

without amendments or delay. Specifically, in the case of an agreement with Canada:

- ° The President must give advance notice to and consult with the Chairmen of the House Ways and Means Committee and the Senate Finance Committee of his intention to conclude an agreement with Canada covering tariff and non-tariff measures.
- ° Unless the chairmen of these Committees disapprove within a period of 60 days, the executive branch may proceed with the negotiations; this could involve the participation of members of these committees or other members of the Congress as observers on the U.S. negotiating team.
- ° Following the conclusion of the negotiations, the President would give Congress at least 90 days' prior notice of his intention to enter into the agreement with Canada and during this period he must consult with the House Ways and Means Committee and the Senate Finance Committee, as well as other Congressional committees with jurisdiction over matters covered by the agreement; at the expiry of this period, the President would submit the agreement to both Houses of Congress, along with any draft legislation needed for its implementation.
- ° The House and Senate committees concerned (principally the House Ways and Means Committee and the Senate Finance Committee) must then report out within 45 days the necessary legislation to approve the agreement and implement it.
- ° Within 15 days the two Houses must approve or disapprove the agreement and the implementing legislation.
- ° No amendments to the proposed legislation are permitted either during the committee stage or on the floor of either House, and there are time limits on the debates²².

The use of the fast-track process thus expedites the ratification by Congress of trade agreements, and reduces the possibility that Congress might not approve of agreements entered into by the executive branch, as has happened several times in the past to the embarrassment of the executive branch and the other countries concerned. Further, by associating key members of Congress with the negotiations, the durability and stability of the agreement and the implementing legislation are better assured. The process does not guarantee against the subsequent adoption by Congress of legislation which would conflict with U.S. obligations to Canada under the trade agreement (these obligations would remain intact as a matter of international law) but the process reduces the possibility of subsequent conflicting legislation being adopted.

It might be argued that an agreement in the form of a "treaty" on the U.S. side, would carry greater prestige and authority, and hence a higher level of