

In view of South Africa's fundamental reorientation of its nuclear program, the United States proposes to enter into a new agreement for peaceful nuclear cooperation with South Africa. Although cooperation could have been resumed under the 1957 agreement, both we and South Africa believe that it is preferable to have a new agreement completely satisfying, as the proposed new agreement does, the current legal and policy criteria of both sides, and that reflects, among other things:

Additional international non-proliferation commitments entered into by the parties since 1974, when the old agreement was last amended, including, for South Africa, its adherence to the Treaty on the Non-Proliferation of Nuclear Weapons;

Reciprocity in the application of the terms and conditions of cooperation between the parties; and

An updating of terms and conditions to take account of intervening changes in the respective domestic legal and regulatory frameworks of the parties in the area of peaceful nuclear cooperation.

For the United States, the proposed new agreement also represents an additional instance of compliance with section 404(a) of the NNPA, which calls for an effort to renegotiate existing agreements for cooperation to include the more stringent requirements established by the NNPA.

The proposed new agreement with South Africa permits the transfer of technology, material, equipment (including reactors), and components for nuclear research and nuclear power production. It provides for U.S. consent rights to retransfers, enrichment, and reprocessing as required by U.S. law. It does not permit transfers of any sensitive nuclear technology, restricted data, or sensitive nuclear facilities or major critical components thereof. In the event of termination, key conditions and controls continue with respect to material and equipment subject to the agreement.

From the United States perspective the proposed new agreement improves on the 1957 agreement by the addition of a number of important provisions. These include the provisions for full-scope safeguard; perpetuity of safeguards; a ban on "peaceful" nuclear explosives; a right to require the return of exported nuclear items in certain circumstances; a guarantee of adequate physical security; and a consent right to enrichment of nuclear material subject to the agreement.

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

Because this agreement meets all applicable requirements of the Atomic Energy Act, as amended, for agreements for peaceful nuclear cooperation, I am transmitting it to the Congress without exempting it from any requirement contained in section 123 a. of that Act. This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Atomic Energy Act. The Administration is prepared to begin immediately the consultations with the Senate Foreign Relations and House International Relations Committees as provided in section 123 b. Upon completion of the 30-day continuous session period provided for in section 123 b., the 60-day continuous session period provided for in section 123 d. shall commence.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 29, 1995.

REPORT RELATIVE TO THE EXPORT ADMINISTRATION ACT OF 1979—MESSAGE FROM THE PRESIDENT—PM 85

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

*To the Congress of the United States:*

As required by section 204 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)), I transmit herewith a 6-month periodic report on the national emergency declared by Executive Order No. 12924 of August 19, 1994, to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 29, 1995.

MESSAGES FROM THE HOUSE

At 12:01 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 743. An Act to amend the National Labor Relations Act to allow labor management cooperative efforts that improve economic competitiveness in the United States to continue to thrive, and for other purposes.

H.R. 1170. An Act to provide that cases challenging the constitutionality of measures passed by State referendum be heard by a 3-judge court.

The message also announced that pursuant to the provisions of section 168(b) of Public Law 102-138, the Speaker appoints the following Member to the British-American Interparliamentary Group on the part of the House: Mr. BEREUTER, Chairman.

At 4:20 p.m., a message from the House of Representatives, delivered by

Ms. Goetz, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, with an amendment, in which it requests the concurrence of the Senate:

S. Con. Res. 27. Concurrent Resolution correcting the enrollment of H.R. 402.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 895) to amend the Small Business Act to reduce the level of participation by the Small Business Administration in certain loans guaranteed by the Administration, and for other purposes.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H.R. 4) to restore the American family, reduce illegitimacy, control welfare spending and reduce welfare dependence, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. ARCHER, Mr. GOODLING, Mr. ROBERTS, Mr. SHAW, Mr. TALENT, Mr. NUSSLE, Mr. HUTCHINSON, Mr. MCCREERY, Mr. SMITH of Texas, Mrs. JOHNSON of Connecticut, Mr. CAMP, Mr. FRANKS of Connecticut, Mr. GIBBONS, Mr. CLAY, Mr. DE LA GARZA, Mr. CONYERS, Mr. FORD, Mr. WAXMAN, Mr. MILLER of California, Mrs. KENNELLY, Mr. LEVIN, and Mrs. LINCOLN as the managers of the conference on the part of the House.

The message also announced that the Speaker appoints the following Members as additional conferees in the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 440) entitled "An Act to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes":

As additional conferees for the consideration of sections 105 and 141 of the Senate bill, and section 320 of the House amendments, and modifications committed to conference: Mr. BLILEY, Mr. BILIRAKIS, Mr. BARTON of Texas, Mr. GREENWOOD, Mr. DINGELL, Mr. WAXMAN, and Mr. BROWN of Ohio.

As additional conferees for the consideration of section 157 of the Senate bill, and modifications committed to conference: Mr. YOUNG of Alaska, Mr. HANSEN, and Mr. MILLER of California.

At 6:51 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 104. Concurrent Resolution providing for an adjournment of the two houses.

ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

H.R. 2399. An Act to amend the Truth in Lending Act to clarify the intent of such Act