

109TH CONGRESS  
1ST SESSION

# H. R. 885

To authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Ukraine.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2005

Mr. HYDE (for himself, Mr. LANTOS, Mr. SMITH of New Jersey, and Mr. BERMAN) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Ukraine.

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. FINDINGS.**

4 Congress finds that—

5 (1) Ukraine—

6 (A) has made considerable progress toward  
7 respecting fundamental human rights consistent  
8 with the objectives of title IV of the Trade Act  
9 of 1974;

1 (B) has adopted administrative procedures  
2 that accord its citizens the right to emigrate,  
3 travel freely, and to return to their country  
4 without restriction;

5 (C) has been found to be in full compliance  
6 with the freedom of emigration provisions in  
7 title IV of the Trade Act of 1974;

8 (D) has made great progress toward the  
9 establishment of a genuine democracy and the  
10 creation of a free market economic system;

11 (E) has demonstrated a commitment to  
12 adopting the full range of internationally recog-  
13 nized core labor standards and to continuing to  
14 improve the effective enforcement of its laws re-  
15 flecting such standards;

16 (F) has committed to developing a system  
17 of governance in accordance with the provisions  
18 of the Final Act of the Conference on Security  
19 and Cooperation in Europe (also known as the  
20 “Helsinki Final Act”) regarding human rights  
21 and humanitarian affairs;

22 (G) has endeavored to address issues re-  
23 lated to its national and religious minorities  
24 and, as a member state of the Organization for  
25 Security and Cooperation in Europe (OSCE),

1 committed to adopting special measures for en-  
2 suring that persons belonging to national mi-  
3 norities have full equality individually as well as  
4 in community with other members of their  
5 group;

6 (H) has enacted legislation to provide pro-  
7 tection against incitement to violence against  
8 persons or groups based on national, racial, eth-  
9 nic, or religious discrimination, including anti-  
10 Semitism, and has committed itself, including  
11 through a December 17, 2001, letter from the  
12 President of Ukraine to the President of the  
13 United States, to ensuring freedom of religion  
14 and combating racial and ethnic intolerance and  
15 hatred;

16 (I) has continued to return communal  
17 properties confiscated from national and reli-  
18 gious minorities during the Soviet period, facili-  
19 tating the reemergence of these communities in  
20 the national life of Ukraine, and establishing  
21 the legal framework for completion of this proc-  
22 ess in the future;

23 (J) has concluded a bilateral trade agree-  
24 ment with the United States in 1992 and a bi-  
25 lateral investment treaty in 1994;

1           (K) has demonstrated a strong desire to  
2           build a friendly and cooperative relationship  
3           with the United States; and

4           (L) is seeking admission to the World  
5           Trade Organization (WTO) on an expedited  
6           basis; and

7           (2) extension of unconditional normal trade re-  
8           lations treatment to the products of Ukraine will en-  
9           able the United States to avail itself of all rights  
10          under the World Trade Organization with respect to  
11          Ukraine.

12 **SEC. 2. TERMINATION OF APPLICATION OF TITLE IV OF**  
13 **THE TRADE ACT OF 1974 TO UKRAINE.**

14          (a) **PRESIDENTIAL DETERMINATIONS AND EXTEN-**  
15 **SIONS OF NONDISCRIMINATORY TREATMENT.**—Notwith-  
16 standing any provision of title IV of the Trade Act of 1974  
17 (19 U.S.C. 2431 et seq.), the President may—

18           (1) determine that such title should no longer  
19           apply to Ukraine; and

20           (2) after making a determination under para-  
21           graph (1) with respect to Ukraine, proclaim the ex-  
22           tension of nondiscriminatory treatment (normal  
23           trade relations treatment) to the products of that  
24           country.

1           (b) TERMINATION OF APPLICATION OF TITLE IV.—  
2 On and after the effective date of the extension under sub-  
3 section (a)(2) of nondiscriminatory treatment to the prod-  
4 ucts of Ukraine, title IV of the Trade Act of 1974 shall  
5 cease to apply to that country.

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