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Fast-Track Negotiating Authority for Trade Agreements and Trade Promotion Authority: Chronology of Major Votes

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Summary

This is a chronology, from 1974 to the present, of the significant legislation concerning fast-track trade negotiating authority, with emphasis on the bills and resolutions that had floor votes. Also included is a chronology of votes on implementing legislation on trade agreements, from 1979 to the present; these bills were passed under expedited procedures by Congress and signed by the President. For further discussions of past legislative activity on fast-track legislation and of current bills on trade promotion authority (TPA), CRS reports and Internet resources are listed at the end of this report. Members of Congress who want more on this topic may consult the CRS Electronic Briefing Book (EBB) on Trade at [<http://www.congress.gov/brbk/html/ebtra1.shtml>]. This report will be updated as legislation warrants.

Legislative Background Information

Fast-track is an expedited procedure for congressional consideration of international trade agreements. This process is tied to the President's authority to enter into trade agreements to reduce U.S. tariff and non-tariff barriers with other countries. The fast-track authority provides that Congress will consider trade agreements within mandatory deadlines, with a limitation on debate, and without amendment, as long as the President meets prescribed requirements as set out by law. The statutory provisions for "trade agreement negotiating authority" are in the *United States Code*, at 19 U.S.C. 2902, 2903, 2904, and 2906.

The Reciprocal Trade Agreements Act of 1934 (P.L. 73-316) established the authority of the President in negotiating reduction of tariff barriers. The Trade Act of 1974 (P.L. 93-618) required more extensive consultations between Congress and the President during trade negotiations. However, this Act also provided a new mechanism for expediting the consideration of trade agreements, which came to be known as fast-track. Congress authorized and extended fast-track authority several times, as shown in

the chronology of votes, but fast-track negotiating authority expired in 1994. In subsequent sessions of Congress, there were several legislative proposals to reauthorize fast-track authority, but these bills did not pass. In the 105th Congress, H.R. 2621 was defeated in a House vote on September 25, 1998. In the 107th Congress, new legislative proposals on trade promotion authority (TPA) are being considered. On December 6, 2001, the Bipartisan Trade Promotion Authority Act of 2001 (H.R. 3005) passed the House, with a vote of 215 to 214.

In the chronology of fast-track legislation in **Table 1**, some of the listed bills focus on the sole issue of fast-track negotiating authority. Other bills are **major landmarks of trade legislation**, of which fast-track is only one of many trade provisions. These major trade acts, listed in boldface, include the Trade Act of 1974, the Trade Agreements Act of 1979, the Trade and Tariff Act of 1984, and the Omnibus Trade and Competitiveness Act of 1988.

Table 1. Chronology of Votes in Legislation Authorizing or Extending Fast-Track Negotiating Authority for Trade Agreements

Congress	Bill and Title	Description and Comments	Votes
93 rd Congress	H.R. 10710 Trade Act of 1974 (P.L. 93-618, enacted January 3, 1975)	Trade reform, including provisions in Title I for “negotiating and other authority” for trade agreements.	Passed House December 11, 1973 (272-140). Passed Senate December 13, 1974 (77-4). Conference Report passed Senate December 20, 1974 (72-4).
96 th Congress	H.R. 4537 Trade Agreements Act of 1979 (P.L. 96-39, enacted July 26, 1979)	Implemented trade agreements negotiated by the United States in the Tokyo Round of the General Agreement on Tariffs and Trade (GATT). Extended for an additional 8 years (until January 3, 1988), the President’s authority to negotiate trade agreements, under expedited procedures.	Passed House July 11, 1979 (395-7). Passed Senate July 23, 1979 (90-4).
98 th Congress	H.R. 3398 Trade and Tariff Act of 1984 (P.L. 98-573, enacted October 30, 1984)	Included section 401 (for the negotiation of a free trade agreement with Israel) and section 404 (a provision on fast-track procedures for perishable articles).	Passed House June 28, 1983 (368-43). Passed Senate September 20, 1984 (96-0). Conference Report passed House October 9, 1984 (386-1).
98 th Congress	Related bill: H.R. 5377	U.S. Israel Free Trade Area	Passed House October 3, 1984 (416-6). Text of bill was inserted into H.R. 3398.

Congress	Bill and Title	Description and Comments	Votes
100 th Congress	H.R. 4848 Omnibus Trade and Competitiveness Act of 1988 (P.L. 100-418, enacted August 23, 1988)	Comprehensive trade legislation including section 1102, providing authority for the President to enter into reciprocal bilateral and multilateral trade agreements. See H.R. 3 below.	Passed House July 13, 1988 (376-45). Passed Senate August 3, 1988 (85-11).
100 th Congress	Related bill: H.R. 3	Omnibus Trade and Competitiveness Act of 1987. Provisions concerning trade agreement authority were reintroduced into H.R. 4848, which was enacted as P.L. 100-418.	Passed House April 30, 1987 (290-137). Passed Senate July 21, 1987 (71-27). Conference Report passed House April 21, 1988 (312-107). Conference Report passed Senate April 27, 1988 (63-36). Vetoed by President, May 24, 1988. Motion to override veto passed House, May 24, 1988 (308-113). Motion to override veto failed to pass in Senate, June 8, 1988 (61-37).
100 th Congress	S. 1420	Omnibus Trade and Competitiveness Act of 1987	Several cloture motions on amendments in 1987.
102 nd Congress	H.Res. 101	Resolution disapproving the extension of fast-track procedures to implement trade agreements entered into after May 31, 1991.	Failed House May 23, 1991 (192-231).
102 nd Congress	H.Res. 146	Resolution concerning U.S. objectives of future trade agreements.	Passed House May 23, 1991 (329-85).
102 nd Congress	S. Res. 78	Resolution disapproving extension of fast-track procedures under the Omnibus Trade and Competitiveness Act of 1988.	Failed Senate May 24, 1991 (36-59).
103 rd Congress	H.R. 1876 Uruguay Round of Multilateral Trade Negotiations (P.L. 103-49, enacted July 2, 1993)	Uruguay Round of Multilateral Trade Negotiations, provision of presidential authority to enter into trade agreements to conclude the Uruguay Round under GATT, and to apply congressional fast-track procedures to implementing legislation.	Passed House June 22, 1993 (295-126). Passed Senate June 30, 1993 (76-16).

Congress	Bill and Title	Description and Comments	Votes
105 th Congress	H.R. 2621	Reciprocal Trade Agreement Authorities Act of 1997.	Failed House September 25, 1998 (180-243). Failed to extend the trade authority procedures with respect to reciprocal trade agreements.
107 th Congress	H.R. 3005	Bipartisan Trade Promotion Authority Act of 2001.	Passed House December 6, 2001 (215-214).

Congress has applied fast-track legislative procedures to approve several bilateral and multilateral trade agreements, entered into under the applicable statutory authorities. **Table 2** lists the past uses of fast-track procedures in the implementation of trade agreements.

Table 2. Chronology of Votes for Bills Using Fast-Track Procedures in the Implementation of Trade Agreements

Congress	Bill and Title	Description and Comments	Votes
96 th Congress	Trade Agreements Act of 1979 (P.L. 96-39, H.R. 4537, enacted July 26, 1979)	Approved and implemented the trade agreements negotiated by the United States, in the Tokyo Round of multilateral trade negotiation, within the framework of the GATT. Fast-track trade authority stemmed from the Trade Act of 1974.	Passed House July 11, 1979 (395-7). Passed Senate July 23, 1979 (90-4).
99 th Congress	United States-Israel Free Trade Area Implementation Act of 1985 (P.L. 99-47, H.R. 2268, enacted June 11, 1985)	Approved and implemented the free trade area between the United States and Israel, under the Trade and Tariff Act of 1984.	Passed House May 7, 1985 (422-0). Passed Senate May 23, 1985 (voice vote).
100 th Congress	United States-Canada Free Trade Agreement Implementation Act of 1988 (P.L. 100-449, H.R. 5090, enacted September 28, 1988)	Approved and implemented the free trade agreement between the United States and Canada, under the Trade and Tariff Act of 1984.	Passed House August 9, 1988 (366-40). Passed Senate September 19, 1988 (83-9).
103 rd Congress	North American Free Trade Agreement Implementation Act (P.L. 103-182, H.R. 3450, enacted December 8, 1993)	Approved and implemented the North American Free Trade Agreement (NAFTA) between the United States, Canada, and Mexico, under the Omnibus Trade and Competitiveness Act of 1988.	Passed House November 17, 1993 (288-146). Passed Senate November 20, 1993 (61-38).
103 rd Congress	Uruguay Round Agreements Act (P.L. 103-465, H.R. 5110, enacted December 8, 1994)	Approved and implemented the trade agreements concluded in the Uruguay Round of multilateral trade negotiations, under the Omnibus Trade and Competitiveness Act of 1988.	Passed House November 29, 1994 (288-146). Passed Senate December 1, 1994 (76-24).

Resources for Additional Information

CRS Issue Brief IB10084, *Trade Promotion Authority (Fast-track Authority for Trade Agreements): Background and Developments in the 107th Congress*, by Lenore Sek.

CRS Report 97-896, *Why Certain Trade Agreements Are Approved as Congressional-Executive Agreements Rather Than As Treaties*, by Jeanne Grimmett.

White House Web site on “Trade Promotion Authority,” at [<http://tpa.gov>]. This site provides links to statements of U.S. trade officials on trade negotiating authority for the President. A state map provides links to government documents discussing the impact of trade for each state.

For Members of Congress, the CRS Electronic Briefing Book (EBB) on Trade has information on TPA, at [www.congress.gov/brbk/html/ebbttop.html].