

EO 13339

Title 3—The President

advise the Secretaries of State, Commerce, Transportation, and the Treasury in a timely manner of the measures taken.

Sec. 10. This order is not intended to create, and does not create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

Sec. 11. For those persons whose property or interests in property are blocked pursuant to section 3 of this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these 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 this order.

Sec. 12. The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to submit the 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 the IEEPA, 50 U.S.C. 1703(c).

Sec. 13. (a) This order is effective at 12:01 eastern daylight time on May 12, 2004.

(b) This order shall be transmitted to the Congress and published in the **Federal Register**.

GEORGE W. BUSH

The White House,
May 11, 2004.

Executive Order 13339 of May 13, 2004

Increasing Economic Opportunity and Business Participation of Asian Americans and Pacific Islanders

By the authority vested in me as President by the Constitution and the laws of the United States of America, and for the purpose of providing equal economic opportunities for full participation of Asian American and Pacific Islander businesses in our free market economy where they may be underserved and thus improving the quality of life for Asian Americans and Pacific Islanders, it is hereby ordered as follows:

Section 1. (a) There is established in the Department of Commerce the President's Advisory Commission on Asian Americans and Pacific Islanders (Commission). The Commission shall consist of not more than 15 members appointed by the President, one of whom shall be designated by the President as Chair. The Commission shall include members who: (i) have a history of involvement with the Asian American and Pacific Islander communities; (ii) are from the business enterprise sector; (iii) are from civic associations representing one or more of the diverse Asian American and Pacific Islander communities; (iv) are from the fields of economic, social,

and community development; or (v) have such other experience as the President deems appropriate.

(b) The Secretary of Commerce (Secretary) shall designate an Executive Director for the Commission.

Sec. 2. The Commission shall provide advice to the President, through the Secretary, on:

(a) the development, monitoring, and coordination of executive branch efforts to improve the economic and community development of Asian American and Pacific Islander businesses through ensuring equal opportunity to participate in Federal programs, and public-sector, private-sector partnerships, and through the collection of data related to Asian American and Pacific Islander businesses; and

(b) ways to increase the business diversification of Asian Americans and Pacific Islanders, including ways to foster research and data on Asian American and Pacific Islander businesses including their level of participation in the national economy and their economic and community development.

Sec. 3. (a) The Secretary shall establish within the Department of Commerce an office known as the White House Initiative on Asian Americans and Pacific Islanders (Office). The Office shall provide support for the Commission and the interagency working group created in section 3(b) of this order.

(b) The Secretary shall also create an interagency working group (Working Group) whose activities shall be coordinated by the Department of Commerce. The Secretary shall designate the executive departments and agencies that shall serve on the Working Group (executive departments and agencies) and the heads of those departments and agencies shall select the officials that shall serve as their respective representatives on the Working Group. The Executive Director of the Commission shall also serve as the Director of the Office and the Working Group, and shall report to the Secretary or the Secretary's designee. The Director of the Working Group shall advise the Secretary or the Secretary's designee on efforts by the Federal Government to improve access to economic opportunities, through equal access to such opportunities, for Asian American and Pacific Islander businesses where they may be underserved and thus to improve the quality of life of Asian Americans and Pacific Islanders.

Sec. 4. The head of each executive department and agency on the Working Group shall designate a senior Federal official responsible for management or program administration to report directly to the agency head on activities implementing this order and to serve as a liaison to, and representative on, the Working Group. The Secretary may designate additional Federal officials, with the concurrence of the head of the designated executive department or agency, to carry out functions of the Working Group. To the extent permitted by law and to the extent practicable, each designated executive department and agency shall provide appropriate information requested by the Working Group, including data relating to the eligibility for and participation of Asian American and Pacific Islander businesses in Federal programs. Where adequate data are not available, the Working Group shall suggest the means of collecting such data.

Sec. 5. Each designated executive department and agency shall prepare a plan for, and shall document, its efforts to support economic opportunities

for Asian American and Pacific Islander businesses. This plan shall address, among other things, executive branch efforts to:

(a) increase participation in Federal programs for Asian American and Pacific Islander businesses through equal access to such programs;

(b) ensure nondiscrimination in Federal contracts and procurement opportunities;

(c) provide equal opportunity for public-sector, private-sector partnerships for the community and economic development of Asian American and Pacific Islander businesses; and

(d) foster research and data collection on Asian American and Pacific Islander businesses. Each plan shall be submitted through the working group and the Commission to the Secretary at a date to be established by the Secretary.

Sec. 6. The Secretary shall review the plans of the designated executive departments and agencies and develop for submission to the President for his approval an integrated Federal plan (Federal Plan) to increase the participation of Asian American and Pacific Islander businesses in executive branch programs through equal access to such programs where such organizations may be underserved. Actions described in the Federal Plan shall address improving access by Asian American and Pacific Islander businesses to Federal programs and fostering advances in relevant research and data as it pertains to community economic development. The Secretary shall disseminate the Federal Plan, to the extent the Plan is approved by the President, to appropriate members of the executive branch. The findings and recommendations in the Federal Plan shall be followed by the designated executive departments and agencies in their policies and activities, to the extent permitted by law and as practicable.

Sec. 7. Insofar as the Federal Advisory Committee Act, as amended (5 U.S.C. App.) (the “Act”), may apply to the administration of any portion of this order, any functions of the President under the Act, except that of reporting to the Congress, shall be performed by the Secretary in accordance with the guidelines issued by the Administrator of General Services.

Sec. 8. Members of the Commission shall serve without compensation, but shall be allowed travel expenses, including *per diem* in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701–5707). To the extent permitted by law and appropriations, and where practicable, executive departments and agencies shall, upon request by the Secretary, provide assistance to the Commission and to the Working Group, and the Department of Commerce shall provide administrative support and funding for the Commission.

Sec. 9. The Commission shall terminate 2 years from the date of this order, unless renewed by the President.

Sec. 10. For the purposes of this order, the term: (a) “Asian” includes persons having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent; and the term (b) “Pacific Islander” includes persons having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Sec. 11. The Secretary of Commerce shall consult the Attorney General as appropriate on the implementation of this order to ensure that such implementation affords the equal protection of the laws required by the due process clause of the Fifth Amendment to the Constitution.

Sec. 12. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by a party against the United States, its departments, agencies, entities, officers, employees or agents, or any other person.

GEORGE W. BUSH

The White House,
May 13, 2004.

Executive Order 13340 of May 18, 2004

**Establishment of Great Lakes Interagency Task Force and
Promotion of a Regional Collaboration of National
Significance for the Great Lakes**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to help establish a regional collaboration of national significance for the Great Lakes, it is hereby ordered as follows:

Section 1. Policy. The Great Lakes are a national treasure constituting the largest freshwater system in the world. The United States and Canada have made great progress addressing past and current environmental impacts to the Great Lakes ecology. The Federal Government is committed to making progress on the many significant challenges that remain. Along with numerous State, tribal, and local programs, over 140 Federal programs help fund and implement environmental restoration and management activities throughout the Great Lakes system. A number of intergovernmental bodies are providing leadership in the region to address environmental and resource management issues in the Great Lakes system. These activities would benefit substantially from more systematic collaboration and better integration of effort. It is the policy of the Federal Government to support local and regional efforts to address environmental challenges and to encourage local citizen and community stewardship. To this end, the Federal Government will partner with the Great Lakes States, tribal and local governments, communities, and other interests to establish a regional collaboration to address nationally significant environmental and natural resource issues involving the Great Lakes. It is the further policy of the Federal Government that its executive departments and agencies will ensure that their programs are funding effective, coordinated, and environmentally sound activities in the Great Lakes system.

Sec. 2. Definitions. For purposes of this order:

(a) "Great Lakes" means Lake Ontario, Lake Erie, Lake Huron (including Lake Saint Clair), Lake Michigan, and Lake Superior, and the connecting channels (Saint Marys River, Saint Clair River, Detroit River, Niagara River, and Saint Lawrence River to the Canadian Border).