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PROPOSED LEGISLATION: A BILL TO PROVIDE A WAIVER FROM CERTAIN PROVISIONS RELATING TO THE APPOINTMENT OF THE UNITED STATES TRADE REPRESENTATIVE

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MESSAGE

FROM

**THE PRESIDENT OF THE UNITED STATES**

TRANSMITTING

A DRAFT OF PROPOSED LEGISLATION TO PROVIDE A WAIVER FROM CERTAIN PROVISIONS RELATING TO THE APPOINTMENT OF THE UNITED STATES TRADE REPRESENTATIVE



JANUARY 7, 1997.—Message and accompanying papers referred to the Committee on Ways and Means and ordered to be printed

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*To the Congress of the United States:*

I am pleased to transmit herewith for your immediate consideration and enactment legislation to provide a waiver from certain provisions relating to the appointment of the United States Trade Representative.

This draft bill would authorize the President, acting by and with the advice and consent of the Senate, to appoint Charlene Barshefsky as the United States Trade Representative, notwithstanding any limitations imposed by certain provisions of law. The Lobbying Disclosure Act of 1995 amended the provisions of the Trade Act of 1974 regarding the appointment of the United States Trade Representative and the Deputy United States Trade Representative by imposing certain limitations on their appointment. These limitations only became effective with respect to the appointment of the United States Trade Representative and Deputy United States Trade Representatives on January 1, 1996, and do not apply to individuals who were serving in one of those positions on that date and continue to serve in them. Because Charlene Barshefsky was appointed Deputy United States Trade Representative on May 28, 1993, and has continued to serve in that position since then, the limitations in the Lobbying Disclosure Act, which became effective on January 1, 1996, do not apply to her in her capacity as Deputy United States Trade Representative and it is appropriate that they not apply to her if she is appointed to be the United States Trade Representative.

I have today nominated Charlene Barshefsky to be the next United States Trade Representative. She has done an outstanding job as Deputy United States Trade Representative since 1993 and as Acting United States Trade Representative for the last 9 months. I am confident she will make an excellent United States Trade Representative. I urge the Congress to take prompt and favorable action on this legislation.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *January 7, 1997.*



## A BILL

To provide a waiver from certain provisions relating to the appointment of the  
United States Trade Representative.

*Be it enacted by the Senate and House of Representatives of the United States of  
America in Congress assembled,*

### SECTION 1. WAIVER OF CERTAIN PROVISIONS RELATING TO APPOINTMENT OF UNITED STATES TRADE REPRESENTATIVE

(a) FINDINGS.—Congress makes the following findings:

(1) Section 21 of the Lobbying Disclosure Act of 1995, which became effective on January 1, 1996, amended section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)) by providing certain limitations with respect to the appointment of the United States Trade Representative and Deputy United States Trade Representatives.

(2) Section 21 of the Lobbying Disclosure Act of 1995 does not apply to any individual who was serving as the United States Trade Representative or Deputy United States Trade Representative on the effective date of the Act and who continued to serve in that position.

(3) Charlene Barshefsky was appointed Deputy United States Trade Representative on May 28, 1993, with the advice and consent of the Senate, and was serving in that position on January 1, 1996. Therefore, the amendments made by section 21 of the Lobbying Disclosure Act of 1995 do not apply to Charlene Barshefsky in her capacity as Deputy United States Trade Representative.

(4) In light of the foregoing findings, it is appropriate to continue to waive the provisions of section 141(b)(3) of the Trade Act of 1974 with respect to the appointment of Charlene Barshefsky as the United States Trade Representative.

(b) WAIVER OF SECTION 141(b)(3).—Notwithstanding the provisions of paragraph (3) of section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)(3)) or any other provision of law, the President, acting by and with the advice and consent of the Senate, is authorized to appoint Charlene Barshefsky as the United States Trade Representative.

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