

Calendar No. 580

106TH CONGRESS
2^D SESSION

H. R. 4251

IN THE SENATE OF THE UNITED STATES

MAY 16, 2000

Received

MAY 24, 2000

Read the first time

MAY 25, 2000

Read the second time and placed on the calendar

AN ACT

To amend the North Korea Threat Reduction Act of 1999
to enhance congressional oversight of nuclear transfers
to North Korea, 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 “Congressional Over-
3 sight of Nuclear Transfers to North Korea Act of 2000”.

4 **SEC. 2. ENHANCEMENT OF CONGRESSIONAL OVERSIGHT**
5 **OF NUCLEAR TRANSFERS TO NORTH KOREA.**

6 (a) ESTABLISHING REQUIREMENT FOR CONGRES-
7 SIONAL ACTION BY JOINT RESOLUTION.—The North
8 Korea Threat Reduction Act of 1999 (subtitle B of title
9 VIII of division A of H.R. 3427, as enacted into law by
10 section 1000(a)(7) of Public Law 106–113, and as con-
11 tained in appendix G to such Public Law) is amended in
12 section 822(a)—

13 (1) by redesignating paragraphs (1) through
14 (7) as subparagraphs (A) through (G), respectively,
15 and by indenting each such subparagraph 2 ems to
16 the right;

17 (2) by striking “until the President” and insert-
18 ing “until—

19 “(1) the President”; and

20 (3) at the end of subparagraph (G) (as redesign-
21 ated in paragraph (1)) by striking the period and
22 inserting “; and

23 “(2) a joint resolution described in section 823
24 is enacted into law pursuant to the provisions of
25 such section.”.

1 (b) DESCRIPTION AND PROCEDURES FOR JOINT
2 RESOLUTION.—The North Korea Threat Reduction Act of
3 1999 is amended—

4 (1) by redesignating section 823 as section 824;
5 and

6 (2) by inserting after section 822 the following
7 new section:

8 **“SEC. 823. JOINT RESOLUTION PURSUANT TO SECTION**
9 **822(a)(2).**

10 “(a) TERMS OF JOINT RESOLUTION.—For purposes
11 of section 822(a)(2), the term ‘joint resolution’ means only
12 a joint resolution of the two Houses of Congress—

13 “(1) the matter after the resolving clause of
14 which is as follows: ‘That the Congress hereby con-
15 curs in the determination and report of the Presi-
16 dent relating to compliance by North Korea with
17 certain international obligations transmitted pursu-
18 ant to section 822(a)(1) of the North Korea Threat
19 Reduction Act of 1999.’;

20 “(2) which does not have a preamble; and

21 “(3) the title of which is as follows: ‘Joint Res-
22 olution relating to compliance by North Korea with
23 certain international obligations pursuant to the
24 North Korea Threat Reduction Act of 1999.’.

25 “(b) CONGRESSIONAL REVIEW PROCEDURES.—

1 “(1) RULEMAKING.—The provisions of this sec-
2 tion are enacted by the Congress—

3 “(A) as an exercise of the rulemaking
4 power of the House of Representatives and the
5 Senate, respectively, and, as such, shall be con-
6 sidered as part of the rules of either House and
7 shall supersede other rules only to the extent
8 they are inconsistent therewith; and

9 “(B) with full recognition of the constitu-
10 tional right of either House to change the rules
11 so far as they relate to the procedures of that
12 House at any time, in the same manner, and to
13 the same extent as in the case of any other rule
14 of that House.

15 “(2) INTRODUCTION AND REFERRAL.—

16 “(A) INTRODUCTION.—A joint resolution
17 described in subsection (a)—

18 “(i) shall be introduced in the House
19 of Representatives by the majority leader
20 or minority leader or by a Member of the
21 House of Representatives designated by
22 the majority leader or minority leader; and

23 “(ii) shall be introduced in the Senate
24 by the majority leader or minority leader

1 or a Member of the Senate designated by
2 the majority leader or minority leader.

3 “(B) REFERRAL.—The joint resolution
4 shall be referred to the Committee on Inter-
5 national Relations of the House of Representa-
6 tives and the Committee on Foreign Relations
7 of the Senate.

8 “(3) DISCHARGE OF COMMITTEES.—If a com-
9 mittee to which a joint resolution described in sub-
10 section (a) is referred has not reported such joint
11 resolution by the end of 30 days beginning on the
12 date of its introduction, such committee shall be dis-
13 charged from further consideration of such joint res-
14 olution, and such joint resolution shall be placed on
15 the appropriate calendar of the House involved.

16 “(4) FLOOR CONSIDERATION IN THE HOUSE
17 OF REPRESENTATIVES.—

18 “(A) IN GENERAL.—On or after the third
19 calendar day (excluding Saturdays, Sundays, or
20 legal holidays, except when the House of Rep-
21 resentatives is in session on such a day) after
22 the date on which the committee to which a
23 joint resolution described in subsection (a) is
24 referred has reported, or has been discharged
25 from further consideration of, such a joint reso-

lution, it shall be in order for any Member of the House to move to proceed to the consideration of the joint resolution. A Member of the House may make the motion only on the day after the calendar day on which the Member announces to the House the Member's intention to do so. Such motion is privileged and is not debatable. The motion is not subject to amendment or to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the House shall immediately proceed to consideration of the joint resolution which shall remain the unfinished business until disposed of.

“(B) DEBATE.—Debate on a joint resolution described in subsection (a), and on all debatable motions and appeals in connection therewith, shall be limited to not more than two hours, which shall be divided equally between those favoring and those opposing the joint resolution. An amendment to the joint resolution is not in order. A motion further to limit debate is in order and is not debatable. A motion to

1 table, a motion to postpone, or a motion to re-
2 commit the joint resolution is not in order. A
3 motion to reconsider the vote by which the joint
4 resolution is agreed to or disagreed to is not in
5 order.

6 “(C) APPEALS.—Appeals from the deci-
7 sions of the Chair to the procedure relating to
8 a joint resolution described in subsection (a)
9 shall be decided without debate.

10 “(5) FLOOR CONSIDERATION IN THE SEN-
11 ATE.—Any joint resolution described in subsection
12 (a) shall be considered in the Senate in accordance
13 with the provisions of section 601(b)(4) of the Inter-
14 national Security Assistance and Arms Export Con-
15 trol Act of 1976.

16 “(6) CONSIDERATION BY THE OTHER HOUSE.—
17 If, before the passage by one House of a joint reso-
18 lution of that House described in subsection (a),
19 that House receives from the other House a joint
20 resolution described in subsection (a), then the fol-
21 lowing procedures shall apply:

22 “(A) The joint resolution of the other
23 House shall not be referred to a committee and
24 may not be considered in the House receiving it

1 except in the case of final passage as provided
2 in subparagraph (B)(ii).

3 “(B) With respect to a joint resolution de-
4 scribed in subsection (a) of the House receiving
5 the joint resolution—

6 “(i) the procedure in that House shall
7 be the same as if no joint resolution had
8 been received from the other House; but

9 “(ii) the vote on final passage shall be
10 on the joint resolution of the other House.

11 “(C) Upon disposition of the joint resolu-
12 tion received from the other House, it shall no
13 longer be in order to consider the joint resolu-
14 tion that originated in the receiving House.

15 “(7) COMPUTATION OF DAYS.—In the computa-
16 tion of the period of 30 days referred to in para-
17 graph (3), there shall be excluded the days on which
18 either House of Congress is not in session because
19 of an adjournment of more than 3 days to a day cer-
20 tain or because of an adjournment of the Congress
21 sine die.”.

22 **SEC. 3. EXPANSION OF RESTRICTIONS ON NUCLEAR CO-**
23 **OPERATION WITH NORTH KOREA.**

24 Section 822(a) of the North Korea Threat Reduction
25 Act of 1999 is amended by striking “such agreement,”

- 1 both places it appears and inserting in both places “such
- 2 agreement (or that are controlled under the Export Trig-
- 3 ger List of the Nuclear Suppliers Group),”.

Passed the House of Representatives May 15, 2000.

Attest:

JEFF TRANDAHL,

Clerk.

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