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Subchapter B—Administrative Orders

Memorandum of January 5, 2000

**Delegation of Authority Under Sections 1402 and 1406 of the
National Defense Authorization Act for Fiscal Year 2000
(Public Law 106–65)**

Memorandum for the Secretary of Defense

By the authority vested in me by the Constitution and laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to the Secretary of Defense the duties and responsibilities vested in the President by sections 1402 and 1406 of the National Defense Authorization Act for Fiscal Year 2000 (“the Act”) (Public Law 106–65).

The Department of Defense shall prepare the report required by section 1402 of the Act with the assistance of the Department of State, the Department of Commerce, the Department of Energy, the Department of the Treasury, the Director of Central Intelligence, and the Federal Bureau of Investigation. The Department of Defense shall obtain concurrence on the report from the following agencies: the Department of State, the Department of Commerce, the Director of Central Intelligence on behalf of the Intelligence Community, the Department of the Treasury, and the Federal Bureau of Investigation prior to submission to the Congress.

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The Departments of Defense and Energy shall jointly prepare the report required by section 1406 of the Act with the assistance of the Department of State, the Department of Commerce, and the Director of Central Intelligence. The Departments of Defense and Energy shall obtain concurrence on the report from the following agencies: the Department of State, the Department of Commerce, and the Director of Central Intelligence on behalf of the Intelligence Community prior to submission to the Congress.

Any reference in this memorandum to the provisions of any Act shall be deemed to be a reference to such Act or its provisions as may be amended from time to time.

You are authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,

Washington, January 5, 2000.

Memorandum of January 5, 2000

Delegation of Authority Under Section 1406 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65)

Memorandum for the Secretary of Energy

By the authority vested in me by the Constitution and laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to the Secretary of Energy and the Secretary of Defense the duties and responsibilities vested in the President by section 1406 of the National Defense Authorization Act for Fiscal Year 2000 (“the Act”) (Public Law 106–65).

The Departments of Energy and Defense shall jointly prepare a report with the assistance of the Department of State, the Department of Commerce, and the Director of Central Intelligence. The Departments of Defense and Energy shall obtain concurrence on the report from the following agencies: the Department of State, the Department of Commerce, and the Director of Central Intelligence on behalf of the Intelligence Community prior to submission to the Congress.

Any reference in this memorandum to the provisions of any Act shall be deemed to be a reference to such Act or its provisions as may be amended from time to time.

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You are authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, January 5, 2000.

Memorandum of January 5, 2000

Delegation of Authority Under Section 1401(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65)

Memorandum for the Secretary of State

By the authority vested in me by the Constitution and laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to the Secretary of State the duties and responsibilities vested in the President by section 1401(b) of the National Defense Authorization Act for Fiscal Year 2000 ("the Act") (Public Law 106-65).

The Department of State shall obtain concurrence on the report from the following agencies: the Department of Defense, the Department of Commerce, and the Director of Central Intelligence on behalf of the Intelligence Community prior to submission to the Congress.

Any reference in this memorandum to the provisions of any Act shall be deemed to be a reference to such Act or its provisions as may be amended from time to time.

You are authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, January 5, 2000.

Notice of January 19, 2000

Continuation of Emergency Regarding Terrorists Who Threaten To Disrupt the Middle East Peace Process

On January 23, 1995, by Executive Order 12947, I declared a national emergency to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by grave acts of violence committed by foreign terrorists that disrupt the Mid-

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dle East peace process. By Executive Order 12947 of January 23, 1995, I blocked the assets in the United States, or in the control of United States persons, of foreign terrorists who threaten to disrupt the Middle East peace process. I also prohibited transactions or dealings by United States persons in such property. On August 20, 1998, by Executive Order 13099, I identified four additional persons, including Usama bin Ladin, who threaten to disrupt the Middle East peace process. I have annually transmitted notices of the continuation of this national emergency to the Congress and the **Federal Register**. Last year's notice of continuation was published in the **Federal Register** on January 22, 1999. Because terrorist activities continue to threaten the Middle East peace process and vital interests of the United States in the Middle East, the national emergency declared on January 23, 1995, and the measures that took effect on January 24, 1995, to deal with that emergency must continue in effect beyond January 23, 2000. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to foreign terrorists who threaten to disrupt the Middle East peace process.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
January 19, 2000.

Memorandum of January 27, 2000

Delegation of Authority To Conduct Assessments and Promulgate Regulations on Public Access to Off-Site Consequence Analysis Information

Memorandum for the Attorney General[,] the Administrator of the Environmental Protection Agency[, and] the Director of the Office of Management and Budget

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 112(r)(7)(H) of the Clean Air Act ("Act") (42 U.S.C. 7412(r)(7)(H)), as added by section 3 of the Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (Public Law 106-40), and section 301 of title 3, United States Code, I hereby delegate to:

(1) the Attorney General the authority vested in the President under section 112(r)(7)(H)(ii)(I)(aa) of the Act to assess the increased risk of terrorist and other criminal activity associated with the posting of off-site consequence analysis information on the Internet;

(2) the Administrator of the Environmental Protection Agency (EPA) the authority vested in the President under section 112(r)(7)(H)(ii)(I)(bb) of the Act to assess the incentives created by public disclosure of off-site consequence analysis information for reduction in the risk of accidental releases; and

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(3) the Attorney General and the Administrator of EPA, jointly, the authority vested in the President under section 112(r)(7)(H)(ii)(II) of the Act to promulgate regulations, based on these assessments, governing the distribution of off-site consequence analysis information. These regulations, in proposed and final form, shall be subject to review and approval by the Director of the Office of Management and Budget.

The Administrator of EPA is authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, January 27, 2000.

Directive of January 31, 2000

Resolution Regarding Use of Range Facilities on Vieques, Puerto Rico (Community Assistance)

Directive to the Secretary of Defense [and] Director, Office of Management and Budget

By separate directive I have addressed the resumption of Navy and Marine Corps training on the island of Vieques.

1. Provided that training opportunity has resumed and is continuously available on Vieques, then within 90 days of this directive, I direct the Office of Management and Budget (OMB) to request authority and funding (which with funding for projects described in paragraph 5(e) of the previously referenced directive will total \$40 million) from the Congress for the following projects:

(a) To support the construction of a new commercial ferry pier and terminal by the Army Corps of Engineers.

(b) To establish an artificial reef construction and fish aggregation program to create substantial new commercial fishing areas for Vieques fisherman. Until such time as these new fishing grounds are operational, this legislation will authorize direct payments of an amount (to be determined by the National Marine Fisheries Services) to be paid to registered Vieques commercial fishermen for each day they are unable to use existing waters because the Navy is training.

(c) To support expanding or improving the major cross-island roadways and bridges on Vieques.

(d) To establish an apprenticeship/training program for young people on Vieques to facilitate participation in small-scale civic construction projects.

(e) To establish a program with the Government of Puerto Rico to preserve the Puerto Mosquito Vieques bioluminescent bay and to commit Federal resources to its preservation.

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(f) To establish a professional economic development office for Vieques for the purpose of promoting Vieques and attracting jobs to the island.

2. The Director of OMB shall publish this directive in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, January 31, 2000.

Directive of January 31, 2000

Resolution Regarding Use of Range Facilities on Vieques, Puerto Rico (Referendum)

Directive to the Secretary of Defense [and] Director, Office of Management and Budget

By virtue of the authority vested in me and in order to further the interests of national security and to address the legitimate interests and concerns of the residents of Vieques and the people of Puerto Rico, I hereby direct the following:

1. The future of Navy training on Vieques will be determined by a referendum of the registered voters of Vieques, using Puerto Rico electoral laws and regulations as they exist as of the date of this directive. This referendum will occur on May 1, 2001, or 270 days prior to or following May 1, 2001, the exact date to be specified on the request of the Department of the Navy. (This specified date and the terms of the referendum must be requested at least 90 days in advance of the referendum.) It is understood that the full implementation of this directive is contingent upon the Government of Puerto Rico authorizing and supporting this referendum, and the cooperation of the Government of Puerto Rico as specified in paragraph 5(a).

2. This referendum will present two alternatives. The first shall be that the Navy will cease all training not later than May 1, 2003. The second will permit continued training, to include live fire training, on terms proposed by the Navy. Live fire training is critical to enhance combat readiness for all our military personnel and must occur in some location.

3. In the event the referendum selects the option of termination of Navy activities, then

(a) Navy lands on the Eastern side of Vieques (including the Eastern Maneuver Area and the Live Impact Area) will be transferred within 1 year of the referendum to the General Services Administration (GSA) for disposal under the Federal Property and Administrative Services Act, except for conservation zones, which will be transferred to the Department of the Interior for continued preservation.

(b) The GSA will supervise restoration of the lands described in section 3(a) consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) before it is further transferred under

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the Federal Property and Administrative Services Act, except that the Live Impact Area will be swept for ordnance and fenced to meet the same range standards used after the closure of the live impact area used by Naval Air Station, South Weymouth, Massachusetts. The Government of Puerto Rico may request transfer of the restored lands in accordance with the Federal Property and Administrative Services Act.

(c) Under no conditions will the land described in this section be returned to the Department of Defense or used for military training.

4. In the event the referendum selects the option of continued training submitted by the Navy, the Office of Management and Budget will request congressional funding to further provide for the enhancement of infrastructure and housing on the Western portions of Vieques in the amount of \$50 million.

5. Between the date of this directive and the referendum, the following will occur:

(a) The Department of Defense and the Government of Puerto Rico will work in cooperation with relevant Federal authorities to ensure the integrity and accessibility of the range is uninterrupted and trespassing and other intrusions on the range cease entirely by providing complementary support among Federal and Puerto Rican jurisdictions.

(b) Navy training on Vieques will recommence, but it shall not exceed 90 days per calendar year and will be limited to nonexplosive ordnance, which may include spotting devices.

(c) The Navy will ensure procedures are in place that will enhance safety and will position ships to reduce noise in civilian areas whenever possible.

(d) Before any major training occurs on the range, the Government of Puerto Rico, through its Secretary of State, will be given 15 days notification under the terms of the Memorandum of Understanding of 1983.

(e) The Office of Management and Budget will initiate a funding request to the Congress:

(1) to fund a Public Health Service study in coordination with appropriate agencies to review health concerns raised by the residents of Vieques.

(2) to complete the conveyance of 110 acres of Navy property to extend the runway at the Vieques Municipal Airport to accommodate larger passenger aircraft; and for the Navy to provide training and supplemental equipment to bolster the airport fire, safety, and resource capability.

(3) to maintain the ecosystem and conservation zones and implement the sea turtle, sea mammal, and Brown Pelican management plans as specified in the Memorandum of Understanding of 1983.

(f) Within 30 days of this directive, the Navy will submit legislation to the Congress to transfer land on the Western side of Vieques surrounding the Naval Ammunition Facility (except 100 acres of land on which the ROTH and Mount Pirata telecommunications sites are located). The legislation submitted will provide for land transfer not later than December 31, 2000. This transfer will be to the Government of Puerto Rico for the benefit of the municipality of Vieques as determined by the Planning Board of the Government of Puerto Rico. This land shall be restored consistent with CERCLA standards prior to transfer.

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6. The Director of OMB shall publish this directive in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, January 31, 2000.

Presidential Determination No. 2000–10 of January 31, 2000

Determination Pursuant to Section 523 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000, as Contained in the Consolidated Appropriations Act for FY 2000 (Public Law 106–113)

Memorandum for the Secretary of State

Pursuant to section 523 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000, as Contained in the Consolidated Appropriations Act for FY 2000 (Public Law 106–113), I hereby certify that withholding from international financial institutions and other international organizations and programs funds appropriated or otherwise made available pursuant to that Act is contrary to the national interest.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, January 31, 2000.

Presidential Determination No. 2000–11 of February 1, 2000

Assistance Program for the Independent States of the Former Soviet Union

Memorandum for the Secretary of State

Pursuant to subsection 517(b) in title V of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000 (Public Law 106–113), I hereby determine that it is in the national security interest of the United States to make available funds appropriated under the heading “Assistance for the Independent States of the Former Soviet Union” in title II of that Act without regard to the restriction in that subsection.

You are directed to report this determination to the Congress and publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, February 1, 2000.

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Presidential Determination No. 2000-12 of February 10, 2000

United States Military Activities in East Timor

Memorandum for the Secretary of State

Pursuant to the authority vested in me as President, including under sections 10(d)(1) and 10(a)(2)(B) of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287 *et seq.*) (the "Act"), I hereby:

(a) determine that the deployment of United States military forces to support East Timor's transition to independence without reimbursement from the United Nations is important to the security interests of the United States; and

(b) delegate to you the authority contained in section 10(d)(1) of the Act with respect to assistance to support East Timor's transition to independence that is covered by section 10 of the Act.

You are authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, February 10, 2000.

Memorandum of February 16, 2000

Action Under Section 203 of the Trade Act of 1974 Concerning Steel Wire Rod

Memorandum for the Secretary of the Treasury [and] the United States Trade Representative

On July 12, 1999, the United States International Trade Commission (USITC) submitted a report to me of its investigation under section 202 of the Trade Act of 1974, as amended (the "Trade Act"), with respect to imports of steel wire rod. The USITC commissioners were equally divided in their determinations under section 202(b) of the Trade Act of whether steel wire rod is being imported into the United States in such increased quantities as to be a substantial cause of serious injury or threat of serious injury to the domestic steel wire rod industry. The report also contained negative findings by the ITC pursuant to section 311(a) of the North American Free Trade Agreement Implementation Act (the "NAFTA Implementation Act") with respect to imports of steel wire rod from Canada and Mexico.

Having reviewed the determinations of both groups of commissioners, I have decided pursuant to section 330(d)(1) of the Tariff Act of 1930 to consider the determination of the group of commissioners voting in the affirmative to be the determination of the USITC.

After taking into account all relevant considerations, including the factors specified in section 203(a)(2) of the Trade Act, I have implemented action of a type described in section 203(a)(3) of that Act. I have determined that the most appropriate action is a tariff-rate quota on imports of steel wire

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rod, other than enumerated steel wire rod products (“excluded products”), with an increase in currently scheduled rates of duties for imports above the tariff-rate quota level. I have proclaimed such action for a period of 3 years and 1 day in order to facilitate efforts by the domestic industry to make a positive adjustment to import competition.

Specifically, I have established a tariff-rate quota for steel wire rod in an amount equal to 1.58 million net tons in the first year (March 1, 2000 through February 28, 2001), an amount that is equivalent to 1998 import levels of covered products from the countries subject to the TRQ plus 2 percent (to account for growth in demand). The tariff-rate quota amount will increase by 2 percent annually in the second and third years of relief. I have established increased rates of duty for imports above the tariff-rate quota level: namely 10 percent *ad valorem* in the first year of relief, 7.5 percent *ad valorem* in the second year of relief, and 5 percent *ad valorem* in the third year of relief. In addition, I have provided that during each quarter of the first three quarters of a quota year, any articles subject to the tariff-rate quota entered or withdrawn from warehouse for consumption in excess of one-third of the total within-quota quantity for that quota year shall be subject to the over-quota rate of duty then in effect. During the fourth quarter of a quota year, the tariff-rate quota shall apply as though the preceding sentence did not have effect, except that any imports subject to the over-quota duty as a result of the preceding sentence shall not be counted against the in-quota quantity for that quota year. In this regard, I instruct the Secretary of the Treasury to publish or otherwise make available on a weekly basis, import statistics that will enable importers to identify the rate at which the in-quota quantity for that quota year, and the portion of the in-quota quantity allotted to that quarter, is being filled. I further instruct the Secretary of the Treasury to seek to obtain by March 1, 2000 statistical subdivisions in the Harmonized Tariff Schedule for the excluded products (specified in the Annex to the proclamation). The Secretary of the Treasury will monitor imports of the excluded products by country of origin and imports the product of Mexico and Canada throughout the period of this action, and report to the United States Trade Representative on relevant volumes each quarter during the period of this action, or more often as needed, or as the United States Trade Representative may request.

I have further determined, pursuant to section 312(a) of the NAFTA Implementation Act, that imports of steel wire rod produced in Canada and Mexico do not account for a substantial share of total steel wire rod imports or are not contributing importantly to the serious injury or threat of serious injury. Therefore, pursuant to section 312(b) of the NAFTA Implementation Act, the safeguard measure will not apply to imports of steel wire rod that is the product of Canada or Mexico.

I have determined that the actions described above will facilitate efforts by the domestic industry to make a positive adjustment to import competition and provide greater economic and social benefits than costs. This action will provide the domestic industry with necessary temporary relief from increasing import competition, while also assuring our trading partners continued access to the United States market.

Pursuant to section 204 of the Trade Act, the USITC will monitor developments with respect to the domestic industry, including the progress and specific efforts made by workers and firms in the domestic industry to

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make a positive adjustment to import competition, and will provide to me and to the Congress a report on the results of its monitoring no later than the date that is the mid-point of the period during which the action I have taken under section 203 of that Act is in effect. I further instruct the United States Trade Representative to request the USITC pursuant to section 332(g) of the Tariff Act of 1930, as amended (19 U.S.C. 1332(g)) to examine the effects of this action on both the domestic wire rod industry and the principal users of wire rod in the United States, and to report on the results of its investigation in conjunction with its report under section 204(a)(2). The United States Trade Representative is authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, February 16, 2000.

Presidential Determination No. 2000-13 of February 16, 2000

Determination on Eligibility of the Economic Community of West African States (ECOWAS) To Be Furnished Defense Articles and Services Under the Foreign Assistance Act and the Arms Export Control Act

Memorandum for the Secretary of State

Pursuant to the authority vested in me by section 503(a) of the Foreign Assistance Act of 1961, as amended, and section 3(a)(1) of the Arms Export Control Act, I hereby find that the furnishing of defense articles and services to the Economic Community of West African States will strengthen the security of the United States and promote world peace.

You are directed to report this determination to the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, February 16, 2000.

Memorandum of February 18, 2000

Action Under Section 203 of the Trade Act of 1974 Concerning Line Pipe

Memorandum for the Secretary of the Treasury [and] the United States Trade Representative

On December 22, 1999, the United States International Trade Commission (USITC) submitted a report to me that contained: (1) a determination pursu-

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ant to section 202 of the Trade Act of 1974, as amended (the “Trade Act”), that certain circular welded carbon quality line pipe (line pipe) is being imported into the United States in such increased quantities as to be a substantial cause of serious injury or threat of serious injury to the domestic line pipe industry; and (2) negative findings by the USITC pursuant to section 311(a) of the North American Free Trade Agreement Implementation Act (the “NAFTA Implementation Act”) with respect to imports of line pipe from Canada and Mexico.

After taking into account all relevant considerations, including the factors specified in section 203(a)(2) of the Trade Act, I have implemented action of a type described in section 203(a)(3) of that Act. I have determined that the most appropriate action is an increase in duty on imports of certain line pipe. The additional duty will be 19 percent *ad valorem* in the first year of relief, declining to 15 and 11 percent *ad valorem* in the second and third years, respectively. The first 9,000 short tons of imports from each supplying country will be exempted from the increase in duty during each year that the action is in effect. I have proclaimed such action for a period of 3 years and 1 day in order to facilitate efforts by the domestic industry to make a positive adjustment to import competition.

In this regard, I instruct the Secretary of the Treasury to publish or otherwise make available, on a weekly basis, import statistics that will enable importers to identify when imports from each supplying country approach and then exceed the 9,000 short ton threshold. I further instruct the Secretary of the Treasury to establish monitoring categories for those countries with American Petroleum Institute certified (API-certified) line pipe production facilities. Any importations of line pipe from a country without an API-certified line pipe production facility should be treated as line pipe subject to this action but monitored for possible transshipment. I further instruct the Secretary of the Treasury to seek to obtain by March 1, 2000, a statistical subdivision in the Harmonized Tariff Schedule for the covered products specified in the Annex to the proclamation. The Secretary of the Treasury will monitor line pipe imports that are the product of Mexico and Canada by country of origin throughout the period of this action and report to the United States Trade Representative on relevant volumes each quarter during the period of this action, or more often as needed, or as the United States Trade Representative may request.

I have determined, pursuant to section 312(a) of the NAFTA Implementation Act, that imports of line pipe produced in Canada and Mexico, considered individually, do not contribute importantly to the serious injury, or threat of serious injury. Therefore, pursuant to section 312(b) of the NAFTA Implementation Act, the safeguard measure will not apply to imports of line pipe that is the product of Canada or Mexico.

I have determined that the actions described above will facilitate efforts by the domestic industry to make a positive adjustment to import competition and provide greater economic and social benefits than costs. This action will provide the domestic industry with necessary temporary relief from increasing import competition, while also assuring our trading partners continued access to the U.S. market.

Pursuant to section 204 of the Trade Act, the USITC will monitor developments with respect to the domestic industry, including the progress and specific efforts made by workers and firms in the domestic industry to

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make a positive adjustment to import competition, and will provide to me and to the Congress a report on the results of its monitoring no later than the date that is the mid-point of the period during which the action I have taken under section 203 of that Act is in effect. I further instruct the United States Trade Representative to request the USITC pursuant to section 332(g) of the Tariff Act of 1930, as amended (19 U.S.C. 1332(g)), to examine the effects of this action on both the domestic line pipe industry and the principal users of line pipe in the United States, and to report on the results of its investigation in conjunction with its report under section 204(a)(2).

The United States Trade Representative is authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, February 18, 2000.

Presidential Determination No. 2000-14 of February 18, 2000

Vietnamese Cooperation in Accounting for United States Prisoners of War and Missing in Action (POW/MIA)

Memorandum for the Secretary of State

As provided under section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000, as contained in the Consolidated Appropriations Act for FY 2000 (Public Law 106-113), I hereby determine, based on all information available to the United States Government, that the Government of the Socialist Republic of Vietnam is fully cooperating in good faith with the United States in the following four areas related to achieving the fullest possible accounting for Americans unaccounted for as a result of the Vietnam War:

- 1) resolving discrepancy cases, live sightings, and field activities;
- 2) recovering and repatriating American remains;
- 3) accelerating efforts to provide documents that will help lead to the fullest possible accounting of POW/MIAs; and,
- 4) providing further assistance in implementing trilateral investigations with Laos.

I further determine that the appropriate laboratories associated with POW/MIA accounting are thoroughly analyzing remains, material, and other information and fulfilling their responsibilities as set forth in subsection (B) of section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999, as contained in the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277), and information pertaining to this accounting is being made available to immediate family members in compliance with 50 U.S.C. 435 note.

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I have been advised by the Department of Justice and believe that section 610 is unconstitutional because it purports to use a condition on appropriations as a means to direct my execution of responsibilities that the Constitution commits exclusively to the President. I am providing this determination as a matter of comity, while reserving the position that the condition enacted in section 610 is unconstitutional.

In making this determination, I have taken into account all information available to the U.S. Government as reported to me, the full range of ongoing accounting activities in Vietnam, including joint and unilateral Vietnamese efforts, and the concrete results we have attained as a result. Finally, in making this determination, I wish to reaffirm my continuing personal commitment to the entire POW/MIA community, especially to the immediate families, relatives, friends, and supporters of these brave individuals, and to reconfirm that the central, guiding principle of my Vietnam policy is to achieve the fullest possible accounting of our prisoners of war and missing in action.

You are authorized and directed to report this determination to the appropriate committees of the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, February 18, 2000.

Presidential Determination No. 2000–15 of February 24, 2000

U.S. Contribution to the Korean Peninsula Energy Development Organization (KEDO): Certification and Waiver Under the Heading “Nonproliferation, Anti-Terrorism, Demining and Related Programs” in Title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000, as Enacted in Public Law 106–113

Memorandum for the Secretary of State

Pursuant to section 576(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000 (the Act), as enacted in the Omnibus Consolidated Appropriations Act, 2000 (Public Law 106–113), I hereby certify that:

- (1) the parties to the Agreed Framework have taken and continue to take demonstrable steps to implement the Joint Declaration on Denuclearization of the Korean Peninsula in which the Government of North Korea has committed not to test, manufacture, produce, receive, possess, store, deploy, or use nuclear weapons, and not to possess nuclear reprocessing or uranium enrichment facilities;
- (2) the parties to the Agreed Framework have taken and continue to take demonstrable steps to pursue the North-South dialogue; and
- (3) North Korea is complying with all provisions of the Agreed Framework.

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Pursuant to the authority vested in me by section 576(d) of the Act, I hereby determine that it is vital to the national security interests of the United States to furnish up to \$15 million in funds made available under the heading "Nonproliferation, Anti-Terrorism, Demining, and Related Programs" of the Act, for assistance for KEDO, and therefore I hereby waive the requirement in section 576(b) to certify that:

(4) North Korea has not diverted assistance provided by the United States for purposes for which it was not intended; and

(5) North Korea is not seeking to develop or acquire the capability to enrich uranium, or any additional capability to reprocess spent nuclear fuel.

You are hereby authorized and directed to report this certification and waiver to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, February 24, 2000.

Notice of February 25, 2000

Continuation of the National Emergency Relating to Cuba and of the Emergency Authority Relating to the Regulation of the Anchorage and Movement of Vessels

On March 1, 1996, by Proclamation 6867, I declared a national emergency to address the disturbance or threatened disturbance of international relations caused by the February 24, 1996, destruction by the Government of Cuba of two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba. In July 1996 and on subsequent occasions, the Government of Cuba stated its intent to forcefully defend its sovereignty against any U.S.-registered vessels or aircraft that might enter Cuban territorial waters or airspace while involved in a memorial flotilla and peaceful protest. Since these events, the Government of Cuba has not demonstrated that it will refrain from the future use of reckless and excessive force against U.S. vessels or aircraft that may engage in memorial activities or peaceful protest north of Cuba. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Cuba and the emergency authority relating to the regulation of the anchorage and movement of vessels set out in Proclamation 6867.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
February 25, 2000.

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Presidential Determination No. 2000–16 of February 29, 2000

Presidential Determination on Major Illicit Drug Producing and Drug Transit Countries

Memorandum for the Secretary of State

By virtue of the authority vested in me by section 490(b)(1)(A) of the Foreign Assistance Act of 1961, as amended (the “Act”), I hereby determine and certify that the following major illicit drug producing and/or major illicit drug transit countries (and certain jurisdictions) have cooperated fully with the United States, or have taken adequate steps on their own, to achieve full compliance with the goals and objectives of the 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances:

The Bahamas, Bolivia, Brazil, China, Colombia, Dominican Republic, Ecuador, Guatemala, Hong Kong, India, Jamaica, Laos, Mexico, Pakistan, Panama, Peru, Taiwan, Thailand, Venezuela, and Vietnam.

By virtue of the authority vested in me by section 490(b)(1)(B) of the Act, I hereby determine that it is in the vital national interests of the United States to certify the following major illicit drug producing and/or major illicit drug transit countries:

Cambodia, Haiti, Nigeria, and Paraguay.

I have determined that the following major illicit drug producing and/or major illicit drug transit countries do not meet the standards set forth in section 490(b) for certification:

Afghanistan, Burma.

In making these determinations, I have considered the factors set forth in section 490 of the Act, based on the information contained in the International Narcotics Control Strategy Report of 2000. Analysis of the relevant U.S. vital national interests, as required under section 490(b)(3) of the Act in the case of the countries certified on this basis, is attached. Given that the performance of all of these countries/jurisdictions has differed, I have also attached an explanatory statement for each of the other countries/jurisdictions subject to this determination.

You are hereby authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, February 29, 2000.

Statements of Explanation

Afghanistan

In 1999 Afghanistan cultivated a larger opium poppy crop and harvested more opium gum than any other country by a wide margin. U.S. sources estimate a 23 percent increase in the opium harvest, while United Nations Drug Control Program (UNDCP) data point to a more dramatic 70 percent

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increase. There were also increases in the refining of opium into heroin and in drug trafficking from Afghanistan into neighboring countries. The largest of Afghanistan's factions, the Taliban, which controls 85–90 percent of Afghanistan and 97 percent of the area where opium is cultivated, derives significant income from every phase of drug production and trafficking. In spite of its own 1997 ban on the cultivation of opium poppy, the Taliban acknowledge they tax the crop at about 10 percent, and allow it to be sold in open bazaars. Crop taxation imparts legitimacy to opium cultivation and distribution, and means that the Taliban benefits directly from the entire opium business. The Taliban also receives payments directly from traffickers.

The United States Government (USG) has spoken about the drug problem directly with Taliban officials and indirectly through the UNDCP. We have repeatedly urged the Taliban to enforce its 1997 ban on opium poppy cultivation. The Taliban response was at least a 23 percent increase in opium production over 1998. We also urged the Taliban to honor its commitments to reduce poppy cultivation in exchange for the delivery of alternative development assistance. But in a Non-Governmental Organization (NGO) project area receiving generous USG funding, poppy cultivation surged 68 percent, according to a UNDCP survey. Heroin labs are proliferating throughout Afghanistan, particularly near international borders.

The Taliban claims success for some counter-drug measures. According to the UNDCP, the Taliban destroyed 34 drug laboratories. The Taliban also has made unverified claims of seizures of 500 kg of opium, 70 kg of heroin, and 1200 liters of acetic anhydride and other heroin production chemicals. The Taliban Leader, Mullah Omar, who promulgated the 1997 ban on opium cultivation, ordered a one-third nation-wide reduction in poppy cultivation for the 1999–2000 growing season but, as noted, past commitments were not honored.

Overall, there was a sharp increase in poppy cultivation, in refining of opium into heroin, and in trafficking of illicit opiates in Afghanistan. There is a growing body of evidence that the largest of Afghanistan's factions, the Taliban, is fully complicit in every phase of drug production and trafficking. Sharp increases in large-scale opium cultivation and trafficking in Afghanistan, plus the failure of the authorities to initiate an appropriate law enforcement response, preclude a determination that Afghanistan has taken adequate steps on its own or that it has sufficiently cooperated with USG counter-drug efforts to meet the goals and objectives of the UN 1988 Drug Convention, to which Afghanistan is a party. In the absence of verifiable and unambiguous steps by the Taliban to stop the promotion of poppy cultivation (such as an end to the opium crop tax), the United States and other concerned countries are compelled to redirect their counter-drug efforts to interdiction and border control strategies in surrounding countries.

The Bahamas

The Bahamas is a major transit country for drugs en route to the United States from South America and the Caribbean. The Government of the Commonwealth of The Bahamas (GCOB) and the USG continue to enjoy a productive counter-drug working relationship.

The Bahamas is a party to the 1988 UN Drug Convention, and the GCOB works to meet its goals and objectives as well as those of U.S.-Bahamas bi-

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lateral drug control agreements. The GCOB places a high priority on combating drug transshipments through its archipelago and works closely with the USG on Operation Bahamas and Turks and Caicos (OPBAT). The USG looks forward to assisting The Bahamas to improve its maritime end-game capability, without which sustained drug interdiction, arrest and conviction of traffickers, and the forfeiting of their assets is improbable. Given the volume of commercial shipping through The Bahamas, the GCOB needs to rigorously implement its chemical control laws to prevent illegal diversion of precursor and essential chemicals.

Bahamian authorities continue monitoring bank compliance and investigating suspicious financial transactions under the 1996 money laundering law. Increased supervision of the offshore banking sector and training of all financial sector employees, however, will be necessary in order to increase the number of suspicious activity reports, which is still very small given the size of The Bahamas financial services sector. Despite several public statements of commitment, the GCOB has not established a financial intelligence unit (FIU) or to seek membership in the Egmont Group. In 1999, the GCOB passed legislation which allows designation of the United States under Bahamian asset forfeiture laws, based on reciprocity. This will allow Bahamian courts to enforce U.S. forfeiture orders in many cases.

The GCOB took further steps in 1999 to strengthen its judicial system, with USG assistance. Despite these efforts, no major Bahamian drug trafficker has been convicted in The Bahamas and sent to prison, due largely to continuing delays in the courts. In addition, weak bail laws allow arrested drug traffickers to obtain bail and continue transshipping drugs while awaiting trial. Notwithstanding committed and talented judicial leadership, The Bahamas needs to improve the effectiveness of its court system and its Attorney General's office in gaining convictions against major drug traffickers. The Bahamas also needs to improve its responsiveness to U.S. requests under the mutual legal assistance treaty (MLAT) and to speed the processing of extradition cases.

In October 1999, for the first time in recent history, a Bahamian law enforcement official was assassinated, allegedly by Bahamian drug dealers in retaliation for his stand against a corrupt official or to prevent his testimony. The GCOB should ratify the Inter-American Convention against Corruption and assure that corrupt public officials are effectively prosecuted. Finally, the GCOB needs to move quickly to complete and adopt a comprehensive national drug strategy containing goals and objectives as well as measures of effectiveness.

Bolivia

Exceeding the schedule of its own five year plan to eliminate all illicit coca from Bolivia, in 1999 the Banzer administration eradicated an unprecedented 16,999 hectares of coca, for a net reduction of 43 percent.

Although Bolivia remains the world's third largest producer of cocaine, with the ability to produce a potential 70 metric tons, Bolivian cocaine became less marketable in 1999 due to a very successful law enforcement effort to prevent precursor chemicals from being smuggled in from neighboring countries. As a result of significant law enforcement pressure, Bolivian cocaine producers were forced to use less efficient means of processing with substitute or recycled chemicals, and cutting agents, such as manitol. The purity of finished Bolivian cocaine hydrochloride (HCl) dropped to as

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low as 47 percent, causing Brazilian and other traffickers to buy only Bolivian cocaine base and finish the processing in Brazil.

The GOB began preparations for an eradication program in the Yungas in 2000 to eliminate the coca exceeding the legally allowable 12,000 hectares. There is evidence that Yungas coca is being diverted to the illicit market for conversion to cocaine products.

Despite a slight downturn in the Bolivian export sector in 1999, export volumes of nearly all alternative development crops improved. Banana exports to Chile and Argentina increased 20 percent over 1998. Demand for alternative development assistance by former coca farmers, however, is exceeding supply.

In 1999, the Bolivian legislature enacted the final portion of the judicial reform package, the new code of criminal procedures. It establishes an accusatory, adversarial, oral, public criminal trial system that may also help to diminish corruption and improve the credibility of the judicial system. The new code permits the police to use undercover agents and to make controlled deliveries of illicit drugs and other contraband. The Judicial Council, created in 1998 to depoliticize the selection of judges and to serve as a mechanism for disciplining members of the judiciary, had some of its powers to administratively remove corrupt judges diminished by the Constitutional Tribunal, which ruled that members of the judiciary can only be removed subsequent to a final judgement by a criminal court.

For the third year since the passage of the anti-money laundering law, no action was taken against money laundering. The legal ambiguities regarding asset seizure and forfeiture have not been resolved, and the system remains inefficient.

Brazil

Brazil is a significant transit country for illicit drugs en route to the United States, and a major producer of precursor chemicals and synthetic drugs. Since taking office in 1995, the administration of President Fernando Enrique Cardoso has demonstrated a firm commitment to countering the flow of illegal drugs through Brazilian territory, and to establishing an effective law enforcement infrastructure capable of taking action against the domestic and international criminal syndicates engaged in drug trafficking. In 1999, the Government of Brazil (GOB) worked closely with regional neighbors and U.S. law enforcement agencies in pursuit of mutual counter-drug objectives, achieving particularly impressive results against corruption and money laundering.

The most visible initiative in 1999 was the formation in April of the Congressional Panel of Inquiry (CPI) on drug trafficking. The Panel's high-profile investigations into the country's organized drug networks have led to over 115 arrests, including many tainted government officials. Through its actions, the CPI has illustrated the drug trade's corrosive effect on public institutions and energized previously isolated voices against corruption and trafficker impunity.

Criminal interests have long exploited Brazil's highly developed financial sector, particularly as a haven for illicit-drug profits. In 1999 the GOB demonstrated a firm commitment to fighting the problem of money laundering, and implemented regulations to increase the effectiveness of Brazil's anti-money laundering regime. The Brazilian Central Bank created a

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special internal agency to trace money laundering, and Brazil joined the Financial Action Task Force (FATF) and the Egmont Group, two international bodies charged with improving anti-money laundering efforts.

Brazilian authorities seized more cocaine in 1999 than in 1998, and cannabis seizures increased by six-fold. As in past years, Brazilian authorities identified no opium or coca production in 1999. The GOB acted vigorously against cannabis production in the country's northeast, eradicating over three times as many hectares as in 1998.

Burma

Burma is the world's second largest source of illicit opium and heroin, exceeded only by Afghanistan, and currently accounts for approximately 80 percent of the total production of Southeast Asian opium. Largely due to severe drought conditions in poppy growing areas, production and cultivation continued to decline significantly in 1999 for the third year in a row. In 1999 there were an estimated 89,500 hectares under opium poppy cultivation, down 31 percent from 1998. This hectarage yielded a maximum of 1,090 metric tons of opium gum, 38 percent lower than in 1998 and less than half the average production during the last decade. The Government of Burma (GOB) maintained most of its opium crop-eradication efforts and expanded the program to an additional 9,800 acres.

Seizures of methamphetamine in 1999 exceeded 1998's record figures, although opium and heroin seizures were well below 1998 levels. Burma made its first airport seizures of illicit drugs in 1999. While there were cases of drug interdiction and arrests of members of some cease-fire groups for drug trafficking, the GOB has been unwilling or unable to take on the most powerful groups directly. Cease-fire agreements with insurgent ethnic groups dependent on the drug trade implicitly tolerate continued involvement in drug trafficking for varying periods of time. The ethnic armies, such as the United Wa State Army and the Myanmar National Democratic Alliance Army, remain armed and heavily involved in the heroin trade.

The GOB expressed support for eradication efforts, crop substitution, and development assistance, but allocated few resources to such projects. GOB policy is to force the leaders in the ethnic areas to spend their own revenues, including from the drug trade, on social and physical infrastructure. The approach limits the GOB's ability to continue or expand its counter-drug efforts.

Burma's 1993 Narcotic Drugs and Psychotropic Substances Law conforms to the 1988 UN Drug Convention and contains useful legal tools for addressing money laundering, seizing drug-related assets, and prosecuting drug conspiracy cases. GOB officials, claiming they lack sufficient expertise, have been slow to implement the law, targeting few, if any, major traffickers and their drug-related assets. Money laundering in Burma and the return of drug profits laundered elsewhere are thought to be significant factors in the overall Burmese economy, although the extent of this problem is impossible to measure accurately. The cease-fire agreements condone money laundering, as the government encouraged these groups to invest in "legitimate" businesses as an alternative to trafficking, thus extending to them the opportunity to sanitize past illicit proceeds with investments in hotels and construction companies, for example.

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The Burmese continued to refuse to render drug lord Chang Qifu on grounds that he had not violated his 1996 surrender agreement. The 1988 UN Drug convention obligates parties, including Burma, to prosecute such traffickers.

The GOB's counter-drug efforts in 1999 showed progress in a number of areas: methamphetamine and ephedrine seizures increased; crop eradication continued with modest expansion; anti-drug forces conducted more vigorous law-enforcement efforts; and members of some cease-fire groups were arrested for drug trafficking. Such efforts must be stepped up, however, if they are to have a significant impact on the overall trafficking problem.

On balance, the USG remains concerned that Burma's efforts are not commensurate with the extent of the drug problem within its borders. Large-scale poppy cultivation and opium production continue, decreasing in the last few years largely because of severe drought conditions rather than eradication programs. The GOB's effective toleration of money laundering, its unwillingness to implement its drug laws, and its failure to render notorious traffickers under indictment in the United States all continue to be serious concerns.

Cambodia

In view of Cambodia's geographic location and general state of lawlessness, it is likely that drugs transited Cambodia en route the West, including the United States. For that reason, Cambodia was designated a major drug transit country in 1999. Political turmoil in Cambodia has effectively precluded a fully credible anti-drug effort for the last two years. Although Cambodia has taken some positive steps to improve drug enforcement in 1999, these steps were insufficient to qualify for full certification.

Steps forward included increased emphasis on eradication of illicit marijuana plantations. Prime Minister Hun Sen and others have publicly threatened provincial governors with dismissal if they tolerate marijuana cultivation. At least one large (160 hectare, or about 400 acre) plantation was eradicated as the deadline for certification approached. There were also several first-time drug seizures at Phnom Penh's international airport. The President and the Chief Prosecutor of the Phnom Penh Municipal Court were removed for corruption; other judges are under investigation. A police commander, suspected of dealing in illicit drugs was removed, and Cambodia reorganized a supervisory coordinating agency called the National Drug Policy Board, replacing officials generally viewed as ineffective with more respected officials. High level government officials made statements emphasizing their opposition to synthetic drug production in Cambodia, and pressed efforts to confiscate unauthorized weapons, both positive steps in countering a drift towards lawlessness. Cooperation with the U.S. Drug Enforcement Administration (DEA) was excellent.

Corruption remains an endemic problem in Cambodia, however, and this problem adversely affects drug law enforcement. Poorly paid and ill-trained police and judicial officials have frequently looked the other way in drug and other criminal cases. Cambodia remains a refuge for criminal elements because enforcement is ineffective and corrupt officials can be paid to release those that may be apprehended. The combination of incompetence and venality, even at high levels in government and the police, pose an ongoing challenge to improved drug law enforcement. In short, there has been

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no fundamental institutional reform to meet the law enforcement challenge Cambodia faces from drug traffickers and other lawless elements. Thus, despite some improvements, Cambodia still failed to meet the legal standards for full certification.

A vital national interests certification is necessary this year in order to protect U.S. vital national interests in Cambodia, including promoting democracy in Cambodia and stability in the region. Democracy in Cambodia is not yet firmly established. The democratically-elected coalition government, which came to power in Cambodia last year continues to face enormous challenges on all fronts, including the formation of an international tribunal to try former leaders of the Khmer Rouge. Cambodia also remains vulnerable to drug trafficking and other crime upsurges. Should counter-drug sanctions be imposed, it would not be possible for the United States to provide strategically-placed assistance to respond to potential crises or to strengthen Cambodia's economic and institutional bases for a democratic system. On balance, the risks to U.S. interests in promoting democracy and stability in the region if counter-drug sanctions were imposed would outweigh the risks posed by Cambodia's failure to fully implement effective drug control.

Colombia

Colombia remains the world's largest cocaine producer: over three-quarters of the world's cocaine hydrochloride is processed in Colombia. Still, Colombia met the certification criteria in 1999 due to important strides made in combating illicit drugs and its full cooperation with USG counter-drug efforts. The Pastrana administration has demonstrated a clear commitment to combating the illegal drug industry in Colombia. That commitment led to a number of very concrete achievements in 1999.

In September, the Government of Colombia (GOC) unveiled its "Plan Colombia," a comprehensive strategy to address the many interrelated challenges facing the country. The USG supports the work of the GOC in formulating and beginning to implement this comprehensive strategy. Importantly, both "Plan Colombia" and the Pastrana administration's National Drug Control Strategy couple alternative development with aerial eradication of illicit crops.

Colombian authorities continued to cooperate with the USG on a variety of specific projects. In October, Operation Millennium, a coordinated operation among Colombian, Mexican and U.S. law enforcement agencies, resulted in the arrest of more than 30 suspects.

The Colombian National Police (CNP) continued its outstanding counter-drug tradition. The CNP received increased support from the Colombian armed services and is poised to begin joint operations in southern Colombia with the army's first special counter-drug battalion. Such joint operations are vital for the future of the program due to the threat to counter-drug operations from heavily armed traffickers and other illegal armed groups that are involved in many aspects of drug trafficking.

The GOC made particularly strong advances in combating maritime trafficking. A port security program is now operating in all of the nation's major ports, and in the past year resulted in the seizure of 16 metric tons of cocaine. In September, a standing interdiction operations plan was signed to augment an existing maritime agreement, leading to three U.S.-

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Colombian combined maritime interdiction patrols. Also in September, U.S. and Colombian authorities reached an accommodation concerning the volume of evidence required by Colombian prosecutors and other evidentiary concerns.

GOC efforts have also focused on drug trafficking by air. The percentage of successful Colombian Air Force (FAC) interdiction attempts has increased from 25 percent in 1997 to nearly 40 percent in 1999. At the same time, the number of suspicious aircraft which radar has detected flying to or from Colombia has fallen from 231 in 1997 to fewer than 100 in 1999. The CNP's civil aviation registration program inspected 343 aircraft in 1999, seizing 50 of these for violations.

The aerial eradication program succeeded in treating more than 50,000 hectares of illicit crops in 1999, although totals were less than last year's record level. The CNP also had a strong year in terms of seizures, totaling 30 metric tons of cocaine hydrochloride and base, 140 metric tons of coca leaf, and 644 kilos of heroin, morphine and opium.

The level of cooperation between the Colombian military and police continued to improve in 1999. Information sharing advanced to a higher level with the inclusion of both military and CNP personnel at the Joint Intelligence Center (JIC), while interdiction and eradication efforts both received a boost with the creation of the new counter-drug battalion. Created to work hand-in-glove with the CNP's anti-drug units, the battalion will provide the police with needed support as operations move into high-risk, coca-rich areas such as Putumayo Department.

In November, the GOC extradited alleged heroin trafficker Jaime Orlando Lara Nausa, the first Colombian citizen extradited to the United States in nine years. Behind the very public leadership of President Pastrana, Colombian officials proceeded despite drug traffickers' attempted legal roadblocks and bombings possibly linked to the extraditions. This commitment demonstrated the GOC's willingness to send drug traffickers to justice in the United States regardless of citizenship.

GOC officials also enacted important institutional changes in 1999. The National Judicial Police Council adopted a unified training curriculum and made it mandatory for all Colombian investigators after January 2000. For the first time, all Colombian law enforcement investigators will receive the same training.

Overall, Colombian counter-drug efforts continued to improve in 1999, demonstrating the true commitment of the Pastrana administration to cooperate fully with the United States in combating the illegal traffic in drugs.

Dominican Republic

The Dominican Republic is a significant transit country for South American drugs, mostly cocaine, moving to the United States. Drugs are transported into the Dominican Republic by air, sea, and across the land border with Haiti. They are then moved onward by air and sea to Puerto Rico and mainland United States.

During 1999, the Government of the Dominican Republic (GODR) continued to cooperate fully with the USG on counter-drug goals and objectives.

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The GODR extradited nine Dominicans to the United States in 1999, and kept several other fugitives in custody awaiting decisions on extradition requests. The National Drug Council (CND) drafted a National Drug Strategy. A group of private attorneys energetically promoted the passage of a newly drafted anti-money laundering bill modeled on current Organization of American States (OAS) standards. The GODR began the process of developing an anti-corruption bill. The draft strategy and both bills are scheduled for submission to congress in 2000.

A ministerial-level bilateral meeting with Haiti achieved historic border control accords, which were subsequently approved at the highest levels of the GODR. In 1999, the GODR activated a fourth border control unit, deployed its drug detection dog unit to the Haitian border, and took steps to double the size of the dog unit in 2000.

Dominican forces participated in combined operations under the bilateral Maritime Counter-drug Interdiction Agreement. The GODR extended for one-year temporary overflight authority for USG anti-drug aircraft and vessels. In cooperation with the U.S. military, the Dominican Navy and Army engaged in joint counter-drug exercises.

The National Drug Control Directorate (DNCD) worked closely with its counterpart, the DEA, on drug, fugitive, and special investigations, drug operations, and border interdiction during 1999. DNCD has begun to require its special unit personnel to take polygraphs, and has also initiated pre-employment and periodic random drug testing for its employees.

For the first time, the GODR authorized wiretaps for use in drug prosecutions. It also arrested and jailed on passport fraud charges the top money manager for the Coneo family, the dominant Colombian drug trafficking organization operating on Hispaniola.

We will continue to encourage the Dominican Republic to regularize its extradition process. GODR should also: act on a pending amendment to enhance the bilateral maritime agreement; increase cocaine seizures, which amounted to less than half the amount seized in 1998; and strengthen its weak judicial system, which continues to hamper law enforcement efforts.

Ecuador

Ecuador continues to serve as a major transit route for cocaine destined for the United States, and for precursor chemicals destined for drug processing labs in Colombia and Peru. Despite suffering under the effects of the country's worst economic crisis in seventy years, the Government of Ecuador (GOE) pursued an active counter-drug agenda in 1999 to considerable effect, and cooperation between the GOE and the USG was excellent.

The Ecuadorian National Police (ENP) seized a record 10 metric tons of cocaine and coca base in 1999, more than doubling 1998's total of 3.9 metric tons. Heroin seizures also increased significantly, from 58 kilograms in 1998 to 81 kilograms in 1999. The ENP also seized a record amount of methyl ethyl ketone (MEK) and other precursor chemicals.

Along with these tactical successes, the GOE implemented structural reforms to their judicial system and law enforcement agencies that have the potential to enhance the country's law enforcement infrastructure. A unified anti-drug division was established within the ENP, consolidating various specialized interdiction units into a coherent organization for the first

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time. The customs service was privatized to maximize efficiency and bolster interdiction efforts. In November 1999, the Ecuadorian Congress passed a new criminal procedural code, intended to alter the country's criminal justice system from a secretive, inquisitorial to an open, accusatorial system similar to the U.S. model. In addition, the GOE published a five-year counter-drug strategy which clearly identifies the roles and responsibilities of relevant GOE agencies in the fight against international drug trafficking.

The GOE also increased its commitment to regional interdiction efforts, most visibly in November 1999 when the GOE and the USG completed a 10-year agreement permitting U.S. regional counter-drug detection and monitoring missions to operate from an Ecuadorian air force base in Manta. The GOE also completed a Joint Information Coordination Center (JICC) in Guayaquil, and plans to integrate this center with the national anti-drug division headquarters.

Guatemala

In 1999, President Arzu continued to implement the peace accords that ended 36 years of internal conflict. Government of Guatemala (GOG) efforts are now focused on combating violent crime, organized crime and other domestic problems. The GOG fully cooperated with the United States in combating counter-drug trafficking in Guatemala and elsewhere in the region. Guatemala has taken steps to implement, at the operational level, the provisions of the 1988 UN Drug convention. However, legislative support for ratification of a full maritime counter-drug agreement and adoption of money laundering legislation has not yet been obtained.

Guatemala's location, scarce law enforcement resources, and a weak judiciary and penal system permitted its continued use by traffickers as a transshipment and storage point for cocaine destined for the United States via Mexico. Along with increased use of motor vehicle and container shipments, there has been an increase in airdrops of illicit drugs over Guatemalan territory for consolidation and transshipment. With USG assistance, the Department of Anti-Narcotics Police (DOAN) has stepped up training to develop air interdiction and related capabilities. The expanding self-funded port security program and the trained DOAN agents have made impressive seizures in the past year.

The consolidation of the National Civilian Police (PNC) continues on track with full integration of the DOAN. The USG-trained DOAN seized over 10 metric tons of cocaine in 1999. This year the drug prosecutor assistance program maintained its 90 percent conviction rate, with some traffickers receiving sentences of up to 20 years. Somewhat disturbing, however, were several cases in which judges released suspected drug traffickers on questionable grounds. The new drug prosecutor's field office opened this year in Quetzaltenango accounted for 110 successful prosecutions in 1999.

Guatemala is a party to the 1988 UN Drug Convention, and most GOG law enforcement activities are fully consistent with its goals and objectives. However, some of the convention's provisions have not been codified into law and regulations, including provisions on extradition and money laundering. The GOG does not encourage or facilitate illicit production or distribution of illicit drugs or controlled substances.

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In 1999 the GOG began implementation of its national drug policy, the anti-drug master plan and national strategy which incorporates both demand and supply reduction objectives to be accomplished by specified ministries. The GOG provided additional funding to the plan's implementers to attack the alarming increase in drug abuse documented last year. The GOG also took major steps in implementing assets seizure and precursor chemicals regulations.

Haiti

Haiti is a significant transshipment point for drugs, primarily cocaine, moving through the Caribbean from South America to the United States. The USG cannot certify Haiti as having fully cooperated with the United States on drug control, or as having taken adequate steps on its own, to meet the goals and objectives of the 1988 UN Drug Convention, to which Haiti is a party. However, U.S. vital national interests require that foreign assistance continue to be provided to Haiti.

The USG recognizes that because Haiti had no Parliament during 1999, no legislation could be enacted or international agreements ratified. However, Haiti failed to make sufficient progress on many anti-drug objectives that did not require parliamentary action, but only implementation by the Government of Haiti (GOH). The GOH failed to: draft or update any pending anti-money laundering or anti-corruption legislation; revise and implement the draft national drug control strategy; create mechanisms to enforce standards of conduct and liabilities for GOH officials in accordance with the Declaration of Principles signed by Haiti at the 1997 Bridgetown Summit; vigorously investigate and prosecute drug-related corruption involving GOH officials; resolve and report on the "450 kilo affair" in which policemen were allegedly involved in the 1998 theft of a large cocaine shipment; set up a special financial analysis unit to combat money laundering; and join the Caribbean Financial Action Task Force (CFATF).

Haiti also failed to make sufficient progress in the area of law enforcement. Part of its overall lack of success in this area is due to Haiti's inadequate judicial system; the still limited capabilities of the five-year-old Haitian National Police (HNP); and the inexperience of the three-year-old police anti-drug unit (BLTS). In addition, the HNP currently does not have the ability to intercept drug airdrops. The GOH failed to increase its drug seizure rate over 1998's performance; the amount of cocaine seized in 1999 was one-third that of 1998, although the estimated flow of cocaine increased by nearly one-quarter. The GOH also failed to double the size of the BLTS as planned, or to enforce interagency cooperation between the HNP and the customs and immigration services. This lack of cooperation continues to impede counter-drug efforts inside the customs control areas at the airport and other ports of entry in Haiti.

GOH's international cooperation in 1999 was significant, including ongoing implementation of the 1997 U.S.-Haiti maritime counter-drug interdiction agreement even though parliamentary action to bring the agreement into force has not yet been accomplished. GOH cooperated with several international counter-drug operations, one of which resulted in the arrest and expulsion from Haiti of two key members of a major international drug operation. Haitian authorities also continued to work with their counter-drug counterparts in the Dominican Republic to stem the flow of illicit drugs over the land border.

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U.S. vital national interests require that Haiti be certified. A cutoff of bilateral assistance mandated by denial of certification would threaten security and democratic stability in Haiti, both of which bear immediately and directly on U.S. ability to disrupt the flow of both illicit drugs and undocumented Haitian migrants into the United States. A cutoff would require termination of important USG initiatives, including programs targeting electoral support, police development, economic growth, education, social stability, hunger and environmental degradation. These programs attack the roots of Haitian poverty and hopelessness, chief catalysts for Haitian involvement in the drug trade and illegal immigration into the United States. The programs also address the underlying problems in the Haitian law enforcement and judicial system, especially endemic corruption and the lack of a strong professional tradition, both of which contribute to weak counter-drug performance. If critical U.S. aid is withdrawn, and U.S. support for the electoral process and public security is curtailed, assistance to illicit traffickers of drugs and migrants will be an unintended consequence.

The risks posed to U.S. vital national interests by a cutoff of bilateral assistance outweigh the risks posed by Haiti's failure to cooperate fully with the USG, or to take adequate steps on its own, to combat the illicit drugs. Accordingly, Haiti is granted a vital national interests certification.

Hong Kong

Although the USG continued to view Hong Kong as a major drug transit center in 1999 because of its location and developed infrastructure, Hong Kong's role as a major transit/staging area for the shipment of heroin and methamphetamine to the United States appears to have diminished over the last three years.

In 1999 Hong Kong continued its exemplary efforts to stop illicit drugs from being trafficked across its border with China and through its port. Through October 1999, Hong Kong officials seized 205 kilograms of heroin (nearly the amount seized in all of 1998), 35.8 kilograms of cannabis, 16.7 kilograms of cocaine, and 9,811 kilograms of methamphetamine. In the same period, 7,620 individuals were arrested for drug-related offenses. Drug-detection capabilities were enhanced in several important areas: the number of drug-sniffing dogs at the border and airport increased from 124 to 133; and high-tech equipment was procured to detect illicit drugs in packages, facilitate the inspection of baggage and cargo, and use in clearing air and sea cargo.

With respect to precursor chemicals, Hong Kong amended legislation to tighten control of the transshipment, removal, and storage of potassium permanganate and to require a license from the Commissioner of Customs and Excise before potassium permanganate can be imported, exported, or manufactured. Control of several additional chemicals was also tightened in 1999 in response to resolutions passed by the UN Commission on Narcotic Drugs. The legislature also began working to amend legislation to enhance control of norephedrine.

Hong Kong also introduced new legislation to strengthen the anti-money-laundering regime and laws affecting drug profits and organized crime. New reporting requirements for financial transactions went into effect, and sentences for money laundering have been lengthened.

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Hong Kong and U.S. law enforcement agencies continued to cooperate effectively on investigations into the movement of illegal drugs and on money-laundering cases. The Mutual Legal Assistance Agreement received legislative approval in Hong Kong and will enter into force in early 2000. The Transfer of Sentenced Persons Agreement with the United States and with Sri Lanka came into force. Hong Kong also concluded similar agreements with other countries and the European Union.

In 1999 Hong Kong continued to implement new initiatives to strengthen its already outstanding counter-drug efforts, and Hong Kong authorities at all levels continued their close cooperation with the United States and other countries to defeat drug trafficking.

India

India is the world's largest producer of licit opium. Located between Afghanistan and Burma, the two primary world sources of illicitly grown opium, India also is a transit point for heroin, generally destined for Europe. Heroin is produced in and trafficked through India, but evidence to indicate that significant quantities of heroin from India reach the United States is scant. The Government of India (GOI) has a cooperative working relationship with DEA, and India is a party to the 1988 UN Drug Convention.

The GOI uncovered a trafficking network operating in several Indian cities to ship locally-produced heroin to Sri Lanka, and seized a related heroin lab and over 100 kg of heroin. The GOI also broke up and arrested an international trafficking operation routing Afghan heroin to North America and seized 77 kilograms of heroin. Overall, heroin seizures rose 7 percent. More importantly, two well-organized trafficking operations were disrupted.

The GOI tightened controls on the precursor ephedrine hydrochloride by listing it as a controlled substance under its Narcotic Drugs and Psychotropic Substance Act. The GOI traced 9 tons of acetic anhydride intended for Afghanistan and had it seized in Dubai. The GOI enacted money-laundering legislation at the end of 1999.

The GOI annually takes forceful steps to prevent illicit cultivation and production. The GOI appears to have had genuine success in reducing illicit poppy cultivation, which in 1999 was just a fraction of what it was five years ago. India met formally with Pakistan in 1999 to discuss drug matters and is committed to continuing the process and to developing practical results, which have been limited to date. In 1999 India also met with Burmese officials to discuss cross-border counter-drug issues.

Production and stockpile of licit opium in India has clearly not exceeded licit demand. On the contrary, India's stockpile has been barely adequate for some time. The GOI did not make as much progress as hoped for this year in rebuilding its depleted buffer stock of licit opium. With excellent weather, the harvest should have been 1300 metric tons, but at least in part due to some diversion from licit production, the harvest was only 971 tons, too small to rebuild stocks to levels recommended by the International Narcotics Control Board (INCB). The GOI did boost opium production from 260 to 971 metric tons, sufficient to satisfy international demand for licit opium, even if carry-over stocks remain inadequate.

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India is the only licit opium producing country with a notable diversion problem. However, the exact extent of this diversion is unclear. India has had an elaborate and expensive-to-maintain system in place to counter this threat of diversion for years, and India took important additional steps to avert diversion this year. For example, to discourage diversion of licit opium, the GOI raised prices paid to farmers, and added other incentives for higher yields. The GOI also threatened stiff penalties for those convicted of diversion. Licit opium diversion controls expanded in 1998–1999 and have been continued in 1999–2000. Still, credible reports suggest that diversion may have increased during the 1998–1999 growing season despite GOI actions. Although India is taking adequate steps to prevent significant diversion, there are additional measures India could take to improve its control regime. The GOI has not yet agreed to USG suggestions to undertake a comprehensive joint licit opium yield survey, which would provide a firmer scientific basis for the GOI to set Minimum Qualifying Yields (MQY) for farmers. Setting these yields correctly, by region, helps limit diversion.

Jamaica

Jamaica is a major transit point for South American cocaine en route to the United States as well as the largest Caribbean producer and exporter of marijuana. During 1999, the Government of Jamaica (GOJ) made progress towards meeting the goals and objectives of the 1988 UN Drug Convention. At regional meetings, GOJ officials actively supported counter-drug initiatives. Bilateral counter-drug cooperation is good and improving. In the area of maritime law enforcement, Jamaican forces continued to participate in combined operations under the U.S.-Jamaica bilateral maritime agreement.

In March 1999, Jamaica took an important step in its effort to create an anti-money laundering regime which meets international standards by amending the 1996 Money Laundering Act to require the reporting of suspicious transactions. However, further amendment to the law is required to address the critical issue of money laundering in relation to the proceeds of other serious crime. The GOJ has stated that, as a first step, it has drafted amendments to the money-laundering act that will add fraud and firearms offenses as predicate offenses. The GOJ is in the process of establishing a financial analysis unit to identify money-laundering activities, but has not yet provided staff for the unit. Jamaica's current asset forfeiture regime does not permit the GOJ to take full advantage of the forfeiture mechanism to augment the resources of its anti-drug agencies and deprive criminals of the proceeds of their crime. Current law requires the conviction of a criminal drug defendant prior to commencing a forfeiture action. In 1999, Parliament passed legislation permitting the GOJ to enter into agreements with other governments to share assets confiscated from drug traffickers and other criminals. The GOJ enacted a Precursor Chemicals Act and has budgeted for implementation of chemical controls. In late 1999, the GOJ introduced a bill in Parliament establishing drug courts; the bill passed both houses and now awaits the Governor General's signature.

Transparency International and other organizations have reported that corruption is viewed as a grave problem in Jamaica—drug trafficking adds to the problem. The GOJ's anti-corruption legislation, introduced in Parliament in 1998, passed the House and Senate in different versions; a compromise bill is currently being crafted by a joint select committee of Par-

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liament. The GOJ's position is that passage of the Anti-Corruption Act must occur before it can ratify the Inter-American Convention Against Corruption, which Jamaica signed in March 1996. The GOJ has a policy of investigating credible reports of police corruption, including those related to drugs, but more needs to be done to root out corruption in the public sector.

The GOJ extradited four people to the United States in 1999; there are sixteen active pending extradition requests. In 1999, the GOJ developed, with USG assistance, a special fugitive apprehension team to target and apprehend fugitives from justice. The team has thus far located three fugitives and provided information for several U.S.-based investigations. The GOJ arrested 6,718 drug offenders in 1999. Nevertheless, no major drug traffickers were arrested or convicted during 1999, and they continue to operate with apparent impunity. The GOJ agreed in 1998 to develop a vetted special investigative unit to target drug kingpins, but the unit is not yet in existence. While the GOJ has stated its intention to enact wiretap legislation, the proposal for such legislation is still under discussion in the Cabinet.

The GOJ exceeded the marijuana eradication goal of 800 hectares set out in the Fiscal Year 1998 Letter of Agreement (LOA) with the USG. In addition, the GOJ agreed in the LOA to pay a share of the marijuana eradication teams' salaries, currently funded by the USG, beginning in June 2000. While the GOJ made some progress in implementing the recommendations contained in a 1997 assessment, security at Jamaica's ports remains a concern. The GOJ needs to take steps to improve security at its ports, including implementation of the remaining recommendations from the 1997 assessment. Additionally, the GOJ should consider providing the means to admit evidence obtained by ion scan technology in Jamaican courts. The GOJ has in place a national drug control strategy that covers both supply and demand reduction; the GOJ should add to its strategy specific goals and objectives and measures of effectiveness. Jamaica is a party to the 1988 UN Drug Convention.

Laos

Laos is a major drug-producing country; it remains the world's third largest producer of illicit opium, behind Afghanistan and Burma. Although opium cultivation fell 16 percent in 1999, the USG estimates Laos' opium production for that year at 140 metric tons, identical to the 1998 estimate. Somewhat improved weather conditions increased estimated average yields, allowing total production to remain unchanged. Crop substitution project areas funded by the USG continued to show no commercial opium cultivation, only low level production sufficient for some local addict consumption.

Laos cooperates with the USG and the UNDCP on crop control/substitution projects designed to eliminate opium cultivation. The administration of Phongsali Province is providing enthusiastic support for the new USG-funded project there. The province administration assigned support personnel, held a meeting of district directors from throughout the province, and is expressing full support for the project to village headmen. In May 1999, the Government of Laos (GOL) agreed to a joint goal with the UNDCP to eliminate opium cultivation in Laos within six years; efforts to raise the estimated \$80 million needed to reach this goal are underway. The highland farmers who grow opium now have no other viable option. Even if

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the farmers understood how to grow other crops and had the wherewithal to do so (neither of which is the case) they would lack accessible markets for their products. An ambitious project, requiring years of careful planning and implementation, is essential to create an alternative to opium. Such a plan would need alternative development, law enforcement, and demand reduction elements. Once developed, the plan would replace the previous GOL counter-drug master plan, which dates from 1993 and was also developed with UNDCP assistance.

Law enforcement efforts continue. USG-funded counter-drug offices law enforcement offices were opened in two more provinces. These offices, now in six provinces, along with other provincial police offices, reported 143 drug-related criminal cases in 1999, resulting in the arrests of 348 suspects (including 10 foreign nationals). Most arrests were of small-scale traffickers. These cases involved the seizure of 14.7 kilograms of heroin, 225.8 kilograms of opium, 806,700 methamphetamine tablets, and 2.2 metric tons of marijuana. Opium and heroin seizures fell significantly from record 1998 levels, as there was no case to match the 1998 destruction of a heroin laboratory. The number of arrests and quantity of opium seized are roughly equal to last year's totals, but the quantity of heroin seized has fallen significantly from the past two years. Methamphetamine seizures rose slightly. The quantity of heroin has dropped, in part, because none of the seizures was a very large shipment. Furthermore, it is believed traffickers have changed their routes and methods. For example, seizures in the United States of opium-filled parcels from Laos have jumped.

The GOL works very closely with its foreign assistance partners to combat drug trafficking and has registered steady progress this past year. The GOL also continues its important efforts to address the socio-economic problems underlying poppy cultivation. Corruption and inefficiency remain significant challenges to Lao counter-drug efforts. The GOL should continue to work with its foreign assistance partners to improve the administration of justice and to find alternatives to growing poppy.

Mexico

In 1999, the Government of Mexico (GOM) made substantial efforts to confront the major threats to public health and democratic institutions posed by transnational drug-trafficking organizations. Agreement on unprecedented, bilaterally negotiated Performance Measures of Effectiveness (PMEs) enhanced maritime cooperation, and performance improvements in the interdiction/eradication realm were encouraging. Corruption and judicial obstacles to the swift extradition of fugitives, however, remained impediments to a more productive counter-drug relationship.

A new \$500 million public security plan, including establishment of the new Federal Preventative Police, complemented close bilateral counter-drug cooperation in 1999. That undertaking, which will take several years to implement fully, restructures several existing law enforcement agencies, and has already begun to improve police coverage and crime investigation. Steps are underway to acquire new technology, such as aerial radar platforms and upgraded telecommunications, and redistribute land, air, and maritime assets to improve coverage of priority areas. An interagency interdiction operation disrupted a major cartel's operations on the Yucatan Peninsula as part of a broad-based effort to reduce the flow of drugs into Mexico from Central and South America.

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Marijuana eradication was up 39 percent over 1998 and net production down 19 percent for the year. Eradication of opium poppy, while down 10 percent from 1998, combined with reduced cultivation to yield a more than 25 percent drop in net opium gum production. The GOM made over 8,000 drug-related arrests, including: major cartel co-founder Juan Quintero Payan and key associates Oscar Benjamin Garcia Davila and Jaime Aguilar Gastelum. The Mexican Congress passed a new law codifying the use of seized/forfeited assets and creating a new office in the treasury ministry to manage these assets.

Mexico's achievements continued to be undermined by chronic institutional weaknesses, particularly drug-related corruption. The GOM has taken steps to strengthen internal controls, including expanding the mandate of the Attorney General's Office's (PGR) confidence control center and investigating numerous individual cases of suspected corruption. One such investigation implicated former Quintana Roo Governor Mario Villanueva, currently a fugitive from justice. President Zedillo has made combating corruption a national priority, but he acknowledged success will take time.

The USG and GOM cooperated closely on a wide range of law enforcement and drug abuse prevention efforts in 1999, guided by a National Drug Strategy agreed to in 1998 and accompanying PME's. The first formal evaluation of the PME's was completed in December 1999. Significant maritime seizures in the final seven months of year demonstrated enhanced U.S.-Mexican cooperation, as did agreement by the two countries in November to establish a new interdiction working group under the binational High-Level Contact Group on Drug Control (HLCG). The USG provided technical and material support and training to Mexican agencies in furtherance of the GOM's justice sector modernization initiative, demand reduction programs and other efforts.

In 1999, the USG and GOM continued to work closely on fugitive issues. The GOM extradited 14 fugitives to the United States, including two Mexican national drug traffickers, one of whom was also sought for the murder of a U.S. Border Patrol agent. In keeping with its historic 1996 decision to begin approving Mexican nationals for extradition in appropriate cases, the GOM appealed, with mixed results, several Mexican appellate court decisions barring extradition. The GOM has appealed to the Mexican Supreme Court a case which could resolve conflicting decisions by lower appellate courts and, thus, expedite delivery of fugitives in the future. Regrettably, Mexico has yet to extradite a major Mexican national drug trafficker.

The USG and GOM are committed at the highest levels to continued cooperation in efforts to defeat and dismantle heavily armed and well-financed trans-border drug trafficking organizations. In recent years, the two governments have constructed an unprecedented framework for coordination, a mechanism for evaluation, and fora for regular consultation on counter-drug issues. Through daily working-level interaction between counterpart agencies, policy-level discussions in the HLCG and other bilateral entities, and collaboration in multilateral groups, the two governments are finding increasingly productive ways to work together against the formidable threat drug trafficking poses to both nations.

Nigeria

Nigeria has failed to fully meet the criteria for cooperation with the United States on counter-drug matters and has not taken adequate steps on

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its own to meet the goals of the 1988 UN Drug Convention. U.S. vital national interests, however, require that Nigeria be certified so that the assistance that would otherwise be withheld remains available to support the continuing transition to democratic civilian rule and the increased efforts to improve cooperation on drug and other crime issues evident under the democratic government.

Nigeria remains the hub of African drug trafficking. Nigerian poly-crime organizations operate extensive global trafficking networks, dominate the Sub-Saharan drug markets, and account for a large part of the heroin imported into the United States. They also transport South American cocaine to Europe, Asia and elsewhere in Africa, especially South Africa, and export marijuana to Europe and West Africa.

The counter-drug efforts of the Government of Nigeria (GON) remain unfocused and lacking in material support. The new democratic government of President Obasanjo's strong public denunciation of drug trafficking and financial crimes is a welcome change from the high-level indifference that characterized most of Nigerian military rule. However, there have been no new actions or policies to bring about change.

The year 1999 saw the continuation of efforts limited largely to interdiction of low-level couriers and destruction of cannabis crops. Although the new government signaled its willingness to work with the USG on extradition issues, Nigeria did not extradite anyone in response to outstanding U.S. extradition requests. Well-drafted counter-drug legislation is already on the books, but remains largely un-enforced.

Nigerian law enforcement agencies did not significantly improve their counter-drug performance in 1999. There were no major trafficker prosecutions or arrests by the National Drug Law Enforcement Agency (NDLEA) in 1999. Total heroin seizures increased, due primarily to a large seizure at Kano Airport. The NDLEA has signaled a willingness to increase its professional expertise, but institutional limitations make it difficult for Nigerian law enforcement officials to make progress against increasingly sophisticated criminals. Asset seizures did not become a useful counter-drug tool. Awareness of the local drug abuse problem is growing, but demand reduction efforts have been limited in scope and success.

Nigerian money launderers operate sophisticated global networks to repatriate illicit proceeds from drug trafficking, financial fraud, and other crimes. In 1995, the GON enacted a decree to combat illicit drug-derived money laundering, but enforcement has been uneven, yielding few seizures and no convictions. Nigeria is a party to the 1988 UN Drug Convention.

Newly-elected President Obasanjo retired 143 military officers tainted by positions they held during the military government. Anti-corruption legislation has been proposed, but is stalled in the senate. Sporadic progress against corruption within the NDLEA contributed to its reputation as Nigeria's most professional law enforcement body. The NDLEA made regular arrests of individual drug couriers in 1999, but did not arrest or prosecute any major traffickers. Assets have been seized, but no forfeitures, which require convictions, have been made. The NDLEA chairman was briefly held in contempt for refusing to release several hundred thousand dollars worth of vehicles while their owner's case proceeds slowly through the legal system. The DEA received good cooperation from the NDLEA, but rampant corruption prevents sharing of sensitive information. NDLEA actions at air-

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ports, including breaking up a ring that involved airline and government employees, have made trafficking through airports more risky. There is an active cannabis eradication program, but figures are not available and supply easily meets demand. NDLEA has opened well-publicized anti-drug clubs at the universities, supplying them with anti-drug literature and videos.

Nigeria is one of the most important countries in Africa. What happens in Nigeria politically and economically will, to a large degree, determine whether there is stability and progress toward democracy and economic reform in West Africa. If Nigeria's ongoing transition fails, the result might easily be an implosion of government and the collapse of the economy, triggering a humanitarian disaster in Africa's most populous country (over 100 million people) and a destabilizing exodus of Nigerians to neighboring states. Such an upheaval could also disrupt the movement of high-quality Nigerian oil, which accounts for more than seven percent of total U.S. petroleum imports.

If, on the other hand, Nigeria's transition succeeds, it will be an example to all of Africa, and that success has the potential to promote economic growth and greater transparency in government. Nigeria could become an engine for growth in West Africa. A stable and democratic Nigeria will permit greater cooperation between law enforcement agencies, and the opportunity to reduce the impact of the Nigerian criminals who prey on the American people.

The military's acceptance of its appropriate role in a functioning democracy, and the new civilian government's ability to govern, will be critically impaired if Nigeria is deprived of the full range of USG support. Building a political consensus and meeting the challenges of a collapsing economy will also depend in no small part on outside assistance and expertise.

Denial of certification would block assistance the new democratically-elected government needs to meet these challenges, seriously damaging the prospects for success of stable, transparent democracy in Nigeria. U.S. vital national interests require providing humanitarian, economic and security assistance to Nigeria as well as counter-drug assistance from all sources. The risk of not doing so now would jeopardize not only Nigeria's fledgling democracy, but also Nigeria's attempts to reinvigorate its failing economy and support for democracy and peacekeeping throughout the region. Further, any new civilian government's ability to work with the USG on all issues, including counter-drug and other law enforcement, will depend on its access to multilateral lending and U.S. technical and economic assistance. The risks posed by the cutoff of assistance clearly outweigh the risks associated with GON's inadequate counter-drug performance over the past year.

Pakistan

In 1999, Pakistan made progress towards eliminating opium production by the year 2000 by reducing poppy cultivation by 48 percent. The poppy crop fell to a record-low of 1570 hectares. Cooperation on drug control with the USG has been excellent and the formation with DEA assistance of a Special Investigative Cell (SIC) within the Anti-Narcotics Force (ANF) was a major achievement. The overall record on drug interdiction was encouraging, with heroin seizures up 57 percent and several arrests of high-profile traffickers. The resolve of the Government of Pakistan (GOP) to prevent the

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reemergence of heroin/morphine laboratories remained firm. Pakistan extradited four drug fugitives to the United States and arrested six others, a significant improvement on previous years. Efforts to extend application of the Control of Narcotic Substances Act (CNSA) and the Anti-Narcotics Force Act (ANFA) to tribal areas in North West Frontier Province (NWFP) are continuing.

Pakistan's cabinet approved the drug control master plan in early 1999, but implementation has been slowed by a lack of funds. The GOP's counter-drug policies and cooperation with the USG were unaffected by the October 1999 coup. Pakistan is a party to the 1988 UN Drug Convention.

Pakistani law enforcement tripled opium seizures from 3.65 to 11.50 metric tons, and increased heroin seizures by 57 percent, from 2.36 to 3.90 metric tons. Pakistan's illicit drug seizures were up significantly compared to the same period in 1998. The ANF is Pakistan's principal drug law enforcement agency. In 1999 the GOP began to examine ways to strengthen the institutional capacity and performance of the ANF. With DEA assistance, the ANF formed a vetted unit, or Special Investigative Cell, thereby improving intelligence collection and investigative capacity, and took steps toward recruiting new personnel. The ANF also arrested two politically powerful traffickers, one a prominent journalist and influential politician, the other a member of the then-ruling party, leading to the break-up of a gang of corrupt officials posted at Islamabad airport. All are awaiting trial.

1999 was a record setting year for ANF seizures of heroin and opium recovered in individual raids (a 213 percent increase in heroin seizures), with ANF Baluchistan making major contributions. Particularly noteworthy were a 760 kilogram heroin seizure in Kharan District of Baluchistan and a seizure in Turbat District of Baluchistan of 2951 kilograms of opium, 2580 kilograms of hashish and 111 kilograms of heroin. Apart from the ANF, the law enforcement agencies most actively engaged in drug seizures include the police, customs and the Frontier Corps.

In a major improvement over previous years, in 1999 the GOP arrested six drug fugitives and extradited four defendants to the United States. There are 15 pending extradition requests. In Baluchistan the ANF and Frontier Corps detected and challenged a number of Afghan convoys, resulting in firefights and seizures of 5.8 metric tons of opium, 1.1 tons of heroin, and seven vehicles. The killing of three traffickers and serious wounding of one ANF soldier may reflect the increased challenges posed by well-armed traffickers.

There were no convictions of major drug traffickers in 1999. Prosecution continued to drag out in the courts. However, the GOP has funded the establishment of five special drug courts to process drug cases more efficiently. Chemical controls are adequate, but there is still diversion of acetic anhydride from licit imports. Pakistan is not a major money laundering country, but, given the level of drug trafficking, smuggling, and official corruption, money laundering almost certainly occurs, mostly by means of unofficial, traditional money transfer facilities, known as "hawala."

The USG believes that Pakistan made an excellent contribution to international drug control efforts. We will support GOP efforts to target major heroin trafficking organizations and increase seizures of large shipments of opiates and precursor chemicals.

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Panama

The Government of Panama (GOP) continues to demonstrate its willingness to combat transnational drug trafficking. The GOP seized significant amounts of illicit drugs in 1999, despite apparent changes in trafficking routes. The new Mireya Moscoso administration has demonstrated its commitment to combat drug trafficking, money laundering, and other transnational crimes. Immediately after taking office, the new administration set up an anti-corruption unit in the Ministry of Economy and Finance. Panama's law enforcement agencies continue to maintain excellent relations with their U.S. counterparts.

Panama is a major transshipment point for illicit drugs smuggled from Colombia. Cocaine is stockpiled in Panama prior to being repackaged for passage to the United States and Europe. Panama's location, largely unpatrolled coastlines, advanced infrastructure, underdeveloped judicial system, and well-developed financial services sector make it a crossroads for transnational crime, such as drug trafficking, money laundering, illicit arms sales and alien smuggling. According to USG statistics, GOP agencies seized 2,576 kilograms of cocaine, 1,558 kilograms of marijuana, 46 kilograms of heroin, and 600 liters of acetic anhydride; they also made 131 arrests for international drug-related offenses in 1999.

The GOP continued to implement its own national counter-drug plan, the "National Drug Strategy 1996–2001." Panama also made significant progress in implementing its comprehensive chemical control program.

The highest U.S. priorities in the coming year will be signing a full six part bilateral counter-drug maritime agreement, expanding anti-money laundering legislation, increasing efforts to control the Black Market Peso Exchange, and improving prosecutions of money launderers and drug traffickers. Other U.S. priorities in Panama include: supporting the GOP's efforts to build a highly-professional, interagency, counter-drug task force; developing the capabilities to control sea lanes, rivers, island and coastal regions, and the Canal area; and limiting cross-border criminal influence. With the seriousness and commitment of the new Moscoso administration, the USG is hopeful that there will be measurable progress in these areas in 2000.

Paraguay

Paraguay is a major drug-transit country for significant amounts of largely Bolivian cocaine and is also a major money-laundering center in Latin America (although it remains unclear what portion of money laundering can be attributed to drug trafficking).

USG experts estimate that between 15 and 30 metric tons of cocaine may transit Paraguay annually en route to Argentina, Brazil, the United States and Europe. Of this estimated amount, only 95 kilos of cocaine were seized in 1999; moreover, only 211 arrests of low-level marijuana and cocaine traffickers were effected, mostly prior to April 1999. Paraguay is a source country for high-quality marijuana. Although none of it enters the United States, the Government of Paraguay (GOP) seized record amounts of marijuana and eradicated 900 of the estimated 2,500 hectares of marijuana fields.

In July 1999, a new penal code was enacted that criminalizes conspiracy. This will allow the prosecution of those who benefit from criminal activity,

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but who are not the material perpetrators of the crime. However, extensive training of prosecutors and judges will be required before this new law can be fully implemented. One major Brazilian trafficker, arrested in 1997, was extradited to Brazil. The legislature approved the bilateral extradition treaty signed in 1998.

However, the GOP failed to accomplish the majority of counter-drug goals for 1999 in a manner sufficient for full certification. Since 1995, legislation has been pending to provide police and prosecutors with modern legal tools, such as use of informants, controlled deliveries, and undercover investigations. The Gonzalez Macchi administration submitted another draft of the legislation to the Paraguayan Congress, but it is the third administration to do so without the legislation being passed. The GOP did not investigate, arrest or prosecute any major drug traffickers, nor did it take sufficient measures to prevent or punish public corruption in general, or specifically with respect to drug trafficking. The GOP did not implement the 1996 money laundering law by arresting or prosecuting violators. Furthermore, the GOP did not provide operational funding or adequate resources for the anti-money laundering secretariat, SEPRELAD, to enable it to function as an independent organization (although in December 1999 a budget was approved for 2000). The GOP also failed to show progress toward development of an effective anti-drug and organized crime investigative and operational capability for the border regions.

Denial of certification would, however, cut off civilian and military assistance programs designed to strengthen Paraguay's democratic institutions and promote modern civil-military relations. Strengthening democracy in Paraguay is a U.S. vital national interest, and failure in this effort would affect negatively all other U.S. interests, including cooperation with respect to illicit drugs, terrorism, intellectual-property piracy, and environmental preservation. The events of 1999—which included defiance by then-President Cubas of the Supreme Court, the assassination of Vice President Argaña, the killing of student demonstrators, the impeachment and resignation of Cubas, drought, rural unrest, and the reported presence of fugitive former general and coup plotter Lino Oviedo—demonstrate the many challenges facing Paraguayan democracy. They also contributed to the GOP's unsatisfactory counter-drug performance. Denial of certification would undermine the U.S. ability to strengthen Paraguay's democratic institutions and would put at risk all other U.S. vital national interests.

The risks posed to the totality of U.S. interests (e.g., promotion of democracy and transnational crime cooperation) by a cutoff of bilateral assistance outweigh at this point the risks posed by the GOP's failure to cooperate fully with the USG, or to take fully adequate steps on its own, to achieve the goals and objectives of the 1988 UN Drug Convention.

In 2000, the GOP needs to translate its oft-stated political will into concrete action against major drug traffickers, money laundering, and official corruption.

People's Republic of China

The People's Republic of China (PRC) continued to take strong, effective steps to combat the use and trafficking of illicit drugs in 1999. Although preliminary figures indicate that seizures of heroin declined significantly from 1998's record level (possibly because of a decline in production in Burma), China's heroin seizures still accounted for the great majority of

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heroin seized in all of Asia. Seizures of methamphetamine and other amphetamine-type stimulants soared, while those of precursor chemicals and opium remained at previous years' levels. China cooperated with the United States and other countries in providing pre-export notification of dual-use precursor chemicals. Government officials estimate that more than ten percent of China's 1.3 billion citizens viewed a nationwide anti-drug exhibition. DEA opened an office in Beijing. China continues to cooperate actively on operational issues with U.S. drug-enforcement officials. Domestically, China began a "Drug Free Communities" program to eliminate drug trafficking and abuse as well as drug-related crime.

During 1999, China cooperated with the UNDCP and regional states on a number of projects to reduce demand for illicit drugs. China also supported effective crop-substitution programs in Burma and Laos.

The United States and the PRC signed a Customs Mutual Assistance Agreement that will enhance communications and accelerate the flow of counter-drug-related intelligence. China is a party to the 1988 UN Drug Convention as well as to the 1961 UN Single Convention and its 1972 Protocol, and the 1971 Convention on Psychotropic Substances.

U.S.-PRC cooperative law enforcement has advanced over the last two years, but China frequently does not respond to USG requests for information, and when it does, the responses often arrive too late to be of operational value. China has also failed to enforce vigorously and to strengthen anti-money-laundering legislation. For a number of reasons, China has also continued its non-engagement in the Asia-Pacific Group on Money Laundering and did not pursue membership in the Financial Crimes Task Force.

Despite those shortcomings, the PRC has acted forcefully to stop the production, trafficking in, and use of illicit drugs within its borders and within the region, and is committed to achieving the goals and objectives of the 1988 UN Drug Convention.

Peru

In 1999, the Government of Peru (GOP) made excellent progress in achieving its goal of eliminating illegal coca cultivation. Despite the rehabilitation of some previously abandoned coca fields, an additional 24 percent of coca cultivation was eliminated in 1999, for an overall reduction of 66 percent over the last four years. Contributing to this reduction was a 1999 manual coca cultivation eradication total of 15,000 hectares. The GOP counter-drug alternative development program, working through 103 local governments, almost 700 communities, and more than 15,000 farmers, significantly strengthened social and economic infrastructure in these areas and helped shift the economic balance in favor of licit activities. In January 2000, the GOP held a conference in Paris to promote alternative development support among major donor countries.

However, there is also increasing evidence that traffickers are processing cocaine hydrochloride within Peru's borders, setting up laboratories near the borders with Brazil, Colombia, and/or Bolivia, so that they can leave the country quickly without risk of interception. There were no interceptions or forcedowns of trafficker aircraft by the Peruvian Air Force (FAP) airbridge denial program in 1999—a tribute to the strong deterrent effect this program has had on the aerial transport of drugs. Recent seizures provide evidence that drug traffickers are using maritime shipment of cocaine

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from Callao and other Peruvian ports, riverine transport, and overland transport to move drugs out of Peru to evade aerial interdiction of trafficking aircraft. Private shipping companies, encouraged by the GOP, monitored sea cargo container activities during 1999, which led to the seizure by the Peruvian National Police of over five tons of cocaine base and cocaine hydrochloride bound for Europe.

Reliable reports and eradication campaigns indicate that Peru has an emerging opium poppy cultivation problem. Cultivation of opium poppy is illegal in Peru; whenever such plantings are identified, the GOP takes prompt action to destroy them. Reliable reports indicate that 55 kilograms of latex gum were seized in 1999, and 34,000 plants were eradicated.

In December, the Peruvian National Police arrested major drug trafficker Segundo Cachique Rivera. The Peruvian National Police chemical control unit conducted over 1,500 regulatory and criminal investigations of suspect businesses in 1999, making 58 arrests and seizing over 112 tons of controlled chemicals and two chemical companies. The GOP also passed new legislation to enhance the control of precursor chemicals.

Peru's significant reduction of coca under cultivation proves that its strategy is working. However, with higher prices being paid for coca, many farmers will be tempted to abandon licit crops. It is essential that manual eradication of illegal coca crops, counter-drug related alternative development, reinvigoration of the airbridge denial program, and land and maritime/riverine interdiction all continue as complementary programs. The GOP should also refine relevant laws, especially as they pertain to money laundering, asset seizure, and chemical controls.

Taiwan

The United States considers Taiwan a major transit point for drugs affecting the United States due to its geographic location, its role as a regional transportation/shipping hub, and the activities of organized crime groups. Taiwan in 1999 continued its aggressive domestic counter-drug program and its effective cooperation with the United States, through the American Institute in Taiwan (AIT). Through October 1999, Taiwan authorities investigated 68,612 new drug cases, an increase of 48.9 percent over the same time period in 1998. The authorities seized more illicit drugs, primarily methamphetamine-type stimulants, in the first ten months of 1999 than all of 1998. Although indictments and convictions for drug-related offenses on Taiwan continued to fall in 1999, the decline reflects the first full year in which a law, allowing first-time addicts to participate in drug treatment programs in lieu of imprisonment, has been in force.

Taiwan cannot be a signatory to the 1988 Drug Convention because it is not a UN member. Taiwan authorities, nonetheless, have passed and implemented laws bringing Taiwan into compliance with the Convention's goals and objectives. Taiwan also continued to expand counter-drug cooperation with U.S. law enforcement agencies, through AIT.

Encouraged by AIT and DEA, Taiwan authorities passed two key drug laws to control both the manufacture and sale of phenylpropanolamine (PPA). The laws allow pre-export notification on shipments of PPA to other countries and establishes a new agency to monitor the production, use, and sale of drugs. Taiwan has continued to strengthen its efforts to stop drug

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trafficking and is addressing domestically and in conjunction with the international community the problem of money laundering.

Through AIT, Taiwan and U.S. law-enforcement agencies cooperated closely on investigations and joint operations concerning drug trafficking and related crimes. Taiwan authorities worked with the United States and other countries on anti-money laundering efforts. Taiwan is an active participant in the Asia-Pacific Group on Money Laundering and the Egmont Group.

Thailand

At the time that the List of Major Drug Producing and Transiting Countries was prepared at the end of last year, information then available indicated that in excess of 1000 metric tons of opium was cultivated in Thailand. However, success with eradication programs during the current crop year seems to have reduced cultivation to well under that figure. Thailand remains a major drug transit country as a significant amount of heroin transits Thailand on its way to the United States. Indeed, Thai authorities recently made a number of large seizures of heroin headed for the United States.

Thailand continued its long tradition of cooperation with the United States and the international community in anti-drug programs. The Royal Thai Government (RTG) added to its leadership role in transnational crime issues by co-managing the International Law Enforcement Academy (ILEA) with the USG in Bangkok. Thailand is one of the top three countries in the world in cooperating with the United States on extradition requests. Additional defendants arrested in 1994's operation "Tiger Trap" were extradited and extensive cooperative law enforcement programs continued to bear fruit.

Thailand has one of the most effective crop substitution and opium eradication operations in the world. 1999 poppy cultivation was down 38 percent from 1998 and opium production was down 62 percent. Eradication destroyed 50 percent of the crop leaving an estimated 6 metric tons remaining. Cultivated acreage has been slashed 91 percent since the onset of the eradication program in 1984. With DEA support, the Royal Thai Police (RTP) established the second in a series of specially-trained drug law enforcement units to target major trafficking groups. Overall, RTG efforts to target trafficking organizations have proceeded well, with numerous cases involving organizations with trafficking links opened in 1999.

More elements of the new Constitution came into force further strengthening rule of law and the judicial system, and providing a firm basis for further modernization and institutionalization of Thai society. Thai civil society is developing rapidly and a press with few restraints and the plethora of NGOs bring increasingly strong public attention to official corruption. A significant number of low and middle-ranked officers in the military and police were disciplined for corruption, although arrests for corruption continued to focus on lower-ranking officers and officials.

The RTG is close to deciding whether to accede to the 1988 UN Drug Convention. Passage of money laundering legislation was the last main requirement. Passage is expected in the March 2000 parliamentary session.

The USG considers Thailand an important ally in combating the production and flow of illicit drugs. Our two countries have been working to-

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gether to fight production and trafficking of narcotics with great success for over three decades, and DEA considers its cooperation with Thailand to be one of its most successful overseas partnerships anywhere in the world.

Venezuela

By some estimates, over 100 metric tons of cocaine transit Venezuela annually en route to destinations in the United States and Europe. Venezuela is also a transit route for precursor chemicals used in the production of illicit drugs in the Andean source countries, and its financial sector is a prime destination for laundering proceeds from Colombian cocaine trafficking organizations.

Venezuelan law enforcement agencies had increased success in drug interdiction in 1999, particularly on land and at major ports. Cocaine seizures rose to 13.1 metric tons from 8.6 metric tons in 1998. This improvement reflects both the increase in drug transshipment through the country in 1999 and the high level of tactical cooperation between Venezuelan and U.S. law enforcement agencies. The Government of Venezuela (GOV) also augmented its efforts to interdict chemical precursors, after establishing in 1998 a set of regulations to track the diversion of chemicals used in drug production. Working closely in conjunction with DEA, Venezuelan law enforcement officials seized over 110 tons of potassium permanganate, a prime chemical used in the production of cocaine, and signed an agreement with the Government of Colombia to exchange information on chemical precursor movements.

Corruption has traditionally hampered the effectiveness of Venezuela's law enforcement and judicial institutions. The GOV took concrete steps against corruption in 1999, initiating investigations of corrupt officials and overseeing the implementation of a new criminal code which has the potential to provide a more efficient, transparent system of justice.

To consolidate these important advances, the GOV should take certain measures to improve its performance, specifically: pass needed anti-organized crime legislation; reenter negotiations with the USG on a comprehensive maritime agreement; take the necessary steps to permit the extradition of Venezuelan nationals accused of drug-related crimes or organized crime activity; and continue to enhance and refine multilateral counter-drug interdiction cooperation.

Vietnam

As a national priority in Vietnam, the fight against illicit drugs is second only to poverty reduction. In 1999 Vietnam fought on two fronts: against the production and use of drugs as well as against cross-border trafficking of drugs. Vietnam, with 2,100 hectares under poppy cultivation and a potential of 11 metric tons of opium production, intensified efforts to eradicate poppy crops. Authorities also successfully eradicated 860 of an estimated total of 1,000 hectares used for cannabis cultivation in 1999.

The Government of Vietnam (GOV) instituted an augmented prevention campaign to reduce domestic drug use and abuse. Also in 1999 Vietnam stiffened law-enforcement campaigns against drug traffickers and toughened prosecution to achieve a record number of arrests and convictions. Authorities prosecuted 3,310 drug-related cases involving 4,952 defendants. Of cases brought to trial, 35 received a death sentence and 21 were sentenced to life imprisonment. A high-profile anti-corruption campaign was

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implemented and included public trials of high-ranking government and party officials involved in illicit drug and other smuggling.

Due, in part, to its location so close to the “Golden Triangle,” Vietnam is a major transit point for opium and heroin. To address this problem, the GOV set up special task force units to combat drug trafficking along the borders, and police, customs and border forces arrested 19,010 drug criminals, an increase in arrests of 31 percent over last year. Drug interdictions increased by 32 percent, with seizures of 51.8 kilograms of heroin, 314 kilograms of opium, and 369 kilograms of cannabis. In its first year of operation (September 1998–September 1999), the marine police force began patrols to detect drug trafficking. Vietnam also tightened oversight and control of precursor chemicals, transferring responsibility for monitoring to the Ministry of Public Security, Ministry of Public Health, and Department of Customs, and set up a Precursor Chemical Control Force in the Ministry of Health.

In 1999 GOV began work on preparing draft counter-drug legislation to modernize organized-crime statutes and techniques, enhance law-enforcement efforts, and strengthen compliance with the 1988 UN Drug Convention, to which Vietnam is a party. Vietnam is negotiating counter-drug agreements with China and several EU countries, has cooperated with Interpol, and has worked closely with U.S. law-enforcement agencies. In April 1999 the Vietnamese Police joined the ASEANOPOL Criminal Information System. UNDCP is assisting Vietnam revise its Master Plan against drugs and craft its new counter-drug legislation. Vietnam supports UNDCP projects targeting demand reduction, crop substitution and suppression of drug trafficking.

The United States and Vietnam have not yet concluded a counter-drug agreement. The GOV has not fully eradicated poppy crops, and farmers reverted to poppy cultivation in some high-poverty rural areas, bringing an additional 645 hectares under cultivation in 1999 and increasing the total to 2,100 hectares devoted to poppy crops. Vietnam’s National Assembly approved penal code revisions that criminalize money laundering for the first time. The provisions will take effect on July 1, 2000. Vietnam is working with the World Bank to develop a money-laundering section in draft banking legislation.

Despite some notable shortcomings, Vietnam has made a vigorous effort to combat drug production and trafficking. There is no question that the GOV at the highest levels fully realizes the threat drugs present to their own people and society and is doing everything possible to counter the availability and use of illicit drugs.

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Presidential Determination No. 2000-17 of March 2, 2000

Drawdown Under Section 506(a)(2) of the Foreign Assistance Act of 1961, as Amended, To Provide Emergency Disaster Assistance in Southern Africa

Memorandum for the Secretary of State [and] the Secretary of Defense

Pursuant to the authority vested in me by section 506(a)(2) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2318(a)(2) (the "Act"), I hereby determine that it is in the national interest of the United States to draw down articles and services from the inventory and resources of the Department of Defense, for the purpose of providing international disaster assistance to Southern Africa, including Mozambique, South Africa, Zimbabwe, and Botswana.

Therefore, I direct the drawdown of up to \$37.6 million of articles and services from the inventory and resources of the Department of Defense for Southern Africa, including Mozambique, South Africa, Zimbabwe, and Botswana for the purposes and under the authorities of chapter 9 of part I of the Act.

The Secretary of State is authorized and directed to report this determination to the Congress immediately and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, March 2, 2000.

Memorandum of March 3, 2000

Delegation of Authority To Transmit Report on Cooperative Projects With Russia

Memorandum for the Secretary of Defense

By authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, I hereby delegate to the Secretary of Defense the duties and responsibilities vested in the President by section 2705(d) of Division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277; 112 Stat. 2681-844). Such duties and responsibilities shall be exercised subject to the concurrence of the Secretary of State.

The reporting requirements delegated by this memorandum to the Secretary of Defense may be redelegated not lower than the Under Secretary level. The Department of Defense shall obtain clearance on the report from the Office of Management and Budget prior to its submission to the Congress.

Any reference in this memorandum to the provisions of any Act shall be deemed to be referenced to such Act or its provisions as may be amended from time to time.

Title 3—The President

You are authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, March 3, 2000.

Notice of March 13, 2000

Continuation of Iran Emergency

On March 15, 1995, by Executive Order 12957, I declared a national emergency with respect to Iran pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Government of Iran, including its support for international terrorism, efforts to undermine the Middle East peace process, and acquisition of weapons of mass destruction and the means to deliver them. On May 6, 1995, I issued Executive Order 12959 imposing more comprehensive sanctions to further respond to this threat, and on August 19, 1997, I issued Executive Order 13059 consolidating and clarifying these previous orders. The last notice of continuation was published in the **Federal Register** on March 12, 1999.

Because the actions and policies of the Government of Iran continue to threaten the national security, foreign policy, and economy of the United States, the national emergency declared on March 15, 1995, must continue in effect beyond March 15, 2000. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Iran. Because the emergency declared by Executive Order 12957 constitutes an emergency separate from that declared on November 14, 1979, by Executive Order 12170, this renewal is distinct from the emergency renewal of November 1999. This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
March 13, 2000.

Presidential Determination No. 2000–18 of March 16, 2000

Sanctions on India

Memorandum for the Secretary of State

Pursuant to the authority vested in me as President of the United States, including under title IX of the Department of Defense Appropriations Act,

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2000 (Public Law 106–79), I hereby waive the sanctions contained in sections 101 and 102 of the Arms Export Control Act, section 620E(e) of the Foreign Assistance Act of 1961, and section 2(b)(4) of the Export-Import Bank Act of 1945:

With respect to India, insofar as such sanctions would otherwise apply to assistance to the South Asia Regional Initiative/Energy; the Presidential Initiative on Internet for Economic Development; the Financial Institution Reform and Expansion program; and the United States Educational Foundation in India Environmental Exchange.

You are hereby authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, March 16, 2000.

Memorandum of April 19, 2000

Report to the Congress Regarding Conditions in Burma and U.S. Policy Toward Burma

Memorandum for the Secretary of State

Pursuant to the requirements set forth under the heading “Policy Toward Burma” in section 570(d) of the FY 1997 Foreign Operations Appropriations Act, as contained in the Omnibus Consolidated Appropriations Act (Public Law 104–208), a report is required every 6 months following enactment concerning:

- 1) progress toward democratization in Burma;
- 2) progress on improving the quality of life of the Burmese people, including progress on market reforms, living standards, labor standards, use of forced labor in the tourism industry, and environmental quality; and
- 3) progress made in developing a comprehensive, multilateral strategy to bring democracy to and improve human rights practices and the quality of life in Burma, including the development of a dialogue between the State Peace and Development Council (SPDC) and democratic opposition groups in Burma.

You are hereby authorized and directed to transmit the report fulfilling these requirements to the appropriate committees of the Congress and to arrange for publication of this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, April 19, 2000.

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Presidential Determination No. 2000–19 of April 21, 2000

Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization

Memorandum for the Secretary of State

Pursuant to the authority vested in me under section 538(d) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000, as contained in the Consolidated Appropriations Act for Fiscal Year 2000 (Public Law 106–113), I hereby determine and certify that it is important to the national security interests of the United States to waive the provisions of section 1003 of the Anti-Terrorism Act of 1987, Public Law 100–204.

This waiver shall be effective for a period of 6 months from the date of this memorandum. You are hereby authorized and directed to transmit this determination to the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, April 21, 2000.

Notice of May 18, 2000

Continuation of Emergency With Respect to Burma

On May 20, 1997, I issued Executive Order 13047, effective at 12:01 a.m. eastern daylight time on May 21, 1997, certifying to the Congress under section 570(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (Public Law 104–208), that the Government of Burma has committed large-scale repression of the democratic opposition in Burma after September 30, 1996, thereby invoking the prohibition on new investment in Burma by United States persons, contained in that section. I also declared a national emergency to deal with the threat posed to the national security and foreign policy of the United States by the actions and policies of the Government of Burma, invoking the authority, *inter alia*, of the International Emergency Economic Powers Act (50 U.S.C. 1701–1706).

The National Emergency declared on May 20, 1997, must continue beyond May 20, 2000, because the Government of Burma continues its policies of committing large-scale repression of the democratic opposition in Burma. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Burma. This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
May 18, 2000.

Other Presidential Documents

Notice of May 25, 2000

Continuation of Emergency With Respect to the Federal Republic of Yugoslavia (Serbia and Montenegro), the Bosnian Serbs, and Kosovo

In accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared on May 30, 1992, with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro), as expanded on October 25, 1994, in response to the actions and policies of the Bosnian Serbs. In addition, I am continuing for 1 year the national emergency declared on June 9, 1998, with respect to the Federal Republic of Yugoslavia's policies and actions in Kosovo. This notice shall be published in the **Federal Register** and transmitted to the Congress.

On May 30, 1992, by Executive Order 12808, President Bush declared a national emergency to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Governments of Serbia and Montenegro, blocking all property and interests in property of those Governments. President Bush took additional measures to prohibit trade and other transactions with the Federal Republic of Yugoslavia (Serbia and Montenegro) by Executive Orders 12810 and 12831, issued on June 5, 1992, and January 15, 1993, respectively, and on April 25, 1993, I issued Executive Order 12846 imposing additional measures.

On October 25, 1994, I expanded the scope of the national emergency by issuing Executive Order 12934 to address the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the actions and policies of the Bosnian Serb forces and the authorities in the territory that they controlled within Bosnia and Herzegovina.

On December 27, 1995, I issued Presidential Determination 96-7, directing the Secretary of the Treasury, *inter alia*, to suspend the application of sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to the above-referenced Executive orders and to continue to block property previously blocked until provision is made to address claims or encumbrances, including the claims of the other successor states of the former Yugoslavia. This sanctions relief, in conformity with United Nations Security Council Resolution 1022 of November 22, 1995 (hereinafter the "Resolution"), was an essential factor motivating Serbia and Montenegro's acceptance of the General Framework Agreement for Peace in Bosnia and Herzegovina initialed by the parties in Dayton on November 21, 1995, and signed in Paris on December 14, 1995 (hereinafter the "Peace Agreement"). The sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) were accordingly suspended prospectively, effective January 16, 1996. Sanctions imposed on the Bosnian Serb forces and authorities and on the territory that they control within Bosnia and Herzegovina were subsequently suspended prospectively, effective May 10, 1996, also in conformity with the Peace Agreement and the Resolution. Sanctions against both the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs were subsequently terminated by

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United Nations Security Council Resolution 1074 of October 1, 1996. This termination, however, did not end the requirement of the Resolution that those blocked funds and assets that are subject to claims and encumbrances remain blocked, until unblocked in accordance with applicable law.

Until the status of all remaining blocked property is resolved, the Peace Agreement implemented, and the terms of the Resolution met, the national emergency declared on May 30, 1992, as expanded in scope on October 25, 1994, must continue beyond May 30, 2000.

On June 9, 1998, by Executive Order 13088, I found that the actions and policies of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Serbia with respect to Kosovo, by promoting ethnic conflict and human suffering, threatened to destabilize countries in the region and to disrupt progress in Bosnia and Herzegovina in implementing the Dayton peace agreement, constituted an unusual and extraordinary threat to the national security and foreign policy of the United States. I therefore declared a national emergency to deal with that threat. On April 30, 1999, I issued Executive Order 13121 to take additional steps with respect to the continuing human rights and humanitarian crisis in Kosovo and the national emergency declared with respect to Kosovo. Because the crisis with respect to the situation in Kosovo has not been resolved, I have determined that it is necessary to maintain in force these emergency authorities beyond June 9, 2000.

WILLIAM J. CLINTON

THE WHITE HOUSE,
May 25, 2000

Presidential Determination No. 2000–20 of May 31, 2000

Presidential Determination on Assistance for Peacekeeping in Sierra Leone

Memorandum for the Secretary of State

Pursuant to the authority vested in me as President, including under section 10(d)(1) of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287 *et seq.*) (the “Act”), I hereby determine that the furnishing, without regard to section 10(a) of the Act, of assistance covered by section 10 of the Act that is provided in support of peacekeeping efforts in Sierra Leone is important to the security interests of the United States.

You are authorized and directed to report this determination to the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, May 31, 2000.

Other Presidential Documents

Presidential Determination No. 2000–21 of June 2, 2000

Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended: Continuation of Waiver Authority for Vietnam

Memorandum for the Secretary of State

Pursuant to subsection 402(d)(1) of the Trade Act of 1974, as amended (the “Act”), 19 U.S.C. 2432(d)(1), I determine that the further extension of the waiver authority granted by subsection 402(c) of the Act will substantially promote the objectives of section 402 of the Act. I further determine that the continuation of the waiver applicable to Vietnam will substantially promote the objectives of section 402 of the Act.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, June 2, 2000.

Presidential Determination No. 2000–22 of June 2, 2000

Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended: Continuation of Waiver Authority for Belarus

Memorandum for the Secretary of State

Pursuant to the authority vested in me under the Trade Act of 1974, as amended, Public Law 93–618, 88 Stat. 1978 (the “Act”), I have determined, pursuant to subsection 402(d)(1) of the Act, 19 U.S.C. 2432(d)(1), that the further extension of the waiver authority granted by subsection 402(c) of the Act will substantially promote the objectives of section 402 of the Act. I further determine that continuation of the waiver applicable to the Republic of Belarus will substantially promote the objectives of section 402 of the Act.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, June 2, 2000.

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Presidential Determination No. 2000–23 of June 2, 2000

Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended: Continuation of Waiver Authority for the People’s Republic of China

Memorandum for the Secretary of State

Pursuant to the authority vested in me under the Trade Act of 1974, as amended, Public Law 93–618, 88 Stat. 1978 (the “Act”), I have determined, pursuant to section 402(d)(1) of the Act, 19 U.S.C. 2432(d)(1), that the further extension of the waiver authority granted by section 402(c) of the Act will substantially promote the objectives of section 402 of the Act. I further determine that continuation of the waiver applicable to the People’s Republic of China will substantially promote the objectives of section 402 of the Act.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,

Washington, June 2, 2000.

Presidential Determination No. 2000–24 of June 16, 2000

Suspension of Limitations Under the Jerusalem Embassy Act

Memorandum for the Secretary of State

Pursuant to the authority vested in me as President by the Constitution and the laws of the United States, including section 7(a) of the Jerusalem Embassy Act of 1995 (Public Law 104–45) (the “Act”), I hereby determine that it is necessary to protect the national security interests of the United States to suspend for a period of 6 months the limitations set forth in sections 3(b) and 7(b) of the Act.

You are hereby authorized and directed to transmit this determination to the Congress, accompanied by a report in accordance with section 7(a) of the Act, and to publish the determination in the **Federal Register**.

This suspension shall take effect after transmission of this determination and report to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,

Washington, June 16, 2000.

Other Presidential Documents

Presidential Determination No. 2000–25 of June 29, 2000

U.S. Contribution to the Korean Peninsula Energy Development Organization (KEDO): Certification and Waiver

Memorandum for the Secretary of State

Pursuant to section 576(c) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000, as enacted in Public Law 106–113, (the “Act”), I hereby certify that:

- (1) the effort to can and safely store all spent fuel from North Korea’s graphite-moderated nuclear reactors has been successfully concluded;
- (2) North Korea is complying with its obligations under the agreement regarding access to suspect underground construction; and
- (3) the United States has made and is continuing to make significant progress on eliminating the North Korean ballistic missile threat, including further missile tests and its ballistic missile exports.

Pursuant to the authority vested in me by section 576(d) of the Act, I hereby determine that it is vital to the national security interests of the United States to furnish up to \$20 million in funds made available under the heading “Nonproliferation, Anti-terrorism, Demining and Related Programs” of that Act, for assistance for KEDO and therefore I hereby waive the requirement in section 576(c)(3) to certify that: North Korea has terminated its nuclear weapons program, including all efforts to acquire, develop, test, produce, or deploy such weapons.

You are hereby authorized and directed to report this certification and waiver to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, June 29, 2000.

Notice of June 30, 2000

Continuation of Emergency With Respect to the Taliban

On July 4, 1999, I issued Executive Order 13129, “Blocking Property and Prohibiting Transactions with the Taliban,” to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the actions and policies of the Taliban in Afghanistan. The order blocks all property and interests in property of the Taliban and prohibits trade-related transactions by United States persons involving the territory of Afghanistan controlled by the Taliban.

The Taliban continues to allow territory under its control in Afghanistan to be used as a safe haven and base of operations for Usama bin Laden and the Al-Qaida organization who have committed and threaten to continue to commit acts of violence against the United States and its nationals. For these reasons, I have determined that it is necessary to maintain in force

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these emergency authorities beyond July 5, 2000. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency declared on July 4, 1999, with respect to the Taliban. This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
June 30, 2000.

Memorandum of July 5, 2000

Delegation of Responsibilities Under Section 1232 of the Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (Public Law 106–113)

Memorandum for the Secretary of State [and] the Secretary of Defense

By the authority vested in me by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to the Secretary of Defense the duties and responsibilities vested in the President by section 1232 of the Foreign Relations Authorization Act for Fiscal Years 2000 and 2001 (the “Act”) (Public Law 106–113), to transfer from War Reserve Allies Stockpiles in Korea and Thailand to the Republic of Korea and the Kingdom of Thailand, respectively, in return for concessions to be negotiated by the Secretary of Defense, with the concurrence of the Secretary of State, any or all of the items described in paragraph (a)(2) of section 1232 of the Act, subject to the conditions, requirements, and limitations set forth in section 1232 of the Act.

Any reference in this memorandum to the provisions of any Act shall be deemed to be a reference to such Act or its provisions as may be amended from time to time.

The authority delegated to the Secretary of Defense may be redelegated in writing within the Department of Defense.

The Secretary of Defense is authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, July 5, 2000.

Other Presidential Documents

Presidential Determination No. 2000–26 of July 7, 2000

**Determination on the Proposed Agreement for Cooperation
Between the United States of America and the Republic of
Turkey Concerning Peaceful Uses of Nuclear Energy**

Memorandum for the Secretary of State [and] the Secretary of Energy

I have considered the proposed Agreement for Cooperation Between the United States of America and the Republic of Turkey Concerning Peaceful Uses of Nuclear Energy, along with the views, recommendations, and statements of the interested agencies.

I have determined that the performance of the Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security. Pursuant to section 123 b. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b)), I hereby approve the proposed Agreement and authorize you to arrange for its execution.

The Secretary of State is authorized to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, July 7, 2000.

Memorandum of July 17, 2000

**Delegation of Authority for Submission of Report Under
Section 606 of the Foreign Relations Authorization Act
for Fiscal Years 2000 and 2001**

Memorandum for the Secretary of Defense

By the authority vested in me by the Constitution and laws of the United States of America, I hereby delegate to the Secretary of Defense the responsibility of the President, under section 606 of the Foreign Relations Authorization Act for Fiscal Years 2000 and 2001 (Public Law 106–113), to submit the required report to the Congress.

You are hereby authorized and directed to publish this delegation in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, July 17, 2000.

Title 3—The President

Presidential Determination No. 2000–27 of July 21, 2000

Determination To Authorize the Furnishing of Emergency Military Assistance to the United Nations Mission in Sierra Leone (UNAMSIL), Countries Participating in UNAMSIL, and Other Countries Involved in Peacekeeping Efforts or Affiliated Coalition Operations With Respect to Sierra Leone

Memorandum for the Secretary of State [and] the Secretary of Defense

Pursuant to the authority vested in me by section 506(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2318(a)(1)(A) (the “Act”), I hereby determine that:

- (1) an unforeseen emergency exists that requires immediate military assistance to UNAMSIL, countries currently or in the future participating in UNAMSIL, and other countries involved in peacekeeping efforts or affiliated coalition operations with respect to Sierra Leone, including the Government of Sierra Leone, and
- (2) the emergency requirement cannot be met under the authority of the Arms Export Control Act or any other law except section 506(a)(1) of the Act.

I therefore direct the drawdown of defense articles from the stocks of the Department of Defense, defense services from the Department of Defense, and military education and training of an aggregate value not to exceed \$18 million to UNAMSIL and such countries to support peacekeeping efforts with respect to Sierra Leone.

The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, July 21, 2000.

Notice of July 28, 2000

Continuation of Iraqi Emergency

On August 2, 1990, by Executive Order 12722, President Bush declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of the Government of Iraq. By Executive Orders 12722 of August 2, 1990, and 12724 of August 9, 1990, the President imposed trade sanctions on Iraq and blocked Iraqi government assets. Because the Government of Iraq has continued its activities hostile to United States interests in the Middle East, the national emergency declared on August 2, 1990, and the measures adopted on August 2 and August 9, 1990, to deal with that emergency must continue in effect beyond August 2, 2000. Therefore, in accordance with section 202(d) of the National Emergencies Act (50

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U.S.C. 1622(d)), I am continuing the national emergency with respect to Iraq.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
July 28, 2000.

Notice of August 3, 2000

Continuation of Emergency Regarding Export Control Regulations

On August 19, 1994, consistent with the authority provided me under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), I issued Executive Order 12924. In that order, I declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States in light of the expiration of the Export Administration Act of 1979, as amended (50 U.S.C. App. 2401 *et seq.*). Because the Export Administration Act has not been renewed by the Congress, the national emergency declared on August 19, 1994, must continue in effect beyond August 19, 2000. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency declared in Executive Order 12924.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
August 3, 2000.

Memorandum of August 21, 2000

Delegation of Responsibility Under the Open-Market Reorganization for the Betterment of International Telecommunications (ORBIT) Act

Memorandum for the Secretary of State

By the authority vested in me by the Constitution and the laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate to you the functions vested in me by section 646 of the ORBIT Act (Public Law 106-180), relating to submission of annual reports to the appropriate congressional committees regarding the privatization of intergovernmental satellite organizations. The authority delegated by the memorandum may be further redelegated within the Department of State.

Title 3—The President

You are authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, August 21, 2000.

Presidential Determination No. 2000–28 of August 22, 2000

Presidential Determination on Waiver of Certification Under Section 3201 “Conditions on Assistance for Colombia,” in Title III, Chapter 2 of the Emergency Supplemental Act, FY 2000, as Enacted in Public Law 106–246

Memorandum for the Secretary of State

Pursuant to the authority vested in me by section 3201(a)(4) of the FY 2000 Emergency Supplemental Act (the “Act”), I hereby determine that it is in the national security interest of the United States to furnish assistance made available under the Act to the Government of Colombia without regard to the following provisions of section 3201 of that Act:

(a)(1)(A)(ii) the Commander General of the Colombian Armed Forces is promptly suspending from duty any Colombian Armed Forces personnel who are credibly alleged to have committed gross violations of human rights or to have aided or abetted paramilitary groups;

(a)(1)(A)(iii) the Colombian Armed Forces and its Commander General are fully complying with section 3201 (a)(1)(A)(i) and (ii) of the Act;

(a)(1)(B) the Colombian Armed Forces are cooperating fully with civilian authorities in investigating, prosecuting, and punishing in the civilian courts Colombian Armed Forces personnel who are credibly alleged to have committed gross violations of human rights;

(a)(1)(C) the Government of Colombia is vigorously prosecuting in the civilian courts the leaders and members of paramilitary groups and Colombian Armed Forces personnel who are aiding or abetting these groups;

(a)(1)(D) the Government of Colombia has agreed to and is implementing a strategy to eliminate Colombia’s total coca and opium poppy production by 2005 through a mix of alternative development programs; manual eradication; aerial spraying of chemical herbicides; tested, environmentally safe mycoherbicides; and the destruction of illicit narcotics laboratories on Colombian territory; and

(a)(1)(E) the Colombian Armed Forces are developing and deploying in their field units a Judge Advocate General Corps to investigate Colombian Armed Forces personnel for misconduct.

I have attached a Memorandum of Justification for the decision to waive the foregoing certifications.

Other Presidential Documents

You are hereby authorized and directed to report this waiver to the appropriate Committees of the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, August 22, 2000.

Memorandum of September 11, 2000

Delegation of Authority Under the Iran Nonproliferation Act of 2000 (Public Law 106–178)

Memorandum for the Secretary of State [and] the Administrator of the National Aeronautics and Space Administration

By the authority vested in me by the Constitution and the laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate to the Secretary of State the functions and authorities conferred on the President under the Iran Nonproliferation Act of 2000 (Public Law 106–178), with the exception of subsections (f) and (g) of section 6, from which I delegate to the Secretary of State only sections 6(f)(2)(A) and 6(g)(1)(B). The remaining functions and authorities under subsections (f) and (g) of section 6 not delegated to the Secretary of State I hereby delegate to the Administrator of the National Aeronautics and Space Administration.

The authorities and functions delegated in this memorandum may be re-delegated.

Any reference in this memorandum to any act shall be deemed to be a reference to such act as amended from time to time. The Secretary of State is authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, September 11, 2000.

Presidential Determination No. 2000–29 of September 12, 2000

Continuation of the Exercise of Certain Authorities Under the Trading With the Enemy Act

Memorandum for the Secretary of State [and] the Secretary of the Treasury

Under section 101(b) of Public Law 95–223 (91 Stat. 1625; 50 U.S.C. App. 5(b) note), and a previous determination made by me on September 10,

Title 3—The President

1999 (64 *Fed. Reg.* 51885), the exercise of certain authorities under the Trading With the Enemy Act is scheduled to terminate on September 14, 2000.

I hereby determine that the continuation for 1 year of the exercise of those authorities with respect to the applicable countries is in the national interest of the United States.

Therefore, pursuant to the authority vested in me by section 101(b) of Public Law 95–223, I continue for 1 year, until September 14, 2001, the exercise of those authorities with respect to countries affected by:

- (1) the Foreign Assets Control Regulations, 31 CFR part 500;
- (2) the Transaction Control Regulations, 31 CFR part 505; and
- (3) the Cuban Assets Control Regulations, 31 CFR part 515.

The Secretary of the Treasury is authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, September 12, 2000.

Presidential Determination No. 2000–30 of September 19, 2000

Classified Information Concerning the Air Force's Operating Location Near Groom Lake, Nevada

Memorandum for the Administrator of the Environmental Protection Agency [and] the Secretary of the Air Force

I find that it is in the paramount interest of the United States to exempt the United States Air Force's operating location near Groom Lake, Nevada, (the subject of litigation in *Kasza v. Browner* (D. Nev. CV–S–94–795–PMP) and *Frost v. Perry* (D. Nev. CV–S–94–714–PMP)), from any applicable requirement for the disclosure to unauthorized persons of classified information concerning that operating location. Therefore, pursuant to 42 U.S.C. 6961(a), I hereby exempt the Air Force's operating location near Groom Lake, Nevada, from any Federal, State, interstate, or local provision respecting control and abatement of solid waste or hazardous waste disposal that would require the disclosure of classified information concerning that operating location to any unauthorized person. This exemption shall be effective for the full one-year statutory period.

Nothing herein is intended to: (a) imply that in the absence of such a Presidential exemption, the Resource Conservation and Recovery Act (RCRA) or any other provision of law permits or requires disclosure of classified information to unauthorized persons; or (b) limit the applicability or enforcement of any requirement of law applicable to the Air Force's operating location near Groom Lake, Nevada, except those provisions, if any, that would require the disclosure of classified information.

Other Presidential Documents

The Secretary of the Air Force is authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, September 19, 2000.

Notice of September 22, 2000

Continuation of Emergency With Respect to UNITA

On September 26, 1993, by Executive Order 12865, I declared a national emergency to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the actions and policies of the National Union for the Total Independence of Angola (UNITA), prohibiting the sale or supply by United States persons or from the United States, or using U.S. registered vessels or aircraft, of arms, related materiel of all types, petroleum, and petroleum products to the territory of Angola, other than through designated points of entry. The order also prohibits the sale or supply of such commodities to UNITA. On December 12, 1997, in order to take additional steps with respect to the national emergency declared in Executive Order 12865, I issued Executive Order 13069, closing all UNITA offices in the United States and imposing additional sanctions with regard to the sale or supply of aircraft or aircraft parts, the granting of take-off, landing and overflight permission, and the provision of certain aircraft-related services. On August 18, 1998, in order to take further steps with respect to the national emergency declared in Executive Order 12865, I issued Executive Order 13098, blocking all property and interests in property of UNITA and designated UNITA officials and adult members of their immediate families, prohibiting the importation of certain diamonds exported from Angola, and imposing additional sanctions with regard to the sale or supply of equipment used in mining, motorized vehicles, watercraft, spare parts for motorized vehicles or watercraft, mining services, and ground or waterborne transportation services.

Because of our continuing international obligations and because of the prejudicial effect that discontinuation of the sanctions would have on prospects for peace in Angola, the national emergency declared on September 26, 1993, and the measures adopted pursuant thereto to deal with that emergency, must continue in effect beyond September 26, 2000. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to UNITA.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
September 22, 2000.

Title 3—The President

Presidential Determination No. 2000–31 of September 28, 2000

Transfer of Economic Support Funds, Peacekeeping Operations Funds, and Foreign Military Financing Funds to the International Organizations and Programs Account and Use of Funds to Provide a U.S. Contribution of \$29,407,000 to the Korean Peninsula Energy Development Organization (KEDO)

Memorandum for the Secretary of State

Pursuant to the authority vested in me by section 610(a) of the Foreign Assistance Act of 1961, as amended (the “Act”), I hereby determine that it is necessary for the purposes of the Act that:

- \$2.466 million in funds made available pursuant to chapter 6 of part II of the Act for fiscal year 2000;
- \$2 million in funds made available pursuant to chapter 4 of part II of the Act for prior fiscal years; and
- \$1.534 million in funds made available pursuant to section 23 of the Arms Export Control Act, as amended, for fiscal year 2000,

be transferred to, and consolidated with, funds made available for chapter 3 of part I of the Act.

In addition, pursuant to the authority vested in me by section 614(a)(1) of the Act, I hereby determine that it is important to the security interests of the United States to furnish up to:

- \$20,307,000 in funds made available under the title II (Non-proliferation, Anti-Terrorism, Demining, and Related Programs) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000, as enacted in Public Law 106–113; and
- \$9.1 million in funds made available pursuant to chapter 3 of part I of the Act for fiscal year 2000, comprised of \$6 million in funds transferred pursuant to this determination and \$3.1 million in funds otherwise available pursuant to chapter 3 of part I of the Act,

for assistance to KEDO without regard to any provision of law within the scope of section 614(a)(1) of the Act. I hereby authorize the furnishing of this assistance.

You are hereby authorized and directed to transmit this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, September 28, 2000.

Other Presidential Documents

Presidential Determination No. 2000-32 of September 29, 2000

Presidential Determination on FY 2001 Refugee Admissions Numbers and Authorizations of In-Country Refugee Status Pursuant to Sections 207 and 101(a)(42), Respectively, of the Immigration and Nationality Act, and Determination Pursuant to Section 2(b)(2) of the Migration and Refugee Assistance Act, as Amended

Memorandum for the Secretary of State

In accordance with section 207 of the Immigration and Nationality Act (the "Act") (8 U.S.C. 1157), as amended, and after appropriate consultation with the Congress, I hereby make the following determinations and authorize the following actions:

The admission of up to 80,000 refugees to the United States during FY 2001 is justified by humanitarian concerns or is otherwise in the national interest; provided, however, that this number shall be understood as including persons admitted to the United States during FY 2001 with Federal refugee resettlement assistance under the Amerasian immigrant admissions program, as provided below.

The 80,000 admissions numbers shall be allocated among refugees of special humanitarian concern to the United States in accordance with the following regional allocations; provided, however, that the number allocated to the East Asia region shall include persons admitted to the United States during FY 2001 with Federal refugee resettlement assistance under section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988, as contained in section 101(e) of Public Law 100-202 (Amerasian immigrants and their family members); provided further that the number allocated to the former Soviet Union shall include persons admitted who were nationals of the former Soviet Union, or in the case of persons having no nationality, who were habitual residents of the former Soviet Union, prior to September 2, 1991:

Africa	20,000
East Asia	6,000
Eastern Europe	20,000
Former Soviet Union	17,000
Latin America/Caribbean	3,000
Near East/South Asia	10,000
Unallocated	4,000

The 4,000 unallocated numbers shall be allocated as needed to regional ceilings where shortfalls develop. Unused admissions numbers allocated to a particular region may be transferred to one or more other regions if there is an overriding need for greater numbers for the region or regions to which the numbers are being transferred. You are hereby authorized and directed to consult with the Judiciary Committees of the Congress prior to any such use of the unallocated numbers or reallocation of numbers from one region to another.

Title 3—The President

Pursuant to section 2(b)(2) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(b)(2), I hereby determine that assistance to or on behalf of persons applying for admission to the United States as part of the overseas refugee admissions program will contribute to the foreign policy interests of the United States and designate such persons for this purpose.

An additional 10,000 refugee admissions numbers shall be made available during FY 2001 for the adjustment to permanent resident status under section 209(b) of the Immigration and Nationality Act (8 U.S.C. 1159(b)) of aliens who have been granted asylum in the United States under section 208 of the Act (8 U.S.C. 1158), as this is justified by humanitarian concerns or is otherwise in the national interest.

In accordance with section 101(a)(42) of the Act (8 U.S.C. 1101(a)(42)) and after appropriate consultation with the Congress, I also specify that, for FY 2001, the following persons may, if otherwise qualified, be considered refugees for the purpose of admission to the United States within their countries of nationality or habitual residence:

- a. Persons in Vietnam
- b. Persons in Cuba
- c. Persons in the former Soviet Union

You are authorized and directed to report this determination to the Congress immediately and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, September 29, 2000.

Presidential Determination No. 2000–33 of September 29, 2000

Military Drawdown for Tunisia

Memorandum for the Secretary of State [and] the Secretary of Defense

Pursuant to the authority vested in me by the Constitution and laws of the United States, including Title III (Foreign Military Financing) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000, as enacted in Public Law 106–113 (Title III), I hereby direct the drawdown of defense articles from the stocks of the Department of Defense, and military education and training of the aggregate value of \$4 million for Tunisia, consistent with the authority provided under Title III, for the purposes of part II of the Foreign Assistance Act of 1961.

The Secretary of State is authorized and directed to report this determination to the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, September 29, 2000.

Other Presidential Documents

Notice of October 19, 2000

Continuation of Emergency With Respect to Significant Narcotics Traffickers Centered in Colombia

On October 21, 1995, by Executive Order 12978, I declared a national emergency to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions of significant narcotics traffickers centered in Colombia, and the unparalleled violence, corruption, and harm they cause in the United States and abroad. The order blocks all property and interests in property of foreign persons listed in an Annex to the order, as well as persons determined to play a significant role in international narcotics trafficking centered in Colombia, to materially assist in, or provide financial or technological support for or goods or services in support of, narcotics trafficking activities of persons designated in or pursuant to the order, or to be owned or controlled by, or to act for or on behalf of, persons designated in or pursuant to the order. The order also prohibits any transaction or dealing by United States persons or within the United States in such property or interests in property. Because the activities of significant narcotics traffickers centered in Colombia continue to threaten the national security, foreign policy, and economy of the United States and to cause unparalleled violence, corruption, and harm in the United States and abroad, the national emergency declared on October 21, 1995, and the measures adopted pursuant thereto to deal with that emergency, must continue in effect beyond October 21, 2000. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency for 1 year with respect to significant narcotics traffickers centered in Colombia. This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
October 19, 2000.

Presidential Determination No. 2001-03 of October 28, 2000

Determination to Waive Attachment Provisions Relating to Blocked Property of Terrorist-List States

Memorandum for the Secretary of State [and] the Secretary of the Treasury

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 2002(f) of H.R. 3244, "Victims of Trafficking and Violence Protection Act of 2000," (approved October 28, 2000), I hereby determine that subsection (f)(1) of section 1610 of title 28, United States Code, which provides that any property with respect to which financial transactions are prohibited or regulated pursuant to section 5(b) of the Trading with the Enemy Act (50 U.S. App. 5(b), section 620(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a)), sections 202 and 203 of the International Emergency Economic Powers Act (50

Title 3—The President

U.S.C. 1701—1702), and proclamations, orders, regulations, and licenses issued pursuant thereto, be subject to execution or attachment in aid of execution of any judgment relating to a claim for which a foreign state claiming such property is not immune from the jurisdiction of courts of the United States or of the States under section 1605(a)(7) of title 28, United States Code, would impede the ability of the President to conduct foreign policy in the interest of national security and would, in particular, impede the effectiveness of such prohibitions and regulations upon financial transactions. Therefore, pursuant to section 2002(f) of H.R. 3244, the “Victim’s of Trafficking and Violence Protection Act of 2000,” I hereby waive subsection (f)(1) of section 1610 of title 28, United States Code, in the interest of national security. This waiver, together with the amendment of subsection (f)(2) of the Foreign Sovereign Immunities Act and the repeal of the subsection (b) of section 117 of the Treasury and General Government Appropriations Act, 1999, supersedes my prior waiver of the requirements of subsections (a) and (b) of said section 117, executed on October 21, 1998.

The Secretary of State is authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, October 28, 2000.

Memorandum of October 31, 2000

Report to the Congress Regarding Conditions in Burma and U.S. Policy Toward Burma

Memorandum for the Secretary of State

Pursuant to the requirements set forth under the heading “Policy Toward Burma” in section 570(d) of the Fiscal Year 1997 Foreign Operations Appropriations Act, as contained in the Omnibus Consolidated Appropriations Act (Public Law 104–208), a report is required every 6 months following enactment concerning:

- 1) progress toward democratization in Burma;
- 2) progress on improving the quality of life of the Burmese people, including progress on market reforms, living standards, labor standards, use of forced labor in the tourism industry, and environmental quality; and
- 3) progress made in developing a comprehensive, multilateral strategy to bring democracy to and improve human rights practices and the quality of life in Burma, including the development of a dialogue between the State Peace and Development Council (SPDC) and democratic opposition groups in Burma.

You are hereby authorized and directed to transmit the report fulfilling these requirements for the period March 27, 2000, through September 28,

Other Presidential Documents

2000, to the appropriate committees of the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, October 31, 2000.

Notice of October 31, 2000

Continuation of Sudan Emergency

On November 3, 1997, by Executive Order 13067, I declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of the Government of Sudan. By Executive Order 13067, I imposed trade sanctions on Sudan and blocked Sudanese government assets. Because the Government of Sudan has continued its activities hostile to United States interests, the national emergency declared on November 3, 1997, and the measures adopted on that date to deal with that emergency must continue in effect beyond November 3, 2000. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency for 1 year with respect to Sudan.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
October 31, 2000.

Notice of November 9, 2000

Continuation of Iran Emergency

On November 14, 1979, by Executive Order 12170, the President declared a national emergency to deal with the threat to the national security, foreign policy, and economy of the United States constituted by the situation in Iran. Since that time, notices of the continuation of this national emergency have been transmitted annually by the President to the Congress and published in the **Federal Register**. The most recent notice appeared in the **Federal Register** on November 5, 1999. Because our relations with Iran have not yet returned to normal, and the process of implementing the January 19, 1981, agreements with Iran is still underway, the national emergency declared on November 14, 1979, must continue in effect beyond November 14, 2000. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national

Title 3—The President

emergency with respect to Iran for 1 year. This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
November 9, 2000.

Notice of November 9, 2000

Continuation of Emergency Regarding Weapons of Mass Destruction

On November 14, 1994, by Executive Order 12938, I declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons (weapons of mass destruction) and the means of delivering such weapons. Because the proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency first declared on November 14, 1994, and extended on November 14, 1995, November 12, 1996, November 13, 1997, November 12, 1998, and November 10, 1999, must continue in effect beyond November 14, 2000. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency declared in Executive Order 12938.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
November 9, 2000.

Presidential Determination No. 2001-04 of December 11, 2000

Determination to Authorize the Furnishing of Emergency Military Assistance to the United Nations Mission in Sierra Leone (UNAMSIL), Countries Participating in UNAMSIL, and Other Countries Involved in Peacekeeping Efforts or Affiliated Coalition Operations With Respect to Sierra Leone

Memorandum for the Secretary of State [and] the Secretary of Defense

Pursuant to the authority vested in me by section 506(a) (1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2318 (a) (1) (A) (the "Act"), I hereby determine that:

(1) an unforeseen emergency exists that requires immediate military assistance to UNAMSIL, countries currently or in the future participating in

Other Presidential Documents

UNAMSIL, and other countries involved in peacekeeping efforts or affiliated coalition operations with respect to Sierra Leone, including the Government of Sierra Leone, and

(2) the emergency requirement cannot be met under the authority of the Arms Export Control Act or any other law except section 506(a) (1) of the Act.

I therefore direct the drawdown of defense articles from the stocks of the Department of Defense, defense services from the Department of Defense, and military education and training of an aggregate value not to exceed \$36 million to UNAMSIL and such countries to support peacekeeping efforts with respect to Sierra Leone.

The Secretary of State is authorized and directed to report this Determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, December 11, 2000

Presidential Determination No. 2001-05 of December 15, 2000

Presidential Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended

Memorandum for the Secretary of State

Pursuant to section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c)(1), I hereby determine that it is important to the national interest that up to \$33 million be made available from the U.S. Emergency Refugee and Migration Assistance Fund to meet the unexpected urgent refugee and migration needs, including those of refugees, displaced persons, conflict victims, and other persons at risk, due to crises in Guinea, the Democratic Republic of the Congo, Afghanistan, the North Caucasus, Serbia, and the Middle East. These funds may be used, as appropriate, to provide contributions to international, governmental, and non-governmental organizations. I understand that you will be forwarding a separate request to meet requirements for refugee assistance in Bosnia and Croatia.

You are authorized and directed to inform the appropriate committees of the Congress of this determination and the use of funds under this authority, and to arrange for the publication of this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, December 15, 2000.

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Presidential Determination No. 2001–06 of December 15, 2000

Suspension of Limitations Under the Jerusalem Embassy Act

Memorandum for the Secretary of State

Pursuant to the authority vested in me as President by the Constitution and the laws of the United States, including section 7(a) of the Jerusalem Embassy Act of 1995 (Public Law 104–45) (the “Act”), I hereby determine that it is necessary to protect the national security interests of the United States to suspend for a period of 6 months the limitations set forth in sections 3(b) and 7(b) of the Act.

You are hereby authorized and directed to transmit this determination to the Congress, accompanied by a report in accordance with section 7(a) of the Act, and to publish the determination in the **Federal Register**.

This suspension shall take effect after transmission of this determination and report to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, December 15, 2000.

Presidential Determination No. 2001–07 of December 19, 2000

Presidential Certification To Waive Application of Restrictions on Assistance to the Government of Serbia and the Government of Montenegro

Memorandum for the Secretary of Defense [and] the Secretary of the Treasury

Pursuant to the authority vested in me by the laws of the United States, including section 1511 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160), I hereby certify to the Congress that I have determined that the waiver of the application of subsections 1511(b) and (c) of Public Law 103–160 is necessary to achieve a negotiated settlement of the conflict in Bosnia-Herzegovina that is acceptable to the parties, to the extent that such provisions apply to the furnishing of assistance to the Government of Serbia and to the support of assistance from international financial institutions to the Government of Serbia and the Government of Montenegro.

Therefore, I hereby waive the application of these provisions with respect to such assistance and support.

The Secretary of Defense is authorized and directed to transmit a copy of this determination to the Congress and arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, December 19, 2000.

Other Presidential Documents

Memorandum of Justification for Presidential Certification Regarding the Waiver of Subsections 1511(b) and (c) of Public Law 103-160

Section 1511 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160) (hereinafter “section 1511”) was enacted into law in 1993 in the midst of the crisis in Bosnia and Herzegovina as the international community sought to put an end to years of conflict. Section 1511 provides in relevant part that “[n]o funds appropriated or otherwise made available by law may be obligated or expended on behalf of the Government of Serbia” and that “[t]he Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice and vote of the United States to oppose any assistance from that institution to the Government of Serbia or the Government of Montenegro, except for basic human needs.” These restrictions may be waived or modified, however, upon certification by the President that the waiver or modification “is necessary . . . to meet emergency humanitarian needs, or . . . to achieve a negotiated settlement of the conflict in Bosnia-Herzegovina that is acceptable to the parties.” This authority was exercised in February 1999 by the President to waive bilateral assistance restrictions with respect to the Government of Montenegro.

In light of the recent dramatic democratic transformation that has taken place in Serbia, we believe that it is important to exempt the Government of Serbia from the bilateral and multilateral assistance restrictions contained in section 1511 and the government of Montenegro from the provision’s multilateral restrictions. Bilateral assistance from the United States and support for assistance in the International Financial Institutions (IFIs) are both critical to the consolidation of the fledgling Kostunica government. The United States must put itself in a position to voice its support of loans to the Governments of Serbia and Montenegro in the context of the FRY becoming a member in the IFIs. The first such provision of assistance—a loan of roughly \$150 million under the IMF’s post-conflict assistance policy to help the FRY clear its arrears at the IMF—will be voted upon as soon as December 20 together with a vote on FRY membership in that organization.

The election of Mr. Kostunica to the FRY Presidency could herald a new period of peaceful democratic development in the region. President Kostunica has made clear that he will work toward the full implementation of the Dayton Accords and work constructively on a variety of other issues related to the stability of the region. United States bilateral assistance as well as support for IFI assistance will help ensure the consolidation of power made by the Kostunica government. Such assistance will help prevent pro-Milosevic forces from regaining power in the FRY and resuming their obstructionist tactics and allow President Kostunica to continue to work towards peace and stability in the region. Therefore, waiver of application of the restrictions contained in subsections 1511(b) and (c) of Public Law 103-160, with respect to the Governments of Serbia and Montenegro, is warranted.

Title 3—The President

Presidential Determination No. 01–08 of December 27, 2000

**Determination Pursuant to Section 523 of the Foreign
Operations, Export Financing, and Related Programs
Appropriations Act, 2001 (Public Law 106–429)**

Memorandum for the Secretary of State

Pursuant to section 523 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001 (Public Law 106–429), I hereby certify that withholding from international financial institutions and other international organizations and programs funds appropriated or otherwise made available pursuant to that Act is contrary to the national interest.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, December 27, 2000

APPENDICES—OTHER PRESIDENTIAL DOCUMENTS

EDITORIAL NOTE: The following tables include documents issued by the Executive Office of the President and published in the *Federal Register* but not included in title 3 of the *Code of Federal Regulations*.

Appendix A—List of Messages to Congress Transmitting Budget Rescissions and Deferrals

<i>Date of Message</i>	<i>65 FR Page</i>
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Appendix B—List of Final Rule Documents

<i>Date</i>	<i>65 FR Page</i>
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Aug. 9 (Department of Justice)	58223
