

106TH CONGRESS
1ST SESSION

H. R. 212

To require the General Accounting Office to prepare a report assessing the impact and effectiveness of economic sanctions imposed by the United States, to prohibit the imposition of unilateral sanctions on exports of food, other agricultural products, medicines, or medical supplies or equipment, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

Mr. NETHERCUTT (for himself and Mr. SERRANO) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on 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 require the General Accounting Office to prepare a report assessing the impact and effectiveness of economic sanctions imposed by the United States, to prohibit the imposition of unilateral sanctions on exports of food, other agricultural products, medicines, or medical supplies or equipment, and for other purposes.

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.**

2 This Act may be cited as the “Freedom to Market
3 Act”.

4 **SEC. 2. GAO REPORT.**

5 Within 1 year after the date of the enactment of this
6 Act, the Comptroller General shall—

7 (1) conduct—

8 (A) a detailed examination of all economic
9 sanctions affecting United States businesses,
10 differentiating between unilateral and multilat-
11 eral economic sanctions;

12 (B) an assessment of comparable measures
13 undertaken by other countries in each instance;

14 (C) an evaluation of the effectiveness of
15 both unilateral and multilateral economic sanc-
16 tions in meeting stated policy goals;

17 (D) an assessment on humanitarian condi-
18 tions within sanctioned countries, evaluating
19 how sanctions have affected particular states;

20 (E) an assessment of the relationship with
21 United States allies as a consequence of unilat-
22 eral economic sanctions;

23 (F) an examination of the economic impact
24 of sanctions on United States producers and ex-
25 porters; and

1 (G) an assessment of potential countries
2 that may be sanctioned under existing United
3 States law or executive authority, but which are
4 not now subject to sanctions (whether because
5 of presidentially exercised waivers, or statutes
6 or executive orders not being applied); and

7 (2) submit to the Committee on International
8 Relations and the Committee on Agriculture of the
9 House of Representatives and to the Committee on
10 Foreign Relations and the Committee on Agri-
11 culture, Nutrition, and Forestry of the Senate a re-
12 port on the matters addressed in paragraph (1).

13 **SEC. 3. PROHIBITION ON UNILATERAL AGRICULTURAL OR**
14 **MEDICAL SANCTIONS.**

15 (a) IN GENERAL.—Notwithstanding any other provi-
16 sion of law, the President shall not restrict or otherwise
17 prohibit any exports (including restricted commercial or
18 Federal financing) of food, other agricultural products (in-
19 cluding fertilizer), medicines, or medical supplies or equip-
20 ment as part of any policy of existing or future unilateral
21 economic sanctions imposed against a foreign government.

22 (b) NATIONAL SECURITY WAIVER.—The President
23 may waive, for periods of not more than 1 year each, the
24 applicability of any sanction under subsection (a) with re-

1 spect to a foreign country or entity if the President, with
2 respect to each such waiver—

3 (1) determines that the national security so re-
4 quires; and

5 (2) transmits to the Congress that determina-
6 tion, together with a detailed description of the rea-
7 sons therefor, including an explanation of how the
8 sanction will further the national security.

9 **SEC. 4. ANNUAL REPORTS BY SECRETARY OF AGRI-**
10 **CULTURE.**

11 The Secretary of Agriculture shall submit to the Con-
12 gress, by not later than May 1 of each year, a report con-
13 taining the following:

14 (1) The Secretary's assessment of all markets
15 where United States exports of agricultural commod-
16 ities are limited because of multilateral or unilateral
17 economic sanctions, including specific commodities
18 affected.

19 (2) The economic impact on producers of the
20 commodities specified under paragraph (1).

21 (3) An assessment of the extent to which dis-
22 placed United States commodities are being supplied
23 by foreign competitors.

24 (4) The expected longer-term consequences of
25 interrupting United States exports.

1 (5) Any assistance provided by the Foreign Ag-
2 ricultural Service to offset lost markets due to such
3 sanctions.

4 **SEC. 5. ACTIONS BY DEPARTMENT OF AGRICULTURE.**

5 The Secretary of Agriculture shall expand agricul-
6 tural export assistance under United States market devel-
7 opment, food assistance, or export promotion programs to
8 offset all projected losses of agricultural commodity mar-
9 kets from unilateral or multilateral sanctions identified
10 under section 4, to the maximum extent permitted by law
11 and by the obligations of the United States under the
12 Agreement on Agriculture referred to in section 101(d)(2)
13 of the Uruguay Round Agreements Act (19 U.S.C.
14 3511(d)(2)).

15 **SEC. 6. DEFINITION.**

16 As used in this Act, the term “unilateral economic
17 sanction” means any restriction or condition on economic
18 activity with respect to a foreign country or foreign entity
19 that is imposed by the United States for reasons of foreign
20 policy or national security, except in a case in which the
21 United States imposes the measure pursuant to a multilat-
22 eral regime and the other members of that regime have
23 agreed to impose substantially equivalent measures.

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