

103D CONGRESS  
1ST SESSION

# H. R. 344

To prohibit exports of dual use items to terrorist countries, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. SCHUMER (for himself, Mr. ZIMMER, Mr. BERMAN, Mr. KYL, Mr. WAXMAN, and Mr. KASICH) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To prohibit exports of dual use items to terrorist countries,  
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. PROHIBITION ON EXPORTS OF DUAL USE**  
4       **ITEMS TO TERRORIST COUNTRIES.**

5       (a) PROHIBITION ON DUAL USE ITEMS.—Section  
6       6(j) of the Export Administration Act of 1979 (50 U.S.C.  
7       App. 2405(j)) is amended—

8               (1) in paragraph (1) by striking “A validated li-  
9       cense shall be required for the export of goods or

1 technology to a country” and inserting “Goods or  
2 technology may not be exported to a country”;

3 (2) by striking paragraph (2);

4 (3) by redesignating paragraphs (3) and (4) as  
5 paragraphs (2) and (3), respectively; and

6 (4) by adding at the end the following:

7 “(4) The President may waive the prohibitions con-  
8 tained in paragraph (1) with respect to a specific trans-  
9 action if—

10 “(A) the President determines that the trans-  
11 action is essential to the national security interests  
12 of the United States; and

13 “(B) not less than 15 days prior to the pro-  
14 posed transaction, the President—

15 “(i) consults with the Committee on For-  
16 eign Affairs of the House of Representatives  
17 and the Committee on Banking, Housing, and  
18 Urban Affairs of the Senate regarding the pro-  
19 posed transaction; and

20 “(ii) submits to the Speaker of the House  
21 of Representatives and the chairman of the  
22 Committee on Banking, Housing, and Urban  
23 Affairs of the Senate a report containing—

24 “(I) the name of the country involved  
25 in the proposed transaction, the identity of

1 any recipient of the items to be provided  
2 pursuant to the proposed transaction, and  
3 the anticipated use of those items;

4 “(II) a description of the items in-  
5 volved in the proposed transaction (includ-  
6 ing their market value) and the actual sale  
7 price at each step in the transaction;

8 “(III) the reasons why the proposed  
9 transaction is essential to the national se-  
10 curity interests of the United States and  
11 the justification for such proposed trans-  
12 action;

13 “(IV) the date on which the proposed  
14 transaction is expected to occur; and

15 “(V) the name of every United States  
16 Government department, agency, or other  
17 entity involved in the proposed transaction,  
18 every foreign government involved in the  
19 proposed transaction, and every private  
20 party with significant participation in the  
21 proposed transaction.

22 To the extent possible, the information specified in clause  
23 (ii) of subparagraph (B) shall be provided in unclassified  
24 form, with any classified information provided in an ad-  
25 dendum to the report.”.

1 (b) CHEMICAL AND BIOLOGICAL WEAPONS.—Section  
2 6(m) of the Export Administration Act of 1979 (50 U.S.C.  
3 2405(m)) is amended by adding at the end the following:

4 “(4) DENIAL OF LICENSES TO TERRORIST  
5 COUNTRIES.—(A) Licenses under paragraph (2)  
6 shall be denied if the ultimate consignee of the goods  
7 or technology involved is in a country the govern-  
8 ment of which is determined for purposes of sub-  
9 section (j) to be a government that has repeatedly  
10 provided support for acts of international terrorism.

11 “(B) The President may waive subparagraph  
12 (A) with respect to a specific transaction if the re-  
13 quirements of subsection (j)(4) are met.”.

14 **SEC. 2. REPORTS TO CONGRESS ON OFFICIALS OF TERROR-**  
15 **IST GOVERNMENTS.**

16 (a) SUBMISSION OF REPORTS.—The President shall  
17 submit to the Congress, not later than 1 year after the  
18 date of the enactment of this Act, and not later than the  
19 end of each 1-year period thereafter, a report describing  
20 in detail all visits to the United States, during the 1-year  
21 period preceding the date of the report, by any official of  
22 any government that is determined, for purposes of section  
23 6(j) of the Export Administration Act of 1979, to be a  
24 government that has repeatedly provided support for acts  
25 of international terrorism.

