

national security requirements, any other official receiving a delegation of authority under this Executive order to place orders or to enforce precedence of such orders, shall exercise such authority within 10 calendar days of the receipt of the request; provided, that if the head of any department or agency having delegated responsibilities hereunder disagrees with a request of the Secretary of Defense, such department or agency head shall, within 10 calendar days from the receipt of the request, refer the issue to the Assistant to the President for National Security Affairs, who shall ensure expeditious resolution of the issue.

(d) Proposed department and agency regulations and procedures to implement the delegated authority under this order, and any new determinations made under sections 102(b)(1) or (2), shall be coordinated by the Director of the Federal Emergency Management Agency with all appropriate departments and agencies.

**Sec. 105. *Judicial Review.*** This order is intended only to improve the internal management of the executive branch and is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

GEORGE BUSH

THE WHITE HOUSE,  
January 8, 1991.

Executive Order 12743 of January 18, 1991

### **Ordering the 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 the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3 of the United States Code; in furtherance of Executive Order No. 12722, dated August 2, 1990, which declared a national emergency to address the threat to the national security and foreign policy of the United States posed by the invasion of Kuwait by Iraq; and, in accordance with the requirements contained in section 301 of the National Emergencies Act, 50 U.S.C. 1631, I hereby order as follows:

**Section 1.** To provide additional authority to the Department of Defense and the Department of Transportation to respond to the continuing threat posed by Iraq's invasion of Kuwait, the authority under section 673 of title 10, United States Code, to order any unit, and any member not assigned to a unit organized to serve as a unit, in the Ready Reserve to active duty (other than for training) for not more than 24 consecutive months, is invoked and made available, according to its terms, to the Secretary concerned, subject, in the case of the Secretaries of the Army, Navy, and Air Force, to the direction of the Secretary of Defense. The term "Secretary concerned" is defined in section 101(8) of title 10, United States Code, to mean the Secretary of the Army with respect to the Army; the Secretary of the Navy with respect to the Navy, the Marine Corps, and the Coast Guard when it is operating as a service in the Navy; the Secretary of the Air Force

with respect to the Air Force; and, the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy.

**Sec. 2.** To allow for the orderly administration of personnel within the armed forces, the authority vested in the President by section 527 of title 10, United States Code, to suspend the operation of sections 523–526 of title 10, United States Code, regarding officer strength and officer distribution in grade, is invoked to the full extent provided by the terms thereof.

**Sec. 3.** To allow for the orderly administration of personnel within the armed forces, the authority vested in the President by section 644 of title 10, United States Code, to suspend the operation of any provision of law relating to the promotion, involuntary retirement, or separation of commissioned officers of the Army, Navy, Air Force, or Marine Corps, is invoked to the full extent provided by the terms thereof.

**Sec. 4.** The Secretary of Defense is hereby designated and empowered, without the approval, ratification, or other action by the President, to exercise the authority vested in the President by sections 527 and 644 of title 10, United States Code, as invoked by sections 2 and 3 of this order, to suspend the operation of certain provisions of law.

**Sec. 5.** The authorities delegated by sections 1 and 4 of this order may be redelegated and further subdelegated to civilian subordinates who are appointed to their offices by the President, by and with the advice and consent of the Senate.

**Sec. 6.** This order is intended to improve the internal management of the executive branch, and is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

**Sec. 7.** This order is effective immediately, and shall be transmitted to the Congress and published in the *Federal Register*.

GEORGE BUSH

THE WHITE HOUSE,

January 18, 1991.

**Editorial note:** For the President's letter to Congressional leaders on the Persian Gulf conflict and the activation of the ready reserve, see the *Weekly Compilation of Presidential Documents* (vol. 27, pp. 59, 60). For his message to Congress transmitting a report on the ready reserve, see p. 1030.

**Executive Order 12744 of January 21, 1991**

### **Designation of Arabian Peninsula Areas, Airspace, and Adjacent Waters as a Combat Zone**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 112 of the Internal Revenue Code of 1986 (26 U.S.C. 112), I hereby designate, for purposes of that section, the following locations, including the airspace above such loca-