

106TH CONGRESS
2D SESSION

H. R. 1064

AN ACT

To authorize a coordinated program to promote the development of democracy in Serbia and Montenegro.

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To authorize a coordinated program to promote the development of democracy in Serbia and Montenegro.

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

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Serbia Democratization Act of 2000”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—SUPPORT FOR THE DEMOCRATIC FORCES

Sec. 101. Findings and policy.

Sec. 102. Assistance to promote democracy and civil society in Yugoslavia.

Sec. 103. Authority for radio and television broadcasting.

Sec. 104. Development of political contacts relating to the Republic of Serbia
and the Republic of Montenegro.

TITLE II—ASSISTANCE TO THE VICTIMS OF OPPRESSION

Sec. 201. Findings.

Sec. 202. Sense of the Congress.

Sec. 203. Assistance.

TITLE III—“OUTER WALL” SANCTIONS

Sec. 301. “Outer Wall” sanctions.

Sec. 302. International financial institutions not in compliance with “Outer
Wall” sanctions.

TITLE IV—OTHER MEASURES AGAINST YUGOSLAVIA

Sec. 401. Blocking assets in the United States.

Sec. 402. Suspension of entry into the United States.

Sec. 403. Prohibition on strategic exports to Yugoslavia.

Sec. 404. Prohibition on loans and investment.

Sec. 405. Prohibition of military-to-military cooperation.

Sec. 406. Multilateral sanctions.

Sec. 407. Exemptions.

Sec. 408. Waiver; termination of measures against Yugoslavia.

Sec. 409. Statutory construction.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. International Criminal Tribunal for the former Yugoslavia.

Sec. 502. Sense of the Congress with respect to ethnic Hungarians of
Vojvodina.

Sec. 503. Ownership and use of diplomatic and consular properties.

Sec. 504. Transition assistance.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means the Committee on Foreign Relations
4 of the Senate and the Committee on International
5 Relations of the House of Representatives.

6 (2) COMMERCIAL EXPORT.—The term “com-
7 mercial export” means the sale of an agricultural
8 commodity, medicine, or medical equipment by a
9 United States seller to a foreign buyer in exchange
10 for cash payment on market terms without benefit
11 of concessionary financing, export subsidies, govern-
12 ment or government-backed credits or other non-
13 market financing arrangements.

14 (3) INTERNATIONAL CRIMINAL TRIBUNAL FOR
15 THE FORMER YUGOSLAVIA OR TRIBUNAL.—The term
16 “International Criminal Tribunal for the former
17 Yugoslavia” or the “Tribunal” means the Inter-
18 national Tribunal for the Prosecution of Persons Re-
19 sponsible for Serious Violations of International Hu-
20 manitarian Law Committed in the Territory of the
21 Former Yugoslavia Since 1991, as established by
22 United Nations Security Council Resolution 827 of
23 May 25, 1993.

24 (4) YUGOSLAVIA.—The term “Yugoslavia”
25 means the so-called Federal Republic of Yugoslavia

(Serbia and Montenegro), and the term “Government of Yugoslavia” means the central government of Yugoslavia.

TITLE I—SUPPORT FOR THE DEMOCRATIC FORCES

SEC. 101. FINDINGS AND POLICY.

(a) FINDINGS.—Congress finds the following:

(1) The President of Yugoslavia, Slobodan Milosevic, has consistently engaged in undemocratic methods of governing.

(2) Yugoslavia has passed and implemented a law strictly limiting freedom of the press and has acted to intimidate and prevent independent media from operating inside Yugoslavia.

(3) Although the Yugoslav and Serbian constitutions provide for the right of citizens to change their government, citizens of Serbia in practice are prevented from exercising that right by the Milosevic regime’s domination of the mass media and manipulation of the electoral process.

(4) The Yugoslav and Serbian governments have orchestrated attacks on academics at institutes and universities throughout the country in an effort to prevent the dissemination of opinions that differ from official state propaganda.

1 (5) The Yugoslav and Serbian governments
2 hinder the formation of nonviolent, democratic oppo-
3 sition through restrictions on freedom of assembly
4 and association.

5 (6) The Yugoslav and Serbian governments use
6 control and intimidation to control the judiciary and
7 manipulate the country's legal framework to suit the
8 regime's immediate political interests.

9 (7) The Government of Serbia and the Govern-
10 ment of Yugoslavia, under the direction of President
11 Milosevic, have obstructed the efforts of the Govern-
12 ment of Montenegro to pursue democratic and free-
13 market policies.

14 (8) At great risk, the Government of Monte-
15 negro has withstood efforts by President Milosevic to
16 interfere with its government.

17 (9) The people of Serbia who do not endorse
18 the undemocratic actions of the Milosevic govern-
19 ment should not be the target of criticism that is
20 rightly directed at the Milosevic regime.

21 (b) POLICY; SENSE OF THE CONGRESS.—

22 (1) POLICY.—It is the policy of the United
23 States to encourage the development of a govern-
24 ment in Yugoslavia based on democratic principles

1 and the rule of law and that respects internationally
2 recognized human rights.

3 (2) SENSE OF THE CONGRESS.—It is the sense
4 of the Congress that—

5 (A) the United States should actively sup-
6 port the democratic forces in Yugoslavia, in-
7 cluding political parties and independent trade
8 unions, to develop a legitimate and viable alter-
9 native to the Milosevic regime;

10 (B) all United States Government officials,
11 including individuals from the private sector
12 acting on behalf of the United States Govern-
13 ment, should meet regularly with representa-
14 tives of democratic forces in Yugoslavia and
15 minimize to the extent practicable any direct
16 contacts with officials of the Yugoslav or Ser-
17 bian governments, and not meet with any indi-
18 vidual indicted by the International Criminal
19 Tribunal for the former Yugoslavia, particularly
20 President Slobodan Milosevic; and

21 (C) the United States should emphasize to
22 all political leaders in Yugoslavia the impor-
23 tance of respecting internationally recognized
24 human rights for all individuals residing in
25 Yugoslavia.

1 **SEC. 102. ASSISTANCE TO PROMOTE DEMOCRACY AND**
2 **CIVIL SOCIETY IN YUGOSLAVIA.**

3 (a) ASSISTANCE FOR THE SERBIAN DEMOCRATIC
4 FORCES.—

5 (1) PURPOSE OF ASSISTANCE.—The purpose of
6 assistance under this subsection is to promote and
7 strengthen institutions of democratic government
8 and the growth of an independent civil society in
9 Serbia, including ethnic tolerance and respect for
10 internationally recognized human rights.

11 (2) AUTHORIZATION FOR ASSISTANCE.—To
12 carry out the purpose of paragraph (1), the Presi-
13 dent is authorized to furnish assistance and other
14 support for the activities described in paragraph (3).

15 (3) ACTIVITIES SUPPORTED.—Activities that
16 may be supported by assistance under paragraph (2)
17 include the following:

18 (A) Democracy building.

19 (B) The development of nongovernmental
20 organizations.

21 (C) The development of independent Ser-
22 bian media.

23 (D) The development of the rule of law, to
24 include a strong, independent judiciary, the im-
25 partial administration of justice, and trans-
26 parency in political practices.

1 (E) International exchanges and advanced
2 professional training programs in skill areas
3 central to the development of civil society and
4 a market economy.

5 (F) The development of all elements of the
6 democratic process, including political parties
7 and the ability to administer free and fair elec-
8 tions.

9 (G) The development of local governance.

10 (H) The development of a free-market
11 economy.

12 (4) AUTHORIZATION OF APPROPRIATIONS.—

13 (A) IN GENERAL.—There is authorized to
14 be appropriated to the President \$50,000,000
15 for the period beginning October 1, 2000, and
16 ending September 30, 2001, to be made avail-
17 able for activities in support of the democratiza-
18 tion of the Republic of Serbia (excluding
19 Kosovo) pursuant to this subsection.

20 (B) AVAILABILITY OF FUNDS.—Amounts
21 appropriated pursuant to subparagraph (A) are
22 authorized to remain available until expended.

23 (b) PROHIBITION ON ASSISTANCE TO GOVERNMENT
24 OF YUGOSLAVIA OR OF SERBIA.—In carrying out sub-
25 section (a), the President should take all necessary steps

1 to ensure that no funds or other assistance is provided
2 to the Government of Yugoslavia or to the Government
3 of Serbia, except for purposes permitted under this title.

4 (c) ASSISTANCE TO GOVERNMENT OF MONTE-
5 NEGRO.—

6 (1) IN GENERAL.—The President may provide
7 assistance to the Government of Montenegro, unless
8 the President determines, and so reports to the ap-
9 propriate congressional committees, that the leader-
10 ship of the Government of Montenegro is not com-
11 mitted to, or is not taking steps to promote, demo-
12 cratic principles, the rule of law, or respect for inter-
13 nationally recognized human rights.

14 (2) AUTHORIZATION OF APPROPRIATIONS.—
15 Unless the President makes the determination, and
16 so reports to the appropriate congressional commit-
17 tees, under paragraph (1), there is authorized to be
18 appropriated to the President \$55,000,000 for the
19 period beginning October 1, 2000, and ending Sep-
20 tember 30, 2001, to be made available for activities
21 for or in the Republic of Montenegro for purposes
22 described in subsection (a), as well as to support on-
23 going political and economic reforms, and economic
24 stabilization in support of democratization.

1 **SEC. 103. AUTHORITY FOR RADIO AND TELEVISION BROAD-**
2 **CASTING.**

3 (a) IN GENERAL.—The Broadcasting Board of Gov-
4 ernors shall further the open communication of informa-
5 tion and ideas through the increased use of radio and tele-
6 vision broadcasting to Yugoslavia in both the Serbo-Cro-
7 atian and Albanian languages.

8 (b) IMPLEMENTATION.—Radio and television broad-
9 casting under subsection (a) shall be carried out by the
10 Voice of America and, in addition, radio broadcasting
11 under that subsection shall be carried out by RFE/RL,
12 Incorporated. Subsection (a) shall be carried out in ac-
13 cordance with all the respective Voice of America and
14 RFE/RL, Incorporated, standards to ensure that radio
15 and television broadcasting to Yugoslavia serves as a con-
16 sistently reliable and authoritative source of accurate, ob-
17 jective, and comprehensive news.

18 (c) STATUTORY CONSTRUCTION.—The implementa-
19 tion of subsection (a) may not be construed as a replace-
20 ment for the strengthening of indigenous independent
21 media called for in section 102(a)(3)(C). To the maximum
22 extent practicable, the two efforts (strengthening inde-
23 pendent media and increasing broadcasts into Serbia)
24 shall be carried out in such a way that they mutually sup-
25 port each other.

1 **SEC. 104. DEVELOPMENT OF POLITICAL CONTACTS RELAT-**
2 **ING TO THE REPUBLIC OF SERBIA AND THE**
3 **REPUBLIC OF MONTENEGRO.**

4 (a) SENSE OF THE CONGRESS.—It is the sense of the
5 Congress that political contacts between United States of-
6 ficials and those individuals who, in an official or unoffi-
7 cial capacity, represent a genuine desire for democratic
8 governance in the Republic of Serbia and the Republic of
9 Montenegro should be developed through regular and well
10 publicized meetings.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated to the Secretary of State
13 \$350,000 for fiscal year 2001 for a voluntary contribution
14 to the Organization for Security and Cooperation in Eu-
15 rope (OSCE) and the OSCE Parliamentary Assembly—

16 (1) to facilitate contacts by those who, in an of-
17 ficial or unofficial capacity, represent a genuine de-
18 sire for democratic governance in the Republic of
19 Serbia and the Republic of Montenegro, with their
20 counterparts in other countries; and

21 (2) to encourage the development of a multilat-
22 eral effort to promote democracy in the Republic of
23 Serbia and the Republic of Montenegro.

1 **TITLE II—ASSISTANCE TO THE**
2 **VICTIMS OF OPPRESSION**

3 **SEC. 201. FINDINGS.**

4 Congress finds the following:

5 (1) Beginning in February 1998 and ending in
6 June 1999, the armed forces of Yugoslavia and the
7 Serbian Interior Ministry police force engaged in a
8 brutal crackdown against the ethnic Albanian popu-
9 lation in Kosovo.

10 (2) As a result of the attack by Yugoslav and
11 Serbian forces against the Albanian population of
12 Kosovo, more than 10,000 individuals were killed
13 and 1,500,000 individuals were displaced from their
14 homes.

15 (3) The majority of the individuals displaced by
16 the conflict in Kosovo was left homeless or was
17 forced to find temporary shelter in Kosovo or outside
18 the country.

19 (4) The activities of the Yugoslav armed forces
20 and the police force of the Serbian Interior Ministry
21 resulted in the widespread destruction of agricultural
22 crops, livestock, and property, as well as the poi-
23 soning of wells and water supplies, and the looting
24 of humanitarian goods provided by the international
25 community.

1 **SEC. 202. SENSE OF THE CONGRESS.**

2 It is the sense of the Congress that—

3 (1) the Government of Yugoslavia and the Gov-
4 ernment of Serbia bear responsibility to the victims
5 of the conflict in Kosovo, including refugees and in-
6 ternally displaced persons, and for property damage
7 in Kosovo;

8 (2) under the direction of President Milosevic,
9 neither the Government of Yugoslavia nor the Gov-
10 ernment of Serbia provided the resources to assist
11 innocent, civilian victims of oppression in Kosovo;
12 and

13 (3) because neither the Government of Yugo-
14 slavia nor the Government of Serbia fulfilled the re-
15 sponsibilities of a sovereign government toward the
16 people in Kosovo, the international community offers
17 the only recourse for humanitarian assistance to vic-
18 tims of oppression in Kosovo.

19 **SEC. 203. ASSISTANCE.**

20 (a) **AUTHORITY.**—The President is authorized to fur-
21 nish assistance under section 491 of the Foreign Assist-
22 ance Act of 1961 (22 U.S.C. 2292) and the Migration and
23 Refugee Assistance Act of 1962 (22 U.S.C. 2601 et seq.),
24 as appropriate, for—

25 (1) relief, rehabilitation, and reconstruction in
26 Kosovo; and

1 (2) refugees and persons displaced by the con-
2 flict in Kosovo.

3 (b) PROHIBITION.—No assistance may be provided
4 under this section to any organization that has been des-
5 ignated as a foreign terrorist organization under section
6 219 of the Immigration and Nationality Act (8 U.S.C.
7 1189).

8 (c) USE OF ECONOMIC SUPPORT FUNDS.—Any funds
9 that have been allocated under chapter 4 of part II of the
10 Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.)
11 for assistance described in subsection (a) may be used in
12 accordance with the authority of that subsection.

13 **TITLE III—“OUTER WALL”** 14 **SANCTIONS**

15 **SEC. 301. “OUTER WALL” SANCTIONS.**

16 (a) APPLICATION OF MEASURES.—The sanctions de-
17 scribed in subsections (c) through (g) shall apply with re-
18 spect to Yugoslavia until the President determines and
19 certifies to the appropriate congressional committees that
20 the Government of Yugoslavia has made significant
21 progress in meeting the conditions described in subsection
22 (b).

23 (b) CONDITIONS.—The conditions referred to in sub-
24 section (a) are the following:

1 (1) Agreement on a lasting settlement in
2 Kosovo.

3 (2) Compliance with the General Framework
4 Agreement for Peace in Bosnia and Herzegovina.

5 (3) Implementation of internal democratic re-
6 form.

7 (4) Settlement of all succession issues with the
8 other republics that emerged from the break-up of
9 the Socialist Federal Republic of Yugoslavia.

10 (5) Cooperation with the International Criminal
11 Tribunal for the former Yugoslavia, including the
12 transfer to The Hague of all individuals in Yugo-
13 slavia indicted by the Tribunal.

14 (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—
15 The Secretary of the Treasury shall instruct the United
16 States executive directors of the international financial in-
17 stitutions to oppose, and vote against, any extension by
18 those institutions of any financial assistance (including
19 any technical assistance or grant) of any kind to the Gov-
20 ernment of Yugoslavia.

21 (d) ORGANIZATION FOR SECURITY AND COOPERA-
22 TION IN EUROPE.—The Secretary of State should instruct
23 the United States Ambassador to the Organization for Se-
24 curity and Cooperation in Europe (OSCE) to oppose and
25 block any consensus to allow the participation of Yugo-

1 slavia in the OSCE or any organization affiliated with the
2 OSCE.

3 (e) UNITED NATIONS.—The Secretary of State
4 should instruct the United States Permanent Representa-
5 tive to the United Nations—

6 (1) to oppose and vote against any resolution in
7 the United Nations Security Council to admit Yugo-
8 slavia to the United Nations or any organization af-
9 filiated with the United Nations; and

10 (2) to actively oppose and, if necessary, veto
11 any proposal to allow Yugoslavia to assume the
12 membership of the former Socialist Federal Republic
13 of Yugoslavia in the United Nations General Assem-
14 bly or any other organization affiliated with the
15 United Nations.

16 (f) NATO.—The Secretary of State should instruct
17 the United States Permanent Representative to the North
18 Atlantic Council to oppose and vote against the extension
19 to Yugoslavia of membership or participation in the Part-
20 nership for Peace program or any other organization affili-
21 ated with NATO.

22 (g) SOUTHEAST EUROPEAN COOPERATION INITIA-
23 TIVE.—The Secretary of State should instruct the United
24 States Representatives to the Southeast European Co-

1 operation Initiative (SECI) to actively oppose the partici-
2 pation of Yugoslavia in SECI.

3 (h) SENSE OF THE CONGRESS.—It is the sense of
4 the Congress that—

5 (1) the President should not restore full diplo-
6 matic relations with Yugoslavia until the President
7 has determined and so reported to the appropriate
8 congressional committees that the Government of
9 Yugoslavia has met the conditions described in sub-
10 section (b); and

11 (2) the President should encourage all other
12 European countries to diminish their level of diplo-
13 matic relations with Yugoslavia.

14 (i) INTERNATIONAL FINANCIAL INSTITUTION DE-
15 FINED.—In this section, the term “international financial
16 institution” includes the International Monetary Fund,
17 the International Bank for Reconstruction and Develop-
18 ment, the International Development Association, the
19 International Finance Corporation, the Multilateral In-
20 vestment Guaranty Agency, and the European Bank for
21 Reconstruction and Development.

1 **SEC. 302. INTERNATIONAL FINANCIAL INSTITUTIONS NOT**
2 **IN COMPLIANCE WITH “OUTER WALL” SANC-**
3 **TIONS.**

4 It is the sense of the Congress that, if any inter-
5 national financial institution (as defined in section 301(i))
6 approves a loan or other financial assistance to the Gov-
7 ernment of Yugoslavia over the opposition of the United
8 States, then the Secretary of the Treasury should withhold
9 from payment of the United States share of any increase
10 in the paid-in capital of such institution an amount equal
11 to the amount of the loan or other assistance.

12 **TITLE IV—OTHER MEASURES**
13 **AGAINST YUGOSLAVIA**

14 **SEC. 401. BLOCKING ASSETS IN THE UNITED STATES.**

15 (a) **BLOCKING OF ASSETS.**—All property and inter-
16 ests in property, including all commercial, industrial, or
17 public utility undertakings or entities, of or in the name
18 of the Government of Serbia or the Government of Yugo-
19 slavia that are in the United States, that come within the
20 United States, or that are or come within the possession
21 or control of United States persons, including their over-
22 seas branches, are blocked.

23 (b) **PROHIBITED TRANSFERS.**—Payments or trans-
24 fers of any property or any transactions involving the
25 transfer of anything of economic value by any United
26 States person to the Government of Serbia, the Govern-

1 ment of Yugoslavia, or any person or entity acting for or
2 on behalf of, or owned or controlled, directly or indirectly,
3 by any of those governments, persons, or entities, are pro-
4 hibited.

5 (c) EXERCISE OF AUTHORITIES.—The Secretary of
6 the Treasury, in consultation with the Secretary of State,
7 shall take such actions, including the promulgation of reg-
8 ulations, orders, directives, rulings, instructions, and li-
9 censes, and employ all powers granted to the President
10 by the International Emergency Economic Powers Act, as
11 may be necessary to carry out the purposes of this section,
12 including, but not limited to, taking such steps as may
13 be necessary to continue in effect the measures contained
14 in Executive Order No. 13088 of June 9, 1998, and Exec-
15 utive Order No. 13121 of April 30, 1999, and any rule,
16 regulation, license, or order issued thereunder.

17 (d) PAYMENT OF EXPENSES.—All expenses incident
18 to the blocking and maintenance of property blocked under
19 subsection (a) shall be charged to the owners or operators
20 of such property, and expenses shall not be paid for from
21 blocked funds.

22 (e) PROHIBITIONS.—The following are prohibited:

23 (1) Any transaction within the United States or
24 by a United States person relating to any vessel in
25 which a majority or controlling interest is held by a

1 person or entity in, or operating from, Serbia, re-
2 gardless of the flag under which the vessel sails.

3 (2)(A) The exportation to Serbia or to any enti-
4 ty operated from Serbia or owned and controlled by
5 the Government of Serbia or the Government of
6 Yugoslavia, directly or indirectly, of any goods, soft-
7 ware technology, or services, either—

8 (i) from the United States;

9 (ii) requiring the issuance of a license by
10 a Federal agency; or

11 (iii) involving the use of United States reg-
12 istered vessels or aircraft.

13 (B) Any activity that promotes or is intended to
14 promote exportation described in subparagraph (A).

15 (3)(A) Any dealing by a United States person
16 in—

17 (i) property exported from Serbia; or

18 (ii) property intended for exportation from
19 Serbia to any country or exportation to Serbia
20 from any country.

21 (B) Any activity of any kind that promotes or
22 is intended to promote any dealing described in sub-
23 paragraph (A).

24 (4) The performance by any United States per-
25 son of any contract, including a financing contract,

1 in support of an industrial, commercial, public util-
2 ity, or governmental project in Serbia.

3 (f) EXCEPTIONS.—Nothing in this section shall apply
4 to—

5 (1) assistance provided under section 102 or
6 section 203 of this Act; or

7 (2) information or informational materials de-
8 scribed in section 203(b)(3) of the International
9 Emergency Economic Powers Act.

10 (g) DEFINITION.—In this section, the term “United
11 States person” means any United States citizen, any alien
12 lawfully admitted for permanent residence within the
13 United States, any entity organized under the laws of the
14 United States (including foreign branches), or any person
15 in the United States.

16 **SEC. 402. SUSPENSION OF ENTRY INTO THE UNITED**
17 **STATES.**

18 (a) PROHIBITION.—The President shall use his au-
19 thority under section 212(f) of the Immigration and Na-
20 tionality Act (8 U.S.C. 1182(f)) to suspend the entry into
21 the United States of any alien who—

22 (1) holds a position in the senior leadership of
23 the Government of Yugoslavia or the Government of
24 Serbia; or

1 (2) is a spouse, minor child, or agent of a per-
2 son inadmissible under paragraph (1).

3 (b) SENIOR LEADERSHIP DEFINED.—In subsection
4 (a)(1), the term “senior leadership”—

5 (1) includes—

6 (A) the President, Prime Minister, Deputy
7 Prime Ministers, and government ministers of
8 Yugoslavia;

9 (B) the Governor of the National Bank of
10 Yugoslavia; and

11 (C) the President, Prime Minister, Deputy
12 Prime Ministers, and government ministers of
13 the Republic of Serbia; and

14 (2) does not include the President, Prime Min-
15 ister, Deputy Prime Ministers, and government min-
16 isters of the Republic of Montenegro.

17 **SEC. 403. PROHIBITION ON STRATEGIC EXPORTS TO YUGO-**
18 **SLAVIA.**

19 (a) PROHIBITION.—No computers, computer soft-
20 ware, or goods or technology intended to manufacture or
21 service computers may be exported to or for use by the
22 Government of Yugoslavia or by the Government of Ser-
23 bia, or by any of the following entities of either govern-
24 ment:

25 (1) The military.

1 (2) The police.

2 (3) The prison system.

3 (4) The national security agencies.

4 (b) STATUTORY CONSTRUCTION.—Nothing in this
5 section shall prevent the issuance of licenses to ensure the
6 safety of civil aviation and safe operation of United States-
7 origin commercial passenger aircraft and to ensure the
8 safety of ocean-going maritime traffic in international wa-
9 ters.

10 **SEC. 404. PROHIBITION ON LOANS AND INVESTMENT.**

11 (a) UNITED STATES GOVERNMENT FINANCING.—No
12 loan, credit guarantee, insurance, financing, or other simi-
13 lar financial assistance may be extended by any agency
14 of the United States Government (including the Export-
15 Import Bank and the Overseas Private Investment Cor-
16 poration) to the Government of Yugoslavia or the Govern-
17 ment of Serbia.

18 (b) TRADE AND DEVELOPMENT AGENCY.—No funds
19 made available by law may be available for activities of
20 the Trade and Development Agency in or for Serbia.

21 (c) THIRD COUNTRY ACTION.—The Secretary of
22 State is urged to encourage all other countries, particu-
23 larly European countries, to suspend any of their own pro-
24 grams providing support similar to that described in sub-
25 section (a) or (b) to the Government of Yugoslavia or the

1 Government of Serbia, including by rescheduling repay-
2 ment of the indebtedness of either government under more
3 favorable conditions.

4 (d) PROHIBITION ON PRIVATE CREDITS.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), no national of the United States may
7 make or approve any loan or other extension of cred-
8 it, directly or indirectly, to the Government of Yugo-
9 slavia or to the Government of Serbia or to any cor-
10 poration, partnership, or other organization that is
11 owned or controlled by either the Government of
12 Yugoslavia or the Government of Serbia.

13 (2) EXCEPTION.—Paragraph (1) shall not
14 apply to a loan or extension of credit for any hous-
15 ing, education, or humanitarian benefit to assist the
16 victims of oppression in Kosovo.

17 **SEC. 405. PROHIBITION OF MILITARY-TO-MILITARY CO-**
18 **OPERATION.**

19 The United States Government (including any agency
20 or entity of the United States) shall not provide assistance
21 under the Foreign Assistance Act of 1961 or the Arms
22 Export Control Act (including the provision of Foreign
23 Military Financing under section 23 of the Arms Export
24 Control Act or international military education and train-
25 ing under chapter 5 of part II of the Foreign Assistance

1 Act of 1961) or provide any defense articles or defense
2 services under those Acts, to the armed forces of the Gov-
3 ernment of Yugoslavia or of the Government of Serbia.

4 **SEC. 406. MULTILATERAL SANCTIONS.**

5 It is the sense of the Congress that the President
6 should continue to seek to coordinate with other countries,
7 particularly European countries, a comprehensive, multi-
8 lateral strategy to further the purposes of this title, includ-
9 ing, as appropriate, encouraging other countries to take
10 measures similar to those described in this title.

11 **SEC. 407. EXEMPTIONS.**

12 (a) EXEMPTION FOR KOSOVO.—None of the restric-
13 tions imposed by this Act shall apply with respect to
14 Kosovo, including with respect to governmental entities or
15 administering authorities or the people of Kosovo.

16 (b) EXEMPTION FOR MONTENEGRO.—None of the re-
17 strictions imposed by this Act shall apply with respect to
18 Montenegro, including with respect to governmental enti-
19 ties of Montenegro, unless the President determines and
20 so certifies to the appropriate congressional committees
21 that the leadership of the Government of Montenegro is
22 not committed to, or is not taking steps to promote, demo-
23 cratic principles, the rule of law, or respect for internation-
24 ally recognized human rights.

1 **SEC. 408. WAIVER; TERMINATION OF MEASURES AGAINST**
2 **YUGOSLAVIA.**

3 (a) GENERAL WAIVER AUTHORITY.—Except as pro-
4 vided in subsection (b), the requirement to impose any
5 measure under this Act may be waived for successive peri-
6 ods not to exceed 12 months each, and the President may
7 provide assistance in furtherance of this Act notwith-
8 standing any other provision of law, if the President deter-
9 mines and so certifies to the appropriate congressional
10 committees in writing 15 days in advance of the implemen-
11 tation of any such waiver that—

12 (1) it is important to the national interest of
13 the United States; or

14 (2) significant progress has been made in Yugo-
15 slavia in establishing a government based on demo-
16 cratic principles and the rule of law, and that re-
17 spects internationally recognized human rights.

18 (b) EXCEPTION.—The President may implement the
19 waiver under subsection (a) for successive periods not to
20 exceed 3 months each without the 15 day advance notifica-
21 tion under that subsection—

22 (1) if the President determines that exceptional
23 circumstances require the implementation of such
24 waiver; and

1 (2) the President immediately notifies the ap-
2 appropriate congressional committees of his determina-
3 tion.

4 (c) **TERMINATION OF RESTRICTIONS.**—The restric-
5 tions imposed by this title shall be terminated if the Presi-
6 dent determines and so certifies to the appropriate con-
7 gressional committees that the Government of Yugoslavia
8 is a government that is committed to democratic principles
9 and the rule of law, and that respects internationally rec-
10 ognized human rights.

11 **SEC. 409. STATUTORY CONSTRUCTION.**

12 (a) **IN GENERAL.**—None of the restrictions or prohi-
13 bitions contained in this Act shall be construed to limit
14 humanitarian assistance (including the provision of food
15 and medicine), or the commercial export of agricultural
16 commodities or medicine and medical equipment, to Yugo-
17 slavia.

18 (b) **SPECIAL RULE.**—Nothing in subsection (a) shall
19 be construed to permit the export of an agricultural com-
20 modity or medicine that could contribute to the develop-
21 ment of a chemical or biological weapon.

1 **TITLE V—MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. 501. INTERNATIONAL CRIMINAL TRIBUNAL FOR THE**
4 **FORMER YUGOSLAVIA.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) United Nations Security Council Resolution
7 827, which was adopted May 25, 1993, established
8 the International Criminal Tribunal for the former
9 Yugoslavia to prosecute persons responsible for seri-
10 ous violations of international humanitarian law
11 committed in the territory of the former Yugoslavia
12 since January 1, 1991.

13 (2) United Nations Security Council Resolution
14 827 requires full cooperation by all countries with
15 the Tribunal, including the obligation of countries to
16 comply with requests of the Tribunal for assistance
17 or orders.

18 (3) The Government of Yugoslavia has dis-
19 regarded its international obligations with regard to
20 the Tribunal, including its obligation to transfer or
21 facilitate the transfer to the Tribunal of any person
22 on the territory of Yugoslavia who has been indicted
23 for war crimes or other crimes against humanity
24 under the jurisdiction of the Tribunal.

1 (4) The Government of Yugoslavia publicly re-
2 jected the Tribunal's jurisdiction over events in
3 Kosovo and has impeded the investigation of rep-
4 resentatives from the Tribunal, including denying
5 those representatives visas for entry into Yugoslavia,
6 in their efforts to gather information about alleged
7 crimes against humanity in Kosovo under the juris-
8 diction of the Tribunal.

9 (5) The Tribunal has indicted President
10 Slobodan Milosevic for—

11 (A) crimes against humanity, specifically
12 murder, deportations, and persecutions; and

13 (B) violations of the laws and customs of
14 war.

15 (b) POLICY.—It shall be the policy of the United
16 States to support fully and completely the investigation
17 of President Slobodan Milosevic by the International
18 Criminal Tribunal for the former Yugoslavia for genocide,
19 crimes against humanity, war crimes, and grave breaches
20 of the Geneva Convention.

21 (c) SENSE OF THE CONGRESS.—Subject to sub-
22 section (b), it is the sense of the Congress that the United
23 States Government should gather all information that the
24 intelligence community (as defined in section 3(4) of the
25 National Security Act of 1947 (50 U.S.C. 401a(4)) col-

1 lects or has collected to support an investigation of Presi-
 2 dent Slobodan Milosevic for genocide, crimes against hu-
 3 manity, war crimes, and grave breaches of the Geneva
 4 Convention by the International Criminal Tribunal for the
 5 former Yugoslavia (ICTY) and that the Department of
 6 State should provide all appropriate information to the Of-
 7 fice of the Prosecutor of the ICTY under procedures es-
 8 tablished by the Director of Central Intelligence that are
 9 necessary to ensure adequate protection of intelligence
 10 sources and methods.

11 (d) REPORT TO CONGRESS.—Not less than 180 days
 12 after the date of the enactment of this Act, and every 180
 13 days thereafter for the succeeding 5-year period, the Presi-
 14 dent shall submit a report, in classified form if necessary,
 15 to the appropriate congressional committees that describes
 16 the information that was provided by the Department of
 17 State to the Office of the Prosecutor of the International
 18 Criminal Tribunal for the former Yugoslavia for the pur-
 19 poses of subsection (c).

20 **SEC. 502. SENSE OF THE CONGRESS WITH RESPECT TO**
 21 **ETHNIC HUNGARIANS OF VOJVODINA.**

22 (a) FINDINGS.—Congress finds that—

23 (1) approximately 350,000 ethnic Hungarians,
 24 as well as several other minority populations, reside

1 in the province of Vojvodina, part of Serbia, in tradi-
2 tional settlements in existence for centuries;

3 (2) this community has taken no side in any of
4 the Balkan conflicts since 1990, but has maintained
5 a consistent position of nonviolence, while seeking to
6 protect its existence through the meager opportuni-
7 ties afforded under the existing political system;

8 (3) the Serbian leadership deprived Vojvodina
9 of its autonomous status at the same time as it did
10 the same to the province of Kosovo;

11 (4) this population is subject to continuous har-
12 assment, intimidation, and threatening suggestions
13 that they leave the land of their ancestors; and

14 (5) during the past 10 years this form of ethnic
15 cleansing has already driven 50,000 ethnic Hungar-
16 ians and members of other minority communities out
17 of the province of Vojvodina.

18 (b) SENSE OF THE CONGRESS.—It is the sense of
19 the Congress that the President should—

20 (1) condemn harassment, threats, and intimidat-
21 ion against any ethnic group in Yugoslavia as the
22 usual precursor of violent ethnic cleansing;

23 (2) express deep concern over the reports on re-
24 cent threats, intimidation, and even violent incidents

1 against the ethnic Hungarian inhabitants of the
2 province of Vojvodina;

3 (3) call on the Secretary of State to regularly
4 monitor the situation of the Hungarian ethnic group
5 in Vojvodina; and

6 (4) call on the NATO allies of the United
7 States, during any negotiation on the future status
8 of Kosovo, also to pay substantial attention to estab-
9 lishing satisfactory guarantees for the rights of the
10 people of Vojvodina, and, in particular, of the ethnic
11 minorities in the province.

12 **SEC. 503. OWNERSHIP AND USE OF DIPLOMATIC AND CON-**
13 **SULAR PROPERTIES.**

14 (a) FINDINGS.—Congress finds the following:

15 (1) The international judicial system, as cur-
16 rently structured, lacks fully effective remedies for
17 the wrongful confiscation of property and for unjust
18 enrichment from the use of wrongfully confiscated
19 property by governments and private entities at the
20 expense of the rightful owners of the property.

21 (2) Since the dissolution of the Socialist Fed-
22 eral Republic of Yugoslavia until March and June
23 1999, when the United States Government took cus-
24 tody, the Government of Yugoslavia exclusively used,
25 and benefited from the use of, properties located in

1 the United States that were owned by the Socialist
2 Federal Republic of Yugoslavia.

3 (3) Until the United States Government took
4 custody, the Governments of Bosnia and
5 Herzegovina, Croatia, the Former Yugoslav Republic
6 of Macedonia, and Slovenia were blocked by the Gov-
7 ernment of Yugoslavia from using, or benefiting
8 from the use of, any property located in the United
9 States that was previously owned by the Socialist
10 Federal Republic of Yugoslavia.

11 (4) The occupation and use by officials of
12 Yugoslavia of that property without prompt, ade-
13 quate, and effective compensation under the applica-
14 ble principles of international law to the Govern-
15 ments of Bosnia and Herzegovina, Croatia, the
16 Former Yugoslav Republic of Macedonia, and Slo-
17 venia is unjust and unreasonable.

18 (b) POLICY ON NEGOTIATIONS REGARDING PROP-
19 erties.—It is the policy of the United States to insist
20 that the Government of Yugoslavia has a responsibility to,
21 and should, actively and cooperatively engage in good faith
22 negotiations with the Governments of Bosnia and
23 Herzegovina, Croatia, the Former Yugoslav Republic of
24 Macedonia, and Slovenia for resolution of the outstanding
25 property issues resulting from the dissolution of the So-

1 cialist Federal Republic of Yugoslavia, including the dis-
2 position of the following properties located in the United
3 States:

4 (1) 2222 Decatur Street, NW, Washington,
5 DC.

6 (2) 2410 California Street, NW, Washington,
7 DC.

8 (3) 1907 Quincy Street, NW, Washington, DC.

9 (4) 3600 Edmonds Street, NW, Washington,
10 DC.

11 (5) 2221 R Street, NW, Washington, DC.

12 (6) 854 Fifth Avenue, New York, NY.

13 (7) 730 Park Avenue, New York, NY.

14 (c) SENSE OF THE CONGRESS ON RETURN OF PROP-
15 erties.—It is the sense of the Congress that, if the Gov-
16 ernment of Yugoslavia refuses to engage in good faith ne-
17 gotiations on the status of the properties listed in sub-
18 section (b), the President should take steps to ensure that
19 the interests of the Governments of Bosnia and
20 Herzegovina, Croatia, the Former Yugoslav Republic of
21 Macedonia, and Slovenia are protected in accordance with
22 international law.

23 **SEC. 504. TRANSITION ASSISTANCE.**

24 (a) SENSE OF THE CONGRESS.—It is the sense of the
25 Congress that once the regime of President Slobodan

1 Milosevic has been replaced by a government that is com-
2 mitted to democratic principles and the rule of law, and
3 that respects internationally recognized human rights, the
4 President of the United States should support the transi-
5 tion to democracy in Yugoslavia by providing immediate
6 and substantial assistance, including facilitating its inte-
7 gration into international organizations.

8 (b) AUTHORIZATION OF ASSISTANCE.—The Presi-
9 dent is authorized to furnish assistance to Yugoslavia if
10 he determines, and so certifies to the appropriate congres-
11 sional committees that the Government of Yugoslavia is
12 committed to democratic principles and the rule of law and
13 respects internationally recognized human rights.

14 (c) REPORT TO CONGRESS.—

15 (1) DEVELOPMENT OF PLAN.—The President
16 shall develop a plan for providing assistance to
17 Yugoslavia in accordance with this section. Such as-
18 sistance would be provided at such time as the
19 President determines that the Government of Yugo-
20 slavia is committed to democratic principles and the
21 rule of law and respects internationally recognized
22 human rights.

23 (2) STRATEGY.—The plan developed under
24 paragraph (1) shall include a strategy for distrib-
25 uting assistance to Yugoslavia under the plan.

1 (3) DIPLOMATIC EFFORTS.—The President
2 shall take the necessary steps—

3 (A) to seek to obtain the agreement of
4 other countries and international financial insti-
5 tutions and other multilateral organizations to
6 provide assistance to Yugoslavia after the Presi-
7 dent determines that the Government of Yugo-
8 slavia is committed to democratic principles, the
9 rule of law, and that respects internationally
10 recognized human rights; and

11 (B) to work with such countries, institu-
12 tions, and organizations to coordinate all such
13 assistance programs.

14 (4) COMMUNICATION OF PLAN.—The President
15 shall take the necessary steps to communicate to the
16 people of Yugoslavia the plan for assistance devel-
17 oped under this section.

18 (5) REPORT.—Not later than 120 days after
19 the date of the enactment of this Act, the President
20 shall transmit to the appropriate congressional com-

- 1 mittees a report describing in detail the plan re-
- 2 quired to be developed by paragraph (1).

Passed the House of Representatives September 25,
2000.

Attest:

Clerk.