

104TH CONGRESS  
1ST SESSION

# H. R. 2371

To provide trade agreements authority to the President.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 1995

Mr. ARCHER (for himself, Mr. CRANE, and Mr. DREIER) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide trade agreements authority to the President.

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 “Trade Agreements Au-  
5 thority Act of 1995”.

6 **SEC. 2. TRADE NEGOTIATING OBJECTIVES.**

7 (a) OVERALL TRADE NEGOTIATING OBJECTIVES.—

8 The overall trade negotiating objectives of the United  
9 States for agreements subject to the provisions of section

10 3 are—

1           (1) to obtain more open, equitable, and recip-  
2           rocal market access;

3           (2) to obtain the reduction or elimination of  
4           barriers and other trade distorting policies and prac-  
5           tices;

6           (3) to further strengthen the system of inter-  
7           national trading disciplines and procedures;

8           (4) to foster economic growth and full employ-  
9           ment in the United States and the global economy;  
10          and

11          (5) to develop, strengthen, and clarify rules and  
12          disciplines on restrictive or trade-distorting import  
13          and export practices.

14          (b) PRINCIPAL TRADE NEGOTIATING OBJECTIVES.—

15           (1) SPECIFIC BARRIERS.—The principal nego-  
16           tiating objectives of the United States regarding spe-  
17           cific trade barriers and other trade distortions are to  
18           expand competitive market opportunities for United  
19           States exports and to obtain more open and fair con-  
20           ditions of trade by reducing or eliminating specific  
21           tariff and nontariff trade barriers.

22           (2) TRADE IN SERVICES.—The principal nego-  
23           tiating objectives of the United States regarding  
24           trade in services are—

1 (A) to reduce or eliminate barriers to  
2 international trade in services, including regu-  
3 latory and other barriers that deny national  
4 treatment and restrict the establishment and  
5 operations of service suppliers; and

6 (B) in the extended negotiations on finan-  
7 cial services to be conducted under the auspices  
8 of the World Trade Organization, to secure  
9 commitments, in a wide range of commercially  
10 important industrial and developing countries,  
11 to reduce or eliminate barriers to the supply of  
12 financial services, including barriers that deny  
13 national treatment and restrictions on the es-  
14 tablishment and operation of financial services  
15 providers, as the condition for the United  
16 States—

17 (i) offering commitments to provide  
18 national treatment and market access in  
19 each of the financial services subsectors;  
20 and

21 (ii) making such commitments on a  
22 most-favored-nation basis.

23 (3) FOREIGN DIRECT INVESTMENT.—The prin-  
24 cipal negotiating objective of the United States re-  
25 garding foreign direct investment is to reduce or

1 eliminate artificial or trade-distorting barriers to for-  
2 eign direct investment by—

3 (A) reducing or eliminating exceptions to  
4 the principle of national treatment;

5 (B) freeing the transfer of funds relating  
6 to investments;

7 (C) reducing or eliminating performance  
8 requirements;

9 (D) affirming international legal standards  
10 for expropriation and compensation for expro-  
11 priation; and

12 (E) providing meaningful procedures for  
13 resolving investment disputes.

14 (4) INTELLECTUAL PROPERTY.—The principal  
15 negotiating objectives of the United States regarding  
16 intellectual property are—

17 (A) to further promote adequate and effec-  
18 tive protection of intellectual property rights,  
19 including through—

20 (i) accelerating the implementation  
21 globally of the Agreement on Trade-Relat-  
22 ed Aspects of Intellectual Property Rights  
23 referred to in section 101(d)(15) of the  
24 Uruguay Round Agreements Act, and

1 achieving improvements in the standards  
2 of that Agreement;

3 (ii) providing strong protection for  
4 new and emerging technologies and new  
5 methods of transmitting and distributing  
6 products embodying intellectual property;

7 (iii) preventing or eliminating dis-  
8 crimination with respect to matters affect-  
9 ing the availability, acquisition, scope,  
10 maintenance, use, and enforcement of in-  
11 tellectual property rights; and

12 (B) to secure fair, equitable, and non-  
13 discriminatory market access opportunities for  
14 United States persons that rely upon intellec-  
15 tual property protection.

16 (5) TRANSPARENCY.—The principal negotiating  
17 objective of the United States with respect to trans-  
18 parency is to obtain broader application of the prin-  
19 ciple of transparency through—

20 (A) increased public access to information  
21 regarding trade issues;

22 (B) clarity in the costs and benefits of  
23 trade policy actions; and

1 (C) the observance of open and equitable  
2 procedures in trade policy matters by parties to  
3 international trade agreements.

4 (c) ADHERENCE TO OBLIGATIONS UNDER URUGUAY  
5 ROUND AGREEMENTS.—In determining whether to enter  
6 into negotiations with a particular country, the President  
7 shall take into account whether that country has imple-  
8 mented its obligations under the Uruguay Round Agree-  
9 ments (as defined in section 2 of the Uruguay Round  
10 Agreements Act).

11 (d) DEFINITION.—As used in subsection (a)(4)(B),  
12 the term “United States person” means—

13 (1) a United States citizen;

14 (2) a partnership, corporation, or other legal  
15 entity organized under the laws of the United  
16 States; and

17 (3) a partnership, corporation, or other legal  
18 entity that is organized under the laws of a foreign  
19 country and is controlled by entities described in  
20 paragraph (2) or United States citizens, or both.

21 **SEC. 3. TRADE AGREEMENTS AUTHORITY.**

22 (a) AGREEMENTS REGARDING TARIFF BARRIERS.—

23 (1) IN GENERAL.—Whenever the President de-  
24 termines that one or more existing duties or other  
25 import restrictions of any foreign country or the

1 United States are unduly burdening and restricting  
2 the foreign trade of the United States and that the  
3 purposes, policies, and objectives of this Act will be  
4 promoted thereby, the President—

5 (A) on or before December 15, 1999 (or  
6 December 15, 2001, if trade authorities proce-  
7 dures are extended under subsection (c)), may  
8 enter into trade agreements with foreign coun-  
9 tries; and

10 (B) may, subject to paragraphs (2) and  
11 (3), proclaim—

12 (i) such modification or continuance  
13 of any existing duty,

14 (ii) such continuance of existing duty-  
15 free or excise treatment, or

16 (iii) such additional duties,

17 as the President determines to be required or  
18 appropriate to carry out any such trade agree-  
19 ment.

20 (2) LIMITATIONS.—No proclamation may be  
21 made under paragraph (1) that—

22 (A) reduces any rate of duty (other than a  
23 rate of duty that does not exceed 5 percent ad  
24 valorem on the date of the enactment of this  
25 Act) to a rate of duty which is less than 50 per-

1 cent of the rate of such duty that applies on  
2 such date of enactment;

3 (B) reduces the rate of duty on an article  
4 over a period greater than 10 years after the  
5 first reduction that is proclaimed to carry out  
6 a trade agreement with respect to such article;  
7 or

8 (C) increases any rate of duty above the  
9 rate that applies on the date of the enactment  
10 of the Uruguay Round Agreements Act.

11 (3) AGGREGATE REDUCTION; EXEMPTION FROM  
12 STAGING.—

13 (A) AGGREGATE REDUCTION.—Except as  
14 provided in subparagraph (B), the aggregate re-  
15 duction in the rate of duty on any article which  
16 is in effect on any day pursuant to a trade  
17 agreement entered into under paragraph (1)  
18 shall not exceed the aggregate reduction which  
19 would have been in effect on such day if a re-  
20 duction of 3 percent ad valorem or a reduction  
21 of one-tenth of the total reduction, whichever is  
22 greater, had taken effect on the effective date  
23 of the first reduction proclaimed under para-  
24 graph (1) to carry out such agreement with re-  
25 spect to such article.

1           (B) EXEMPTION FROM STAGING.—No  
2           staging is required under subparagraph (A)  
3           with respect to a duty reduction that is pro-  
4           claimed under paragraph (1) for an article of a  
5           kind that is not produced in the United States.  
6           The United States International Trade Com-  
7           mission shall advise the President of the iden-  
8           tity of articles that may be exempted from stag-  
9           ing under this paragraph.

10          (4) ROUNDING.— If the President determines  
11          that such action will simplify the computation of re-  
12          ductions under paragraph (3), the President may  
13          round an annual reduction by an amount equal to  
14          the lesser of—

15                 (A) the difference between the reduction  
16                 without regard to this paragraph and the next  
17                 lower whole number; or

18                 (B) one-half of 1 percent ad valorem.

19          (5) OTHER LIMITATIONS.—A rate of duty re-  
20          duction or increase that may not be proclaimed by  
21          reason of paragraph (2) may take effect only if a  
22          provision authorizing such reduction or increase is  
23          included within an implementing bill provided for  
24          under section 5 and that bill is enacted into law.

1 (b) AGREEMENTS REGARDING TARIFF AND NON-  
2 TARIFF BARRIERS.—

3 (1) IN GENERAL.—Whenever the President de-  
4 termines that any duty or other import restriction  
5 imposed by any foreign country or the United States  
6 or any other barrier to, or other distortion of, inter-  
7 national trade—

8 (A) unduly burdens or restricts the foreign  
9 trade of the United States or adversely affects  
10 the United States economy, or

11 (B) the imposition of any such barrier or  
12 distortion is likely to result in such a burden,  
13 restriction, or effect,

14 and that the purposes, policies, and objectives of this  
15 Act will be promoted thereby, the President may,  
16 during the period beginning on January 1, 1996,  
17 and ending on December 15, 1999 (or December 15,  
18 2001, if trade authorities procedures are extended  
19 under subsection (c)), enter into a bilateral or multi-  
20 lateral trade agreement with foreign countries pro-  
21 viding for—

22 (i) the reduction or elimination of such  
23 duty, restriction, barrier, or other distortion, or

24 (ii) the prohibition of, or limitation on the  
25 imposition of, such barrier or other distortion.

1           (2) CONDITIONS.—A trade agreement may be  
2 entered into under this subsection only if such  
3 agreement makes progress in meeting the applicable  
4 objectives described in section 2 and the President  
5 satisfies the conditions set forth in section 4.

6           (3) BILLS RELATING ONLY TO NEGOTIATING  
7 OBJECTIVES.—The provisions of section 151 of the  
8 Trade Act of 1974 (in this Act referred to as “trade  
9 authorities procedures”) apply to implementing bills  
10 consisting only of—

11           (A) provisions directly related to principal  
12 trade negotiating objectives set forth in section  
13 2(b) achieved in trade agreements entered into  
14 under this subsection;

15           (B) if changes in existing laws or new statu-  
16 tory authority is required to carry out such  
17 trade agreements, provisions, necessary to carry  
18 out such trade agreements, either repealing or  
19 amending existing laws or providing new statu-  
20 tory authority; and

21           (C) provisions necessary for purposes of  
22 complying with section 252 of the Balanced  
23 Budget and Emergency Deficit Control Act of  
24 1985 in implementing such trade agreements.

1 (c) EXTENSION DISAPPROVAL PROCESS FOR CON-  
2 GRESSIONAL TRADE AUTHORITIES PROCEDURES.—

3 (1) IN GENERAL.—Except as provided in sec-  
4 tion 5(b)—

5 (A) the trade authorities procedures apply  
6 to implementing bills submitted with respect to  
7 trade agreements entered into under subsection  
8 (b) on or before December 15, 1999; and

9 (B) the trade authorities procedures shall  
10 be extended to implementing bills submitted  
11 with respect to trade agreements entered into  
12 under subsection (b) after December 15, 1999,  
13 and before December 15, 2001, if (and only  
14 if)—

15 (i) the President requests such exten-  
16 sion under paragraph (2); and

17 (ii) neither House of the Congress  
18 adopts an extension disapproval resolution  
19 under paragraph (5) before December 15,  
20 1999.

21 (2) REPORT TO CONGRESS BY THE PRESI-  
22 DENT.—If the President is of the opinion that the  
23 trade authorities procedures should be extended to  
24 implementing bills described in paragraph (1)(B),  
25 the President shall submit to the Congress, not later

1 than July 1, 1999, a written report that contains a  
2 request for such extension, together with—

3 (A) a description of all trade agreements  
4 that have been negotiated under subsection (b)  
5 and the anticipated schedule for submitting  
6 such agreements to the Congress for approval;

7 (B) a description of the progress that has  
8 been made in multilateral and bilateral negotia-  
9 tions to achieve the purposes, policies, and ob-  
10 jectives of this Act, and a statement that such  
11 progress justifies the continuation of negotia-  
12 tions; and

13 (C) a statement of the reasons why the ex-  
14 tension is needed to complete the negotiations.

15 (3) REPORT TO CONGRESS BY THE ADVISORY  
16 COMMITTEE.—The President shall promptly inform  
17 the Advisory Committee for Trade Policy and Nego-  
18 tiations established under section 135 of the Trade  
19 Act of 1974 (19 U.S.C. 2155) of the President’s de-  
20 cision to submit a report to the Congress under  
21 paragraph (2). The Advisory Committee shall submit  
22 to the Congress as soon as practicable, but not later  
23 than August 1, 1999, a written report that con-  
24 tains—

1 (A) its views regarding the progress that  
2 has been made in multilateral and bilateral ne-  
3 gotiations to achieve the purposes, policies, and  
4 objectives of this Act; and

5 (B) a statement of its views, and the rea-  
6 sons therefor, regarding whether the extension  
7 requested under paragraph (2) should be ap-  
8 proved or disapproved.

9 (4) REPORTS MAY BE CLASSIFIED.—The re-  
10 ports submitted to the Congress under paragraphs  
11 (2) and (3), or any portion of the reports, may be  
12 classified to the extent the President determines ap-  
13 propriate.

14 (5) EXTENSION DISAPPROVAL RESOLUTIONS.—

15 (A) For purposes of this subsection, the term “ex-  
16 tension disapproval resolution” means a resolution  
17 of either House of the Congress, the sole matter  
18 after the resolving clause of which is as follows:  
19 “That the \_\_\_\_ disapproves the request of the Presi-  
20 dent for the extension, under section 3(c)(1)(B)(i) of  
21 the Trade Agreements Authority Act of 1995, of the  
22 provisions of section 151 of the Trade Act of 1974  
23 to any implementing bill submitted with respect to  
24 any trade agreement entered into under section 3(b)  
25 of the Trade Agreements Authority Act of 1995

1 after December 15, 1999.”, with the blank space  
2 being filled with the name of the resolving House of  
3 the Congress.

4 (B) Extension disapproval resolutions—

5 (i) may be introduced in either House of  
6 the Congress by any member of such House;  
7 and

8 (ii) shall be jointly referred, in the House  
9 of Representatives, to the Committee on Ways  
10 and Means and the Committee on Rules.

11 (C) The provisions of sections 152 (d) and (e)  
12 of the Trade Act of 1974 (19 U.S.C. 2192 (d) and  
13 (e)) (relating to the floor consideration of certain  
14 resolutions in the House and Senate) apply to exten-  
15 sion disapproval resolutions.

16 (D) It is not in order for—

17 (i) the Senate to consider any extension  
18 disapproval resolution not reported by the Com-  
19 mittee on Finance;

20 (ii) the House of Representatives to con-  
21 sider any extension disapproval resolution not  
22 reported by the Committee on Ways and Means  
23 and the Committee on Rules; or

1 (iii) either House of the Congress to con-  
2 sider an extension disapproval resolution after  
3 December 14, 1999.

4 **SEC. 4. CONSULTATIONS.**

5 (a) NOTICE AND CONSULTATION BEFORE NEGOTIA-  
6 TION.—The President, at least 90 calendar days before  
7 initiating negotiations on any agreement that is subject  
8 to the provisions of 3(b), shall—

9 (1) provide written notice to the Congress of  
10 the President's intent to enter into the negotiations  
11 and set forth therein the date the President intends  
12 to initiate such negotiations, the specific United  
13 States objectives for the negotiations, and whether  
14 the President intends to seek multilateral and bilat-  
15 eral agreement, or changes to an existing agreement;  
16 and

17 (2) before and after submission of the notice,  
18 consult regarding the negotiations with the Commit-  
19 tee on Finance of the Senate and the Committee on  
20 Ways and Means of the House of Representatives  
21 and such other committees of the House and Senate  
22 as the President deems appropriate.

23 (b) CONSULTATION WITH CONGRESS BEFORE  
24 AGREEMENTS ENTERED INTO.—

1           (1) CONSULTATION.—Before entering into any  
2 trade agreement under section 3(b), the President  
3 shall consult with—

4                   (A) the Committee on Ways and Means of  
5 the House of Representatives and the Commit-  
6 tee on Finance of the Senate; and

7                   (B) each other committee of the House  
8 and the Senate, and each joint committee of the  
9 Congress, which has jurisdiction over legislation  
10 involving subject matters which would be af-  
11 fected by the trade agreement.

12           (2) SCOPE.—The consultation described in  
13 paragraph (1) shall include consultation with respect  
14 to—

15                   (A) the nature of the agreement;

16                   (B) how and to what extent the agreement  
17 will achieve the applicable purposes, policies,  
18 and objectives of this Act; and

19                   (C) all matters relating to the implementa-  
20 tion of the agreement under section 5, including  
21 whether the agreement includes subject matter  
22 for which supplemental implementing legislation  
23 may be required which is not subject to trade  
24 authorities procedures.

1 (c) ADVISORY COMMITTEE REPORTS.—The report  
2 required under section 135(e)(1) of the Trade Act of 1974  
3 regarding any trade agreement entered into under section  
4 3 (a) or (b) of this Act shall be provided to the President,  
5 the Congress, and the United States Trade Representative  
6 not later than 30 days after the date on which the Presi-  
7 dent notifies the Congress under section 5(a)(1)(A) of the  
8 President’s intention to enter into the agreement.

9 **SEC. 5. IMPLEMENTATION OF TRADE AGREEMENTS.**

10 (a) IN GENERAL.—

11 (1) NOTIFICATION AND SUBMISSION.—Any  
12 agreement entered into under section 3(b) shall  
13 enter into force with respect to the United States if  
14 (and only if)—

15 (A) the President, at least 90 calendar  
16 days before the day on which the President en-  
17 ters into the trade agreement, notifies the  
18 House of Representatives and the Senate of the  
19 President’s intention to enter into the agree-  
20 ment, and promptly thereafter publishes notice  
21 of such intention in the Federal Register;

22 (B) within 60 days after entering into the  
23 agreement, submits to the Congress a descrip-  
24 tion of those changes to existing laws that are

1 required in order that the United States not be  
2 in violation of the agreement;

3 (C) after entering into the agreement, the  
4 President submits a copy of the final legal text  
5 of the agreement, together with—

6 (i) a draft of an implementing bill de-  
7 scribed in section 3(b)(3);

8 (ii) a statement of any administrative  
9 action proposed to implement the trade  
10 agreement; and

11 (iii) the supporting information de-  
12 scribed in paragraph (3); and

13 (D) the implementing bill is enacted into  
14 law.

15 (2) SUPPORTING INFORMATION.—The support-  
16 ing information required under paragraph (1)(C)(iii)  
17 consists of—

18 (A) an explanation as to how the imple-  
19 menting bill and proposed administrative action  
20 will change or affect existing law; and

21 (B) a statement—

22 (i) asserting that the agreement  
23 makes progress in achieving the applicable  
24 purposes, policies, and objectives of this  
25 Act; and

1 (ii) setting forth the reasons of the  
2 President regarding—

3 (I) how and to what extent the  
4 agreement makes progress in achiev-  
5 ing the applicable purposes, policies,  
6 and objectives referred to in clause (i),  
7 and why and to what extent the  
8 agreement does not achieve other ap-  
9 plicable purposes, policies, and objec-  
10 tives;

11 (II) whether and how the agree-  
12 ment changes provisions of an agree-  
13 ment previously negotiated;

14 (III) how the agreement serves  
15 the interests of United States com-  
16 merce; and

17 (IV) why the implementing bill  
18 and proposed administrative action is  
19 required to carry out the agreement.

20 (b) LIMITATIONS ON TRADE AUTHORITIES PROCE-  
21 DURES.—

22 (1) FOR LACK OF CONSULTATIONS.—(A) The  
23 trade authorities procedures shall not apply to any  
24 implementing bill submitted with respect to a trade  
25 agreement entered into under section 3(b) if both

1 Houses of Congress separately agree to a procedural  
2 disapproval resolution within any 60-day period.

3 (B) For purposes of this paragraph, the term  
4 “procedural disapproval resolution” means a resolu-  
5 tion of either House of the Congress, the sole matter  
6 after the resolving clause of which is as follows:  
7 “That the President has failed or refused to consult  
8 with the Congress on trade negotiations and trade  
9 agreements in accordance with section 4(b) of the  
10 Trade Agreements Authority Act of 1995 and, there-  
11 fore, the provisions of section 151 of the Trade Act  
12 of 1974 shall not apply to any implementing bill  
13 submitted with respect to any trade agreement en-  
14 tered into under section 3(b) of the Trade Agree-  
15 ments Authority Act of 1995, if, during the 60-day  
16 period beginning on the date on which this resolu-  
17 tion is agreed to by the \_\_\_\_\_, the  
18 \_\_\_\_\_ agrees to a procedural disapproval reso-  
19 lution (within the meaning of section 5(b)(2)(B) of  
20 that Act).”, with the first blank space being filled  
21 with the name of the resolving House of the Con-  
22 gress and the second blank space being filled with  
23 the name of the other House of the Congress.

24 (2) PROCEDURES FOR CONSIDERING RESOLU-  
25 TIONS.—(A) Procedural disapproval resolutions—

1 (i) in the House of Representatives—

2 (I) shall be introduced by the chair-  
3 man or ranking minority member of the  
4 Committee on Ways and Means or the  
5 chairman or ranking minority member of  
6 the Committee on Rules;

7 (II) shall be jointly referred to the  
8 Committee on Ways and Means and the  
9 Committee on Rules; and

10 (III) may not be amended by either  
11 Committee; and

12 (ii) in the Senate shall be original resolu-  
13 tions of the Committee on Finance.

14 (B) The provisions of section 152(d) and (e) of  
15 the Trade Act of 1974 (19 U.S.C. 2192(d) and (e))  
16 (relating to the floor consideration of certain resolu-  
17 tions in the House and Senate) apply to procedural  
18 disapproval resolutions.

19 (C) It is not in order for the House of Rep-  
20 resentatives to consider any procedural disapproval  
21 resolution not reported by the Committee on Ways  
22 and Means and the Committee on Rules.

23 (c) RULES OF HOUSE OF REPRESENTATIVES AND  
24 SENATE.—Subsection (b) of this section and section 3(c)  
25 are enacted by the Congress—

1           (1) as an exercise of the rulemaking power of  
2           the House of Representatives and the Senate, re-  
3           spectively, and as such is deemed a part of the rules  
4           of each House, respectively, and such procedures su-  
5           persede other rules only to the extent that they are  
6           inconsistent with such other rules; and

7           (2) with the full recognition of the constitu-  
8           tional right of either House to change the rules (so  
9           far as relating to the procedures of that House) at  
10          any time, in the same manner, and to the same ex-  
11          tent as any other rule of that House.

12 **SEC. 6. TREATMENT OF CERTAIN TRADE AGREEMENTS.**

13          (a) EXTENDED NEGOTIATIONS IN THE URUGUAY  
14 ROUND.—Notwithstanding section 3(b)(2) and section  
15 5(b), the provisions of section 4(a) shall not apply to an  
16 agreement which results from negotiations that were com-  
17 menced before the date of the enactment of this Act, if  
18 the agreement is directly related to the principal negotiat-  
19 ing objectives set forth in section 135 of the Uruguay  
20 Round Implementation Act (19 U.S.C. 3555).

21          (b) AGREEMENT WITH CHILE.—If an agreement to  
22 which section 3(b) applies which provides for the accession  
23 of Chile to the North American Free Trade Agreement  
24 is entered into with Chile after the date of the enactment

1 of this Act and results from negotiations that were com-  
2 menced before such date of enactment—

3 (1) the applicability of the trade authorities  
4 procedures to such agreement shall be determined  
5 without regard to the requirements of section 4(a);  
6 and

7 (2) if such agreement is entered into before  
8 March 15, 1996, section 5(a)(1)(A) shall be applied  
9 by substituting “30” for “90”.

10 **SEC. 7. CONFORMING AMENDMENTS.**

11 (a) IN GENERAL.—Title I of the Trade Act of 1974  
12 (19 U.S.C. 2111 and following) is amended as follows:

13 (1) Section 151(b)(1) (19 U.S.C. 2191(b)(1)) is  
14 amended by striking “or section 282 of the Uruguay  
15 Round Agreements Act” and inserting “, section  
16 282 of the Uruguay Round Agreements Act, or sec-  
17 tion 5 of the Trade Agreements Authority Act of  
18 1995”.

19 (2) Section 131 (19 U.S.C. 2151) is amended—

20 (A) in subsection (a)—

21 (i) in paragraph (1), by striking “sec-  
22 tion 123 of this Act or section 1102 (a) or  
23 (c) of the Omnibus Trade and Competitive-  
24 ness Act of 1988,” and inserting “section  
25 123 of this Act, section 1102 (a) or (c) of

1 the Omnibus Trade and Competitiveness  
2 Act of 1988, or section 3 (a) or (b) of the  
3 Trade Agreements Authority Act of  
4 1995,”; and

5 (ii) in paragraph (2), by inserting “or  
6 section 3 (a) or (b) of the Trade Agree-  
7 ments Authority Act of 1995” after  
8 “1988”;

9 (B) in subsection (b), by inserting “of the  
10 Omnibus Trade and Competitiveness Act of  
11 1988 or section 3(a)(3)(A) of the Trade Agree-  
12 ments Authority Act of 1995” before the end  
13 period; and

14 (C) in subsection (c), by striking “of this  
15 Act or section 1102 of the Omnibus Trade and  
16 Competitiveness Act of 1988,” and inserting  
17 “of this Act, section 1102 of the Omnibus  
18 Trade and Competitiveness Act of 1988, or sec-  
19 tion 3 of the Trade Agreements Authority Act  
20 of 1995”.

21 (3) Sections 132, 133(a), and 134(a) (19  
22 U.S.C. 2152, 2153(a), and 2154(a)) are each  
23 amended by striking “or section 1102 of the Omni-  
24 bus Trade and Competitiveness Act of 1988,” each  
25 place it appears and inserting “, section 1102 of the

1 Omnibus Trade and Competitiveness Act of 1988, or  
2 section 3 of the Trade Agreements Authority Act of  
3 1995,”.

4 (4) Section 134(b) (19 U.S.C. 2154(b)) is  
5 amended by inserting “or section 3 of the Trade  
6 Agreements Authority Act of 1995” after “1988”.

7 (5) Section 135(a)(1)(A) (19 U.S.C.  
8 2155(a)(1)(A)) is amended by inserting “or section  
9 3 of the Trade Agreements Authority Act of 1995”  
10 after “1988”.

11 (6) Section 135(e) (19 U.S.C. 2155(e)) is  
12 amended—

13 (A) in paragraph (1), by inserting “or sec-  
14 tion 3 of the Trade Agreements Authority Act  
15 of 1995” after “1988” the first two places it  
16 appears, and by inserting “or section 5(a)(1)(A)  
17 of the Trade Agreements Authority Act of  
18 1995” after “1988” the third place it appears;  
19 and

20 (B) in paragraph (2), by inserting “or sec-  
21 tion 2 of the Trade Agreements Authority Act  
22 of 1995” after “1988”.

23 (b) APPLICATION OF SECTIONS 125, 126, AND 127  
24 OF THE TRADE ACT OF 1974.—For purposes of applying

1 sections 125, 126, and 127 of the Trade Act of 1974 (19  
2 U.S.C. 2135, 2136(a), and 2137)—

3 (1) any trade agreement entered into under sec-  
4 tion 3 shall be treated as an agreement entered into  
5 under section 101 or 102, as appropriate, of the  
6 Trade Act of 1974 (19 U.S.C. 2111 or 2112); and

7 (2) any proclamation or Executive order issued  
8 pursuant to a trade agreement entered into under  
9 section 3 shall be treated as a proclamation or Exec-  
10 utive order issued pursuant to a trade agreement en-  
11 tered into under section 102 of the Trade Act of  
12 1974.

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