

603 of the Act, and sections 701(a)(2), 702(b), 703(b), 708(b), and 709(b)(2) of the Act.

George W. Bush

The White House,
December 20, 2006.

NOTE: H.R. 6407, approved December 20, was assigned Public Law No. 109-435.

Executive Order 13419—National Aeronautics Research and Development

December 20, 2006

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 204 of the National Science and Technology Policy, Organization, and Priorities Act of 1976, as amended (42 U.S.C. 6613), section 101(c) of the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109-155), and section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. *National Aeronautics Research and Development Policy.* Continued progress in aeronautics, the science of flight, is essential to America's economic success and the protection of America's security interests at home and around the globe. Accordingly, it shall be the policy of the United States to facilitate progress in aeronautics research and development (R&D) through appropriate funding and activities of the Federal Government, in cooperation with State, territorial, tribal, local, and foreign governments, international organizations, academic and research institutions, private organizations, and other entities, as appropriate. The Federal Government shall only undertake roles in supporting aeronautics R&D that are not more appropriately performed by the private sector. The National Aeronautics Research and Development Policy prepared by the National Science and Technology Council should, to the extent consistent with this order and its implementation, guide the aeronautics R&D programs of the United States through 2020.

Sec. 2. *Functions of the Director of the Office of Science and Technology Policy.* To implement the policy set forth in section 1 of this order, the Director of the Office of Science and Technology Policy (the "Director") shall:

(a) review the funding and activities of the Federal Government relating to aeronautics R&D;

(b) recommend to the President, the Director of the Office of Management and Budget, and the heads of executive departments and agencies, as appropriate, such actions with respect to funding and activities of the Federal Government relating to aeronautics R&D as may be necessary to

- (i) advance United States technological leadership in aeronautics;
- (ii) support innovative research leading to significant advances in aeronautical concepts, technologies, and capabilities;
- (iii) pursue and develop advanced aeronautics concepts and technologies, including those for advanced aircraft systems and air transportation management systems, to benefit America's security and effective and efficient national airspace management;
- (iv) maintain and advance United States aeronautics research, development, test and evaluation infrastructure to provide effective experimental and computational capabilities in support of aeronautics R&D;
- (v) facilitate the educational development of the future aeronautics workforce as needed to further Federal Government interests;
- (vi) enhance coordination and communication among executive departments and agencies to maximize the effectiveness of Federal Government R&D resources; and
- (vii) ensure appropriate Federal Government coordination with State, territorial, tribal, local, and foreign governments, international organizations, academic and research institutions, private organizations, and other entities.

Sec. 3. *Implementation of National Aeronautics Research and Development Policy.*

To implement the policy set forth in section 1 of this order, the Director shall:

(a) develop and, not later than 1 year after the date of this order, submit for approval by the President a plan for national aeronautics R&D and for related infrastructure, (the “plan”), and thereafter submit, not less often than biennially, to the President for approval any changes to the plan;

(b) monitor and report to the President as appropriate on the implementation of the approved plan;

(c) ensure that executive departments and agencies conducting aeronautics R&D:

(i) obtain and exchange information and advice, as appropriate, from organizations and individuals outside the Federal Government in support of Federal Government planning and performance of aeronautics R&D;

(ii) develop and implement, as appropriate, measures for improving dissemination of R&D results and facilitating technology transition from R&D to applications; and

(iii) identify and promote innovative policies and approaches that complement and enhance Federal Government aeronautics R&D investment; and

(d) report to the President on the results of the efforts of executive departments and agencies to implement paragraphs (c)(i) through (iii) of this section.

Sec. 4. General Provisions. (a) In implementing this order, the Director shall:

(i) obtain as appropriate the assistance of the National Science and Technology Council in the performance of the Director’s functions under this order, consistent with Executive Order 12881 of November 23, 1993, as amended;

(ii) coordinate as appropriate with the Director of the Office of Management and Budget; and

(iii) obtain information and advice from all sources as appropriate, including individuals associated with academic and research institutions and private organizations.

(b) The functions of the President under subsection (c) of section 101 of the National Aeronautics and Space Administration Au-

thorization Act of 2005, except the function of designation, are assigned to the Director of the Office of Science and Technology Policy. In performing these assigned functions, the Director shall, as appropriate, consult the Administrator of the National Aeronautics and Space Administration, the Secretary of Defense, the Secretary of Transportation, the Director of the Office of Management and Budget, and other heads of executive departments and agencies as appropriate. The Director also shall ensure that all actions taken in the performance of such functions are consistent with the authority set forth in subsections (a) through (d) of section 6 of Executive Order 13346 of July 8, 2004.

(c) This order shall be implemented in a manner consistent with:

(i) applicable law, including section 102A(i) of the National Security Act of 1947, as amended (50 U.S.C. 403–1(i)), and subject to the availability of appropriations; and

(ii) statutory authority of the principal officers of executive departments and agencies as the heads of their respective departments and agencies.

(d) This order shall not be construed to impair or otherwise affect the functions of the Director of the Office of Management and Budget relating to budget, administrative, and legislative proposals.

(e) This order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

The White House,
December 20, 2006.

[Filed with the Office of the Federal Register, 10:38 a.m., December 22, 2006]

NOTE: This Executive order will be published in the *Federal Register* on December 26.

**Statement on Signing the National
Transportation Safety Board
Reauthorization Act of 2006**
December 21, 2006

Today I have signed into law H.R. 5076, the “National Transportation Safety Board Reauthorization Act of 2006.” The Act authorizes funding for the Board and makes adjustments to its authority and duties.

Section 2(a)(2) of the Act requires the Board to develop an operating plan for the National Transportation Safety Board Academy, obtain and respond to comments from a legislative agent regarding that plan, submit the plan to congressional committees with a description of modifications made in response to comments from the legislative agent, and then implement the plan within 2 years. The executive branch shall construe the provision in a manner consistent with the Constitution’s provisions concerning the separate powers of the Congress to legislate and the President to execute the laws.

The executive branch shall construe section 1113(c) of title 49, United States Code, as amended by section 9(f) of the Act, which relates to the Board’s review and comment or approval of documents submitted to the President, Director of the Office of Management and Budget, or Congress, in a manner consistent with the constitutional authority of the President to supervise the unitary executive branch and to recommend for the consideration of the Congress such measures as the President shall judge necessary and expedient.

The executive branch shall construe section 11(c) of the Act, relating to executive branch reports to the Congress concerning investigations of alleged criminal and fraudulent activities in connection with a specified project, in a manner consistent with the constitutional authorities of the President to supervise the unitary executive branch and to withhold information the disclosure of which could impair the performance of the Executive’s constitutional duties, including the conduct of investigations and prosecutions to take care that the laws be faithfully executed.

George W. Bush

The White House,
December 21, 2006.

NOTE: H.R. 5076, approved December 21, was assigned Public Law No. 109–443. An original was not available for verification of the content of this statement.

**Statement on Signing the Palestinian
Anti-Terrorism Act of 2006**

December 21, 2006

Today I have signed into law S. 2370, the “Palestinian Anti-Terrorism Act of 2006.” The Act is designed to promote the development of democratic institutions in areas under the administrative control of the Palestinian Authority.

Section 2 of the Act purports to establish U.S. policy with respect to various international affairs matters. My approval of the Act does not constitute my adoption of the statements of policy as U.S. foreign policy. Given the Constitution’s commitment to the presidency of the authority to conduct the Nation’s foreign affairs, the executive branch shall construe such policy statements as advisory. The executive branch will give section 2 the due weight that comity between the legislative and executive branches should require, to the extent consistent with U.S. foreign policy.

The executive branch shall construe section 3(b) of the Act, which relates to access to certain information by a legislative agent, and section 11 of the Act, which relates to a report on certain assistance by foreign countries, international organizations, or multilateral development banks, in a manner consistent with the President’s constitutional authority to withhold information that could impair foreign relations, national security, the deliberative processes of the Executive, or the performance of the Executive’s constitutional duties.

Section 620K(e)(2)(A) and 620L(b)(4)(B)(i) of the Foreign Assistance Act of 1961, as enacted by sections 2(b)(2) and 3(a) of the Act, purport to require the President to consult with committees of the Congress prior to exercising certain authority