

CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO THE STABILIZATION OF IRAQ—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111-108)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

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 to the Federal Register for publication, continuing the national emergency with respect to the stabilization of Iraq. This notice states that the national emergency with respect to the stabilization of Iraq declared in Executive Order 13303 of May 22, 2003, as modified in scope and relied upon for additional steps taken in Executive Order 13315 of August 28, 2003, Executive Order 13350 of July 29, 2004, Executive Order 13364 of November 29, 2004, and Executive Order 13438 of July 17, 2007, is to continue in effect beyond May 22, 2010.

Obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Accordingly, I have determined that it is necessary to continue the national emergency with respect to this threat and maintain in force the measures taken to deal with that national emergency.

The Iraqi government continues to take steps to resolve debts and settle claims arising from the actions of the previous regime. Before the end of the year, my Administration will review the Iraqi government's progress on resolving these outstanding debts and claims, as well as other relevant circumstances, in order to determine whether the prohibitions contained in Executive Order 13303 of May 22, 2003, as amended by Executive Order 13364 of November 29, 2004, on any attachment, judgment, decree, lien, execution, garnishment, or other judicial process with respect to the Development Fund for Iraq, the accounts, assets, and property held by the Central Bank of Iraq, and Iraqi petroleum-related products, should continue in effect beyond December 31, 2010, which are in addition to the sovereign immunity ordinarily

provided to Iraq as a sovereign nation under otherwise applicable law.

BARACK OBAMA.
THE WHITE HOUSE, May 12, 2010.

□ 1945

COMMUNICATION FROM THE
CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 10, 2010.

Hon. NANCY PELOSI,
The Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Monday, May 10, 2010 at 2:47 p.m., and said to contain a message from the President whereby he submits a proposed Agreement Between the Government of the United States of America and the Government of the Russian Federation for Cooperation in the Field of Peaceful Uses of Nuclear Energy.

With best wishes, I am
Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

AGREEMENT FOR COOPERATION IN
THE FIELD OF PEACEFUL USES
OF NUCLEAR ENERGY—MESSAGE
FROM THE PRESIDENT OF THE
UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the "Act"), the text of a proposed Agreement Between the Government of the United States of America and the Government of the Russian Federation for Cooperation in the Field of Peaceful Uses of Nuclear Energy (the "Agreement"). I am also pleased to transmit my written approval of the proposed Agreement and determination that the proposed Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security, together with a copy of an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Agreement. In accordance with section 123 of the Act, as amended by title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105-277), classified annexes to the NPAS, prepared by the Secretary of State in consultation with the Director of National Intelligence, summarizing relevant classified information, will be submitted to the Congress separately.

The proposed Agreement was signed in Moscow on May 6, 2008. Former

President George W. Bush approved the Agreement and authorized its execution, and he made the determinations required by section 123 b. of the Act. (Presidential Determination 2008-19 of May 5, 2008, 73 FR 27719 (May 14, 2008)).

On May 13, 2008, President Bush transmitted the Agreement, together with his Presidential Determination, an unclassified NPAS, and classified annex, to the Congress for review (see House Doc. 110-112, May 13, 2008). On September 8, 2008, prior to the completion of the 90-day continuous session review period, he sent a message informing the Congress that "in view of recent actions by the Government of the Russian Federation incompatible with peaceful relations with its sovereign and democratic neighbor, Georgia," he had determined that his earlier determination (concerning performance of the proposed Agreement promoting, and not constituting an unreasonable risk to, the common defense and security) was no longer effective. He further stated that if circumstances should permit future reconsideration by the Congress, a new determination would be made and the proposed Agreement resubmitted.

After review of the situation and of the NPAS and classified annex, I have concluded: (1) that the situation in Georgia need no longer be considered an obstacle to proceeding with the proposed Agreement; and (2) that the level and scope of U.S.-Russia cooperation on Iran are sufficient to justify resubmitting the proposed Agreement to the Congress for the statutory review period of 90 days of continuous session and, absent enactment of legislation to disapprove it, taking the remaining steps to bring it into force.

The Secretary of State, the Secretary of Energy, and the members of the Nuclear Regulatory Commission (NRC) have recommended that I resubmit the proposed Agreement to the Congress for review. The joint memorandum submitted to me by the Secretaries of State and Energy and a letter from the Chairman of the NRC stating the views of the Commission are enclosed.

I have considered the views and recommendations of the interested departments and agencies in reviewing the proposed Agreement, and have determined that performance of the proposed Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the proposed Agreement and urge the Congress to give the proposed Agreement favorable consideration.

My reasons for resubmitting the proposed Agreement to the Congress for its review at this time are as follows:

The United States and Russia have significantly increased cooperation on nuclear nonproliferation and civil nuclear energy in the last 12 months, starting with the establishment of the Bilateral Presidential Commission Working Group on Nuclear Energy and