

described by the gentleman from New York (Chairman GILMAN), the stockpiling, rapid transportation, delivery and distribution of shelf stable prepackaged foods to needy individuals in foreign countries.

Mr. Speaker, this bill creates a public-private partnership to leverage the donation of nutritious food by volunteers to needy families around the globe at times of famine, disaster, and other critical needs.

The bill also seeks to increase participation by nonprofit organizations in the provision of donated food to populations in need around the world.

Finally, I want to take this opportunity, although not specifically on point with the matter before us, to reiterate my concern about the funding source for our food relief, title II of the fiscal year 2001 Agriculture Appropriations bill passed by the House.

This bill now is in conference committee, but it is important to note that House funding is not adequate to meet our commitment to countries during famines, droughts and other disasters.

Mr. Speaker, I hope my colleagues on the Committee on Appropriations will follow the example set by the Senate and that we ultimately will end up fully funding the administration's requests for PL-480 Title II at \$837 million, ultimately, that relates directly to the bill before us.

Mr. Speaker, I urge my colleagues to support H.R. 5224.

Mr. Speaker, I reserve the balance of my time.

Mr. GILMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. COMBEST), the chairman of the Committee on Agriculture.

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Mr. COMBEST. Mr. Speaker, I thank the gentleman from New York for yielding me this time.

Mr. Speaker, I rise today in strong support as an original cosponsor of H.R. 5224, the International Food Relief Partnership Act of 2000. Because of our agricultural productivity, the United States is able to aid the victims of famine, drought, and natural disasters all around the world.

Many of the groups that assist in feeding hungry people around the world are faith based and private nonprofit organizations that donate their services. For years, these groups, who want to contribute food aid to victims of international disasters, have been prevented from fully participating in these efforts.

H.R. 5224 would authorize the administrator of the U.S. Agency for International Development to provide grants to private, nonprofit, and private voluntary organizations for the stockpiling and rapid transportation, delivery, and distribution of shelf-stable prepackaged foods to needy individuals in foreign countries.

This legislation also provides an incentive for farmers and ranchers to donate their surplus. Preference is given

to U.S. nonprofit organizations that can provide 50 percent matching funds. This will improve our food relief efforts by enabling nonprofit organizations to contribute more food to international disaster sites, decrease the cost of the Federal Government, and increase the public participation.

One example of a nonprofit organization that provides food assistance in the United States and around the world is Breedlove Dehydrated Foods. Breedlove Dehydrated Foods, an unusually committed group of people, have energized my home community and are simply looking for a way to help the needy around the world. This organization accepts food donations from farmers and then dehydrates the food and packages it. The product Breedlove creates is a nutritious blend of vegetables and legumes that serve as a great source of protein. This product has been used before by private voluntary organizations in North Korea, Iraq, Kosovo, Turkey, Russia, Belarus, and Iran.

Several other nonprofit organizations support this legislation. I ask my colleagues to support H.R. 5224.

Mr. POMEROY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to at this point extend my congratulations to the gentleman from Texas (Chairman COMBEST). As a member of the House Committee on Agriculture, I believe that he has had a very distinguished term in leading that committee and is personally responsible for the restoration of a constructive bipartisan spirit in that committee. His other major ally in achieving that progress has been the gentleman from Texas (Mr. STENHOLM), the ranking member.

Mr. Speaker, I am proud to yield such time as he may consume to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I thank the gentleman from North Dakota (Mr. POMEROY) for yielding me the time. I, too, commend the gentleman from New York (Chairman GILMAN) and the gentleman from Texas (Chairman COMBEST) for their leadership in bringing this legislation to the floor today.

Mr. Speaker, I rise in support of the International Food Relief Partnership Act because it fundamentally addresses the long-term and long-standing desire among farmers and ranchers in our country to provide food directly to those overseas that need it most.

For years now, many farmers and ranchers have wanted to donate agricultural products to feed the hungry, both here and abroad. Yet, there is currently no mechanism in place in our food aid programs to accommodate a farmer who wants to donate a truckload of produce and no means to get that produce overseas to those in need.

That was true until a nonprofit organization named Breedlove began testing the concept of accepting donated vegetables from local farmers for dehydration and shipment overseas. These dehydrated vegetable packages are

lightweight enough to be efficiently shipped and provide a nutritious and cost-efficient meal. The Breedlove product has been used successfully for private voluntary organizations in seven countries around the world.

This bill will provide incentives to further test the use of prepackaged shelf-stable food and will also provide limited authority to test the concept of prepositioning commodities overseas for use in emergencies.

With this authority, we hope to provide the Agency for International Development with incentives it can use to encourage more farmers and ranchers to make donations that will leverage scarce Federal resources and improve the diets of food aid recipients around the world.

I urge my colleagues to support H.R. 5224, the International Food Relief Partnership Act.

Mr. GILMAN. Mr. Speaker, I have no further requests for time.

Mr. POMEROY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GILMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 5224, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

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EXPORT ADMINISTRATION MODIFICATION AND CLARIFICATION ACT OF 2000

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5239) to provide for increased penalties for violations of the Export Administration Act of 1979 and for other purposes, as amended.

The Clerk read as follows:

H.R. 5239

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Export Administration Modification and Clarification Act of 2000".

SEC. 2. CONTINUATION OF THE EXPORT CONTROL REGULATIONS UNDER IEPPA.

To the extent that the President exercises the authorities of the International Emergency Economic Powers Act to carry out the provisions of the Export Administration Act of 1979 in order to continue in full force and effect the export control system maintained by the Export Administration Regulations issued under that Act, including regulations issued under section 8 of that Act, the following shall apply:

(1)(A) Subject to subparagraph (B), the penalties for violations of the regulations continued pursuant to the International Emergency Economic Powers Act shall be the same as the penalties for violations under section 11 of the Export Administration Act of 1979, as if that section were amended—

(i) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—Except as provided in subsection (b), whoever knowingly violates or conspires to or attempts to violate any provision of this Act or any license, order, or regulation issued under this Act—

“(1) except in the case of an individual, shall be fined not more than \$500,000 or 5 times the value of any exports involved, whichever is greater; and

“(2) in the case of an individual, shall be fined not more than \$250,000 or 5 times the value of any exports involved, whichever is greater, or imprisoned not more than 5 years, or both.”;

(ii) in subsection (b)—

(I) in paragraphs (1)(A) and (2)(A), by striking “five times” and inserting “10 times”;

(II) in paragraph (1)(B), by striking “\$250,000” and inserting “\$500,000”; and

(III) in paragraph (2)(B), by striking “\$250,000, or imprisoned not more than 5 years” and inserting “\$500,000, or imprisoned not more than 10 years”;

(iii) in subsection (c)(1)—

(I) by striking “\$10,000” and inserting “\$250,000”; and

(II) by striking “except that the civil penalty” and all that follows through the end of the paragraph and inserting “except that the civil penalty for a violation of the regulations issued pursuant to section 8 may not exceed \$50,000.”; and

(iv) in subsection (h)(1), by striking “or section 38 of the Arms Export Control Act (22 U.S.C. 2778)” and inserting “section 38 of the Arms Export Control Act (22 U.S.C. 2778), section 16 of the Trading with the Enemy Act (50 U.S.C. 16), or, to the extent the violation involves the export of goods or technology controlled under this or any other Act or defense articles or defense services controlled under the Arms Export Control Act, section 371 of title 18, United States Code.”.

(B) The penalties in effect on the day before the date of enactment of this Act for violations of the Export Administration Regulations, as continued in effect under the International Emergency Economic Powers Act, shall continue to apply in the case of any penalty assessed for, or violations based on, voluntary disclosures of information made by a person before such date of enactment.

(2) The authorities set forth in section 12(a) of the Export Administration Act of 1979 may be exercised in carrying out the regulations continued pursuant to the International Emergency Economic Powers Act.

(3) The provisions of sections 12(c) and 13 of the Export Administration Act of 1979 shall apply in carrying out the regulations continued pursuant to the International Emergency Economic Powers Act.

(4) The continuation of the provisions of the Export Administration Regulations pursuant to the International Emergency Economic Powers Act shall not be construed as not having satisfied the requirements of that Act.

SEC. 3. APPLICABILITY.

Paragraphs (2), (3), and (4) of section 2 shall be applied as if enacted on August 20, 1994.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of Commerce to carry out the Export Administration Act of 1979, as continued in effect under the International Emergency Economic Powers Act, \$72,000,000 for fiscal year 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from North Dakota (Mr. POMEROY) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 5239, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I rise in strong support of H.R. 5239, the Export Administration Modification and Clarification Act of 2000, that will strengthen the enforcement of our export control system by increasing the penalties against those who would knowingly violate its regulations and provisions.

This bipartisan measure was approved by voice vote last week by the Committee on International Relations.

H.R. 5239 is virtually identical to a provision, H.R. 973, a security assistance bill, which passed the House in June of last year also with bipartisan support. Since the Export Administration Act, or EAA, lapsed in August of 1994, the Administration has used the authorities in the International Emergency Economic Powers Act to administer our export control system. But in some key areas, the administration has less authority under HEEPA than under the EAA of 1979.

For example, the penalties for violations of the Export Administration Regulations that occur under IEEPA, both criminal and civil, are substantially lower than those available for violations that occur under the EAA. Even these penalties are too low, having been eroded by inflation over the last 20 years.

This measure that we are introducing today significantly increases the penalties available to our enforcement authorities at the Bureau of Export Administration in the Department of Commerce. It also ensures that the Department can maintain its ability to protect from public disclosure information concerning export license applications, the licenses themselves, and related export enforcement information.

In view of the lapse of the EAA over the past 5½ years, the Department is coming under mounting legal challenges and is currently defending against two separate lawsuits seeking public release of export licensing information subject to the confidentiality provisions of section 12(c) of the EAA.

The text includes a technical and perfecting amendment which, one, adds a reference to the Department of Commerce's authority to deny export privileges for those persons providing false statements and export control cases; and, two, removes a provision providing for the retroactive application of higher penalties in certain instances.

Accordingly, I urge my colleagues to support the passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. POMEROY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we see this matter very much as the gentleman from New York (Chairman GILMAN) has outlined. The Export Administration Act has been the principle authority for the regulation in the export of dual-use items from the United States. When this bill lapsed in August of 1994, the President invoked the International Emergency Economic Powers Act and other authorities to continue the export control system, including the Export Administration Regulations.

Now, there has been a recent court ruling that calls into question whether or not the government can essentially hide behind emergency powers to revive an expired law. This calls into question the Commerce Department's ability to keep sensitive export information provided by exporters from public disclosure using the EAA's confidentiality provision.

We have got to pass this law to make sure that they can keep the information confidential so that the exporters will fully use the Commerce Department's assistance in exporting our products.

We have got a record trade-in balance. We need to export more. We need to pass this law as an important part of making certain that the Commerce Department is there to provide as much assistance as possible in moving products overseas.

For that reason, we fully concur that this is passed.

Mr. Speaker, I yield back the balance of my time.

Mr. GILMAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 5239, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

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SERBIA DEMOCRATIZATION ACT OF 2000

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1064) to authorize a coordinated program to promote the development of democracy in Serbia and Montenegro, as amended.

The Clerk read as follows:

H.R. 1064

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,