

104TH CONGRESS
1ST SESSION

S. 577

To establish the negotiating objectives and fast track procedures for future trade agreements.

IN THE SENATE OF THE UNITED STATES

MARCH 17 (legislative day, MARCH 16), 1995

Mr. LUGAR introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To establish the negotiating objectives and fast track procedures for future trade agreements.

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 Agreement Im-
5 plementation Reform Act”.

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

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

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

10 **SEC. 3. TRADE AGREEMENT NEGOTIATING AUTHORITY.**

11 (a) AGREEMENTS REGARDING TARIFF BARRIERS.—

12 (1) IN GENERAL.—Whenever the President de-
13 termines that one or more existing duties or other
14 import restrictions of any foreign country or the
15 United States are unduly burdening and restricting
16 the foreign trade of the United States and that the
17 purposes, policies, and objectives of this Act will be
18 promoted thereby, the President—

19 (A) on or before June 1, 2001, may enter
20 into trade agreements with foreign countries,
21 and

22 (B) may, subject to paragraphs (2)
23 through (5), proclaim—

24 (i) such modification or continuance
25 of any existing duty,

1 (ii) such continuance of existing duty-
2 free or excise treatment, or

3 (iii) such additional duties,

4 as the President determines to be required or appro-
5 priate to carry out any such trade agreement.

6 (2) LIMITATIONS.—

7 (A) IN GENERAL.—No proclamation may
8 be made under paragraph (1)(B) that—

9 (i) reduces any rate of duty (other
10 than a rate of duty that does not exceed 5
11 percent ad valorem on the date of the en-
12 actment of this Act) to a rate of duty
13 which is less than 50 percent of the rate
14 of such duty that applies on such date of
15 enactment,

16 (ii) reduces the rate of duty on an ar-
17 ticle over a period greater than 10 years
18 after the first reduction that is proclaimed
19 to carry out a trade agreement with re-
20 spect to such article, or

21 (iii) increases any rate of duty above
22 the rate that applied on the date of the en-
23 actment of this Act.

24 (B) LIMITATION ON AGGREGATE REDUC-
25 TION.—The aggregate reduction in the rate of

1 duty on any article which is in effect on any
2 day pursuant to a trade agreement entered into
3 under paragraph (1) shall not exceed the aggregate
4 reduction which would have been in effect
5 on such day if a reduction of 3 percent ad valorem
6 or a reduction of 10 percent of the total reduction,
7 whichever is greater, had taken effect
8 on the effective date of the first reduction proclaimed
9 pursuant to paragraph (1).

10 (3) EXEMPTION FROM STAGING.—No staging is
11 required under paragraph (2)(B) with respect to a
12 duty reduction that is proclaimed under paragraph
13 (1) for an article of a kind that is not produced in
14 the United States. The United States International
15 Trade Commission shall advise the President of the
16 identity of articles that may be exempted from staging
17 under this paragraph.

18 (4) ROUNDING.—If the President determines
19 that such action will simplify the computation of reductions
20 under paragraph (2) (A) or (B), the President may round
21 an annual reduction by an amount equal to the lesser of—
22

23 (A) the difference between the reduction
24 without regard to this paragraph and the next
25 lower whole number, or

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

2 (5) ADDITIONAL LIMITATION.—A rate of duty
3 reduction or increase that may not be proclaimed by
4 reason of paragraph (2) may take effect only if a
5 provision authorizing such reduction or increase is
6 included within an implementing bill provided for
7 under section 4 of this Act and that bill is enacted
8 into law.

9 (b) AGREEMENTS REGARDING TARIFF AND NON-
10 TARIFF BARRIERS.—

11 (1) IN GENERAL.—Whenever the President de-
12 termines that any duty or other import restriction
13 imposed by any foreign country or the United States
14 or any other barrier to, or other distortion of, inter-
15 national trade—

16 (A) unduly burdens or restricts the foreign
17 trade of the United States or adversely affects
18 the United States economy,

19 (B) the imposition of any such barrier or
20 distortion is likely to result in such a burden,
21 restriction, or effect, or

22 (C) the reduction or elimination of such
23 barrier or distortion is likely to result in eco-
24 nomic growth or expanded trade opportunities
25 for the United States,

1 and that the purposes, policies, and objectives of this
2 Act will be promoted thereby, the President may, on
3 or before June 1, 2001, enter into a regional, bilat-
4 eral, or multilateral trade agreement described in
5 paragraph (2).

6 (2) DESCRIPTION OF TRADE AGREEMENT.—A
7 trade agreement is described in this paragraph if it
8 is a regional, bilateral, or multilateral trade agree-
9 ment entered into by the President with a foreign
10 country providing for—

11 (A) the reduction or elimination of such
12 duty, restriction, barrier, or other distortion, or

13 (B) the prohibition of, or limitation on the
14 imposition of, such barrier or other distortion.

15 (3) CONDITIONS.—A trade agreement may be
16 entered into under this subsection only if such
17 agreement makes substantial progress in meeting
18 the applicable negotiating objectives described in sec-
19 tion 2 and the President satisfies the conditions set
20 forth in subsections (c) and (d).

21 (4) COMPLIANCE WITH URUGUAY ROUND
22 AGREEMENTS AND OTHER OBLIGATIONS.—In deter-
23 mining whether to enter into negotiations with a
24 particular country under this subsection, the Presi-
25 dent shall take into account whether that country

1 has implemented its obligations under the Uruguay
2 Round Agreements and any other trade agreement
3 with respect to which the United States and such
4 other country are parties.

5 (5) LIMITATION.—Notwithstanding any other
6 provision of law, no trade benefit shall be extended
7 to any country solely by reason of the extension of
8 any trade benefit to another country under a trade
9 agreement entered into under paragraph (1) with
10 such other country.

11 (c) NOTICE AND CONSULTATION BEFORE NEGOTIA-
12 TION.—

13 (1) GENERAL RULE.—The President, at least
14 60 calendar days before initiating negotiations on
15 any agreement that is subject to the provisions of
16 subsection (b), shall—

17 (A) provide written notice to the Congress
18 of the President's intent to enter into the nego-
19 tiations and set forth therein the date the
20 President intends to initiate such negotiations
21 and the specific United States objectives for the
22 negotiations,

23 (B) before submitting the notice, seek the
24 advice of and consult with the relevant private
25 sector advisory committees established under

1 section 135 of the Trade Act of 1974 (19
2 U.S.C. 2155), regarding the negotiations and
3 the negotiating objectives the President pro-
4 poses to establish for the negotiations, and

5 (C) before and after submission of the no-
6 tice, consult with the Congress regarding the
7 negotiations and the negotiating objectives.

8 (2) EXCEPTION.—Notwithstanding subsection
9 (b)(3) and section 4(c), the provisions of this sub-
10 section shall not apply to an agreement which re-
11 sults from negotiations that were commenced before
12 the date of the enactment of this Act and the provi-
13 sions of this Act regarding implementation shall
14 apply to such agreement, if with respect to such
15 agreement, the President provides notice, seeks ad-
16 vice, and consults in accordance with subparagraphs
17 (A), (B), and (C) of paragraph (1) as soon as prac-
18 ticable after the date of the enactment of this Act.

19 (d) CONSULTATION WITH CONGRESS BEFORE
20 AGREEMENTS ENTERED INTO.—

21 (1) CONSULTATION.—Before entering into any
22 trade agreement under subsection (b), the President
23 shall consult with—

1 (A) the Committee on Ways and Means of
2 the House of Representatives and the Commit-
3 tee on Finance of the Senate, and

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

9 (2) SCOPE.—The consultation described in
10 paragraph (1) shall include consultation with respect
11 to—

12 (A) the nature of the agreement,

13 (B) how and to what extent the agreement
14 will achieve the applicable negotiating objec-
15 tives, and

16 (C) all matters relating to the implementa-
17 tion of the agreement under section 4.

18 **SEC. 4. IMPLEMENTATION OF TRADE AGREEMENTS.**

19 (a) IN GENERAL.—

20 (1) NOTIFICATION AND SUBMISSION.—Any
21 agreement entered into under section 3(b) shall
22 enter into force with respect to the United States if
23 (and only if)—

24 (A) the President, at least 120 calendar
25 days before the day on which the President en-

1 ters into the trade agreement, notifies the
2 House of Representatives and the Senate of the
3 President’s intention to enter into the agree-
4 ment, and promptly thereafter publishes notice
5 of such intention in the Federal Register;

6 (B) after entering into the agreement, the
7 President submits a copy of the final legal text
8 of the agreement, together with—

9 (i) a draft of an implementing bill,

10 (ii) a statement of any administrative
11 action proposed to implement the trade
12 agreement, and

13 (iii) the supporting information de-
14 scribed in paragraph (3); and

15 (C) the implementing bill is enacted into
16 law.

17 (2) RESTRICTIONS ON IMPLEMENTING BILL.—

18 (A) IN GENERAL.—An implementing bill
19 referred to in paragraph (1) shall contain only
20 necessary provisions.

21 (B) NECESSARY PROVISION.—For pur-
22 poses of this Act, the term “necessary provi-
23 sion” means a provision in an implementing bill
24 that—

1 (i)(I) makes progress in meeting the
2 negotiating objectives contained in section
3 2 for the trade agreement with respect to
4 which the implementing bill is submitted,
5 and

6 (II) is an integral part of a provision
7 or title of an implementing bill or sets
8 forth a procedure to carry out substantive
9 provisions of the trade agreement with re-
10 spect to which the implementing bill is
11 submitted, or

12 (ii) is a revenue provision.

13 (3) SUPPORTING INFORMATION.—The support-
14 ing information required under paragraph (1)(B)(iii)
15 consists of—

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

19 (B) a statement—

20 (i) asserting that the agreement
21 makes progress in achieving the applicable
22 negotiating objectives, and

23 (ii) setting forth the reasons of the
24 President regarding, among other things—

1 (I) how and to what extent the
2 agreement makes progress in achiev-
3 ing the applicable negotiating objec-
4 tives referred to in clause (i), and why
5 and to what extent the agreement
6 does not achieve other applicable ne-
7 gotiating objectives,

8 (II) how the agreement serves
9 the interests of United States com-
10 merce,

11 (III) why the implementing bill
12 and proposed administrative action is
13 required or appropriate to carry out
14 the agreement,

15 (IV) how the provisions of the
16 implementing bill are substantially re-
17 lated to the negotiating objectives set
18 forth in this Act, and

19 (V) how any revenue provision in
20 the implementing bill is necessary to
21 comply with the Balanced Budget and
22 Emergency Deficit Control Act of
23 1985.

24 (4) OTHER CONSIDERATIONS.—To ensure that
25 a foreign country that receives benefits under a

1 trade agreement entered into under section 3(b) is
2 subject to the obligations imposed by such agree-
3 ment, the President shall recommend to Congress in
4 the implementing bill and statement of administra-
5 tive action submitted with respect to such agreement
6 that the benefits and obligations of such agreement
7 apply solely to the parties to such agreement, if such
8 application is consistent with the terms of such
9 agreement. The President may also recommend with
10 respect to any such agreement that the benefits and
11 obligations of such agreement not apply uniformly to
12 all parties to such agreement, if such application is
13 consistent with the terms of such agreement.

14 (b) APPLICATION OF CONGRESSIONAL “FAST
15 TRACK” PROCEDURES TO IMPLEMENTING BILLS.—

16 (1) IN GENERAL.—Except as otherwise pro-
17 vided in this subsection and subsection (c), the pro-
18 visions of section 151 of the Trade Act of 1974 (19
19 U.S.C. 2191) (hereafter in this Act referred to as
20 “fast track procedures”) apply to implementing bills
21 submitted with respect to trade agreements entered
22 into under section 3(b) on or before June 1, 2001
23 (or if extended under section 5, June 1, 2003).

24 (2) CERTAIN POINTS OF ORDER AND AMEND-
25 MENTS IN ORDER.—

1 (A) IN GENERAL.—

2 (i) POINTS OF ORDER.—A point of
3 order may be made by any Senator against
4 a provision in an implementing bill that is
5 not a necessary provision (as defined in
6 subsection (a)(2)(B)). If such point of
7 order is sustained by a majority of the
8 Members of the Senate duly chosen and
9 sworn, the provision shall be stricken.

10 (ii) AMENDMENTS IN ORDER.—The
11 provisions of section 151(d) of such Act
12 shall not apply to a provision in an imple-
13 menting bill that is a revenue provision
14 and an amendment to a revenue provision
15 shall be in order if the amendment meets
16 the requirements of paragraph (4).

17 (B) TIME LIMIT.—Sections 151(f)(2) and
18 151(g)(2) of such Act shall be applied by sub-
19 stituting “25 hours” for “20 hours” each place
20 such term appears and such time limits shall
21 include all amendments to and points of order
22 made with respect to an implementing bill.

23 (C) RULES FOR THE SENATE.—Debate in
24 the Senate on any amendment to or point of
25 order made with respect to an implementing bill

1 under this paragraph shall be limited to not
2 more than 1 hour, to be equally divided be-
3 tween, and controlled by the mover and the
4 manager of the implementing bill, except that
5 in the event the manager of the implementing
6 bill is in favor of any such amendment, the time
7 in opposition thereto shall be controlled by the
8 minority leader or the minority leader's des-
9 ignee. The majority and minority leader may
10 from the time under their control on the pas-
11 sage of an implementing bill, allot additional
12 time to any Senator during the consideration of
13 any amendment. A motion in the Senate to fur-
14 ther limit debate on an amendment to any im-
15 plementing bill is not debatable.

16 (3) REVENUE PROVISION.—For purposes of
17 this Act, the term “revenue provision” means a pro-
18 vision in an implementing bill that—

19 (A) is not an integral part of a provision
20 of, or does not set forth a procedure to carry
21 out a substantive provision of, the trade agree-
22 ment with respect to which the implementing
23 bill is submitted,

24 (B) is not inconsistent with the obligations
25 of the United States under the trade agreement

1 with respect to which the implementing bill is
2 submitted, and

3 (C) either decreases specific budget outlays
4 for the fiscal years covered by the implementing
5 bill or increases revenues for such fiscal years
6 in order to comply with the Balanced Budget
7 and Emergency Deficit Control Act of 1985.

8 (4) REQUIREMENTS FOR AMENDMENT.—It
9 shall not be in order in the House of Representatives
10 or the Senate to consider any amendment to a reve-
11 nue provision in an implementing bill that would
12 have the effect of increasing any specific budget out-
13 lays above the level of such outlays provided in the
14 implementing bill for the fiscal years covered by the
15 implementing bill or would have the effect of reduc-
16 ing any specific revenues below the level of such rev-
17 enues provided in the implementing bill for such fis-
18 cal years, unless such amendment makes at least an
19 equivalent reduction in other specific budget outlays,
20 an equivalent increase in other specific Federal reve-
21 nues, or an equivalent combination thereof for such
22 fiscal years. For purposes of this paragraph, the lev-
23 els of budget outlays and Federal revenues for a fis-
24 cal year shall be determined on the basis of esti-
25 mates made by the Committee on the Budget of the

1 Senate or of the House of Representatives, as the
2 case may be.

3 (5) DIFFERENCE BETWEEN THE 2 HOUSES.—If
4 the text of implementing bills described in subsection
5 (b)(1) concerning any matter is not identical—

6 (A) the Senate shall vote passage on the
7 implementing bill introduced in the Senate, and

8 (B) the text of the implementing bill
9 passed by the Senate shall, immediately upon
10 its passage (or, if later, upon receipt of the im-
11 plementing bill passed by the House), be sub-
12 stituted for the text of the implementing bill
13 passed by the House of Representatives, and
14 such implementing bill, as amended shall be re-
15 turned with a request for a conference between
16 the 2 Houses.

17 (6) AMENDMENT BETWEEN HOUSES.—Except
18 as provided in paragraph (7)—

19 (A) overall debate on all motions necessary
20 to resolve amendments between the Houses on
21 an implementing bill under this subsection shall
22 be limited to 2 hours at any stage of the pro-
23 ceedings; and

24 (B) debate on any motion, appeal, or point
25 of order under this subsection which is submit-

1 ted shall be limited to 30 minutes, and such
2 time shall be equally divided and controlled by,
3 the majority leader and the minority leader or
4 their designees.

5 (7) PROCEDURES RELATING TO CONFERENCE
6 REPORTS IN THE SENATE.—

7 (A) APPOINTMENT OF CONFEREES.—A re-
8 quest for a conference shall be accepted and
9 conferees shall be appointed—

10 (i) in the case of the Senate, by the
11 President pro tempore, and

12 (ii) in the case of the House of Rep-
13 resentatives, by the Speaker of the House,
14 not later than 3 calendar days after such re-
15 quest is made.

16 (B) GENERAL RULES FOR CONSIDERATION
17 OF CONFERENCE REPORT.—Consideration in
18 the Senate of the conference report on an im-
19 plementing bill described in paragraph (5), in-
20 cluding consideration of all amendments in dis-
21 agreement (and all amendments thereto), and
22 consideration of all debatable motions and ap-
23 peals in connection therewith, shall be limited
24 to 4 hours, to be equally divided between, and
25 controlled by, the majority leader and the mi-

1 nority leader or their designees. Debate on any
2 debatable motion or appeal related to the con-
3 ference report shall be limited to 1/2 hour, to be
4 equally divided between, and controlled by, the
5 mover and the manager of the conference re-
6 port.

7 (C) FAILURE OF CONFERENCE TO ACT.—

8 If the committee on conference on an imple-
9 menting bill considered under this section fails
10 to submit a conference report within 10 cal-
11 endar days after the conferees have been ap-
12 pointed by each House, any Member of either
13 House may introduce an implementing bill con-
14 taining only the text of the draft implementing
15 bill of the President on the next day of session
16 thereafter and the implementing bill shall be
17 considered as provided in subparagraph (B).

18 (c) ADDITIONAL LIMITATIONS ON “FAST TRACK”

19 PROCEDURES.—

20 (1) PRENEGOTIATION REQUIREMENTS.—

21 (A) IN GENERAL.—The fast track proce-
22 dures shall not apply to any implementing bill
23 that contains a provision approving any trade
24 agreement which is entered into under section
25 3(b) with any foreign country if—

1 (i) the requirements of section 3(c)
2 are not met with respect to the negotiation
3 of such agreement; or

4 (ii) both Houses of Congress agree to
5 a resolution disapproving the negotiation of
6 such agreement before the later of—

7 (I) the close of the 60-calendar
8 day period beginning on the date no-
9 tice is provided under section 3(c); or

10 (II) the close of the 15-day pe-
11 riod beginning on the date such notice
12 is provided, computed without regard
13 to the days on which either House of
14 Congress is not in session because of
15 an adjournment of more than 3 days
16 to a day certain or an adjournment of
17 the Congress sine die, and any Satur-
18 day or Sunday, not otherwise excluded
19 under this subclause, when either
20 House of Congress is not in session.

21 (B) RESOLUTION DISAPPROVING NEGOTIA-
22 TIONS.—A resolution referred to in subpara-
23 graph (A)(ii) is a resolution of either House of
24 the Congress with which the other House of
25 Congress concurs, the sole matter after the re-

1 solving clause of which is as follows: “That the
2 Congress disapproves the negotiation of the
3 trade agreement notice of which was provided
4 to the Congress on ____ under section 3(c) of
5 the Trade Agreement Implementation Reform
6 Act.”, with the blank space being filled with the
7 appropriate date.

8 (2) LACK OF CONSULTATIONS.—

9 (A) IN GENERAL.—The fast track proce-
10 dures shall not apply to any implementing bill
11 submitted with respect to a trade agreement en-
12 tered into under section 3(b) if both Houses of
13 the Congress separately agree to procedural dis-
14 approval resolutions within any 60-day period.

15 (B) PROCEDURAL DISAPPROVAL RESOLU-
16 TION.—For purposes of this paragraph, the
17 term “procedural disapproval resolution” means
18 a resolution of either House of the Congress,
19 the sole matter after the resolving clause of
20 which is as follows: “That the President has
21 failed or refused to consult with the Congress
22 on trade negotiations and trade agreements in
23 accordance with the provisions of the Trade
24 Agreement Implementation Reform Act and,
25 therefore, the provisions of section 151 of the

1 Trade Act of 1974 shall not apply to any imple-
2 menting bill submitted with respect to any
3 trade agreement entered into under section 3(b)
4 of the Trade Agreement Implementation Re-
5 form Act, if, during the 60-day period begin-
6 ning on the date on which this resolution is
7 agreed to by ____, the ____ agrees to a proce-
8 dural disapproval resolution (within the mean-
9 ing of section 4(c)(2)(B) of the Trade Agree-
10 ment Implementation Reform Act).”, with the
11 first blank space being filled with the name of
12 the resolving House of the Congress and the
13 second blank space being filled with the name
14 of the other House of the Congress.

15 (3) PROCEDURES FOR CONSIDERING RESOLU-
16 TIONS.—

17 (A) IN GENERAL.—Resolutions under
18 paragraph (1) and procedural disapproval reso-
19 lutions under paragraph (2)—

20 (i) in the House of Representatives—

21 (I) shall be introduced by the
22 chairman or ranking minority member
23 of the Committee on Ways and Means
24 or the chairman or ranking minority
25 member of the Committee on Rules,

1 (II) shall be jointly referred to
2 the Committee on Ways and Means
3 and the Committee on Rules, and

4 (III) may not be amended by ei-
5 ther Committee; and

6 (ii) in the Senate shall be original res-
7 olutions of the Committee on Finance.

8 (B) APPLICATION OF SECTION 152.—The
9 provisions of section 152 (d) and (e) of the
10 Trade Act of 1974 (19 U.S.C. 2192 (d) and
11 (e)) (relating to the floor consideration of cer-
12 tain resolutions in the House and Senate) apply
13 to resolutions under paragraph (1) and to pro-
14 cedural disapproval resolutions under paragraph
15 (2).

16 (C) SPECIAL RULES RELATING TO
17 HOUSE.—It is not in order for the House of
18 Representatives to consider any resolution
19 under paragraph (1) or any procedural dis-
20 approval resolution under paragraph (2) that is
21 not reported by the Committee on Ways and
22 Means and the Committee on Rules.

1 **SEC. 5. EXTENSION OF TRADE AGREEMENTS AUTHORITY**
2 **AND FAST TRACK PROCEDURES.**

3 (a) EXTENSION OF FAST TRACK PROCEDURES TO
4 IMPLEMENTING BILLS.—

5 (1) IN GENERAL.—The fast track procedures
6 shall, as modified by this Act, be extended to imple-
7 menting bills submitted with respect to trade agree-
8 ments entered into under section 3(b) after May 31,
9 2001, and before June 1, 2003, if (and only if)—

10 (A) the President requests such extension
11 under paragraph (2), and

12 (B) neither House of the Congress adopts
13 an extension disapproval resolution under para-
14 graph (5) before June 1, 2001.

15 (2) REPORT TO CONGRESS BY THE PRESI-
16 DENT.—If the President is of the opinion that the
17 fast track procedures should be extended to imple-
18 menting bills described in paragraph (1), the Presi-
19 dent shall submit to the Congress, not later than
20 March 1, 2001, a written report that contains a re-
21 quest for such extension, together with—

22 (A) a description of all trade agreements
23 that have been negotiated under section 3(b)
24 and the anticipated schedule for submitting
25 such agreements to the Congress for approval,

1 (B) a description of the progress that has
2 been made in multilateral and bilateral negotia-
3 tions to achieve the purposes, policies, and ob-
4 jectives of this Act, and a statement that such
5 progress justifies the continuation of negotia-
6 tions, and

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

9 (3) REPORT TO CONGRESS BY THE ADVISORY
10 COMMITTEE.—The President shall promptly inform
11 the Advisory Committee for Trade Policy and Nego-
12 tiations established under section 135 of the Trade
13 Act of 1974 (19 U.S.C. 2155) of the President’s de-
14 cision to submit a report to Congress under para-
15 graph (2). The Advisory Committee shall submit to
16 the Congress as soon as practicable, but not later
17 than March 1, 2001, a written report that con-
18 tains—

19 (A) its views regarding the progress that
20 has been made in multilateral and bilateral ne-
21 gotiations to achieve the purposes, policies, and
22 objectives of this Act, and

23 (B) a statement of its views, and the rea-
24 sons therefor, regarding whether the extension

1 requested under paragraph (2) should be ap-
2 proved or disapproved.

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

8 (5) EXTENSION DISAPPROVAL RESOLUTIONS.—

9 (A) IN GENERAL.—For purposes of this
10 subsection, the term “extension disapproval res-
11 olution” means a resolution of either House of
12 the Congress, the sole matter after the resolving
13 clause of which is as follows: “That the ____
14 disapproves the request of the President for the
15 extension, under section 5(a)(1) of the Trade
16 Agreement Implementation Reform Act, of the
17 provisions of section 151 of the Trade Act of
18 1974 (as modified by section 4(b) of the Trade
19 Agreement Implementation Reform Act) to any
20 implementing bill submitted with respect to any
21 trade agreement entered into under section 3(b)
22 of the Trade Agreement Implementation Re-
23 form Act after June 1, 2001, because sufficient
24 tangible progress has not been made in trade
25 negotiations.”, with the blank space being filled

1 with the name of the resolving House of the
2 Congress.

3 (B) PROCEDURE.—Extension disapproval
4 resolutions—

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

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

12 (C) APPLICATION OF SECTION 152.—The
13 provisions of sections 152 (d) and (e) of the
14 Trade Act of 1974 (19 U.S.C. 2192 (d) and
15 (e)) (relating to the floor consideration of cer-
16 tain resolutions in the House and Senate) apply
17 to extension disapproval resolutions.

18 (D) OTHER REQUIREMENTS.—It is not in
19 order for—

20 (i) the Senate to consider any exten-
21 sion disapproval resolution not reported by
22 the Committee on Finance;

23 (ii) the House of Representatives to
24 consider any extension disapproval resolu-
25 tion not reported by the Committee on

1 Ways and Means and the Committee on
2 Rules; or

3 (iii) either House of the Congress to
4 consider an extension disapproval resolu-
5 tion that is reported to such House after
6 May 15, 2001.

7 (b) RULES OF HOUSE OF REPRESENTATIVES AND
8 SENATE.—Subsection (a) of this section, and section 4 (b)
9 and (c), are enacted by the Congress—

10 (1) as an exercise of the rulemaking power of
11 the House of Representatives and the Senate, re-
12 spectively, and as such are deemed a part of the
13 rules of each House, respectively, and such proce-
14 dures supersede other rules only to the extent that
15 they are inconsistent with such other rules; and

16 (2) with the full recognition of the constitu-
17 tional right of either House to change the rules (so
18 far as relating to the procedures of that House) at
19 any time, in the same manner, and to the same ex-
20 tent as any other rule of that House.

21 **SEC. 6. CONFORMING AMENDMENTS.**

22 (a) IN GENERAL.—Title I of the Trade Act of 1974
23 (19 U.S.C. 2111 and following) is amended as follows:

24 (1) IMPLEMENTING BILL.—Section 151(b)(1)
25 (19 U.S.C. 2191(b)(1)) is amended by inserting

1 “section 4 of the Trade Agreement Implementation
2 Reform Act,” after “the Omnibus Trade and Com-
3 petitiveness Act of 1988,”.

4 (2) ADVICE FROM INTERNATIONAL TRADE COM-
5 MISSION.—Section 131 (19 U.S.C. 2151) is
6 amended—

7 (A) in subsection (a)—

8 (i) in paragraph (1), by striking “sec-
9 tion 123 of this Act or section 1102 (a) or
10 (c) of the Omnibus Trade and Competitive-
11 ness Act of 1988,” and inserting “section
12 123 of this Act, section 1102 (a) or (c) of
13 the Omnibus Trade and Competitiveness
14 Act of 1988, or section 3 of the Trade
15 Agreement Implementation Reform Act”,
16 and

17 (ii) in paragraph (2), by inserting “or
18 section 3 (a) or (b) of the Trade Agree-
19 ment Implementation Reform Act” after
20 “1988”,

21 (B) in subsection (b), by inserting “of the
22 Omnibus Trade and Competitiveness Act of
23 1988 or section 3(a)(2)(B) of the Trade Agree-
24 ment Implementation Reform Act” before the
25 end period, and

1 (C) in subsection (c), by striking “of this
2 Act or section 1102 of the Omnibus Trade and
3 Competitiveness Act of 1988,” and inserting
4 “of this Act, section 1102 of the Omnibus
5 Trade and Competitiveness Act of 1988, or sec-
6 tion 3 of the Trade Agreement Implementation
7 Reform Act”.

8 (3) HEARINGS AND ADVICE CONCERNING NEGO-
9 TIATIONS.—Sections 132, 133(a), and 134(a) (19
10 U.S.C. 2152, 2153(a), and 2154(a)) are each
11 amended by striking “or section 1102 of the Omni-
12 bus Trade and Competitiveness Act of 1988,” each
13 place it appears and inserting “, section 1102 of the
14 Omnibus Trade and Competitiveness Act of 1988, or
15 section 3 of the Trade Agreement Implementation
16 Reform Act,”.

17 (4) PREREQUISITES FOR OFFERS.—Section
18 134(b) (19 U.S.C. 2154(b)) is amended by inserting
19 “or section 3 of the Trade Agreement Implementa-
20 tion Reform Act” after “1988”.

21 (5) INFORMATION AND ADVICE FROM PRIVATE
22 AND PUBLIC SECTORS.—Section 135(a)(1)(A) (19
23 U.S.C. 2155(a)(1)(A)) is amended by inserting “or
24 section 3 of the Trade Agreement Implementation
25 Reform Act” after “1988”.

1 (6) MEETING OF ADVISORY COMMITTEES AT
2 CONCLUSION OF NEGOTIATIONS.—Section 135(e)
3 (19 U.S.C. 2155(e)) is amended—

4 (A) in paragraph (1), by inserting “or sec-
5 tion 3 of the Trade Agreement Implementation
6 Reform Act” after “1988” the first two places
7 it appears, and by inserting “or section
8 4(a)(1)(A) of the Trade Agreement Implemen-
9 tation Reform Act” after “1988” the third
10 place it appears; and

11 (B) in paragraph (2), by inserting “or sec-
12 tion 2 of the Trade Agreement Implementation
13 Reform Act” after “1988”.

14 (b) APPLICATION OF SECTIONS 125, 126, AND 127
15 OF THE TRADE ACT OF 1974.—For purposes of applying
16 sections 125, 126, and 127 of the Trade Act of 1974 (19
17 U.S.C. 2135, 2136, and 2137)—

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

22 (2) any proclamation or Executive order issued
23 pursuant to a trade agreement entered into under
24 section 3 shall be treated as a proclamation or Exec-
25 utive order issued pursuant to a trade agreement en-

1 tered into under section 102 of the Trade Act of
2 1974 (19 U.S.C. 2112).

3 **SEC. 7. ADVISORY COMMITTEE REPORTS.**

4 Section 135(e)(1) of the Trade Act of 1974 (19
5 U.S.C. 2155) is amended by striking “the date on which”
6 and inserting “45 days after”.

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