

Presidential Determination With Respect to Foreign Governments' Efforts Regarding Trafficking in Persons

September 21, 2005

Presidential Determination No. 2005-37

Memorandum for the Secretary of State

Subject: Presidential Determination with Respect to Foreign Governments' Efforts Regarding Trafficking in Persons

Consistent with section 110 of the Trafficking Victims Protection Act of 2000 (Division A of Public Law 106-386), as amended, (the "Act"), I hereby:

- Make the determination provided in section 110(d)(1)(A)(i) of the Act, with respect to Cambodia and Venezuela, not to provide certain funding for those countries' governments for fiscal year 2006, until such government complies with the minimum standards or makes significant efforts to bring itself into compliance, as may be determined by the Secretary of State in a report to the Congress pursuant to section 110(b) of the Act;
- Make the determination provided in section 110(d)(1)(A)(ii) of the Act, with respect to Burma, Cuba, and the Democratic People's Republic of Korea (DPRK), not to provide certain funding for those countries' governments for fiscal year 2006, until such government complies with the minimum standards or makes significant efforts to bring itself into compliance, as may be determined by the Secretary of State in a report to the Congress pursuant to section 110(b) of the Act;
- Make the determination provided in section 110(d)(3) of the Act, concerning the determinations of the Secretary of State with respect to Bolivia, Jamaica, Qatar, Sudan, Togo, and the United Arab Emirates;
- Determine, consistent with section 110(d)(4) of the Act, with respect to Cambodia, for all programs, projects, or activities of assistance for victims of trafficking in persons or to combat such trafficking, for promoting good governance, or which would have a significant adverse effect on vulnerable populations if suspended, that provision to Cambodia of the assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act for such programs, projects, or activities would promote the purposes of the Act or is otherwise in the national interest of the United States;
- Determine, consistent with section 110(d)(4) of the Act, with respect to Ecuador, that provision to Ecuador of all programs, projects, or activities of assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;
- Determine, consistent with section 110(d)(4) of the Act, with respect to Kuwait, that provision to Kuwait of all programs, projects, or activities of assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act is in the national interest of the United States;
- Determine, consistent with section 110(d)(4) of the Act, with respect to Saudi Arabia, that provision to Saudi Arabia of all programs, projects, or activities of assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act is in the national interest of the United States;
- Determine, consistent with section 110(d)(4) of the Act, with respect to Venezuela, for all programs, projects, or activities of assistance for victims of trafficking in persons or to combat such trafficking, or for strengthening the democratic process, including strengthening political parties and supporting electoral observation and monitoring and related programs, or for public diplomacy, that provision to Venezuela of the assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act for such programs, projects, or activities would promote the purposes of the Act or is otherwise in the national interest of the United States;

- Determine, consistent with section 110(d)(4) of the Act, that assistance to Cambodia or Venezuela described in section 110(d)(1)(B) of the Act that
 - (1) is a regional program, project, or activity under which the total benefit to either Cambodia or Venezuela does not exceed 10 percent of the total value of such program, project, or activity; or
 - (2) has as its primary objective the addressing of basic human needs, as defined by the Department of the Treasury with respect to other, existing legislative mandates concerning U.S. participation in the multilateral development banks; or
 - (3) is complementary to or has similar policy objectives to programs being implemented bilaterally by the United States Government; or
 - (4) has as its primary objective the improvement of the country's legal system, including in areas that impact the country's ability to investigate and prosecute trafficking cases or otherwise improve implementation of a country's anti-trafficking policy, regulations or legislation; or
 - (5) is engaging a government, international organization, or civil society organization, and that seeks as its primary objective(s) to: (a) increase efforts to investigate and prosecute trafficking in persons crimes; (b) increase protection for victims of trafficking through better screening, identification, rescue/removal, aftercare (shelter, counseling) training and reintegration; or (c) expand prevention efforts through education and awareness campaigns highlighting the dangers of trafficking or training and economic empowerment of populations clearly at risk of falling victim to trafficking

would promote the purposes of the Act or is otherwise in the national interest of the United States.

The certification required by section 110(e) of the Act is provided herewith.

You are hereby authorized and directed to submit this determination to the Congress and to publish it in the *Federal Register*.

George W. Bush

Notice—Continuation of the National Emergency With Respect to Persons Who Commit, Threaten To Commit, or Support Terrorism
September 21, 2005

On September 23, 2001, by Executive Order 13224, I declared a national emergency with respect to persons who commit, threaten to commit, or support terrorism, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action 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 in New York, in Pennsylvania, and against the Pentagon committed on September 11, 2001, and the continuing and immediate threat of further attacks against United States nationals or the United States. Because the actions of these persons who commit, threaten to commit, or support terrorism continue to pose an unusual and extraordinary threat to the United States, the national emergency declared on September 23, 2001, and the measures adopted on that date to deal with that emergency, must continue in effect beyond September 23, 2005. 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.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

George W. Bush

The White House,
September 21, 2005.

[Filed with the Office of the Federal Register, 1:07 p.m., September 21, 2005]