

106TH CONGRESS  
2D SESSION

# H. R. 3825

To provide the people of Iraq with access to food and medicines from the United States, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2000

Mr. CONYERS (for himself, Mr. CAMPBELL, Ms. STABENOW, Mr. RYAN of Wisconsin, and Ms. LOFGREN) introduced the following bill; which was referred to the Committee on International Relations

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## A BILL

To provide the people of Iraq with access to food and medicines from the United States, 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 “Humanitarian Exports  
5 Leading to Peace Act of 2000”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) The Iraqi people suffered under a decade of  
9 war and continue to suffer under a repressive regime

1 and the most comprehensive economic sanctions ever  
2 imposed on any country.

3 (2) The economic sanctions have caused ex-  
4 traordinary hardship on the people of Iraq and failed  
5 to weaken the leadership of Iraq, and have under-  
6 mined the institutions of civil society which are nec-  
7 essary for democratic political life.

8 (3) The investigative panel established by the  
9 United Nations Security Council and other inde-  
10 pendent bodies have confirmed that the United Na-  
11 tions Oil-for-Food program has failed to adequately  
12 meet the needs of the Iraqi people.

13 (4) According to the United States Department  
14 of Agriculture, Iraq represents a potential market  
15 for nearly \$1,000,000,000 in agricultural products  
16 from the United States.

17 (5) The sanctions regime continues to harm the  
18 Iraqi population for the crimes of its leaders and has  
19 not served either the goal of the United States of  
20 punishing Iraq's leaders or disarming weapons of  
21 mass destruction.

22 (6) Rigorous weapons inspections and adequate  
23 provision for civilian needs in Iraq are not mutually  
24 exclusive.

1           (7) The devastating effect of the economic sanc-  
2           tions on Iraq has been reported by numerous inter-  
3           national and independent bodies, including the fol-  
4           lowing:

5                   (A) The Center for Economic and Social  
6                   Rights of the United Nations documented dra-  
7                   matic increases in malnutrition and disease,  
8                   leading to the deaths of hundreds of thousands  
9                   of children under the age of 5 since 1991.

10                   (B) UNICEF reported in 1995 that “no  
11                   significant movement towards food security can  
12                   be achieved so long as the embargo remains in  
13                   place”. Further, despite the Oil-for-Food Pro-  
14                   gram, UNICEF reported in July 1999 survey  
15                   findings that “Both the infant mortality rate  
16                   and the under-five mortality rate consistently  
17                   show a major increase in mortality over the 10  
18                   years preceding the survey. More specifically,  
19                   the results show that the infant mortality rate  
20                   has increased from 47 deaths per 1,000 live  
21                   births for the period 1984–89, to 108 deaths  
22                   per 1,000 live births for the period 1994–99.”.

23                   (C) A report authorized by the United Na-  
24                   tional Security Council on March 30, 1999,  
25                   found that “the gravity of the humanitarian sit-

1 uation of the Iraqi people is indisputable and  
2 cannot be overstated.”. Further, it emphasized  
3 that “Even if not all suffering in Iraq can be  
4 imputed to external factors, especially sanc-  
5 tions, the Iraqi people would not be undergoing  
6 such deprivations in the absence of the pro-  
7 longed measures imposed by the Security Coun-  
8 cil and the effects of the war”.

9 (D) UNICEF and the World Food Pro-  
10 gram found in 1997 that “One out of every 4  
11 young Iraqi children is malnourished. More  
12 than 750,000 children are suffering from mal-  
13 nutrition”.

14 **SEC. 3. LIMITATION ON PROHIBITIONS AND RESTRICTIONS**  
15 **ON TRADE WITH IRAQ TO ALLOW FOR THE**  
16 **EXPORT OF FOOD, MEDICINES, AND CERTAIN**  
17 **OTHER PRODUCTS.**

18 The sanctions applied with respect to Iraq under the  
19 Iraq Sanctions Act of 1990 (sections 586–586J of the  
20 Foreign Operations, Export Financing, and Related Pro-  
21 grams Appropriations Act, 1991 (Public Law 101–513))  
22 or any other provision of law shall not apply with respect  
23 to the export of any food or other agricultural products  
24 (including fertilizer), medicines, medical supplies, medical  
25 instruments, or medical equipment, or with respect to

1 travel incident to the sale or delivery of food or other agri-  
2 cultural products (including fertilizer), medicines, medical  
3 supplies, medical instruments, or medical equipment, to  
4 Iraq.

5 **SEC. 4. EXCEPTIONS.**

6 Section 3 shall not apply—

7 (1) to restrictions imposed under section 5 or 6  
8 of the Export Administration Act of 1979 (as in ef-  
9 fect pursuant to the International Emergency Eco-  
10 nomic Powers Act) on goods by virtue of the tech-  
11 nology incorporated in such goods; and

12 (2) to restrictions imposed under section 203 of  
13 the International Emergency Economic Powers Act  
14 on the export of medical instruments or medical  
15 equipment to deal with a threat to the national secu-  
16 rity of the United States by virtue of the technology  
17 incorporated in such medical instruments or equip-  
18 ment.

19 **SEC. 5. ADMINISTRATION BY SECRETARY OF COMMERCE.**

20 (a) ADMINISTRATION BY SECRETARY OF COM-  
21 MERCE.—The Secretary of Commerce shall exercise the  
22 authorities of the Export Administration Act of 1979, as  
23 in effect pursuant to the International Emergency Eco-  
24 nomic Powers Act, to carry out sections 3 and 4, except  
25 that—

1           (1) the Secretary may not require a license for  
2           the export of any of the items to which section 3 ap-  
3           plies; but

4           (2) the Secretary shall require persons export-  
5           ing such items to notify the Secretary of such ex-  
6           ports.

7           (b) REGULATIONS.—The Secretary of Commerce  
8           shall issue such regulations as are necessary to carry out  
9           sections 3 and 4.

10 **SEC. 6. SENSE OF CONGRESS.**

11           It is the sense of the Congress that the United States  
12           Government should take all necessary steps to end the suf-  
13           fering of innocent populations, primarily children and the  
14           elderly, by allowing the free flow of humanitarian aid to  
15           Iraq without threat of prosecution. Such steps should in-  
16           clude, but not be limited to, using its position as a perma-  
17           nent member of the United Nations Security Council to  
18           pass all such measures as may be required for the imple-  
19           mentation of section 3 of this Act.

20 **SEC. 7. REPORT TO CONGRESS.**

21           Not later than 6 months after the date of the enact-  
22           ment of this Act, the President shall transmit to the Con-  
23           gress a report that sets forth—

24           (1) the extent (expressed in volume and dollar  
25           amounts) of sales to Iraq of food and other agricul-

1 tural products (including fertilizer), medicines, med-  
2 ical supplies, medical instruments, and medical  
3 equipment, since the enactment of this Act;

4 (2) the impact the exports have had on food se-  
5 curity in Iraq;

6 (3) a description of the types and end users of  
7 the goods so exported;

8 (4) whether there has been any indication that  
9 any medicines, medical supplies, medical instru-  
10 ments, or medical equipment exported to Iraq since  
11 the enactment of this Act—

12 (A) have been diverted by the Government  
13 of Iraq or any other third party from the in-  
14 tended recipients; or

15 (B) have been used for any unintended  
16 nonhumanitarian or dual-use purposes; and

17 (5) what steps the United States has taken  
18 through the United Nations, with the cooperation of  
19 Security Council members, to—

20 (A) lift nonmilitary sanctions on Iraq, in-  
21 cluding actions described in section 6; or

22 (B) impose a strict regional arms control  
23 regime pursuant to Article 14 of Security Coun-  
24 cil Resolution 687, which calls for “establishing

1 in the Middle East a zone free from weapons of  
2 mass destruction”.

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