

119TH CONGRESS  
2D SESSION

# S. 5081

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

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IN THE SENATE OF THE UNITED STATES

JULY 22, 2026

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

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## 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-  
21minate not later than the date that is 180 days after  
22 the date specified in paragraph (1).

23 “(c) EXTENSION, MODIFICATION, AND TERMI-  
24 NATION.—An action approved in accordance with sub-

1 section (a) may be extended for additional periods of 180  
2 days, modified, 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 1930 submitted 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 REPRESENTATIVES.—

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 THE HOUSE OF REPRESENTA-  
 2           TIVES AND SENATE.—This subsection is enacted by  
 3           Congress—

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.

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.”; and

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 clause (iv), by striking “when-  
23 ever”;

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

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

(C) in subparagraph (D), by striking “proclaimed under section 203 regarding such article” and inserting “proposed under section 203 regarding such article (or such an increase or imposition is proposed, but a joint resolution approving the increase or imposition is not enacted in accordance with section 1001 of the Tariff Act of 1930)”;

(2) in subsection (e)(4)(A), by striking “initiate” and inserting “propose to initiate”; and

(3) in subsection (h)(2)—

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

(B) by striking “section 203(e)(7)” and inserting “section 203(d)(7)”.

(c) DETERMINATION OF IMPORT INJURY.—Section 203 of the Trade Act of 1974 (19 U.S.C. 2253) is amended—

(1) in the heading, by striking “**ACTION BY PRESIDENT**” and inserting “**PROPOSED ACTION**”;

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”; and

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”; and

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.

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