

Union Calendar No. 402

105TH CONGRESS
2^D SESSION

H. R. 3654

[Report No. 105-631, Part I]

To amend the Agricultural Trade Act of 1978 to require the President to report to Congress on any selective embargo on agricultural commodities, to provide a termination date for the embargo, to provide greater assurances for contract sanctity, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 1998

Mr. EWING (for himself, Mr. CONDIT, Mr. SHIMKUS, Mr. WATTS of Oklahoma, Mr. BEREUTER, Mr. LAHOOD, Mr. MINGE, Mr. MANZULLO, Mr. MORAN of Kansas, and Mr. KOLBE) introduced the following bill; which was referred to the Committee on Agriculture

JULY 16, 1998

Reported with an amendment and referred to the Committee on International Relations for a period ending not later than August 7, 1998, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(i), rule X

[Strike out all after the enacting clause and insert the part printed in *italic*]

AUGUST 6, 1998

Referral to the Committee on International Relations extended for a period ending not later than September 11, 1998

SEPTEMBER 11, 1998

Additional sponsors: Mr. BARRETT of Nebraska, Mr. MCHUGH, Mr. SMITH of Michigan, Mr. POSHARD, Mr. TOWNS, Mr. NETHERCUTT, Mr. FOLEY, Mr. WELLER, Mrs. EMERSON, Mr. BLUNT, Mr. THUNE, Mr. BOSWELL, Mrs. CLAYTON, Mr. LUCAS of Oklahoma, Mr. CANADY of Florida, Mr. COSTELLO, Mr. LEWIS of Kentucky, Mr. HASTERT, Mr. GUTKNECHT, and Mr. PETERSON of Minnesota

SEPTEMBER 11, 1998

Committee on International Relations discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on April 1, 1998]

A BILL

To amend the Agricultural Trade Act of 1978 to require the President to report to Congress on any selective embargo on agricultural commodities, to provide a termination date for the embargo, to provide greater assurances for contract sanctity, 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 “Selective Agricultural*
5 *Embargoes Act of 1998”.*

6 **SEC. 2. REPORTING ON SELECTIVE EMBARGOES.**

7 *The Agricultural Trade Act of 1978 (7 U.S.C. 5711*
8 *et seq.) is amended by adding at the end of title VI:*

9 **“SEC. 604. REPORTING ON SELECTIVE EMBARGOES.**

10 *“(a) REPORT.—If the President takes any action, pur-*
11 *suant to statutory authority, to embargo the export under*
12 *an export sales contract (as defined in subsection (e)) of*
13 *an agricultural commodity to a country that is not part*
14 *of an embargo on all exports to the country, not later than*
15 *5 days after imposing the embargo, the President shall sub-*
16 *mit a report to Congress that sets forth in detail the reasons*

1 *for the embargo and specifies the proposed period during*
2 *which the embargo will be effective.*

3 “(b) *APPROVAL OF EMBARGO.*—*If a joint resolution*
4 *approving the embargo becomes law during the 100-day pe-*
5 *riod beginning on the date of receipt of the report provided*
6 *for in subsection (a), the embargo shall terminate on the*
7 *earlier of—*

8 “(1) *a date determined by the President; or*

9 “(2) *the date that is 1 year after the date of en-*
10 *actment of the joint resolution approving the embar-*
11 *go.*

12 “(c) *DISAPPROVAL OF EMBARGO.*—*If a joint resolution*
13 *disapproving the embargo becomes law during the 100-day*
14 *period referred to in subsection (b), the embargo shall termi-*
15 *nate on the expiration of the 100-day period.*

16 “(d) *EXCEPTION.*—*Notwithstanding any other provi-*
17 *sion of this section, an embargo may take effect and con-*
18 *tinue in effect during any period in which the United*
19 *States is in a state of war declared by Congress or national*
20 *emergency, requiring such action, declared by the President.*

21 “(e) *DEFINITIONS.*—*As used in this section—*

22 “(1) *the term ‘agricultural commodity’ includes*
23 *plant nutrient materials;*

24 “(2) *the term ‘under an export sales contract’*
25 *means under an export sales contract entered into be-*

1 *fore the President has transmitted to Congress notice*
2 *of the proposed embargo; and*

3 *“(3) the term ‘embargo’ includes any prohibition*
4 *or curtailment.”.*

5 **SEC. 3. ADDITION OF PLANT NUTRIENT MATERIALS TO**
6 **PROTECTION OF CONTRACT SANCTITY.**

7 *Section 602(c) of the Agricultural Trade Act of 1978*
8 *(7 U.S.C. 5712(c)) is amended by inserting “(including*
9 *plant nutrient materials)” after “agricultural commodity”*
10 *each place it appears.*

11 **SEC. 4. EXEMPTION FROM SANCTIONS FOR PROGRAMS OF**
12 **DEPARTMENT OF AGRICULTURE.**

13 *Section 102(b)(2)(D) of the Arms Export Control Act*
14 *(22 U.S.C. 2799aa–1(b)(2)(D)) is amended—*

15 *(1) in clause (i) by striking “or” at the end;*

16 *(2) in clause (ii) by striking the period at the*
17 *end and inserting “, or”; and*

18 *(3) by inserting after clause (ii) the following:*

19 *“(iii) to any credit, credit guarantee, or*
20 *other financial assistance provided by the De-*
21 *partment of Agriculture for the purchase or other*
22 *provision of food or other agricultural commod-*
23 *ities.”.*

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