

**Message to the Congress
Transmitting the Convention on
Biological Diversity**

November 19, 1993

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to ratification, the Convention on Biological Diversity, with Annexes, done at Rio de Janeiro, June 5, 1992, and signed by the United States in New York on June 4, 1993. The report of the Department of State is also enclosed for the information of the Senate.

The final text of the Convention was adopted in Nairobi by the Intergovernmental Negotiating Committee for a Convention on Biological Diversity (INC) on May 22, 1992. The INC was preceded by three technical meetings of an Ad Hoc Working Group of Experts on Biological Diversity and two meetings of an Ad Hoc Working Group of Legal and Technical Experts. Five sessions of the INC were held, from June 1991 to May 1992. The Convention was opened for signature at the United Nations Conference on Environment and Development in Rio de Janeiro on June 5, 1992.

The Convention is a comprehensive agreement, addressing the many facets of biological diversity. It will play a major role in stemming the loss of the earth's species, their habitats, and ecosystems through the Convention's obligations to conserve biodiversity and sustainably use its components as well as its provisions that facilitate access to genetic resources and access to and transfer of technology so crucial to long-term sustainable development of the earth's biological resources. The Convention will also create a much needed forum for focusing international activities and setting global priorities on biological diversity.

The objectives of the Convention as set forth therein are the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising out of the utilization of genetic resources. These objectives are implemented through specific provisions that address, *inter alia*, identification and monitoring, *in situ* and *ex situ* conservation, sustainable use, research and training, public edu-

cation and awareness, impact assessment, access to genetic resources, access to and transfer of technology, technical and scientific cooperation, handling of biotechnology and distribution of its benefits, and financing.

Economic incentives will help all Parties achieve the environmental benefits of conservation and sustainable use of biological diversity. The Administration thus supports the concept that benefits stemming from the use of genetic resources should flow back to those nations that act to conserve biological diversity and provide access to their genetic resources. We will strive to realize this objective of the Convention. As recognized in the Convention, the adequate and effective protection of intellectual property rights is another important economic incentive that encourages the development of innovative technologies, improving all Parties' ability to conserve and sustainably use biological resources. The Administration will therefore strongly resist any actions taken by Parties to the Convention that lead to inadequate levels of protection of intellectual property rights, and will continue to pursue a vigorous policy with respect to the adequate and effective protection of intellectual property rights in negotiations on bilateral and multilateral trade agreements. In this regard, the report of the Department of State provides a detailed statement of the Administration's position on those provisions of the Convention that relate to intellectual property rights.

Biological diversity conservation in the United States is addressed through a tightly woven partnership of Federal, State, and private sector programs in management of our lands and waters and their resident and migratory species. There are hundreds of State and Federal laws and programs and an extensive system of Federal and State wildlife refuges, marine sanctuaries, wildlife management areas, recreation areas, parks, and forests. These existing programs and authorities are considered sufficient to enable any activities necessary to effectively implement our responsibilities under the Convention. The Administration does not intend to disrupt the existing balance of Federal and State authorities through this Convention. Indeed, the Administration is committed to expanding and strengthening these relationships. We

look forward to continued cooperation in conserving biological diversity and in promoting the sustainable use of its components.

The Convention will enter into force on December 29, 1993. Prompt ratification will demonstrate the United States commitment to the conservation and sustainable use of biological diversity and will encourage other countries to do likewise. Furthermore, in light of the rapid entry into force of the Convention, early ratification will best allow the United States to fully represent its national interest at the first Conference of the Parties.

I recommend that the Senate give early and favorable consideration to this Convention and give its advice and consent to ratification, subject to the understandings described in the accompanying report of the Secretary of State.

William J. Clinton

The White House,
November 19, 1993.

NOTE: This item was not received in time for publication in the appropriate issue.

Nomination for United States District Court Judges

November 19, 1993

The President nominated eleven individuals to be U.S. district court judges. They are:

Fred Biery, Western District of Texas; W. Royal Furgeson, Western District of Texas; Orlando Garcia, Western District of Texas; John Hannah, Eastern District of Texas; Janis Graham Jack, Southern District of Texas; Franklin D. Burgess, Western District of Washington; Michael J. Davis, District of Minnesota; Ancer Haggerty, District of Oregon; Michael A. Ponsor, District of Massachusetts; Marjorie O. Rendell, Eastern District of Pennsylvania; and Lesley Brooks Wells, Northern District of Ohio.

"As the Senate completes its work for this session, I am very pleased at the progress we have made in filling judicial vacancies," said the President. "We have nominated more Federal judges by Thanksgiving than any of my recent predecessors and have appointed judges who are marked by both their

excellence and commitment to public service. I intend to continue on this course when the Congress returns next year."

NOTE: Biographies of the nominees were made available by the Office of the Press Secretary. This item was not received in time for publication in the appropriate issue.

The President's Radio Address

November 20, 1993

Good morning. This week at a time when many Americans are hurting from the strains of the tough global economy, our country chose courageously to compete and not to retreat. With its vote Wednesday night for the North American Free Trade Agreement, the House of Representatives sent a message to the world: Yes, the cold war is over, but America's leadership for prosperity, security, and freedom continues.

The morning after the NAFTA vote I came to Seattle to convene an historic meeting of the leaders of the Asia-Pacific Economic Cooperation forum. Passage of NAFTA strengthened my hand with the leaders of the Asian-Pacific economies as I worked to make their markets as open to our products and services as our market is to theirs.

The only way to achieve lasting prosperity and real economic security for our people is for America to expand our exports by reaching out to the world, not retreating from it. In plain language, we've got to have more customers for our products and services. But after two decades when good paying jobs have been lost and incomes of working people have stagnated and Government has done too little to prepare our people for the global economy, it's understandable that many middle class Americans are anxious about change.

Three decades after the Presidency of John F. Kennedy, we must again embrace his vision of an America that seeks to open markets abroad while investing in the skills of our workers and the strength of our com-