

EO 13094

Title 3—The President

tive Order 13061 and of section 2(a) of Executive Order 13080 are amended by deleting “ten” and inserting “up to 20” in lieu thereof.

WILLIAM J. CLINTON

THE WHITE HOUSE,
July 27, 1998.

Executive Order 13094 of July 28, 1998

Proliferation of Weapons of Mass Destruction

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), the Arms Export Control Act (22 U.S.C. 2751 *et seq.*) (AECA), and section 301 of title 3, United States Code, I, WILLIAM J. CLINTON, President of the United States of America, in order to take additional steps with respect to the proliferation of weapons of mass destruction and means of delivering them and the national emergency described and declared in Executive Order 12938 of November 14, 1994, hereby order:

Section 1. Amendment of Executive Order 12938.

(a) Section 4 of Executive Order 12938 of November 14, 1994, is revised to read as follows:

“Sec. 4. Measures Against Foreign Persons.

(a) *Determination by Secretary of State; Imposition of Measures.* Except to the extent provided in section 203(b) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)), where applicable, if the Secretary of State determines that a foreign person, on or after November 16, 1990, the effective date of Executive Order 12735, the predecessor order to Executive Order 12938, has materially contributed or attempted to contribute materially to the efforts of any foreign country, project, or entity of proliferation concern to use, acquire, design, develop, produce, or stockpile weapons of mass destruction or missiles capable of delivering such weapons, the measures set forth in subsections (b), (c), and (d) of this section shall be imposed on that foreign person to the extent determined by the Secretary of State in consultation with the implementing agency and other relevant agencies. Nothing in this section is intended to preclude the imposition on that foreign person of other measures or sanctions available under this order or under other authorities.

(b) *Procurement Ban.* No department or agency of the United States Government may procure, or enter into any contract for the procurement of, any goods, technology, or services from any foreign person described in subsection (a) of this section.

(c) *Assistance Ban.* No department or agency of the United States Government may provide any assistance to any foreign person described in subsection (a) of this section, and no such foreign person shall be eligible to participate in any assistance program of the United States Government.

(d) *Import Ban.* The Secretary of the Treasury shall prohibit the importation into the United States of goods, technology, or services produced or provided by any foreign person described in subsection (a) of this section, other than information or informational materials within the meaning of section 203(b)(3) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)(3)).

(e) *Termination.* Measures pursuant to this section may be terminated against a foreign person if the Secretary of State determines that there is reliable evidence that such foreign person has ceased all activities referred to in subsection (a) of this section.

(f) *Exceptions.* Departments and agencies of the United States Government, acting in consultation with the Secretary of State, may, by license, regulation, order, directive, exception, or otherwise, provide for:

(i) Procurement contracts necessary to meet U.S. operational military requirements or requirements under defense production agreements; intelligence requirements; sole source suppliers, spare parts, components, routine servicing and maintenance of products for the United States Government; and medical and humanitarian items; and

(ii) Performance pursuant to contracts in force on the effective date of this order under appropriate circumstances.”

(b) Section 6 of Executive Order 12938 of November 14, 1994, is amended by deleting “4(c)” and inserting “4(e)” in lieu thereof.

Sec. 2. *Preservation of Authorities.* Nothing in this order is intended to affect the continued effectiveness of any rules, regulations, orders, licenses, or other forms of administrative action issued, taken, or continued in effect heretofore or hereafter under the authority of IEEPA, AECA, the Nuclear Non-Proliferation Act of 1978, the Nuclear Proliferation Prevention Act of 1994, the Atomic Energy Act, the Export Administration Act (50 U.S.C. App. 2401 *et seq.*), Executive Order 12730 of September 30, 1990, Executive Order 12735 of November 16, 1990, Executive Order 12924 of August 18, 1994, Executive Order 12930 of September 29, 1994, or Executive Order 12938 of November 14, 1994.

Sec. 3. *Judicial Review.* Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

Sec. 4. *Effective Date.*

(a) This order is effective at 12:01 a.m. eastern daylight time on July 29, 1998.

(b) This order shall be transmitted to the Congress and published in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,

July 28, 1998.

Executive Order 13095 of August 5, 1998**Suspension of Executive Order 13083**

By the authority vested in me as President by the Constitution and the laws of the United States of America and in order to enable full and adequate consultation with State and local elected officials, their representative organizations, and other interested parties, it is hereby ordered that Executive Order 13083, entitled “Federalism,” is suspended.

WILLIAM J. CLINTON

THE WHITE HOUSE,
August 5, 1998.

Executive Order 13096 of August 6, 1998**American Indian and Alaska Native Education**

By the authority vested in me as President by the Constitution and the laws of the United States of America, in affirmation of the unique political and legal relationship of the Federal Government with tribal governments, and in recognition of the unique educational and culturally related academic needs of American Indian and Alaska Native students, it is hereby ordered as follows:

Section 1. Goals. The Federal Government has a special, historic responsibility for the education of American Indian and Alaska Native students. Improving educational achievement and academic progress for American Indian and Alaska Native students is vital to the national goal of preparing every student for responsible citizenship, continued learning, and productive employment. The Federal Government is committed to improving the academic performance and reducing the dropout rate of American Indian and Alaska Native students. To help fulfill this commitment in a manner consistent with tribal traditions and cultures, Federal agencies need to focus special attention on six goals: (1) improving reading and mathematics; (2) increasing high school completion and postsecondary attendance rates; (3) reducing the influence of long-standing factors that impede educational performance, such as poverty and substance abuse; (4) creating strong, safe, and drug-free school environments; (5) improving science education; and (6) expanding the use of educational technology.

Sec. 2. Strategy. In order to meet the six goals of this order, a comprehensive Federal response is needed to address the fragmentation of government services available to American Indian and Alaska Native students and the complexity of intergovernmental relationships affecting the education of those students. The purpose of the Federal activities described in this order is to develop a long-term, comprehensive Federal Indian education policy that will accomplish those goals.

(a) *Interagency Task Force.* There is established an Interagency Task Force on American Indian and Alaska Native Education (Task Force) to oversee the planning and implementation of this order. The Task Force shall confer with the National Advisory Council on Indian Education