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Current Status of the Omnibus Trade & Competitiveness Act of 1988

This issue of The North Carolina Journal of International Law & Commercial Regulation discusses several aspects of the Omnibus Trade and Competitiveness Act of 1988. This massive piece of legislation was originally introduced in 1986 in the House of Representatives, which eventually passed its version of the bill in May 1987. The Senate passed its version two months later. The Conference Committee, the largest assembled for any single piece of congressional legislation, began meeting intermittently in September 1987, then frequently throughout March and April of 1988, to reconcile differences in the House and Senate versions. The final Omnibus Trade and Competitiveness Act was passed by the House on April 21, 1988, by a vote of 312 to 107; the Senate passed the Act on April 27, 1988, with a vote of 63 to 36.

President Reagan vetoed the Omnibus Trade Act on May 24. Though the Reagan Administration had long threatened a veto, largely for numerous provisions in the Omnibus Trade legislation that protect domestic industry from imports and that remove Presidential discretion in the trade relief process, the President's veto message focused on his opposition to provisions that require employers injured by import competition to give advance notice to workers of plant shutdowns and layoffs.

The House acted quickly, overriding the President's veto on the same day, by a vote of 308 to 113. The Senate, however, on June 8, sustained the President's veto, by a vote of 61 to 37 to override, which did not meet the required two-thirds majority. At the time this publication goes to press, it appears that the Senate may reconsider its vote in the current session, but it is unclear whether enough votes can be mustered to override the veto.

The following articles discuss several aspects of U.S. trade policy, such as the Presidential role in the trade relief process, export control of military and strategic material, and proposed amendments to antidumping and countervailing duty law—issues that remain current, whatever the final disposition of the Omnibus Trade and Competitiveness Act of 1988.