requires robust, reliable, repeatable, and standardized evaluations of AI systems, as well as policies, institutions, and, as appropriate, other mechanisms to test, understand, and mitigate risks from these systems before they are put to use. It also requires addressing AI systems' most pressing security risks—including with respect to biotechnology, cybersecurity, critical infrastructure, and other national security dangers—while navigating AI's opacity and complexity. Testing and evaluations, including post-deployment performance monitoring, will help ensure that AI systems function as intended, are resilient against misuse or dangerous modifications, are ethically developed and operated in a secure manner, and are compliant with applicable Federal laws and policies. Finally, my Administration will help develop effective labeling and content provenance mechanisms, so that Americans are able to determine when content is generated using AI and

when it is not. These actions will provide a vital foundation for an approach that addresses AI's risks without unduly reducing its benefits.

(b) Promoting responsible innovation, competition, and collaboration will allow the United States to lead in AI and unlock the technology's potential to solve some of society's most difficult challenges. This effort requires investments in AI-related education, training, development, research, and capacity, while simultaneously tackling novel intellectual property (IP) questions and other problems to protect inventors and creators. Across the Federal Government, my Administration will support programs to provide Americans the skills they need for the age of AI and attract the world's AI talent to our shores—not just to study, but to stay—so that the companies and technologies of the future are made in America. The Federal Government will promote a fair, open, and competitive ecosystem and marketplace for AI and related technologies so that small developers and entrepreneurs can continue to drive innovation. Doing so requires stopping unlawful collusion and addressing risks from dominant firms' use of key assets such as semiconductors, computing power, cloud storage, and data to disadvantage competitors, and it requires supporting a marketplace that harnesses the benefits of AI to provide new opportunities for small businesses, workers, and entrepreneurs.

(c) The responsible development and use of AI require a commitment to supporting American workers. As AI creates new jobs and industries, all workers need a seat at the table, including through collective bargaining, to ensure that they benefit from these opportunities. My Administration will seek to adapt job training and education to support a diverse workforce and help provide access to opportunities that AI creates. In the workplace itself, AI should not be deployed in ways that undermine rights, worsen job quality, encourage undue worker surveillance, lessen market competition, introduce new health and safety risks, or cause harmful labor-force disruptions. The critical next steps in AI development should be built on the views of workers, labor unions, educators, and employers to support responsible uses of AI that improve workers' lives, positively augment human work, and help all people safely enjoy the gains and opportunities from technological innovation.

(d) Artificial Intelligence policies must be consistent with my Administration's dedication to advancing equity and civil rights. My Administration cannot—and will not—tolerate the use of AI to disadvantage those who are already too often denied equal opportunity and justice. From hiring to housing to healthcare, we have seen what happens when AI use deepens discrimination and bias, rather than improving quality of life. Artificial Intelligence systems deployed irresponsibly have reproduced and intensified existing inequities, caused new types of harmful discrimination, and exacerbated online and physical harms. My Administration will build on the important steps that have already been taken—such as issuing the Blueprint for an AI Bill of Rights, the AI Risk Management Framework, and Executive Order 14091 of February 16, 2023 (Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government)—in seeking to ensure that AI complies with all Federal laws and to promote robust technical evaluations, careful oversight, engagement with affected communities, and rigorous regulation. It is necessary to hold those developing and deploying AI accountable to standards that protect against unlawful discrimination and abuse, including in the justice system and the

Federal Government. Only then can Americans trust AI to advance civil rights, civil liberties, equity, and justice for all.

(e) The interests of Americans who increasingly use, interact with, or purchase AI and AI-enabled products in their daily lives must be protected. Use of new technologies, such as AI, does not excuse organizations from their legal obligations, and hard-won consumer protections are more important than ever in moments of technological change. The Federal Government will enforce existing consumer protection laws and principles and enact appropriate safeguards against fraud, unintended bias, discrimination, infringements on privacy, and other harms from AI. Such protections are especially important in critical fields like healthcare, financial services, education, housing, law, and transportation, where mistakes by or misuse of AI could harm patients, cost consumers or small businesses, or jeopardize safety or rights. At the same time, my Administration will promote responsible uses of AI that protect consumers, raise the quality of goods and services, lower their prices, or expand selection and availability.

(f) Americans' privacy and civil liberties must be protected as AI continues advancing. Artificial Intelligence is making it easier to extract, reidentify, link, infer, and act on sensitive information about people's identities, locations, habits, and desires. Artificial Intelligence's capabilities in these areas can increase the risk that personal data could be exploited and exposed. To combat this risk, the Federal Government will ensure that the collection, use, and retention of data is lawful, is secure, and mitigates privacy and confidentiality risks. Agencies shall use available policy and technical tools, including privacy-enhancing technologies (PETs) where appropriate, to protect privacy and to combat the broader legal and societal risks—including the chilling of First Amendment rights—that result from the improper collection and use of people's data.

(g) It is important to manage the risks from the Federal Government's own use of AI and increase its internal capacity to regulate, govern, and support responsible use of AI to deliver better results for Americans. These efforts start with people, our Nation's greatest asset. My Administration will take steps to attract, retain, and develop public service-oriented AI professionals, including from underserved communities, across disciplines—including technology, policy, managerial, procurement, regulatory, ethical, governance, and legal fields—and ease AI professionals' path into the Federal Government to help harness and govern AI. The Federal Government will work to ensure that all members of its workforce receive adequate training to understand the benefits, risks, and limitations of AI for their job functions, and to modernize Federal Government information technology infrastructure, remove bureaucratic obstacles, and ensure that safe and rights-respecting AI is adopted, deployed, and used.

(h) The Federal Government should lead the way to global societal, economic, and technological progress, as the United States has in previous eras of disruptive innovation and change. This leadership is not measured solely by the technological advancements our country makes. Effective leadership also means pioneering those systems and safeguards needed to deploy technology responsibly—and building and promoting those safeguards with the rest of the world. My Administration will engage with international allies and partners in developing a framework to manage AI's risks, unlock AI's potential for good, and promote common approaches to

shared challenges. The Federal Government will seek to promote responsible AI safety and security principles and actions with other nations, including our competitors, while leading key global conversations and collaborations to ensure that AI benefits the whole world, rather than exacerbating inequities, threatening human rights, and causing other harms.

Sec. 3. *Definitions.* For purposes of this order:

(a) The term ''agency'' means each agency described in 44 U.S.C. 3502(1), except for the independent regulatory agencies described in 44 U.S.C. 3502(5).

(b) The term ''artificial intelligence'' or ''AI'' has the meaning set forth in 15 U.S.C. 9401(3): a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments. Artificial intelligence systems use machine- and human-based inputs to perceive real and virtual environments; abstract such perceptions into models through analysis in an automated manner; and use model inference to formulate options for information or action.

(c) The term ''AI model'' means a component of an information system that implements AI technology and uses computational, statistical, or machine-learning techniques to produce outputs from a given set of inputs.

(d) The term ''AI red-teaming'' means a structured testing effort to find flaws and vulnerabilities in an AI system, often in a controlled environment and in collaboration with developers of AI. Artificial Intelligence red-teaming is most often performed by dedicated ''red teams'' that adopt adversarial methods to identify flaws and vulnerabilities, such as harmful or discriminatory outputs from an AI system, unforeseen or undesirable system behaviors, limitations, or potential risks associated with the misuse of the system.

(e) The term ''AI system'' means any data system, software, hardware, application, tool, or utility that operates in whole or in part using AI.

(f) The term ''commercially available information'' means any information or data about an individual or group of individuals, including an individual's or group of individuals' device or location, that is made available or obtainable and sold, leased, or licensed to the general public or to governmental or non-governmental entities.

(g) The term ''crime forecasting'' means the use of analytical techniques to attempt to predict future crimes or crime-related information. It can include machine-generated predictions that use algorithms to analyze large volumes of data, as well as other forecasts that are generated without machines and based on statistics, such as historical crime statistics.

(h) The term ''critical and emerging technologies'' means those technologies listed in the February 2022 Critical and Emerging Technologies List Update issued by the National Science and Technology Council (NSTC), as amended by subsequent updates to the list issued by the NSTC.

(i) The term ''critical infrastructure'' has the meaning set forth in section 1016(e) of the USA PATRIOT Act of 2001, 42 U.S.C. 5195c(e).

(j) The term ''differential-privacy guarantee'' means protections that allow information about a group to be shared while provably limiting the

improper access, use, or disclosure of personal information about particular entities.

(k) The term ''dual-use foundation model'' means an AI model that is trained on broad data; generally uses self-supervision; contains at least tens of billions of parameters; is applicable across a wide range of contexts; and that exhibits, or could be easily modified to exhibit, high levels of performance at tasks that pose a serious risk to security, national economic security, national public health or safety, or any combination of those matters, such as by:

(i) substantially lowering the barrier of entry for non-experts to design, synthesize, acquire, or use chemical, biological, radiological, or nuclear (CBRN) weapons;

(ii) enabling powerful offensive cyber operations through automated vulnerability discovery and exploitation against a wide range of potential targets of cyber attacks; or

(iii) permitting the evasion of human control or oversight through means of deception or obfuscation.

Models meet this definition even if they are provided to end users with technical safeguards that attempt to prevent users from taking advantage of the relevant unsafe capabilities.

(l) The term ''Federal law enforcement agency'' has the meaning set forth in section 21(a) of Executive Order 14074 of May 25, 2022 (Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety).

(m) The term ''floating-point operation'' means any mathematical operation or assignment involving floating-point numbers, which are a subset of the real numbers typically represented on computers by an integer of fixed precision scaled by an integer exponent of a fixed base.

(n) The term ''foreign person'' has the meaning set forth in section 5(c) of Executive Order 13984 of January 19, 2021 (Taking Additional Steps To Address the National Emergency With Respect to Significant Malicious Cyber-Enabled Activities).

(o) The terms ''foreign reseller'' and ''foreign reseller of United States Infrastructure as a Service Products'' mean a foreign person who has established an Infrastructure as a Service Account to provide Infrastructure as a Service Products subsequently, in whole or in part, to a third party.

(p) The term ''generative AI'' means the class of AI models that emulate the structure and characteristics of input data in order to generate derived synthetic content. This can include images, videos, audio, text, and other digital content.

(q) The terms ''Infrastructure as a Service Product,'' ''United States Infrastructure as a Service Product,'' ''United States Infrastructure as a Service Provider,'' and ''Infrastructure as a Service Account'' each have the respective meanings given to those terms in section 5 of Executive Order 13984.

(r) The term ''integer operation'' means any mathematical operation or assignment involving only integers, or whole numbers expressed without a decimal point.

(s) The term ''Intelligence Community'' has the meaning given to that term in section 3.5(h) of Executive Order 12333 of December 4, 1981 (United States Intelligence Activities), as amended.

(t) The term ''machine learning'' means a set of techniques that can be used to train AI algorithms to improve performance at a task based on data.

(u) The term ''model weight'' means a numerical parameter within an AI model that helps determine the model's outputs in response to inputs.

(v) The term ''national security system'' has the meaning set forth in 44 U.S.C. 3552(b)(6).

(w) The term ''omics'' means biomolecules, including nucleic acids, proteins, and metabolites, that make up a cell or cellular system.

(x) The term ''Open RAN'' means the Open Radio Access Network approach to telecommunications-network standardization adopted by the O–RAN Alliance, Third Generation Partnership Project, or any similar set of published open standards for multi-vendor network equipment interoperability.

(y) The term ''personally identifiable information'' has the meaning set forth in Office of Management and Budget (OMB) Circular No. A–130.

(z) The term ''privacy-enhancing technology'' means any software or hardware solution, technical process, technique, or other technological means of mitigating privacy risks arising from data processing, including by enhancing predictability, manageability, disassociability, storage, security, and confidentiality. These technological means may include secure multiparty computation, homomorphic encryption, zero-knowledge proofs, federated learning, secure enclaves, differential privacy, and synthetic-data-generation tools. This is also sometimes referred to as ''privacy-preserving technology.''

(aa) The term ''privacy impact assessment'' has the meaning set forth in OMB Circular No. A–130.

(bb) The term ''Sector Risk Management Agency'' has the meaning set forth in 6 U.S.C. 650(23).

(cc) The term ''self-healing network'' means a telecommunications network that automatically diagnoses and addresses network issues to permit self-restoration.

(dd) The term ''synthetic biology'' means a field of science that involves redesigning organisms, or the biomolecules of organisms, at the genetic level to give them new characteristics. Synthetic nucleic acids are a type of biomolecule redesigned through synthetic-biology methods.

(ee) The term ''synthetic content'' means information, such as images, videos, audio clips, and text, that has been significantly modified or generated by algorithms, including by AI.

(ff) The term ''testbed'' means a facility or mechanism equipped for conducting rigorous, transparent, and replicable testing of tools and technologies, including AI and PETs, to help evaluate the functionality, usability, and performance of those tools or technologies.

(gg) The term ''watermarking'' means the act of embedding information, which is typically difficult to remove, into outputs created by AI—including into outputs such as photos, videos, audio clips, or text—for the purposes of verifying the authenticity of the output or the identity or characteristics of its provenance, modifications, or conveyance.

Sec. 4. *Ensuring the Safety and Security of AI Technology.*

4.1. Developing Guidelines, Standards, and Best Practices for AI Safety and Security. (a) Within 270 days of the date of this order, to help ensure the development of safe, secure, and trustworthy AI systems, the Secretary of Commerce, acting through the Director of the National Institute of Standards and Technology (NIST), in coordination with the Secretary of Energy, the Secretary of Homeland Security, and the heads of other relevant agencies as the Secretary of Commerce may deem appropriate, shall:

(i) Establish guidelines and best practices, with the aim of promoting consensus industry standards, for developing and deploying safe, secure, and trustworthy AI systems, including:

(A) developing a companion resource to the AI Risk Management Framework, NIST AI 100–1, for generative AI;

(B) developing a companion resource to the Secure Software Development Framework to incorporate secure development practices for generative AI and for dual-use foundation models; and

(C) launching an initiative to create guidance and benchmarks for evaluating and auditing AI capabilities, with a focus on capabilities through which AI could cause harm, such as in the areas of cybersecurity and biosecurity.

(ii) Establish appropriate guidelines (except for AI used as a component of a national security system), including appropriate procedures and processes, to enable developers of AI, especially of dual-use foundation models, to conduct AI red-teaming tests to enable deployment of safe, secure, and trustworthy systems. These efforts shall include:

(A) coordinating or developing guidelines related to assessing and managing the safety, security, and trustworthiness of dual-use foundation models; and

(B) in coordination with the Secretary of Energy and the Director of the National Science Foundation (NSF), developing and helping to ensure the availability of testing environments, such as testbeds, to support the development of safe, secure, and trustworthy AI technologies, as well as to support the design, development, and deployment of associated PETs, consistent with section 9(b) of this order.

(b) Within 270 days of the date of this order, to understand and mitigate AI security risks, the Secretary of Energy, in coordination with the heads of other Sector Risk Management Agencies (SRMAs) as the Secretary of Energy may deem appropriate, shall develop and, to the extent permitted by law and available appropriations, implement a plan for developing the Department of Energy's AI model evaluation tools and AI testbeds. The Secretary shall undertake this work using existing solutions where possible, and shall develop these tools and AI testbeds to be capable of assessing near-term extrapolations of AI systems' capabilities. At a minimum, the Secretary shall develop tools to evaluate AI capabilities to generate outputs

that may represent nuclear, nonproliferation, biological, chemical, critical infrastructure, and energy-security threats or hazards. The Secretary shall do this work solely for the purposes of guarding against these threats, and shall also develop model guardrails that reduce such risks. The Secretary shall, as appropriate, consult with private AI laboratories, academia, civil society, and third-party evaluators, and shall use existing solutions.

4.2. Ensuring Safe and Reliable AI. (a) Within 90 days of the date of this order, to ensure and verify the continuous availability of safe, reliable, and effective AI in accordance with the Defense Production Act, as amended, 50 U.S.C. 4501 *et seq.,* including for the national defense and the protection of critical infrastructure, the Secretary of Commerce shall require:

(i) Companies developing or demonstrating an intent to develop potential dual-use foundation models to provide the Federal Government, on an ongoing basis, with information, reports, or records regarding the following:

(A) any ongoing or planned activities related to training, developing, or producing dual-use foundation models, including the physical and cybersecurity protections taken to assure the integrity of that training process against sophisticated threats;

(B) the ownership and possession of the model weights of any dual-use foundation models, and the physical and cybersecurity measures taken to protect those model weights; and

(C) the results of any developed dual-use foundation model's performance in relevant AI red-team testing based on guidance developed by NIST pursuant to subsection 4.1(a)(ii) of this section, and a description of any associated measures the company has taken to meet safety objectives, such as mitigations to improve performance on these red-team tests and strengthen overall model security. Prior to the development of guidance on red-team testing standards by NIST pursuant to subsection 4.1(a)(ii) of this section, this description shall include the results of any red-team testing that the company has conducted relating to lowering the barrier to entry for the development, acquisition, and use of biological weapons by non-state actors; the discovery of software vulnerabilities and development of associated exploits; the use of software or tools to influence real or virtual events; the possibility for self-replication or propagation; and associated measures to meet safety objectives; and

(ii) Companies, individuals, or other organizations or entities that acquire, develop, or possess a potential large-scale computing cluster to report any such acquisition, development, or possession, including the existence and location of these clusters and the amount of total computing power available in each cluster.

(b) The Secretary of Commerce, in consultation with the Secretary of State, the Secretary of Defense, the Secretary of Energy, and the Director of National Intelligence, shall define, and thereafter update as needed on a regular basis, the set of technical conditions for models and computing clusters that would be subject to the reporting requirements of subsection 4.2(a) of this section. Until such technical conditions are defined, the Secretary shall require compliance with these reporting requirements for:

(i) any model that was trained using a quantity of computing power greater than 10^{26} integer or floating-point operations, or using primarily

biological sequence data and using a quantity of computing power greater than 10^{23} integer or floating-point operations; and

(ii) any computing cluster that has a set of machines physically co-located in a single datacenter, transitively connected by data center networking of over 100 Gbit/s, and having a theoretical maximum computing capacity of 10^{20} integer or floating-point operations per second for training AI.

(c) Because I find that additional steps must be taken to deal with the national emergency related to significant malicious cyber-enabled activities declared in Executive Order 13694 of April 1, 2015 (Blocking the Property of Certain Persons Engaging in Significant Malicious Cyber-Enabled Activities), as amended by Executive Order 13757 of December 28, 2016 (Taking Additional Steps to Address the National Emergency With Respect to Significant Malicious Cyber-Enabled Activities), and further amended by Executive Order 13984, to address the use of United States Infrastructure as a Service (IaaS) Products by foreign malicious cyber actors, including to impose additional record-keeping obligations with respect to foreign transactions and to assist in the investigation of transactions involving foreign malicious cyber actors, I hereby direct the Secretary of Commerce, within 90 days of the date of this order, to:

(i) Propose regulations that require United States IaaS Providers to submit a report to the Secretary of Commerce when a foreign person transacts with that United States IaaS Provider to train a large AI model with potential capabilities that could be used in malicious cyber-enabled activity (a ''training run''). Such reports shall include, at a minimum, the identity of the foreign person and the existence of any training run of an AI model meeting the criteria set forth in this section, or other criteria defined by the Secretary in regulations, as well as any additional information identified by the Secretary.

(ii) Include a requirement in the regulations proposed pursuant to subsection 4.2(c)(i) of this section that United States IaaS Providers prohibit any foreign reseller of their United States IaaS Product from providing those products unless such foreign reseller submits to the United States IaaS Provider a report, which the United States IaaS Provider must provide to the Secretary of Commerce, detailing each instance in which a foreign person transacts with the foreign reseller to use the United States IaaS Product to conduct a training run described in subsection 4.2(c)(i) of this section. Such reports shall include, at a minimum, the information specified in subsection 4.2(c)(i) of this section as well as any additional information identified by the Secretary.

(iii) Determine the set of technical conditions for a large AI model to have potential capabilities that could be used in malicious cyber-enabled activity, and revise that determination as necessary and appropriate. Until the Secretary makes such a determination, a model shall be considered to have potential capabilities that could be used in malicious cyber-enabled activity if it requires a quantity of computing power greater than 10^{26} integer or floating-point operations and is trained on a computing cluster that has a set of machines physically co-located in a single datacenter, transitively connected by data center networking of over 100 Gbit/s, and having a theoretical maximum compute capacity of 10^{20} integer or floating-point operations per second for training AI.

(d) Within 180 days of the date of this order, pursuant to the finding set forth in subsection 4.2(c) of this section, the Secretary of Commerce shall propose regulations that require United States IaaS Providers to ensure that foreign resellers of United States IaaS Products verify the identity of any foreign person that obtains an IaaS account (account) from the foreign reseller. These regulations shall, at a minimum:

(i) Set forth the minimum standards that a United States IaaS Provider must require of foreign resellers of its United States IaaS Products to verify the identity of a foreign person who opens an account or maintains an existing account with a foreign reseller, including:

(A) the types of documentation and procedures that foreign resellers of United States IaaS Products must require to verify the identity of any foreign person acting as a lessee or sub-lessee of these products or services;

(B) records that foreign resellers of United States IaaS Products must securely maintain regarding a foreign person that obtains an account, including information establishing:

(1) the identity of such foreign person, including name and address;

(2) the means and source of payment (including any associated financial institution and other identifiers such as credit card number, account number, customer identifier, transaction identifiers, or virtual currency wallet or wallet address identifier);

(3) the electronic mail address and telephonic contact information used to verify a foreign person's identity; and

(4) the internet Protocol addresses used for access or administration and the date and time of each such access or administrative action related to ongoing verification of such foreign person's ownership of such an account; and

(C) methods that foreign resellers of United States IaaS Products must implement to limit all third-party access to the information described in this subsection, except insofar as such access is otherwise consistent with this order and allowed under applicable law;

(ii) Take into consideration the types of accounts maintained by foreign resellers of United States IaaS Products, methods of opening an account, and types of identifying information available to accomplish the objectives of identifying foreign malicious cyber actors using any such products and avoiding the imposition of an undue burden on such resellers; and

(iii) Provide that the Secretary of Commerce, in accordance with such standards and procedures as the Secretary may delineate and in consultation with the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, and the Director of National Intelligence, may exempt a United States IaaS Provider with respect to any specific foreign reseller of their United States IaaS Products, or with respect to any specific type of account or lessee, from the requirements of any regulation issued pursuant to this subsection. Such standards and procedures may include a finding by the Secretary that such foreign reseller, account, or lessee complies with security best practices to otherwise deter abuse of United States IaaS Products.

(e) The Secretary of Commerce is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by the International Emergency Economic Powers Act, 50 U.S.C. 1701 *et seq.,* as may be necessary to carry out the purposes of subsections 4.2(c) and (d) of this section. Such actions may include a requirement that United States IaaS Providers require foreign resellers of United States IaaS Products to provide United States IaaS Providers verifications relative to those subsections.

4.3. Managing AI in Critical Infrastructure and in Cybersecurity. (a) To ensure the protection of critical infrastructure, the following actions shall be taken:

(i) Within 90 days of the date of this order, and at least annually thereafter, the head of each agency with relevant regulatory authority over critical infrastructure and the heads of relevant SRMAs, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency within the Department of Homeland Security for consideration of cross-sector risks, shall evaluate and provide to the Secretary of Homeland Security an assessment of potential risks related to the use of AI in critical infrastructure sectors involved, including ways in which deploying AI may make critical infrastructure systems more vulnerable to critical failures, physical attacks, and cyber attacks, and shall consider ways to mitigate these vulnerabilities. Independent regulatory agencies are encouraged, as they deem appropriate, to contribute to sector-specific risk assessments.

(ii) Within 150 days of the date of this order, the Secretary of the Treasury shall issue a public report on best practices for financial institutions to manage AI-specific cybersecurity risks.

(iii) Within 180 days of the date of this order, the Secretary of Homeland Security, in coordination with the Secretary of Commerce and with SRMAs and other regulators as determined by the Secretary of Homeland Security, shall incorporate as appropriate the AI Risk Management Framework, NIST AI 100–1, as well as other appropriate security guidance, into relevant safety and security guidelines for use by critical infrastructure owners and operators.

(iv) Within 240 days of the completion of the guidelines described in subsection 4.3(a)(iii) of this section, the Assistant to the President for National Security Affairs and the Director of OMB, in consultation with the Secretary of Homeland Security, shall coordinate work by the heads of agencies with authority over critical infrastructure to develop and take steps for the Federal Government to mandate such guidelines, or appropriate portions thereof, through regulatory or other appropriate action. Independent regulatory agencies are encouraged, as they deem appropriate, to consider whether to mandate guidance through regulatory action in their areas of authority and responsibility.

(v) The Secretary of Homeland Security shall establish an Artificial Intelligence Safety and Security Board as an advisory committee pursuant to section 871 of the Homeland Security Act of 2002 (Public Law 107–296).

The Advisory Committee shall include AI experts from the private sector, academia, and government, as appropriate, and provide to the Secretary of Homeland Security and the Federal Government's critical infrastructure community advice, information, or recommendations for improving security, resilience, and incident response related to AI usage in critical infrastructure.

(b) To capitalize on AI's potential to improve United States cyber defenses:

(i) The Secretary of Defense shall carry out the actions described in subsections 4.3(b)(ii) and (iii) of this section for national security systems, and the Secretary of Homeland Security shall carry out these actions for non-national security systems. Each shall do so in consultation with the heads of other relevant agencies as the Secretary of Defense and the Secretary of Homeland Security may deem appropriate.

(ii) As set forth in subsection 4.3(b)(i) of this section, within 180 days of the date of this order, the Secretary of Defense and the Secretary of Homeland Security shall, consistent with applicable law, each develop plans for, conduct, and complete an operational pilot project to identify, develop, test, evaluate, and deploy AI capabilities, such as large-language models, to aid in the discovery and remediation of vulnerabilities in critical United States Government software, systems, and networks.

(iii) As set forth in subsection 4.3(b)(i) of this section, within 270 days of the date of this order, the Secretary of Defense and the Secretary of Homeland Security shall each provide a report to the Assistant to the President for National Security Affairs on the results of actions taken pursuant to the plans and operational pilot projects required by subsection 4.3(b)(ii) of this section, including a description of any vulnerabilities found and fixed through the development and deployment of AI capabilities and any lessons learned on how to identify, develop, test, evaluate, and deploy AI capabilities effectively for cyber defense.

4.4. Reducing Risks at the Intersection of AI and CBRN Threats. (a) To better understand and mitigate the risk of AI being misused to assist in the development or use of CBRN threats—with a particular focus on biological weapons—the following actions shall be taken:

(i) Within 180 days of the date of this order, the Secretary of Homeland Security, in consultation with the Secretary of Energy and the Director of the Office of Science and Technology Policy (OSTP), shall evaluate the potential for AI to be misused to enable the development or production of CBRN threats, while also considering the benefits and application of AI to counter these threats, including, as appropriate, the results of work conducted under section 8(b) of this order. The Secretary of Homeland Security shall:

(A) consult with experts in AI and CBRN issues from the Department of Energy, private AI laboratories, academia, and third-party model evaluators, as appropriate, to evaluate AI model capabilities to present CBRN threats—for the sole purpose of guarding against those threats—as well as options for minimizing the risks of AI model misuse to generate or exacerbate those threats; and

(B) submit a report to the President that describes the progress of these efforts, including an assessment of the types of AI models that may present CBRN risks to the United States, and that makes recommendations for regulating or overseeing the training, deployment, publication, or use of these models, including requirements for safety evaluations and guardrails for mitigating potential threats to national security.

(ii) Within 120 days of the date of this order, the Secretary of Defense, in consultation with the Assistant to the President for National Security Affairs and the Director of OSTP, shall enter into a contract with the National Academies of Sciences, Engineering, and Medicine to conduct—and submit to the Secretary of Defense, the Assistant to the President for National Security Affairs, the Director of the Office of Pandemic Preparedness and Response Policy, the Director of OSTP, and the Chair of the Chief Data Officer Council—a study that:

(A) assesses the ways in which AI can increase biosecurity risks, including risks from generative AI models trained on biological data, and makes recommendations on how to mitigate these risks;

(B) considers the national security implications of the use of data and datasets, especially those associated with pathogens and omics studies, that the United States Government hosts, generates, funds the creation of, or otherwise owns, for the training of generative AI models, and makes recommendations on how to mitigate the risks related to the use of these data and datasets;

(C) assesses the ways in which AI applied to biology can be used to reduce biosecurity risks, including recommendations on opportunities to coordinate data and high-performance computing resources; and

(D) considers additional concerns and opportunities at the intersection of AI and synthetic biology that the Secretary of Defense deems appropriate.

(b) To reduce the risk of misuse of synthetic nucleic acids, which could be substantially increased by AI's capabilities in this area, and improve biosecurity measures for the nucleic acid synthesis industry, the following actions shall be taken:

(i) Within 180 days of the date of this order, the Director of OSTP, in consultation with the Secretary of State, the Secretary of Defense, the Attorney General, the Secretary of Commerce, the Secretary of Health and Human Services (HHS), the Secretary of Energy, the Secretary of Homeland Security, the Director of National Intelligence, and the heads of other relevant agencies as the Director of OSTP may deem appropriate, shall establish a framework, incorporating, as appropriate, existing United States Government guidance, to encourage providers of synthetic nucleic acid sequences to implement comprehensive, scalable, and verifiable synthetic nucleic acid procurement screening mechanisms, including standards and recommended incentives. As part of this framework, the Director of OSTP shall:

(A) establish criteria and mechanisms for ongoing identification of biological sequences that could be used in a manner that would pose a risk to the national security of the United States; and

(B) determine standardized methodologies and tools for conducting and verifying the performance of sequence synthesis procurement

screening, including customer screening approaches to support due diligence with respect to managing security risks posed by purchasers of biological sequences identified in subsection 4.4(b)(i)(A) of this section, and processes for the reporting of concerning activity to enforcement entities.

(ii) Within 180 days of the date of this order, the Secretary of Commerce, acting through the Director of NIST, in coordination with the Director of OSTP, and in consultation with the Secretary of State, the Secretary of HHS, and the heads of other relevant agencies as the Secretary of Commerce may deem appropriate, shall initiate an effort to engage with industry and relevant stakeholders, informed by the framework developed under subsection 4.4(b)(i) of this section, to develop and refine for possible use by synthetic nucleic acid sequence providers:

(A) specifications for effective nucleic acid synthesis procurement screening;

(B) best practices, including security and access controls, for managing sequence-of-concern databases to support such screening;

(C) technical implementation guides for effective screening; and

(D) conformity-assessment best practices and mechanisms.

(iii) Within 180 days of the establishment of the framework pursuant to subsection 4.4(b)(i) of this section, all agencies that fund life-sciences research shall, as appropriate and consistent with applicable law, establish that, as a requirement of funding, synthetic nucleic acid procurement is conducted through providers or manufacturers that adhere to the framework, such as through an attestation from the provider or manufacturer. The Assistant to the President for National Security Affairs and the Director of OSTP shall coordinate the process of reviewing such funding requirements to facilitate consistency in implementation of the framework across funding agencies.

(iv) In order to facilitate effective implementation of the measures described in subsections 4.4(b)(i)–(iii) of this section, the Secretary of Homeland Security, in consultation with the heads of other relevant agencies as the Secretary of Homeland Security may deem appropriate, shall:

(A) within 180 days of the establishment of the framework pursuant to subsection 4.4(b)(i) of this section, develop a framework to conduct structured evaluation and stress testing of nucleic acid synthesis procurement screening, including the systems developed in accordance with subsections 4.4(b)(i)–(ii) of this section and implemented by providers of synthetic nucleic acid sequences; and

(B) following development of the framework pursuant to subsection 4.4(b)(iv)(A) of this section, submit an annual report to the Assistant to the President for National Security Affairs, the Director of the Office of Pandemic Preparedness and Response Policy, and the Director of OSTP on any results of the activities conducted pursuant to subsection 4.4(b)(iv)(A) of this section, including recommendations, if any, on how to strengthen nucleic acid synthesis procurement screening, including customer screening systems.

4.5. Reducing the Risks Posed by Synthetic Content. To foster capabilities for identifying and labeling synthetic content produced by AI systems, and to establish the authenticity and provenance of digital content, both synthetic and not synthetic, produced by the Federal Government or on its behalf:

(a) Within 240 days of the date of this order, the Secretary of Commerce, in consultation with the heads of other relevant agencies as the Secretary of Commerce may deem appropriate, shall submit a report to the Director of OMB and the Assistant to the President for National Security Affairs identifying the existing standards, tools, methods, and practices, as well as the potential development of further science-backed standards and techniques, for:

(i) authenticating content and tracking its provenance;

(ii) labeling synthetic content, such as using watermarking;

(iii) detecting synthetic content;

(iv) preventing generative AI from producing child sexual abuse material or producing non-consensual intimate imagery of real individuals (to include intimate digital depictions of the body or body parts of an identifiable individual);

(v) testing software used for the above purposes; and

(vi) auditing and maintaining synthetic content.

(b) Within 180 days of submitting the report required under subsection 4.5(a) of this section, and updated periodically thereafter, the Secretary of Commerce, in coordination with the Director of OMB, shall develop guidance regarding the existing tools and practices for digital content authentication and synthetic content detection measures. The guidance shall include measures for the purposes listed in subsection 4.5(a) of this section.

(c) Within 180 days of the development of the guidance required under subsection 4.5(b) of this section, and updated periodically thereafter, the Director of OMB, in consultation with the Secretary of State; the Secretary of Defense; the Attorney General; the Secretary of Commerce, acting through the Director of NIST; the Secretary of Homeland Security; the Director of National Intelligence; and the heads of other agencies that the Director of OMB deems appropriate, shall—for the purpose of strengthening public confidence in the integrity of official United States Government digital content—issue guidance to agencies for labeling and authenticating such content that they produce or publish.

(d) The Federal Acquisition Regulatory Council shall, as appropriate and consistent with applicable law, consider amending the Federal Acquisition Regulation to take into account the guidance established under subsection 4.5 of this section.

4.6. Soliciting Input on Dual-Use Foundation Models with Widely Available Model Weights. When the weights for a dual-use foundation model are widely available—such as when they are publicly posted on the internet—there can be substantial benefits to innovation, but also substantial security risks, such as the removal of safeguards within the model. To address the risks and potential benefits of dual-use foundation models with widely available weights, within 270 days of the date of this order, the Secretary

of Commerce, acting through the Assistant Secretary of Commerce for Communications and Information, and in consultation with the Secretary of State, shall:

(a) solicit input from the private sector, academia, civil society, and other stakeholders through a public consultation process on potential risks, benefits, other implications, and appropriate policy and regulatory approaches related to dual-use foundation models for which the model weights are widely available, including:

(i) risks associated with actors fine-tuning dual-use foundation models for which the model weights are widely available or removing those models' safeguards;

(ii) benefits to AI innovation and research, including research into AI safety and risk management, of dual-use foundation models for which the model weights are widely available; and

(iii) potential voluntary, regulatory, and international mechanisms to manage the risks and maximize the benefits of dual-use foundation models for which the model weights are widely available; and

(b) based on input from the process described in subsection 4.6(a) of this section, and in consultation with the heads of other relevant agencies as the Secretary of Commerce deems appropriate, submit a report to the President on the potential benefits, risks, and implications of dual-use foundation models for which the model weights are widely available, as well as policy and regulatory recommendations pertaining to those models.

4.7. Promoting Safe Release and Preventing the Malicious Use of Federal Data for AI Training. To improve public data access and manage security risks, and consistent with the objectives of the Open, Public, Electronic, and Necessary Government Data Act (title II of Public Law 115–435) to expand public access to Federal data assets in a machine-readable format while also taking into account security considerations, including the risk that information in an individual data asset in isolation does not pose a security risk but, when combined with other available information, may pose such a risk:

(a) within 270 days of the date of this order, the Chief Data Officer Council, in consultation with the Secretary of Defense, the Secretary of Commerce, the Secretary of Energy, the Secretary of Homeland Security, and the Director of National Intelligence, shall develop initial guidelines for performing security reviews, including reviews to identify and manage the potential security risks of releasing Federal data that could aid in the development of CBRN weapons as well as the development of autonomous offensive cyber capabilities, while also providing public access to Federal Government data in line with the goals stated in the Open, Public, Electronic, and Necessary Government Data Act (title II of Public Law 115–435); and

(b) within 180 days of the development of the initial guidelines required by subsection 4.7(a) of this section, agencies shall conduct a security review of all data assets in the comprehensive data inventory required under 44 U.S.C. 3511(a)(1) and (2)(B) and shall take steps, as appropriate and consistent with applicable law, to address the highest-priority potential security risks that releasing that data could raise with respect to CBRN weapons, such as the ways in which that data could be used to train AI systems.

4.8. Directing the Development of a National Security Memorandum. To develop a coordinated executive branch approach to managing AI's security risks, the Assistant to the President for National Security Affairs and the Assistant to the President and Deputy Chief of Staff for Policy shall oversee an interagency process with the purpose of, within 270 days of the date of this order, developing and submitting a proposed National Security Memorandum on AI to the President. The memorandum shall address the governance of AI used as a component of a national security system or for military and intelligence purposes. The memorandum shall take into account current efforts to govern the development and use of AI for national security systems. The memorandum shall outline actions for the Department of Defense, the Department of State, other relevant agencies, and the Intelligence Community to address the national security risks and potential benefits posed by AI. In particular, the memorandum shall:

(a) provide guidance to the Department of Defense, other relevant agencies, and the Intelligence Community on the continued adoption of AI capabilities to advance the United States national security mission, including through directing specific AI assurance and risk-management practices for national security uses of AI that may affect the rights or safety of United States persons and, in appropriate contexts, non-United States persons; and

(b) direct continued actions, as appropriate and consistent with applicable law, to address the potential use of AI systems by adversaries and other foreign actors in ways that threaten the capabilities or objectives of the Department of Defense or the Intelligence Community, or that otherwise pose risks to the security of the United States or its allies and partners.

Sec. 5. *Promoting Innovation and Competition.*

5.1. Attracting AI Talent to the United States. (a) Within 90 days of the date of this order, to attract and retain talent in AI and other critical and emerging technologies in the United States economy, the Secretary of State and the Secretary of Homeland Security shall take appropriate steps to:

(i) streamline processing times of visa petitions and applications, including by ensuring timely availability of visa appointments, for noncitizens who seek to travel to the United States to work on, study, or conduct research in AI or other critical and emerging technologies; and

(ii) facilitate continued availability of visa appointments in sufficient volume for applicants with expertise in AI or other critical and emerging technologies.

(b) Within 120 days of the date of this order, the Secretary of State shall:

(i) consider initiating a rulemaking to establish new criteria to designate countries and skills on the Department of State's Exchange Visitor Skills List as it relates to the 2-year foreign residence requirement for certain J–1 nonimmigrants, including those skills that are critical to the United States;

(ii) consider publishing updates to the 2009 Revised Exchange Visitor Skills List (74 FR 20108); and

(iii) consider implementing a domestic visa renewal program under 22 CFR 41.111(b) to facilitate the ability of qualified applicants, including highly skilled talent in AI and critical and emerging technologies, to continue their work in the United States without unnecessary interruption.

(c) Within 180 days of the date of this order, the Secretary of State shall:

(i) consider initiating a rulemaking to expand the categories of nonimmigrants who qualify for the domestic visa renewal program covered under 22 CFR 41.111(b) to include academic J–1 research scholars and F–1 students in science, technology, engineering, and mathematics (STEM); and

(ii) establish, to the extent permitted by law and available appropriations, a program to identify and attract top talent in AI and other critical and emerging technologies at universities, research institutions, and the private sector overseas, and to establish and increase connections with that talent to educate them on opportunities and resources for research and employment in the United States, including overseas educational components to inform top STEM talent of nonimmigrant and immigrant visa options and potential expedited adjudication of their visa petitions and applications.

(d) Within 180 days of the date of this order, the Secretary of Homeland Security shall:

(i) review and initiate any policy changes the Secretary determines necessary and appropriate to clarify and modernize immigration pathways for experts in AI and other critical and emerging technologies, including O–1A and EB–1 noncitizens of extraordinary ability; EB–2 advanced-degree holders and noncitizens of exceptional ability; and startup founders in AI and other critical and emerging technologies using the International Entrepreneur Rule; and

(ii) continue its rulemaking process to modernize the H–1B program and enhance its integrity and usage, including by experts in AI and other critical and emerging technologies, and consider initiating a rulemaking to enhance the process for noncitizens, including experts in AI and other critical and emerging technologies and their spouses, dependents, and children, to adjust their status to lawful permanent resident.

(e) Within 45 days of the date of this order, for purposes of considering updates to the ''Schedule A'' list of occupations, 20 CFR 656.5, the Secretary of Labor shall publish a request for information (RFI) to solicit public input, including from industry and worker-advocate communities, identifying AI and other STEM-related occupations, as well as additional occupations across the economy, for which there is an insufficient number of ready, willing, able, and qualified United States workers.

(f) The Secretary of State and the Secretary of Homeland Security shall, consistent with applicable law and implementing regulations, use their discretionary authorities to support and attract foreign nationals with special skills in AI and other critical and emerging technologies seeking to work, study, or conduct research in the United States.

(g) Within 120 days of the date of this order, the Secretary of Homeland Security, in consultation with the Secretary of State, the Secretary of Commerce, and the Director of OSTP, shall develop and publish informational resources to better attract and retain experts in AI and other critical and emerging technologies, including:

(i) a clear and comprehensive guide for experts in AI and other critical and emerging technologies to understand their options for working in the United States, to be published in multiple relevant languages on AI.gov; and

(ii) a public report with relevant data on applications, petitions, approvals, and other key indicators of how experts in AI and other critical and emerging technologies have utilized the immigration system through the end of Fiscal Year 2023.

5.2. Promoting Innovation. (a) To develop and strengthen public-private partnerships for advancing innovation, commercialization, and risk-mitigation methods for AI, and to help promote safe, responsible, fair, privacy-protecting, and trustworthy AI systems, the Director of NSF shall take the following steps:

(i) Within 90 days of the date of this order, in coordination with the heads of agencies that the Director of NSF deems appropriate, launch a pilot program implementing the National AI Research Resource (NAIRR), consistent with past recommendations of the NAIRR Task Force. The program shall pursue the infrastructure, governance mechanisms, and user interfaces to pilot an initial integration of distributed computational, data, model, and training resources to be made available to the research community in support of AI-related research and development. The Director of NSF shall identify Federal and private sector computational, data, software, and training resources appropriate for inclusion in the NAIRR pilot program. To assist with such work, within 45 days of the date of this order, the heads of agencies whom the Director of NSF identifies for coordination pursuant to this subsection shall each submit to the Director of NSF a report identifying the agency resources that could be developed and integrated into such a pilot program. These reports shall include a description of such resources, including their current status and availability; their format, structure, or technical specifications; associated agency expertise that will be provided; and the benefits and risks associated with their inclusion in the NAIRR pilot program. The heads of independent regulatory agencies are encouraged to take similar steps, as they deem appropriate.

(ii) Within 150 days of the date of this order, fund and launch at least one NSF Regional Innovation Engine that prioritizes AI-related work, such as AI-related research, societal, or workforce needs.

(iii) Within 540 days of the date of this order, establish at least four new National AI Research Institutes, in addition to the 25 currently funded as of the date of this order.

(b) Within 120 days of the date of this order, to support activities involving high-performance and data-intensive computing, the Secretary of Energy, in coordination with the Director of NSF, shall, in a manner consistent with applicable law and available appropriations, establish a pilot program to enhance existing successful training programs for scientists, with the goal of training 500 new researchers by 2025 capable of meeting the rising demand for AI talent.

(c) To promote innovation and clarify issues related to AI and inventorship of patentable subject matter, the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (USPTO Director) shall:

(i) within 120 days of the date of this order, publish guidance to USPTO patent examiners and applicants addressing inventorship and the use of AI, including generative AI, in the inventive process, including illustrative examples in which AI systems play different roles in inventive

processes and how, in each example, inventorship issues ought to be analyzed;

(ii) subsequently, within 270 days of the date of this order, issue additional guidance to USPTO patent examiners and applicants to address other considerations at the intersection of AI and IP, which could include, as the USPTO Director deems necessary, updated guidance on patent eligibility to address innovation in AI and critical and emerging technologies; and

(iii) within 270 days of the date of this order or 180 days after the United States Copyright Office of the Library of Congress publishes its forthcoming AI study that will address copyright issues raised by AI, whichever comes later, consult with the Director of the United States Copyright Office and issue recommendations to the President on potential executive actions relating to copyright and AI. The recommendations shall address any copyright and related issues discussed in the United States Copyright Office's study, including the scope of protection for works produced using AI and the treatment of copyrighted works in AI training.

(d) Within 180 days of the date of this order, to assist developers of AI in combatting AI-related IP risks, the Secretary of Homeland Security, acting through the Director of the National Intellectual Property Rights Coordination Center, and in consultation with the Attorney General, shall develop a training, analysis, and evaluation program to mitigate AI-related IP risks. Such a program shall:

(i) include appropriate personnel dedicated to collecting and analyzing reports of AI-related IP theft, investigating such incidents with implications for national security, and, where appropriate and consistent with applicable law, pursuing related enforcement actions;

(ii) implement a policy of sharing information and coordinating on such work, as appropriate and consistent with applicable law, with the Federal Bureau of Investigation; United States Customs and Border Protection; other agencies; State and local agencies; and appropriate international organizations, including through work-sharing agreements;

(iii) develop guidance and other appropriate resources to assist private sector actors with mitigating the risks of AI-related IP theft;

(iv) share information and best practices with AI developers and law enforcement personnel to identify incidents, inform stakeholders of current legal requirements, and evaluate AI systems for IP law violations, as well as develop mitigation strategies and resources; and

(v) assist the Intellectual Property Enforcement Coordinator in updating the Intellectual Property Enforcement Coordinator Joint Strategic Plan on Intellectual Property Enforcement to address AI-related issues.

(e) To advance responsible AI innovation by a wide range of healthcare technology developers that promotes the welfare of patients and workers in the healthcare sector, the Secretary of HHS shall identify and, as appropriate and consistent with applicable law and the activities directed in section 8 of this order, prioritize grantmaking and other awards, as well as undertake related efforts, to support responsible AI development and use, including:

(i) collaborating with appropriate private sector actors through HHS programs that may support the advancement of AI-enabled tools that develop personalized immune-response profiles for patients, consistent with section 4 of this order;

(ii) prioritizing the allocation of 2024 Leading Edge Acceleration Project cooperative agreement awards to initiatives that explore ways to improve healthcare-data quality to support the responsible development of AI tools for clinical care, real-world-evidence programs, population health, public health, and related research; and

(iii) accelerating grants awarded through the National Institutes of Health Artificial Intelligence/Machine Learning Consortium to Advance Health Equity and Researcher Diversity (AIM–AHEAD) program and showcasing current AIM–AHEAD activities in underserved communities.

(f) To advance the development of AI systems that improve the quality of veterans' healthcare, and in order to support small businesses' innovative capacity, the Secretary of Veterans Affairs shall:

(i) within 365 days of the date of this order, host two 3-month nationwide AI Tech Sprint competitions; and

(ii) as part of the AI Tech Sprint competitions and in collaboration with appropriate partners, provide participants access to technical assistance, mentorship opportunities, individualized expert feedback on products under development, potential contract opportunities, and other programming and resources.

(g) Within 180 days of the date of this order, to support the goal of strengthening our Nation's resilience against climate change impacts and building an equitable clean energy economy for the future, the Secretary of Energy, in consultation with the Chair of the Federal Energy Regulatory Commission, the Director of OSTP, the Chair of the Council on Environmental Quality, the Assistant to the President and National Climate Advisor, and the heads of other relevant agencies as the Secretary of Energy may deem appropriate, shall:

(i) issue a public report describing the potential for AI to improve planning, permitting, investment, and operations for electric grid infrastructure and to enable the provision of clean, affordable, reliable, resilient, and secure electric power to all Americans;

(ii) develop tools that facilitate building foundation models useful for basic and applied science, including models that streamline permitting and environmental reviews while improving environmental and social outcomes;

(iii) collaborate, as appropriate, with private sector organizations and members of academia to support development of AI tools to mitigate climate change risks;

(iv) take steps to expand partnerships with industry, academia, other agencies, and international allies and partners to utilize the Department of Energy's computing capabilities and AI testbeds to build foundation models that support new applications in science and energy, and for national security, including partnerships that increase community preparedness for climate-related risks, enable clean-energy deployment (including addressing delays in permitting reviews), and enhance grid reliability and resilience; and

(v) establish an office to coordinate development of AI and other critical and emerging technologies across Department of Energy programs and the 17 National Laboratories.

(h) Within 180 days of the date of this order, to understand AI's implications for scientific research, the President's Council of Advisors on Science and Technology shall submit to the President and make publicly available a report on the potential role of AI, especially given recent developments in AI, in research aimed at tackling major societal and global challenges. The report shall include a discussion of issues that may hinder the effective use of AI in research and practices needed to ensure that AI is used responsibly for research.

5.3. Promoting Competition. (a) The head of each agency developing policies and regulations related to AI shall use their authorities, as appropriate and consistent with applicable law, to promote competition in AI and related technologies, as well as in other markets. Such actions include addressing risks arising from concentrated control of key inputs, taking steps to stop unlawful collusion and prevent dominant firms from disadvantaging competitors, and working to provide new opportunities for small businesses and entrepreneurs. In particular, the Federal Trade Commission is encouraged to consider, as it deems appropriate, whether to exercise the Commission's existing authorities, including its rulemaking authority under the Federal Trade Commission Act, 15 U.S.C. 41 *et seq.,* to ensure fair competition in the AI marketplace and to ensure that consumers and workers are protected from harms that may be enabled by the use of AI.

(b) To promote competition and innovation in the semiconductor industry, recognizing that semiconductors power AI technologies and that their availability is critical to AI competition, the Secretary of Commerce shall, in implementing division A of Public Law 117–167, known as the Creating Helpful Incentives to Produce Semiconductors (CHIPS) Act of 2022, promote competition by:

(i) implementing a flexible membership structure for the National Semiconductor Technology Center that attracts all parts of the semiconductor and microelectronics ecosystem, including startups and small firms;

(ii) implementing mentorship programs to increase interest and participation in the semiconductor industry, including from workers in underserved communities;

(iii) increasing, where appropriate and to the extent permitted by law, the availability of resources to startups and small businesses, including:

(A) funding for physical assets, such as specialty equipment or facilities, to which startups and small businesses may not otherwise have access;

(B) datasets—potentially including test and performance data—collected, aggregated, or shared by CHIPS research and development programs;

(C) workforce development programs;

(D) design and process technology, as well as IP, as appropriate; and

(E) other resources, including technical and intellectual property assistance, that could accelerate commercialization of new technologies by startups and small businesses, as appropriate; and

(iv) considering the inclusion, to the maximum extent possible, and as consistent with applicable law, of competition-increasing measures in notices of funding availability for commercial research-and-development facilities focused on semiconductors, including measures that increase access to facility capacity for startups or small firms developing semiconductors used to power AI technologies.

(c) To support small businesses innovating and commercializing AI, as well as in responsibly adopting and deploying AI, the Administrator of the Small Business Administration shall:

(i) prioritize the allocation of Regional Innovation Cluster program funding for clusters that support planning activities related to the establishment of one or more Small Business AI Innovation and Commercialization Institutes that provide support, technical assistance, and other resources to small businesses seeking to innovate, commercialize, scale, or otherwise advance the development of AI;

(ii) prioritize the allocation of up to $2 million in Growth Accelerator Fund Competition bonus prize funds for accelerators that support the incorporation or expansion of AI-related curricula, training, and technical assistance, or other AI-related resources within their programming; and

(iii) assess the extent to which the eligibility criteria of existing programs, including the State Trade Expansion Program, Technical and Business Assistance funding, and capital-access programs—such as the 7(a) loan program, 504 loan program, and Small Business Investment Company (SBIC) program—support appropriate expenses by small businesses related to the adoption of AI and, if feasible and appropriate, revise eligibility criteria to improve support for these expenses.

(d) The Administrator of the Small Business Administration, in coordination with resource partners, shall conduct outreach regarding, and raise awareness of, opportunities for small businesses to use capital-access programs described in subsection 5.3(c) of this section for eligible AI-related purposes, and for eligible investment funds with AI-related expertise—particularly those seeking to serve or with experience serving underserved communities—to apply for an SBIC license.

Sec. 6. *Supporting Workers.* (a) To advance the Government's understanding of AI's implications for workers, the following actions shall be taken within 180 days of the date of this order:

(i) The Chairman of the Council of Economic Advisers shall prepare and submit a report to the President on the labor-market effects of AI.

(ii) To evaluate necessary steps for the Federal Government to address AI-related workforce disruptions, the Secretary of Labor shall submit to the President a report analyzing the abilities of agencies to support workers displaced by the adoption of AI and other technological advancements. The report shall, at a minimum:

(A) assess how current or formerly operational Federal programs designed to assist workers facing job disruptions—including unemployment insurance and programs authorized by the Workforce Innovation

and Opportunity Act (Public Law 113–128)—could be used to respond to possible future AI-related disruptions; and

(B) identify options, including potential legislative measures, to strengthen or develop additional Federal support for workers displaced by AI and, in consultation with the Secretary of Commerce and the Secretary of Education, strengthen and expand education and training opportunities that provide individuals pathways to occupations related to AI.

(b) To help ensure that AI deployed in the workplace advances employees' well-being:

(i) The Secretary of Labor shall, within 180 days of the date of this order and in consultation with other agencies and with outside entities, including labor unions and workers, as the Secretary of Labor deems appropriate, develop and publish principles and best practices for employers that could be used to mitigate AI's potential harms to employees' well-being and maximize its potential benefits. The principles and best practices shall include specific steps for employers to take with regard to AI, and shall cover, at a minimum:

(A) job-displacement risks and career opportunities related to AI, including effects on job skills and evaluation of applicants and workers;

(B) labor standards and job quality, including issues related to the equity, protected-activity, compensation, health, and safety implications of AI in the workplace; and

(C) implications for workers of employers' AI-related collection and use of data about them, including transparency, engagement, management, and activity protected under worker-protection laws.

(ii) After principles and best practices are developed pursuant to subsection (b)(i) of this section, the heads of agencies shall consider, in consultation with the Secretary of Labor, encouraging the adoption of these guidelines in their programs to the extent appropriate for each program and consistent with applicable law.

(iii) To support employees whose work is monitored or augmented by AI in being compensated appropriately for all of their work time, the Secretary of Labor shall issue guidance to make clear that employers that deploy AI to monitor or augment employees' work must continue to comply with protections that ensure that workers are compensated for their hours worked, as defined under the Fair Labor Standards Act of 1938, 29 U.S.C. 201 *et seq.,* and other legal requirements.

(c) To foster a diverse AI-ready workforce, the Director of NSF shall prioritize available resources to support AI-related education and AI-related workforce development through existing programs. The Director shall additionally consult with agencies, as appropriate, to identify further opportunities for agencies to allocate resources for those purposes. The actions by the Director shall use appropriate fellowship programs and awards for these purposes.

Sec. 7. *Advancing Equity and Civil Rights.*

7.1. Strengthening AI and Civil Rights in the Criminal Justice System. (a) To address unlawful discrimination and other harms that may be exacerbated by AI, the Attorney General shall:

(i) consistent with Executive Order 12250 of November 2, 1980 (Leadership and Coordination of Nondiscrimination Laws), Executive Order 14091, and 28 CFR 0.50–51, coordinate with and support agencies in their implementation and enforcement of existing Federal laws to address civil rights and civil liberties violations and discrimination related to AI;

(ii) direct the Assistant Attorney General in charge of the Civil Rights Division to convene, within 90 days of the date of this order, a meeting of the heads of Federal civil rights offices—for which meeting the heads of civil rights offices within independent regulatory agencies will be encouraged to join—to discuss comprehensive use of their respective authorities and offices to: prevent and address discrimination in the use of automated systems, including algorithmic discrimination; increase coordination between the Department of Justice's Civil Rights Division and Federal civil rights offices concerning issues related to AI and algorithmic discrimination; improve external stakeholder engagement to promote public awareness of potential discriminatory uses and effects of AI; and develop, as appropriate, additional training, technical assistance, guidance, or other resources; and

(iii) consider providing, as appropriate and consistent with applicable law, guidance, technical assistance, and training to State, local, Tribal, and territorial investigators and prosecutors on best practices for investigating and prosecuting civil rights violations and discrimination related to automated systems, including AI.

(b) To promote the equitable treatment of individuals and adhere to the Federal Government's fundamental obligation to ensure fair and impartial justice for all, with respect to the use of AI in the criminal justice system, the Attorney General shall, in consultation with the Secretary of Homeland Security and the Director of OSTP:

(i) within 365 days of the date of this order, submit to the President a report that addresses the use of AI in the criminal justice system, including any use in:

(A) sentencing;

(B) parole, supervised release, and probation;

(C) bail, pretrial release, and pretrial detention;

(D) risk assessments, including pretrial, earned time, and early release or transfer to home-confinement determinations;

(E) police surveillance;

(F) crime forecasting and predictive policing, including the ingestion of historical crime data into AI systems to predict high-density ''hot spots'';

(G) prison-management tools; and

(H) forensic analysis;

(ii) within the report set forth in subsection 7.1(b)(i) of this section:

(A) identify areas where AI can enhance law enforcement efficiency and accuracy, consistent with protections for privacy, civil rights, and civil liberties; and

(B) recommend best practices for law enforcement agencies, including safeguards and appropriate use limits for AI, to address the concerns set forth in section 13(e)(i) of Executive Order 14074 as well as the best practices and the guidelines set forth in section 13(e)(iii) of Executive Order 14074; and

(iii) supplement the report set forth in subsection 7.1(b)(i) of this section as appropriate with recommendations to the President, including with respect to requests for necessary legislation.

(c) To advance the presence of relevant technical experts and expertise (such as machine-learning engineers, software and infrastructure engineering, data privacy experts, data scientists, and user experience researchers) among law enforcement professionals:

(i) The interagency working group created pursuant to section 3 of Executive Order 14074 shall, within 180 days of the date of this order, identify and share best practices for recruiting and hiring law enforcement professionals who have the technical skills mentioned in subsection 7.1(c) of this section, and for training law enforcement professionals about responsible application of AI.

(ii) Within 270 days of the date of this order, the Attorney General shall, in consultation with the Secretary of Homeland Security, consider those best practices and the guidance developed under section 3(d) of Executive Order 14074 and, if necessary, develop additional general recommendations for State, local, Tribal, and territorial law enforcement agencies and criminal justice agencies seeking to recruit, hire, train, promote, and retain highly qualified and service-oriented officers and staff with relevant technical knowledge. In considering this guidance, the Attorney General shall consult with State, local, Tribal, and territorial law enforcement agencies, as appropriate.

(iii) Within 365 days of the date of this order, the Attorney General shall review the work conducted pursuant to section 2(b) of Executive Order 14074 and, if appropriate, reassess the existing capacity to investigate law enforcement deprivation of rights under color of law resulting from the use of AI, including through improving and increasing training of Federal law enforcement officers, their supervisors, and Federal prosecutors on how to investigate and prosecute cases related to AI involving the deprivation of rights under color of law pursuant to 18 U.S.C. 242.

7.2. Protecting Civil Rights Related to Government Benefits and Programs. (a) To advance equity and civil rights, consistent with the directives of Executive Order 14091, and in addition to complying with the guidance on Federal Government use of AI issued pursuant to section 10.1(b) of this order, agencies shall use their respective civil rights and civil liberties offices and authorities—as appropriate and consistent with applicable law—to prevent and address unlawful discrimination and other harms that result from uses of AI in Federal Government programs and benefits administration. This directive does not apply to agencies' civil or criminal enforcement authorities. Agencies shall consider opportunities to ensure that their respective civil rights and civil liberties offices are appropriately consulted on agency decisions regarding the design, development, acquisition, and use of AI in Federal Government programs and benefits administration. To

further these objectives, agencies shall also consider opportunities to increase coordination, communication, and engagement about AI as appropriate with community-based organizations; civil-rights and civil-liberties organizations; academic institutions; industry; State, local, Tribal, and territorial governments; and other stakeholders.

(b) To promote equitable administration of public benefits:

(i) The Secretary of HHS shall, within 180 days of the date of this order and in consultation with relevant agencies, publish a plan, informed by the guidance issued pursuant to section 10.1(b) of this order, addressing the use of automated or algorithmic systems in the implementation by States and localities of public benefits and services administered by the Secretary, such as to promote: assessment of access to benefits by qualified recipients; notice to recipients about the presence of such systems; regular evaluation to detect unjust denials; processes to retain appropriate levels of discretion of expert agency staff; processes to appeal denials to human reviewers; and analysis of whether algorithmic systems in use by benefit programs achieve equitable and just outcomes.

(ii) The Secretary of Agriculture shall, within 180 days of the date of this order and as informed by the guidance issued pursuant to section 10.1(b) of this order, issue guidance to State, local, Tribal, and territorial public-benefits administrators on the use of automated or algorithmic systems in implementing benefits or in providing customer support for benefit programs administered by the Secretary, to ensure that programs using those systems:

(A) maximize program access for eligible recipients;

(B) employ automated or algorithmic systems in a manner consistent with any requirements for using merit systems personnel in public-benefits programs;

(C) identify instances in which reliance on automated or algorithmic systems would require notification by the State, local, Tribal, or territorial government to the Secretary;

(D) identify instances when applicants and participants can appeal benefit determinations to a human reviewer for reconsideration and can receive other customer support from a human being;

(E) enable auditing and, if necessary, remediation of the logic used to arrive at an individual decision or determination to facilitate the evaluation of appeals; and

(F) enable the analysis of whether algorithmic systems in use by benefit programs achieve equitable outcomes.

7.3. Strengthening AI and Civil Rights in the Broader Economy. (a) Within 365 days of the date of this order, to prevent unlawful discrimination from AI used for hiring, the Secretary of Labor shall publish guidance for Federal contractors regarding nondiscrimination in hiring involving AI and other technology-based hiring systems.

(b) To address discrimination and biases against protected groups in housing markets and consumer financial markets, the Director of the Federal Housing Finance Agency and the Director of the Consumer Financial Protection Bureau are encouraged to consider using their authorities, as they deem appropriate, to require their respective regulated entities, where

possible, to use appropriate methodologies including AI tools to ensure compliance with Federal law and:

(i) evaluate their underwriting models for bias or disparities affecting protected groups; and

(ii) evaluate automated collateral-valuation and appraisal processes in ways that minimize bias.

(c) Within 180 days of the date of this order, to combat unlawful discrimination enabled by automated or algorithmic tools used to make decisions about access to housing and in other real estate-related transactions, the Secretary of Housing and Urban Development shall, and the Director of the Consumer Financial Protection Bureau is encouraged to, issue additional guidance:

(i) addressing the use of tenant screening systems in ways that may violate the Fair Housing Act (Public Law 90–284), the Fair Credit Reporting Act (Public Law 91–508), or other relevant Federal laws, including how the use of data, such as criminal records, eviction records, and credit information, can lead to discriminatory outcomes in violation of Federal law; and

(ii) addressing how the Fair Housing Act, the Consumer Financial Protection Act of 2010 (title X of Public Law 111–203), or the Equal Credit Opportunity Act (Public Law 93–495) apply to the advertising of housing, credit, and other real estate-related transactions through digital platforms, including those that use algorithms to facilitate advertising delivery, as well as on best practices to avoid violations of Federal law.

(d) To help ensure that people with disabilities benefit from AI's promise while being protected from its risks, including unequal treatment from the use of biometric data like gaze direction, eye tracking, gait analysis, and hand motions, the Architectural and Transportation Barriers Compliance Board is encouraged, as it deems appropriate, to solicit public participation and conduct community engagement; to issue technical assistance and recommendations on the risks and benefits of AI in using biometric data as an input; and to provide people with disabilities access to information and communication technology and transportation services.

Sec. 8. *Protecting Consumers, Patients, Passengers, and Students.* (a) Independent regulatory agencies are encouraged, as they deem appropriate, to consider using their full range of authorities to protect American consumers from fraud, discrimination, and threats to privacy and to address other risks that may arise from the use of AI, including risks to financial stability, and to consider rulemaking, as well as emphasizing or clarifying where existing regulations and guidance apply to AI, including clarifying the responsibility of regulated entities to conduct due diligence on and monitor any third-party AI services they use, and emphasizing or clarifying requirements and expectations related to the transparency of AI models and regulated entities' ability to explain their use of AI models.

(b) To help ensure the safe, responsible deployment and use of AI in the healthcare, public-health, and human-services sectors:

(i) Within 90 days of the date of this order, the Secretary of HHS shall, in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, establish an HHS AI Task Force that shall, within 365 days

of its creation, develop a strategic plan that includes policies and frameworks—possibly including regulatory action, as appropriate—on responsible deployment and use of AI and AI-enabled technologies in the health and human services sector (including research and discovery, drug and device safety, healthcare delivery and financing, and public health), and identify appropriate guidance and resources to promote that deployment, including in the following areas:

(A) development, maintenance, and use of predictive and generative AI-enabled technologies in healthcare delivery and financing—including quality measurement, performance improvement, program integrity, benefits administration, and patient experience—taking into account considerations such as appropriate human oversight of the application of AI-generated output;

(B) long-term safety and real-world performance monitoring of AI-enabled technologies in the health and human services sector, including clinically relevant or significant modifications and performance across population groups, with a means to communicate product updates to regulators, developers, and users;

(C) incorporation of equity principles in AI-enabled technologies used in the health and human services sector, using disaggregated data on affected populations and representative population data sets when developing new models, monitoring algorithmic performance against discrimination and bias in existing models, and helping to identify and mitigate discrimination and bias in current systems;

(D) incorporation of safety, privacy, and security standards into the software-development lifecycle for protection of personally identifiable information, including measures to address AI-enhanced cybersecurity threats in the health and human services sector;

(E) development, maintenance, and availability of documentation to help users determine appropriate and safe uses of AI in local settings in the health and human services sector;

(F) work to be done with State, local, Tribal, and territorial health and human services agencies to advance positive use cases and best practices for use of AI in local settings; and

(G) identification of uses of AI to promote workplace efficiency and satisfaction in the health and human services sector, including reducing administrative burdens.

(ii) Within 180 days of the date of this order, the Secretary of HHS shall direct HHS components, as the Secretary of HHS deems appropriate, to develop a strategy, in consultation with relevant agencies, to determine whether AI-enabled technologies in the health and human services sector maintain appropriate levels of quality, including, as appropriate, in the areas described in subsection (b)(i) of this section. This work shall include the development of AI assurance policy—to evaluate important aspects of the performance of AI-enabled healthcare tools—and infrastructure needs for enabling pre-market assessment and post-market oversight of AI-enabled healthcare-technology algorithmic system performance against real-world data.

(iii) Within 180 days of the date of this order, the Secretary of HHS shall, in consultation with relevant agencies as the Secretary of HHS deems appropriate, consider appropriate actions to advance the prompt understanding of, and compliance with, Federal nondiscrimination laws by health and human services providers that receive Federal financial assistance, as well as how those laws relate to AI. Such actions may include:

(A) convening and providing technical assistance to health and human services providers and payers about their obligations under Federal nondiscrimination and privacy laws as they relate to AI and the potential consequences of noncompliance; and

(B) issuing guidance, or taking other action as appropriate, in response to any complaints or other reports of noncompliance with Federal nondiscrimination and privacy laws as they relate to AI.

(iv) Within 365 days of the date of this order, the Secretary of HHS shall, in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, establish an AI safety program that, in partnership with voluntary federally listed Patient Safety Organizations:

(A) establishes a common framework for approaches to identifying and capturing clinical errors resulting from AI deployed in healthcare settings as well as specifications for a central tracking repository for associated incidents that cause harm, including through bias or discrimination, to patients, caregivers, or other parties;

(B) analyzes captured data and generated evidence to develop, wherever appropriate, recommendations, best practices, or other informal guidelines aimed at avoiding these harms; and

(C) disseminates those recommendations, best practices, or other informal guidance to appropriate stakeholders, including healthcare providers.

(v) Within 365 days of the date of this order, the Secretary of HHS shall develop a strategy for regulating the use of AI or AI-enabled tools in drug-development processes. The strategy shall, at a minimum:

(A) define the objectives, goals, and high-level principles required for appropriate regulation throughout each phase of drug development;

(B) identify areas where future rulemaking, guidance, or additional statutory authority may be necessary to implement such a regulatory system;

(C) identify the existing budget, resources, personnel, and potential for new public/private partnerships necessary for such a regulatory system; and

(D) consider risks identified by the actions undertaken to implement section 4 of this order.

(c) To promote the safe and responsible development and use of AI in the transportation sector, in consultation with relevant agencies:

(i) Within 30 days of the date of this order, the Secretary of Transportation shall direct the Nontraditional and Emerging Transportation Technology (NETT) Council to assess the need for information, technical assistance, and guidance regarding the use of AI in transportation. The Secretary of Transportation shall further direct the NETT Council, as part of any such efforts, to:

(A) support existing and future initiatives to pilot transportation-related applications of AI, as they align with policy priorities articulated in the Department of Transportation's (DOT) Innovation Principles, including, as appropriate, through technical assistance and connecting stakeholders;

(B) evaluate the outcomes of such pilot programs in order to assess when DOT, or other Federal or State agencies, have sufficient information to take regulatory actions, as appropriate, and recommend appropriate actions when that information is available; and

(C) establish a new DOT Cross-Modal Executive Working Group, which will consist of members from different divisions of DOT and coordinate applicable work among these divisions, to solicit and use relevant input from appropriate stakeholders.

(ii) Within 90 days of the date of this order, the Secretary of Transportation shall direct appropriate Federal Advisory Committees of the DOT to provide advice on the safe and responsible use of AI in transportation. The committees shall include the Advanced Aviation Advisory Committee, the Transforming Transportation Advisory Committee, and the Intelligent Transportation Systems Program Advisory Committee.

(iii) Within 180 days of the date of this order, the Secretary of Transportation shall direct the Advanced Research Projects Agency-Infrastructure (ARPA–I) to explore the transportation-related opportunities and challenges of AI—including regarding software-defined AI enhancements impacting autonomous mobility ecosystems. The Secretary of Transportation shall further encourage ARPA–I to prioritize the allocation of grants to those opportunities, as appropriate. The work tasked to ARPA–I shall include soliciting input on these topics through a public consultation process, such as an RFI.

(d) To help ensure the responsible development and deployment of AI in the education sector, the Secretary of Education shall, within 365 days of the date of this order, develop resources, policies, and guidance regarding AI. These resources shall address safe, responsible, and nondiscriminatory uses of AI in education, including the impact AI systems have on vulnerable and underserved communities, and shall be developed in consultation with stakeholders as appropriate. They shall also include the development of an ''AI toolkit'' for education leaders implementing recommendations from the Department of Education's AI and the Future of Teaching and Learning report, including appropriate human review of AI decisions, designing AI systems to enhance trust and safety and align with privacy-related laws and regulations in the educational context, and developing education-specific guardrails.

(e) The Federal Communications Commission is encouraged to consider actions related to how AI will affect communications networks and consumers, including by:

(i) examining the potential for AI to improve spectrum management, increase the efficiency of non-Federal spectrum usage, and expand opportunities for the sharing of non-Federal spectrum;

(ii) coordinating with the National Telecommunications and Information Administration to create opportunities for sharing spectrum between Federal and non-Federal spectrum operations;

(iii) providing support for efforts to improve network security, resiliency, and interoperability using next-generation technologies that incorporate AI, including self-healing networks, 6G, and Open RAN; and

(iv) encouraging, including through rulemaking, efforts to combat unwanted robocalls and robotexts that are facilitated or exacerbated by AI and to deploy AI technologies that better serve consumers by blocking unwanted robocalls and robotexts.

Sec. 9. *Protecting Privacy*. (a) To mitigate privacy risks potentially exacerbated by AI—including by AI's facilitation of the collection or use of information about individuals, or the making of inferences about individuals—the Director of OMB shall:

(i) evaluate and take steps to identify commercially available information (CAI) procured by agencies, particularly CAI that contains personally identifiable information and including CAI procured from data brokers and CAI procured and processed indirectly through vendors, in appropriate agency inventory and reporting processes (other than when it is used for the purposes of national security);

(ii) evaluate, in consultation with the Federal Privacy Council and the Interagency Council on Statistical Policy, agency standards and procedures associated with the collection, processing, maintenance, use, sharing, dissemination, and disposition of CAI that contains personally identifiable information (other than when it is used for the purposes of national security) to inform potential guidance to agencies on ways to mitigate privacy and confidentiality risks from agencies' activities related to CAI;

(iii) within 180 days of the date of this order, in consultation with the Attorney General, the Assistant to the President for Economic Policy, and the Director of OSTP, issue an RFI to inform potential revisions to guidance to agencies on implementing the privacy provisions of the E-Government Act of 2002 (Public Law 107–347). The RFI shall seek feedback regarding how privacy impact assessments may be more effective at mitigating privacy risks, including those that are further exacerbated by AI; and

(iv) take such steps as are necessary and appropriate, consistent with applicable law, to support and advance the near-term actions and long-term strategy identified through the RFI process, including issuing new or updated guidance or RFIs or consulting other agencies or the Federal Privacy Council.

(b) Within 365 days of the date of this order, to better enable agencies to use PETs to safeguard Americans' privacy from the potential threats exacerbated by AI, the Secretary of Commerce, acting through the Director of NIST, shall create guidelines for agencies to evaluate the efficacy of differential-privacy-guarantee protections, including for AI. The guidelines

shall, at a minimum, describe the significant factors that bear on differential-privacy safeguards and common risks to realizing differential privacy in practice.

(c) To advance research, development, and implementation related to PETs:

(i) Within 120 days of the date of this order, the Director of NSF, in collaboration with the Secretary of Energy, shall fund the creation of a Research Coordination Network (RCN) dedicated to advancing privacy research and, in particular, the development, deployment, and scaling of PETs. The RCN shall serve to enable privacy researchers to share information, coordinate and collaborate in research, and develop standards for the privacy-research community.

(ii) Within 240 days of the date of this order, the Director of NSF shall engage with agencies to identify ongoing work and potential opportunities to incorporate PETs into their operations. The Director of NSF shall, where feasible and appropriate, prioritize research—including efforts to translate research discoveries into practical applications—that encourage the adoption of leading-edge PETs solutions for agencies' use, including through research engagement through the RCN described in subsection (c)(i) of this section.

(iii) The Director of NSF shall use the results of the United States-United Kingdom PETs Prize Challenge to inform the approaches taken, and opportunities identified, for PETs research and adoption.

Sec. 10. *Advancing Federal Government Use of AI.*

10.1. Providing Guidance for AI Management. (a) To coordinate the use of AI across the Federal Government, within 60 days of the date of this order and on an ongoing basis as necessary, the Director of OMB shall convene and chair an interagency council to coordinate the development and use of AI in agencies' programs and operations, other than the use of AI in national security systems. The Director of OSTP shall serve as Vice Chair for the interagency council. The interagency council's membership shall include, at minimum, the heads of the agencies identified in 31 U.S.C. 901(b), the Director of National Intelligence, and other agencies as identified by the Chair. Until agencies designate their permanent Chief AI Officers consistent with the guidance described in subsection 10.1(b) of this section, they shall be represented on the interagency council by an appropriate official at the Assistant Secretary level or equivalent, as determined by the head of each agency.

(b) To provide guidance on Federal Government use of AI, within 150 days of the date of this order and updated periodically thereafter, the Director of OMB, in coordination with the Director of OSTP, and in consultation with the interagency council established in subsection 10.1(a) of this section, shall issue guidance to agencies to strengthen the effective and appropriate use of AI, advance AI innovation, and manage risks from AI in the Federal Government. The Director of OMB's guidance shall specify, to the extent appropriate and consistent with applicable law:

(i) the requirement to designate at each agency within 60 days of the issuance of the guidance a Chief Artificial Intelligence Officer who shall hold primary responsibility in their agency, in coordination with other responsible officials, for coordinating their agency's use of AI, promoting

AI innovation in their agency, managing risks from their agency's use of AI, and carrying out the responsibilities described in section 8(c) of Executive Order 13960 of December 3, 2020 (Promoting the Use of Trustworthy Artificial Intelligence in the Federal Government), and section 4(b) of Executive Order 14091;

(ii) the Chief Artificial Intelligence Officers' roles, responsibilities, seniority, position, and reporting structures;

(iii) for the agencies identified in 31 U.S.C. 901(b), the creation of internal Artificial Intelligence Governance Boards, or other appropriate mechanisms, at each agency within 60 days of the issuance of the guidance to coordinate and govern AI issues through relevant senior leaders from across the agency;

(iv) required minimum risk-management practices for Government uses of AI that impact people's rights or safety, including, where appropriate, the following practices derived from OSTP's Blueprint for an AI Bill of Rights and the NIST AI Risk Management Framework: conducting public consultation; assessing data quality; assessing and mitigating disparate impacts and algorithmic discrimination; providing notice of the use of AI; continuously monitoring and evaluating deployed AI; and granting human consideration and remedies for adverse decisions made using AI;

(v) specific Federal Government uses of AI that are presumed by default to impact rights or safety;

(vi) recommendations to agencies to reduce barriers to the responsible use of AI, including barriers related to information technology infrastructure, data, workforce, budgetary restrictions, and cybersecurity processes;

(vii) requirements that agencies identified in 31 U.S.C. 901(b) develop AI strategies and pursue high-impact AI use cases;

(viii) in consultation with the Secretary of Commerce, the Secretary of Homeland Security, and the heads of other appropriate agencies as determined by the Director of OMB, recommendations to agencies regarding:

(A) external testing for AI, including AI red-teaming for generative AI, to be developed in coordination with the Cybersecurity and Infrastructure Security Agency;

(B) testing and safeguards against discriminatory, misleading, inflammatory, unsafe, or deceptive outputs, as well as against producing child sexual abuse material and against producing non-consensual intimate imagery of real individuals (including intimate digital depictions of the body or body parts of an identifiable individual), for generative AI;

(C) reasonable steps to watermark or otherwise label output from generative AI;

(D) application of the mandatory minimum risk-management practices defined under subsection 10.1(b)(iv) of this section to procured AI;

(E) independent evaluation of vendors' claims concerning both the effectiveness and risk mitigation of their AI offerings;

(F) documentation and oversight of procured AI;

(G) maximizing the value to agencies when relying on contractors to use and enrich Federal Government data for the purposes of AI development and operation;

(H) provision of incentives for the continuous improvement of procured AI; and

(I) training on AI in accordance with the principles set out in this order and in other references related to AI listed herein; and

(ix) requirements for public reporting on compliance with this guidance.

(c) To track agencies' AI progress, within 60 days of the issuance of the guidance established in subsection 10.1(b) of this section and updated periodically thereafter, the Director of OMB shall develop a method for agencies to track and assess their ability to adopt AI into their programs and operations, manage its risks, and comply with Federal policy on AI. This method should draw on existing related efforts as appropriate and should address, as appropriate and consistent with applicable law, the practices, processes, and capabilities necessary for responsible AI adoption, training, and governance across, at a minimum, the areas of information technology infrastructure, data, workforce, leadership, and risk management.

(d) To assist agencies in implementing the guidance to be established in subsection 10.1(b) of this section:

(i) within 90 days of the issuance of the guidance, the Secretary of Commerce, acting through the Director of NIST, and in coordination with the Director of OMB and the Director of OSTP, shall develop guidelines, tools, and practices to support implementation of the minimum risk-management practices described in subsection 10.1(b)(iv) of this section; and

(ii) within 180 days of the issuance of the guidance, the Director of OMB shall develop an initial means to ensure that agency contracts for the acquisition of AI systems and services align with the guidance described in subsection 10.1(b) of this section and advance the other aims identified in section 7224(d)(1) of the Advancing American AI Act (Public Law 117–263, div. G, title LXXII, subtitle B).

(e) To improve transparency for agencies' use of AI, the Director of OMB shall, on an annual basis, issue instructions to agencies for the collection, reporting, and publication of agency AI use cases, pursuant to section 7225(a) of the Advancing American AI Act. Through these instructions, the Director shall, as appropriate, expand agencies' reporting on how they are managing risks from their AI use cases and update or replace the guidance originally established in section 5 of Executive Order 13960.

(f) To advance the responsible and secure use of generative AI in the Federal Government:

(i) As generative AI products become widely available and common in online platforms, agencies are discouraged from imposing broad general bans or blocks on agency use of generative AI. Agencies should instead limit access, as necessary, to specific generative AI services based on specific risk assessments; establish guidelines and limitations on the appropriate use of generative AI; and, with appropriate safeguards in place, provide their personnel and programs with access to secure and reliable generative AI capabilities, at least for the purposes of experimentation

and routine tasks that carry a low risk of impacting Americans' rights. To protect Federal Government information, agencies are also encouraged to employ risk-management practices, such as training their staff on proper use, protection, dissemination, and disposition of Federal information; negotiating appropriate terms of service with vendors; implementing measures designed to ensure compliance with record-keeping, cybersecurity, confidentiality, privacy, and data protection requirements; and deploying other measures to prevent misuse of Federal Government information in generative AI.

(ii) Within 90 days of the date of this order, the Administrator of General Services, in coordination with the Director of OMB, and in consultation with the Federal Secure Cloud Advisory Committee and other relevant agencies as the Administrator of General Services may deem appropriate, shall develop and issue a framework for prioritizing critical and emerging technologies offerings in the Federal Risk and Authorization Management Program authorization process, starting with generative AI offerings that have the primary purpose of providing large language model-based chat interfaces, code-generation and debugging tools, and associated application programming interfaces, as well as prompt-based image generators. This framework shall apply for no less than 2 years from the date of its issuance. Agency Chief Information Officers, Chief Information Security Officers, and authorizing officials are also encouraged to prioritize generative AI and other critical and emerging technologies in granting authorities for agency operation of information technology systems and any other applicable release or oversight processes, using continuous authorizations and approvals wherever feasible.

(iii) Within 180 days of the date of this order, the Director of the Office of Personnel Management (OPM), in coordination with the Director of OMB, shall develop guidance on the use of generative AI for work by the Federal workforce.

(g) Within 30 days of the date of this order, to increase agency investment in AI, the Technology Modernization Board shall consider, as it deems appropriate and consistent with applicable law, prioritizing funding for AI projects for the Technology Modernization Fund for a period of at least 1 year. Agencies are encouraged to submit to the Technology Modernization Fund project funding proposals that include AI—and particularly generative AI—in service of mission delivery.

(h) Within 180 days of the date of this order, to facilitate agencies' access to commercial AI capabilities, the Administrator of General Services, in coordination with the Director of OMB, and in collaboration with the Secretary of Defense, the Secretary of Homeland Security, the Director of National Intelligence, the Administrator of the National Aeronautics and Space Administration, and the head of any other agency identified by the Administrator of General Services, shall take steps consistent with applicable law to facilitate access to Federal Government-wide acquisition solutions for specified types of AI services and products, such as through the creation of a resource guide or other tools to assist the acquisition workforce. Specified types of AI capabilities shall include generative AI and specialized computing infrastructure.

(i) The initial means, instructions, and guidance issued pursuant to subsections 10.1(a)–(h) of this section shall not apply to AI when it is used

as a component of a national security system, which shall be addressed by the proposed National Security Memorandum described in subsection 4.8 of this order.

10.2. Increasing AI Talent in Government. (a) Within 45 days of the date of this order, to plan a national surge in AI talent in the Federal Government, the Director of OSTP and the Director of OMB, in consultation with the Assistant to the President for National Security Affairs, the Assistant to the President for Economic Policy, the Assistant to the President and Domestic Policy Advisor, and the Assistant to the President and Director of the Gender Policy Council, shall identify priority mission areas for increased Federal Government AI talent, the types of talent that are highest priority to recruit and develop to ensure adequate implementation of this order and use of relevant enforcement and regulatory authorities to address AI risks, and accelerated hiring pathways.

(b) Within 45 days of the date of this order, to coordinate rapid advances in the capacity of the Federal AI workforce, the Assistant to the President and Deputy Chief of Staff for Policy, in coordination with the Director of OSTP and the Director of OMB, and in consultation with the National Cyber Director, shall convene an AI and Technology Talent Task Force, which shall include the Director of OPM, the Director of the General Services Administration's Technology Transformation Services, a representative from the Chief Human Capital Officers Council, the Assistant to the President for Presidential Personnel, members of appropriate agency technology talent programs, a representative of the Chief Data Officer Council, and a representative of the interagency council convened under subsection 10.1(a) of this section. The Task Force's purpose shall be to accelerate and track the hiring of AI and AI-enabling talent across the Federal Government, including through the following actions:

(i) within 180 days of the date of this order, tracking and reporting progress to the President on increasing AI capacity across the Federal Government, including submitting to the President a report and recommendations for further increasing capacity;

(ii) identifying and circulating best practices for agencies to attract, hire, retain, train, and empower AI talent, including diversity, inclusion, and accessibility best practices, as well as to plan and budget adequately for AI workforce needs;

(iii) coordinating, in consultation with the Director of OPM, the use of fellowship programs and agency technology-talent programs and human-capital teams to build hiring capabilities, execute hires, and place AI talent to fill staffing gaps; and

(iv) convening a cross-agency forum for ongoing collaboration between AI professionals to share best practices and improve retention.

(c) Within 45 days of the date of this order, to advance existing Federal technology talent programs, the United States Digital Service, Presidential Innovation Fellowship, United States Digital Corps, OPM, and technology talent programs at agencies, with support from the AI and Technology Talent Task Force described in subsection 10.2(b) of this section, as appropriate and permitted by law, shall develop and begin to implement plans to support the rapid recruitment of individuals as part of a Federal Government-wide AI talent surge to accelerate the placement of key AI and AI-

enabling talent in high-priority areas and to advance agencies' data and technology strategies.

(d) To meet the critical hiring need for qualified personnel to execute the initiatives in this order, and to improve Federal hiring practices for AI talent, the Director of OPM, in consultation with the Director of OMB, shall:

(i) within 60 days of the date of this order, conduct an evidence-based review on the need for hiring and workplace flexibility, including Federal Government-wide direct-hire authority for AI and related data-science and technical roles, and, where the Director of OPM finds such authority is appropriate, grant it; this review shall include the following job series at all General Schedule (GS) levels: IT Specialist (2210), Computer Scientist (1550), Computer Engineer (0854), and Program Analyst (0343) focused on AI, and any subsequently developed job series derived from these job series;

(ii) within 60 days of the date of this order, consider authorizing the use of excepted service appointments under 5 CFR 213.3102(i)(3) to address the need for hiring additional staff to implement directives of this order;

(iii) within 90 days of the date of this order, coordinate a pooled-hiring action informed by subject-matter experts and using skills-based assessments to support the recruitment of AI talent across agencies;

(iv) within 120 days of the date of this order, as appropriate and permitted by law, issue guidance for agency application of existing pay flexibilities or incentive pay programs for AI, AI-enabling, and other key technical positions to facilitate appropriate use of current pay incentives;

(v) within 180 days of the date of this order, establish guidance and policy on skills-based, Federal Government-wide hiring of AI, data, and technology talent in order to increase access to those with nontraditional academic backgrounds to Federal AI, data, and technology roles;

(vi) within 180 days of the date of this order, establish an interagency working group, staffed with both human-resources professionals and recruiting technical experts, to facilitate Federal Government-wide hiring of people with AI and other technical skills;

(vii) within 180 days of the date of this order, review existing Executive Core Qualifications (ECQs) for Senior Executive Service (SES) positions informed by data and AI literacy competencies and, within 365 days of the date of this order, implement new ECQs as appropriate in the SES assessment process;

(viii) within 180 days of the date of this order, complete a review of competencies for civil engineers (GS–0810 series) and, if applicable, other related occupations, and make recommendations for ensuring that adequate AI expertise and credentials in these occupations in the Federal Government reflect the increased use of AI in critical infrastructure; and

(ix) work with the Security, Suitability, and Credentialing Performance Accountability Council to assess mechanisms to streamline and accelerate personnel-vetting requirements, as appropriate, to support AI and fields related to other critical and emerging technologies.

(e) To expand the use of special authorities for AI hiring and retention, agencies shall use all appropriate hiring authorities, including Schedule

A(r) excepted service hiring and direct-hire authority, as applicable and appropriate, to hire AI talent and AI-enabling talent rapidly. In addition to participating in OPM-led pooled hiring actions, agencies shall collaborate, where appropriate, on agency-led pooled hiring under the Competitive Service Act of 2015 (Public Law 114–137) and other shared hiring. Agencies shall also, where applicable, use existing incentives, pay-setting authorities, and other compensation flexibilities, similar to those used for cyber and information technology positions, for AI and data-science professionals, as well as plain-language job titles, to help recruit and retain these highly skilled professionals. Agencies shall ensure that AI and other related talent needs (such as technology governance and privacy) are reflected in strategic workforce planning and budget formulation.

(f) To facilitate the hiring of data scientists, the Chief Data Officer Council shall develop a position-description library for data scientists (job series 1560) and a hiring guide to support agencies in hiring data scientists.

(g) To help train the Federal workforce on AI issues, the head of each agency shall implement—or increase the availability and use of—AI training and familiarization programs for employees, managers, and leadership in technology as well as relevant policy, managerial, procurement, regulatory, ethical, governance, and legal fields. Such training programs should, for example, empower Federal employees, managers, and leaders to develop and maintain an operating knowledge of emerging AI technologies to assess opportunities to use these technologies to enhance the delivery of services to the public, and to mitigate risks associated with these technologies. Agencies that provide professional-development opportunities, grants, or funds for their staff should take appropriate steps to ensure that employees who do not serve in traditional technical roles, such as policy, managerial, procurement, or legal fields, are nonetheless eligible to receive funding for programs and courses that focus on AI, machine learning, data science, or other related subject areas.

(h) Within 180 days of the date of this order, to address gaps in AI talent for national defense, the Secretary of Defense shall submit a report to the President through the Assistant to the President for National Security Affairs that includes:

(i) recommendations to address challenges in the Department of Defense's ability to hire certain noncitizens, including at the Science and Technology Reinvention Laboratories;

(ii) recommendations to clarify and streamline processes for accessing classified information for certain noncitizens through Limited Access Authorization at Department of Defense laboratories;

(iii) recommendations for the appropriate use of enlistment authority under 10 U.S.C. 504(b)(2) for experts in AI and other critical and emerging technologies; and

(iv) recommendations for the Department of Defense and the Department of Homeland Security to work together to enhance the use of appropriate authorities for the retention of certain noncitizens of vital importance to national security by the Department of Defense and the Department of Homeland Security.

Sec. 11. *Strengthening American Leadership Abroad.* (a) To strengthen United States leadership of global efforts to unlock AI's potential and meet

its challenges, the Secretary of State, in coordination with the Assistant to the President for National Security Affairs, the Assistant to the President for Economic Policy, the Director of OSTP, and the heads of other relevant agencies as appropriate, shall:

(i) lead efforts outside of military and intelligence areas to expand engagements with international allies and partners in relevant bilateral, multilateral, and multi-stakeholder fora to advance those allies' and partners' understanding of existing and planned AI-related guidance and policies of the United States, as well as to enhance international collaboration; and

(ii) lead efforts to establish a strong international framework for managing the risks and harnessing the benefits of AI, including by encouraging international allies and partners to support voluntary commitments similar to those that United States companies have made in pursuit of these objectives and coordinating the activities directed by subsections (b), (c), (d), and (e) of this section, and to develop common regulatory and other accountability principles for foreign nations, including to manage the risk that AI systems pose.

(b) To advance responsible global technical standards for AI development and use outside of military and intelligence areas, the Secretary of Commerce, in coordination with the Secretary of State and the heads of other relevant agencies as appropriate, shall lead preparations for a coordinated effort with key international allies and partners and with standards development organizations, to drive the development and implementation of AI-related consensus standards, cooperation and coordination, and information sharing. In particular, the Secretary of Commerce shall:

(i) within 270 days of the date of this order, establish a plan for global engagement on promoting and developing AI standards, with lines of effort that may include:

(A) AI nomenclature and terminology;

(B) best practices regarding data capture, processing, protection, privacy, confidentiality, handling, and analysis;

(C) trustworthiness, verification, and assurance of AI systems; and

(D) AI risk management;

(ii) within 180 days of the date the plan is established, submit a report to the President on priority actions taken pursuant to the plan; and

(iii) ensure that such efforts are guided by principles set out in the NIST AI Risk Management Framework and United States Government National Standards Strategy for Critical and Emerging Technology.

(c) Within 365 days of the date of this order, to promote safe, responsible, and rights-affirming development and deployment of AI abroad:

(i) The Secretary of State and the Administrator of the United States Agency for International Development, in coordination with the Secretary of Commerce, acting through the director of NIST, shall publish an AI in Global Development Playbook that incorporates the AI Risk Management Framework's principles, guidelines, and best practices into the social, technical, economic, governance, human rights, and security conditions of contexts beyond United States borders. As part of this work, the Secretary of State and the Administrator of the United States

Agency for International Development shall draw on lessons learned from programmatic uses of AI in global development.

(ii) The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with the Secretary of Energy and the Director of NSF, shall develop a Global AI Research Agenda to guide the objectives and implementation of AI-related research in contexts beyond United States borders. The Agenda shall:

(A) include principles, guidelines, priorities, and best practices aimed at ensuring the safe, responsible, beneficial, and sustainable global development and adoption of AI; and

(B) address AI's labor-market implications across international contexts, including by recommending risk mitigations.

(d) To address cross-border and global AI risks to critical infrastructure, the Secretary of Homeland Security, in coordination with the Secretary of State, and in consultation with the heads of other relevant agencies as the Secretary of Homeland Security deems appropriate, shall lead efforts with international allies and partners to enhance cooperation to prevent, respond to, and recover from potential critical infrastructure disruptions resulting from incorporation of AI into critical infrastructure systems or malicious use of AI.

(i) Within 270 days of the date of this order, the Secretary of Homeland Security, in coordination with the Secretary of State, shall develop a plan for multilateral engagements to encourage the adoption of the AI safety and security guidelines for use by critical infrastructure owners and operators developed in section 4.3(a) of this order.

(ii) Within 180 days of establishing the plan described in subsection (d)(i) of this section, the Secretary of Homeland Security shall submit a report to the President on priority actions to mitigate cross-border risks to critical United States infrastructure.

Sec. 12. *Implementation.* (a) There is established, within the Executive Office of the President, the White House Artificial Intelligence Council (White House AI Council). The function of the White House AI Council is to coordinate the activities of agencies across the Federal Government to ensure the effective formulation, development, communication, industry engagement related to, and timely implementation of AI-related policies, including policies set forth in this order.

(b) The Assistant to the President and Deputy Chief of Staff for Policy shall serve as Chair of the White House AI Council.

(c) In addition to the Chair, the White House AI Council shall consist of the following members, or their designees:

(i) the Secretary of State;

(ii) the Secretary of the Treasury;

(iii) the Secretary of Defense;

(iv) the Attorney General;

(v) the Secretary of Agriculture;

(vi) the Secretary of Commerce;

(vii) the Secretary of Labor;

(viii) the Secretary of HHS;

(ix) the Secretary of Housing and Urban Development;

(x) the Secretary of Transportation;

(xi) the Secretary of Energy;

(xii) the Secretary of Education;

(xiii) the Secretary of Veterans Affairs;

(xiv) the Secretary of Homeland Security;

(xv) the Administrator of the Small Business Administration;

(xvi) the Administrator of the United States Agency for International Development;

(xvii) the Director of National Intelligence;

(xviii) the Director of NSF;

(xix) the Director of OMB;

(xx) the Director of OSTP;

(xxi) the Assistant to the President for National Security Affairs;

(xxii) the Assistant to the President for Economic Policy;

(xxiii) the Assistant to the President and Domestic Policy Advisor;

(xxiv) the Assistant to the President and Chief of Staff to the Vice President;

(xxv) the Assistant to the President and Director of the Gender Policy Council;

(xxvi) the Chairman of the Council of Economic Advisers;

(xxvii) the National Cyber Director;

(xxviii) the Chairman of the Joint Chiefs of Staff; and

(xxix) the heads of such other agencies, independent regulatory agencies, and executive offices as the Chair may from time to time designate or invite to participate.

(d) The Chair may create and coordinate subgroups consisting of White House AI Council members or their designees, as appropriate.

Sec. 13. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
October 30, 2023.

Executive Order 14111 of November 27, 2023

Interagency Security Committee

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to enhance the quality and effectiveness of security in and protection of buildings and facilities in the United States occupied by Federal employees or Federal contractor workers for nonmilitary activities, and to provide an ongoing entity to address continuing Government-wide security for Federal facilities, it is hereby ordered as follows:

Section 1. *Establishment.* There is hereby established the Interagency Security Committee (Committee). The Committee shall consist of:

(a) the Secretary of Homeland Security (Secretary);

(b) representatives from the following executive departments and agencies (agencies), designated by the heads of such agencies:

(i) the Department of State;

(ii) the Department of the Treasury;

(iii) the Department of Defense;

(iv) the Department of Justice;

(v) the Department of the Interior;

(vi) the Department of Agriculture;

(vii) the Department of Commerce;

(viii) the Department of Labor;

(ix) the Department of Health and Human Services;

(x) the Department of Housing and Urban Development;

(xi) the Department of Transportation;

(xii) the Department of Energy;

(xiii) the Department of Education;

(xiv) the Department of Veterans Affairs;

(xv) the Environmental Protection Agency;

(xvi) the Office of Management and Budget;

(xvii) the Office of the Director of National Intelligence; and

(xviii) the General Services Administration;

(c) the following officials or their designees:

(i) the Director of the United States Marshals Service;

(ii) the Director of the Federal Protective Service;

(iii) the Director of the Central Intelligence Agency;

(iv) the Director of the Office of Personnel Management; and

(v) the Director of the Federal Bureau of Investigation; and

(d) such other Federal officials as the President may from time to time designate.

Sec. 2. *Chair.* The Committee shall be chaired by the Secretary or the designee of the Secretary.

Sec. 3. *Working Groups.* The Committee is authorized to establish interagency working groups to perform such tasks as may be directed by the Committee.

Sec. 4. *Consultation.* The Committee may consult with officials in other Federal Government entities, including the Administrative Office of the United States Courts and the United States Postal Service, to perform its responsibilities under this order, and, at the discretion of the Committee, officials from other Federal Government entities may participate in the interagency working groups.

Sec. 5. *Duties and Responsibilities.* The Committee shall:

(a) establish policies and standards for security in and protection of Federal facilities;

(b) evaluate existing security standards for Federal facilities and develop a strategy to monitor the implementation of such standards to ensure compliance by agencies;

(c) take such actions as may be necessary to enhance the quality and effectiveness of security in and protection of Federal facilities, including:

(i) encouraging agencies with security responsibilities to share security-related intelligence in a timely and cooperative manner;

(ii) assessing technology and information systems as means of providing cost-effective improvements to security in Federal facilities;

(iii) developing long-term construction standards for those locations with threat levels or missions that require blast-resistant structures or other specialized security requirements;

(iv) evaluating standards for the location of, and special security related to, child care centers in Federal facilities;

(v) assisting the Secretary in developing and maintaining a centralized security database of all Federal facilities; and

(vi) providing best practices for securing a mobile Federal workforce; and

(d) no later than 1 year after the date of this order and biennially thereafter, prepare and provide to the Director of the Office of Management and Budget and the Assistant to the President for National Security Affairs a summary report describing the results of compliance under subsection 6(c) of this order.

Sec. 6. *Agency Support and Cooperation.* (a) To the extent permitted by law and subject to the availability of appropriations, the Secretary shall provide the Committee such administrative services, funds, facilities, staff, and other support services as may be necessary for the performance of its functions under this order.

(b) Each agency shall cooperate and comply with the requirements of this order and the policies and standards of the Committee issued pursuant to this order, except in situations in which the Director of National Intelligence, or other United States Intelligence Community official within the Office of the Director of National Intelligence designated by the Director of National Intelligence, determines that compliance would jeopardize intelligence sources and methods. To the extent permitted by law and subject to the availability of appropriations, agencies shall provide such cooperation and compliance as may be necessary to enable the Committee to perform its duties and responsibilities under this order.

(i) Each agency shall designate a senior official who shall be responsible for agency implementation of, and compliance with, this order.

(ii) The senior official shall ensure that the official's agency supports Facility Security Committees, as applicable, in the performance of the official's duties.

(c) The Secretary shall monitor agency compliance with the policies and standards of the Committee. Monitoring compliance shall consist, at a minimum, of the following:

(i) maintaining compliance benchmarks to measure compliance progress;

(ii) requiring periodic compliance reporting by all relevant agencies; and

(iii) conducting risk-based compliance verification.

(d) In situations in which a Federal facility is occupied by multiple agencies for both military and nonmilitary activities, and each such occupancy is substantial, those occupants shall coordinate on the security of the facility.

Sec. 7. *Administrative Provision.* This order supersedes Executive Order 12977 of October 19, 1995 (Interagency Security Committee), which is hereby revoked. To the extent that this order is inconsistent with any provision of any previous Executive Order or Presidential Memorandum, this order shall control. All policies and standards implemented by the Interagency Security Committee that was established pursuant to Executive Order 12977 shall remain in effect until rescinded or replaced by the Committee established pursuant to this order.

Sec. 8. *Definitions.* For purposes of this order:

(a) ''Agency'' means an executive agency, as defined in section 105 of title 5, United States Code.

(b) ''Federal facility'' means a federally owned or leased building, structure, or the land it resides on, in whole or in part, that is regularly occupied by Federal employees or Federal contractor workers for nonmilitary activities. The term ''Federal facility'' also means any building or structure acquired by a contractor through ownership or leasehold interest, in whole

or in part, solely for the purpose of executing a nonmilitary Federal mission or function under the direction of an agency. The term ''Federal facility'' does not include public domain land, including improvements thereon; withdrawn lands; or buildings or facilities outside of the United States.

(c) ''Federal employee'' means an employee, as defined in section 2105 of title 5, United States Code, of an agency.

(d) ''Federal contractor worker'' means any individual who performs work for or on behalf of any agency under a contract, subcontract, or contract-like instrument and who, in order to perform the work specified under the contract, subcontract, or contract-like instrument, requires access to space, information, information technology systems, staff, or other assets of the Federal Government in buildings and facilities of the United States. Such contracts include the following:

(i) personal service contracts;

(ii) contracts between any non-Federal entity and any agency; and

(iii) subcontracts between any non-Federal entity and another non-Federal entity to perform work related to the primary contract with an agency.

(e) ''Facility Security Committee'' means a committee that is established in accordance with an Interagency Security Committee standard, and that is responsible for addressing facility-specific security issues and approving the implementation of security measures and practices in multi-tenant facilities.

Sec. 9. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

November 27, 2023.

Executive Order 14112 of December 6, 2023

Reforming Federal Funding and Support for Tribal Nations To Better Embrace Our Trust Responsibilities and Promote the Next Era of Tribal Self-Determination

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*. My Administration is committed to protecting and supporting Tribal sovereignty and self-determination, and to honoring our trust and treaty obligations to Tribal Nations. We recognize the right of Tribal Nations to self-determination, and that Federal support for Tribal self-determination has been the most effective policy for the economic growth of Tribal Nations and the economic well-being of Tribal citizens. Federal policies of past eras, including termination, relocation, and assimilation, collectively represented attacks on Tribal sovereignty and did lasting damage to Tribal communities, Tribal economies, and the institutions of Tribal governance. By contrast, the self-determination policies of the last 50 years—whereby the Federal Government has worked with Tribal Nations to promote and support Tribal self-governance and the growth of Tribal institutions—have revitalized Tribal economies, rebuilt Tribal governments, and begun to heal the relationship between Tribal Nations and the United States.

Despite the progress of the last 50 years, Federal funding and support programs that are the backbone of Federal support for Tribal self-determination are too often administered in ways that leave Tribal Nations unduly burdened and frustrated with bureaucratic processes. The Federal funding that Tribal Nations rely on comes from myriad sources across the Federal Government, often with varying and complex application and reporting processes. While Tribal Nations continue to rebuild, grow, and thrive, some Tribal Nations do not have the capacity and resources they need to access Federal funds—and even for those that do, having to repeatedly navigate Federal processes often unnecessarily drains those resources.

My Administration has taken steps to meaningfully reform existing Federal processes for Tribal Nations. Executive Order 14058 of December 13, 2021 (Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government), directed executive departments and agencies (agencies) to reduce administrative burdens and improve efficiency in public-facing and internal Federal processes, while the Presidential Memorandum of January 26, 2021 (Tribal Consultation and Strengthening Nation-to-Nation Relationships), and the Presidential Memorandum of November 30, 2022 (Uniform Standards for Tribal Consultation), reiterated our commitment to, and established uniform standards for, Tribal consultation. These previous actions have laid an important foundation for the policies and procedures set forth in this order.

Now is the time to build upon this foundation by ushering in the next era of self-determination policies and our unique Nation-to-Nation relationships, during which we will better acknowledge and engage with Tribal Nations as respected and vital self-governing sovereigns. As we continue to support Tribal Nations, we must respect their sovereignty by better ensuring that they are able to make their own decisions about where and how

to meet the needs of their communities. No less than for any other sovereign, Tribal self-governance is about the fundamental right of a people to determine their own destiny and to prosper and flourish on their own terms.

This order solidifies my Administration's commitment to this next era of Tribal self-determination policies that are rooted in prioritizing partnerships with Tribal leaders, respect for Tribal sovereignty, trust in Tribal priorities, and dignity for Tribal Nations. In keeping with our trust and treaty obligations to Tribal Nations, and our commitment to advancing Tribal sovereignty, it is the policy of the United States to design and administer Federal funding and support programs for Tribal Nations, consistent with applicable law and to the extent practicable, in a manner that better recognizes and supports Tribal sovereignty and self-determination. To realize this policy, the Federal Government must improve how it approaches the work of administering Tribal programs and supporting Tribal communities.

We must ensure that Federal programs, to the maximum extent possible and practicable under Federal law, provide Tribal Nations with the flexibility to improve economic growth, address the specific needs of their communities, and realize their vision for their future. We must improve our Nation-to-Nation relationships by reducing administrative burdens and by administering funding in a manner that provides Tribal Nations with the greatest possible autonomy to address the specific needs of their people. We must make it easier for Tribal Nations to access the Federal funding and resources for which they are eligible and that they need to help grow their economies and provide their citizens with vital and innovative services. We must promote partnerships with Tribal Nations, recognizing that they bring invaluable expertise on countless matters from how to more effectively meet the needs of their citizens to how to steward their ancestral homelands. We must promote effective consideration of the unique needs of Tribal Nations from the very beginning of our design, update, or review of processes and throughout every step of administering Federal funding and support programs. We must implement laws, policies, and programs in ways that allow Tribal Nations to take ownership of resources and services for their communities. We need to identify any statutory and regulatory changes that are necessary or may be helpful to ensure that Federal funding and support programs effectively address the needs of Tribal Nations, and recommend legislative changes, where appropriate. Finally, we must, through Tribal consultation, continually improve our understanding of the funding and programmatic needs of Tribal Nations. The foregoing is not only good policy, but is also consistent with our commitment to fulfilling the United States' unique trust responsibility to Tribal Nations and the deep respect we have for Tribal Nations.

Sec. 2. *Definitions.* For purposes of this order:

(a) The term ''agency'' means any authority of the United States that is an ''agency'' under 44 U.S.C. 3502(1), other than those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(5).

(b) The term ''Federal funding and support programs for Tribal Nations'' includes funding, programs, technical assistance, loans, grants, or other financial support or direct services that the Federal Government provides to Tribal Nations or Indians because of their status as Indians. It also includes actions or programs that do not exclusively serve Tribes, but for which

Tribal Nations are eligible along with non-Tribal entities. It does not include programs for which both Indians and non-Indians are eligible.

(c) The terms ''Tribes'' and ''Tribal Nations'' mean any Indian tribe, band, nation, or other organized group or community considered an ''Indian Tribe'' under section 4 of the Indian Self-Determination and Education Assistance Act, 25 U.S.C. 5304.

Sec. 3. *Agency Coordination on Better Supporting Tribal Nations and Identifying Opportunities for Reform.* Agencies shall work with the White House Council on Native American Affairs (WHCNAA) to coordinate implementation of this order, share leading practices, and identify potential opportunities for Federal policy reforms that would promote accessible, equitable, and flexible administration of Federal funding and support programs for Tribal Nations. The WHCNAA shall assist agencies in coordinating the Tribal consultations required by section 4 of this order to minimize the burden on Tribal Nations in participating.

Sec. 4. *Embracing Our Trust Responsibilities by Assessing Unmet Federal Obligations to Support Tribal Nations.* The Director of the Office of Management and Budget (OMB) and the Assistant to the President and Domestic Policy Advisor (Domestic Policy Advisor) shall lead an effort, in collaboration with WHCNAA, to identify chronic shortfalls in Federal funding and support programs for Tribal Nations, and shall submit recommendations to the President describing the additional funding and programming necessary to better live up to the Federal Government's trust responsibilities and help address the needs of all Tribal Nations, as follows:

(a) Within 240 days of the date of this order, the Director of OMB and the Domestic Policy Advisor shall, in consultation with the head of each agency that is a member of WHCNAA, and in consultation with Tribal leaders or their designees, develop guidance for assessing the additional funding each agency needs for its existing Federal funding and support programs for Tribal Nations to better live up to the Federal Government's trust responsibilities and help address the needs of all Tribal Nations.

(b) Within 540 days of the date of this order, the head of each agency that is a member of WHCNAA shall consult the guidance developed under subsection (a) of this section and submit a report to the Director of OMB and the Domestic Policy Advisor that identifies the funding needed for each agency's existing Federal funding and support programs for Tribal Nations to better live up to the Federal Government's trust responsibilities and help address the needs of Tribal Nations in the agency's areas of responsibility.

(c) The Director of OMB and the Domestic Policy Advisor shall develop, based on the agency reports provided under subsection (b) of this section and in consultation with Tribes and WHCNAA, recommendations for the Federal Government to take steps toward better living up to its trust responsibilities and helping address the needs of all Tribal Nations. These recommendations should identify any budgetary, statutory, regulatory, or other changes that may be necessary to ensure that Federal laws, policies, practices, and programs support Tribal Nations more effectively. These recommendations shall be submitted to the President, and shall be considered by agencies and OMB in developing the President's Budget beginning with the next regular President's Budget development cycle.

(d) After submission of the reports and recommendations described in subsections (b) and (c) of this section, the Executive Director of WHCNAA shall annually convene appropriate representatives of WHCNAA member agencies to share best practices, track progress on implementing the recommendations, and evaluate the need for reassessment of funding.

(e) Following submission of the recommendations described in subsection (c) of this section, WHCNAA member agencies shall report annually to the Director of OMB on progress made in response to such recommendations. The Director of OMB shall provide a summary of agencies' progress and any new recommendations to Tribal leaders at the annual White House Tribal Nations Summit.

Sec. 5. *Agency Actions to Increase the Accessibility, Equity, Flexibility, and Utility of Federal Funding and Support Programs for Tribal Nations.* Agency heads shall take the following actions to increase the accessibility, equity, flexibility, and utility of Federal funding and support programs for Tribal Nations, while increasing the transparency and efficiency of Federal funding processes to better live up to the Federal Government's trust responsibilities and support Tribal self-determination:

(a) Agencies shall design, revise, provide waivers for, and otherwise administer Federal funding and support programs for Tribal Nations to achieve the following objectives, to the maximum extent practicable and consistent with applicable law:

(i) promote compacting, contracting, co-management, co-stewardship, and other agreements with Tribal Nations that allow them to partner with the Federal Government to administer Federal programs and services;

(ii) identify funding programs that may allow for Tribal set-asides or other similar resource or benefits prioritization measures and, where appropriate, establish Tribal set-asides or prioritization measures that meet the needs of Tribal Nations;

(iii) design application and reporting criteria and processes in ways that reduce administrative burdens, including by consolidating and streamlining such criteria and processes within individual agencies;

(iv) take into account the unique needs, limited capacity, or significant barriers faced by Tribal Nations by providing reasonable and appropriate exceptions or accommodations where necessary;

(v) increase the flexibility of Federal funding for Tribal Nations by removing, where feasible, unnecessary limitations on Tribal spending, including by maximizing the portion of Federal funding that can be used for training, administrative costs, and additional personnel;

(vi) improve accessibility by identifying matching or cost-sharing requirements that may unduly reduce the ability of Tribal Nations to access resources and removing those burdens where appropriate;

(vii) respect Tribal data sovereignty and recognize the importance of Indigenous Knowledge by, when appropriate and permitted by statute, allowing Tribal Nations to use self-certified data and avoiding the establishment of processes that require Tribal Nations to apply to, or obtain permission from, State or local governments to access Federal funding or to be part of a Federal program;

(viii) provide Tribal Nations with the flexibility to apply for Federal funding and support programs through inter-Tribal consortia or other entities while requiring non-Tribal entities that apply for Federal funding on behalf of, or to directly benefit, Tribal Nations to include proof of Tribal consent; and

(ix) provide ongoing outreach and technical assistance to Tribal Nations throughout the application and implementation process while continually improving agencies' understanding of Tribal Nations' unique needs through Tribal consultation and meaningful partnerships.

(b) Agencies, in coordination with OMB and consistent with applicable law, should assess Tribal Nations' access to competitive grant funding by tracking applications from Tribal Nations to competitive grant programs and their funding award success rate.

(c) Agencies should proactively and systematically identify and address, where possible, any additional undue burdens not discussed in this order that Tribal Nations face in accessing or effectively using Federal funding and support programs for Tribal Nations and their root causes, including those causes that are regulatory, technological, or process-based.

(d) Agencies' implementation efforts shall appropriately maintain or enhance protections afforded under existing Federal law and policy, including those related to treaty rights and trust obligations, Tribal sovereignty and jurisdiction, civil rights, civil liberties, privacy, confidentiality, Indigenous Knowledge, and information access and security.

(e) The WHCNAA, with support from the Secretary of the Interior as appropriate, shall ensure that Tribal Nations can easily identify in one location all sources of Federal funding and support programs for Tribal Nations, and all agencies that provide such funding shall coordinate with the Secretary of the Interior or the Secretary's designee to compile and regularly update the necessary information to support this resource.

(f) Agencies shall identify opportunities, as appropriate and consistent with applicable law, to modify their respective regulations, internal and public-facing guidance, internal budget development processes, and policies to include responsiveness to and support for the needs of Tribal Nations as part of their respective agencies' missions.

(g) Agencies shall issue internal guidance or directives, and provide additional staff training or support, as needed and as appropriate and consistent with applicable law, to promote the implementation of the leading practices identified in this section and their integration into agencies' processes for developing policies and programs.

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

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) Agencies not covered by section 2(a) of this order, including independent agencies, are strongly encouraged to comply with the provisions of this order.

(d) This order is not intended to, and does not, create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
December 6, 2023.

Executive Order 14113 of December 21, 2023

Adjustments of Certain Rates of Pay

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. *Statutory Pay Systems.* The rates of basic pay or salaries of the statutory pay systems (as defined in 5 U.S.C. 5302(1)), as adjusted under 5 U.S.C. 5303, are set forth on the schedules attached hereto and made a part hereof:

(a) The General Schedule (5 U.S.C. 5332(a)) at Schedule 1;

(b) The Foreign Service Schedule (22 U.S.C. 3963) at Schedule 2; and

(c) The schedules for the Veterans Health Administration of the Department of Veterans Affairs (38 U.S.C. 7306, 7401, 7404; section 301(a) of Public Law 102–40) at Schedule 3.

Sec. 2. *Senior Executive Service.* The ranges of rates of basic pay for senior executives in the Senior Executive Service, as established pursuant to 5 U.S.C. 5382, are set forth on Schedule 4 attached hereto and made a part hereof.

Sec. 3. *Certain Executive, Legislative, and Judicial Salaries.* The rates of basic pay or salaries for the following offices and positions are set forth on the schedules attached hereto and made a part hereof:

(a) The Executive Schedule (5 U.S.C. 5311–5318) at Schedule 5;

(b) The Vice President (3 U.S.C. 104) and the Congress (2 U.S.C. 4501) at Schedule 6; and

(c) Justices and judges (28 U.S.C. 5, 44(d), 135, 252, and 461(a)) at Schedule 7.

Sec. 4. *Uniformed Services.* The rates of monthly basic pay (37 U.S.C. 203(a)) for members of the uniformed services, as adjusted under 37 U.S.C. 1009, and the rate of monthly cadet or midshipman pay (37 U.S.C. 203(c)) are set forth on Schedule 8 attached hereto and made a part hereof.

Sec. 5. *Locality-Based Comparability Payments.*

(a) Pursuant to section 5304 of title 5, United States Code, and my authority to implement an alternative level of comparability payments under

section 5304a of title 5, United States Code, locality-based comparability payments shall be paid in accordance with Schedule 9 attached hereto and made a part hereof.

(b) The Director of the Office of Personnel Management shall take such actions as may be necessary to implement these payments and to publish appropriate notice of such payments in the *Federal Register*.

Sec. 6. *Administrative Law Judges.* Pursuant to section 5372 of title 5, United States Code, the rates of basic pay for administrative law judges are set forth on Schedule 10 attached hereto and made a part hereof.

Sec. 7. *Effective Dates.* Schedule 8 is effective January 1, 2024. The other schedules contained herein are effective on the first day of the first applicable pay period beginning on or after January 1, 2024.

Sec. 8. *Prior Order Superseded.* Executive Order 14090 of December 23, 2022, is superseded as of the effective dates specified in section 7 of this order.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
December 21, 2023.

Schedule 1--General Schedule

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2024)

Grade	1	2	3	4	5	6	7	8	9	10
GS-1	$21,986	$22,724	$23,454	$24,183	$24,912	$25,339	$26,063	$26,792	$26,821	$27,502
GS-2	24,722	25,310	26,129	26,821	27,124	27,922	28,720	29,518	30,316	31,114
GS-3	26,975	27,874	28,773	29,672	30,571	31,470	32,369	33,268	34,167	35,066
GS-4	30,280	31,289	32,298	33,307	34,316	35,325	36,334	37,343	38,352	39,361
GS-5	33,878	35,007	36,136	37,265	38,394	39,523	40,652	41,781	42,910	44,039
GS-6	37,765	39,024	40,283	41,542	42,801	44,060	45,319	46,578	47,837	49,096
GS-7	41,966	43,365	44,764	46,163	47,562	48,961	50,360	51,759	53,158	54,557
GS-8	46,475	48,024	49,573	51,122	52,671	54,220	55,769	57,318	58,867	60,416
GS-9	51,332	53,043	54,754	56,465	58,176	59,887	61,598	63,309	65,020	66,731
GS-10	56,528	58,412	60,296	62,180	64,064	65,948	67,832	69,716	71,600	73,484
GS-11	62,107	64,177	66,247	68,317	70,387	72,457	74,527	76,597	78,667	80,737
GS-12	74,441	76,922	79,403	81,884	84,365	86,846	89,327	91,808	94,289	96,770
GS-13	88,520	91,471	94,422	97,373	100,324	103,275	106,226	109,177	112,128	115,079
GS-14	104,604	108,091	111,578	115,065	118,552	122,039	125,526	129,013	132,500	135,987
GS-15	123,041	127,142	131,243	135,344	139,445	143,546	147,647	151,748	155,849	159,950

Schedule 2--Foreign Service Schedule

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2024)

Step	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8	Class 9
1	$123,041	$99,700	$80,787	$65,461	$53,043	$47,419	$42,391	$37,896	$33,878
2	126,732	102,691	83,211	67,425	54,634	48,842	43,663	39,033	34,894
3	130,534	105,772	85,707	69,448	56,273	50,307	44,973	40,204	35,941
4	134,450	108,945	88,278	71,531	57,962	51,816	46,322	41,410	37,019
5	138,484	112,213	90,926	73,677	59,700	53,371	47,711	42,652	38,130
6	142,638	115,580	93,654	75,887	61,491	54,972	49,143	43,932	39,274
7	146,917	119,047	96,464	78,164	63,336	56,621	50,617	45,250	40,452
8	151,325	122,618	99,358	80,509	65,236	58,319	52,136	46,607	41,666
9	155,865	126,297	102,339	82,924	67,193	60,069	53,700	48,006	42,916
10	159,950	130,086	105,409	85,412	69,209	61,871	55,311	49,446	44,203
11	159,950	133,988	108,571	87,974	71,285	63,727	56,970	50,929	45,529
12	159,950	138,008	111,828	90,613	73,424	65,639	58,679	52,457	46,895
13	159,950	142,148	115,183	93,332	75,627	67,608	60,439	54,031	48,302
14	159,950	146,413	118,638	96,132	77,895	69,636	62,253	55,652	49,751

Schedule 3--Veterans Health Administration Schedules
Department of Veterans Affairs

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2024)

Schedule for the Office of the Under Secretary for Health (38 U.S.C. 7306) and Directors of Medical Centers and Veterans Integrated Service Networks (38 U.S.C. 7401(4))*

	Minimum	Maximum
	$147,649	$221,900**

Physician, Podiatrist, and Dentist Base and Longevity Pay Schedule***	Minimum	Maximum
Physician Grade	$121,020	$177,496
Dentist Grade	121,020	177,496
Podiatrist Grade	121,020	177,496

Chiropractor and Optometrist Schedule	Minimum	Maximum
Chief Grade	$123,041	$159,950
Senior Grade	104,604	135,987
Intermediate Grade	88,520	115,079
Full Grade	74,441	96,770
Associate Grade	62,107	80,737

Expanded-Function Dental Auxiliary Schedule****	Minimum	Maximum
Director Grade	$123,041	$159,950
Assistant Director Grade	104,604	135,987
Chief Grade	88,520	115,079
Senior Grade	74,441	96,770
Intermediate Grade	62,107	80,737
Full Grade	51,332	66,731
Associate Grade	44,173	57,421
Junior Grade	37,765	49,096

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* Pursuant to 38 U.S.C. 7404(a)(2)(A) and (e), this schedule does not apply to the Director of Nursing Service or any incumbents who are physicians, podiatrists, or dentists. Pursuant to 38 U.S.C. 7404(a)(2)(B), this schedule also does not apply to the basic pay of any incumbents who are registered nurses or physician assistants if that basic pay is determined by the Secretary under subchapter IV of chapter 74 of title 38, United States Code.

** Pursuant to 38 U.S.C. 7404(a)(3)(B), for positions that are covered by a certified performance appraisal system, the maximum rate of basic pay may not exceed the rate of basic pay payable for level II of the Executive Schedule. For positions that are not covered by a certified performance appraisal system, the maximum rate of basic pay may not exceed the rate of basic pay payable for level III of the Executive Schedule.

*** Pursuant to 38 U.S.C. 7431, Veterans Health Administration physicians, podiatrists, and dentists paid under the Physician, Podiatrist, and Dentist Base and Longevity Pay schedule may also be paid market pay and performance pay.

**** Pursuant to section 301(a) of Public Law 102-40, these positions are paid according to the Nurse Schedule in 38 U.S.C. 4107(b), as in effect on August 14, 1990, with subsequent adjustments.

Schedule 4--Senior Executive Service

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2024)

	Minimum	Maximum
Agencies with a Certified SES Performance Appraisal System	$147,649	$221,900
Agencies without a Certified SES Performance Appraisal System	$147,649	$204,000

Schedule 5--Executive Schedule

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2024)

Level I	$246,400
Level II	221,900
Level III	204,000
Level IV	191,900
Level V	180,000

Schedule 6--Vice President and Members Of Congress

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2024)

Vice President	$284,600
Senators	174,000
Members of the House of Representatives	174,000
Delegates to the House of Representatives	174,000
Resident Commissioner from Puerto Rico	174,000
President pro tempore of the Senate	193,400
Majority leader and minority leader of the Senate	193,400
Majority leader and minority leader of the House of Representatives	193,400
Speaker of the House of Representatives	223,500

Schedule 7--Judicial Salaries

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2024)

Chief Justice of the United States	$312,200
Associate Justices of the Supreme Court	298,500
Circuit Judges	257,900
District Judges	243,300
Judges of the Court of International Trade	243,300

Schedule 8--Pay of The Uniformed Services
(Effective January 1, 2024)

Part I--Monthly Basic Pay
Years of Service (Computed Under 37 U.S.C. 205)

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18
Commissioned Officers											
O-10*	-	-	-	-	-	-	-	-	-	-	-
O-9*	-	-	-	-	-	-	-	-	-	-	-
O-8	$12,803.70	$13,223.70	$13,501.80	$13,579.20	$13,926.90	$14,506.50	$14,641.80	$15,192.60	$15,351.30	$15,825.90	$16,512.90
O-7	10,638.90	11,133.00	11,361.90	11,544.00	11,872.80	12,198.30	12,574.20	12,948.90	13,325.40	14,506.50	15,504.30
O-6**	8,067.90	8,863.20	9,444.90	9,444.90	9,481.20	9,887.40	9,941.40	9,941.40	10,506.30	11,505.00	12,091.20
O-5	6,725.70	7,576.50	8,100.90	8,199.60	8,527.20	8,722.50	9,153.00	9,469.80	9,878.10	10,501.80	10,799.10
O-4	5,803.20	6,717.30	7,166.40	7,265.40	7,681.50	8,127.90	8,684.10	9,116.10	9,416.70	9,589.50	9,689.10
O-3***	5,102.10	5,783.70	6,241.80	6,806.10	7,132.80	7,490.70	7,721.70	8,102.10	8,301.00	8,301.00	8,301.00
O-2***	4,408.50	5,020.80	5,782.80	5,978.10	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80
O-1***	3,826.20	3,982.80	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70
Commissioned Officers with Over 4 Years Active Duty Service as an Enlisted Member or Warrant Officer**											
O-3E	-	-	-	$6,806.10	$7,132.80	$7,490.70	$7,721.70	$8,102.10	$8,423.40	$8,607.90	$8,859.00
O-2E	-	-	-	5,978.10	6,100.80	6,294.90	6,622.80	6,876.60	7,065.00	7,065.00	7,065.00
O-1E	-	-	-	4,814.70	5,141.10	5,331.30	5,525.70	5,716.50	5,978.10	5,978.10	5,978.10
Warrant Officers											
W-5	-	-	-	-	-	-	-	-	-	-	-
W-4	$5,273.10	$5,671.50	$5,834.40	$5,994.60	$6,270.60	$6,543.60	$6,820.20	$7,235.40	$7,599.90	$7,946.70	$8,231.10
W-3	4,815.60	5,015.70	5,222.10	5,289.00	5,504.40	5,928.90	6,370.80	6,579.00	6,819.90	7,067.40	7,513.80
W-2	4,260.90	4,663.80	4,787.70	4,873.20	5,149.20	5,578.50	5,791.80	6,001.20	6,257.40	6,457.80	6,639.00
W-1	3,739.80	4,143.00	4,250.70	4,479.60	4,749.90	5,148.30	5,334.30	5,595.30	5,850.90	6,052.20	6,237.60

* Basic pay is limited to the rate of basic pay for level II of the Executive Schedule in effect during calendar year 2024, which is $18,491.70 per month for officers at pay grades O-7 through O-10. This includes officers serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, Chief of Space Operations, Commandant of the Coast Guard, Chief of the National Guard Bureau, or commander of a unified or specified combatant command (as defined in 10 U.S.C. 161(c)).

** Basic pay is limited to the rate of basic pay for level V of the Executive Schedule in effect during calendar year 2024, which is $15,000.00 per month, for officers at pay grades O-6 and below.

*** Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

**** Reservists with at least 1,460 points as an enlisted member, a warrant officer, or a warrant officer and an enlisted member, which are creditable toward reserve retirement, also qualify for these rates.

Schedule 8--Pay of The Uniformed Services (Page 2)
(Effective January 1, 2024)
Part I--Monthly Basic Pay
Years of Service (Computed Under 37 U.S.C. 205)

Pay Grade	Over 20	Over 22	Over 24	Over 26	Over 28	Over 30	Over 32	Over 34	Over 36	Over 38	Over 40
Commissioned Officers											
O-10*	$18,491.70*	$18,491.70*	$18,491.70*	$18,491.70*	$18,491.70*	$18,491.70*	$18,491.70*	$18,491.70*	$18,491.70*	$18,491.70*	$18,491.70*
O-9	18,096.00	18,357.30	18,491.70*	18,491.70*	18,491.70*	18,491.70*	18,491.70*	18,491.70*	18,491.70*	18,491.70*	18,491.70*
O-8	17,145.60	17,568.60	17,568.60	17,568.60	17,568.60	18,008.40	18,008.40	18,458.10	18,458.10	18,458.10	18,458.10
O-7	15,504.30	15,504.30	15,504.30	15,584.10	15,584.10	15,895.80	15,895.80	15,895.80	15,895.80	15,895.80	15,895.80
O-6**	12,677.10	13,010.70	13,348.50	14,002.80	14,002.80	14,282.40	14,282.40	14,282.40	14,282.40	14,282.40	14,282.40
O-5	11,093.10	11,426.70	11,426.70	11,426.70	11,426.70	11,426.70	11,426.70	11,426.70	11,426.70	11,426.70	11,426.70
O-4	9,689.10	9,689.10	9,689.10	9,689.10	9,689.10	9,689.10	9,689.10	9,689.10	9,689.10	9,689.10	9,689.10
O-3***	8,301.00	8,301.00	8,301.00	8,301.00	8,301.00	8,301.00	8,301.00	8,301.00	8,301.00	8,301.00	8,301.00
O-2***	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80
O-1***	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70
Commissioned Officers with Over 4 Years Active Duty Service As An Enlisted Member Or Warrant Officer****											
O-3E	$8,859.00	$8,859.00	$8,859.00	$8,859.00	$8,859.00	$8,859.00	$8,859.00	$8,859.00	$8,859.00	$8,859.00	$8,859.00
O-2E	7,065.00	7,065.00	7,065.00	7,065.00	7,065.00	7,065.00	7,065.00	7,065.00	7,065.00	7,065.00	7,065.00
O-1E	5,978.10	5,978.10	5,978.10	5,978.10	5,978.10	5,978.10	5,978.10	5,978.10	5,978.10	5,978.10	5,978.10
Warrant Officers											
W-5	$9,375.60	$9,851.10	$10,205.70	$10,597.20	$10,597.20	$11,128.20	$11,128.20	$11,683.50	$11,683.50	$12,269.10	$12,269.10
W-4	8,508.30	8,914.50	9,248.70	9,629.70	9,629.70	9,821.70	9,821.70	9,821.70	9,821.70	9,821.70	9,821.70
W-3	7,814.70	7,994.70	8,186.10	8,447.10	8,447.10	8,447.10	8,447.10	8,447.10	8,447.10	8,447.10	8,447.10
W-2	6,856.20	6,998.70	7,111.80	7,111.80	7,111.80	7,111.80	7,111.80	7,111.80	7,111.80	7,111.80	7,111.80
W-1	6,462.90	6,462.90	6,462.90	6,462.90	6,462.90	6,462.90	6,462.90	6,462.90	6,462.90	6,462.90	6,462.90

* Basic pay is limited to the rate of basic pay for level II of the Executive Schedule in effect during calendar year 2024, which is $18,491.70 per month for officers at pay grades O-7 through O-10. This includes officers serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, Chief of Space Operations, Commandant of the Coast Guard, Chief of the National Guard Bureau, or commander of a unified or specified combatant command (as defined in 10 U.S.C. 161(c)).

** Basic pay is limited to the rate of basic pay for level V of the Executive Schedule in effect during calendar year 2024, which is $15,000.00 per month, for officers at pay grades O-6 and below.

*** Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

**** Reservists with at least 1,460 points as an enlisted member, a warrant officer, or a warrant officer and an enlisted member, which are creditable toward reserve retirement, also qualify for these rates.

Schedule 8--Pay of The Uniformed Services (Page 3)
(Effective January 1, 2024)
Part I--Monthly Basic Pay
Years Of Service (Computed Under 37 U.S.C. 205)

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18
Enlisted Members											
E-9*	-	-	-	-	-	-	$6,370.50	$6,514.80	$6,696.60	$6,910.50	$7,127.10
E-8	-	-	-	-	-	$5,214.90	5,445.60	5,588.40	5,759.40	5,944.50	6,279.30
E-7	$3,624.90	$3,956.40	$4,108.20	$4,308.30	$4,465.50	4,734.60	4,886.40	5,155.20	5,379.30	5,532.30	5,694.90
E-6	3,135.60	3,450.60	3,603.00	3,750.90	3,904.80	4,252.50	4,387.80	4,649.70	4,729.80	4,788.00	4,856.40
E-5	2,872.20	3,065.70	3,214.20	3,365.70	3,601.80	3,848.70	4,052.10	4,076.40	4,076.40	4,076.40	4,076.40
E-4	2,633.70	2,768.40	2,918.40	3,066.30	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40
E-3	2,377.50	2,526.90	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20
E-2	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10
E-1**	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20
E-1***	1,865.10	-	-	-	-	-	-	-	-	-	-

* For noncommissioned officers serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, Chief Master Sergeant of the Space Force, Senior Enlisted Advisor to the Chairman of the Joint Chiefs of Staff, or Senior Enlisted Advisor to the Chief of the National Guard Bureau, basic pay for this grade is $10,294.80 per month, regardless of cumulative years of service under 37 U.S.C. 205.

** Applies to personnel who have served 4 months or more on active duty.

*** Applies to personnel who have served less than 4 months on active duty.

Schedule 8--Pay of The Uniformed Services (Page 4)
(Effective January 1, 2024)
Part I--Monthly Basic Pay

	Years Of Service (Computed Under 37 U.S.C. 205)										
Pay Grade	Over 20	Over 22	Over 24	Over 26	Over 28	Over 30	Over 32	Over 34	Over 36	Over 38	Over 40
					Enlisted Members						
E-9*	$7,472.10	$7,765.20	$8,072.70	$8,544.00	$8,544.00	$8,970.30	$8,970.30	$9,419.40	$9,419.40	$9,891.30	$9,891.30
E-8	6,449.10	6,737.40	6,897.30	7,291.20	7,291.20	7,437.30	7,437.30	7,437.30	7,437.30	7,437.30	7,437.30
E-7	5,757.90	5,969.70	6,083.10	6,515.70	6,515.70	6,515.70	6,515.70	6,515.70	6,515.70	6,515.70	6,515.70
E-6	4,856.40	4,856.40	4,856.40	4,856.40	4,856.40	4,856.40	4,856.40	4,856.40	4,856.40	4,856.40	4,856.40
E-5	4,076.40	4,076.40	4,076.40	4,076.40	4,076.40	4,076.40	4,076.40	4,076.40	4,076.40	4,076.40	4,076.40
E-4	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40
E-3	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20
E-2	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10
E-1**	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20
E-1***	-	-	-	-	-	-	-	-	-	-	-

* For noncommissioned officers serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, Chief Master Sergeant of the Space Force, Senior Enlisted Advisor to the Chairman of the Joint Chiefs of Staff, or Senior Enlisted Advisor to the Chief of the National Guard Bureau, basic pay for this grade is $10,294.80 per month, regardless of cumulative years of service under 37 U.S.C. 205.

** Applies to personnel who have served 4 months or more on active duty.

*** Applies to personnel who have served less than 4 months on active duty.

Schedule 8--Pay of The Uniformed Services (Page 5)

Part II--Rate of Monthly Cadet or Midshipman Pay

The rate of monthly cadet or midshipman pay authorized by 37 U.S.C. 203(c) is $1,339.50.

Schedule 9--Locality-Based Comparability Payments

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2024)

Locality Pay Area*	Rate
Alaska	31.96%
Albany-Schenectady, NY-MA	20.25%
Albuquerque-Santa Fe-Las Vegas, NM	18.05%
Atlanta–Athens-Clarke County–Sandy Springs, GA-AL	23.45%
Austin-Round Rock-Georgetown, TX	19.99%
Birmingham-Hoover-Talladega, AL	17.91%
Boston-Worcester-Providence, MA-RI-NH-CT-ME-VT	31.97%
Buffalo-Cheektowaga-Olean, NY	21.99%
Burlington-South Burlington-Barre, VT	18.97%
Charlotte-Concord, NC-SC	19.26%
Chicago-Naperville, IL-IN-WI	30.41%
Cincinnati-Wilmington-Maysville, OH-KY-IN	21.69%
Cleveland-Akron-Canton, OH-PA	22.01%
Colorado Springs, CO	19.73%
Columbus-Marion-Zanesville, OH	21.80%
Corpus Christi-Kingsville-Alice, TX	17.40%
Dallas-Fort Worth, TX-OK	26.91%
Davenport-Moline, IA-IL	18.66%
Dayton-Springfield-Kettering, OH	21.14%
Denver-Aurora, CO	29.88%
Des Moines-Ames-West Des Moines, IA	17.68%
Detroit-Warren-Ann Arbor, MI	28.82%
Fresno-Madera-Hanford, CA	17.15%
Harrisburg-Lebanon, PA	19.10%
Hartford-East Hartford, CT-MA	31.62%
Hawaii	21.79%
Houston-The Woodlands, TX	34.72%
Huntsville-Decatur, AL-TN	21.48%
Indianapolis-Carmel-Muncie, IN	17.89%
Kansas City-Overland Park-Kansas City, MO-KS	18.65%
Laredo, TX	21.33%
Las Vegas-Henderson, NV-AZ	19.23%
Los Angeles-Long Beach, CA	35.84%
Miami-Port St. Lucie-Fort Lauderdale, FL	24.42%
Milwaukee-Racine-Waukesha, WI	22.15%
Minneapolis-St. Paul, MN-WI	27.15%
New York-Newark, NY-NJ-CT-PA	37.24%
Omaha-Council Bluffs-Fremont, NE-IA	17.94%
Palm Bay-Melbourne-Titusville, FL	17.60%
Philadelphia-Reading-Camden, PA-NJ-DE-MD	28.55%
Phoenix-Mesa, AZ	22.02%
Pittsburgh-New Castle-Weirton, PA-OH-WV	20.78%
Portland-Vancouver-Salem, OR-WA	25.66%
Raleigh-Durham-Cary, NC	21.90%
Reno-Fernley, NV	17.11%
Richmond, VA	21.91%
Rochester-Batavia-Seneca Falls, NY	17.35%
Sacramento-Roseville, CA-NV	29.16%
San Antonio-New Braunfels-Pearsall, TX	18.49%
San Diego-Chula Vista-Carlsbad, CA	33.05%
San Jose-San Francisco-Oakland, CA	45.41%
Seattle-Tacoma, WA	30.81%
Spokane-Spokane Valley-Coeur d'Alene, WA-ID	17.18%
St. Louis-St. Charles-Farmington, MO-IL	19.63%
Tucson-Nogales, AZ	18.92%
Virginia Beach-Norfolk, VA-NC	18.46%
Washington-Baltimore-Arlington, DC-MD-VA-WV-PA	33.26%
Rest of U.S.	16.82%

* Locality Pay Areas are defined in 5 CFR 531.603.

SCHEDULE 10--ADMINISTRATIVE LAW JUDGES

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2024)

AL-3/A	$128,200
AL-3/B	138,000
AL-3/C	147,900
AL-3/D	157,900
AL-3/E	167,900
AL-3/F	177,600
AL-2	187,300
AL-1*	191,900

* Pursuant to 5 U.S.C. 5372(b)(1)(C), the rate of basic pay for AL-1 may not exceed the rate for level IV of the Executive Schedule.

Executive Order 14114 of December 22, 2023

Taking Additional Steps With Respect to the Russian Federation's Harmful Activities

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code,

I, JOSEPH R. BIDEN JR., President of the United States of America, in view of the Russian Federation's continued use of its military-industrial base to aid its effort to undermine security in countries and regions important to United States national security, including its reliance on the international financial system for the procurement of dual-use and other critical items from third countries, and in order to take additional steps with respect to the national emergency declared in Executive Order 14024 of April 15, 2021, expanded by Executive Order 14066 of March 8, 2022, and relied on for additional steps taken in Executive Order 14039 of August 20, 2021, Executive Order 14068 of March 11, 2022, and Executive Order 14071 of April 6, 2022, hereby order:

Section 1. *Amendments to Executive Order 14024.* Executive Order 14024 is hereby amended by redesignating section 11 of that order as section 12 and adding a new section 11 to read as follows:

''**Sec. 11**. (a) The Secretary of the Treasury, in consultation with the Secretary of State, and with respect to subsection (a)(ii) of this section, in consultation with the Secretary of State and the Secretary of Commerce, is hereby authorized to impose on a foreign financial institution the sanctions described in subsection (b) of this section, upon determining that the foreign financial institution has:

(i) conducted or facilitated any significant transaction or transactions for or on behalf of any person designated pursuant to section 1(a)(i) of this order for operating or having operated in the technology, defense and related materiel, construction, aerospace, or manufacturing sectors of the Russian Federation economy, or other such sectors as may be determined to support Russia's military-industrial base by the Secretary of the Treasury, in consultation with the Secretary of State; or

(ii) conducted or facilitated any significant transaction or transactions, or provided any service, involving Russia's military-industrial base, including the sale, supply, or transfer, directly or indirectly, to the Russian Federation of any item or class of items as may be determined by the Secretary of the Treasury, in consultation with the Secretary of State and the Secretary of Commerce.

(b) With respect to any foreign financial institution determined to meet the criteria set forth in subsection (a) of this section, the Secretary of the Treasury, in consultation with the Secretary of State, may:

(i) prohibit the opening of, or prohibit or impose strict conditions on the maintenance of, correspondent accounts or payable-through accounts in the United States; or

(ii) block all property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person of such foreign financial institution, and provide that such property and interests in property may not be transferred, paid, exported, withdrawn, or otherwise dealt in.

(c) The prohibitions in subsection (b) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted before the date of this order.

(d) I hereby determine that the making of donations of the types of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to subsection (b)(ii) of this section would seriously impair my ability to deal with the national emergency declared in this order, and I hereby prohibit such donations as provided by subsection (b)(ii) of this section.

(e) The prohibitions in subsection (b)(ii) of this section include:

(i) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to subsection (b)(ii) of this section; and

(ii) the receipt of any contribution or provision of funds, goods, or services from any such person.

(f) For purposes of this section, the term ''foreign financial institution'' means any foreign entity that is engaged in the business of accepting deposits; making, granting, transferring, holding, or brokering loans or credits; purchasing or selling foreign exchange, securities, futures or options; or procuring purchasers and sellers thereof, as principal or agent. It includes depository institutions; banks; savings banks; money services businesses; operators of credit card systems; trust companies; insurance companies; securities brokers and dealers; futures and options brokers and dealers; forward contract and foreign exchange merchants; securities and commodities exchanges; clearing corporations; investment companies; employee benefit plans; dealers in precious metals, stones, or jewels; and holding companies, affiliates, or subsidiaries of any of the foregoing. The term does not include the international financial institutions identified in 22 U.S.C. 262r(c)(2), the International Fund for Agricultural Development, the North American Development Bank, or any other international financial institution so notified by the Office of Foreign Assets Control.''.

Sec. 2. *Additional Amendments to Executive Order 14024.* Executive Order 14024 is hereby amended by striking section 7 and inserting, in lieu thereof, the following:

''**Sec. 7**. For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in this order, there need be no prior notice

of a listing or determination made pursuant to section 1 or section 11 of this order.''.

Sec. 3. *Amendments to Executive Order 14068.* Executive Order 14068 is hereby amended as follows:

(a) in section 1, by striking subsection (a)(i) and inserting, in lieu thereof, the following:

(i) the importation and entry into the United States, including importation for admission into a foreign trade zone located in the United States, of:

(A) the following products of Russian Federation origin: fish, seafood, and preparations thereof; alcoholic beverages; non-industrial diamonds; and any other products of Russian Federation origin, as may be determined by the Secretary of the Treasury, in consultation with the Secretary of State and the Secretary of Commerce;

(B) categories of any of the following products as may be determined by the Secretary of the Treasury, in consultation with the Secretary of State, the Secretary of Commerce, and the Secretary of Homeland Security, that were mined, extracted, produced, or manufactured wholly or in part in the Russian Federation, or harvested in waters under the jurisdiction of the Russian Federation or by Russia-flagged vessels, notwithstanding whether such products have been incorporated or substantially transformed into other products outside of the Russian Federation: fish, seafood, and preparations thereof; diamonds; and any other such products as may be determined by the Secretary of the Treasury, in consultation with the Secretary of State, the Secretary of Commerce, and the Secretary of Homeland Security;

(C) products containing any of the products subject to the prohibitions of subsections (a)(i)(A)–(B) of this section, as may be determined by the Secretary of the Treasury, in consultation with the Secretary of State, the Secretary of Commerce, and the Secretary of Homeland Security; and

(D) products subject to the prohibitions of subsections (a)(i)(A)–(C) of this section that transited through or were exported from or by the Russian Federation, as may be determined by the Secretary of the Treasury, in consultation with the Secretary of State, the Secretary of Commerce, and the Secretary of Homeland Security;'';

(b) in section 1, by adding new subsections (c)–(f) to read as follows:

''(c) The prohibitions in subsection (a)(i) of this section apply with respect to:

(i) products subject to the prohibitions of subsection (a)(i)(A) of this section imported on or after the date of this order or the date specified in any determinations made pursuant to that subsection, unless otherwise specified or authorized; and

(ii) products subject to the prohibitions of subsections (a)(i)(B)–(D) of this section imported on or after the date specified in any determinations made pursuant to those subsections, unless otherwise specified or authorized.

(d) The Secretary of Homeland Security, with the concurrence of the Secretary of the Treasury, shall prescribe rules and regulations to collect, including through an authorized electronic data interchange system as appropriate, any documentation or information as may be necessary to enforce subsections (a)(i)(B)–(D) and (c) of this section as expeditiously as possible.'';

(c) in section 4, by striking ''and'' at the end of subsection 4(c), by striking the period at the end of subsection (d) and replacing it with ''; and'', and by inserting the following new subsection after subsection (d):

''(e) the term ''diamond'' includes any diamonds classifiable under subheadings 7102.10, 7102.31, and 7102.39 of the Harmonized Tariff Schedule of the United States and under any other subheadings of the Harmonized Tariff Schedule of the United States specified in determinations made pursuant to section (1)(a)(i) of this order.''; and

(d) by striking section 5 and inserting, in lieu thereof, the following:

''**Sec. 5**. The Secretary of the Treasury, the Secretary of Commerce, and the Secretary of Homeland Security, in consultation with the Secretary of State, are hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA, as may be necessary to carry out the purposes of this order. The Secretary of the Treasury, the Secretary of Commerce, and the Secretary of Homeland Security may, consistent with applicable law, redelegate any of these functions within the Department of the Treasury, the Department of Commerce, and the Department of Homeland Security, respectively. All executive departments and agencies of the United States shall take all appropriate measures within their authority to implement this order.''.

Sec. 4. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, 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, or entities, its officers, employees, or agents, or any other persons.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
December 22, 2023.

OTHER PRESIDENTIAL DOCUMENTS

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Subchapter D—Designations	[None]

Subchapter B—Administrative Orders

Memorandum of January 6, 2023

Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the authority under section 506(a)(1) of the FAA to direct the drawdown of up to $2.85 billion in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, January 6, 2023.

Memorandum of January 17, 2023

Delegation of Authority Under Section 6501(b)(2) of the National Defense Authorization Act for Fiscal Year 2022

Memorandum for the Administrator of the United States Agency for International Development

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby delegate to the Administrator of the United States Agency for International Development the authority vested in the President by section 6501(b)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) (22 U.S.C. 276c–5(b)) to designate an employee of the relevant Federal department or agency with fiduciary responsibility for United States contributions to the Coalition for Epidemic Preparedness Innovations (CEPI) to serve on the CEPI Investors Council and, if nominated, on the CEPI Board of Directors, as a representative of the United States. The delegation in this memorandum shall apply to any provision of any future public law that is the same or substantially the same as the provision referenced in this memorandum.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, January 17, 2023.

Memorandum of January 19, 2023

Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the authority under section 506(a)(1) of the FAA to direct the drawdown of up to $2.5 billion in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, January 19, 2023.

Memorandum of January 22, 2023

Further Efforts To Protect Access to Reproductive Healthcare Services

Memorandum for the Attorney General[,] the Secretary of Health and Human Services[, and] the Secretary of Homeland Security

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.* Since 2000, the medication mifepristone has been approved by the Food and Drug Administration (FDA) for use in the United States as a safe and effective method to end early pregnancy.

The Food and Drug Administration Amendments Act of 2007 (Public Law 110–85) requires the FDA, working with drug manufacturers, to specify conditions for the use of certain drugs after considering six congressionally mandated factors. The Act sets forth a detailed administrative process to develop such conditions for use, known collectively as the Risk Evaluation and Mitigation Strategies (REMS), for individual drugs. Mifepristone has long had a REMS specifying the conditions for its use.

On January 3, 2023, the FDA, after an independent and comprehensive review of the risks and benefits of the drug, modified the REMS for mifepristone. The FDA took evidence-based action that supports access to mifepristone by helping ensure that healthcare providers and patients can continue to use telehealth to prescribe and receive mifepristone by mail after the end of the COVID–19 public health emergency. During the COVID–19 public health emergency, the FDA stopped enforcing a prior requirement that mifepristone be dispensed in person, and the FDA's January 2023 REMS permanently removed the in-person dispensing requirement. Additionally, pharmacies can now choose to become certified to dispense mifepristone to patients. These changes seek to reduce the burden on the healthcare delivery system while ensuring the benefits of the medication outweigh the risks. These changes also help ensure that patients can access mifepristone similarly to how they would access other prescribed medications.

In the wake of the new REMS for mifepristone, there have been reports of efforts to suppress access to medication abortion. Some State officials have announced that they will impose restrictions to limit access to this evidence-based, safe, and effective medication. In a letter to the FDA, for example, 22 State Attorneys General threatened to enforce State laws that purport to interfere with access to mifepristone. In Florida, the Governor

recently said that major pharmacy chains in the State will not offer mifepristone. Florida health officials issued guidance discouraging pharmacies from dispensing mifepristone, claiming that State law limits where abortion medication can be provided to hospitals, clinics, or physician offices. These actions have stoked confusion, sowed fear, and may prevent patients from accessing safe and effective FDA-approved medication.

At the same time, those who provide reproductive healthcare continue to face heightened safety concerns. There are reports that some have vowed to make people uncomfortable entering pharmacies that dispense mifepristone.

In Executive Order 14076 of July 8, 2022 (Protecting Access to Reproductive Healthcare Services), I directed the Secretary of Health and Human Services (HHS) to identify potential actions to protect and expand access to abortion care, including medication abortion. In that order, I directed the Attorney General and the Secretary of Homeland Security to consider actions, as appropriate and consistent with applicable law, that would protect the safety and security of patients, providers, and third parties, and that would protect the security of pharmacies and other entities providing, dispensing, or delivering reproductive and related healthcare services.

Since the issuance of Executive Order 14076, my Administration has taken steps to clarify the protections available to those who seek reproductive health services. The Department of Justice announced the formation of a Reproductive Rights Task Force, which, among other things, is focused on evaluating and monitoring State and local legislation, regulation, and enforcement actions that threaten to infringe on Federal legal protections relating to the provision or pursuit of reproductive care. HHS has published a report detailing its efforts to protect access to reproductive healthcare, including abortion care; protect patients' privacy and promote access to accurate information about reproductive healthcare services; and ensure that patients receive appropriate medical treatment under the law. Furthermore, HHS has continued taking action to help ensure non-discrimination in healthcare service delivery, including with respect to reproductive healthcare services and pharmacy access.

My Administration remains committed to supporting safe access to mifepristone, consistent with applicable law, and defending women's fundamental freedoms. Defending and protecting reproductive rights is essential to our Nation's health, safety, and progress. It is the policy of my Administration to protect against threats to the liberty and autonomy of those who live in this country.

Sec. 2. *Continuing to Protect Access to FDA-Approved Medication.* In light of recent developments and consistent with Executive Order 14076, within 60 days of the date of this memorandum:

(a) The Secretary of HHS, in consultation with the Attorney General and the Secretary of Homeland Security, shall consider:

(i) issuing guidance for patients seeking legal access to mifepristone, as well as for providers and entities, including pharmacies, that provide reproductive healthcare and seek to legally prescribe and provide mifepristone; and

(ii) any further actions, as appropriate and consistent with applicable law, to educate individuals on their ability to seek legal reproductive care, free from threats or violence.

(b) The Attorney General, the Secretary of Homeland Security, and the Secretary of HHS shall, as appropriate, provide the Interagency Task Force on Reproductive Healthcare Access, established in Executive Order 14076, with information concerning:

(i) potential barriers faced by patients seeking legal access to mifepristone or other reproductive healthcare, as well as by providers and entities, including pharmacies, that provide reproductive healthcare in providing mifepristone or other reproductive healthcare, and any recommendations for addressing these barriers; and

(ii) whether any additional institutional resources may be necessary to address these barriers.

Sec. 3. *General Provisions.* (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum 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, or entities, its officers, employees, or agents, or any other person.

(d) The Attorney General is authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, January 22, 2023.

Memorandum of January 26, 2023

Extending and Expanding Eligibility for Deferred Enforced Departure for Certain Hong Kong Residents

Memorandum for the Secretary of State [and] the Secretary of Homeland Security

The United States supports the human rights and fundamental freedoms of the residents of Hong Kong. The People's Republic of China (PRC) has continued to erode those rights and freedoms, and as such I am directing an extension and expansion of the deferral of removal of certain Hong Kong residents who are present in the United States.

By unilaterally imposing on Hong Kong the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (NSL) in June 2020, the PRC has undermined the enjoyment of rights and freedoms in Hong Kong, including those protected under the Basic Law and the Sino-British Joint Declaration. The PRC has continued its assault on Hong Kong's autonomy, undermining its remaining democratic processes and institutions, imposing limits on academic freedom, and cracking down on freedom of the press. Since June 2020, at least 150 opposition politicians, activists, and protesters have been taken into custody on politically motivated NSL-related charges including secession, subversion, terrorist activities, and collusion with a foreign country or external elements. Over 1,200 political prisoners are now behind bars, and over 10,000 individuals have been arrested for other charges in connection with anti-government protests.

There are compelling foreign policy reasons to extend Deferred Enforced Departure (DED) for an additional period for those residents of Hong Kong presently residing in the United States who were under a grant of DED until February 5, 2023, as well as to defer enforced departure for other Hong Kong residents who arrived in the United States subsequent to the initial grant of DED. The United States is committed to a foreign policy that unites our democratic values with our foreign policy goals, which is centered on the defense of democracy and the promotion of human rights around the world. Offering safe haven for Hong Kong residents who have been deprived of their guaranteed freedoms in Hong Kong furthers United States interests in the region. The United States will continue to stand firm in our support of the people in Hong Kong.

Pursuant to my constitutional authority to conduct the foreign relations of the United States, I have determined that it is in the foreign policy interest of the United States to defer for 24 months the removal of any Hong Kong resident who is present in the United States on the date of this memorandum, except for those:

(1) who have voluntarily returned to Hong Kong or the PRC after the date of this memorandum;

(2) who have not continuously resided in the United States since the date of this memorandum;

(3) who are inadmissible under section 212(a)(3) of the Immigration and Nationality Act (INA) (8 U.S.C. 1182(a)(3)) or deportable under section 237(a)(4) of the INA (8 U.S.C. 1227(a)(4));

(4) who have been convicted of any felony or two or more misdemeanors committed in the United States, or who meet any of the criteria set forth in section 208(b)(2)(A) of the INA (8 U.S.C. 1158(b)(2)(A));

(5) who are subject to extradition;

(6) whose presence in the United States the Secretary of Homeland Security has determined is not in the interest of the United States or presents a danger to public safety; or

(7) whose presence in the United States the Secretary of State has reasonable grounds to believe would have potentially serious adverse foreign policy consequences for the United States.

I further direct the Secretary of Homeland Security to take appropriate measures to authorize employment for noncitizens whose removal has been deferred, as provided by this memorandum, for the duration of such deferral, and to consider suspending regulatory requirements with respect to F–1 nonimmigrant students who are Hong Kong residents as the Secretary of Homeland Security determines to be appropriate. The Secretary of Homeland Security shall also provide for the prompt issuance of new or replacement documents in appropriate cases.

The Secretary of Homeland Security is authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, January 26, 2023.

Presidential Determination No. 2023–03 of January 30, 2023

Presidential Determination Pursuant to Section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012

Memorandum for the Secretary of State[,] the Secretary of the Treasury[, and] the Secretary of Energy

By the authority vested in me as President by the Constitution and the laws of the United States, after carefully considering the reports submitted to the Congress by the Energy Information Administration, including the report submitted in December 2022, and other relevant factors, including global economic conditions, the level of spare capacity, and the availability of strategic reserves, I determine, pursuant to section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012, Public Law 112–81, and consistent with prior determinations, that there is a sufficient supply of petroleum and petroleum products from countries other than Iran to permit a significant reduction in the volume of petroleum and petroleum products purchased from Iran by or through foreign financial institutions.

I will continue to monitor this situation closely.

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

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, January 30, 2023.

Memorandum of February 2, 2023

Supporting Access to Leave for Federal Employees

Memorandum for the Heads of Executive Departments and Agencies

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to strengthen the Federal Government as a model ''employer, it is hereby ordered as follows:

Section 1. *Policy*. Workers must have access to paid leave when they face a medical or caregiving need that affects their ability to work. Yet, the United States is one of the few countries in the world that does not guarantee paid leave—and 92 percent of the Nation's lowest wage workers, who are disproportionately women and workers of color, lack access to paid family leave through their employer. Lack of access to paid family and medical leave can risk the health, well-being, and economic security of workers and their families. Paid leave policies benefit both employees and employers and will strengthen our economy as a whole. That is why my Administration supports a national, comprehensive paid family and medical leave program that will ensure that workers have access to paid leave to bond with a new child; care for a seriously ill loved one; deal with a loved one's military deployment; heal from the worker's own serious illness; grieve the death of a loved one; or seek safety and recover from domestic violence, dating violence, sexual assault, or stalking. In addition to recognizing the importance of access to paid leave, my Administration acknowledges that unpaid leave can serve as a critical stopgap, allowing individuals to maintain their employment while attending to family or medical needs.

As the Nation's largest employer, the Federal Government must be a model for providing leave policies, both paid and unpaid, that allow employees time away from work to care for themselves or a loved one. Being a model employer includes updating our workplace policies and practices to reflect the emerging needs of our workforce today and tomorrow. It also requires recognizing an employee's important caregiving relationships with family members, including extended family and other individuals with equivalent relationships. In addition, Federal employees need access to extended family and medical leave, particularly during their first year of Federal service when they may not have accrued sufficient leave and are not yet eligible for leave under the Family and Medical Leave Act of 1993. By supporting Federal employees' access to leave throughout their service, the Federal Government will strengthen its ability to recruit, hire, develop, promote, and retain our Nation's talent and address barriers to equal opportunity, especially with respect to women's participation in the Federal workforce.

Sec. 2. *Supporting Federal Employees' Access to Leave Without Pay*. (a) In furtherance of the policy set forth in section 1 of this memorandum, the heads of executive departments and agencies (agencies) are encouraged to consider providing leave without pay for Federal employees, as appropriate and consistent with applicable law, including in the following circumstances:

(i) to bond with a new child, to care for a family member with a serious health condition, to address an employee's own serious health condition,

or to help manage family affairs when a family member is called to active duty, including during an employee's first year of service; and

(ii) bereavement after the death of a family member, including during an employee's first year of service.

(b) The Director of the Office of Personnel Management (OPM) and the Director of the Office of Management and Budget, through the Deputy Director for Management, shall support agencies in carrying out subsection (a) of this section.

(c) Agency heads, or their designees, shall inform the President, through the Assistant to the President and Director of the White House Gender Policy Council, on progress towards implementation of this memorandum within 1 year of its issuance.

Sec. 3. *Supporting Federal Employees' Access to Paid and Unpaid Leave to Seek Safety and Recover from Domestic Violence, Dating Violence, Sexual Assault, or Stalking.* Consistent with applicable law, the Director of OPM shall provide recommendations to the President, through the Assistant to the President and Director of the White House Gender Policy Council, within 180 days of the date of this memorandum, regarding actions OPM and agencies may take to support Federal employees' access to paid leave, such as sick leave, or leave without pay, for purposes related to seeking safety and recovering from domestic violence, dating violence, sexual assault, or stalking—including, for example, obtaining medical treatment (inclusive of mental health treatment), pursuing assistance from organizations that provide services to survivors, seeking relocation, or taking related legal action, as well as assisting a family member in engaging in any of these activities.

Sec. 4. *General Provisions.* (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum 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, or entities, its officers, employees, or agents, or any other person.

(d) The Director of OPM is authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, February 2, 2023.

Notice of February 3, 2023

Continuation of the National Emergency With Respect to the Widespread Humanitarian Crisis in Afghanistan and the Potential for a Deepening Economic Collapse in Afghanistan

On February 11, 2022, by Executive Order 14064, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the widespread humanitarian crisis in Afghanistan and the potential for a deepening economic collapse in Afghanistan.

The widespread humanitarian crisis in Afghanistan—including the urgent needs of the people of Afghanistan for food security, livelihoods support, water, sanitation, health, hygiene, shelter and settlement assistance, and COVID–19-related assistance, among other basic human needs—and the potential for a deepening economic collapse in Afghanistan continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. In addition, the preservation of certain property of Da Afghanistan Bank (DAB) held in the United States by United States financial institutions is of the utmost importance to addressing this national emergency and the welfare of the people of Afghanistan. Various parties, including representatives of victims of terrorism, have asserted legal claims against certain property of DAB or indicated in public court filings an intent to make such claims. This property is blocked under Executive Order 14064.

For these reasons, the national emergency declared in Executive Order 14064 of February 11, 2022, must continue in effect beyond February 11, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 14064 with respect to the widespread humanitarian crisis in Afghanistan and the potential for a deepening economic collapse in Afghanistan.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
February 3, 2023.

Memorandum of February 3, 2023

Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the

authority under section 506(a)(1) of the FAA to direct the drawdown of up to $425 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, February 3, 2023.

Notice of February 6, 2023

Continuation of the National Emergency With Respect to the Situation in and in Relation to Burma

On February 10, 2021, by Executive Order 14014, I declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the situation in and in relation to Burma.

The situation in and in relation to Burma, and in particular the February 1, 2021 coup, in which the military overthrew the democratically elected civilian government of Burma and unjustly arrested and detained government leaders, politicians, human rights defenders, journalists, and religious leaders, thereby rejecting the will of the people of Burma as expressed in elections held in November 2020 and undermining the country's democratic transition and rule of law, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared on February 10, 2021, must continue in effect beyond February 10, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 14014 with respect to the situation in and in relation to Burma.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

February 6, 2023.

Notice of February 10, 2023

Continuation of the National Emergency Concerning the Coronavirus Disease 2019 (COVID–19) Pandemic

On March 13, 2020, by Proclamation 9994, the President declared a national emergency concerning the coronavirus disease 2019 (COVID–19) pandemic. Today, we are in a different phase of the response to that pandemic than we were in March of 2020, and my Administration is planning for an end to the national emergency, but an orderly transition is critical to the health and safety of the Nation. For this reason, the national emergency declared on March 13, 2020, and beginning March 1, 2020, must continue in effect beyond March 1, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency declared in Proclamation 9994 concerning the COVID–19 pandemic. I anticipate terminating the national emergency concerning the COVID–19 pandemic on May 11, 2023.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

February 10, 2023.

Notice of February 17, 2023

Continuation of the National Emergency With Respect to Cuba and of the Emergency Authority Relating to the Regulation of the Anchorage and Movement of Vessels

On March 1, 1996, by Proclamation 6867, a national emergency was declared to address the disturbance or threatened disturbance of international relations caused by the February 24, 1996, destruction by the Cuban government of two unarmed, United States-registered civilian aircraft in international airspace north of Cuba. On February 26, 2004, by Proclamation 7757, the national emergency was expanded to deny monetary and material support to the Cuban government. On February 24, 2016, by Proclamation 9398, and on February 22, 2018, by Proclamation 9699, the national emergency was further modified based on continued disturbances or threatened disturbances of the international relations of the United States related to Cuba. The Cuban government has not demonstrated that it will refrain from the use of excessive force against United States vessels or aircraft that may engage in memorial activities or peaceful protest north of Cuba.

Further, the unauthorized entry of any United States-registered vessel into Cuban territorial waters continues to be detrimental to the foreign policy of the United States because such entry could facilitate a mass migration from Cuba. It continues to be United States policy that a mass migration

from Cuba would endanger United States national security by posing a disturbance or threatened disturbance of the international relations of the United States.

Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Cuba and the emergency authority relating to the regulation of the anchorage and movement of vessels set out in Proclamation 6867, as amended by Proclamation 7757, Proclamation 9398, and Proclamation 9699.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
February 17, 2023.

Notice of February 17, 2023

Continuation of the National Emergency With Respect to Libya

On February 25, 2011, by Executive Order 13566, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions of Colonel Muammar Qadhafi, his government, and close associates, which took extreme measures against the people of Libya, including by using weapons of war, mercenaries, and wanton violence against unarmed civilians. In addition, there was a serious risk that Libyan state assets would be misappropriated by Qadhafi, members of his government, members of his family, or his close associates if those assets were not protected. The foregoing circumstances, the prolonged attacks, and the increased numbers of Libyans seeking refuge in other countries from the attacks caused a deterioration in the security of Libya and posed a serious risk to its stability.

On April 19, 2016, the President signed Executive Order 13726, which expanded the scope of the national emergency declared in Executive Order 13566. The President found that the ongoing violence in Libya, including attacks by armed groups against Libyan state facilities, foreign missions in Libya, and critical infrastructure, as well as human rights abuses, violations of the arms embargo imposed by United Nations Security Council Resolution 1970 (2011), and misappropriation of Libya's natural resources threaten the peace, security, stability, sovereignty, democratic transition, and territorial integrity of Libya, and thereby constitute an unusual and extraordinary threat to the national security and foreign policy of the United States.

The situation in Libya continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, and measures are needed to protect against the diversion of assets or other

abuses by members of Qadhafi's family, their associates, and other persons hindering Libyan national reconciliation.

For this reason, the national emergency declared on February 25, 2011, and expanded on April 19, 2016, must continue in effect beyond February 25, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13566.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

February 17, 2023.

Memorandum of February 20, 2023

Delegation of Authority Under Sections 506(a)(1) and 552(c)(2) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State:

(1) the authority under section 506(a)(1) of the FAA to direct the drawdown of up to $450 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown; and

(2) the authority under section 552(c)(2) of the FAA to direct the drawdown of up to $10 million in commodities and services from the inventory and resources of any agency of the United States Government to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, February 20, 2023.

Presidential Determination No. 2023–04 of February 24, 2023

Unexpected Urgent Refugee and Migration Needs

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 2(c)(1) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)(1) (MRAA), I hereby determine, pursuant to section 2(c)(1) of the MRAA, that it is important to the national interest to furnish assistance under the MRAA in an amount not to exceed $50 million from the United States Emergency Refugee and Migration Assistance Fund for the purpose of meeting unexpected urgent refugee and migration needs resulting from the February 2023 earthquakes in Turkey and Syria, including through contributions and other assistance to international and nongovernmental organizations to provide humanitarian assistance for refugees and internally displaced persons affected by the earthquakes, including their host communities, and through payment of administrative expenses of the Bureau of Population, Refugees, and Migration of the Department of State.

You are authorized and directed to submit this determination to the Congress, along with the accompanying Justification, and to publish this determination in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, February 24, 2023.

Memorandum of February 27, 2023

Presidential Waiver of Statutory Requirements Pursuant to Section 303 of the Defense Production Act of 1950, as Amended, on Department of Defense Supply Chains Resilience

Memorandum for the Secretary of Defense

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 303 of the Defense Production Act of 1950, as amended (the ''Act'') (50 U.S.C. 4533), I hereby determine, pursuant to section 303(a)(7)(B) of the Act, that action is necessary to avert shortfalls in critical Department of Defense supply chains that would severely impair national defense capability. Therefore, I waive the requirements of section 303(a)(1)–(a)(6) of the Act for supply chains enumerated in the June 2021 White House report titled ''Building Resilient Supply Chains, Revitalizing American Manufacturing, and Fostering Broad-Based Growth: 100-Day Reviews Under Executive Order 14017'' and the February 2022 Department of Defense report titled ''Securing Defense-Critical Supply Chains: An Action Plan Developed in Response to President Biden's Executive Order 14017,'' specifically for defense organic industrial base supply chains critical to the Department of Defense and critical supply

chains for electronics, kinetic capabilities, castings and forgings, minerals and materials, and power and energy storage.

Ensuring a robust, resilient, and sustainable domestic industrial base is essential to our national security and the preservation of domestic critical infrastructure.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, February 27, 2023.

Notice of March 1, 2023

Continuation of the National Emergency With Respect to Ukraine

On March 6, 2014, by Executive Order 13660, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of persons that undermine democratic processes and institutions in Ukraine; threaten its peace, security, stability, sovereignty, and territorial integrity; and contribute to the misappropriation of its assets.

On March 16, 2014, the President issued Executive Order 13661, which expanded the scope of the national emergency declared in Executive Order 13660, and found that the actions and policies of the Government of the Russian Federation with respect to Ukraine undermine democratic processes and institutions in Ukraine; threaten its peace, security, stability, sovereignty, and territorial integrity; and contribute to the misappropriation of its assets.

On March 20, 2014, the President issued Executive Order 13662, which further expanded the scope of the national emergency declared in Executive Order 13660, as expanded in scope in Executive Order 13661, and found that the actions and policies of the Government of the Russian Federation, including its purported annexation of Crimea and its use of force in Ukraine, continue to undermine democratic processes and institutions in Ukraine; threaten its peace, security, stability, sovereignty, and territorial integrity; and contribute to the misappropriation of its assets.

On December 19, 2014, the President issued Executive Order 13685, to take additional steps to address the Russian occupation of the Crimea region of Ukraine.

On September 20, 2018, the President issued Executive Order 13849, to take additional steps to implement certain statutory sanctions with respect to the Russian Federation.

On February 21, 2022, the President issued Executive Order 14065, which further expanded the scope of the national emergency declared in Executive Order 13660, as expanded in scope in Executive Orders 13661 and 13662, and relied on for additional steps taken in Executive Orders 13685 and 13849, and found that the Russian Federation's purported recognition of the so-called Donetsk People's Republic or Luhansk People's Republic regions of Ukraine contradicts Russia's commitments under the Minsk agreements and further threatens the peace, stability, sovereignty, and territorial integrity of Ukraine, and thereby constitutes an unusual and extraordinary threat to the national security and foreign policy of the United States.

The actions and policies addressed in these Executive Orders continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared in Executive Order 13660, which was expanded in scope in Executive Order 13661, Executive Order 13662, and Executive Order 14065, and under which additional steps were taken in Executive Order 13685 and Executive Order 13849, must continue in effect beyond March 6, 2023.

Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13660.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
March 1, 2023.

Notice of March 1, 2023

Continuation of the National Emergency With Respect to Venezuela

On March 8, 2015, the President issued Executive Order 13692, declaring a national emergency with respect to the situation in Venezuela, including the Government of Venezuela's erosion of human rights guarantees, persecution of political opponents, curtailment of press freedoms, use of violence and human rights violations and abuses in response to antigovernment protests, and arbitrary arrest and detention of antigovernment protesters, as well as the exacerbating presence of significant government corruption.

The President took additional steps pursuant to this national emergency in Executive Order 13808 of August 24, 2017; Executive Order 13827 of March 19, 2018; Executive Order 13835 of May 21, 2018; Executive Order 13850 of November 1, 2018; Executive Order 13857 of January 25, 2019; and Executive Order 13884 of August 5, 2019.

The circumstances, as described in Executive Order 13692 and subsequent Executive Orders issued with respect to Venezuela, have not improved, and they continue to pose an unusual and extraordinary threat to the national

security and foreign policy of the United States. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13692.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

March 1, 2023.

Notice of March 1, 2023

Continuation of the National Emergency With Respect to Zimbabwe

On March 6, 2003, by Executive Order 13288, the President declared a national emergency and blocked the property of certain persons, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706), to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions. These actions and policies had contributed to the deliberate breakdown in the rule of law in Zimbabwe, to politically motivated violence and intimidation in that country, and to political and economic instability in the southern African region.

On November 22, 2005, the President issued Executive Order 13391 to take additional steps with respect to the national emergency declared in Executive Order 13288 by ordering the blocking of property of additional persons undermining democratic processes or institutions in Zimbabwe.

On July 25, 2008, the President issued Executive Order 13469, which expanded the scope of the national emergency declared in Executive Order 13288 and authorized the blocking of property of additional persons undermining democratic processes or institutions in Zimbabwe.

The actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, the national emergency declared on March 6, 2003, and the measures adopted on that date, on November 22, 2005, and on July 25, 2008, to deal with that emergency, must continue in effect beyond March 6, 2023.

Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13288.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
March 1, 2023.

Presidential Determination No. 2023–05 of March 1, 2023

Presidential Determination Pursuant to Section 303 of the Defense Production Act of 1950, as Amended, on Airbreathing Engines, Advanced Avionics Position Navigation and Guidance Systems, and Constituent Materials for Hypersonic Systems

Memorandum for the Secretary of Defense

Ensuring a robust, resilient, and competitive domestic defense industrial base that has the capability, capacity, and workforce to meet the hypersonic warfighting mission is essential to our national security. Therefore, by the authority vested in me as President by the Constitution and the laws of the United States of America, including section 303 of the Defense Production Act of 1950, as amended (the ''Act'') (50 U.S.C. 4533), I hereby determine, pursuant to section 303(a)(5) of the Act, that:

(1) airbreathing engines, advanced avionics position navigation and guidance systems, and constituent materials for hypersonic systems are essential to the national defense;

(2) without Presidential action under section 303 of the Act, United States industry cannot reasonably be expected to provide the additional investment required to provide airbreathing engines and constituent materials for hypersonic systems adequately and in a timely manner; and

(3) purchases, purchase commitments, or other action pursuant to section 303 of the Act are the most cost-effective, expedient, and practical alternative method for meeting the need for this critical industrial production capability.

Pursuant to section 303(a)(7)(B) of the Act, I find that action to expand the domestic production capability for these supply chains is necessary to avert an industrial resource or critical technology item shortfall that would severely impair national defense capability. Therefore, I waive the requirements of section 303(a)(1)–(a)(6) of the Act for the purpose of expanding the domestic production capability for airbreathing engines, advanced avionics position navigation and guidance systems, and constituent materials for hypersonic systems.

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

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, March 1, 2023.

Memorandum of March 3, 2023

Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the authority under section 506(a)(1) of the FAA to direct the drawdown of up to $400 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, March 3, 2023.

Notice of March 10, 2023

Continuation of the National Emergency With Respect to Iran

On March 15, 1995, by Executive Order 12957, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Government of Iran. On May 6, 1995, the President issued Executive Order 12959, imposing more comprehensive sanctions on Iran to further respond to this threat. On August 19, 1997, the President issued Executive Order 13059, consolidating and clarifying those previous orders. The President took additional steps pursuant to this national emergency in Executive Order 13553 of September 28, 2010; Executive Order 13574 of May 23, 2011; Executive Order 13590 of November 20, 2011; Executive Order 13599 of February 5, 2012; Executive Order 13606 of April 22, 2012; Executive Order 13608 of May 1, 2012; Executive Order 13622 of July 30, 2012; Executive Order 13628 of October 9, 2012; Executive Order 13645 of June 3, 2013; Executive Order 13716 of January 16, 2016, which revoked Executive Orders 13574, 13590, 13622, 13645, and provisions of Executive Order 13628; Executive Order 13846 of August 6, 2018, which revoked Executive Orders 13716 and 13628; Executive Order 13871 of May 8, 2019; Executive Order 13876 of June 24, 2019; Executive Order 13902 of January 10, 2020; and Executive Order 13949 of September 21, 2020.

The actions and policies of the Government of Iran—including its proliferation and development of missiles and other asymmetric and conventional weapons capabilities, its network and campaign of regional aggression, its support for terrorist groups, and the malign activities of the Islamic Revolutionary Guard Corps and its surrogates—continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

For these reasons, the national emergency declared on March 15, 1995, must continue in effect beyond March 15, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to Iran declared in Executive Order 12957. The emergency declared by Executive Order 12957 constitutes an emergency separate from that declared on November 14, 1979, by Executive Order 12170, in connection with the hostage crisis. This renewal, therefore, is distinct from the emergency renewal of November 8, 2022.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

March 10, 2023.

Order of March 13, 2023

Sequestration Order for Fiscal Year 2024 Pursuant to Section 251A of the Balanced Budget and Emergency Deficit Control Act, as Amended

By the authority vested in me as President by the laws of the United States of America, and in accordance with section 251A of the Balanced Budget and Emergency Deficit Control Act (the ''Act''), as amended, 2 U.S.C. 901a, I hereby order that, on October 1, 2023, direct spending budgetary resources for fiscal year 2024 in each non-exempt budget account be reduced by the amount calculated by the Office of Management and Budget in its report to the Congress of March 13, 2023.

All sequestrations shall be made in strict accordance with the requirements of section 251A of the Act and the specifications of the Office of Management and Budget's report of March 13, 2023, prepared pursuant to section 251A(9) of the Act.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

March 13, 2023.

Memorandum of March 20, 2023

Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the authority under section 506(a)(1) of the FAA to direct the drawdown of up to $350 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, March 20, 2023.

Memorandum of March 24, 2023

Conserving the Natural and Cultural Heritage of the Pacific Remote Islands

Memorandum for the Secretary of the Interior [and] the Secretary of Commerce

In the middle of the Pacific Ocean lie Howland, Baker, Jarvis, and Wake Islands; Johnston and Palmyra Atolls; and Kingman Reef, whose surrounding reefs, seamounts, and ocean are filled with some of the most diverse and remarkable marine life on the planet, including sharks, rays, marlin, tuna, giant clams, hawksbill turtles, ancient coral forests, and whales. Uninhabited today, for centuries wayfinders of Pacific Island Indigenous Peoples visited these islands while navigating through the expanse of the vast Pacific Ocean.

For years, Native Hawaiian and Pacific Island Indigenous communities, conservation advocates, and scientists have advocated for the protection of United States waters around these remote islands from industrial fishing, oil drilling, and mining. Through Proclamation 8336 of January 6, 2009 (Establishment of the Pacific Remote Islands Marine National Monument), the President partially fulfilled these requests by establishing the Pacific Remote Islands Marine National Monument, which permanently protected the islands, atolls, and emerged reef and 50 nautical miles of water around each. Through Proclamation 9173 of September 25, 2014 (Pacific Remote Islands Marine National Monument Expansion), the President took a further step to expand the Monument to include 200 nautical miles—the full

extent of the United States Exclusive Economic Zone—around Jarvis and Wake Islands and Johnston Atoll. In addition, some areas within the Monument are designated as National Wildlife Refuges.

The areas around Howland and Baker Islands, Palmyra Atoll, and Kingman Reef that remain unprotected include ecologically significant deep-water habitats and an associated array of seamounts with exceptional value for their biodiversity; spawning and feeding grounds for skipjack, yellowfin, and bigeye tuna species; and multiple apex predators that play a vital role in maintaining ecological balance and resilience of the ecosystem. Research continues to reveal the importance of these relatively unexplored habitats to the health, nutrient cycling, and carbon sequestration of the ocean.

To further ensure the protection of this unique and fragile area, support more abundant fisheries in surrounding areas, conserve the capacity of a healthy ocean to capture and store greenhouse gases that would otherwise enter the atmosphere, and appropriately honor ancestral, historical, and cultural connections to this and other Pacific conservation areas, and by the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct the following:

Section 1. *Initiating National Marine Sanctuary Designation.* (a) Within 30 days of the date of this memorandum, the Secretary of Commerce should consider initiating designation of a National Marine Sanctuary pursuant to the National Marine Sanctuaries Act, 16 U.S.C. 1431 *et seq.,* to provide the most comprehensive and lasting protections to the significant natural and cultural resources of the submerged lands and waters surrounding the seven islands, atolls, and reefs of the Pacific Remote Islands Marine National Monument—both within and outside the Monument boundary, to the full extent of the seaward limit of the United States Exclusive Economic Zone—including marine life, shoals, seamounts, reefs, banks, and sediments high in minerals and sequestered carbon dioxide for the benefit of present and future generations.

(b) In any proposal of a National Marine Sanctuary designation, as described in subsection (a) of this section, the Secretary of Commerce shall identify the anticipated timeline for the completion of the National Marine Sanctuary designation process as expeditiously as possible, consistent with applicable law.

(c) For any final designation, the Secretary of Commerce shall establish a National Marine Sanctuary advisory council and pursue, as appropriate, opportunities to collaborate with Indigenous Peoples with ancestral, historical, and cultural connections to the area on planning and management.

Sec. 2. *Collaboration on Conservation.* The Secretary of the Interior and the Secretary of Commerce (Secretaries) shall collaborate, as appropriate, regarding conservation of the lands and surrounding waters of the Pacific Remote Islands.

Sec. 3. *Collaborative Process on Naming.* In recognition of the deep and enduring cultural significance of this region to the oceanic cultures of the Pacific, the Secretaries shall develop and implement a process to collaborate with Indigenous language experts, Native Hawaiian Organizations, and other representatives from Indigenous Peoples with ancestral, historical,

and cultural connections to the area to develop names and naming conventions reflecting ancestral, historical, and cultural connections for the National Wildlife Refuges and any National Marine Sanctuary designated in the area of the Pacific Remote Islands Marine National Monument and for the islands, atolls, reefs, and other natural features in the area. Within 2 years of the date of this memorandum and through the process they develop, the Secretaries shall identify appropriate names for the National Wildlife Refuges within the Pacific Remote Islands Marine National Monument and any National Marine Sanctuary that is designated in the area, provide a recommendation to the President on the potential renaming of the Pacific Remote Islands Marine National Monument, and identify appropriate naming conventions and processes for naming natural features within the boundaries of the Monument and any National Marine Sanctuary that is designated in the area.

Sec. 4. *Recommendations on Appropriate Cultural Recognition.* Within 2 years of the date of this memorandum, the Secretaries shall engage with Native Hawaiian Organizations and relevant Pacific Island Indigenous communities and coordinate with other executive departments and agencies, as appropriate, to provide the President with recommendations on honoring the heritage, traditional practices, ancestral pathways, and stopping points for Pacific Island voyagers and on providing posthumous recognition for the Hui Panalāʻau, who were Native Hawaiians sent to the Pacific Remote Islands between 1935 and 1942, many of whom were young men from the Kamehameha Schools.

Sec. 5. *General Provisions.* (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof;

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals; or

(iii) the provisions of Proclamation 8336 and Proclamation 9173, including those related to the rights, authorities, or exemptions for the Department of Defense and actions of the Armed Forces.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

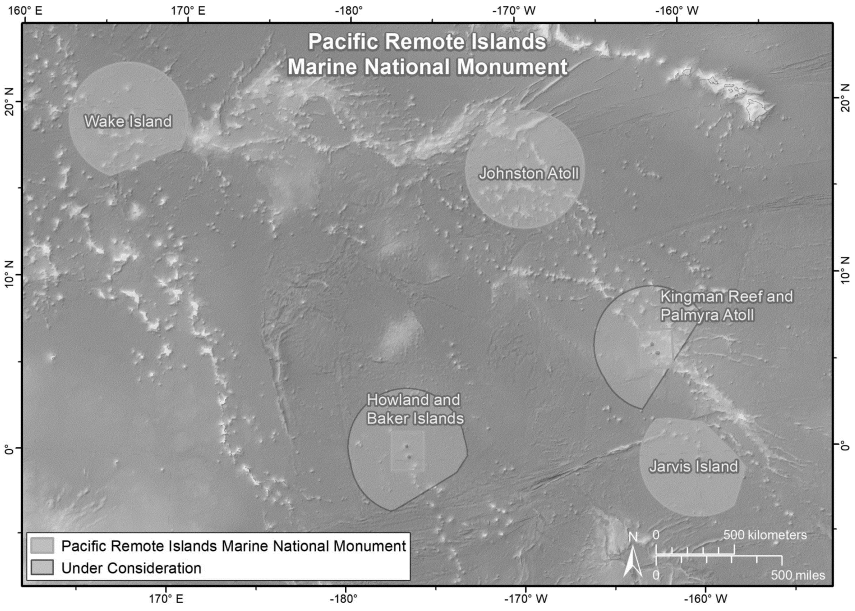
(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) The Secretary of Commerce is hereby authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, March 24, 2023.


Pacific Remote Islands
Marine National Monument
Wake Island
Johnston Atoll
Kingman Reef and
Palmyra Atoll
Howland and
Baker Islands
Jarvis Island
Pacific Remote Islands Marine National Monument
Under Consideration
N
0
500 kilometers
0
500 miles
160° E
170° E
-180°
-170° W
-160° W
20° N
10° N
0°

Presidential Determination No. 2023–06 of March 27, 2023

Presidential Determination Pursuant to Section 303 of the Defense Production Act of 1950, as Amended, on Printed Circuit Boards and Advanced Packaging Production Capability

Memorandum for the Secretary of Defense

Ensuring a robust, resilient, and sustainable domestic industrial base is essential for the national defense. Therefore, by the authority vested in me as President by the Constitution and the laws of the United States of America, including section 303 of the Defense Production Act of 1950, as amended (the ''Act'') (50 U.S.C. 4533), I hereby determine, pursuant to section 303(a)(5) of the Act, that:

(1) printed circuit boards and advanced packaging, their components, and the manufacturing systems that produce such systems and components are industrial resources, materials, or critical technology items essential to national defense;

(2) without Presidential action under section 303 of the Act, United States industry cannot reasonably be expected to provide the capability for the needed industrial resource, material, or critical technology item in a timely manner; and

(3) purchases, purchase commitments, or other action pursuant to section 303 of the Act are the most cost-effective, expedient, and practical alternative method for meeting the need.

Pursuant to section 303(a)(7)(B) of the Act, I find that action to expand the domestic production capability for printed circuit boards and advanced packaging is necessary to avert an industrial resource or critical technology item shortfall that would severely impair national defense capability. Therefore, I waive the requirements of section 303(a)(1)–(a)(6) of the Act for the purpose of expanding the domestic production capability for these supply chains.

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

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, March 27, 2023.

Notice of March 29, 2023

Continuation of the National Emergency With Respect to Significant Malicious Cyber-Enabled Activities

On April 1, 2015, by Executive Order 13694, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United

States constituted by the increasing prevalence and severity of malicious cyber-enabled activities originating from, or directed by persons located, in whole or in substantial part, outside the United States. On December 28, 2016, the President issued Executive Order 13757 to take additional steps to address the national emergency declared in Executive Order 13694.

These significant malicious cyber-enabled activities continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared on April 1, 2015, must continue in effect beyond April 1, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13694.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

March 29, 2023.

Notice of March 29, 2023

Continuation of the National Emergency With Respect to South Sudan

On April 3, 2014, by Executive Order 13664, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the situation in and in relation to South Sudan, which has been marked by activities that threaten the peace, security, or stability of South Sudan and the surrounding region, including widespread violence and atrocities, human rights abuses, recruitment and use of child soldiers, attacks on peacekeepers, and obstruction of humanitarian operations.

The situation in and in relation to South Sudan continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared on April 3, 2014, must continue in effect beyond April 3, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13664.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

March 29, 2023.

Memorandum of April 4, 2023

Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the authority under section 506(a)(1) of the FAA to direct the drawdown of up to $500 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, April 4, 2023.

Notice of April 7, 2023

Continuation of the National Emergency With Respect to Somalia

On April 12, 2010, by Executive Order 13536, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the deterioration of the security situation and the persistence of violence in Somalia; acts of piracy and armed robbery at sea off the coast of Somalia, which have been the subject of United Nations Security Council resolutions; and violations of the arms embargo imposed by the United Nations Security Council.

On July 20, 2012, the President issued Executive Order 13620 to take additional steps to deal with the national emergency declared in Executive Order 13536 in view of United Nations Security Council Resolution 2036 of February 22, 2012, and Resolution 2002 of July 29, 2011, and to address: exports of charcoal from Somalia, which generate significant revenue for al-Shabaab; the misappropriation of Somali public assets; and certain acts of violence committed against civilians in Somalia, all of which contribute to the deterioration of the security situation and the persistence of violence in Somalia.

The situation with respect to Somalia continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United

States. For this reason, the national emergency declared on April 12, 2010, and the measures adopted on that date and on July 20, 2012, to deal with that threat, must continue in effect beyond April 12, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13536.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
April 7, 2023.

Notice of April 7, 2023

Continuation of the National Emergency With Respect to Specified Harmful Foreign Activities of the Government of the Russian Federation

On April 15, 2021, by Executive Order 14024, I declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by specified harmful foreign activities of the Government of the Russian Federation. On March 8, 2022, I issued Executive Order 14066 to expand the scope of the national emergency declared in Executive Order 14024. On August 20, 2021, March 11, 2022, and April 6, 2022, I issued Executive Orders 14039, 14068, and 14071, respectively, to take additional steps with respect to the national emergency declared in Executive Order 14024.

Specified harmful foreign activities of the Government of the Russian Federation—in particular, efforts to undermine the conduct of free and fair democratic elections and democratic institutions in the United States and its allies and partners; to engage in and facilitate malicious cyber-enabled activities against the United States and its allies and partners; to foster and use transnational corruption to influence foreign governments; to pursue extraterritorial activities targeting dissidents or journalists; to undermine security in countries and regions important to United States national security; and to violate well-established principles of international law, including respect for the territorial integrity of states—continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared in Executive Order 14024, which was expanded in scope by Executive Order 14066, and with respect to which additional steps were taken in Executive Orders 14039, 14068, and 14071, must continue in effect beyond April 15, 2023.

Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 14024.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
April 7, 2023.

Notice of April 18, 2023

Continuation of the National Emergency and of the Emergency Authority Relating to the Regulation of the Anchorage and Movement of Russian-Affiliated Vessels to United States Ports

On April 21, 2022, by Proclamation 10371, I declared a national emergency by reason of a disturbance or threatened disturbance of international relations of the United States and authorized the Secretary of Homeland Security to regulate the anchorage and movement of Russian-affiliated vessels, pursuant to the National Emergencies Act (50 U.S.C. 1601 *et seq.*) and section 1 of title II of Public Law 65–24, ch. 30, June 15, 1917, as amended (Magnuson Act) (46 U.S.C. 70051).

The policies and actions of the Government of the Russian Federation to continue the premeditated, unjustified, unprovoked, and brutal war against Ukraine continue to constitute a national emergency by reason of a disturbance or threatened disturbance of international relations of the United States. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to the Russian Federation and the emergency authority relating to the regulation of the anchorage and movement of Russian-affiliated vessels to United States ports set out in Proclamation 10371.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
April 18, 2023.

Memorandum of April 19, 2023

Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the authority under section 506(a)(1) of the FAA to direct the drawdown of up

to $325 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, April 19, 2023.

Memorandum of April 25, 2023

2022 Unified Command Plan

Memorandum for the Secretary of Defense

Pursuant to my authority as Commander in Chief, I hereby approve and direct the implementation of the 2022 Unified Command Plan.

Consistent with section 161(b)(2) of title 10, United States Code, and section 301 of title 3, United States Code, you are directed to notify the Congress on my behalf.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, April 25, 2023.

Memorandum of April 25, 2023

Delegation of Authority Under Section 5948(d) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby delegate to the Secretary of State the authority to submit to the Congress the report required by section 5948(d) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263).

The delegation in this memorandum shall apply to any provision of any future public law that is the same or substantially the same as the provision referenced in this memorandum.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, April 25, 2023.

Presidential Determination No. 2023–07 of May 1, 2023

Unexpected Urgent Refugee and Migration Needs

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 2(c)(1) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)(1)) (MRAA), I hereby determine, pursuant to section 2(c)(1) of the MRAA, that it is important to the national interest to furnish assistance under the MRAA in an amount not to exceed $50.3 million from the United States Emergency Refugee and Migration Assistance Fund for the purpose of meeting unexpected urgent refugee and migration needs in the Western Hemisphere, including through contributions to international organizations by the Bureau of Population, Refugees, and Migration of the Department of State.

You are authorized and directed to submit this determination to the Congress, along with the accompanying Justification, and to publish this determination in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, May 1, 2023.

Memorandum of May 3, 2023

Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the authority under section 506(a)(1) of the FAA to direct the drawdown of up to $300 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine

and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, May 3, 2023.

Notice of May 8, 2023

Continuation of the National Emergency With Respect to the Actions of the Government of Syria

On May 11, 2004, pursuant to his authority under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) and the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (Public Law 108–175), the President issued Executive Order 13338, in which he declared a national emergency with respect to the actions of the Government of Syria. The national emergency was modified in scope and relied upon for additional steps taken in Executive Order 13399 of April 25, 2006, Executive Order 13460 of February 13, 2008, Executive Order 13572 of April 29, 2011, Executive Order 13573 of May 18, 2011, Executive Order 13582 of August 17, 2011, Executive Order 13606 of April 22, 2012, and Executive Order 13608 of May 1, 2012.

The President took these actions to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions of the Government of Syria in supporting terrorism, maintaining its then-existing occupation of Lebanon, pursuing weapons of mass destruction and missile programs, and undermining United States and international efforts with respect to the stabilization and reconstruction of Iraq.

The regime's brutality and repression of the Syrian people, who have called for freedom and a representative government, not only endangers the Syrian people themselves, but also generates instability throughout the region. The Syrian regime's actions and policies, including with respect to chemical weapons and supporting terrorist organizations, continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. As a result, the national emergency declared in Executive Order 13338, which was expanded in scope in Executive Order 13572, and with respect to which additional steps were taken in Executive Order 13399, Executive Order 13460, Executive Order 13573, Executive Order 13582, Executive Order 13606, and Executive Order 13608, must continue in effect beyond May 11, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared with respect to the actions of the Government of Syria.

In addition, the United States condemns the brutal violence and human rights violations and abuses of the Assad regime and its Russian and Iranian enablers. The United States calls on the Assad regime, and its backers, to stop its violent war against its own people, enact a nationwide ceasefire, facilitate the unhindered delivery of humanitarian assistance to all Syrians in need, and negotiate a political settlement in Syria in line with United Nations Security Council Resolution 2254. The United States will consider changes in policies and actions of the Government of Syria in determining whether to continue or terminate this national emergency in the future.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
May 8, 2023.

Notice of May 10, 2023

Continuation of the National Emergency With Respect to Securing the Information and Communications Technology and Services Supply Chain

On May 15, 2019, by Executive Order 13873, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the unrestricted acquisition and use of certain information and communications technology and services transactions.

The unrestricted acquisition or use in the United States of information and communications technology or services designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of foreign adversaries augments the ability of these foreign adversaries to create and exploit vulnerabilities in information and communications technology or services, with potentially catastrophic effects. This threat continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared on May 15, 2019, must continue in effect beyond May 15, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13873 with respect to securing the information and communications technology and services supply chain.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
May 10, 2023.

Notice of May 10, 2023

Continuation of the National Emergency With Respect to the Central African Republic

On May 12, 2014, by Executive Order 13667, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the situation in and in relation to the Central African Republic, which has been marked by a breakdown of law and order; intersectarian tension; the pervasive, often forced recruitment and use of child soldiers; and widespread violence and atrocities, including those committed by Kremlin-linked and Yevgeniy Prigozhin-affiliated entities such as the Wagner Group, and which threatens the peace, security, or stability of the Central African Republic and neighboring states.

The situation in and in relation to the Central African Republic continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared in Executive Order 13667 on May 12, 2014, to deal with that threat must continue in effect beyond May 12, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared with respect to the Central African Republic.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
May 10, 2023.

Notice of May 11, 2023

Continuation of the National Emergency With Respect to Yemen

On May 16, 2012, by Executive Order 13611, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of certain members of the Government of Yemen and others that threatened Yemen's peace, security, and stability. These actions include obstructing the political process in Yemen and blocking the implementation of the agreement of November 23, 2011, between the Government of Yemen and those in opposition to it, which provide for a peaceful transition of power that meets the legitimate demands and aspirations of the Yemeni people.

The actions and policies of certain former members of the Government of Yemen and others in threatening Yemen's peace, security, and stability

continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared in Executive Order 13611 on May 16, 2012, to deal with that threat must continue in effect beyond May 16, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13611 with respect to Yemen.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

May 11, 2023.

Presidential Determination No. 2023–08 of May 11, 2023

Presidential Determination Pursuant to Section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012

Memorandum for the Secretary of State[,] the Secretary of the Treasury[, and] the Secretary of Energy

By the authority vested in me as President by the Constitution and the laws of the United States, after carefully considering the reports submitted to the Congress by the Energy Information Administration, including the report submitted in April 2023, and other relevant factors, including global economic conditions, the level of spare capacity, and the availability of strategic reserves, I determine, pursuant to section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012, Public Law 112–81, and consistent with prior determinations, that there is a sufficient supply of petroleum and petroleum products from countries other than Iran to permit a significant reduction in the volume of petroleum and petroleum products purchased from Iran by or through foreign financial institutions.

I will continue to monitor this situation closely.

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

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, May 11, 2023.

Notice of May 16, 2023

Continuation of the National Emergency With Respect to the Stabilization of Iraq

On May 22, 2003, by Executive Order 13303, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq.

The obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared in Executive Order 13303, as modified in scope and relied upon for additional steps taken in Executive Order 13290 of March 20, 2003, Executive Order 13315 of August 28, 2003, Executive Order 13350 of July 29, 2004, Executive Order 13364 of November 29, 2004, Executive Order 13438 of July 17, 2007, and Executive Order 13668 of May 27, 2014, must continue in effect beyond May 22, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to the stabilization of Iraq declared in Executive Order 13303.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

May 16, 2023.

Memorandum of May 20, 2023

Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the authority under section 506(a)(1) of the FAA to direct the drawdown of up to $375 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, May 20, 2023.

Memorandum of May 25, 2023

Delegation of Authority Under Section 7070 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2023

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby delegate to the Secretary of State the functions and authorities vested in the President by section 7070 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2023 (Division K of Public Law 117–328).

Any reference in this memorandum to the Act shall be deemed to be a reference to such Act as amended from time to time.

The delegation in this memorandum shall apply to any provision of any future public law that is the same or substantially the same as the provision referenced in this memorandum.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, May 25, 2023.

Memorandum of May 26, 2023

Delegation of Authority Under Section 5583 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United

States Code, I hereby delegate to the Secretary of State the authority to develop and submit to the Congress the strategy required by section 5583 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263).

The delegation in this memorandum shall apply to any provision of any future public law that is the same or substantially the same as the provision referenced in this memorandum.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, May 26, 2023.

Memorandum of May 31, 2023

Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the authority under section 506(a)(1) of the FAA to direct the drawdown of up to $300 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, May 31, 2023.

Notice of June 12, 2023

Continuation of the National Emergency With Respect to Belarus

On June 16, 2006, by Executive Order 13405, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary

threat to the national security and foreign policy of the United States constituted by the actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions, manifested in the fundamentally undemocratic March 2006 elections; to commit human rights abuses related to political repression, including detentions and disappearances; and to engage in public corruption, including by diverting or misusing Belarusian public assets or by misusing public authority.

On August 9, 2021, by Executive Order 14038, I expanded the scope of the national emergency declared in Executive Order 13405, finding that the Belarusian regime's harmful activities and long-standing abuses aimed at suppressing democracy and the exercise of human rights and fundamental freedoms in Belarus—including illicit and oppressive activities stemming from the August 9, 2020, fraudulent Belarusian presidential election and its aftermath, such as the elimination of political opposition and civil society organizations and the regime's disruption and endangering of international civil air travel—constituted an unusual and extraordinary threat to the national security and foreign policy of the United States.

The actions and policies of certain members of the Government of Belarus and other persons, and the Belarusian regime's harmful activities and long-standing abuses, continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared in Executive Order 13405, which was expanded in scope in Executive Order 14038, must continue in effect beyond June 16, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13405.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

June 12, 2023.

Memorandum of June 13, 2023

Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the authority under section 506(a)(1) of the FAA to direct the drawdown of up to $325 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, June 13, 2023.

Notice of June 20, 2023

Continuation of the National Emergency With Respect to North Korea

On June 26, 2008, by Executive Order 13466, the President declared a national emergency with respect to North Korea pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the existence and risk of the proliferation of weapons-usable fissile material on the Korean Peninsula. The President also found that it was necessary to maintain certain restrictions with respect to North Korea that would otherwise have been lifted pursuant to Proclamation 8271 of June 26, 2008, which terminated the exercise of authorities under the Trading With the Enemy Act (50 U.S.C. App. 1 *et seq.*) with respect to North Korea.

On August 30, 2010, the President signed Executive Order 13551, which expanded the scope of the national emergency declared in Executive Order 13466 to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the continued actions and policies of the Government of North Korea, manifested by its unprovoked attack that resulted in the sinking of the Republic of Korea Navy ship *Cheonan* and the deaths of 46 sailors in March 2010; its announced test of a nuclear device and its missile launches in 2009; its actions in violation of United Nations Security Council Resolutions 1718 and 1874, including the procurement of luxury goods; and its illicit and deceptive activities in international markets through which it obtains financial and other support, including money laundering, the counterfeiting of goods and currency, bulk cash smuggling, and narcotics trafficking, which destabilize the Korean Peninsula and imperil United States Armed Forces, allies, and trading partners in the region.

On April 18, 2011, the President signed Executive Order 13570 to take additional steps to address the national emergency declared in Executive Order 13466 and expanded in Executive Order 13551 that would ensure implementation of the import restrictions contained in United Nations Security Council Resolutions 1718 and 1874 and complement the import restrictions provided for in the Arms Export Control Act (22 U.S.C. 2751 *et seq.*).

On January 2, 2015, the President signed Executive Order 13687 to expand the scope of, and to take further steps with respect to, the national emergency declared in Executive Order 13466, as expanded in Executive Order 13551, and addressed further in Executive Order 13570, to address the threat to the national security, foreign policy, and economy of the United States constituted by the provocative, destabilizing, and repressive actions and policies of the Government of North Korea, including its destructive, coercive cyber-related actions during November and December 2014, actions in violation of United Nations Security Council Resolutions 1718, 1874, 2087, and 2094, and commission of serious human rights abuses.

On March 15, 2016, the President signed Executive Order 13722 to take additional steps with respect to the national emergency declared in Executive Order 13466, as modified in scope and relied upon for additional steps in subsequent Executive Orders, to address the Government of North Korea's continuing pursuit of its nuclear and missile programs, as evidenced by its February 7, 2016, launch using ballistic missile technology and its January 6, 2016, nuclear test in violation of its obligations pursuant to numerous United Nations Security Council resolutions and in contravention of its commitments under the September 19, 2005, Joint Statement of the Six-Party Talks, that increasingly imperils the United States and its allies.

On September 20, 2017, the President signed Executive Order 13810 to take further steps with respect to the national emergency declared in Executive Order 13466, as modified in scope and relied upon for additional steps in subsequent Executive Orders, to address the provocative, destabilizing, and repressive actions and policies of the Government of North Korea, including its intercontinental ballistic missile launches of July 3 and July 28, 2017, and its nuclear test of September 2, 2017; its commission of serious human rights abuses; and its use of funds generated through international trade to support its nuclear and missile programs and weapons proliferation.

The existence and risk of the proliferation of weapons-usable fissile material on the Korean Peninsula and the actions and policies of the Government of North Korea continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared in Executive Order 13466, expanded in scope in Executive Order 13551, addressed further in Executive Order 13570, further expanded in scope in Executive Order 13687, and under which additional steps were taken in Executive Order 13722 and Executive Order 13810, must continue in effect beyond June 26, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13466 with respect to North Korea.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

June 20, 2023.

Notice of June 20, 2023

Continuation of the National Emergency With Respect to the Western Balkans

On June 26, 2001, by Executive Order 13219, the President declared a national emergency with respect to the Western Balkans pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions of persons engaged in, or assisting, sponsoring, or supporting, (i) extremist violence in the former Republic of Macedonia (what is now the Republic of North Macedonia) and elsewhere in the Western Balkans region, or (ii) acts obstructing implementation of the Dayton Accords in Bosnia or United Nations Security Council Resolution 1244 of June 10, 1999, in Kosovo. The President subsequently amended that order in Executive Order 13304 of May 28, 2003, to take additional steps with respect to certain actions that obstruct implementation of, among other things, the Ohrid Framework Agreement of 2001 relating to Macedonia (what is now the Republic of North Macedonia).

On June 8, 2021, I signed Executive Order 14033, which expanded the scope of the national emergency declared in Executive Order 13219, as amended, finding that the situation in the territory of the former Socialist Federal Republic of Yugoslavia and the Republic of Albania (the Western Balkans), over the past two decades, including the undermining of post-war agreements and institutions following the breakup of the former Socialist Federal Republic of Yugoslavia, as well as widespread corruption within various governments and institutions in the Western Balkans, stymies progress toward effective and democratic governance and full integration into transatlantic institutions, and thereby constitutes an unusual and extraordinary threat to the national security and foreign policy of the United States.

The actions of persons threatening the peace and international stabilization efforts in the Western Balkans, including acts of extremist violence and obstructionist activity, and the situation in the Western Balkans, which stymies progress toward effective and democratic governance and full integration into transatlantic institutions, continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared in Executive Order 13219, under which additional steps were taken in Executive Order 13304, and which was expanded in scope in Executive Order 14033, must continue in effect beyond June 26, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13219 with respect to the Western Balkans.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
June 20, 2023.

Memorandum of June 27, 2023

Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the authority under section 506(a)(1) of the FAA to direct the drawdown of up to $500 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, June 27, 2023.

Memorandum of June 30, 2023

Certification Regarding Disclosure of Information in Certain Records Related to the Assassination of President John F. Kennedy

Memorandum for the Heads of Executive Departments and Agencies

Section 1. *Policy.* In the three decades since the President John F. Kennedy Assassination Records Collection Act of 1992 (44 U.S.C. 2107 note) (the ''Act'') was enacted, the United States Government has undertaken a comprehensive review of its records and has strived to make available to the public thousands of classified documents that provide a fuller understanding of the tragic assassination of President John F. Kennedy. As I have reiterated throughout my Presidency, I fully support the Act's aim to maximize transparency by disclosing all information in records concerning the assassination, except when the strongest possible reasons counsel otherwise. Executive departments and agencies (agencies) have worked meticulously over thousands of hours of review to ensure that the American people have access to every single word that is appropriate for release under the standards of the Act. With my final certification made in this memorandum—the last required under the Act—and definitive plans for future disclosures, my Administration is fulfilling the promise of transparency to the American people.

Sec. 2. *Background.* (a) The Act permits the continued postponement of public disclosure of information in records concerning President Kennedy's

assassination only when postponement remains necessary to protect against an identifiable harm to the military defense, intelligence operations, law enforcement, or the conduct of foreign relations that is of such gravity that it outweighs the public interest in disclosure. Agencies have applied this statutory standard when proposing the continued postponement of public disclosure of specific information, and the National Archives and Records Administration (NARA) has reviewed each of these redactions to determine whether NARA agrees that these redactions continue to meet the statutory standard. In the Presidential Memorandum of December 15, 2022 (Certifications Regarding Disclosure of Information in Certain Records Related to the Assassination of President John F. Kennedy) (December 2022 Memorandum), I certified the temporary continued postponement of public disclosure of redacted information in a small number of records covered by the Act. At the time, the Acting Archivist of the United States (Acting Archivist) advised that a limited number of records that were the subject of agency proposals for temporary continued postponement warranted further review to ensure that information from these records is disclosed to the maximum extent possible, consistent with the standards of the Act. In the December 2022 Memorandum, consistent with that advice, I directed agencies to continue to work with NARA to review these records to determine if additional information proposed for redaction could be disclosed.

(b) On May 1, 2023, the Acting Archivist informed me that the review process was complete and recommended that I postpone the public release of certain redacted information in the records certified for temporary postponement of public release in the December 2022 Memorandum.

Sec. 3. *Certification.* In light of the recommendation for continued postponement of public release of information in the records identified in section 2(b) of this memorandum under the statutory standard, I hereby certify, by the authority vested in me as President by the Constitution and the laws of the United States of America, including section 5(g)(2)(D) of the Act, that continued postponement of public disclosure of that information is necessary to protect against identifiable harms to the military defense, intelligence operations, law enforcement, and the conduct of foreign relations that are of such gravity that they outweigh the public interest in disclosure. All information within these records that has been proposed for continued postponement under section 5(g)(2)(D) of the Act shall accordingly be withheld from public disclosure. Future release of the information in these records shall occur in a manner consistent with the Transparency Plans described in section 5 of this memorandum.

Sec. 4. *Release.* Any information currently withheld from public disclosure under section 4 of the December 2022 Memorandum that is not subject to the certification in section 3 of this memorandum shall be released to the public by June 30, 2023.

Sec. 5. *Transparency Plans.* As part of their review, each agency prepared a plan for the eventual release of information (Transparency Plan) to ensure that information would continue to be disclosed over time as the identified harm associated with release of the information dissipates. Each Transparency Plan details the event-based or circumstance-based conditions that will trigger the public disclosure of currently postponed information by the National Declassification Center (NDC) at NARA. These Transparency Plans were reviewed by NARA, and the Acting Archivist previously advised me

that use of the Transparency Plans by the NDC will ensure appropriate continued release of information covered by the Act. In the December 2022 Memorandum, I directed that the Transparency Plans submitted by agencies be used by the NDC to conduct future reviews of any information that has been postponed from public disclosure. On May 1, 2023, the Acting Archivist recommended continued use of agencies' Transparency Plans to release information covered by the Act. Therefore, I direct the NDC to continue to use the Transparency Plans to conduct future reviews of any information covered by the Act that has been postponed from public disclosure. The Transparency Plans will ensure that the public will have access to the maximum amount of information while continuing to protect against identifiable harms to the military defense, intelligence operations, law enforcement, and the conduct of foreign relations under the standards of the Act.

Sec. 6. *Publication.* The Archivist of the United States is hereby authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, June 30, 2023.

Presidential Permit of July 6, 2023

Authorizing the General Services Administration To Expand and Continue To Operate and Maintain a Vehicular and Pedestrian Border Crossing at the Calexico East Land Port of Entry to Mexico

By virtue of the authority vested in me as President of the United States of America (the ''President''), I hereby grant permission, subject to the conditions set forth herein, to the General Services Administration (the ''permittee'') to expand and continue to operate and maintain a vehicular and pedestrian crossing at the Calexico East Land Port of Entry to Mexico located on the United States border with Mexico in Calexico, California, as described in the ''Application for Presidential Permit Calexico East Land Port of Entry'' dated December 19, 2022 (''December 19, 2022, Application''), by the permittee to the Secretary of State in accordance with Executive Order 13867 and associated procedures.

The term ''Facilities'' as used in this permit means the portion in the United States of the bridge over the All-American Canal and crossing, including two additional commercial and two additional noncommercial lanes to be constructed at the Calexico East Land Port of Entry, and any land, structures, installations, or equipment appurtenant thereto located between the international boundary between the United States and Mexico and a line approximately 1,066 feet north of the international boundary.

This permit is subject to the following conditions:

Article 1. The Facilities herein described and all aspects of their operation are subject to all the conditions, provisions, and requirements of this permit and any subsequent Presidential amendment to it. The construction, operation, and maintenance of the Facilities shall be in all material respects as described in the December 19, 2022, Application.

Article 2. The standards for and the manner of construction, connection, operation, and maintenance of the Facilities are subject to inspection by the representatives of appropriate Federal, State, and local agencies. The permittee shall grant officers and employees of such agencies that are duly authorized and performing their official duties free and unrestricted access to said Facilities.

Article 3. The permittee shall comply with all applicable Federal laws and regulations regarding the construction, operation, and maintenance of the Facilities.

Article 4. The permittee shall immediately notify the President or his designee of any decision to transfer custody and control of the Facilities or any part thereof to any other agency or department of the United States Government. Said notice shall identify the transferee agency or department and seek the approval of the President for the transfer of the permit. In the event of approval by the President of such transfer, this permit shall remain in force and effect, and the Facilities shall be subject to all the conditions, permissions, and requirements of this permit and any amendments thereof. The permittee may transfer ownership or control of the Facilities to a non-Federal entity or individual only upon the prior express approval of such transfer by the President, which approval may include such conditions, permissions, and requirements that the President, in his discretion, determines are appropriate and necessary for inclusion in the permit, to be effective on the date of transfer.

Article 5. The permittee is responsible for acquiring and maintaining any right-of-way grants or easements, permits, and other authorizations as may become necessary or appropriate. To ensure the safe operation of the Facilities, the permittee shall maintain them and every part of them in a condition of good repair and in compliance with applicable law and use of best management practices.

Article 6. (1) The permittee shall take or cause to be taken all appropriate measures to mitigate adverse impacts on or disruption of the human environment in connection with the construction, operation, and maintenance of the Facilities. Mitigation measures are those that avoid, minimize, or compensate for adverse impacts.

The permittee is responsible for obtaining any required Federal, State, and local permits, approvals, and authorizations prior to commencing construction activities. The permittee shall implement the mitigation identified in any environmental decision documents prepared in accordance with the National Environmental Policy Act and Federal permits, including stormwater permits and permits issued in accordance with section 402 of the Clean Water Act (33 U.S.C. 1342). The permittee shall comply with applicable Federal, State, and local environmental laws.

(2) Before initiating construction, the permittee shall obtain the concurrence of the United States Section of the International Boundary and Water Commission, United States and Mexico.

Article 7. The permittee shall file any applicable statements and reports required by applicable Federal law in connection with the Facilities.

Article 8. Upon request, the permittee shall provide appropriate information to the President or his designee with regard to the Facilities. Such requests could include requests for information concerning current conditions, environmental compliance, mitigation, or anticipated changes in ownership or control, construction, connection, operation, or maintenance of the Facilities.

Article 9. The permittee shall not initiate construction until the Department of State has provided notification to the permittee that the Department has completed its exchange of diplomatic notes with the Government of Mexico regarding authorization. The permittee shall provide written notification to the President or his designee at the time that the construction authorized by this permit begins, at such time as such construction is completed, interrupted, or discontinued, and at other times as may be requested by the President.

Article 10. The permittee shall make no substantial change to the Facilities, in the location of the Facilities, or in the operation authorized by this permit unless such changes have been approved by the President. The President may terminate, revoke, or amend this permit at any time at his sole discretion. The permittee's obligation to implement any amendment to this permit is subject to the availability of funds. If the permittee permanently closes the Calexico East Land Port of Entry and it is no longer used as an international crossing, then this permit shall terminate, and the permittee may manage, utilize, or dispose of the Facilities in accordance with its statutory authorities. This permit shall continue in full force and effect for only so long as the permittee continues the operations hereby authorized. This permit shall expire 10 years from the date of its issuance if the permittee has not commenced construction of the Facilities by that date.

Article 11. This permit 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, or entities, its officers, employees, or agents, or any other person.

IN WITNESS WHEREOF, I, JOSEPH R. BIDEN JR., President of the United States of America, have hereunto set my hand this sixth day of July, in the year of our Lord two thousand twenty-three, and of the Independence of the United States of America the two hundred and forty-eighth.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, July 6, 2023.

Memorandum of July 7, 2023

Delegation of Authority of Certain National Emergency Expenditure Reporting Functions

Memorandum for the Secretary of Homeland Security[,] the Secretary of Health and Human Services[, and] the Secretary of the Treasury

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA) and section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. *Delegations.* The Secretary of Homeland Security is hereby authorized to submit expenditure information to the Congress on the national emergency declared in Proclamation 6867, as amended by Proclamation 7757, Proclamation 9398, and Proclamation 9699, consistent with section 401(c) of the NEA (50 U.S.C. 1641(c)). The Secretary of Homeland Security is hereby authorized to submit expenditure information to the Congress on the national emergency declared in Proclamation 10371, consistent with section 401(c) of the NEA. The Secretary of Health and Human Services, in consultation with the Secretary of the Treasury, is hereby authorized to submit expenditure information to the Congress on the national emergency declared in Proclamation 9994, consistent with section 401(c) of the NEA. With respect to the delegations under this section, the Secretaries may consult with the Congress as warranted to ensure that the Congress receives complete and accurate expenditure information as expeditiously as possible.

Sec. 2. *General Provisions.* (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum 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, or entities, its officers, employees, or agents, or any other person.

(d) The Secretary of Homeland Security is authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, July 7, 2023.

Memorandum of July 7, 2023

Delegation of Authority Under Section 506(a)(1) and Section 614(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State:

(1) the authority under section 506(a)(1) of the FAA to direct the drawdown of up to $800 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown; and

(2) the authority under section 614(a)(1) of the FAA to determine whether it is important to the security interests of the United States to furnish up to $122 million in assistance to Ukraine without regard to any provision of law within the purview of section 614(a)(1) of the FAA.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, July 7, 2023.

Notice of July 11, 2023

Continuation of the National Emergency With Respect to Hong Kong

On July 14, 2020, by Executive Order 13936, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the situation with respect to Hong Kong.

The situation with respect to Hong Kong, including recent actions taken by the People's Republic of China to fundamentally undermine Hong Kong's autonomy, continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared on July 14, 2020, must continue in effect beyond July 14, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13936 with respect to the situation in Hong Kong.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

July 11, 2023.

Notice of July 12, 2023

Continuation of the National Emergency With Respect to Hostage-Taking and the Wrongful Detention of United States Nationals Abroad

On July 19, 2022, by Executive Order 14078, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by hostage-taking and the wrongful detention of United States nationals abroad.

Hostage-taking and the wrongful detention of United States nationals are heinous acts that undermine the rule of law. Terrorist organizations, criminal groups, and other malicious actors who take hostages for financial, political, or other gain—as well as foreign states that engage in the practice of wrongful detention, including for political leverage or to seek concessions from the United States—threaten the integrity of the international political system and the safety of United States nationals and other persons abroad. Hostage-taking and the wrongful detention of United States nationals abroad continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared in Executive Order 14078 of July 19, 2022, must continue in effect beyond July 19, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 14078 with respect to hostage-taking and the wrongful detention of United States nationals abroad.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

July 12, 2023.

Notice of July 19, 2023

Continuation of the National Emergency With Respect to Transnational Criminal Organizations

On July 24, 2011, by Executive Order 13581, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the activities of significant transnational criminal organizations.

On March 15, 2019, by Executive Order 13863, the President took additional steps to deal with the national emergency with respect to significant transnational criminal organizations in view of the evolution of these organizations as well as the increasing sophistication of their activities, which threaten international political and economic systems and pose a direct threat to the safety and welfare of the United States and its citizens, and given the ability of these organizations to derive revenue through widespread illegal conduct, including acts of violence and abuse that exhibit a wanton disregard for human life as well as many other crimes enriching and empowering these organizations.

Significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, the national emergency declared in Executive Order 13581 on July 24, 2011, under which additional steps were taken in Executive Order 13863 on March 15, 2019, must continue in effect beyond July 24, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to significant transnational criminal organizations declared in Executive Order 13581.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
July 19, 2023.

Notice of July 21, 2023

Continuation of the National Emergency With Respect to Lebanon

On August 1, 2007, by Executive Order 13441, the President declared a national emergency with respect to Lebanon pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions of certain persons to undermine Lebanon's legitimate and democratically elected government or democratic institutions; to contribute to the deliberate breakdown in the rule of

law in Lebanon, including through politically motivated violence and intimidation; to reassert Syrian control or contribute to Syrian interference in Lebanon; or to infringe upon or undermine Lebanese sovereignty contribute to political and economic instability in that country and the region.

Certain ongoing activities, such as Iran's continuing arms transfers to Hizballah—which include increasingly sophisticated weapons systems—serve to undermine Lebanese sovereignty, contribute to political and economic instability in the region, and continue to constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared on August 1, 2007, must continue in effect beyond August 1, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to Lebanon declared in Executive Order 13441.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

July 21, 2023.

Notice of July 21, 2023

Continuation of the National Emergency With Respect to Mali

On July 26, 2019, by Executive Order 13882, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the situation in Mali.

The situation in Mali, including repeated violations of ceasefire arrangements made pursuant to the 2015 Agreement on Peace and Reconciliation in Mali; the expansion of terrorist activities into southern and central Mali; the intensification of drug trafficking and trafficking in persons, human rights abuses, and hostage-taking; a further coup d'etat; the presence of foreign mercenaries threatening peace, security, and stability; and the intensification of attacks against civilians, the Malian defense and security forces, the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), and international security presences, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared in Executive Order 13882 on July 26, 2019, must continue in effect beyond July 26, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13882 with respect to the situation in Mali.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

July 21, 2023.

Memorandum of July 25, 2023

Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the authority under section 506(a)(1) of the FAA to direct the drawdown of up to $400 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, July 25, 2023.

Memorandum of July 28, 2023

Delegation of Authority Under Section 506(a)(3) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the authority under section 506(a)(3) of the FAA to direct the drawdown of up to $345 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Taiwan.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, July 28, 2023.

Presidential Determination No. 2023–09 of August 11, 2023

Continuation of U.S. Drug Interdiction Assistance to the Government of Colombia

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, and pursuant to the authority vested in me by section 1012 of the National Defense Authorization Act for Fiscal Year 1995, as amended (22 U.S.C. 2291–4), I hereby certify, with respect to Colombia, that: (1) interdiction of aircraft reasonably suspected to be primarily engaged in illicit drug trafficking in that country's airspace is necessary, because of the extraordinary threat posed by illicit drug trafficking to the national security of that country; and (2) Colombia has appropriate procedures in place to protect against innocent loss of life in the air and on the ground in connection with such interdiction, which includes effective means to identify and warn an aircraft before the use of force is directed against the aircraft.

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

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, August 11, 2023.

Notice of August 14, 2023

Continuation of the National Emergency With Respect to Export Control Regulations

On August 17, 2001, the President issued Executive Order 13222 pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*). In that order, the President declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States related to the expiration of the Export Administration Act of 1979, as amended (50 U.S.C. 4601 *et seq.*). Because the implementation of certain sanctions authorities, including sections 11A, 11B, and 11C of such Export Administration Act of 1979,

consistent with section 1766(b) of Public Law 115–232, the Export Control Reform Act of 2018 (50 U.S.C. 4801 note), is to be carried out under the International Emergency Economic Powers Act, the national emergency declared on August 17, 2001, must continue in effect beyond August 17, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13222, as amended by Executive Order 13637 of March 8, 2013.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
August 14, 2023.

Notice of September 7, 2023

Continuation of the National Emergency With Respect to Certain Terrorist Attacks

Consistent with section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), I am continuing for 1 year the national emergency previously declared on September 14, 2001, in Proclamation 7463, with respect to the terrorist attacks of September 11, 2001, and the continuing and immediate threat of further attacks on the United States.

Because the terrorist threat continues, the national emergency declared on September 14, 2001, and the powers and authorities adopted to deal with that emergency must continue in effect beyond September 14, 2023. Therefore, I am continuing in effect for an additional year the national emergency that was declared on September 14, 2001, with respect to the terrorist threat.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
September 7, 2023.

Notice of September 7, 2023

Continuation of the National Emergency With Respect to Ethiopia

On September 17, 2021, by Executive Order 14046, I declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the situation in and in relation to northern Ethiopia.

The situation in and in relation to northern Ethiopia, which has been marked by activities that threaten the peace, security, and stability of Ethiopia and the greater Horn of Africa region, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared in Executive Order 14046 of September 17, 2021, must continue in effect beyond September 17, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 14046 with respect to Ethiopia.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

September 7, 2023.

Notice of September 7, 2023

Continuation of the National Emergency With Respect to Foreign Interference in or Undermining Public Confidence in United States Elections

On September 12, 2018, by Executive Order 13848, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the threat of foreign interference in or undermining public confidence in United States elections.

Although there has been no evidence of a foreign power altering the outcomes or vote tabulation in any United States election, foreign powers have historically sought to exploit America's free and open political system. In recent years, the proliferation of digital devices and internet-based communications has created significant vulnerabilities and magnified the scope and intensity of the threat of foreign interference. The ability of persons located, in whole or in substantial part, outside the United States to interfere in or undermine public confidence in United States elections, including through the unauthorized accessing of election and campaign infrastructure or the covert distribution of propaganda and disinformation, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared on September 12, 2018, must continue in effect beyond September 12, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13848 with respect to the threat of foreign interference in or undermining public confidence in United States elections.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

September 7, 2023.

Notice of September 7, 2023

Continuation of the National Emergency With Respect to Persons Who Commit, Threaten To Commit, or Support Terrorism

On September 23, 2001, by Executive Order 13224, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks on September 11, 2001, in New York and Pennsylvania and against the Pentagon, and the continuing and immediate threat of further attacks against United States nationals or the United States.

On September 9, 2019, the President signed Executive Order 13886 to strengthen and consolidate sanctions to combat the continuing threat posed by international terrorism and to take additional steps to deal with the national emergency declared in Executive Order 13224, as amended.

The actions of persons who commit, threaten to commit, or support terrorism continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared in Executive Order 13224 of September 23, 2001, as amended, and the measures adopted to deal with that emergency, must continue in effect beyond September 23, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to persons who commit, threaten to commit, or support terrorism declared in Executive Order 13224, as amended.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

September 7, 2023.

Presidential Determination No. 2023–10 of September 13, 2023

Continuation of the Exercise of Certain Authorities Under the Trading With the Enemy Act

Memorandum for the Secretary of State [and] the Secretary of the Treasury

Under section 101(b) of Public Law 95–223 (91 Stat. 1625; 50 U.S.C. 4305 note), and a previous determination on September 2, 2022 (87 *FR* 54859, September 8, 2022), the exercise of certain authorities under the Trading With the Enemy Act is scheduled to expire on September 14, 2023.

I hereby determine that the continuation of the exercise of those authorities with respect to Cuba for 1 year is in the national interest of the United States.

Therefore, consistent with the authority vested in me by section 101(b) of Public Law 95–223, I continue for 1 year, until September 14, 2024, the exercise of those authorities with respect to Cuba, as implemented by the Cuban Assets Control Regulations, 31 C.F.R. Part 515.

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

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, September 13, 2023.

Memorandum of September 15, 2023

Delegation of Authority Under Section 404(c) of the Child Soldiers Prevention Act of 2008

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby delegate to the Secretary of State for Fiscal Year 2024 the authority under section 404(c)(1) of the Child Soldiers Prevention Act of 2008 (22 U.S.C. 2370c–1(c)(1)) (CSPA) to waive the application of the prohibition in section 404(a) of the CSPA with respect to Rwanda, to waive the application of the prohibition in section 404(a) of the CSPA with respect to Turkey to allow for the provision of Foreign Military Financing and Excess Defense Articles, and to make the determination and certification necessary for such waivers. I hereby also delegate to the Secretary of State the authority under section 404(c)(2) of the CSPA to notify the appropriate congressional committees of such waivers and the justification for granting such waivers, and to publish the determination for such waivers in the *Federal Register*.

You are hereby authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, September 15, 2023.

Presidential Determination No. 2023–11 of September 15, 2023

Presidential Determination and Certification With Respect to the Child Soldiers Prevention Act of 2008

Memorandum for the Secretary of State

Pursuant to section 404 of the Child Soldiers Prevention Act of 2008 (22 U.S.C. 2370c–1) (CSPA), I hereby:

Determine that it is in the national interest of the United States to waive the application of the prohibition in section 404(a) of the CSPA with respect to Egypt; to waive in part the application of the prohibition in section 404(a) of the CSPA with respect to Turkey to allow for the provision of International Military Education and Training (IMET) and Peacekeeping Operations (PKO) assistance, the issuance of direct commercial sales (DCS) licenses, and support provided pursuant to 10 U.S.C. 331 and 10 U.S.C. 333, to the extent that the CSPA would restrict such assistance or support; to waive in part the application of the prohibition in section 404(a) of the CSPA with respect to Libya and Somalia to allow for the provision of IMET and PKO assistance and support provided pursuant to 10 U.S.C. 331 and 10 U.S.C. 333, to the extent that the CSPA would restrict such assistance or support; to waive in part the application of the prohibition in section 404(a) of the CSPA with respect to the Democratic Republic of the Congo to allow for the provision of IMET and PKO assistance and the issuance of DCS licenses in connection with the reexport of transport aircraft, to the extent that the CSPA would restrict such assistance; to waive in part the application of the prohibition in section 404(a) of the CSPA with respect to the Central African Republic and Yemen to allow for the provision of IMET and PKO assistance, to the extent that the CSPA would restrict such assistance; and to waive the application of the prohibition in section 404(a) of the CSPA to allow for the issuance of DCS licenses related to other United States Government assistance for the above countries and, with respect to the Russian Federation, solely for the issuance of DCS licenses in connection with the International Space Station; and

Certify that the governments of the above countries are taking effective and continuing steps to address the problem of child soldiers.

Accordingly, I hereby waive such applications of section 404(a) of the CSPA.

You are authorized and directed to submit this determination and certification to the Congress, along with the Memorandum of Justification, and to publish this determination in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, September 15, 2023.

Presidential Determination No. 2023–12 of September 15, 2023

Presidential Determination on Major Drug Transit or Major Drug Illicit Countries for Fiscal Year 2024

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States, including section 706(1) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) (FRAA), I hereby identify the following countries as major drug transit or major illicit drug producing countries: Afghanistan, The Bahamas, Belize, Bolivia, Burma, the People's Republic of China (PRC), Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, India, Jamaica, Laos, Mexico, Nicaragua, Pakistan, Panama, Peru, and Venezuela.

A country's presence on the foregoing list is not necessarily a reflection of its government's counterdrug efforts or level of cooperation with the United States. Consistent with the statutory definition of a major drug transit or major illicit drug producing country set forth in sections 481(e)(2) and 481(e)(5) of the Foreign Assistance Act of 1961, as amended (Public Law 87–195) (FAA), the reason countries are placed on the list is the combination of geographic, commercial, and economic factors that allow drugs to be transited or produced, even if a government has engaged in robust and diligent narcotics control and law enforcement measures.

The James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) amended the definition of major drug source countries to include source countries of precursor chemicals used to produce illicit drugs significantly affecting the United States. For countries with large chemical and pharmaceutical industries, preventing precursor chemicals from being diverted to the production of illicit drugs is a particularly difficult challenge, including for the United States and other countries with strict regulatory regimes to prevent diversion. The PRC has been identified as a major source country due to this change in legislation, and the United States strongly urges the PRC and other chemical source countries to tighten chemical supply chains and prevent diversion.

Pursuant to section 706(2)(A) of the FRAA, I hereby designate Bolivia, Burma, and Venezuela as having failed demonstrably during the previous 12 months to both adhere to their obligations under the international counternarcotics agreements and to take the measures required by section 489(a)(1) of the FAA. Included with this determination are justifications for the designations of Bolivia, Burma, and Venezuela, as required by section 706(2)(B) of the FRAA. I have also determined, in accordance with provisions of section 706(3)(A) of the FRAA, that United States programs that

support Bolivia, Burma, and Venezuela are vital to the national interests of the United States.

Although the rate of drug overdose deaths in the United States is flattening after years of sharp increases, more than 109,000 lives were lost to drug overdoses in 2022, according to preliminary data from the Centers for Disease Control and Prevention. This remains unacceptably high, and my Administration is deploying unprecedented resources and building new partnerships to confront this public health and security crisis. Domestically, in the last fiscal year alone, the United States allocated more than $24 billion to expand evidence-based prevention and treatment, including harm reduction and recovery support services, with targeted investments to meet the needs of populations at greatest risk for overdose and substance use disorder. Beyond these additional resources, my Administration expanded access to Naloxone, which can reverse opioid-related overdoses, and made this life-saving medicine available over-the-counter. My Administration has also removed barriers to treatment, including by working with the Congress on bipartisan legislation. My Fiscal Year 2024 Budget calls for an even greater historic investment of $46.1 billion for National Drug Control Program agencies, a more than $2 billion increase from what was enacted during the previous year. This request also includes significant investments in reducing the supply of illicit drugs originating from beyond our borders.

The vast majority of illicit drugs causing the most damage in the United States originate from beyond our borders, and our most effective means of reducing the availability of these drugs is to expand and improve our cooperation with international partners. Most drug overdose deaths within the United States involve illicit synthetic drugs and particularly synthetic opioids such as fentanyl. These synthetic drugs can be produced anywhere using precursor chemicals widely available for legitimate purposes, at a fraction of the cost and time it takes criminal organizations to produce dangerous drugs from plants.

Every country and region of the globe faces its own challenges from synthetic drugs. In Africa, the synthetic opioid tramadol is driving increasing numbers of injuries and fatalities, especially when mixed with other drugs. In the Middle East, synthetic stimulants are trafficked and sold as counterfeit captagon in large quantities. Ketamine—a synthetic anesthetic with hallucinogenic effects—is increasingly encountered throughout Asia, and it is being found mixed with methamphetamine, which appears to be growing more prevalent and more potent all over the world. And the categories of synthetic drugs are constantly shifting, as drug traffickers adjust formulas to avoid international controls and domestic regulations to create new demand. More than 1,100 new psychoactive substances and designer drugs have been detected and reported to the United Nations over the past decade alone.

To confront this common challenge, the United States launched this past summer a new Global Coalition to Address Synthetic Drug Threats. This diverse coalition of countries and international organizations will share best practices and expand cooperation to prevent the illicit manufacture and trafficking of synthetic drugs, detect emerging drug threats and use patterns, and promote public health interventions to prevent and reduce drug use and promote recovery. The United States welcomes all like-minded

governments to participate in the work of this coalition and join efforts against these rapidly evolving global threats.

The political commitment of our international partners remains critical to achieving success against illicit drug threats, and no country is more important than Mexico. Under the Bicentennial Framework for Security, Public Health, and Safe Communities, our two countries have cooperated to seize greater volumes of fentanyl and other drugs. We have worked successfully during the last year to improve law enforcement collaboration, prevent the diversion of precursor chemicals, and arrest key organized crime figures involved in drugs and firearms trafficking, migrant smuggling, and other criminal activity. Sadly, some of these arrests resulted in the loss of lives of Mexican officials, and their sacrifices underscore the shared commitment from both countries to do what is necessary to fight these criminal organizations. To that end and to build on the increased cooperation of the past year, both countries should continue strengthening law enforcement information sharing and collaboration; build capacity to detect and counter drug production and trafficking and diversion of chemicals and drug-related equipment; and improve mechanisms to monitor, prevent, and treat drug substance use disorders.

With our key partners in South America, the United States will continue to support ongoing efforts to reduce coca cultivation and cocaine production, expand access to justice, and promote alternative livelihoods. Colombia has historically been a strong partner in the fight against the drug trade. Nevertheless, illicit coca cultivation and cocaine production remain at historically high levels, and I urge the Government of Colombia to prioritize efforts to expand its presence in coca-producing regions and achieve sustainable progress against criminal organizations. In Bolivia, I encourage additional steps by the government to safeguard the country's licit coca markets from criminal exploitation, reduce illicit coca cultivation that continues to exceed legal limits under Bolivia's domestic laws for medical and traditional use, and continue to expand cooperation with international partners to disrupt transnational criminal networks.

Afghanistan has been removed from the list of countries determined to have ''failed demonstrably'' due to progress made within that country over the past year in reducing the cultivation of opium poppy and production of illicit narcotics. However, I remain concerned by the continuation of the illicit drug trade within and originating from Afghanistan, including methamphetamine. The country's drug control efforts must be sustained and expanded to include meaningful steps against drug trafficking and the drug supply chain, including by eliminating illicit drug stockpiles and curbing methamphetamine production. I will reconsider Afghanistan's status during the next annual review based on whether these additional steps are taken, in keeping with Afghanistan's international drug control commitments and in full respect for the human rights of its people.

You are authorized and directed to submit this designation, with the Bolivia, Burma, and Venezuela memoranda of justification, under section 706

of the FRAA, to the Congress, and to publish this determination in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, September 15, 2023.

Memorandum of September 21, 2023

Delegation of Authority Under Section 614(a)(1) and Section 506(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State:

(1) the authority under section 614(a)(1) of the FAA to determine whether it is important to the security interests of the United States to furnish approximately $128 million in assistance to Ukraine without regard to any provision of law within the purview of section 614(a)(1) of the FAA; and

(2) the authority under section 506(a)(1) of the FAA to direct the drawdown of approximately $128 million in defense articles and services of the Department of Defense, and military education and training, to provide assistance to Ukraine and to make the determinations required under such section to direct such a drawdown.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, September 21, 2023.

Memorandum of September 27, 2023

Restoring Healthy and Abundant Salmon, Steelhead, and Other Native Fish Populations in the Columbia River Basin

Memorandum for the Heads of Executive Departments and Agencies

The Columbia River and its tributaries, wetlands, and estuaries are the lifeblood of the Pacific Northwest, providing abundant water, power, recreation, agriculture, transportation, and natural resources that have supported livelihoods, cultural and spiritual practices, commerce, and economic growth. The salmon, steelhead, and other native fish populations in the Columbia River Basin (Basin) are essential to the culture, economy, and way of life of Tribal Nations in the region and Indigenous peoples in Canada,

and also provide an important food source for endangered orca, which are sacred to many Tribal Nations in the region. In 1855, the United States and four of the Tribal Nations of the Basin entered into treaties specifying that these Tribal Nations reserved the right to harvest fish on their reservations and at all usual and accustomed places. At that time, an estimated 7.5 to 16 million adult salmon and steelhead returned to the Basin each year.

Actions since 1855, including the Federal Government's construction and operation of dams in the Basin, have severely depleted fish populations. Thirteen salmon and steelhead populations are listed as threatened or endangered, other populations of those fish have been extirpated, and other native fish populations have also declined, causing substantial harm to Tribal Nations and other communities reliant on salmon and steelhead. Despite decades of hard work, ingenuity, expense, and commitment across Federal, Tribal, State, and local governments and a wide range of stakeholders, the populations of salmon, steelhead, and other native fish populations in the Basin continue to decline or have not recovered to the level that would warrant removing any population from the list of threatened and endangered species.

It is time for a sustained national effort to restore healthy and abundant native fish populations in the Basin. For these reasons, and 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 a priority of my Administration to honor Federal trust and treaty responsibilities to Tribal Nations—including to those Tribal Nations harmed by the construction and operation of Federal dams that are part of the Columbia River System (CRS)—and to carry out the requirement of the Pacific Northwest Electric Power Planning and Conservation Act (Public Law 96–501) to operate, manage, and regulate the CRS to adequately protect, mitigate, and enhance fish and wildlife affected by the Federal dams in the Basin in a manner that provides equitable treatment for fish and wildlife with the other purposes for which the Federal dams are managed and operated.

In recognition of these priorities, it is the policy of my Administration to work with the Congress and with Tribal Nations, States, local governments, and stakeholders to pursue effective, creative, and durable solutions, informed by Indigenous Knowledge, to restore healthy and abundant salmon, steelhead, and other native fish populations in the Basin; to secure a clean and resilient energy future for the region; to support local agriculture and its role in food security domestically and globally; and to invest in the communities that depend on the services provided by the Basin's Federal dams to enhance resilience to changes to the operation of the CRS, including those necessary to address changing hydrological conditions due to climate change.

Sec. 2. *Federal Implementation.* (a) All executive departments and agencies (agencies) with applicable authorities and responsibilities, including the Department of the Interior, including the Bureau of Indian Affairs, the Bureau of Land Management, the Bureau of Reclamation, the United States Fish and Wildlife Service, and the United States Geological Survey; the Department of Agriculture, including the United States Forest Service and the

Natural Resources Conservation Service; the Department of Commerce, including the National Oceanic and Atmospheric Administration; the Department of Energy, including the Bonneville Power Administration; the Department of the Army, including the United States Army Corps of Engineers; and the Environmental Protection Agency, are directed to utilize their authorities and available resources to advance the policy established in section 1 of this memorandum.

(b) Within 120 days of the date of this memorandum, all agencies with applicable authorities and responsibilities, including those agencies identified in subsection (a) of this section, shall review their programs affecting salmon, steelhead, and other native fish populations in the Basin, including any program with authority or responsibility with respect to the CRS, for consistency with the policy established in section 1 of this memorandum. As soon as practicable following such review, agencies shall, consistent with applicable law, identify and initiate any steps necessary to advance that policy.

(c) Within 220 days of the date of this memorandum, all agencies with applicable authorities and responsibilities, including those agencies identified in subsection (a) of this section, shall provide the Director of the Office of Management and Budget (Director) an assessment of the agency's programs that can advance the policy established in section 1 of this memorandum and the resources such programs need for this purpose. Based on the assessment, each agency shall prioritize these activities to the extent feasible in their program and budget planning.

Sec. 3. *Intergovernmental Partnership.* The Chair of the Council on Environmental Quality (Chair) and the Director shall explore opportunities and mechanisms to develop an intergovernmental partnership, including through a memorandum of understanding, to advance the policy established in section 1 of this memorandum within the United States; the States of Oregon, Washington, Montana, and Idaho; the Tribal Nations of the Basin, including the Columbia Basin Treaty Tribes (the Nez Perce Tribe, the Confederated Tribes and Bands of the Yakama Indian Nation, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Confederated Tribes of the Umatilla Indian Reservation); the Upper Columbia United Tribes (the Confederated Tribes of the Colville Reservation, the Coeur d'Alene Tribe of Indians, the Spokane Tribe of Indians, the Kalispel Tribe of Indians, and the Kootenai Tribe of Idaho); the Upper Snake River Tribes (the Burns Paiute Tribe, the Fort McDermitt Paiute-Shoshone Tribe, the Shoshone-Bannock Tribes of the Fort Hall Reservation, and the Shoshone-Paiute Tribes of the Duck Valley Reservation); and other Tribal Nations, as appropriate. Within 120 days of the date of this memorandum, the Chair and the Director shall submit a report to the President with an update on progress in developing this intergovernmental partnership.

Sec. 4. *General Provisions.* (a) Nothing in this memorandum shall be construed to impair or otherwise affect the ability of heads of agencies to meet the requirements of sections 2 and 3 of this memorandum before the deadlines in those sections or to produce additional materials not specifically requested in this memorandum.

(b) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(d) This memorandum 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, or entities, its officers, employees, or agents, or any other person.

(e) Independent agencies are strongly encouraged to comply with the provisions of this memorandum.

Sec. 5. *Publication.* The Chair is hereby authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, September 27, 2023.

Presidential Determination No. 2023–13 of September 29, 2023

Presidential Determination on Refugee Admissions for Fiscal Year 2024

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States, in accordance with section 207 of the Immigration and Nationality Act (the ''Act'') (8 U.S.C. 1157), and after appropriate consultations with the Congress, I hereby make the following determinations and authorize the following actions:

The admission of up to 125,000 refugees to the United States during Fiscal Year (FY) 2024 is justified by humanitarian concerns or is otherwise in the national interest.

The admissions numbers shall be allocated among refugees of special humanitarian concern to the United States in accordance with the following regional allocations:

Africa	30,000–50,000
East Asia	10,000–20,000
Europe and Central Asia ..	2,000–3,000
Latin America/Caribbean ..	35,000–50,000
Near East/South Asia	30,000–45,000

The above allocation ranges are intended to provide flexibility as needs arise, but the total admissions among all of the regions may not exceed 125,000. Upon providing notification to the Judiciary Committees of the

Congress, you are hereby authorized to transfer unused admissions allocated to a particular region to one or more other regions, if there is a need for greater admissions for the region or regions to which the admissions are being transferred.

Consistent with section 2(b)(2) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 260l(b)(2)), I hereby determine that assistance to or on behalf of persons applying for admission to the United States as part of the overseas refugee admissions program will contribute to the foreign policy interests of the United States and designate such persons for this purpose.

Consistent with section 10l(a)(42) of the Act (8 U.S.C. 1101(a)(42)), and after appropriate consultation with the Congress, I also specify that, for FY 2024, the following persons may, if otherwise qualified, be considered refugees for the purpose of admission to the United States within their countries of nationality or habitual residence:

a. Persons in Cuba;

b. Persons in Eurasia and the Baltics;

c. Persons in Iraq;

d. Persons in El Salvador, Guatemala, and Honduras; and

e. In certain circumstances, persons identified by a United States Embassy in any location.

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

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, September 29, 2023.

Presidential Determination No. 2023–14 of September 29, 2023

Presidential Determination With Respect to the Efforts of Foreign Governments Regarding Trafficking in Persons

Memorandum for the Secretary of State

Consistent with section 110 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107) (the ''Act''), as amended, I hereby determine as follows:

As provided for in section 110(d)(1)(A)(i) of the Act, that the United States will not provide nonhumanitarian, nontrade-related assistance to the Governments of Afghanistan, Burma, Chad, Equatorial Guinea, Guinea-Bissau, Iran, the People's Republic of China (PRC), and South Sudan for Fiscal Year (FY) 2024 until such governments comply with the Act's minimum standards or make significant efforts to bring themselves into compliance with the minimum standards;

As provided for in section 110(d)(1)(A)(ii) of the Act, that the United States will not provide nonhumanitarian, nontrade-related assistance to, or allow funding for participation in educational and cultural exchange programs by

officials or employees of, the Governments of Belarus, Cuba, the Democratic People's Republic of Korea (DPRK), Eritrea, Macau (Special Administrative Region of the PRC), Nicaragua, Russia, and Syria for FY 2024 until such governments comply with the Act's minimum standards or make significant efforts to bring themselves into compliance with the minimum standards;

As provided for in section 110(d)(1)(B) of the Act, I hereby instruct the United States Executive Director of each multilateral development bank, as defined in the Act, and of the International Monetary Fund to vote against and use best efforts to deny any loan or other utilization of the funds of the respective institution (other than for humanitarian assistance; for trade-related assistance; or for development assistance that directly addresses basic human needs, is not administered by the government of such country, and confers no benefit to that government) for the Governments of Belarus, Burma, Cuba, the DPRK, Eritrea, Iran, Macau (Special Administrative Region of the PRC), Nicaragua, the PRC, Russia, South Sudan, and Syria for FY 2024 until such governments comply with the Act's minimum standards or make significant efforts to bring themselves into compliance with the minimum standards;

Consistent with section 110(d)(4) of the Act, I determine that the provision of all programs, projects, activities, and funding for educational and cultural exchange programs described in sections 110(d)(1)(A) and 110(d)(1)(B) of the Act to Algeria, Cambodia, Djibouti, Papua New Guinea, Turkmenistan, and Venezuela would promote the purposes of the Act or is otherwise in the national interest of the United States;

Consistent with section 110(d)(4) of the Act, I determine that providing the assistance described in section 110(d)(1)(B) of the Act to Afghanistan, Chad, Equatorial Guinea, and Guinea-Bissau would promote the purposes of the Act or is otherwise in the national interest of the United States;

Consistent with section 110(d)(4) of the Act, I determine that a partial waiver with respect to Belarus, Eritrea, Macau (Special Administrative Region of the PRC), and Russia to allow funding for educational and cultural exchange programs described in section 110(d)(1)(A)(ii) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;

Consistent with section 110(d)(4) of the Act, with respect to Afghanistan, I determine that a partial waiver of the restriction described in section 110(d)(1)(A)(i) of the Act to allow for Economic Support Fund (ESF) and Global Health Programs (GHP) assistance would promote the purposes of the Act or is otherwise in the national interest of the United States;

Consistent with section 110(d)(4) of the Act, with respect to Chad, I determine that a partial waiver of the restriction described in section 110(d)(1)(A)(i) of the Act to allow for Development Assistance (DA), ESF, and GHP assistance would promote the purposes of the Act or is otherwise in the national interest of the United States;

Consistent with section 110(d)(4) of the Act, with respect to Equatorial Guinea, I determine that a partial waiver of the restriction described in section 110(d)(1)(A)(i) of the Act to allow for International Military Education and Training (IMET), Peacekeeping Operations (PKO), DA, ESF, and GHP

assistance would promote the purposes of the Act or is otherwise in the national interest of the United States;

Consistent with section 110(d)(4) of the Act, with respect to Guinea-Bissau, I determine that a partial waiver of the restriction described in section 110(d)(1)(A)(i) of the Act to allow for IMET, PKO, DA, ESF, and GHP assistance would promote the purposes of the Act or is otherwise in the national interest of the United States; and

Consistent with section 110(d)(4) of the Act, with respect to South Sudan, I determine that a partial waiver of the restriction described in section 110(d)(1)(A)(i) of the Act to allow for GHP assistance would promote the purposes of the Act or is otherwise in the national interest of the United States.

In addition, with respect to the Governments of Curacao and Sint Maarten, consistent with the United States Government's firm stand against human trafficking, and until such governments take steps consistent with compliance with the minimum standards of the Act or make significant efforts to do so, I hereby: (i) direct that executive departments and agencies shall not provide nonhumanitarian, nontrade-related foreign assistance, as described in section 110(d)(1)(A) of the Act, to the Governments of Curacao and Sint Maarten; (ii) instruct the United States Executive Director of each multilateral development bank, as defined in the Act, and of the International Monetary Fund to vote against and use best efforts to deny any loan or other utilization of the funds of the respective institution (other than for humanitarian assistance, for trade-related assistance, or for development assistance that directly addresses basic human needs, is not administered by such government, and confers no benefit to that government) to Curacao and Sint Maarten, as described in section 110(d)(1)(B) of the Act; and (iii) direct that funding for participation by officials or employees of the Governments of Curacao and Sint Maarten in educational and cultural exchange programs shall continue to be permitted in FY 2024, consistent with the foreign policy and all applicable laws of the United States.

You are authorized and directed to submit this determination, the certification required by section 110(e) of the Act, and the Memorandum of Justification, on which I have relied, to the Congress, and to publish this determination in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, September 29, 2023.

Notice of October 12, 2023

Continuation of the National Emergency With Respect to the Situation in and in Relation to Syria

On October 14, 2019, by Executive Order 13894, the President declared a national emergency pursuant to the International Emergency Economic

Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the situation in and in relation to Syria.

The situation in and in relation to Syria, and in particular the actions by the Government of Turkey to conduct a military offensive into northeast Syria, undermines the campaign to defeat the Islamic State of Iraq and Syria, or ISIS, endangers civilians, and further threatens to undermine the peace, security, and stability in the region, and continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared in Executive Order 13894 of October 14, 2019, must continue in effect beyond October 14, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13894 with respect to the situation in and in relation to Syria.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

October 12, 2023.

Notice of October 17, 2023

Continuation of the National Emergency With Respect to Significant Narcotics Traffickers Centered in Colombia

On October 21, 1995, by Executive Order 12978, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions of significant narcotics traffickers centered in Colombia and the extreme level of violence, corruption, and harm such actions cause in the United States and abroad.

The actions of significant narcotics traffickers centered in Colombia continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States and cause an extreme level of violence, corruption, and harm in the United States and abroad. For this reason, the national emergency declared in Executive Order 12978 of October 21, 1995, must continue in effect beyond October 21, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to significant narcotics traffickers centered in Colombia declared in Executive Order 12978.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
October 17, 2023.

Notice of October 24, 2023

Continuation of the National Emergency With Respect to the Democratic Republic of the Congo

On October 27, 2006, by Executive Order 13413, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the situation in or in relation to the Democratic Republic of the Congo, which has been marked by widespread violence and atrocities that continue to threaten regional stability. The President took additional steps to address this national emergency in Executive Order 13671 of July 8, 2014.

The situation in or in relation to the Democratic Republic of the Congo continues to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, the national emergency declared in Executive Order 13413 of October 27, 2006, as amended by Executive Order 13671 of July 8, 2014, must continue in effect beyond October 27, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo declared in Executive Order 13413, as amended by Executive Order 13671.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
October 24, 2023.

Notice of October 31, 2023

Continuation of the National Emergency With Respect to Sudan

On November 3, 1997, by Executive Order 13067, the President declared a national emergency with respect to Sudan pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) and took related steps to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the actions and policies of the Government of Sudan. On April 26, 2006, by Executive

Order 13400, the President determined that the conflict in Sudan's Darfur region posed an unusual and extraordinary threat to the national security and foreign policy of the United States, expanded the scope of the national emergency declared in Executive Order 13067, and ordered the blocking of property of certain persons connected to the Darfur region. On October 13, 2006, by Executive Order 13412, the President took additional steps with respect to the national emergency declared in Executive Order 13067 and expanded in Executive Order 13400. In Executive Order 13412, the President also took steps to implement the Darfur Peace and Accountability Act of 2006 (Public Law 109–344).

On January 13, 2017, by Executive Order 13761, the President found that positive efforts by the Government of Sudan between July 2016 and January 2017 improved certain conditions that Executive Orders 13067 and 13412 were intended to address. Given these developments, and in order to encourage the Government of Sudan to sustain and enhance these efforts, section 1 of Executive Order 13761 provided that sections 1 and 2 of Executive Order 13067 and the entirety of Executive Order 13412 would be revoked as of July 12, 2017, provided that the criteria in section 12(b) of Executive Order 13761 had been met.

On July 11, 2017, by Executive Order 13804, the President amended Executive Order 13761, extending until October 12, 2017, the effective date in section 1 of Executive Order 13761. On October 12, 2017, pursuant to Executive Order 13761, as amended by Executive Order 13804, sections 1 and 2 of Executive Order 13067 and the entirety of Executive Order 13412 were revoked.

On May 4, 2023, by Executive Order 14098, I further expanded the scope of the national emergency declared in Executive Order 13067, finding that the situation in Sudan, including the military's seizure of power in October 2021 and the outbreak of inter-service fighting in April 2023, constituted an unusual and extraordinary threat to the national security and foreign policy of the United States.

The crisis that led to the declaration of a national emergency in Executive Order 13067 of November 3, 1997; the expansion of the scope of that emergency in Executive Order 13400 of April 26, 2006; the taking of additional steps with respect to that emergency in Executive Order 13412 of October 13, 2006, Executive Order 13761 of January 13, 2017, and Executive Order 13804 of July 11, 2017; and the further expansion of the scope of that emergency in Executive Order 14098 of May 4, 2023, has not been resolved. The policies and actions of the Government of Sudan, and the situation in Sudan and Darfur, continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared in Executive Order 13067, as expanded by Executive Orders 13400 and 14098, must continue in effect beyond November 3, 2023.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
October 31, 2023.

Notice of November 1, 2023

Continuation of the National Emergency With Respect to the Proliferation of Weapons of Mass Destruction

On November 14, 1994, by Executive Order 12938, the President declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons (weapons of mass destruction) and the means of delivering such weapons. On July 28, 1998, by Executive Order 13094, the President amended Executive Order 12938 to respond more effectively to the worldwide threat of weapons of mass destruction proliferation activities. On June 28, 2005, by Executive Order 13382, the President, among other things, further amended Executive Order 12938 to improve our ability to combat proliferation. The proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared in Executive Order 12938 of November 14, 1994, with respect to the proliferation of weapons of mass destruction and the means of delivering such weapons must continue beyond November 14, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 12938, as amended.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
November 1, 2023.

Notice of November 3, 2023

Continuation of the National Emergency With Respect to the Threat From Securities Investments That Finance Certain Companies of the People's Republic of China

On November 12, 2020, by Executive Order 13959, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the threat from securities investments that finance certain companies of the People's Republic of China (PRC).

The President found that the PRC is exploiting United States capital to resource and enable the development and modernization of its military, intelligence, and other security apparatuses, which continues to allow the PRC to directly threaten the United States homeland and United States forces overseas. Through the national strategy of Military-Civil Fusion, the PRC

increases the size of the country's military-industrial complex by compelling civilian Chinese companies to support its military and intelligence activities. Those companies, though remaining ostensibly private and civilian, directly support the PRC's military, intelligence, and security apparatuses and aid in their development and modernization. At the same time, those companies raise capital by selling securities to United States investors that trade on public exchanges both here and abroad, lobbying United States index providers and funds to include these securities in market offerings, and engaging in other acts to ensure access to United States capital.

The President further found that the PRC's military-industrial complex, by directly supporting the efforts of the PRC's military, intelligence, and other security apparatuses, constituted an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

On January 13, 2021, the President signed Executive Order 13974 amending Executive Order 13959.

On June 3, 2021, I signed Executive Order 14032, which expanded the scope of the national emergency declared in Executive Order 13959. I found that additional steps are necessary to address that national emergency, including the threat posed by the military-industrial complex of the PRC and its involvement in military, intelligence, and security research and development programs, and weapons and related equipment production under the PRC's Military-Civil Fusion strategy. In addition, I found that the use of Chinese surveillance technology outside the PRC and the development or use of Chinese surveillance technology to facilitate repression or serious human rights abuse constituted unusual and extraordinary threats to the national security, foreign policy, and economy of the United States, and I expanded the national emergency to address these threats. Executive Order 14032 amended Executive Order 13959 and revoked Executive Order 13974 in its entirety.

The threat from securities investments that finance certain companies of the PRC and certain uses and development of Chinese surveillance technology continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

For this reason, the national emergency declared in Executive Order 13959 of November 12, 2020, expanded in scope by Executive Order 14032 of June 3, 2021, must continue in effect beyond November 12, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13959 with respect to the threat from securities investments that finance certain companies of the PRC and expanded in Executive Order 14032.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

November 3, 2023.

Notice of November 7, 2023

Continuation of the National Emergency With Respect to Iran

On November 14, 1979, by Executive Order 12170, the President declared a national emergency with respect to Iran pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) and took related steps to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the situation in Iran.

Our relations with Iran have not yet normalized, and the process of implementing the agreements with Iran, dated January 19, 1981, is ongoing. For this reason, the national emergency declared on November 14, 1979, and the measures adopted on that date to deal with that emergency, must continue in effect beyond November 14, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to Iran declared in Executive Order 12170.

The emergency declared by Executive Order 12170 is distinct from the emergency declared in Executive Order 12957 on March 15, 1995. This renewal, therefore, is distinct from the emergency renewal of March 10, 2023.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
November 7, 2023.

Presidential Determination No. 2024–01 of November 11, 2023

Presidential Determination Pursuant to Section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012

Memorandum for the Secretary of State[,] the Secretary of the Treasury[, and] the Secretary of Energy

By the authority vested in me as President by the Constitution and the laws of the United States, after carefully considering the reports submitted to the Congress by the Energy Information Administration, including the report submitted in October 2023, and other relevant factors, including global economic conditions, the level of spare capacity, and the availability of strategic reserves, I determine, pursuant to section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012, Public Law 112–81, and consistent with prior determinations, that there is a sufficient supply of petroleum and petroleum products from countries other than Iran to permit a significant reduction in the volume of petroleum and petroleum products purchased from Iran by or through foreign financial institutions.

I will continue to monitor this situation closely.

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

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, November 11, 2023.

Memorandum of November 13, 2023

Modernizing United States Spectrum Policy and Establishing a National Spectrum Strategy

Memorandum for the Heads of Executive Departments and Agencies

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to meet the growing requirements of United States radio frequency spectrum users, it is hereby ordered as follows:

Section 1. *Policy.* Radio frequency spectrum is among our Nation's most important national resources. The United States has long advanced our global technological leadership by striking an appropriate balance between promoting private-sector innovation and furthering the missions of executive departments and agencies (agencies). In recent years, however, rising demand for always-connected devices and other factors, such as the development of cooperative and automated vehicles, the commercialization of space, and the growing complexity and increased requirements of Federal missions, have all led to increased competition for scarce spectrum resources. Managing these diverse, and at times competing, spectrum demands requires careful planning and coordination. Agencies and private-sector users must address these challenges by working together in the best interests of the American people.

This memorandum directs my Administration to build on prior innovation by promoting efficient and effective spectrum use by both agencies and non-Federal users. My Administration's goal is to accelerate United States leadership in wireless communications and other spectrum-based technologies and to unlock innovations that benefit the American people, while ensuring necessary access to spectrum for agencies and private-sector users, such as for scientific, public safety, critical infrastructure, and national security uses, now and into the future.

The policy of my Administration is to ensure that spectrum management, usage, and allocation decisions are coordinated, consistent, and reflect the needs and diverse missions of agencies and non-Federal users. This memorandum reaffirms the policies and authorities stated in Executive Order 12046 of March 27, 1978 (Relating to the Transfer of Telecommunications Functions), regarding the duties and powers of the Department of Commerce, and recognizes the role of the National Telecommunications and Information Administration (NTIA) within the Department of Commerce, as laid out in its organic statute, as ''the executive branch agency principally

responsible for advising the President on telecommunications and information policies'' (47 U.S.C. 901(b)(6)). This policy recognizes the discrete mission needs and associated statutory oversight that agencies must fulfill as they develop and implement operating requirements that rely on spectrum.

The Congress has charged NTIA and the Federal Communications Commission (FCC) with jointly managing the Nation's radio spectrum resources. The NTIA and FCC perform their functions consistent with the August 1, 2022, Memorandum of Understanding (MOU) between the two agencies; the Presidential Memorandum of January 27, 2021 (Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking); the November 23, 2022, MOU among NTIA, FCC, and the Department of the Interior; and Executive Order 13175 of November 6, 2000 (Consultation and Coordination With Indian Tribal Governments), honoring the Federal trust relationship with Tribal Nations.

Accordingly, I direct the following actions to modernize the usage of spectrum in the United States:

Sec. 2. *Coordination.* To ensure that the United States manages its spectrum resources in a manner that benefits all Americans, the executive branch must work cooperatively to arrive at consensus positions reflecting my Administration's spectrum policy goals.

There is hereby established the Interagency Spectrum Advisory Council (Council) to serve as the principal interagency forum for heads of agencies to advise NTIA on spectrum policy matters and to ensure that all decisions made by NTIA take into consideration the diverse missions of the Federal Government. Within 90 days of the date of this memorandum, NTIA shall publish a charter for the Council. The Council shall be led by the Assistant Secretary of Commerce for Communications and Information and shall be composed of Assistant Secretary-level representatives or their designees with spectrum management oversight from agencies holding Federal spectrum assignments or otherwise having spectrum-related statutory authorities within their respective agencies. The Executive Office of the President shall participate in the work of the Council, and NTIA shall request that FCC participate in the work of the Council.

The NTIA's Interdepartment Radio Advisory Committee (IRAC) shall continue to advise NTIA with respect to NTIA's statutory role to develop and execute policies, programs, procedures, and technical criteria pertaining to the allocation, management, and Federal use of the electromagnetic spectrum.

Sec. 3. *National Spectrum Strategy.* By December 31, 2023, the Secretary of Commerce, acting through NTIA, shall develop a National Spectrum Strategy (Strategy), and the Secretary shall submit it to the President, through the Assistant to the President for National Security Affairs, the Assistant to the President for Economic Policy, and the Director of the Office of Science and Technology Policy. The NTIA shall seek to collaborate with FCC and coordinate with the Council in the development of the Strategy, which shall include, at a minimum:

(a) a roadmap to make spectrum resources available to continue United States leadership in advanced wireless technologies and services, which shall provide a ''pipeline'' of spectrum bands to support commercial innovation and agencies' needs now and into the future by identifying at least

1500 megahertz for in-depth study to determine suitability for repurposing, which may include spectrum bands currently allocated for Federal operations, non-Federal operations, or shared Federal and non-Federal operations;

(b) data-driven processes for long-term spectrum planning that increase transparency into current and future Federal and non-Federal spectrum use; anticipate and enable technological advances in order to facilitate spectrum access; and fully account for essential Federal missions, including national defense and homeland security, safeguarding the national airspace, securing the Nation's critical infrastructure, climate monitoring and forecasting, and other scientific endeavors;

(c) plans to optimize United States spectrum management and use by considering different types of spectrum governance models, including exclusive licensing, unlicensed use, shared use, and combinations of these approaches;

(d) plans for investing in and promoting the development of emerging technological advancements in spectrum management, including spectrum sharing and improving understanding of electromagnetic spectrum science; and

(e) recommendations for developing an enduring, scalable mechanism for managing shared spectrum access for the Federal Government, with the goal of increasing the efficiency of spectrum use.

Sec. 4. *Implementation Plan.* Within 120 days of the submission of the Strategy, the Secretary of Commerce, acting through NTIA, in coordination with the Council, and after seeking to collaborate with FCC, shall publish an Implementation Plan for the Strategy. The Implementation Plan shall include a schedule for detailed studies of the pipeline bands identified in the Strategy to be completed within 2 years of the submission of the Strategy or, in the case of proposals by agencies to conduct studies under the Spectrum Pipeline Act of 2015 (Public Law 114–74), within 2 years of the date of receipt of funding.

Sec. 5. *Responsibilities of the Department of Commerce and NTIA.* The Secretary of Commerce, acting through NTIA, has ''[t]he responsibility to promote the best possible and most efficient use of electromagnetic spectrum resources across the Federal Government, subject to and consistent with the needs and missions of Federal agencies.'' (47 U.S.C. 902(b)(2)(U)). In order to properly fulfill this responsibility, NTIA, consistent with its ''authority . . . as the executive branch agency principally responsible for advising the President on telecommunications and information policies,'' shall, in coordination with the Council and the IRAC as appropriate, ensure that the views of the executive branch on spectrum matters are properly developed, documented, and, if necessary, presented to FCC and, in appropriate circumstances, in coordination with the Director of the Office of Management and Budget, to the Congress, as required by statute (47 U.S.C. 901(b)(6), 902(b)(2)(J)). This duty shall extend to all Federal spectrum matters, both where agencies hold NTIA-issued frequency assignments and where non-Federal spectrum use may have a substantial impact on agency missions.

(a) In undertaking these duties, NTIA shall:

(i) adhere to the terms of the August 1, 2022, MOU between NTIA and FCC and any successor arrangement, so long as the arrangement remains in effect;

(ii) solicit views of stakeholder agencies in a timely fashion and provide sufficient time and procedures for such agencies to present their views and supporting technical information to NTIA;

(iii) provide agencies with timely written feedback articulating why and how agency views will be incorporated into the position that NTIA communicates to FCC;

(iv) facilitate the presentation by agencies of classified or otherwise sensitive views to FCC;

(v) develop the position of the executive branch on spectrum-related issues, including any supporting technical and operational information to facilitate FCC decision-making, and provide that position to FCC; and

(vi) endeavor to provide such views and information within FCC's applicable timelines and request additional time when needed.

(b) In matters where NTIA and an agency or agencies cannot reach a consensus on the views to be presented to FCC, NTIA shall:

(i) notify FCC of the lack of consensus and anticipated next steps and timing to resolve it;

(ii) request the joint assistance of the Secretary of Commerce and the head of any agency objecting to NTIA's proposed submission to FCC to find a mutually agreeable resolution; and

(iii) keep FCC informed, as appropriate, regarding anticipated next steps and timing of resolution.

(c) If a resolution is not reached, NTIA shall within 90 days submit, or the disputing agency or agencies may submit, the disagreement to the Assistant to the President for National Security Affairs and the Assistant to the President for Economic Policy, who shall, in consultation with the Director of the Office of Science and Technology Policy and the National Space Council, resolve the dispute through the interagency process described in National Security Memorandum 2 of February 4, 2021 (Renewing the National Security Council System), or the process described in any successor Presidential directive. The NTIA shall advise FCC on the executive branch position following adjudication and decision.

Sec. 6. *Post-FCC Action Procedures.* Since agencies are directed to participate fully and actively in NTIA's development of positions on spectrum matters, disputes following FCC action should be rare. When FCC has acted to make spectrum available for non-Federal use and an agency believes that, for a reason unforeseen before FCC action, the new use is causing or potentially will cause harmful interference to existing Federal operations or non-Federal operations that are regulated by an agency, the following procedures shall be adhered to:

(a) The complainant agency, no later than 45 days after learning of the unforeseen risk of harmful interference, shall formally request that NTIA address the matter with FCC for an appropriate remedy, and in that request shall:

(i) clearly indicate the manner in which the public interest will be implicated or harmed or an agency's mission will be adversely affected;

(ii) present evidence to NTIA that such new use is causing or potentially will cause harmful interference or potential harm to the public interest, including any technical or scientific data that supports that position; and

(iii) explain why the complainant agency cannot take steps to ensure mission continuity that are consistent with FCC's decision.

(b) If NTIA believes that the complainant agency has produced sufficient evidence that the new use will risk harmful interference that cannot be reasonably mitigated without FCC action, it shall, within 60 days of the complainant agency's request, address FCC under established processes for seeking appropriate relief. If NTIA does not believe that there is sufficient evidence to seek relief from FCC, the complainant agency may invoke the process set forth in sections 5(b) and 5(c) of this memorandum.

(c) Before any significant regulatory action directly related to the spectrum subject to license is taken by the complainant agency pursuant to its statutory authorities, the regulatory action shall be submitted to the Office of Information and Regulatory Affairs (OIRA) within the Office of Management and Budget, as required by sections 3(f) and 6(a)(3) of Executive Order 12866 of September 30, 1993 (Regulatory Planning and Review).

Sec. 7. *Other Responsibilities of Agencies.* Consistent with NTIA's statutory authorities and to ensure the coordination and consistency called for in this memorandum:

(a) Agencies shall expeditiously, and no later than 45 days subsequent to any NTIA request outside of the time frames set by section IV(3) of the August 1, 2022, MOU between NTIA and FCC, respond to and, to the extent possible, share with NTIA any technical and operational information needed to facilitate spectrum coordination and policy development.

(b) Agencies shall furnish NTIA ''with such information, support, and assistance, not inconsistent with law, as it may require in the performance of its functions,'' (47 U.S.C. 904(c)(2)), including coordinating with NTIA on:

(i) all relevant information to be considered for filing with FCC; and

(ii) any significant regulatory actions to be taken by the agency pursuant to its statutory authorities directly relating to spectrum issues, prior to its submission to OIRA as required by Executive Order 12866.

(c) Agencies shall collaborate with NTIA to facilitate long-term spectrum planning, including by sharing information about their current spectrum use and long-term spectrum needs as requested by NTIA.

(d) Agencies shall coordinate with NTIA prior to carrying out any electromagnetic compatibility study or testing plan that the agency seeks to be considered in formulating the views of the executive branch regarding spectrum regulatory matters. Coordination with NTIA will ensure the use of consistent methods across the executive branch, promoting reliable findings as well as evidence-based decision-making. Nothing herein is intended to prevent agencies from conducting spectrum-related studies for internal purposes unrelated to formulating executive branch views on spectrum regulatory matters. Agencies are strongly encouraged to conduct spectrum-related testing and research in cooperation with NTIA's Institute for Telecommunication Sciences.

(e) Agencies shall favor the development and procurement of systems that enable coexistence with other spectrum users. Accordingly, agencies shall ensure that their acquisition processes properly consider spectrum coexistence and access prior to milestone investment decisions. The NTIA shall, in turn, improve its criteria and processes for certification regarding spectrum availability to facilitate spectrum access.

Sec. 8. *Spectrum Management Principles and Methods.* By May 14, 2025, the Secretary of Commerce, working in partnership with the Council, shall publish a report identifying spectrum management principles and methods that will guide the Federal Government in spectrum studies and science. The report shall identify the coordination guidelines for spectrum studies and identify processes for determining types of studies, criteria, assumptions, and timelines that will be acceptable in decision-making involving the use of Federal spectrum and the use of non-Federal spectrum by agencies.

Sec. 9. *Revocation.* The Presidential Memorandum of October 25, 2018 (Developing a Sustainable Spectrum Strategy for America's Future), is hereby revoked.

Sec. 10. *Protection of Information.* Nothing in this memorandum shall be construed to require the disclosure of classified information, law enforcement sensitive information, or other information that must be protected in the interests of national security.

Sec. 11. *General Provisions.* (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum 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, or entities, its officers, employees, or agents, or any other person.

(d) The Secretary of Commerce is authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, November 13, 2023.

Memorandum of November 13, 2023

White House Initiative on Women's Health Research

Memorandum for the Heads of Executive Departments and Agencies

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.* Women make up half of the United States population, but for too long, a lack of timely research and data on women's health has left health care providers without important tools to diagnose and treat millions of women with debilitating conditions, including cardiovascular disease, Alzheimer's disease, autoimmune disorders, mental health conditions, and conditions specific to women such as endometriosis and fibroids.

Beyond the immediate health consequences, underinvesting in women's health research can decrease women's well-being and quality of life, hold women back in the workplace, and affect their families' economic security. By contrast, increasing investments in women's health research can yield broad societal gains, including lower health care costs and a more productive and inclusive workforce.

To address pervasive gaps in our knowledge of women's health, we must accelerate research on the unique health needs of women across their lifespans. Research gaps are especially acute for diseases and conditions that are more prevalent among women and for health conditions associated with women's midlife and later years, including perimenopause and menopause. Gaps are often even more significant for those who have been historically underrepresented in, or excluded from, research.

We can—and must—increase our efforts to invest in research that maximizes our ability to prevent, diagnose, and treat health conditions in women across the United States. Meaningful progress requires robust, dedicated research infrastructure—including a strong, diverse research workforce—and investment within and beyond the Federal Government. We all have a part to play in galvanizing women's health research, developing innovative and cutting-edge interventions that promote women's health, and ensuring that women across the United States have access to high-quality health care.

Accordingly, I hereby direct the following actions:

Sec. 2. *Establishment.* There is established, within the Office of the First Lady, a White House Initiative on Women's Health Research (Initiative).

Sec. 3. *Membership.* (a) The Initiative shall be led by a Chair designated by the President who shall hold a dual role in the Office of the First Lady and on the staff of the White House Gender Policy Council.

(b) In addition to the Chair, the members of the Initiative shall consist of the heads of the following executive departments and agencies (agencies) and offices, or their designees:

(i) the Office of the Vice President;

(ii) the Department of Defense;

(iii) the Department of Agriculture;

(iv) the Department of Health and Human Services;

(v) the Department of Veterans Affairs;

(vi) the Environmental Protection Agency;

(vii) the Office of Management and Budget;

(viii) the Domestic Policy Council;

(ix) the Office of Science and Technology Policy;

(x) the National Science Foundation;

(xi) the National Institutes of Health;

(xii) the Food and Drug Administration;

(xiii) the Centers for Disease Control and Prevention;

(xiv) the Indian Health Service;

(xv) the Centers for Medicare and Medicaid Services;

(xvi) the Health Resources and Services Administration;

(xvii) the Substance Abuse and Mental Health Services Administration;

(xviii) the Agency for Healthcare Research and Quality;

(xix) the Advanced Research Projects Agency for Health;

(xx) the National Institutes of Health Office of Research on Women's Health; and

(xxi) the heads of such other agencies and offices as the Chair may, from time to time, designate.

(c) The Department of Health and Human Services shall provide funding and administrative support as may be necessary for the performance and functions of the Initiative, to the extent permitted by law and within existing appropriations.

(d) At the direction of the Chair, the Initiative may establish subgroups consisting exclusively of Initiative members or their designees, as appropriate, including to coordinate across agency offices dedicated to women's health.

Sec. 4. *Mission and Functions.* (a) The mission of the Initiative is to advance women's health research in the United States. The functions of the Initiative are advisory only and shall include, consistent with applicable law, the following actions with the goal of advancing women's health research:

(i) assessing the Federal research landscape to identify opportunities for additional investments that could catalyze significant progress in addressing women's health needs;

(ii) setting Initiative-wide priorities to help guide strategic Federal research investments;

(iii) improving coordination among agencies and offices pursuing women's health research, including by better integrating research efforts and facilitating interdisciplinary research;

(iv) developing policy recommendations to better ensure that the health needs of women are considered, assessed, and reported for Federal research and data collection efforts, where feasible and in accordance with current research and data collection and analysis guidelines;

(v) forming targeted recommendations to address health disparities and inequities affecting women, including those related to race, ethnicity, age, socioeconomic status, disability, and exposure to environmental factors and contaminants that can directly affect health;

(vi) developing recommendations to support the translation of research advancements into practical benefits for patients and providers;

(vii) identifying opportunities to develop public-private partnerships and to increase coordination of Federal efforts with the private and philanthropic sectors in order to drive innovation;

(viii) engaging the scientific and research communities, including by helping promote the publication and dissemination of actionable research and data on women's health and by making Federal datasets available to support research;

(ix) assessing opportunities to recruit, train, and support women pursuing health and biomedical research careers to help strengthen and diversify the research workforce; and

(x) identifying ways to increase public awareness of the need for greater investment in and attention to women's health research, as well as women's health outcomes.

(b) Consistent with the objectives of this memorandum and applicable law, the Initiative may gather relevant information from external stakeholders, including Federal, State, local, Tribal, and territorial government officials; researchers and academics; women's health organizations; philanthropic leaders; industry stakeholders; and other entities and persons that may assist the Initiative in accomplishing the objectives of this memorandum.

Sec. 5. *Recommendations to the President.* (a) Within 45 days of the date of this memorandum, the members of the Initiative or their designees shall provide recommendations to the President, through the Chair, on concrete actions that agencies and offices can take to advance women's health research.

(b) The heads of agencies and offices participating in the Initiative shall assist and provide information to the Chair, consistent with applicable law, as may be necessary to carry out the functions of the Initiative. Each participating agency and office shall bear its own expense for participating in the Initiative.

(c) The heads of agencies and offices participating in the Initiative, or their designees, shall inform the President, through the Chair, on progress implementing this memorandum at least twice each year.

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

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum 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, or entities, its officers, employees, or agents, or any other person.

(d) The Secretary of Health and Human Services is authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, November 13, 2023.

Notice of November 16, 2023

Continuation of the National Emergency With Respect to the Situation in Nicaragua

On November 27, 2018, by Executive Order 13851, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the situation in Nicaragua. On October 24, 2022, I issued Executive Order 14088 to take additional steps with respect to the national emergency declared in Executive Order 13851.

The situation in Nicaragua, including the violent response by the Government of Nicaragua to the protests that began on April 18, 2018, and the Ortega-Murillo regime's continued systematic dismantling and undermining of democratic institutions and the rule of law, its use of indiscriminate violence and repressive tactics against civilians, as well as its corruption leading to the destabilization of Nicaragua's economy, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared on November 27, 2018, must continue in effect beyond November 27, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13851 with respect to the situation in Nicaragua.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

November 16, 2023.

Presidential Determination No. 2024–02 of November 16, 2023

Presidential Determination on the Proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of the Philippines Concerning Peaceful Uses of Nuclear Energy

Memorandum for the Secretary of State [and] the Secretary of Energy

I have considered the proposed Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of the Philippines Concerning Peaceful Uses of Nuclear Energy (the ''proposed Agreement''), along with the views, recommendations, and statements of the interested departments and agencies.

I have determined that the performance of the proposed Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security. Pursuant to section 123 b. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b)), I hereby approve the proposed Agreement and authorize the Secretary of State to arrange for its execution.

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

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
Washington, November 16, 2023.

Memorandum of December 7, 2023

Delegation of Certain Functions and Authorities Under the Uyghur Human Rights Policy Act of 2020 and Public Law 117–78

Memorandum for the Secretary of State[,] the Secretary of the Treasury[, and] the Secretary of Homeland Security

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby order as follows:

Section 1. (a) I hereby delegate to the Secretary of State, in consultation with the Secretary of the Treasury, the functions and authorities vested in the President by the following provisions of the Uyghur Human Rights Policy Act of 2020 (Public Law 116–145) (UHRPA) and Public Law 117–78:

(i) section 6(a)(1) of the UHRPA, with respect to submitting the report;

(ii) section 6(e) of the UHRPA; and

(iii) section 5(c)(1) of Public Law 117–78, with respect to submitting the report.

(b) I hereby delegate to the Secretary of the Treasury, in consultation with the Secretary of State, the functions and authorities vested in the

President by the following provisions of the UHRPA and Public Law 117–78:

(i) section 6(a)(1) of the UHRPA, with respect to making the determinations;

(ii) section 6(g) of the UHRPA, with respect to terminating the sanctions described in section 6(c)(1) of the UHRPA and imposed under section 6(b) of the UHRPA; and

(iii) section 5(c)(1) of Public Law 117–78, with respect to making the determinations.

(c) I hereby delegate to the Secretary of the Treasury the functions and authorities vested in the President by the following provisions of the UHRPA and Public Law 117–78:

(i) section 6(b) of the UHRPA, with respect to imposing the sanctions described in section 6(c)(1) of the UHRPA;

(ii) section 6(c)(1) of the UHRPA;

(iii) section 6(d) of the UHRPA; and

(iv) section 5(c)(2) of Public Law 117–78, with respect to imposing the sanctions described in section 6(c)(1) of the UHRPA.

(d) I hereby delegate to the Secretary of State, in consultation with the Secretary of Homeland Security, the functions and authorities vested in the President by the following provisions of the UHRPA and Public Law 117–78:

(i) section 6(b) of the UHRPA, with respect to imposing the sanctions described in section 6(c)(2) of the UHRPA;

(ii) section 6(g) of the UHRPA, with respect to terminating the sanctions described in section 6(c)(2) of the UHRPA and imposed under section 6(b) of the UHRPA; and

(iii) section 5(c)(2) of Public Law 117–78, with respect to imposing the sanctions described in section 6(c)(2) of the UHRPA.

Sec. 2. The delegations in this memorandum shall apply to any provisions of any future public laws that are the same or substantially the same as those provisions referenced in this memorandum.

Sec. 3. The Secretary of State is authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, December 7, 2023.

Notice of December 13, 2023

Continuation of the National Emergency With Respect to the Global Illicit Drug Trade

On December 15, 2021, by Executive Order 14059, I declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by global illicit drug trafficking.

The trafficking into the United States of illicit drugs, including fentanyl and other synthetic opioids, is causing the deaths of tens of thousands of Americans annually, as well as countless more non-fatal overdoses with their own tragic human toll. Drug cartels, transnational criminal organizations, and their facilitators are the primary sources of illicit drugs and precursor chemicals that fuel the current opioid epidemic, as well as drug-related violence that harms our communities. International drug trafficking—including the illicit production, global sale, and widespread distribution of illegal drugs; the rise of extremely potent drugs such as fentanyl and other synthetic opioids; as well as the growing role of internet-based drug sales—continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared in Executive Order 14059 of December 15, 2021, must continue in effect beyond December 15, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 14059 with respect to global illicit drug trafficking.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
December 13, 2023.

Notice of December 18, 2023

Continuation of the National Emergency With Respect to Serious Human Rights Abuse and Corruption

On December 20, 2017, by Executive Order 13818, the President declared a national emergency with respect to serious human rights abuse and corruption around the world and, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), took related steps to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

The prevalence and severity of human rights abuse and corruption that have their source, in whole or in substantial part, outside the United States, continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the

national emergency declared on December 20, 2017, must continue in effect beyond December 20, 2023. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13818 with respect to serious human rights abuse and corruption.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,
December 18, 2023.

Presidential Determination No. 2024–03 of December 27, 2023

Presidential Determination and Waiver Pursuant to Section 303 of the Defense Production Act of 1950, as Amended, on Essential Medicines, Medical Countermeasures, and Critical Inputs

Memorandum for the Secretary of Health and Human Services

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 303 of the Defense Production Act of 1950, as amended (the ''Act'') (50 U.S.C. 4533), it is hereby ordered as follows:

Section 1. *Determination.* (a) I hereby determine, pursuant to section 303(a)(5) of the Act, that:

(i) the essential medicines, medical countermeasures, and critical inputs referenced in subsection (b) of this section are industrial resources, materials, or critical technology items essential to the national defense;

(ii) without Presidential action under section 303 of the Act, United States industry cannot reasonably be expected to provide the capability for the needed industrial resources, materials, or critical technology items in a timely manner; and

(iii) purchases, purchase commitments, or other action pursuant to section 303 of the Act are the most cost-effective, expedient, and practical alternative method for meeting the need.

(b) The scope of projects implemented pursuant to section 303 of the Act under the determination in this section is limited to drug and biologic essential medicines, medical countermeasures, and critical inputs identified, as of the date of this determination, pursuant to section 3(c) of Executive Order 13944 of August 6, 2020 (Combating Public Health Emergencies and Strengthening National Security by Ensuring Essential Medicines, Medical Countermeasures, and Critical Inputs Are Made in the United States).

Sec. 2. *Waiver of Statutory Requirements.* Pursuant to section 303(a)(7)(B) of the Act, I find that action to expand the domestic production capabilities for essential medicines, medical countermeasures, and critical inputs is necessary to avert an industrial resource or critical technology item shortfall that would severely impair national defense capability. Therefore, I

waive the requirements of section 303(a)(5)–(a)(6) of the Act for the purpose of expanding the domestic production capabilities for essential medicines, medical countermeasures, and critical inputs needed for national defense.

Sec. 3. *General Provisions*. (a) Nothing in this determination shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This determination shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This determination 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, or entities, its officers, employees, or agents, or any other person.

(d) You are authorized and directed to publish this determination in the *Federal Register*

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, December 27, 2023.

Memorandum of December 27, 2023

Delegation of Authority Under Section 614(a)(1) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

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 (FAA), I hereby delegate to the Secretary of State the authority under section 614(a)(1) of the FAA to determine whether it is important to the security interests of the United States to furnish up to $20 million in assistance to Ukraine without regard to any provision of law within the purview of section 614(a)(1) of the FAA.

You are authorized and directed to publish this memorandum in the *Federal Register*.

JOSEPH R. BIDEN, JR.

THE WHITE HOUSE,

Washington, December 27, 2023.

CHAPTER I—EXECUTIVE OFFICE OF THE PRESIDENT

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PART 100—STANDARDS OF CONDUCT

AUTHORITY: 5 U.S.C. 7301.

SOURCE: 64 FR 12881, Mar. 16, 1999, unless otherwise noted.

§ 100.1 Ethical conduct standards and financial disclosure regulations.

Employees of the Executive Office of the President are subject to the executive branch-wide standards of ethical conduct at 5 CFR part 2635, and the executive branch-wide financial disclosure regulations at 5 CFR part 2634.

PART 101—PUBLIC INFORMATION PROVISIONS OF THE ADMINISTRATIVE PROCEDURES ACT

Sec.

101.1 Executive Office of the President.
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101.5 Council on Environmental Quality.
101.6 Office of National Drug Control Policy.
101.7 Office of Science and Technology Policy.
101.8 Office of the United States Trade Representative.

AUTHORITY: 5 U.S.C. 552.

SOURCE: 40 FR 8061, Feb. 25, 1975; 55 FR 46067, Nov. 1, 1990, unless otherwise noted.

§ 101.1 Executive Office of the President.

Until further regulations are promulgated, the remainder of the entities within the Executive Office of the President, to the extent that 5 U.S.C. 552 is applicable, shall follow the procedures set forth in the regulations applicable to the Office of Management and Budget (5 CFR Ch. III). Requests for information from these other entities should be submitted directly to such entity.

§ 101.2 Office of Management and Budget.

Freedom of Information regulations for the Office of Management and Budget appear at 5 CFR Ch. III.

§ 101.4 National Security Council.

Freedom of Information regulations for the National Security Council appear at 32 CFR Ch. XXI.

§ 101.5 Council on Environmental Quality.

Freedom of Information regulations for the Council on Environmental Quality appear at 40 CFR Ch. V.

[42 FR 65131, Dec. 30, 1977]

§ 101.6 Office of National Drug Control Policy.

Freedom of Information regulations for the Office of National Drug Control Policy appear at 21 CFR parts 1400–1499.

[55 FR 46037, Nov. 1, 1990]

§ 101.7 Office of Science and Technology Policy.

Freedom of Information regulations for the Office of Science and Technology Policy appear at 32 CFR part 2402.

[55 FR 46037, Nov. 1, 1990]

§ 101.8 Office of the United States Trade Representative.

Freedom of Information regulations for the Office of the United States Trade Representative appear at 15 CFR part 2004.

[55 FR 46037, Nov. 1, 1990]

PART 102—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE EXECUTIVE OFFICE OF THE PRESIDENT

Sec.

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102.171–102.999 [Reserved]

AUTHORITY: 29 U.S.C. 794.

SOURCE: 53 FR 25879, July 8, 1988, unless otherwise noted.

§ 102.101 Purpose.

The purpose of this regulation is to effectuate section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, which amended section 504 of the Rehabilitation Act of 1973 to prohibit discrimination on the basis of handicap in programs or activities conducted by Executive agencies or the United States Postal Service.

§ 102.102 Application.

This regulation (§§ 102.101–102.170) applies to all programs or activities conducted by the agency, except for programs or activities conducted outside the United States that do not involve individuals with handicaps in the United States.

§ 102.103 Definitions.

For purposes of this regulation, the term—

Agency means, for purposes of this regulation only, the following entities in the Executive Office of the President: the White House Office, the Office of the Vice President, the Office of Management and Budget, the Office of Policy Development, the National Security Council, the Office of Science and Technology Policy, the Office of the United States Trade Representative, the Council on Environmental Quality, the Council of Economic Advisers, the Office of Administration, the Office of Federal Procurement Policy, and any committee, board, commission, or similar group established in the Executive Office of the President.

Agency head or *head of the agency*; as used in §§ 102.150(a)(3), 102.160(d) and 102.170 (i) and (j), shall be a three-member board which will include the Director, Office of Administration, the head of the Executive Office of the President, agency in which the issue needing resolution or decision arises and one other agency head selected by the two other board members. In the event that an issue needing resolution or decision arises within the Office of Administration, one of the board members shall be the Director of the Office of Management and Budget.

Assistant Attorney General means the Assistant Attorney General, Civil Rights Division, United States Department of Justice.

Auxiliary aids means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities conducted by the agency. For example, auxiliary aids useful for persons with impaired vision include readers, Brailled materials, audio recordings, and other similar services and devices. Auxiliary aids useful for persons with impaired hearing include telephone handset amplifiers, telephones compatible with hearing aids, telecommunication devices for deaf persons (TDD's), interpreters, notetakers, written materials, and other similar services and devices.

Complete complaint means a written statement that contains the complainant's name and address and describes the agency's alleged discriminatory action in sufficient detail to inform the agency of the nature and date of the alleged violation of section 504. It shall be signed by the complainant or by someone authorized to do so on his or her behalf. Complaints filed on behalf of classes or third parties shall describe or identify (by name, if possible) the alleged victims of discrimination.

Facility means all or any portion of buildings, structures, equipment, roads, walks, parking lots, rolling stock or other conveyances, or other real or personal property.

Historic preservation programs means programs conducted by the agency that have preservation of historic properties as a primary purpose.

Historic properties means those properties that are listed or eligible for listing in the National Register of Historic Places or properties designated as

historic under a statute of the appropriate State or local government body.

Individual with handicaps means any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

As used in this definition, the phrase:

(1) *Physical or mental impairment* includes—

(i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or

(ii) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term ''physical or mental impairment'' includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, and drug addiction and alcoholism.

(2) *Major life activities* includes functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(3) *Has a record of such an impairment* means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) *Is regarded as having an impairment* means—

(i) Has a physical or mental impairment that does not substantially limit major life activities but is treated by the agency as constituting such a limitation;

(ii) Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or

(iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by the agency as having such an impairment.

Qualified individual with handicaps means—

(1) With respect to preschool, elementary, or secondary education services provided by the agency, an individual with handicaps who is a member of a class of persons otherwise entitled by statute, regulation, or agency policy to receive education services from the agency;

(2) With respect to any other agency program or activity under which a person is required to perform services or to achieve a level of accomplishment, an individual with handicaps who meets the essential eligibility requirements and who can achieve the purpose of the program or activity without modifications in the program or activity that the agency can demonstrate would result in a fundamental alteration in its nature;

(3) With respect to any other program or activity, an individual with handicaps who meets the essential eligibility requirements for participation in, or receipt of benefits from, that program or activity; and

(4) ''Qualified handicapped person'' as that term is defined for purposes of employment in 29 CFR 1613.702(f), which is made applicable to this regulation by § 102.140.

Section 504 means section 504 of the Rehabilitation Act of 1973 (Pub. L. 93–112, 87 Stat. 394 (29 U.S.C. 794)), as amended by the Rehabilitation Act Amendments of 1974 (Pub. L. 93–516, 88 Stat. 1617); the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978 (Pub. L. 95–602, 92 Stat. 2955); and the Rehabilitation Act Amendments of 1986 (Pub. L. 99–506, 100 Stat. 1810). As used in this regulation, section 504 applies only to programs or activities conducted by Executive agencies and not to federally assisted programs.

Substantial impairment means a significant loss of the integrity of finished materials, design quality, or special character resulting from a permanent alteration.

§§ 102.104–102.109 [Reserved]

§ 102.110 Self-evaluation.

(a) The agency shall, by September 6, 1989, evaluate its current policies and practices, and the effects thereof, that do not or may not meet the requirements of this regulation and, to the extent modification of any such policies and practices is required, the agency shall proceed to make the necessary modifications.

(b) The agency shall provide an opportunity to interested persons, including individuals with handicaps or organizations representing individuals with handicaps, to participate in the self-evaluation process by submitting comments (both oral and written).

(c) The agency shall, for at least three years following completion of the self-evaluation, maintain on file and make available for public inspection:

(1) A description of areas examined and any problems identified; and

(2) A description of any modifications made.

§ 102.111 Notice.

The agency shall make available to employees, applicants, participants, beneficiaries, and other interested persons such information regarding the provisions of this regulation and its applicability to the programs or activities conducted by the agency, and make such information available to them in such manner as the head of the agency finds necessary to apprise such persons of the protections against discrimination assured them by section 504 and this regulation.

§§ 102.112–102.129 [Reserved]

§ 102.130 General prohibitions against discrimination.

(a) No qualified individual with handicaps shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted by the agency.

(b)(1) The agency, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of handicap—

(i) Deny a qualified individual with handicaps the opportunity to participate in or benefit from the aid, benefit, or service;

(ii) Afford a qualified individual with handicaps an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;

(iii) Provide a qualified individual with handicaps with an aid, benefit, or service that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others;

(iv) Provide different or separate aid, benefits, or services to individuals with handicaps or to any class of individuals with handicaps than is provided to others unless such action is necessary to provide qualified individuals with handicaps with aid, benefits, or services that are as effective as those provided to others;

(v) Deny a qualified individual with handicaps the opportunity to participate as a member of planning or advisory boards;

(vi) Otherwise limit a qualified individual with handicaps in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving the aid, benefit, or service.

(2) The agency may not deny a qualified individual with handicaps the opportunity to participate in programs or activities that are not separate or different, despite the existence of permissibly separate or different programs or activities.

(3) The agency may not, directly or through contractual or other arrangements, utilize criteria or methods of administration the purpose or effect of which would—

(i) Subject qualified individuals with handicaps to discrimination on the basis of handicap; or

(ii) Defeat or substantially impair accomplishment of the objectives of a program or activity with respect to individuals with handicaps.

(4) The agency may not, in determining the site or location of a facility, make selections the purpose or effect of which would—

(i) Exclude individuals with handicaps from, deny them the benefits of,

or otherwise subject them to discrimination under any program or activity conducted by the agency; or

(ii) Defeat or substantially impair the accomplishment of the objectives of a program or activity with respect to individuals with handicaps.

(5) The agency, in the selection of procurement contractors, may not use criteria that subject qualified individuals with handicaps to discrimination on the basis of handicap.

(6) The agency may not administer a licensing or certification program in a manner that subjects qualified individuals with handicaps to discrimination on the basis of handicap, nor may the agency establish requirements for the programs or activities of licensees or certified entities that subject qualified individuals with handicaps to discrimination on the basis of handicap. However, the programs or activities of entities that are licensed or certified by the agency are not, themselves, covered by this regulation.

(c) The exclusion of nonhandicapped persons from the benefits of a program limited by Federal statute or Executive order to individuals with handicaps or the exclusion of a specific class of individuals with handicaps from a program limited by Federal statute or Executive order to a different class of individuals with handicaps is not prohibited by this regulation.

(d) The agency shall administer programs and activities in the most integrated setting appropriate to the needs of qualified individuals with handicaps.

§§ 102.131–102.139 [Reserved]

§ 102.140 Employment.

No qualified individual with handicaps shall, on the basis of handicap, be subject to discrimination in employment under any program or activity conducted by the agency. The definitions, requirements, and procedures of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791), as established by the Equal Employment Opportunity Commission in 29 CFR part 1613, shall apply to employment in federally conducted programs or activities.

§§ 102.141–102.148 [Reserved]

§ 102.149 Program accessibility: Discrimination prohibited.

Except as otherwise provided in §102.150, no qualified individual with handicaps shall, because the agency's facilities are inaccessible to or unusable by individuals with handicaps, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity conducted by the agency.

§ 102.150 Program accessibility: Existing facilities.

(a) *General.* The agency shall operate each program or activity so that the program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with handicaps. This paragraph does not—

(1) Necessarily require the agency to make each of its existing facilities accessible to and usable by individuals with handicaps;

(2) In the case of historic preservation programs, require the agency to take any action that would result in a substantial impairment of significant historic features of an historic property; or

(3) Require the agency to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. In those circumstances where agency personnel believe that the proposed action would fundamentally alter the program or activity or would result in undue financial and administrative burdens, the agency has the burden of proving that compliance with §102.150(a) would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the agency head or his or her designee after considering all agency resources available for use in the funding and operation of the conducted program or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would result in such an alteration or such burdens, the agency shall take any other action that would not result

in such an alteration or such burdens but would nevertheless ensure that individuals with handicaps receive the benefits and services of the program or activity.

(b) *Methods*—(1) *General.* The agency may comply with the requirements of this section through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, use of accessible rolling stock, or any other methods that result in making its programs or activities readily accessible to and usable by individuals with handicaps. The agency is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section. The agency, in making alterations to existing buildings, shall meet accessibility requirements to the extent compelled by the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151–4157), and any regulations implementing it. In choosing among available methods for meeting the requirements of this section, the agency shall give priority to those methods that offer programs and activities to qualified individuals with handicaps in the most integrated setting appropriate.

(2) *Historic preservation programs.* In meeting the requirements of § 102.150(a) in historic preservation programs, the agency shall give priority to methods that provide physical access to individuals with handicaps. In cases where a physical alteration to an historic property is not required because of § 102.150(a) (2) or (3), alternative methods of achieving program accessibility include—

(i) Using audio-visual materials and devices to depict those portions of an historic property that cannot otherwise be made accessible;

(ii) Assigning persons to guide individuals with handicaps into or through portions of historic properties that cannot otherwise be made accessible; or

(iii) Adopting other innovative methods.

(c) *Time period for compliance.* The agency shall comply with the obligations established under this section by November 7, 1988, except that where structural changes in facilities are undertaken, such changes shall be made by September 6, 1991, but in any event as expeditiously as possible.

(d) *Transition plan.* In the event that structural changes to facilities will be undertaken to achieve program accessibility, the agency shall develop, by March 6, 1989, a transition plan setting forth the steps necessary to complete such changes. The agency shall provide an opportunity to interested persons, including individuals with handicaps or organizations representing individuals with handicaps, to participate in the development of the transition plan by submitting comments (both oral and written). A copy of the transition plan shall be made available for public inspection. The plan shall, at a minimum—

(1) Identify physical obstacles in the agency's facilities that limit the accessibility of its programs or activities to individuals with handicaps;

(2) Describe in detail the methods that will be used to make the facilities accessible;

(3) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and

(4) Indicate the official responsible for implementation of the plan.

§ 102.151 Program accessibility: New construction and alterations.

Each building or part of a building that is constructed or altered by, on behalf of, or for the use of the agency shall be designed, constructed, or altered so as to be readily accessible to and usable by individuals with handicaps. The definitions, requirements, and standards of the Architectural Barriers Act (42 U.S.C. 4151–4157), as established in 41 CFR 101–19.600 to 101–19.607, apply to buildings covered by this section.

§§ 102.152–102.159 [Reserved]

§ 102.160 Communications.

(a) The agency shall take appropriate steps to ensure effective communication with applicants, participants, personnel of other Federal entities, and members of the public.

(1) The agency shall furnish appropriate auxiliary aids where necessary to afford an individual with handicaps an equal opportunity to participate in, and enjoy the benefits of, a program or activity conducted by the agency.

(i) In determining what type of auxiliary aid is necessary, the agency shall give primary consideration to the requests of the individual with handicaps.

(ii) The agency need not provide individually prescribed devices, readers for personal use or study, or other devices of a personal nature.

(2) Where the agency communicates with applicants and beneficiaries by telephone, telecommunication devices for deaf persons (TDD's) or equally effective telecommunication systems shall be used to communicate with persons with impaired hearing.

(b) The agency shall ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities.

(c) The agency shall provide signage at a primary entrance to each of its inaccessible facilities, directing users to a location at which they can obtain information about accessible facilities. The international symbol for accessibility shall be used at each primary entrance of an accessible facility.

(d) This section does not require the agency to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. In those circumstances where agency personnel believe that the proposed action would fundamentally alter the program or activity or would result in undue financial and administrative burdens, the agency has the burden of proving that compliance with § 102.160 would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the agency head or his or her designee after considering all agency resources available for use in the funding and operation of the conducted program or activity and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action required to comply with this section would result in such an alteration or such burdens, the agency shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that, to the maximum extent possible, individuals with handicaps receive the benefits and services of the program or activity.

§§ 102.161–102.169 [Reserved]

§ 102.170 Compliance procedures.

(a) Except as provided in paragraph (b) of this section, this section applies to all allegations of discrimination on the basis of handicap in programs and activities conducted by the agency.

(b) The agency shall process complaints alleging violations of section 504 with respect to employment according to the procedures established by the Equal Employment Opportunity Commission in 29 CFR part 1613 pursuant to section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791).

(c) The Director, Facilities Management, Office of Administration, Executive Office of the President, shall be responsible for coordinating implementation of this section. Complaints may be sent to the Director at the following address: Room 486, Old Executive Office Building, 17th and Pennsylvania Ave. NW., Washington, DC 20500.

(d) The agency shall accept and investigate all complete complaints for which it has jurisdiction. All complete complaints must be filed within 180 days of the alleged act of discrimination. The agency may extend this time period for good cause.

(e) If the agency receives a complaint over which it does not have jurisdiction, it shall promptly notify the complainant and shall make reasonable efforts to refer the complaint to the appropriate Government entity.

(f) The agency shall notify the Architectural and Transportation Barriers

Compliance Board upon receipt of any complaint alleging that a building or facility that is subject to the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151–4157), is not readily accessible to and usable by individuals with handicaps.

(g) Within 180 days of the receipt of a complete complaint for which it has jurisdiction, the agency shall notify the complainant of the results of the investigation in a letter containing—

(1) Findings of fact and conclusions of law;

(2) A description of a remedy for each violation found; and

(3) A notice of the right to appeal.

(h) Appeals of the findings of fact and conclusions of law or remedies must be filed by the complainant within 90 days of receipt from the agency of the letter required by §102.170(g). The agency may extend this time for good cause.

(i) Timely appeals shall be accepted and processed by the head of the agency.

(j) The head of the agency shall notify the complainant of the results of the appeal within 60 days of the receipt of the request. If the head of the agency determines that additional information is needed from the complainant, he or she shall have 60 days from the date of receipt of the additional information to make his or her determination on the appeal.

(k) The time limits cited in paragraphs (g) and (j) of this section may be extended with the permission of the Assistant Attorney General.

(l) The agency may delegate its authority for conducting complaint investigations to other Federal agencies, except that the authority for making the final determination may not be delegated to another agency.

§§ 102.171–102.999 [Reserved]

PARTS 103–199 [RESERVED]

Title 3 Finding Aids

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List of CFR Sections Affected

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10514	Jan. 13	Religious Freedom Day, 2023	3285
10515	Jan. 20	50th Anniversary of the *Roe* v. *Wade* Decision.	4719
10516	Jan. 22	Honoring the Victims of the Tragedy in Monterey Park, California.	4893
10517	Jan. 31	American Heart Month, 2023	7347
10518	Jan. 31	National Black History Month, 2023	7349
10519	Jan. 31	National Teen Dating Violence Awareness and Prevention Month, 2023.	7353
10520	Feb. 3	30th Anniversary of the Family and Medical Leave Act.	8203
10521	Feb. 24	National Eating Disorders Awareness Week, 2023.	12803
10522	Feb. 24	Adjusting Imports of Aluminum Into the United States.	13267
10523	Feb. 24	Increasing Duties on Certain Articles From the Russian Federation.	13277
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10536	Mar. 27	Honoring the Victims of the Tragedy in Nashville, Tennessee.	19207
10537	Mar. 30	César Chávez Day, 2023	19797
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10552	Apr. 14	Days of Remembrance of Victims of the Holocaust, 2023.	24323
10553	Apr. 14	National Volunteer Week, 2023	24325
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10555	Apr. 21	National Crime Victims' Rights Week, 2023.	25265
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10557	Apr. 26	70th Anniversary of the Lavender Scare	26473
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10559	Apr. 28	Asian American, Native Hawaiian, and Pacific Islander Heritage Month, 2023.	27655
10560	Apr. 28	Jewish American Heritage Month, 2023	27657
10561	Apr. 28	National Building Safety Month, 2023	27661
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10563	Apr. 28	National Mental Health Awareness Month, 2023.	27667
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10565	Apr. 28	Older Americans Month, 2023	27673
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10569	Apr. 28	Loyalty Day, 2023	27683
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10571	May 4	Missing or Murdered Indigenous Persons Awareness Day, 2023.	29813
10572	May 5	National Teacher Appreciation Day and National Teacher Appreciation Week, 2023.	30025
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10582	May 19	National Safe Boating Week, 2023	33523
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10589	May 31	Black Music Month, 2023	36445
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10591	May 31	National Caribbean-American Heritage Month, 2023.	36451
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10598	June 16	Juneteenth Day of Observance, 2023	40679
10599	July 14	Captive Nations Week, 2023	46043
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10601	July 21	Made in America Week, 2023	48029
10602	July 25	Establishment of the Emmett Till and Mamie Till-Mobley National Monument.	48705
10603	July 25	Anniversary of the Americans with Disabilities Act, 2023.	48715
10604	July 26	National Korean War Veterans Armistice Day, 2023.	49991
10605	Aug. 4	National Health Center Week, 2023	53759
10606	Aug. 8	Establishment of the Baaj Nwaavjo I'tah Kukveni—Ancestral Footprints of the Grand Canyon National Monument.	55331
10607	Aug. 18	National Employer Support of the Guard and Reserve Week, 2023.	57329
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10611	Aug. 31	National Ovarian Cancer Awareness Month, 2023.	60869
10612	Aug. 31	National Preparedness Month, 2023	60871
10613	Aug. 31	National Prostate Cancer Awareness Month, 2023.	60873
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10619	Sept. 8	National Hispanic-Serving Institutions Week, 2023.	62687
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10625	Sept. 15	Constitution Day and Citizenship Day, and Constitution Week, 2023.	65109
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10627	Sept. 18	National Voter Registration Day, 2023	65579
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10645	Oct. 6	Fire Prevention Week, 2023	70565
10646	Oct. 6	National School Lunch Week, 2023	70567
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10650	Oct. 6	Leif Erikson Day, 2023	70577
10651	Oct. 10	General Pulaski Memorial Day, 2023	71263
10652	Oct. 10	International Day of the Girl, 2023	71265
10653	Oct. 13	National Character Counts Week, 2023	71725
10654	Oct. 13	National Forest Products Week, 2023	71727
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10656	Oct. 20	Minority Enterprise Development Week, 2023.	73213
10657	Oct. 23	United Nations Day, 2023	73527
10658	Oct. 26	Honoring the Victims of the Tragedy in Lewiston, Maine.	74327
10659	Oct. 27	National First Responders Day, 2023	74877
10660	Oct. 31	Critical Infrastructure Security and Resilience Month, 2023.	75451
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10662	Oct. 31	National Alzheimer's Disease Awareness Month, 2023.	75455
10663	Oct. 31	National Diabetes Month, 2023	75457
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10678	Nov. 22	Thanksgiving Day, 2023	83465
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10680	Nov. 30	World AIDS Day, 2023	84681
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14101	June 23	Strengthening Access to Affordable, High-Quality Contraception and Family Planning Services.	41815
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14105	Aug. 9	Addressing United States Investments in Certain National Security Technologies and Products in Countries of Concern.	54867
14106	Aug. 14	United States Coast Guard Officer Personnel Management.	55905
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Jan. 22	Memorandum: Further Efforts To Protect Access to Reproductive Healthcare Services.	4895
Jan. 26	Memorandum: Extending and Expanding Eligibility for Deferred Enforced Departure for Certain Hong Kong Residents.	6143
Jan. 30	Presidential Determination No. 2023–03: Presidential Determination Pursuant to Section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012.	8347
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Mar. 29	Notice: Continuation of the National Emergency With Respect to South Sudan.	19211
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Apr. 7	Notice: Continuation of the National Emergency With Respect to Specified Harmful Foreign Activities of the Government of the Russian Federation.	21457
Apr. 18	Notice: Continuation of the National Emergency and of the Emergency Authority Relating to the Regulation of the Anchorage and Movement of Russian-Affiliated Vessels to United States Ports.	24327
Apr. 19	Memorandum: Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961.	26467
Apr. 25	Memorandum: 2022 Unified Command Plan	26219
Apr. 25	Memorandum: Delegation of Authority Under Section 5948(d) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023.	26469
May 1	Presidential Determination No. 2023–07: Unexpected Urgent Refugee and Migration Needs.	29809
May 3	Memorandum: Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961.	29811
May 8	Notice: Continuation of the National Emergency With Respect to the Actions of the Government of Syria.	30211
May 10	Notice: Continuation of the National Emergency With Respect to Securing the Information and Communications Technology and Services Supply Chain.	30635
May 10	Notice: Continuation of the National Emergency With Respect to the Central African Republic.	30637

Table 3—Other Presidential Documents

Signature Date	Subject	88 FR Page
2023		
May 11	Notice: Continuation of the National Emergency With Respect to Yemen.	31141
May 11	Presidential Determination No. 2023–08: Presidential Determination Pursuant to Section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012.	32619
May 16	Notice: Continuation of the National Emergency With Respect to the Stabilization of Iraq.	31601
May 20	Memorandum: Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961.	36211
May 25	Memorandum: Delegation of Authority Under Section 7070 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2023.	36213
May 26	Memorandum: Delegation of Authority Under Section 5583 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023.	36215
May 31	Memorandum: Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961.	37751
June 12	Notice: Continuation of the National Emergency With Respect to Belarus.	39109
June 13	Memorandum: Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961.	39763
June 20	Notice: Continuation of the National Emergency With Respect to North Korea.	40681
June 20	Notice: Continuation of the National Emergency With Respect to the Western Balkans.	40683
June 27	Memorandum: Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961.	43049
June 30	Memorandum: Certification Regarding Disclosure of Information in Certain Records Related to the Assassination of President John F. Kennedy.	43247
July 6	Presidential Permit: Authorizing the General Services Administration To Expand and Continue To Operate and Maintain a Vehicular and Pedestrian Border Crossing at the Calexico East Land Port of Entry to Mexico.	44661
July 7	Memorandum: Delegation of Authority of Certain National Emergency Expenditure Reporting Functions.	44665
July 7	Memorandum: Delegation of Authority Under Section 506(a)(1) and Section 614(a)(1) of the Foreign Assistance Act of 1961.	44671
July 11	Notice: Continuation of the National Emergency With Respect to Hong Kong.	44669
July 12	Notice: Continuation of the National Emergency With Respect to Hostage-Taking and the Wrongful Detention of United States Nationals Abroad.	45327
July 19	Notice: Continuation of the National Emergency With Respect to Transnational Criminal Organizations.	46951
July 21	Notice: Continuation of the National Emergency With Respect to Lebanon.	48025
July 21	Notice: Continuation of the National Emergency With Respect to Mali.	48027
July 25	Memorandum: Delegation of Authority Under Section 506(a)(1) of the Foreign Assistance Act of 1961.	50533
July 28	Memorandum: Delegation of Authority Under Section 506(a)(3) of the Foreign Assistance Act of 1961.	53349

Signature Date	Subject	88 FR Page
2023		
Aug. 11	Presidential Determination No. 2023–09: Continuation of U.S. Drug Interdiction Assistance to the Government of Colombia.	56997
Aug. 14	Notice: Continuation of the National Emergency With Respect to Export Control Regulations.	55549
Sept. 7	Notice: Continuation of the National Emergency With Respect to Certain Terrorist Attacks.	62433
Sept. 7	Notice: Continuation of the National Emergency With Respect to Ethiopia.	62435
Sept. 7	Notice: Continuation of the National Emergency With Respect to Foreign Interference in or Undermining Public Confidence in United States Elections.	62437
Sept. 7	Notice: Continuation of the National Emergency With Respect to Persons Who Commit, Threaten To Commit, or Support Terrorism.	62439
Sept. 13	Presidential Determination No. 2023–10: Continuation of the Exercise of Certain Authorities Under the Trading With the Enemy Act.	64347
Sept. 15	Memorandum: Delegation of Authority Under Section 404(c) of the Child Soldiers Prevention Act of 2008.	66669
Sept. 15	Presidential Determination No. 2023–11: Presidential Determination and Certification With Respect to the Child Soldiers Prevention Act of 2008.	66671
Sept. 15	Presidential Determination No. 2023–12: Presidential Determination on Major Drug Transit or Major Drug Illicit Countries for Fiscal Year 2024.	66673
Sept. 21	Memorandum: Delegation of Authority Under Section 614(a)(1) and Section 506(a)(1) of the Foreign Assistance Act of 1961.	70563
Sept. 27	Memorandum: Restoring Healthy and Abundant Salmon, Steelhead, and Other Native Fish Populations in the Columbia River Basin.	67617
Sept. 29	Presidential Determination No. 2023–13: Presidential Determination on Refugee Admissions for Fiscal Year 2024.	73521
Sept. 29	Presidential Determination No. 2023–14; Presidential Determination With Respect to the Efforts of Foreign Governments Regarding Trafficking in Persons.	73523
Oct. 12	Notice: Continuation of the National Emergency With Respect to the Situation in and in Relation to Syria.	71271
Oct. 17	Notice: Continuation of the National Emergency With Respect to Significant Narcotics Traffickers Centered in Colombia.	72345
Oct. 24	Notice: Continuation of the National Emergency With Respect to the Democratic Republic of the Congo.	75753
Oct. 31	Notice: Continuation of the National Emergency With Respect to Sudan.	75227
Nov. 1	Notice: Continuation of the National Emergency With Respect to the Proliferation of Weapons of Mass Destruction.	75475
Nov. 3	Notice: Continuation of the National Emergency With Respect to the Threat From Securities Investments That Finance Certain Companies of the People's Republic of China.	76987
Nov. 7	Notice: Continuation of the National Emergency With Respect to Iran.	77489

Table 3—Other Presidential Documents

Signature Date	Subject	88 FR Page
2023		
Nov. 11	Presidential Determination No. 2024–01: Presidential Determination Pursuant to Section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012.	82775
Nov. 13	Memorandum: Modernizing United States Spectrum Policy and Establishing a National Spectrum Strategy.	80079
Nov. 13	Memorandum: White House Initiative on Women's Health Research.	80085
Nov. 16	Notice: Continuation of the National Emergency With Respect to the Situation in Nicaragua.	80549
Nov. 16	Presidential Determination No. 2024–02: Presidential Determination on the Proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of the Philippines Concerning Peaceful Uses of Nuclear Energy.	82777
Dec. 7	Memorandum: Delegation of Certain Functions and Authorities Under the Uyghur Human Rights Policy Act of 2020 and Public Law 117–78.	87651
Dec. 13	Notice: Continuation of the National Emergency With Respect to the Global Illicit Drug Trade.	86809
Dec. 18	Notice: Continuation of the National Emergency With Respect to Serious Human Rights Abuse and Corruption.	87891

Signature Date	Subject	89 FR Page
2023		
Dec. 27	Presidential Determination No. 2024–03: Presidential Determination and Waiver Pursuant to Section 303 of the Defense Production Act of 1950, as Amended, on Essential Medicines, Medical Countermeasures, and Critical Inputs.	3
Dec. 27	Memorandum: Delegation of Authority Under Section 614(a)(1) of the Foreign Assistance Act of 1961.	5419

Table 4—PRESIDENTIAL DOCUMENTS AFFECTED DURING 2023

Editorial note: The following abbreviations are used in this table:

EO	Executive Order
FR	Federal Register
PLO	Public Land Order (43 CFR, Appendix to Chapter II)
Proc.	Proclamation
Pub. L.	Public Law
Stat.	U.S. Statutes at Large
DCPD	Daily Compilation of Presidential Documents

Proclamations

Date or Number	*Comment*
Proc. 6867	*See* Notice of Feb. 17, p. 736; Memorandum of July 7, p. 773
Proc. 6920	Amended by EO 14109
Proc. 7350	*See* Proc. 10692
Proc. 7750	*See* Proc. 10685
Proc. 7757	*See* Notice of Feb. 17, p. 736; Memorandum of July 7, p. 773
Proc. 7826	*See* Proc. 10692
Proc. 8271	*See* Notice of June 20, p. 765
Proc. 8334	*See* Proc. 10692
Proc. 8336	*See* Memorandum of Mar. 24, p. 746
Proc. 8467	*See* Proc. 10692
Proc. 8618	*See* Proc. 10692
Proc. 8770	*See* Proc. 10692
Proc. 8921	*See* Proc. 10692
Proc. 8947	Amended by EO 14109
Proc. 9072	*See* Proc. 10692
Proc. 9173	*See* Memorandum of Mar. 24, p. 746
Proc. 9223	*See* Proc. 10692
Proc. 9383	*See* Proc. 10692
Proc. 9398	*See* Notice of Feb. 17, p. 736; Memorandum of July 7, p. 773
Proc. 9555	*See* Proc. 10692

Proclamations

Date or Number	Comment
Proc. 9558	Amended by EO 14109
Proc. 9559	Amended by EO 14109
Proc. 9687	*See* Proc. 10692
Proc. 9699	*See* Notice of Feb. 17, p. 736; Memorandum of July 7, p. 773
Proc. 9704	Amended by Procs. 10522, 10690
Proc. 9705	Amended by Procs. 10588, 10691
Proc. 9710	*See* Proc. 10690
Proc. 9711	*See* Proc. 10691
Proc. 9739	*See* Proc. 10690
Proc. 9740	*See* Proc. 10691
Proc. 9834	*See* Proc. 10692
Proc. 9976	*See* Proc. 10692
Proc. 9980	Revised by Procs. 10522, 10588
Proc. 9994	*See* Notice of Feb. 10, p. 736; Memorandum of July 7, p. 773
Proc. 10128	*See* Proc. 10692
Proc. 10294	Revoked in part by Proc. 10575
Proc. 10326	*See* Proc. 10692
Proc. 10327	*See* Proc. 10690
Proc. 10328	*See* Procs. 10588, 10691
Proc. 10371	*See* Notice of Apr. 18, p. 754; Memorandum of July 7, p. 773
Proc. 10400	Superseded by Proc. 10585
Proc. 10403	Amended by Proc. 10588
Proc. 10420	*See* Proc. 10523
Proc. 10467	*See* Proc. 10688
Proc. 10509	*See* Proc. 10692
Proc. 10533	Amended by EO 14109
Proc. 10606	Amended by EO 14109

Executive Orders

Date or Number	Comment
11145	*See* EO 14109
11183	*See* EO 14109
11287	*See* EO 14109
11612	*See* EO 14109
12046	*See* Memorandum of Nov. 13, p. 801
12072	Reinstated by EO 14091
12131	*See* EO 14109
12170	*See* Notices of Mar. 10, p. 744; Nov. 7, p. 800
12216	*See* EO 14109
12250	Amended by EO 14096; *See* EO 14110
12333	*See* EO 14110
12382	*See* EO 14109
12473	Amended by EO 14103
12829	*See* EO 14109

Table 4—Presidential Documents Affected

Executive Orders—*Continued*

Date or Number	*Comment*
12866	Amended by EO 14094; *See* Memorandum of Nov. 13, p. 801
12898	Amended by EO 14096
12905	*See* EO 14109
12915	*See* EO 14109
12916	*See* EO 14109
12938	Continued by Notice of Nov. 1, p. 798
12957	Continued by Notice of Mar. 10, p. 744; *See* Notice of Nov. 7, p. 800
12963	*See* EO 14109
12975	*See* EO 14096
12977	Superseded by EO 14111; Revoked by EO 14111
12978	Continued by Notice of Oct. 17, p. 795
12994	*See* EO 14109
13006	Reinstated by EO 14091
13007	*See* EO 14096; Procs. 10533, 10534, 10606
13067	Amended by EO 14098; *See* Notice of Oct. 31, p. 796
13094	*See* Notice of Nov. 1, p. 798
13112	*See* EO 14109
13175	*See* EO 14096
13179	*See* EO 14109
13222	*See* Notice of Aug. 14, p. 779
13224	*See* Notice of Sept. 7, p. 782
13231	*See* EO 14109
13265	*See* EO 14109
13288	*See* Notice of Mar. 1, p. 742
13290	*See* Notice of May 16, p. 761
13303	*See* Notice of May 16, p. 761
13304	*See* Notice of June 20, p. 767
13315	*See* Notice of May 16, p. 761
13338	*See* Notice of May 8, p. 757
13350	*See* Notice of May 16, p. 761
13364	*See* Notice of May 16, p. 761
13382	*See* Notice of Nov. 1, p. 798
13391	*See* Notice of Mar. 1, p. 742
13399	*See* Notice of May 8, p. 757
13400	*See* EO 14098; Notice of Oct. 31, p. 796
13405	*See* Notice of June 12, p. 763
13412	*See* Notice of Oct. 31, p. 796
13413	*See* Notice of Oct. 24, p. 796
13438	*See* Notice of May 16, p. 761
13441	*See* Notice of July 21, p. 776
13460	*See* Notice of May 8, p. 757

Executive Orders—*Continued*

Date or Number	*Comment*
13466	*See* Notice of June 20, p. 765
13469	*See* Notice of Mar. 1, p. 742
13536	*See* Notice of Apr. 7, p. 752
13540	*See* EO 14109
13549	*See* EO 14109
13551	*See* Notice of June 20, p. 765
13562	*See* EO 14100
13563	*See* EO 14094
13566	*See* Notice of Feb. 17, p. 737
13570	*See* Notice of June 20, p. 765
13572	*See* Notice of May 8, p. 757
13573	*See* Notice of May 8, p. 757
13581	*See* Notice of July 19, p. 776
13582	*See* Notice of May 8, p. 757
13583	*See* EO 14100
13606	*See* Notice of May 8, p. 757
13608	*See* Notice of May 8, p. 757
13611	*See* Notice of May 11, p. 759
13620	*See* Notice of Apr. 7, p. 752
13660	*See* Notice of Mar. 1, p. 740
13661	*See* Notice of Mar. 1, p. 740
13662	*See* Notice of Mar. 1, p. 740
13664	*See* Notice of Mar. 29, p. 751
13667	*See* Notice of May 10, p. 759
13668	*See* Notice of May 16, p. 761
13671	*See* Notice of Oct. 24, p. 796
13675	*See* EO 14109
13685	*See* Notice of Mar. 1, p. 740
13687	*See* Notice of June 20, p. 765
13692	*See* Notice of Mar. 1, p. 741
13694	*See* EO 14110; Notice of Mar. 29, p. 750
13722	*See* Notice of June 20, p. 765
13726	*See* Notice of Feb. 17, p. 737
13757	*See* EO 14110; Notice of Mar. 29, p. 750
13761	*See* EO 14098; Notice of Oct. 31, p. 796
13804	*See* EO 14098; Notice of Oct. 31, p. 796
13808	*See* Notice of Mar. 1, p. 741
13810	*See* Notice of June 20, p. 765
13818	*See* Proc. 10685; Notice of Dec. 18, p. 813
13827	*See* Notice of Mar. 1, p. 741
13832	*See* EO 14100
13835	*See* Notice of Mar. 1, p. 741
13848	*See* Notice of Sept. 7, p. 781
13849	*See* Notice of Mar. 1, p. 740
13850	*See* Notice of Mar. 1, p. 741
13851	*See* Notice of Nov. 16, p. 810

Table 4—Presidential Documents Affected

Executive Orders—*Continued*

Date or Number	*Comment*
13853	Revoked by EO 14091
13857	*See* Notice of Mar. 1, p. 741
13863	*See* Notice of July 19, p. 776
13867	*See* Presidential Permit of July 6, p. 779
13873	*See* Notice of May 10, p. 758
13882	*See* Notice of July 21, p. 777
13884	*See* Notice of Mar. 1, p. 741
13886	*See* Notice of Sept. 7, p. 782
13894	*See* Notice of Oct. 12, p. 794
13936	*See* Notice of July 11, p. 774
13944	*See* Presidential Determination No. 2024–03 of Dec. 27, p. 814
13946	Revoked by EO 14091
13959	*See* Notice of Nov. 3, p. 798
13960	*See* EO 14110
13974	*See* Notice of Nov. 3, p. 798
13984	*See* EO 14110
13985	*See* EOs 14091, 14096
13988	*See* EO 14091
13989	*See* EO 14091
13990	*See* EO 14096
14005	*See* EO 14104
14007	*See* EO 14109
14008	*See* EOs 14091, 14096, 14109
14014	*See* Notice of Feb. 6, p. 735
14017	*See* Memorandum of Feb. 27, p. 739
14020	*See* EO 14091
14024	Amended by EO 14114; *See* Notice of Apr. 7, p. 753
14031	*See* EO 14091, Amended by 14109
14032	*See* Notice of Nov. 3, p. 798
14033	*See* Notice of June 20, p. 767
14035	*See* EOs 14091, 14100
14038	*See* Notice of June 12, p. 763
14039	*See* EO 14114; Notice of Apr. 7, p. 753
14041	*See* EOs 14091, 14109
14042	Revoked by EO 14099
14043	Revoked by EO 14099
14045	*See* EOs 14091, 14109
14046	*See* Notice of Sept. 7, p. 780
14048	Superseded by EO 14109
14049	*See* EO 14091
14050	*See* EOs 14091, 14109
14052	*See* EO 14096
14057	*See* EO 14096
14058	*See* EO 14112

Executive Orders—*Continued*

Date or Number	*Comment*
14059	*See* EO 14097; Notice of Dec. 13, p. 813
14064	*See* Notice of Feb. 3, p. 734
14065	*See* Notice of Mar. 1, p. 740
14066	*See* EO 14114; Proc. 10523; Notice of Apr. 7, p. 753
14068	Amended by EO 14114; *See* Proc. 10523; Notice of Apr. 7, p. 753
14071	*See* EO 14114; Notice of Apr. 7, p. 753
14074	*See* EO 14110; Proc. 10518
14076	*See* EO 14101; Memorandum of Jan. 22, p. 727
14078	*See* Notice of July 12, p. 775
14079	*See* EO 14101
14082	*See* EO 14096
14084	Amended by EO 14109
14088	*See* Notice of Nov. 16, p. 810
14089	*See* EO 14109
14090	Superseded by EO 14113
14091	*See* EOs 14096, 14100, 14110
14098	*See* Notice of Oct. 31, p. 796

Other Presidential Documents

Date or Number	*Comment*
Presidential Memorandum of Oct. 25, 2018.	Revoked by Memorandum of Nov. 13, p. 801
Presidential Memorandum of Nov. 29, 2004.	*See* EO 14109
Space Policy Directive–7 of Jan. 15, 2021.	*See* EO 14109
Presidential Memorandum of Jan. 20, 2021.	*See* EO 14094
Presidential Memorandum of Jan. 26, 2021.	*See* EOs 14096, 14112
Presidential Memorandum of Jan. 27, 2021.	*See* EO 14096
National Security Study–1 of June 3, 2021.	*See* Proc. 10685
Memorandum of Nov. 10, 2021	*See* Proc. 10606
Presidential Determination No. 2022–22.	*See* Presidential Determination No. 2023–10, p. 783
Presidential Memorandum of Nov. 30, 2022.	*See* EOs 14096, 14112
Presidential Memorandum of Dec. 15, 2022.	*See* Memorandum of June 30, p. 768

Table 5—STATUTES CITED AS AUTHORITY FOR PRESIDENTIAL DOCUMENTS

Editorial note: Statutes which were cited as authority for the issuance of Presidential documents contained in this volume are listed under one of these headings. For authority cites for hortatory proclamations, see the text of each proclamation:

United States Code
United States Statutes at Large
Public Laws
Short Title of Act

Citations have been set forth in the style in which they appear in the documents. Since the form of citations varies from document to document, users of this table should search under all headings for pertinent references.

UNITED STATES CODE

U.S. Code Citation	*Presidential Document*
2 U.S.C. 901a	Order of Mar. 13, p. 745
2 U.S.C. 4501	EO 14113
3 U.S.C. 104	EO 14113
3 U.S.C. 301	EOs 14098, 14105, 14106, 14114; Procs. 10522, 10523, 10685, 10690, 10691; Memorandums of Jan. 17, p. 726; Apr. 25, p. 755; Apr. 25, p. 755; May 25, p. 762; May 26, p. 762; July 7, p. 773; Sept. 15, p. 783; Dec. 7, p. 811
5 U.S.C. App.	Proc. 10533
5 U.S.C. Ch. 10	EO 14109
5 U.S.C. Ch. 75	EO 14107
5 U.S.C. 551 *et seq.*	EO 14091
5 U.S.C. 552	EO 14096
5 U.S.C. 553(e)	EO 14094
5 U.S.C. 1001 *et seq.*	Proc. 10606
5 U.S.C. 2102	EO 14091
5 U.S.C. 3330d	EO 14100
5 U.S.C. 4103	EO 14100
5 U.S.C. 5302(1)	EO 14113
5 U.S.C. 5303	EO 14113
5 U.S.C. 5304	EO 14113
5 U.S.C. 5311-5318	EO 14113
5 U.S.C. 5332(a)	EO 14113
5 U.S.C. 5372	EO 14113
5 U.S.C. 5382	EO 14113
5 U.S.C. 6502	EO 14100

UNITED STATES CODE—*Continued*

U.S. Code Citation	*Presidential Document*
5 U.S.C. 8425(b) and (e).	EO 14107
6 U.S.C. 650(23)	EO 14110
8 U.S.C. 1101 *et seq.* ..	Proc. 10685
8 U.S.C. 1101(a)(42) ...	Presidential Determination No. 2023–13, p. 791
8 U.S.C. 1157	Presidential Determination No. 2023–13, p. 791
8 U.S.C. 1158(b)	Memorandum of Jan. 26, p. 729
8 U.S.C. 1182(a)	Memorandum of Jan. 26, p. 729
8 U.S.C. 1182(f)	EO 14098; Proc. 10685
8 U.S.C. 1185(a)	Proc. 10685
8 U.S.C. 1227(a)	Memorandum of Jan. 26, p. 729
10 U.S.C. 121 and 12304.	EO 14102
10 U.S.C. 161(b)	Memorandum of Apr. 25, p. 755
10 U.S.C. 331 and 333	Presidential Determination No. 2023–11, p. 784
10 U.S.C. 504(b)	EO 14110
10 U.S.C. 571(b)	EO 14106
10 U.S.C. 801–946a	EO 14103
10 U.S.C. 12241(b)	EO 14106
10 U.S.C. 12302	EO 14097
14 U.S.C. 2101	EO 14106
14 U.S.C. 2104(a)	EO 14106
14 U.S.C. 2118(b) and 2122(a).	EO 14106
14 U.S.C. 2121	EO 14106
14 U.S.C. 2125	EO 14106
14 U.S.C. 2150(f)	EO 14106
14 U.S.C. 3733	EO 14106
15 U.S.C. Ch. 14 A	EO 14091
18 U.S.C. 242	EO 14110
19 U.S.C. 2434 note ...	Proc. 10523
19 U.S.C. 2483	Procs. 10522, 10523, 10588
19 U.S.C. 3721	Proc. 10692
21 U.S.C. 844, 846	Proc. 10688
22 U.S.C. 260l(b)(2)	Presidential Determination No. 2023–13, p. 791
22 U.S.C. 276c–5(b)	Memorandum of Jan. 17, p. 726
22 U.S.C. 2291–4	Presidential Determination No. 2023–09, p. 779
22 U.S.C. 2370c–1	Memorandum of Sept. 15, p. 783; Presidential Determination No. 2023–11, p. 784
22 U.S.C. 2601(c)(1) ...	Presidential Determination Nos. 2023–04, p. 739; 2023–07, p. 756
22 U.S.C. 3963	EO 14113
22 U.S.C. 7107	Presidential Determination No. 2023–14, p. 792
22 U.S.C. 8923 note ...	Proc. 10523
25 U.S.C. 47	EO 14091
25 U.S.C. 5301 *et seq.*	Proc. 10606
28 U.S.C. 5, 44(d), 135, 252, and 461(a).	EO 14113
29 U.S.C. 201 *et seq.* ..	EO 14110
31 U.S.C. 901(b)	EO 14110
33 U.S.C. 1251 *et seq.*	EO 14096
33 U.S.C. 1342	Presidential Permit of July 6, p.770
35 U.S.C. 202(a)	EO 14104
35 U.S.C. 204	EO 14104
37 U.S.C. 203	EO 14113
37 U.S.C. 1009	EO 14113

Table 5—Statutes Cited As Authority

UNITED STATES CODE—*Continued*

U.S. Code Citation	*Presidential Document*
38 U.S.C. 7306	EO 14113
38 U.S.C. 7404	EO 14113
42 U.S.C. 2153(b)	Presidential Determination No. 2024–02, p. 811
42 U.S.C. 300 *et seq.* ..	EO 14101
42 U.S.C. 1315a(b)	EO 14095
42 U.S.C. 1996 *et seq.*	Procs. 10533, 10534, 10606
42 U.S.C. 2000bb *et seq.*.	Proc. 10606
42 U.S.C. 2000d	EO 14096
42 U.S.C. 5195c(e)	EO 14110
42 U.S.C. 7321 *et seq.*	EO 14096
42 U.S.C. 7401 *et seq.*	EO 14096
42 U.S.C. 7609	EO 14096
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46 U.S.C. 70051	Notice of Apr. 18, p. 754
47 U.S.C. 901(b)(6)	Memorandum of Nov. 13, p. 801
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50 U.S.C. 1622(d)	Notices of Feb. 3, p. 734; Feb. 6, p. 735; Feb. 10, p. 736; Feb. 17, p. 736; Feb. 17, p. 737; Mar. 1, p. 740; Mar. 1, p. 741; Mar. 1, p. 742; Mar. 10, p. 744; Mar. 29, p. 750; Mar. 29, p. 751; Apr. 7, p. 752; Apr. 7, p. 753; Apr. 18, p. 754; May 8, p. 757; May 10, p. 758; May 10, p. 759; May 11, p. 759; May 16, p. 761; June 12, p. 763; June 20, p. 765; June 20, p. 767; July 11, p. 774; July 12, p. 775; July 19, p. 776; July 21, p. 776; July 21, p. 777; Aug. 14, p. 779; Sept. 7, p. 780; Sept. 7, p. 780; Sept. 7, p. 781; Sept. 7, p. 782; Oct. 12, p. 794; Oct. 17, p. 795; Oct. 24, p. 796; Nov. 1, p. 798; Nov. 3, p. 798; Nov. 7, p. 800; Nov. 16, p. 810; Dec. 13, p. 813; Dec. 18, p. 813
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50 U.S.C. 4305 note(a)	Presidential Determination No. 2023–10, p. 783
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50 U.S.C. 4601 *et seq.*	Notice of Aug. 14, p. 779
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Statute Citation	*Presidential Document*
110 Stat. 1936	EO 14101
123 Stat. 115	EO 14101

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117–228	EO 14091
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117–328	EO 14095; Proc. 10685; Memorandum of May 25, p. 762

SHORT TITLE OF ACT

Title	*Presidential Document*
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Foreign Assistance Act of 1961	Memorandums of Jan. 6, p. 725; Jan. 19, p. 726; Feb. 3, p. 734; Feb. 20, p. 738; Mar. 3, p. 744; Mar. 20, p. 746; Apr. 4, p. 752; Apr. 19, p. 754; May 3, p. 756; May 20, p. 761; May 31, p. 763; June 13, p. 764; June 27, p. 768; July 7, p. 774; July 25, p. 778; July 28, p. 778; Sept. 21, p. 788; Presidential Determination No. 2023–12, p. 785
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LIST OF CFR SECTIONS AFFECTED

EDITORIAL NOTE: All changes in this volume of the Code of Federal Regulations which were made by documents published in the **Federal Register** since January 1, 2001, are enumerated in the following list. Entries indicate the nature of the changes effected. Page numbers refer to **Federal Register** pages. The user should consult the entries for chapters and parts as well as sections for revisions.

For the period before January 1, 2001, see the ''List of CFR Sections Affected, 1949–1963, 1964–1972, 1973–1985, and 1986–2000,'' published in 11 separate volumes.

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The two finding aids on the following pages, the ''Table of CFR Titles and Chapters'' and the ''Alphabetical List of Agencies Appearing in the CFR'' apply to all 50 titles of the *Code of Federal Regulations*. Reference aids specific to this volume appear in the section entitled ''Title 3 Finding Aids,'' found on page 827.

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