

An hourglass-shaped graphic with a globe in the top bulb and a smaller globe in the bottom bulb. The hourglass is light blue and has a dark blue top cap. The globe in the top bulb is dark blue, while the globe in the bottom bulb is light blue. The text is centered within the hourglass.

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Report RL31249

*Trade Promotion (Fast-Track) Authority: A Comparison of  
H.R. 3005 as Approved by the House and by the Senate  
Finance Committee*

Lenore Sek, Foreign Affairs, Defense, and Trade Division

Updated April 8, 2002

**Abstract.** This report compares H.R. 3005, the bipartisan Trade Promotion Authority Act of 2001, as approved by the House on December 6, 2001, and as ordered reported by the Senate Finance Committee on December 18, 2001. The versions for the most part are identical, but there are differences on changes to trade remedy and dispute panel action.

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## **Trade Promotion (Fast-Track) Authority: A Comparison of H.R. 3005 as Approved by the House and Reported by the Senate Finance Committee**

**Updated April 8, 2002**

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# Trade Promotion (Fast-Track) Authority: A Comparison of H.R. 3005 as Approved by the House and Reported by the Senate Finance Committee

## Summary

This report compares H.R. 3005, the *Bipartisan Trade Promotion Authority Act of 2001*, as approved by the House on December 6, 2001, and as ordered reported by the Senate Finance Committee on December 18, 2001 (S.Rept. 107-139).

The trade negotiating objectives in both versions are similar but not identical. Both versions have the same seven overall objectives, but the Senate Finance Committee version has an eighth on small businesses. They have the same 13 principal objectives, with some language differences for three—foreign investment, agriculture, and dispute settlement—and the Senate Finance Committee adds a 14<sup>th</sup> principal objective on border taxes. Both versions call for the President to take almost the same 12 actions to maintain U.S. competitiveness.

The two versions have almost identical language on the President's authority to proclaim tariff changes and to negotiate trade agreements with expedited legislative procedures for an implementing bill. They have the same deadline for negotiating agreements and almost the same requirements for extending the deadline. They both state that a trade agreement must "make progress in meeting" negotiating objectives and describe similar kinds of provisions that an implementing bill may have.

Both versions have identical language regarding notification and consultation before and during negotiations. They both have special provisions on negotiations on textiles and agriculture (the Senate Finance Committee version includes fish and shellfish with agriculture). They both require reports by private sector advisors and the International Trade Commission (ITC). They have the same language on consultation with Congress before entering into an agreement, but the Senate Finance Committee version adds requirements for any changes to trade remedy laws.

Both versions have similar provisions on the President's submission of the trade agreement and other documents to Congress. The Senate Finance Committee version adds language on reporting changes to the trade remedy laws, procedural action in the Senate, and disclosure of oral or written agreements with foreign governments. It also adds that expedited procedures will not apply, if the Commerce Secretary does not submit a report on a U.S. strategy toward certain dispute actions in the World Trade Organization in a timely manner.

Both versions are almost identical on establishing a Congressional Oversight Group. They both provide for adjustment to the pre-notification requirements where negotiations are underway, require a plan by the President to address enforcement, and state that congressional trade-related activities should increase. Additional sections in the Senate Finance Committee version would require the ITC to report on agreements implemented under expedited procedures in the past, and would direct the USTR to seek an advocate in the WTO for small- or medium-sized businesses.

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# Trade Promotion (Fast-Track) Authority: A Comparison of H.R. 3005 as Approved by the House and Reported by the Senate Finance Committee

## Section 1. Short Title and Findings

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
<p>The title of the legislation is the “Bipartisan Trade Promotion Authority Act of 2001.” Section 1(a)</p> <p>Lists findings that (1) expansion of international trade is vital to U.S. security; and (2) national security depends on economic security, which is founded on a vibrant and growing U.S. industrial base. Section 1(b)</p>	<p>Identical</p> <p>Includes identical House-passed provisions and adds:</p> <p>(3) support for continued trade expansion requires that dispute settlement procedures not add to or diminish the rights and obligations under such agreements (includes reference to problems with actions by dispute settlement panels and the World Trade Organization (WTO) Appellate Body). Section 1(b)(3)</p>

## Section 2. Trade Negotiating Objectives

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
<p><i>Overall Negotiating Objectives</i></p> <p>Lists 7 overall objectives: (1) more open, equitable, and reciprocal market access; (2) reduction in or elimination of trade barriers and distortions; (3) stronger international trading disciplines, including dispute settlement; (4) U.S. and world economic benefits; (5) mutually supportive trade and environmental policies; (6) respect for rights of workers and children; and (7) provisions to discourage weakening environmental or labor laws to encourage trade. Section 2(a)</p>	<p>Includes identical House-passed provisions and adds:</p> <p>(8) fair and equal treatment for small businesses. <i>Section 2(a)(8)</i></p>
<p><i>Principal Trade Negotiating Objectives</i></p> <p>Lists 13 principal negotiating objectives to (1) expand market opportunities for U.S. exports by reducing or eliminating <i>trade barriers and distortions</i> to trade; (2) reduce or eliminate barriers to international <i>trade in services</i>; (3) reduce or eliminate barriers to trade-related <i>foreign investment</i> and secure for investors rights comparable to those available in the United States; (4) further promote protection of <i>intellectual property</i> rights (IPR) and secure market access opportunities for U.S. persons that rely on IPR protection; (5) obtain wider and broader application of <i>transparency</i> through greater public access to information and more openness at the WTO; (6) obtain <i>anti-corruption</i> standards that prohibit attempts to influence government actions affecting trade; (7) seek <i>improvement of the WTO and multilateral trade agreements</i> by expanding coverage and expanding country participation; (8) establish disincentives for governments to use <i>regulatory practices</i> to give a competitive advantage to domestic interests; (9) attempt to ensure open and nondiscriminatory rules covering <i>electronic commerce</i>; (10) obtain <i>reciprocal trade in agriculture</i> so opportunities are substantially equivalent in U.S. and foreign markets, and achieve fairer and more open conditions for commodities; (11) ensure protections for <i>labor and the environment</i>, such as assurance that parties will not fail to enforce their own environmental and labor laws; (12) strengthen <i>dispute settlement and enforcement</i> of trade agreements; and (13) achieve specified objectives in <i>WTO extended</i></p>	<p>Identical, with the following exceptions:</p> <p><i>foreign investment.</i> Adds language that objective should ensure that in the United States, U.S. investors are not accorded lesser rights than foreign investors; and a section on seeking to establish standards for fair and equitable treatment consistent with U.S. legal principles and practice, including the principle of due process. Sections 2(b)(3) and 2(b)(3)(E).</p> <p>Adds to provision on investor-government disputes: mechanisms to deter the filing of frivolous claims; procedures to enhance public input into the formulation of government positions; and establishment of a single appellate body to provide coherence to the interpretations of investment provisions in trade agreements. Section 2(b)(3)(G)</p> <p>Does not include House language (in section 2(b)(3)(G)) on an appellate or similar review mechanism to correct manifestly erroneous interpretations of law.</p> <p><i>agriculture.</i> Stronger language on export subsidies calls for elimination of all export subsidies (House includes reduction), while maintaining food aid and market development and export credit programs (not in House). Adds goals of completion of a WTO round by 1/1/05, and broad market access in multiple sets of negotiations with attention to effect on import-sensitive commodities. <i>Section 2(b)(10)(A)</i></p> <p><i>dispute settlement.</i> Adds improved adherence by WTO dispute</p>

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
<p><i>negotiations</i> on civil aircraft and rules of origin. Section 2(b)</p> <p><i>Promotion of Certain Priorities</i></p> <p>The President must take certain actions in order to address and maintain U.S. competitiveness in the global economy. These 12 actions (1) seek greater WTO-ILO cooperation; (2) seek consultative mechanisms among parties to promote respect for core labor standards; (3) seek consultative mechanisms among parties to develop and implement standards for protection of the environment; (4) conduct environmental reviews of future trade agreements; (5) review the impact of future trade agreements on employment; (6) take into account other domestic objectives such as health and safety, security, and consumer interests; (7) have the Secretary of Labor consult with other countries regarding their labor laws; (8) report to Congress on child labor laws in parties to prospective agreements; (9) preserve the ability of the United States to enforce rigorously its trade laws, including antidumping and countervailing duty laws; (10) continue to promote consideration of multilateral environmental agreements; (11) report to the revenue committees on the effectiveness of a trade remedy permitted by a trade agreement; and (12) seek a consultative mechanism with other parties to examine how currency movements or manipulation affect trade. Sections 2(c)(1)-2(c)(12)</p> <p><i>Consultations</i></p> <p>During negotiations, the USTR shall consult closely and on a timely basis (including in most cases immediately before initialing an agreement) with, and keep fully apprised of the negotiations, the Congressional Oversight Group (COG), committees of jurisdiction, current congressional trade advisors, the revenue committees, and (with regard to negotiations</p>	<p>panels and by the WTO Appellate Body to the standard of review applicable under the relevant WTO Agreement, including greater deference to the fact finding and technical expertise of national investigating authorities. Section 2(b)(12)(C)</p> <p><i>border taxes.</i></p> <p>Adds a 14<sup>th</sup> objective: obtain a revision of WTO rules on the treatment of border adjustments to redress the disadvantage to countries that depend on direct taxes for revenue rather than indirect taxes. Section 2(b)(13)</p> <p>Identical, except:</p> <p>Replaces (8) in House bill with a related provision that requires the President to submit to the revenue committees a meaningful labor rights report on parties to a prospective agreement. Section 2(c)(8)</p> <p>Expands on (9) in House bill by specifically including safeguards under trade remedy laws, and adding that the President address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers. Section 2(c)(9)</p> <p>Identical</p>

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
relating to agricultural trade) the agriculture committees. Section 2(d)	
<p><i>Adherence to Obligations Under Uruguay Round Agreements</i></p> <p>In determining whether to negotiate with another country, the President shall consider the other country's adherence to its obligations under the Uruguay Round Agreements. Section 2(e)</p>	Identical



### Section 3. Trade Agreement Authority

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
<p><i>Agreements Regarding Tariff Barriers:</i></p> <p>The President may proclaim tariff cuts for agreements entered into before June 1, 2005, or before June 1, 2007, if expedited procedures are extended. Section 3 (a)(1)</p> <p>Tariffs over 5% ad valorem may not be reduced by more than half, nor may tariffs be increased. A special rule applies for certain agricultural products. Section 3(a)(2)</p> <p>Other rules are stipulated (e.g., rounding, exemption of reductions from staging). Sections 3(a)(3)-3(a)(7)</p>	<p>Virtually identical</p>
<p><i>Agreements Regarding Tariff and Nontariff Barriers</i></p> <p>The President may enter into a trade agreement on duties or other import restrictions before June 1, 2005, or before June 1, 2007, if expedited procedures are extended. Section 3(b)(1)</p> <p>A trade agreement may be entered into only if such agreement makes progress in meeting the overall and principal negotiating objectives and satisfies the conditions for consultation and assessment. Section 3(b)(2)</p> <p>Expedited procedures, called “trade authorities procedures,” apply to a bill which contains (1) a provision approving the trade agreement and the statement of administrative action if any; and (2) provisions that are necessary or appropriate to implement the trade agreement, if changes in existing laws or new statutory authority are required to implement the trade agreement. This type of bill is called an “implementing bill.” Section 3(b)(3)</p>	<p>Virtually identical</p>

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
<p><i>Extension Disapproval Process for Congressional Trade Authorities Procedures</i></p> <p>Trade authorities procedures shall apply to an implementing bill for trade agreements that were entered into by June 1, 2005, or by June 1, 2007, if two conditions are met: (1) the President requests such extension; and (2) neither House of Congress adopts an extension disapproval resolution before June 1, 2005. Section 3(c)(1)</p> <p>If the President decides that trade authorities procedures should be extended, the President must submit to Congress, not later than March 1, 2005, a written report containing a request for such extension, together with specified information. Section 3(c)(2)</p> <p>The President must promptly report to the private sector Advisory Committee for Trade Policy and Negotiations (ACTPN) on the intent to pursue the 2-year extension in trade authorities procedures. ACTPN must report to Congress no later than May 1, 2005, on progress in the negotiations and whether the extension should be granted. Section 3(c)(3)</p> <p>The reports by the President and by ACTPN on the extension will be classified. Section 3(c)(4)</p> <p>The language and procedure for consideration of the extension disapproval resolution are described. Section 3(c)(5)</p> <p><i>Commencement of Negotiations</i></p> <p>In cases where the President determines that certain negotiations are feasible and timely and could benefit the United States, the President shall commence negotiations covering tariff and nontariff barriers affecting any industry, product, or service sector, and expand existing sectoral agreements to countries that are not already parties. The list of such sectors includes agriculture, industrial and capital goods, environmental technology and services, civil aircraft, and other mentioned sectors. Section 3(d)</p>	<p>Almost identical, but adds:</p> <p>The President must promptly inform the International Trade Commission (ITC) of the President's decision to submit the report under Section 3(c)(2) requesting an extension of trade authorities procedures. The ITC must report to Congress no later than May 1, 2005, on the economic impact on the United States of all trade agreements implemented between enactment of H.R. 3005 and the date on which the President decides to seek the extension. <i>Section 3(c)(3)</i></p> <p>Identical</p>

## Section 4. Consultations and Assessment

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
<p><i>Notice and Consultation Before Negotiation</i></p> <p>With regard to trade agreements negotiated under Section 3(b), the President shall:</p> <p>(1) provide, at least 90 calendar days before starting negotiations, written notice of intent to enter into negotiations and set forth the intended starting date, specific objectives, and whether the President will seek an agreement or changes to an existing agreement;</p> <p>(2) before and after the above notice, consult with the revenue committees, such other committees as the President deems appropriate, and the COG. Section 4(a)</p> <p><i>Negotiations Regarding Agriculture</i></p> <p>Before undertaking negotiations on foreign tariffs and other charges on U.S. agricultural exports, the President shall assess whether U.S. tariffs bound on these products are lower than tariffs bound on U.S. exports in the other country or worldwide, and whether the negotiation gives an opportunity to address any disparity. The President shall consult with the revenue committees and agriculture committees on the results of the assessment, tariff reductions, and negotiating objectives. Section 4(b)(1)</p> <p>The USTR shall identify certain import sensitive agricultural products and consult with the revenue and agriculture committees on any further tariff reductions and whether the products face unjustified sanitary or phytosanitary restrictions. The USTR shall request an ITC assessment of the economic effects of any tariff reductions, and notify the revenue and agriculture committees of any intent to seek tariff cuts currently or in the future. Section 4(b)(2)</p> <p><i>Negotiations Regarding Textiles</i></p> <p>Before undertaking negotiations on textiles and apparel products with another country, the President shall assess whether U.S. tariffs bound on such products are lower than the other country's bound tariffs and whether the negotiation gives an opportunity to address any disparity. The President shall consult with the revenue committees on the results of the assessment, tariff reductions, and applicable negotiating objectives. Section 4(c)</p>	<p>Identical</p> <p>Identical, except:</p> <p>Adds that for import-sensitive agricultural products, the USTR shall consult with the revenue and agriculture committees also on whether negotiating partners maintain trade-distorting export subsidy programs and the impact of such programs on U.S. producers. <i>Section 4(b)(2)</i></p> <p>Adds that before starting or continuing negotiations directly related to fish or shellfish trade, the President must consult with the Ways and Means Committee and the Resources Committee in the House and with the Finance Committee and the Commerce, Science, and Transportation Committee of the Senate, and keep the committees informed of negotiations on an ongoing and timely basis. <i>Section 4(b)(3)</i></p> <p>Identical</p>

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
<p><i>Consultation with Congress Before Agreements Entered Into</i></p> <p>Before entering into an agreement under Section 3(b), the President shall consult with the revenue committees, other committees with jurisdiction, and the COG. Section 4(d)(1)</p> <p>The consultation shall cover the nature of the agreement, how the agreement will achieve applicable policies and objectives, and implementation of the agreement (including the effect on existing laws). Section 4(d)(2)</p> <p><i>Advisory Committee Reports</i></p> <p>Private sector advisors shall submit reports on Section 3(a) and Section 3(b) trade agreements to the President, Congress, and USTR, not later than 30 days after the President notifies Congress of the intent to enter into the trade agreement (as required under Section 5(a)(1)). Section 4(e)</p> <p><i>ITC Assessment</i></p> <p>The President, at least 90 calendar days before entering into an agreement under Section 3(b), shall give the International Trade Commission (ITC) details of the agreement and request that the ITC prepare and submit an assessment of the agreement. Not later than 90 calendar days after the President enters into the agreement, the ITC shall submit to the President and to Congress a report assessing various economic impacts of the agreement. The ITC shall review and assess</p>	<p>Contains the identical House language but adds:</p> <p>At least 90 calendar days before entering into a trade agreement, the President shall notify the revenue committees of any amendments to Title VII of the Tariff Act of 1930 or Chapter 1 of Title II of the Trade Act of 1974 [provisions covering antidumping and countervailing duties and safeguards] that will be proposed in an implementing bill. <i>Section 4(d)(3)(A)</i></p> <p>On the date of the above notification, the President must report to the committees the reasons the amendments are necessary and why they are consistent with the purposes, policies, and objectives of Section 2(c)(9) [the President shall preserve the ability to rigorously enforce U.S. trade laws]. <i>Section 4(d)(3)(B)</i></p> <p>Within 60 days of the above notification, the chairman and ranking member of the revenue committees in each house, based on consultations with their respective committee members, shall report to their respective houses on whether the proposed amendments are consistent with the purposes, policies, and objectives of Section 2(c)(9). The reports shall contain any differences in views of the chairmen and ranking members. <i>Sections 4(d)(3)(C) and 4(d)(3)(D)</i></p> <p>Identical</p> <p>Identical</p>

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
empirical literature regarding the agreement. Section 4(f)	

## Section 5. Implementation of Trade Agreements

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
<p><i>In General</i></p> <p>Any agreement under Section 3(b) shall enter into force if, and only if: (1) the President, at least 90 calendar days before entering into an agreement, notifies the House and the Senate of the intention to enter into the agreement, and publishes notice in the Federal Register; (2) within 60 days of entering into the agreement, the President submits to Congress a description of legal changes required for compliance with the agreement; (3) after entering into the agreement, the President submits to Congress the text of the agreement, together with a draft implementing bill, a statement of administrative action, and other supporting information; and (4) the implementing bill is enacted. Section 5(a)(1)</p> <p>Supporting information to be submitted along with the text of the agreement and the draft implementing bill consists of an explanation of how the implementing bill and administrative action might change existing law, a statement of how the agreement makes progress in achieving the objectives, and other information as described. Section 5(a)(2)</p> <p>The implementing bill shall provide that the benefits and obligations under the agreement apply only to the parties to the agreement. The implementing bill may provide that the benefits and obligations do not apply uniformly to all parties. Section 5(a)(3)</p>	<p>Contains virtually identical House language and adds:</p> <p>The President must also transmit the notification and report on trade remedy laws required under Section 4(d)(3)(A) and (B) to the revenue committees when he makes his notification before entering into an agreement. Section 5(a)(1)(A)(ii)</p> <p>The following additional supporting information must be submitted along with the text of the agreement and other documents: in the event that the congressional reports in Sections 4(d)(3)(C) and (D) find that proposed amendments to trade remedy laws are inconsistent with the purposes, policies, and objectives of Section 2(c)(9), the President must explain why those findings are incorrect. Section 5(a)(2)(B)(ii)(VI)</p> <p>Any agreement or other understanding with a foreign government (whether oral or in writing) that relates to a trade agreement enacted under trade authorities procedures and not disclosed to Congress before introduction of implementing legislation, shall not be considered part of the agreement approved by Congress and shall have no force under U.S. law or in any dispute settlement body. Section 5(a)(4)</p>

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
<p><i>Limitations of Trade Authorities Procedures</i></p> <p>Trade authorities procedures shall not apply to any implementing bill for a Section 3(b) trade agreement if, during the 60-day period beginning on the date that a house agrees to a procedural disapproval resolution for lack of notice or consultations, the other house separately agrees to a procedural resolution with regard to the same trade agreement. The term “procedural disapproval resolution” is defined. Section 5(b)(1)</p> <p>The procedures for considering procedural disapproval resolutions are given. Section 5(b)(2)</p> <p>Provisions covering procedural disapproval resolutions (Section 5(b)) and extension disapproval resolutions (Section 3(c)) are enacted by Congress as an exercise of the rulemaking power of the House and the Senate and with full recognition of the constitutional right of either house to change the rules. Section 5(c)</p>	<p>Identical (with some changes in numbering), except for the following:</p> <p>Adds that a procedural disapproval resolution shall be referred to the Finance Committee and may not be amended, and it is not in order for the Senate to consider a procedural disapproval resolution not reported by the Finance Committee. [Similar language referring to the Ways and Means Committee and Rules Committee is in the House-passed bill.] Sections 5(b)(1)(C)(i)(bb) and (cc) and (ii)(iv)</p> <p>Adds a section requiring that, prior to December 31, 2002, the Secretary of Commerce transmit to Congress a report with the U.S. strategy for correcting instances in which WTO dispute settlement panels and Appellate Body have added to obligations or diminished rights as described in Section 1(b)(3). Trade authorities procedures shall not apply to an implementing bill with regard to an agreement negotiated under the WTO unless the Commerce Secretary has issued the report in a timely manner. Section 5(b)(2)</p>

**Section 6. Treatment of Certain Trade Agreements for Which Negotiations Have Already Begun**

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
<p>If a trade agreement under Section 3(b) (1) is entered into under the WTO, is entered into with Chile, is entered into with Singapore, or establishes a Free Trade Area for the Americas, and (2) results from negotiations that started before enactment, then different treatment would apply. Section 6(a)</p> <p>Under that treatment, the applicability of the trade authorities procedures to implementing bill shall be determined without regard to certain requirements regarding notification before initiating negotiations. Also, the President would be required to notify the Congress of the negotiations and consult regarding the negotiations with the revenue committees, other committees as the President deems appropriate, and the COG. Section 6(b)</p>	<p>Virtually Identical</p> <p>Identical</p>



## Section 7. Congressional Oversight Group (COG)

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
<p><i>Members and Functions</i></p> <p>Within 60 days of enactment (and within 30 days of convening of each Congress), the chairmen of the revenue committees shall convene the COG. Section 7(a)(1)</p> <p>Membership will be the chairman and ranking member of the revenue committees, 3 other members from each of those committees (no more than 2 of the same party), and the chairman and ranking member from any other committees with jurisdiction. Sections 7(a)(2) and 7(a)(3)</p> <p>Members of the COG shall be official advisers to the U.S. delegation in trade negotiations. The COG shall consult with and provide advice to the USTR on formulation of objectives, negotiating strategies and positions, development of the trade agreement, and compliance and enforcement. Section 7(a)(4)</p> <p>The COG shall be chaired by the chairmen of the revenue committees. Section 7(a)(5)</p> <p><i>Guidelines</i></p> <p>Within 120 days of enactment, the USTR, in consultation with the chairmen and ranking members of the revenue committees, shall develop guidelines for the exchange of information between the USTR and the COG, and make revisions as necessary. Section 7(b)(1)</p> <p>The guidelines developed by the USTR shall provide for, among other things: regular, detailed briefings of the COG on negotiating objectives; access by COG members and staff to pertinent documents; the closest practicable coordination between the USTR and the COG at all critical periods of the negotiations; and after the agreement is concluded, consultation on compliance and enforcement. Section 7(b)(2)</p> <p><i>Request for Meeting</i></p> <p>Upon the request of a majority of the COG, the President shall meet with the COG before starting negotiations or at any other time. Section 7(c)</p>	<p>Identical</p> <p>Identical, except:</p> <p>Adds that the guidelines developed by the USTR shall also provide for the time frame for submitting the labor rights report under Section 2(c)(8). Section 7(b)(2)(E)</p> <p>Identical</p>

## Section 8. Additional Implementation and Enforcement Requirements

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
<p>At the time the President submits to Congress the final text of the trade agreement, the President shall also submit a plan for implementing and enforcing the agreement. The plan shall include (along with an analysis of the costs associated with each): (1) a description of additional personnel required at border entry points; (2) a description of additional personnel required by Federal agencies for monitoring and implementing the trade agreement; and (3) a description of the additional equipment and facilities needed by the U.S. Customs Service; and a description of the impact of the agreement on State and local governments. Section 8(a)</p> <p>In the first budget after the above plan is submitted, the President shall request the resources necessary to support the plan. Section 8(b)</p>	Identical

## Section 9. Committee Staff

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
<p>The grant of trade promotion authority is likely to increase the activities of the primary committees of jurisdiction in international trade. Further, more Members will participate in the formulation of U.S. trade policy and oversight of the trade agenda through the creation of the Congressional Oversight Group. The primary committees of jurisdiction should have adequate staff to accommodate these increased activities.</p>	Identical

## Section 10. Conforming Amendments

## Section 11 (House Version). Definitions

### **Section 11 (Senate Finance Committee Version). Report on Impact of Trade Promotion Authority**

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
No provision	Requires the ITC, within 1 year of enactment, to report to the revenue committees on the economic impact on the United States of: (1) the U.S.-Israel Free Trade Agreement (FTA); (2) the U.S.-Canada FTA; (3) the North American Free Trade Agreement; (4) the Uruguay Round Agreements; and (5) the Tokyo Round of Multilateral Trade Negotiations.

### **Section 12 (Senate Finance Committee Version). Identification of Small Business Advocate at WTO**

H.R. 3005 (House)	H.R. 3005 (Senate Finance Committee)
No provision.	<p>Requires the USTR to pursue identification of a small business advocate at the WTO Secretariat to examine the impact of WTO agreements on small- and medium-sized enterprises, address their concerns, and recommend ways to address their interests. Section 12(a)</p> <p>States that the Assistant USTR for Industry and Telecommunications shall be responsible for ensuring small business interests are considered in trade negotiations in accordance with the overall objective on small businesses (described in section 2(a)(8)). Expresses the sense of Congress that the small business functions be reflected in the title of the Assistant USTR assigned such responsibility. Section 12(b)</p> <p>Requires that within 1 year of enactment and annually thereafter, the USTR report to the revenue committees on steps taken to pursue the identification of a small business advocate at the WTO. Section 12(c)</p>

### **Section 13 (Senate Finance Committee Version). Definitions**