

107TH CONGRESS
2D SESSION

S. 3151

To authorize negotiation of free trade agreements with Afghanistan, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 13, 2002

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

A BILL

To authorize negotiation of free trade agreements with
Afghanistan, 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 “Afghanistan Free
5 Trade Agreement Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The economic prosperity of the United
9 States and Afghanistan will increase by reducing
10 trade barriers.

1 (2) Trade protection endangers economic pros-
2 perity in the United States and Afghanistan and un-
3 dermines civil liberty and constitutionally limited
4 government.

5 (3) Free trade between the United States and
6 Afghanistan will help in strengthening of Afghani-
7 stan's economic security.

8 (4) The successful establishment of a North
9 American Free Trade Area sets the pattern for the
10 reduction of trade barriers throughout the world, en-
11 hancing prosperity in place of the cycle of increasing
12 trade barriers, and deepening poverty that results
13 from a resort to protectionism and trade retaliation.

14 (5) The reduction of government interference in
15 the foreign and domestic sectors of a nation's econ-
16 omy and the concomitant promotion of economic op-
17 portunity and freedoms promote civil liberty and
18 constitutionally limited government.

19 (6) Countries that observe a consistent policy of
20 free trade, the promotion of free enterprise and
21 other economic freedoms (including effective protec-
22 tion of private property rights), and the removal of
23 barriers to foreign direct investment, in the context
24 of constitutionally limited government and minimal
25 interference in the economy, will follow the surest

1 and most effective prescription to alleviate poverty
2 and provide for economic, social, and political devel-
3 opment.

4 **SEC. 3. FREE TRADE AGREEMENT WITH AFGHANISTAN.**

5 (a) IN GENERAL.—The President shall take action
6 to initiate negotiations to obtain trade agreements with
7 Afghanistan, the terms of which provide for the reduction
8 and ultimate elimination of tariffs and other nontariff bar-
9 riers to trade.

10 (b) RECIPROCAL BASIS.—An agreement entered into
11 under subsection (a) shall be reciprocal and provide mu-
12 tual reductions in trade barriers to promote trade, eco-
13 nomic growth, and employment.

14 **SEC. 4. FAST-TRACK CONSIDERATION OF IMPLEMENTING**
15 **BILLS.**

16 (a) IN GENERAL.—Notwithstanding the
17 prenegotiation notification and consultation requirement
18 described in section 2104(a) of the Bipartisan Trade Pro-
19 motion Authority Act of 2002 (19 U.S.C. 3804(a)), sub-
20 section (b) shall apply to any agreement negotiated under
21 section 3(a), subject to subsection (c).

22 (b) TREATMENT OF AGREEMENTS.—Subject to sub-
23 section (c), in the case of any agreement to which sub-
24 section (a) applies—

1 (1) the applicability of the trade authorities
2 procedures to implementing bills shall be determined
3 without regard to the requirements of section
4 2104(a) of the Bipartisan Trade Promotion Author-
5 ity Act of 2002 (19 U.S.C. 3804(a)) (relating only
6 to 90 days notice prior to initiating negotiations),
7 and any procedural disapproval resolution under sec-
8 tion 2105(b)(1)(B) of such Act shall not be in order
9 on the basis of a failure or refusal to comply with
10 the provisions of section 2104(a) of such Act; and

11 (2) the President shall, as soon as feasible after
12 the commencement of negotiations under section
13 3(a)—

14 (A) notify the Congress of such negotia-
15 tions, the specific United States objectives in
16 the negotiations, and whether the President is
17 seeking a new agreement or changes to an ex-
18 isting agreement; and

19 (B) before and after submission of the no-
20 tice, consult regarding the negotiations with the
21 committees referred to in section 2104(a)(2) of
22 such Act and the Congressional Oversight
23 Group convened under section 2107 of such
24 Act.

1 (c) TERMINATION OF AUTHORITY.—The authority of
2 this section shall apply only to agreements entered into
3 before January 1, 2008.

