

and perseverance. Throughout her illness, she was a constant source of strength to all of those around her.

In addition to the love and support she gave to her family, Helen McLarty was a remarkable citizen whose contributions to her community—as the first woman to serve on the Arkansas Industrial Development Commission and as a

partner with her husband in building the McLarty Companies into one of the region's largest transportation firms—will not be forgotten.

Our thoughts and prayers are with Helen's sons, Mack and Bud McLarty, her grandchildren, and the rest of her family and friends during this difficult time.

Message to the Congress Reporting on the National Emergency with Respect to Iran

September 18, 1995

To the Congress of the United States:

I hereby report to the Congress on developments concerning the national emergency with respect to Iran that was declared in Executive Order No. 12957 of March 15, 1995, and matters relating to Executive Order No. 12959 of May 6, 1995. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c) (IEEPA), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c). This report discusses only matters concerning the national emergency with respect to Iran that was declared in Executive Order No. 12957 and matters relating to Executive Order No. 12959.

1. On March 15, 1995, I issued Executive Order No. 12957 (60 *Fed. Reg.* 14615, March 17, 1995) to declare a national emergency with respect to Iran pursuant to IEEPA, and to prohibit the financing, management, or supervision by United States persons of the development of Iranian petroleum resources. This action was in response to actions and policies of the Government of Iran, including support for international terrorism, efforts to undermine the Middle East peace process, and the acquisition of weapons of mass destruction and the means to deliver them. A copy of the order was provided to the Congress by message dated March 15, 1995.

Following the imposition of these restrictions with regard to the development of Iranian petroleum resources, Iran continued to engage in activities that represent a threat to the peace and security of all nations, including Iran's continuing support for international terrorism, its

support for acts that undermine the Middle East peace process, and its intensified efforts to acquire weapons of mass destruction. On May 6, 1995, I issued Executive Order No. 12959 to further respond to the Iranian threat to the national security, foreign policy, and economy of the United States.

Executive Order No. 12959 (60 *Fed. Reg.* 24757, May 9, 1995) (1) prohibits exportation from the United States to Iran or to the Government of Iran of goods, technology, or services; (2) prohibits the reexportation of certain U.S. goods and technology to Iran from third countries; (3) prohibits transactions such as brokering and other dealing by United States persons in goods and services of Iranian origin or owned or controlled by the Government of Iran; (4) prohibits new investments by United States persons in Iran or in property owned or controlled by the Government of Iran; (5) prohibits U.S. companies and other United States persons from approving, facilitating, or financing performance by a foreign subsidiary or other entity owned or controlled by a United States person of transactions that a United States person is prohibited from performing; (6) continues the 1987 prohibition on the importation into the United States of goods and services of Iranian origin; (7) prohibits any transaction by any United States person or within the United States that evades or avoids or attempts to violate any prohibition of the order; and (8) allowed U.S. companies a 30-day period in which to perform trade transactions pursuant to contracts predating the Executive order.

In Executive Order No. 12959, I directed the Secretary of the Treasury to authorize through

licensing certain transactions, including transactions by United States persons related to the Iran-United States Claims Tribunal in The Hague, established pursuant to the Algiers Accords, and other international obligations and United States Government functions. Such transactions also include the export of agricultural commodities pursuant to preexisting contracts consistent with section 5712(c) of title 7, United States Code. I also directed the Secretary of the Treasury, in consultation with the Secretary of State, to consider authorizing United States persons through specific licensing to participate in market-based swaps of crude oil from the Caspian Sea area for Iranian crude oil in support of energy projects in Azerbaijan, Kazakhstan, and Turkmenistan.

Executive Order No. 12959 revokes sections 1 and 2 of Executive Order No. 12613 of October 29, 1987, and sections 1 and 2 of Executive Order No. 12957 of March 15, 1995, to the extent they are inconsistent with it. A copy of Executive Order No. 12959 was transmitted to the President of the Senate and Speaker of the House by letter dated May 6, 1995.

2. In its implementation of the sanctions imposed against Iran pursuant to Executive Order No. 12959, the Office of Foreign Assets Control (FAC) of the Department of the Treasury has issued 12 general licenses and 2 general notices authorizing various transactions otherwise prohibited by the Executive order or providing statements of licensing policy. In order to ensure the widest dissemination of the general licenses and general notices in advance of promulgation of amended regulations, FAC published them in the *Federal Register* on August 10, 1995 (60 *Fed. Reg.* 40881). In addition, FAC disseminated this information by its traditional methods such as electronic bulletin boards, FAX, and mail. Copies of these general licenses and general notices are attached to this report.

General License No. 1 described those transactions which were authorized in connection with the June 6, 1995 delayed effective date contained in Executive Order No. 12959 for trade transactions related to pre-May 7 trade contracts. General License No. 2 authorized payments to or from Iran under certain circumstances and certain dollar clearing transactions involving Iran by U.S. financial institutions. General Licenses No. 3 authorized the exportation of certain services by U.S. financial institutions with respect to accounts held for

persons in Iran, the Government of Iran, or entities owned or controlled by the Government of Iran. General License No. 3 also contained an annex identifying 13 Iranian banks and 62 of their branches, agencies, representative offices, regional offices, and subsidiaries as owned or controlled by the Government of Iran. General License No. 4 authorized (1) domestic transactions involving Iranian-origin goods already within the United States except for transactions involving the Government of Iran or an entity owned or controlled by the Government of Iran, and (2) transactions by United States persons necessary to effect the disposition of Iranian-origin goods or services located or to be performed outside the United States, provided that they were acquired by that United States person in transactions not prohibited by the order or by 31 C.F.R. Part 560, that such disposition does not result in the importation of these goods or services into the United States, and that such transactions are completed prior to August 6, 1995. General License No. 5 authorized the importation into the United States of information and informational materials, confirmed the exemption of such information from the ban on exportation from the United States, and set forth a licensing policy for the exportation of equipment necessary to establish news wire feeds or other transmissions of information. General License No. 6 authorized the importation into the United States and the exportation to Iran of diplomatic pouches and their contents. General License No. 7 provided a statement of licensing policy for consideration, on a case-by-case basis, to authorize the establishment and operation of news organization offices in Iran by U.S. organizations whose primary purpose is the gathering and dissemination of news to the general public. General License No. 8 authorized transactions in connection with the exportation of agricultural commodities pursuant to pre-May 7 trade contracts provided that the terms of such contract require delivery of the commodity prior to February 2, 1996. General License No. 9 authorized import, export, and service transactions necessary to the conduct of official business by the missions of the Government of Iran to international organizations and the Iranian Interests Section of the Embassy of Pakistan in the United States. General License No. 10 provided a statement of licensing policy with respect to transactions incident to the resolution of disputes between the United

States or U.S. nationals and the Government of Iran in international tribunals and domestic courts in the United States and abroad. General License No. 11 authorized the exportation of household goods and personal effects for persons departing from the United States to relocate in Iran. General License No. 12 authorized the provision of certain legal services to the Government of Iran or to a person in Iran and the receipt of payment therefor under certain circumstances.

General Notice No. 1 described information required in connection with an application for a specific license to complete the performance of pre-May 7 trade contracts prior to August 6, 1995 (except with respect to agricultural commodities as provided by General License No. 8). General Notice No. 2 indicated that the Department of the Treasury had authorized the U.S. agencies of Iranian banks to complete, through December 29, 1995, transactions for U.S. exporters involving letters of credit, which they issued, confirmed, or advised prior to June 6, 1995, provided that the underlying export was completed in accordance with the terms of General License No. 1 or a specific license issued to the exporter by FAC. General Notice No. 2 also noted that the U.S. agencies of the Iranian banks were authorized to offer discounted advance payments on deferred payment letters of credit, which they issued, confirmed, or advised, provided that the same criteria are met.

3. The Iranian Transactions Regulations, 31 CFR Part 560 (the "ITR"), have been comprehensively amended to implement the provisions of Executive Orders No. 12957 and No. 12959. The amended ITR were issued by FAC on September 11, 1995 (60 *Fed. Reg.* 47061-74) and incorporate, with some modifications, the General Licenses cited above. A copy of the amended regulations is attached to this report.

4. In consultation with the Department of State, FAC reviewed applications for specific licenses to permit continued performance of trade contracts entered into prior to May 7, 1995. It issued more than 100 such licenses allowing performance to continue up to August 6, 1995.

5. The expenses incurred by the Federal Government in the 6-month period from March 15 through September 14, 1995, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Iran are approximately \$875,000, most of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near Eastern Affairs, the Bureau of Politico-Military Affairs, and the Office of the Legal Adviser), and the Department of Commerce (the Bureau of Export Administration and the General Counsel's Office).

6. The situation reviewed above continues to involve important diplomatic, financial, and legal interests of the United States and its nationals and presents an extraordinary and unusual threat to the national security, foreign policy, and economy of the United States. The declaration of the national emergency with respect to Iran contained in Executive Order No. 12957 and the comprehensive economic sanctions imposed by Executive Order No. 12959 underscore the United States Government's opposition to the actions and policies of the Government of Iran, particularly its support of international terrorism and its efforts to acquire weapons of mass destruction and the means to deliver them. The Iranian Transactions Regulations issued pursuant to Executive Orders No. 12957 and No. 12959 continue to advance important objectives in promoting the nonproliferation and antiterrorism policies of the United States. I shall exercise the powers at my disposal to deal with these problems and will report periodically to the Congress on significant developments.

WILLIAM J. CLINTON

The White House,
September 18, 1995.