

107TH CONGRESS
2^D SESSION

S. 2005

To authorize the negotiation of a free trade agreement with the Republic of the Philippines, and to provide for expedited congressional consideration of such an agreement.

IN THE SENATE OF THE UNITED STATES

MARCH 11, 2002

Mr. LUGAR introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To authorize the negotiation of a free trade agreement with the Republic of the Philippines, and to provide for expedited congressional consideration of such an agreement.

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 “United States-Republic
5 of the Philippines Free Trade Agreement Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Economic growth in the United States has
2 been considerably enhanced by bilateral agreements
3 to lower barriers for United States exports.

4 (2) Free trade agreements facilitate economic
5 growth which enhances the welfare and quality of
6 life of all citizens of the countries which are party
7 to the agreements.

8 (3) Countries that open their domestic markets,
9 remove barriers to foreign direct investment, and
10 promote free enterprise, empower their citizens to
11 escape poverty and maintain social and environ-
12 mental values.

13 **SEC. 3. UNITED STATES POLICY WITH RESPECT TO TRADE.**

14 It is the policy of the United States to seek the elimi-
15 nation of tariff and non-tariff barriers in order to achieve
16 more open market access through bilateral free trade
17 agreements. The agreements should address the following:

18 (1) National treatment and market access for
19 agricultural and industrial products.

20 (2) Rules for determining which goods originate
21 in the territory of the United States and which
22 goods originate in the territory of the other party to
23 the agreement.

1 (3) Customs procedures that facilitate trade
2 and collection of trade statistics, while ensuring the
3 validity of claims for preferential treatment.

4 (4) Science-based, nondiscriminatory sanitary,
5 phytosanitary, and technical standards, including
6 voluntary standards.

7 (5) Safeguard provisions consistent with inter-
8 national law.

9 (6) Government procurement procedures.

10 (7) National treatment and rights of establish-
11 ment for foreign direct investors.

12 (8) National treatment and market access for
13 traded services, including consumption of services
14 abroad, cross-border provision of services, rights of
15 establishment of commercial presence, and the move-
16 ment of natural persons.

17 (9) Protection of intellectual property.

18 (10) Transparency of legal and regulatory re-
19 gimes.

20 (11) Measures to promote electronic commerce.

21 (12) Adherence to internationally recognized
22 core labor standards.

1 **SEC. 4. NEGOTIATION OF A FREE TRADE AGREEMENT WITH**
2 **THE REPUBLIC OF THE PHILIPPINES.**

3 Subject to section 5, the President is authorized to
4 enter into an agreement with the Republic of the Phil-
5 ippines consistent with the policy described in section 3.

6 **SEC. 5. INTRODUCTION AND FAST TRACK CONSIDERATION**
7 **OF IMPLEMENTING BILL.**

8 (a) INTRODUCTION IN HOUSE OF REPRESENTATIVES
9 AND SENATE.—

10 (1) IN GENERAL.—Whenever the President sub-
11 mits to Congress a bill to implement a trade agree-
12 ment described in section 4, the bill shall be intro-
13 duced (by request) in the House of Representatives
14 and in the Senate as described in section 151(c) of
15 the Trade Act of 1974 (19 U.S.C. 2191(c)).

16 (2) BILLS QUALIFYING FOR TRADE AUTHORI-
17 TIES PROCEDURES.—The provisions of section 151
18 of the Trade Act of 1974 (19 U.S.C. 2191) apply
19 to a bill of either House of Congress consisting of—

20 (A) a provision approving a trade agree-
21 ment entered into under section 4 and approv-
22 ing the statement of administrative action, if
23 any, proposed to implement such trade agree-
24 ment; and

25 (B) provisions directly related to the policy
26 described in section 3.

1 (b) CONFORMING AMENDMENTS.—Section 151 of the
2 Trade Act of 1971 (19 U.S.C. 2191) is amended—

3 (1) in subsection (b)(1), by inserting “section 5
4 of the United States-Republic of the Philippines
5 Free Trade Agreement Act” after “the Omnibus
6 Trade and Competitiveness Act of 1988,”; and

7 (2) in subsection (c)(1), by inserting “or under
8 section 5 of the United States-Republic of the Phil-
9 ippines Free Trade Agreement Act,” after “the Uru-
10 guay Round Agreements Act,”.

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