

Title 3—The President

Presidential Determination No. 2005–38 of September 26, 2005

Presidential Determination Relating to Assistance for Saudi Arabia

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and the laws of the United States, including section 575 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (FY 2005 FOAA) (Div. D, Public Law 108–447), I hereby certify that Saudi Arabia is cooperating with efforts to combat international terrorism and that the proposed assistance will help facilitate that effort, and hereby waive the application of section 575 of the FY 2005 FOAA, as well as any provision of law that is the same or substantially the same as such provision, including subsequently enacted provisions.

You are directed to report this certification to the Congress and publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, September 26, 2005.

Presidential Determination No. 2005–39 of September 28, 2005

Transfers of Defense Articles or Services for Libya for Chemical Weapons Destruction

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and laws of the United States, including sections 40(g) and 40A of the Arms Export Control Act (AECA), I hereby:

- determine that the transaction, encompassing sales or licensing for export of defense articles or defense services necessary to assist in chemical weapon (CW) destruction in Libya, is essential to the national security interests of the United States and important to the national interests of the United States;
- waive the prohibitions in sections 40 and 40A of the AECA related to such transaction; and
- assign to you the functions under AECA section 40(g)(2) to consult with and submit reports to the Congress for proposed specific exports or transfers, 15 days prior to permitting them to proceed, that are necessary for and within the scope of this waiver determination and the transaction referred to herein.

You are authorized and directed to report this certification to the Congress and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, September 28, 2005.