

Bipartisan Congressional Trade Priorities Act of 2014: Robust Consultation Requirements

Consultations with Members of Congress and Committees

- Further empowers Congress through new and expanded consultation provisions and ensures it plays a meaningful role in negotiations.
- Statutorily requires that USTR provide access to pertinent documents relating to the negotiations, including classified information (e.g., negotiating text) to every Member of Congress.
- Requires USTR to consult with any interested Member of Congress, at any time, before, during, or after negotiations.
- Requires consultations with Committees of Jurisdiction and any Committee with jurisdiction over laws that could be affected by a trade agreement.
- Requires the development of guidelines for engagement with Congress within 120 days, including timely briefings and the sharing of detailed and timely information and pertinent documents, including classified information.
- TPA can be disallowed if agreement makes inadequate progress in meeting objectives, and new language extends disapproval to all notice and consultation requirements.
- Requires notice and consultation before entry into force of agreements for the first time, and consultations in connection with accepting petitions or taking enforcement action in regard to an obligation in a trade agreement.

Designated Congressional Advisers

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

House and Senate Advisory Groups on Negotiations

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

Consultations with the Public and Trade Advisory Committees

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

- Ensures timely briefings and the sharing of detailed and timely information and pertinent documents through development of Advisory Committee guidelines.

Expands Oversight and Transparency through Robust Reporting Requirements

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