

103D CONGRESS
1ST SESSION

S. 1625

To prohibit the sale of defense articles and defense services to countries that participate in the secondary and tertiary boycott of Israel.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 4 (legislative day, NOVEMBER 2), 1993

Mr. BROWN (for himself and Mr. MOYNIHAN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To prohibit the sale of defense articles and defense services to countries that participate in the secondary and tertiary boycott of Israel.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Anti-Economic Dis-
5 crimination Act of 1993”.

6 **SEC. 2. CONGRESSIONAL FINDINGS.**

7 The Congress finds that—

8 (1) certain countries maintain an economic boy-
9 cott of Israel, including a secondary boycott of com-
10 panies that have investments in or trade with Israel;

1 (2) the secondary boycott has caused economic
2 damage to the countries that maintain the boycott
3 as well as to Israel;

4 (3) the secondary boycott causes great difficul-
5 ties for United States firms that trade with Israel,
6 depriving them of trade opportunities and violating
7 internationally accepted principles of free trade;

8 (4) the United States has a longstanding policy
9 opposing the Arab League boycott and United
10 States law prohibits American firms from providing
11 information to Arab countries to demonstrate com-
12 pliance with the boycott;

13 (5) many American companies may be denied
14 contracts in the West Bank and Gaza for infrastruc-
15 ture development because they conduct business with
16 Israel; and

17 (6) many American companies may be denied
18 contracts by the Kuwaiti Government for the recon-
19 struction of Kuwait because they conduct business
20 with Israel.

21 **SEC. 3. PROHIBITION ON CERTAIN SALES AND LEASES.**

22 (a) PROHIBITION.—No defense article or defense
23 service may be sold or leased by the United States Govern-
24 ment to any country or international organization that,
25 as a matter of policy or practice, is known to have sent

1 letters to United States firms requesting compliance with,
2 or soliciting information regarding compliance with, the
3 secondary or tertiary Arab boycott, unless the President
4 determines, and so certifies to the appropriate congressional
5 committees, that that country or organization does
6 not currently maintain a policy or practice of making such
7 requests or solicitations.

8 (b) WAIVER.—

9 (1) 1-YEAR WAIVER.—On or after the effective
10 date of this section, the President may waive, for a
11 period of 1 year, the application of subsection (a)
12 with respect to any country or organization if the
13 President determines, and reports to the appropriate
14 congressional committees, that—

15 (A) such waiver is in the national interest
16 of the United States, and such waiver will promote
17 the objectives of this section to eliminate
18 the Arab boycott; or

19 (B) such waiver is in the national security
20 interest of the United States.

21 (2) EXTENSION OF WAIVER.—If the President
22 determines that the further extension of a waiver
23 will promote the objectives of this section, the President,
24 upon notification of the appropriate congressional

1 sional committees, may grant further extensions of
2 such waiver for successive 12-month periods.

3 (3) TERMINATION OF WAIVER.—The President
4 may, at any time, terminate any waiver granted
5 under this subsection.

6 (c) DEFINITIONS.—As used in this section—

7 (1) the term “appropriate congressional com-
8 mittees” means the Committee on Foreign Relations
9 of the Senate and the Committee on Foreign Affairs
10 of the House of Representatives; and

11 (2) the terms “defense article” and “defense
12 service” have the meanings given to such terms by
13 paragraphs (3) and (4), respectively, of section 47 of
14 the Arms Export Control Act.

15 (d) EFFECTIVE DATE.—This section shall take effect
16 1 year after the date of enactment of this Act.

○