

104TH CONGRESS
2D SESSION

H. R. 4065

To require prior congressional approval before the President supports the admission of the People's Republic of China into the World Trade Organization, and to provide for the withdrawal of the United States from the World Trade Organization if China is accepted into the WTO without the support of the United States.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 1996

Mr. GEPHARDT (for himself, Ms. PELOSI, Mr. BONIOR, Mr. BROWN of Ohio, Mr. PALLONE, Mr. LIPINSKI, Mr. STARK, Mr. MILLER of California, Mr. DEFazio, Ms. KAPTUR, Mr. LANTOS, Mr. SPRATT, Mr. PAYNE of New Jersey, Mr. MARKEY, and Mr. LEWIS of Georgia) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require prior congressional approval before the President supports the admission of the People's Republic of China into the World Trade Organization, and to provide for the withdrawal of the United States from the World Trade Organization if China is accepted into the WTO without the support of the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PRIOR CONGRESSIONAL APPROVAL FOR SUP-**
2 **PORTING ADMISSION OF CHINA INTO THE**
3 **WTO.**

4 (a) IN GENERAL.—The President may not support
5 the admission of the People’s Republic of China as a mem-
6 ber of the World Trade Organization unless a provision
7 of law is passed by both Houses of Congress and enacted
8 into law after the enactment of this Act that specifically
9 allows the President to support such admission.

10 (b) PROCEDURES FOR CONGRESSIONAL APPROVAL
11 OF UNITED STATES SUPPORT FOR ADMISSION OF CHINA
12 INTO THE WTO.—

13 (1) NOTIFICATION OF CONGRESS.—The Presi-
14 dent shall notify the Congress in writing if he deter-
15 mines that the United States should support the ad-
16 mission of the People’s Republic of China into the
17 World Trade Organization.

18 (2) SUPPORT OF CHINA’S ADMISSION INTO THE
19 WTO.—The United States may support the admis-
20 sion of the People’s Republic of China into the
21 World Trade Organization if a joint resolution is en-
22 acted into law under subsection (c) and the Congress
23 adopts and transmits the joint resolution to the
24 President before the end of the 90-day period (ex-
25 cluding any day described in section 154(b) of the
26 Trade Act of 1974), beginning on the date on which

1 the Congress receives the notification referred to in
2 paragraph (1).

3 (c) JOINT RESOLUTIONS.—

4 (1) JOINT RESOLUTIONS.—For purposes of this
5 section, the term “joint resolution” means only a
6 joint resolution of the 2 Houses of Congress, the
7 matter after the resolving clause of which is as fol-
8 lows: “That the Congress approves the support of
9 the United States for the admission of the People’s
10 Republic of China into the World Trade Organiza-
11 tion.”.

12 (2) PROCEDURES.—(A) A joint resolution may
13 be introduced at any time on or after the date on
14 which the Congress receives the notification referred
15 to in paragraph (1), and before the end of the 90-
16 day period referred to in subparagraph (A). A joint
17 resolution may be introduced in either House of the
18 Congress by any member of such House.

19 (B) Subject to the provisions of this subsection,
20 the provisions of subsections (b), (d), (e), and (f) of
21 section 152 of the Trade Act of 1974 (19 U.S.C.
22 2192(b), (d), (e), and (f)) apply to joint resolutions
23 to the same extent as such provisions apply to reso-
24 lutions under such section.

1 (C) If the committee of either House to which
2 a joint resolution has been referred has not reported
3 it by the close of the 45th day after its introduction
4 (excluding any day described in section 154(b) of the
5 Trade Act of 1974), such committee shall be auto-
6 matically discharged from further consideration of
7 the joint resolution and it shall be placed on the ap-
8 propriate calendar.

9 (D) It is not in order for—

10 (i) the Senate to consider any joint resolu-
11 tion unless it has been reported by the Commit-
12 tee on Finance or the committee has been dis-
13 charged under subparagraph (C); or

14 (ii) the House of Representatives to con-
15 sider any joint resolution unless it has been re-
16 ported by the Committee on Ways and Means
17 or the committee has been discharged under
18 subparagraph (C).

19 (E) A motion in the House of Representatives
20 to proceed to the consideration of a joint resolution
21 may only be made on the second legislative day after
22 the calendar day on which the Member making the
23 motion announces to the House his or her intention
24 to do so.

1 (3) CONSIDERATION OF SECOND RESOLUTION
2 NOT IN ORDER.—It shall not be in order in either
3 the House of Representatives or the Senate to con-
4 sider a joint resolution (other than a joint resolution
5 received from the other House), if that House has
6 previously adopted a joint resolution under this sec-
7 tion.

8 **SEC. 3. WITHDRAWAL OF UNITED STATES FROM THE WTO.**

9 (a) NOTIFICATION TO CONGRESS OF ADMISSION OF
10 PRC TO THE WTO.—If the People’s Republic of China
11 becomes a member of the World Trade Organization with-
12 out the support of the United States, the President shall
13 immediately so notify the Congress and shall, by no later
14 than the date on which the membership of the People’s
15 Republic of China in the World Trade Organization be-
16 comes effective, submit written notice of the withdrawal
17 of the United States from the WTO Agreement pursuant
18 to Article XV of the WTO Agreement.

19 (b) WITHDRAWAL OF UNITED STATES APPROVAL OF
20 THE WTO AGREEMENT.—The approval of the Congress,
21 provided under section 101(a) of the Uruguay Round
22 Agreements Act, of the WTO Agreement shall cease to
23 be effective on the date that is 6 months after the date
24 on which the President submits written notice of the with-

1 drawal of the United States from the WTO Agreement
2 under subsection (a).

3 (c) DEFINITION.—As used in this section, the term
4 “WTO Agreement” means the Agreement Establishing the
5 World Trade Organization, entered into on April 15,
6 1994.

7 **SEC. 3. CONFORMING AMENDMENT.**

8 Section 125(b)(1) of the Uruguay Round Agreements
9 Act (19 U.S.C. 3535(b)(1)) is amended by striking “, and
10 only if,”.

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