

DEFENSE OF MARRIAGE ACT

Mr. DORGAN. Mr. President, I did not have an opportunity to speak during consideration of the Defense of Marriage Act, so I would like to take a moment now to explain my vote.

I voted for the Defense of Marriage Act for a very simple reason. For thousands of years, marriage has been an institution that represents a union between a man and a woman, and I do not support changing the definition of marriage or altering its meaning.

Those of the same sex who have a long-term relationship and who wish to provide a legal framework for that relationship should aspire to enact legislation in the States that creates such a legal framework. But that should not include changing the definition of marriage to allow same-sex marriages, and it should not require all States to recognize that legal relationship.

I simply do not believe that we should in any way dilute the meaning of this important institution. Marriage is what binds a husband, wife, and children into a single unit—a family—which is the cornerstone of our society. Those who would say that this important tradition should be altered are simply wrong.

For that reason, I voted for the Defense of Marriage Act.

THE SITUATION IN IRAQ

Mr. CRAIG. Mr. President, I have been glued to the television today in order to keep myself updated on the situation in Iraq. Needless to say, I am more than a little frustrated that no attempts have been made by the President to consult the Congress on this swiftly evolving situation. I do not say this lightly, Mr. President, but CNN reporting is not what I would consider fulfillment of the President's reporting obligation in the War Powers Act.

The War Powers Act states that the "President in every possible instance shall consult with Congress before" introducing troops into imminent hostilities and shall also consult with Congress regularly after the introduction of combat troops. Mr. President, that also applies when situations develop into hostilities. This obligation was easily overlooked for the incident on August 31. The Congress was adjourned on recess, making it difficult, if not impossible to brief Members prior to taking action. The Congress stood with the President in an effort to fully support our troops and his decision as Commander in Chief. However, the current situation is quite different. The Congress is here, and we are waiting. Let me be clear, Mr. President, support for our troops is steadfast. But the President cannot assume the continued support of Congress if he fails to keep us informed.

Mr. President, the President acted to counter Saddam Hussein's aggression against the Kurds, and quickly declared victory. The President's policy

to-date is not a victory. In less than a week's time, the premature declaration has soured into a situation that has our pilots being shot at in the Northern No-Fly Zone, Hussein gaining a strong foothold in the former Kurdish safe-haven, and a movement of American personnel and equipment into the Persian Gulf. If a strong and clear policy is not defined soon, the President's policy in the gulf will most assuredly become an abject failure. It's time to come to the Congress and the American people with a defined mission, goals and exit strategy. It is time for the President to fulfill his obligations under the War Powers Act.

In my speech on the situation in Iraq, just a week ago today, I expressed concerns about the President's failure to maintain the alliance with our gulf war partners. Without the coalition, we risk losing the necessary strategic advantage we now hold, and our defensive presence in the gulf will necessarily deteriorate. Saddam Hussein is testing our resolve in the Persian Gulf by his efforts to play divide and conquer with the United States and our coalition partners from the gulf war. Without a clearly defined mission and policy, we will continue to be pulled into a situation that will isolate us in the region and leave few, if any, positive options to resolve the situation.

Saddam Hussein is not an individual to be toyed with. He understands little other than aggression, and we should be wary that for him, embarrassing the United States at any cost may be considered a victory. This is very important, Mr. President, because that cost could include American lives.

Mr. President, the reporting on CNN provides good and timely information, but it does not provide insight, direction, or a clear message about the policy you intend to pursue. Therefore, it is my hope and my purpose to encourage the President to fulfill his obligation to the Congress under the War Powers Act for the American people and for our troops.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting one treaty and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT CONCERNING THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT—PM 168

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:

I hereby report to the Congress on developments concerning the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995, and matters relating to the measures in that order and in Executive Order 12959 of May 6, 1995. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c) (IEEPA), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c). This report discusses only matters concerning the national emergency with respect to Iran that was declared in Executive Order 12957 and does not deal with those relating to the emergency declared on November 14, 1979, in connection with the hostage crisis.

1. On March 15, 1995, I issued Executive Order 12957 (60 Fed. Reg. 14615, March 17, 1995) to declare a national emergency with respect to Iran pursuant to IEEPA, and to prohibit the financing, management, or supervision by United States persons of the development of Iranian petroleum resources. This action was in response to actions and policies of the Government of Iran, including support for international terrorism, efforts to undermine the Middle East peace process, and the acquisition of weapons of mass destruction and the means to deliver them. A copy of the order was provided to the Speaker of the House of Representatives and the President of the Senate by letter dated March 15, 1995. Following the imposition of these restrictions with regard to the development of Iranian petroleum resources, Iran continued to engage in activities that represent a threat to the peace and security of all nations, including Iran's continuing support for international terrorism, its support for acts that undermine the Middle East peace process, and its intensified efforts to acquire weapons of mass destruction. On May 6, 1995, I issued Executive Order 12959 to further respond to the Iranian threat to the national security, foreign policy, and economy of the United States.

Executive Order 12959 (60 Fed. Reg. 24757, May 9, 1995) (1) prohibits exportation from the United States to Iran or to the Government of Iran of goods, technology, or services; (2) prohibits the reexportation of certain U.S. goods and technology to Iran from third countries; (3) prohibits transactions such as brokering and other dealing by United States persons in goods and services of Iranian origin or owned or controlled by the Government of Iran; (4) prohibits new investments by United States persons in Iran or in property owned or controlled by the Government of Iran; (5) prohibits U.S. companies and other United States persons

from approving, facilitating, or financing performance by a foreign subsidiary or other entity owned or controlled by a United States person of certain reexport, investment, and certain trade transactions that a United States person is prohibited from performing; (6) continue the 1987 prohibition on the importation into the United States of goods and services of Iranian origin; (7) prohibits any transaction by any United States person or within the United States that evades or avoids or attempts to violate any prohibition of the order; and (8) allowed U.S. companies a 30-day period in which to perform trade transactions pursuant to contracts predating the Executive order.

At the time of signing Executive Order 12959, I directed the Secretary of the Treasury to authorize through specific licensing certain transactions, including transactions by United States persons related to the Iran-United States Claims Tribunal in The Hague, established pursuant to the Algiers Accords, and related to other international obligations and United States Government functions, and transactions related to the export of agricultural commodities pursuant to pre-existing contracts consistent with section 5712(c) of title 7, United States Code. I also directed the Secretary of the Treasury in consultation with the Secretary of State, to consider authorizing United States persons through specific licensing to participate in market-based swaps of crude oil from the Caspian Sea area for Iranian crude oil in support of energy projects in Azerbaijan, Kazakstan, and Turkmenistan.

Executive Order 12959 revoked sections 1 and 2 of Executive Order 12613 of October 29, 1987, and sections 1 and 2 of Executive Order 12957 of March 15, 1995, to the extent they are inconsistent with it. A copy of Executive Order 12959 was transmitted to the Speaker of the House of Representatives and the President of the Senate by letters dated May 6, 1995.

2. On March 8, 1996, I renewed for another year the national emergency with respect to Iran pursuant to IEEPA. This renewal extended the current comprehensive trade embargo against Iran in effect since May 1995. Under these sanctions, virtually all trade with Iran is prohibited except for information and informational materials and certain other limited exceptions.

3. There were no amendments to the Iranian Transactions Regulations, 31 CFR Part 560 (the "ITR") during the reporting period.

4. During the current 6-month period, the Department of the Treasury's Office of Foreign Assets Control (OFAC) made numerous decisions with respect to applications for licenses to engage in transactions under the ITR, and issued 24 licenses. The majority of denials were in response to requests to authorize commercial exports to Iran and the importation of Iranian-origin

goods. The majority of the licenses issued authorized the completion of commodity "string transactions" entered into by United States parties with respect to foreign commodities and having no knowledge or control over the Iranian interest in the contracts; the export and reexport of goods, services, and technology essential to ensure the safety of civil aviation and safe operation of certain commercial passenger aircraft in Iran; licenses relating to Iranian participation in the 1996 Atlanta Olympic and Paralympic Games; the importation of Iranian-origin artwork for public exhibition; and certain humanitarian imports and exports. In light of statutory restrictions applicable to goods and technology involved in the air safety cases, the Department of the Treasury continues to consult and coordinate with the Departments of State and Commerce on these matters, consistent with section 4 of Executive Order 12959.

In consultation with the Board of Governors of the Federal Reserve System and bank regulators in New York and California, OFAC revoked the licenses of all Iranian banking agencies in the United States. State regulators then required them to convert to Representative Office status. There are now no Iranian banks authorized to conduct banking business in the United States. Activities have been restricted to "limited representation," allowing only research and coordination with U.S. holders of affiliate correspondent accounts.

Bank Saderat, Iran's New York Representative Office, was nominated by the Central Bank of Iran to act as its agent for procedures outlined in the "Airbus" settlement at The Hague. Accordingly, Bank Saderat was separately licensed by OFAC for the limited purpose of collecting information for the Central Bank of Iran about U.S. commercial claims against Iranian banks. The information will be forwarded to and cleared by Iranian and State Department officials and used in making independent determinations as to which claims can be paid from a special escrow account established at the Federal Reserve Bank of New York.

The U.S. financial community continues to interdict transactions associated with Iran and to consult with OFAC about their appropriate handling. During this reporting period, OFAC took decisive action to prevent the U.S. clearing of third country dollar travelers checks sold by Iranian banks.

5. The U.S. Customs Service has continued to effect numerous seizures of Iranian-origin merchandise, primarily carpets, for violation of the import prohibitions of the ITR. Various enforcement actions carried over from previous reporting periods are continuing and new reports of violations are being aggressively pursued. Since March 11, 1996, OFAC has collected two civil penalties totaling \$6,000. The violations underlying these collections involve

unlicensed exports to Iran. Civil penalty action is pending against 12 U.S. companies and financial institutions for violations of the Regulations.

6. The expenses incurred by the Federal Government in the 6-month period from March 15 through September 14, 1996, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Iran are approximately \$850,000, most of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near Eastern Affairs, the Bureau of Political-Military Affairs, and the Office of the Legal Adviser), and the Department of Commerce (the Bureau of Export Administration and the General Counsels Office).

7. The situation reviewed above continues to involve important diplomatic, financial, and legal interests of the United States and its nationals and presents an extraordinary and unusual threat to the national security, foreign policy, and economy of the United States. The declaration of the national emergency with respect to Iran contained in Executive Order 12957 and the comprehensive economic sanctions imposed by Executive Order 12959 underscore the United States Government opposition to the actions and policies of the Government of Iran, particularly its support of international terrorism and its effort to acquire weapons of mass destruction and the means to deliver them. The Iranian Transactions Regulations issued pursuant to Executive Orders 12957 and 12959 continue to advance important objectives in promoting the nonproliferation and antiterrorism policies of the United States. I will exercise the powers at my disposal to deal with these problems and will report periodically to the Congress on significant developments.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 13, 1996.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on September 13, 1996, he had presented to the President of the United States, the following enrolled bill:

S. 1669.—An act to name the Department of Veterans Affairs medical center in Jackson, Mississippi, as the "G.V. (Sonny) Montgomery Department of Veterans Affairs Medical Center."

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated: