''(2) INMARSAT.—The term 'Inmarsat' means the International Mobile Satellite Organization established pursuant to the Convention on the International Maritime Satellite Organization and may also refer to INMARSAT Limited when appropriate.

''(3) COMSAT.—The term 'COMSAT' means the corporation established pursuant to title III of this Act and its successors and assigns.

''(4) SIGNATORY.—The term 'signatory' means the telecommunications entity designated by a party that has signed the Operating Agreement and for which such Agreement has entered into force.

''(5) PARTY.—The term 'party' means, in the case of INTELSAT, a nation for which the INTELSAT agreement has entered into force or been provisionally applied, and in the case of INMARSAT, a nation for which the Inmarsat convention entered into force.

''(6) COMMISSION.—The term 'Commission' means the Federal Communications Commission.

''(7) INTERNATIONAL TELECOMMUNICATION UNION; ITU.—The terms 'International Telecommunication Union' and 'ITU' mean the intergovernmental organization that is a specialized agency of the United Nations in which member countries cooperate for the development of telecommunications, including adoption of international regulations governing terrestrial and space uses of the frequency spectrum as well as use of the geostationary orbital arc.

''(8) PRIVATIZED INTELSAT.—The term 'privatized INTELSAT' means any entity created from the privatization of INTELSAT from the assets of INTELSAT.

''(9) PRIVATIZED INMARSAT.—The term 'privatized Inmarsat' means any entity created from the privatization of Inmarsat from the assets of Inmarsat, namely INMARSAT, Ltd.

''(10) ORBITAL LOCATION.—The term 'orbital location' means the location for placement of a satellite in geostationary orbits as defined in the International Telecommunication Union Radio Regulations.

''(11) SPECTRUM.—The term 'spectrum' means the range of frequencies used to provide radio communication services.

''(12) SPACE SEGMENT.—The term 'space segment' means the satellites, and the tracking, telemetry, command, control, monitoring and related facilities and equipment used to support the operation of satellites owned or leased by INTELSAT and Inmarsat or an IGO successor or affiliate.

''(13) INTELSAT AGREEMENT.—The term 'INTELSAT agreement' means the agreement relating to the International Telecommunications Satellite Organization, including all of its annexes (TIAS 7532, 23 UST 3813).

''(14) OPERATING AGREEMENT.—The term 'operating agreement' means—

''(A) in the case of INTELSAT, the agreement, including its annex but excluding all titles of articles, opened for signature at Washington on August 20, 1971, by governments or telecommunications entities designated by governments in accordance with the provisions of The Agreement; and

''(B) in the case of Inmarsat, the Operating Agreement on the International Maritime Satellite Organization, including its annexes.

''(15) HEADQUARTERS AGREEMENT.—The term 'headquarters agreement' means the binding international agreement, dated November 24, 1976, between the United States and INTELSAT covering privileges, exemptions, and immunities with respect to the location of INTELSAT's headquarters in Washington, D.C.

''(16) DIRECT-TO-HOME SATELLITE SERVICES.—The term 'direct-to-home satellite services' means the distribution or broadcasting of programming or services by satellite directly to the subscriber's premises without the use of ground receiving or distribution equipment, except at the subscriber's premises or in the uplink process to the satellite.

''(17) IGO.—The term 'IGO' means the Intergovernmental Satellite organizations, INTELSAT and Inmarsat.

''(18) IGO AFFILIATE.—The term 'IGO affiliate' means any entity in which an IGO owns or has owned an equity interest of 10 percent or more.

''(19) IGO SUCCESSOR.—The term 'IGO Successor' means an entity which holds substantially all the assets of a pre-existing IGO.

''(20) GLOBAL MARITIME DISTRESS AND SAFETY SERVICES.—The term 'global maritime distress and safety services' means the automated ship-to-shore distress alerting system which uses satellite and advanced terrestrial systems for international distress communications and promoting maritime safety in general, permitting the worldwide alerting of vessels, coordinated search and rescue operations, and dissemination of maritime safety information.

''(b) COMMON TERMS.—Except as otherwise provided in subsection (a), terms used in this title that are defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153) have the meaning provided in that section.''.

SEC. 5. CONFORMING CHANGES.

(a) REPEAL OF FEDERAL COORDINATION AND PLANNING PROVISIONS.—Section 201 of the Communications Satellite Act of 1962 (47 U.S.C. 721) is amended to read as follows:

''SEC. 201. IMPLEMENTATION OF POLICY.

''The Federal Communications Commission, in its administration of the Communications Act of 1934, shall make rules and regulations to carry out the provisions of this Act.''.

(b) REPEAL OF GOVERNMENT-ESTABLISHED CORPORATION PROVISIONS.—

(1) IN GENERAL.—Section 301 of the Communications Satellite Act of 1962 (47 U.S.C. 731) is amended to read as follows:

''SEC. 301. CORPORATION.

''The corporation organized under the provisions of this title, as this title existed before the enactment of the Open-market Reorganization for the Betterment of International Telecommunications Act, known as COMSAT, and its successors and assigns, are subject to the provisions of this Act. The right to repeal, alter, or amend this Act at any time is expressly reserved.''.

(2) CONFORMING CHANGES.—Title III of the Communications Satellite Act of 1962 (47 U.S.C. 731 et seq.) is amended—

(A) by striking ''**CREATION OF A COMMUNICATIONS SATELLITE**'' in the caption of title III;

(B) by striking sections 302, 303, and 304;

(C) by redesignating section 305 as section 302; and

(D) by striking subsection (c) of section 302, as redesignated.

(c) REPEAL OF CERTAIN MISCELLANEOUS PROVISIONS.—Title IV of the Communications Satellite Act of 1962 (47 U.S.C. 741 et seq.) is amended—

(1) by striking section 402;

(2) by striking subsection (a) of section 403 and redesignating subsections (b) and (c) as subsections (a) and (b), respectively; and

(3) by striking section 404.

SEC. 6. INTERNATIONAL MARITIME SATELLITE TELECOMMUNICATIONS ACT AMENDMENTS.

(a) REPEAL OF SUPERSEDED AUTHORITY.—Title V of the Communications Satellite Act of 1962 (47 U.S.C. 751 et seq.) is amended—

(1) by striking sections 502, 503, 504, and 505; and

(2) by inserting after section 501 the following:

''SEC. 502. GLOBAL SATELLITE SAFETY SERVICES AFTER PRIVATIZATION OF BUSINESS OPERATIONS OF INMARSAT.

''In order to ensure the continued provision of global maritime distress and safety satellite telecommunications services after privatization of the business operations of Inmarsat, the President may maintain membership in the International Mobile Satellite Organization on behalf of the United States.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date on which the International Mobile Satellite Organization ceases to operate directly a global mobile satellite system.

MOTION OFFERED BY MR. TAUZIN

Mr. TAUZIN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TAUZIN moves that the House strike all after the enacting clause of a Senate bill, S. 376, and insert the text of the bill, H.R. 3261, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 3261) was laid on the table.

APPOINTMENT OF CONFEREES

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that the House insist on its amendment and request a conference with the Senate thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana? The Chair hears none and, without objection, appoints the following conferees: Messrs. BLILEY, TAUZIN, OXLEY, DINGELL, and MARKEY.

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that when the House adjourn today that it adjourn to meet at 2 p.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

□ 1900

CONTINUATION OF NATIONAL EMERGENCY WITH REGARD TO WEAPONS OF MASS DESTRUCTION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–158)

The SPEAKER pro tempore (Mr. BARRETT of Nebraska) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

On November 14, 1994, in light of the dangers of the proliferation of nuclear, biological, and chemical weapons (''weapons of mass destruction''—

WMD) and of the means of delivering such weapons, I issued Executive Order 12938, and declared a national emergency under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.). Under section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), the national emergency terminates on the anniversary date of its declaration unless, within the 90-day period prior to each anniversary date, I publish in the *Federal Register* and transmit to the Congress a notice stating that such emergency is to continue in effect. The proliferation of weapons of mass destruction and their means of delivery continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. I am, therefore, advising the Congress that the national emergency declared on November 14, 1994, and extended on November 14, 1995, November 12, 1996, November 13, 1997, and November 12, 1998, must continue in effect beyond November 14, 1999. Accordingly, I have extended the national emergency declared in Executive Order 12938, as amended.

The following report is made pursuant to section 204(a) of the International Emergency Economic Powers Act (50 U.S.C. 1703(c)) and section 401(c) of the National Emergencies Act (50 U.S.C. 1641(c)), regarding activities taken and money spent pursuant to the emergency declaration. Additional information on nuclear, missile, and/or chemical and biological weapons (CBW) nonproliferation efforts is contained in the most recent annual Report on the Proliferation of Missiles and Essential Components of Nuclear, Biological and Chemical Weapons, provided to the Congress pursuant to section 1097 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190), also known as the ''Nonproliferation Report,'' and the most recent annual report provided to the Congress pursuant to section 308 of the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (Public Law 102–182), also known as the ''CBW Report.''

On July 28, 1998, in Executive Order 13094, I amended section 4 of Executive Order 12938 so that the United States Government could more effectively respond to the worldwide threat of weapons of mass destruction proliferation activities. The amendment of section 4 strengthens Executive Order 12938 in several significant ways. The amendment broadens the type of proliferation activity that can subject entities to potential penalties under the Executive order. The original Executive order provided for penalties for contributions to the efforts of any foreign country, project or entity to use, acquire, design, produce, or stockpile chemical or biological weapons; the amended Executive order also covers contributions to foreign programs for nuclear weapons and for missiles capable of delivering weapons of mass destruction. Moreover, the amendment expands the original Executive order to include attempts to contribute to foreign proliferation activities, as well as actual contributions, and broadens the range of potential penalties to expressly include the prohibition of U.S. Government assistance to foreign persons, and the prohibition of imports into the United States and U.S. Government procurement. In sum, the amendment gives the United States Government greater flexibility and discretion in deciding how and to what extent to impose measures against foreign persons that assist proliferation programs.

NUCLEAR WEAPONS

In May 1998, India and Pakistan each conducted a series of nuclear tests. World reaction included nearly universal condemnation across a broad range of international fora and multilateral support for a broad range of sanctions, including new restrictions on lending by international financial institutions unrelated to basic human needs and on aid from the G–8 and other countries.

Since the mandatory imposition of U.S. statutory sanctions, we have worked unilaterally, with other P–5 and G–8 members, and through the United Nations, to dissuade India and Pakistan from taking further steps toward developing nuclear weapons. We have urged them to join multilateral arms control efforts and to conform to the standards of nonproliferation regimes, to prevent a regional arms race and build confidence by practicing restraint, and to resume efforts to resolve their differences through dialogue. The P–5, G–8, and U.N. Security Council have called on India and Pakistan to take a broad range of concrete actions. The United States has focused most intensely on several objectives that can be met over the short and medium term: an end to nuclear testing and prompt, unconditional ratification of the Comprehensive Nuclear Test-Ban Treaty (CTBT); engagement in productive negotiations on a fissile material cut-off treaty (FMCT) and, pending their conclusion, a moratorium on production of fissile material for nuclear weapons and other nuclear explosive devices; restraint in development and deployment of nuclear-capable missiles and aircraft; and adoption of controls meeting international standards on exports of sensitive materials and technology.

Against this backdrop of international pressure on India and Pakistan, high-level U.S. dialogues with Indian and Pakistani officials have yielded little progress. In September 1998, Indian and Pakistani leaders had expressed a willingness to sign the CTBT. Both governments, having already declared testing moratoria, had indicated they were prepared to sign the CTBT by September 1999 under certain conditions. These declarations were made prior to the collapse of Prime Minister Vajpayee's Indian government in April 1999, a development that has delayed consideration of CTBT signature in India. The Indian election, the Kargil conflict, and the October political coup in Pakistan have further complicated the issue, although neither country has renounced its commitment. Pakistan has said that it will not sign the Treaty until India does. Additionally, Pakistan's Foreign Minister stated publicly on September 12, 1999, that Pakistan would not consider signing the CTBT until sanctions are removed.

India and Pakistan both withdrew their opposition to negotiations on an FMCT in Geneva at the end of the 1998 Conference on Disarmament sessions. However, these negotiations were unable to resume in 1999 and we have no indications that India or Pakistan played helpful ''behind the scenes'' roles. They also pledged to institute strict controls that meet internationally accepted standards on sensitive exports, and have begun expert discussions with the United States and others on this subject. In addition, India and Pakistan resumed their bilateral dialogue on outstanding disputes, including Kashmir, at the Foreign Secretary level. The Kargil conflict this summer complicated efforts to continue this bilateral dialogue, although both sides have expressed interest in resuming the discussions at some future point. We will continue discussions with both governments at the senior and expert levels, and our diplomatic efforts in concert with the P–5, G–8, and in international fora. Efforts may be further complicated by India's release in August 1999 of a draft of its nuclear doctrine, which, although its timing may have been politically motivated, suggests that India intends to make nuclear weapons an integral part of the national defense.

The Democratic People's Republic of Korea (DPRK or North Korea) continues to maintain a freeze on its nuclear facilities consistent with the 1994 U.S.–DPRK Agreed Framework, which calls for the immediate freezing and eventual dismantling of the DPRK's graphite-moderated reactors and reprocessing plant at Yongbyon and Taechon. The United States has raised its concerns with the DPRK about a suspect underground site under construction, possibly intended to support nuclear activities contrary to the Agreed Framework. In March 1999, the United States reached agreement with the DPRK for visits by a team of U.S. experts to the facility. In May 1999, a Department of State team visited the underground facility at Kumchang-ni. The team was permitted to conduct all activities previously agreed to help remove suspicions about the site. Based on the data gathered by the U.S. delegation and the subsequent technical review, the United States has concluded that, at present, the underground site does not violate the 1994 U.S.–DPRK Agreed Framework.

The Agreed Framework requires the DPRK to come into full compliance with its NPT and IAEA obligations as a

part of a process that also includes the supply of two light water reactors to North Korea. United States experts remain on-site in North Korea working to complete clean-up operations after largely finishing the canning of spent fuel from the North's 5-megawatt nuclear reactor.

The Nuclear Non-Proliferation Treaty (NPT) is the cornerstone on the global nuclear nonproliferation regime. In May 1999, NPT Parties met in New York to complete preparations for the 2000 NPT Review Conference. The United States is working with others to ensure that the 2000 NPT Review Conference is a success that reaffirms the NPT as a strong and viable part of the global security system.

The United States signed the Comprehensive Nuclear-Test Ban Treaty on September 24, 1996. So far, 154 countries have signed and 51 have ratified the CTBT. During 1999, CTBT signatories conducted numerous meetings of the Preparatory Commission (PrepCom) in Vienna, seeking to promote rapid completion of the International Monitoring System (IMS) established by the Treaty. In October 1999, a conference was held pursuant to Article XIV of the CTBT, to discuss ways to accelerate the entry into force of the Treaty. The United States attended that conference as an observer.

On September 22, 1997, I transmitted the CTBT to the Senate, requesting prompt advice and consent to ratification. I deeply regret the Senate's decision on October 13, 1999, to refuse its consent to ratify the CTBT. The CTBT will serve several U.S. national security interests by prohibiting all nuclear explosions. It will constrain the development and qualitative improvement of nuclear weapons; end the development of advanced new types of weapons; contribute to the prevention of nuclear proliferation and the process of nuclear disarmament; and strengthen international peace and security. The CTBT marks a historic milestone in our drive to reduce the nuclear threat and to build a safer world. For these reasons, we hope that at an appropriate time, and the Senate will reconsider this treaty in a manner that will ensure a fair and thorough hearing process and will allow for more thoughtful debate.

With 35 member states, the Nuclear Suppliers Group (NSG) is a widely accepted, mature, and effective export-control arrangement. At its May 1999 Plenary and related meetings in Florence, Italy, the NSG considered new members (although none were accepted at that meeting), reviewed efforts to enhance transparency, and pursued efforts to streamline procedures and update control lists. The NSG created an Implementation Working Group, chaired by the UK, to consider changes to the guidelines, membership issues, the relationship with the NPT Exporters (Zangger) Committee, and controls on brokering. The Transparency Working Group was tasked with preparing a report on NSG activities for presentation at the 2000 NPT Review Conference by the Italian chair. The French will host the Plenary and assume the NSG Chair in 2000 and the United States will host and chair in 2001.

The NSG is currently considering membership requests from Turkey and Belarus. Turkey's membership is pending only agreement by Russia to join the intercessional consensus of all other NSG members. The United States believes it would be appropriate to confirm intercessional consensus in support of Turkey's membership before considering other candidates. Belarus has been in consultation with the NSG Chair and other members including Russia and the United States regarding its interest in membership and the status of its implementation of export controls to meet NSG Guideline standards. The United States will not block intercessional consensus of NSG members in support of NSG membership for Belarus, provided that consensus for Turkey's membership precedes it. Cyprus and Kazakhstan have also expressed interest in membership and are in consultation with the NSG Chair and other members regarding the status of their export control systems. China is the only major nuclear supplier that is not a member of the NSG, primarily because it has not accepted the NSG policy of requiring full-scope safeguards as a condition for supply of nuclear trigger list items to non-nuclear weapon states. However, China has taken major steps toward harmonization of its export control system with the NSG Guidelines by the implementation of controls over nuclear-related dual-use equipment and technology.

During the last 6-months, we reviewed intelligence and other reports of trade in nuclear-related material and technology that might be relevant to nuclear-related sanctions provisions in the Iran-Iraq Arms Non-Proliferation Act of 1992, as amended; the Export-Import Bank Act of 1945, as amended; and the Nuclear Proliferation Prevention Act of 1994. No statutory sanctions determinations were reached during this reporting period. The administrative measures impose against ten Russian entities for their nuclear- and/or missile-related cooperation with Iran remain in effect.

CHEMICAL AND BIOLOGICAL WEAPONS

The export control regulations issued under the Enhanced Proliferation Control Initiative (EPCI) remain fully in force and continue to be applied by the Department of Commerce, in consultation with other agencies, in order to control the export of items with potential use in chemical or biological weapons or unmanned delivery systems for weapons of mass destruction.

Chemical weapons (CW) continue to pose a very serious threat to our security and that of our allies. On April 29, 1997, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (the Chemical Weapons Convention or CWC) entered into force with 87 of the CWS's 165 States Signatories as original States Parties. The United States was among their number, having ratified the CWC on April 25, 1997. Russia ratified the CWC on November 5, 1997, and became a State Party on December 8, 1997. To date, 126 countries (including China, Iran, India, Pakistan, and Ukraine) have become States Parties.

The implementing body for the CWC—the Organization for the Prohibition of Chemical Weapons (OPCW)—was established at entry-into-force (EIF) of the Convention on April 29, 1997. The OPCW, located in The Hague, has primary responsibility (along with States Parties) for implementing the CWC. It consists of the Conference of the States Parties, the Executive Council (EC), and the Technical Secretariat (TS). The TS carries out the verification provisions of the CWC, and presently has a staff of approximately 500, including about 200 inspectors trained and equipped to inspect military and industrial facilities throughout the world. To date, the OPCW has conducted over 500 routine inspections in some 29 countries. No challenge inspections have yet taken place. To date, nearly 170 inspections have been conducted at military facilities in the United States. The OPCW maintains a permanent inspector presence at operational U.S. CW destruction facilities in Utah and Johnston Island.

The United States is determined to seek full implementation of the concrete measures in the CWC designed to raise the costs and risks for any state or terrorist attempting to engage in chemical weapons-related activities. The CWC's declaration requirements improve our knowledge of possible chemical weapons activities. Its inspection provisions provide for access to declared and undeclared facilities and locations, thus making clandestine chemical weapons production and stockpiling more difficult, more risky, and more expensive.

The Chemical Weapons Convention Implementation Act of 1998 was enacted into U.S. law in October 1998, as part of the Omnibus Consolidated and Emergency Supplemental Appropriation Act for Fiscal Year 1999 (Public Law 105–277). My Administration published an Executive order on June 25, 1999, to facilitate implementation of the Act and is working to publish regulations regarding industrial declarations and inspections of industrial facilities. Submission of these declarations to the OPCW, and subsequent inspections, will enable the United States to be fully compliant with the CWC. United States noncompliance to date has, among other things, undermined U.S. leadership in the organization as well as our ability to encourage other States Parties to make complete, accurate, and timely declarations.

Countries that refuse to join the CWC will be politically isolated and prohibited by the CWC from trading with

States Parties in certain key chemicals. The relevant treaty provisions are specifically designed to penalize countries that refuse to join the rest of the world in eliminating the threat of chemical weapons.

The United States also continues to play a leading role in the international effort to reduce the threat from biological weapons (BW). We participate actively in the Ad Hoc Group (AHG) of States Parties striving to complete a legally binding protocol to strengthen and enhance compliance with the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (the Biological Weapons Convention or BWC). This Ad Hoc Group was mandated by the September 1994 BWC Special Conference. The Fourth BWC Review Conference, held in November/December 1996, urged the AHG to complete the protocol as soon as possible but not later than the next Review Conference to be held in 2001. Work is progressing on a draft rolling text through insertion of national views and clarification of existing text. Five AHG negotiating sessions were scheduled for 1999. The United States is working toward completion of the substance of a strong Protocol next year.

On January 27, 1998, during the State of the Union address, I announced that the United States would take a leading role in the effort to erect stronger international barriers against the proliferation and use of BW by strengthening the BWC with a new international system to detect and deter cheating. The United States is working closely with U.S. industry representatives to obtain technical input relevant to the development of U.S. negotiating positions and then to reach international agreement on data declarations and on-site investigations.

The United States continues to be a leading participant in the 30-member Australia Group (AG) chemical and biological weapons nonproliferation regime. The United States attended the most recent annual AG Plenary Session from October 4–8, 1999, during which the Group reaffirmed the members' continued collective belief in the Group's viability, importance, and compatibility with the CWC and BWC. Members continue to agree that full adherence to the CWC and BWC by all governments will be the only way to achieve a permanent global ban on chemical and biological weapons, and that all states adhering to these Conventions must take steps to ensure that their national activities support these goals. At the 1999 Plenary, the Group continued to focus on strengthening AG export controls and sharing information to address the threat of CBW terrorism. The AG also reaffirmed its commitment to continue its active outreach program of briefings for non-AG countries, and to promote regional consultations on export controls and non-proliferation to further awareness and understanding of national policies in these areas. The AG discussed ways to be more proactive in stemming attacks on the AG in the CWC and BWC contexts.

During the last 6 months, we continued to examine closely intelligence and other reports of trade in CBW-related material and technology that might be relevant to sanctions provisions under the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991. No new sanctions determinations were reached during this reporting period. The United States also continues to cooperate with its AG partners and other countries in stopping shipments of proliferation concern.

MISSILES FOR DELIVERY OF WEAPONS OF MASS DESTRUCTION

The United States continues carefully to control exports that could contribute to unmanned delivery systems for weapons of mass destruction, and closely to monitor activities of potential missile proliferation concern. We also continued to implement U.S. missile sanctions laws. In March 1999, we imposed missile sanctions against three Middle Eastern entities for transfers involving Category II Missile Technology Control Regime (MTCR) Annex items. Category I missile sanctions imposed in April 1998 against North Korean and Pakistani entities for the transfer from North Korea to Pakistan of equipment and technology related to the Ghauri missile remain in effect.

During this reporting period, MTCR Partners continued to share information about proliferation problems with each other and with other potential supplier, consumer, and transshipment states. Partners also emphasized the need for implementing effective export control systems. This cooperation has resulted in the interdiction of missile-related materials intended for use in missile programs of concern.

In June the United States participated in the MTCR's Reinforced Point of Contact Meeting (RPOC). At the RPOC, MTCR Partners held in-depth discussions of regional missile proliferation concerns, focusing in particular on Iran, North Korea, and South Asia. They also discussed steps Partners can take to further increase outreach to nonmembers. The Partners agreed to continue their discussion of this important topic at the October 1999 Noordwijk MTCR Plenary.

Also in June, the United States participated in a German-hosted MTCR workshop at which Partners and non-Partners discussed ways to address the proliferation potential inherent in intangible technology transfers. The seminar helped participants to develop a greater understanding of the intangible technology issue (i.e., how proliferators misuse the internet, scientific conferences, plant visits, student exchange programs, and higher education to acquire sensitive technology), and to begin to identify steps governments can take to address this problem.

In July 1999, the Partners completed a reformatting of the MTCR Annex. The newly reformatted Annex is intended to improve clarity and uniformity of implementation of MTCR controls while maintaining the coverage of the previous version of the MTCR Annex.

The MTCR held its Fourteenth Plenary Meeting in Noordwijk, The Netherlands, on October 11–15. At the Plenary, the Partners shared information about activities of missile proliferation concern worldwide. They focused in particular on the threat to international security and stability posed by missile proliferation in key regions and considered what practical steps they could take, individually and collectively, to address ongoing missile-related activities of concern. During their discussions, Partners gave special attention to DPRK missile activities and also discussed the threat posed by missile-related activities in South and North East Asia and the Middle East.

During this reporting period, the United States continued to work unilaterally and in coordination with its MTCR Partners to combat missile proliferation and to encourage nonmembers to export responsibly and to adhere to the MTCR Guidelines. To encourage international focus on missile proliferation issues, the USG also placed the issue on the agenda for the G8 Cologne Summit, resulting in an undertaking to examine further individual and collective means of addressing this problem and reaffirming commitment to the objectives of the MTCR. Since my last report, we continued our missile nonproliferation dialogues with China (interrupted after the accidental bombing of China's Belgrade Embassy), India, the Republic of Korea (ROK), North Korea (DPRK), and Pakistan. In the course of normal diplomatic relations we also have pursued such discussions with other countries in Central Europe, South Asia, and the Middle East.

In March 1999, the United States and the DPRK held a fourth round of missile talks to underscore our strong opposition to North Korea's destabilizing missile development and export activities and press for tight constraints on DPRK missile development, testing, and exports. We also affirmed that the United States viewed further launches of long-range missiles and transfers of long-range missiles or technology for such missiles as direct threats of U.S. allies and ultimately to the United States itself. We subsequently have reiterated that message at every available opportunity. In particular, we have reminded the DPRK of the consequences of another rocket launch and encouraged it not to take such action. We also have urged the DPRK to take steps towards building a constructive bilateral relationship with the United States.

These efforts have resulted in an important first step. Since September 1999, it has been our understanding

that the DPRK will refrain from testing long-range missiles of any kind during our discussions to improve relations. In recognition of this DPRK step, the United States has announced the easing of certain sanctions related to the import and export of many consumer goods.

In response to reports of continuing Iranian efforts to acquire sensitive items from Russian entities for use in Iran's missile and nuclear development programs, the United States continued its high-level dialogue with Russia aimed at finding ways the United States and Russia can work together to cut off the flow of sensitive goods to Iran's ballistic missile development program. During this reporting period, Russia's government created institutional foundations to implement a newly enacted nonproliferation policy and passed laws to punish wrongdoers. It also passed new export control legislation to tighten government control over sensitive technologies and began working with the United States to strengthen export control practices at Russian aerospace firms. However, despite the Russian government's nonproliferation and export control efforts, some Russian entities continued to cooperate with Iran's ballistic missile program and to engage in nuclear cooperation with Iran beyond the Bushehr reactor project. The administrative measures imposed on ten Russian entities for their missile- and nuclear-related cooperation with Iran remain in effect.

VALUE OF NONPROLIFERATION EXPORT CONTROLS

United States national export controls—both those implemented pursuant to multilateral nonproliferation regimes and those implemented unilaterally—play an important part in impeding the proliferation of WMD and missiles. (As used here, ''export controls'' refer to requirements for case-by-case review of certain exports, or limitations on exports of particular items of proliferation concern to certain destinations, rather than broad embargoes or economic sanctions that also affect trade.) As noted in this report, however, export controls are only one of a number of tools the United States uses to achieve its nonproliferation objectives. Global nonproliferation norms, informal multilateral nonproliferation regimes, interdicting shipments of proliferation concern, sanctions, export control assistance, redirection and elimination efforts, and robust U.S. military, intelligence, and diplomatic capabilities all work in conjunction with export controls as part of our overall nonproliferation.

Export controls are a critical part of nonproliferation because every proliferant WMD/missile program seeks equipment and technology from other countries. Proliferators look overseas because needed items are unavailable elsewhere, because indigenously produced items are of insufficient quality or quantity, and/or because imported items can be obtained more quickly and cheaply than producing them at home. It is important to note that proliferators seek for their programs both items on multilateral lists (like gyroscopes controlled on the MTCR Annex and nerve gas ingredients on the Australia Group list) and unlisted items (like lower-level machine tools and very basic chemicals). In addition, many of the items of interest to proliferators are inherently dual-use. For example, key ingredients and technologies used in the production of fertilizers and pesticides also can be used to make chemical weapons; vaccine production technology (albeit not the vaccines themselves) can assist in the production of biological weapons.

The most obvious value of export controls is in impeding or even denying proliferators access to key pieces of equipment or technology for use in their WMD/missile programs. In large part, U.S. national export controls—and similar controls of our partners in the Australia Group, Missile Technology Control Regime, and Nuclear Suppliers Group—have denied proliferators access to the largest sources of the best equipment and technology. Proliferators have mostly been forced to seek less capable items and nonregime suppliers. Moreover, in many instances, U.S. and regime controls and associated efforts have forced proliferators to engage in complex clandestine procurements even from nonmember suppliers, taking time and money from proliferant programs.

United States national export controls and those of our regime partners also have played an important leadership role, increasing over time the critical mass of countries applying nonproliferation export controls. For example, none of the following progress would have been possible without the leadership shown by U.S. willingness to be the first to apply controls: the seven-member MTCR of 1987 has grown to 32 member countries; several nonmember countries have been persuaded to apply export controls consistent with one or more of the regimes unilaterally; and most of the members of the nonproliferation regimes have applied national ''catch-all'' controls similar to those under the U.S. Enhanced Proliferation Initiative. (Export controls normally are tied to a specific list of items, such as the MTCR Annex. ''Catch-all'' controls provide a legal basis to control exports of items not on a list, when those items are destined for WMD/missile programs.)

United States export controls, especially ''catch-all'' controls, also make important political and moral contributions to the nonproliferation effort. They uphold the broad legal obligations the United States has undertaken in the Nuclear Nonproliferation Treaty (Article I), Biological Weapons Convention (Article III), and Chemical Weapons Convention (Article I) not to assist anyone in proscribed WMD activities. They endeavor to assure there are no U.S. ''fingerprints'' on WMD and missiles that threaten U.S. citizens and territory and our friends and interests overseas. They place the United States squarely and unambiguously against WMD/missile proliferation, even against the prospect of inadvertent proliferation from the United States itself.

Finally, export controls play an important role in enabling and enhancing legitimate trade. They provide a means to permit dual-use export to proceed under circumstances where, without export control scrutiny, the only prudent course would be to prohibit them. They help build confidence between countries applying similar controls that, in turn, results in increased trade. Each of the WMD nonproliferation regimes, for example, has a ''no undercut'' policy committing each member not to make an export that another has denied for nonproliferation reasons and notified to the rest—unless it first consults with the original denying country. Not only does this policy make it more difficult for proliferators to get items from regime members, it establishes a ''level playing field'' for exporters.

THREAT REDUCTION

The potential for proliferation of WMD and delivery system expertise has increased in part as a consequence of the economic crisis in Russia and other Newly Independent States, causing concern. My Administration gives high priority to controlling the human dimension of proliferation through programs that support the transition of former Soviet weapons scientists to civilian research and technology development activities. I have proposed an additional $4.5 billion for programs embodied in the Expanded Threat Reduction Initiative that would support activities in four areas: nuclear security; nonnuclear WMD; science and technology nonproliferation; and military relocation, stabilization and other security cooperation programs. Congressional support for this initiative would enable the engagement of a broad range of programs under the Departments of State, Energy, and Defense.

EXPENSES

Pursuant to section 401(c) of the National Emergencies Act (50 U.S.C. 1641 (c)), I report that there were no specific expense directly attributable to the exercise of authorities conferred by the declaration of the national emergency in Executive Order 12938, as amended, during the period from May 15, 1999, through November 10, 1999.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *November 10, 1999.*

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.