

from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science, and Transportation.

*To the Congress of the United States:*

On December 11, 1995, Secretary of Commerce Ronald Brown certified under section 8 of the Fishermen's Protective Act of 1967, as amended (the "Pelly Amendment") (22 U.S.C. 1978), that Japan has conducted research whaling activities that diminish the effectiveness of the International Whaling Commission (IWC) conservation program. This message constitutes my report to the Congress pursuant to subsection (b) of the Pelly Amendment.

The certification of the Secretary of Commerce was based on Japanese research whaling activities in both the North Pacific and the Southern Ocean Whale Sanctuary. In 1994, Japan expanded its research whaling activities into the North Pacific by permitting the taking of 100 minke whales, 21 of which were taken. The IWC found that this North Pacific whaling failed to satisfy applicable criteria for lethal research and was therefore inconsistent with the IWC's conservation program. Nevertheless, Japan continued its whaling activities in the North Pacific, taking 100 minke whales in 1995. In addition, during 1995, Japan increased the number of minke whales to be harvested in the Southern Ocean Whale Sanctuary by 33 percent, despite a 1994 finding by the IWC that this lethal research program did not meet all applicable criteria.

In his letter to me of December 11, 1995, Secretary Brown conveyed his concerns not only over the whales that have been killed in this program to date but also over any further expansion of lethal research. While noting that the Japanese have informed us they have no plans for a further expansion of lethal research in the Southern Ocean Whale Sanctuary, he expressed particular concern over whaling activity in that area. I share these concerns.

At this stage, I do not believe that the use of trade sanctions is the most constructive approach to resolving our differences over research whaling activities with the Government of Japan. However, I have instructed the Department of State to convey my very strong concerns to the Government of Japan. We will also vigorously pursue high-level efforts to persuade Japan to reduce the number of whales killed in its research program and act consistently with the IWC conservation program. We hope to achieve significant progress on these issues by the beginning of the next Antarctic whaling season and will keep these issues under review. I have instructed the Department of Commerce to continue to monitor closely Japan's research whaling and to report promptly on any further inconsistencies between Japanese whaling activities and the guidelines of the IWC conservation program.

WILLIAM J. CLINTON,

THE WHITE HOUSE, February 9, 1996.

#### MEASURES REFERRED

Pursuant to the order of February 9, 1996, the following bill was ordered referred to the Committee on Labor and Human Resources:

H.R. 849. An act to amend the Age Discrimination in Employment Act of 1967 to reinstate an exemption for certain bona fide hiring and retirement plans applicable to State and local firefighters and law enforcement officers; and for other purposes.

#### 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-1856. A communication from the Deputy Assistant Secretary for Water and Science, Department of the Interior, transmitting, pursuant to law, the interim report on the High Plain States Groundwater Demonstration Program for October 1995; to the Committee on Energy and Natural Resources.

EC-1857. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the Cooperative Threat Reduction Assistance Program; to the Committee on Armed Services.

EC-1858. A communication from the Secretary of the Navy, transmitting, pursuant to law, a notice of intent to donate two civilian aircraft to the Naval Aviation Museum Foundation; to the Committee on Armed Services.

EC-1859. A communication from the General Counsel of the Department of Defense, transmitting, a draft of proposed legislation to authorize the transfer of eight naval vessels to certain foreign countries; to the Committee on Armed Services.

EC-1860. A communication from the Secretary of the Interior, transmitting, pursuant to law, the annual report on the Outer Continental Shelf Natural Gas and Oil Leasing and Production Program for fiscal year 1994; to the Committee on Energy and Natural Resources.

EC-1861. A communication from the Secretary of Energy, transmitting, pursuant to law, the quarterly report for the Strategic Petroleum Reserve for the third quarter of 1995; to the Committee on Energy and Natural Resources.

EC-1862. A communication from the Administrator of the Energy Information Administration, Department of Energy, transmitting, pursuant to law, the report entitled "Annual Energy Outlook 1996"; to the Committee on Energy and Natural Resources.

EC-1863. A communication from the Deputy Associate Director for Compliance, Royalty Management Program, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, notice of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC-1864. A communication from the President of the United States, transmitting, pursuant to law, a notice relative to Presidential Determination 95-45 concerning the Air Force's Operating Location Near Groom Lake, Nevada; to the Committee on Environment and Public Works.

EC-1865. A communication from the Inspector General of the Department of Health and Human Services, transmitting, pursuant to law, annual report entitled, "Superfund Financial Activities at the National Insti-

tute of Environment Health Science for Fiscal Year 1994"; to the Committee on Environment and Public Works.

EC-1866. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report entitled, "The Effects of Great Lakes Contaminants on Human Health"; to the Committee on Environment and Public Works.

EC-1867. A communication from the Director of the Office Emergency and Remedial Response, Environmental Protection Agency, transmitting, pursuant to law, a notice to amend the following rules of the National Priorities List; to the Committee on Environment and Public Works.

EC-1868. A communication from the Assistant Secretary of State (Legislative Affairs) transmitting, pursuant to law, the annual report of voluntary contributions by the U.S. Government to international organizations for fiscal year 1994; to the Committee on Foreign Relations.

EC-1869. A communication from the Lieutenant General, Director of the Defense Security Assistance Agency, transmitting, pursuant to law, the report of the status of loans and guarantees issued under the Arms Export Control Act; to the Committee on Foreign Relations.

EC-1870. A communication from the Lieutenant General, Director of the Defense Security Assistance Agency, transmitting, pursuant to law, the report of analysis and description of services performed by full-time employees under the Arms Export Control Act for fiscal year 1995; to the Committee on Foreign Relations.

EC-1871. A communication from the Lieutenant General, Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report relative to foreign military sales customers as of October 1, 1995; to the Committee on Foreign Relations.

EC-1872. A communication from the Director of the Congressional Budget Office, transmitting, pursuant to law, the final sequestration report for fiscal year 1996; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, Committee on the Budget, Committee on Agriculture, Nutrition, and Forestry, Committee on Armed Services, Committee on Banking, Housing, and Urban Affairs, Committee on Commerce, Science, and Transportation, Committee on Finance, Committee on Foreign Relations, Committee on Governmental Affairs, Committee on the Judiciary, Committee on Labor and Human Resources, Committee on Rules and Administration, Committee on Small Business, Committee on Veterans' Affairs, Select Committee on Indian Affairs, Select Committee on Intelligence, Committee on Energy and Natural Resources, and Committee on Environment and Public Works.

EC-1873. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the cumulative report on rescissions and deferrals dated January 1, 1995; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, Committee on the Budget, to Committee on Finance, Committee on Foreign Relations.

EC-1874. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report of the summary of proposed and enacted rescissions for fiscal year 1995; referred jointly, pursuant to the order of January 30, 1975, as modified