

119TH CONGRESS
2D SESSION

S. _____

To reclaim the authority of Congress over the imposition of duties and
other trade actions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. WYDEN introduced the following bill; which was read twice and referred
to the Committee on _____

A BILL

To reclaim the authority of Congress over the imposition
of duties and other trade actions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Congressional Trade Powers Reform Act of 2026”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AUTHORITY OF CONGRESS OVER TRADE ACTIONS

Sec. 101. Authority of Congress over trade actions.

TITLE II—WITHDRAWAL OF DELEGATIONS OF TRADE
AUTHORITIES

- Sec. 201. Repeal of balance-of-payments authority.
- Sec. 202. Repeal of authority to impose duties in response to discrimination by foreign countries.
- Sec. 203. Modification of authority to take action in response to unfair trade practices.
- Sec. 204. Modification of authority to take action in response to threats to national security.
- Sec. 205. Modification of authority to take action in response to import competition.

TITLE III—OTHER MATTERS

- Sec. 301. Requirement that any trade agreement that binds the United States first be approved by law.
- Sec. 302. Establishment of Office of the United States Trade Representative outside the Executive Office of the President.
- Sec. 303. Establishment of Inspector General of the Office of the United States Trade Representative.

1 TITLE I—AUTHORITY OF CON- 2 GRESS OVER TRADE ACTIONS

3 SEC. 101. AUTHORITY OF CONGRESS OVER TRADE AC- 4 TIONS.

5 The Tariff Act of 1930 (19 U.S.C. 1304 et seq.) is
6 amended by adding at the end the following:

7 “TITLE X—AUTHORITY OF CON- 8 GRESS OVER TRADE ACTIONS 9 “Subtitle A—Process for Approval 10 of Trade Actions by Congress

11 “SEC. 1001. PROCESS FOR APPROVAL OF TRADE ACTIONS 12 BY CONGRESS.

13 “(a) IN GENERAL.—An action may be taken under
14 section 232 of the Trade Expansion Act of 1962 (19
15 U.S.C. 1862) or section 201, 203, or 301 of the Trade
16 Act of 1974 (19 U.S.C. 2251, 2253, and 2411) only if—

1 “(1) the President submits to the Joint Com-
2 mittee on Tariffs and Trade a proposal for the ac-
3 tion;

4 “(2) the Joint Committee reviews the proposal
5 of the President;

6 “(3) not later than 30 days after receiving the
7 proposal of the President under paragraph (1), the
8 Joint Committee recommends to Congress that the
9 action be taken; and

10 “(4) during the 30-day period after the submis-
11 sion to Congress of the recommendation under para-
12 graph (3), there is enacted into law a joint resolu-
13 tion of approval pursuant to subsection (d) with re-
14 spect to the action.

15 “(b) DURATION.—An action approved in accordance
16 with subsection (a) shall—

17 “(1) take effect on the date that is 30 days
18 after the enactment of a joint resolution described in
19 paragraph (4) of that subsection; and

20 “(2) except as provided by subsection (c), ter-
21 minate not later than the date that is 180 days after
22 the date specified in paragraph (1) .

23 “(c) EXTENSION, MODIFICATION, AND TERMINATION
24 .—An action approved in accordance with subsection (a)

1 may be extended for additional periods of 180 days, modi-
2 fied, or terminated, if—

3 “(1) the President submits to the Joint Com-
4 mittee on Tariffs and Trade a proposal for the ex-
5 tension, modification, or termination;

6 “(2) the Joint Committee reviews the proposal
7 of the President;

8 “(3) the Joint Committee recommends to Con-
9 gress that the action be extended, modified, or ter-
10 minated; and

11 “(4) during the 30-day period after the submis-
12 sion to Congress of the recommendation under para-
13 graph (3), there is enacted into law a joint resolu-
14 tion of approval pursuant to subsection (d) with re-
15 spect to the extension, modification, or termination.

16 “(d) JOINT RESOLUTION OF APPROVAL.—

17 “(1) JOINT RESOLUTION OF APPROVAL DE-
18 FINED.—In this subsection, the term ‘joint resolu-
19 tion of approval’ means a joint resolution of either
20 House of Congress the sole matter after the resolv-
21 ing clause of which is the following: ‘Congress ap-
22 proves of the proposal of the President relating to
23 a trade action under section 1001 of Tariff Act of
24 1930submitted to the Joint Committee on Tariffs
25 and Trade on _____ and recommended to Congress

1 on _____.’, with blank spaces being filled with the
2 appropriate dates.

3 “(2) INTRODUCTION.—During the 30-day pe-
4 riod provided for under subsection (a)(4) or (c)(4),
5 as applicable, a joint resolution of approval may be
6 introduced in either House by any Member.

7 “(3) CONSIDERATION IN HOUSE OF REP-
8 RESENTATIVES.—

9 “(A) COMMITTEE REFERRAL.—A joint res-
10 olution of approval introduced in the House of
11 Representatives shall be referred to the Com-
12 mittee on Ways and Means.

13 “(B) REPORTING AND DISCHARGE.—If the
14 Committee on Ways and Means has not re-
15 ported the joint resolution of approval within 10
16 calendar days after the date of referral, the
17 Committee shall be discharged from further
18 consideration of the joint resolution.

19 “(C) PROCEEDING TO CONSIDERATION.—
20 Beginning on the third legislative day after the
21 Committee on Ways and Means reports the
22 joint resolution of approval to the House or has
23 been discharged from further consideration
24 thereof, it shall be in order to move to proceed
25 to consider the joint resolution in the House.

1 All points of order against the motion are
2 waived. Such a motion shall not be in order
3 after the House has disposed of a motion to
4 proceed on the joint resolution. The previous
5 question shall be considered as ordered on the
6 motion to its adoption without intervening mo-
7 tion. The motion shall not be debatable. A mo-
8 tion to reconsider the vote by which the motion
9 is disposed of shall not be in order.

10 “(D) FLOOR CONSIDERATION.—The joint
11 resolution of approval shall be considered as
12 read. All points of order against the joint reso-
13 lution and against its consideration are waived.
14 The previous question shall be considered as or-
15 dered on the joint resolution to final passage
16 without intervening motion except 2 hours of
17 debate equally divided and controlled by the
18 sponsor of the joint resolution (or a designee)
19 and an opponent. A motion to reconsider the
20 vote on passage of the joint resolution shall not
21 be in order.

22 “(4) CONSIDERATION IN THE SENATE.—

23 “(A) COMMITTEE REFERRAL.—A joint res-
24 olution of approval introduced in the Senate
25 shall be referred to the Committee on Finance.

1 “(B) REPORTING AND DISCHARGE.—If the
2 Committee on Finance has not reported the
3 joint resolution of approval within 10 calendar
4 days after the date of referral of the joint reso-
5 lution, the Committee shall be discharged from
6 further consideration of the joint resolution and
7 the joint resolution shall be placed on the ap-
8 propriate calendar.

9 “(C) PROCEEDING TO CONSIDERATION.—
10 Notwithstanding Rule XXII of the Standing
11 Rules of the Senate, it is in order at any time
12 after the Committee on Finance reports a joint
13 resolution of approval or has been discharged
14 from consideration of such a joint resolution to
15 move to proceed to the consideration of the
16 joint resolution. The motion to proceed is not
17 debatable. The motion is not subject to a mo-
18 tion to postpone. A motion to reconsider the
19 vote by which the motion is agreed to or dis-
20 agreed to shall not be in order.

21 “(D) RULINGS OF THE CHAIR ON PROCE-
22 DURE.—Appeals from the decisions of the Chair
23 relating to the application of the rules of the
24 Senate to the procedure relating to a joint reso-

1 lution of approval shall be decided by the Sen-
2 ate without debate.

3 “(5) TREATMENT OF HOUSE JOINT RESOLU-
4 TION IN SENATE.—

5 “(A) COMMITTEE REFERRAL.—Except as
6 provided in subparagraph (B), a joint resolution
7 of approval that has passed the House of Rep-
8 resentatives shall, when received in the Senate,
9 be referred to the Committee on Finance for
10 consideration in accordance with paragraph (4).

11 “(B) CONSIDERATION OF HOUSE RESOLU-
12 TION.—If a joint resolution of approval was in-
13 troduced in the Senate before receipt of a joint
14 resolution of approval that has passed the
15 House of Representatives—

16 “(i) the joint resolution from the
17 House of Representatives shall, when re-
18 ceived in the Senate, be placed on the cal-
19 endar; and

20 “(ii) the procedures in the Senate
21 with respect to a joint resolution of ap-
22 proval introduced in the Senate shall be
23 the same as if no joint resolution of ap-
24 proval had been received from the House
25 of Representatives, except that the vote on

1 passage in the Senate shall be on the joint
2 resolution that passed the House of Rep-
3 resentatives.

4 “(C) HOUSE RESOLUTION RECEIVED
5 AFTER PASSAGE BY SENATE.—If the Senate
6 passes a joint resolution of approval before re-
7 ceiving a joint resolution of approval from the
8 House of Representatives, the joint resolution
9 of the Senate shall be held at the desk pending
10 receipt of the joint resolution from the House
11 of Representatives. Upon receipt of the joint
12 resolution of approval from the House of Rep-
13 resentatives, such joint resolution shall be
14 deemed to be read twice, considered, read the
15 third time, and passed.

16 “(D) CONSIDERATION OF HOUSE RESOLU-
17 TION IF NO RESOLUTION INTRODUCED IN SEN-
18 ATE.—If the Senate receives a joint resolution
19 of approval from the House of Representatives,
20 and no joint resolution of approval has been in-
21 troduced in the Senate, the procedures de-
22 scribed in paragraph (4) shall apply to consid-
23 eration of the joint resolution of the House.

1 “(6) RULES OF HOUSE OF REPRESENTATIVES
2 AND SENATE.—This subsection is enacted by Con-
3 gress—

4 “(A) as an exercise of the rulemaking
5 power of the Senate and the House of Rep-
6 resentatives, respectively, and as such is deemed
7 a part of the rules of each House, respectively,
8 and supersedes other rules only to the extent
9 that it is inconsistent with such rules; and

10 “(B) with full recognition of the constitu-
11 tional right of either House to change the rules
12 (so far as relating to the procedure of that
13 House) at any time, in the same manner, and
14 to the same extent as in the case of any other
15 rule of that House.

16 **“Subtitle B—Joint Committee on**
17 **Tariffs and Trade**

18 **“SEC. 1011. ESTABLISHMENT OF THE JOINT COMMITTEE ON**
19 **TARIFFS AND TRADE.**

20 “There shall be a joint congressional committee
21 known as the Joint Committee on Tariffs and Trade (in
22 this subtitle referred to as the ‘Joint Committee’).

23 **“SEC. 1012. MEMBERSHIP.**

24 “(a) IN GENERAL.—The Joint Committee shall be
25 composed of 10 members as follows:

1 “(1) FROM COMMITTEE ON FINANCE.—Five
2 members who are members of the Committee on Fi-
3 nance of the Senate, 3 from the majority and 2 from
4 the minority party, to be chosen by such Committee.

5 “(2) FROM COMMITTEE ON WAYS AND
6 MEANS.—Five members who are members of the
7 Committee on Ways and Means of the House of
8 Representatives, 3 from the majority and 2 from the
9 minority party, to be chosen by such Committee.

10 “(b) CHAIRPERSON AND VICE CHAIRPERSON.—

11 “(1) CHAIRPERSON.—The Joint Committee
12 shall be chaired by the Chairperson of the Com-
13 mittee on Ways and Means of the House of Rep-
14 resentatives for the first session of each Congress
15 and by the Chairperson of the Committee on Fi-
16 nance of the Senate for the second session of each
17 Congress.

18 “(2) VICE CHAIRPERSON.—The Chairperson of
19 the Committee on Finance of the Senate shall serve
20 as the Vice Chairperson of the Joint Committee for
21 the first session of each Congress and the Chair-
22 person of the Committee on Ways and Means of the
23 House of Representatives shall serve as the Vice
24 Chairperson of the Joint Committee for the second
25 session of each Congress.

12

1 “(c) TENURE OF OFFICE.—

2 “(1) GENERAL LIMITATION.—Except as pro-
3 vided by paragraph (2), no individual shall continue
4 to serve as a member of the Joint Committee after
5 the individual has ceased to be a member of the
6 Committee by which the individual was chosen.

7 “(2) EXCEPTION.—The members chosen by the
8 Committee on Ways and Means who have been re-
9 elected to the House of Representatives may con-
10 tinue to serve as members of the Joint Committee
11 notwithstanding the expiration of the Congress.

12 “(d) VACANCIES.—

13 “(1) EFFECT.—A vacancy in the Joint Com-
14 mittee shall not affect the power of the remaining
15 members to execute the functions of the Joint Com-
16 mittee.

17 “(2) FILLING VACANCIES.—

18 “(A) IN GENERAL.—Except as provided by
19 subparagraph (B), a vacancy in the Joint Com-
20 mittee shall be filled in the same manner as the
21 original selection.

22 “(B) EXCEPTIONS.—

23 “(i) ADJOURNMENT OR RECESS OF
24 CONGRESS.—If there is a vacancy in the
25 Joint Committee for a period of more than

1 2 weeks during an adjournment or recess
2 of Congress, the members of the Joint
3 Committee who are members of the Com-
4 mittee entitled to fill the vacancy may des-
5 ignate a member of the Committee to serve
6 until the successor of the member is cho-
7 sen in accordance with subsection (a).

8 “(ii) EXPIRATION OF CONGRESS.—If
9 a position of a member of the Joint Com-
10 mittee appointed by the Committee on
11 Ways and Means of the House of Rep-
12 resentatives becomes vacant after the expi-
13 ration of a Congress, the members of the
14 Joint Committee who are members of the
15 Committee on Ways and Means of the
16 House of Representatives may designate
17 an individual who, immediately prior to
18 such expiration, was a member of the
19 Committee on Ways and Means of the
20 House of Representatives and who is re-
21 elected to the House of Representatives to
22 serve until the successor of the member is
23 chosen in accordance with subsection (a).

24 “(e) COMPENSATION AND ALLOWANCES.—Members
25 of the Joint Committee shall serve without compensation

1 in addition to compensation received as Members of Con-
2 gress, but shall be reimbursed for travel, subsistence, and
3 other necessary expenses incurred in the performance of
4 the duties vested in the Joint Committee, other than ex-
5 penses in connection with meetings of the Joint Com-
6 mittee held in the District of Columbia during such times
7 as the Congress is in session.

8 **“SEC. 1013. DUTIES.**

9 “(a) IN GENERAL.—The Joint Committee shall—

10 “(1) conduct reviews of proposals submitted by
11 the President and make recommendations to Con-
12 gress under section 1001 with respect to trade ac-
13 tions;

14 “(2) be responsible for oversight of trade nego-
15 tiations, including through the activities of the Chief
16 Congressional Trade Representative for Negotiations
17 appointed under section 1015(a)(2); and

18 “(3) be responsible for oversight of implementa-
19 tion, compliance, and enforcement of trade agree-
20 ments to which the United States is a party, includ-
21 ing through the activities of the Chief Congressional
22 Trade Representative for Monitoring and Enforce-
23 ment appointed under section 1015(a)(3).

24 “(b) ANNUAL REPORTS.—Not less frequently than
25 annually, the Joint Committee shall submit to the Com-

1 mittee on Finance of the Senate and the Committee on
2 Ways and Means of the House of Representatives a report
3 on the efforts of the Joint Committee to carry out the
4 duties described in subsection (a) during the year pre-
5 ceding submission of the report.

6 **“SEC. 1014. POWERS.**

7 “(a) RELATING TO HEARINGS AND SESSIONS.—The
8 Joint Committee may—

9 “(1) hold hearings and sit and act at such
10 places and times as the Joint Committee deems ad-
11 visable;

12 “(2) require by subpoena (to be issued under
13 the signature of the Chairperson or Vice Chair-
14 person) or otherwise the attendance of witnesses and
15 the production of books, papers, and documents;

16 “(3) administer oaths; and

17 “(4) take testimony.

18 “(b) PRINTING AND BINDING.—The Joint Com-
19 mittee may have such printing and binding done as the
20 Joint Committee deems advisable.

21 “(c) EXPENDITURES.—The Joint Committee may
22 make such expenditures as the Joint Committee deems ad-
23 visable.

1 **“SEC. 1015. STAFF OF JOINT COMMITTEE ON TARIFFS AND**
2 **TRADE.**

3 “(a) APPOINTMENT, EMPLOYMENT, AND COMPENSA-
4 TION.—

5 “(1) CHIEF OF STAFF.—The Joint Committee
6 shall appoint and fix the compensation of a Chief of
7 Staff.

8 “(2) CHIEF CONGRESSIONAL TRADE REP-
9 RESENTATIVE FOR NEGOTIATIONS.—

10 “(A) IN GENERAL.—The Joint Committee
11 shall appoint and fix the compensation of a
12 Chief Congressional Trade Representative for
13 Negotiations.

14 “(B) DUTIES.—The Chief Congressional
15 Trade Representative for Negotiations ap-
16 pointed under subparagraph (A) shall—

17 “(i) be the chief representative of
18 Congress for international trade negotia-
19 tions, including all negotiations in which
20 the United States participates on any mat-
21 ter considered under the auspices of the
22 World Trade Organization or relating to
23 commodities or direct investment;

24 “(ii) be accredited by the United
25 States Trade Representative on behalf of
26 the President as a member of United

1 States delegations to conferences, meet-
2 ings, and negotiating sessions relating to
3 such negotiations; and

4 “(iii) report directly to the Joint Com-
5 mittee, the Committee on Finance of the
6 Senate, and the Committee on Ways and
7 Means of the House of Representatives on
8 the conduct of such negotiations.

9 “(3) CHIEF CONGRESSIONAL TRADE REP-
10 RESENTATIVE FOR MONITORING AND ENFORCE-
11 MENT.—

12 “(A) IN GENERAL.—The Joint Committee
13 shall appoint and fix the compensation of a
14 Chief Congressional Trade Representative for
15 Monitoring and Enforcement.

16 “(B) DUTIES.—The Chief Congressional
17 Trade Representative for Monitoring and En-
18 forcement appointed under subparagraph (A)
19 shall—

20 “(i) be responsible for monitoring—

21 “(I) implementation of and com-
22 pliance with trade agreements to
23 which the United States is a party;
24 and

1 “(II) trade barriers in foreign
2 countries;

3 “(ii) advise on enforcement of trade
4 agreements, including the initiation of dis-
5 pute settlement proceedings under the aus-
6 pices of the World Trade Organization or
7 pursuant to bilateral and regional trade
8 agreements to which the United States is
9 a party;

10 “(iii) be the chief representative of
11 Congress at the Interagency Center on
12 Trade Implementation, Monitoring, and
13 Enforcement; and

14 “(iv) report directly to the Joint Com-
15 mittee, the Committee on Finance of the
16 Senate, and the Committee on Ways and
17 Means of the House of Representatives
18 on—

19 “(I) implementation of, compli-
20 ance with, and enforcement of trade
21 agreements to which the United
22 States is a party; and

23 “(II) trade barriers in foreign
24 countries.

1 “(4) PERMANENT STAFF.—The Joint Com-
2 mittee may employ and fix the compensation of a
3 permanent staff to facilitate the work of the Joint
4 Committee, including economists, attorneys, and
5 other professionals with significant international
6 trade experience.

7 “(b) NON-PARTISANSHIP.—The staff of the Joint
8 Committee shall serve on a professional, nonpartisan
9 basis.

10 **“SEC. 1016. PAYMENT OF EXPENSES.**

11 “The expenses of the Joint Committee shall be paid
12 $\frac{1}{2}$ from the contingent fund of the Senate and $\frac{1}{2}$ from
13 the contingent fund of the House of Representatives, upon
14 vouchers signed by the Chairperson or the Vice Chair-
15 person.”.

16 **TITLE II—WITHDRAWAL OF DEL-**
17 **EGATIONS OF TRADE AU-**
18 **THORITIES**

19 **SEC. 201. REPEAL OF BALANCE-OF-PAYMENTS AUTHORITY.**

20 (a) IN GENERAL.—Section 122 of the Trade Act of
21 1974 (19 U.S.C. 2132) is repealed.

22 (b) CLERICAL AMENDMENT.—The table of contents
23 for the Trade Act of 1974 is amended by striking the item
24 relating to section 122.

1 (c) CONFORMING AMENDMENT.—Section 127(b) of
2 the Trade Act of 1974 (19 U.S.C. 2137(b)) is amended,
3 in the matter preceding subparagraph (A), by striking
4 “(and from any action under section 122(c))”.

5 **SEC. 202. REPEAL OF AUTHORITY TO IMPOSE DUTIES IN**
6 **RESPONSE TO DISCRIMINATION BY FOREIGN**
7 **COUNTRIES.**

8 (a) IN GENERAL.—Section 338 of the Tariff Act of
9 1930 (19 U.S.C. 1338) is repealed.

10 (b) CONFORMING AMENDMENT.—Section 337(m) of
11 the Tariff Act of 1930 (19 U.S.C. 1337(m)) is amended
12 by striking “and sections 338 and 340”.

13 **SEC. 203. MODIFICATION OF AUTHORITY TO TAKE ACTION**
14 **IN RESPONSE TO UNFAIR TRADE PRACTICES.**

15 (a) ACTIONS OF TRADE REPRESENTATIVE.—Section
16 301(c) of the Trade Act of 1974 (19 U.S.C. 2411(c)) is
17 amended by adding at the end:

18 “(7) Any action taken by the Trade Represent-
19 ative under this section shall be subject to the re-
20 quirements of section 1001 of the Tariff Act of
21 1930.”.

22 (b) IMPLEMENTATION OF ACTIONS.—Section 305(a)
23 of the Trade Act of 1974 (19 U.S.C. 2415(a)) is amend-
24 ed—

1 (1) in paragraph (1), by striking “paragraph
2 (2)” and inserting “paragraphs (2) and (3)”; and

3 (2) by adding at the end the following:

4 “(3) The Trade Representative may not imple-
5 ment any action under section 301 unless there is
6 enacted into law, in accordance with section 1001 of
7 the Tariff Act of 1930, a joint resolution approving
8 the action.”.

9 (c) MODIFICATION AND TERMINATION OF AC-
10 TIONS.—Section 307 of the Trade Act of 1974 (19 U.S.C.
11 2417) is amended to read as follows:

12 **“SEC. 307. MODIFICATION AND TERMINATION OF ACTIONS.**

13 “(a) IN GENERAL.—Subject to the requirements of
14 section 1001 of the Tariff Act of 1930, the Trade Rep-
15 resentative may modify or terminate any action, subject
16 to the specific direction, if any, of the President with re-
17 spect to such action, that is being taken under section 301
18 if—

19 “(1) any of the conditions described in section
20 301(a)(2) exist;

21 “(2) the burden or restriction on United States
22 commerce of the denial rights, or of the acts, poli-
23 cies, and practices, that are the subject of such ac-
24 tion has increased or decreased; or

1 “(3) such action is being taken under section
2 301(b) and is no longer appropriate.

3 “(b) CONSULTATION REQUIREMENT.—Before taking
4 any action under subsection (a) to modify or terminate
5 any action taken under section 301, the Trade Represent-
6 ative shall consult with the petitioner, if any, and with
7 representatives of the domestic industry concerned, and
8 shall provide opportunity for the presentation of views by
9 other interested persons affected by the proposed modi-
10 fication or termination concerning the effects of the modi-
11 fication or termination and whether any modification or
12 termination of the action is appropriate.”.

13 **SEC. 204. MODIFICATION OF AUTHORITY TO TAKE ACTION**
14 **IN RESPONSE TO THREATS TO NATIONAL SE-**
15 **CURITY.**

16 Section 232 of the Trade Expansion Act of 1962 (19
17 U.S.C. 1862) is amended—

18 (1) in subsection (c)—

19 (A) in paragraph (1)—

20 (i) in subparagraph (A), by striking
21 “the President shall—” and all that fol-
22 lows through the period and inserting “the
23 President shall determine whether the
24 President concurs with the finding of the
25 Secretary.”;

1 (ii) by amending subparagraph (B) to
2 read as follows:

3 “(B) If the President concurs under subparagraph
4 (A) with the finding of the Secretary with respect to an
5 article, the President shall—

6 “(i) determine the nature and duration of the
7 action that, in the judgment of the President, must
8 be taken to adjust the imports of the article and its
9 derivatives so that such imports will not threaten to
10 impair the national security; and

11 “(ii) not later than 15 days the date on which
12 the President makes a determination under clause
13 (i) and in accordance with section 1001 of the Tariff
14 Act of 1930, submit to Congress a proposal for ac-
15 tion and a written statement supporting the deter-
16 mination of the President.

17 “(C) If the President does not concur under subpara-
18 graph (A) with the finding of the Secretary, the President
19 shall, not later than 30 days after the date on which the
20 President makes a determination under subparagraph (A),
21 submit to the Congress a written statement supporting the
22 determination of the President.”;

23 (B) by striking paragraph (2);

24 (C) by redesignating paragraph (3) as
25 paragraph (2); and

1 (D) in paragraph (2)(A)(ii), as so redesign-
2 nated—

3 (i) in subclause (I), by striking “para-
4 graph (1)(A)” and inserting “paragraph
5 (1)(B)”; and

6 (ii) in the matter following subclause
7 (II), by striking “the President shall take”
8 and inserting “the President shall, subject
9 to the requirements of section 1001 of the
10 Tariff Act of 1930, take”;

11 (2) by redesignating the second subsection (d)
12 as subsection (e);

13 (3) in subsection (e), as so redesignated, by
14 amending paragraph (2) to read as follows:

15 “(2) A report submitted under paragraph (1)
16 shall include the written statement supporting the
17 determination of the President described in subpara-
18 graphs (B) and (C) of subsection (c)(1).”; and

19 (4) by striking subsection (f).

20 **SEC. 205. MODIFICATION OF AUTHORITY TO TAKE ACTION**
21 **IN RESPONSE TO IMPORT COMPETITION.**

22 (a) ACTION TO FACILITATE POSITIVE ADJUSTMENT
23 TO IMPORT COMPETITION.—Section 201(a) of the Trade
24 Act of 1974 (19 U.S.C. 2251(a)) is amended—

1 (1) in the heading, by striking “PRESIDENTIAL
2 ACTION” and inserting “PROPOSED ACTION”; and

3 (2) by striking “, shall take all appropriate and
4 feasible action within his power” and inserting “and
5 subject to the requirements of section 1001 of the
6 Tariff Act of 1930, shall propose any appropriate
7 and feasible action”.

8 (b) PROVISIONAL RELIEF.—Section 202 of the Trade
9 Act of 1974 (19 U.S.C. 2252) is amended—

10 (1) in subsection (d)(4)—

11 (A) in subparagraph (A)—

12 (i) by amending clause (ii) to read as
13 follows:

14 “(ii) in the case of an action described
15 in subparagraph (A) or (C) of section
16 203(a)(3), a joint resolution approving the
17 action is enacted into law in accordance
18 with section 1001 of the Tariff Act of
19 1930;”;

20 (ii) in clause (iii), by striking “take”
21 and inserting “propose”; and

22 (iii) in cause (iv), by striking “when-
23 ever”;

24 (B) in subparagraph (C), by striking “pro-
25 claimed under section 203” and inserting “pro-

1 posed under section 203, and with respect to
2 which a joint resolution of approval is enacted
3 into law, in accordance with section 1001 of the
4 Tariff Act of 1930,”; and

5 (C) in subparagraph (D), by striking “pro-
6 claimed under section 203 regarding such arti-
7 cle” and inserting “proposed under section 203
8 regarding such article (or such an increase or
9 imposition is proposed, but a joint resolution
10 approving the increase or imposition is not en-
11 acted in accordance with section 1001 of the
12 Tariff Act of 1930)”

13 (2) in subsection (e)(4)(A), by striking “ini-
14 tiate” and inserting “propose to initiate”; and

15 (3) in subsection (h)(2)—

16 (A) by striking “take action” and inserting
17 “propose action”; and

18 (B) by striking “section 203(e)(7)” and in-
19 serting “section 203(d)(7)”.

20 (c) DETERMINATION OF IMPORT INJURY.—Section
21 203 of the Trade Act of 1974 (19 U.S.C. 2253) is amend-
22 ed—

23 (1) in the heading, by striking “**ACTION BY**
24 **PRESIDENT**” and inserting “**PROPOSED AC-**
25 **TION**”;

1 (2) in subsection (a)—

2 (A) in paragraph (1)—

3 (i) in subparagraph (A), by striking
4 “take all appropriate and feasible action
5 within his power” and inserting “propose,
6 pursuant to the requirements of section
7 1001 of the Tariff Act of 1930, all appro-
8 priate and feasible action”;

9 (ii) by amending subparagraph (B) to
10 read as follows:

11 “(B) Any action proposed by the President
12 under subparagraph (A) shall be subject to the
13 limitations described in subsection (d).”; and

14 (iii) in subparagraph (C), by striking
15 “take” and inserting “propose”;

16 (B) in paragraph (2)—

17 (i) in the matter preceding subpara-
18 graph (A), by striking “to take” and in-
19 serting “to propose”;

20 (ii) in subparagraph (D), by striking
21 “actions authorized under” and inserting
22 “actions described in”; and

23 (iii) in subparagraph (E), by striking
24 “actions authorized under” and inserting
25 “actions described in”;

- 1 (C) in paragraph (3)—
- 2 (i) in the matter preceding subpara-
- 3 graph (A)—
- 4 (I) by striking “taking action”
- 5 and inserting “proposing an action”;
- 6 and
- 7 (II) by striking “paragraph (1)—
- 8 ” and inserting “paragraph (1) con-
- 9 sider—”;
- 10 (ii) by striking “proclaim” each place
- 11 it appears;
- 12 (iii) in subparagraph (D), by striking
- 13 “implement” and inserting “imple-
- 14 menting”;
- 15 (iv) in subparagraph (E), by striking
- 16 “negotiate, conclude, and carry out” and
- 17 inserting “negotiating, concluding, and
- 18 carrying out”;
- 19 (v) in subparagraph (G), by striking
- 20 “initiate” and inserting “initiating”;
- 21 (vi) by striking subparagraph (H);
- 22 (vii) by redesignating subparagraphs
- 23 (I) and (J) as subparagraphs (H) and (I),
- 24 respectively;

1 (viii) in subparagraph (H), as so re-
2 designated—

3 (I) by striking “take” and insert-
4 ing “proposing”; and

5 (II) by striking “which may be
6 taken by the President under the au-
7 thority of law and”; and

8 (ix) in subparagraph (I), as so redes-
9 ignated—

10 (I) by striking “take” and insert-
11 ing “proposing”; and

12 (II) by striking “subparagraphs
13 (A) through (I)” and inserting “sub-
14 paragraphs (A) through (H)”; and

15 (D) in paragraph (4)—

16 (i) in subparagraph (A), by striking
17 “take action” and inserting “propose ac-
18 tion”;

19 (ii) in subparagraph (B)—

20 (I) by striking “take action” and
21 inserting “propose action”; and

22 (II) by striking “taken later” and
23 inserting “proposed later”;

24 (3) in subsection (b)—

25 (A) in paragraph (1)—

1 (i) by striking “takes action” and in-
2 serting “proposes action”;

3 (ii) by striking “the action and the
4 reasons for taking the action” and insert-
5 ing “the proposed action and the reasons
6 for the proposed action”; and

7 (iii) by striking “the action taken”
8 and inserting “the action proposed”;

9 (B) in paragraph (2), by striking “to take”
10 and inserting “to propose”; and

11 (C) in paragraph (3)—

12 (i) by striking “takes any action” and
13 inserting “proposes any action”; and

14 (ii) by striking “the action being
15 taken” and inserting “the action being
16 proposed”;

17 (4) in subsection (c)—

18 (A) in paragraph (1), by striking “action
19 taken” and inserting “action proposed”; and

20 (B) in paragraph (2)—

21 (i) by striking “will be taken” and in-
22 serting “will be proposed”; and

23 (ii) by striking “(as provided in sub-
24 section (d)(2))”;

25 (5) by striking subsection (d);

1 (6) by redesignating subsection (e) as sub-
2 section (d);

3 (7) in subsection (d), as so redesignated—

4 (A) in paragraph(1)—

5 (i) in subparagraph (A), in the first
6 sentence, by striking “action taken” and
7 inserting “action proposed”;

8 (ii) in subparagraph (B), by striking
9 “may extend” and inserting “may propose
10 extending”;

11 (B) in paragraph (2), by striking “taken
12 under” and inserting “proposed under”;

13 (C) in paragraph (3), by striking “taken”
14 each place it appears and inserting “proposed”;

15 (D) in paragraph (4)—

16 (i) by striking “action taken” and in-
17 serting “action proposed”; and

18 (ii) by striking “proclaiming” and in-
19 serting “regarding”;

20 (E) in paragraph (6)—

21 (i) in subparagraph (A), in the matter
22 preceding clause (i), by striking “action
23 taken” and inserting “action proposed”;
24 and

- 1 (ii) in subparagraph (B), by striking
2 “proclamation” and inserting “proposal”;
3 and
4 (F) in paragraph (7)—
5 (i) in subparagraph (A), in the matter
6 preceding clause (i), by striking “may be
7 taken” and inserting “may be proposed”;
8 and
9 (ii) in subparagraph (B)—
10 (I) in the matter preceding clause
11 (i), by striking “may take” and insert-
12 ing “may propose”; and
13 (II) in clause (ii), by striking
14 “been taken” and inserting “been pro-
15 posed”;
16 (8) by striking subsection (f);
17 (9) by redesignating subsection (g) as sub-
18 section (e); and
19 (10) in subsection (e), as so redesignated—
20 (A) by striking paragraph (2); and
21 (B) by redesignating paragraph (3) as
22 paragraph (2).

1 **TITLE III—OTHER MATTERS**

2 **SEC. 301. REQUIREMENT THAT ANY TRADE AGREEMENT**
3 **THAT BINDS THE UNITED STATES FIRST BE**
4 **APPROVED BY LAW.**

5 (a) IN GENERAL.—Title I of the Trade Act of 1974
6 (19 U.S.C. 2111 et seq.) is amended by adding at the end
7 the following:

8 **“CHAPTER 9—OTHER MATTERS**

9 **“SEC. 191. APPROVAL BY LAW OF TRADE AGREEMENTS**
10 **THAT BIND THE UNITED STATES.**

11 “(a) IN GENERAL.—No trade agreement that binds
12 the United States shall have force or effect until the agree-
13 ment is approved by an Act of Congress.

14 “(b) TRADE AGREEMENT THAT BINDS THE UNITED
15 STATES DEFINED.—In this section, the term ‘trade agree-
16 ment that binds the United States’ means an agreement
17 concerning international trade in goods or services, com-
18 pliance with which would require the United States to
19 change or maintain current law.”.

20 (b) CLERICAL AMENDMENT.—The table of contents
21 for the Trade Act of 1974 is amended by inserting after
22 the item relating to section 182 the following:

“CHAPTER 9—OTHER MATTERS”

“Sec. 191. Approval by law of trade agreements that bind the United States.”.

1 **SEC. 302. ESTABLISHMENT OF OFFICE OF THE UNITED**
2 **STATES TRADE REPRESENTATIVE OUTSIDE**
3 **THE EXECUTIVE OFFICE OF THE PRESIDENT.**

4 (a) IN GENERAL.—Section 141(a) of the Trade Act
5 of 1974 (19 U.S.C. 2171(a)) is amended to read as fol-
6 lows:

7 “(a) There is established an agency, to be known as
8 the ‘Office of the United States Trade Representative’ (in
9 this section referred to as the ‘Office’), which shall be
10 under the general direction and supervision of the Presi-
11 dent and shall not be affiliated with or be within any other
12 agency or department of the Federal Government.”.

13 (b) OFFICIALS OF THE OFFICE OF THE UNITED
14 STATES TRADE REPRESENTATIVE.—Section 141(b) of the
15 Trade Act of 1974 (19 U.S.C. 2171(b)) is amended—

16 (1) in paragraph (1), in the third sentence—

17 (A) by striking “shall hold office at the
18 pleasure of the President,”; and

19 (B) by striking “mission, and” and insert-
20 ing “mission and”; and

21 (2) in paragraph (2), in the third sentence, by
22 striking “shall hold office at the pleasure of the
23 President and”.

1 **SEC. 303. ESTABLISHMENT OF INSPECTOR GENERAL OF**
2 **THE OFFICE OF THE UNITED STATES TRADE**
3 **REPRESENTATIVE.**

4 (a) DEFINITIONS.—Section 401 of title 5, United
5 States Code, is amended—

6 (1) in paragraph (1), by striking “or the Na-
7 tional Reconnaissance Office,” and inserting “the
8 National Reconnaissance Office, or the Office of the
9 United States Trade Representative,”; and

10 (2) in paragraph (3), by striking “or the Direc-
11 tor of the National Reconnaissance Office;” and in-
12 serting “the Director of the National Reconnaiss-
13 sance Office; or the United States Trade Represent-
14 ative;”.

15 (b) APPOINTMENT OF INSPECTOR GENERAL.—Not
16 later than 120 days after the date of the enactment of
17 this Act, the President shall appoint an individual to serve
18 as the Inspector General of the Office for the United
19 States Trade Representative in accordance with section
20 403(a) of title 5, United States Code.