

109TH CONGRESS
2^D SESSION

S. _____

To authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam.

IN THE SENATE OF THE UNITED STATES

Mr. BAUCUS (for himself, Mr. SMITH, Mr. MCCAIN, Mr. KERRY, Mr. HAGEL, Mr. LUGAR, Ms. MURKOWSKI, and Mr. CARPER) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam.

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. FINDINGS.**

4 Congress finds the following:

5 (1) In July 1995, President Bill Clinton an-
6 nounced the formal normalization of diplomatic rela-
7 tions between the United States and Vietnam.

8 (2) Vietnam has taken cooperative steps with
9 the United States under the United States Joint

1 POW/MIA Accounting Command (formerly the
2 Joint Task Force-Full Accounting) established in
3 1992 by President George H. W. Bush to provide
4 the fullest possible accounting of MIA and POW
5 cases.

6 (3) In 2000, the United States and Vietnam
7 concluded a bilateral trade agreement that included
8 commitments on goods, services, intellectual prop-
9 erty rights, and investment. The agreement was ap-
10 proved by joint resolution enacted pursuant to sec-
11 tion 405(c) of the Trade Act of 1974 (19 U.S.C.
12 2435(c)), and entered into force in December 2001.

13 (4) Since 2001, normal trade relations treat-
14 ment has consistently been extended to Vietnam pur-
15 suant to title IV of the Trade Act of 1974.

16 (5) Vietnam has undertaken significant market-
17 based economic reforms, including the reduction of
18 government subsidies, tariffs and nontariff barriers,
19 and extensive legal reform. These measures have
20 dramatically improved Vietnam's business and in-
21 vestment climate.

22 (6) Vietnam is in the process of acceding to the
23 World Trade Organization. On May 31, 2006, the
24 United States and Vietnam signed a comprehensive
25 bilateral agreement providing greater market access

1 for goods and services and other trade liberalizing
2 commitments as part of the World Trade Organiza-
3 tion accession process.

4 **SEC. 2. TERMINATION OF APPLICATION OF TITLE IV OF**
5 **THE TRADE ACT OF 1974 TO VIETNAM.**

6 (a) PRESIDENTIAL DETERMINATIONS AND EXTEN-
7 SION OF NON-DISCRIMINATORY TREATMENT.—Notwith-
8 standing any provision of title IV of the Trade Act of 1974
9 (19 U.S.C. 2431 et seq.), the President may—

10 (1) determine that such title should no longer
11 apply to Vietnam; and

12 (2) after making a determination under para-
13 graph (1) with respect to Vietnam, proclaim the ex-
14 tension of nondiscriminatory treatment (normal
15 trade relations treatment) to the products of that
16 country.

17 (b) TERMINATION OF THE APPLICABILITY OF TITLE
18 IV.—On and after the effective date of the extension of
19 nondiscriminatory treatment to the products of Vietnam
20 under subsection (a), title IV of the Trade Act of 1974
21 shall cease to apply to that country.