



Committee On Finance

Max Baucus, Ranking Member

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Mark-up of the “Miscellaneous Trade and Tariff Act”

Our business today is held over from the 107th Congress, and it’s important that we complete work on this bill so that we can move on to new issues and new legislation.

Each Congress, the Finance Committee pulls together a series of individual trade and tariff bills and puts them forward as a single package. This bill generally doesn’t get the attention that some of our other work does. It certainly doesn’t make the front pages of the papers. But it’s important. When you look at the provisions of the bill we’re marking up today individually, it’s easy to miss this point. Many of the products affected by this bill are obscure to the lay person.

Yet, each of these products, and each improvement to the tariff schedule this bill would make, is important to an American company. For example, there are over three hundred temporary duty suspensions included in this bill. In order to be included, the products covered in the duty suspension cannot be available from a U.S. manufacturer. That means that there are over three hundred American companies currently paying tariffs on items that they need, yet cannot obtain in the United States.

This doesn’t make sense. These duties don’t safeguard American jobs. They merely penalize U.S. companies to no good end – by adding to their costs of production. I’ve long been a proponent of a smart, flexible trade policy that encourages job creation and increased production in the United States. Imposing duties on products that must be imported, because they are not available from a U.S. manufacturer, does not meet this definition.

Pulling together these trade and tariff bills is one of the more arduous tasks that the Committee undertakes each term. I would like to thank the Chairman and his staff for all of their hard work in getting this legislation ready for mark-up.

I’m fully aware of the hard decisions that have to be made to complete work on this legislation. These miscellaneous trade bills often become a sort of “last chance” for individual bills that are unlikely to move through Committee or to the floor – not

because they're not meritorious, but because, by themselves, they may appear too insignificant. And it's not easy to balance the demands of 100 Senators while still striving for a bill that is non-controversial.

While I understand the pressures that shape a non-controversial miscellaneous trade bill, I would like to take a moment to express my disappointment that an important technical fix to the Trade Adjustment Assistance bill we passed last fall was not included in the mark.

This fix would have guaranteed that certain steel workers -- those eligible for benefits from the Pension Benefit Guaranty Corporation -- receive the consumer protections included in the law. This language was part of the original draft of the Miscellaneous Tariff bill last fall, but I note that it is not included in the bill before us now.

The fix in last year's version of the bill was a technical fix. It reflects the spirit and intent of the Trade Act that Congress passed last August - an Act that I, as Committee Chairman, helped craft and negotiate. As a technical correction, this fix should not be controversial. In fact, as a technical correction, the bill we are marking up today is the most logical vehicle for this language.

Yet, I also understand that for whatever reasons, some of my colleagues disagree with me on this, making the provision controversial. I believe their opposition to the TAA fix is misplaced, and I will continue to work to resolve this issue.