

104TH CONGRESS
1ST SESSION

H. R. 2248

To authorize the imposition of trade sanctions on countries which threaten the health and safety of United States citizens by failing to cooperate fully with United States policy regarding the reduction and interdiction of illicit drugs.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 1995

Mr. SHAW (for himself, Mr. GILMAN, and Ms. KAPTUR) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To authorize the imposition of trade sanctions on countries which threaten the health and safety of United States citizens by failing to cooperate fully with United States policy regarding the reduction and interdiction of illicit drugs.

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. ASSESSMENT OF COUNTRIES NOT COOPERAT-**
4 **ING WITH UNITED STATES DRUG POLICIES.**

5 (a) ASSESSMENTS AND REPORT TO CONGRESS.—Not
6 later than 90 days after the President submits to the Con-
7 gress the report required by section 489A(a) of the For-

1 eign Assistance Act of 1961 (22 U.S.C. 2291i(a)), the
2 United States Trade Representative shall, with respect to
3 each foreign country identified in that report that is not
4 certified by the Secretary of State under subparagraph (A)
5 of section 490A(b)(1) of that Act (22 U.S.C.
6 2291k(b)(1))—

7 (1) assess whether or not the imposition of
8 trade sanctions on that country is appropriate, tak-
9 ing into account—

10 (A) the extent to which the country is fail-
11 ing to cooperate with United States policies re-
12 garding the reduction and interdiction of illicit
13 drugs, assessing whether actions by the govern-
14 ment of that country are clearly and persist-
15 ently in conflict with United States policies
16 aimed at reducing and interdicting illicit drugs
17 produced or transported for consumption by
18 United States citizens; and

19 (B) the bilateral trade relationship between
20 the United States and that country, including
21 the volume of imports entering the United
22 States from that country under any preferential
23 trade program such as that under title V of the
24 Trade Act of 1974 relating to the Generalized
25 System of Preferences, the Caribbean Basin

1 Economic Recovery Act, and the Andean Trade
2 Preference Act; and

3 (2) submit to the Committee on Ways and
4 Means of the House of Representatives and the
5 Committee on Finance of the Senate a report on the
6 assessments of each country made under paragraph
7 (1), including—

8 (A) discussions of the matters referred to
9 in subparagraph (A) and (B) of paragraph (1);
10 and

11 (B) appropriate trade sanctions to impose
12 on that country if the country does not become
13 certified under subparagraph (A) of section
14 490A(b)(1) of the Foreign Assistance Act of
15 1961 within 6 months after the submission of
16 the report under this section.

17 (b) CONSULTATIONS AND INFORMATION SOURCES.—
18 In making the assessments under subsection (a), the
19 Trade Representative shall consult with the Secretary of
20 State and take into account information from sources
21 available to the Trade Representative and such informa-
22 tion as may be submitted to the Trade Representative by
23 interested persons.

1 **SEC. 2. AUTHORITY TO IMPOSE TRADE SANCTIONS.**

2 In the case of any country to which section 1(2)(B)
3 applies, the President is authorized to impose the following
4 sanctions:

5 (1) Nondiscriminatory treatment (most-favored-
6 nation treatment) may be denied to the products of
7 that country.

8 (2) That country may be denied treatment as a
9 beneficiary developing country under title V of the
10 Trade Act of 1974 (relating to the Generalized Sys-
11 tem of Preferences), as a beneficiary country under
12 the Caribbean Basin Economic Recovery Act, and as
13 a beneficiary country under the Andean Trade Pref-
14 erence Act.

15 (3) That country may be denied trade benefits
16 under any agreement between that country and the
17 United States establishing a free trade area.

18 (4) The President (may decline to negotiate)
19 with that country for purposes of establishing a free
20 trade area.

21 **SEC. 3. DEFENSES OF THE UNITED STATES UNDER EXIST-**
22 **ING TRADE AGREEMENTS.**

23 If proceedings are initiated by a country against the
24 United States in the World Trade Organization or under
25 the North American Free Trade Agreement with respect
26 to actions taken under (section 2), the President shall in-

- 1 voke all applicable defenses in such proceedings, including
- 2 exceptions for measures necessary to protect human, ani-
- 3 mal, or plant life or health.

