

107TH CONGRESS
1ST SESSION

S. 943

To authorize the negotiation of a Free Trade Agreement with New Zealand,
and to provide for expedited congressional consideration of such an agreement.

IN THE SENATE OF THE UNITED STATES

MAY 23, 2001

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

A BILL

To authorize the negotiation of a Free Trade Agreement
with New Zealand, and to provide for expedited congressional
consideration of such an agreement.

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 “United States-New
5 Zealand Free Trade Agreement Act of 2001”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Economic growth in the United States has
9 been considerably enhanced by bilateral agreements
10 to lower barriers for United States exports.

1 (2) Increased trade and economic growth are
2 not ends in themselves. Trade and economic growth
3 should encourage sustainable development, raise liv-
4 ing standards, promote higher labor standards, and
5 enhance the welfare and quality of life of all citizens
6 of the United States and New Zealand.

7 (3) It is inappropriate to encourage trade by re-
8 laxing domestic environmental laws or domestic
9 labor laws.

10 (4) Countries that open their domestic markets,
11 remove barriers to foreign direct investment, and
12 promote free enterprise, empower their citizens to al-
13 leviate poverty and maintain social and environ-
14 mental values.

15 (5) New Zealand has participated fully in
16 World Trade Organization programs and policies
17 that promote open trade.

18 (6) At the 1996 World Trade Organization
19 Ministerial in Singapore, New Zealand reaffirmed its
20 commitment to internationally recognized core labor
21 standards.

22 **SEC. 3. UNITED STATES POLICY WITH RESPECT TO TRADE.**

23 It is the policy of the United States to seek the elimi-
24 nation of tariff and nontariff barriers in order to achieve
25 more open market access, on a reciprocal basis, to inter-

1 nationally traded goods and service, through bilateral free
2 trade agreements with like-minded countries. Such agree-
3 ments should address the following:

4 (1) National treatment and market access for
5 agricultural and industrial products.

6 (2) Rules for determining which goods originate
7 in the territory of the United States and New Zea-
8 land.

9 (3) Customs procedures that facilitate trade
10 and collection of trade statistics, while ensuring the
11 validity of claims for preferential treatment.

12 (4) Science-based, nondiscriminatory sanitary,
13 phytosanitary, and technical standards, including
14 voluntary standards.

15 (5) Safeguard provisions for industries that
16 have sustained, or are threatened with, serious eco-
17 nomic injury from import surges.

18 (6) Government procurement procedures.

19 (7) National treatment and rights of establish-
20 ment for foreign direct investors.

21 (8) National treatment and market access for
22 traded services, including consumption of services
23 abroad, cross-border provision of services, rights of
24 establishment of commercial presence, and the move-
25 ment of natural persons.

1 (9) Protection of intellectual property.

2 (10) Transparency of legal and regulatory re-
3 gimes.

4 (11) Measures to promote electronic commerce.

5 (12) Trade-related environmental measures,
6 and the potential for both favorable and adverse en-
7 vironmental impacts.

8 (13) Adherence to internationally recognized
9 core labor standards.

10 **SEC. 4. NEGOTIATION OF A FREE TRADE AGREEMENT WITH**
11 **NEW ZEALAND.**

12 Subject to section 5, the President is authorized to
13 enter into an agreement with New Zealand consistent with
14 the policy described in section 3, and the provisions of sec-
15 tion 151(c) of the Trade Act of 1974 (19 U.S.C. 2191(c))
16 shall apply with respect to a bill to implement such agree-
17 ment.

18 **SEC. 5. INTRODUCTION AND FAST TRACK CONSIDERATION**
19 **OF IMPLEMENTING BILL.**

20 (a) INTRODUCTION IN HOUSE OF REPRESENTATIVES
21 AND SENATE.—Whenever the President submits to Con-
22 gress a bill to implement a trade agreement described in
23 section 4, the bill shall be introduced (by request) in the
24 House of Representatives and in the Senate as described

1 in section 151(c) of the Trade Act of 1974 (19 U.S.C.
2 2191(c)).

3 (b) PERMISSIBLE CONTENT IN IMPLEMENTING LEG-
4 ISLATION.—A bill to implement a trade agreement de-
5 scribed in section 4 shall contain provisions that are nec-
6 essary to implement the trade agreement, and shall in-
7 clude trade-related labor and environmental protection
8 standards, but may not include amendments to title VII
9 of the Tariff Act of 1930, title II of the Trade Act of
10 1974, or any antitrust law of the United States.

11 (c) APPLICABILITY OF FAST TRACK PROCEDURES.—
12 Section 151 of the Trade Act of 1974 (19 U.S.C. 2191)
13 is amended—

14 (1) in subsection (b)(1), by inserting “section 5
15 of the United States-New Zealand Free Trade
16 Agreement Act of 2001,” after “the Omnibus Trade
17 and Competitiveness Act of 1988,”; and

18 (2) in subsection (c)(1), by inserting “or under
19 section 5 of the United States-New Zealand Free
20 Trade Agreement Act of 2001,” after “the Uruguay
21 Round Agreements Act,”.

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