

Hatch Amendment #1 to the Extension of the trade adjustment assistance program, and amending the Internal Revenue Code of 1986 to extend and modify the credit for health insurance costs of certain eligible individuals

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #2 to the Extension of the trade adjustment assistance program, and amending the Internal Revenue Code of 1986 to extend and modify the credit for health insurance costs of certain eligible individuals

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #3 to the Extension of the trade adjustment assistance program, and amending the Internal Revenue Code of 1986 to extend and modify the credit for health insurance costs of certain eligible individuals

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #4 to the Extension of the trade adjustment assistance program, and amending the Internal Revenue Code of 1986 to extend and modify the credit for health insurance costs of certain eligible individuals

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #5 to the Extension of the trade adjustment assistance program, and amending the Internal Revenue Code of 1986 to extend and modify the credit for health insurance costs of certain eligible individuals

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #6 to the Extension of the trade adjustment assistance program, and amending the Internal Revenue Code of 1986 to extend and modify the credit for health insurance costs of certain eligible individuals

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

### **Enzi Amendment #1**

Enzi Amendment #1 to an original bill relating to extension of the trade adjustment assistance program, and amending the Internal Revenue Code of 1986 to extend and modify the credit for health insurance costs of certain eligible individuals, and for other purposes.

Short Title: Eliminating TAA for Farmers

Description of Amendment: Strike the underlying provisions in the bill which extend and/or provide TAA for farmers.

## **Portman Amendment #1 to Trade Adjustment Assistance Enhancement Act of 2015**

**Cosponsors:** Toomey, Casey, Burr

**Short title:** American Manufacturing Competitiveness Act.

**Description of amendment:** This amendment to the Trade Adjustment Assistance Enhancement Act of 2015 is identical to the American Manufacturing Competitiveness Act (S. 998). It creates a process for the Miscellaneous Tariff Bill to be considered beginning in 2015, while bringing needed reform and transparency to the process. The amendment has bipartisan support and is backed by American manufacturers seeking needed tariff relief.

**Offset:** CBO has certified that this bill does not score.



## **Cantwell Amendment# 1 to Trade Adjustment Assistance Bill**

**Short Title:** Amend the Social Security Act, to include a field of occupational data in employer filings for unemployment insurance to collect labor data to improve workforce development planning.

**Description of Amendment:** This amendment would expand nationwide collection of labor statistics by requiring employers to report occupational data when they file information for unemployment insurance. Occupational data is not currently collected in a form that is easily accessible to researchers or public officials. This information is particularly important as labor markets change because of increased international trade. This data could be used for workforce development and other public policy planning. It would also help identify the skills in highest demand within particular industries.

**Offset:** No Cost or De minimis to Federal Government per Congressional Budget Office

**Cantwell Amendment #2** to an Original Bill Relating to Extension of the trade adjustment assistance program, and amending the Internal Revenue Code of 1986 to extend and modify the credit for health insurance costs of certain eligible individuals, and for other purposes

**Short Title:** This amendment may be cited as the “Apprenticeship and Job Training Act of 2015”

**Description of Amendment:**

Creates a \$5,000 tax credit based on wages paid by companies who hire individuals enrolled in a Federal or State registered apprentice program. The apprentice must be employed for at least 7 months before the credit can be claimed. The tax credit can also be claimed as the apprentice works through the program for a maximum of 3 years. Qualified apprentice programs must follow guidelines set forth under the Department of Labor’s Employment and Training Administration Office of Apprenticeship or a recognized State apprenticeship agency. Requires Treasury to provide rules for applying the credit in cases where, as part of participation in a qualified apprenticeship program, an individual is employed by more than one employer. Allows veterans to apply their previous training and experience to the required training and education hours so their skills are more effectively and more quickly put to use.

**Offset:** To be provided.

**Cantwell Amendment #3** - to an Original Bill Relating to Extension of the trade adjustment assistance program, and amending the Internal Revenue Code of 1986 to extend and modify the credit for health insurance costs of certain eligible individuals, and for other purposes

**Short Title:** Clean Energy Job Creation Amendment

**Description of Amendment:** This amendment would extend clean energy tax provisions for the length that Trade Promotion Authority is authorized.

*Renewable electricity production credit:* Extend renewable electricity production credit and the election to claim the investment credit in lieu of the electricity production credit for facilities producing electricity using wind, closed-loop biomass, open-loop biomass, geothermal energy, solar energy, small irrigation power, municipal solid waste, qualified hydropower production, and marine and hydrokinetic renewable energy. Provide commence construction language for qualifying projects. (Sections 45 and 48)

*Energy investment credit:* Extend 30 percent investment credit for solar energy as well as provide commence construction language. Extend investment credits for fuel cells and micro turbines, geothermal heat pump property, small wind property, and combined heat and power property. (Section 48)

*Plug-in Electric Motorcycles and Highway Vehicles:* Extend the individual income tax credit for two wheeled, highway-capable plug-in motorcycles (Section 30D).

*Credit for alternative fuel vehicle refueling property (including hydrogen property):* Extend the 30% investment tax credit for alternative vehicle refueling property, up to \$30,000. Eligible refueling property includes fuel pumps for ethanol, biodiesel, liquefied hydrogen, and compressed or liquefied natural gas (Section 30C).

*Cellulosic Biofuels Producer Tax Credit:* Extend production tax credit for production of cellulosic biofuels.

*Cellulosic Biofuels Bonus Depreciation:* Extend bonus depreciation for facilities producing cellulosic biofuel to expense 50 percent of their eligible capital costs in the first year. (Section 168(l))

*Incentives for biodiesel and renewable diesel:* Extend the \$1.00 per gallon tax credit for biodiesel, the small agri-biodiesel producer credit of 10 cents per gallon, and the \$1.00 per gallon tax credit for diesel fuel from biomass (Section 40A)

*Credit for construction of new energy efficient homes:* Extend the credit for the construction of energy-efficient new homes that achieve a 30% or 50% reduction in heating and cooling energy consumption relative to a comparable dwelling constructed within the standards of the 2003 International Energy Conservation Code. (Section 45L)

*Incentives for alternative fuel and alternative fuel mixtures (including liquefied hydrogen):*

Extend the \$0.50 per gallon alternative fuel tax credit and alternative fuel mixture tax credit. This credit can be claimed as a nonrefundable excise tax credit or a refundable income tax credit for the blending and sale of alternative fuel mixtures including compressed or liquefied natural gas, ethanol, biofuels, and liquefied hydrogen. (Sections 6426 and 6427)

*Credit for fuel cell motor vehicles:* Extend the credit for new fuel cell motor vehicles. For vehicles fueled by combining hydrogen with oxygen to create electricity, taxpayers can claim a base credit \$4,000 credit for cars and light trucks. Taxpayers can claim up to \$40,000 for heavier vehicles, depending on their weight. (Section 30B)

*Credit for nonbusiness energy property:* Extend credit for the purchase of qualified energy efficiency improvements to existing homes (Section 25C)

*Energy efficient commercial buildings deduction:* Extend deduction for energy-efficient commercial building property expenditures (Section 179D)

**Offset:** To be provided.

## **Brown Amendment #1 to the Trade Adjustment Assistance Act of 2015**

**Short Title:** Restoring Bipartisan Funding Levels to TAA

**Description:** This amendment increases the TAA for Workers annual authorizing level to \$575 million, which was the funding level in 2011, 2012, and 2013 as a result of the bipartisan Trade Adjustment Assistance Extension Act of 2011. The funding level should be increased to \$575 million because twice in the last 6 years, TAA for Workers has exceeded its \$575 million authorizing level.

**Amendment Text:** Page 3 Line 2 strike \$450,000,000 and insert \$575,000,000

**Offset:** To be provided

## **Brown Amendment #2 to the Trade Adjustment Assistance Act of 2015**

**Short Title:** Making all workers eligible for TAA

**Description:** This amendment expands TAA eligibility to public sector workers, making all workers eligible for TAA.

### **Amendment Text:**

Add in section 3 the following:

#### **EXTENSION OF TRADE ADJUSTMENT ASSISTANCE TO PUBLIC AGENCY WORKERS.**

(a) **DEFINITIONS.**—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended—

(1) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking “The” and inserting “Subject to section 222(d)(5), the”; and

(B) in subparagraph (A), by striking “or service sector firm” and inserting “, service sector firm, or public agency”; and

(2) by adding at the end the following:

“(19) The term ‘public agency’ means a department or agency of a State or local government or of the Federal Government, or a subdivision thereof.”.

(b) **GROUP ELIGIBILITY REQUIREMENTS.**—Section 222 of the Trade Act of 1974 (19 U.S.C. 2272) is amended—

(1) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively;

(2) by inserting after subsection (b) the following:

“(c) **ADVERSELY AFFECTED WORKERS IN PUBLIC AGENCIES.**—A group of workers in a public agency shall be certified by the Secretary as eligible to apply for adjustment assistance under this chapter pursuant to a petition filed under section 221 if the Secretary determines that—

“(1) a significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

“(2) the public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

“(3) the acquisition of services described in paragraph (2) contributed importantly to such workers’ separation or threat of separation.”;

(3) in subsection (d) (as redesignated), by adding at the end the following:

“(5) REFERENCE TO FIRM.—For purposes of subsections (a) and (b), the term ‘firm’ does not include a public agency.”; and

(4) in paragraph (2) of subsection (e) (as redesignated), by striking “subsection (a) or (b)” and inserting “subsection (a), (b), or (c)”.

**Offset:** To be provided.

## **Brown Amendment #3 to the Trade Adjustment Assistance Act of 2015**

**Short Title:** Restoring funding levels for TAA for Firms

**Description:** This amendment restores funding levels for TAA for Firms.

### **Amendment Text:**

Strike Sec. 3(d)(2) and replace with:

Trade Adjustment Assistance for Firms- Section 255(a) of the Trade Act of 1974 (19 U.S.C. 2345(a)) is amended--

- (1) by striking '\$16,000,000' and inserting '\$50,000,000';
- (2) by striking 'and 2013' and inserting 'through 2020';
- (3) by striking '\$4,000,000' and inserting '\$6,250,000'; and
- (4) by striking 'October 1, 2013, and ending on December 31, 2013' and inserting 'October 1, 2020, and ending on December 31, 2020'.

**Offset:** To be provided.



**Casey Amendment #1 to the Trade Adjustment Assistance (TAA), and for other purposes  
Act of 2015**

**Short Title:** To increase the amount of the health coverage tax credit to 80 percent.

**Cosponsors:** Brown, Schumer, Stabenow and Menendez.

**Description of amendment:** Amends Section 35 of the Internal Revenue Code in order to provide that between the date of enactment of the TAA bill and January 1, 2020, the health coverage tax credit will be an amount equal to 80 percent of the amount paid by the taxpayer for coverage of the taxpayer and qualifying family members.

## **Warner Amendment #1 to the Trade Adjustment Assistance, and for other purposes, Act of 2015**

### **Cosponsors:**

**Description of amendment:** This amendment removes the Modification of Medicare sequester for fiscal year 2024, which is designed to generate \$700 million, and replaces it with an offset related to mortgage reporting.

**Offset:** Provided. Under the proposal, the following additional information is required to be included in information returns filed with respect to a debt secured by real property: (i) the unpaid balance with respect to the mortgage, (ii) the address of the property securing the mortgage, (iii) information with respect to whether the mortgage is a refinancing that occurred in the calendar year; (iv) real estate taxes paid from an escrow account, and (v) the loan origination date. **Effective Date:** The proposal applies to returns and statements due after December 31, 2017.

Hatch Amendment #1 to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #2 to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #3 to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #4 to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #5 to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #6 to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.



# **Roberts Amendment #1 to AGOA**

**Short Title:** To update the Generalized System of Preferences (GSP) by eliminating the statutory exclusion for travel goods.

**Description:** This amendment would remove the statutory exclusion for travel goods, allowing producers of travel goods to apply for duty-free treatment after undergoing the review process contained in the Generalized System of Preferences (GSP). Under current law, travel goods are excluded based on an exclusion developed based on the U.S. economy of 1974. This exclusion has allowed China to maintain a stranglehold on the market. Removing the exclusion will allow producers to broaden their supply chains to GSP eligible countries. The tariffs assessed on these products are not protecting any domestic industry.

**Text:** Amend USC 19 § 2463 (a)(3)(B)(1)(e) by striking “handbags, luggage, flat goods” following “footwear” and preceding “work gloves”.

**Cost:** \$1,000,000 over 10 years. An offset will be provided if necessary.

**Cosponsors:** Portman, Cantwell

**Isakson #1 to Extension of the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti**

**Short Title:** Reauthorization of the African Growth and Opportunity Act for South Africa for a period of 3 years.

**Description:** The chairman's mark extends the African Growth and Opportunity Act for a period of ten years ending on September 30, 2025. South Africa is the arguably the biggest beneficiary of AGOA as well as the most advanced economy in Sub-Saharan Africa. AGOA's intent is to move Sub-Saharan countries into more mature, bilateral trade agreements – such as Bilateral Investment Treaties and Free Trade Agreements – with the United States.

The amendment would change the authorization of preferential treatment under AGOA for South Africa from 10 years to 3 years, ending on September 30, 2018.

**Isakson #2 to Extension of the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti**

**Short Title:** Requiring that the President conduct an out-of-cycle review of South Africa.

**Description:** There have been concerns about South Africa's compliance with AGOA's eligibility requirements under section 104(a). The amendment would modify the Sense of Congress provision in section 105 of the reauthorization to require the President conduct an out-of-cycle review of South Africa's eligibility within 30 days of enactment.

**Toomey Amendment #1 to a bill to extend the African Growth and Opportunity Act, the Generalized System of Preferences, and the preferential duty treatment program for Haiti, and for other purposes.**

**Short title:** An amendment to benefit American citizens and strengthen the economies of America's most vulnerable trading partners.

**Description of Amendment:** Amends Title II to include raw, refined, and other sugar products as eligible articles for least-developed beneficiary developing countries under the Generalized System of Preferences, notwithstanding any existing tariff rate quota.

**Offset:**

# **STABENOW AMENDMENT #1 TO AGOA EXTENSION ACT**

---

**Short Title:** To promote the role of women in social and economic development in Sub-Saharan Africa.

**Cosponsors:** Cantwell, Cardin

**Description of Amendment:** This amendment updates the eligibility requirements of the AGOA program to ensure that AGOA-eligible countries are making continual progress toward establishing policies that promote the role of women in social and economic development.

Specifically, Section 104(a)(1) of the African Growth and Opportunity Act is amended—

- (1) in clause (A), by adding “for men and women” after “rights”;
- (2) by adding at the end the following:
  - “(G) national policies to promote the role of women in social and economic development, including—
    - “(i) access to education and training;
    - “(ii) participation in political and economic activities; and
    - “(iii) expanded financial assistance and export opportunities for women-owned business;”

## **STABENOW AMENDMENT #2 TO AGOA EXTENSION ACT**

---

**Short Title:** Expanding agricultural trade technical assistance with an increased focus on sectors that support women.

**Cosponsor:** Roberts

**Description of Amendment:** This amendment expands existing provisions within AGOA (Section 13 of the AGOA Acceleration Act of 2004) that provide agricultural trade technical assistance to select AGOA countries and advises them on improvements to sanitary and phytosanitary standards. This amendment lifts the current cap of 10 countries that can receive agricultural trade technical assistance and requires that a commensurate number of personnel are assigned for this purpose, raising the minimum from number from 20 to 30. This amendment prioritizes agricultural trade technical assistance for businesses and sectors that engage women farmers and entrepreneurs. It also broadens the type of technical assistance available to include food safety standards. Lastly, this amendment directs the President to coordinate all executive branch efforts, including the Department of Agriculture, to assess and identify which AGOA eligible countries should receive agricultural trade capacity building and technical assistance and to harmonize implementation.

## **Cantwell Amendment #1 to Trade Preferences Bill**

**Short Title:** Creates tariff classifications specific to “recreational performance outerwear” and eliminates import tariffs on those apparel products.

**Cosponsors:** Sen. Portman

**Description of Amendment:** This amendment would eliminate U.S. import tariffs on recreational performance outerwear. Recreational performance outerwear is highly technical and specialized apparel designed to withstand the rigors of outdoor recreation and should no longer be classified under the same Harmonized Tariff Schedule (HTS) codes as ready-made, mass market apparel. There is no commercially viable production of recreational performance outerwear in the United States. Yet, these products still face tariffs averaging 14 percent and some as high as 28 percent. The high tariffs assessed on these products are not protecting any domestic industry and are only adding significant, unnecessary costs for outdoor companies and their customers. Eliminating duties on recreational performance outerwear will help lower prices, fuel innovation, and create jobs in the U.S. outdoor industry.

The amendment would also create a Sustainable Textile and Apparel Research (STAR) Fund to provide grants focused on growing the emerging academic and research areas of the sustainably produced textile and apparel sectors in the United States.

**Offset:** To be determined.

## **Cantwell Amendment #2 to Trade Preferences Bill**

**Short Title:** Amend the definition of athletic footwear in the Harmonized Tariff Schedule (HTS) to clarify that it includes certain outdoor performance footwear

**Description of Amendment:** This amendment would ensure that outdoor performance footwear is classified as athletic footwear in the Harmonized Tariff Schedule (HTS). Under current law, athletic footwear receive a 20% tariff, while “protective” receive a 37.5% tariff. The protective provision was intended to cover products such as firemen and workmen boots. Outdoor performance footwear is used for athletic purposes such as trail running, hiking and mountain climbing. In fact, “athletic” and outdoor performance footwear is often identical in appearance, with the later including an internal membrane to protect the athlete from water. The high tariffs assessed on these products are not protecting any domestic industry and are only adding significant, unnecessary costs for outdoor companies and their customers. Lowering duties on outdoor performance footwear will help lower prices, fuel innovation, and create U.S. jobs.

**Offset:** To be determined



**Nelson Amendment #1 to a Bill to Extend the African Growth and Opportunity Act, the Generalized Systems of Preferences, and the Preferential Duty Treatment Program for Haiti**

**Short Title:** Extend the tariff preference level on certain imports of textiles from Bahrain under the United States-Bahrain Free Trade Agreement, with an offset.

**Description of Amendment:** The amendment will extend the tariff preference level on imports of certain cotton and man-made fiber, fabric, apparel, and made-up goods from Bahrain under the United States-Bahrain Free Trade Agreement through July 31, 2026; with a bipartisan offset.

**Nelson-Cardin Amendment #2 to a Bill to Extend the African Growth and Opportunity Act, the Generalized Systems of Preferences, and the Preferential Duty Treatment Program for Haiti**

**Short Title:** Extend the tariff preference levels on certain imports of textiles from Bahrain under the United States-Bahrain Free Trade Agreement and Nicaragua under the Dominican Republic-Central America Free Trade Agreement (CAFTA-DR), with an offset.

**Description of Amendment:** The amendment will extend the tariff preference level on imports of certain cotton and man-made fiber, fabric, apparel, and made-up goods from Bahrain under the United States-Bahrain Free Trade Agreement through July 31, 2026 and the tariff preference level on imports of certain cotton and man-made fiber from Nicaragua under the Dominican Republic-Central America Free Trade Agreement (CAFTA-DR) through December 31, 2024, retroactive to January 1, 2015, with a bipartisan offset.

**Menendez Amendment #1** to AGOA Extension and Enhancement Act of 2015

**Short Title:** Providing Certainty to U.S. business regarding the Generalized System of Preferences

**Cosponsors:**

**Description of Amendment:** This amendment would extend the Generalized System of Preferences through December 31, 2020.

**Offset:** TBD

**Cardin Amendment #1 to an Original Bill to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes**

**Short title:** An amendment to extend the Tariff Preference Level program for Nicaragua.

**Description of amendment:** The amendment would extend the Tariff Preference Level program for Nicaragua that expired on December 31, 2014 to December 31, 2024, retroactive to January 1, 2015.

**Offset:** To be provided.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #2 to an Original Bill to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes**

**Short Title:** An amendment clarifying U.S. interests in regards to emerging markets.

**Description of amendment:** This amendment clarifies that is the in the interest of the United States to engage and compete in sub-Saharan Africa, including in emerging markets.

**Text:**

Strike Section 102(4) and replace with:

“It is in the interest of the United States to engage and compete in sub-Saharan African countries, including emerging markets, to boost trade and investment between the United States and sub-Saharan African countries, and to renew and strengthen the African Growth and Opportunity Act.”

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #3 to an Original Bill to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes**

**Short Title:** An amendment requiring publication of country utilization strategies on the AGOA website.

**Description of amendment:** This amendment requires the publication of public versions of AGOA utilization strategies on both the USTR website and the AGOA website.

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #4 to an Original Bill to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes**

**Short Title:** An amendment recognizing that focused trade capacity building efforts help businesses understand trade and investment opportunities and maximize the benefits of AGOA.

**Description of amendment:** This amendment adds an additional Congressional finding to section 102 that focused trade capacity building efforts help businesses, including women owned businesses, maximize the benefits of AGOA.

**Text:**

To the end of Section 102 add:

“(10) Focused trade capacity building efforts help businesses, including women-owned businesses, understand trade and investment opportunities to maximize the benefits of the African Growth and Opportunity Act.”

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #5 to an Original Bill to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes**

**Short Title:** An amendment expanding and strengthening key U.S. policies in regard to deepening and expanding trade and investment ties between Sub-Saharan Africa and the United States.

**Description of amendment:** This amendment clarifies that, in regard to deepening and expanding trade and investment ties in between Sub-Saharan Africa and the United States, it is the policy of the United States to continue to support efforts to improve the rule of law and democracy, advance sub-Saharan Africa's infrastructure, fight infectious diseases and other serious public health problems and address gender-based violence.

**Text:**

To Section 107 add the following:

“(5) support efforts that improve the rule of law, promote free and fair elections, strengthen and expand the private sector, and fight corruption in sub-Saharan Africa, develop sub-Saharan Africa's physical, electrical, and financial infrastructure, fight HIV/AIDS, malaria, tuberculosis, Ebola, other infectious diseases, and serious public health problems, and address violence against women and girls, and to promote gender equality.”

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]



**Cardin Amendment #6 to a bill to an Original Bill to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes**

**Short Title:** An amendment encouraging public-private partnerships to create needed transportation and communications infrastructure.

**Description of amendment:** This amendment states that it is the policy of the United States to encourage public-private partnerships involving United States and African businesses, national and local governments, bilateral donors and international financial institutions, to create needed transportation and communication infrastructure.

**Text:**

To Section 107 add:

(5) through the United States Agency for International Development's Global Development Alliance and other appropriate agencies, encourage public-private partnerships involving United States and African businesses, national and local governments, bilateral donors and international financial institutions, to create needed transportation and communication infrastructure."

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #7 to an Original Bill to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes**

**Short Title:** An amendment strengthening and expanding trade capacity building efforts.

**Description of amendment:** This amendment creates a new section outlining specific trade capacity building efforts that the President shall prioritize. These priorities include, among other things, technical assistance and training related to utilization of AGOA benefits, production and quality standards, market development, diversification and value-added processing.

The amendment also creates an AGOA website and specifies digital resources that shall be available on the website for the purposes of expanding trade capacity.

**Text:**

Section [\_\_\_\_]. Strengthening and Expanding Trade Capacity Building Efforts.

“(a) Trade Hubs.—

“(1) The President shall create an AGOA website for the collection and dissemination of information regarding the African Growth and Opportunity Act.

“(2) Online Trade Hubs.—The President shall publish a digital version of the trade hubs on the AGOA website with links to the United States embassy websites for each embassy located in the AGOA-eligible countries in sub-Saharan Africa.

“(b) Action by the President.—In conducting trade capacity building activities, the President shall prioritize the following actions:

“(1) Develop and implement policies to—

“(A) encourage and facilitate trans-boundary cooperation among sub-Saharan African countries in order to facilitate trade; and

“(B) encourage the provision of technical assistance to eligible sub-Saharan African countries to establish and sustain adequate trade capacity development.

“(2) Provide specific training for sub-Saharan African business and government trade officials on utilizing access to the benefits of the African Growth and Opportunity Act and other trade preference programs.

“(3) Provide capacity building for African entrepreneurs and trade associations on production strategies, quality standards, formation of cooperatives, and market research and market development.

“(4) Provide capacity building training to promote diversification of African products and value-added processing;

“(5) Provide capacity building and technical assistance funding for African businesses and institutions to help such businesses and institutions comply with United States counter-terrorism initiatives and policies,

“(6) Conduct trade training programs for United States businesses, such as the Export Trade Assistance Program.”

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #8 to an Original Bill to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes**

**Short Title:** An amendment regarding the digital publication of AGOA Forum statements and commitments.

**Description of amendment:** This amendment adds a new reporting requirement that following each meeting of the AGOA Forum, the President should post on the AGOA website all of the outcome documents, country commitments and private sector commitments made, as well an assessment of progress made on major commitments from the previous Forum.

**Text:**

To section 108, add the following new subsection:

“Dissemination of AGOA Forum statements and commitments.—Following each meeting of the Forum, the President should post on the AGOA website all of the outcome documents, country commitments and private sector commitments made. An assessment of progress made on major commitments from the previous Forum should be included.”

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #9 to an Original Bill to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes**

**Short Title:** An amendment requiring the digital publication of information from each study required by this Act.

**Description of amendment:** This amendment adds a new requirement to the Report section that the President digitally publish information from each study required by this Act on the AGOA website.

**Text:**

To section 108, add the following new subsection:

“Dissemination of information.—The President shall disseminate information in each study required by this Act in a digital format to the public and publish such information on the AGOA website.”

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #10 to an Original Bill to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes**

**Short Title:** An amendment allowing for concurrent MCC compacts.

**Description of amendment:** This amendment adds a new section to the bill that allows for concurrent MCC compacts. A country currently selected by the Millennium Challenge Corporation for a compact with the United States may have up to two compacts at any given time, provided at least one of the two compacts is for purposes of regional economic integration, increased regional trade, or cross-border collaborations.

**Text:**

“(a) In General.—Section 609 of the Millennium Challenge Act of 2003 (22 U.S.C. 7708) is amended—

“(1) by striking the first sentence of subsection (k); and

“(2) by inserting after subsection (k) the following:

“(l) Concurrent compacts.—In accordance with the requirements of this title, a country currently selected by the Millennium Challenge Corporation for a Compact and the United States may enter into and have in effect up to two Compacts at any given time, provided at least one of the two Compacts is for purposes of regional economic integration, increased regional trade, or cross-border collaborations, and, if relevant, only if the Board determines that the country is making considerable and demonstrable progress in implementing the terms of any existing Compacts and supplementary agreements thereto.

“(m) Limitation.—Funds made available to carry out this title, including funds made available to enter into a compact under this section, threshold program under section 614, or any other form of partnership arrangement with the government of a country that has not been selected by the Board.”

“(b) Applicability.—The amendments made by subsection (a) apply with respect to Compacts entered into between the United States and an eligible country under the Millennium Challenge Act of 2003 before, on, or after the date of the enactment of this Act.

“(c) Conforming Amendment.—Section 613(b)(2)(A) of such Act (22 U.S.C. 7712(b)(2)(A)) is amended by striking ‘the’ before ‘Compact’ and inserting ‘any’.”

**Offset:** To be provided.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #11 to an Original Bill to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes**

**Short Title:** An amendment on the role of women-owned firms and the African Women Entrepreneurial Program (AWEP) within AGOA.

**Description of amendment:** This amendment would require the President, in consultation with Congress, to encourage African Women Entrepreneurial Program (AWEP) to host annual meetings with AWEP representatives from sub-Saharan Africa in conjunction with the Annual Meetings of the Forum.

**Text:**

“Section 105 of the African Growth and Opportunity Act (19 U.S.C. 3704) is amended—

“(1) in the second sentence of subsection (c)(1), by inserting at the end before the period the following: ‘, including women-owned firms’;

“(2) inserting after subsection (c)(1) a paragraph ‘The President, in consultation with the Congress, shall encourage the African Women Entrepreneurial Program (AWEP) to host annual meetings with AWEP representatives from sub-Saharan Africa in conjunction with the Annual Meetings of the Forum for the purpose of discussion the issues described in the paragraph above.’;

“(3) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

“(4) in subsection (d)—

“(A) deleting ‘by USIS’ in the heading;

“(B) in the first sentence, replacing ‘United States Information Service’ with ‘the Broadcasting Board of Governors, the Secretary of State, and USTR’;

“(C) inserting ‘including the AGOA website’ after ‘multiple media,’; and

“(D) inserting ‘, the outcome documents, country commitments and private sector commitments made at the Forum’ after title (d).”



**Bennet Amendment #1 to a bill to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the Preferential Duty Treatment Program for Haiti, and for other purposes.**

**Short Title:** An amendment to require a report on how U.S. trade preferences programs contribute to the reduction of poverty and the elimination of hunger.

**Description of Amendment:** The amendment would insert a provision where appropriate to require reports on how U.S. trade preferences programs contribute to the reduction of poverty and the elimination of hunger.

[NOTE – Amendment sponsor reserves the right to modify the amendment for technical, revenue-neutrality, or other purposes.]

**Warner Amendment #1 to the AGOA Extension and Enhancement Act of 2015.**

**Description of Amendment:** Amends 506(A)(b) of the Trade Act of 1974 by inserting after “..section (G)”, the words, “or any HTS code of 2401.10.65, 2401.20.35, 2401.20.87, 2401.30.70, 2403.19.90, 2403.91.47, 2403.99.90”.

**Offset:** To be provided.

Hatch Amendment #1 to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #2 to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #3 to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #4 to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #5 to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #6 to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.



# **Roberts Amendment #1 to Customs Reauthorization**

**Short Title:** To update the Generalized System of Preferences (GSP) by eliminating the statutory exclusion for travel goods.

**Description:** This amendment would remove the statutory exclusion for travel goods, allowing producers of travel goods to apply for duty-free treatment after undergoing the review process contained in the Generalized System of Preferences (GSP). Under current law, travel goods are excluded based on an exclusion developed based on the U.S. economy of 1974. This exclusion has allowed China to maintain a stranglehold on the market. Removing the exclusion will allow producers to broaden their supply chains to GSP eligible countries. The tariffs assessed on these products are not protecting any domestic industry.

**Text:** Amend USC 19 § 2463 (a)(3)(B)(1)(e) by striking “handbags, luggage, flat goods” following “footwear” and preceding “work gloves”.

**Cost:** \$1,000,000 over 10 years. An offset will be provided if necessary.

**Cosponsor:** Portman, Cantwell

**Thune Amendment #1 to Chairman's Mark to Reauthorize Trade Facilitation and Trade Enforcement Functions**

**Cosponsor:** Grassley

**Short Title:** An amendment to require that U.S. Customs and Border Protection (CBP) distribute all interest payments relating to antidumping and countervailing duties and subject to the Continued Dumping and Subsidy Offset Act of 2000 in a manner consistent with the plain language of the law.

**Description of Amendment:** Current law requires CBP to distribute to the affected domestic producers all collected antidumping duties, including interest payments associated with these duties, on covered imports through September 30, 2007. However, CBP recently determined that one important type of interest - delinquency interest - is not covered under the law, despite the fact that the statute requires "all interest" be paid to affected domestic producers.

A number of U.S. agricultural producers (honey, canned mushrooms, fresh garlic and crawfish tail-meat producers) are awaiting the outcome of prolonged litigation by CBP to collect duties secured by bonds that are owed to CBP. Due to the length of time associated with the collection of duties in these cases, delinquency interest could be a large component of the payments collected. For example, delinquency interest was more than 90 percent in a recent collection involving crawfish.

The amendment is intended to ensure that CBP complies with the law by distributing all interest payments received to affected domestic producers. Specifically, the amendment requires that all interest collected by CBP in connection with any customs bond pursuant to a court order or judgment, or any settlement involving a bond, related to antidumping and countervailing duties be distributed consistent with the provisions of the Continued Dumping and Subsidy Offset Act of 2000, as repealed by subtitle F of title VII of the Deficit Reduction Act of 2005. The amendment is prospective and only applies to future distributions.

**Thune Amendment #2 to Chairman's Mark to Reauthorize Trade Facilitation and Trade Enforcement Functions**

**Cosponsor:** Bennet

**Short Title:** An amendment expressing the sense of congress that the U.S. Trade Representative (USTR) should encourage other nations to follow the lead of the U.S. by increasing de minimis values to a commercially meaningful level.

**Description of Amendment:** The chairman's mark incorporates the increase in the U.S. de minimis value from \$200 to \$800 that is included in S. 489, the *Low Value Shipment Regulatory Modernization Act*, introduced by Senators Thune and Wyden. While increasing the U.S. de minimis level is important, it is also important that other nations follow suit by increasing their de minimis values. Low de minimis levels by our trading partners create unnecessary burdens on U.S. exporters.

The amendment would add Section 2 of S. 489, a sense of congress expressing the view that USTR should encourage other nations to establish commercially meaningful de minimis values. The text of Section 2 of S. 489 is included below.

**"SEC. 2. SENSE OF CONGRESS ON DE MINIMIS INFORMAL ENTRIES.**

(a) Findings- Congress makes the following findings:

- (1) Modernizing international customs is critical for United States businesses of all sizes, consumers in the United States, and the economic growth of the United States.
- (2) Higher thresholds for the value of articles that may be entered informally and free of duty provide significant economic benefits to businesses and consumers in the United States and the economy of the United States through costs savings and reductions in trade transaction costs.

(b) Sense of Congress- It is the sense of Congress that the United States Trade Representative should encourage other countries, through bilateral, regional, and multilateral fora, to establish commercially meaningful de minimis values for express and postal shipments that are exempt from customs duties and taxes and from certain entry documentation requirements, as appropriate."

**Isakson Amendment #1 to an Original bill to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes**

**Short Title:** Repeal of USDA Catfish Inspection Program

**Description:**

Current Law – Section 11016 of the Food, Conservation, and Energy Act of 2008, as amended by Section 12106 of the Agricultural Act of 2014, requires the U.S. Department of Agriculture to establish a new program that transfers inspection of catfish from the Food and Drug Administration to USDA's Food Safety Inspection Service

Amendment – The amendment repeals this provision.

The amendment responds to concerns that the USDA program is duplicative, adds unnecessary regulatory complexity for seafood processors, and creates an inappropriate trade barrier that violates World Trade Organization (WTO) rules and may lead to retaliation against U.S. agricultural exports

**Isakson/Warner Amendment #2 to an Original bill to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes**

**Short Title:** Sense of Congress on USDA Catfish Inspection Program

**Description:**

Current Law – Section 11016 of the Food, Conservation, and Energy Act of 2008, as amended by Section 12106 of the Agricultural Act of 2014, requires the U.S. Department of Agriculture to establish a new program that transfers inspection of catfish from the Food and Drug Administration to USDA's Food Safety Inspection Service.

Amendment – The amendment adds language expressing the sense of Congress that the USDA catfish inspection program duplicates the Food and Drug Administration and National Marine Fisheries Service seafood programs and creates barriers to market access for U.S. agricultural exports, that the Government Accountability Office has found that its repeal would save taxpayers millions of dollars annually without affecting the safety of catfish intended for human consumption, and that it should be repealed.

The amendment responds to concerns that the USDA program is duplicative, adds unnecessary regulatory complexity for seafood processors, and creates an inappropriate trade barrier that violates World Trade Organization (WTO) rules and may lead to retaliation against U.S. agricultural exports.

## **Portman Amendment #1 to the Trade Facilitation and Trade Enforcement Act of 2015**

**Cosponsors:** Toomey, Casey, Burr, Carper

**Short title:** American Manufacturing Competitiveness Act.

**Description of amendment:** This amendment to Trade Facilitation and Trade Enforcement Act of 2015 is identical to the American Manufacturing Competitiveness Act (S. 998). It creates a process for the Miscellaneous Tariff Bill to be considered beginning in 2015, while bringing needed reform and transparency to the process. The amendment has bipartisan support and is backed by American manufacturers seeking needed tariff relief.

**Offset:** CBO has certified that this bill does not score.

**Coats Amendment #1 to an original bill to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes.**

Short Title: An amendment to eliminate the tariffs on electronic educational toys.

Description of Amendment: The amendment would eliminate the tariff on electronic educational devices designed or intended primarily for children by creating a new HTS subheading (8543.70.94) with a duty rate of zero for such products.

An offset will be provided if necessary.

## **Scott Amendment #1 to Trade Facilitation and Trade Enforcement Act of 2015**

**Short Title:** An amendment to expand reporting requirements established in the Act for the Comptroller General's annual report on the effectiveness of CBP enforcement efforts.

**Description of Amendment:** This amendment states that section 102 of the Act be expanded such that the Comptroller General's annual report include descriptions and recommendations on trade enforcement activities, in general and by Priority Trade Issue, all methodologies used in enforcement activities (including commercial targeting), recommendations for improvement of enforcement activities, and, as applicable, status of implementation of past recommendations for improvement.

**Offset:** No revenue effect.



## **Scott Amendment #2 to Trade Facilitation and Trade Enforcement Act of 2015**

**Short Title:** An amendment to expand Customs and Border Protection's annual report on priorities and performance standards to include a description on commercial targeting methodologies used in enforcement efforts, with recommendations.

**Description of Amendment:** This amendment states that section 103 of the Act be expanded such that Customs and Border Protection's annual report on priorities and performance standards include a description of the targeting methodologies utilized in trade enforcement functions and programs under each Priority Trade Issue, including recommendations on how to improve the effectiveness of those methodologies, and, as applicable, status of implementation of past recommendations for improvement.

**Offset:** No revenue effect.

**Schumer-Burr-Brown-Portman Amendment #1 to the Trade Facilitation and Trade Enforcement Act of 2015, an original bill to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes.**

**Short Title:** Currency Undervaluation Investigation Act

**Description of Amendment:** Amends the Tariff Act of 1930 to require the administering authority, upon the filing of a petition by an interested party, to initiate a countervailing duty investigation or review to determine whether currency undervaluation by the government of, or any public entity within, a foreign country is providing, directly or indirectly, a countervailable subsidy to its exporters or products.

Declares that the fact that such a subsidy is also provided in circumstances not involving export shall not, for that reason alone, mean it cannot be considered export contingent and actionable under a countervailing duty and antidumping duty proceeding.

Legislative text for this amendment has been filed with the full Senate as S. 433 (114<sup>th</sup> Congress).

---

# **STABENOW AMENDMENT #1 TO TRADE FACILITATION ACT**

---

**Short Title:** To establish an Interagency Trade Enforcement Center in the Office of the United States Trade Representative.

**Cosponsors:** Brown

**Description of Amendment:** This amendment makes permanent the Interagency Trade Enforcement Center (ITEC), which was created by Executive Order (13601) in 2012 and creates a Deputy United States Trade Representative for Trade Enforcement to serve as the Director of the ITEC. This amendment is based on the Trade Enforcement Act of 2015 (S.758).

The ITEC shall: (1) serve as the primary forum within the Federal Government for the Office of the United States Trade Representative and other agencies to coordinate the enforcement of United States trade rights under international trade agreements and the enforcement of United States trade remedy laws; (2) coordinate among the Office of the United States Trade Representative, other agencies with responsibilities relating to trade, and the intelligence community the exchange of information related to potential violations of international trade agreements by foreign trading partners of the United States; and (3) conduct outreach to United States workers, businesses, and other interested persons to foster greater participation in the identification and reduction or elimination of foreign trade barriers and unfair foreign trade practices.

## **STABENOW AMENDMENT #2 TO TRADE FACILITATION ACT**

---

**Short Title:** To establish a Chief Manufacturing Negotiator in the Office of the United States Trade Representative.

**Cosponsors:** Schumer, Menendez, Brown, Casey

**Description of Amendment:** This amendment creates a Chief Manufacturing Negotiator at the Office of the United States Trade Representative. The principal function of the Chief Manufacturing Negotiator shall be to conduct trade negotiations and to enforce trade agreements relating to United States manufacturing products and services. The Chief Manufacturing Negotiator shall be a vigorous advocate on behalf of United States manufacturing interests and shall perform such other functions as the United States Trade Representative may direct. The Chief Manufacturing Negotiator would be appointed by the President and confirmed by the Senate.

**Cantwell Amendment #1** to an Original bill to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes

**Short Title:** For the purposes of establishing a Trade Enforcement Trust Fund

**Description of Amendment:** This amendment would create a fund jointly managed by the United States Trade Representative and the Department of State, and available to agencies for the enforcement and implementation of our trade agreements. The Enforcement Fund would receive a fraction of our annual AD/CVDs duty collections, never to exceed \$30 million with a maximum transfer of \$15 million annually.

U.S. agencies would be authorized to use Enforcement Fund resources for:

- Enforcement of current and future FTAs;
- Implementation and enforcement of WTO obligations to which the US is a party;
- Capacity building focused on effective implementation and compliance with FTA commitments, with priority given to environmental, labor and IP commitments;
- Monitoring and evaluation of US capacity building efforts to ensure investments are spent wisely; and
- None of the funds could be used for negotiating new trade agreements.

The amendment would require a Government Accountability Office study be provided to the Congress that includes a comprehensive, cross-cutting, interagency trade enforcement budget analysis that delineates and integrates the trade enforcement expenditures across all federal agencies, and provides the amounts of appropriations, obligational authority, and total full-time employees that contribute to trade enforcement authority. The study shall also include recommendations on what additional personnel and resources are needed to meet the growing challenge enforcing our trade deals around the world.

**Offset:** To be provided.

**Nelson Amendment #1 to a Bill to Reauthorize Trade Facilitation and Trade Enforcement Functions and Activities and for Other Purposes.**

**Short Title:** Extend the tariff preference level on certain imports of textiles from Bahrain under the United States-Bahrain Free Trade Agreement, with an offset.

**Description of Amendment:** The amendment will extend the tariff preference level on imports of certain cotton and man-made fiber, fabric, apparel, and made-up goods from Bahrain under the United States-Bahrain Free Trade Agreement through July 31, 2026; with a bipartisan offset.

**Nelson-Cardin Amendment #2 to a Bill to Reauthorize Trade Facilitation and Trade Enforcement Functions and Activities and for Other Purposes.**

**Short Title:** Extend the tariff preference levels on certain imports of textiles from Bahrain under the United States-Bahrain Free Trade Agreement and Nicaragua under the Dominican Republic-Central America Free Trade Agreement (CAFTA-DR), with an offset.

**Description of Amendment:** The amendment will extend the tariff preference level on imports of certain cotton and man-made fiber, fabric, apparel, and made-up goods from Bahrain under the United States-Bahrain Free Trade Agreement through July 31, 2026 and the tariff preference level on imports of certain cotton and man-made fiber from Nicaragua under the Dominican Republic-Central America Free Trade Agreement (CAFTA-DR) through December 31, 2024, retroactive to January 1, 2015, with a bipartisan offset.

**Menendez Amendment #1 to the Trade Facilitation and Enforcement Act of 2015**

**Short Title:** Stopping Counterfeit Goods at the Border

**Cosponsors:**

**Description of Amendment:** This amendment would instruct Customs and Border Protection to scrutinize suspected incoming packages labeled as “gifts” for counterfeit goods.

**Offset:** N/A

**Cardin Amendment #1 to an Original Bill to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes**

**Short title:** An amendment to extend the Tariff Preference Level program for Nicaragua.

**Description of amendment:** The amendment would extend the Tariff Preference Level program for Nicaragua that expired on December 31, 2014 to December 31, 2024, retroactive to January 1, 2015.

**Offset:** To be provided.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]



**Cardin Amendment #1 to an Original Bill to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes**

**Short title:** An amendment to extend the Tariff Preference Level program for Nicaragua.

**Description of amendment:** The amendment would extend the Tariff Preference Level program for Nicaragua that expired on December 31, 2014 to December 31, 2024, retroactive to January 1, 2015.

**Offset:** To be provided.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

## **Brown-Wyden Amendment #1 to the Trade Facilitation and Trade Enforcement Act of 2015**

**Short Title:** Ending the importation of goods made with forced labor

**Description:** This amendment inserts into the underlying bill a provision included in the Baucus-Hatch customs reauthorization legislation introduced in the 113<sup>th</sup> Congress. The provision would close a loophole in the Smoot-Hawley Tariff Act, which permits the importation of goods made with forced labor into the U.S.

### **Amendment Text:**

ELIMINATION OF CONSUMPTIVE DEMAND EXCEPTION TO PROHIBITION ON IMPORTATION OF GOODS MADE WITH CONVICT LABOR, FORCED LABOR, OR INDENTURED LABOR; REPORT.

(a) Elimination of Consumptive Demand Exception.--

(1) In general.--Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) is amended by striking ``The provisions of this section" and all that follows through ``of the United States.".

(2) Effective date.--The amendment made by paragraph (1) shall take effect on the date that is 15 days after the date of the enactment of this Act.

(b) Report Required.--Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Commissioner shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on compliance with section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) that includes the following:

(1) The number of instances in which merchandise was denied entry pursuant to that section during the 1-year period preceding the submission of the report.

(2) A description of the merchandise denied entry pursuant to that section.

(3) Such other information as the Commissioner considers appropriate with respect to monitoring and enforcing compliance with that section.

**Offset:** No revenue effect

## **Brown Amendment #2 to the Trade Facilitation and Trade Enforcement Act of 2015**

**Short Title:** Leveling the Playing Field Act

**Cosponsors:** Portman, Casey, Burr, Bennet, Coats

**Description of Amendment:** This amendment restores strength to U.S. trade remedy laws to ensure domestic producers are able to obtain the relief they need when filing antidumping and countervailing duty cases against unfair trading practices. The amendment makes changes in five areas of U.S. trade law described below.

Adverse Facts Available - Enhances Commerce's ability to select appropriate facts available or adverse facts available when a foreign party fails to cooperate with the agency's request for information, addressing court decisions that have second-guessed Commerce's selection.

Injury - a) Clarifies that the ITC shall not make a negative determination merely because the domestic industry is profitable or because its performance has improved; b) Clarifies how the ITC should consider whether subject imports are a cause of material injury; c) Directs the ITC to consider a greater number of injury factors, including gross profits, net profits, ability to service debt, productivity, return on investments, return on assets, and capacity utilization; and d) Revises the "captive production" test for whether the Commission should focus primarily on merchant market sales when assessing the performance of a domestic industry.

Particular Market Situation – If a "particular market situation" exists that distorts pricing or cost in a foreign producer's home market, this provision gives Commerce additional flexibility in calculating a trade remedy in order to use prices or costs that are not distorted. Conforms U.S. law to global practice.

Distortion of Prices or Costs – a) Removes the requirement that the domestic industry allege below cost sales before Commerce investigates; and b) Clarifies that Commerce can disregard data in an NME investigation that is distorted by dumping or subsidies. This conforms U.S. to global practice, streamlines investigations, and allows Commerce more time to investigate cost issues.

Voluntary Respondents – Clarifies Commerce's authority regarding selection of voluntary respondents, in order to reduce burden on Commerce.

**Offset:** No revenue effect

## **Brown Amendment #3 to the Trade Facilitation and Trade Enforcement Act of 2015**

**Short Title:** Textile Enforcement and Security Act

**Cosponsors:** Burr

**Description of Amendment:** This amendment increases the number of Customs and Border Protection specialists in Textile and Trade Agreements division and at U.S. ports. Clarifies that CBP has the authority to seize fraudulent textile and apparel goods imported under trade agreements. Creates a CBP database to allow for a more efficient and effective identification of high-risk importers. Establishes an Electronic Verification Program to track yarn and fabric inputs in trade agreements. Directs the revenue collected from textile and apparel import violations to be used to pay expenses for customs enforcement and training.

**Amendment Text:** S. 892

**Offset:**

## **Brown Amendment #4 to the Trade Facilitation and Trade Enforcement Act of 2015**

**Short Title:** Reporting Requirement on Transshipment, Duty Evasion, and Counterfeiting

**Description of Amendment:** This amendment would require the GAO to do a report every two years on the status of Customs and Border Protection efforts to address evasive transshipment, duty evasion, and counterfeiting.

### **Amendment Text:**

At the end, add the following:

#### **REPORT BY COMPTROLLER GENERAL ON EVASIVE TRANSSHIPMENT, DUTY EVASION, AND COUNTERFEITING.**

(a) **IN GENERAL.**—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the status of efforts by U.S. Customs and Border Protection to address evasive transshipment, duty evasion, and counterfeiting.

(b) **DEFINITIONS.**—In this section:

(1) **EVASIVE TRANSSHIPMENT.**—The term “evasive transshipment” means transshipment of a product resulting in preferential treatment under the laws of the United States of the product based on materially false information with respect to the country of origin, manufacture, processing, or assembly of the product or any component of the product.

(2) **MATERIALLY FALSE INFORMATION.**—The term “materially false information” means, with respect to the evasive transshipment of a product, false information provided in a circumstance in which the disclosure of the true information would mean that the product is ineligible for preferential treatment under the laws of the United States.

(3) **TRANSSHIPMENT.**—The term “transshipment” means the shipment of a product through one country that is an intermediate destination to another country that is the final destination of the product.

**Offset:** No revenue effect

## **Bennet Amendment #1 to the Trade Facilitation and Trade Enforcement Act of 2015**

**Cosponsor:** Carper

**Short Title:** An amendment to enhance engagement on currency exchange rate policies and other economic policies of certain major trading partners of the United States, to improve trade enforcement measures and priorities, and other purposes.

**Description of Amendment:** This amendment would create enhanced oversight of international exchange rate policy, authorize specific remedial actions for the U.S. government to pursue against trading partners that fail to adopt appropriate exchange rate policies, and provide the U.S. government with additional tools for strengthening trade enforcement. The elements would include the following:

- **Currency –**
  - Supplement the Foreign Exchange Report. Create a new semi-annual report requirement that would contain enhanced analysis for certain major trading partners that meet specified criteria:
    - significant bilateral trade surplus with the United States,
    - a material current account surplus, and
    - persistent one-sided intervention in the foreign exchange market.
  - Name or Explain Mechanism. Create a “name-or-explain” mechanism requiring the Treasury Secretary to engage in a more extensive bilateral engagement with a country based on the semi-annual report, or to explain how the country’s currency and other macroeconomic policies are addressing its imbalances.
  - Direct Bilateral Engagement. Specify objectives for direct bilateral engagement, to include: (1) urging implementation of policies to address the causes of the imbalances (including those relating to exchange rate management); (2) making known the United States’ concern regarding the adverse trade and economic effects of the imbalances; and (3) advising such country of possible remedial actions.
  - Remedial actions. If the country fails to adopt appropriate policies, the Treasury Secretary is authorized to: 1) take remedial actions, including restrictions on U.S. government financing; 2) undertake additional efforts in the IMF to address currency issues; and 3) recommend that the President take actions with respect to WTO engagement, assessing potential trade agreement partners, and restrictions on government procurement consistent with our international obligations.
  - Advisory Committee. Create a new nine-member advisory committee to advise the Treasury Secretary on the impact of exchange rates and financial policies on the economy of the United States. The committee would be selected by the

Senate, House, and the Administration, and would meet twice a year, initially for two years.

- **Enforcement –**

- Section 337: Block entry of goods produced using stolen trade secrets (including theft abroad and cyber-theft) and new federal civil cause of action
- SOE Petition Process in TPP: Authorize labor organizations, companies and business organizations to petition USTR to investigate claims that FTA partners are not fulfilling SOE obligations.
- Cyber Security Theft Indicator Sharing: Include USTR in the list of agencies covered in legislation that shares cyber security threat indicators.
- Technology Transfer Study: Direct Bureau of Industry and Security within the Department of Commerce to conduct a study on how foreign governments require or encourage the transfer of U.S. technology to their firms.

[NOTE – Amendment sponsor reserves the right to modify the amendment for technical, revenue-neutrality, or other purposes.]

Offset: To be determined

## **Bennet Amendment #2 to the Trade Facilitation and Trade Enforcement Act of 2015**

**Short Title:** An amendment to authorize discretionary action against a foreign country engaging in unreasonable acts, policies, or practices relating to the environment.

**Description of Amendment:** Section 301 of the Trade Act of 1974 authorizes the President to take all appropriate action, including retaliation, to obtain the removal of any act, policy, or practice of a foreign government that violates an international trade agreement or is unjustified, unreasonable, or discriminatory, and that burdens or restricts U.S. commerce. This amendment would add language to Section 301 to encompass environmental effects. Specifically, it would provide tools to the U.S. to address practices by other countries that negatively affect the environment.

[NOTE – Amendment sponsor reserves the right to modify the amendment for technical, revenue-neutrality, or other purposes.]



### **Bennet Amendment #3 to the Trade Facilitation and Trade Enforcement Act of 2015**

**Short Title:** An amendment to require trading partners to develop procedures for the public to challenge violations of enforceable environmental and labor obligations.

**Description of Amendment:** Public accountability is a critical tool for enforcement of environmental and labor obligations. This amendment would amend paragraph (H) of subsection 10, under section 2, to require trading partners to develop procedures for the public, including private citizens, nongovernmental organizations, businesses, and unions, to request an investigation into potential violations of enforceable environmental and labor obligations.

[NOTE – Amendment sponsor reserves the right to modify the amendment for technical, revenue-neutrality, or other purposes.]

## **Casey Amendment #1 to the Trade Facilitation and Trade Enforcement Act of 2015**

**Short Title:** To exclude foreign government-controlled companies from domestic industry support calculations in trade enforcement cases.

**Description of amendment:** Amends the Tariff Act of 1930 in order to ensure that domestic producers owned, controlled and/or operating under the direction of a foreign government are excluded from calculations of industry support or opposition in antidumping and countervailing duty petitions.

Hatch Amendment #1 to S. 995, to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #2 to S. 995, to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #3 to S. 995, to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #4 to S. 995, to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #5 to S. 995, to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.

Hatch Amendment #6 to S. 995, to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes

Short Title: To perfect the legislation

Description of Amendment:

This amendment would make a modification to the bill.



### **Grassley Amendment #1**

Grassley Amendment #1 to the Chairman's mark to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, and to provide for consideration of trade agreements.

Short Title: to prohibit USTR from including immigration, visa, or temporary entry of persons provisions in trade agreements.

Description of Amendment: The United States shall not enter into any trade agreement, including any side agreement or other bilateral arrangement related to the trade agreement, which contains provisions relating to immigration, visa processing, or the temporary entry into the United States of individuals who are not nationals of the United States.

### **Enzi Amendment #1**

Enzi Amendment #1 to S. 995, a bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes.

Short Title: Promoting U.S. Energy Exports

Description of Amendment: Creates a new provision under Section 2(b) which directs the United States to make increasing U.S. energy exports a principle trade negotiating objective.

## **Enzi Amendment #2**

Enzi Amendment #2 to S. 995, a bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes.

Short Title: Reaffirming U.S. Sovereignty Provisions

Description of Amendment: Add “the U.S. Constitution” to Section 8(a) of the underling bill so that the provision reads, “No provision of any trade agreement entered into under section 3(b), nor the application of any such provision to any person or circumstance, that is inconsistent with the U.S. Constitution, any law of the United States, any State of the United States, or any locality of the United States shall have effect.”

**Portman Amendment #1 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Cosponsors:** Stabenow; Burr, Brown, Casey

**Short title:** An amendment to address currency manipulation in trade agreements.

**Description of amendment:** This amendment states that a principal negotiating objective of the United States with regard to unfair currency exchange practices is to target protracted large-scale intervention in one direction in the exchange markets to gain an unfair competitive advantage in trade over other parties to a trade agreement, by establishing strong and enforceable rules against exchange rate manipulation, which are subject to the same dispute settlement and remedies as other enforceable obligations under the agreement and consistent with existing IMF and WTO principles and agreements.

**Offset:** No revenue effect.

**Portman Amendment #2 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Cosponsors:** Toomey, Casey, Burr

**Short title:** American Manufacturing Competitiveness Act.

**Description of amendment:** This amendment to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 is identical to the American Manufacturing Competitiveness Act (S. 998). It creates a process for the Miscellaneous Tariff Bill to be considered beginning in 2015, while bringing needed reform and transparency to the process. The amendment has bipartisan support and is backed by American manufacturers seeking needed tariff relief.

**Offset:** CBO has certified that this bill does not score.

**Toomey Amendment #1 to the Bipartisan Congressional Trade Priorities and  
Accountability Act of 2015**

**Short title:** An amendment to ensure the mutual elimination of state sponsored export financing institutions.

**Description of amendment:** This amendment states that a principal negotiating objective of the United States with regard to future free trade agreements would be the mutual elimination of state sponsored export financing institutions, such as the Export Import Bank of the United States and similar institutions owned or managed by foreign governments.

**Offset:** No effect on Revenue

## **Scott Amendment #1 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** An amendment to ensure transparency and accountability of regulatory negotiations in trade agreements.

**Description of Amendment:** This amendment states that the United States Trade Representative shall inform any Member of Congress upon request, and on a consistent and on-going basis, provide a report to Congress, on any negotiation that would involve potential or actual changes to U.S. laws, the implementation of U.S. laws, or any U.S. regulations or regulatory harmonization being negotiated as part of a trade agreement.

**Offset:** No revenue effect.

**Schumer-Burr-Brown-Portman Amendment #1 to S. 995, a bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes.**

**Short Title:** Currency Undervaluation Investigation Act

**Description of Amendment:** Amends the Tariff Act of 1930 to require the administering authority, upon the filing of a petition by an interested party, to initiate a countervailing duty investigation or review to determine whether currency undervaluation by the government of, or any public entity within, a foreign country is providing, directly or indirectly, a countervailable subsidy to its exporters or products.

Declares that the fact that such a subsidy is also provided in circumstances not involving export shall not, for that reason alone, mean it cannot be considered export contingent and actionable under a countervailing duty and antidumping duty proceeding.

Legislative text for this amendment has been filed with the full Senate as S. 433 (114<sup>th</sup> Congress).



**Schumer Amendment #2 to S. 995, a bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes.**

**Short Title:** Substitute Amendment

**Description of Amendment:** Amendment in the nature of a substitute.

# STABENOW AMENDMENT #1 TO TPA ACT

---

**Short Title:** To achieve balanced trade as an overall trade negotiating objective.

**Cosponsors:**

**Description of Amendment:** This amendment would update the overall trade negotiating objectives to promote balanced trade by making the following changes:

- (1) To strike the following text of Section 2(a)(1) "to obtain more open, equitable, and reciprocal market access" and replace with "to achieve an overall balance of payments over a reasonable period of time, eliminate persistent trade deficits and reverse the accumulation of foreign debt."
- (2) To strike the following text of Section 2(a)(2) "decrease market opportunities for United States exports or otherwise distort United States trade" and replace with "increase the United States trade deficit"
- (3) To strike the following text of Section 2(a)(4) "enhance the global economy" and replace with "substantially reduce global current account imbalances".
- (4) To strike the following text of Section 2(a)(8) "equitable trade benefits, and expanded export market opportunities" and replace with "increased net export results".

## **STABENOW AMENDMENT #2 TO TPA ACT**

---

**Short Title:** To prevent the application of trade authorities procedures with respect to trade agreements with countries that manipulate their currency.

**Cosponsors:**

**Description of Amendment:** Notwithstanding any other provision of law, the trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement or trade agreements with a country that engages in protracted large-scale intervention in one direction in the currency exchange markets, to gain an unfair competitive advantage in trade over other parties to a trade agreement.

## **STABENOW AMENDMENT #3 TO TPA ACT**

---

**Short Title:** To require the Secretary of Commerce to submit to Congress an annual report on automotive imports.

**Cosponsors:** Brown

**Description of Amendment:** Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Commerce shall submit to Congress a report on imports into the United States of automobiles and auto parts, including an analysis of, for the period covered by the report—

- (1) any changes to the supply chain in the United States with respect to automobiles and auto parts;
- (2) any changes to employment in the United States with respect to automobiles and auto parts; and
- (3) the impact of imports into the United States of automobiles and auto parts on the changes described in paragraphs (1) and (2).

## **STABENOW AMENDMENT #4 TO TPA ACT**

---

**Short Title:** To ensure equal remuneration as a core labor standard.

**Cosponsors:** Brown

**Description of Amendment:** In section 11(7), insert after subparagraph (C) the following:

“(D) the provision of equal remuneration for men and women workers for work of equal value, as set forth in ILO Convention No. 100 Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value;”

## **STABENOW AMENDMENT #5 TO TPA ACT**

---

**Short Title:** To ensure congressional priorities in future negotiations.

**Cosponsors:**

**Description of Amendment:** This amendment would allow for the addition of agreement or country specific negotiating objectives at a later date. Upon written notice of the President's intention to enter into negotiations with a country, Congress would have the ability to add or modify negotiating objectives to address country-specific issues or new trade priorities. These negotiating objectives would be incorporated into Section 2 of the bill and subject to the same conditions set forth in Section 3(B)(2).

## **STABENOW AMENDMENT #6 TO TPA ACT**

---

**Short Title:** To ensure Congressional oversight of negotiating objectives.

**Cosponsors:**

**Description of Amendment:** This amendment would modify the trade authorities procedures to establish a framework to enforce principal negotiating objectives when Congress considers implementing bills. When an implementing bill is considered in the Senate, any member can raise a point of order against the implementing bill if the underlying trade agreement fails to make progress in meeting a principal negotiating objective. The point of order can be waived by a vote of at least three-fifths of all Senators duly chosen and sworn. If the point of order is not waived, the implementing bill loses trade authorities procedures.

## **Menendez Amendment #1 to Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** No Fast Track for Human Traffickers

**Cosponsors:**

**Background:**

The State Department publishes annually the Trafficking in Persons Report as required under the Trafficking Victims Protection Act of 2000 (TVPA). The Department places each country onto one of four tiers, primarily based on the extent of government action to combat trafficking than on the size of the country's problem.

Tier 3 ranking indicates that a government does not fully comply with the TVPA's minimum standards and is not making significant efforts to do so.

**Description of Amendment:**

This amendment would prohibit expedited consideration of trade agreements with any country ranked on Tier 3. Countries listed as Tier 3 in the latest report (2014) were:

- Algeria, Central African Republic, Democratic Rep. Of Congo, Cuba, Equatorial Guinea, Eritrea, The Gambia, Guinea-Bissau, Iran, North Korea, Kuwait, Libya, Malaysia, Mauritania, Papua New Guinea, Russia, Saudi Arabia, Syria, Thailand, Uzbekistan, Venezuela, Yemen, Zimbabwe

**Offset:** N/A



**Menendez Amendment #2 to the Bipartisan Congressional Trade Priorities and Accountability Act**

**Short Title:** No Fast Track for Countries that Discriminate Against LGBT Individuals

**Cosponsors:**

**Description of Amendment:** Prohibit 'fast track' procedures for countries with penal codes that legalize violence, criminalization, or execution of lesbian, gay, bisexual, and transgendered (LGBT) individuals.

**Offset:** N/A

**Menendez Amendment #3 to Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** To require FTA parties to implement all measures to bring its labor laws and regulations into compliance with the agreement, before the agreement can take effect.

**Cosponsors:** Brown

**Description of Amendment:** Provide a principal negotiating objective that would require parties to any free trade agreement to implement all measures to bring its labor laws and regulations into compliance with the agreement, before the agreement can take effect.

**Offset:** N/A

**Menendez Amendment #4 to Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** To require FTA parties to implement all measures to bring its environmental laws and regulations into compliance with the agreement, before the agreement can take effect.

**Cosponsors:** Brown

**Description of Amendment:** Provide a principal negotiating objective that would require parties to any free trade agreement to implement all measures to bring its environmental laws and regulations into compliance with the agreement, before the agreement can take effect.

**Offset:** N/A

**Menendez Amendment #5 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** To ensure that new trade agreements avoid negative impacts on existing U.S. trade relationships.

**Cosponsors:**

**Description of Amendment:** New trade agreements often displace benefits given under older agreements, causing disruptions to existing supply chains and harming economic relationships built with important U.S. trading partners.

This amendment would clarify the existing principal trade negotiating objective in Section 2 (b) (1) (a) as follows:

After “to expand competitive market opportunities for exports of goods from the United States and to obtain fairer and more open conditions of trade, including through the utilization of global value chains,”

Insert “especially those establish under existing free trade agreements,”

Suggested report language:

“Global value chains have been developed, in part, through the free trade agreements established by the United States and its trade partners and they have greatly contributed to enhance U.S. global trade position. The creation of new U.S. free trade agreements should seek to expand upon those global value chains or, at the very least, minimize any negative impact that new agreements might have on bilateral or multilateral economic partnerships which have developed as the result of previous U.S. trade agreements.

**Offset:** None

**Menendez Amendment #6 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** To Address Child Labor in Trade Agreements

**Cosponsors:** Brown

**Description of Amendment:** This amendment would create a principal negotiating objective to prevent distortions in international trade caused by the use of the worst forms of child labor and to redress unfair and illegitimate competition based upon the worst forms of child labor.

**Offset:** None

**Menendez Amendment #7 to Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** To enable the United States to withdraw from a trade agreement if the trade agreement leads to domestic job loss.

**Cosponsors:**

**Description of Amendment:** For the 36 months following implementation of a trade agreement, upon notification of the Congressional Budget Office that the U.S. unemployment rate exceeds eight percent, any member of the House or Senate may introduce a privileged resolution that would provide for the immediate withdrawal of the United States from the agreement.

**Offset:** None

**Menendez Amendment #8 to Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** To enable the United States to withdraw from a trade agreement if the trade agreement leads to outsourcing of manufacturing jobs.

**Cosponsors:**

**Description of Amendment:** For the 36 months following implementation of a trade agreement, upon notification of the Congressional Budget Office that U.S. manufacturing employment has fallen by 100,000 jobs or greater since the implementation of the agreement, any member of the House or Senate may introduce a privileged resolution that would provide for the immediate withdrawal of the United States from the agreement.

**Offset:** None

**Cardin Amendment #1 to S. 995, a bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes**

**Short Title:** An amendment to clarify and strengthen the good governance and human rights negotiating objective in the Bipartisan Congressional Trade Priorities and Accountability Act.

**Description of amendment:** This amendment builds upon and improves the Bipartisan Congressional Trade Priorities and Accountability Act’s trade negotiating objective related to good governance, rule of law, and internationally recognized human rights.

*Act as introduced.* In the text of the Act as introduced, section 2(a)(11) sets out the following overall trade negotiating objective:

“to ensure implementation of trade commitments and obligations by strengthening good governance, transparency, the effective operation of legal regimes and the rule of law of trading partners of the United States through capacity building and other appropriate means, which are important parts of the broader effort to create more open democratic societies and to promote respect for internationally recognized human rights”.

*Amendment.* The amendment creates a new and stronger principal negotiating objective related to good governance, rule of law, and internationally recognized human rights. The new principal negotiating objective is based on the overall negotiating objective in section 2(a)(11). However, the new principal negotiating objective makes the promotion of internationally recognized human rights an objective in its own right, rather than incorporating it indirectly as an “important part[]” of other negotiating objectives. The amendment also ensures that obligations under the new negotiating objective are subject to the same dispute settlement and remedies sought for the other principal negotiating objectives.

**Text of principal negotiating objective:**

To the end of section 2(b), add:

“(19) Good Governance, Rule of Law, and Internationally Recognized Human Rights.—The principal negotiating objectives of the United States with respect to good governance, rule of law, and internationally recognized human rights are—



“(A) to ensure that a party to a trade agreement with the United States—

“(i) adopts and maintains measures to strengthen good governance, the effective operation of legal regimes, and the rule of law, including the right to due process, the right to a fair trial, and equal protection under the law;

“(ii) adopts and maintains measures that promote and protect internationally recognized human rights, including religious freedoms;

“(iii) does not fail to effectively enforce the measures adopted pursuant to clauses (i) and (ii);

“(B) to strengthen the capacity of United States trading partners in order strengthen good governance, the effective operation of legal regimes, and the rule of law, and promote and protect internationally recognized human rights; and

“(C) to ensure that enforceable obligations related to good governance, rule of law, and internationally recognized human rights are subject to the same dispute settlement and remedies as other enforceable obligations under this agreement.”

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #2 to S. 995, a bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes**

**Short title:** An amendment to clarify and strengthen the good governance and human rights negotiating objective in the Bipartisan Congressional Trade Priorities and Accountability Act.

**Description of amendment:** This amendment builds upon and improves the Bipartisan Congressional Trade Priorities and Accountability Act's trade negotiating related to human rights and good governance.

*Act as introduced.* In the text of the Act as introduced, section 2(a)(11) sets out the following overall trade negotiating objective:

“to ensure implementation of trade commitments and obligations by strengthening good governance, transparency, the effective operation of legal regimes and the rule of law of trading partners of the United States through capacity building and other appropriate means, which are important parts of the broader effort to create more open democratic societies and to promote respect for internationally recognized human rights”.

*Amendment.* The amendment creates a new and stronger principal negotiating objective related to good governance, rule of law, and internationally recognized human rights.

**Text of principal negotiating objective:** To the end of section 2(b), add:

“(19) Good Governance, Rule of Law, and Internationally Recognized Human Rights.—The objectives of the United States with respect to good governance, rule of law, and internationally recognized human rights are—

“(A) to ensure the implementation of trade commitments and obligations by strengthening good governance, transparency, the effective operation of legal regimes and the rule of law of United States trading partners;

“(B) to seek commitments from United States trading partners to prohibit and prevent gross violations of internationally recognized human rights, including violations that impose on an individual’s right to freedom of religion and speech;

“(C) to strengthen the capacity of United States trading partners in order strengthen good governance, the effective operation of legal regimes, and the rule of law, and promote and protect internationally recognized human rights.”

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #3 to S. 995, a bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes**

**Short title:** An amendment to strengthen the good governance and human rights negotiating objective in the Bipartisan Congressional Trade Priorities and Accountability Act.

**Description of amendment:** This amendment makes the Bipartisan Congressional Trade Priorities and Accountability Act's trade negotiating objective related to good governance, rule of law, and human rights (section 2(a)(11) of the Act as introduced) a principal negotiating objective rather than an overall negotiating objective.

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #4 to S. 995, a bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes**

**Short title:** An amendment to create a separate human rights principal negotiating objective.

**Description of amendment:** This amendment adds an additional principal negotiating objective regarding internationally recognized human rights to section 2(b) of the Bipartisan Congressional Trade Priorities and Accountability Act. The amendment provides that the overall trade negotiating objectives of the United States includes a principal negotiation objective on human rights and religious freedom:

“to promote respect for internationally recognized human rights, including religious freedom, seek commitments in trade agreements to prohibit and prevent gross violations of internationally recognized human rights, and promote an understanding of the relationship between the protection of human rights, trade, and sustainable economic growth.”

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #5 to S. 995, a bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes**

**Short Title:** An amendment to clarify and strengthen the good governance and human rights reporting requirement in the Bipartisan Congressional Trade Priorities and Accountability Act.

**Description of amendment:** This amendment builds upon and improves the Bipartisan Congressional Trade Priorities and Accountability Act's reporting requirements related to human rights and good governance.

*Act as introduced.* In the text of the Act as introduced, Section 2(c)(4) directs the President to submit to the Committee on Ways and Means and the Committee on Finance an annual report on capacity-building activities “undertaken in connection with trade agreements negotiated or being negotiated pursuant to this Act.”

*Amendment.* As written, the reporting language only requires a report on capacity building activities themselves. As section 2(a)(11) of the Act already recognizes, capacity building is a way to strengthen good governance, transparency, the effective operation of legal regimes, democratic societies, and internationally recognized human rights. Thus, the amendment clarifies this reporting requirement to ensure that the report on capacity building also includes a discussion on how the capacity building activities have helped with progress on the issues raised in section 2(a)(11).

**Text of reporting requirement:**

Replace section 2(c)(4) with the following:

“(4) report annually to the Committee on Ways and Means of the House and Committee on Finance of the Senate on capacity building activities undertaken in connection with trade agreements negotiated or being negotiated pursuant to this Act, including by discussing those activities that strengthen good governance, rule of law, effective legal regimes, and protections for internationally recognized human rights.”

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #6 to S. 995, a bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes**

**Short Title:** An amendment to clarify and strengthen the good governance and human rights reporting requirement in the Bipartisan Congressional Trade Priorities and Accountability Act.

**Description of amendment:** This amendment builds upon and improves the Bipartisan Congressional Trade Priorities and Accountability Act's commencement and consultation requirements related to human rights and good governance.

*Act as introduced.* Section 2(d) of the Act as introduced directs the President to commence trade negotiations “in cases where the President determines that such negotiations would be feasible and timely and would benefit the United States.” Section 2(d) states that “[i]n doing so, the President shall take into account all of the negotiating objectives set forth in section 2.” Thus, pursuant to this language, the Act as introduced requires that the President take into account negotiating objective language related to internationally recognized human rights.

Furthermore, Section 5(a) of the Act as introduced expands on some of the negotiating objectives to ensure that the President explicitly addresses specific issues related to those negotiating objectives and consults with Congress on some important matters related to those negotiating objectives. For instance:

- Section 5(a)(2) directs the President to consult with Ways and Means and Finance before initiating and continuing negotiations on issues related to the principal negotiating objective related to trade in agriculture.
- Section 5(a)(3) requires the President to consult with several House and Senate committees before initiating or continuing negotiations related to the fishing industry.
- Section 5(a)(4) requires the President to undertake certain assessments and consult with Ways and Means and Finance on applicable negotiating objectives related to the textile industry.
- Section 5(a)(5) requires the President to take into account the extent to which a potential trading partner has implemented international trade and investment commitments.

*Amendment.* Following the model of sections 5(a)(2)-(5), the amendment creates a new section 5(a)(6) to clarify the operation of section 2(d).

- Specifically, new section 5(a)(6) requires the President, before commencing negotiations with a potential trading partner, to take into account whether the government of that potential trading partner engages in a consistent pattern of gross violations of internationally recognized human rights.

**Text of commencement and consultation requirement:**

To the end of section 5(a), add:

“(6) Observance of Human Rights – In determining whether to enter into negotiations with a particular country, the President shall take into account whether the government of that country engages in a consistent pattern of gross violations of internationally recognized human rights.”

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]



**Cardin Amendment #7 to S. 995, a bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes**

**Cosponsors:** Portman, Cantwell, Schumer, Menendez, Warner

**Short title:** An amendment to enhance trade between the United States and Israel.

**Description of amendment:** This amendment includes a principal negotiating objective in the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 that incorporates the text of the U.S.-Israel Trade Enhancement Act of 2015 (S. 619), and limits that principal negotiating objective to apply only to the Transatlantic Trade and Investment Partnership agreement.

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #8 to S. 995, a bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes**

**Short title:** An amendment to strengthen the principal negotiating objectives of the United States on anti-corruption.

**Description of Amendment:** This amendment adds to the principal negotiating objectives on anti-corruption a negotiating objective to seek commitments from United States trading partners to strengthen the effective operation of their legal institutions, including by establishing an independent judiciary, ensuring the independence of prosecutors, and ensuring that these institutions are fully funded.

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #9 to S. 995, a bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes**

**Cosponsors:** Brown

**Short title:** An amendment to disallow expedited consideration under the Act of to trade agreements with countries that do not protect religious freedoms.

**Description of Amendment:** In section 6(b), add the following:

“(4) For agreements with countries that do not protect religious freedoms.—Notwithstanding any other provision of law, the trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement or trade agreements with a country that does not protect religious freedoms, as determined in the most recent report on international religious freedom under section 102(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)).”

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

**Cardin Amendment #10 to S. 995, a bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes**

**Cosponsors:** Casey, Brown, Menendez

**Short title:** An amendment to add the Trade Adjustment Assistance Enhancement Act of 2015 to the Bipartisan Congressional Trade Priorities Accountability Act of 2015.

**Description of Amendment:** This amendment adds, at the end of the Bipartisan Congressional Trade Priorities Accountability Act of 2015, a new title that contains the text of the Trade Adjustment Assistance Enhancement Act of 2015 (as approved by the Committee).

**Offset:** No revenue effect.

[Note: Amendment sponsor(s) reserve the right to modify this amendment for technical, revenue-related (if applicable), or other purposes.]

## **Brown Amendment #1 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** To require USTR to achieve Congress' negotiating objectives in trade agreements

**Description:** This amendment changes the standard by which Congress will evaluate trade agreements and their reflection of the negotiating objectives in the Act. Specifically, this amendment changes the standard from “makes progress in achieving” to “achieves,” indicating that Congress expects the President to achieve in trade agreements authorized by this Act the negotiating objectives outlined in the Act.

### **Amendment Text:**

Page 41, line 15, strike “makes progress in meeting ” and insert “achieves”

Page 86, line 2, strike “makes progress in achieving” and insert “achieves”

Page 90, line 15 strike “make progress in achieving” and insert “achieve”

**Offset:** No revenue effect.

## **Brown Amendment #2 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Definition of Principal Negotiating Objective

**Description:** This amendment adds a definition of principal negotiating objective to reflect Congress' intent that trade agreements must meet the principal negotiating objectives.

### **Amendment Text:**

Principal Negotiating Objective: The term principal negotiating objective means a mandatory negotiating objective required to be achieved by the President for an agreement to be eligible for expedited procedures under section 151 of the Trade Act of 1974.

**Offset:** No revenue effect.

**Brown Amendment #3 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Promoting equal access to medicines in the U.S. and our trading partners.

**Description:** This language strikes language in the principal negotiating objective with respect to regulatory practices that could be interpreted as allowing companies to challenge public health regulations developed by countries to ensure equal access to medicines.

**Amendment Text:**

Strike Page 20 Lines 19-25 and Page 21 Lines 1-2.

**Offset:** No revenue effect.

**Brown Amendment #4 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Preventing conflicts of interest in the development of regulations

**Description:** This amendment modifies the principal negotiating objective with respect to regulatory practices to ensure that it includes the importance of addressing and preventing conflicts of interest in the development of regulations

**Amendment Text:** At the end of section 2(b)(7)(C) add:

“The prevention of conflicts of interest in the development of regulations.”

**Offset:** No revenue effect.



## **Brown Amendment #5 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Increasing participation of civil society in the development of regulations

**Description:** This amendment modifies the principal negotiating objective with respect to regulatory practices to ensure that the negotiating objective reflects the importance of public and civil society stakeholder groups participating in the development of regulations. The U.S. has a robust process for public participation in the development of regulations, and it should be a negotiating objective to ensure the same opportunities for public and civil society stakeholders to participate in the regulatory process in our trading partners.

**Amendment Text:**

Page 19, Line 13 after “parties” insert “, including public and civil society stakeholders,”

**Offset:** No revenue effect.

## **Brown Amendment #6 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Clarifying the intellectual property negotiating objective regarding laws and rules regarding the availability, acquisition, scope, maintenance, use and enforcement for medical products

**Description:** This amendment clarifies that the principal negotiating objective with respect to intellectual property rights and the availability, acquisition, scope, maintenance, use, and enforcement of medical products. It clarifies that the laws and regulations for medical products cannot be discriminatory but recognizes trading partners' right to protect access to medicines and public health.

### **Amendment Text:**

Strike Page 16, Lines 9-13 and insert:

(iii) Recognizing that laws and rules that distinguish the availability, acquisition, scope, maintenance, use and enforcement for medical products are not discriminatory, and recognizing trading partners legal rights to implement safeguards for the protection of access to medicines and public health, in accordance with the World Trade Organization's Agreement on Trade Related Aspects of Intellectual Property Rights.

**Offset:** No revenue effect.

## **Brown Amendment #7 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Promoting international law in the principal negotiating objective on intellectual property

**Description:** This amendment ensures that the principal negotiating objective regarding intellectual property reflects a standard of protection similar to that found in international law. Ensuring intellectual property provisions of trade agreements entered into by the United States reflect international law. Other standard in the trade agreement reflect international standards, and this amendment would establish parity for the provisions on intellectual property. In addition, this provision ensures that the principal negotiating objective regarding intellectual property allows trading partners to maintain laws on intellectual property, as long as they promote the adequate and effective protection of intellectual property rights, without insisting that they adopt U.S. standards.

### **Amendment Text:**

Page 16, Line 1-2: “strike “United States law” and insert “international law”

**Offset:** No revenue effect.

## **Brown Amendment #8 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Principal negotiating objective with respect to public health

**Description:** This amendment adds a principal negotiating objective with respect to public health

### **Amendment Text:**

**PUBLIC HEALTH.** -- The principal negotiating objectives of the United States with respect to public health are--

- (A) To strengthen the commitments made in the 2007 Bipartisan Agreement on Trade Policy by the United States Congress;
- (B) To ensure that that a party to a trade agreement with the United States adopts and maintains current rights and obligations under the Declaration on the TRIPS Agreement and Public Health, adopted by the World Trade Organization at the Fourth Ministerial Conference at Doha, Qatar on November 14, 2001, the 2007 WIPO Development Agenda and the 2008 World Health Organization Resolution 61.21
- (C) To ensure no provision of a trade agreement imposes upon the U.S. or any U.S. trading partner any rule that may be interpreted as undermining or limiting access to medical tools and technologies, including pharmaceutical products, diagnostics, vaccines, other medical devices or the practice of medicine; and
- (D) To recognize the right of all governments to regulate and enact laws in the interest of public health, and the right of all governments to exercise any legal rights or safeguards to protect public health without threat of trade-related penalties.

**Offset:** No revenue effect.

## **Brown Amendment #9 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Clarifying negotiating objective on intellectual property to reflect all U.S. international commitments.

**Description:** This amendment modifies the negotiating objective on intellectual property to ensure all U.S. international obligations on public health and intellectual property are reflected in the negotiating objective.

### **Amendment Text:**

Page 17, line 15, strike “to” and all that follows and insert: “the 2007 Bipartisan Agreement on Trade Policy by the United States Congress, the 2007 WIPO Development Agenda, the 2008 World Health Organization Resolution 61.21, and to ensure that trade agreements protect all public health intellectual property flexibilities afforded by these and all other current and subsequent related agreements, included but not limited to the flexibility to define scope of patentability nationally, to foster patient-driven innovation, and to promote access to medicines for all.”

**Offset:** No revenue effect.

## **Brown Amendment #10 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Preserving the ability of government health programs and other government programs to set prices appropriately.

**Description:** This amendment strikes language in the principal negotiating objective with respect to regulatory practices that could be interpreted as allowing companies to challenge public health regulations developed by countries to ensure equal access to medicines.

### **Amendment Text:**

Page 20, strike lines 14-25 and Page 21, Lines 1-2, and reletter the subsequent sections.

**Offset:** No revenue effect.

**Brown Amendment #11 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Clarifying Overall Trade Negotiating Objective regarding Economic Growth.

**Description:** This amendment clarifies the overall negotiating objective regarding economic growth so that it indicates that Congress' overall negotiating objective with respect to trade policy is to foster economic growth that benefits workers in the United States.

**Amendment Text:**

Page 2, Line 16, after "United States," insert: "ensure that workers in the United States benefit equally from international trade,"

**Offset:** No revenue effect.

## **Brown Amendment #12 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Strengthening the principal negotiating objective with respect to goods

**Description:** This amendment adds language to the principal negotiating objective with respect to goods that would require USTR to provide reasonable adjustment periods for import-sensitive goods, take into account whether a trading partner has failed to meet obligations under existing trade agreements, and take into account whether a good is subject to market distortions.

### **Amendment Text:**

At the end of section (2)(b)(1) insert:

(C ) to obtain competitive opportunities for United States exports of goods by-

- (i) Providing reasonable adjustment periods for United States import sensitive products, in close consultation with Congress on such products before initiating tariff reduction negotiations
- (ii) taking into account whether a party to negotiations has failed to adhere to the provisions of already existing trade agreements with the United States or has circumvented obligations under those agreements; and
- (iii) taking into account whether a product is subject to market distortions by reason of a failure of a major producing country to adhere to the provisions of already existing trade agreements with the United States or by the circumvention by that country of its obligations under those agreements.

**Offset:** No revenue effect



**Brown Amendment #13 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Supporting American Textile and Apparel Jobs

**Description:** This amendment modifies the principal negotiating objective regarding textiles and apparel to reflect the importance of longest tariff phaseouts for sensitive products and the importance of yarn forward country-of-origin rules.

**Amendment Text:**

Strike Section 2(b)(18) and replace with: “Trade agreements should include traditional yarn forward country-of-origin rules for textile and apparel products that are equivalent or stronger than those contained in NAFTA and the DR-CAFTA agreements. Market access provisions should afford the longest possible tariff reduction schedules for sensitive textile and apparel products in order to provide an adequate adjustment period for U.S. manufacturers.”

**Offset:** No revenue effect

**Brown Amendment #14 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Supporting American Footwear Industry

**Description:** This amendment adds a principal negotiating objective on footwear.

**Amendment Text:**

At the end of Section 2 add:

“The principal negotiating objective with respect to trade in footwear is to afford the longest possible tariff reduction schedules for sensitive footwear products in order to provide an adequate adjustment period for U.S. manufacturers. “

**Offset:** No revenue effect

**Brown Amendment #15 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Modification of Agriculture Principal Negotiating Objective to preserve consumers' right to know what is in their food.

**Description:** Strikes the reference to labeling in Section 2(b)(3)(I)(ii) to ensure trade agreements negotiated under the authority of this Act do not preclude the adoption of food labeling policies.

**Amendment Text:**

Page 9, Line 15: strike “, such as labeling,”

**Offset:** No revenue effect.

## **Brown Amendment #16 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Principal negotiating objective on food safety

**Description:** This amendment would add a principal negotiating objective on food safety to ensure any trade agreement would not have negative impacts on the safety of the U.S. food supply.

### **Amendment Text:**

At the end of Section 2 add:

Food Safety. -- The principal negotiating objectives with respect to food safety are—

- (A) to ensure that a trade agreement does not weaken or diminish food safety standards that protect public health;
- (B) to promote strong food safety laws and regulations in the United States; and
- (C) to maintain and strengthen food safety inspection systems, including the continuous inspection of meat, poultry, seafood, and egg products exported to the United States.

**Offset:** No revenue effect

**Brown Amendment #17 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Maximizing options in negotiations on the investment chapter

**Description:** This amendment strikes language from the foreign investment negotiating objectives that explicitly identifies the investor-state dispute settlement mechanism to ensure U.S. negotiators are able to pursue whatever investment chapter would be most beneficial to U.S. companies and workers in each trade agreement.

**Amendment Text:**

Strike Section 2(4)(G)

**Offset:** No revenue effect

## **Brown Amendment #18 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Strengthening the capacity of trading partners to protect the rights of investors

**Description:** This amendment adds language to the principal negotiating objective with respect to foreign investment to include strengthening U.S. trading partners' ability to protect the rights of investors through the establishment of legal systems and proceedings.

### **Amendment Text:**

Page 13, Line 20 insert:

(F) strengthening the capacity of United States trading partners to protect the rights and interests of investors consistent with the United States legal principles and practices through the establishment and maintenance of fair and efficient legal proceedings;

**Offset:** No revenue effect.

**Brown Amendment #19 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Preventing conflicts of interest in investor-state cases

**Description:** This amendment would modify the principal negotiating objective on investment to include language to ensure investor-state tribunal arbitrators are free from conflicts of interest in all investor-state cases.

**Amendment Text:**

Add at end of Section 2(4)(G):

“procedures to prevent actual and perceived conflicts of interest, including a prohibition on arbitrators representing parties in investor-state proceedings.”

**Offset:** No revenue effect.

## **Brown Amendment #20 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Clarification of expropriation standards in the principal negotiating objective with respect to foreign investment

**Description:** This amendment clarifies what constitutes expropriation under the principal negotiating objective with respect to investment. Specifically, it clarifies that expropriation refers to the acquisition of an investment by a government when a government seizes or appropriates an investment.

### **Amendment Text:**

Strike Section (2)(b)(4)(D) and insert:

“establishing standards for expropriation that require compensation when a government seizes or appropriates an investment for its own use or the use of a third party but that do not require compensation when a government regulates an investment in a nondiscriminatory manner that does not transfer ownership or control of the investment.”

**Offset:** No revenue effect.



**Brown Amendment #21 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Protecting Medicare and Medicaid in trade negotiations

**Description:** This amendment inserts into the principal negotiating objective on foreign investment language to protect government health programs and policies from an investor-state challenge.

**Amendment Text:**

Insert after Section (2)(4)(F): “providing explicit protections for government health policies and programs from investment disputes.”

**Offset:** No revenue effect.

## **Brown Amendment #22 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Exhaustion of Domestic Remedies

**Description:** This amendment would add to the principal negotiating objective with respect to investment language clarifying that investors must exhaust all reasonably available domestic legal remedies before bringing a claim under the investor-state dispute settlement. This amendment would ensure that corporations are required to use established legal systems to resolve claims before pursuing a case in the extrajudicial investor-state process.

### **Amendment Text:**

At the beginning of Section (2)(b)(4)(G) add:

“requiring an investor to exhaust reasonably available domestic remedies before filing a claim.”

**Offset:** Revenue Neutral

**Brown Amendment #23 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Clarifying the principal negotiating objective with respect to foreign investment

**Description:** This amendment clarifies the standard of fair and equitable treatment for investor-state disputes to ensure it is consistent with the U.S. standard regarding denial of justice.

**Amendment Text:**

Strike Section 2(b)(4)(E) and insert: “ensuring foreign investors have access to justice to seek relief for harms inflicted in the territory of or by the United States’ trading partners.”

**Offset:** No revenue effect.

**Brown Amendment #24 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** To provide parity for dispute resolution on labor and environment issues

**Description:** This amendment ensure the language regarding dispute settlement in the labor and environment negotiating objective matches that in the investment negotiating objective.

**Amendment Text:**

Section 2(10)(H) strike section and replace with: “to provide meaningful procedures for resolving labor and environment disputes and to ensure that all labor and environment obligations are fully enforceable under the agreement and subject to the same dispute settlement and remedies as other enforceable obligations under the agreement.”

**Offset:** No revenue effect.

## **Brown Amendment #25 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Improving enforcement of labor and environment negotiating objectives

**Description:** This amendment strikes language in the principal negotiating objective with respect to labor and environment that establishes a lower standard for trading partners to meet. Specifically, this amendment strikes the phrase “sustained and recurring,” which is not a standard found elsewhere in the underlying bill, and would permit U.S. trading partners to violate the labor and environmental standards more than once without being in violation of an agreement.

### **Amendment Text:**

Page 23, Line 24-25 strike “a” through “of” and replace with “an”

**Offset:** No revenue effect

**Brown Amendment #26 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Ensuring our trade agreements do not discourage labor, environmental, health or safety policies that improve the lives of citizens and workers in our trading partners.

**Description:** This amendment strikes language in the principal negotiating objective with respect to labor and the environment to ensure that trade negotiations and trade agreements are not construed to discourage the development and implementation of labor, environmental, health, or safety policies that improve the lives of citizens and workers in our trading partners.

**Amendment Text:**

Page 25, Lines 20-25 strike Section (2)(b)(10)(G)

**Offset:** No revenue effect.

## **Brown Amendment #27 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Principal negotiating objective regarding rules of origin

**Description:** This amendment would add a principal negotiating objective regarding rules of origin instructing USTR to negotiate rules of origin that ensure the benefits of a trade agreement accrue to the parties of the agreement, particularly with respect to goods produced in the United States and goods that incorporate materials produced in the United States.

### **Amendment Text:**

In Section 2(b) add:

RULES OF ORIGIN.-The principal negotiating objective with respect to rules of origin is to ensure that the benefits of a trade agreement accrue to the parties of the agreement, particularly with respect to the goods produced in the United States and goods that incorporate materials produced in the United States.

**Offset:** No revenue effect.

**Brown Amendment #28 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Improving U.S. trading partners' compliance with trade agreement standards with respect to labor and the environment

**Description:** This amendment clarifies the principal negotiating objective on labor and the environment to reflect Congress' intent that trading partners meet labor and environment standards before an agreement takes effect.

**Amendment Text:**

Page 22, Line 16 after "United States" insert: "prior to the agreement taking effect"

**Offset:** No revenue effect



## **Brown Amendment #29 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Clarifying the definition of labor laws to incorporate all components of acceptable conditions of work

**Description:** This amendment ensures that the definition of labor laws in the underlying bill reflects all components of acceptable conditions of work, specifically compensation in cases of occupational injuries and illnesses and social security and retirement.

### **Amendment Text:**

Page 112, Line 20 after “health,” insert: “compensation in cases of occupational injuries and illnesses, and social security and retirement,”

**Offset:** No revenue effect.

**Brown Amendment #30 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Strengthening definition of internationally recognized core labor standards

**Description:** This amendment modifies the definition of internationally recognized core labor standards to reflect the labor standards as embodied in the ILO core conventions.

**Amendment Text:**

Page 112, Line 10 strike “only” and everything that follows and insert “as embodied in the ILO Fundamental Conventions.”.

**Offset:** No revenue effect.

**Brown Amendment #31 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Clarifying the principal negotiating objective with respect to labor and the environment

**Description:** This amendment strikes language in the underlying bill that could be interpreted to mean that waiving or derogating from labor and environment standards is consistent with the agreement.

**Amendment Text:**

Page 23, Line 2 strike everything after “11(17)” and insert: “or its labor laws.”

Page 23, Line 10, strike “in” and everything that follows through Line 16 and insert “or”

**Offset:** No revenue effect.

## **Brown Amendment #32 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** To strengthen the state-owned enterprise negotiating objective

**Description:** This amendment would strike and insert a state-owned enterprise negotiating objective that would require each state-owned enterprise in a trading partner country to act solely with commercial considerations, prevent trading partner governments from providing subsidies or other benefits to its SOEs, and require an annual report from each trading partner country on SOEs. This amendment provides an exception for economic emergencies, national security measures, and public services. It also requires any SOE disciplines in a trade agreement to be subject to dispute settlement enforcement mechanisms.

### **Amendment Text:**

Page 21, strike lines 14 through 24 and Page 22 Lines 1-3 and insert:

State-owned enterprises.—The principle negotiating objective regarding competition by state-owned and state-controlled commercial enterprises, including those enterprises for which the state share of the enterprise is less than fifty percent, are—

(A) to require each state-owned enterprise to act solely in a manner consistent with commercial considerations in all of its investments, operations, and other activities in the territory of another country that is a party to the agreement;

(B) to require each country that is a party to the agreement to refrain from providing to any of its state-owned enterprises subsidies, or other benefits not generally available on commercial terms, that provide an advantage to the enterprise or its operations with respect to any investment, operation, or other activity in the territory of another country that is a party to the agreement;

(C) to not restrict temporary measures taken by a country that is a party to the agreement that the country determines are necessary to safeguard an essential economic or security interest of that country;

(D) to require each country that is a party to the agreement to make public an annual report with respect to each state-owned enterprise that invests in or conducts operations or other activities in the territory of another country that is a party to the agreement that—

(i) describes in detail the governing structure of the enterprise;

(ii) identifies the share of the interests in the capital structure of the enterprise held by the government of the country;

- (iii) identifies the members of the board of directors of the enterprise; and
- (iv) identifies the annual revenue and total assets of the enterprise;
- (E) to subject all state-owned enterprise disciplines in the agreement to dispute settlement enforcement mechanisms; and
- (F) to preserve the ability of state-owned entities to provide legitimate public services.

**Offset:** No revenue effect

**Brown Amendment #33 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Negotiating objective regarding current account surpluses

**Description:** This amendment inserts a principal negotiating objective on current account surpluses.

**Amendment Text:**

At the end of Section (2) add:

Current account surpluses.--The principal negotiating objective of the United States regarding current account surpluses is to promote policies to address large and persistent global current account imbalances of countries, including imbalances which threaten the stability of the international trading system, by imposing greater responsibility on such countries to undertake policy changes aimed at restoring current account equilibrium.

**Offset:** No revenue effect.

## **Brown Amendment #34 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Clarification of Overall Trade Negotiating Objective regarding trade and environmental policies.

**Description:** This amendment clarifies the overall negotiating objective regarding trade and environmental policies so that it reflects a commitment to sustainable development and renewable resources.

### **Amendment Text:**

Page 2, Line 21, after “resources” add: “ensuring sustainable development, and promoting the development of sustainable and renewable resources in the United States;”

**Offset:** No revenue effect.

**Brown Amendment #35 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Updating list of Multilateral Environmental Agreements referenced in negotiating objective on the environment

**Description:** This amendment adds the United Nation Framework Convention on Climate Change to the list of common multilateral environmental agreements identified in the principal negotiating objective on the environment.

**Amendment Text:** Page 109, Line 8 insert: The United Nations Framework Convention on Climate Change.

**Offset:** No revenue effect.



## **Brown Amendment #36 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** To strengthen the dispute resolution negotiating objective

**Description:** This amendment enhances the dispute settlement principal negotiating objective to explicitly incorporate due process protections from the U.S. Constitution and to improve transparency and expertise on all dispute settlement panels.

### **Amendment Text:**

At the end of Section 2(b)(15) add:

(H) to incorporate the due process protections of the Constitution of the United States, as well as provisions relating to access to documents, open hearings, transparency, and fair and impartial tribunals;

(I) to require that any dispute settlement panel, including an appellate panel, dealing with intellectual property rights or environmental, health, labor, and other public law issues include panelists with expertise in the issues that are the subject of the dispute; and

(J) to provide that dispute resolution proceedings are open to the public and provide timely public access to information regarding enforcement, disputes, and ongoing negotiations relating to disputes.

**Offset:** No revenue effect.

**Brown Amendment #37 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** To add an overall negotiating objective related to trade remedy laws

**Description:** This amendment would add an overall trade negotiating objective that opposes any attempts to weaken in any respect the trade remedy laws of the United States.

**Amendment Text:**

At the end of section 2(a) add:

“To oppose any attempts to weaken in any respect the trade remedy laws of the United States.”

**Offset:** No revenue effect.

## **Brown Amendment #38 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Strengthening the principal negotiating objective on trade remedies

### **Description:**

#### **Amendment Text:**

Strike Section (2)(b)(16) and insert:

TRADE REMEDY LAWS- The principal negotiating objectives of the United States with respect to trade remedy laws are the following:

(A) To preserve the ability of the United States to enforce vigorously its trade laws, including the antidumping, countervailing duty, and safeguard laws, and not enter into agreements that lessen in any respect the effectiveness of domestic and international disciplines--

(i) on unfair trade, especially dumping and subsidies, or

(ii) that address import increases or surges, such as under the safeguard remedy,

in order to ensure that United States workers, farmers and agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions.

(B) To eliminate the underlying causes of unfair trade practices and import surges, including closed markets, subsidization, government practices promoting, enabling, or tolerating anticompetitive practices, and other forms of government intervention that generate or sustain excess, uneconomic capacity.

**Offset:** No revenue effect.

**Brown Amendment #39 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Promoting democracy through trade policy

**Description:** This amendment adds a principal negotiating objective on democracy.

**Amendment Text:**

At the end of Section (2)(b) add:

The principal negotiating objective of the United States with respect to democracy is to require open and free democratic elections at the local, state, and federal levels of United States trading partners

**Offset:** No revenue effect.

## **Brown Amendment #40 to Trade Promotion Authority Act of 2015**

**Short Title:** To provide a point of order to strike fast track if a trade agreement does not meet the principal negotiating objectives.

**Description:** This amendment provides for a point of order against an implementing bill for a trade agreement that does not meet the principal negotiating objectives

### **Amendment Text:**

(a) Point of Order in Senate.--The Senate shall cease consideration of a bill to implement a trade agreement introduced on or after the date of the enactment of this Act if—

(1) a point of order is made by any Senator against the bill based on the noncompliance of the trade agreement with the requirements of section 2(b) and

(2) the point of order is sustained by the Presiding Officer.

(b) Waivers and Appeals.—

(1) Waivers.--Before the Presiding Officer rules on a point of order described in subsection (a), any Senator may move to waive the point of order and the motion to waive shall not be subject to amendment. A point of order described in subsection (a) is waived only by the affirmative vote of 60 Members of the Senate, duly chosen and sworn.

(2) Appeals.--After the Presiding Officer rules on a point of order described in subsection (a), any Senator may appeal the ruling of the Presiding Officer on the point of order as it applies to some or all of the provisions on which the Presiding Officer ruled. A ruling of the Presiding Officer on a point of order described in subsection (a) is sustained unless 60 Members of the Senate, duly chosen and sworn, vote not to sustain the ruling.

(3) Debate.--Debate on the motion to waive under paragraph (1) or on an appeal of the ruling of the Presiding Officer under paragraph (2) shall be limited to 1 hour. The time shall be equally divided between, and controlled by, the majority leader and the minority leader of the Senate, or their designees.

**Offset:** No revenue effect

## **Brown Amendment #41 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Pre-Negotiations report on potential U.S. trading partners

**Description:** This amendment requires the President to submit to Congress a report on the potential economic impact a trade agreement with a country with which the President proposes to enter into trade negotiations. This report is due to Congress at least 45 days before initiating negotiations with a country, the same time as the written notice of intent to enter into negotiations is submitted to Congress.

### **Amendment Text:**

Add to Section 5(a) the following new subsection:

#### **REPORT BY THE PRESIDENT ON FOREIGN COUNTRIES WITH WHICH THE UNITED STATES CONDUCTS TRADE NEGOTIATIONS.**

(a) In General.--Not later than 45 days before the President initiates negotiations for a trade agreement with a foreign country, the President shall submit to the appropriate congressional committees and make available to the public a report on the foreign country that includes--

(1) an assessment of whether the foreign country--

(A) has a democratic form of government;

(B) has adopted into domestic law and regulations the core labor rights and effectively enforces those rights as reflected in reports of the Committee of Experts on the Application of Conventions and Recommendations, the Conference Committee on the Application of Standards, and the Committee on Freedom of Association of the International Labour Organization;

(C) respects fundamental human rights, as reflected in the annual Country Reports on Human Rights Practices of the Department of State;

(D) is designated as a country of particular concern with respect to religious freedom under section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1));

(E) is on a list described in subparagraph (B) or (C) of section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) (commonly known as tier 2 or tier 3 of the Trafficking in Persons List of the Department of State);

(F) complies with the multilateral environmental agreements to which the foreign country is a party;

(G) has in force adequate environmental laws and regulations, has devoted sufficient resources to implementing such laws and regulations, and has an adequate record of enforcement of such law and regulations;

(H) enforces the rights and flexibilities provided under the TRIPS Agreement; and

(I) provides for government transparency, due process of law, and respect for international agreements;

(b) Report on Ongoing Negotiations.--Not later than 30 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and make available to the public a report on each foreign country with which negotiations for a trade agreement are ongoing on such date of enactment that includes the matters required to be included in the report under subsection (a) with respect to that foreign country.

(c) Form of Report.--Each report required under subsection (a) or (b) shall be submitted in unclassified form, but may contain a classified annex if necessary.

**Offset:** No revenue effect

## **Brown Amendment #42 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Consultation requirements on automobiles and auto parts

**Description:** This amendment requires the President, before beginning or continuing trade negotiations on automobiles and auto parts, to analyze the impact of the trade agreement on the U.S. global trade deficit in automobiles and auto parts and to consult with the committees of jurisdiction whether tariff reductions on these products is appropriate.

### **Amendment Text:**

In Section 5 add the following new subsection:

Negotiations Regarding Automobiles and Auto Parts – Before initiating or continuing negotiations the subject matter of which is directly related to automobiles and auto parts with any country, the President shall –

(A) assess whether such trade agreement is likely to substantially reduce the overall U.S. global trade deficit in automobiles and auto parts;

(B) determine whether the countries participating in the negotiations maintain nontariff barriers or other policies or practices that distort world trade in such products and identify the impact of such nontariff barriers, policies or practices on United States producers of that product and their employees; and

(C) consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate concerning the results of the assessment, whether it is appropriate for the United States to agree to further tariff reduction in such product areas based on the conclusions reached in such assessment, and how all applicable negotiating objectives will be met.

**Offset:** No revenue effect.



## **Brown Amendment #43 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** To establish consultation requirements for industrial products.

**Description:** This amendment requires the President, before beginning or continuing trade negotiations on industrial products, to analyze the impact of global overcapacity on specific industrial products and to consult with the committees of jurisdiction whether tariff reductions on these products is appropriate.

### **Amendment Text:**

In Section 5 add the following new subsection:

Negotiations Regarding Industrial Products. – Before initiating or continuing negotiations the subject matter of which is directly related to industrial products with any country, the President shall -- (A) assess whether there is global overcapacity in industrial products which would be subject to the provisions of such agreement and the enhanced market access that would be provided to the U.S. market; and (B) consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate concerning the potential results of an agreement on such products concerning the results of the assessment, whether it is appropriate for the United States to agree to further tariff reductions based on the conclusions reached in the assessment, and how all applicable negotiating objectives will be met, and; (C) for purposes of identifying industrial products for which there is global overcapacity, the assessment shall, at a minimum, include: steel and steel products, aluminum and aluminum products, solar products, glass, including flat glass and glassware, cement, wood and paper products.

**Offset:** No revenue effect.

## **Brown Amendment #44 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Advancing Religious Freedoms through trade policy

**Description:** This amendment clarifies that fast track authority does not apply to trade agreements with countries that do not protect religious freedoms.

### **Amendment Text:**

In section 6(b) add at the end the following:

FOR AGREEMENTS WITH COUNTRIES THAT DO NOT PROTECT RELIGIOUS FREEDOMS.—Notwithstanding any other provision of law, the trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement or trade agreements with a country that does not protect religious freedoms, as determined in the most recent report on international religious freedom under section 102(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)).

**Offset:** No revenue effect.

## **Brown Amendment #45 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Ensuring the protection of U.S. intellectual property

**Description:** This amendment delays by three years the implementation of a trade agreement with countries that have been on the Super Watch List or Priority List for three years.

### **Amendment Text:**

In Section 6(a) add at the end the following:

LIMITATION ON EFFECT OF AGREEMENTS WITH PRIORITY FOREIGN COUNTRIES.—Any agreement entered into under section 3(b) with a country that has been identified as a priority foreign country under section 182(a)(2) of the Trade Act of 1974 (19 U.S.C. 2242(a)(2)) during each of the three years preceding the date on which the agreement was entered into shall not enter into force with respect to the United States until the date that is three years after the most recent date on which that country was so identified.

**Offset:** No revenue effect.

## **Brown Amendment #46 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Promoting trade with market economies

**Description:** This amendment would clarify that fast track shall not apply to trade agreements involving nonmarket economies.

### **Amendment Text:**

In section 6(b), add at the end the following:

FOR AGREEMENTS WITH NONMARKET ECONOMY COUNTRIES.—Notwithstanding any other provision of law, the trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement or trade agreements with a nonmarket economy country, as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18)).

**Offset:** No revenue effect

**Brown Amendment #47 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Promoting high policy standards for tax in trade policy.

**Description:** This amendment clarifies that fast track shall not apply to a trade agreement with a country identified by the Government Accountability Office as a tax haven.

**Amendment Text:**

In section 6(b), add at the end the following:

FOR AGREEMENTS WITH COUNTRIES CLASSIFIED AS TAX HAVENS.—

Notwithstanding any other provision of law, the trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement or trade agreements with a country—

(A) that is classified as a tax haven by the Government Accountability Office; and

(B) with which the United States does not have a tax treaty in force.

**Offset:** No revenue effect.

## **Brown Amendment #48 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Authorizing the President to enter into tariff-reduction amendments

**Description:** This amendment in the nature of a substitute would provide the President with the authority to enter into agreements regarding tariff barriers for seven years. Agreements regarding tariff barriers negotiated would be eligible for expedited consideration and limited amendment in Congress provided the consultation requirements and applicable negotiating objectives are met. The amendment would also provide the President with the authority to enter into agreements to regarding non-tariff barriers, but those agreements would not be eligible for expedited procedures.

**Offset:** No revenue effect.

**Brown Amendment #49 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Increasing Congress' oversight over the direction of U.S. trade policy

**Description:** This amendment strikes the text of the underlying bill that would provide for a three-year extension of fast track authority.

**Offset:** No revenue effect.

**Brown Amendment #50 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Clarifying the consultation requirements for the Trans-Pacific Partnership

**Description:** This amendment would restore the requirements included in last year's bill that USTR meet the consultation and notice requirements outlined in the bill.

**Amendment Text:**

Page 98, Line 13 strike "5(a)(1)(A)" and insert "5(a)(1)"

**Offset:** No revenue effect.



**Brown-Menendez-Stabenow-Schumer-Casey Amendment #51 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Prevent China from Docking onto TPP without congressional oversight

**Description:** This amendment clarifies that the expedited procedures outlined in the underlying bill do not apply to the Trans-Pacific Partnership (TPP).

**Amendment Text:**

At the end of section 7, add the following:

**LIMITATION ON ADDITIONAL COUNTRIES JOINING THE TRANS-PACIFIC PARTNERSHIP NEGOTIATIONS.—**

(1) **IN GENERAL.**—Except as provided in paragraph (2), this section shall not apply with respect to an agreement described in subsection (a)(2) with the Trans-Pacific Partnership countries if a country that is not a party to the negotiations for that agreement as of the date of the enactment of this Act joins those negotiations.

(2) **APPROVAL BY CONGRESS.**—This section shall apply to an agreement described in subsection (a)(2) with the Trans-Pacific Partnership countries if, for each country that joins the negotiations for the agreement after the date of the enactment of this Act, the House of Representatives and the Senate each approve a resolution approving that country joining the negotiations.

(3) **CERTIFICATION.**—Before a resolution described in paragraph (2) with respect to a country may be voted on by the House of Representatives or the Senate, the Committee on Ways and Means of the House of Representatives or the Committee on Finance of the Senate, as the case may be, shall certify that the country meets the standards for the Trans-Pacific Partnership.

**Offset:** No revenue effect.

**Brown Amendment #52 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Congressional certification that the negotiating objectives have been met

**Description:** This amendment adds a requirement in Section 6(b) that the Senate Finance Committee and the House Ways and Means Committee must certify that an agreement achieves the negotiating objectives no later than 90 days after the President submits an agreement text and the accompanying report to Congress. The Committees would certify an agreement achieves the negotiating objectives by voting affirmatively that the text has met the negotiating objectives. If a vote on whether the agreement achieves the negotiating objectives fails in either Committee, the implementing bill for the agreement is not eligible to be considered under expedited procedures in that House of Congress.

**Offset:** No revenue effect.

**Brown Amendment #53 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** To make privileged the disapproval resolution provided for by the Act.

**Description:** This amendment makes the Procedural Disapproval Resolution provided for in Section 6(b)(1)(B) of this Act privileged if it is cosponsored by a third of the body in which it was introduced.

**Offset:** No revenue effect.

## **Brown Amendment #54 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Congressional monitoring of the implementation of trade agreements

**Description:** This amendment would amend Section 4(a)(2) regarding consultations prior to entry into force. Specifically, this amendment would require the United States Trade Representative at least 90 days before an agreement to submit written notification to Members of Congress and the relevant committees that an agreement will enter into force. Within 30 days of receiving this notification, the Senate Finance Committee and the House Ways and Means Committee shall vote on whether or not each country that is party to the agreement has met the standards of the agreement.

**Offset:** No revenue effect.

## **Brown Amendment #55 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Pre-Negotiations ITC report on potential U.S. trading partners

**Description:** This amendment requires the International Trade Commission to provide a report on the market access opportunities and challenges arising from a prospective trade agreement not later than 45 days before the President initiates negotiations for a trade agreement with a country. The report must: 1) assess tariff and nontariff barriers, policies, and practices of the government of the foreign country; 2) assess expected opportunities for U.S. exports to that country if such tariff and nontariff barriers are eliminated; and 3) assess the agreement's potential impact on aggregate employment and job displacement of workers in each country.

**Offset:** No revenue effect

## **Brown Amendment #56 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Analysis of employment, production, and wages in the President's report to Congress on a trade agreement authorized under this Act.

**Description:** This amendment expands the reporting requirements included in Section 6(a)(2)(A) of the underlying Act to include an assessment of the agreement's impact on production, employment, and wages in the U.S.

### **Amendment Text:**

In Section 6(a)(2)(A)(ii)(II) add:

“whether and how the agreement will increase will increase production and employment in the United States and whether and how the agreement will increase the wages of workers in the United States.”

**Offset:** No revenue effect

**Brown Amendment #57 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Transparency in Trade Agreement Lobbying

**Description:** This amendment would require USTR to make public and post on the agency's website upon enactment of this Act the list of all visitors to USTR to ensure the public is aware of those seeking to influence trade negotiations.

**Offset:** No revenue effect.

**Brown Amendment #58 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Increasing transparency in trade negotiations

**Description:** This amendment would require USTR to make public U.S. negotiating proposals once they have been tabled, bringing the U.S. transparency standards with respect to trade negotiations in line with the European Commission's standards.

**Offset:** No revenue effect



**Brown Amendment #59 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Enhanced public participation in trade negotiations

**Description:** This amendment requires USTR to provide opportunity for public participation in trade negotiations by providing for public comment periods for each proposed chapter of a trade agreement.

**Offset:** No revenue effect

## **Brown Amendment #60 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Congressional Approval for TPP Expansion

**Description:** This amendment clarifies that no country, beyond the 12 countries currently party to the negotiations, may join the Trans-Pacific Partnership unless both Houses of Congress have voted to approve the country joining the agreement. Before the House and Senate may vote on a country joining the agreement, both the Senate Finance Committee and the House Ways and Means Committee must certify that the country meets the TPP standards. Both the Senate and the House of Representatives must vote to approve a country's membership in TPP before the country may become party to the agreement. The vote on whether or not a country may join the agreement is not subject to the expedited procedures under Section 151 of the Trade Act of 1974.

### **Amendment Text:**

At the end of section 7, add the following:

#### **LIMITATION ON ADDITIONAL COUNTRIES JOINING THE TRANS-PACIFIC PARTNERSHIP NEGOTIATIONS.—**

(1) **IN GENERAL.**—Except as provided in paragraph (2), this section shall not apply with respect to an agreement described in subsection (a)(2) with the Trans-Pacific Partnership countries if a country that is not a party to the negotiations for that agreement as of the date of the enactment of this Act joins those negotiations.

(2) **APPROVAL BY CONGRESS.**—This section shall apply to an agreement described in subsection (a)(2) with the Trans-Pacific Partnership countries if, for each country that joins the negotiations for the agreement after the date of the enactment of this Act, the House of Representatives and the Senate each approve a resolution approving that country joining the negotiations.

(3) **CERTIFICATION.**—Before a resolution described in paragraph (2) with respect to a country may be voted on by the House of Representatives or the Senate, the Committee on Ways and Means of the House of Representatives or the Committee on Finance of the Senate, as the case may be, shall certify that the country meets the standards for the Trans-Pacific Partnership.

**Offset:** No revenue effect

**Brown Amendment #61 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Transparency in the U.S. rules of origin proposal for TPP with respect to autos

**Description:** This amendment requires USTR to make available in a timely and comprehensive manner to all Members of Congress and their cleared staff upon request analysis of the auto supply chains in the Trans-Pacific Partnership countries and the estimated impact the U.S. auto rules of origin proposal for TPP will have on those supply chains. This amendment also requires USTR to make available analysis comparing the NAFTA auto rules of origin to the U.S. autos rule of origin proposal for TPP with respect to each proposal's impact on the U.S. auto supply chain.

**Offset:** No revenue effect

## **Brown Amendment #62 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Analysis of food safety in TPP countries

**Description:** This amendment would require the Secretaries of the USDA and HHS within 90 days of passage of the bill to conduct an analysis of the food safety standards, systems, and records of all TPP countries. The report will also include any reports of tainted products from TPP countries in the last five years.

### **Amendment Text:**

The Secretaries of the U.S. Department of Agriculture and the U.S. Department of Health and Human Services shall report to the Committee within 90 days on the food safety systems of the countries involved in the Trans-Pacific Partnership trade negotiations. The report shall include a description of the food safety legal and regulatory system in place for each country; the microbiological and chemical contaminant standards used as compared to those in the U.S.; the frequency of testing conducted for those contaminants by the respective governments; the food safety laboratory capacity for each country; the food safety inspection system used and the frequency of inspection; whether the country has a formal food safety equivalency or similar agreement with the U.S.; the volume of food products imported annually expressed in pounds broken down by Harmonized Tariff Code for each country for the past five years; the amount of each imported food product that received physical inspection annually at U.S. ports-of-entry expressed as a percentage of the total number of pounds imported for each country for the past five years; the amount of each imported food product that received laboratory analysis by U.S. food safety authorities annually expressed as a percentage of the total number of pounds imported for each country for the past five years; a list of import rejections for each country for the past five years; incidents that have led to complete bans of food products from being exported to the U.S. within the past five years and the reasons why; incidents in which any country has been found to have trans-shipped banned food products from other foreign entities for export to the U.S.; major food safety incidents within each country over the past five years that have raised concerns about the country's food safety system.

**Offset:** No revenue effect.

## **Brown Amendment #63 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Department of Labor report on Trans-Pacific Partnership countries and their ability to enforce the TPP agreement's labor standards.

**Description:** 90 days after passage of this Act, Department of Labor is required to present to Congress a report on the labor laws of the countries in the Trans-Pacific Partnership. The report will assess whether the countries' labor laws are compliant with the TPP agreement, what changes a country will need to make before the agreement is concluded, before the agreement is implemented, and after the agreement takes effect. The agreement should also specify the monitoring, investigatory, and enforcement mechanisms in place to ensure continuous compliance with the TPP agreement.

**Offset:** No revenue effect.

## **Brown Amendment #64 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Clarification on countries' nonmarket economy status

**Description of Amendment:** This amendment clarifies that nothing in the underlying legislation or the Trans-Pacific Partnership should be interpreted to mean that Vietnam or China has transitioned to a market economy for the purposes of the NME evaluation according to the WTO accession protocols.

### **Amendment Text:**

In section 7, add at the end the following subsection:

**RULE OF CONSTRUCTION ON NONMARKET ECONOMY COUNTRIES.**—Nothing in this Act, or negotiations for an agreement that were commenced before the date of the enactment of this Act, shall be construed to suggest that any country that is a nonmarket economy country, as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18)), on the day before the date of the enactment of this Act has transitioned to a market economy for purposes of accession to the World Trade Organization.

**Offset:** No revenue effect.

## **Brown Amendment #65 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Expressing the sense of Congress on China, TPP, and currency manipulation

**Description of Amendment:** This amendment expresses the sense of Congress that China should not join TPP until both chambers of Congress certifies that the country has not intervened in its exchange rate for a year and has fully transitioned to a market economy.

### **Amendment Text:**

In Section 7 add at the end the following:

SENSE OF CONGRESS ON TREATMENT OF CHINA.—It is the sense of Congress that the People’s Republic of China may not join negotiations for the Trans-Pacific Partnership until the President certifies to Congress that China—

- (1) has not manipulated the exchange rate of its currency for a period of not less than one year preceding the certification; and
- (2) has fully transitioned to a market economy country.

**Offset:** No revenue effect.

**Brown Amendment #66 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** GAO Report on USTR's classification of documents

**Description:** This amendment would require GAO to submit to Congress a report on USTR's classification of trade agreement-related documents, including an assessment of whether or not the classification levels are appropriate, consistent with historical practices, consistent with other agency practices, and consistent with international trading partners' practices



**Brown Amendment #67 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Providing practical access to trade agreement text for Congressional Staff with security clearances

**Description:** This amendment clarifies the United States Trade Representative may not require a Member of Congress to accompany a member of his or her personal staff with the appropriate security clearance to access trade agreement text.

**Offset:** No revenue effect.

**Brown Amendment #68 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Establishing an Inspector General for the United States Trade Representative

**Description:** This amendment establishes an office of Inspector General for the United States Trade Representative.

## **Brown Amendment #69 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** GAO Report on implementation and enforcement of labor provisions in our free trade agreements

**Description:** This amendment requires GAO to complete a report every two years on the compliance and enforcement of labor and environmental standards in U.S. trade agreements. This report will use the same template of GAO-15-160.

### **Amendment Text:**

At the end, add the following:

#### **SEC. 12. REPORT BY COMPTROLLER GENERAL ON COMPLIANCE WITH AND ENFORCEMENT OF LABOR PROVISIONS OF TRADE AGREEMENTS.**

(a) **IN GENERAL.**—Not later than two years after the date of the enactment of this Act, and not less frequently than every two years thereafter, the Comptroller General of the United States shall submit to Congress a report on compliance by trading partners of the United States with, and enforcement by Federal agencies of, labor provisions of trade agreements to which the United States is a party.

(b) **ELEMENTS.**—Each report required by subsection (a) shall assess the status of the implementation by trading partners of the United States of labor provisions of trade agreements to which the United States is a party during the period covered by the report, including—

(1) a description of the steps that trading partners have taken, including any assistance provided by the United States to carry out those steps, to implement those provisions and any other labor initiatives, including the results of those steps;

(2) a description of any submission accepted by the Department of Labor regarding a possible violation of a labor provision of a trade agreement to which the United States is a party and any issues

relating to the submission process in general, as determined by the Comptroller General; and

(3) an assessment of the extent to which Federal agencies monitor and enforce the implementation by trading partners of the United States of labor provisions of trade agreements to which the United States is a party and report the results of that monitoring and enforcement to Congress.

**Offset:** No revenue effect.

## **Brown Amendment #70 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** GAO Report on investor-state cases brought against the U.S. government.

**Description:** This amendment would require GAO to provide Congress with a report 180 days after passage of this Act that identifies all investor-state cases brought against the United States, analyzes the outcomes of those cases, and the government resources spent arguing and defending these cases.

### **Amendment Text:**

At the end, add the following:

#### **SEC. 12. REPORT BY COMPTROLLER GENERAL ON INVESTOR-STATE CASES BROUGHT AGAINST THE UNITED STATES.**

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on—

- (1) each case brought against the Government of the United States under investor-state dispute settlement procedures;
- (2) the outcome of each such case; and
- (3) the resources of the Government of the United States expended on each such case.

**Offset:** No revenue effect.

**Brown Amendment #71 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Sense of Congress regarding ILO Convention 87.

**Description:** This amendment inserts language expressing the sense of Congress that the U.S. should ratify the ILO Convention 87, concerning the Freedom of Association and Protection of the Right to Organise.

**Brown Amendment #72 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Sense of Congress regarding ILO Convention 111.

**Description:** This amendment inserts language expressing the sense of Congress that the U.S. should ratify the ILO Convention 111, concerning Discrimination in Respect of Employment and Occupation.

**Brown Amendment #73 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Sense of Congress regarding ILO Convention 98.

**Description:** This amendment inserts language expressing the sense of Congress that the U.S. should ratify the ILO Convention 98, concerning the Right to Organize and Collective Bargaining.

**Brown Amendment #74 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Sense of Congress regarding ILO Convention 29.

**Description:** This amendment inserts language expressing the sense of Congress that the U.S. should ratify the ILO Convention 29, concerning Forced Labour Convention.



**Brown Amendment #75 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Sense of Congress regarding ILO Convention 138.

**Description:** This amendment inserts language expressing the sense of Congress that the U.S. should ratify the ILO Convention 138, concerning Minimum Age for Admission to Employment.

**Brown Amendment #76 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Sense of Congress regarding ILO Convention 100.

**Description:** This amendment inserts language expressing the sense of Congress that the U.S. should ratify the ILO Convention 100, concerning Equal Remuneration.

## **Brown Amendment #77 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Annual Report on Imports

**Description of Amendment:** This amendment requires the Department of Commerce to complete and make public an annual report on U.S. imports, including state-level data. The report must identify the sectors with the most imports, the sectors with the largest increase in imports, the trade agreements under which these imports are being imported, if applicable, and the domestic employment impacts of these imports.

### **Amendment Text:**

At the end, add the following:

#### **SEC. 12. ANNUAL REPORT BY SECRETARY OF COMMERCE ON UNITED STATES IMPORTS.**

(a) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Commerce shall submit to Congress and publish in the Federal Register a report on imports into the United States.

(b) **ELEMENTS.**—Each report submitted under subsection (a) shall identify, for the year covered by the report, disaggregated by country of origin of the import—

(1) the industry sectors in the United States with the most imports;

(2) the industry sectors in the United States with the largest increase in imports as compared to the previous year; and

(3) the trade agreements, if any, under which imports described in paragraph (1) or (2) were imported into the United States and the impact of those imports on employment in the United States.

**Brown Amendment #78 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Report on the impact of trade agreements on public health

**Description of Amendment:** This amendment requires the Secretary of Health and Human Services to publish an assessment within 120 days of this act of the estimated impact on access to medicines of any proposed U.S. trade agreement. The report must include any estimated budget implications of relevant proposals for costs of medical tools and technologies and any estimated delays of limits to generic competition for medical products above and beyond existing rules in the U.S. and in U.S. trading partners.

**Offset:** No revenue effect.

**Brown Amendment #79 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** USTR Report on Classification of Negotiating Proposals

**Description of Amendment:**

At the end of section 4, add the following:

REPORT ON CLASSIFICATION OF NEGOTIATING PROPOSALS.—Not later than 30 days after the date of the enactment of this Act, the United States Trade Representative shall submit to Congress a report –

- (1) describing the policy of the Trade Representative with respect to the classification of proposed text for trade agreements and the use of other methods for limiting access to such text; and
- (2) providing a justification for that policy

**Brown Amendment #80 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Requiring USTR to obtain approval for written guidelines regarding consultations with Congress

**Description of Amendment:** This amendment requires the Senate Finance Committee and the House Ways and Means Committee to vote to approve or disapprove USTR's written guidelines for enhanced coordination with Congress as required in Section 4 of the underlying bill.

**Brown Amendment #81 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Preventing Conflict of Interest with USTR Employees

**Description of Amendment:** This amendment prevents USTR employees from registering as foreign agents pursuant to the Foreign Agents Representation Act until three years after terminating employment from USTR.

**Bennet Amendment #1 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** An amendment to ensure that trade policies and agreements contribute to the reduction of poverty and the elimination of hunger.

**Description of Amendment:** The amendment would amend Section 2 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 to include a principal trade negotiating object to ensure that trade policies and agreements contribute to the reduction of poverty and the elimination of hunger. The text is as follows:

**Amend SEC. 2. TRADE NEGOTIATING OBJECTIVES**

**(a) OVERALL TRADE NEGOTIATING OBJECTIVES**

By adding a new Section (14): “to ensure that trade policies and agreements contribute to the reduction of poverty and the elimination of hunger.”

[NOTE – Amendment sponsor reserves the right to modify the amendment for technical, revenue-neutrality, or other purposes.]



**Bennet Amendment #2 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** An amendment to require trading partners to develop procedures for the public to challenge violations of enforceable environmental and labor obligations.

**Description of Amendment:** Public accountability is a critical tool for enforcement of environmental and labor obligations. This amendment would amend paragraph (H) of subsection 10, under section 2, to require trading partners to develop procedures for the public, including private citizens, nongovernmental organizations, businesses, and unions, to request an investigation into potential violations of enforceable environmental and labor obligations.

[NOTE – Amendment sponsor reserves the right to modify the amendment for technical, revenue-neutrality, or other purposes.]

**Bennet Amendment #3 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** An amendment to require the President to submit to Congress a report on the impact of a free trade agreement on greenhouse gas emissions.

**Description of Amendment:** This amendment would add an additional reporting requirement to the Environmental Review and Reports section to require the President to study the impact of any new free trade agreement on global greenhouse gas emissions.

**Amend SEC. 5. NOTICE, CONSULTATIONS, AND REPORTS.**

**(d) REPORTS SUBMITTED TO COMMITTEES WITH AGREEMENT**

By adding to paragraph (A) of subsection (1): “and including an assessment of the agreement’s impact on global greenhouse gas emissions.”

[NOTE – Amendment sponsor reserves the right to modify the amendment for technical, revenue-neutrality, or other purposes.]

## **Bennet Amendment #4 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Cosponsor:** Carper

**Short Title:** An amendment to enhance engagement on currency exchange rate policies and other economic policies of certain major trading partners of the United States, to improve trade enforcement measures and priorities, and other purposes.

**Description of Amendment:** This amendment would create enhanced oversight of international exchange rate policy, authorize specific remedial actions for the U.S. government to pursue against trading partners that fail to adopt appropriate exchange rate policies, and provide the U.S. government with additional tools for strengthening trade enforcement. The elements would include the following:

- **Currency –**
  - Supplement the Foreign Exchange Report. Create a new semi-annual report requirement that would contain enhanced analysis for certain major trading partners that meet specified criteria:
    - significant bilateral trade surplus with the United States,
    - a material current account surplus, and
    - persistent one-sided intervention in the foreign exchange market.
  - Name or Explain Mechanism. Create a “name-or-explain” mechanism requiring the Treasury Secretary to engage in a more extensive bilateral engagement with a country based on the semi-annual report, or to explain how the country’s currency and other macroeconomic policies are addressing its imbalances.
  - Direct Bilateral Engagement. Specify objectives for direct bilateral engagement, to include: (1) urging implementation of policies to address the causes of the imbalances (including those relating to exchange rate management); (2) making known the United States’ concern regarding the adverse trade and economic effects of the imbalances; and (3) advising such country of possible remedial actions.
  - Remedial actions. If the country fails to adopt appropriate policies, the Treasury Secretary is authorized to: 1) take remedial actions, including restrictions on U.S. government financing; 2) undertake additional efforts in the IMF to address currency issues; and 3) recommend that the President take actions with respect to WTO engagement, assessing potential trade agreement partners, and restrictions on government procurement consistent with our international obligations.
  - Advisory Committee. Create a new nine-member advisory committee to advise the Treasury Secretary on the impact of exchange rates and financial policies on the economy of the United States. The committee would be selected by the

Senate, House, and the Administration, and would meet twice a year, initially for two years.

- **Enforcement –**

- Section 337: Block entry of goods produced using stolen trade secrets (including theft abroad and cyber-theft) and new federal civil cause of action
- SOE Petition Process in TPP: Authorize labor organizations, companies and business organizations to petition USTR to investigate claims that FTA partners are not fulfilling SOE obligations.
- Cyber Security Theft Indicator Sharing: Include USTR in the list of agencies covered in legislation that shares cyber security threat indicators.
- Technology Transfer Study: Direct Bureau of Industry and Security within the Department of Commerce to conduct a study on how foreign governments require or encourage the transfer of U.S. technology to their firms.

[NOTE – Amendment sponsor reserves the right to modify the amendment for technical, revenue-neutrality, or other purposes.]

Offset: To be determined

**Casey Amendment #1 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Requires ITC to report to Congress on likely impact of proposed trade agreements on wages.

**Description of amendment:** Amends Subsection 5(c) in order to specify that the written report submitted to Congress by the International Trade Commission on the likely impact of a proposed trade agreement on the U.S. economy shall include analysis of likely impact on the wages, living standards and employment prospects of American workers

**Casey Amendment #2 to the Bipartisan Congressional Trade Priorities and Accountability Act of 2015**

**Short Title:** Prohibits trade agreements that would weaken “Buy American” provisions.

**Cosponsors:** Schumer, Stabenow, Menendez, Brown and Cardin

**Description of amendment:** Amends Subsection 3(b) to specify that a trade agreement may be entered into under this subsection only if, in addition to meeting the other conditions listed, the agreement does not weaken, undermine or necessitate the waiver of the Buy American Act and the Buy America provisions of the Surface Transportation Assistance Act of 1982.

