

119TH CONGRESS
1ST SESSION

H. R. 1903

To amend the Trade Expansion Act of 1962 to impose limitations on the authority of the President to adjust imports that are determined to threaten to impair national security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2025

Mr. BEYER (for himself, Ms. DELBENE, Mr. SCHNEIDER, Mr. PANETTA, Mr. DAVIS of Illinois, and Ms. CHU) 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 amend the Trade Expansion Act of 1962 to impose limitations on the authority of the President to adjust imports that are determined to threaten to impair national security, and for other purposes.

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 “Congressional Trade
5 Authority Act of 2025”.

1 **SEC. 2. LIMITATIONS ON AUTHORITY OF PRESIDENT TO AD-**
 2 **JUST IMPORTS DETERMINED TO THREATEN**
 3 **TO IMPAIR NATIONAL SECURITY.**

4 (a) LIMITATION ON ARTICLES FOR WHICH ACTION
 5 MAY BE TAKEN.—Section 232 of the Trade Expansion
 6 Act of 1962 (19 U.S.C. 1862) is amended—

7 (1) by striking “an article” each place it ap-
 8 pears and inserting “a covered article”;

9 (2) by striking “any article” each place it ap-
 10 pears and inserting “any covered article”;

11 (3) by striking “the article” each place it ap-
 12 pears and inserting “the covered article”;

13 (4) in the first subsection (d), by striking “In
 14 the administration” and all that follow through “na-
 15 tional security.”; and

16 (5) by adding at the end the following:

17 “(i) DEFINITIONS.—In this section:

18 “(1) COVERED ARTICLE.—The term ‘covered
 19 article’ means an article related to the development,
 20 maintenance, or protection of military equipment,
 21 energy resources, or critical infrastructure essential
 22 to national security.

23 “(2) NATIONAL SECURITY.—The term ‘national
 24 security’—

25 “(A) means the protection of the United
 26 States from foreign aggression; and

1 “(B) does not otherwise include the protec-
2 tion of the general welfare of the United
3 States.”.

4 (b) RESPONSIBILITY OF SECRETARY OF DEFENSE
5 FOR INVESTIGATIONS.—Section 232(b) of the Trade Ex-
6 pansion Act of 1962 (19 U.S.C. 1862(b)) is amended—

7 (1) in paragraph (1)—

8 (A) in subparagraph (A), by striking “the
9 Secretary of Commerce (hereafter in the section
10 referred to as the ‘Secretary’)” and inserting
11 “the Secretary of Defense”; and

12 (B) in subparagraph (B)—

13 (i) by striking “The Secretary” and
14 inserting “The Secretary of Defense”; and

15 (ii) by striking “the Secretary of De-
16 fense” and inserting “the Secretary of
17 Commerce”;

18 (2) in paragraph (2)—

19 (A) in subparagraph (A)—

20 (i) in the matter preceding clause (i),
21 by striking “the Secretary” and inserting
22 “the Secretary of Defense”; and

23 (ii) in clause (i), by striking “the Sec-
24 retary of Defense” and inserting “the Sec-
25 retary of Commerce”; and

1 (B) by amending subparagraph (B) to read
2 as follows:

3 “(B) Upon the request of the Secretary of
4 Defense, the Secretary of Commerce shall pro-
5 vide to the Secretary of Defense an assessment
6 of the quantity of imports of any covered article
7 that is the subject of an investigation conducted
8 under this subsection and the circumstances
9 under which the covered article is imported.”;
10 (3) in paragraph (3)—

11 (A) in subparagraph (A)—

12 (i) in the first sentence, by striking
13 “the Secretary shall submit” and all that
14 follows through “recommendations of the
15 Secretary” and inserting “the Secretary of
16 Defense and the Secretary of Commerce
17 shall jointly submit to the President a re-
18 port on the findings of the investigation
19 and, based on such findings, the rec-
20 ommendations of the Secretary of Com-
21 merce”; and

22 (ii) in the second sentence, by striking
23 “Secretary finds” and all that follows
24 through “Secretary shall” and inserting
25 “Secretaries find that the covered article is

1 being imported into the United States in
2 such quantities or under such cir-
3 cumstances as to be a substantial cause of
4 a threat to impair the national security,
5 the Secretaries shall”; and

6 (B) in subparagraph (B), by striking “by
7 the Secretary”; and

8 (4) in paragraph (4), by striking “Secretary”
9 and inserting “Secretary of Defense”.

10 (c) DETERMINATIONS OF PRESIDENT.—Section
11 232(c) of the Trade Expansion Act of 1962 (19 U.S.C.
12 1862(c)) is amended—

13 (1) in paragraph (1)—

14 (A) by striking subparagraph (B);

15 (B) in the matter preceding clause (i)—

16 (i) by striking “(A) Within” and in-
17 serting “Within”; and

18 (ii) by striking “in which the Sec-
19 retary” and inserting “that”;

20 (C) by redesignating clauses (i) and (ii) as
21 subparagraphs (A) and (B), respectively;

22 (D) in subparagraph (A), as redesignated
23 by subparagraph (C), by striking “of the Sec-
24 retary”; and

1 (E) by amending subparagraph (B), as re-
2 designated by subparagraph (C), to read as fol-
3 lows:

4 “(B) if the President concurs, submit to
5 Congress, not later than 15 days after making
6 that determination, a proposal regarding the
7 nature and duration of the action that, in the
8 judgment of the President, should be taken to
9 adjust the imports of the covered article and its
10 derivatives so that such imports will not be a
11 substantial cause of a threat to impair the na-
12 tional security.”; and

13 (2) by striking paragraphs (2) and (3) and in-
14 serting the following:

15 “(2) The President shall submit to Congress for
16 review under subsection (f) a report describing the
17 action proposed to be taken under paragraph (1)
18 and specifying the reasons for such proposal. Such
19 report shall be included in the report published
20 under subsection (e).”.

21 (d) CONGRESSIONAL APPROVAL OF PRESIDENTIAL
22 ADJUSTMENT OF IMPORTS.—Section 232(f) of the Trade
23 Expansion Act of 1962 (19 U.S.C. 1862(f)) is amended
24 to read as follows:

1 “(f) CONGRESSIONAL APPROVAL OF PRESIDENTIAL
2 ADJUSTMENT OF IMPORTS; JOINT RESOLUTION OF AP-
3 PROVAL.—

4 “(1) IN GENERAL.—An action to adjust imports
5 proposed by the President in a report submitted to
6 Congress under subsection (c)(2) shall have force
7 and effect only if, during the period of 60 calendar
8 days beginning on the date on which the report is
9 submitted, a joint resolution of approval is enacted
10 pursuant to paragraph (2).

11 “(2) JOINT RESOLUTIONS OF APPROVAL.—

12 “(A) JOINT RESOLUTION OF APPROVAL
13 DEFINED.—In this subsection, the term ‘joint
14 resolution of approval’ means only a joint reso-
15 lution of either House of Congress—

16 “(i) the title of which is as follows: ‘A
17 joint resolution approving the proposal of
18 the President to take an action relating to
19 the adjustment of imports entering into
20 the United States in such quantities or
21 under such circumstances as to threaten or
22 impair the national security.’; and

23 “(ii) the sole matter after the resolv-
24 ing clause of which is the following: ‘Con-
25 gress approves of the proposal of the Presi-

1 dent relating to the adjustment of imports
 2 to protect the national security as de-
 3 scribed in the report submitted to Con-
 4 gress under section 232(c)(2) of the Trade
 5 Expansion Act of 1962 (19 U.S.C.
 6 1862(c)(2)) on _____ relating to
 7 _____.’, with the first blank space
 8 being filled with the appropriate date and
 9 the second blank space being filled with a
 10 short description of the proposed action.

11 “(B) INTRODUCTION.—During the period
 12 of 60 calendar days provided for under para-
 13 graph (1), a joint resolution of approval may be
 14 introduced in either House by any Member.

15 “(C) CONSIDERATION IN HOUSE OF REP-
 16 RESENTATIVES.—

17 “(i) COMMITTEE REFERRAL.—A joint
 18 resolution of approval introduced in the
 19 House of Representatives shall be referred
 20 to the Committee on Ways and Means.

21 “(ii) REPORTING AND DISCHARGE.—
 22 If the Committee on Ways and Means has
 23 not reported the joint resolution of ap-
 24 proval within 10 calendar days after the
 25 date of referral, the Committee shall be

1 discharged from further consideration of
2 the joint resolution.

3 “(iii) PROCEEDING TO CONSIDER-
4 ATION.—Beginning on the third legislative
5 day after the Committee on Ways and
6 Means reports the joint resolution of ap-
7 proval to the House or has been discharged
8 from further consideration thereof, it shall
9 be in order to move to proceed to consider
10 the joint resolution in the House. All
11 points of order against the motion are
12 waived. Such a motion shall not be in
13 order after the House has disposed of a
14 motion to proceed on the joint resolution.
15 The previous question shall be considered
16 as ordered on the motion to its adoption
17 without intervening motion. The motion
18 shall not be debatable. A motion to recon-
19 sider the vote by which the motion is dis-
20 posed of shall not be in order.

21 “(iv) FLOOR CONSIDERATION.—The
22 joint resolution of approval shall be consid-
23 ered as read. All points of order against
24 the joint resolution and against its consid-
25 eration are waived. The previous question

1 shall be considered as ordered on the joint
2 resolution to final passage without inter-
3 vening motion except 2 hours of debate
4 equally divided and controlled by the spon-
5 sor of the joint resolution (or a designee)
6 and an opponent. A motion to reconsider
7 the vote on passage of the joint resolution
8 shall not be in order.

9 “(D) CONSIDERATION IN THE SENATE.—

10 “(i) COMMITTEE REFERRAL.—A joint
11 resolution of approval introduced in the
12 Senate shall be referred to the Committee
13 on Finance.

14 “(ii) REPORTING AND DISCHARGE.—
15 If the Committee on Finance has not re-
16 ported the joint resolution of approval
17 within 10 calendar days after the date of
18 referral of the joint resolution, the Com-
19 mittee shall be discharged from further
20 consideration of the joint resolution and
21 the joint resolution shall be placed on the
22 appropriate calendar.

23 “(iii) PROCEEDING TO CONSIDER-
24 ATION.—Notwithstanding Rule XXII of
25 the Standing Rules of the Senate, it is in

1 order at any time after the Committee on
2 Finance reports a joint resolution of ap-
3 proval or has been discharged from consid-
4 eration of such a joint resolution to move
5 to proceed to the consideration of the joint
6 resolution. The motion to proceed is not
7 debatable. The motion is not subject to a
8 motion to postpone. A motion to reconsider
9 the vote by which the motion is agreed to
10 or disagreed to shall not be in order.

11 “(iv) RULINGS OF THE CHAIR ON
12 PROCEDURE.—Appeals from the decisions
13 of the Chair relating to the application of
14 the rules of the Senate to the procedure re-
15 lating to a joint resolution of approval
16 shall be decided by the Senate without de-
17 bate.

18 “(E) TREATMENT OF HOUSE JOINT RESO-
19 LUTION IN SENATE.—

20 “(i) COMMITTEE REFERRAL.—Except
21 as provided in clause (ii), a joint resolution
22 of approval that has passed the House of
23 Representatives shall, when received in the
24 Senate, be referred to the Committee on

1 Finance for consideration in accordance
2 with subparagraph (D).

3 “(ii) CONSIDERATION OF HOUSE RES-
4 OLUTION.—If a joint resolution of approval
5 was introduced in the Senate before receipt
6 of a joint resolution of approval that has
7 passed the House of Representatives—

8 “(I) the joint resolution from the
9 House of Representatives shall, when
10 received in the Senate, be placed on
11 the calendar; and

12 “(II) the procedures in the Sen-
13 ate with respect to a joint resolution
14 of approval introduced in the Senate
15 shall be the same as if no joint resolu-
16 tion of approval had been received
17 from the House of Representatives,
18 except that the vote on passage in the
19 Senate shall be on the joint resolution
20 that passed the House of Representa-
21 tives.

22 “(iii) HOUSE RESOLUTION RECEIVED
23 AFTER PASSAGE BY SENATE.—If the Sen-
24 ate passes a joint resolution of approval
25 before receiving a joint resolution of ap-

proval from the House of Representatives,
the joint resolution of the Senate shall be
held at the desk pending receipt of the
joint resolution from the House of Rep-
resentatives. Upon receipt of the joint reso-
lution of approval from the House of Rep-
resentatives, such joint resolution shall be
deemed to be read twice, considered, read
the third time, and passed.

“(iv) CONSIDERATION OF HOUSE RES-
OLUTION IF NO RESOLUTION INTRODUCED
IN SENATE.—If the Senate receives a joint
resolution of approval from the House of
Representatives, and no joint resolution of
approval has been introduced in the Sen-
ate, the procedures described in subpara-
graph (D) shall apply to consideration of
the joint resolution of the House.

“(F) RULES OF HOUSE OF REPRESENTA-
TIVES AND SENATE.—This paragraph is en-
acted by Congress—

“(i) as an exercise of the rulemaking
power of the Senate and the House of Rep-
resentatives, respectively, and as such is
deemed a part of the rules of each House,

1 respectively, and supersedes other rules
2 only to the extent that it is inconsistent
3 with such rules; and

4 “(ii) with full recognition of the con-
5 stitutional right of either House to change
6 the rules (so far as relating to the proce-
7 dure of that House) at any time, in the
8 same manner, and to the same extent as in
9 the case of any other rule of that House.”.

10 (e) EXCLUSION PROCESS; REPORT.—Section 232 of
11 the Trade Expansion Act of 1962 (19 U.S.C. 1862) is
12 amended by inserting after subsection (f) the following:

13 “(g) ADMINISTRATION OF EXCLUSION PROCESS.—

14 “(1) IN GENERAL.—The United States Inter-
15 national Trade Commission shall administer a proc-
16 ess for granting requests for the exclusion of covered
17 articles from any actions, including actions to im-
18 pose duties or quotas, taken by the President under
19 subsection (c).

20 “(2) REQUIREMENTS.—In administering the
21 process required by paragraph (1), the International
22 Trade Commission shall—

23 “(A) consider, when determining whether
24 to grant an exclusion with respect to a covered
25 article, if—

1 “(i) the covered article is produced in
2 the United States and is of sufficient qual-
3 ity, available in sufficient quantities, and
4 available on a reasonable timeframe;

5 “(ii) the failure to grant the exclusion
6 would result in severe economic harm; and

7 “(iii) the failure to grant the exclusion
8 would impair the ability of the United
9 States to maintain effective pressure to re-
10 move an unreasonable or discriminatory
11 practice burdening United States com-
12 merce, and further if the International
13 Trade Commission determines that—

14 “(I) the article or a reasonable
15 substitute is not commercially avail-
16 able to person requesting an exclusion
17 under paragraph (1) with respect to a
18 covered article;

19 “(II) the imposition of the duty
20 with respect to the article would un-
21 reasonably increase consumer prices
22 for day-to-day items consumed by low-
23 or middle-income families in the
24 United States;

1 “(III) the imposition of the duty
2 would have an unreasonable impact on
3 manufacturing output of the United
4 States;

5 “(IV) the imposition of the duty
6 would have an unreasonable impact on
7 the ability of an entity to fulfill con-
8 tracts or to build critical infrastruc-
9 ture; or

10 “(V) the failure to grant the ex-
11 clusion is likely to result in a par-
12 ticular entity or entities having the
13 ability to abuse a dominant market
14 position; and

15 “(B) ensure that an exclusion granted with
16 respect to a covered article is available to any
17 person that imports the covered article;

18 “(C) not disclose business proprietary in-
19 formation; and

20 “(D) establish guidelines to provide for—

21 “(i) the maximum period of time that
22 an exclusion will be in effect;

23 “(ii) applications for renewal of an ex-
24 clusion; and

1 “(iii) written reasoning to a person
2 that has requested an exclusion that the
3 International Trade Commision has de-
4 nied.

5 “(3) PUBLICATION OF PROCEDURES.—The
6 International Trade Commission shall publish in the
7 Federal Register and make available on a publicly
8 available internet website of the Commission a de-
9 scription of the procedures to be followed by a per-
10 son requesting an exclusion under paragraph (1)
11 with respect to a covered article.

12 “(h) REPORT BY INTERNATIONAL TRADE COMMIS-
13 SION.—Not later than 18 months after the President
14 takes action under subsection (c) to adjust imports of a
15 covered article, the International Trade Commission shall
16 submit to Congress a report assessing the effects of the
17 action on—

18 “(1) the industry to which the covered article
19 relates; and

20 “(2) the overall economy of the United States.

21 “(i) AUDIT.—The Comptroller General of the United
22 States shall conduct an audit on an annual basis of the
23 exclusion process established under subsection (g)(1).”.

1 (f) SUNSET.—Section 232 of the Trade Expansion
2 Act of 1962 (19 U.S.C. 1862), as amended by this section,
3 is further amended by adding at the end the following:

4 “(i) SUNSET.—Notwithstanding any other provision
5 of this section, an action to adjust imports by the Presi-
6 dent in a report submitted to Congress under subsection
7 (c)(2) with respect to a covered article shall terminate not
8 later than the date that is three years after the date of
9 the enactment of a joint resolution required by subsection
10 (f) with respect to such action.”.

11 (g) CONFORMING AMENDMENTS.—Section 232 of the
12 Trade Expansion Act of 1962 (19 U.S.C. 1862), as
13 amended by this section, is further amended—

14 (1) in the first subsection (d), by striking “the
15 Secretary and the President” each place it appears
16 and inserting “the Secretary of Defense, the Sec-
17 retary of Commerce, and the President”;

18 (2) by redesignating the second subsection (d)
19 as subsection (e); and

20 (3) in paragraph (1) of subsection (e), as redes-
21 ignated by paragraph (2), by striking “the Sec-
22 retary” and inserting “the Secretary of Defense”.

23 (h) EFFECTIVE DATE.—Except as provided by sub-
24 section (h), the amendments made by this section shall
25 apply with respect to any proposed action under section

1 232(c) of the Trade Expansion Act of 1962 (19 U.S.C.
2 1862(c)) on or after the date that is 6 years before the
3 date of the enactment of this Act.

4 (i) TRANSITION RULES.—

5 (1) APPROVAL PROCESS FOR ACTIONS TAKE BE-
6 FORE DATE OF ENACTMENT.—

7 (A) IN GENERAL.—If, during the period
8 specified in paragraph (2), the President makes
9 a determination described in subsection (c) of
10 section 232 of the Trade Expansion Act of
11 1962, as in effect on the day before the date of
12 the enactment of this Act, to take action with
13 respect to an article—

14 (i) not later than 15 days after such
15 date of enactment, the President shall re-
16 submit to Congress the report required
17 under that section with respect to the ac-
18 tion; and

19 (ii) the action shall have force and ef-
20 fect after the day that is 75 days after
21 such date of enactment only if, during the
22 period of 60 calendar days beginning on
23 the date on which the report is resubmitted
24 under clause (i), a joint resolution of ap-
25 proval is enacted pursuant to subsection

1 (f)(2) of the Trade Expansion Act of 1962,
2 as amended by this section, with respect to
3 the action.

4 (B) NONAPPLICABILITY OF DEFINI-
5 TIONS.—Subparagraph (A) shall apply with re-
6 spect to an action without regard to whether
7 the article to which the action relates is a cov-
8 ered article (as defined in subsection (i) of sec-
9 tion 232 of the Trade Expansion Act of 1962,
10 as added by this section).

11 (2) PERIOD SPECIFIED.—The period specified
12 in this paragraph is the period beginning on the date
13 that is 9 years before the date of the enactment of
14 this Act and ending on the day before such date of
15 enactment.

16 (3) ADMINISTRATION OF EXCLUSION PROC-
17 ESS.—In the case of an action with respect to which
18 a resolution of approval is enacted as required by
19 paragraph (1)(A)(ii), the Secretary of Commerce
20 shall continue to administer the process established
21 before the date of the enactment of this Act for
22 granting requests for the exclusion of articles from
23 the action.

24 (4) INTERNATIONAL TRADE COMMISSION RE-
25 PORT.—Not later than 180 days after the date of

1 the enactment of this Act, the United States Inter-
2 national Trade Commission shall submit to Congress
3 a report described in subsection (h) of section 232
4 of the Trade Expansion Act of 1962, as added by
5 this section, relating to each action taken under sub-
6 section (c) of section 232 of the Trade Expansion
7 Act of 1962, as in effect on the day before such date
8 of enactment, during the period specified in para-
9 graph (2).

10 (5) TERMINATION OF ACTIONS NOT AP-
11 PROVED.—

12 (A) IN GENERAL.—An action described in
13 subparagraph (B) shall terminate on the day
14 that is 75 days after the date of the enactment
15 of this Act.

16 (B) ACTION DESCRIBED.—An action de-
17 scribed in this subparagraph is an action with
18 respect to which—

19 (i) the President made a determina-
20 tion described in subsection (c) of section
21 232 of the Trade Expansion Act of 1962,
22 as in effect on the day before the date of
23 the enactment of this Act, during the pe-
24 riod specified in paragraph (2); and

1 (ii) a joint resolution of approval is
2 not enacted as required by paragraph
3 (1)(A)(ii).

4 (C) MODIFICATION OF DUTY RATE
5 AMOUNTS.—

6 (i) IN GENERAL.—Any rate of duty
7 modified under section 232(c) of the Trade
8 Expansion Act of 1962, as in effect on the
9 day before the date of the enactment of
10 this Act, pursuant to an action described
11 in subparagraph (B) shall, on the day that
12 is 75 days after the date of the enactment
13 of this Act, revert to the rate of duty in ef-
14 fect before such modification.

15 (ii) RETROACTIVE APPLICATION FOR
16 CERTAIN LIQUIDATIONS AND RELIQUIDA-
17 TIONS.—

18 (I) IN GENERAL.—Subject to
19 subclause (II), an entry of an article
20 shall be liquidated or reliquidated as
21 though such entry occurred on the
22 date that is 75 days after the date of
23 the enactment of this Act if—

24 (aa) the rate of duty appli-
25 cable to the article was modified

1 pursuant to an action described
2 in subparagraph (B); and

3 (bb) a lower rate of duty
4 would be applicable due to the
5 application of clause (i).

6 (II) REQUESTS.—A liquidation
7 or reliquidation may be made under
8 subclause (I) with respect to an entry
9 only if a request therefor is filed with
10 U.S. Customs and Border Protection
11 not later than 255 days after the date
12 of the enactment of this Act that con-
13 tains sufficient information to enable
14 U.S. Customs and Border Protec-
15 tion—

16 (aa) to locate the entry; or

17 (bb) to reconstruct the entry
18 if it cannot be located.

19 (III) PAYMENT OF AMOUNTS
20 OWED.—Any amounts owed by the
21 United States pursuant to the liquida-
22 tion or reliquidation of an entry of an
23 article under subclause (I) shall be
24 paid, without interest, not later than
25 90 days after the date of the liquida-

1 tion or reliquidation (as the case may
2 be).

3 (iii) ENTRY DEFINED.—In this para-
4 graph, the terms “entry” includes a with-
5 drawal from warehouse for consumption.

○