

Public Law 95-12
95th Congress

An Act

Mar. 18, 1977

[H.R. 1746]

To amend the United Nations Participation Act of 1945 to halt the importation of Rhodesian chrome.

Rhodesian
chrome.
Importation
prohibition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the United Nations Participation Act of 1945 (22 U.S.C. 287c) is amended—

(1) by adding at the end of subsection (a) the following new sentences: "Any Executive order which is issued under this subsection and which applies measures against Southern Rhodesia pursuant to any United Nations Security Council Resolution may be enforced, notwithstanding the provisions of any other law. The President may exempt from such Executive order any shipment of chromium in any form which is in transit to the United States on the date of enactment of this sentence."; and

Steel mill
products,
certificate of
origin.

(2) by adding at the end thereof the following new subsection: "(c) (1) During the period in which measures are applied against Southern Rhodesia under subsection (a) pursuant to any United Nations Security Council Resolution, a shipment of any steel mill product (as such product may be defined by the Secretary) containing chromium in any form may not be released from customs custody for entry into the United States if—

"(A) a certificate of origin with respect to such shipment has not been filed with the Secretary; or

"(B) in the case of a shipment with respect to which a certificate of origin has been filed with the Secretary, the Secretary determines that the information contained in such certificate does not adequately establish that the steel mill product in such shipment does not contain chromium in any form which is of Southern Rhodesian origin;

unless such release is authorized by the Secretary under paragraph (3) (B) or (C).

Infra.
Regulations.

"(2) The Secretary shall prescribe regulations for carrying out this subsection.

Subpenas.

"(3) (A) In carrying out this subsection, the Secretary may issue subpenas requiring the attendance and testimony of witnesses and the production of evidence. Any such subpoena may, upon application by the Secretary, be enforced in a civil action in an appropriate United States district court.

Certification
requirement,
exemption.

"(B) The Secretary may exempt from the certification requirements of this subsection any shipment of a steel mill product containing chromium in any form which is in transit to the United States on the date of enactment of this subsection.

Release from
customs custody.

"(C) Under such circumstances as he deems appropriate, the Secretary may release from customs custody for entry into the United States, under such bond as he may require, any shipment of a steel mill product containing chromium in any form.

“(4) As used in this subsection—

“(A) the term ‘certificate of origin’ means such certificate as the Secretary may require, with respect to a shipment of any steel mill product containing chromium in any form, issued by the government (or by a designee of such government if the Secretary is satisfied that such designee is the highest available certifying authority) of the country in which such steel mill product was produced certifying that the steel mill product in such shipment contains no chromium in any form which is of Southern Rhodesian origin; and

“(B) the term ‘Secretary’ means the Secretary of the Treasury.”.

SEC. 2. (a) Upon the enactment of this Act, the President may suspend the operation of the amendments contained in this Act if he determines that such suspension would encourage meaningful negotiations and further the peaceful transfer of governing power from minority rule to majority rule in Southern Rhodesia. Such suspension shall remain in effect for such duration as deemed necessary by the President.

(b) If the President suspends the operation of the amendments contained in this Act, he shall so report to the Congress. In addition, the President shall report to the Congress when he terminates such suspension.

(c) If the President suspends the operation of the amendments contained in this Act, any reference in those amendments to date of enactment shall be deemed to be a reference to the date on which such suspension is terminated by the President.

Approved March 18, 1977.

Definitions.

Operation of
amendments,
suspension.
22 USC 287c
note.

Report to
Congress.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-59 (Comm. on International Relations).

SENATE REPORT No. 95-37 accompanying S. 174 (Comm. on Foreign Relations).

CONGRESSIONAL RECORD, Vol. 123 (1977):

Mar. 11, S. 174 considered in Senate.

Mar. 14, considered and passed House; S. 174 considered in Senate.

Mar. 15, considered and passed Senate, in lieu of S. 174.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 13, No. 12:

Mar. 18, Presidential statement.