

107TH CONGRESS
1ST SESSION

H.R. 742

To provide the people of Iraq with access to food and medicines from the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2001

Mr. CONYERS (for himself, Mr. SANDERS, Ms. VELÁZQUEZ, Mr. BONIOR, Mr. CLAY, Ms. MCKINNEY, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. SLAUGHTER, and Ms. BALDWIN) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To provide the people of Iraq with access to food and medicines from the United States, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Humanitarian Exports
5 Leading to Peace Act of 2001”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) The Iraqi people suffered under a decade of
9 war and continue to suffer under a repressive regime

1 and the most comprehensive economic sanctions ever
2 imposed on any country.

3 (2) The economic sanctions have caused ex-
4 traordinary hardship on the people of Iraq and failed
5 to weaken the leadership of Iraq, and have under-
6 mined the institutions of civil society which are nec-
7 essary for democratic political life.

8 (3) The investigative panel established by the
9 United Nations Security Council and other inde-
10 pendent bodies have confirmed that the United Na-
11 tions Oil-for-Food program has failed to adequately
12 meet the needs of the Iraqi people.

13 (4) According to the United States Department
14 of Agriculture, Iraq represents a potential market
15 for nearly \$1,000,000,000 in agricultural products
16 from the United States.

17 (5) The sanctions regime continues to harm the
18 Iraqi population for the crimes of its leaders and has
19 not served either the goal of the United States of
20 punishing Iraq's leaders or disarming weapons of
21 mass destruction.

22 (6) Rigorous weapons inspections and adequate
23 provision for civilian needs in Iraq are not mutually
24 exclusive.

(7) The devastating effect of the economic sanctions on Iraq has been reported by numerous international and independent bodies, including the following:

(A) The Center for Economic and Social Rights of the United Nations documented dramatic increases in malnutrition and disease, leading to the deaths of hundreds of thousands of children under the age of 5 since 1991.

(B) UNICEF reported in 1995 that “no significant movement towards food security can be achieved so long as the embargo remains in place”. Further, despite the Oil-for-Food Program, UNICEF reported in July 1999 survey findings that “Both the infant mortality rate and the under-five mortality rate consistently show a major increase in mortality over the 10 years preceding the survey. More specifically, the results show that the infant mortality rate has increased from 47 deaths per 1,000 live births for the period 1984–89, to 108 deaths per 1,000 live births for the period 1994–99.”.

(C) A report authorized by the United National Security Council on March 30, 1999, found that “the gravity of the humanitarian sit-

uation of the Iraqi people is indisputable and cannot be overstated.”. Further, it emphasized that “Even if not all suffering in Iraq can be imputed to external factors, especially sanctions, the Iraqi people would not be undergoing such deprivations in the absence of the prolonged measures imposed by the Security Council and the effects of the war”.

(D) UNICEF and the World Food Program found in 1997 that “One out of every 4 young Iraqi children is malnourished. More than 750,000 children are suffering from malnutrition”.

**SEC. 3. LIMITATION ON PROHIBITIONS AND RESTRICTIONS
ON TRADE WITH IRAQ TO ALLOW FOR THE
EXPORT OF FOOD, MEDICINES, AND CERTAIN
OTHER PRODUCTS.**

The sanctions applied with respect to Iraq under the Iraq Sanctions Act of 1990 (sections 586–586J of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101–513)) or any other provision of law shall not apply with respect to the export to Iraq of any food or other agricultural products (including fertilizer), medicines, medical supplies, medical instruments, or medical equipment, or with re-

1 spect to travel incident to the sale or delivery to Iraq of
2 food or other agricultural products (including fertilizer),
3 medicines, medical supplies, medical instruments, or med-
4 ical equipment.

5 **SEC. 4. ADMINISTRATION BY SECRETARY OF COMMERCE.**

6 (a) ADMINISTRATION BY SECRETARY OF COM-
7 MERCE.—The Secretary of Commerce shall exercise the
8 authorities of the Export Administration Act of 1979, as
9 in effect pursuant to the International Emergency Eco-
10 nomic Powers Act, to carry out section 3, except that—

11 (1) the Secretary may not require a license for
12 the export of any of the items to which section 3 ap-
13 plies; but

14 (2) the Secretary shall require persons export-
15 ing such items to notify the Secretary of such ex-
16 ports.

17 (b) REGULATIONS.—The Secretary of Commerce
18 shall issue such regulations as are necessary to carry out
19 section 3.

20 **SEC. 5. CONFORMING AMENDMENT.**

21 Section 906(a)(1) of the Trade Sanctions Reform and
22 Export Enhancement Act of 2000 (title IX of H.R. 5426
23 of the 106th Congress, as enacted into law by section 1(a)
24 of Public Law 106–387) is amended by inserting “(other
25 than Iraq)” after “government of a country”.

1 **SEC. 6. SENSE OF CONGRESS.**

2 It is the sense of the Congress that the United States
3 Government should take all necessary steps to end the suf-
4 fering of innocent populations, primarily children and the
5 elderly, by allowing the free flow of humanitarian aid to
6 Iraq without threat of prosecution. Such steps should in-
7 clude, but not be limited to, using its position as a perma-
8 nent member of the United Nations Security Council—

9 (1) to lift the economic sanctions on Iraq so as
10 to allow exports and travel referred to in section 3;
11 and

12 (2) to recommend a ban on transfers of weap-
13 ons to Iraq by countries that are members of the
14 United Nations.

15 **SEC. 7. REPORT TO CONGRESS.**

16 Not later than 6 months after the date of the enact-
17 ment of this Act, the President shall transmit to the Con-
18 gress a report that sets forth—

19 (1) the extent (expressed in volume and dollar
20 amounts) of sales to Iraq of food and other agricul-
21 tural products (including fertilizer), medicines, med-
22 ical supplies, medical instruments, and medical
23 equipment, since the enactment of this Act;

24 (2) the impact the exports have had on food se-
25 curity in Iraq;

1 (3) a description of the types and end users of
2 the goods so exported;

3 (4) whether there has been any indication that
4 any medicines, medical supplies, medical instru-
5 ments, or medical equipment exported to Iraq since
6 the enactment of this Act—

7 (A) have been diverted by the Government
8 of Iraq or any other third party from the in-
9 tended recipients; or

10 (B) have been used for any unintended
11 nonhumanitarian or dual-use purposes; and

12 (5) what steps the United States has taken
13 through the United Nations, with the cooperation of
14 Security Council members, to—

15 (A) lift nonmilitary sanctions on Iraq, in-
16 cluding actions described in section 6; or

17 (B) impose a strict regional arms control
18 regime pursuant to Article 14 of Security Coun-
19 cil Resolution 687.

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