

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 691

To terminate certain economic sanctions against Vietnam, to provide for less restrictive controls on exports of sensitive technology, material, and data to Vietnam, and to increase access by United States citizens to the territory of Vietnam in order to obtain a fuller accounting of the fate of certain American servicemen from the Vietnam War.

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## IN THE SENATE OF THE UNITED STATES

APRIL 1 (legislative day, MARCH 3), 1993

Mr. MURKOWSKI (for himself, Mr. PELL, Mr. PRESSLER, Mr. WALLOP, Mr. LUGAR, and Mr. DODD) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing and Urban Affairs

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## A BILL

To terminate certain economic sanctions against Vietnam, to provide for less restrictive controls on exports of sensitive technology, material, and data to Vietnam, and to increase access by United States citizens to the territory of Vietnam in order to obtain a fuller accounting of the fate of certain American servicemen from the Vietnam War.

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. FINDINGS.**

4 The Congress finds that—

1           (1) it is the United States policy to promote de-  
2           mocracy and open, competitive markets in a world  
3           community increasingly receptive to such ideals;

4           (2) it is a priority of United States policy to re-  
5           solve finally the nearly 2,300 missing-in-action  
6           (MIA) and prisoner-of-war (POW) cases from the  
7           Vietnam War;

8           (3) direct contact with Vietnam, and increased  
9           access by American citizens in Vietnam, through hu-  
10          manitarian and business endeavors, could serve to  
11          assist in the resolution of POW/MIA cases through  
12          increased access to Vietnam;

13          (4) since the establishment of the Vessey Mis-  
14          sion and the opening of the United States POW/  
15          MIA office in Hanoi in 1991 the Government of  
16          Vietnam has increased its cooperation in investigat-  
17          ing the fates of those American servicemen unac-  
18          counted for through investigations of crash sites,  
19          follow-up on live sighting reports, and release of gov-  
20          ernment and military archives;

21          (5) the Government of Vietnam has cooperated  
22          with the United States in the pursuit of the objec-  
23          tives of the Paris Peace Accords regarding the end  
24          of the civil war in Cambodia;

1           (6) the Government of Vietnam has sought to  
2           introduce free market reforms within the Vietnamese  
3           economy, relying less on a centralized, government-  
4           planned economic structure;

5           (7) the United States has maintained a com-  
6           plete economic embargo against Vietnam since April  
7           1975, prohibiting all United States financial trans-  
8           actions involving citizens of, or commodities from,  
9           Vietnam, as well as sales of commodities of Amer-  
10          ican origin to Vietnam;

11          (8) no other country maintains similar sanc-  
12          tions against Vietnam as those of the United States;  
13          and

14          (9) such sanctions unwisely restrict the free  
15          flow of western ideals of freedom, democracy, and  
16          free market systems.

17 **SEC. 2. TERMINATION OF ECONOMIC SANCTIONS.**

18          (a) **TERMINATION OF PROHIBITIONS.**—Any prohibi-  
19          tion in any regulation or order in effect on the day before  
20          the effective date of this Act on any transaction described  
21          in section 500.201 of title 31, Code of Federal Regula-  
22          tions, with respect to Vietnam, or any national thereof,  
23          shall cease to apply on and after that date.

24          (b) **SAVINGS PROVISION.**—Any regulation, ruling, in-  
25          struction, license, or other authorization issued before the

1 effective date of this Act which exempted a transaction  
2 from the prohibition described in subsection (a) shall con-  
3 tinue in effect after such date with respect to that trans-  
4 action.

5 **SEC. 3. TERMINATION OF PROHIBITION ON EXPORTS.**

6 (a) TERMINATION OF SPECIFIC PROHIBITION.—On  
7 and after the effective date of this Act, the provisions of  
8 section 785.1 of title 15, Code of Federal Regulations,  
9 shall cease to apply to Vietnam.

10 (b) AUTHORITY TO PRESCRIBE REGULATIONS.—On  
11 the effective date of this Act, the Secretary of Commerce  
12 shall prescribe regulations under section 6 of the Export  
13 Administration Act of 1979 to impose less restrictive ex-  
14 port controls than described in subsection (a) on exports  
15 or reexports of United States-origin commodities and tech-  
16 nical data to Vietnam but not more restrictive than con-  
17 trols on exports or reexports of such items to China.

18 (c) SAVINGS PROVISION.—Any valid license issued  
19 before the effective date of this Act pursuant to section  
20 785.1 of title 15, Code of Federal Regulations, shall con-  
21 tinue in effect after such date.

1 **SEC. 3. TERMINATION OF PROHIBITION ON THE PUR-**  
2 **CHASE, TRANSPORT, AND IMPORT OF CER-**  
3 **TAIN GOODS.**

4 On and after the effective date of this Act, the provi-  
5 sions of section 500.204 of title 31, Code of Federal Regu-  
6 lations, shall cease to apply to Vietnam.

7 **SEC. 4. CONSTRUCTION.**

8 Nothing in this Act may be construed as—

9 (1) authorizing any transaction or assistance  
10 prohibited to Vietnam by any law other than the  
11 Trading With the Enemy Act of 1917, or the Inter-  
12 national Emergency Economic Powers Act, or any  
13 proclamation, order, regulation, or license issued  
14 thereunder; or

15 (2) denying the President the exercise of au-  
16 thority under the International Emergency Powers  
17 Act or the Trading With the Enemy Act of 1917  
18 based on situations occurring after the effective date  
19 of this title.

20 **SEC. 5. EFFECTIVE DATE.**

21 This Act shall take effect 30 days after the date of  
22 enactment of this Act.

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