

105TH CONGRESS
2D SESSION

H. R. 3578

To provide for a judicial and administrative remedy for disputes arising
under certain agreements with foreign entities.

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 1998

Mr. MENENDEZ (for himself, Mr. PALLONE, Mr. PAYNE, Mr. FRELING-
HUYSEN, Mr. SMITH of New Jersey, Mr. FRANKS of New Jersey, and Mr.
TRAFICANT) introduced the following bill; which was referred to the Com-
mittee on the Judiciary

A BILL

To provide for a judicial and administrative remedy for dis-
putes arising under certain agreements with foreign enti-
ties.

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 “Protecting American
5 Small Business Trade Act of 1998”.

6 **SEC. 2. JUDICIAL AND ADMINISTRATIVE REMEDY TO EN-**
7 **FORCE CERTAIN ARBITRATION CLAUSES.**

8 (a) JUDICIAL REMEDY.—Any person who has entered
9 into any contract, license, or other agreement with any

1 foreign entity before July 1, 1985, that contains a provi-
2 sion to settle by arbitration any controversy arising out
3 of such contract, license, or other agreement, shall not be
4 barred from bringing an action in any court of competent
5 jurisdiction in the United States, including any Federal
6 or State court, or from seeking appropriate relief from any
7 agency of the United States, to resolve any controversy
8 arising under such contract, license, or other agreement.

9 (b) PERSON.—For purposes of this section, the term
10 “person” means—

11 (1) any natural person residing in the United
12 States; and

13 (2) any corporation, partnership, or other entity
14 organized under the laws of the United States.

15 **SEC. 2. STATUTE OF LIMITATIONS.**

16 The right under section 1 to bring an action in a
17 court or to seek appropriate relief from an agency of the
18 United States applies only if the action is commenced, or
19 petition for relief is filed, within the 180-day period begin-
20 ning on the date of the enactment of this Act.

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