

Presidential Documents

Title 3—

Executive Order 12917 of May 21, 1994

The President

Prohibiting Certain Transactions With Respect to Haiti

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c), and section 301 of title 3, United States Code, in view of United Nations Security Council Resolution 917 of May 6, 1994, and in order to take additional steps with respect to the actions and policies of the *de facto* regime in Haiti and the national emergency described and declared in Executive Order No. 12775, it is hereby ordered as follows:

Section 1. The following are prohibited, except to the extent provided in regulations, orders, directives, or licenses which may hereafter be issued pursuant to this order, and notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order:

(a) The importation into the United States of any goods (other than informational materials, including books and other publications, needed for the free flow of information) originating in Haiti, or of any services performed in Haiti, that are exported from Haiti after May 21, 1994; or any activity by United States persons or in the United States that promotes or is intended to promote such importation;

(b) Any activity by United States persons or in the United States that promotes the exportation or transshipment of any goods (other than informational materials, such as books and other publications, needed for the free flow of information) originating in Haiti that are exported from Haiti after May 21, 1994;

(c) Any dealing by United States persons or in the United States, or using U.S.-registered vessels or aircraft, in any goods (other than informational materials, such as books and other publications, needed for the free flow of information) originating in Haiti that are exported from Haiti after May 21, 1994;

(d) The sale, supply, or exportation by United States persons or from the United States, or using U.S.-registered vessels or aircraft, of any goods, regardless of origin, to Haiti, or for the purpose of any business carried on in or operated from Haiti, or any activity by United States persons or in the United States that promotes such sale, supply, or exportation, other than the sale, supply, or exportation of:

(i) informational materials, such as books and other publications, needed for the free flow of information; or

(ii) medicines and medical supplies, as authorized by the Secretary of the Treasury, and rice, beans, sugar, wheat flour, cooking oil, corn, corn flour, milk, and edible tallow, provided that neither the *de facto* regime in Haiti nor any person designated by the Secretary of the Treasury as a blocked individual or entity of Haiti is a direct or indirect party to the transaction; or

(e) Any transaction by United States persons that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order.

Sec. 2. For the purposes of this order, the definitions contained in section 3 of Executive Order No. 12779 apply to the terms used in this order.

Sec. 3. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to me by the International Emergency Economic Powers Act and the United Nations Participation Act, as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order, including suspension or termination of licenses or other authorizations in effect as of the date of this order.

Sec. 4. Section 2(c) of Executive Order No. 12779 and section 4 of Executive Order No. 12853 are hereby revoked to the extent inconsistent with this order. The revocation shall apply only to actions taken after the effective date of this order, and shall not alter the applicability to any violation that occurred before the effective date of this order of any rule, regulation, order, license, or other form of administrative action taken pursuant to Executive Order No. 12779 or Executive Order No. 12853.

Sec. 5. Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

Sec. 6.

(a) This order shall take effect at 11:59 p.m. eastern daylight time on May 21, 1994.

(b) This order shall be transmitted to the Congress and published in the **Federal Register**.



THE WHITE HOUSE,
May 21, 1994.