

106TH CONGRESS  
1ST SESSION

# H. R. 3140

To provide stability in the United States agriculture sector and to promote adequate availability of food and medicine for humanitarian assistance abroad by requiring congressional approval before the imposition of any unilateral agricultural or medical sanction against a foreign country or foreign entity.

---

## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 25, 1999

Mr. NETHERCUTT (for himself, Mrs. EMERSON, Ms. DELAURO, Mr. HINCHEY, Mr. SESSIONS, Mr. NEY, Mr. METCALF, Mr. LAMPSON, Mr. BERRY, Mr. BARRETT of Nebraska, Mr. SERRANO, Mr. MORAN of Kansas, Ms. DANNER, Mr. TALENT, Mr. HASTINGS of Washington, Mr. SIMPSON, Mr. HULSHOF, Mr. BLUNT, Mr. SMITH of Washington, Mr. LEACH, Mr. CHAMBLISS, Mr. JOHN, Mr. RANGEL, Ms. DUNN, and Mr. CONDIT) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committees on Rules, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To provide stability in the United States agriculture sector and to promote adequate availability of food and medicine for humanitarian assistance abroad by requiring congressional approval before the imposition of any unilateral agricultural or medical sanction against a foreign country or foreign entity.

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 “Food and Medicine  
5 for the World Act”.

6 **SEC. 2. REQUIREMENT OF CONGRESSIONAL APPROVAL OF**  
7                    **ANY UNILATERAL AGRICULTURAL OR MED-**  
8                    **ICAL SANCTION.**

9        (a) DEFINITIONS.—In this section:

10            (1) AGRICULTURAL COMMODITY.—The term  
11        “agricultural commodity” has the meaning given the  
12        term in section 102 of the Agricultural Trade Act of  
13        1978 (7 U.S.C. 5602).

14            (2) AGRICULTURAL PROGRAM.—The term “ag-  
15        ricultural program” means—

16            (A) any program administered under the  
17        Agricultural Trade Development and Assistance  
18        Act of 1954 (7 U.S.C. 1691 et seq.);

19            (B) any program administered under sec-  
20        tion 416 of the Agricultural Act of 1949 (7  
21        U.S.C. 1431);

22            (C) any program administered under the  
23        Agricultural Trade Act of 1978 (7 U.S.C. 5601  
24        et seq.);

1 (D) the dairy export incentive program ad-  
2 ministered under section 153 of the Food Secu-  
3 rity Act of 1985 (15 U.S.C. 713a–14);

4 (E) any commercial export sale of agricul-  
5 tural commodities; or

6 (F) any export financing (including credits  
7 or credit guarantees) provided by the United  
8 States Government for agricultural commod-  
9 ities.

10 (3) JOINT RESOLUTION.—The term “joint reso-  
11 lution” means—

12 (A) in the case of subsection (b)(1)(B),  
13 only a joint resolution introduced within 10 ses-  
14 sion days of Congress after the date on which  
15 the report of the President under subsection  
16 (b)(1)(A) is received by Congress, the matter  
17 after the resolving clause of which is as follows:  
18 “That Congress approves the report of the  
19 President pursuant to section 2(b)(1)(A) of the  
20 Food and Medicine for the World Act, trans-  
21 mitted on .”, with the blank  
22 completed with the appropriate date; and

23 (B) in the case of subsection (e)(2), only a  
24 joint resolution introduced within 10 session  
25 days of Congress after the date on which the

1 report of the President under subsection (e)(1)  
2 is received by Congress, the matter after the re-  
3 solving clause of which is as follows: “That  
4 Congress approves the report of the President  
5 pursuant to section 2(e)(1) of the Food and  
6 Medicine for the World Act, transmitted on  
7 .”, with the blank completed  
8 with the appropriate date.

9 (4) MEDICAL DEVICE.—The term “medical de-  
10 vice” has the meaning given the term “device” in  
11 section 201 of the Federal Food, Drug, and Cos-  
12 metic Act (21 U.S.C. 321).

13 (5) MEDICINE.—The term “medicine” has the  
14 meaning given the term “drug” in section 201 of the  
15 Federal Food, Drug, and Cosmetic Act (21 U.S.C.  
16 321).

17 (6) UNILATERAL AGRICULTURAL SANCTION.—  
18 The term “unilateral agricultural sanction” means  
19 any prohibition, restriction, or condition on carrying  
20 out an agricultural program with respect to a for-  
21 eign country or foreign entity that is imposed by the  
22 United States for reasons of foreign policy or na-  
23 tional security, except in a case in which the United  
24 States imposes the measure pursuant to a multilat-  
25 eral regime and the other member countries of that

1 regime have agreed to impose substantially equiva-  
2 lent measures.

3 (7) UNILATERAL MEDICAL SANCTION.—The  
4 term “unilateral medical sanction” means any prohi-  
5 bition, restriction, or condition on exports of, or the  
6 provision of assistance consisting of, medicine or a  
7 medical device with respect to a foreign country or  
8 foreign entity that is imposed by the United States  
9 for reasons of foreign policy or national security, ex-  
10 cept in a case in which the United States imposes  
11 the measure pursuant to a multilateral regime and  
12 the other member countries of that regime have  
13 agreed to impose substantially equivalent measures.

14 (b) RESTRICTION.—

15 (1) NEW SANCTIONS.—Except as provided in  
16 subsections (c) and (d) and notwithstanding any  
17 other provision of law, the President may not impose  
18 a unilateral agricultural sanction or unilateral med-  
19 ical sanction against a foreign country or foreign en-  
20 tity, unless—

21 (A) not later than 60 days before the sanc-  
22 tion is proposed to be imposed, the President  
23 submits a report to Congress that—

1 (i) describes the activity proposed to  
2 be prohibited, restricted, or conditioned;  
3 and

4 (ii) describes the actions by the for-  
5 eign country or foreign entity that justify  
6 the sanction; and

7 (B) Congress enacts a joint resolution stat-  
8 ing the approval of Congress for the report sub-  
9 mitted under subparagraph (A).

10 (2) EXISTING SANCTIONS.—

11 (A) IN GENERAL.—Except as provided in  
12 subparagraph (B), with respect to any unilat-  
13 eral agricultural sanction or unilateral medical  
14 sanction that is in effect as of the date of en-  
15 actment of this Act, the President shall termi-  
16 nate the sanction.

17 (B) EXEMPTIONS.—Subparagraph (A)  
18 shall not apply to a unilateral agricultural sanc-  
19 tion or unilateral medical sanction imposed with  
20 respect to—

21 (i) any program administered under  
22 section 416 of the Agricultural Act of 1949  
23 (7 U.S.C. 1431);

24 (ii) the Export Credit Guarantee Pro-  
25 gram (GSM–102) or the Intermediate Ex-

1 port Credit Guarantee Program (GSM–  
2 103) established under section 202 of the  
3 Agricultural Trade Act of 1978 (7 U.S.C.  
4 5622); or

5 (iii) the dairy export incentive pro-  
6 gram administered under section 153 of  
7 the Food Security Act of 1985 (15 U.S.C.  
8 713a–14).

9 (c) EXCEPTIONS.—Subsection (b) shall not affect any  
10 authority or requirement to impose (or continue to im-  
11 pose) a sanction referred to in subsection (b)—

12 (1) against a foreign country or foreign entity  
13 with respect to which Congress has enacted a dec-  
14 laration of war that is in effect on or after the date  
15 of enactment of this Act; or

16 (2) to the extent that the sanction would pro-  
17 hibit, restrict, or condition the provision or use of  
18 any agricultural commodity, medicine, or medical de-  
19 vice that is—

20 (A) controlled on the United States Muni-  
21 tions List established under section 38 of the  
22 Arms Export Control Act (22 U.S.C. 2778);

23 (B) controlled on any control list estab-  
24 lished under the Export Administration Act of  
25 1979 (50 U.S.C. App. 2401 et seq.); or

1           (C) used to facilitate the development or  
2           production of a chemical or biological weapon or  
3           weapon of mass destruction.

4           (d) COUNTRIES SUPPORTING INTERNATIONAL TER-  
5 RORISM.—Subsection (b) shall not affect the prohibitions  
6 in effect on or after the date of enactment of this Act  
7 under section 620A of the Foreign Assistance Act of 1961  
8 (22 U.S.C. 2371) on providing, to the government of any  
9 country supporting international terrorism, United States  
10 government assistance, including United States foreign as-  
11 sistance, United States export assistance, or any United  
12 States credits or credit guarantees.

13          (e) TERMINATION OF SANCTIONS.—Any unilateral  
14 agricultural sanction or unilateral medical sanction that  
15 is imposed pursuant to the procedures described in sub-  
16 section (b)(1) shall terminate not later than 2 years after  
17 the date on which the sanction became effective unless—

18           (1) not later than 60 days before the date of  
19           termination of the sanction, the President submits to  
20           Congress a report containing the recommendation of  
21           the President for the continuation of the sanction  
22           for an additional period of not to exceed 2 years and  
23           the request of the President for approval by Con-  
24           gress of the recommendation; and



1           (2) Congress enacts a joint resolution stating  
2 the approval of Congress for the report submitted  
3 under paragraph (1).

4 (f) CONGRESSIONAL PRIORITY PROCEDURES.—

5           (1) REFERRAL OF REPORT.—A report described  
6 in subsection (b)(1)(A) or (e)(1) shall be referred to  
7 the appropriate committee or committees of the  
8 House of Representatives and to the appropriate  
9 committee or committees of the Senate.

10           (2) REFERRAL OF JOINT RESOLUTION.—

11           (A) IN GENERAL.—A joint resolution shall  
12 be referred to the committees in each House of  
13 Congress with jurisdiction.

14           (B) REPORTING DATE.—A joint resolution  
15 referred to in subparagraph (A) may not be re-  
16 ported before the eighth session day of Con-  
17 gress after the introduction of the joint resolu-  
18 tion.

19           (3) DISCHARGE OF COMMITTEE.—If the com-  
20 mittee to which is referred a joint resolution has not  
21 reported the joint resolution (or an identical joint  
22 resolution) at the end of 30 session days of Congress  
23 after the date of introduction of the joint  
24 resolution—

1 (A) the committee shall be discharged from  
2 further consideration of the joint resolution;  
3 and

4 (B) the joint resolution shall be placed on  
5 the appropriate calendar of the House con-  
6 cerned.

7 (4) FLOOR CONSIDERATION.—

8 (A) MOTION TO PROCEED.—

9 (i) IN GENERAL.—When the com-  
10 mittee to which a joint resolution is re-  
11 ferred has reported, or when a committee  
12 is discharged under paragraph (3) from  
13 further consideration of, a joint  
14 resolution—

15 (I) it shall be at any time there-  
16 after in order (even though a previous  
17 motion to the same effect has been  
18 disagreed to) for any member of the  
19 House concerned to move to proceed  
20 to the consideration of the joint reso-  
21 lution; and

22 (II) all points of order against  
23 the joint resolution (and against con-  
24 sideration of the joint resolution) are  
25 waived.

1 (ii) PRIVILEGE.—The motion to pro-  
2 ceed to the consideration of the joint  
3 resolution—

4 (I) shall be highly privileged in  
5 the House of Representatives and  
6 privileged in the Senate; and

7 (II) not debatable.

8 (iii) AMENDMENTS AND MOTIONS NOT  
9 IN ORDER.—The motion to proceed to the  
10 consideration of the joint resolution shall  
11 not be subject to—

12 (I) amendment;

13 (II) a motion to postpone; or

14 (III) a motion to proceed to the  
15 consideration of other business.

16 (iv) MOTION TO RECONSIDER NOT IN  
17 ORDER.—A motion to reconsider the vote  
18 by which the motion is agreed to or dis-  
19 agreed to shall not be in order.

20 (v) BUSINESS UNTIL DISPOSITION.—  
21 If a motion to proceed to the consideration  
22 of the joint resolution is agreed to, the  
23 joint resolution shall remain the unfinished  
24 business of the House concerned until dis-  
25 posed of.

1 (B) LIMITATIONS ON DEBATE.—

2 (i) IN GENERAL.—Debate on the joint  
3 resolution, and on all debatable motions  
4 and appeals in connection with the joint  
5 resolution, shall be limited to not more  
6 than 10 hours, which shall be divided  
7 equally between those favoring and those  
8 opposing the joint resolution.

9 (ii) FURTHER DEBATE LIMITA-  
10 TIONS.—A motion to limit debate shall be  
11 in order and shall not be debatable.

12 (iii) AMENDMENTS AND MOTIONS NOT  
13 IN ORDER.—An amendment to, a motion  
14 to postpone, a motion to proceed to the  
15 consideration of other business, a motion  
16 to recommit the joint resolution, or a mo-  
17 tion to reconsider the vote by which the  
18 joint resolution is agreed to or disagreed to  
19 shall not be in order.

20 (C) VOTE ON FINAL PASSAGE.—Imme-  
21 diately following the conclusion of the debate on  
22 a joint resolution, and a single quorum call at  
23 the conclusion of the debate if requested in ac-  
24 cordance with the rules of the House concerned,

1 the vote on final passage of the joint resolution  
2 shall occur.

3 (D) RULINGS OF THE CHAIR ON PROCE-  
4 DURE.—An appeal from a decision of the Chair  
5 relating to the application of the rules of the  
6 Senate or House of Representatives, as the case  
7 may be, to the procedure relating to a joint res-  
8 olution shall be decided without debate.

9 (5) COORDINATION WITH ACTION BY OTHER  
10 HOUSE.—If, before the passage by 1 House of a  
11 joint resolution of that House, that House receives  
12 from the other House a joint resolution, the fol-  
13 lowing procedures shall apply:

14 (A) NO COMMITTEE REFERRAL.—The joint  
15 resolution of the other House shall not be re-  
16 ferred to a committee.

17 (B) FLOOR PROCEDURE.—With respect to  
18 a joint resolution of the House receiving the  
19 joint resolution—

20 (i) the procedure in that House shall  
21 be the same as if no joint resolution had  
22 been received from the other House; but

23 (ii) the vote on final passage shall be  
24 on the joint resolution of the other House.

1           (C) DISPOSITION OF JOINT RESOLUTIONS  
2           OF RECEIVING HOUSE.—On disposition of the  
3           joint resolution received from the other House,  
4           it shall no longer be in order to consider the  
5           joint resolution originated in the receiving  
6           House.

7           (6) PROCEDURES AFTER ACTION BY BOTH THE  
8           HOUSE AND SENATE.—If a House receives a joint  
9           resolution from the other House after the receiving  
10          House has disposed of a joint resolution originated  
11          in that House, the action of the receiving House  
12          with regard to the disposition of the joint resolution  
13          originated in that House shall be deemed to be the  
14          action of the receiving House with regard to the  
15          joint resolution originated in the other House.

16          (7) RULEMAKING POWER.—This paragraph is  
17          enacted by Congress—

18                (A) as an exercise of the rulemaking power  
19                of the Senate and House of Representatives, re-  
20                spectively, and as such this paragraph—

21                    (i) is deemed to be a part of the rules  
22                    of each House, respectively, but applicable  
23                    only with respect to the procedure to be  
24                    followed in that House in the case of a  
25                    joint resolution; and

1 (ii) supersedes other rules only to the  
2 extent that this paragraph is inconsistent  
3 with those rules; and

4 (B) with full recognition of the constitu-  
5 tional right of either House to change the rules  
6 (so far as the rules relate to the procedure of  
7 that House) at any time, in the same manner  
8 and to the same extent as in the case of any  
9 other rule of that House.

10 (g) EFFECTIVE DATE.—

11 (1) IN GENERAL.—Except as provided in para-  
12 graph (2), this section takes effect on the date of en-  
13 actment of this Act.

14 (2) EXISTING SANCTIONS.—In the case of any  
15 unilateral agricultural sanction or unilateral medical  
16 sanction that is in effect as of the date of enactment  
17 of this Act, this section takes effect 180 days after  
18 the date of enactment of this Act.

○