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# Bipartisan Congressional Trade Priorities and Accountability Act of 2015

## *Robust Consultation Requirements*

*Prepared by the staffs of the Ways and Means Committee and Senate Finance Committee*

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### **Consultations with Members of Congress and Committees**

- Further empowers Congress through new and expanded consultation provisions and ensures it plays a meaningful role in negotiations.
- Requires that USTR provide access to the classified negotiating texts of *all* trade negotiations to any Member of Congress upon that Member's request, who may view the texts with personal staff (provided that staff has the appropriate security clearance).
- Requires USTR to consult with any interested Member of Congress, at any time, before, during, or after negotiations.
- Requires consultations with Committees of Jurisdiction and any Committee with jurisdiction over laws that could be affected by a trade agreement.
- Requires the Administration to publish detailed and comprehensive summaries of the specific objectives that trade negotiators are seeking in trade negotiations, and keep such summaries updated as negotiations continue.
- Requires the development of guidelines for engagement with Congress within 120 days, including timely briefings and the sharing of detailed and timely information and pertinent documents, including classified information.
- Establishes, for the first time in law, that the text of a completed trade agreement must be public for at least 60 days before the President signs the agreement.
- Requires the President to submit to the committees of jurisdiction the final, legal text of a trade agreement and a draft of its Statement of Administrative Action at least 30 days before the President submits an implementing bill to the Congress. This new requirement ensures Congress has time to review how the Administration plans to implement the agreement even before an implementing bill is submitted.
- Requires notice and consultation before entry into force of agreements for the first time, and consultations in connection with accepting petitions or taking enforcement action in regard to an obligation in a trade agreement.

### **Congressional Disapproval of TPA if Administration Does Not Meet the Requirements of TPA**

- TPA can be withdrawn if the agreement makes inadequate progress in meeting objectives, and new language extends such disapproval to all notice and consultation requirements.
- If the House Committee on Ways and Means or the Senate Finance Committee determines that the President has not met the conditions prescribed by TPA, either Committee would trigger a Consultation and Compliance Resolution.
- This new resolution provides a mechanism for either the House or Senate to remove expedited procedures for its chamber with respect to that implementing bill.

## **Designated Congressional Advisers**

- Allows any Member of Congress to be designated as a Congressional Adviser.
- Requires USTR to consult closely and on a timely basis with, and keep fully apprised of the negotiations, designated Congressional Advisers.
- Designated Congressional Advisers are to be accredited as official advisers to U.S. delegations to negotiating rounds relating to trade agreements.

## **House and Senate Advisory Groups on Negotiations**

- Creates House and Senate Advisory Groups on Negotiations to oversee ongoing negotiations and consult prior to launching.
- Requires USTR to consult on formulation of specific objectives, negotiating strategies and positions, the development of the applicable trade agreement, and compliance and enforcement of negotiated trade agreement commitments.
- Requires detailed briefings by USTR on a fixed timetable.
- Provides for any Member of Congress to submit views to his/her representative on the Advisory Group.
- Requires the development of guidelines for engagement within 120 days.

## **Consultations with the Public and Trade Advisory Committees**

- Requires the development of guidelines for engagement within 120 days, including public access to information and enhanced coordination with Trade Advisory Committees.
- Mandates that public guidelines facilitate transparency, encourage public participation, and promote collaboration in the negotiation process.
- Ensures timely briefings and the sharing of detailed and timely information and pertinent documents through development of Advisory Committee guidelines.

## **Expands Oversight and Transparency through Robust Reporting Requirements**

- Expands reporting requirements on the effects of trade agreements including new provisions on:
  - the economic impact on the U.S. of any trade agreement implemented under TPA since 1984;
  - whether a trade agreement would require changes to U.S. labor laws and practices;
  - enforcement actions undertaken pursuant to a trade agreement.
- Requires that reports be made public.

## **Creates a New Transparency Officer at USTR**

- The legislation creates – in statute – a Transparency Officer at USTR that will consult with Congress and advise the USTR on transparency policies. This new position is established to ensure consistent transparency policies across the agency and to engage and assist the public in understanding the trade negotiations.