

107TH CONGRESS  
1ST SESSION

S. 226

To establish a Northern Border States-Canada Trade Council, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 31, 2001

Ms. SNOWE (for herself, Mr. JEFFORDS, and Mr. VOINOVICH) introduced the following bill; which was read twice and referred to the Committee on Finance

# A BILL

To establish a Northern Border States-Canada Trade Council, 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.

4 This Act may be cited as the "Northern Border  
5 States Council Act".

## 6 SEC. 2. ESTABLISHMENT OF COUNCIL.

7 (a) ESTABLISHMENT.—There is established a council  
8 to be known as the Northern Border States-Canada Trade  
9 Council (in this Act referred to as the “Council”).

## 10 (b) MEMBERSHIP.—

4 (A) Maine.

5 (B) New Hampshire.

6 (C) Vermont.

7 (D) New York.

8 (E) Michigan.

9 (F) Minnesota.

10 (G) Wisconsin

11 (H) North Da

12 (I) Montana.

13 (J) Idaho.

14 (K) Washington.

15 (L) Alaska.

24 (c) PERIOD OF APPOINTMENT: VACANCIES.—Mem-

25 bers shall be appointed for terms that are coterminous

1 with the term of the Governor of the State who nominated  
2 the member. Any vacancy in the Council shall not affect  
3 its powers, but shall be filled in the same manner as the  
4 original appointment.

5 (d) INITIAL MEETING.—Not later than 30 days after  
6 the date on which all members of the Council have been  
7 appointed, the Council shall hold its first meeting.

8 (e) MEETINGS.—The Council shall meet at the call  
9 of the Chairperson.

10 (f) QUORUM.—A majority of the members of the  
11 Council shall constitute a quorum, but a lesser number  
12 of members may hold hearings.

13 (g) CHAIRPERSON AND VICE CHAIRPERSON.—The  
14 Council shall select a Chairperson and Vice Chairperson  
15 from among its members. The Chairperson and Vice  
16 Chairperson shall each serve in their respective positions  
17 for a period of 2 years, unless such member's term is ter-  
18 minated before the end of the 2-year period.

19 **SEC. 3. DUTIES OF THE COUNCIL.**

20 (a) IN GENERAL.—The duties and responsibilities of  
21 the Council shall include—

22 (1) advising the President, the Congress, the  
23 United States Trade Representative, the Secretary,  
24 and other appropriate Federal and State officials,  
25 with respect to—

1 (A) the development and administration of  
2 United States-Canada trade policies, practices,  
3 and relations,

(B) taxation and regulation of cross-border wholesale and retail trade in goods and services between the United States and Canada,

7 (C) taxation, regulation, and subsidization  
8 of agricultural products, energy products, and  
9 forest products, and

10 (D) the potential for any United States or  
11 Canadian customs or immigration law or policy  
12 to result in a barrier to trade between the  
13 United States and Canada;

1       (b) RESPONSE TO REQUESTS BY CERTAIN PEO-  
2       PLE.—

3               (1) IN GENERAL.—Upon the request of the  
4       United States Trade Representative, the Secretary,  
5       a Member of Congress who represents a Council-  
6       member State, or the Governor of a Council-member  
7       State, the Council shall review and comment on—

8                       (A) reports of the Federal Government and  
9       reports of a Council-member State government  
10      concerning United States-Canada trade;

11                      (B) reports of a binational panel or review  
12      established pursuant to chapter 19 of the North  
13      American Free Trade Agreement concerning  
14      the settlement of a dispute between the United  
15      States and Canada;

16                      (C) reports of an arbitral panel established  
17      pursuant to chapter 20 of the North American  
18      Free Trade Agreement concerning the settle-  
19      ment of a dispute between the United States  
20      and Canada; and

21                      (D) reports of a panel or Appellate Body  
22      established pursuant to the General Agreement  
23      on Tariffs and Trade concerning the settlement  
24      of a dispute between the United States and  
25      Canada.

7 (c) COUNCIL-MEMBER STATE.—For purposes of this  
8 section, the term “Council-member State” means a State  
9 described in section 2(b)(1) which is represented on the  
10 Council established under section 2(a).

## 11 SEC. 4. REPORT TO CONGRESS.

12        Not later than 2 years after the date of enactment  
13 of this Act and at the end of each 2-year period thereafter,  
14 the Council shall submit a report to the President and the  
15 Congress which contains a detailed statement of the find-  
16 ings, conclusions, and recommendations of the Council.

## 17 SEC. 5. POWERS OF THE COUNCIL.

18       (a) HEARINGS.—The Council may hold such hear-  
19 ings, sit and act at such times and places, take such testi-  
20 mony, and receive such evidence as the Council considers  
21 advisable to carry out the provisions of this Act. Notice  
22 of Council hearings shall be published in the Federal Reg-  
23 ister in a timely manner.

24 (b) INFORMATION FROM FEDERAL AGENCIES.—The  
25 Council may secure directly from any Federal department

1 or agency such information as the Council considers nec-  
2 essary to carry out the provisions of this Act. Upon the  
3 request of the Chairperson of the Council, the head of such  
4 department or agency shall furnish such information to  
5 the Council.

6 (c) POSTAL SERVICES.—The Council may use the  
7 United States mails in the same manner and under the  
8 same conditions as other departments and agencies of the  
9 Federal Government.

10 (d) GIFTS.—The Council may accept, use, and dis-  
11 pose of gifts or donations of services or property.

12 **SEC. 6. COUNCIL PERSONNEL MATTERS.**

13 (a) MEMBERS TO SERVE WITHOUT COMPENSA-  
14 TION.—Except as provided in subsection (b), members of  
15 the Council shall receive no compensation, allowances, or  
16 benefits by reason of service to the Council.

17 (b) TRAVEL EXPENSES.—The members of the Coun-  
18 cil shall be allowed travel expenses, including per diem in  
19 lieu of subsistence, at rates authorized for employees of  
20 agencies under subchapter I of chapter 57 of title 5,  
21 United States Code, while away from their homes or reg-  
22 ular places of business in the performance of services for  
23 the Council.

24 (c) STAFF.—

18 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any  
19 Federal Government employee may be detailed to the  
20 Council without reimbursement, and such detail shall be  
21 without interruption or loss of civil service status or privi-  
22 lege.

23 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-  
24 TENT SERVICES.—The Chairperson of the Council may  
25 procure temporary and intermittent services under section

1 3109(b) of title 5, United States Code, at rates for individ-  
2 uals which do not exceed the daily equivalent of the annual  
3 rate of basic pay prescribed for level V of the Executive  
4 Schedule under section 5316 of such title.

5 (f) OFFICE SPACE.—The Secretary shall provide of-  
6 fice space for Council activities and for Council personnel.

7 **SEC. 7. TERMINATION OF THE COUNCIL.**

8 The Council shall terminate on the date that is 54  
9 months after the date of enactment of this Act and shall  
10 submit a final report to the President and the Congress  
11 under section 4 at least 90 days before such termination.

12 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) IN GENERAL.—There are authorized to be appro-  
14 priated an amount not to exceed \$250,000 for fiscal year  
15 2002 and for each fiscal year thereafter to the Council  
16 to carry out the provisions of this Act.

17 (b) AVAILABILITY.—Any sums appropriated pursu-  
18 ant to this section shall remain available, without fiscal  
19 year limitation, until expended.

