

undermine our ability to determine our own domestic policy and compromise our national security. But when we look closely at the WTO structure and how it operates, we realize this is not true.

First, the trade rules by which member nations agree to follow are reached by consensus by all members, allowing the U.S. to vote against any rules it finds unacceptable. Further, neither the WTO nor its dispute panels can compel the U.S. to change its laws or regulations. Under the WTO charter, members can enact trade restrictions for reasons of national security, public health and safety, conservation of natural resources and to ban imports made with forced or prison labor.

Isolationist policies will only destroy jobs and stifle innovation, while at the same time discourage environmental responsibility. I encourage my colleagues to vote against this resolution and for engagement with the world trade community.

Mr. DINGELL. Mr. Speaker, I rise in opposition to H.J. Res. 90. This legislation withdraws congressional approval for the agreement establishing the World Trade Organization (WTO). Its adoption would mean that for the first time in 50 years, the U.S., the world's largest economy, would not be a member of the world trading system.

I will be the first to admit that the WTO is far from perfect. Despite our efforts, it remains a closed, non-transparent decision-making body in which anti-U.S. biases are strong and due process is weak. Whether it's the dispute with the European Union (EU) over the Foreign Sales Corporation (FSC), market access for bananas and hormone treated beef, Airbus subsidies, or EU restrictions on U.S. biotechnology products, the WTO has either rejected or failed to enforce U.S. rights. Nevertheless, turning our backs on the rest of the world, as H.J. Res. 90 would have us to, is a wholly unacceptable solution to the WTO's problems.

If we want to trade with the world, we must remain a part of the world trading system. And, as a member of the world trading system, we must show the rest of the world that, truly, this system can only serve the interests of all when it transcends the biases and prejudices that now infest it, and it starts rendering honest judgments based solidly on the actual language of agreements reached. Fair, impartial and open decisionmaking must become the WTO's standard, if it is to promote economic efficiency and world prosperity.

The WTO is far from meeting that standard today. Until real progress is made, we should expect that sentiments for the resolution we

are considering today will become more, not less, prevalent. Let me describe some of the major problems facing the WTO.

Our major trading partners, including Japan, Korea, and the EU, have turned the WTO dispute settlement process into a de facto appeals court that reviews U.S. trade agency determinations and strikes down our trade laws. Japan and Korea have gone so far as to say they will launch WTO appeals of every U.S. trade determination that is adverse to their interests. Already, WTO decisions are gutting the effectiveness of U.S. trade remedies in ways that the Administration and Congress expressly rejected during the negotiations on the agreement establishing the WTO.

In the UK Bar case, the WTO tribunal actually usurped the role assigned to the U.S. Commerce Department by refusing to accept the agency's reasonable interpretations of WTO agreements. The WTO Antidumping Agreement contains a special standard of review which recognizes that national authorities (e.g., the U.S. Commerce Department) should have the primary role in interpreting the complicated and technical WTO rules. A 1994 WTO Ministerial Declaration provides that subsidies cases (like UK Bar) should also be subject to this deferential standard of review. Despite this fact, the WTO tribunals disregarded the WTO Members' intent and said the standard of review was "non-binding".

The simple fact is that the WTO dispute settlement process is structurally biased against the U.S. Panels are staffed by the WTO Secretariat that over the years has demonstrated a bias against U.S. fair trade laws. WTO documents, including the WTO Annual Report, reveal a hostility to anti-dumping laws. In addition, the actual members of the panels are selected from a cadre of foreign diplomats, economists, and academics, many of whom have no judicial training and have very negative opinions of U.S. trade laws.

The U.S. must take steps to increase its participation in the WTO dispute settlement process. Without even changing WTO rules, the U.S. could "deputize" counsel for domestic industries so they can hear the presentations to the panelists. We should also increase federal support by assigning Commerce Department personnel to our country's WTO mission in Geneva. The WTO process must also become more transparent by permitting panels to consider written submissions from interested private parties and by giving private counsels, under appropriate protective order, access to all materials in cases considered by panels.

Mr. Speaker, the WTO dispute settlement process needs thorough reform. It is to these

reforms that we must now direct our efforts and not to the abandonment of the world trading system. I urge my colleagues to vote "No" on H.J. Res. 90.

Mr. BUYER. Mr. Speaker, I rise today in opposition to this resolution withdrawing approval of the United States in the World Trade Organization. Although I have some concerns, the United States must be actively engaged in global trade and we need to be forceful, perhaps more forceful than we have been, in advocating a rules-based, transparent trading system.

My main concerns stem from the potential for manipulation of the WTO by some of our trading partners to challenge our domestic laws to address unfair trading practices. These are legitimate tools to ensure fairness to American industries and American workers.

We need a viable dispute resolution process that permits a full, open airing of grievances. In a rules-based trading system, the rules need to be transparent—everybody needs to know what the rules are. It also must address any non-tariff barriers that are erected to inhibit free and fair trade.

The United States must be vigilant to seek openness, access, and transparency in international trade. We must also be able to preserve our ability to ensure fairness when American producers and workers are placed at risk from unfair trading practices.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). All time for debate has expired.

Pursuant to House Resolution 528, the joint resolution is considered read for amendment and the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. PAUL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

NOTICE

Incomplete record of House proceedings. Except for concluding business which follows, today's House proceedings will be continued in the next issue of the Record.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CARSON (at the request of Mr. GEPHARDT) for June 20 after 5:30 p.m. on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FILNER) to revise and ex-

tend their remarks and include extraneous material:)

Mr. ALLEN, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Ms. STABENOW, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.