

107TH CONGRESS
2D SESSION

H. R. 3939

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2002

Ms. KAPTUR introduced the following bill; which was referred to the
Committee on Ways and Means

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 Ukraine—

5 (1) became an independent nation on August
6 24, 1991, and adopted a national constitution on
7 June 28, 1996;

8 (2) allows its citizens the right and opportunity
9 to emigrate, free of any heavy tax on emigration or
10 on the visas or other documents required for emigra-

1 tion and free of any tax, levy, fine, fee, or other
 2 charge on any citizens as a consequence of the desire
 3 of such citizens to emigrate to the country of their
 4 choice;

5 (3) has fully complied with the freedom of emi-
 6 gration requirements under title IV of the Trade Act
 7 of 1974 since 1994;

8 (4) is partner to the United States–Ukraine
 9 Trade Agreement, providing most-favored-nation
 10 tariff treatment to the products of each country ef-
 11 fective June 22, 1992, and is in the process of ac-
 12 ceding to the World Trade Organization (WTO);
 13 and

14 (5) seeks to establish diplomatic and economic
 15 links with other nations by participating in inter-
 16 national organizations and agreements, including the
 17 Organization for Security and Cooperation in Eu-
 18 rope (OSCE), the North Atlantic Cooperation Coun-
 19 cil, NATO’s Partnership for Peace, and the Euro-
 20 pean Union’s Partnership and Cooperation Agree-
 21 ment.

22 **SEC. 2. TERMINATION OF APPLICATION OF TITLE IV OF**
 23 **THE TRADE ACT OF 1974 TO UKRAINE.**

24 (a) PRESIDENTIAL DETERMINATIONS AND EXTEN-
 25 SIONS OF NONDISCRIMINATORY TREATMENT.—Notwith-

1 standing any provision of title IV of the Trade Act of 1974
2 (19 U.S.C. 2431 et seq.), the President may—

3 (1) subject to subsection (c), determine that
4 such title should no longer apply to Ukraine; and

5 (2) after making a determination under para-
6 graph (1) with respect to Ukraine, proclaim the ex-
7 tension of nondiscriminatory treatment (normal
8 trade relations treatment) to the products of that
9 country.

10 (b) TERMINATION OF APPLICATION OF TITLE IV.—

11 On and after the effective date of the extension under sub-
12 section (a)(2) of nondiscriminatory treatment to the prod-
13 ucts of Ukraine, title IV of the Trade Act of 1974 shall
14 cease to apply to that country.

15 (c) CERTIFICATION REQUIREMENT.—The President
16 may make a determination described in subsection (a)(1)
17 only if the President first certifies to Congress that the
18 Government of Ukraine—

19 (1) has adopted and instituted policies that re-
20 move undue restrictions and harassment on labor or-
21 ganizations to freely associate, according to inter-
22 nationally recognized labor rights;

23 (2) takes additional positive steps to transfer
24 places of worship and related religious property for
25 all confessions to their original owners;

1 (3) has established an independent legal and ju-
2 dicial system with rule of law that is free of political
3 interference and corruption;

4 (4) is committed to providing funding and ad-
5 ministrative support for reforms of the legislature;

6 (5) demonstrates a firm commitment to free-
7 dom of the press by prohibiting physical harm and
8 intimidation of journalists through such means as
9 prevention of abuse of tax and libel laws;

10 (6) adopts and vigorously enforces laws to pro-
11 hibit the trafficking of women and of illicit narcotics;

12 (7) accelerates governmental structural reform
13 and land privatization;

14 (8) adopts a more comprehensive program to
15 protect the environment;

16 (9) supports internationally-recognized stand-
17 ards of transparency and monitoring of elections;
18 and

19 (10) remedies trade disputes involving violation
20 of intellectual property rights, transshipment of
21 counterfeit goods, and dumping of such products as
22 steel into the United States market in such in-
23 creased quantities as to cause harm to the domestic
24 industry.

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