

## MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business with Senators permitted to speak for up to 5 minutes each.

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

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting one withdrawal and sundry nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

## REPORT CONCERNING THE CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT—PM 129

Under the authority of the order of the Senate of January 4, 1995, the Secretary of the Senate, on March 8, 1996, during the adjournment of the Senate, received 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:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Iran emergency declared on March 15, 1995, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) is to continue in effect beyond March 15, 1996, to the *Federal Register* for publication. This emergency is separate from that declared on November 14, 1979, in connection with the Iranian hostage crisis and therefore requires separate renewal of emergency authorities.

The factors that led me to declare a national emergency with respect to Iran on March 15, 1995, have not been resolved. The actions and policies of the Government of Iran, including its support for international terrorism, efforts to undermine the Middle East peace process, and its acquisition of weapons of mass destruction and the

means to deliver them, continue to threaten the national security, foreign policy, and economy of the United States. Accordingly, I have determined that it is necessary to maintain in force the broad authorities that are in place by virtue of the March 15, 1995, declaration of emergency.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 8, 1996.

## REPORT CONCERNING THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT—PM 130

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:*

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 the measures in that order and in 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 that Executive order and 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 U.S. 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 on 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 or reexport, investment, and certain trade 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 specific 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 related to other international obligations and United States Government functions, and transactions related to 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 revoked 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 Speaker of the House of Representatives and President of the Senate by letters dated May 6, 1995.

2. There were no amendments to the Iranian Transactions Regulations, 31 CFR Part 560 (the "ITR") during the reporting period.

3. During the current 6-month period, the Department of the Treasury's Office of Foreign Assets Control (FAC) made numerous decisions with respect

to applications for licenses to engage in transactions under the ITR, issuing 54 licensing determinations—both approvals and denials. The majority of denials were in response to requests to extend contract performance beyond the time specified by Executive Order No. 12959 and by FAC general license. Licenses were issued authorizing the continued operation of Iranian diplomatic accounts, powers of attorney, extensions of standby letters of credit, payments for trade transactions pursuant to contracts prior to May 6, 1995, and exportation of certain agricultural products contracted for prior to May 6, 1995. The FAC continues to review under section 560.528 requests for authorization to export and reexport goods, services, and technology to ensure the safety of civil aviation and safe operation of U.S.-origin commercial passenger aircraft in Iran. In light of statutory restrictions applicable to goods and technology involved in these cases, Treasury continues to consult and coordinate with the Departments of State and Commerce on these matters, consistent with section 4 of Executive Order No. 12959.

During the reporting period, FAC administered provisions on services related to maintaining Iranian bank accounts and identified and rejected Iran-related payments not authorized under the ITR. United States banks were notified that they could not process transactions on behalf of accounts held in the name of the Government of Iran or persons in Iran, with the exception of certain transactions related to interest accruals, customary service charges, the exportation of information or informational material, travel-related remittances, donations of articles to relieve human suffering, or lump sum closures of accounts by payment to their owners. United States banks continue to handle certain dollar payment transactions involving Iran between third-country banks that do not involve a direct credit or debit to Iranian accounts. Noncommercial family remittances involving Iran must be routed to or from non-U.S., non-Iranian offshore banks.

The FAC continues to coordinate closely with the Federal Reserve Board, the Federal Reserve Bank of New York, and the California banking authorities concerning the treatment of three Iranian bank agencies—Banks Sepah, Saderat, and Melli. Licenses have been issued to the Iranian bank agencies authorizing them to pay overhead expenses under the supervision of the California and New York banking departments while meeting obligations incurred prior to May 6, 1995. Authorization expired at the end of December, which had enabled them to make payments to U.S. exporters under letters of credit advised prior to June 6, 1995, where the underlying exports were completed in accordance with the Regulations or a specific license issued by FAC. The FAC also had permitted the agencies to offer discounted advance

payments on deferred payment letters of credit under the same conditions.

4. The U.S. Customs Service has continued to effect numerous seizures of Iranian-origin merchandise, primarily carpets, for violation of the import prohibitions of the ITR. Various enforcement actions carried over from previous reporting periods are continuing and new reports of violations are being aggressively pursued.

5. The expenses incurred by the Federal Government in the 6-month period from September 15, 1995, through March 14, 1996, that are directly attributable to the exercise powers and authorities conferred by the declaration of a national emergency with respect to Iran are approximately \$965,000, 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 U.S. 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 non-proliferation 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, March 11, 1996.

#### MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

##### ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 4, 1995, the Secretary of the Senate, on March 8, 1996, during the adjournment of the Senate, received a message from the House of Representatives announcing that the

Speaker has signed the following enrolled bills:

H.R. 2778. An act to provide that members of the Armed Forces performing services for the peacekeeping effort in the Republic of Bosnia and Herzegovina shall be entitled to certain tax benefits in the same manner as if such were performed in a combat zone.

H.R. 3021. An act to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States.

Under the authority of the order of the Senate of January 4, 1995, the enrolled bills were signed subsequently on March 8, 1996, during the adjournment of the Senate, by the President pro tempore (Mr. THURMOND).

#### MESSAGES FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that pursuant to the provision of 15 United States Code 1024(a), the Speaker appoints the following Members on the part of the House to the Joint Economic Committee: Mr. HINCHAY of New York and Mrs. MALONEY of New York.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3019. A act making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes.

#### ENROLLED BILLS SIGNED

A message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 927. An act to seek international sanctions against the Castro government in Cuba, to plan for support of a transition government leading to a democratically elected government in Cuba, and for other purposes.

H.R. 2036. An act to amend the Solid Waste Disposal Act to make certain adjustments in the land disposal program to provide needed flexibility, and for other purposes.

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

#### MEASURE PLACED ON THE CALENDAR

The following bill was read the second time and placed on the calendar:

H.R. 497. An act to create the National Gambling Impact and Policy Commission.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1952. A communication from the Secretary of Defense, transmitting, a notice approving the appointment of General Barry R. McCaffrey; to the Committee on Armed Services.