

HR 4842

United States-Morocco Free Trade Agreement Implementation Act

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Foreign Trade and International Finance

Introduced: Jul 15, 2004

Current Status: Became Public Law No: 108-302.

Latest Action: Became Public Law No: 108-302. (Aug 17, 2004)

Law: 108-302 (Enacted Aug 17, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/4842>

Sponsor

Name: Rep. DeLay, Tom [R-TX-22]

Party: Republican • State: TX • Chamber: House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Rangel, Charles B. [D-NY-15]	D · NY		Jul 15, 2004

Committee Activity

Committee	Chamber	Activity	Date
Ways and Means Committee	House	Reported By	Jul 21, 2004

Subjects & Policy Tags

Policy Area:

Foreign Trade and International Finance

Related Bills

Bill	Relationship	Last Action
108 S 2677	Related document	Aug 31, 2004: Star Print ordered on the written report.
108 HRES 738	Procedurally related	Jul 22, 2004: Motion to reconsider laid on the table Agreed to without objection.

(This measure has not been amended since it was introduced. The expanded summary of the House reported version is repeated here.)

United States-Morocco Free Trade Agreement Implementation Act - **Title I: Approval Of, And General Provisions Relating To, The Agreement** - (Sec. 101) Grants congressional approval to the United States-Morocco Free Trade Agreement (Agreement) entered into with Morocco on June 15, 2004, and the statement of administrative action for implementing such Agreement. Provides for the entry into force of the Agreement on or after January 1, 2005, if the President determines that Morocco has complied with certain provisions of the Agreement.

(Sec. 102) Provides that: (1) any provision of the Agreement that conflicts with any law of the United States shall have no effect; (2) nothing in this Act shall be construed to amend or modify any law of the United States or limit any authority conferred by U.S. law; (3) no State law may be declared invalid for inconsistency with any provision of the Agreement; and (4) only the United States shall have a cause of action or defense under the Agreement or may challenge agency actions (or inactions) that are inconsistent with the Agreement.

(Sec. 103) Grants the President authority to proclaim actions and issue regulations to ensure that provisions of this Act that take effect on the date the Agreement enters into force are appropriately implemented. Requires the issuance of initial regulations under this Act, to the maximum extent feasible, within one year after the date the Agreement enters into force.

(Sec. 104) Requires the President to take certain actions, including obtaining advice from the International Trade Commission (ITC) and consulting with the Senate Finance Committee and the House Ways and Means Committee, before implementing by proclamation provisions of this Act that are subject to consultation and layover requirements.

(Sec. 105) Authorizes the President to establish an office in the Department of Commerce to provide administrative assistance to dispute settlement panels established under the Agreement. Authorizes appropriations.

(Sec. 106) Authorizes the settlement of certain claims against the United States covered by the Investor-State Dispute Settlement procedures set forth in the Agreement.

(Sec. 107) Makes the provisions of this Act, with certain exceptions, effective on the date the Agreement enters into force. Terminates this Act on the date the Agreement terminates.

Title II: Customs Provisions - (Sec. 201) Authorizes the President to proclaim tariff modifications to carry out the Agreement. Directs the President to terminate Morocco's designation as a beneficiary developing country for purposes of the Generalized System of Preferences program. Authorizes the President, for any goods for which the base rate is a specific or compound rate of duty, to substitute for the base rate an ad valorem rate that the President determines to be equivalent to the base rate.

(Sec. 202) Implements the agricultural safeguard provisions of the Agreement.

(Sec. 203) Establishes rules of origin for goods grown, produced, or manufactured in Morocco for determining eligibility for preferential tariff treatment. Authorizes the President to proclaim, as part of the Harmonized Tariff Schedules (HTS), tariff modifications relating to textile and apparel goods.

(Sec. 204) Implements the verification requirements of the Agreement relating to trade in textile and apparel goods.

Authorizes the President to direct the Secretary of the Treasury to take certain actions, including denial of preferential tariff treatment, while verification is being conducted.

Title III: Relief From Imports - Subtitle A: Relief From Imports Benefiting From the Agreement - (Sec. 311)

Authorizes certain entities, including trade associations, unions, or groups of workers representing an industry, to petition the ITC for relief from the importation of Moroccan products under the Agreement. Requires the ITC, upon the filing of a petition, to investigate whether the reduction or elimination of a duty on a Moroccan product under the Agreement constitutes a substantial cause of serious injury or threat to a domestic industry.

(Sec. 312) Requires the ITC to: (1) make a determination on a petition within 120 days after an investigation is initiated; (2) report to the President within 30 days after making a determination with an explanation of its basis; (3) recommend to the President, if a finding of serious injury is made, the amount of import relief necessary to remedy or prevent the injury and to facilitate the efforts of the domestic industry to make a positive adjustment to import competition; and (4) make its report public.

(Sec. 313) Directs the President to provide relief from imports of Moroccan products that are found to constitute a substantial cause of serious injury or threat to a domestic industry within 30 days after the President receives the ITC report. Allows the President to deny import relief if it will not provide greater economic and social benefits than costs. Specifies the types of relief that the President is authorized to provide and the period of such relief (not more than five years, including extensions).

(Sec. 314) Provides that no relief from Moroccan imports may be granted after five years from the date on which the United States is required to eliminate duties on such imports under the Agreement.

(Sec. 315) Authorizes the President to provide compensation to Morocco for import relief under the safeguard provisions of the Agreement.

(Sec. 316) Provides for the treatment of confidential business information received by the Commission in investigating petitions.

Subtitle B: Textile and Apparel Safeguard Measures - (Sec. 321) Permits the filing of a request for import relief with the President by an interested party. Requires the President to review such request and publish a notice of commencement of consideration in the Federal Register.

(Sec. 322) Requires the President to make a determination whether a Moroccan textile or apparel article is being imported in such increased quantities as to threaten or cause serious damage to a domestic industry producing a like article. Sets forth criteria for making a determination of serious damage and the types of import relief that the President is authorized to provide.

(Sec. 323) Limits the period of import relief to three years. Allows a two-year extension of import relief if the President determines that an extension is necessary to prevent serious damage to a domestic industry; but imposes a maximum relief period of five years, including extensions.

(Sec. 324) Prohibits the President from granting import relief for any article that has been subject to import relief after the date the Agreement enters into force, or for any article subject to import relief under certain provisions of the Trade Act of 1974.

(Sec. 325) Restores the rate of duty on a textile or apparel article subject to import relief to the rate in effect on the date

import relief terminates.

(Sec. 326) Provides that no import relief may be granted for textile or apparel articles ten years after the date on which duties on such articles are eliminated under the Agreement.

(Sec. 327) Authorizes the President to provide compensation to Morocco for import relief under the textile and apparel safeguard provisions of the Agreement.

(Sec. 328) Prohibits the President from releasing confidential business information received as part of a request for import relief, unless the party submitting such information had notice that such information would be released or consented to the release.

Actions Timeline

- **Aug 17, 2004:** Signed by President.
- **Aug 17, 2004:** Signed by President.
- **Aug 17, 2004:** Became Public Law No: 108-302.
- **Aug 17, 2004:** Became Public Law No: 108-302.
- **Aug 5, 2004:** Presented to President.
- **Aug 5, 2004:** Presented to President.
- **Jul 23, 2004:** Message on Senate action sent to the House.
- **Jul 22, 2004:** Rules Committee Resolution H. Res. 738 Reported to House. Rule provides for consideration of H.R. 4842 with 2 hours of general debate. Previous question shall be considered as ordered without intervening motions. Measure will be considered read. Bill is closed to amendments. During consideration of H.R. 4842, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.
- **Jul 22, 2004:** Rule H. Res. 738 passed House.
- **Jul 22, 2004:** Considered under the provisions of rule H. Res. 738. (consideration: CR H6615-6650)
- **Jul 22, 2004:** Rule provides for consideration of H.R. 4842 with 2 hours of general debate. Previous question shall be considered as ordered without intervening motions. Measure will be considered read. Bill is closed to amendments. During consideration of H.R. 4842, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.
- **Jul 22, 2004:** DEBATE - The House proceeded with two hours of debate on H.R. 4842.
- **Jul 22, 2004:** DEBATE - The House continued with debate on H.R. 4842.
- **Jul 22, 2004:** The previous question was ordered pursuant to the rule. (consideration: CR H6649)
- **Jul 22, 2004:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 323 - 99 (Roll no. 413).(text: CR H6615-6621)
- **Jul 22, 2004:** On passage Passed by the Yeas and Nays: 323 - 99 (Roll no. 413). (text: CR H6615-6621)
- **Jul 22, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 22, 2004:** Passed/agreed to in Senate: Received in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent.(consideration: CR S8633)
- **Jul 22, 2004:** Received in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent. (consideration: CR S8633)
- **Jul 22, 2004:** See also S. 2677.
- **Jul 21, 2004:** Reported by the Committee on Ways and Means. H. Rept. 108-627.
- **Jul 21, 2004:** Reported by the Committee on Ways and Means. H. Rept. 108-627.
- **Jul 21, 2004:** Placed on the Union Calendar, Calendar No. 377.
- **Jul 20, 2004:** Committee Consideration and Mark-up Session Held.
- **Jul 20, 2004:** Ordered to be Reported by the Yeas and Nays: 26 - 0.
- **Jul 15, 2004:** Introduced in House
- **Jul 15, 2004:** Introduced in House
- **Jul 15, 2004:** Referred to the House Committee on Ways and Means.