

105TH CONGRESS
2D SESSION

H. R. 3159

To provide that the President may not waive the provisions of title IV of the Trade Act of 1974 with respect to the Socialist Republic of Vietnam.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 1998

Mr. ROYCE (for himself and Mr. ROHRBACHER) introduced the following bill;
which was referred to the Committee on Ways and Means

A BILL

To provide that the President may not waive the provisions of title IV of the Trade Act of 1974 with respect to the Socialist Republic of Vietnam.

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. FINDINGS.**

4 The Congress finds that—

5 (1) the President must waive section 402 of the
6 Trade Act of 1974, relating to the freedom to emi-
7 grate, with respect to certain countries, including
8 the Socialist Republic of Vietnam, in order for the
9 products of such countries to receive nondiscrim-
10 inatory (most-favored-nation) treatment;

1 (2) the basis for such a waiver is that the waiv-
2 er will substantially promote the objectives of section
3 402 of the Trade Act of 1974 and that the Presi-
4 dent has received assurances from the country con-
5 cerned that the emigration practices of that country
6 will lead substantially to the objectives of that sec-
7 tion;

8 (3) the Socialist Republic of Vietnam has con-
9 tinually restricted the freedom of its citizens to emi-
10 grate and, therefore, would be unable to make ade-
11 quate assurances described in paragraph (2); and

12 (4) if the Socialist Republic of Vietnam does
13 allow its citizens the right or opportunity to emi-
14 grate free of restrictions (other than nominal fees),
15 a waiver of section 402 of the Trade Act of 1974
16 would not be necessary.

17 **SEC. 2. RESTRICTION ON AUTHORITY TO WAIVE SECTION**
18 **402 OF THE TRADE ACT OF 1974.**

19 Notwithstanding the authority of the President under
20 subsections (c) and (d) of section 402 of the Trade Act
21 of 1974 (19 U.S.C. 2432(c), (d)), the President may not
22 waive the application of subsections (a) and (b) of that
23 section with respect to the Socialist Republic of Vietnam
24 before July 11, 1999.

1 **SEC. 3. NULLIFICATION OF EXISTING WAIVER.**

2 Any waiver of the the provisions of subsections (a)
3 and (b) of section 402 of the Trade Act of 1974 (19
4 U.S.C. 2432(a), (b)) that is made before the date of the
5 enactment of this Act with respect to the Socialist Repub-
6 lic of Vietnam and that is in effect on the day before such
7 date shall cease to be effective on such date.

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