

The proposed Joint Trade Commission should be built on the precedent of the long-established International Joint Commission. The Commission would not be a negotiating body, but would be designed to operate in a collegial manner to assist the two countries in implementing the new agreement, and to assist generally in the management of the bilateral trade relationship. The Commission might consist of six Commissioners with offices in Ottawa and Washington.

The Commission should be authorized by the agreement to establish and appoint a Joint Advisory Board consisting of perhaps 18 qualified people drawn from departments of the two federal governments, provincial and state governments and the private sectors in the two countries, who would investigate and report to the Commission on trade and related issues referred to it by the two governments, under standing references and under specific references.

The Commission should be authorized to establish and appoint from time to time Joint Dispute Panels to help resolve particular bilateral disputes arising in trade and related areas, when requested by the two governments; these panels might consist of 3-5 members, whose investigations and reports would be the basis for recommendations to the two governments by the Commission regarding the resolution of a bilateral dispute.

The Commission should be authorized to establish and appoint a Joint Injury Panel, drawn from the Canadian Import Tribunal and the United States International Trade Commission, to investigate and report to the Commission on injury to domestic producers in either country arising from imports from the other country in connection with the use of anti-dumping duties, countervailing duties and safeguard import measures, as a basis for recommendations by the Commission to the two governments on the imposition of such measures on particular imports of goods and services by one country from the other.

On the United States side, the trade agreement should be cast in the form of an "executive agreement", approved by Congress along with any needed implementing legislation in accordance with the "fast-track" procedures under the 1974 Trade Act and the 1984 Trade and Tariff Act.