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Executive Order 12916—Implementation of the Border Environment Cooperation Commission and the North American Development Bank

May 13, 1994

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the North American Free Trade Agreement Implementation Act, Public Law 103–182; 107 Stat. 2057 (''NAFTA Implementation Act''), and section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. The Agreement Between the Government of the United States of America and the Government of the United Mexican States Concerning the Establishment of a Border Environment Cooperation Commission and a North American Development Bank (''Agreement'') shall be implemented consistent with United States policy for the protection of human, animal or plant life or health, and the environment. The Agreement shall also be implemented to advance sustainable development, pollution prevention, environmental justice, ecosystem protection, and biodiversity preservation and in a manner that promotes transparency and public participation in accordance with the North American Free Trade Agreement and the Agreement.

Sec. 2. (a) The Administrator of the Environmental Protection Agency and the United States Commissioner, International Boundary and Water Commission, United States and Mexico (''Commissioner''), shall represent the United States as Members of the Board of Directors of the Border Environment Cooperation Commission in accordance with the Agreement.

(b) The policies and positions of the United States in the Border Environment Cooperation Commission shall be coordinated through applicable interagency procedures, which shall include participation by the Department of State, the Department of the Treasury, the Department of Housing and Urban Development, the Department of the Interior, the Agency for International Development, the Environmental Protection Agency, and, as appropriate, other Federal agencies.

(c) The Commissioner shall promote cooperation, as appropriate, between the International Boundary and Water Commission and the Border Environment Cooperation Commission in planning, developing, carrying out border sanitation, and other environmental activities.

Sec. 3. (a) The United States Government representatives to the Board of the North American Development Bank shall be the Secretary of the Treasury, the Secretary of State, and the Administrator of the Environmental Protection Agency.

(b) For purposes of loans or guarantees for projects certified by the Border Environment Cooperation Commission, the representatives shall be instructed in accordance with the procedures of the National Advisory Council on International Monetary and Financial Policies (''Council'') as established by Executive Order No. 11269. For purposes of this section only, the membership of the Council shall be expanded to include the Secretary of the Department of Housing and Urban Development, the Secretary of the Interior, and the Administrator of the Environmental Protection Agency.

(c) For purposes of loans or guarantees for projects certified by the Border Environment Cooperation Commission, the representatives shall consult with the Community Adjustment and Investment Program Advisory Committee (''Advisory Committee''), established pursuant to section 543(b) of the NAFTA Implementation Act concerning community adjustment and investment aspects of such loans or guarantees.

(d) For purposes of loans, guarantees, or grants endorsed by the United States for community adjustment and investment, the representatives shall be instructed by the Secretary of the Treasury in accordance with procedures established by the Community Adjustment and Investment Program Finance Committee established pursuant to section 7 of this order.

Sec. 4. The functions vested in the President by section 543(a)(1) of the NAFTA Implementation Act are delegated to the Secretary of the Treasury.

Sec. 5. The functions vested in the President by section 543(a) (2) and (3) of the NAFTA Implementation Act are delegated to the Secretary of the Treasury, who shall exercise such functions in accordance with the recommendations of the Community Adjustment and Investment Program Finance Committee established pursuant to section 7 of this order.

Sec. 6. The functions vested in the President by section 543(a)(5) and section 543(d) of the NAFTA Implementation Act are delegated to the Community Adjustment and Investment Program Finance Committee established pursuant to section 7 of this order, which shall exercise such functions in consultation with the Advisory Committee.

Sec. 7. (a) There is hereby established a Community Adjustment and Investment Program Finance Committee (''Finance Committee'').

(b) The Finance Committee shall be composed of representatives from the Department of the Treasury, the Department of Agriculture, the Department of Housing and Urban Development, the Small Business Administration, and any other Federal agencies selected by the Chair of the Finance Committee to assist in carrying out the community adjustment and investment program pursuant to section 543(a)(3) of the NAFTA Implementation Act.

(c) The Department of the Treasury representative shall serve as Chair of the Finance Committee. The Chair shall be responsible for presiding over the meetings of the Finance Committee, ensuring that the views of all other Members are taken into account, coordinating with other appropriate United States Government agencies in carrying out the community adjustment and investment program, and requesting meetings of the Advisory Committee pursuant to section 543(b)(4)(C) of the NAFTA Implementation Act.

Sec. 8. Any advice or conclusions of reviews provided to the President by the Advisory Committee pursuant to section 543(b)(3) of the NAFTA Implementation Act shall be provided through the Finance Committee.

Sec. 9. Any summaries of public comments or conclusions of investigations and audits provided to the President by the ombudsman pursuant to section 543(c)(1) of the NAFTA Implementation Act shall be provided through the Finance Committee.

Sec. 10. The authority of the President under section 6 of Public Law 102–532; 7 U.S.C. 5404, to establish an advisory board to be known as the Good Neighbor Environmental Board is delegated to the Administrator of the Environmental Protection Agency.

Sec. 11. This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right to administrative or judicial review, or any other right or benefit or trust responsibility, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

William J. Clinton

The White House,
May 13, 1994.

[Filed with the Office of the Federal Register, 2:53 p.m., May 16, 1994]

NOTE: This Executive order was released by the Office of the Press Secretary on May 16, and it was published in the *Federal Register* on May 18.

Message to the Congress on Iran

May 14, 1994

To the Congress of the United States:

I hereby report to the Congress on developments since the last Presidential report on November 10, 1993, concerning the national emergency with respect to Iran that was declared in Executive Order No. 12170 of November 14, 1979, and matters relating to Executive Order No. 12613 of October 29, 1987. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c). This report covers events through March 31, 1994. My last report, dated November 10, 1993, covered events through September 30, 1993.