To provide a framework for consideration by the legislative and executive branches of unilateral economic sanctions.

IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1999

Mr. Crane (for himself, Mr. Dooley of California, Mr. Manzullo, Mr. Archer, Mr. Bereuter, Mr. Royce, Mr. Salmon, Mr. Clement, Mr. Houghton, Mr. Campbell, Mr. Brady of Texas, Mr. Rangel, Mr. Shaw, Mrs. Johnson of Connecticut, Mr. Herger, Mr. McCrery, Ms. Dunn, Mr. Jefferson, Mr. Portman, Mr. English, Mr. Watkins, Mr. Stenholm, Mr. Boucher, Mr. Dreier, Mr. Price of North Carolina, Mr. Bliley, Mr. Moran of Virginia, Mr. Oxley, Mr. Minge, Mr. Kolbe, Mr. Pomroy, Mr. Callahan, Mr. Luther, Mr. Ewing, Mr. Blumenauer, Mr. Boehner, Ms. Lofgren, Mr. McIntosh, Mr. Davis of Florida, Mr. Hastings of Washington, Mr. John, Mr. Nethercutt, Mr. Snyder, Mr. Sessions, Mr. Smith of Washington, Mr. Shimkus, Mrs. Tauscher, Mr. Reynolds, Mr. Shows, Mr. Kuykendall, Mrs. Napolitano, Mr. Baird, Mr. Skelton, Mrs. Biggert, Mr. Ramstad, and Mr. Moran of Kansas) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committees on Ways and Means, and Banking and Financial Services, 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 a framework for consideration by the legislative and executive branches of unilateral economic sanctions.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Enhancement of Trade, Security, and Human Rights through Sanctions Reform Act”.

SEC. 2. PURPOSE.

It is the purpose of this Act to establish an effective framework for consideration by the legislative and executive branches of unilateral economic sanctions in order to ensure coordination of United States policy with respect to trade, security, and human rights.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to pursue United States interests through vigorous and effective diplomatic, political, commercial, charitable, educational, cultural, and strategic engagement with other countries, while recognizing that the national security interests of the United States may sometimes require the imposition of economic sanctions on other countries;

(2) to foster multilateral cooperation on vital matters of United States foreign policy, including promoting human rights and democracy, combating international terrorism, proliferation of weapons of mass destruction, and international narcotics trafficking, and ensuring adequate environmental protection;
(3) to promote United States economic growth and job creation by expanding exports of goods, services, and agricultural commodities, and by encouraging investment that supports the sale abroad of products and services of the United States;

(4) to maintain the reputation of United States businesses and farmers as reliable suppliers to international customers of quality products and services, including United States manufactures, technology products, financial services, and agricultural commodities;

(5) to avoid the use of restrictions on exports of agricultural commodities as a foreign policy weapon;

(6) to oppose policies of other countries designed to discourage economic interaction with countries friendly to the United States or with any United States national, and to avoid use of such measures as instruments of United States foreign policy; and

(7) when economic sanctions are necessary—

(A) to target them as narrowly as possible on those foreign governments, entities, and officials that are responsible for the conduct being targeted, thereby minimizing unnecessary or
disproportionate harm to individuals who are not responsible for such conduct; and
(B) to the extent feasible, to avoid any adverse impact of economic sanctions on the humanitarian activities of United States and foreign nongovernmental organizations in a country against which sanctions are imposed.

SEC. 4. DEFINITIONS.

As used in this Act:

(1) UNILATERAL ECONOMIC SANCTION.—

(A) IN GENERAL.—The term “unilateral economic sanction” means any prohibition, restriction, or condition on economic activity, including economic assistance, with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, including any of the measures described in subparagraph (B), except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other members of that regime have agreed to impose substantially equivalent measures.
(B) PARTICULAR MEASURES.—The measures referred to in subparagraph (A) are the following:

(i) The suspension, restriction, or prohibition of exports or imports of any product, technology, or service to or from a foreign country or entity.

(ii) The suspension of, or any restriction or prohibition on, financial transactions with a foreign country or entity.

(iii) The suspension of, or any restriction or prohibition on, direct or indirect investment in or from a foreign country or entity.

(iv) The imposition of increased tariffs on, or other restrictions on imports of, products of a foreign country or entity, including the denial, revocation, or conditioning of nondiscriminatory trade treatment (normal trade relations).

(v) The suspension of, or any restriction or prohibition on—

(I) the authority of the Export-Import Bank of the United States to give approval to the issuance of any
guarantee, insurance, or extension of
credit in connection with the export of
goods or services to a foreign country
or entity;

(II) the authority of the Trade
and Development Agency to provide
assistance in connection with projects
in a foreign country or in which a
particular foreign entity participates;
or

(III) the authority of the Over-
seas Private Investment Corporation
to provide insurance, reinsurance, fi-
nancing, or conduct other activities in
connection with projects in a foreign
country or in which a particular for-

goi
city entity participa
e.

(vi) A requirement that the United
States representative to an international fi-
nancial institution vote against any loan or
other utilization of funds to, for, or in a
foreign country or particular foreign entity.

(vii) A measure imposing any restric-
tion or condition on economic activity on
any foreign government or entity on the
grounds that such government or entity
does business in or with a foreign country.

(viii) A measure imposing any restric-
tion or condition on economic activity on
any person that is a national of a foreign
country, or on any government or other en-
tity of a foreign country, on the grounds
that the government of that country has
not taken measures in cooperation with, or
similar to, sanctions imposed by the
United States on a third country.

(ix) The suspension of, or any restric-
tion or prohibition on, travel rights or air
transportation to or from a foreign coun-
try.

(x) Any restriction on the filing or
maintenance in a foreign country of any
proprietary interest in intellectual property
rights (including patents, copyrights, and
trademarks), including payment of patent
maintenance fees.

(C) MULTILATERAL REGIME.—As used in
this paragraph, the term “multilateral regime”
means an agreement, arrangement, or obliga-
tion under which the United States cooperates
with other countries in restricting commerce for reasons of foreign policy or national security, including—

(i) obligations under resolutions of the United Nations;

(ii) nonproliferation and export control arrangements, such as the Australia Group, the Nuclear Supplier’s Group, the Missile Technology Control Regime, and the Wassenaar Arrangement;

(iii) treaty obligations, such as under the Chemical Weapons Convention, the Treaty on the Non-Proliferation of Nuclear Weapons, and the Biological Weapons Convention; and

(iv) agreements concerning protection of the environment, such as the International Convention for the Conservation of Atlantic Tunas, the Declaration of Panama referred to in section 2(a)(1) of the International Dolphin Conservation Act (16 U.S.C. 1361 note), the Convention on International Trade in Endangered Species, the Montreal Protocol on Substances that Deplete the Ozone Layer, and the

(D) **Economic Assistance.**—The term “economic assistance” means—

(i) any assistance under part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2, relating to the Overseas Private Investment Corporation); and

(ii) the provision of agricultural commodities, other than food, under the Agricultural Trade Development and Assistance Act of 1954.

(E) **Financial Transaction.**—As used in this paragraph, the term “financial transaction” has the meaning given that term in section 1956(c)(4) of title 18, United States Code.

(F) **Investment.**—As used in this paragraph, the term “investment” means any contribution or commitment of funds, commodities, services, patents, or other forms of intellectual property, processes, or techniques, including—

(i) a loan or loans;
(ii) the purchase of a share of ownership;

(iii) participation in royalties, earnings, or profits; and

(iv) the furnishing or commodities or services pursuant to a lease or other contract.

(G) EXCLUSIONS.—The term “unilateral economic sanction” does not include—

(i) any measure imposed to remedy unfair trade practices or to enforce United States rights under a trade agreement, including under section 337 of the Tariff Act of 1930, title VII of that Act, title III of the Trade Act of 1974, sections 1374 and 1377 of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. 3103 and 3106), and section 3 of the Act of March 3, 1933 (41 U.S.C. 10b–1);

(ii) any measure imposed to remedy market disruption or to respond to injury to a domestic industry for which increased imports are a substantial cause or threat thereof, including remedies under sections 201 and 406 of the Trade Act of 1974,
and textile import restrictions (including those imposed under section 204 of the Agricultural Act of 1956 (7 U.S.C. 1784));

(iii) any action taken under title IV of the Trade Act of 1974, including the enactment of a joint resolution under section 402(d)(2) of that Act;

(iv) any measure imposed to restrict imports of agricultural commodities to protect food safety or to ensure the orderly marketing of commodities in the United States, including actions taken under section 22 of the Agricultural Adjustment Act (7 U.S.C. 624);

(v) any measure imposed to restrict imports of any other products in order to protect domestic health or safety;

(vi) any measure authorized by, or imposed under, a multilateral or bilateral trade agreement to which the United States is a signatory, including the Uruguay Round Agreements, the North American Free Trade Agreement, the United States-Israel Free Trade Agreement, and
the United States-Canada Free Trade Agreement; and

(vii) any prohibition or restriction on the sale, export, lease, or other transfer of any defense article, defense service, or design and construction service under the Arms Export Control Act, or on any financing provided under that Act.

(2) National Emergency.—The term “national emergency” means any unusual or extraordinary threat, which has its source in whole or substantial part outside the United States, to the national security, foreign policy, or economy of the United States.

(3) Agricultural Commodity.—The term “agricultural commodity” has the meaning given that term in section 102(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5602(1)).

(4) Appropriate Committees.—The term “appropriate committees” means the Committee on Agriculture, the Committee on International Relations, the Committee on Ways and Means, and the Committee on Banking and Financial Services of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry, the Committee
on Finance, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate.

(5) CONTRACT SANCTITY.—The term “contract sanctity”, with respect to a unilateral economic sanction, refers to the inapplicability of the sanction to—

(A) a contract or agreement entered into before the sanction is imposed, or to a valid export license or other authorization to export; and

(B) actions taken to enforce the right to maintain intellectual property rights, in the foreign country against which the sanction is imposed, which existed before the imposition of the sanction.

SEC. 5. GUIDELINES FOR UNILATERAL ECONOMIC SANCTIONS LEGISLATION.

It is the sense of Congress that any bill or joint resolution that imposes any unilateral economic sanction, or authorizes the imposition of any unilateral economic sanction by the executive branch, and is considered by the House of Representatives or the Senate, should—
(1) state the foreign policy or national security objective or objectives of the United States that the economic sanction is intended to achieve;

(2) provide that the economic sanction terminate 2 years after it is imposed, unless specifically reauthorized by the Congress;

(3) provide for contract sanctity;

(4) provide authority for the President both to adjust the timing and scope of the sanction and to waive the sanction, if the President determines it is in the national interest to do so;

(5)(A) target the sanction as narrowly as possible on foreign governments, entities, and officials that are responsible for the conduct being targeted;

(B) not include restrictions on—

(i) the provision of medicine, medical equipment, or food;

(ii) assistance under chapter 8 of part I of the Foreign Assistance Act of 1961; or

(iii) disaster relief assistance, or assistance for refugees, under part I or chapter 4 of part II of the Foreign Assistance Act of 1961; and

(C) seek to minimize any adverse impact on the humanitarian activities of United States and foreign
nongovernmental organizations in any country
against which the sanction may be imposed; and

(6) provide, to the extent that the Secretary of
Agriculture or the Congressional Budget Office finds
that—

(A) the proposed sanction is likely to re-
strict exports of any agricultural commodity or
is likely to result in retaliation against exports
of any agricultural commodity from the United
States, and

(B) the sanction is proposed to be im-
posed, or is likely to be imposed, on a country
or countries that constituted, in the preceding
calendar year, the market for more than 3 per-
cent of all export sales from the United States
of an agricultural commodity,

that the Secretary of Agriculture expand agricultural
export assistance under United States market devel-
opment, food assistance, or export promotion pro-
gress to offset the likely damage to incomes of pro-
ducers of the affected agricultural commodity or
commodities, to the maximum extent permitted by
law and by the obligations of the United States
under the Agreement on Agriculture referred to in
section 101(d)(2) of the Uruguay Round Agree-
ments Act (19 U.S.C. 3511(d)(2)).

SEC. 6. REQUIREMENTS FOR BILL OR JOINT RESOLUTION.

(a) Public Comment.—Not later than 15 days prior
to the consideration by the committee of primary jurisdic-
tion of a bill or joint resolution that imposes any unilateral
economic sanction, or authorizes the imposition of any
unilateral economic sanction by the executive branch, the
chairman of that committee shall publish a notice which
provides an opportunity for interested members of the
public to submit comments to the committee on the pro-
posed sanction.

(b) Committee Reports.—In the case of any bill
or joint resolution described in subsection (a) that is re-
ported by a committee of the House of Representatives
or the Senate, the committee report accompanying the bill
or joint resolution shall contain a statement of whether
the legislation meets all the guidelines specified in para-
graphs (1) through (6) of section 5 and, if the bill or joint
resolution does not, an explanation of why it does not. The
report shall also include a specific statement of whether
the bill or joint resolution includes any restrictions de-
scribed in clauses (i), (ii), or (iii) of section 5(5)(B).

(c) Reports by the President and Secretary
of Agriculture.—
(1) **Report Required.**—Not later than 30 days after a committee of the House of Representatives or the Senate reports any bill or joint resolution described in subsection (a) or the House of Representatives or the Senate receives such bill or joint resolution from the other House of Congress, the President and the Secretary of Agriculture shall submit to the House filing the report or receiving the bill or joint resolution the reports described in paragraphs (2) and (3).

(2) **Content of Report by the President.**—The President’s report to the Congress under paragraph (1) shall contain—

(A) an assessment of—

(i) the likelihood that the proposed unilateral economic sanction will achieve its stated objective within a reasonable period of time; and

(ii) the impact of the proposed unilateral economic sanction on—

(I) humanitarian conditions, including the impact on conditions in any specific countries on which the sanction is proposed to be or may be imposed;
(II) humanitarian activities of United States and foreign nongovernmental organizations;

(III) relations with United States allies;

(IV) other United States national security and foreign policy interests; and

(V) countries and entities other than those on which the sanction is proposed to be or may be imposed;

(B) a description and assessment of—

(i) diplomatic and other steps the United States has taken to accomplish the intended objectives of the unilateral sanction legislation;

(ii) the likelihood of multilateral adoption of comparable measures;

(iii) comparable measures undertaken by other countries;

(iv) alternative measures to promote the same objectives, and an assessment of their potential effectiveness;

(v) any obligations of the United States under international treaties or trade
agreements with which the proposed sanc-

tion may conflict;

(vi) the likelihood that the proposed
sanction will lead to retaliation against
United States interests, including agricul-
tural interests; and

(vii) whether the achievement of the
objectives of the proposed sanction out-
weighs any likely costs to United States
foreign policy, national security, economic,
and humanitarian interests, including any
potential harm to United States business,
agriculture, and consumers, and any poten-
tial harm to the international reputation of
the United States as a reliable supplier of
products, technology, agricultural commod-
ities, and services.

(3) Content of report by the Secretary
of Agriculture.—The Secretary of Agriculture’s
report to Congress under paragraph (1) shall con-
tain an assessment of—

(A) the extent to which any country or
countries proposed to be sanctioned or likely to
be sanctioned are markets that accounted for,
in the preceding calendar year, more than 3
percent of all export sales from the United States of any agricultural commodity;

(B) the likelihood that exports of agricultural commodities from the United States will be affected by the proposed sanction or by retaliation by any country proposed to be sanctioned or likely to be sanctioned, and specific commodities which are most likely to be affected;

(C) the likely effect on incomes of producers of the specific commodities identified by the Secretary;

(D) the extent to which the proposed sanction would permit foreign suppliers to replace United States suppliers; and

(E) the likely effect of the proposed sanction on the reputation of United States farmers as reliable suppliers of agricultural commodities in general, and of the specific commodities identified by the Secretary.

(d) FEDERAL PRIVATE SECTOR MANDATE.—

(1) IN GENERAL.—Any bill or joint resolution described in section 5 shall be considered to include a Federal private sector mandate for purposes of

(2) **Report by the Congressional Budget Office.**—The report by the Congressional Budget Office pursuant to paragraph (1) shall include an assessment of the likely short-term and long-term costs of the proposed sanction to the United States economy, including the potential impact on United States trade performance, employment, and growth, the international reputation of the United States as a reliable supplier of products, agricultural commodities, technology, and services, and the economic well-being and international competitive position of United States industries, firms, workers, farmers, and communities.

**SEC. 7. REQUIREMENTS FOR EXECUTIVE ACTION.**

(a) **In General.**—

(1) **Advance Notice.**—

(A) **Notice of Intent to Impose Sanction.**—Notwithstanding any other provision of law, the President shall publish notice in the Federal Register at least 45 days in advance of the imposition of any new unilateral economic sanction with respect to a foreign country or foreign entity of the President’s intention to im-
plement such sanction. The purpose of such no-
tice shall be to allow the formulation of an ef-
fective sanction that advances United States
national security and economic interests, and to
provide an opportunity for negotiations to
achieve the objectives specified in the law au-
thorizing imposition of the unilateral economic
sanction.

(B) WAIVER OF ADVANCE ANNOUNCEMENT
REQUIREMENT.—The President may waive the
provisions of subparagraph (A) in the case of
any new unilateral economic sanction that in-
volves freezing the assets of a foreign country
or entity if the President determines that the
national interest would be jeopardized by the
requirements of this section.

(2) NEW UNILATERAL ECONOMIC SANCTION.—
For purposes of this section, the term “new unilat-
eral economic sanction” means a unilateral economic
sanction imposed pursuant to a law enacted after
the date of the enactment of this Act or a sanction
imposed after such date of enactment pursuant to
the International Emergency Economic Powers Act
(50 U.S.C. 1701 et seq.).

(b) CONSULTATION.—
(1) APPROPRIATE COMMITTEES.—The President shall consult with the appropriate committees regarding any proposed new unilateral economic sanction, including consultations regarding efforts to achieve or increase multilateral cooperation on the issues or problems prompting the proposed sanction.

(2) CLASSIFIED CONSULTATIONS.—Such consultations may be conducted on a classified basis if disclosure would threaten the national security of the United States.

c) PUBLIC HEARINGS; RECORD.—The President shall publish a notice in the Federal Register of the opportunity for interested persons to submit comments on any proposed new unilateral economic sanction.

d) REQUIREMENTS FOR EXECUTIVE BRANCH SANCTIONS.—Any new unilateral economic sanction imposed by the President—

(1) shall—

(A) include an assessment of whether the sanction is likely to achieve a specific United States foreign policy or national security objective within a reasonable period of time, which shall be specified, and whether the achievement of the objectives of the sanction outweighs any costs to United States national interests;
(B) provide for contract sanctity, except in the case of a contract—

(i) the execution of which would be contrary to law in the absence of the proposed sanction, such as a contract to deal illicitly in controlled substances;

(ii) that deals in assets that would be frozen as a consequence of the proposed sanction; or

(iii) that provides for the supply of articles or services directly to a specific person, corporation, government, or unit thereof, or military entity, that is expressly named as a target in the proposed sanction;

(C) terminate not later than 2 years after the sanction is imposed, unless specifically extended by the President in accordance with the procedures of this section;

(D)(i) be targeted as narrowly as possible on foreign governments, entities, and officials that are responsible for the conduct being targeted; and

(ii) seek to minimize any adverse impact on the humanitarian activities of United States
and foreign nongovernmental organizations in a
country against which the sanction may be im-
posed; and

(E) not include any restrictions on the ex-
port (including commercial or Federal financing
or support) of food, other agricultural commod-
ities (including fertilizer), medicine, medical
supplies, or medical equipment, other than re-
strictions imposed in response to national secu-
rity threats or restrictions involving a country
with which the United States is engaged in
armed conflict; and

(2) should provide, to the extent that the Sec-
retary of Agriculture finds that—

(A) a unilateral economic sanction is likely
to restrict exports of any agricultural com-
modity from the United States or is likely to
risk retaliation against exports of any agricul-
tural commodity from the United States, and

(B) the sanction is proposed to be im-
posed, or is likely to be imposed, on a country
or countries that constituted, in the preceding
calendar year, the market for more than 3 per-
cent of all export sales from the United States
of an agricultural commodity,
that the Secretary of Agriculture expand agricultural
export assistance under United States market devel-
opment, food assistance, or export promotion pro-
grams to offset the likely damage to incomes of pro-
ducers of the affected agricultural commodity or
commodities, to the maximum extent permitted by
law and by the obligations of the United States
under the Agreement on Agriculture referred to in
section 101(d)(2) of the Uruguay Round Agree-
ments Act (19 U.S.C. 3511(d)(2)).

(c) Report by the President.—

(1) In general.—Prior to imposing any new
unilateral economic sanction, the President shall
provide a report to the appropriate committees on
the proposed sanction. The report shall include the
report of the International Trade Commission under
subsection (g) (if timely submitted prior to the filing
of the report). The report may be provided on a
classified basis if disclosure would threaten the na-
tional security of the United States. The President’s
report shall contain the following:

(A) An explanation of the foreign policy or
national security objective or objectives intended
to be achieved through the proposed sanction.

(B) An assessment of—
(i) the likelihood that the proposed new unilateral economic sanction will achieve its stated objectives within the stated period of time; and

(ii) the impact of the proposed new unilateral economic sanction on—

(I) humanitarian conditions, including the impact on conditions in any specific countries on which the sanction is proposed to be imposed;

(II) humanitarian activities of United States and foreign nongovernmental organizations;

(III) relations with United States allies;

(IV) other United States national security and foreign policy interests; and

(V) countries and entities other than those on which the sanction is proposed to be imposed.

(C) A description and assessment of—

(i) diplomatic and other steps the United States has taken to accomplish the
intended objectives of the proposed sanction;

(ii) the likelihood of multilateral adoption of comparable measures;

(iii) comparable measures undertaken by other countries;

(iv) alternative measures to promote the same objectives, and an assessment of their potential effectiveness;

(v) any obligations of the United States under international treaties or trade agreements with which the proposed sanction may conflict;

(vi) the likelihood that the proposed sanction will lead to retaliation against United States interests, including agricultural interests; and

(vii) whether the achievement of the objectives of the proposed sanction outweighs any likely costs to United States foreign policy, national security, economic, and humanitarian interests, including any potential harm to United States business, agriculture, and consumers, and any potential harm to the international reputation of
the United States as a reliable supplier of products, technology, agricultural commodities, and services.

(2) Report on other sanctions.—In the case of any unilateral economic sanction that is imposed after the date of the enactment of this Act, other than a new unilateral economic sanction described in subsection (a)(1) or a sanction that is a continuation of a sanction in effect on the date of the enactment of this Act, the President shall, not later than 30 days after imposing such sanction, submit to the appropriate committees a report described in paragraph (1) relating to such sanction. Such report may be provided on a classified basis if disclosure would threaten the national security of the United States.

(f) Report by the Secretary of Agriculture.—Prior to the imposition of a new unilateral economic sanction by the President, the Secretary of Agriculture shall submit to the appropriate committees a report which shall contain an assessment of—

(1) the extent to which any country or countries proposed to be sanctioned are markets that accounted for, in the preceding calendar year, more
than 3 percent of all export sales from the United States of any agricultural commodity;

(2) the likelihood that exports of agricultural commodities from the United States will be affected by the proposed sanction or by retaliation by any country proposed to be sanctioned, including specific commodities which are most likely to be affected;

(3) the likely effect on incomes of producers of the specific commodities identified by the Secretary;

(4) the extent to which the proposed sanction would permit foreign suppliers to replace United States suppliers; and

(5) the likely effect of the proposed sanction on the reputation of United States farmers as reliable suppliers of agricultural commodities in general, and of the specific commodities identified by the Secretary.

(g) Report by the United States International Trade Commission.—Before imposing a unilateral economic sanction, the President shall make a timely request to the United States International Trade Commission for a report on the likely short-term and long-term costs of the proposed sanction to the United States economy, including the potential impact on United States trade performance, employment, and growth, the inter-
national reputation of the United States as a reliable sup-
plier of products, agricultural commodities, technology,
and services, and the economic well-being and inter-
national competitive position of United States industries,
 firms, workers, farmers, and communities.

(h) WAIVER IN CASE OF NATIONAL EMERGENCY.—
The President may waive any of the requirements of sub-
sections (a), (b), (c), (d)(1)(B), (e)(1), (f), and (g), in the
event that the President determines that there exists a na-
tional emergency that requires the exercise of the waiver.

In the event of such a waiver, the requirements waived
shall be met during the 60-day period immediately fol-
lowing the imposition of the unilateral economic sanction,
and the sanction shall terminate 90 days after being im-
posed unless such requirements are met. The President
may also waive any of the requirements of paragraphs
(1)(D), (1)(E), and (2) of subsection (d) with respect to
a new unilateral economic sanction in the event that the
President determines that the new unilateral economic
sanction is related to actual or imminent armed conflict
involving the United States.

(i) SANCTIONS REVIEW COMMITTEE.—

(1) ESTABLISHMENT.—There is established
within the executive branch of the Government an
interagency committee, which shall be known as the
“Sanctions Review Committee”, which shall have the responsibility of coordinating United States policy regarding unilateral economic sanctions and of providing appropriate recommendations to the President prior to any decision regarding the implementation of any unilateral economic sanction. The Committee shall be composed of the following 11 members, and any other member the President deems appropriate:

(A) The Secretary of State.
(B) The Secretary of the Treasury.
(C) The Secretary of Defense.
(D) The Secretary of Agriculture.
(E) The Secretary of Commerce.
(F) The Secretary of Energy.
(G) The United States Trade Representative.
(H) The Director of the Office of Management and Budget.
(I) The Chairman of the Council of Economic Advisers.
(J) The Assistant to the President for National Security Affairs.
(K) The Assistant to the President for Economic Policy.
(2) **Chair.**—The President shall designate one of the members specified in paragraph (1) to serve as chair of the Sanctions Review Committee.

(j) **Inapplicability of Other Provisions.**—This section applies notwithstanding any other provision of law.

**SEC. 8. PRESIDENTIAL WAIVER AUTHORITY FOR CERTAIN SANCTIONS.**

(a) **Authority.**—Notwithstanding any other provision of this or any other Act, the President may waive the application of any sanction or prohibition (or portion thereof) contained in section 101 or 102 of the Arms Export Control Act, section 620E(e) of the Foreign Assistance Act of 1961, or section 2(b)(4) of the Export-Import Bank Act of 1945 for periods of 6 months each if he determines that such a waiver would advance the purposes of such Acts or the national security interests of the United States.

(b) **Consultation.**—Prior to exercising the waiver authority under subsection (a), the President shall consult with the appropriate committees. Such consultations may be conducted on a classified basis if disclosure would threaten the national security of the United States.

(c) **Reports.**—At least once in every 6-month period after exercising the waiver authority under subsection (a), the President shall report to the appropriate committees...
with respect to the actions taken, during that 6-month pe-
period, concerning the acts of the foreign country or person
concerned prompting the sanctions for which the waiver
was granted, and the reasons that continuation of such
waiver remains in the national security interest of the
United States.

SEC. 9. ANNUAL REPORTS.

(a) ANNUAL REPORT.—Not later than 6 months
after the date of the enactment of this Act, and annually
thereafter, unless otherwise required by law, the President
shall submit to the appropriate committees a report detail-
ing with respect to each country or entity against which
a unilateral economic sanction has been imposed—

(1) the extent to which the sanction has
achieved foreign policy or national security objectives
of the United States with respect to that country or
entity;

(2) the extent to which the sanction has harmed
humanitarian interests in that country, the country
in which that entity is located, or in other countries;

and

(3) the impact of the sanction on other national
security and foreign policy interests of the United
States, including relations with countries friendly to
the United States, and on the United States economy.

(b) Report by the United States International Trade Commission.—Not later than 6 months after the date of the enactment of this Act, and annually thereafter, the United States International Trade Commission shall report to the appropriate committees on the costs, individually and in the aggregate, of all unilateral economic sanctions in effect under United States law, regulation, or Executive order. The calculation of such costs shall include an assessment of the impact of such measures on the international reputation of the United States as a reliable supplier of products, agricultural commodities, technology, and services.