

108TH CONGRESS
2D SESSION

H. R. 3889

To transfer certain functions from the United States Trade Representative
to the Secretary of Commerce.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2004

Mr. WOLF introduced the following bill; which was referred to the Committee
on Ways and Means

A BILL

To transfer certain functions from the United States Trade
Representative to the Secretary of Commerce.

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. TRANSFER OF FUNCTIONS.**

4 (a) IDENTIFICATION OF CERTAIN COUNTRIES.—Sec-
5 tion 182 of the Trade Act of 1974 (19 U.S.C. 2242) is
6 amended—

7 (1) in subsection (a)—

8 (A) by striking “United States Trade Rep-
9 representative” and inserting “Secretary of Com-
10 merce”; and

1 (B) by striking “Trade Representative”
2 each subsequent place it appears and inserting
3 “Secretary”; and
4 (2) in subsections (b) through (g), by striking
5 “Trade Representative” each place it appears and
6 inserting “Secretary”.

7 (b) ENFORCEMENT OF UNITED STATES RIGHTS
8 UNDER TRADE AGREEMENTS AND RESPONSE TO CER-
9 TAIN FOREIGN TRADE PRACTICES.—Chapter 1 of title III
10 of the Trade Act of 1974 (19 U.S.C. 2411 et seq.) is
11 amended as follows:

12 (1) Section 301(a)(1) is amended by striking
13 “United States Trade Representative” and inserting
14 “Secretary of Commerce”.

15 (2) Section 303(b)(1)(A) is amended by strik-
16 ing “United States Trade Representative” and in-
17 serting “Secretary of Commerce.”

18 (3) Section 301(d)(8) is amended to read as fol-
19 lows:

20 “(8) The term ‘Secretary’ means the Secretary
21 of Commerce.”.

22 (4) Sections 301 through 310 are amended by
23 striking “Trade Representative” each place it ap-
24 pears and inserting “Secretary”.

1 **SEC. 2. APPLICABILITY.**

2 (a) IN GENERAL.—Subject to subsection (b), the
3 amendments made by section 1 shall take effect 90 days
4 after the date of the enactment of this Act.

5 (b) PENDING PETITIONS, INVESTIGATIONS, AND DE-
6 TERMINATIONS.—The amendments made by section 1
7 shall not affect any petition filed before, or investigation
8 pending on, the effective date set forth in subsection (a),
9 under chapter 1 of title III of the Trade Act of 1974. Such
10 petitions and investigations shall proceed as if section 1
11 had not been enacted. The amendments made by section
12 1 shall not affect any determination made or action taken
13 under chapter 1 of title III of the Trade Act of 1974 be-
14 fore the effective date set forth in subsection (a).

15 **SEC. 3. URUGUAY ROUND AGREEMENTS ACT.**

16 (a) TRANSFER OF CERTAIN FUNCTIONS.—Those
17 functions of the United States Trade Representative
18 under the following provisions of the Uruguay Round
19 Agreements Act are transferred to the Secretary of Com-
20 merce, effective 90 days after the date of the enactment
21 of this Act:

22 (1) Section 123.

23 (2) Paragraphs (5), (6), and (7) of section 124.

24 (3) Section 127.

25 (4) Subsections (e) and (f) of section 281.

26 (b) CONFORMING AMENDMENTS.—

(1) AMENDMENTS.—Section 129 of the Uruguay Round Agreements Act (19 U.S.C. 3538) is amended—

(A) by striking “Trade Representative” each place it appears and inserting “Secretary of Commerce”;

(B) in subsection (a)(6), by striking “direct the administering authority to”;

(C) in subsection (b)—

(i) in paragraph (1), by striking “the administering authority and”;

(ii) in paragraph (2), by striking “shall,” and all that follows through “issue a determination” and inserting “may issue a determination”;

(iii) in paragraph (3), by striking “the administering authority and”; and

(iv) in paragraph (4)—

(I) by striking “the administering authority and”; and

(II) by striking “direct the administering authority to”; and

(D) in subsection (c)(1)—

(i) in subparagraph (A), by striking “the date on which” and all that follows

1 through “determination,” and inserting
2 “the date on which the Secretary of Com-
3 merce revokes an order pursuant to that
4 determination,”; and

5 (ii) in subparagraph (B), by striking
6 “the date on which” and all that follows
7 through the end of the sentence and insert-
8 ing “the date on which the Secretary of
9 Commerce implements that determina-
10 tion”.

11 (2) EFFECTIVE DATE.—The amendments made
12 by paragraph (1) shall take effect 90 days after the
13 date of the enactment of this Act.

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