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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 continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared on November 14, 1994, and extended on November 14, 1995 and November 14, 1996, must continue in effect beyond November 14, 1997. 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 12, 1997.

[Filed with the Office of the Federal Register, 11:40 a.m., November 12, 1997]

NOTE: This notice was published in the *Federal Register* on November 13.

Message to the Congress on Weapons of Mass Destruction

November 12, 1997

To the Congress of the United States:

On November 14, 1994, in light of the dangers of the proliferation of nuclear, biological, and chemical weapons (''weapons of mass destruction''—(WMD)) and of the means of delivering such weapons, I issued Executive Order 12938, and declared a national emergency under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*). Under section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), the national emergency terminates on the anniversary date of its declaration, unless I publish in the *Federal Register* and transmit to the Congress a notice of its continuation.

The proliferation of weapons of mass destruction continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I am advising the Congress that the national emergency declared on November 14, 1994, and extended on November 14, 1995 and November 14, 1996, must continue in effect beyond November 14, 1997. Accordingly, I have extended the national emergency declared in Executive Order 12938 and have sent the attached notice of extension to the Federal Register for publication.

The following report is made pursuant to section 204(c) of the International Emergency Economic Powers Act (50 U.S.C. 1703(c)) and section 401(c) of the National Emergencies Act (50 U.S.C. 1641(c)), regarding activities taken and money spent pursuant to the emergency declaration. Additional information on nuclear, missile, and/or chemical and biological weapons (CBW) nonproliferation efforts is contained in the most recent annual Report on the Proliferation of Missiles and Essential Components of Nuclear, Biological and Chemical Weapons, provided to the Congress pursuant to section 1097 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190), also known as the ''Nonproliferation Report,'' and the most recent annual report provided to the Congress pursuant to section 308 of the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (Public Law 102–182), also known as the ''CBW Report.''

Chemical and Biological Weapons

The three export control regulations issued under the Enhanced Proliferation Control Initiative (EPCI) remained fully in force and continue to be applied in order to control the export of items with potential use in chemical or biological weapons or unmanned delivery systems for weapons of mass destruction.

Chemical weapons continue to pose a very serious threat to our security and that of countries friendly to us. On April 29, 1997, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (the ''Chemical Weapons Convention'' or (CWC)) entered into force with 87 of the

CWC's 165 signatories as original States Parties. The United States was among their number, having deposited its instrument of ratification on April 25. As of November 5, 104 countries had become States Parties.

Russia did not complete its legislative approval process in time to be among the original CWC States Parties. In our March meeting in Helsinki, President Yeltsin did, however, assure me of his understanding of the importance of the CWC to Russia's own security. On October 31, 1997, the Russian Duma (lower house) approved ratification of the CWC. On November 5, 1997, the Russian Federation Council unanimously approved the CWC and the Russian government deposited its instrument of ratification. Russia's ratification makes it possible for Russia to join the United States in playing a leadership role in ensuring that all of the Convention's benefits are realized.

Given Russia's financial situation during this difficult period of transition to a market economy, serious concerns have been raised about the high costs of environmentally sound destruction of the large stocks of chemical weapons Russia inherited from the former Soviet Union. Through the Cooperative Threat Reduction Program, we are working with Russia to help address these complex problems, and we will continue to do so now that Russia has ratified the CWC.

The Organization for the Prohibition of Chemical Weapons (OPCW) has been established to achieve the object and purpose of the CWC, to ensure the implementation of its provisions and provide a forum for consultation and cooperation among States Parties. The executive organ of the OPCW, the Executive Council, has met five times since May to oversee decisions related to *inter alia* data declarations, inspections, and organizational issues. The United States plays an active role in ensuring effective implementation of the Convention.

The CWC is an ambitious undertaking by the world community to ban an entire class of weapons of mass destruction. Its members have committed themselves to totally eliminating chemical weapons stocks and production facilities, prohibiting chemical weapons-related activities, banning assistance for such activities and restricting trade with non-Parties in certain relevant chemicals. Destruction of U.S. chemical weapons stocks is moving forward. Other CWC States Parties have now taken on a similar task, and we are working hard with the other members of the CWC to make membership in this treaty universal.

The United States is determined to ensure full implementation of the concrete measures in the CWC that will raise the costs and the risks for any state or terrorist attempting to engage in chemical weapons-related activities. The CWC's declaration requirements will improve our knowledge of possible chemical weapons activities, whether conducted by countries or terrorists. Its inspection provisions provide for access to declared and undeclared facilities and locations, thus making clandestine chemical weapons production and stockpiling more difficult, more risky, and more expensive.

Countries that refuse to join the CWC will be politically isolated and banned from trading with States Parties in certain key chemicals. The relevant Treaty provision is specifically designed to penalize in a concrete way countries that refuse to join the rest of the world in eliminating the threat of chemical weapons.

The United States also continues to play a leading role in the international effort to reduce the threat from biological weapons. We are an active participant in the Ad Hoc Group striving to create a legally binding protocol to strengthen and enhance compliance with the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (the "Biological Weapons Convention" or (BWC)). This Ad Hoc Group was mandated by the September 1994 BWC Special Conference. The Fourth BWC Review Conference, held in November 1996, commended the work done by the Ad Hoc Group and urged it to complete the protocol as soon as possible but not later than the next Review Conference to be held in 2001. A draft rolling text was introduced by the Chairman at the July Ad Hoc Group session. Work is progressing on insertion of national views and clarification of existing text, largely drawn from the consultative phase of Ad Hoc

Group work since 1994. Three-week sessions are scheduled for January, July, and September of 1998. Another 2-week session will be scheduled for either March or December of 1998. Early completion of an effective BWC protocol is high on our list of nonproliferation goals.

The United States continues to be a leader in the Australia Group (AG) chemical and biological weapons nonproliferation regime. Last year, the United States supported the entry into the AG of the Republic of Korea, which became the group's 30th member in time for the October 1996 plenary.

The United States attended this year's annual AG plenary session from October 6–9, 1997, during which the Group continued to focus on strengthening AG export controls and sharing information to address the threat of CBW terrorism. At the behest of the United States, the AG first began in-depth political-level discussion of CBW terrorism during the 1995 plenary session following the Tokyo subway nerve gas attack earlier that year. At the 1996 plenary, the United States urged AG members to exchange national points of contact for AG terrorism matters. At the 1997 plenary, the AG accepted a U.S. proposal to survey all AG members on efforts each has taken to counter this threat.

The Group also reaffirmed the members' collective belief that full adherence to the CWC and the BWC is the best way to achieve permanent global elimination of CBW, and that all states adhering to these Conventions have an obligation to ensure that their national activities support this goal.

AG participants continue to seek to ensure that all relevant national measures promote the object and purposes of the BWC and CWC. The AG nations reaffirmed their belief that existing national export licensing policies on chemical weapons-related items fulfill the obligation established under Article I of the CWC that States Parties never assist, in any way, the acquisition of chemical weapons. Given this understanding, the AG members also reaffirmed their commitment to continuing the Group's activities now that the CWC has entered into force.

The AG also reaffirmed its commitment to continue to provide briefings for non-AG countries, and to promote regional consultations on export controls and nonproliferation to further awareness and understanding of national policies in these areas.

During the last 6 months, we continue to examine closely intelligence and other reports of trade in chemical weapons-related material and technology that might require action, including evaluating whether sanctions under the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 were warranted. In May 1997, we imposed sanctions on seven Chinese entities and one Hong Kong company for knowingly and materially contributing to Iran's CW program through the export of dual-use chemical precursors and/or chemical production equipment and technology. In September 1997, we imposed sanctions on a German citizen and a German company determined to have been involved in the export of chemical production equipment to Libya's CW program.

The United States continues to cooperate with its AG partners in stopping shipments of proliferation concern. By sharing information through diplomatic and other channels, we and our AG partners have been successful in interdicting various shipments destined to CBW programs.

Missiles for Weapons of Mass Destruction Delivery

During the reporting period, the United States carefully controlled exports that could contribute to unmanned delivery systems for weapons of mass destruction and closely monitored activities of potential missile proliferation concern. We also continued to implement U.S. missile sanctions law, in cases where sanctionable activity was determined to have occurred. In August 1997, we imposed sanctions against two North Korean entities determined to have engaged in missile proliferation activities. Similar sanctions imposed in May 1996 remain in effect against two entities in Iran and one entity in North Korea for transfers involving Category II Missile Technology Control Regime (MTCR) Annex items.

During this reporting period, MTCR Partners continued to share information about proliferation problems with each other and with other potential supplier, consumer, and

transshipment states. Partners also emphasized the need for implementing effective export control systems. This cooperation has resulted in the interdiction of missile-related materials intended for use in missile programs of concern.

The United States was an active participant in the MTCR's June 1997 Reinforced Point of Contact Meeting (RPOC). At the RPOC, MTCR Partners engaged in useful discussions of regional missile proliferation concerns, as well as steps the Partners could take to increase transparency and outreach to nonmembers.

In July 1997, the United States also played a leading role at the Swiss-hosted MTCR workshop on the licensing and enforcement aspects of transshipment. The workshop was successful in focusing attention on the enforcement problems raised by proliferators' misuse of transshipment and fostered a productive exchange of ideas on how countries can better address such activity.

The United States worked unilaterally and in coordination with its MTCR Partners to combat missile proliferation and to encourage nonmembers to export responsibly and to adhere to the MTCR Guidelines. Since the last report, we have continued our missile nonproliferation dialogue with China, the Republic of Korea (ROK), North Korea (DPRK), and Ukraine. In the course of normal diplomatic relations, we also have pursued such discussions with other countries in Central Europe, the Middle East, and Asia.

In June 1997, the United States and the DPRK held a second round of missile talks, aimed at freezing the DPRK's indigenous missile development program and curtailing its missile-related export activities. The DPRK appeared willing to consider limits on its missile-related exports, in return for sanctions-easing measures, but did not engage in discussion of limits on its missile development program. We intend to pursue further missile talks with the DPRK.

In July 1997, we held another round of nonproliferation talks with the ROK. These talks were productive and made progress toward facilitating ROK membership in the MTCR.

In response to reports that Iran had acquired sensitive items from Russian entities for use in Iran's missile development program, the United States intensified its high-level dialogue with Russia on this issue. We held a number of productive discussions with senior Russian officials aimed at finding ways the United States and Russia can work together to prevent Iran's ballistic missile development program from acquiring Russian technology and equipment. This process is continuing.

Nuclear Weapons

In a truly historic landmark in our efforts to curb the spread of nuclear weapons, the 50th U.N. General Assembly on September 10, 1996, adopted and called for signature of the Comprehensive Nuclear Test Ban Treaty (CTBT), negotiated over the previous 2½ years in the Conference on Disarmament in Geneva. The overwhelming passage of this U.N. resolution (158–3–5) demonstrates the CTBT's strong international support and marks a major success for United States foreign policy. On September 24, 1996, I and other international leaders signed the CTBT in New York.

During 1997, CTBT signatories have conducted numerous meetings of the Preparatory Commission in Vienna, seeking to promote rapid completion of the International Monitoring System established by the Treaty. On September 23, I transmitted the CTBT to the Senate, requesting prompt advice and consent to ratification.

The CTBT will serve several United States national security interests in banning all nuclear explosions. It will constrain the development and qualitative improvement of nuclear weapons; end the development of advanced new types; contribute to the prevention of nuclear proliferation and the process of nuclear disarmament; and strengthen international peace and security. The CTBT marks an historic milestone in our drive to reduce the nuclear threat and to build a safer world.

Formal preparations for the year 2000 Review Conference for the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) began in 1997 with the first of three annual

Preparatory Committee meetings of the Parties to the Treaty. The United States is committed to working to ensure that the 2000 NPT review Conference will further strengthen the NPT and reinforce global nuclear nonproliferation objectives. Since the 1995 NPT Conference, eight additional states have joined the NPT, leaving only five states worldwide currently outside the NPT regime. The NPT Exporters (Zangger) Committee added China to its membership in 1997.

The Nuclear Suppliers Group (NSG) continued its efforts to upgrade control lists and export control procedures. NSG members confirmed their agreement to clarifications to the nuclear trigger list to accord with trigger list changes agreed to by the members of the NPT Exporters (Zangger) Committee, and the International Atomic Energy Agency published these understandings on September 16, 1997. The NSG also is actively pursuing steps to enhance the transparency of the export regime in accordance with the call in Principles 16 and 17 of the 1995 NPT Review and Extension Conference.

The NSG held an export control seminar in Vienna on October 8 and 9, 1997, which described and explained the role of the NSG (and the Zangger Committee) in preventing nuclear proliferation. The NSG also continued efforts to enhance information sharing among members regarding the nuclear programs of proliferant countries by (1) ''officially'' linking the NSG members through a dedicated computer network allowing for real-time distribution of license denial information, and by (2) creating a separate session for exchange of information on the margins of the NSG plenary meeting.

NSG membership will increase to 35 with the acceptance of Latvia. The ultimate goal of the NSG is to obtain the agreement of all suppliers, including nations not members of the regime, to control nuclear and nuclear-related exports in accordance with the NSG guidelines.

Expenses

Pursuant to section 401(c) of the National Emergencies Act (50 U.S.C. 1641(c)), I report that there were no expenses directly attributable to the exercise of authorities conferred by the declaration of the national emergency in Executive Order 12938 during the semiannual reporting period.

William J. Clinton

The White House,
November 12, 1997.

Remarks at a Democratic Governors' Association Reception

November 12, 1997

Thank you very much. Thank you, Loretta. Thank you, Katie. Thank all of you who had anything to do with this fundraiser. This is an exercise of true affection because Howard Dean would probably win next year if none of us gave him a penny. [*Laughter*] But I am delighted to be here.

Senator Leahy and I were standing back there when Howard was giving his remarks, and he said he suffered through 16 years of Republican leadership, the deficit was going up before I came in. And I said, ''You know, Pat, it was really only 12 years; it just seemed like 16.''

I'd like to say a special word of thanks, too, to Senator Pat Leahy, who is truly one of the finest people in the entire United States Congress and one of the most effective. Whether the issue is economic policy, agriculture policy, social policy, foreign policy, his passion to remove the scourge of landmines from the Earth, Pat Leahy is always there. And we can be proud that he represents not only the State of Vermont but all of America very well.

I'd also like to say that whatever it is that Howard Dean knows, or whatever it is that he eats for breakfast every morning, if I could give it to every other Democratic office holder and would-be office holder, we would immediately become the majority in the Congress and we would have about 35 Governors. I have to tell you, I think a big part of it is just producing for people, actually doing what you say you're going to do at election time. And I very much appreciate what he said about what we've tried to do here in Washington.

I love to do fundraisers and events for Democratic Governors or the Democratic