

In the Senate of the United States,

May 22, 2015.

Resolved, That the bill from the House of Representatives (H.R. 1314) entitled “An Act to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.”, do pass with the following

AMENDMENT:

Strike all after the enacting clause and insert the following:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2 (a) *SHORT TITLE.*—*This Act may be cited as the*
3 *“Trade Act of 2015”.*

4 (b) *TABLE OF CONTENTS.*—*The table of contents for*
5 *this Act is as follows:*

Sec. 1. Short title; table of contents.

TITLE I—TRADE PROMOTION AUTHORITY

Sec. 101. Short title.

Sec. 102. Trade negotiating objectives.

Sec. 103. Trade agreements authority.

Sec. 104. Congressional oversight, consultations, and access to information.

1 *ties for United States exports or otherwise distort*
2 *United States trade;*

3 *(3) to further strengthen the system of inter-*
4 *national trade and investment disciplines and proce-*
5 *dures, including dispute settlement;*

6 *(4) to foster economic growth, raise living stand-*
7 *ards, enhance the competitiveness of the United*
8 *States, promote full employment in the United States,*
9 *and enhance the global economy;*

10 *(5) to ensure that trade and environmental poli-*
11 *cies are mutually supportive and to seek to protect*
12 *and preserve the environment and enhance the inter-*
13 *national means of doing so, while optimizing the use*
14 *of the world's resources;*

15 *(6) to promote respect for worker rights and the*
16 *rights of children consistent with core labor standards*
17 *of the ILO (as set out in section 111(7)) and an un-*
18 *derstanding of the relationship between trade and*
19 *worker rights;*

20 *(7) to seek provisions in trade agreements under*
21 *which parties to those agreements ensure that they do*
22 *not weaken or reduce the protections afforded in do-*
23 *mestic environmental and labor laws as an encour-*
24 *agement for trade;*

1 (8) to ensure that trade agreements afford small
2 businesses equal access to international markets, equi-
3 table trade benefits, and expanded export market op-
4 portunities, and provide for the reduction or elimi-
5 nation of trade and investment barriers that dis-
6 proportionately impact small businesses;

7 (9) to promote universal ratification and full
8 compliance with ILO Convention No. 182 Concerning
9 the Prohibition and Immediate Action for the Elimini-
10 nation of the Worst Forms of Child Labor;

11 (10) to ensure that trade agreements reflect and
12 facilitate the increasingly interrelated, multi-sectoral
13 nature of trade and investment activity;

14 (11) to recognize the growing significance of the
15 Internet as a trading platform in international com-
16 merce;

17 (12) to take into account other legitimate United
18 States domestic objectives, including, but not limited
19 to, the protection of legitimate health or safety, essen-
20 tial security, and consumer interests and the law and
21 regulations related thereto; and

22 (13) to take into account conditions relating to
23 religious freedom of any party to negotiations for a
24 trade agreement with the United States.

25 (b) *PRINCIPAL TRADE NEGOTIATING OBJECTIVES.*—

1 (1) *TRADE IN GOODS.*—*The principal negoti-*
2 *ating objectives of the United States regarding trade*
3 *in goods are—*

4 (A) *to expand competitive market opportu-*
5 *nities for exports of goods from the United States*
6 *and to obtain fairer and more open conditions of*
7 *trade, including through the utilization of global*
8 *value chains, by reducing or eliminating tariff*
9 *and nontariff barriers and policies and practices*
10 *of foreign governments directly related to trade*
11 *that decrease market opportunities for United*
12 *States exports or otherwise distort United States*
13 *trade; and*

14 (B) *to obtain reciprocal tariff and nontariff*
15 *barrier elimination agreements, including with*
16 *respect to those tariff categories covered in sec-*
17 *tion 111(b) of the Uruguay Round Agreements*
18 *Act (19 U.S.C. 3521(b)).*

19 (2) *TRADE IN SERVICES.*—(A) *The principal ne-*
20 *gotiating objective of the United States regarding*
21 *trade in services is to expand competitive market op-*
22 *portunities for United States services and to obtain*
23 *fairer and more open conditions of trade, including*
24 *through utilization of global value chains, by reducing*
25 *or eliminating barriers to international trade in serv-*

1 *ices, such as regulatory and other barriers that deny*
2 *national treatment and market access or unreason-*
3 *ably restrict the establishment or operations of service*
4 *suppliers.*

5 *(B) Recognizing that expansion of trade in serv-*
6 *ices generates benefits for all sectors of the economy*
7 *and facilitates trade, the objective described in sub-*
8 *paragraph (A) should be pursued through all means,*
9 *including through a plurilateral agreement with those*
10 *countries willing and able to undertake high standard*
11 *services commitments for both existing and new serv-*
12 *ices.*

13 *(3) TRADE IN AGRICULTURE.—The principal ne-*
14 *gotiating objective of the United States with respect to*
15 *agriculture is to obtain competitive opportunities for*
16 *United States exports of agricultural commodities in*
17 *foreign markets substantially equivalent to the com-*
18 *petitive opportunities afforded foreign exports in*
19 *United States markets and to achieve fairer and more*
20 *open conditions of trade in bulk, specialty crop, and*
21 *value added commodities by—*

22 *(A) securing more open and equitable mar-*
23 *ket access through robust rules on sanitary and*
24 *phytosanitary measures that—*

1 (i) encourage the adoption of inter-
2 national standards and require a science-
3 based justification be provided for a sani-
4 tary or phytosanitary measure if the meas-
5 ure is more restrictive than the applicable
6 international standard;

7 (ii) improve regulatory coherence, pro-
8 mote the use of systems-based approaches,
9 and appropriately recognize the equivalence
10 of health and safety protection systems of
11 exporting countries;

12 (iii) require that measures are trans-
13 parently developed and implemented, are
14 based on risk assessments that take into ac-
15 count relevant international guidelines and
16 scientific data, and are not more restrictive
17 on trade than necessary to meet the in-
18 tended purpose; and

19 (iv) improve import check processes,
20 including testing methodologies and proce-
21 dures, and certification requirements,
22 while recognizing that countries may put in
23 place measures to protect human, animal, or
24 plant life or health in a manner consistent with
25 their international obligations, including the

1 *WTO Agreement on the Application of Sanitary*
2 *and Phytosanitary Measures (referred to in sec-*
3 *tion 101(d)(3) of the Uruguay Round Agree-*
4 *ments Act (19 U.S.C. 3511(d)(3))*);

5 *(B) reducing or eliminating, by a date cer-*
6 *tain, tariffs or other charges that decrease mar-*
7 *ket opportunities for United States exports—*

8 *(i) giving priority to those products*
9 *that are subject to significantly higher tar-*
10 *iffs or subsidy regimes of major producing*
11 *countries; and*

12 *(ii) providing reasonable adjustment*
13 *periods for United States import sensitive*
14 *products, in close consultation with Con-*
15 *gress on such products before initiating tar-*
16 *iff reduction negotiations;*

17 *(C) reducing tariffs to levels that are the*
18 *same as or lower than those in the United States;*

19 *(D) reducing or eliminating subsidies that*
20 *decrease market opportunities for United States*
21 *exports or unfairly distort agriculture markets to*
22 *the detriment of the United States;*

23 *(E) allowing the preservation of programs*
24 *that support family farms and rural commu-*
25 *nities but do not distort trade;*

1 (F) *developing disciplines for domestic sup-*
2 *port programs, so that production that is in ex-*
3 *cess of domestic food security needs is sold at*
4 *world prices;*

5 (G) *eliminating government policies that*
6 *create price depressing surpluses;*

7 (H) *eliminating state trading enterprises*
8 *whenever possible;*

9 (I) *developing, strengthening, and clarifying*
10 *rules to eliminate practices that unfairly de-*
11 *crease United States market access opportunities*
12 *or distort agricultural markets to the detriment*
13 *of the United States, and ensuring that such*
14 *rules are subject to efficient, timely, and effective*
15 *dispute settlement, including—*

16 (i) *unfair or trade distorting activities*
17 *of state trading enterprises and other ad-*
18 *ministrative mechanisms, with emphasis on*
19 *requiring price transparency in the oper-*
20 *ation of state trading enterprises and such*
21 *other mechanisms in order to end cross sub-*
22 *sidization, price discrimination, and price*
23 *undercutting;*

24 (ii) *unjustified trade restrictions or*
25 *commercial requirements, such as labeling,*

1 that affect new technologies, including bio-
2 technology;

3 (iii) unjustified sanitary or
4 phytosanitary restrictions, including re-
5 strictions not based on scientific principles
6 in contravention of obligations in the Uru-
7 guay Round Agreements or bilateral or re-
8 gional trade agreements;

9 (iv) other unjustified technical barriers
10 to trade; and

11 (v) restrictive rules in the administra-
12 tion of tariff rate quotas;

13 (J) eliminating practices that adversely af-
14 fect trade in perishable or cyclical products,
15 while improving import relief mechanisms to
16 recognize the unique characteristics of perishable
17 and cyclical agriculture;

18 (K) ensuring that import relief mechanisms
19 for perishable and cyclical agriculture are as ac-
20 cessible and timely to growers in the United
21 States as those mechanisms that are used by
22 other countries;

23 (L) taking into account whether a party to
24 the negotiations has failed to adhere to the provi-
25 sions of already existing trade agreements with

1 *the United States or has circumvented obliga-*
2 *tions under those agreements;*

3 *(M) taking into account whether a product*
4 *is subject to market distortions by reason of a*
5 *failure of a major producing country to adhere*
6 *to the provisions of already existing trade agree-*
7 *ments with the United States or by the cir-*
8 *cumvention by that country of its obligations*
9 *under those agreements;*

10 *(N) otherwise ensuring that countries that*
11 *accede to the World Trade Organization have*
12 *made meaningful market liberalization commit-*
13 *ments in agriculture;*

14 *(O) taking into account the impact that*
15 *agreements covering agriculture to which the*
16 *United States is a party have on the United*
17 *States agricultural industry;*

18 *(P) maintaining bona fide food assistance*
19 *programs, market development programs, and*
20 *export credit programs;*

21 *(Q) seeking to secure the broadest market*
22 *access possible in multilateral, regional, and bi-*
23 *lateral negotiations, recognizing the effect that si-*
24 *multaneous sets of negotiations may have on*

1 *United States import sensitive commodities (in-*
2 *cluding those subject to tariff rate quotas);*

3 *(R) seeking to develop an international con-*
4 *sensus on the treatment of seasonal or perishable*
5 *agricultural products in investigations relating*
6 *to dumping and safeguards and in any other rel-*
7 *evant area;*

8 *(S) seeking to establish the common base*
9 *year for calculating the Aggregated Measurement*
10 *of Support (as defined in the Agreement on Agri-*
11 *culture) as the end of each country's Uruguay*
12 *Round implementation period, as reported in*
13 *each country's Uruguay Round market access*
14 *schedule;*

15 *(T) ensuring transparency in the adminis-*
16 *tration of tariff rate quotas through multilateral,*
17 *plurilateral, and bilateral negotiations; and*

18 *(U) eliminating and preventing the under-*
19 *mining of market access for United States prod-*
20 *ucts through improper use of a country's system*
21 *for protecting or recognizing geographical indi-*
22 *cations, including failing to ensure transparency*
23 *and procedural fairness and protecting generic*
24 *terms.*

1 (4) *FOREIGN INVESTMENT.*—*Recognizing that*
2 *United States law on the whole provides a high level*
3 *of protection for investment, consistent with or great-*
4 *er than the level required by international law, the*
5 *principal negotiating objectives of the United States*
6 *regarding foreign investment are to reduce or elimi-*
7 *nate artificial or trade distorting barriers to foreign*
8 *investment, while ensuring that foreign investors in*
9 *the United States are not accorded greater substantive*
10 *rights with respect to investment protections than*
11 *United States investors in the United States, and to*
12 *secure for investors important rights comparable to*
13 *those that would be available under United States*
14 *legal principles and practice, by—*

15 (A) *reducing or eliminating exceptions to*
16 *the principle of national treatment;*

17 (B) *freeing the transfer of funds relating to*
18 *investments;*

19 (C) *reducing or eliminating performance re-*
20 *quirements, forced technology transfers, and*
21 *other unreasonable barriers to the establishment*
22 *and operation of investments;*

23 (D) *seeking to establish standards for expro-*
24 *priation and compensation for expropriation,*

1 *consistent with United States legal principles*
2 *and practice;*

3 *(E) seeking to establish standards for fair*
4 *and equitable treatment, consistent with United*
5 *States legal principles and practice, including*
6 *the principle of due process;*

7 *(F) providing meaningful procedures for re-*
8 *solving investment disputes;*

9 *(G) seeking to improve mechanisms used to*
10 *resolve disputes between an investor and a gov-*
11 *ernment through—*

12 *(i) mechanisms to eliminate frivolous*
13 *claims and to deter the filing of frivolous*
14 *claims;*

15 *(ii) procedures to ensure the efficient*
16 *selection of arbitrators and the expeditious*
17 *disposition of claims;*

18 *(iii) procedures to enhance opportuni-*
19 *ties for public input into the formulation of*
20 *government positions; and*

21 *(iv) providing for an appellate body or*
22 *similar mechanism to provide coherence to*
23 *the interpretations of investment provisions*
24 *in trade agreements; and*

1 (H) ensuring the fullest measure of trans-
2 parency in the dispute settlement mechanism, to
3 the extent consistent with the need to protect in-
4 formation that is classified or business confiden-
5 tial, by—

6 (i) ensuring that all requests for dis-
7 pute settlement are promptly made public;

8 (ii) ensuring that—

9 (I) all proceedings, submissions,
10 findings, and decisions are promptly
11 made public; and

12 (II) all hearings are open to the
13 public; and

14 (iii) establishing a mechanism for ac-
15 ceptance of amicus curiae submissions from
16 businesses, unions, and nongovernmental or-
17 ganizations.

18 (5) *INTELLECTUAL PROPERTY*.—The principal
19 negotiating objectives of the United States regarding
20 trade-related intellectual property are—

21 (A) to further promote adequate and effec-
22 tive protection of intellectual property rights, in-
23 cluding through—

24 (i)(I) ensuring accelerated and full im-
25 plementation of the Agreement on Trade-Re-

1 *lated Aspects of Intellectual Property Rights*
2 *referred to in section 101(d)(15) of the Uru-*
3 *guay Round Agreements Act (19 U.S.C.*
4 *3511(d)(15)), particularly with respect to*
5 *meeting enforcement obligations under that*
6 *agreement; and*

7 *(II) ensuring that the provisions of*
8 *any trade agreement governing intellectual*
9 *property rights that is entered into by the*
10 *United States reflect a standard of protec-*
11 *tion similar to that found in United States*
12 *law;*

13 *(ii) providing strong protection for*
14 *new and emerging technologies and new*
15 *methods of transmitting and distributing*
16 *products embodying intellectual property,*
17 *including in a manner that facilitates le-*
18 *gitimate digital trade;*

19 *(iii) preventing or eliminating dis-*
20 *crimination with respect to matters affect-*
21 *ing the availability, acquisition, scope,*
22 *maintenance, use, and enforcement of intel-*
23 *lectual property rights;*

24 *(iv) ensuring that standards of protec-*
25 *tion and enforcement keep pace with techno-*

1 *logical developments, and in particular en-*
2 *sureing that rightholders have the legal and*
3 *technological means to control the use of*
4 *their works through the Internet and other*
5 *global communication media, and to pre-*
6 *vent the unauthorized use of their works;*

7 *(v) providing strong enforcement of in-*
8 *tellectual property rights, including through*
9 *accessible, expeditious, and effective civil,*
10 *administrative, and criminal enforcement*
11 *mechanisms; and*

12 *(vi) preventing or eliminating govern-*
13 *ment involvement in the violation of intel-*
14 *lectual property rights, including cyber theft*
15 *and piracy;*

16 *(B) to secure fair, equitable, and non-*
17 *discriminatory market access opportunities for*
18 *United States persons that rely upon intellectual*
19 *property protection; and*

20 *(C) to respect the Declaration on the TRIPS*
21 *Agreement and Public Health, adopted by the*
22 *World Trade Organization at the Fourth Min-*
23 *isterial Conference at Doha, Qatar on November*
24 *14, 2001, and to ensure that trade agreements*

1 *foster innovation and promote access to medi-*
2 *cines.*

3 (6) *DIGITAL TRADE IN GOODS AND SERVICES*
4 *AND CROSS-BORDER DATA FLOWS.*—*The principal ne-*
5 *gotiating objectives of the United States with respect*
6 *to digital trade in goods and services, as well as*
7 *cross-border data flows, are—*

8 (A) *to ensure that current obligations, rules,*
9 *disciplines, and commitments under the World*
10 *Trade Organization and bilateral and regional*
11 *trade agreements apply to digital trade in goods*
12 *and services and to cross-border data flows;*

13 (B) *to ensure that—*

14 (i) *electronically delivered goods and*
15 *services receive no less favorable treatment*
16 *under trade rules and commitments than*
17 *like products delivered in physical form;*
18 *and*

19 (ii) *the classification of such goods and*
20 *services ensures the most liberal trade treat-*
21 *ment possible, fully encompassing both ex-*
22 *isting and new trade;*

23 (C) *to ensure that governments refrain from*
24 *implementing trade-related measures that im-*
25 *pede digital trade in goods and services, restrict*

1 cross-border data flows, or require local storage
2 or processing of data;

3 (D) with respect to subparagraphs (A)
4 through (C), where legitimate policy objectives
5 require domestic regulations that affect digital
6 trade in goods and services or cross-border data
7 flows, to obtain commitments that any such reg-
8 ulations are the least restrictive on trade, non-
9 discriminatory, and transparent, and promote
10 an open market environment; and

11 (E) to extend the moratorium of the World
12 Trade Organization on duties on electronic
13 transmissions.

14 (7) *REGULATORY PRACTICES.*—The principal ne-
15 gotiating objectives of the United States regarding the
16 use of government regulation or other practices to re-
17 duce market access for United States goods, services,
18 and investments are—

19 (A) to achieve increased transparency and
20 opportunity for the participation of affected par-
21 ties in the development of regulations;

22 (B) to require that proposed regulations be
23 based on sound science, cost benefit analysis, risk
24 assessment, or other objective evidence;

1 (C) to establish consultative mechanisms
2 and seek other commitments, as appropriate, to
3 improve regulatory practices and promote in-
4 creased regulatory coherence, including
5 through—

6 (i) transparency in developing guide-
7 lines, rules, regulations, and laws for gov-
8 ernment procurement and other regulatory
9 regimes;

10 (ii) the elimination of redundancies in
11 testing and certification;

12 (iii) early consultations on significant
13 regulations;

14 (iv) the use of impact assessments;

15 (v) the periodic review of existing regu-
16 latory measures; and

17 (vi) the application of good regulatory
18 practices;

19 (D) to seek greater openness, transparency,
20 and convergence of standards development proc-
21 esses, and enhance cooperation on standards
22 issues globally;

23 (E) to promote regulatory compatibility
24 through harmonization, equivalence, or mutual
25 recognition of different regulations and stand-

1 *ards and to encourage the use of international*
2 *and interoperable standards, as appropriate;*

3 *(F) to achieve the elimination of govern-*
4 *ment measures such as price controls and ref-*
5 *erence pricing which deny full market access for*
6 *United States products;*

7 *(G) to ensure that government regulatory*
8 *reimbursement regimes are transparent, provide*
9 *procedural fairness, are nondiscriminatory, and*
10 *provide full market access for United States*
11 *products; and*

12 *(H) to ensure that foreign governments—*

13 *(i) demonstrate that the collection of*
14 *undisclosed proprietary information is lim-*
15 *ited to that necessary to satisfy a legitimate*
16 *and justifiable regulatory interest; and*

17 *(ii) protect such information against*
18 *disclosure, except in exceptional cir-*
19 *cumstances to protect the public, or where*
20 *such information is effectively protected*
21 *against unfair competition.*

22 *(8) STATE-OWNED AND STATE-CONTROLLED EN-*
23 *TERPRISES.—The principal negotiating objective of*
24 *the United States regarding competition by state-*

1 *owned and state-controlled enterprises is to seek com-*
2 *mitments that—*

3 *(A) eliminate or prevent trade distortions*
4 *and unfair competition favoring state-owned and*
5 *state-controlled enterprises to the extent of their*
6 *engagement in commercial activity, and*

7 *(B) ensure that such engagement is based*
8 *solely on commercial considerations,*
9 *in particular through disciplines that eliminate or*
10 *prevent discrimination and market-distorting sub-*
11 *sidies and that promote transparency.*

12 *(9) LOCALIZATION BARRIERS TO TRADE.—The*
13 *principal negotiating objective of the United States*
14 *with respect to localization barriers is to eliminate*
15 *and prevent measures that require United States pro-*
16 *ducers and service providers to locate facilities, intel-*
17 *lectual property, or other assets in a country as a*
18 *market access or investment condition, including in-*
19 *digenuous innovation measures.*

20 *(10) LABOR AND THE ENVIRONMENT.—The prin-*
21 *icipal negotiating objectives of the United States with*
22 *respect to labor and the environment are—*

23 *(A) to ensure that a party to a trade agree-*
24 *ment with the United States—*

1 (i) adopts and maintains measures im-
2 plementing internationally recognized core
3 labor standards (as defined in section
4 111(17)) and its obligations under common
5 multilateral environmental agreements (as
6 defined in section 111(6)),

7 (ii) does not waive or otherwise dero-
8 gate from, or offer to waive or otherwise
9 derogate from—

10 (I) its statutes or regulations im-
11 plementing internationally recognized
12 core labor standards (as defined in sec-
13 tion 111(17)), in a manner affecting
14 trade or investment between the United
15 States and that party, where the waiv-
16 er or derogation would be inconsistent
17 with one or more such standards, or

18 (II) its environmental laws in a
19 manner that weakens or reduces the
20 protections afforded in those laws and
21 in a manner affecting trade or invest-
22 ment between the United States and
23 that party, except as provided in its
24 law and provided not inconsistent with
25 its obligations under common multilat-

1 *eral environmental agreements (as de-*
2 *defined in section 111(6)) or other provi-*
3 *sions of the trade agreement specifi-*
4 *cally agreed upon, and*

5 *(iii) does not fail to effectively enforce*
6 *its environmental or labor laws, through a*
7 *sustained or recurring course of action or*
8 *inaction,*

9 *in a manner affecting trade or investment be-*
10 *tween the United States and that party after*
11 *entry into force of a trade agreement between*
12 *those countries;*

13 *(B) to recognize that—*

14 *(i) with respect to environment, parties*
15 *to a trade agreement retain the right to ex-*
16 *ercise prosecutorial discretion and to make*
17 *decisions regarding the allocation of enforce-*
18 *ment resources with respect to other envi-*
19 *ronmental laws determined to have higher*
20 *priorities, and a party is effectively enforce-*
21 *ing its laws if a course of action or inaction*
22 *reflects a reasonable, bona fide exercise of*
23 *such discretion, or results from a reason-*
24 *able, bona fide decision regarding the allo-*
25 *cation of resources; and*

1 (ii) with respect to labor, decisions re-
2 garding the distribution of enforcement re-
3 sources are not a reason for not complying
4 with a party's labor obligations; a party to
5 a trade agreement retains the right to rea-
6 sonable exercise of discretion and to make
7 bona fide decisions regarding the allocation
8 of resources between labor enforcement ac-
9 tivities among core labor standards, pro-
10 vided the exercise of such discretion and
11 such decisions are not inconsistent with its
12 obligations;

13 (C) to strengthen the capacity of United
14 States trading partners to promote respect for
15 core labor standards (as defined in section
16 111(7));

17 (D) to strengthen the capacity of United
18 States trading partners to protect the environ-
19 ment through the promotion of sustainable devel-
20 opment;

21 (E) to reduce or eliminate government prac-
22 tices or policies that unduly threaten sustainable
23 development;

24 (F) to seek market access, through the elimi-
25 nation of tariffs and nontariff barriers, for

1 *United States environmental technologies, goods,*
2 *and services;*

3 *(G) to ensure that labor, environmental,*
4 *health, or safety policies and practices of the*
5 *parties to trade agreements with the United*
6 *States do not arbitrarily or unjustifiably dis-*
7 *criminate against United States exports or serve*
8 *as disguised barriers to trade;*

9 *(H) to ensure that enforceable labor and en-*
10 *vironment obligations are subject to the same*
11 *dispute settlement and remedies as other enforce-*
12 *able obligations under the agreement; and*

13 *(I) to ensure that a trade agreement is not*
14 *construed to empower a party's authorities to*
15 *undertake labor or environmental law enforce-*
16 *ment activities in the territory of the United*
17 *States.*

18 *(11) CURRENCY.—The principal negotiating ob-*
19 *jective of the United States with respect to currency*
20 *practices is that parties to a trade agreement with the*
21 *United States avoid manipulating exchange rates in*
22 *order to prevent effective balance of payments adjust-*
23 *ment or to gain an unfair competitive advantage over*
24 *other parties to the agreement, such as through coop-*

1 *erative mechanisms, enforceable rules, reporting, mon-*
2 *itoring, transparency, or other means, as appropriate.*

3 (12) *FOREIGN CURRENCY MANIPULATION.—The*
4 *principal negotiating objective of the United States*
5 *with respect to unfair currency practices is to seek to*
6 *establish accountability through enforceable rules,*
7 *transparency, reporting, monitoring, cooperative*
8 *mechanisms, or other means to address exchange rate*
9 *manipulation involving protracted large scale inter-*
10 *vention in one direction in the exchange markets and*
11 *a persistently undervalued foreign exchange rate to*
12 *gain an unfair competitive advantage in trade over*
13 *other parties to a trade agreement, consistent with ex-*
14 *isting obligations of the United States as a member*
15 *of the International Monetary Fund and the World*
16 *Trade Organization.*

17 (13) *WTO AND MULTILATERAL TRADE AGREE-*
18 *MENTS.—Recognizing that the World Trade Organi-*
19 *zation is the foundation of the global trading system,*
20 *the principal negotiating objectives of the United*
21 *States regarding the World Trade Organization, the*
22 *Uruguay Round Agreements, and other multilateral*
23 *and plurilateral trade agreements are—*

24 (A) *to achieve full implementation and ex-*
25 *tend the coverage of the World Trade Organiza-*

1 *tion and multilateral and plurilateral agree-*
2 *ments to products, sectors, and conditions of*
3 *trade not adequately covered;*

4 *(B) to expand country participation in and*
5 *enhancement of the Information Technology*
6 *Agreement, the Government Procurement Agree-*
7 *ment, and other plurilateral trade agreements of*
8 *the World Trade Organization;*

9 *(C) to expand competitive market opportu-*
10 *nities for United States exports and to obtain*
11 *fairer and more open conditions of trade, includ-*
12 *ing through utilization of global value chains,*
13 *through the negotiation of new WTO multilateral*
14 *and plurilateral trade agreements, such as an*
15 *agreement on trade facilitation;*

16 *(D) to ensure that regional trade agree-*
17 *ments to which the United States is not a party*
18 *fully achieve the high standards of, and comply*
19 *with, WTO disciplines, including Article XXIV*
20 *of GATT 1994, Article V and V bis of the Gen-*
21 *eral Agreement on Trade in Services, and the*
22 *Enabling Clause, including through meaningful*
23 *WTO review of such regional trade agreements;*

24 *(E) to enhance compliance by WTO mem-*
25 *bers with their obligations as WTO members*

1 *through active participation in the bodies of the*
2 *World Trade Organization by the United States*
3 *and all other WTO members, including in the*
4 *trade policy review mechanism and the com-*
5 *mittee system of the World Trade Organization,*
6 *and by working to increase the effectiveness of*
7 *such bodies; and*

8 *(F) to encourage greater cooperation be-*
9 *tween the World Trade Organization and other*
10 *international organizations.*

11 (14) *TRADE INSTITUTION TRANSPARENCY.—The*
12 *principal negotiating objective of the United States*
13 *with respect to transparency is to obtain wider and*
14 *broader application of the principle of transparency*
15 *in the World Trade Organization, entities established*
16 *under bilateral and regional trade agreements, and*
17 *other international trade fora through seeking—*

18 *(A) timely public access to information re-*
19 *garding trade issues and the activities of such*
20 *institutions;*

21 *(B) openness by ensuring public access to*
22 *appropriate meetings, proceedings, and submis-*
23 *sions, including with regard to trade and invest-*
24 *ment dispute settlement; and*

1 (C) public access to all notifications and
2 supporting documentation submitted by WTO
3 members.

4 (15) ANTI-CORRUPTION.—The principal negoti-
5 ating objectives of the United States with respect to
6 the use of money or other things of value to influence
7 acts, decisions, or omissions of foreign governments or
8 officials or to secure any improper advantage in a
9 manner affecting trade are—

10 (A) to obtain high standards and effective
11 domestic enforcement mechanisms applicable to
12 persons from all countries participating in the
13 applicable trade agreement that prohibit such at-
14 tempts to influence acts, decisions, or omissions
15 of foreign governments or officials or to secure
16 any such improper advantage;

17 (B) to ensure that such standards level the
18 playing field for United States persons in inter-
19 national trade and investment; and

20 (C) to seek commitments to work jointly to
21 encourage and support anti-corruption and anti-
22 bribery initiatives in international trade fora,
23 including through the Convention on Combating
24 Bribery of Foreign Public Officials in Inter-
25 national Business Transactions of the Organiza-

1 *tion for Economic Cooperation and Development,*
2 *done at Paris December 17, 1997 (commonly*
3 *known as the “OECD Anti-Bribery Conven-*
4 *tion”).*

5 *(16) DISPUTE SETTLEMENT AND ENFORCE-*
6 *MENT.—The principal negotiating objectives of the*
7 *United States with respect to dispute settlement and*
8 *enforcement of trade agreements are—*

9 *(A) to seek provisions in trade agreements*
10 *providing for resolution of disputes between gov-*
11 *ernments under those trade agreements in an ef-*
12 *fective, timely, transparent, equitable, and rea-*
13 *soned manner, requiring determinations based*
14 *on facts and the principles of the agreements,*
15 *with the goal of increasing compliance with the*
16 *agreements;*

17 *(B) to seek to strengthen the capacity of the*
18 *Trade Policy Review Mechanism of the World*
19 *Trade Organization to review compliance with*
20 *commitments;*

21 *(C) to seek adherence by panels convened*
22 *under the Dispute Settlement Understanding*
23 *and by the Appellate Body to—*

24 *(i) the mandate of those panels and the*
25 *Appellate Body to apply the WTO Agree-*

1 *ment as written, without adding to or di-*
2 *minishing rights and obligations under the*
3 *Agreement; and*

4 *(ii) the standard of review applicable*
5 *under the Uruguay Round Agreement in-*
6 *volved in the dispute, including greater def-*
7 *erence, where appropriate, to the fact find-*
8 *ing and technical expertise of national in-*
9 *vestigating authorities;*

10 *(D) to seek provisions encouraging the early*
11 *identification and settlement of disputes through*
12 *consultation;*

13 *(E) to seek provisions to encourage the pro-*
14 *vision of trade-expanding compensation if a*
15 *party to a dispute under the agreement does not*
16 *come into compliance with its obligations under*
17 *the agreement;*

18 *(F) to seek provisions to impose a penalty*
19 *upon a party to a dispute under the agreement*
20 *that—*

21 *(i) encourages compliance with the ob-*
22 *ligations of the agreement;*

23 *(ii) is appropriate to the parties, na-*
24 *ture, subject matter, and scope of the viola-*
25 *tion; and*

1 (iii) has the aim of not adversely af-
2 fecting parties or interests not party to the
3 dispute while maintaining the effectiveness
4 of the enforcement mechanism; and

5 (G) to seek provisions that treat United
6 States principal negotiating objectives equally
7 with respect to—

8 (i) the ability to resort to dispute set-
9 tlement under the applicable agreement;

10 (ii) the availability of equivalent dis-
11 pute settlement procedures; and

12 (iii) the availability of equivalent rem-
13 edies.

14 (17) *TRADE REMEDY LAWS.*—The principal ne-
15 gotiating objectives of the United States with respect
16 to trade remedy laws are—

17 (A) to preserve the ability of the United
18 States to enforce rigorously its trade laws, in-
19 cluding the antidumping, countervailing duty,
20 and safeguard laws, and avoid agreements that
21 lessen the effectiveness of domestic and inter-
22 national disciplines on unfair trade, especially
23 dumping and subsidies, or that lessen the effec-
24 tiveness of domestic and international safeguard
25 provisions, in order to ensure that United States

1 *workers, agricultural producers, and firms can*
2 *compete fully on fair terms and enjoy the bene-*
3 *fits of reciprocal trade concessions; and*

4 *(B) to address and remedy market distor-*
5 *tions that lead to dumping and subsidization,*
6 *including overcapacity, cartelization, and mar-*
7 *ket access barriers.*

8 (18) *BORDER TAXES.*—*The principal negotiating*
9 *objective of the United States regarding border taxes*
10 *is to obtain a revision of the rules of the World Trade*
11 *Organization with respect to the treatment of border*
12 *adjustments for internal taxes to redress the dis-*
13 *advantage to countries relying primarily on direct*
14 *taxes for revenue rather than indirect taxes.*

15 (19) *TEXTILE NEGOTIATIONS.*—*The principal*
16 *negotiating objectives of the United States with re-*
17 *spect to trade in textiles and apparel articles are to*
18 *obtain competitive opportunities for United States ex-*
19 *ports of textiles and apparel in foreign markets sub-*
20 *stantially equivalent to the competitive opportunities*
21 *afforded foreign exports in United States markets and*
22 *to achieve fairer and more open conditions of trade*
23 *in textiles and apparel.*

24 (20) *COMMERCIAL PARTNERSHIPS.*—

1 (A) *IN GENERAL.*—*With respect to an agree-*
2 *ment that is proposed to be entered into with the*
3 *Transatlantic Trade and Investment Partnership*
4 *countries and to which section 103(b) will apply,*
5 *the principal negotiating objectives of the United*
6 *States regarding commercial partnerships are*
7 *the following:*

8 (i) *To discourage actions by potential*
9 *trading partners that directly or indirectly*
10 *prejudice or otherwise discourage commer-*
11 *cial activity solely between the United*
12 *States and Israel.*

13 (ii) *To discourage politically motivated*
14 *actions to boycott, divest from, or sanction*
15 *Israel and to seek the elimination of politi-*
16 *cally motivated nontariff barriers on Israeli*
17 *goods, services, or other commerce imposed*
18 *on the State of Israel.*

19 (iii) *To seek the elimination of state-*
20 *sponsored unsanctioned foreign boycotts*
21 *against Israel or compliance with the Arab*
22 *League Boycott of Israel by prospective*
23 *trading partners.*

24 (B) *DEFINITION.*—*In this paragraph, the*
25 *term “actions to boycott, divest from, or sanction*

1 *Israel” means actions by states, non-member*
2 *states of the United Nations, international orga-*
3 *nizations, or affiliated agencies of international*
4 *organizations that are politically motivated and*
5 *are intended to penalize or otherwise limit com-*
6 *mercial relations specifically with Israel or per-*
7 *sons doing business in Israel or in Israeli-con-*
8 *trolled territories.*

9 (21) *GOOD GOVERNANCE, TRANSPARENCY, THE*
10 *EFFECTIVE OPERATION OF LEGAL REGIMES, AND THE*
11 *RULE OF LAW OF TRADING PARTNERS.—The principal*
12 *negotiating objectives of the United States with re-*
13 *spect to ensuring implementation of trade commit-*
14 *ments and obligations by strengthening good govern-*
15 *ance, transparency, the effective operation of legal re-*
16 *gimes and the rule of law of trading partners of the*
17 *United States is through capacity building and other*
18 *appropriate means, which are important parts of the*
19 *broader effort to create more open democratic societies*
20 *and to promote respect for internationally recognized*
21 *human rights.*

22 (c) *CAPACITY BUILDING AND OTHER PRIORITIES.—In*
23 *order to address and maintain United States competitive-*
24 *ness in the global economy, the President shall—*

1 (1) *direct the heads of relevant Federal agen-*
2 *cies—*

3 (A) *to work to strengthen the capacity of*
4 *United States trading partners to carry out obli-*
5 *gations under trade agreements by consulting*
6 *with any country seeking a trade agreement with*
7 *the United States concerning that country's laws*
8 *relating to customs and trade facilitation, sani-*
9 *tary and phytosanitary measures, technical bar-*
10 *riers to trade, intellectual property rights, labor,*
11 *and the environment; and*

12 (B) *to provide technical assistance to that*
13 *country if needed;*

14 (2) *seek to establish consultative mechanisms*
15 *among parties to trade agreements to strengthen the*
16 *capacity of United States trading partners to develop*
17 *and implement standards for the protection of the en-*
18 *vironment and human health based on sound science;*

19 (3) *promote consideration of multilateral envi-*
20 *ronmental agreements and consult with parties to*
21 *such agreements regarding the consistency of any such*
22 *agreement that includes trade measures with existing*
23 *environmental exceptions under Article XX of GATT*
24 *1994; and*

1 (4) *submit to the Committee on Ways and Means*
2 *of the House of Representatives and the Committee on*
3 *Finance of the Senate an annual report on capacity-*
4 *building activities undertaken in connection with*
5 *trade agreements negotiated or being negotiated pur-*
6 *suant to this title.*

7 **SEC. 103. TRADE AGREEMENTS AUTHORITY.**

8 (a) *AGREEMENTS REGARDING TARIFF BARRIERS.—*

9 (1) *IN GENERAL.—Whenever the President deter-*
10 *mines that one or more existing duties or other im-*
11 *port restrictions of any foreign country or the United*
12 *States are unduly burdening and restricting the for-*
13 *ign trade of the United States and that the purposes,*
14 *policies, priorities, and objectives of this title will be*
15 *promoted thereby, the President—*

16 (A) *may enter into trade agreements with*
17 *foreign countries before—*

18 (i) *July 1, 2018; or*

19 (ii) *July 1, 2021, if trade authorities*
20 *procedures are extended under subsection*
21 *(c); and*

22 (B) *may, subject to paragraphs (2) and (3),*
23 *proclaim—*

24 (i) *such modification or continuance of*
25 *any existing duty,*

1 (ii) such continuance of existing duty
2 free or excise treatment, or

3 (iii) such additional duties,
4 as the President determines to be required or ap-
5 propriate to carry out any such trade agreement.

6 Substantial modifications to, or substantial addi-
7 tional provisions of, a trade agreement entered into
8 after July 1, 2018, or July 1, 2021, if trade authori-
9 ties procedures are extended under subsection (c),
10 shall not be eligible for approval under this title.

11 (2) NOTIFICATION.—The President shall notify
12 Congress of the President’s intention to enter into an
13 agreement under this subsection.

14 (3) LIMITATIONS.—No proclamation may be
15 made under paragraph (1) that—

16 (A) reduces any rate of duty (other than a
17 rate of duty that does not exceed 5 percent *ad va-*
18 *lorem* on the date of the enactment of this Act)
19 to a rate of duty which is less than 50 percent
20 of the rate of such duty that applies on such date
21 of enactment;

22 (B) reduces the rate of duty below that ap-
23 plicable under the Uruguay Round Agreements
24 or a successor agreement, on any import sen-
25 sitive agricultural product; or

1 (C) increases any rate of duty above the
2 rate that applied on the date of the enactment of
3 this Act.

4 (4) *AGGREGATE REDUCTION; EXEMPTION FROM*
5 *STAGING.*—

6 (A) *AGGREGATE REDUCTION.*—*Except as*
7 *provided in subparagraph (B), the aggregate re-*
8 *duction in the rate of duty on any article which*
9 *is in effect on any day pursuant to a trade*
10 *agreement entered into under paragraph (1)*
11 *shall not exceed the aggregate reduction which*
12 *would have been in effect on such day if—*

13 (i) *a reduction of 3 percent ad valorem*
14 *or a reduction of $\frac{1}{10}$ of the total reduction,*
15 *whichever is greater, had taken effect on the*
16 *effective date of the first reduction pro-*
17 *claimed under paragraph (1) to carry out*
18 *such agreement with respect to such article;*
19 *and*

20 (ii) *a reduction equal to the amount*
21 *applicable under clause (i) had taken effect*
22 *at 1-year intervals after the effective date of*
23 *such first reduction.*

24 (B) *EXEMPTION FROM STAGING.*—*No stag-*
25 *ing is required under subparagraph (A) with re-*

1 *spect to a duty reduction that is proclaimed*
2 *under paragraph (1) for an article of a kind*
3 *that is not produced in the United States. The*
4 *United States International Trade Commission*
5 *shall advise the President of the identity of arti-*
6 *cles that may be exempted from staging under*
7 *this subparagraph.*

8 (5) *ROUNDING.*—*If the President determines that*
9 *such action will simplify the computation of reduc-*
10 *tions under paragraph (4), the President may round*
11 *an annual reduction by an amount equal to the lesser*
12 *of—*

13 (A) *the difference between the reduction*
14 *without regard to this paragraph and the next*
15 *lower whole number; or*

16 (B) *½ of 1 percent ad valorem.*

17 (6) *OTHER LIMITATIONS.*—*A rate of duty reduc-*
18 *tion that may not be proclaimed by reason of para-*
19 *graph (3) may take effect only if a provision author-*
20 *izing such reduction is included within an imple-*
21 *menting bill provided for under section 106 and that*
22 *bill is enacted into law.*

23 (7) *OTHER TARIFF MODIFICATIONS.*—*Notwith-*
24 *standing paragraphs (1)(B), (3)(A), (3)(C), and (4)*
25 *through (6), and subject to the consultation and lay-*

1 *over requirements of section 115 of the Uruguay*
2 *Round Agreements Act (19 U.S.C. 3524), the Presi-*
3 *dent may proclaim the modification of any duty or*
4 *staged rate reduction of any duty set forth in Sched-*
5 *ule XX, as defined in section 2(5) of that Act (19*
6 *U.S.C. 3501(5)), if the United States agrees to such*
7 *modification or staged rate reduction in a negotiation*
8 *for the reciprocal elimination or harmonization of du-*
9 *ties under the auspices of the World Trade Organiza-*
10 *tion.*

11 (8) *AUTHORITY UNDER URUGUAY ROUND AGREE-*
12 *MENTS ACT NOT AFFECTED.—Nothing in this sub-*
13 *section shall limit the authority provided to the Presi-*
14 *dent under section 111(b) of the Uruguay Round*
15 *Agreements Act (19 U.S.C. 3521(b)).*

16 (b) *AGREEMENTS REGARDING TARIFF AND NONTARIFF*
17 *BARRIERS.—*

18 (1) *IN GENERAL.—(A) Whenever the President*
19 *determines that—*

20 (i) *1 or more existing duties or any other*
21 *import restriction of any foreign country or the*
22 *United States or any other barrier to, or other*
23 *distortion of, international trade unduly burdens*
24 *or restricts the foreign trade of the United States*

1 *or adversely affects the United States economy,*

2 *or*

3 *(ii) the imposition of any such barrier or*

4 *distortion is likely to result in such a burden, re-*

5 *striction, or effect,*

6 *and that the purposes, policies, priorities, and objec-*

7 *tives of this title will be promoted thereby, the Presi-*

8 *dent may enter into a trade agreement described in*

9 *subparagraph (B) during the period described in sub-*

10 *paragraph (C).*

11 *(B) The President may enter into a trade agree-*

12 *ment under subparagraph (A) with foreign countries*

13 *providing for—*

14 *(i) the reduction or elimination of a duty,*

15 *restriction, barrier, or other distortion described*

16 *in subparagraph (A); or*

17 *(ii) the prohibition of, or limitation on the*

18 *imposition of, such barrier or other distortion.*

19 *(C) The President may enter into a trade agree-*

20 *ment under this paragraph before—*

21 *(i) July 1, 2018; or*

22 *(ii) July 1, 2021, if trade authorities proce-*

23 *dures are extended under subsection (c).*

24 *Substantial modifications to, or substantial addi-*

25 *tional provisions of, a trade agreement entered into*

1 *after July 1, 2018, or July 1, 2021, if trade authori-*
2 *ties procedures are extended under subsection (c),*
3 *shall not be eligible for approval under this title.*

4 (2) *CONDITIONS.—A trade agreement may be en-*
5 *tered into under this subsection only if such agree-*
6 *ment makes progress in meeting the applicable objec-*
7 *tives described in subsections (a) and (b) of section*
8 *102 and the President satisfies the conditions set forth*
9 *in sections 104 and 105.*

10 (3) *BILLS QUALIFYING FOR TRADE AUTHORITIES*
11 *PROCEDURES.—(A) The provisions of section 151 of*
12 *the Trade Act of 1974 (in this title referred to as*
13 *“trade authorities procedures”)* apply to a bill of ei-
14 *ther House of Congress which contains provisions de-*
15 *scribed in subparagraph (B) to the same extent as*
16 *such section 151 applies to implementing bills under*
17 *that section. A bill to which this paragraph applies*
18 *shall hereafter in this title be referred to as an “im-*
19 *plementing bill”.*

20 (B) *The provisions referred to in subparagraph*
21 *(A) are—*

22 (i) *a provision approving a trade agreement*
23 *entered into under this subsection and approving*
24 *the statement of administrative action, if any,*

1 *proposed to implement such trade agreement;*
2 *and*

3 *(ii) if changes in existing laws or new stat-*
4 *utory authority are required to implement such*
5 *trade agreement or agreements, only such provi-*
6 *sions as are strictly necessary or appropriate to*
7 *implement such trade agreement or agreements,*
8 *either repealing or amending existing laws or*
9 *providing new statutory authority.*

10 *(c) EXTENSION DISAPPROVAL PROCESS FOR CONGRES-*
11 *SIONAL TRADE AUTHORITIES PROCEDURES.—*

12 *(1) IN GENERAL.—Except as provided in section*
13 *106(b)—*

14 *(A) the trade authorities procedures apply*
15 *to implementing bills submitted with respect to*
16 *trade agreements entered into under subsection*
17 *(b) before July 1, 2018; and*

18 *(B) the trade authorities procedures shall be*
19 *extended to implementing bills submitted with*
20 *respect to trade agreements entered into under*
21 *subsection (b) after June 30, 2018, and before*
22 *July 1, 2021, if (and only if)—*

23 *(i) the President requests such exten-*
24 *sion under paragraph (2); and*

1 (ii) neither House of Congress adopts
2 an extension disapproval resolution under
3 paragraph (5) before July 1, 2018.

4 (2) *REPORT TO CONGRESS BY THE PRESI-*
5 *DENT.—If the President is of the opinion that the*
6 *trade authorities procedures should be extended to im-*
7 *plementing bills described in paragraph (1)(B), the*
8 *President shall submit to Congress, not later than*
9 *April 1, 2018, a written report that contains a re-*
10 *quest for such extension, together with—*

11 (A) *a description of all trade agreements*
12 *that have been negotiated under subsection (b)*
13 *and the anticipated schedule for submitting such*
14 *agreements to Congress for approval;*

15 (B) *a description of the progress that has*
16 *been made in negotiations to achieve the pur-*
17 *poses, policies, priorities, and objectives of this*
18 *title, and a statement that such progress justifies*
19 *the continuation of negotiations; and*

20 (C) *a statement of the reasons why the ex-*
21 *ension is needed to complete the negotiations.*

22 (3) *OTHER REPORTS TO CONGRESS.—*

23 (A) *REPORT BY THE ADVISORY COM-*
24 *MITTEE.—The President shall promptly inform*
25 *the Advisory Committee for Trade Policy and*

1 *Negotiations established under section 135 of the*
2 *Trade Act of 1974 (19 U.S.C. 2155) of the deci-*
3 *sion of the President to submit a report to Con-*
4 *gress under paragraph (2). The Advisory Com-*
5 *mittee shall submit to Congress as soon as prac-*
6 *ticable, but not later than June 1, 2018, a writ-*
7 *ten report that contains—*

8 *(i) its views regarding the progress*
9 *that has been made in negotiations to*
10 *achieve the purposes, policies, priorities,*
11 *and objectives of this title; and*

12 *(ii) a statement of its views, and the*
13 *reasons therefor, regarding whether the ex-*
14 *ension requested under paragraph (2)*
15 *should be approved or disapproved.*

16 *(B) REPORT BY INTERNATIONAL TRADE*
17 *COMMISSION.—The President shall promptly in-*
18 *form the United States International Trade*
19 *Commission of the decision of the President to*
20 *submit a report to Congress under paragraph*
21 *(2). The International Trade Commission shall*
22 *submit to Congress as soon as practicable, but*
23 *not later than June 1, 2018, a written report*
24 *that contains a review and analysis of the eco-*
25 *nomic impact on the United States of all trade*

1 *agreements implemented between the date of the*
2 *enactment of this Act and the date on which the*
3 *President decides to seek an extension requested*
4 *under paragraph (2).*

5 (4) *STATUS OF REPORTS.*—*The reports sub-*
6 *mitted to Congress under paragraphs (2) and (3), or*
7 *any portion of such reports, may be classified to the*
8 *extent the President determines appropriate.*

9 (5) *EXTENSION DISAPPROVAL RESOLUTIONS.*—
10 (A) *For purposes of paragraph (1), the term “exten-*
11 *sion disapproval resolution” means a resolution of ei-*
12 *ther House of Congress, the sole matter after the re-*
13 *solving clause of which is as follows: “That the*
14 _____ *disapproves the request of the President for*
15 *the extension, under section 103(c)(1)(B)(i) of the Bi-*
16 *partisan Congressional Trade Priorities and Account-*
17 *ability Act of 2015, of the trade authorities procedures*
18 *under that Act to any implementing bill submitted*
19 *with respect to any trade agreement entered into*
20 *under section 103(b) of that Act after June 30,*
21 *2018.”, with the blank space being filled with the*
22 *name of the resolving House of Congress.*

23 (B) *Extension disapproval resolutions—*
24 (i) *may be introduced in either House of*
25 *Congress by any member of such House; and*

1 (ii) shall be referred, in the House of Rep-
2 resentatives, to the Committee on Ways and
3 Means and, in addition, to the Committee on
4 Rules.

5 (C) The provisions of subsections (d) and (e) of
6 section 152 of the Trade Act of 1974 (19 U.S.C. 2192)
7 (relating to the floor consideration of certain resolu-
8 tions in the House and Senate) apply to extension
9 disapproval resolutions.

10 (D) It is not in order for—

11 (i) the House of Representatives to consider
12 any extension disapproval resolution not re-
13 ported by the Committee on Ways and Means
14 and, in addition, by the Committee on Rules;

15 (ii) the Senate to consider any extension
16 disapproval resolution not reported by the Com-
17 mittee on Finance; or

18 (iii) either House of Congress to consider an
19 extension disapproval resolution after June 30,
20 2018.

21 (d) COMMENCEMENT OF NEGOTIATIONS.—In order to
22 contribute to the continued economic expansion of the
23 United States, the President shall commence negotiations
24 covering tariff and nontariff barriers affecting any indus-
25 try, product, or service sector, and expand existing sectoral

1 *agreements to countries that are not parties to those agree-*
2 *ments, in cases where the President determines that such*
3 *negotiations are feasible and timely and would benefit the*
4 *United States. Such sectors include agriculture, commercial*
5 *services, intellectual property rights, industrial and capital*
6 *goods, government procurement, information technology*
7 *products, environmental technology and services, medical*
8 *equipment and services, civil aircraft, and infrastructure*
9 *products. In so doing, the President shall take into account*
10 *all of the negotiating objectives set forth in section 102.*

11 **SEC. 104. CONGRESSIONAL OVERSIGHT, CONSULTATIONS,**
12 **AND ACCESS TO INFORMATION.**

13 *(a) CONSULTATIONS WITH MEMBERS OF CONGRESS.—*

14 *(1) CONSULTATIONS DURING NEGOTIATIONS.—In*
15 *the course of negotiations conducted under this title,*
16 *the United States Trade Representative shall—*

17 *(A) meet upon request with any Member of*
18 *Congress regarding negotiating objectives, the*
19 *status of negotiations in progress, and the nature*
20 *of any changes in the laws of the United States*
21 *or the administration of those laws that may be*
22 *recommended to Congress to carry out any trade*
23 *agreement or any requirement of, amendment to,*
24 *or recommendation under, that agreement;*

1 (B) upon request of any Member of Con-
2 gress, provide access to pertinent documents re-
3 lating to the negotiations, including classified
4 materials;

5 (C) consult closely and on a timely basis
6 with, and keep fully apprised of the negotiations,
7 the Committee on Ways and Means of the House
8 of Representatives and the Committee on Fi-
9 nance of the Senate;

10 (D) consult closely and on a timely basis
11 with, and keep fully apprised of the negotiations,
12 the House Advisory Group on Negotiations and
13 the Senate Advisory Group on Negotiations con-
14 vened under subsection (c) and all committees of
15 the House of Representatives and the Senate
16 with jurisdiction over laws that could be affected
17 by a trade agreement resulting from the negotia-
18 tions; and

19 (E) with regard to any negotiations and
20 agreement relating to agricultural trade, also
21 consult closely and on a timely basis (including
22 immediately before initialing an agreement)
23 with, and keep fully apprised of the negotiations,
24 the Committee on Agriculture of the House of

1 *Representatives and the Committee on Agri-*
2 *culture, Nutrition, and Forestry of the Senate.*

3 (2) *CONSULTATIONS PRIOR TO ENTRY INTO*
4 *FORCE.—Prior to exchanging notes providing for the*
5 *entry into force of a trade agreement, the United*
6 *States Trade Representative shall consult closely and*
7 *on a timely basis with Members of Congress and com-*
8 *mittees as specified in paragraph (1), and keep them*
9 *fully apprised of the measures a trading partner has*
10 *taken to comply with those provisions of the agree-*
11 *ment that are to take effect on the date that the agree-*
12 *ment enters into force.*

13 (3) *ENHANCED COORDINATION WITH CON-*
14 *GRESS.—*

15 (A) *WRITTEN GUIDELINES.—The United*
16 *States Trade Representative, in consultation*
17 *with the chairmen and the ranking members of*
18 *the Committee on Ways and Means of the House*
19 *of Representatives and the Committee on Fi-*
20 *nance of the Senate, respectively—*

21 (i) *shall, not later than 120 days after*
22 *the date of the enactment of this Act, de-*
23 *velop written guidelines on enhanced coordi-*
24 *nation with Congress, including coordina-*
25 *tion with designated congressional advisers*

1 *under subsection (b), regarding negotiations*
2 *conducted under this title; and*

3 *(ii) may make such revisions to the*
4 *guidelines as may be necessary from time to*
5 *time.*

6 *(B) CONTENT OF GUIDELINES.—The guide-*
7 *lines developed under subparagraph (A) shall en-*
8 *hance coordination with Congress through proce-*
9 *dures to ensure—*

10 *(i) timely briefings upon request of*
11 *any Member of Congress regarding negoti-*
12 *ating objectives, the status of negotiations in*
13 *progress conducted under this title, and the*
14 *nature of any changes in the laws of the*
15 *United States or the administration of those*
16 *laws that may be recommended to Congress*
17 *to carry out any trade agreement or any re-*
18 *quirement of, amendment to, or rec-*
19 *ommendation under, that agreement; and*

20 *(ii) the sharing of detailed and timely*
21 *information with Members of Congress, and*
22 *their staff with proper security clearances*
23 *as appropriate, regarding those negotiations*
24 *and pertinent documents related to those ne-*
25 *gotiations (including classified informa-*

1 tion), and with committee staff with proper
2 security clearances as would be appropriate
3 in the light of the responsibilities of that
4 committee over the trade agreements pro-
5 grams affected by those negotiations.

6 (C) *DISSEMINATION.*—*The United States*
7 *Trade Representative shall disseminate the*
8 *guidelines developed under subparagraph (A) to*
9 *all Federal agencies that could have jurisdiction*
10 *over laws affected by trade negotiations.*

11 (b) *DESIGNATED CONGRESSIONAL ADVISERS.*—

12 (1) *DESIGNATION.*—

13 (A) *HOUSE OF REPRESENTATIVES.*—*In*
14 *each Congress, any Member of the House of Rep-*
15 *resentatives may be designated as a congres-*
16 *sional adviser on trade policy and negotiations*
17 *by the Speaker of the House of Representatives,*
18 *after consulting with the chairman and ranking*
19 *member of the Committee on Ways and Means*
20 *and the chairman and ranking member of the*
21 *committee from which the Member will be se-*
22 *lected.*

23 (B) *SENATE.*—*In each Congress, any Mem-*
24 *ber of the Senate may be designated as a con-*
25 *gressional adviser on trade policy and negotia-*

1 *tions by the President pro tempore of the Senate,*
2 *after consultation with the chairman and rank-*
3 *ing member of the Committee on Finance and*
4 *the chairman and ranking member of the com-*
5 *mittee from which the Member will be selected.*

6 (2) *CONSULTATIONS WITH DESIGNATED CON-*
7 *GRESSIONAL ADVISERS.—In the course of negotiations*
8 *conducted under this title, the United States Trade*
9 *Representative shall consult closely and on a timely*
10 *basis (including immediately before initialing an*
11 *agreement) with, and keep fully apprised of the nego-*
12 *tiations, the congressional advisers for trade policy*
13 *and negotiations designated under paragraph (1).*

14 (3) *ACCREDITATION.—Each Member of Congress*
15 *designated as a congressional adviser under para-*
16 *graph (1) shall be accredited by the United States*
17 *Trade Representative on behalf of the President as an*
18 *official adviser to the United States delegations to*
19 *international conferences, meetings, and negotiating*
20 *sessions relating to trade agreements.*

21 (c) *CONGRESSIONAL ADVISORY GROUPS ON NEGOTIA-*
22 *TIONS.—*

23 (1) *IN GENERAL.—By not later than 60 days*
24 *after the date of the enactment of this Act, and not*
25 *later than 30 days after the convening of each Con-*

1 *gress, the chairman of the Committee on Ways and*
2 *Means of the House of Representatives shall convene*
3 *the House Advisory Group on Negotiations and the*
4 *chairman of the Committee on Finance of the Senate*
5 *shall convene the Senate Advisory Group on Negotia-*
6 *tions (in this subsection referred to collectively as the*
7 *“congressional advisory groups”).*

8 (2) *MEMBERS AND FUNCTIONS.—*

9 (A) *MEMBERSHIP OF THE HOUSE ADVISORY*
10 *GROUP ON NEGOTIATIONS.—In each Congress,*
11 *the House Advisory Group on Negotiations shall*
12 *be comprised of the following Members of the*
13 *House of Representatives:*

14 (i) *The chairman and ranking member*
15 *of the Committee on Ways and Means, and*
16 *3 additional members of such Committee*
17 *(not more than 2 of whom are members of*
18 *the same political party).*

19 (ii) *The chairman and ranking mem-*
20 *ber, or their designees, of the committees of*
21 *the House of Representatives that would*
22 *have, under the Rules of the House of Rep-*
23 *resentatives, jurisdiction over provisions of*
24 *law affected by a trade agreement negotia-*
25 *tion conducted at any time during that*

1 *Congress and to which this title would*
2 *apply.*

3 *(B) MEMBERSHIP OF THE SENATE ADVI-*
4 *SORY GROUP ON NEGOTIATIONS.—In each Con-*
5 *gress, the Senate Advisory Group on Negotia-*
6 *tions shall be comprised of the following Members*
7 *of the Senate:*

8 *(i) The chairman and ranking member*
9 *of the Committee on Finance and 3 addi-*
10 *tional members of such Committee (not*
11 *more than 2 of whom are members of the*
12 *same political party).*

13 *(ii) The chairman and ranking mem-*
14 *ber, or their designees, of the committees of*
15 *the Senate that would have, under the Rules*
16 *of the Senate, jurisdiction over provisions of*
17 *law affected by a trade agreement negotia-*
18 *tion conducted at any time during that*
19 *Congress and to which this title would*
20 *apply.*

21 *(C) ACCREDITATION.—Each member of the*
22 *congressional advisory groups described in sub-*
23 *paragraphs (A)(i) and (B)(i) shall be accredited*
24 *by the United States Trade Representative on be-*
25 *half of the President as an official adviser to the*

1 *United States delegation in negotiations for any*
2 *trade agreement to which this title applies. Each*
3 *member of the congressional advisory groups de-*
4 *scribed in subparagraphs (A)(ii) and (B)(ii)*
5 *shall be accredited by the United States Trade*
6 *Representative on behalf of the President as an*
7 *official adviser to the United States delegation in*
8 *the negotiations by reason of which the member*
9 *is in one of the congressional advisory groups.*

10 (D) *CONSULTATION AND ADVICE.*—*The con-*
11 *gressional advisory groups shall consult with*
12 *and provide advice to the Trade Representative*
13 *regarding the formulation of specific objectives,*
14 *negotiating strategies and positions, the develop-*
15 *ment of the applicable trade agreement, and*
16 *compliance and enforcement of the negotiated*
17 *commitments under the trade agreement.*

18 (E) *CHAIR.*—*The House Advisory Group on*
19 *Negotiations shall be chaired by the Chairman of*
20 *the Committee on Ways and Means of the House*
21 *of Representatives and the Senate Advisory*
22 *Group on Negotiations shall be chaired by the*
23 *Chairman of the Committee on Finance of the*
24 *Senate.*

1 (F) *COORDINATION WITH OTHER COMMIT-*
2 *TEES.—Members of any committee represented*
3 *on one of the congressional advisory groups may*
4 *submit comments to the member of the appro-*
5 *priate congressional advisory group from that*
6 *committee regarding any matter related to a ne-*
7 *gotiation for any trade agreement to which this*
8 *title applies.*

9 (3) *GUIDELINES.—*

10 (A) *PURPOSE AND REVISION.—The United*
11 *States Trade Representative, in consultation*
12 *with the chairmen and the ranking members of*
13 *the Committee on Ways and Means of the House*
14 *of Representatives and the Committee on Fi-*
15 *nance of the Senate, respectively—*

16 (i) *shall, not later than 120 days after*
17 *the date of the enactment of this Act, de-*
18 *velop written guidelines to facilitate the use-*
19 *ful and timely exchange of information be-*
20 *tween the Trade Representative and the con-*
21 *gressional advisory groups; and*

22 (ii) *may make such revisions to the*
23 *guidelines as may be necessary from time to*
24 *time.*

1 (B) *CONTENT.*—*The guidelines developed*
2 *under subparagraph (A) shall provide for,*
3 *among other things—*

4 (i) *detailed briefings on a fixed time-*
5 *table to be specified in the guidelines of the*
6 *congressional advisory groups regarding ne-*
7 *gotiating objectives and positions and the*
8 *status of the applicable negotiations, begin-*
9 *ning as soon as practicable after the con-*
10 *gressional advisory groups are convened,*
11 *with more frequent briefings as trade nego-*
12 *tiations enter the final stage;*

13 (ii) *access by members of the congres-*
14 *sional advisory groups, and staff with prop-*
15 *er security clearances, to pertinent docu-*
16 *ments relating to the negotiations, including*
17 *classified materials;*

18 (iii) *the closest practicable coordina-*
19 *tion between the Trade Representative and*
20 *the congressional advisory groups at all*
21 *critical periods during the negotiations, in-*
22 *cluding at negotiation sites;*

23 (iv) *after the applicable trade agree-*
24 *ment is concluded, consultation regarding*
25 *ongoing compliance and enforcement of ne-*

1 *gotiated commitments under the trade*
2 *agreement; and*

3 *(v) the timeframe for submitting the*
4 *report required under section 105(d)(3).*

5 (4) *REQUEST FOR MEETING.*—*Upon the request*
6 *of a majority of either of the congressional advisory*
7 *groups, the President shall meet with that congress-*
8 *sional advisory group before initiating negotiations*
9 *with respect to a trade agreement, or at any other*
10 *time concerning the negotiations.*

11 (d) *CONSULTATIONS WITH THE PUBLIC.*—

12 (1) *GUIDELINES FOR PUBLIC ENGAGEMENT.*—
13 *The United States Trade Representative, in consulta-*
14 *tion with the chairmen and the ranking members of*
15 *the Committee on Ways and Means of the House of*
16 *Representatives and the Committee on Finance of the*
17 *Senate, respectively—*

18 (A) *shall, not later than 120 days after the*
19 *date of the enactment of this Act, develop written*
20 *guidelines on public access to information re-*
21 *garding negotiations conducted under this title;*
22 *and*

23 (B) *may make such revisions to the guide-*
24 *lines as may be necessary from time to time.*

1 (2) *PURPOSES.*—*The guidelines developed under*
2 *paragraph (1) shall—*

3 (A) *facilitate transparency;*

4 (B) *encourage public participation; and*

5 (C) *promote collaboration in the negotiation*
6 *process.*

7 (3) *CONTENT.*—*The guidelines developed under*
8 *paragraph (1) shall include procedures that—*

9 (A) *provide for rapid disclosure of informa-*
10 *tion in forms that the public can readily find*
11 *and use; and*

12 (B) *provide frequent opportunities for pub-*
13 *lic input through Federal Register requests for*
14 *comment and other means.*

15 (4) *DISSEMINATION.*—*The United States Trade*
16 *Representative shall disseminate the guidelines devel-*
17 *oped under paragraph (1) to all Federal agencies that*
18 *could have jurisdiction over laws affected by trade ne-*
19 *gotiations.*

20 (e) *CONSULTATIONS WITH ADVISORY COMMITTEES.*—

21 (1) *GUIDELINES FOR ENGAGEMENT WITH ADVI-*
22 *SORY COMMITTEES.*—*The United States Trade Rep-*
23 *resentative, in consultation with the chairmen and*
24 *the ranking members of the Committee on Ways and*

1 *Means of the House of Representatives and the Com-*
2 *mittee on Finance of the Senate, respectively—*

3 *(A) shall, not later than 120 days after the*
4 *date of the enactment of this Act, develop written*
5 *guidelines on enhanced coordination with advi-*
6 *sory committees established pursuant to section*
7 *135 of the Trade Act of 1974 (19 U.S.C. 2155)*
8 *regarding negotiations conducted under this title;*
9 *and*

10 *(B) may make such revisions to the guide-*
11 *lines as may be necessary from time to time.*

12 *(2) CONTENT.—The guidelines developed under*
13 *paragraph (1) shall enhance coordination with advi-*
14 *sory committees described in that paragraph through*
15 *procedures to ensure—*

16 *(A) timely briefings of advisory committees*
17 *and regular opportunities for advisory commit-*
18 *tees to provide input throughout the negotiation*
19 *process on matters relevant to the sectors or func-*
20 *tional areas represented by those committees; and*

21 *(B) the sharing of detailed and timely in-*
22 *formation with each member of an advisory com-*
23 *mittee regarding negotiations and pertinent doc-*
24 *uments related to the negotiation (including clas-*
25 *sified information) on matters relevant to the*

1 *sectors or functional areas the member rep-*
2 *resents, and with a designee with proper security*
3 *clearances of each such member as appropriate.*

4 (3) *DISSEMINATION.*—*The United States Trade*
5 *Representative shall disseminate the guidelines devel-*
6 *oped under paragraph (1) to all Federal agencies that*
7 *could have jurisdiction over laws affected by trade ne-*
8 *gotiations.*

9 (f) *ESTABLISHMENT OF POSITION OF CHIEF TRANS-*
10 *PARENCY OFFICER IN THE OFFICE OF THE UNITED STATES*
11 *TRADE REPRESENTATIVE.*—*Section 141(b) of the Trade Act*
12 *of 1974 (19 U.S.C. 2171(b)) is amended—*

13 (1) *by redesignating paragraph (3) as para-*
14 *graph (4); and*

15 (2) *by inserting after paragraph (2) the fol-*
16 *lowing:*

17 “(3) *There shall be in the Office one Chief Trans-*
18 *parency Officer. The Chief Transparency Officer shall con-*
19 *sult with Congress on transparency policy, coordinate*
20 *transparency in trade negotiations, engage and assist the*
21 *public, and advise the United States Trade Representative*
22 *on transparency policy.”.*

23 **SEC. 105. NOTICE, CONSULTATIONS, AND REPORTS.**

24 (a) *NOTICE, CONSULTATIONS, AND REPORTS BEFORE*
25 *NEGOTIATION.*—

1 (1) *NOTICE.*—*The President, with respect to any*
2 *agreement that is subject to the provisions of section*
3 *103(b), shall—*

4 (A) *provide, at least 90 calendar days before*
5 *initiating negotiations with a country, written*
6 *notice to Congress of the President’s intention to*
7 *enter into the negotiations with that country and*
8 *set forth in the notice the date on which the*
9 *President intends to initiate those negotiations,*
10 *the specific United States objectives for the nego-*
11 *tiations with that country, and whether the*
12 *President intends to seek an agreement, or*
13 *changes to an existing agreement;*

14 (B) *before and after submission of the no-*
15 *tice, consult regarding the negotiations with the*
16 *Committee on Ways and Means of the House of*
17 *Representatives and the Committee on Finance*
18 *of the Senate, such other committees of the House*
19 *and Senate as the President deems appropriate,*
20 *and the House Advisory Group on Negotiations*
21 *and the Senate Advisory Group on Negotiations*
22 *convened under section 104(c);*

23 (C) *upon the request of a majority of the*
24 *members of either the House Advisory Group on*
25 *Negotiations or the Senate Advisory Group on*

1 *Negotiations convened under section 104(c), meet*
2 *with the requesting congressional advisory group*
3 *before initiating the negotiations or at any other*
4 *time concerning the negotiations; and*

5 *(D) after consulting with the Committee on*
6 *Ways and Means and the Committee on Finance,*
7 *and at least 30 calendar days before initiating*
8 *negotiations with a country, publish on a pub-*
9 *licly available Internet website of the Office of*
10 *the United States Trade Representative, and reg-*
11 *ularly update thereafter, a detailed and com-*
12 *prehensive summary of the specific objectives*
13 *with respect to the negotiations, and a descrip-*
14 *tion of how the agreement, if successfully con-*
15 *cluded, will further those objectives and benefit*
16 *the United States.*

17 *(2) NEGOTIATIONS REGARDING AGRICULTURE.—*

18 *(A) ASSESSMENT AND CONSULTATIONS FOL-*
19 *LOWING ASSESSMENT.—Before initiating or con-*
20 *tinuing negotiations the subject matter of which*
21 *is directly related to the subject matter under*
22 *section 102(b)(3)(B) with any country, the Presi-*
23 *dent shall—*

24 *(i) assess whether United States tariffs*
25 *on agricultural products that were bound*

1 *under the Uruguay Round Agreements are*
2 *lower than the tariffs bound by that coun-*
3 *try;*

4 *(ii) consider whether the tariff levels*
5 *bound and applied throughout the world*
6 *with respect to imports from the United*
7 *States are higher than United States tariffs*
8 *and whether the negotiation provides an op-*
9 *portunity to address any such disparity;*
10 *and*

11 *(iii) consult with the Committee on*
12 *Ways and Means and the Committee on Ag-*
13 *riculture of the House of Representatives*
14 *and the Committee on Finance and the*
15 *Committee on Agriculture, Nutrition, and*
16 *Forestry of the Senate concerning the results*
17 *of the assessment, whether it is appropriate*
18 *for the United States to agree to further tar-*
19 *iff reductions based on the conclusions*
20 *reached in the assessment, and how all ap-*
21 *plicable negotiating objectives will be met.*

22 (B) *SPECIAL CONSULTATIONS ON IMPORT*
23 *SENSITIVE PRODUCTS.—(i) Before initiating ne-*
24 *gotiations with regard to agriculture and, with*
25 *respect to agreements described in paragraphs*

1 (2) and (3) of section 107(a), as soon as prac-
2 ticable after the date of the enactment of this Act,
3 the United States Trade Representative shall—

4 (I) identify those agricultural products
5 subject to tariff rate quotas on the date of
6 enactment of this Act, and agricultural
7 products subject to tariff reductions by the
8 United States as a result of the Uruguay
9 Round Agreements, for which the rate of
10 duty was reduced on January 1, 1995, to a
11 rate which was not less than 97.5 percent of
12 the rate of duty that applied to such article
13 on December 31, 1994;

14 (II) consult with the Committee on
15 Ways and Means and the Committee on Ag-
16 riculture of the House of Representatives
17 and the Committee on Finance and the
18 Committee on Agriculture, Nutrition, and
19 Forestry of the Senate concerning—

20 (aa) whether any further tariff re-
21 ductions on the products identified
22 under subclause (I) should be appro-
23 priate, taking into account the impact
24 of any such tariff reduction on the

1 *United States industry producing the*
2 *product concerned;*

3 *(bb) whether the products so iden-*
4 *tified face unjustified sanitary or*
5 *phytosanitary restrictions, including*
6 *those not based on scientific principles*
7 *in contravention of the Uruguay*
8 *Round Agreements; and*

9 *(cc) whether the countries partici-*
10 *pating in the negotiations maintain*
11 *export subsidies or other programs,*
12 *policies, or practices that distort world*
13 *trade in such products and the impact*
14 *of such programs, policies, and prac-*
15 *tices on United States producers of the*
16 *products;*

17 *(III) request that the International*
18 *Trade Commission prepare an assessment of*
19 *the probable economic effects of any such*
20 *tariff reduction on the United States indus-*
21 *try producing the product concerned and on*
22 *the United States economy as a whole; and*

23 *(IV) upon complying with subclauses*
24 *(I), (II), and (III), notify the Committee on*
25 *Ways and Means and the Committee on Ag-*

1 *riculture of the House of Representatives*
2 *and the Committee on Finance and the*
3 *Committee on Agriculture, Nutrition, and*
4 *Forestry of the Senate of those products*
5 *identified under subclause (I) for which the*
6 *Trade Representative intends to seek tariff*
7 *liberalization in the negotiations and the*
8 *reasons for seeking such tariff liberalization.*

9 *(ii) If, after negotiations described in clause*
10 *(i) are commenced—*

11 *(I) the United States Trade Represent-*
12 *ative identifies any additional agricultural*
13 *product described in clause (i)(I) for tariff*
14 *reductions which were not the subject of a*
15 *notification under clause (i)(IV), or*

16 *(II) any additional agricultural prod-*
17 *uct described in clause (i)(I) is the subject*
18 *of a request for tariff reductions by a party*
19 *to the negotiations,*

20 *the Trade Representative shall, as soon as prac-*
21 *ticable, notify the committees referred to in*
22 *clause (i)(IV) of those products and the reasons*
23 *for seeking such tariff reductions.*

24 *(3) NEGOTIATIONS REGARDING THE FISHING IN-*
25 *DUSTRY.—Before initiating, or continuing, negotia-*

1 *tions that directly relate to fish or shellfish trade with*
2 *any country, the President shall consult with the*
3 *Committee on Ways and Means and the Committee*
4 *on Natural Resources of the House of Representatives,*
5 *and the Committee on Finance and the Committee on*
6 *Commerce, Science, and Transportation of the Senate,*
7 *and shall keep the Committees apprised of the nego-*
8 *tiations on an ongoing and timely basis.*

9 (4) *NEGOTIATIONS REGARDING TEXTILES.—Be-*
10 *fore initiating or continuing negotiations the subject*
11 *matter of which is directly related to textiles and ap-*
12 *parel products with any country, the President*
13 *shall—*

14 (A) *assess whether United States tariffs on*
15 *textile and apparel products that were bound*
16 *under the Uruguay Round Agreements are lower*
17 *than the tariffs bound by that country and*
18 *whether the negotiation provides an opportunity*
19 *to address any such disparity; and*

20 (B) *consult with the Committee on Ways*
21 *and Means of the House of Representatives and*
22 *the Committee on Finance of the Senate con-*
23 *cerning the results of the assessment, whether it*
24 *is appropriate for the United States to agree to*
25 *further tariff reductions based on the conclusions*

1 reached in the assessment, and how all applica-
2 ble negotiating objectives will be met.

3 (5) *ADHERENCE TO EXISTING INTERNATIONAL*
4 *TRADE AND INVESTMENT AGREEMENT OBLIGA-*
5 *TIONS.*—*In determining whether to enter into nego-*
6 *tiations with a particular country, the President shall*
7 *take into account the extent to which that country has*
8 *implemented, or has accelerated the implementation*
9 *of, its international trade and investment commit-*
10 *ments to the United States, including pursuant to the*
11 *WTO Agreement.*

12 (b) *CONSULTATION WITH CONGRESS BEFORE ENTRY*
13 *INTO AGREEMENT.*—

14 (1) *CONSULTATION.*—*Before entering into any*
15 *trade agreement under section 103(b), the President*
16 *shall consult with—*

17 (A) *the Committee on Ways and Means of*
18 *the House of Representatives and the Committee*
19 *on Finance of the Senate;*

20 (B) *each other committee of the House and*
21 *the Senate, and each joint committee of Congress,*
22 *which has jurisdiction over legislation involving*
23 *subject matters which would be affected by the*
24 *trade agreement; and*

1 (C) *the House Advisory Group on Negotia-*
2 *tions and the Senate Advisory Group on Nego-*
3 *tations convened under section 104(c).*

4 (2) *SCOPE.—The consultation described in para-*
5 *graph (1) shall include consultation with respect to—*

6 (A) *the nature of the agreement;*

7 (B) *how and to what extent the agreement*
8 *will achieve the applicable purposes, policies,*
9 *priorities, and objectives of this title; and*

10 (C) *the implementation of the agreement*
11 *under section 106, including the general effect of*
12 *the agreement on existing laws.*

13 (3) *REPORT REGARDING UNITED STATES TRADE*
14 *REMEDY LAWS.—*

15 (A) *CHANGES IN CERTAIN TRADE LAWS.—*

16 *The President, not less than 180 calendar days*
17 *before the day on which the President enters into*
18 *a trade agreement under section 103(b), shall re-*
19 *port to the Committee on Ways and Means of the*
20 *House of Representatives and the Committee on*
21 *Finance of the Senate—*

22 (i) *the range of proposals advanced in*
23 *the negotiations with respect to that agree-*
24 *ment, that may be in the final agreement,*
25 *and that could require amendments to title*

1 *VII of the Tariff Act of 1930 (19 U.S.C.*
2 *1671 et seq.) or to chapter 1 of title II of*
3 *the Trade Act of 1974 (19 U.S.C. 2251 et*
4 *seq.); and*

5 *(ii) how these proposals relate to the*
6 *objectives described in section 102(b)(16).*

7 *(B) RESOLUTIONS.—(i) At any time after*
8 *the transmission of the report under subpara-*
9 *graph (A), if a resolution is introduced with re-*
10 *spect to that report in either House of Congress,*
11 *the procedures set forth in clauses (iii) through*
12 *(vii) shall apply to that resolution if—*

13 *(I) no other resolution with respect to*
14 *that report has previously been reported in*
15 *that House of Congress by the Committee on*
16 *Ways and Means or the Committee on Fi-*
17 *nance, as the case may be, pursuant to those*
18 *procedures; and*

19 *(II) no procedural disapproval resolu-*
20 *tion under section 106(b) introduced with*
21 *respect to a trade agreement entered into*
22 *pursuant to the negotiations to which the*
23 *report under subparagraph (A) relates has*
24 *previously been reported in that House of*
25 *Congress by the Committee on Ways and*

1 *Means or the Committee on Finance, as the*
2 *case may be.*

3 *(ii) For purposes of this subparagraph, the*
4 *term “resolution” means only a resolution of ei-*
5 *ther House of Congress, the matter after the re-*
6 *solving clause of which is as follows: “That the*
7 *_____ finds that the proposed changes to*
8 *United States trade remedy laws contained in*
9 *the report of the President transmitted to Con-*
10 *gress on _____ under section 105(b)(3) of the*
11 *Bipartisan Congressional Trade Priorities and*
12 *Accountability Act of 2015 with respect to*
13 *_____, are inconsistent with the negotiating*
14 *objectives described in section 102(b)(16) of that*
15 *Act.”, with the first blank space being filled with*
16 *the name of the resolving House of Congress, the*
17 *second blank space being filled with the appro-*
18 *priate date of the report, and the third blank*
19 *space being filled with the name of the country*
20 *or countries involved.*

21 *(iii) Resolutions in the House of Represent-*
22 *atives—*

23 *(I) may be introduced by any Member*
24 *of the House;*

1 (II) shall be referred to the Committee
2 on Ways and Means and, in addition, to
3 the Committee on Rules; and

4 (III) may not be amended by either
5 Committee.

6 (iv) Resolutions in the Senate—

7 (I) may be introduced by any Member
8 of the Senate;

9 (II) shall be referred to the Committee
10 on Finance; and

11 (III) may not be amended.

12 (v) It is not in order for the House of Rep-
13 resentatives to consider any resolution that is
14 not reported by the Committee on Ways and
15 Means and, in addition, by the Committee on
16 Rules.

17 (vi) It is not in order for the Senate to con-
18 sider any resolution that is not reported by the
19 Committee on Finance.

20 (vii) The provisions of subsections (d) and
21 (e) of section 152 of the Trade Act of 1974 (19
22 U.S.C. 2192) (relating to floor consideration of
23 certain resolutions in the House and Senate)
24 shall apply to resolutions.

1 (4) *ADVISORY COMMITTEE REPORTS.*—*The report*
2 *required under section 135(e)(1) of the Trade Act of*
3 *1974 (19 U.S.C. 2155(e)(1)) regarding any trade*
4 *agreement entered into under subsection (a) or (b) of*
5 *section 103 shall be provided to the President, Con-*
6 *gress, and the United States Trade Representative not*
7 *later than 30 days after the date on which the Presi-*
8 *dent notifies Congress under section 103(a)(2) or*
9 *106(a)(1)(A) of the intention of the President to enter*
10 *into the agreement.*

11 (c) *INTERNATIONAL TRADE COMMISSION ASSESS-*
12 *MENT.*—

13 (1) *SUBMISSION OF INFORMATION TO COMMIS-*
14 *SION.*—*The President, not later than 90 calendar*
15 *days before the day on which the President enters into*
16 *a trade agreement under section 103(b), shall provide*
17 *the International Trade Commission (referred to in*
18 *this subsection as the “Commission”) with the details*
19 *of the agreement as it exists at that time and request*
20 *the Commission to prepare and submit an assessment*
21 *of the agreement as described in paragraph (2). Be-*
22 *tween the time the President makes the request under*
23 *this paragraph and the time the Commission submits*
24 *the assessment, the President shall keep the Commis-*

1 *sion current with respect to the details of the agree-*
2 *ment.*

3 (2) *ASSESSMENT.*—*Not later than 105 calendar*
4 *days after the President enters into a trade agreement*
5 *under section 103(b), the Commission shall submit to*
6 *the President and Congress a report assessing the like-*
7 *ly impact of the agreement on the United States econ-*
8 *omy as a whole and on specific industry sectors, in-*
9 *cluding the impact the agreement will have on the*
10 *gross domestic product, exports and imports, aggre-*
11 *gate employment and employment opportunities, the*
12 *production, employment, and competitive position of*
13 *industries likely to be significantly affected by the*
14 *agreement, and the interests of United States con-*
15 *sumers.*

16 (3) *REVIEW OF EMPIRICAL LITERATURE.*—*In*
17 *preparing the assessment under paragraph (2), the*
18 *Commission shall review available economic assess-*
19 *ments regarding the agreement, including literature*
20 *regarding any substantially equivalent proposed*
21 *agreement, and shall provide in its assessment a de-*
22 *scription of the analyses used and conclusions drawn*
23 *in such literature, and a discussion of areas of con-*
24 *sensus and divergence between the various analyses*

1 *and conclusions, including those of the Commission*
2 *regarding the agreement.*

3 (4) *PUBLIC AVAILABILITY.*—*The President shall*
4 *make each assessment under paragraph (2) available*
5 *to the public.*

6 (d) *REPORTS SUBMITTED TO COMMITTEES WITH*
7 *AGREEMENT.*—

8 (1) *ENVIRONMENTAL REVIEWS AND REPORTS.*—
9 *The President shall—*

10 (A) *conduct environmental reviews of future*
11 *trade and investment agreements, consistent with*
12 *Executive Order 13141 (64 Fed. Reg. 63169),*
13 *dated November 16, 1999, and its relevant guide-*
14 *lines; and*

15 (B) *submit a report on those reviews and on*
16 *the content and operation of consultative mecha-*
17 *nisms established pursuant to section 102(c) to*
18 *the Committee on Ways and Means of the House*
19 *of Representatives and the Committee on Fi-*
20 *nance of the Senate at the time the President*
21 *submits to Congress a copy of the final legal text*
22 *of an agreement pursuant to section*
23 *106(a)(1)(E).*

24 (2) *EMPLOYMENT IMPACT REVIEWS AND RE-*
25 *PORTS.*—*The President shall—*

1 (A) review the impact of future trade agree-
2 ments on United States employment, including
3 labor markets, modeled after Executive Order
4 13141 (64 Fed. Reg. 63169) to the extent appro-
5 priate in establishing procedures and criteria;
6 and

7 (B) submit a report on such reviews to the
8 Committee on Ways and Means of the House of
9 Representatives and the Committee on Finance
10 of the Senate at the time the President submits
11 to Congress a copy of the final legal text of an
12 agreement pursuant to section 106(a)(1)(E).

13 (3) REPORT ON LABOR RIGHTS.—The President
14 shall submit to the Committee on Ways and Means of
15 the House of Representatives and the Committee on
16 Finance of the Senate, on a timeframe determined in
17 accordance with section 104(c)(3)(B)(v)—

18 (A) a meaningful labor rights report of the
19 country, or countries, with respect to which the
20 President is negotiating; and

21 (B) a description of any provisions that
22 would require changes to the labor laws and
23 labor practices of the United States.

1 (4) *PUBLIC AVAILABILITY.*—*The President shall*
2 *make all reports required under this subsection avail-*
3 *able to the public.*

4 (e) *IMPLEMENTATION AND ENFORCEMENT PLAN.*—

5 (1) *IN GENERAL.*—*At the time the President sub-*
6 *mits to Congress a copy of the final legal text of an*
7 *agreement pursuant to section 106(a)(1)(E), the*
8 *President shall also submit to Congress a plan for im-*
9 *plementing and enforcing the agreement.*

10 (2) *ELEMENTS.*—*The implementation and en-*
11 *forcement plan required by paragraph (1) shall in-*
12 *clude the following:*

13 (A) *BORDER PERSONNEL REQUIREMENTS.*—
14 *A description of additional personnel required at*
15 *border entry points, including a list of addi-*
16 *tional customs and agricultural inspectors.*

17 (B) *AGENCY STAFFING REQUIREMENTS.*—*A*
18 *description of additional personnel required by*
19 *Federal agencies responsible for monitoring and*
20 *implementing the trade agreement, including*
21 *personnel required by the Office of the United*
22 *States Trade Representative, the Department of*
23 *Commerce, the Department of Agriculture (in-*
24 *cluding additional personnel required to imple-*
25 *ment sanitary and phytosanitary measures in*

1 *order to obtain market access for United States*
2 *exports), the Department of Homeland Security,*
3 *the Department of the Treasury, and such other*
4 *agencies as may be necessary.*

5 (C) *CUSTOMS INFRASTRUCTURE REQUIRE-*
6 *MENTS.—A description of the additional equip-*
7 *ment and facilities needed by U.S. Customs and*
8 *Border Protection.*

9 (D) *IMPACT ON STATE AND LOCAL GOVERN-*
10 *MENTS.—A description of the impact the trade*
11 *agreement will have on State and local govern-*
12 *ments as a result of increases in trade.*

13 (E) *COST ANALYSIS.—An analysis of the*
14 *costs associated with each of the items listed in*
15 *subparagraphs (A) through (D).*

16 (3) *BUDGET SUBMISSION.—The President shall*
17 *include a request for the resources necessary to sup-*
18 *port the plan required by paragraph (1) in the first*
19 *budget of the President submitted to Congress under*
20 *section 1105(a) of title 31, United States Code, after*
21 *the date of the submission of the plan.*

22 (4) *PUBLIC AVAILABILITY.—The President shall*
23 *make the plan required under this subsection avail-*
24 *able to the public.*

25 (f) *OTHER REPORTS.—*

1 (1) *REPORT ON PENALTIES.*—Not later than one
2 year after the imposition by the United States of a
3 penalty or remedy permitted by a trade agreement to
4 which this title applies, the President shall submit to
5 the Committee on Ways and Means of the House of
6 Representatives and the Committee on Finance of the
7 Senate a report on the effectiveness of the penalty or
8 remedy applied under United States law in enforcing
9 United States rights under the trade agreement,
10 which shall address whether the penalty or remedy
11 was effective in changing the behavior of the targeted
12 party and whether the penalty or remedy had any
13 adverse impact on parties or interests not party to
14 the dispute.

15 (2) *REPORT ON IMPACT OF TRADE PROMOTION*
16 *AUTHORITY.*—Not later than one year after the date
17 of the enactment of this Act, and not later than 5
18 years thereafter, the United States International
19 Trade Commission shall submit to the Committee on
20 Ways and Means of the House of Representatives and
21 the Committee on Finance of the Senate a report on
22 the economic impact on the United States of all trade
23 agreements with respect to which Congress has en-
24 acted an implementing bill under trade authorities
25 procedures since January 1, 1984.

1 (3) *ENFORCEMENT CONSULTATIONS AND RE-*
2 *PORTS.—(A) The United States Trade Representative*
3 *shall consult with the Committee on Ways and Means*
4 *of the House of Representatives and the Committee on*
5 *Finance of the Senate after acceptance of a petition*
6 *for review or taking an enforcement action in regard*
7 *to an obligation under a trade agreement, including*
8 *a labor or environmental obligation. During such*
9 *consultations, the United States Trade Representative*
10 *shall describe the matter, including the basis for such*
11 *action and the application of any relevant legal obli-*
12 *gations.*

13 (B) *As part of the report required pursuant to*
14 *section 163 of the Trade Act of 1974 (19 U.S.C.*
15 *2213), the President shall report annually to Congress*
16 *on enforcement actions taken pursuant to a trade*
17 *agreement to which the United States is a party, as*
18 *well as on any public reports issued by Federal agen-*
19 *cies on enforcement matters relating to a trade agree-*
20 *ment.*

21 (g) *ADDITIONAL COORDINATION WITH MEMBERS.—*
22 *Any Member of the House of Representatives may submit*
23 *to the Committee on Ways and Means of the House of Rep-*
24 *resentatives and any Member of the Senate may submit to*
25 *the Committee on Finance of the Senate the views of that*

1 *Member on any matter relevant to a proposed trade agree-*
2 *ment, and the relevant Committee shall receive those views*
3 *for consideration.*

4 **SEC. 106. IMPLEMENTATION OF TRADE AGREEMENTS.**

5 *(a) IN GENERAL.—*

6 *(1) NOTIFICATION AND SUBMISSION.—Any agree-*
7 *ment entered into under section 103(b) shall enter*
8 *into force with respect to the United States if (and*
9 *only if)—*

10 *(A) the President, at least 90 calendar days*
11 *before the day on which the President enters into*
12 *the trade agreement, notifies the House of Rep-*
13 *resentatives and the Senate of the President’s in-*
14 *tervention to enter into the agreement, and prompt-*
15 *ly thereafter publishes notice of such intention in*
16 *the Federal Register;*

17 *(B) the President, at least 60 days before*
18 *the day on which the President enters into the*
19 *agreement, publishes the text of the agreement on*
20 *a publicly available Internet website of the Office*
21 *of the United States Trade Representative;*

22 *(C) within 60 days after entering into the*
23 *agreement, the President submits to Congress a*
24 *description of those changes to existing laws that*
25 *the President considers would be required in*

1 *order to bring the United States into compliance*
2 *with the agreement;*

3 *(D) the President, at least 30 days before*
4 *submitting to Congress the materials under sub-*
5 *paragraph (E), submits to Congress—*

6 *(i) a draft statement of any adminis-*
7 *trative action proposed to implement the*
8 *agreement; and*

9 *(ii) a copy of the final legal text of the*
10 *agreement;*

11 *(E) after entering into the agreement, the*
12 *President submits to Congress, on a day on*
13 *which both Houses of Congress are in session, a*
14 *copy of the final legal text of the agreement, to-*
15 *gether with—*

16 *(i) a draft of an implementing bill de-*
17 *scribed in section 103(b)(3);*

18 *(ii) a statement of any administrative*
19 *action proposed to implement the trade*
20 *agreement; and*

21 *(iii) the supporting information de-*
22 *scribed in paragraph (2)(A);*

23 *(F) the implementing bill is enacted into*
24 *law; and*

1 (G) the President, not later than 30 days
2 before the date on which the agreement enters
3 into force with respect to a party to the agree-
4 ment, submits written notice to Congress that the
5 President has determined that the party has
6 taken measures necessary to comply with those
7 provisions of the agreement that are to take effect
8 on the date on which the agreement enters into
9 force.

10 (2) SUPPORTING INFORMATION.—

11 (A) IN GENERAL.—The supporting informa-
12 tion required under paragraph (1)(E)(iii) con-
13 sists of—

14 (i) an explanation as to how the im-
15 plementing bill and proposed administra-
16 tive action will change or affect existing
17 law; and

18 (ii) a statement—

19 (I) asserting that the agreement
20 makes progress in achieving the appli-
21 cable purposes, policies, priorities, and
22 objectives of this title; and

23 (II) setting forth the reasons of the
24 President regarding—

1 (aa) *how and to what extent*
2 *the agreement makes progress in*
3 *achieving the applicable purposes,*
4 *policies, and objectives referred to*
5 *in subclause (I);*

6 (bb) *whether and how the*
7 *agreement changes provisions of*
8 *an agreement previously nego-*
9 *tiated;*

10 (cc) *how the agreement serves*
11 *the interests of United States com-*
12 *merce; and*

13 (dd) *how the implementing*
14 *bill meets the standards set forth*
15 *in section 103(b)(3).*

16 (B) *PUBLIC AVAILABILITY.—The President*
17 *shall make the supporting information described*
18 *in subparagraph (A) available to the public.*

19 (3) *RECIPROCAL BENEFITS.—In order to ensure*
20 *that a foreign country that is not a party to a trade*
21 *agreement entered into under section 103(b) does not*
22 *receive benefits under the agreement unless the coun-*
23 *try is also subject to the obligations under the agree-*
24 *ment, the implementing bill submitted with respect to*
25 *the agreement shall provide that the benefits and obli-*

1 *gations under the agreement apply only to the parties*
2 *to the agreement, if such application is consistent*
3 *with the terms of the agreement. The implementing*
4 *bill may also provide that the benefits and obligations*
5 *under the agreement do not apply uniformly to all*
6 *parties to the agreement, if such application is con-*
7 *sistent with the terms of the agreement.*

8 (4) *DISCLOSURE OF COMMITMENTS.*—*Any agree-*
9 *ment or other understanding with a foreign govern-*
10 *ment or governments (whether oral or in writing)*
11 *that—*

12 (A) *relates to a trade agreement with re-*
13 *spect to which Congress enacts an implementing*
14 *bill under trade authorities procedures; and*

15 (B) *is not disclosed to Congress before an*
16 *implementing bill with respect to that agreement*
17 *is introduced in either House of Congress,*
18 *shall not be considered to be part of the agreement ap-*
19 *proved by Congress and shall have no force and effect*
20 *under United States law or in any dispute settlement*
21 *body.*

22 (b) *LIMITATIONS ON TRADE AUTHORITIES PROCE-*
23 *DURES.*—

24 (1) *FOR LACK OF NOTICE OR CONSULTATIONS.*—

1 (A) *IN GENERAL.*—*The trade authorities*
2 *procedures shall not apply to any implementing*
3 *bill submitted with respect to a trade agreement*
4 *or trade agreements entered into under section*
5 *103(b) if during the 60-day period beginning on*
6 *the date that one House of Congress agrees to a*
7 *procedural disapproval resolution for lack of no-*
8 *tice or consultations with respect to such trade*
9 *agreement or agreements, the other House sepa-*
10 *rately agrees to a procedural disapproval resolu-*
11 *tion with respect to such trade agreement or*
12 *agreements.*

13 (B) *PROCEDURAL DISAPPROVAL RESOLU-*
14 *TION.*—(i) *For purposes of this paragraph, the*
15 *term “procedural disapproval resolution” means*
16 *a resolution of either House of Congress, the sole*
17 *matter after the resolving clause of which is as*
18 *follows: “That the President has failed or refused*
19 *to notify or consult in accordance with the Bi-*
20 *partisan Congressional Trade Priorities and Ac-*
21 *countability Act of 2015 on negotiations with re-*
22 *spect to _____ and, therefore, the*
23 *trade authorities procedures under that Act shall*
24 *not apply to any implementing bill submitted*
25 *with respect to such trade agreement or agree-*

1 ments.”, with the blank space being filled with a
2 description of the trade agreement or agreements
3 with respect to which the President is considered
4 to have failed or refused to notify or consult.

5 (ii) For purposes of clause (i) and para-
6 graphs (3)(C) and (4)(C), the President has
7 “failed or refused to notify or consult in accord-
8 ance with the Bipartisan Congressional Trade
9 Priorities and Accountability Act of 2015” on
10 negotiations with respect to a trade agreement or
11 trade agreements if—

12 (I) the President has failed or refused
13 to consult (as the case may be) in accord-
14 ance with sections 104 and 105 and this
15 section with respect to the negotiations,
16 agreement, or agreements;

17 (II) guidelines under section 104 have
18 not been developed or met with respect to
19 the negotiations, agreement, or agreements;

20 (III) the President has not met with
21 the House Advisory Group on Negotiations
22 or the Senate Advisory Group on Negotia-
23 tions pursuant to a request made under sec-
24 tion 104(c)(4) with respect to the negotia-
25 tions, agreement, or agreements; or

1 (IV) *the agreement or agreements fail*
2 *to make progress in achieving the purposes,*
3 *policies, priorities, and objectives of this*
4 *title.*

5 (2) *PROCEDURES FOR CONSIDERING RESOLU-*
6 *TIONS.—(A) Procedural disapproval resolutions—*

7 *(i) in the House of Representatives—*

8 (I) *may be introduced by any Member*
9 *of the House;*

10 (II) *shall be referred to the Committee*
11 *on Ways and Means and, in addition, to*
12 *the Committee on Rules; and*

13 (III) *may not be amended by either*
14 *Committee; and*

15 (ii) *in the Senate—*

16 (I) *may be introduced by any Member*
17 *of the Senate;*

18 (II) *shall be referred to the Committee*
19 *on Finance; and*

20 (III) *may not be amended.*

21 (B) *The provisions of subsections (d) and (e) of*
22 *section 152 of the Trade Act of 1974 (19 U.S.C. 2192)*
23 *(relating to the floor consideration of certain resolu-*
24 *tions in the House and Senate) apply to a procedural*
25 *disapproval resolution introduced with respect to a*

1 *trade agreement if no other procedural disapproval*
2 *resolution with respect to that trade agreement has*
3 *previously been reported in that House of Congress by*
4 *the Committee on Ways and Means or the Committee*
5 *on Finance, as the case may be, and if no resolution*
6 *described in clause (ii) of section 105(b)(3)(B) with*
7 *respect to that trade agreement has been reported in*
8 *that House of Congress by the Committee on Ways*
9 *and Means or the Committee on Finance, as the case*
10 *may be, pursuant to the procedures set forth in*
11 *clauses (iii) through (vii) of such section.*

12 *(C) It is not in order for the House of Represent-*
13 *atives to consider any procedural disapproval resolu-*
14 *tion not reported by the Committee on Ways and*
15 *Means and, in addition, by the Committee on Rules.*

16 *(D) It is not in order for the Senate to consider*
17 *any procedural disapproval resolution not reported by*
18 *the Committee on Finance.*

19 *(3) CONSIDERATION IN SENATE OF CONSULTA-*
20 *TION AND COMPLIANCE RESOLUTION TO REMOVE*
21 *TRADE AUTHORITIES PROCEDURES.—*

22 *(A) REPORTING OF RESOLUTION.—If, when*
23 *the Committee on Finance of the Senate meets on*
24 *whether to report an implementing bill with re-*
25 *spect to a trade agreement or agreements entered*

1 into under section 103(b), the committee fails to
2 favorably report the bill, the committee shall re-
3 port a resolution described in subparagraph (C).

4 (B) *APPLICABILITY OF TRADE AUTHORITIES*
5 *PROCEDURES.*—The trade authorities procedures
6 shall not apply in the Senate to any imple-
7 menting bill submitted with respect to a trade
8 agreement or agreements described in subpara-
9 graph (A) if the Committee on Finance reports
10 a resolution described in subparagraph (C) and
11 such resolution is agreed to by the Senate.

12 (C) *RESOLUTION DESCRIBED.*—A resolution
13 described in this subparagraph is a resolution of
14 the Senate originating from the Committee on
15 Finance the sole matter after the resolving clause
16 of which is as follows: “That the President has
17 failed or refused to notify or consult in accord-
18 ance with the Bipartisan Congressional Trade
19 Priorities and Accountability Act of 2015 on ne-
20 gotiations with respect to _____ and,
21 therefore, the trade authorities procedures under
22 that Act shall not apply in the Senate to any
23 implementing bill submitted with respect to such
24 trade agreement or agreements.”, with the blank
25 space being filled with a description of the trade

1 *agreement or agreements described in subpara-*
2 *graph (A).*

3 (D) *PROCEDURES.*—*If the Senate does not*
4 *agree to a motion to invoke cloture on the motion*
5 *to proceed to a resolution described in subpara-*
6 *graph (C), the resolution shall be committed to*
7 *the Committee on Finance.*

8 (4) *CONSIDERATION IN THE HOUSE OF REP-*
9 *RESENTATIVES OF A CONSULTATION AND COMPLIANCE*
10 *RESOLUTION.*—

11 (A) *QUALIFICATIONS FOR REPORTING RESO-*
12 *LUTION.*—*If—*

13 (i) *the Committee on Ways and Means*
14 *of the House of Representatives reports an*
15 *implementing bill with respect to a trade*
16 *agreement or agreements entered into under*
17 *section 103(b) with other than a favorable*
18 *recommendation; and*

19 (ii) *a Member of the House of Rep-*
20 *resentatives has introduced a consultation*
21 *and compliance resolution on the legislative*
22 *day following the filing of a report to ac-*
23 *company the implementing bill with other*
24 *than a favorable recommendation,*

1 *then the Committee on Ways and Means shall*
2 *consider a consultation and compliance resolu-*
3 *tion pursuant to subparagraph (B).*

4 (B) *COMMITTEE CONSIDERATION OF A*
5 *QUALIFYING RESOLUTION.—(i) Not later than*
6 *the fourth legislative day after the date of intro-*
7 *duction of the resolution, the Committee on Ways*
8 *and Means shall meet to consider a resolution*
9 *meeting the qualifications set forth in subpara-*
10 *graph (A).*

11 (ii) *After consideration of one such resolu-*
12 *tion by the Committee on Ways and Means, this*
13 *subparagraph shall not apply to any other such*
14 *resolution.*

15 (iii) *If the Committee on Ways and Means*
16 *has not reported the resolution by the sixth legis-*
17 *lative day after the date of its introduction, that*
18 *committee shall be discharged from further con-*
19 *sideration of the resolution.*

20 (C) *CONSULTATION AND COMPLIANCE RESO-*
21 *LUTION DESCRIBED.—A consultation and com-*
22 *pliance resolution—*

23 (i) *is a resolution of the House of Rep-*
24 *resentatives, the sole matter after the resolv-*
25 *ing clause of which is as follows: “That the*

1 *President has failed or refused to notify or*
2 *consult in accordance with the Bipartisan*
3 *Congressional Trade Priorities and Ac-*
4 *countability Act of 2015 on negotiations*
5 *with respect to _____ and, therefore,*
6 *the trade authorities procedures under that*
7 *Act shall not apply in the House of Rep-*
8 *resentatives to any implementing bill sub-*
9 *mitted with respect to such trade agreement*
10 *or agreements.”, with the blank space being*
11 *filled with a description of the trade agree-*
12 *ment or agreements described in subpara-*
13 *graph (A); and*

14 *(ii) shall be referred to the Committee*
15 *on Ways and Means.*

16 *(D) APPLICABILITY OF TRADE AUTHORITIES*
17 *PROCEDURES.—The trade authorities procedures*
18 *shall not apply in the House of Representatives*
19 *to any implementing bill submitted with respect*
20 *to a trade agreement or agreements which are*
21 *the object of a consultation and compliance reso-*
22 *lution if such resolution is adopted by the House.*

23 *(5) FOR FAILURE TO MEET OTHER REQUIRE-*
24 *MENTS.—Not later than December 15, 2015, the Sec-*
25 *retary of Commerce, in consultation with the Sec-*

1 *retary of State, the Secretary of the Treasury, the At-*
2 *torney General, and the United States Trade Rep-*
3 *resentative, shall transmit to Congress a report set-*
4 *ting forth the strategy of the executive branch to ad-*
5 *dress concerns of Congress regarding whether dispute*
6 *settlement panels and the Appellate Body of the*
7 *World Trade Organization have added to obligations,*
8 *or diminished rights, of the United States, as de-*
9 *scribed in section 102(b)(15)(C). Trade authorities*
10 *procedures shall not apply to any implementing bill*
11 *with respect to an agreement negotiated under the*
12 *auspices of the World Trade Organization unless the*
13 *Secretary of Commerce has issued such report by the*
14 *deadline specified in this paragraph.*

15 (6) *LIMITATIONS ON PROCEDURES WITH RE-*
16 *SPECT TO AGREEMENTS WITH COUNTRIES NOT IN*
17 *COMPLIANCE WITH TRAFFICKING VICTIMS PROTECTION*
18 *ACT OF 2000.—*

19 (A) *IN GENERAL.—The trade authorities*
20 *procedures shall not apply to any implementing*
21 *bill submitted with respect to a trade agreement*
22 *or trade agreements entered into under section*
23 *103(b) with a country to which the minimum*
24 *standards for the elimination of trafficking are*
25 *applicable and the government of which does not*

1 *fully comply with such standards and is not*
2 *making significant efforts to bring the country*
3 *into compliance (commonly referred to as a “tier*
4 *3” country), as determined in the most recent*
5 *annual report on trafficking in persons sub-*
6 *mitted under section 110(b)(1) of the Trafficking*
7 *Victims Protection Act of 2000 (22 U.S.C.*
8 *7107(b)(1)).*

9 *(B) MINIMUM STANDARDS FOR THE ELIMI-*
10 *NATION OF TRAFFICKING DEFINED.—In this*
11 *paragraph, the term “minimum standards for*
12 *the elimination of trafficking” means the stand-*
13 *ards set forth in section 108 of the Trafficking*
14 *Victims Protection Act of 2000 (22 U.S.C. 7106).*

15 *(c) RULES OF HOUSE OF REPRESENTATIVES AND SEN-*
16 *ATE.—Subsection (b) of this section, section 103(c), and sec-*
17 *tion 105(b)(3) are enacted by Congress—*

18 *(1) as an exercise of the rulemaking power of the*
19 *House of Representatives and the Senate, respectively,*
20 *and as such are deemed a part of the rules of each*
21 *House, respectively, and such procedures supersede*
22 *other rules only to the extent that they are incon-*
23 *sistent with such other rules; and*

24 *(2) with the full recognition of the constitutional*
25 *right of either House to change the rules (so far as re-*

1 *lating to the procedures of that House) at any time,*
2 *in the same manner, and to the same extent as any*
3 *other rule of that House.*

4 **SEC. 107. TREATMENT OF CERTAIN TRADE AGREEMENTS**
5 **FOR WHICH NEGOTIATIONS HAVE ALREADY**
6 **BEGUN.**

7 *(a) CERTAIN AGREEMENTS.—Notwithstanding the*
8 *prenegotiation notification and consultation requirement*
9 *described in section 105(a), if an agreement to which section*
10 *103(b) applies—*

11 *(1) is entered into under the auspices of the*
12 *World Trade Organization,*

13 *(2) is entered into with the Trans-Pacific Part-*
14 *nership countries with respect to which notifications*
15 *have been made in a manner consistent with section*
16 *105(a)(1)(A) as of the date of the enactment of this*
17 *Act,*

18 *(3) is entered into with the European Union,*

19 *(4) is an agreement with respect to international*
20 *trade in services entered into with WTO members*
21 *with respect to which a notification has been made in*
22 *a manner consistent with section 105(a)(1)(A) as of*
23 *the date of the enactment of this Act, or*

24 *(5) is an agreement with respect to environ-*
25 *mental goods entered into with WTO members with*

1 *respect to which a notification has been made in a*
2 *manner consistent with section 105(a)(1)(A) as of the*
3 *date of the enactment of this Act,*
4 *and results from negotiations that were commenced before*
5 *the date of the enactment of this Act, subsection (b) shall*
6 *apply.*

7 **(b) TREATMENT OF AGREEMENTS.**—*In the case of any*
8 *agreement to which subsection (a) applies, the applicability*
9 *of the trade authorities procedures to implementing bills*
10 *shall be determined without regard to the requirements of*
11 *section 105(a) (relating only to notice prior to initiating*
12 *negotiations), and any resolution under paragraph (1)(B),*
13 *(3)(C), or (4)(C) of section 106(b) shall not be in order on*
14 *the basis of a failure or refusal to comply with the provi-*
15 *sions of section 105(a), if (and only if) the President, as*
16 *soon as feasible after the date of the enactment of this Act—*

17 *(1) notifies Congress of the negotiations described*
18 *in subsection (a), the specific United States objectives*
19 *in the negotiations, and whether the President is seek-*
20 *ing a new agreement or changes to an existing agree-*
21 *ment; and*

22 *(2) before and after submission of the notice,*
23 *consults regarding the negotiations with the commit-*
24 *tees referred to in section 105(a)(1)(B) and the House*

1 *and Senate Advisory Groups on Negotiations con-*
2 *vened under section 104(c).*

3 **SEC. 108. SOVEREIGNTY.**

4 (a) *UNITED STATES LAW TO PREVAIL IN EVENT OF*
5 *CONFLICT.*—*No provision of any trade agreement entered*
6 *into under section 103(b), nor the application of any such*
7 *provision to any person or circumstance, that is incon-*
8 *sistent with any law of the United States, any State of the*
9 *United States, or any locality of the United States shall*
10 *have effect.*

11 (b) *AMENDMENTS OR MODIFICATIONS OF UNITED*
12 *STATES LAW.*—*No provision of any trade agreement en-*
13 *tered into under section 103(b) shall prevent the United*
14 *States, any State of the United States, or any locality of*
15 *the United States from amending or modifying any law*
16 *of the United States, that State, or that locality (as the case*
17 *may be).*

18 (c) *DISPUTE SETTLEMENT REPORTS.*—*Reports, in-*
19 *cluding findings and recommendations, issued by dispute*
20 *settlement panels convened pursuant to any trade agree-*
21 *ment entered into under section 103(b) shall have no bind-*
22 *ing effect on the law of the United States, the Government*
23 *of the United States, or the law or government of any State*
24 *or locality of the United States.*

1 **SEC. 109. INTERESTS OF SMALL BUSINESSES.**

2 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
3 *that—*

4 (1) *the United States Trade Representative*
5 *should facilitate participation by small businesses in*
6 *the trade negotiation process; and*

7 (2) *the functions of the Office of the United*
8 *States Trade Representative relating to small busi-*
9 *nesses should continue to be reflected in the title of the*
10 *Assistant United States Trade Representative as-*
11 *signed the responsibility for small businesses.*

12 (b) *CONSIDERATION OF SMALL BUSINESS INTER-*
13 *ESTS.*—*The Assistant United States Trade Representative*
14 *for Small Business, Market Access, and Industrial Competi-*
15 *tiveness shall be responsible for ensuring that the interests*
16 *of small businesses are considered in all trade negotiations*
17 *in accordance with the objective described in section*
18 *102(a)(8).*

19 **SEC. 110. CONFORMING AMENDMENTS; APPLICATION OF**
20 **CERTAIN PROVISIONS.**

21 (a) *CONFORMING AMENDMENTS.*—

22 (1) *ADVICE FROM UNITED STATES INTER-*
23 *NATIONAL TRADE COMMISSION.*—*Section 131 of the*
24 *Trade Act of 1974 (19 U.S.C. 2151) is amended—*

25 (A) *in subsection (a)—*

1 (i) in paragraph (1), by striking “sec-
2 tion 2103(a) or (b) of the Bipartisan Trade
3 Promotion Authority Act of 2002” and in-
4 serting “subsection (a) or (b) of section 103
5 of the Bipartisan Congressional Trade Pri-
6 orities and Accountability Act of 2015”;
7 and

8 (ii) in paragraph (2), by striking “sec-
9 tion 2103(b) of the Bipartisan Trade Pro-
10 motion Authority Act of 2002” and insert-
11 ing “section 103(b) of the Bipartisan Con-
12 gressional Trade Priorities and Account-
13 ability Act of 2015”;

14 (B) in subsection (b), by striking “section
15 2103(a)(3)(A) of the Bipartisan Trade Pro-
16 motion Authority Act of 2002” and inserting
17 “section 103(a)(4)(A) of the Bipartisan Congres-
18 sional Trade Priorities and Accountability Act
19 of 2015”; and

20 (C) in subsection (c), by striking “section
21 2103 of the Bipartisan Trade Promotion Author-
22 ity Act of 2002” and inserting “section 103(a) of
23 the Bipartisan Congressional Trade Priorities
24 and Accountability Act of 2015”.

1 (2) *HEARINGS.*—Section 132 of the Trade Act of
2 1974 (19 U.S.C. 2152) is amended by striking “sec-
3 tion 2103 of the Bipartisan Trade Promotion Author-
4 ity Act of 2002” and inserting “section 103 of the Bi-
5 partisan Congressional Trade Priorities and Account-
6 ability Act of 2015”.

7 (3) *PUBLIC HEARINGS.*—Section 133(a) of the
8 Trade Act of 1974 (19 U.S.C. 2153(a)) is amended by
9 striking “section 2103 of the Bipartisan Trade Pro-
10 motion Authority Act of 2002” and inserting “section
11 103 of the Bipartisan Congressional Trade Priorities
12 and Accountability Act of 2015”.

13 (4) *PREREQUISITES FOR OFFERS.*—Section 134
14 of the Trade Act of 1974 (19 U.S.C. 2154) is amended
15 by striking “section 2103 of the Bipartisan Trade
16 Promotion Authority Act of 2002” each place it ap-
17 pears and inserting “section 103 of the Bipartisan
18 Congressional Trade Priorities and Accountability
19 Act of 2015”.

20 (5) *INFORMATION AND ADVICE FROM PRIVATE*
21 *AND PUBLIC SECTORS.*—Section 135 of the Trade Act
22 of 1974 (19 U.S.C. 2155) is amended—

23 (A) in subsection (a)(1)(A), by striking
24 “section 2103 of the Bipartisan Trade Promotion
25 Authority Act of 2002” and inserting “section

1 *103 of the Bipartisan Congressional Trade Pri-*
2 *orities and Accountability Act of 2015”; and*

3 *(B) in subsection (e)—*

4 *(i) in paragraph (1)—*

5 *(I) by striking “section 2103 of*
6 *the Bipartisan Trade Promotion Au-*
7 *thority Act of 2002” each place it ap-*
8 *pears and inserting “section 103 of the*
9 *Bipartisan Congressional Trade Prior-*
10 *ities and Accountability Act of 2015”;*
11 *and*

12 *(II) by striking “not later than*
13 *the date on which the President notifies*
14 *the Congress under section*
15 *2105(a)(1)(A) of the Bipartisan Trade*
16 *Promotion Authority Act of 2002” and*
17 *inserting “not later than the date that*
18 *is 30 days after the date on which the*
19 *President notifies Congress under sec-*
20 *tion 106(a)(1)(A) of the Bipartisan*
21 *Congressional Trade Priorities and Ac-*
22 *countability Act of 2015”; and*

23 *(ii) in paragraph (2), by striking “sec-*
24 *tion 2102 of the Bipartisan Trade Pro-*
25 *motion Authority Act of 2002” and insert-*

1 *ing “section 102 of the Bipartisan Congres-*
2 *sional Trade Priorities and Accountability*
3 *Act of 2015”.*

4 (6) *PROCEDURES RELATING TO IMPLEMENTING*
5 *BILLS.—Section 151 of the Trade Act of 1974 (19*
6 *U.S.C. 2191) is amended—*

7 (A) *in subsection (b)(1), in the matter pre-*
8 *ceding subparagraph (A), by striking “section*
9 *2105(a)(1) of the Bipartisan Trade Promotion*
10 *Authority Act of 2002” and inserting “section*
11 *106(a)(1) of the Bipartisan Congressional Trade*
12 *Priorities and Accountability Act of 2015”; and*

13 (B) *in subsection (c)(1), by striking “section*
14 *2105(a)(1) of the Bipartisan Trade Promotion*
15 *Authority Act of 2002” and inserting “section*
16 *106(a)(1) of the Bipartisan Congressional Trade*
17 *Priorities and Accountability Act of 2015”.*

18 (7) *TRANSMISSION OF AGREEMENTS TO CON-*
19 *GRESS.—Section 162(a) of the Trade Act of 1974 (19*
20 *U.S.C. 2212(a)) is amended by striking “section 2103*
21 *of the Bipartisan Trade Promotion Authority Act of*
22 *2002” and inserting “section 103 of the Bipartisan*
23 *Congressional Trade Priorities and Accountability*
24 *Act of 2015”.*

1 (b) *APPLICATION OF CERTAIN PROVISIONS.*—For pur-
2 poses of applying sections 125, 126, and 127 of the Trade
3 Act of 1974 (19 U.S.C. 2135, 2136, and 2137)—

4 (1) any trade agreement entered into under sec-
5 tion 103 shall be treated as an agreement entered into
6 under section 101 or 102 of the Trade Act of 1974 (19
7 U.S.C. 2111 or 2112), as appropriate; and

8 (2) any proclamation or Executive order issued
9 pursuant to a trade agreement entered into under sec-
10 tion 103 shall be treated as a proclamation or Execu-
11 tive order issued pursuant to a trade agreement en-
12 tered into under section 102 of the Trade Act of 1974
13 (19 U.S.C. 2112).

14 **SEC. 111. DEFINITIONS.**

15 *In this title:*

16 (1) *AGREEMENT ON AGRICULTURE.*—The term
17 “Agreement on Agriculture” means the agreement re-
18 ferred to in section 101(d)(2) of the Uruguay Round
19 Agreements Act (19 U.S.C. 3511(d)(2)).

20 (2) *AGREEMENT ON SAFEGUARDS.*—The term
21 “Agreement on Safeguards” means the agreement re-
22 ferred to in section 101(d)(13) of the Uruguay Round
23 Agreements Act (19 U.S.C. 3511(d)(13)).

24 (3) *AGREEMENT ON SUBSIDIES AND COUNTER-*
25 *VAILING MEASURES.*—The term “Agreement on Sub-

1 *sidies and Countervailing Measures” means the agree-*
2 *ment referred to in section 101(d)(12) of the Uruguay*
3 *Round Agreements Act (19 U.S.C. 3511(d)(12)).*

4 (4) *ANTIDUMPING AGREEMENT.—The term*
5 *“Antidumping Agreement” means the Agreement on*
6 *Implementation of Article VI of the General Agree-*
7 *ment on Tariffs and Trade 1994 referred to in section*
8 *101(d)(7) of the Uruguay Round Agreements Act (19*
9 *U.S.C. 3511(d)(7)).*

10 (5) *APPELLATE BODY.—The term “Appellate*
11 *Body” means the Appellate Body established under*
12 *Article 17.1 of the Dispute Settlement Understanding.*

13 (6) *COMMON MULTILATERAL ENVIRONMENTAL*
14 *AGREEMENT.—*

15 (A) *IN GENERAL.—The term “common mul-*
16 *tilateral environmental agreement” means any*
17 *agreement specified in subparagraph (B) or in-*
18 *cluded under subparagraph (C) to which both the*
19 *United States and one or more other parties to*
20 *the negotiations are full parties, including any*
21 *current or future mutually agreed upon proto-*
22 *cols, amendments, annexes, or adjustments to*
23 *such an agreement.*

1 (B) *AGREEMENTS SPECIFIED.*—*The agree-*
2 *ments specified in this subparagraph are the fol-*
3 *lowing:*

4 (i) *The Convention on International*
5 *Trade in Endangered Species of Wild*
6 *Fauna and Flora, done at Washington*
7 *March 3, 1973 (27 UST 1087; TIAS 8249).*

8 (ii) *The Montreal Protocol on Sub-*
9 *stances that Deplete the Ozone Layer, done*
10 *at Montreal September 16, 1987.*

11 (iii) *The Protocol of 1978 Relating to*
12 *the International Convention for the Pre-*
13 *vention of Pollution from Ships, 1973, done*
14 *at London February 17, 1978.*

15 (iv) *The Convention on Wetlands of*
16 *International Importance Especially as Wa-*
17 *terfowl Habitat, done at Ramsar February*
18 *2, 1971 (TIAS 11084).*

19 (v) *The Convention on the Conserva-*
20 *tion of Antarctic Marine Living Resources,*
21 *done at Canberra May 20, 1980 (33 UST*
22 *3476).*

23 (vi) *The International Convention for*
24 *the Regulation of Whaling, done at Wash-*
25 *ington December 2, 1946 (62 Stat. 1716).*

1 (vii) *The Convention for the Establish-*
2 *ment of an Inter-American Tropical Tuna*
3 *Commission, done at Washington May 31,*
4 *1949 (1 UST 230).*

5 (C) *ADDITIONAL AGREEMENTS.—Both the*
6 *United States and one or more other parties to*
7 *the negotiations may agree to include any other*
8 *multilateral environmental or conservation*
9 *agreement to which they are full parties as a*
10 *common multilateral environmental agreement*
11 *under this paragraph.*

12 (7) *CORE LABOR STANDARDS.—The term “core*
13 *labor standards” means—*

14 (A) *freedom of association;*

15 (B) *the effective recognition of the right to*
16 *collective bargaining;*

17 (C) *the elimination of all forms of forced or*
18 *compulsory labor;*

19 (D) *the effective abolition of child labor and*
20 *a prohibition on the worst forms of child labor;*
21 *and*

22 (E) *the elimination of discrimination in re-*
23 *spect of employment and occupation.*

24 (8) *DISPUTE SETTLEMENT UNDERSTANDING.—*
25 *The term “Dispute Settlement Understanding” means*

1 *the Understanding on Rules and Procedures Gov-*
2 *erning the Settlement of Disputes referred to in sec-*
3 *tion 101(d)(16) of the Uruguay Round Agreements*
4 *Act (19 U.S.C. 3511(d)(16)).*

5 (9) *ENABLING CLAUSE.*—*The term “Enabling*
6 *Clause” means the Decision on Differential and More*
7 *Favourable Treatment, Reciprocity and Fuller Par-*
8 *ticipation of Developing Countries (L/4903), adopted*
9 *November 28, 1979, under GATT 1947 (as defined in*
10 *section 2 of the Uruguay Round Agreements Act (19*
11 *U.S.C. 3501)).*

12 (10) *ENVIRONMENTAL LAWS.*—*The term “envi-*
13 *ronmental laws”, with respect to the laws of the*
14 *United States, means environmental statutes and reg-*
15 *ulations enforceable by action of the Federal Govern-*
16 *ment.*

17 (11) *GATT 1994.*—*The term “GATT 1994” has*
18 *the meaning given that term in section 2 of the Uru-*
19 *guay Round Agreements Act (19 U.S.C. 3501).*

20 (12) *GENERAL AGREEMENT ON TRADE IN SERV-*
21 *ICES.*—*The term “General Agreement on Trade in*
22 *Services” means the General Agreement on Trade in*
23 *Services (referred to in section 101(d)(14) of the Uru-*
24 *guay Round Agreements Act (19 U.S.C.*
25 *3511(d)(14)).*

1 (13) *GOVERNMENT PROCUREMENT AGREEMENT.*—*The term “Government Procurement Agreement” means the Agreement on Government Procurement referred to in section 101(d)(17) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(17)).*

6 (14) *ILO.*—*The term “ILO” means the International Labor Organization.*

8 (15) *IMPORT SENSITIVE AGRICULTURAL PRODUCT.*—*The term “import sensitive agricultural product” means an agricultural product—*

11 (A) *with respect to which, as a result of the Uruguay Round Agreements, the rate of duty was the subject of tariff reductions by the United States and, pursuant to such Agreements, was reduced on January 1, 1995, to a rate that was not less than 97.5 percent of the rate of duty that applied to such article on December 31, 1994; or*

18 (B) *which was subject to a tariff rate quota on the date of the enactment of this Act.*

20 (16) *INFORMATION TECHNOLOGY AGREEMENT.*—*The term “Information Technology Agreement” means the Ministerial Declaration on Trade in Information Technology Products of the World Trade Organization, agreed to at Singapore December 13, 1996.*

1 (17) *INTERNATIONALLY RECOGNIZED CORE*
2 *LABOR STANDARDS.*—*The term “internationally rec-*
3 *ognized core labor standards” means the core labor*
4 *standards only as stated in the ILO Declaration on*
5 *Fundamental Principles and Rights at Work and its*
6 *Follow-Up (1998).*

7 (18) *LABOR LAWS.*—*The term “labor laws”*
8 *means the statutes and regulations, or provisions*
9 *thereof, of a party to the negotiations that are directly*
10 *related to core labor standards as well as other labor*
11 *protections for children and minors and acceptable*
12 *conditions of work with respect to minimum wages,*
13 *hours of work, and occupational safety and health,*
14 *and for the United States, includes Federal statutes*
15 *and regulations addressing those standards, protec-*
16 *tions, or conditions, but does not include State or*
17 *local labor laws.*

18 (19) *UNITED STATES PERSON.*—*The term*
19 *“United States person” means—*

20 (A) *a United States citizen;*

21 (B) *a partnership, corporation, or other*
22 *legal entity that is organized under the laws of*
23 *the United States; and*

24 (C) *a partnership, corporation, or other*
25 *legal entity that is organized under the laws of*

1 *a foreign country and is controlled by entities*
2 *described in subparagraph (B) or United States*
3 *citizens, or both.*

4 (20) *URUGUAY ROUND AGREEMENTS.*—*The term*
5 *“Uruguay Round Agreements” has the meaning given*
6 *that term in section 2(7) of the Uruguay Round*
7 *Agreements Act (19 U.S.C. 3501(7)).*

8 (21) *WORLD TRADE ORGANIZATION; WTO.*—*The*
9 *terms “World Trade Organization” and “WTO”*
10 *mean the organization established pursuant to the*
11 *WTO Agreement.*

12 (22) *WTO AGREEMENT.*—*The term “WTO Agree-*
13 *ment” means the Agreement Establishing the World*
14 *Trade Organization entered into on April 15, 1994.*

15 (23) *WTO MEMBER.*—*The term “WTO member”*
16 *has the meaning given that term in section 2(10) of*
17 *the Uruguay Round Agreements Act (19 U.S.C.*
18 *3501(10)).*

19 ***TITLE II—EXTENSION OF TRADE***
20 ***ADJUSTMENT ASSISTANCE***

21 ***SEC. 201. SHORT TITLE.***

22 *This title may be cited as the “Trade Adjustment As-*
23 *sistance Reauthorization Act of 2015”.*

1 **SEC. 202. APPLICATION OF PROVISIONS RELATING TO**
2 **TRADE ADJUSTMENT ASSISTANCE.**

3 (a) *REPEAL OF SNAPBACK.*—Section 233 of the Trade
4 *Adjustment Assistance Extension Act of 2011 (Public Law*
5 *112–40; 125 Stat. 416) is repealed.*

6 (b) *APPLICABILITY OF CERTAIN PROVISIONS.*—*Except*
7 *as otherwise provided in this title, the provisions of chapters*
8 *2 through 6 of title II of the Trade Act of 1974, as in effect*
9 *on December 31, 2013, and as amended by this title, shall—*

10 (1) *take effect on the date of the enactment of*
11 *this Act; and*

12 (2) *apply to petitions for certification filed*
13 *under chapter 2, 3, or 6 of title II of the Trade Act*
14 *of 1974 on or after such date of enactment.*

15 (c) *REFERENCES.*—*Except as otherwise provided in*
16 *this title, whenever in this title an amendment or repeal*
17 *is expressed in terms of an amendment to, or repeal of, a*
18 *provision of chapters 2 through 6 of title II of the Trade*
19 *Act of 1974, the reference shall be considered to be made*
20 *to a provision of any such chapter, as in effect on December*
21 *31, 2013.*

22 **SEC. 203. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE**
23 **PROGRAM.**

24 (a) *EXTENSION OF TERMINATION PROVISIONS.*—*Sec-*
25 *tion 285 of the Trade Act of 1974 (19 U.S.C. 2271 note)*

1 *is amended by striking “December 31, 2013” each place it*
2 *appears and inserting “June 30, 2021”.*

3 (b) *TRAINING FUNDS.—Section 236(a)(2)(A) of the*
4 *Trade Act of 1974 (19 U.S.C. 2296(a)(2)(A)) is amended*
5 *by striking “shall not exceed” and all that follows and in-*
6 *serting “shall not exceed \$450,000,000 for each of fiscal*
7 *years 2015 through 2021.”.*

8 (c) *REEMPLOYMENT TRADE ADJUSTMENT ASSIST-*
9 *ANCE.—Section 246(b)(1) of the Trade Act of 1974 (19*
10 *U.S.C. 2318(b)(1)) is amended by striking “December 31,*
11 *2013” and inserting “June 30, 2021”.*

12 (d) *AUTHORIZATIONS OF APPROPRIATIONS.—*

13 (1) *TRADE ADJUSTMENT ASSISTANCE FOR WORK-*
14 *ERS.—Section 245(a) of the Trade Act of 1974 (19*
15 *U.S.C. 2317(a)) is amended by striking “December*
16 *31, 2013” and inserting “June 30, 2021”.*

17 (2) *TRADE ADJUSTMENT ASSISTANCE FOR*
18 *FIRMS.—Section 255(a) of the Trade Act of 1974 (19*
19 *U.S.C. 2345(a)) is amended by striking “fiscal years*
20 *2012 and 2013” and all that follows through “Decem-*
21 *ber 31, 2013” and inserting “fiscal years 2015*
22 *through 2021”.*

23 (3) *TRADE ADJUSTMENT ASSISTANCE FOR FARM-*
24 *ERS.—Section 298(a) of the Trade Act of 1974 (19*
25 *U.S.C. 2401g(a)) is amended by striking “fiscal years*

1 2012 and 2013” and all that follows through “Decem-
2 ber 31, 2013” and inserting “fiscal years 2015
3 through 2021”.

4 **SEC. 204. PERFORMANCE MEASUREMENT AND REPORTING.**

5 (a) *PERFORMANCE MEASURES*.—Section 239(j) of the
6 Trade Act of 1974 (19 U.S.C. 2311(j)) is amended—

7 (1) in the subsection heading, by striking “*DATA*
8 *REPORTING*” and inserting “*PERFORMANCE MEAS-*
9 *URES*”;

10 (2) in paragraph (1)—

11 (A) in the matter preceding subparagraph

12 (A)—

13 (i) by striking “a quarterly” and in-
14 serting “an annual”; and

15 (ii) by striking “data” and inserting
16 “measures”;

17 (B) in subparagraph (A), by striking “core”
18 and inserting “primary”; and

19 (C) in subparagraph (C), by inserting “that
20 promote efficiency and effectiveness” after “as-
21 sistance program”;

22 (3) in paragraph (2)—

23 (A) in the paragraph heading, by striking
24 “*CORE INDICATORS DESCRIBED*” and inserting
25 “*INDICATORS OF PERFORMANCE*”; and

1 (B) by striking subparagraph (A) and in-
2 serting the following:

3 “(A) *PRIMARY INDICATORS OF PERFORM-*
4 *ANCE DESCRIBED.*—

5 “(i) *IN GENERAL.*—*The primary indi-*
6 *cators of performance referred to in para-*
7 *graph (1)(A) shall consist of—*

8 “(I) *the percentage and number of*
9 *workers who received benefits under the*
10 *trade adjustment assistance program*
11 *who are in unsubsidized employment*
12 *during the second calendar quarter*
13 *after exit from the program;*

14 “(II) *the percentage and number*
15 *of workers who received benefits under*
16 *the trade adjustment assistance pro-*
17 *gram and who are in unsubsidized em-*
18 *ployment during the fourth calendar*
19 *quarter after exit from the program;*

20 “(III) *the median earnings of*
21 *workers described in subclause (I);*

22 “(IV) *the percentage and number*
23 *of workers who received benefits under*
24 *the trade adjustment assistance pro-*
25 *gram who, subject to clause (ii), obtain*

1 *a recognized postsecondary credential*
2 *or a secondary school diploma or its*
3 *recognized equivalent, during partici-*
4 *pation in the program or within one*
5 *year after exit from the program; and*
6 “(V) *the percentage and number*
7 *of workers who received benefits under*
8 *the trade adjustment assistance pro-*
9 *gram who, during a year while receiv-*
10 *ing such benefits, are in an education*
11 *or training program that leads to a*
12 *recognized postsecondary credential or*
13 *employment and who are achieving*
14 *measurable gains in skills toward such*
15 *a credential or employment.*

16 “(ii) *INDICATOR RELATING TO CRE-*
17 *DENTIAL.—For purposes of clause (i)(IV), a*
18 *worker who received benefits under the trade*
19 *adjustment assistance program who ob-*
20 *tained a secondary school diploma or its*
21 *recognized equivalent shall be included in*
22 *the percentage counted for purposes of that*
23 *clause only if the worker, in addition to ob-*
24 *taining such a diploma or its recognized*
25 *equivalent, has obtained or retained em-*

1 *ployment or is in an education or training*
2 *program leading to a recognized postsec-*
3 *ondary credential within one year after exit*
4 *from the program.”;*

5 *(4) in paragraph (3)—*

6 *(A) in the paragraph heading, by striking*
7 *“DATA” and inserting “MEASURES”;*

8 *(B) by striking “quarterly” and inserting*
9 *“annual”; and*

10 *(C) by striking “data” and inserting*
11 *“measures”; and*

12 *(5) by adding at the end the following:*

13 *“(4) ACCESSIBILITY OF STATE PERFORMANCE*
14 *REPORTS.—The Secretary shall, on an annual basis,*
15 *make available (including by electronic means), in an*
16 *easily understandable format, the reports of cooper-*
17 *ating States or cooperating State agencies required by*
18 *paragraph (1) and the information contained in those*
19 *reports.”.*

20 *(b) COLLECTION AND PUBLICATION OF DATA.—Sec-*
21 *tion 249B of the Trade Act of 1974 (19 U.S.C. 2323) is*
22 *amended—*

23 *(1) in subsection (b)—*

24 *(A) in paragraph (3)—*

1 (i) in subparagraph (A), by striking
2 “enrolled in” and inserting “who received”;

3 (ii) in subparagraph (B)—

4 (I) by striking “complete” and in-
5 serting “exited”; and

6 (II) by striking “who were en-
7 rolled in” and inserting “, including
8 who received”;

9 (iii) in subparagraph (E), by striking
10 “complete” and inserting “exited”;

11 (iv) in subparagraph (F), by striking
12 “complete” and inserting “exit”; and

13 (v) by adding at the end the following:

14 “(G) The average cost per worker of receiv-
15 ing training approved under section 236.

16 “(H) The percentage of workers who re-
17 ceived training approved under section 236 and
18 obtained unsubsidized employment in a field re-
19 lated to that training.”; and

20 (B) in paragraph (4)—

21 (i) in subparagraphs (A) and (B), by
22 striking “quarterly” each place it appears
23 and inserting “annual”; and

24 (ii) by striking subparagraph (C) and
25 inserting the following:

1 “(C) *The median earnings of workers de-*
2 *scribed in section 239(j)(2)(A)(i)(III) during the*
3 *second calendar quarter after exit from the pro-*
4 *gram, expressed as a percentage of the median*
5 *earnings of such workers before the calendar*
6 *quarter in which such workers began receiving*
7 *benefits under this chapter.”; and*

8 (2) *in subsection (e)—*

9 (A) *in paragraph (1)—*

10 (i) *by redesignating subparagraphs (B)*
11 *and (C) as subparagraphs (C) and (D), re-*
12 *spectively; and*

13 (ii) *by inserting after subparagraph*
14 (A) *the following:*

15 “(B) *the reports required under section*
16 239(j);” *and*

17 (B) *in paragraph (2), by striking “a quar-*
18 *terly” and inserting “an annual”.*

19 (c) *RECOGNIZED POSTSECONDARY CREDENTIAL DE-*
20 *FINED.—Section 247 of the Trade Act of 1974 (19 U.S.C.*
21 *2319) is amended by adding at the end the following:*

22 “(19) *The term ‘recognized postsecondary creden-*
23 *tial’ means a credential consisting of an industry-rec-*
24 *ognized certificate or certification, a certificate of*
25 *completion of an apprenticeship, a license recognized*

1 *by a State or the Federal Government, or an associate*
2 *or baccalaureate degree.”.*

3 **SEC. 205. APPLICABILITY OF TRADE ADJUSTMENT ASSIST-**
4 **ANCE PROVISIONS.**

5 *(a) TRADE ADJUSTMENT ASSISTANCE FOR WORK-*
6 *ERS.—*

7 *(1) PETITIONS FILED ON OR AFTER JANUARY 1,*
8 *2014, AND BEFORE DATE OF ENACTMENT.—*

9 *(A) CERTIFICATIONS OF WORKERS NOT CER-*
10 *TIFIED BEFORE DATE OF ENACTMENT.—*

11 *(i) CRITERIA IF A DETERMINATION*
12 *HAS NOT BEEN MADE.—If, as of the date of*
13 *the enactment of this Act, the Secretary of*
14 *Labor has not made a determination with*
15 *respect to whether to certify a group of*
16 *workers as eligible to apply for adjustment*
17 *assistance under section 222 of the Trade*
18 *Act of 1974 pursuant to a petition described*
19 *in clause (iii), the Secretary shall make*
20 *that determination based on the require-*
21 *ments of section 222 of the Trade Act of*
22 *1974, as in effect on such date of enactment.*

23 *(ii) RECONSIDERATION OF DENIALS OF*
24 *CERTIFICATIONS.—If, before the date of the*
25 *enactment of this Act, the Secretary made a*

1 *determination not to certify a group of*
2 *workers as eligible to apply for adjustment*
3 *assistance under section 222 of the Trade*
4 *Act of 1974 pursuant to a petition described*
5 *in clause (iii), the Secretary shall—*

6 (I) *reconsider that determination;*

7 *and*

8 (II) *if the group of workers meets*
9 *the requirements of section 222 of the*
10 *Trade Act of 1974, as in effect on such*
11 *date of enactment, certify the group of*
12 *workers as eligible to apply for adjust-*
13 *ment assistance.*

14 (iii) *PETITION DESCRIBED.—A peti-*
15 *tion described in this clause is a petition for*
16 *a certification of eligibility for a group of*
17 *workers filed under section 221 of the Trade*
18 *Act of 1974 on or after January 1, 2014,*
19 *and before the date of the enactment of this*
20 *Act.*

21 (B) *ELIGIBILITY FOR BENEFITS.—*

22 (i) *IN GENERAL.—Except as provided*
23 *in clause (ii), a worker certified as eligible*
24 *to apply for adjustment assistance under*
25 *section 222 of the Trade Act of 1974 pursu-*

1 *ant to a petition described in subparagraph*
2 *(A)(iii) shall be eligible, on and after the*
3 *date that is 90 days after the date of the en-*
4 *actment of this Act, to receive benefits only*
5 *under the provisions of chapter 2 of title II*
6 *of the Trade Act of 1974, as in effect on*
7 *such date of enactment.*

8 *(ii) COMPUTATION OF MAXIMUM BENE-*
9 *FITS.—Benefits received by a worker de-*
10 *scribed in clause (i) under chapter 2 of title*
11 *II of the Trade Act of 1974 before the date*
12 *of the enactment of this Act shall be in-*
13 *cluded in any determination of the max-*
14 *imum benefits for which the worker is eligi-*
15 *ble under the provisions of chapter 2 of title*
16 *II of the Trade Act of 1974, as in effect on*
17 *the date of the enactment of this Act.*

18 *(2) PETITIONS FILED BEFORE JANUARY 1,*
19 *2014.—A worker certified as eligible to apply for ad-*
20 *justment assistance pursuant to a petition filed under*
21 *section 221 of the Trade Act of 1974 on or before De-*
22 *cember 31, 2013, shall continue to be eligible to apply*
23 *for and receive benefits under the provisions of chap-*
24 *ter 2 of title II of such Act, as in effect on December*
25 *31, 2013.*

1 (3) *QUALIFYING SEPARATIONS WITH RESPECT TO*
2 *PETITIONS FILED WITHIN 90 DAYS OF DATE OF EN-*
3 *ACTMENT.—Section 223(b) of the Trade Act of 1974,*
4 *as in effect on the date of the enactment of this Act,*
5 *shall be applied and administered by substituting*
6 *“before January 1, 2014” for “more than one year be-*
7 *fore the date of the petition on which such certifi-*
8 *cation was granted” for purposes of determining*
9 *whether a worker is eligible to apply for adjustment*
10 *assistance pursuant to a petition filed under section*
11 *221 of the Trade Act of 1974 on or after the date of*
12 *the enactment of this Act and on or before the date*
13 *that is 90 days after such date of enactment.*

14 (b) *TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—*

15 (1) *CERTIFICATION OF FIRMS NOT CERTIFIED*
16 *BEFORE DATE OF ENACTMENT.—*

17 (A) *CRITERIA IF A DETERMINATION HAS*
18 *NOT BEEN MADE.—If, as of the date of the enact-*
19 *ment of this Act, the Secretary of Commerce has*
20 *not made a determination with respect to wheth-*
21 *er to certify a firm as eligible to apply for ad-*
22 *justment assistance under section 251 of the*
23 *Trade Act of 1974 pursuant to a petition de-*
24 *scribed in subparagraph (C), the Secretary shall*
25 *make that determination based on the require-*

1 *ments of section 251 of the Trade Act of 1974,*
2 *as in effect on such date of enactment.*

3 *(B) RECONSIDERATION OF DENIAL OF CER-*
4 *TAIN PETITIONS.—If, before the date of the enact-*
5 *ment of this Act, the Secretary made a deter-*
6 *mination not to certify a firm as eligible to*
7 *apply for adjustment assistance under section*
8 *251 of the Trade Act of 1974 pursuant to a peti-*
9 *tion described in subparagraph (C), the Sec-*
10 *retary shall—*

11 *(i) reconsider that determination; and*

12 *(ii) if the firm meets the requirements*
13 *of section 251 of the Trade Act of 1974, as*
14 *in effect on such date of enactment, certify*
15 *the firm as eligible to apply for adjustment*
16 *assistance.*

17 *(C) PETITION DESCRIBED.—A petition de-*
18 *scribed in this subparagraph is a petition for a*
19 *certification of eligibility filed by a firm or its*
20 *representative under section 251 of the Trade Act*
21 *of 1974 on or after January 1, 2014, and before*
22 *the date of the enactment of this Act.*

23 *(2) CERTIFICATION OF FIRMS THAT DID NOT*
24 *SUBMIT PETITIONS BETWEEN JANUARY 1, 2014, AND*
25 *DATE OF ENACTMENT.—*

1 (A) *IN GENERAL.*—*The Secretary of Com-*
2 *merce shall certify a firm described in subpara-*
3 *graph (B) as eligible to apply for adjustment as-*
4 *istance under section 251 of the Trade Act of*
5 *1974, as in effect on the date of the enactment*
6 *of this Act, if the firm or its representative files*
7 *a petition for a certification of eligibility under*
8 *section 251 of the Trade Act of 1974 not later*
9 *than 90 days after such date of enactment.*

10 (B) *FIRM DESCRIBED.*—*A firm described in*
11 *this subparagraph is a firm that the Secretary*
12 *determines would have been certified as eligible*
13 *to apply for adjustment assistance if—*

14 (i) *the firm or its representative had*
15 *filed a petition for a certification of eligi-*
16 *bility under section 251 of the Trade Act of*
17 *1974 on a date during the period beginning*
18 *on January 1, 2014, and ending on the day*
19 *before the date of the enactment of this Act;*
20 *and*

21 (ii) *the provisions of chapter 3 of title*
22 *II of the Trade Act of 1974, as in effect on*
23 *such date of enactment, had been in effect*
24 *on that date during the period described in*
25 *clause (i).*

1 **SEC. 206. SUNSET PROVISIONS.**

2 (a) *APPLICATION OF PRIOR LAW.*—Subject to sub-
3 section (b), beginning on July 1, 2021, the provisions of
4 chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974
5 (19 U.S.C. 2271 et seq.), as in effect on January 1, 2014,
6 shall be in effect and apply, except that in applying and
7 administering such chapters—

8 (1) paragraph (1) of section 231(c) of that Act
9 shall be applied and administered as if subpara-
10 graphs (A), (B), and (C) of that paragraph were not
11 in effect;

12 (2) section 233 of that Act shall be applied and
13 administered—

14 (A) in subsection (a)—

15 (i) in paragraph (2), by substituting
16 “104-week period” for “104-week period”
17 and all that follows through “130-week pe-
18 riod)”; and

19 (ii) in paragraph (3)—

20 (I) in the matter preceding sub-
21 paragraph (A), by substituting “65”
22 for “52”; and

23 (II) by substituting “78-week pe-
24 riod” for “52-week period” each place
25 it appears; and

1 (B) by applying and administering sub-
2 section (g) as if it read as follows:

3 “(g) *PAYMENT OF TRADE READJUSTMENT ALLOW-*
4 *ANCES TO COMPLETE TRAINING.*—Notwithstanding any
5 *other provision of this section, in order to assist an ad-*
6 *versely affected worker to complete training approved for*
7 *the worker under section 236 that leads to the completion*
8 *of a degree or industry-recognized credential, payments*
9 *may be made as trade readjustment allowances for not more*
10 *than 13 weeks within such period of eligibility as the Sec-*
11 *retary may prescribe to account for a break in training*
12 *or for justifiable cause that follows the last week for which*
13 *the worker is otherwise entitled to a trade readjustment al-*
14 *lowance under this chapter if—*

15 “(1) *payment of the trade readjustment allow-*
16 *ance for not more than 13 weeks is necessary for the*
17 *worker to complete the training;*

18 “(2) *the worker participates in training in each*
19 *such week; and*

20 “(3) *the worker—*

21 “(A) *has substantially met the performance*
22 *benchmarks established as part of the training*
23 *approved for the worker;*

1 “(B) is expected to continue to make
2 progress toward the completion of the training;
3 and

4 “(C) will complete the training during that
5 period of eligibility.”;

6 (3) section 245(a) of that Act shall be applied
7 and administered by substituting “June 30, 2022” for
8 “December 31, 2007”;

9 (4) section 246(b)(1) of that Act shall be applied
10 and administered by substituting “June 30, 2022” for
11 “the date that is 5 years” and all that follows through
12 “State”;

13 (5) section 256(b) of that Act shall be applied
14 and administered by substituting “the 1-year period
15 beginning on July 1, 2021” for “each of fiscal years
16 2003 through 2007, and \$4,000,000 for the 3-month
17 period beginning on October 1, 2007”;

18 (6) section 298(a) of that Act shall be applied
19 and administered by substituting “the 1-year period
20 beginning on July 1, 2021” for “each of the fiscal
21 years” and all that follows through “October 1,
22 2007”; and

23 (7) section 285 of that Act shall be applied and
24 administered—

1 (A) in subsection (a), by substituting “June
2 30, 2022” for “December 31, 2007” each place it
3 appears; and

4 (B) by applying and administering sub-
5 section (b) as if it read as follows:

6 “(b) *OTHER ASSISTANCE.*—

7 “(1) *ASSISTANCE FOR FIRMS.*—

8 “(A) *IN GENERAL.*—Except as provided in
9 subparagraph (B), assistance may not be pro-
10 vided under chapter 3 after June 30, 2022.

11 “(B) *EXCEPTION.*—Notwithstanding sub-
12 paragraph (A), any assistance approved under
13 chapter 3 pursuant to a petition filed under sec-
14 tion 251 on or before June 30, 2022, may be pro-
15 vided—

16 “(i) to the extent funds are available
17 pursuant to such chapter for such purpose;
18 and

19 “(ii) to the extent the recipient of the
20 assistance is otherwise eligible to receive
21 such assistance.

22 “(2) *FARMERS.*—

23 “(A) *IN GENERAL.*—Except as provided in
24 subparagraph (B), assistance may not be pro-
25 vided under chapter 6 after June 30, 2022.

1 “(B) *EXCEPTION.*—*Notwithstanding sub-*
2 *paragraph (A), any assistance approved under*
3 *chapter 6 on or before June 30, 2022, may be*
4 *provided—*

5 “(i) *to the extent funds are available*
6 *pursuant to such chapter for such purpose;*
7 *and*

8 “(ii) *to the extent the recipient of the*
9 *assistance is otherwise eligible to receive*
10 *such assistance.*”.

11 (b) *EXCEPTIONS.*—*The provisions of chapters 2, 3, 5,*
12 *and 6 of title II of the Trade Act of 1974, as in effect on*
13 *the date of the enactment of this Act, shall continue to apply*
14 *on and after July 1, 2021, with respect to—*

15 (1) *workers certified as eligible for trade adjust-*
16 *ment assistance benefits under chapter 2 of title II of*
17 *that Act pursuant to petitions filed under section 221*
18 *of that Act before July 1, 2021;*

19 (2) *firms certified as eligible for technical assist-*
20 *ance or grants under chapter 3 of title II of that Act*
21 *pursuant to petitions filed under section 251 of that*
22 *Act before July 1, 2021; and*

23 (3) *agricultural commodity producers certified*
24 *as eligible for technical or financial assistance under*
25 *chapter 6 of title II of that Act pursuant to petitions*

1 *filed under section 292 of that Act before July 1,*
2 *2021.*

3 **SEC. 207. EXTENSION AND MODIFICATION OF HEALTH COV-**
4 **ERAGE TAX CREDIT.**

5 (a) *EXTENSION.*—*Subparagraph (B) of section*
6 *35(b)(1) of the Internal Revenue Code of 1986 is amended*
7 *by striking “before January 1, 2014” and inserting “before*
8 *January 1, 2020”.*

9 (b) *COORDINATION WITH CREDIT FOR COVERAGE*
10 *UNDER A QUALIFIED HEALTH PLAN.*—*Subsection (g) of*
11 *section 35 of the Internal Revenue Code of 1986 is amend-*
12 *ed—*

13 (1) *by redesignating paragraph (11) as para-*
14 *graph (13), and*

15 (2) *by inserting after paragraph (10) the fol-*
16 *lowing new paragraphs:*

17 “(11) *ELECTION.*—

18 “(A) *IN GENERAL.*—*This section shall not*
19 *apply to any taxpayer for any eligible coverage*
20 *month unless such taxpayer elects the applica-*
21 *tion of this section for such month.*

22 “(B) *TIMING AND APPLICABILITY OF ELEC-*
23 *TION.*—*Except as the Secretary may provide—*

24 “(i) *an election to have this section*
25 *apply for any eligible coverage month in a*

1 *taxable year shall be made not later than*
2 *the due date (including extensions) for the*
3 *return of tax for the taxable year, and*

4 “(i) *any election for this section to*
5 *apply for an eligible coverage month shall*
6 *apply for all subsequent eligible coverage*
7 *months in the taxable year and, once made,*
8 *shall be irrevocable with respect to such*
9 *months.*

10 “(12) *COORDINATION WITH PREMIUM TAX CRED-*
11 *IT.—*

12 “(A) *IN GENERAL.—An eligible coverage*
13 *month to which the election under paragraph*
14 *(11) applies shall not be treated as a coverage*
15 *month (as defined in section 36B(c)(2)) for pur-*
16 *poses of section 36B with respect to the taxpayer.*

17 “(B) *COORDINATION WITH ADVANCE PAY-*
18 *MENTS OF PREMIUM TAX CREDIT.—In the case of*
19 *a taxpayer who makes the election under para-*
20 *graph (11) with respect to any eligible coverage*
21 *month in a taxable year or on behalf of whom*
22 *any advance payment is made under section*
23 *7527 with respect to any month in such taxable*
24 *year—*

1 “(i) the tax imposed by this chapter for
2 the taxable year shall be increased by the
3 excess, if any, of—

4 “(I) the sum of any advance pay-
5 ments made on behalf of the taxpayer
6 under section 1412 of the Patient Pro-
7 tection and Affordable Care Act and
8 section 7527 for months during such
9 taxable year, over

10 “(II) the sum of the credits al-
11 lowed under this section (determined
12 without regard to paragraph (1)) and
13 section 36B (determined without re-
14 gard to subsection (f)(1) thereof) for
15 such taxable year, and

16 “(ii) section 36B(f)(2) shall not apply
17 with respect to such taxpayer for such tax-
18 able year, except that if such taxpayer re-
19 ceived any advance payments under section
20 7527 for any month in such taxable year
21 and is later allowed a credit under section
22 36B for such taxable year, then section
23 36B(f)(2)(B) shall be applied by sub-
24 stituting the amount determined under

1 *clause (i) for the amount determined under*
2 *section 36B(f)(2)(A).”.*

3 (c) *EXTENSION OF ADVANCE PAYMENT PROGRAM.—*

4 (1) *IN GENERAL.—Subsection (a) of section 7527*
5 *of the Internal Revenue Code of 1986 is amended by*
6 *striking “August 1, 2003” and inserting “the date*
7 *that is 1 year after the date of the enactment of the*
8 *Trade Adjustment Assistance Reauthorization Act of*
9 *2015”.*

10 (2) *CONFORMING AMENDMENT.—Paragraph (1)*
11 *of section 7527(e) of such Code is amended by striking*
12 *“occurring” and all that follows and inserting “occur-*
13 *ring—*

14 *“(A) after the date that is 1 year after the*
15 *date of the enactment of the Trade Adjustment*
16 *Assistance Reauthorization Act of 2015, and*

17 *“(B) prior to the first month for which an*
18 *advance payment is made on behalf of such indi-*
19 *vidual under subsection (a).”.*

20 (d) *INDIVIDUAL INSURANCE TREATED AS QUALIFIED*
21 *HEALTH INSURANCE WITHOUT REGARD TO ENROLLMENT*
22 *DATE.—*

23 (1) *IN GENERAL.—Subparagraph (J) of section*
24 *35(e)(1) of the Internal Revenue Code of 1986 is*
25 *amended by striking “insurance if the eligible indi-*

1 vidual” and all that follows through “For purposes
2 of” and inserting “insurance. For purposes of”.

3 (2) *SPECIAL RULE.*—Subparagraph (J) of sec-
4 tion 35(e)(1) of such Code, as amended by paragraph
5 (1), is amended by striking “insurance.” and insert-
6 ing “insurance (other than coverage enrolled in
7 through an Exchange established under the Patient
8 Protection and Affordable Care Act).”.

9 (e) *CONFORMING AMENDMENT.*—Subsection (m) of sec-
10 tion 6501 of the Internal Revenue Code of 1986 is amended
11 by inserting “, 35(g)(11)” after “30D(e)(4)”.

12 (f) *EFFECTIVE DATE.*—

13 (1) *IN GENERAL.*—Except as provided in para-
14 graph (2), the amendments made by this section shall
15 apply to coverage months in taxable years beginning
16 after December 31, 2013.

17 (2) *PLANS AVAILABLE ON INDIVIDUAL MARKET*
18 *FOR USE OF TAX CREDIT.*—The amendment made by
19 subsection (d)(2) shall apply to coverage months in
20 taxable years beginning after December 31, 2015.

21 (3) *TRANSITION RULE.*—Notwithstanding section
22 35(g)(11)(B)(i) of the Internal Revenue Code of 1986
23 (as added by this title), an election to apply section
24 35 of such Code to an eligible coverage month (as de-
25 fined in section 35(b) of such Code) (and not to claim

1 *the credit under section 36B of such Code with respect*
2 *to such month) in a taxable year beginning after De-*
3 *cember 31, 2013, and before the date of the enactment*
4 *of this Act—*

5 *(A) may be made at any time on or after*
6 *such date of enactment and before the expiration*
7 *of the 3-year period of limitation prescribed in*
8 *section 6511(a) with respect to such taxable year;*
9 *and*

10 *(B) may be made on an amended return.*

11 *(g) AGENCY OUTREACH.—As soon as possible after the*
12 *date of the enactment of this Act, the Secretaries of the*
13 *Treasury, Health and Human Services, and Labor (or such*
14 *Secretaries' delegates) and the Director of the Pension Ben-*
15 *efit Guaranty Corporation (or the Director's delegate) shall*
16 *carry out programs of public outreach, including on the*
17 *Internet, to inform potential eligible individuals (as defined*
18 *in section 35(c)(1) of the Internal Revenue Code of 1986)*
19 *of the extension of the credit under section 35 of the Internal*
20 *Revenue Code of 1986 and the availability of the election*
21 *to claim such credit retroactively for coverage months begin-*
22 *ning after December 31, 2013.*

1 **SEC. 208. CUSTOMS USER FEES.**

2 (a) *IN GENERAL.*—Section 13031(j)(3) of the Consoli-
3 dated Omnibus Budget Reconciliation Act of 1985 (19
4 U.S.C. 58c(j)(3)) is amended—

5 (1) in subparagraph (B)(i), by striking “Sep-
6 tember 30, 2024” and inserting “September 30,
7 2025”; and

8 (2) by adding at the end the following:

9 “(D) Fees may be charged under paragraphs (9) and
10 (10) of subsection (a) during the period beginning on July
11 29, 2025, and ending on September 30, 2025.”.

12 (b) *RATE FOR MERCHANDISE PROCESSING FEES.*—
13 Section 503 of the United States–Korea Free Trade Agree-
14 ment Implementation Act (Public Law 112–41; 125 Stat.
15 460) is amended by adding at the end the following:

16 “(c) *FURTHER ADDITIONAL PERIOD.*—For the period
17 beginning on July 15, 2025, and ending on September 30,
18 2025, section 13031(a)(9) of the Consolidated Omnibus
19 Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9))
20 shall be applied and administered—

21 (1) in subparagraph (A), by substituting
22 ‘0.3464’ for ‘0.21’; and

23 (2) in subparagraph (B)(i), by substituting
24 ‘0.3464’ for ‘0.21’.”.

1 **SEC. 209. CHILD TAX CREDIT NOT REFUNDABLE FOR TAX-**
2 **PAYERS ELECTING TO EXCLUDE FOREIGN**
3 **EARNED INCOME FROM TAX.**

4 (a) *IN GENERAL.*—Section 24(d) of the Internal Rev-
5 enue Code of 1986 is amended by adding at the end the
6 following new paragraph:

7 “(5) *EXCEPTION FOR TAXPAYERS EXCLUDING*
8 *FOREIGN EARNED INCOME.*—Paragraph (1) shall not
9 apply to any taxpayer for any taxable year if such
10 taxpayer elects to exclude any amount from gross in-
11 come under section 911 for such taxable year.”

12 (b) *EFFECTIVE DATE.*—The amendment made by this
13 section shall apply to taxable years beginning after Decem-
14 ber 31, 2014.

15 **SEC. 210. TIME FOR PAYMENT OF CORPORATE ESTIMATED**
16 **TAXES.**

17 Notwithstanding section 6655 of the Internal Revenue
18 Code of 1986, in the case of a corporation with assets of
19 not less than \$1,000,000,000 (determined as of the end of
20 the preceding taxable year)—

21 (1) the amount of any required installment of
22 corporate estimated tax which is otherwise due in
23 July, August, or September of 2020 shall be increased
24 by 2.75 percent of such amount (determined without
25 regard to any increase in such amount not contained
26 in such Code); and

1 (2) *the amount of the next required installment*
2 *after an installment referred to in paragraph (1)*
3 *shall be appropriately reduced to reflect the amount*
4 *of the increase by reason of such paragraph.*

5 **SEC. 211. COVERAGE AND PAYMENT FOR RENAL DIALYSIS**
6 **SERVICES FOR INDIVIDUALS WITH ACUTE**
7 **KIDNEY INJURY.**

8 (a) *COVERAGE.*—*Section 1861(s)(2)(F) of the Social*
9 *Security Act (42 U.S.C. 1395x(s)(2)(F)) is amended by in-*
10 *serting before the semicolon the following: “, including such*
11 *renal dialysis services furnished on or after January 1,*
12 *2017, by a renal dialysis facility or provider of services*
13 *paid under section 1881(b)(14) to an individual with acute*
14 *kidney injury (as defined in section 1834(r)(2))”.*

15 (b) *PAYMENT.*—*Section 1834 of the Social Security*
16 *Act (42 U.S.C. 1395m) is amended by adding at the end*
17 *the following new subsection:*

18 “(r) *PAYMENT FOR RENAL DIALYSIS SERVICES FOR*
19 *INDIVIDUALS WITH ACUTE KIDNEY INJURY.*—

20 “(1) *PAYMENT RATE.*—*In the case of renal dialy-*
21 *sis services (as defined in subparagraph (B) of section*
22 *1881(b)(14)) furnished under this part by a renal di-*
23 *alysis facility or provider of services paid under such*
24 *section during a year (beginning with 2017) to an in-*
25 *dividual with acute kidney injury (as defined in*

1 paragraph (2)), the amount of payment under this
2 part for such services shall be the base rate for renal
3 dialysis services determined for such year under such
4 section, as adjusted by any applicable geographic ad-
5 justment factor applied under subparagraph
6 (D)(iv)(II) of such section and may be adjusted by the
7 Secretary (on a budget neutral basis for payments
8 under this paragraph) by any other adjustment factor
9 under subparagraph (D) of such section.

10 “(2) *INDIVIDUAL WITH ACUTE KIDNEY INJURY*
11 *DEFINED.*—In this subsection, the term ‘individual
12 with acute kidney injury’ means an individual who
13 has acute loss of renal function and does not receive
14 renal dialysis services for which payment is made
15 under section 1881(b)(14).”.

16 **SEC. 212. MODIFICATION OF THE MEDICARE SEQUESTER**
17 **FOR FISCAL YEAR 2024.**

18 Section 251A(6)(D)(ii) of the *Balanced Budget and*
19 *Emergency Deficit Control Act of 1985* (2 U.S.C.
20 901a(6)(D)(ii)) is amended by striking “0.0 percent” and
21 inserting “0.25 percent”.

Attest:

Secretary.

14TH CONGRESS
1ST SESSION

H.R. 1314

AMENDMENT