

## HR 3009

Trade Act of 2002

**Congress:** 107 (2001–2003, Ended)

**Chamber:** House

**Policy Area:** Foreign Trade and International Finance

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### Sponsor

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**Party:** Republican • **State:** IL • **Chamber:** House

### Cosponsors (21 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Thomas, William M. [R-CA-21]	R · CA		Oct 3, 2001
Rep. Brady, Kevin [R-TX-8]	R · TX		Nov 14, 2001
Rep. Cantor, Eric [R-VA-7]	R · VA		Nov 14, 2001
Rep. Diaz-Balart, Lincoln [R-FL-21]	R · FL		Nov 14, 2001
Rep. Dreier, David [R-CA-28]	R · CA		Nov 14, 2001
Rep. English, Phil [R-PA-21]	R · PA		Nov 14, 2001
Rep. Goss, Porter J. [R-FL-14]	R · FL		Nov 14, 2001
Rep. Hyde, Henry J. [R-IL-6]	R · IL		Nov 14, 2001
Rep. Jefferson, William J. [D-LA-2]	D · LA		Nov 14, 2001
Rep. Kirk, Mark Steven [R-IL-10]	R · IL		Nov 14, 2001
Rep. Knollenberg, Joe [R-MI-11]	R · MI		Nov 14, 2001
Rep. Kolbe, Jim [R-AZ-5]	R · AZ		Nov 14, 2001
Rep. McDermott, Jim [D-WA-7]	D · WA		Nov 14, 2001
Rep. Moran, James P. [D-VA-8]	D · VA		Nov 14, 2001
Rep. Portman, Rob [R-OH-2]	R · OH		Nov 14, 2001
Rep. Pryce, Deborah [R-OH-15]	R · OH		Nov 14, 2001
Rep. Ramstad, Jim [R-MN-3]	R · MN		Nov 14, 2001
Rep. Rangel, Charles B. [D-NY-15]	D · NY		Nov 14, 2001
Rep. Royce, Edward R. [R-CA-39]	R · CA		Nov 14, 2001
Rep. Shaw, E. Clay, Jr. [R-FL-22]	R · FL		Nov 14, 2001
Rep. Tauscher, Ellen O. [D-CA-10]	D · CA		Nov 14, 2001

## Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Reported By	Dec 14, 2001
Ways and Means Committee	House	Reported By	Nov 14, 2001

## Subjects & Policy Tags

*No subjects or policy tags are listed for this bill.*

## Related Bills

Bill	Relationship	Last Action
107 HRES 509	Procedurally related	<b>Jul 27, 2002:</b> On agreeing to the resolution Agreed to by the Yeas and Nays: 220 - 200 (Roll no. 369). (text: CR 7/26/2002 H5962)
107 HRES 450	Procedurally related	<b>Jun 26, 2002:</b> Motion to reconsider laid on the table Agreed to without objection.
107 HR 3129	Related bill	<b>May 23, 2002:</b> Received in the Senate and Read twice and referred to the Committee on Finance.
107 S 2485	Related bill	<b>May 9, 2002:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 367.
107 HR 3005	Related bill	<b>Feb 28, 2002:</b> Placed on Senate Legislative Calendar under General Orders. Calendar No. 319.
107 HR 3008	Related bill	<b>Dec 6, 2001:</b> Received in the Senate and Read twice and referred to the Committee on Finance.
107 HRES 289	Procedurally related	<b>Nov 16, 2001:</b> Motion to reconsider laid on the table Agreed to without objection.
107 HR 3010	Related bill	<b>Oct 16, 2001:</b> Placed on the Union Calendar, Calendar No. 150.
107 S 525	Related bill	<b>Apr 6, 2001:</b> Star Print ordered on the bill.

Trade Act of 2002 - **Division A: Trade Adjustment Assistance** - Trade Adjustment Assistance Reform Act of 2002 - **Title I: Trade Adjustment Assistance Program - Subtitle A: Trade Adjustment Assistance for Workers** - (Sec. 111) Amends the Trade Act of 1974 to reauthorize the trade adjustment assistance (TAA) program through FY 2007 for workers and firms adversely affected by import competition. (All workers referred to in this summary are adversely affected workers, unless otherwise indicated.) Reauthorizes the TAA program for farmers adversely affected by import competition through FY 2007. Provides for continuation of assistance beyond FY 2007 for certain eligible workers and farmers.

(Sec. 112) Revises requirements with respect to the filing of a petition for eligibility certification of a group of workers for TAA. Authorizes the petition to be filed simultaneously with the Secretary of Labor (Secretary) and with the Governor of the State in which such worker's firm is located by employers of such workers, one-stop operators or one-stop partners, including State employment security agencies, or the State dislocated worker unit established on behalf of such workers. Requires the Governor, upon receipt of a petition, to: (1) ensure that rapid response assistance, and appropriate core and intensive services authorized under other Federal laws, are made available to the workers; and (2) assist the Secretary in the review of the petition and providing other assistance as the Secretary may request.

Reduces from 60 to 40 days the review period within which the Secretary must respond to petitions for certification of eligibility to apply for adjustment assistance.

(Sec. 113) Revises requirements with respect to eligibility certification of a group of workers for TAA. Requires the Secretary to certify a group of workers as eligible to apply for such assistance if a significant number or proportion of workers in a firm have become totally or partially separated, or are threatened to become totally or partially separated, and that: (1) the sales or production, or both, of the firm have decreased absolutely, imports of articles like or directly competitive with articles produced by the firm have increased, and the increase in such imports contributed to the workers' separation or threat of separation and to the decline in the sales or production of the firm; or (2) there has been a shift in production by the workers' firm (or subdivision) to a foreign country of articles like or directly competitive with articles produced by the firm and the country to which the firm has shifted production is party to a free trade agreement with the United States or is a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act, or there has been or is likely to be an increase in imports of articles that are likely or directly competitive with articles produced by the firm.

Provides for the TAA-eligibility certification of adversely affected secondary workers employed at a supplier or downstream producer to a firm that employed a group of workers certified TAA-eligible. Defines "downstream producer" as a firm that performs additional, value-added production processes to articles produced by another firm which are the basis for the eligibility certification for a group of workers employed by such other firm because of an increase in imports from, or a shift in production to, Canada or Mexico.

(Sec. 114) Revises enrollment in training requirements with respect to qualification for trade readjustment allowances, setting an enrollment deadline of 16 weeks after separation.

(Sec. 115) Authorizes the Secretary to waive the training enrollment requirement for all TAA-eligible workers if training is not feasible or appropriate because, among other reasons, the worker: (1) will be recalled by the firm from which the separation occurred; (2) possesses marketable skills for suitable employment; (3) is within two years of meeting requirements for retirement benefits; or (4) is unable to participate in training for health reasons.

(Sec. 116) Extends for an additional 26 weeks (130 weeks in total) the permissible maximum period for payment of TAA to workers who require a program of remedial education to complete their job training.

Declares that for purposes of TAA eligibility a worker shall be treated as participating in training during any week which is a part of a break in training that does not exceed 30 days (currently, 14 days) if the worker was participating in an approved training program before the beginning of such break in training and the program provides for the break.

(Sec. 117) Increases to \$220 million the annual total amount of worker training payments.

(Sec. 118) Sets forth training programs that are approved for such workers, including employer-based training that provides on-the-job training and customized training. Authorizes the Secretary to pay the costs of on-the-job training of a worker only if, among other things, the employer is provided reimbursement of not more than 50 percent of the wage rate of the participant, for the cost of providing the training, and additional supervision related to such training.

(Sec. 119) Requires the Secretary to make every reasonable effort to secure for workers certain employment services provided through one-stop delivery systems under the Workforce Investment Act.

(Sec. 120) Allows funds obligated for certain activities to be expended by a State in the succeeding two fiscal years.

(Sec. 121) Increases to \$1,250 per worker the maximum amount of job search and relocation allowances.

(Sec. 123) Repeals the North American Free Trade Agreement (NAFTA) transitional adjustment assistance program to provide for a single, unified TAA program.

(Sec. 124) Directs the Secretary to establish an alternative TAA program for older workers. Provides up to \$10,000 per worker over two years of certain wage benefits to workers age 50 or older who do not earn more than \$50,000 a year in wages from reemployment.

(Sec. 125) Expresses the sense of Congress that the Secretary, working independently and in conjunction with the States, should provide workers with more specific information about benefits, training, and other employment services, as well as application procedures, under the TAA program.

**Subtitle B: TAA For Firms** - (Sec. 131) Reauthorizes through FY 2007 the TAA program for firms adversely affected by import competition.

**Subtitle C: TAA For Farmers** - (Sec. 141) Authorizes a group of agricultural commodity producers (farmers and ranchers) to petition the Secretary of Agriculture for a certification of TAA application eligibility. Requires the Secretary to determine whether the petitioning group meets certain requirements and, if so, to issue such a certification.

Requires the International Trade Commission to notify the Secretary of Agriculture immediately whenever it begins an investigation into whether an agricultural commodity is being imported into the United States in such increased quantities as to be a substantial cause or threat of serious injury to a domestic industry producing an agricultural commodity like or directly competitive with the imported agricultural commodity. Requires the Secretary of Agriculture, upon receipt of the notification, to study and report to the President on: (1) the number of agricultural commodity producers producing a like or directly competitive agricultural commodity who have been or are likely to be certified as eligible for adjustment assistance; and (2) the extent to which the adjustment of such producers to the import competition may be facilitated through the use of existing programs.

Directs the Secretary of Agriculture to provide agricultural commodity producers with information about TAA petition and application procedures, benefit allowances, training, and other employment services.

Sets forth certain eligibility requirements for the payment of TAA to adversely affected farmers or ranchers. Limits to \$10,000 per farmer or rancher the maximum annual amount of cash benefits.

Provides for the repayment and recovery of TAA overpayments. Sets forth penalties for overpayments owing to fraud. Authorizes appropriations through FY 2007.

(Sec. 143) Directs the Secretary of Commerce to study and report to Congress on whether a TAA program is appropriate and feasible for fishermen.

**Subtitle D: Effective Date** - (Sec. 151) Sets forth effective dates with respect to the TAA programs.

**Title II: Credit For Health Insurance Costs of Eligible Individuals** - (Sec. 201) Amends the Internal Revenue Code to temporarily allow a refundable tax credit of 65 percent of the health insurance costs for coverage (including continuation coverage) of the individual, spouse, and dependents of a recipient of TAA, alternative TAA, or a pension benefit guaranty corporation (PBGC) pension, subject to specified limitations.

Amends the Public Health Service Act to direct the Secretary of Health and Human Services to make: (1) a grant to each State that has not created one for the State's costs for creation and initial operation of a qualified high risk pool; and (2) a matching grant to cover 50 percent of the State's losses in operating such a pool that restricts premiums to no more than 150 percent of the premium for applicable standard risk rates, offers a choice of two or more coverage options, and has in effect a mechanism reasonably designed to ensure continued funding of losses incurred in connection with the pool's operation.

(Sec. 202) Amends the Internal Revenue Code to direct the Secretary of the Treasury to establish a program to make limited advance payments of the tax credit to providers of health insurance on behalf of an eligible individual certified to receive a health insurance costs tax credit eligibility certificate. Sets forth program requirements.

(Sec. 203) Amends the Workforce Investment Act of 1998 to authorize a State to use national emergency grants to assist an eligible individual (and qualifying family) in enrolling in qualified health insurance, including administrative expenses related to such enrollment. Authorizes appropriations through FY 2007.

Amends the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to authorize a TAA-eligible individual who elects not to receive continuation coverage under this Act to elect continuation coverage under COBRA (title X of the Consolidated Omnibus Budget Reconciliation Act of 1985). Limits a COBRA election to the 60-day period beginning on the first day of the month in which the individual becomes TAA-eligible, but only if such election is made not later than six months after the date of the TAA-related loss of coverage. Requires any elected continuation coverage to commence at the beginning of the 60-day election period, excluding any period prior to the 60-day election period.

**Title III: Customs Reauthorization** - Customs Border Security Act of 2002 - **Subtitle A: United States Customs Service** - (Sec. 311) Amends the Customs Procedural Reform and Simplification Act of 1978 to authorize appropriations for FY 2003 and 2004 for the U.S. Customs Service for: (1) noncommercial and commercial operations; and (2) the air and marine interdiction program. Earmarks certain funds for the automated commercial environment computer system. Requires the Commissioner of Customs to submit out-year budget projections annually to specified congressional

committees by the time the President submits the annual budget proposal.

(Sec. 312) Earmarks amounts for: (1) the acquisition and deployment of antiterrorist and illicit narcotics detection equipment along the U.S.-Mexico border, the U.S.-Canada border, and Florida and Gulf Coast seaports; and (2) acquisition of technologically superior detection equipment.

(Sec. 313) Requires the Commissioner to establish performance goals and performance indicators, and comply with specified requirements with respect to certain border security activities.

(Sec. 321) Authorizes appropriations for FY 2003 to carry out a program to prevent child pornography/child exploitation established by the Child Cyber-Smuggling Center of the Customs Service. Allocates a portion of such funds for operation of the Center's child pornography cyber tipline, and for increased public awareness of it.

(Sec. 331) Specifies funds available to hire approximately 285 additional Customs Service officers to address the needs of the offices and ports along the U.S.-Canada border.

(Sec. 332) Directs the Commissioner to study and report to specified congressional committees on: (1) current personnel practices of the Customs Service, including an overview of performance standards and the impact of the collective bargaining process on drug interdiction efforts; and (2) actions by the Customs Service to ensure that appropriate training is being provided to its personnel responsible for financial auditing of importers.

(Sec. 334) Directs the Commissioner to establish and implement, according to specified requirements, a cost accounting system for expenses incurred in both commercial and noncommercial operations of the Customs Service.

(Sec. 335) Directs the Comptroller General to study and report to specified congressional committees on the extent to which: (1) the Office of Regulations and Rulings of the Customs Service has made improvements to decrease the amount of time to issue importer-requested prospective rulings; and (2) the amount of each customs user fee is commensurate with the level of related services provided.

(Sec. 337) Amends the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) to require certain reimbursements and payments by a centralized hub facility, an express consignment carrier facility, or a small airport or other facility with respect to the processing of letters, documents, records, shipments, merchandise, or any other item valued at an amount under \$2,000 (or a higher amount as the Secretary of the Treasury may set by regulation), whether or not such items are informally entered or released at such facilities (except those entered or released for transportation and exportation or for immediate exportation). Requires a payment of \$.66 per individual airway bill or bill of lading in the case of an express consignment carrier facility or centralized hub facility. Allows the Secretary of the Treasury to adjust such amount to between \$.35 and \$1.00 per individual airway bill or bill of lading. Sets forth certain payment requirements.

(Sec. 338) Amends the Tariff Act of 1930 to authorize the Secretary of the Treasury to require, by regulation, the electronic submission of information with respect to commercial importations under the National Customs Automation Program.

(Sec. 339) Authorizes appropriations to the Department of the Treasury to provide an increase in the annual salary for certain journeyman Customs inspectors and Canine Enforcement Officers and support staff associated with such personnel.

(Sec. 341) Sets forth requirements with respect to: (1) immunity for U.S. customs employees that perform searches in

good faith; (2) national emergency adjustments to offices, ports of entry, or staffing of the Customs Service; and (3) border contraband searches of domestic mail going out of the United States.

(Sec. 343) Directs the Secretary of the Treasury to promulgate regulations providing for the advanced electronic transmission of cargo information.

Requires shippers of waterborne cargo loading in a U.S. port (including an ocean transportation intermediary that is a nonvessel-operating common carrier) to submit a complete set of shipping documents within 24 hours after the cargo is delivered to the marine terminal operator, and under no circumstances later than 24 hours prior to departure of the vessel. Subjects undocumented cargo to search, seizure, and forfeiture.

(Sec. 343A) Directs the Secretary of the Treasury to establish a joint task force to evaluate, prototype, and certify secure systems of international intermodal transport. Requires the Secretary of the Treasury to recognize certified systems of intermodal transport in the requirements of a national security plan for U.S. seaports, and in the provisions requiring planning to reopen U.S. ports for commerce.

(Sec. 345) Authorizes appropriations for reestablishment of Customs Service operations in New York, New York.

(Sec. 351) Directs the Comptroller General to audit and report to specified congressional committees on the Customs Service system to monitor textile transshipments.

States that transshipment has occurred when preferential treatment under any provision of law has been claimed for a textile or apparel article on the basis of material false information concerning the country of origin, manufacture, processing, or assembly of the article or any of its components.

(Sec. 352) Authorizes appropriations for FY 2003 for textile transshipment enforcement operations, outreach, and education of the Customs Service.

(Sec. 353) Earmarks FY 2003 funds to provide specified technical assistance to help sub-Saharan Africa countries develop and implement effective visa and anti-transshipment systems as required by the African Growth and Opportunity Act.

**Subtitle B: Office of the United States Trade Representative** - (Sec. 361) Amends the Trade Act of 1974 to authorize appropriations through FY 2004 for the Office of the U.S. Trade Representative (USTR), including two additional legislative specialist employee positions within the Office of the Assistant United States Trade Representative for Congressional Affairs.

**Subtitle C: United States International Trade Commission** - (Sec. 371) Amends the Tariff Act of 1930 to authorize appropriations through FY 2004 for the U.S. International Trade Commission (ITC). Requires the ITC to submit out-year budget projections annually to specified congressional committees by the time the President submits the annual budget proposal.

**Subtitle D: Other Trade Provisions** - (Sec. 381) Increases from \$400 to \$800 the aggregate value of articles exempt from duty acquired abroad by U.S. residents.

(Sec. 382) Amends the Tariff Act of 1930, with respect to regulatory audit procedures, to require the Customs Service, when conducting an audit, to recognize and offset over-payments and over-declarations of duties, quantities, and values against underpayments and underdeclarations, if such over-payments and over-declarations were not made by the

person being audited for the purpose of violating any law.

(Sec. 383) Requires an importer of record, unless the entry is subject to a periodic payment or the merchandise is entered for warehouse or transportation, or under bond, to deposit with the Customs Service at the time of entry, or at such later time as the Secretary of the Treasury may prescribe by regulation (but not later than ten working days after entry or release) the amount of duties and fees estimated to be payable on such merchandise. Authorizes the importer of record, or the importer's filer, to deposit, as soon as a periodic payment module of the Automated Commercial Environment is developed (but not later than October 1, 2004), estimated duties and fees for entries of merchandise no later than the 15th day of the month following the month in which such merchandise is entered or released, whichever comes first.

**Division B: Bipartisan Trade Promotion Authority - Title XXI (sic): Trade Promotion Authority** - Bipartisan Trade Promotion Authority Act of 2002 - (Sec. 2102) Sets forth the overall trade negotiating objectives of the United States for trade agreements (generally similar to the objectives of the Omnibus Trade and Competitiveness Act of 1988 (OTCA)), including to: (1) further strengthen the system of international trading disciplines and procedures, including dispute settlement; (2) foster economic growth, raise living standards, and promote full employment in the United States and to enhance the global economy; (3) ensure that trade and environmental policies are mutually supportive and seek to protect and preserve the environment, while optimizing the use of the world's resources; (4) promote respect for worker rights and the rights of children consistent with core labor standards of the International Labor Organization (ILO) and an understanding of the relationship between trade and worker rights; (5) seek provisions in trade agreements under which the parties strive to ensure that they do not weaken or reduce the protections afforded in domestic environmental and labor laws as an encouragement for trade; (6) ensure that trade agreements afford small businesses equal access to international markets, equitable trade benefits, expanded export market opportunities, and provide for the reduction or elimination of trade barriers that disproportionately affect small business; and (7) promote universal ratification and full compliance with ILO Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor.

Sets forth the principal U.S. negotiating objectives (generally similar to the principal OTCA negotiating objectives) regarding trade barriers and other trade distortions, trade in services, foreign investment, intellectual property, transparency, anti-corruption, improvement of the World Trade Organization (WTO) and other multilateral and bilateral trade agreements, foreign regulatory practices, electronic commerce, reciprocal trade in agriculture, labor and the environment, dispute settlement and enforcement of trade agreements, WTO extended negotiations, trade remedy laws, border taxes, textile negotiations, and trade-related aspects of the worst forms of child labor.

Directs the President, to promote U.S. competitiveness in the global economy, to give priority to certain actions, including: (1) seeking greater cooperation between the WTO and the ILO; (2) seeking to establish consultative mechanisms among parties to trade agreements to achieve specified objectives; (3) conducting environmental reviews of future trade and investment agreements; (4) reviewing the impact of future trade agreements on U.S. employment, including labor markets; (5) taking into account other specified legitimate U.S. domestic objectives; (6) reporting to specified congressional committees on labor rights and exploitative child labor in the country or countries with respect to which the President is negotiating; (7) promoting consideration of multilateral environmental agreements; and (8) reporting to specified congressional committees on the effectiveness of penalties or remedies applied under Federal law in enforcing U.S. rights under trade agreements.

Requires the United States Trade Representative (USTR) to consult closely with Congress during trade negotiations.



(Sec. 2103) Sets forth the authority of the President (generally similar to the authority under OTCA) to enter into trade agreements with foreign countries regarding tariff and non-tariff barriers. States that a trade agreement may be entered into (before June 1, 2005, or if trade authorities procedures (or fast-track procedures) are extended under this Act, before June 1, 2007) only if it makes progress in meeting the overall and principal trade negotiating objectives, and the President satisfies certain notification and consultation requirements set forth in this Act, including submission of the agreement for assessment by the International Trade Commission (ITC).

Applies trade authorities procedures to bills implementing trade agreements if they consist of: (1) a provision approving a trade agreement entered into under this Act, and approving any statement of administrative action; and (2) if changes in existing laws or new statutory authority are required to implement such agreements, provisions necessary to implement them, either repealing or amending existing laws or providing new statutory law.

(Sec. 2104) Requires the President to comply with specified congressional reporting and consultation requirements before entering into tariff reduction negotiations, including a 90-day prenegotiation notification of specific U.S. objectives.

Requires the President, before entering tariff reduction negotiations with a country regarding agricultural or textile products, to: (1) assess whether U.S. tariffs on such products that were bound under the Uruguay Round Agreements are lower than the tariffs bound by such country; and (2) consider whether the tariff levels bound and applied throughout the world with respect to imports from the United States are higher than U.S. tariffs, and whether the negotiation provides an opportunity to address any such disparity.

Requires the USTR to comply with certain special congressional consultation requirements before initiating negotiations on import sensitive agricultural products.

Requires the President, before initiating or continuing negotiations which directly relate to fish or shellfish trade with any country, to consult with specified congressional committees, and keep them apprised of such negotiations on an ongoing and timely basis.

Requires the President, at least 90 calendar days before entering into a trade agreement, to provide the International Trade Commission (ITC) with the details of the agreement as it exists at that time and request the ITC to assess its likely impact on the U.S. economy as a whole and on specific industry sectors.

(Sec. 2105) Authorizes both Houses of Congress to adopt a procedural disapproval resolution denying trade authorities procedures to any trade agreement if the President has failed or refused to notify or consult with Congress about it. Denies the application of trade authorities procedures to any implementing bill with respect to any such agreement negotiated under the auspices of the WTO, unless the Secretary has reported to Congress the U.S. strategy for correcting instances in which dispute settlement panels and the Appellate Body of the WTO have added to obligations or diminished rights of the United States.

(Sec. 2106) Exempts from the requirement of a 90-day prenegotiation notification to Congress of specific U.S. objectives, and from procedural disapproval resolutions under this Act, any tariff or nontariff agreement which results from negotiations commenced before enactment of this Act, and which: (1) is entered into under the auspices of the WTO regarding the rules of origin work program; (2) is entered into with Chile or Singapore; or (3) establishes a Free Trade Area for the Americas. Requires the President to make such a notification, however, as soon as feasible.

(Sec. 2107) Requires the convening of a Congressional Oversight Group to serve as advisor to the U.S. delegation in the negotiation of any tariff or nontariff trade agreement.

(Sec. 2108) Requires the President to submit an implementation and enforcement plan at the same time a final text of any tariff or nontariff trade agreement is submitted to Congress.

(Sec. 2109) Declares that the primary congressional committees of jurisdiction in the area of international trade should have adequate staff to accommodate any increases in their activities.

(Sec. 2111) Directs the ITC to report to specified congressional committees regarding the economic impact on the United States of: (1) the United States-Israel Free Trade Agreement; (2) the United States-Canada Free Trade Agreement; (3) the North American Free Trade Agreement; (4) the Uruguay Round Agreements; and (5) the Tokyo Round of Multilateral Trade Negotiations.

(Sec. 2112) Declares that the Assistant USTR for Industry and Telecommunications shall be responsible for ensuring that small business interests are considered in all trade negotiations.

**Division C: Andean Trade Preference Act - Title XXXI (sic): Andean Trade Preference - Andean Trade Promotion and Drug Eradication Act - (Sec. 3103)** Amends the Andean Trade Preference Act (ATPA) to authorize the President to grant duty-free treatment to certain currently excluded but non-import-sensitive articles imported into the United States from Andean Trade Promotion and Drug Eradication Act (ATPDEA) beneficiary countries (Bolivia, Ecuador, Colombia, and Peru), including specified footwear, petroleum products, watches and watch parts, handbags, luggage, flat goods, work gloves, and leather wearing apparel. Excludes from duty-free treatment certain textiles and apparel articles ineligible on January 1, 1994, rum and tafia, sugars, syrups, and sugar-containing products subject to over-duty rates, and tuna prepared or preserved in any manner in airtight containers (except as provided in this Act).

Extends, through December 31, 2006, treatment free of any duties, quantitative restrictions, limitations, or consultation levels to certain apparel articles imported into the United States after assembly in one or more ATPDEA beneficiary countries from U.S. or ATPDEA country products. Sets forth penalties for exporters and countries that have engaged in transshipment (preferential treatment claimed for an apparel on the basis of material false information concerning country of origin or manufacture) with respect to such articles from an ATPDEA beneficiary country.

Grants treatment free of any duties and quantitative restrictions for tuna in foil or other flexible airtight containers weighing with their contents not more than 6.8 kilograms each that is harvested by U.S. vessels or ATPDEA beneficiary country vessels and imported into the United States.

Directs the Commissioner of Customs to study and report to Congress on the extent to which each ATPDEA beneficiary country has cooperated fully with the United States with regard to circumvention of existing quotas on imports of textile and apparel goods.

Requires the President, when determining whether an existing ATPA beneficiary country should receive enhanced preferential treatment as a designated ATPDEA beneficiary country under this Act, to take into account certain criteria, including: (1) whether the country has demonstrated a commitment to undertake its obligations under the WTO and to participate in negotiations toward a Free Trade Area for the Americas (FTAA); (2) the extent to which the country provides protection of intellectual property rights consistent with or greater than that required under the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights; (3) the extent to which the country provides internationally recognized worker rights; (4) whether the country has implemented its commitment to eliminate the worst forms of child labor; (5) the extent to which the country cooperates with the United States in counternarcotics efforts; (6) the extent to which the country has taken steps to become a party to and implement the Inter-American Convention Against Corruption; (7) the extent to which the country applies transparent, nondiscriminatory, and competitive procedures in

government procurement and contributes to international efforts to enhance transparency in government procurement; and (8) the extent to which the country has taken steps to support U.S. efforts to combat terrorism.

Directs the USTR to report biennially to Congress regarding the operation of this Act, including countries meeting the criteria for designation as an ATPDEA beneficiary country.

(Sec. 3104) Terminates duty-free treatment under ATPA on February 28, 2006. Provides for the liquidation or reliquidation (refund of duties) on entries of articles to which duty-free treatment under the ATPA would have applied if such entry had been made on December 4, 2001, and that was made after such date, but before enactment of this Act.

(Sec. 3105) Directs the USTR to review and report to Congress on implementation of the United States-Israel Free Trade Agreement.

(Sec. 3106) Amends the Harmonized Tariff Schedule of the United States to provide duty treatment for imported tuna (not in oil) in containers weighing with their contents not over 7 kg each, and not the product of any U.S. insular possession, for an aggregate quantity entered in any calendar year not to exceed 4.8 percent of apparent U.S. consumption of tuna in airtight containers during the immediately preceding year, as reported by the National Marine Fisheries Service.

(Sec. 3107) Amends the Caribbean Basin Economic Recovery Act and the African Growth and Opportunity Act (AGOA) to provide duty-free and quota-free treatment (with limits) to imported apparel articles that are sewn or otherwise assembled, or cut in a U.S.-Caribbean Basin Trade Partnership Act (CBTPA) or sub-Saharan African beneficiary country from components knit-to-shape in the United States.

(Sec. 3108) Increases the allowable amount (cap) over an eight-year period of certain apparel made in a sub-Saharan African country from regional fabric formed from yarn originating either from such country or from the United States that can be imported into the United States duty-free and quota free.

Allows Namibia and Botswana to use third country fabric for a specified transition period under the AGOA regional fabric country cap.

**Division D: Extension of Certain Preferential Trade Treatment - Title XLI (sic): Extension of Generalized System of Preferences** - (Sec. 4101) Amends the Trade Act of 1974 to extend duty-free treatment under the Generalized System of Preferences (GSP) through December 31, 2006.

Provides, upon request filed with the Customs Service, for the liquidation or reliquidation (refund of duties) on entries of articles to which duty-free treatment would have applied if such entry had been made on September 30, 2001, and that was made after such date, but before enactment of this Act, and to which duty-free treatment under the GSP did not apply.

(Sec. 4102) Revises eligibility requirements to make ineligible for duty-free treatment under the GSP a country that has not taken steps to support U.S. efforts to combat terrorism.

Amends the Trade Act of 1974 to revise the definition of internationally recognized worker rights to include a prohibition on the worst forms of child labor.

**Division E: Miscellaneous Provisions - Title L (sic): Miscellaneous Trade Benefits - Subtitle A: Wool Provisions** - (Sec. 5101) Wool Manufacturer Payment Clarification and Technical Corrections Act - Amends the Trade and Development Act of 2000 to provide in 2000, 2001, and 2002 to eligible importing and non-importing manufacturers of

certain wool products a refund of duties paid by them on such wool products in 1999. Declares that, with certain exceptions, only manufacturers who, according to Customs Service records, filed with the Customs Service before September 11, 2001, letters of intent to establish eligibility to be claimants are eligible to make a claim for a payment under this title.

Authorizes appropriations.

(Sec. 5102) Amends the Harmonized Tariff Schedule of the United States to extend, through December 31, 2005, the reduced duty on certain imported worsted wool fabrics.

Increases the aggregate quantity of worsted wool fabrics imported into the United States for 2001 through 2003.

Directs the Customs Service to pay each manufacturer that receives a payment for 2002 and that provides an affidavit that it remains a manufacturer in the United States as of January 1 of the year of such payment two additional payments equal to the payment received for 2002. Authorizes and makes appropriations for such payments.

Extends the Wool Research Trust Fund through 2006.

**Subtitle B: Other Provisions** - (Sec. 5201) Establishes a fund for the payment of WTO dispute settlements. Authorizes appropriations.

(Sec. 5202) Amends the Harmonized Tariff Schedule of the United States to grant duty-free treatment to certain steam or other vapor generating boilers used in nuclear facilities through December 31, 2006.

(Sec. 5203) Revises the headnote for provisions providing duty treatment for sugar cane or sugar beets containing soluble non-sugar solids equal to six percent or less by weight of the total soluble solids. Excludes molasses as a foreign substance from calculation of the percentage of soluble non-sugar solids.

Directs the Secretary of Agriculture and the Commissioner of Customs to continuously monitor, and to report to Congress on, imports of sugar and sugar-containing products (other than molasses imported for use in animal feed or the production of rum and articles prepared for marketing to the ultimate consumer in the form and package in which imported) for indications that such article is being used to circumvent a tariff-rate quota imposed under the Harmonized Tariff Schedule of the United States.

## Actions Timeline

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- **Aug 6, 2002:** Signed by President.
- **Aug 6, 2002:** Signed by President.
- **Aug 6, 2002:** Became Public Law No: 107-210.
- **Aug 6, 2002:** Became Public Law No: 107-210.
- **Aug 2, 2002:** Message on Senate action sent to the House.
- **Aug 2, 2002:** Presented to President.
- **Aug 2, 2002:** Presented to President.
- **Aug 1, 2002:** Conference report considered in Senate. (consideration: CR S7768-7793, S7814-7815)
- **Aug 1, 2002:** Cloture on the conference report to accompany H.R. 3009 invoked in Senate by Yea-Nay. 64 - 32. Record Vote Number: 203.
- **Aug 1, 2002:** Point of order under the CBA raised in Senate with respect to the conference report to accompany H.R. 3009.
- **Aug 1, 2002:** Motion to waive the Budget Act with respect to the conference report to accompany H.R. 3009 agreed to in Senate by Yea-Nay Vote. 67 - 31. Record Vote Number: 206.
- **Aug 1, 2002:** Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 64 - 34. Record Vote Number: 207.
- **Aug 1, 2002:** Senate agreed to conference report by Yea-Nay Vote. 64 - 34. Record Vote Number: 207.
- **Jul 30, 2002:** Motion to proceed to consideration of the conference report to accompany H.R. 3009 agreed to in Senate by Yea-Nay Vote. 66 - 33. Record Vote Number: 198.
- **Jul 30, 2002:** Conference report considered in Senate by motion. (consideration: CR S7551)
- **Jul 30, 2002:** Cloture motion on the conference report to accompany H.R. 3009 presented in Senate.
- **Jul 29, 2002:** Conference papers: Senate report and manager's statement and message on House action held at the desk in Senate.
- **Jul 27, 2002:** Rules Committee Resolution H. Res. 509 Reported to House. Rule provides for consideration of the conference report to H.R. 3009. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.
- **Jul 27, 2002:** Rule H. Res. 509 passed House.
- **Jul 27, 2002:** Mr. Thomas brought up conference report H. Rept. 107-624 for consideration under the provisions of H. Res. 509. (consideration: CR 7/26/2002 H5969-5986)
- **Jul 27, 2002:** DEBATE - The House proceeded with one hour of debate on the conference report.
- **Jul 27, 2002:** The previous question was ordered without objection.
- **Jul 27, 2002:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 215 - 212 (Roll no. 370).
- **Jul 27, 2002:** Motions to reconsider laid on the table Agreed to without objection.
- **Jul 27, 2002:** On agreeing to the conference report Agreed to by the Yeas and Nays: 215 - 212 (Roll no. 370).
- **Jul 26, 2002:** Conference report filed: Conference report H. Rept. 107-624 filed.(text of conference report: CR H5888-5957)
- **Jul 26, 2002:** Conference report H. Rept. 107-624 filed. (text of conference report: CR H5888-5957)
- **Jul 15, 2002:** Message on Senate action sent to the House.
- **Jul 12, 2002:** Resolving differences -- Senate actions: Senate disagreed to the amendment of the House to the Senate amendment and agreed to request of conference by Unanimous Consent.(consideration: CR S6700)
- **Jul 12, 2002:** Senate disagreed to the amendment of the House to the Senate amendment and agreed to request of conference by Unanimous Consent. (consideration: CR S6700)
- **Jul 12, 2002:** Senate appointed conferees. Baucus; Rockefeller; Breaux; Grassley; Hatch.
- **Jun 27, 2002:** Message on House action received in Senate and at desk: House amendment to Senate amendment and House requests a conference.
- **Jun 26, 2002:** Rule H. Res. 450 passed House.
- **Jun 26, 2002:** Resolving differences -- House actions: House agreed to Senate amendment with amendment pursuant to H. Res. 450.(consideration: CR H3964-4020; text as House agreed to Senate amendment with amendment: CR H3964-4020)
- **Jun 26, 2002:** House agreed to Senate amendment with amendment pursuant to H. Res. 450. (consideration: CR

H3964-4020; text as House agreed to Senate amendment with amendment: CR H3964-4020)

- **Jun 26, 2002:** Pursuant to the provisions of H. Res. 450, the House moved to insist upon its amendment to the Senate amendment, and request a conference.
- **Jun 26, 2002:** On motion that the House insist upon its amendment to the Senate amendment, and request a conference Agreed to without objection.
- **Jun 26, 2002:** The Speaker appointed conferees - from the Committee on Ways and Means for consideration of the House amendment and the Senate amendment, and modifications committed to conference: Thomas, Crane, and Rangel.
- **Jun 26, 2002:** The Speaker appointed conferees - from the Committee on Education and the Workforce for consideration of sec. 603 of the Senate amendment, and modifications committed to conference: Boehner, Johnson, Sam, and Miller, George.
- **Jun 26, 2002:** The Speaker appointed conferees - from the Committee on Energy and Commerce for consideration of sec. 603 of the Senate amendment, and modifications committed to conference: Tauzin, Bilirakis, and Dingell.
- **Jun 26, 2002:** The Speaker appointed conferees - from the Committee on Government Reform for consideration of sec. 344 of the House amendment and sec. 1143 of the Senate amendment, and modifications committed to conference: Burton, Barr, and Waxman.
- **Jun 26, 2002:** The Speaker appointed conferees - from the Committee on the Judiciary for consideration of secs. 111, 601, and 701 of the Senate amendment, and modifications committed to conference: Sensenbrenner, Coble, and Conyers.
- **Jun 26, 2002:** The Speaker appointed conferees - from the Committee on Rules for consideration of secs. 2103, 2105, and 2106 of the House amendment and secs. 2103, 2105, and 2106 of the Senate amendment, and modifications committed to conference: Dreier, Linder, and Hastings (FL).
- **Jun 19, 2002:** Rules Committee Resolution H. Res. 450 Reported to House. Rule provides for consideration of Senate amendment. to H.R. 3009. Provides that H.R. 3009 and the Senate amendment thereto, shall be taken from the Speaker's table and agreed to with the amendment printed in the report (House Report No. 107-518). Also provides that the House shall be considered to have insisted on its amendment to the Senate amendment and requested a conference with the Senate thereon.
- **Jun 4, 2002:** Message on Senate action sent to the House.
- **May 23, 2002:** Considered by Senate. (consideration: CR S4744-4772, S4789-4818)
- **May 23, 2002:** Cloture motion on H.R. 3009 withdrawn by unanimous consent in Senate.
- **May 23, 2002:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 66 - 30. Record Vote Number: 130.(text: CR 6/03/2002 S4892-4928)
- **May 23, 2002:** Passed Senate with an amendment by Yea-Nay Vote. 66 - 30. Record Vote Number: 130. (text: CR 6/03/2002 S4892-4928)
- **May 22, 2002:** Considered by Senate. (consideration: CR S4662-4685, S4688-4694)
- **May 21, 2002:** Considered by Senate. (consideration: CR S4580-4614)
- **May 21, 2002:** Cloture motion on H.R. 3009 presented in Senate. (consideration: CR S4614)
- **May 20, 2002:** Considered by Senate. (consideration: CR S4552-4561)
- **May 17, 2002:** Considered by Senate. (consideration: CR S4519-4525, S4527-4530, S4545-4547)
- **May 16, 2002:** Considered by Senate. (consideration: CR S4434-4450, S4455-4469, S4470-4472)
- **May 15, 2002:** Considered by Senate. (consideration: CR S4346-4381)
- **May 14, 2002:** Considered by Senate. (consideration: CR S4297-4326)
- **May 13, 2002:** Considered by Senate. (consideration: CR S4267-4268)
- **May 10, 2002:** Considered by Senate. (consideration: CR S4191-4192)
- **May 9, 2002:** Considered by Senate. (consideration: CR S4125, S4137)
- **May 8, 2002:** Considered by Senate. (consideration: CR S4052-4054)
- **May 6, 2002:** Considered by Senate. (consideration: CR S3889, S3891-3895)
- **May 2, 2002:** Considered by Senate. (consideration: CR S3795-3832)
- **May 1, 2002:** Motion to proceed to consideration of measure agreed to in Senate by Yea-Nay Vote. 77 - 21. Record Vote Number: 100. (consideration: CR S3581)
- **May 1, 2002:** Measure laid before Senate by motion. (consideration: CR S3610-3619; text of measure as reported in Senate: CR S3610-3615)
- **May 1, 2002:** The committee substitute amendment was withdrawn.

- **Apr 30, 2002:** Motion to proceed to measure considered in Senate. (consideration: CR S3515-3522, S3530-3555)
- **Apr 29, 2002:** Motion to proceed to measure considered in Senate. (consideration: CR S3481-3483, S3485-3489, S3490-3496)
- **Apr 29, 2002:** Cloture on the motion to proceed to consider HR 3009 invoked in Senate by Yea-Nay Vote. 69 - 21. Record Vote Number: 97.
- **Apr 26, 2002:** Motion to proceed to measure considered in Senate. (consideration: CR S3460, S3461-3464)
- **Apr 25, 2002:** Cloture motion on the motion to proceed presented in Senate. (consideration: CR S3457)
- **Dec 14, 2001:** Committee on Finance. Reported by Senator Baucus with an amendment in the nature of a substitute. With written report No. 107-126.
- **Dec 14, 2001:** Committee on Finance. Reported by Senator Baucus with an amendment in the nature of a substitute. With written report No. 107-126.
- **Dec 14, 2001:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 295.
- **Nov 29, 2001:** Committee on Finance. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Nov 16, 2001:** Rules Committee Resolution H. Res. 289 Reported to House. Rule provides for consideration of H.R. 3009 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions.
- **Nov 16, 2001:** Rule H. Res. 289 passed House.
- **Nov 16, 2001:** Considered under the provisions of rule H. Res. 289. (consideration: CR H8282-8300; text of measure as reported in House: CR H8283-8285)
- **Nov 16, 2001:** Rule provides for consideration of H.R. 3009 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions.
- **Nov 16, 2001:** DEBATE - The House proceeded with one hour of debate on H.R. 3009.
- **Nov 16, 2001:** The previous question was ordered pursuant to the rule.
- **Nov 16, 2001:** Mr. Spratt moved to recommit with instructions to Ways and Means. (consideration: CR H8298-8300)
- **Nov 16, 2001:** DEBATE - The House is debating the motion offered by Mr. Spratt.
- **Nov 16, 2001:** The previous question on the motion to recommit with instructions was ordered without objection.
- **Nov 16, 2001:** On motion to recommit with instructions Failed by the Yeas and Nays: 168 - 250 (Roll No. 447).
- **Nov 16, 2001:** Passed/agreed to in House: On passage Passed by voice vote.(text: CR H8285-8288)
- **Nov 16, 2001:** On passage Passed by voice vote. (text: CR H8285-8288)
- **Nov 16, 2001:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 16, 2001:** Received in the Senate and Read twice and referred to the Committee on Finance.
- **Nov 14, 2001:** Reported (Amended) by the Committee on Ways and Means. H. Rept. 107-290.
- **Nov 14, 2001:** Reported (Amended) by the Committee on Ways and Means. H. Rept. 107-290.
- **Nov 14, 2001:** Placed on the Union Calendar, Calendar No. 175.
- **Oct 5, 2001:** Committee Consideration and Mark-up Session Held.
- **Oct 5, 2001:** Ordered to be Reported (Amended) by Voice Vote.
- **Oct 3, 2001:** Introduced in House
- **Oct 3, 2001:** Introduced in House
- **Oct 3, 2001:** Referred to the House Committee on Ways and Means.