

This is the final report with respect to Executive Order No. 12735.

This report is made pursuant to section 204 of the International Emergency Economic Powers Act and section 401(c) of the National Emergencies Act regarding activities taken and money spent pursuant to the emergency declaration. Additional information on chemical and biological weapons proliferation is contained in the annual report to the Congress provided pursuant to the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991.

The three export control regulations issued under the Enhanced Proliferation Control Initiative are fully in force and continue to be used to control the export of items with potential use in chemical or biological weapons (CBW) or unmanned delivery systems for weapons of mass destruction.

During the final 6 months of Executive Order No. 12735, the United States continued to address actively in its international diplomatic efforts the problem of the proliferation and use of CBW.

At the termination of Executive Order No. 12735, 158 nations had signed the Chemical Weapons Convention (CWC) and 16 had ratified it. On November 23, 1993, I submitted the CWC to the Senate for its advice and consent to ratification. The United States continues to press for prompt ratification of the Convention to enable its entry into force as soon as possible. We also continue to urge those countries that have not signed the Convention to do so. The United States has remained actively engaged in the work of the CWC Preparatory Commission

headquartered in The Hague, to elaborate the technical and administrative procedures for implementing the Convention.

The United States was an active participant in the Special Conference of States Parties, held September 19–30, 1994, to review the consensus final report of the Ad Hoc Group of experts mandated by the Third Biological Weapons Convention (BWC) Review conference. The Special Conference produced a mandate to establish an Ad Hoc Group whose objective is to develop a legally binding instrument to strengthen the effectiveness and improve the implementation of the BWC. The United States strongly supports the development of a legally binding protocol to strengthen the Convention.

The United States maintained its active participation in the Australia Group (AG), which welcomed the Czech Republic, Poland, and Slovakia as the 26th, 27th, and 28th AG members, respectively. The Group reaffirmed members' collective belief that full adherence to the CWC and the BWC provides the only means to achieve a permanent global ban on CBW, and that all states adhering to these conventions have an obligation to ensure that their national activities support these goals.

The AG also reiterated its conviction that harmonized AG export licensing

measures are consistent with and indeed actively support, the requirement under Article I of the CWC that States Parties never assist, in any way, the manufacture of chemical weapons. These measures also are consistent with the undertaking in Article XI of the CWC to facilitate the fullest possible exchange of chemical materials and related information for purposes not prohibited by the Convention, as they focus solely on preventing assistance to activities banned under the CWC. Similarly, such efforts also support existing nonproliferation obligations under the BWC.

The United States Government determined that one foreign individual and two foreign commercial entities—respectively, Nahum Manbar, and Mana International Investments and Europol Holding Ltd.—had engaged in chemical weapons proliferation activities that required the imposition of trade sanctions against them, effective on July 16, 1994. A separate determination was made and sanctions imposed against Alberto di Salle, an Italian national, effective on August 19, 1994. Additional information on these determinations will be contained in a classified report to the Congress, provided pursuant to the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991.

Pursuant to section 401(c) of the National Emergencies Act, I report that there were no expenses directly attributable to the exercise of authorities conferred by the declaration of the national emergency in Executive Order No. 12735 during the period from November 16, 1990, through November 14, 1994.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 16, 1995.

REPORT RELATIVE TO NUCLEAR, CHEMICAL AND BIOLOGICAL WEAPONS—MESSAGE FROM THE PRESIDENT—PM 20

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

On September 29, 1994, in Executive Order No. 12930, I declared a national emergency under the International Emergency Economic Powers Act (IEEPA) (50 U.S.C. 1701 et seq.) to deal with the threat to the national security, foreign policy, and economy of the United States posed by the continued proliferation of nuclear, biological, and chemical weapons, and their means of delivery. Specifically, this order provided necessary authority under the Enhanced Proliferation Control Initiative (EPCI), as provided in the Export Administration Regulations, set forth in Title 15, Chapter VII, Subchapter C, of the Code of Federal Regulations,

Parts 768 to 799 inclusive, to continue to regulate the activities of United States persons in order to prevent their participation in activities that could contribute to the proliferation of weapons of mass destruction and their delivery means.

I issued Executive Order No. 12930 pursuant to the authority vested in me as President by the Constitution and laws of the United States of America, including the IEEPA, the National Emergencies Act (NEA) (50 U.S.C. 1601 et seq.), and section 301 of title 3 of the United States Code. At that time, I also submitted a report to the Congress pursuant to section 204(b) of the IEEPA (50 U.S.C. 1703(b)).

Executive Order No. 12930 was revoked by Executive Order No. 12938 of November 14, 1994. Executive Order No. 12938 consolidates a number of authorities and eliminated certain redundant authorities. All authorities contained in Executive Order No. 12930 were transferred to Executive Order No. 12938.

Section 204 of the IEEPA requires follow-up reports, with respect to actions or changes, to be submitted every 6 months. Additionally, section 401(c) of the NEA requires that the President: (1) within 90 days the end of each 6-month period following a declaration of a national emergency, report to the Congress on the total expenditures directly attributable to that declaration; or (2) within 90 days after the termination of an emergency, transmit a final report to the Congress on all expenditures. This report, covering the period from September 29, 1994, to November 14, 1994, is submitted in compliance with these requirements.

Since the issuance of Executive Order No. 12930, the Department of Commerce has continued to administer and enforce the provisions contained in the Export Administration Regulations concerning activities by United States persons that may contribute to the proliferation of weapons of mass destruction and missiles. In addition, the Department of Commerce has conducted ongoing outreach to educate concerned communities regarding these restrictions. Regulated activities may include financing, servicing, contracting, or other facilitation of missile or weapons projects, and need not be linked to exports or reexports of U.S.-origin items. No applications for licenses to engage in such activities were received during the period covered by this report.

No expenses directly attributable to the exercise of powers or authorities conferred by the declaration of a national emergency in Executive Order No. 12930 were incurred by the Federal Government in the period from September 29, 1994, to November 14, 1994.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 16, 1995.

MESSAGES FROM THE HOUSE

At 3:49, p.m., a message from the House of Representatives, delivered by

Ms. Goetz, one of its reading clerks, announced that the House has passed the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 30. Concurrent resolution providing for the adjournment of the two Houses.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. THURMOND, from the Committee on Armed Services.

Mr. THURMOND. Mr. President, from the Committee on Armed Services, I report favorably the attached listing of nominations.

Those identified with a single asterisk (*) are to be placed on the Executive Calendar. Those identified with a double asterisk (**) are to lie on the Secretary's desk for the information of any Senator since these names have already appeared in the RECORDS of January 6 and 23, 1995 and to save the expense of printing again.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The nominations ordered to lie on the Secretary's desk were printed in the RECORDS of January 6 and 23, 1995 at the end of the Senate proceedings.)

(*) Lt. Gen. Dale W. Thompson, Jr., U.S. Air Force to be placed on the retired list in the grade of lieutenant general (reference No. 160).

(*) Lt. Gen. Jerry R. Rutherford, U.S. Army to be placed on the retired list in the grade of lieutenant general (reference No. 161).

(*) Rear Adm. John A. Lockard, U.S. Navy to be vice admiral (reference No. 162).

(**) In the Air Force there are 5 promotions to the grade of colonel and below (list begins with Alan L. Christensen) (reference No. 166).

(**) In the Army Reserve there are 29 promotions to the grade of colonel and below (list begins with Rodger T. Hosig) (reference No. 167).

(**) In the Army Reserve there is 1 appointment to the grade of lieutenant colonel (Frederick B. Brown) (reference No. 168).

(**) In the Navy there are 3 appointments to the grade of ensign (lists begins with the James P. Screen III) (reference No. 169).

(**) In the Air Force there are 662 promotions to the grade of colonel and below (list begins with Barrett W. Bader) (reference No. 170).

(**) In the Air Force Reserve there are 60 promotions to the grade of colonel (list begins with Jonathan E. Adams) (reference No. 171).

(**) In the Air Force Reserve there are 202 promotions to the grade of colonel (list begins with Timothy L. Anderson) (reference No. 172).

(**) In the Army Reserve there are 1,371 promotions to the grade of lieutenant colonel (list begins with Ronnie Abner) (reference No. 173).

Total: 2,336.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Ms. SNOWE:

S. 427. A bill to amend various Acts to establish offices of women's health within certain agencies, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. ROTH (for himself, Mr. BAUCUS, Mr. BIDEN, Mrs. BOXER, Mr. FEINGOLD, Mr. DODD, Mr. HARKIN, Mr. JEFFORDS, Mr. KERRY, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIEBERMAN, Mrs. MURRAY, Mr. PELL, and Mr. WELLSTONE):

S. 428. A bill to improve the management of land and water for fish and wildlife purposes, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BRYAN (for himself and Mr. REID):

S. 429. A bill to amend the Nuclear Waste Policy Act of 1982 to allow commercial nuclear utilities that have contracts with the Secretary of Energy under section 302 of that Act to receive credits to offset the cost of storing spent fuel that the Secretary is unable to accept for storage on and after January 31, 1998; to the Committee on Energy and Natural Resources.

By Ms. SNOWE:

S. 430. A bill to amend XIX of the Social Security Act to require States to adopt and enforce certain guardianship laws providing protection and rights to wards and individuals subject to guardianship proceedings as a condition of eligibility for receiving funds under the medicaid program, and for other purposes; to the Committee on Finance.

S. 431. A bill to amend the Magnuson Fishery Conservation and Management Act to authorize the Secretary of Commerce to prepare fishery management plans and amendments to fishery management plans under negotiated rulemaking procedures, and for other purposes; to the Committee on Commerce, Science, and Transportation.

S. 432. A bill to amend the Magnuson Fishery Conservation and Management Act to require the Secretary of Commerce to prepare conservation and management measures for the northeast multispecies (groundfish) fishery under negotiated rulemaking procedures, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KERRY:

S. 433. A bill to regulate handgun ammunition, and for other purposes; to the Committee on the Judiciary.

By Mr. KOHL:

S. 434. A bill to amend the Internal Revenue Code of 1986 to increase the deductibility of business meal expenses for individuals who are subject to Federal limitations on hours of service; to the Committee on Finance.

By Mr. FAIRCLOTH:

S. 435. A bill to provide for the elimination of the Department of Housing and Urban Development, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CAMPBELL (for himself, Mr. INOUE, Mr. MCCAIN, and Mr. DASCHLE):

S. 436. A bill to improve the economic conditions and supply of housing in Native American communities by creating the Native American Financial Services Organization, and for other purposes; to the Committee on Indian Affairs.

By Ms. SNOWE:

S. 437. A bill to establish a Northern Border States-Canada Trade Council, and for other purposes; to the Committee on Finance.

S. 438. A bill to reform criminal laws, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMAS (for himself, Mr. LOTT, Mr. SIMPSON, Mr. INHOFE, Mr.

COATS, Mr. MURKOWSKI, and Mr. COCHRAN):

S. 439. A bill to direct the Director of the Office of Management and Budget to establish commissions to review regulations issued by certain Federal departments and agencies, and for other purposes; to the Committee on Governmental Affairs.

By Mr. WARNER (for himself, Mr. CHAFEE, Mr. BAUCUS, Mr. MOYNIHAN, Mr. BOND, Mr. FAIRCLOTH, Mr. KEMP-THORNE, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. INHOFE, Mr. REID, Mr. SMITH, Mr. LUGAR, Mrs. BOXER, Mr. GRAHAM, and Mr. PELL):

S. 440. A bill to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MCCAIN:

S. 441. A bill to reauthorize appropriations for certain programs under the Indian Child Protection and Family Violence Prevention Act, and for other purposes; to the Committee on Indian Affairs.

By Ms. SNOWE (for herself and Mr. DOLE):

S. 442. A bill to improve and strengthen the child support collection system, and for other purposes; to the Committee on Finance.

By Mr. GRAMS:

S. 443. A bill to reaffirm the Federal Government's commitment to electric consumers and environmental protection by reaffirming the requirement of the Nuclear Waste Policy Act of 1982 that the Secretary of Energy provide for the safe disposal of spent nuclear fuel beginning not later than January 31, 1998, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 444. A bill to amend the Alaska Native Claims Settlement Act to provide for the purchase of common stock of Cook Inlet Region, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. D'AMATO (for himself, Mr. MACK, Mr. BENNETT, Mr. FAIRCLOTH, and Mr. BRYAN):

S. 445. A bill to expand credit availability by lifting the growth cap on limited service financial institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. INOUE (for himself, Mr. HATFIELD, Mr. LEVIN, Mr. D'AMATO, Mr. AKAKA, Mr. COCHRAN, Mr. DODD, Mr. GRASSLEY, Mr. HATCH, Mr. HEFLIN, Mr. HOLLINGS, Mr. KENNEDY, Ms. MIKULSKI, Mr. MOYNIHAN, Mr. ROBB, and Mr. SIMON):

S. 446. A bill to require the Secretary of the Treasury to mint coins in commemoration of the public opening of the Franklin Delano Roosevelt Memorial in Washington, D.C.; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. INHOFE (for himself and Mr. NICKLES):

S. 447. A bill to provide tax incentives to encourage production of oil and gas within the United States, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. PRYOR, and Mr. REID):

S. 448. A bill to amend section 118 of the Internal Revenue Code of 1986 to provide for certain exceptions from rules for determining contributions in aid of construction, and for other purposes; to the Committee on Finance.

By Mr. SIMON (for himself and Ms. MOSELEY-BRAUN):