

109TH CONGRESS
1ST SESSION

S. 410

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2005

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

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—

5 (1) Ukraine—

6 (A) has made considerable progress toward
7 respecting fundamental human rights consistent
8 with the objectives of title IV of the Trade Act
9 of 1974;

1 (B) has adopted administrative procedures
2 that accord its citizens the right to emigrate,
3 travel freely, and to return to their country
4 without restriction;

5 (C) has been found to be in full compliance
6 with the freedom of emigration provisions in
7 title IV of the Trade Act of 1974;

8 (D) has made great progress toward the
9 establishment of a genuine democracy and the
10 creation of a free market economic system;

11 (E) has demonstrated a commitment to
12 adopting the full range of internationally recog-
13 nized core labor standards and to continuing to
14 improve the effective enforcement of its laws re-
15 flecting such standards;

16 (F) has committed to developing a system
17 of governance in accordance with the provisions
18 of the Final Act of the Conference on Security
19 and Cooperation in Europe (also known as the
20 “Helsinki Final Act”) regarding human rights
21 and humanitarian affairs;

22 (G) has endeavored to address issues re-
23 lated to its national and religious minorities
24 and, as a member state of the Organization for
25 Security and Cooperation in Europe (OSCE),

1 committed to adopting special measures for en-
2 suring that persons belonging to national mi-
3 norities have full equality individually as well as
4 in community with other members of their
5 group;

6 (H) has enacted legislation providing pro-
7 tection against incitement to violence against
8 persons or groups based on national, racial, eth-
9 nic, or religious discrimination, including anti-
10 Semitism, and has committed itself, including
11 through a December 17, 2001, letter from the
12 President of Ukraine to the President of the
13 United States, to ensuring freedom of religion
14 and combating racial and ethnic intolerance and
15 hatred;

16 (I) has continued to return communal
17 properties confiscated from national and reli-
18 gious minorities during the Soviet period, facili-
19 tating the reemergence of these communities in
20 the national life of Ukraine, and establishing
21 the legal framework for completion of this proc-
22 ess in the future;

23 (J) concluded a bilateral trade agreement
24 with the United States in 1992 and a bilateral
25 investment treaty in 1994;

1 (K) has demonstrated a strong desire to
2 build a friendly and cooperative relationship
3 with the United States; and

4 (L) is seeking admission to the World
5 Trade Organization (WTO) on an expedited
6 basis; and

7 (2) extension of unconditional normal trade re-
8 lations treatment to the products of Ukraine will en-
9 able the United States to avail itself of all rights
10 under the World Trade Organization with respect to
11 Ukraine.

12 **SEC. 2. TERMINATION OF APPLICATION OF TITLE IV OF**
13 **THE TRADE ACT OF 1974 TO UKRAINE.**

14 (a) **PRESIDENTIAL DETERMINATIONS AND EXTEN-**
15 **SIONS OF NONDISCRIMINATORY TREATMENT.**—Notwith-
16 standing any provision of title IV of the Trade Act of 1974
17 (19 U.S.C. 2431 et seq.), the President may—

18 (1) determine that such title should no longer
19 apply to Ukraine; and

20 (2) after making a determination under para-
21 graph (1) with respect to Ukraine, proclaim the ex-
22 tension of nondiscriminatory treatment (normal
23 trade relations treatment) to the products of that
24 country.

1 (b) TERMINATION OF APPLICATION OF TITLE IV.—
2 On and after the effective date of the extension under sub-
3 section (a)(2) of nondiscriminatory treatment to the prod-
4 ucts of Ukraine, title IV of the Trade Act of 1974 shall
5 cease to apply to that country.

○