

119TH CONGRESS
1ST SESSION

S. _____

To limit the authority of the President to impose new or additional duties with respect to articles imported from countries that are allies or free trade agreement partners of the United States.

IN THE SENATE OF THE UNITED STATES

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

A BILL

To limit the authority of the President to impose new or additional duties with respect to articles imported from countries that are allies or free trade agreement partners of the United States.

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 “Stopping Tariffs on
5 Allies and Bolstering Legislative Exercise of Trade Policy
6 Act” or the “STABLE Trade Policy Act”.

1 **SEC. 2. LIMITATION ON AUTHORITY OF THE PRESIDENT TO**
2 **IMPOSE DUTIES ON ALLIES AND FREE TRADE**
3 **AGREEMENT PARTNERS OF THE UNITED**
4 **STATES.**

5 (a) DEFINITIONS.—In this section:

6 (1) COVERED COUNTRY.—The term “covered
7 country” means—

8 (A) a member country of the North Atlan-
9 tic Treaty Organization;

10 (B) a country that has been designated as
11 a major non-NATO ally under section 517 of
12 the Foreign Assistance Act of 1961 (22 U.S.C.
13 2321k); or

14 (C) a country that has in effect a free
15 trade agreement with the United States.

16 (2) COVERED DUTY.—The term “covered duty”
17 means a duty proclaimed pursuant to—

18 (A) section 232 of the Trade Expansion
19 Act of 1962 (19 U.S.C. 1862);

20 (B) section 338 of the Tariff Act of 1930
21 (19 U.S.C. 1338);

22 (C) the Trading with the Enemy Act (50
23 U.S.C. 4301 et seq.); or

24 (D) the International Emergency Eco-
25 nomic Powers Act (50 U.S.C. 1701 et seq.).

1 (b) AUTHORITY TO PROCLAIM OR INCREASE DUTY
2 RATES.—Notwithstanding any other provision of law, the
3 President may proclaim a new or additional covered duty
4 with respect to an article imported into the United States
5 from a covered country, only if—

6 (1) the President submits to Congress a request
7 for authorization to proclaim or increase the duty
8 that includes—

9 (A) a description of the objective the Presi-
10 dent seeks to achieve through the proclamation
11 or increase of the duty;

12 (B) an explanation of why such objective
13 cannot be achieved more effectively through
14 diplomatic engagement, trade dispute resolution
15 processes, or other mechanisms;

16 (C) an assessment of the likely impact of
17 the duty on the foreign policy and national se-
18 curity interests of the United States; and

19 (D) an assessment of the likely impact of
20 the proposal on the economy of the United
21 States as a whole and on any relevant industry
22 sector; and

23 (2) a joint resolution of approval under sub-
24 section (c) is enacted into law.

25 (c) JOINT RESOLUTION OF APPROVAL.—

1 (1) JOINT RESOLUTION OF APPROVAL DE-
2 FINED.—In this subsection, the term “joint resolu-
3 tion of approval” means a joint resolution the sole
4 matter after the resolving clause of which is as fol-
5 lows: “That Congress authorizes the President to
6 proclaim duty rates as set forth in the request of the
7 President submitted to Congress on
8 _____”, with the blank space
9 being filled with the date of the request submitted
10 under subsection (b)(1).

11 (2) INTRODUCTION.—A joint resolution of ap-
12 proval may be introduced in either House of Con-
13 gress by any Member during the 15-legislative day
14 period beginning on the date on which the President
15 submits to Congress the request under subsection
16 (b)(1).

17 (3) EXPEDITED PROCEDURES.—The provisions
18 of subsections (b) through (f) of section 152 of the
19 Trade Act of 1974 (19 U.S.C. 2192) apply to a joint
20 resolution of approval to the same extent that such
21 subsections apply to joint resolutions under such
22 section 152.

23 (4) RULES OF THE SENATE AND THE HOUSE
24 OF REPRESENTATIVES.—This subsection is enacted
25 by Congress—

1 (A) as an exercise of the rulemaking power
2 of the Senate and the House of Representa-
3 tives, respectively, and as such is deemed a part
4 of the rules of each House, respectively, but ap-
5 plicable only with respect to the procedure to be
6 followed in that House in the case of a joint
7 resolution of approval, and supersedes other
8 rules only to the extent that it is inconsistent
9 with such rules; and

10 (B) with full recognition of the constitu-
11 tional right of either House to change the rules
12 (so far as relating to the procedure of that
13 House) at any time, in the same manner, and
14 to the same extent as in the case of any other
15 rule of that House.