

Bipartisan Congressional Trade Priorities and Accountability Act

New Provisions Boost Oversight by Congress, Enhance Consultations and Increase Accountability by the Obama Administration

The Bipartisan Congressional Trade Priorities and Accountability Act of 2015 modifies TPA procedures to enhance accountability of the Executive Branch and further strengthen Congressional oversight.

For the first time, the legislation establishes a new mechanism to remove expedited procedures for a trade agreement if, in the judgment of either the House or Senate, that agreement does not meet the requirements of TPA. 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 could 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.

New Provisions Provide More Transparency in Trade Negotiations

The new bipartisan bill provides additional, unprecedented transparency requirements that the Office of the United States Trade Representative must follow. Specifically:

1. USTR must promptly provide the classified negotiating texts of *all* trade negotiations to any Members of Congress, at that Members' request, who may view the texts with their staff (provided that staff have obtained the appropriate security clearance).
2. The proposal would establish -- 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 may sign it.
3. 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.
4. The proposal will statutorily require 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.
5. The proposal will require the independent International Trade Commission to conduct new analysis and publish new reports on the economic impact of all trade agreements that Congress has enacted since 1984.
6. The bill 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 may submit an implementing bill to the Congress. This new requirement provides Congress time to review how the Administration plans to implement the agreement even before an implementing bill is submitted.

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Advancing Human Rights Through Trade Agreements

The bill recognizes the importance of trade agreements in advancing [internationally recognized] human rights and supports and includes a negotiating objective aimed to ensure implementation of trade agreement commitments to strengthen good governance, transparency, the effective operation of legal regimes, and the rule of law, which promote respect for [internationally recognized] human rights and create more open democratic societies. The President would also be required to take this objective into account when initiating negotiations with potential trade agreement partners on par with any other negotiating objective.

In addition, given the importance of capacity building initiatives to effective implementation of these commitments, the bill directs the President to report annually on capacity building undertaken in connection with trade agreements, including capacity building to support these rule of law and human-rights related commitments.