

108TH CONGRESS
1ST SESSION

H. R. 851

To assess the impact of the North American Free Trade Agreement and the entry of the People's Republic of China into the World Trade Organization on American jobs, the environment, and worker rights.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2003

Ms. SLAUGHTER introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To assess the impact of the North American Free Trade Agreement and the entry of the People's Republic of China into the World Trade Organization on American jobs, the environment, and worker rights.

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 "Trade Accountability
5 Study Act".

1 **SEC. 2. TRADE IMPACT COMMISSION.**

2 (a) ESTABLISHMENT.—There is established the
3 “Trade Impact Review Commission” (in this Act referred
4 to as the “Commission”).

5 (b) DUTIES.—The Commission shall—

6 (1) determine—

7 (A) the extent to which exports of goods of
8 the United States to NAFTA countries, and
9 imports of goods of NAFTA countries into the
10 United States, have increased or decreased
11 since January 1, 1994; and

12 (B) the number of jobs in the United
13 States that have been created as a result of in-
14 creased exports of goods of the United States to
15 NAFTA countries, and the number of jobs in
16 the United States that have been lost as a re-
17 sult of increased imports of goods of NAFTA
18 countries into the United States, since January
19 1, 1994; and

20 (2) determine—

21 (A) the extent to which exports of goods of
22 the United States to the People’s Republic of
23 China, and imports of goods of the People’s Re-
24 public of China into the United States, have in-
25 creased or decreased since December 11, 2001;
26 and

1 (B) the number of jobs in the United
2 States that have been created as a result of in-
3 creased exports of goods of the United States to
4 the People’s Republic of China, and the number
5 of jobs in the United States that have been lost
6 as a result of increased imports of goods of the
7 People’s Republic of China into the United
8 States, since December 11, 2001; and

9 (3) submit to the appropriate committees of the
10 Congress, the Secretary of Commerce, the Secretary
11 of Labor, and the United States Trade Representa-
12 tive, the findings of the Commission under para-
13 graphs (1) and (2), as well as any recommendations
14 the Commission has for strengthening the United
15 States labor force in light of such findings.

16 (c) MEMBERSHIP.—

17 (1) NUMBER AND APPOINTMENT.—The Com-
18 mission shall be composed of 5 members appointed
19 as follows:

20 (A) 1 member appointed by the President.

21 (B) 1 member appointed by the Speaker of
22 the House of Representatives.

23 (C) 1 member appointed by the minority
24 leader of the House of Representatives.

1 (D) 1 member appointed by the majority
2 leader of the Senate.

3 (E) 1 member appointed by the minority
4 leader of the Senate.

5 (2) PERSONS ELIGIBLE.—

6 (A) IN GENERAL.—The members of the
7 Commission shall be individuals who have
8 knowledge or expertise, whether by experience
9 or training, in matters to be studied by the
10 Commission. The members may be from the
11 public or private sector, and may include em-
12 ployees of the Federal Government or of State
13 or local governments, members of academia,
14 nonprofit organizations, or industry, or other
15 interested individuals.

16 (B) DIVERSITY.—It is the intent of the
17 Congress that persons appointed to the Com-
18 mission under paragraph (1) be persons who
19 represent diverse economic and professional
20 backgrounds from different regions of the
21 United States.

22 (3) CONSULTATION AND APPOINTMENT.—

23 (A) IN GENERAL.—The President, Speaker
24 of the House of Representatives, minority lead-
25 er of the House of Representatives, majority

1 leader of the Senate, and minority leader of the
2 Senate shall consult among themselves before
3 appointing the members of the Commission in
4 order to achieve, to the maximum extent prac-
5 ticable, fair and equitable representation of var-
6 ious points of view with respect to the matters
7 to be studied by the Commission.

8 (B) COMPLETION OF APPOINTMENTS; VA-
9 CANCIES.—The President, Speaker of the
10 House of Representatives, minority leader of
11 the House of Representatives, majority leader
12 of the Senate, and minority leader of the Sen-
13 ate shall conduct the consultation under sub-
14 paragraph (A) and make their respective ap-
15 pointments not later than 60 days after the
16 date of the enactment of this Act.

17 (4) TERMS AND VACANCIES.—Each member of
18 the Commission shall be appointed for the life of the
19 Commission. A vacancy in the membership of the
20 Commission shall not affect the powers of the Com-
21 mission and shall be filled, not later than 30 days
22 after the vacancy occurs, in the same manner as the
23 original appointment was made.

1 (5) CHAIR AND VICE CHAIR.—The Commission
2 shall select a Chair and Vice Chair from among its
3 members.

4 (d) MEETINGS.—

5 (1) INITIAL MEETING.—Not later than 30 days
6 after the date on which all members of the Commis-
7 sion have been appointed, the Commission shall hold
8 its first meeting.

9 (2) SUBSEQUENT MEETINGS.—After the initial
10 meeting, the Commission shall meet at the call of
11 the Chair.

12 (e) QUORUM.—A majority of the members of the
13 Commission shall constitute a quorum for the transaction
14 of business, but a lesser number of members may hold
15 hearings.

16 (f) COMPENSATION.—

17 (1) RATE.—Except as provided in paragraph
18 (2), members of the Commission shall each be paid
19 the daily equivalent of the annual rate of pay pay-
20 able for level IV of the Executive Schedule under
21 section 5315 of title 5, United States Code, for each
22 day (including travel time) during which they are en-
23 gaged in the actual performance of duties vested in
24 the Commission.

1 (2) PROHIBITION OF COMPENSATION OF FED-
2 ERAL EMPLOYEES.—A member of the Commission
3 who is a full-time officer or employee of the United
4 States or a Member of Congress may not receive ad-
5 ditional pay, allowances, or benefits by reason of his
6 or her service on the Commission.

7 (g) TRAVEL EXPENSES.—Each member of the Com-
8 mission shall receive travel expenses, including per diem
9 in lieu of subsistence, in accordance with applica-
10 ble provisions under subchapter I of chapter 57 of title 5, United
11 States Code.

12 (h) EXPERTS AND CONSULTANTS.—The Commission
13 may procure temporary and intermittent services under
14 section 3109(b) of title 5, United States Code.

15 (i) STAFF OF FEDERAL AGENCIES.—Upon the re-
16 quest of the Commission, the head of any Federal depart-
17 ment or agency may detail, on a reimbursable basis, any
18 of the personnel of that department or agency to the Com-
19 mission to assist it in carrying out its duties under this
20 section.

21 (j) POWERS.—

22 (1) HEARINGS AND SESSIONS.—The Commis-
23 sion may, for the purpose of carrying out this sec-
24 tion, hold hearings, sit and act at times and places,

1 take testimony, and receive evidence as the Commis-
2 sion considers appropriate.

3 (2) POWERS OF MEMBERS AND AGENTS.—Any
4 member or agent of the Commission may, if author-
5 ized by the Commission, take any action which the
6 Commission is authorized to take by this section.

7 (3) OBTAINING OFFICIAL DATA.—The Commis-
8 sion may secure directly from any department or
9 agency of the United States information necessary
10 to enable it to carry out this section. Upon request
11 of the Chair or Vice Chair of the Commission, the
12 head of that department or agency shall furnish that
13 information to the Commission.

14 (4) MAILS.—The Commission may use the
15 United States mails in the same manner and under
16 the same conditions as other departments and agen-
17 cies of the United States.

18 (5) ADMINISTRATIVE SUPPORT SERVICES.—
19 Upon the request of the Commission, the Adminis-
20 trator of General Services shall provide to the Com-
21 mission, on a reimbursable basis, the administrative
22 support services necessary for the Commission to
23 carry out its responsibilities under this section.

24 (k) REPORT.—The Commission shall transmit a re-
25 port containing its findings and recommendations under

1 subsection (b)(3) not later than 180 days after the first
2 meeting of the Commission under subsection (d)(1).

3 (l) **TERMINATION.**—The Commission shall terminate
4 30 days after submitting its report under subsection (k).

5 (m) **AUTHORIZATION OF APPROPRIATIONS.**—There
6 are authorized to be appropriated such sums as may be
7 necessary to carry out this section.

8 **SEC. 3. FUTURE NEGOTIATIONS.**

9 In preparing for and engaging in negotiations for
10 trade agreements, the President shall ensure that the find-
11 ings and recommendations of the Trade Impact Commis-
12 sion established in section 2 are included in developing
13 trade policy with respect to such negotiations.

14 **SEC. 4. PRESIDENTIAL CERTIFICATIONS.**

15 The President shall submit to the Congress, not later
16 than May 31 of each year, a report that certifies whether
17 or not—

18 (1) each NAFTA country is meeting commit-
19 ments made in the North American Agreement on
20 Environmental Cooperation and in the North Amer-
21 ican Agreement on Labor Cooperation; and

22 (2) the People’s Republic of China is meeting
23 its obligations with respect to protection of the envi-
24 ronment and worker rights by reason of its accession

1 to the World Trade Organization, including commit-
2 ments made to the United States.

3 **SEC. 5. DEFINITIONS.**

4 As used in this Act:

5 (1) NAFTA.—The term “NAFTA” means the
6 North American Free Trade Agreement entered into
7 by the United States, Canada, and Mexico on De-
8 cember 17, 1992.

9 (2) NAFTA COUNTRY.—The term “NAFTA
10 country” has the meaning given that term in section
11 2(4) of the North American Free Trade Agreement
12 Implementation Act (19 U.S.C. 3301(4)).

13 (3) NORTH AMERICAN AGREEMENT ON ENVI-
14 RONMENTAL COOPERATION.—The term “North
15 American Agreement on Environmental Coopera-
16 tion” has the meaning given that term in section
17 532(b)(2) of the North American Free Trade Agree-
18 ment Implementation Act (19 U.S.C. 3472(b)(2)).

19 (4) NORTH AMERICAN AGREEMENT ON LABOR
20 COOPERATION.—The term “North American Agree-
21 ment on Labor Cooperation” has the meaning given
22 that term in section 531(b)(2) of the North Amer-
23 ican Free Trade Agreement Implementation Act (19
24 U.S.C. 3471(b)(2)).

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