

104TH CONGRESS
2D SESSION

H. R. 4014

To require the President to certify whether the commitments made in the side agreements on the environment and on labor to the North American Free Trade Agreement are being met, and to remove certain benefits from a country that is certified as not meeting those commitments.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 1996

Mr. WELDON of Pennsylvania (for himself, Mr. CLAY, Mr. QUINN, Mr. McHUGH, Mr. STEARNS, Mr. TRAFICANT, Mr. ENGLISH of Pennsylvania, Mr. REGULA, Ms. KAPTUR, Mr. GOODLING, and Mr. NEY) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on International Relations, and Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the President to certify whether the commitments made in the side agreements on the environment and on labor to the North American Free Trade Agreement are being met, and to remove certain benefits from a country that is certified as not meeting those commitments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PRESIDENTIAL CERTIFICATIONS.**2 (a) CERTIFICATIONS REGARDING ENVIRONMENTAL
3 AGREEMENT.—4 (1) ANNUAL CERTIFICATIONS.—The President
5 shall, on the basis of the reports prepared under
6 paragraph (2), submit to the Congress, not later
7 than May 31 of each year, a report that certifies
8 whether or not each NAFTA country is meeting
9 commitments made in the North American Agree-
10 ment on Environmental Cooperation—11 (A) to ensure that the regulations of that
12 country establish and enforce levels of environ-
13 mental protection that meet the requirements of
14 its constitution and other laws setting forth the
15 country's policy on environmental protection;
16 and17 (B) to effectively enforce the laws referred
18 to in paragraph (1).19 (2) BASIS OF CERTIFICATION.—The Adminis-
20 trator of the Environmental Protection Agency shall
21 prepare for the President an annual report on the
22 enforcement by each NAFTA country of its laws
23 governing environmental protection, and its progress
24 in protecting the environment in accordance with its
25 development. In doing so, the Administrator shall
26 consider the country's—

4 Each report under this paragraph shall be transmit-
5 ted to the President not later than 30 days before
6 the date on which the President is required to sub-
7 mit his report under paragraph (1).

8 (b) CERTIFICATIONS REGARDING LABOR AGREEMENT.—
9

- 21 (A) monitoring and on-site inspection by
- 22 trained;
- 23 (B) encouragement of voluntary compli-
- 24 ance by employers;

- 1 (C) mandatory reporting by employers to
2 appropriate governmental authorities; and
3 (E) enforcement actions.

- 12 (A) Freedom of association.
- 13 (B) The right to bargain collectively.
- 14 (C) The right to strike.
- 15 (D) Prohibition on forced labor.
- 16 (E) Restrictions on labor by children and
- 17 young people.

18 (F) Minimum employment standards.
19 (G) Elimination of employment discrimina-
20 tion

21 (H) Equal pay for men and women.

22 (I) Prevention of occupational accidents
23 and diseases.

24 (J) Compensation in cases of work acci-
25 dents and occupational diseases.

1 Each report under this paragraph shall be transmitted
2 to the President not later than 30 days before
3 the date on which the President is required to submit
4 his report under paragraph (1).

5 **SEC. 2. DENIAL OF CERTAIN BENEFITS.**

6 (a) **IN GENERAL.**—In any case in which the President certifies in a report submitted under section 1 that a NAFTA country is not meeting commitments made in the North American Agreement on Environmental Cooperation or the North American Agreement on Labor Cooperation, then the following shall apply, beginning 30 days after the report is submitted, until the next report is submitted under section 1:

14 (1) **DENIAL OF UNITED STATES ASSISTANCE.**—
15 That country may not receive any United States assistance (other than humanitarian assistance), including any loans or other extensions of credit or credit guarantees by the United States.

19 (2) **OPPOSITION TO ASSISTANCE BY INTERNATIONAL FINANCIAL INSTITUTIONS.**—The President shall direct the United States Representative to each international financial institution to use the voice and vote of the United States to oppose any loan or other extension of credit to that country.

8 (b) WAIVER.—The President may waive the applica-
9 tion of any provision of subsection (a) with respect to a
10 country if the President determines that it is in the na-
11 tional security interests of the United States to do so and
12 the President submits that determination, and the ration-
13 ale for the determination, to the Congress at least 30 days
14 before the waiver would take effect.

15 SEC. 3. DEFINITIONS.

16 As used in this Act:

