

SEC. 1-103. *Delegation of Functions.*

(a) The function vested in the President by section 412(b) of the Trade Agreements Act of 1979 (19 U.S.C. 2542(b)) is delegated to the Secretary of Commerce with regard to the technical office established under section 412(a)(1) of such Act [19 U.S.C. 2542(a)(1)] and to the Secretary of Agriculture with regard to the technical office established under section 412(a)(2) of such Act [19 U.S.C. 2542(a)(2)]. In prescribing the functions of each technical office, the Secretary concerned shall consult with the Trade Representative and with all affected regulatory agencies. The functions delegated by this section shall be exercised in coordination with the Trade Representative.

(b) The functions of the President under sections 2(b) and 303 of the Trade Agreements Act of 1979 (19 U.S.C. 2503(b) and 2513) and section 701(b) of the Tariff Act of 1930 (19 U.S.C. 1671(b)) are delegated to the Trade Representative, who shall exercise such authority with the advice of the Trade Policy Committee.

SEC. 1-104. *Authority Under the Foreign Service Act and Related Laws.*

(a) The Secretary of Commerce (hereinafter referred to as the "Secretary") is authorized to establish a Foreign Commercial Service in the Department of Commerce, and a category of career officers of the Foreign Commercial Service to be known as Foreign Commercial Officers. For purposes of the utilization by the Secretary of the authorities granted to the Secretary under this section, the terms "Foreign Service" and "Foreign Service Officer" shall be construed to mean "Foreign Commercial Service" and "Foreign Commercial Officer," respectively.

(b) [Revoked by Ex. Ord. No. 12292, Feb. 23, 1981, 46 F.R. 13968.]

(c) The Board of the Foreign Service and the Board of Examiners for the Foreign Service established by Executive Order 11264 of December 31, 1965, as amended [22 U.S.C. 826 note], shall exercise with respect to Foreign Service personnel of the Department of Commerce the functions delegated to them by that order with respect to Foreign Service personnel of the Department of State. The Boards shall perform such additional functions with respect to Foreign Service personnel of the Department of Commerce as the Secretary may from time to time delegate or otherwise assign, consistent with the functions of such boards.

SEC. 1-105. *Prior Executive Orders and Determination.*

(a) Section 1(b) of Executive Order 11269 of February 14, 1966, as amended [22 U.S.C. 286b note], is amended by adding "the United States Trade Representative," after "the Secretary of State,".

(b)(1) Section 1 of Executive Order 11539 of June 30, 1970 [7 U.S.C. 1854 note], is amended to read as follows:

"Section 1. The United States Trade Representative, with the concurrence of the Secretary of Agriculture and the Secretary of State, is authorized to negotiate bilateral agreements with representatives of governments of foreign countries limiting the export from the respective countries and the importation into the United States of—

"(1) fresh, chilled, or frozen cattle meat,  
 "(2) fresh, chilled, or frozen meat of goats and sheep (except lambs), and

"(3) prepared and preserved beef and veal (except sausage) if articles are prepared, whether fresh, chilled, or frozen, but not otherwise preserved, that are the products of such countries."

(2) Section 4 of such order is amended by striking out "the Secretary of State" and inserting in lieu thereof "the United States Trade Representative".

(c) The last sentence of section 1(a) of Executive Order 11651 of March 3, 1972, as amended [7 U.S.C. 1854 note] is amended to read as follows: "The United States Trade Representative, or his designee, also shall be a member of the Committee."

(d) The first sentence of section 3 of Executive Order 11703 of February 7, 1973 [19 U.S.C. 1862 note], is amended to read as follows: "The Oil Policy Committee shall henceforth consist of the United States Trade Rep-

resentative, chair, and the Secretaries of State, Treasury, Defense, the Interior, Commerce and Energy, the Attorney General, and the Chairman of the Council of Economic Advisers, as members."

(e) Sections 2(b) and 3(a), the first sentence of section 3(c), and sections 3(e), 3(f), and 6 of Executive Order 11846 of March 27, 1975, as amended [19 U.S.C. 2111 note], are revoked.

(f)(1) Section 1(a)(5) of Executive Order 11858 of May 7, 1975 [50 U.S.C. App. 2170 note], is amended to read: "(5) The United States Trade Representative".

(2) Section 1(a)(6) of such order is amended to read: "(6) The Chairman of the Council of Economic Advisers".

(g) Executive Order 12096 of November 2, 1978, is revoked.

(h) The last paragraph of the Presidential Determination Regarding the Acceptance and Application of Certain International Trade Agreements (dated December 14, 1979) (44 FR 74781, at 74784; December 18, 1979) [19 U.S.C. 2503 note], delegating functions under section 2(b) of the Trade Agreements Act of 1979 [19 U.S.C. 2503(b)] and section 701(b) of the Tariff Act of 1930 [19 U.S.C. 1671b], is revoked.

(i) Any reference to the Office of the Special Representative for Trade Negotiations or to the Special Representative for Trade Negotiations in any Executive order, Proclamation, or other document shall be deemed to refer to the Office of the United States Trade Representative or to the United States Trade Representative, respectively.

SEC. 1-106. *Incidental Transfers and Reassignments.*

So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with functions transferred or reassigned by the provisions of this order as the Director of the Office of Management and Budget shall determine shall be transferred or reassigned for use in connection with such functions.

SEC. 1-107. *Effective Dates.*

(a) Sections 1, 2(a), 2(b)(2), 2(c), 2(d), 3, 4, 5(a), 5(b)(2), 5(c) through (e), and 6 through 8 of Reorganization Plan No. 3 of 1979 [set out as a note above] and the provisions of this order, shall take effect as of January 2, 1980.

(b) Section 5(b)(1) of such plan [set out as a note above] shall take effect as of April 1, 1980.

## PART 5—CONGRESSIONAL PROCEDURES WITH RESPECT TO PRESIDENTIAL ACTIONS

**§ 2191. Bills implementing trade agreements on nontariff barriers and resolutions approving commercial agreements with Communist countries****(a) Rules of House of Representatives and Senate**

This section and sections 2192 and 2193 of this title are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of implementing bills described in subsection (b)(1) of this section, implementing revenue bills described in subsection (b) (2) of this section, approval resolutions described in subsection (b)(3) of this section, and resolutions described in sections 2192(a) and 2193(a) of this title; and they supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of

that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

**(b) Definitions**

For purposes of this section—

(1) The term “implementing bill” means only a bill of either House of Congress which is introduced as provided in subsection (c) of this section with respect to one or more trade agreements, or with respect to an extension described in section 3572(c)(3) of this title, submitted to the House of Representatives and the Senate under section 2112 of this title, section 3572 of this title, or section 3805(a)(1) of this title and which contains—

(A) a provision approving such trade agreement or agreements or such extension,

(B) a provision approving the statement of administrative action (if any) proposed to implement such trade agreement or agreements, and

(C) if changes in existing laws or new statutory authority is required to implement such trade agreement or agreements or such extension, provisions, necessary or appropriate to implement such trade agreement or agreements or such extension, either repealing or amending existing laws or providing new statutory authority.

(2) The term “implementing revenue bill or resolution” means an implementing bill, or approval resolution, which contains one or more revenue measures by reason of which it must originate in the House of Representatives.

(3) The term “approval resolution” means only a joint resolution of the two Houses of the Congress, the matter after the resolving clause of which is as follows: “That the Congress approves the extension of nondiscriminatory treatment with respect to the products of \_\_\_\_\_ transmitted by the President to the Congress on \_\_\_\_\_.”, the first blank space being filled with the name of the country involved and the second blank space being filled with the appropriate date.

**(c) Introduction and referral**

(1) On the day on which a trade agreement or extension is submitted to the House of Representatives and the Senate under section 2112 of this title, section 3572 of this title, or section 3805(a)(1) of this title, the implementing bill submitted by the President with respect to such trade agreement or extension shall be introduced (by request) in the House by the majority leader of the House, for himself and the minority leader of the House, or by Members of the House designated by the majority leader and minority leader of the House; and shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate. If either House is not in session on the day on which such a trade agreement or extension is submitted, the implementing bill shall be introduced in that House, as provided in the preceding sentence, on the first day thereafter on which that House is in

session. Such bills shall be referred by the Presiding Officers of the respective Houses to the appropriate committee, or, in the case of a bill containing provisions within the jurisdiction of two or more committees, jointly to such committees for consideration of those provisions within their respective jurisdictions.

(2) On the day on which a bilateral commercial agreement, entered into under subchapter IV of this chapter after January 3, 1975, is transmitted to the House of Representatives and the Senate, an approval resolution with respect to such agreement shall be introduced (by request) in the House by the majority leader of the House, for himself and the minority leader of the House, or by Members of the House designated by the majority leader and minority leader of the House; and shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate. If either House is not in session on the day on which such an agreement is transmitted, the approval resolution with respect to such agreement shall be introduced in that House, as provided in the preceding sentence, on the first day thereafter on which that House is in session. The approval resolution introduced in the House shall be referred to the Committee on Ways and Means and the approval resolution introduced in the Senate shall be referred to the Committee on Finance.

**(d) Amendments prohibited**

No amendment to an implementing bill or approval resolution shall be in order in either the House of Representatives or the Senate; and no motion to suspend the application of this subsection shall be in order in either House, nor shall it be in order in either House for the Presiding Officer to entertain a request to suspend the application of this subsection by unanimous consent.

**(e) Period for committee and floor consideration**

(1) Except as provided in paragraph (2), if the committee or committees of either House to which an implementing bill or approval resolution has been referred have not reported it at the close of the 45th day after its introduction, such committee or committees shall be automatically discharged from further consideration of the bill or resolution and it shall be placed on the appropriate calendar. A vote on final passage of the bill or resolution shall be taken in each House on or before the close of the 15th day after the bill or resolution is reported by the committee or committees of that House to which it was referred, or after such committee or committees have been discharged from further consideration of the bill or resolution. If prior to the passage by one House of an implementing bill or approval resolution of that House, that House receives the same implementing bill or approval resolution from the other House, then—

(A) the procedure in that House shall be the same as if no implementing bill or approval resolution had been received from the other House, but

(B) the vote on final passage shall be on the implementing bill or approval resolution of the other House.

(2) The provisions of paragraph (1) shall not apply in the Senate to an implementing revenue bill or resolution. An implementing revenue bill or resolution received from the House shall be referred to the appropriate committee or committees of the Senate. If such committee or committees have not reported such bill or resolution at the close of the 15th day after its receipt by the Senate (or, if later, before the close of the 45th day after the corresponding implementing revenue bill or resolution was introduced in the Senate), such committee or committees shall be automatically discharged from further consideration of such bill or resolution and it shall be placed on the calendar. A vote on final passage of such bill or resolution shall be taken in the Senate on or before the close of the 15th day after such bill or resolution is reported by the committee or committees of the Senate to which it was referred, or after such committee or committees have been discharged from further consideration of such bill or resolution.

(3) For purposes of paragraphs (1) and (2), in computing a number of days in either House, there shall be excluded any day on which that House is not in session.

**(f) Floor consideration in the House**

(1) A motion in the House of Representatives to proceed to the consideration of an implementing bill or approval resolution shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate in the House of Representatives on an implementing bill or approval resolution shall be limited to not more than 20 hours, which shall be divided equally between those favoring and those opposing the bill or resolution. A motion further to limit debate shall not be debatable. It shall not be in order to move to recommit an implementing bill or approval resolution or to move to reconsider the vote by which an implementing bill or approval resolution is agreed to or disagreed to.

(3) Motions to postpone, made in the House of Representatives with respect to the consideration of an implementing bill or approval resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

(4) All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to an implementing bill or approval resolution shall be decided without debate.

(5) Except to the extent specifically provided in the preceding provisions of this subsection, consideration of an implementing bill or approval resolution shall be governed by the Rules of the House of Representatives applicable to other bills and resolutions in similar circumstances.

**(g) Floor consideration in the Senate**

(1) A motion in the Senate to proceed to the consideration of an implementing bill or ap-

proval resolution shall be privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate in the Senate on an implementing bill or approval resolution, and all debatable motions and appeals in connection therewith, shall be limited to not more than 20 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(3) Debate in the Senate on any debatable motion or appeal in connection with an implementing bill or approval resolution shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the bill or resolution, except that in the event the manager of the bill or resolution is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of an implementing bill or approval resolution, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(4) A motion in the Senate to further limit debate is not debatable. A motion to recommit an implementing bill or approval resolution is not in order.

(Pub. L. 93-618, title I, § 151, Jan. 3, 1975, 88 Stat. 2001; Pub. L. 100-418, title I, § 1107(b)(1), Aug. 23, 1988, 102 Stat. 1135; Pub. L. 101-382, title I, § 132(b)(2), Aug. 20, 1990, 104 Stat. 645; Pub. L. 103-465, title II, § 282(c)(4), Dec. 8, 1994, 108 Stat. 4929; Pub. L. 107-210, div. B, title XXI, § 2110(a)(1), Aug. 6, 2002, 116 Stat. 1019.)

AMENDMENTS

2002—Subsec. (b)(1). Pub. L. 107-210, § 2110(a)(1)(A), substituted “section 3572 of this title, or section 3805(a)(1) of this title” for “section 2903(a)(1) of this title, or section 3572 of this title” in introductory provisions.

Subsec. (c)(1). Pub. L. 107-210, § 2110(a)(1)(B), substituted “, section 3572 of this title, or section 3805(a)(1) of this title” for “or section 3572 of this title”.

1994—Subsec. (b)(1). Pub. L. 103-465, § 282(c)(4)(A), in introductory provisions, inserted “, or with respect to an extension described in section 3572(c)(3) of this title,” after “trade agreements” and substituted “, section 2903(a)(1) of this title, or section 3572 of this title” for “or section 2903(a)(1) of this title”, and in subpars. (A) and (C), inserted “or such extension” after “agreements” wherever appearing.

Subsec. (c)(1). Pub. L. 103-465, § 282(c)(4)(B), inserted “or section 3572 of this title” after “section 2112 of this title” and “or extension” after “agreement” wherever appearing.

1990—Subsec. (b)(2). Pub. L. 101-382, § 132(b)(2)(A), (B), inserted “or resolution” after “revenue bill” and “, or approval resolution,” after “implementing bill”.

Subsec. (b)(3). Pub. L. 101-382, § 132(b)(2)(C), substituted “joint” for “concurrent”.

Subsec. (e)(2). Pub. L. 101-382, § 132(b)(2)(D), (E), substituted “revenue bill or resolution” for “revenue bill” in three places and “such bill or resolution” for “such bill” in five places.

1988—Subsec. (b)(1). Pub. L. 100-418 inserted reference to section 2903(a)(1) of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-465 effective, except as otherwise provided, on the date on which the WTO

Agreement enters into force with respect to the United States [Jan. 1, 1995], and applicable with respect to investigations, reviews, and inquiries initiated and petitions filed under specified provisions of subtitle IV (§1671 et seq.) of chapter 4 of this title after such date, see section 291 of Pub. L. 103-465, set out as a note under section 1671 of this title.

### § 2192. Resolutions disapproving certain actions

#### (a) Contents of resolutions

(1) For purposes of this section, the term “resolution” means only—

(A) a joint resolution of the two Houses of the Congress, the matter after the resolving clause of which is as follows: “That the Congress does not approve the action taken by, or the determination of, the President under section 203 of the Trade Act of 1974 transmitted to the Congress on \_\_\_\_\_”, the blank space being filled with the appropriate date; and

(B) a joint resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: “That the Congress does not approve \_\_\_\_\_ transmitted to the Congress on \_\_\_\_\_”, with the first blank space being filled in accordance with paragraph (2), and the second blank space being filled with the appropriate date.

(2) The first blank space referred to in paragraph (1)(B) shall be filled, in the case of a resolution referred to in section 2437(c)(2) of this title, with the phrase “the report of the President submitted under section \_\_\_\_\_ of the Trade Act of 1974 with respect to \_\_\_\_\_” (with the first blank space being filled with “402(b)” or “409(b)”, as appropriate, and the second blank space being filled with the name of the country involved).

#### (b) Reference to committees

All resolutions introduced in the House of Representatives shall be referred to the Committee on Ways and Means and all resolutions introduced in the Senate shall be referred to the Committee on Finance.

#### (c) Discharge of committees

(1) If the committee of either House to which a resolution has been referred has not reported it at the end of 30 days after its introduction, not counting any day which is excluded under section 2194(b) of this title, it is in order to move either to discharge the committee from further consideration of the resolution or to discharge the committee from further consideration of any other resolution introduced with respect to the same matter, except that a motion to discharge—

(A) may only be made on the second legislative day after the calendar day on which the Member making the motion announces to the House his intention to do so; and

(B) is not in order after the Committee<sup>1</sup> has reported a resolution with respect to the same matter.

(2) A motion to discharge under paragraph (1) may be made only by an individual favoring the resolution, and is highly privileged in the House and privileged in the Senate; and debate thereon

shall be limited to not more than 1 hour, the time to be divided in the House equally between those favoring and those opposing the resolution, and to be divided in the Senate equally between, and controlled by, the majority leader and the minority leader or their designees. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

#### (d) Floor consideration in the House

(1) A motion in the House of Representatives to proceed to the consideration of a resolution shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate in the House of Representatives on a resolution shall be limited to not more than 20 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order. It shall not be in order to move to reconsider the vote by which a resolution is agreed to or disagreed to.

(3) Motions to postpone, made in the House of Representatives with respect to the consideration of a resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

(4) All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a resolution shall be decided without debate.

(5) Except to the extent specifically provided in the preceding provisions of this subsection, consideration of a resolution in the House of Representatives shall be governed by the Rules of the House of Representatives applicable to other resolutions in similar circumstances.

#### (e) Floor consideration in the Senate

(1) A motion in the Senate to proceed to the consideration of a resolution shall be privileged. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate in the Senate on a resolution, and all debatable motions and appeals in connection therewith, shall be limited to not more than 20 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(3) Debate in the Senate on any debatable motion or appeal in connection with a resolution shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the resolution, except that in the event the manager of the resolution is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of a resolution, allot additional time to any Senator during the consideration of any debatable motion or appeal.

<sup>1</sup> So in original. Probably should not be capitalized.

(4) A motion in the Senate to further limit debate on a resolution, debatable motion, or appeal is not debatable. No amendment to, or motion to recommit, a resolution is in order in the Senate.

**(f) Procedures in the Senate**

(1) Except as otherwise provided in this section, the following procedures shall apply in the Senate to a resolution to which this section applies:

(A)(i) Except as provided in clause (ii), a resolution that has passed the House of Representatives shall, when received in the Senate, be referred to the Committee on Finance for consideration in accordance with this section.

(ii) If a resolution to which this section applies was introduced in the Senate before receipt of a resolution that has passed the House of Representatives, the resolution from the House of Representatives shall, when received in the Senate, be placed on the calendar. If this clause applies, the procedures in the Senate with respect to a resolution introduced in the Senate that contains the identical matter as the resolution that passed the House of Representatives shall be the same as if no resolution had been received from the House of Representatives, except that the vote on passage in the Senate shall be on the resolution that passed the House of Representatives.

(B) If the Senate passes a resolution before receiving from the House of Representatives a joint resolution that contains the identical matter, the joint resolution shall be held at the desk pending receipt of the joint resolution from the House of Representatives. Upon receipt of the joint resolution from the House of Representatives, such joint resolution shall be deemed to be read twice, considered, read the third time, and passed.

(2) If the texts of joint resolutions described in this section or section 2193(a) of this title, whichever is applicable, concerning any matter are not identical—

(A) the Senate shall vote passage on the resolution introduced in the Senate, and

(B) the text of the joint resolution passed by the Senate shall, immediately upon its passage (or, if later, upon receipt of the joint resolution passed by the House), be substituted for the text of the joint resolution passed by the House of Representatives, and such resolution, as amended, shall be returned with a request for a conference between the two Houses.

(3) Consideration in the Senate of any veto message with respect to a joint resolution described in subsection (a)(2)(B) of this section or section 2193(a) of this title, including consideration of all debatable motions and appeals in connection therewith, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(Pub. L. 93-618, title I, §152, Jan. 3, 1975, 88 Stat. 2004; Pub. L. 96-39, title IX, §902(a)(1), title XI, §1106(c)(5), July 26, 1979, 93 Stat. 299, 312; Pub. L. 98-573, title II, §248(b), Oct. 30, 1984, 98 Stat. 2998;

Pub. L. 101-382, title I, §132(c)(2)-(5), Aug. 20, 1990, 104 Stat. 646, 647; Pub. L. 103-465, title II, §261(d)(1)(A)(ii), Dec. 8, 1994, 108 Stat. 4909; Pub. L. 104-295, §20(b)(10), Oct. 11, 1996, 110 Stat. 3527.)

REFERENCES IN TEXT

Section 203 of the Trade Act of 1974, referred to in subsec. (a)(1)(A), is section 203 of Pub. L. 93-618, title II, Jan. 3, 1975, 88 Stat. 2015, which is classified to section 2253 of this title.

Sections 402(b) and 409(b) of the Trade Act of 1974, referred to in subsec. (a)(2)(C), are sections 402(b) and 409(b) of Pub. L. 93-618, title IV, Jan. 3, 1975, 88 Stat. 2060, 2064, respectively, which are classified to sections 2432 and 2439 of this title, respectively.

AMENDMENTS

1996—Subsec. (a)(2). Pub. L. 104-295 amended directory language of Pub. L. 103-465. See 1994 Amendment note below.

1994—Subsec. (a)(2). Pub. L. 103-465, as amended by Pub. L. 104-295, substituted comma for “as follows:” after “shall be filled” in introductory provisions, struck out “(B)” before “in the case”, and struck out subpar. (A) which read as follows: “in the case of a resolution referred to in section 1303(e) of this title, with the phrase ‘the determination of the Secretary of the Treasury under section 303(d) of the Tariff Act of 1930’; and”.

1990—Subsec. (a)(1)(B). Pub. L. 101-382, §132(c)(2), amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: “a resolution of either House of the Congress, the matter after the resolving clause of which is as follows: ‘That the \_\_\_\_\_ does not approve \_\_\_\_\_ transmitted to the Congress on \_\_\_\_\_’, with the first blank space being filled with the name of the resolving House, the second blank space being filled in accordance with paragraph (2), and the third blank space being filled with the appropriate date.”

Subsec. (a)(2). Pub. L. 101-382, §132(c)(3), substituted “first” for “second” in introductory provisions and “2437(c)(2)” for “2437(c)(3)” in subpar. (C), redesignated subpar. (C) as (B), and struck out former subpar. (B) which read as follows: “in the case of a resolution referred to in section 2437(c)(2) of this title, with the phrase ‘the extension of nondiscriminatory treatment with respect to the products of \_\_\_\_\_’ (with this blank space being filled with the name of the country involved); and”.

Subsec. (c)(1). Pub. L. 101-382, §132(c)(4), substituted “except that a motion to discharge—

“(A) may only be made on the second legislative day after the calendar day on which the Member making the motion announces to the House his intention to do so; and

“(B) is not in order after the Committee has reported a resolution with respect to the same matter” for “except no motion to discharge shall be in order after the committee has reported a resolution with respect to the same matter”.

Subsec. (f). Pub. L. 101-382, §132(c)(5), amended subsec. (f) generally. Prior to amendment, subsec. (f) read as follows: “In the case of a resolution described in subsection (a)(1) of this section, if prior to the passage by one House of a resolution of that House, that House receives a resolution with respect to the same matter from the other House, then—

“(1) the procedure in that House shall be the same as if no resolution had been received from the other House; but

“(2) the vote on final passage shall be on the resolution of the other House.”

1984—Subsec. (a)(1)(A). Pub. L. 98-573 substituted “joint resolution” for “concurrent resolution”.

1979—Subsec. (a)(1)(A). Pub. L. 96-39, §902(a)(1)(A), substituted “does not approve the action taken by, or the determination of, the President under section 203 of the Trade Act of 1974 transmitted to the Congress on \_\_\_\_\_”, the blank space being filled with the appro-

priate date” for “does not approve \_\_\_\_\_ transmitted to the Congress on \_\_\_\_\_”, the first blank space being filled in accordance with paragraph (2) and the second blank space being filled with the appropriate date”.

Subsec. (a)(1)(B). Pub. L. 96-39, §902(a)(1)(B), substituted “paragraph (2),” for “paragraph (3),”.

Subsec. (a)(2), (3). Pub. L. 96-39, §902(a)(1)(C), (D), redesignated par. (3) as (2). Former par. (2), relating to the first blank space referred to in subsec. (a)(1)(A), was struck out.

Subsec. (c)(1). Pub. L. 96-39, §1106(c)(5), substituted “section 2194(b) of this title” for “section 2193(b) of this title”.

#### EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-465 effective on the effective date of title II of Pub. L. 103-465, Jan. 1, 1995, see section 261(d)(2) of Pub. L. 103-465, set out as a note under section 1315 of this title.

#### EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by section 132(c)(4) and (5) of Pub. L. 101-382 applicable with respect to recommendations made under section 2432(d) of this title by the President after May 23, 1990, see section 132(d) of Pub. L. 101-382, set out as a note under section 2432 of this title.

#### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-573 effective on 15th day after Oct. 30, 1984, see section 214(a), (b) of Pub. L. 98-573, set out as a note under section 1304 of this title.

#### EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-39 effective July 26, 1979, see sections 903 and 1114 of Pub. L. 96-39, set out as Effective Date notes under sections 2411 and 2581 of this title, respectively.

### § 2193. Resolutions relating to extension of waiver authority under section 402 of the Trade Act of 1974

#### (a) Contents of resolution

For purposes of this section, the term “resolution” means only a joint resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: “That the Congress does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on \_\_\_\_\_ with respect to \_\_\_\_\_”, with the first blank space being filled with the appropriate date, and the second blank space being filled with the names of those countries, if any, with respect to which such extension of authority is not approved, and with the clause beginning with “with respect to” being omitted if the extension of the authority is not approved with respect to any country.

#### (b) Application of rules of section 2192 of this title; exceptions

(1) Except as provided in this section, the provisions of section 2192 of this title shall apply to resolutions described in subsection (a) of this section.

(2) In applying section 2192(c)(1) of this title, all calendar days shall be counted.

(3) That part of section 2192(d)(2) of this title which provides that no amendment is in order shall not apply to any amendment to a resolution which is limited to striking out or inserting the names of one or more countries or to striking out or inserting a with-respect-to clause. Debate in the House of Representatives on any

amendment to a resolution shall be limited to not more than 1 hour which shall be equally divided between those favoring and those opposing the amendment. A motion in the House to further limit debate on an amendment to a resolution is not debatable.

(4) That part of section 2192(e)(4) of this title which provides that no amendment is in order shall not apply to any amendment to a resolution which is limited to striking out or inserting the names of one or more countries or to striking out or inserting a with-respect-to clause. The time limit on a debate on a resolution in the Senate under section 2192(e)(2) of this title shall include all amendments to a resolution. Debate in the Senate on any amendment to a resolution shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the resolution, except that in the event the manager of the resolution is in favor of any such amendment, the time in opposition thereto shall be controlled by the minority leader or his designee. The majority leader and minority leader may, from time under their control on the passage of a resolution, allot additional time to any Senator during the consideration of any amendment. A motion in the Senate to further limit debate on an amendment to a resolution is not debatable.

#### (c) Consideration of second resolution not in order

It shall not be in order in either the House of Representatives or the Senate to consider a resolution with respect to a recommendation of the President under section 2432(d) of this title (other than a resolution described in subsection (a) of this section received from the other House), if that House has adopted a resolution with respect to the same recommendation.

#### (d) Procedures relating to conference reports in the Senate

(1) Consideration in the Senate of the conference report on any joint resolution described in subsection (a) of this section, including consideration of all amendments in disagreement (and all amendments thereto), and consideration of all debatable motions and appeals in connection therewith, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees. Debate on any debatable motion or appeal related to the conference report shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the conference report.

(2) In any case in which there are amendments in disagreement, time on each amendment shall be limited to 30 minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee. No amendment to any amendment in disagreement shall be received unless it is a germane amendment.

(Pub. L. 93-618, title I, §153, Jan. 3, 1975, 88 Stat. 2006; Pub. L. 101-382, title I, §132(a)(3)-(6), Aug. 20, 1990, 104 Stat. 644, 645.)

## REFERENCES IN TEXT

Section 402 of the Trade Act of 1974, referred to in catchline and subsec. (a), is classified to section 2432 of this title.

## AMENDMENTS

1990—Subsec. (a). Pub. L. 101-382, §132(a)(3), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “For purposes of this section, the term ‘resolution’ means only—

“(1) a concurrent resolution of the two Houses of the Congress, the matter after the resolving clause of which is as follows: ‘That the Congress approves the extension of the authority contained in section 402(c)(1) of the Trade Act of 1974 recommended by the President to the Congress on \_\_\_\_\_, except with respect to \_\_\_\_\_’, with the first blank space being filled with the appropriate date and the second blank space being filled with the names of those countries, if any, with respect to which such extension of authority is not approved, and with the except clause being omitted if there is no such country; and

“(2) a resolution of either House of the Congress, the matter after the resolving clause of which is as follows: ‘That the \_\_\_\_\_ does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on \_\_\_\_\_ with respect to \_\_\_\_\_’, with the first blank space being filled with the name of the resolving House, the second blank space being filled with the appropriate date, and the third blank space being filled with the names of those countries, if any, with respect to which such extension of authority is not approved, and with the with-respect-to clause being omitted if the extension of the authority is not approved with respect to any country.”

Subsec. (b). Pub. L. 101-382, §132(a)(4), in par. (2), struck out provisions substituting 20 days for 30 days in resolution related to section 2432(d)(4) of this title, and in pars. (3) and (4), struck out provisions relating to except clause in resolutions under subsec. (a)(1) and provisions identifying with-respect-to clause as relating to resolutions under subsec. (a)(2).

Subsec. (c). Pub. L. 101-382, §132(a)(5), substituted “subsection (a)” for “subsection (a)(1)”.

Subsec. (d). Pub. L. 101-382, §132(a)(6), added subsec. (d).

## EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-382 applicable with respect to recommendations made under section 2432(d) of this title by the President after May 23, 1990, see section 132(d) of Pub. L. 101-382, set out as a note under section 2432 of this title.

### § 2194. Special rules relating to Congressional procedures

#### (a) Delivery of documents to both Houses

Whenever, pursuant to section 2112(e), 2253(b), 2432(d), or 2437(a) or (b), a document is required to be transmitted to the Congress, copies of such document shall be delivered to both Houses of Congress on the same day and shall be delivered to the Clerk of the House of Representatives if the House is not in session and to the Secretary of the Senate if the Senate is not in session.

#### (b) Computation of 90-day period

For purposes of sections 2253(c) and 2437(c)(2) of this title, the 90-day period referred to in such sections shall be computed by excluding—

(1) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain or an adjournment of the Congress sine die, and

(2) any Saturday and Sunday, not excluded under paragraph (1), when either House is not in session.

(Pub. L. 93-618, title I, §154, Jan. 3, 1975, 88 Stat. 2008; Pub. L. 96-39, title IX, §902(a)(2), July 26, 1979, 93 Stat. 300; Pub. L. 101-382, title I, §132(c)(6), Aug. 20, 1990, 104 Stat. 647; Pub. L. 103-465, title II, §261(d)(1)(A)(iii), Dec. 8, 1994, 108 Stat. 4909; Pub. L. 106-36, title I, §1001(a)(5), June 25, 1999, 113 Stat. 130.)

## AMENDMENTS

1999—Subsec. (b). Pub. L. 106-36 substituted “For purposes of sections 2253(c) and 2437(c)(2) of this title, the 90-day period” for “For purposes of sections 2253(c), and 2437(c)(2) of this title, the 90-day period” in introductory provisions.

1994—Subsec. (a). Pub. L. 103-465 struck out reference to section 1303(e) of this title.

1990—Subsec. (b). Pub. L. 101-382, which directed the substitution of “and 2437(c)(2)” for “2437(c)(2) and 2437(c)(3)”, was executed by making the substitution for “2437(c)(2), and 2437(c)(3)” to reflect the probable intent of Congress.

1979—Subsec. (a). Pub. L. 96-39 struck out reference to section 2412(a) of this title.

Subsec. (b). Pub. L. 96-39 struck out reference to section 2412(b) of this title.

## EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-465 effective on the effective date of title II of Pub. L. 103-465, Jan. 1, 1995, see section 261(d)(2) of Pub. L. 103-465, set out as a note under section 1315 of this title.

## EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-39 effective July 26, 1979, see section 903 of Pub. L. 96-39, set out as an Effective Date note under section 2411 of this title.

## PART 6—CONGRESSIONAL LIAISON AND REPORTS

### § 2211. Congressional advisers for trade policy and negotiations

#### (a) Selection

(1) At the beginning of each regular session of Congress, the Speaker of the House of Representatives, upon the recommendation of the chairman of the Committee on Ways and Means, shall select 5 members (not more than 3 of whom are members of the same political party) of such committee, and the President pro tempore of the Senate, upon the recommendation of the chairman of the Committee on Finance, shall select 5 members (not more than 3 of whom are members of the same political party) of such committee, who shall be designated congressional advisers on trade policy and negotiations. They shall provide advice on the development of trade policy and priorities for the implementation thereof. They shall also be accredited by the United States Trade Representative on behalf of the President as official advisers to the United States delegations to international conferences, meetings, and negotiating sessions relating to trade agreements.

(2)(A) In addition to the advisers designated under paragraph (1) from the Committee on Ways and Means and the Committee on Finance—

(i) the Speaker of the House may select additional members of the House, for designation as congressional advisers regarding specific trade policy matters or negotiations, from any other committee of the House or joint committee of Congress that has jurisdiction over