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Senate

The Senate was not in session today. Its next meeting will be held on Monday, June 15, 2015, at 2 p.m.

House of Representatives

FRIDAY, JUNE 12, 2015

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving and gracious God, we give You thanks for giving us another day.

We ask today that You bless the Members of this assembly to be the best and most faithful servants of the people they serve. Purify their intentions that they will say what they believe and act consistently with their words.

Help them, indeed help us all, to be honest with themselves so that they will not only be concerned with how their words and deeds are weighed by others, but also with how their words and deeds affect the lives of those in need and those who look to them for support, help, strength, and leadership.

May all that is done this day in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. HULTGREN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HULTGREN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. THOMPSON) come forward and lead the House in the Pledge of Allegiance.

Mr. THOMPSON of Pennsylvania led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. CON. RES. 54. Concurrent resolution authorizing the reprinting of the 25th edition of the pocket version of the United States Constitution.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 615. An act to amend the Homeland Security Act of 2002 to require the Under Secretary for Management of the Department of Homeland Security to take administrative action to achieve and maintain interoperable communications capabilities among the components of the Department of Homeland Security, and for other purposes.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1568. An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

REMEMBERING STATE REPRESENTATIVE JOHN BUCKNER

(Mr. COFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, I rise today to honor the life of a great public servant to the State of Colorado, State Representative John Buckner of Aurora, Colorado, who recently passed away.

I have had the honor of knowing John Buckner for the last 30 years. We first met in 1985 when we were both members of the first Leadership Aurora

class sponsored by the Aurora Chamber of Commerce.

At that time, I was a small-business owner and John Buckner was an educator with the Cherry Creek School system. I found John Buckner to always be soft-spoken, warm, and passionate about his dedicated leadership in public education.

State Representative John Buckner had that same passion in representing his constituents in the Colorado General Assembly, and his loss will be felt by our entire community.

FAST TRACK

(Mr. NOLAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NOLAN. Mr. Speaker, Members of the House, the simple truth is these trade agreements are destroying our middle class. They are causing millions of Americans in mining and manufacturing to lose their jobs, millions of others to lose wages and benefits. It now takes two or three jobs to earn the same kind of income that one used to be able to earn from one job before these trade agreements.

The fact is, over the last century, we built the strongest middle class in the history of this world with living wages and benefits and protections for health and safety and the environment; but with the emergence of these trade agreements, we are asking Americans to compete with countries who have little or none of these benefits. To compete, Americans would have to give up on all this progress, give up on the American Dream. That is what this is all about.

I have reviewed the TPP documents and, make no mistake about it, this is a race to the bottom. The time has come for Congress to say ''no'' to these agreements. The time has come to put an end to them. They have been negotiated in secret for the benefit of a few and kept from the public for the benefit of the few at the top of our economic ladder.

The fact is it is destroying the American Dream—the American economy, the middle class, and, with that, the American Dream.

NATIONAL COLLEGIATE ATHLETICS ACCOUNTABILITY ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in support of the National Collegiate Athletic Accountability Act introduced by my friend and Penn State fellow alumnus, Congressman CHARLIE DENT.

Mr. Speaker, there is no secret that for years the NCAA has failed when it comes to following their own rules. It has certainly failed when it comes to unduly exerting their perceived powers over college athletics.

The bipartisan National Collegiate Athletics Accountability Act will ensure that the NCAA is held to the highest standard possible by providing much-needed accountability and reforms. The NCAA Act would prohibit universities from receiving title IV funds if they participate in athletic associations that do not implement and enforce specific rules related to student athletes' health, safety, education, and due process protections.

For far too long, we have seen the NCAA fail to protect the well-being of our student athletes, and this bipartisan legislation is a huge step in the right direction to help fix that.

I urge my colleagues on both sides of the aisle to support this bipartisan measure.

STOP TRADE ADJUSTMENT ASSISTANCE AND SAVE AMERICA'S ECONOMY

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Mr. Speaker, how many times will Congress pretend to be fooled by yet another job-killing trade agreement.

First, there was NAFTA. They told us it would create hundreds of thousands of jobs. Unfortunately, they neglected to say they would be south of the border, and they would be at the expense of American workers.

Then there was the WTO. We are going to level the playing field—yeah, it is at bargain-basement prices—and compete with Chinese workers at 25 cents an hour and unfair trade practices.

Now, the Obama administration has a new paradigm—Korea. ''This is the model for the future. It is going to be great.'' We are already running larger trade deficits with Korea. We have already lost 50,000 jobs.

Now, the last, biggest, worst trade agreement—the Trans-Pacific Partnership. Ironically, a key vote will be over something called trade adjustment assistance. That is right; it is critical. We have to have that because hundreds of thousands or millions of Americans are going to lose their jobs, so we need to retrain them for McDonald's or other high-level jobs. Secondly, of course, the trade adjustment assistance is funded by cutting Medicare.

So this is the critical vote. Ironically, this is it. They have got the votes from corporate America and the Obama administration to jam this thing through unless we kill trade adjustment assistance. We can stop it here today and save America's economy.

BRINGING MILITARY WORKING DOGS HOME

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, the actions of the brave men and women in the military sacrifice so much for our country. Many of these soldiers on the front lines are aided by military working dogs who perform countless, dangerous actions on the battlefield. So it is easy to understand why there is a special bond that is formed between servicemembers and their military service dogs.

Currently, the Department of Defense is not required to bring these dogs home after they are retired, and this means veterans are often forced to spend their own money to transport them back to the United States for adoption. That is why I have introduced bipartisan legislation with my colleague, Congresswoman KYRSTEN SINEMA, that would fix this problem by ensuring that military working dogs are returned to the United States for adoption.

Mr. Speaker, there is a waiting list of over 1,200 people looking to adopt these canines, and ensuring that our troops and veterans can easily adopt these dogs honors their service and their partnership.

HONORING CHARLES ''BOB'' PROVINE, JR., ON HIS 95TH BIRTHDAY

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute.)

Mr. MCNERNEY. Mr. Speaker, I ask my colleagues to join me in honoring the service of Charles ''Bob'' Provine, Jr., on his 95th birthday today.

Originally born in Redwood City, California, Bob's family moved to the town of Antioch when he was 1 year old, initially living in a tent. After working with the U.S. Army as a civilian firefighter during his junior year in high school, he enlisted in the United States Army during the Second World War, serving with the 376th Infantry Regiment, 94th Division. During this time, Bob saw combat action in Germany and served in the occupation of Czechoslovakia and Germany, finally coming home to Antioch.

After serving our great Nation at war, Bob served his community in peace as a volunteer firefighter and, for many years, as a volunteer at the public library. Bob saw Antioch grow from 35,000 to over 100,000 people.

I ask my colleagues to join me in honoring Bob Provine for his service to his community and to our great Nation.

HUMAN TRAFFICKING IN NEPAL

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I rise today to draw attention to not only the human toll incurred by Nepal's earthquakes in April, but also atrocious exploitation occurring in the aftermath.

Recent news reports have revealed that criminal groups, some masquerading as relief workers, are luring young girls and boys across borders into brothels in India into forced prostitution or into forced labor. Some traffickers have put a price on these young ones' lives, offering $500 per child.

It is truly sickening that these criminals are using the chaos and insecurity following an earthquake that claimed 8,000 lives to steal many more vulnerable lives. The United Nations and some NGOs estimate between 12,000 and 15,000 girls are trafficked from Nepal alone.

As a member of the Tom Lantos Human Rights Commission, I have introduced legislation targeting the demand for sex trafficking. Those who sell and purchase these young lives must be brought to justice, and government must take action. Nepal's most vulnerable cannot and should not be forgotten.

HIGH-SPEED RAIL AND JOB TRAINING

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I rise today to express the importance of investing in our Nation's infrastructure. This is all about the future economy of this Nation and jobs, jobs, and jobs.

Today, we are living off the investments that our parents and our grandparents made generations ago. Let me give you an example of what we are trying to do in California.

A high-speed rail project is a great example of how you invest in the future. This project in California will create 20,000 jobs annually for the next 5 years, a fact important not only to California, but my district, which is economically challenged.

Workforce investment boards in my district and throughout the valley have dedicated resources to making sure that the local workforce is ready to build. Apprenticeship programs like these connect disadvantaged workers with good-paying jobs and boost the valley's economy.

The California high-speed rail project, which combines Federal, State, and private sector investments, will ensure that our State transportation infrastructure is fit for the 21st century.

Here in our Nation's Capital, we need to provide the long-term funding for infrastructure across the Nation. That is what we need to do: to invest in our water projects and invest in our transportation projects. That is what we need for jobs in the 21st century.

ARMY'S 240TH BIRTHDAY

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, Sunday marks the 240th birthday of the United States Army. Established on June 14, 1775, as the Continental Army, the U.S. Army faithfully protects American families.

I am grateful to represent Fort Jackson, the largest initial-entry training facility in the U.S. Army. Last month, I attended Fort Jackson's change of command, where I was honored to recognize Major General Bradley Becker and Brigadier General Roger Cloutier for their leadership and dedicated service.

As the son of an Army Air Corps Flying Tiger of the 14th Air Force and as the father of three sons currently serving in the South Carolina Army National Guard and myself as a veteran of the Army Reserve in the South Carolina Army National Guard, I am grateful to know firsthand of the competence and patriotism of our servicemembers.

Twenty-five years ago today, I visited the Berlin Wall and was denied entry into East Germany at the Brandenburg Gate. Now, more countries than ever live in freedom and democracy than in the history of the world due to the success of the U.S. military.

Today is the anniversary of President Ronald Reagan's proclamation, ''Mr. Gorbachev, tear down this wall'' in 1987, proving peace through strength.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

God bless the U.S. Army.

VOTE DOWN FAST TRACK

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Mr. Speaker, today this Congress can be fast-tracked or it can take the right track. We can seek strong, new trade agreements that benefit American families, or we can continue to backtrack with the failed policies of the past.

In the Ways and Means Committee, in the Rules Committee, every attempt to make constructive improvements in this fast-track bill have been sidetracked.

First, we ask that the foreign corporations not be given more rights than American corporations and taxpayer funds awarded by some private tribunal.

Second, we ask that the Administration, if it is such a good trade deal, that they be open with it. Tell us at least as much as the Vietnamese Politburo learned.

Third, I ask that they at least meet the environmental standards of the last Bush administration.

In each case, those amendments and all other constructive improvements were rejected.

Today, let's not backtrack. Let's not fast-track. Let's vote down this bill and have an opportunity to create a 21st century trade policy that meets the needs of our families and businesses.

□ 0915

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to House Resolution 305, I call up the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. POE of Texas). The Clerk will designate the Senate amendment.

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Trade Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—TRADE PROMOTION AUTHORITY

SEC. 101. SHORT TITLE.

This title may be cited as the ''Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.

SEC. 102. TRADE NEGOTIATING OBJECTIVES.

(a) OVERALL TRADE NEGOTIATING OBJECTIVES.—The overall trade negotiating objectives

of the United States for agreements subject to the provisions of section 103 are—

(1) to obtain more open, equitable, and reciprocal market access;

(2) to obtain the reduction or elimination of barriers and distortions that are directly related to trade and investment and that decrease market opportunities for United States exports or otherwise distort United States trade;

(3) to further strengthen the system of international trade and investment disciplines and procedures, including dispute settlement;

(4) to foster economic growth, raise living standards, enhance the competitiveness of the United States, promote full employment in the United States, and enhance the global economy;

(5) to ensure that trade and environmental policies are mutually supportive and to seek to protect and preserve the environment and enhance the international means of doing so, while optimizing the use of the world's resources;

(6) to promote respect for worker rights and the rights of children consistent with core labor standards of the ILO (as set out in section 111(7)) and an understanding of the relationship between trade and worker rights;

(7) to seek provisions in trade agreements under which parties to those agreements ensure that they do not weaken or reduce the protections afforded in domestic environmental and labor laws as an encouragement for trade;

(8) to ensure that trade agreements afford small businesses equal access to international markets, equitable trade benefits, and expanded export market opportunities, and provide for the reduction or elimination of trade and investment barriers that disproportionately impact small businesses;

(9) to promote universal ratification and full compliance with ILO Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor;

(10) to ensure that trade agreements reflect and facilitate the increasingly interrelated, multi-sectoral nature of trade and investment activity;

(11) to recognize the growing significance of the Internet as a trading platform in international commerce;

(12) to take into account other legitimate United States domestic objectives, including, but not limited to, the protection of legitimate health or safety, essential security, and consumer interests and the law and regulations related thereto; and

(13) to take into account conditions relating to religious freedom of any party to negotiations for a trade agreement with the United States.

(b) PRINCIPAL TRADE NEGOTIATING OBJECTIVES.—

(1) TRADE IN GOODS.—The principal negotiating objectives of the United States regarding trade in goods are—

(A) 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, by reducing or eliminating tariff and nontariff barriers and policies and practices of foreign governments directly related to trade that decrease market opportunities for United States exports or otherwise distort United States trade; and

(B) to obtain reciprocal tariff and nontariff barrier elimination agreements, including with respect to those tariff categories covered in section 111(b) of the Uruguay Round Agreements Act (19 U.S.C. 3521(b)).

(2) TRADE IN SERVICES.—(A) The principal negotiating objective of the United States regarding trade in services is to expand competitive market opportunities for United States services and to obtain fairer and more open conditions of trade, including through utilization of global value chains, by reducing or eliminating barriers to international trade in services, such as regulatory and other barriers that deny national treatment and market access or unreasonably restrict the establishment or operations of service suppliers.

(B) Recognizing that expansion of trade in services generates benefits for all sectors of the economy and facilitates trade, the objective described in subparagraph (A) should be pursued through all means, including through a plurilateral agreement with those countries willing and able to undertake high standard services commitments for both existing and new services.

(3) TRADE IN AGRICULTURE.—The principal negotiating objective of the United States with respect to agriculture is to obtain competitive opportunities for United States exports of agricultural commodities in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports in United States markets and to achieve fairer and more open conditions of trade in bulk, specialty crop, and value added commodities by—

(A) securing more open and equitable market access through robust rules on sanitary and phytosanitary measures that—

(i) encourage the adoption of international standards and require a science-based justification be provided for a sanitary or phytosanitary measure if the measure is more restrictive than the applicable international standard;

(ii) improve regulatory coherence, promote the use of systems-based approaches, and appropriately recognize the equivalence of health and safety protection systems of exporting countries;

(iii) require that measures are transparently developed and implemented, are based on risk assessments that take into account relevant international guidelines and scientific data, and are not more restrictive on trade than necessary to meet the intended purpose; and

(iv) improve import check processes, including testing methodologies and procedures, and certification requirements,

while recognizing that countries may put in place measures to protect human, animal, or plant life or health in a manner consistent with their international obligations, including the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (referred to in section 101(d)(3) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(3)));

(B) reducing or eliminating, by a date certain, tariffs or other charges that decrease market opportunities for United States exports—

(i) giving priority to those products that are subject to significantly higher tariffs or subsidy regimes of major producing countries; and

(ii) providing reasonable adjustment periods for United States import sensitive products, in close consultation with Congress on such products before initiating tariff reduction negotiations;

(C) reducing tariffs to levels that are the same as or lower than those in the United States;

(D) reducing or eliminating subsidies that decrease market opportunities for United States exports or unfairly distort agriculture markets to the detriment of the United States;

(E) allowing the preservation of programs that support family farms and rural communities but do not distort trade;

(F) developing disciplines for domestic support programs, so that production that is in excess of domestic food security needs is sold at world prices;

(G) eliminating government policies that create price depressing surpluses;

(H) eliminating state trading enterprises whenever possible;

(I) developing, strengthening, and clarifying rules to eliminate practices that unfairly decrease United States market access opportunities or distort agricultural markets to the detriment of the United States, and ensuring that such rules are subject to efficient, timely, and effective dispute settlement, including—

(i) unfair or trade distorting activities of state trading enterprises and other administrative mechanisms, with emphasis on requiring price transparency in the operation of state trading enterprises and such other mechanisms in order to end cross subsidization, price discrimination, and price undercutting;

(ii) unjustified trade restrictions or commercial requirements, such as labeling, that affect new technologies, including biotechnology;

(iii) unjustified sanitary or phytosanitary restrictions, including restrictions not based on scientific principles in contravention of obligations in the Uruguay Round Agreements or bilateral or regional trade agreements;

(iv) other unjustified technical barriers to trade; and

(v) restrictive rules in the administration of tariff rate quotas;

(J) eliminating practices that adversely affect trade in perishable or cyclical products, while improving import relief mechanisms to recognize the unique characteristics of perishable and cyclical agriculture;

(K) ensuring that import relief mechanisms for perishable and cyclical agriculture are as accessible and timely to growers in the United States as those mechanisms that are used by other countries;

(L) taking into account whether a party to the negotiations has failed to adhere to the provisions of already existing trade agreements with the United States or has circumvented obligations under those agreements;

(M) 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;

(N) otherwise ensuring that countries that accede to the World Trade Organization have made meaningful market liberalization commitments in agriculture;

(O) taking into account the impact that agreements covering agriculture to which the United States is a party have on the United States agricultural industry;

(P) maintaining bona fide food assistance programs, market development programs, and export credit programs;

(Q) seeking to secure the broadest market access possible in multilateral, regional, and bilateral negotiations, recognizing the effect that simultaneous sets of negotiations may have on United States import sensitive commodities (including those subject to tariff rate quotas);

(R) seeking to develop an international consensus on the treatment of seasonal or perishable agricultural products in investigations relating to dumping and safeguards and in any other relevant area;

(S) seeking to establish the common base year for calculating the Aggregated Measurement of Support (as defined in the Agreement on Agriculture) as the end of each country's Uruguay Round implementation period, as reported in each country's Uruguay Round market access schedule;

(T) ensuring transparency in the administration of tariff rate quotas through multilateral, plurilateral, and bilateral negotiations; and

(U) eliminating and preventing the undermining of market access for United States products through improper use of a country's system for protecting or recognizing geographical indications, including failing to ensure transparency and procedural fairness and protecting generic terms.

(4) FOREIGN INVESTMENT.—Recognizing that United States law on the whole provides a high level of protection for investment, consistent with or greater than the level required by international law, the principal negotiating objectives of the United States regarding foreign investment are to reduce or eliminate artificial or trade distorting barriers to foreign investment, while ensuring that foreign investors in the

United States are not accorded greater substantive rights with respect to investment protections than United States investors in the United States, and to secure for investors important rights comparable to those that would be available under United States legal principles and practice, by—

(A) reducing or eliminating exceptions to the principle of national treatment;

(B) freeing the transfer of funds relating to investments;

(C) reducing or eliminating performance requirements, forced technology transfers, and other unreasonable barriers to the establishment and operation of investments;

(D) seeking to establish standards for expropriation and compensation for expropriation, consistent with United States legal principles and practice;

(E) seeking to establish standards for fair and equitable treatment, consistent with United States legal principles and practice, including the principle of due process;

(F) providing meaningful procedures for resolving investment disputes;

(G) seeking to improve mechanisms used to resolve disputes between an investor and a government through—

(i) mechanisms to eliminate frivolous claims and to deter the filing of frivolous claims;

(ii) procedures to ensure the efficient selection of arbitrators and the expeditious disposition of claims;

(iii) procedures to enhance opportunities for public input into the formulation of government positions; and

(iv) providing for an appellate body or similar mechanism to provide coherence to the interpretations of investment provisions in trade agreements; and

(H) ensuring the fullest measure of transparency in the dispute settlement mechanism, to the extent consistent with the need to protect information that is classified or business confidential, by—

(i) ensuring that all requests for dispute settlement are promptly made public;

(ii) ensuring that—

(I) all proceedings, submissions, findings, and decisions are promptly made public; and

(II) all hearings are open to the public; and

(iii) establishing a mechanism for acceptance of amicus curiae submissions from businesses, unions, and nongovernmental organizations.

(5) INTELLECTUAL PROPERTY.—The principal negotiating objectives of the United States regarding trade-related intellectual property are—

(A) to further promote adequate and effective protection of intellectual property rights, including through—

(i)(I) ensuring accelerated and full implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights referred to in section 101(d)(15) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(15)), particularly with respect to meeting enforcement obligations under that agreement; and

(II) ensuring that the provisions of any trade agreement governing intellectual property rights that is entered into by the United States reflect a standard of protection similar to that found in United States law;

(ii) providing strong protection for new and emerging technologies and new methods of transmitting and distributing products embodying intellectual property, including in a manner that facilitates legitimate digital trade;

(iii) preventing or eliminating discrimination with respect to matters affecting the availability, acquisition, scope, maintenance, use, and enforcement of intellectual property rights;

(iv) ensuring that standards of protection and enforcement keep pace with technological developments, and in particular ensuring that rightholders have the legal and technological means to control the use of their works through the Internet and other global communication media, and to prevent the unauthorized use of their works;

(v) providing strong enforcement of intellectual property rights, including through accessible, expeditious, and effective civil, administrative, and criminal enforcement mechanisms; and

(vi) preventing or eliminating government involvement in the violation of intellectual property rights, including cyber theft and piracy;

(B) to secure fair, equitable, and nondiscriminatory market access opportunities for United States persons that rely upon intellectual property protection; and

(C) to respect 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, and to ensure that trade agreements foster innovation and promote access to medicines.

(6) DIGITAL TRADE IN GOODS AND SERVICES AND CROSS-BORDER DATA FLOWS.—The principal negotiating objectives of the United States with respect to digital trade in goods and services, as well as cross-border data flows, are—

(A) to ensure that current obligations, rules, disciplines, and commitments under the World Trade Organization and bilateral and regional trade agreements apply to digital trade in goods and services and to cross-border data flows;

(B) to ensure that—

(i) electronically delivered goods and services receive no less favorable treatment under trade rules and commitments than like products delivered in physical form; and

(ii) the classification of such goods and services ensures the most liberal trade treatment possible, fully encompassing both existing and new trade;

(C) to ensure that governments refrain from implementing trade-related measures that impede digital trade in goods and services, restrict cross-border data flows, or require local storage or processing of data;

(D) with respect to subparagraphs (A) through (C), where legitimate policy objectives require domestic regulations that affect digital trade in goods and services or cross-border data flows, to obtain commitments that any such regulations are the least restrictive on trade, nondiscriminatory, and transparent, and promote an open market environment; and

(E) to extend the moratorium of the World Trade Organization on duties on electronic transmissions.

(7) REGULATORY PRACTICES.—The principal negotiating objectives of the United States regarding the use of government regulation or other practices to reduce market access for United States goods, services, and investments are—

(A) to achieve increased transparency and opportunity for the participation of affected parties in the development of regulations;

(B) to require that proposed regulations be based on sound science, cost benefit analysis, risk assessment, or other objective evidence;

(C) to establish consultative mechanisms and seek other commitments, as appropriate, to improve regulatory practices and promote increased regulatory coherence, including through—

(i) transparency in developing guidelines, rules, regulations, and laws for government procurement and other regulatory regimes;

(ii) the elimination of redundancies in testing and certification;

(iii) early consultations on significant regulations;

(iv) the use of impact assessments;

(v) the periodic review of existing regulatory measures; and

(vi) the application of good regulatory practices;

(D) to seek greater openness, transparency, and convergence of standards development processes, and enhance cooperation on standards issues globally;

(E) to promote regulatory compatibility through harmonization, equivalence, or mutual recognition of different regulations and standards and to encourage the use of international and interoperable standards, as appropriate;

(F) to achieve the elimination of government measures such as price controls and reference pricing which deny full market access for United States products;

(G) to ensure that government regulatory reimbursement regimes are transparent, provide procedural fairness, are nondiscriminatory, and provide full market access for United States products; and

(H) to ensure that foreign governments—

(i) demonstrate that the collection of undisclosed proprietary information is limited to that necessary to satisfy a legitimate and justifiable regulatory interest; and

(ii) protect such information against disclosure, except in exceptional circumstances to protect the public, or where such information is effectively protected against unfair competition.

(8) STATE-OWNED AND STATE-CONTROLLED ENTERPRISES.—The principal negotiating objective of the United States regarding competition by state-owned and state-controlled enterprises is to seek commitments that—

(A) eliminate or prevent trade distortions and unfair competition favoring state-owned and state-controlled enterprises to the extent of their engagement in commercial activity, and

(B) ensure that such engagement is based solely on commercial considerations,
in particular through disciplines that eliminate or prevent discrimination and market-distorting subsidies and that promote transparency.

(9) LOCALIZATION BARRIERS TO TRADE.—The principal negotiating objective of the United States with respect to localization barriers is to eliminate and prevent measures that require United States producers and service providers to locate facilities, intellectual property, or other assets in a country as a market access or investment condition, including indigenous innovation measures.

(10) LABOR AND THE ENVIRONMENT.—The principal negotiating objectives of the United States with respect to labor and the environment are—

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

(i) adopts and maintains measures implementing internationally recognized core labor standards (as defined in section 111(17)) and its obligations under common multilateral environmental agreements (as defined in section 111(6)),

(ii) does not waive or otherwise derogate from, or offer to waive or otherwise derogate from—

(I) its statutes or regulations implementing internationally recognized core labor standards (as defined in section 111(17)), in a manner affecting trade or investment between the United States and that party, where the waiver or derogation would be inconsistent with one or more such standards, or

(II) its environmental laws in a manner that weakens or reduces the protections afforded in those laws and in a manner affecting trade or investment between the United States and that party, except as provided in its law and provided not inconsistent with its obligations under common multilateral environmental agreements (as defined in section 111(6)) or other provisions of the trade agreement specifically agreed upon, and

(iii) does not fail to effectively enforce its environmental or labor laws, through a sustained or recurring course of action or inaction,
in a manner affecting trade or investment between the United States and that party after entry into force of a trade agreement between those countries;

(B) to recognize that—

(i) with respect to environment, parties to a trade agreement retain the right to exercise prosecutorial discretion and to make decisions regarding the allocation of enforcement resources with respect to other environmental laws determined to have higher priorities, and a party is effectively enforcing its laws if a course

of action or inaction reflects a reasonable, bona fide exercise of such discretion, or results from a reasonable, bona fide decision regarding the allocation of resources; and

(ii) with respect to labor, decisions regarding the distribution of enforcement resources are not a reason for not complying with a party's labor obligations; a party to a trade agreement retains the right to reasonable exercise of discretion and to make bona fide decisions regarding the allocation of resources between labor enforcement activities among core labor standards, provided the exercise of such discretion and such decisions are not inconsistent with its obligations;

(C) to strengthen the capacity of United States trading partners to promote respect for core labor standards (as defined in section 111(7));

(D) to strengthen the capacity of United States trading partners to protect the environment through the promotion of sustainable development;

(E) to reduce or eliminate government practices or policies that unduly threaten sustainable development;

(F) to seek market access, through the elimination of tariffs and nontariff barriers, for United States environmental technologies, goods, and services;

(G) to ensure that labor, environmental, health, or safety policies and practices of the parties to trade agreements with the United States do not arbitrarily or unjustifiably discriminate against United States exports or serve as disguised barriers to trade;

(H) to ensure that enforceable labor and environment obligations are subject to the same dispute settlement and remedies as other enforceable obligations under the agreement; and

(I) to ensure that a trade agreement is not construed to empower a party's authorities to undertake labor or environmental law enforcement activities in the territory of the United States.

(11) CURRENCY.—The principal negotiating objective of the United States with respect to currency practices is that parties to a trade agreement with the United States avoid manipulating exchange rates in order to prevent effective balance of payments adjustment or to gain an unfair competitive advantage over other parties to the agreement, such as through cooperative mechanisms, enforceable rules, reporting, monitoring, transparency, or other means, as appropriate.

(12) FOREIGN CURRENCY MANIPULATION.—The principal negotiating objective of the United States with respect to unfair currency practices is to seek to establish accountability through enforceable rules, transparency, reporting, monitoring, cooperative mechanisms, or other means to address exchange rate manipulation involving protracted large scale intervention in one direction in the exchange markets and a persistently undervalued foreign exchange rate to gain an unfair competitive advantage in trade over other parties to a trade agreement, consistent with existing obligations of the United States as a member of the International Monetary Fund and the World Trade Organization.

(13) WTO AND MULTILATERAL TRADE AGREEMENTS.—Recognizing that the World Trade Organization is the foundation of the global trading system, the principal negotiating objectives of the United States regarding the World Trade Organization, the Uruguay Round Agreements, and other multilateral and plurilateral trade agreements are—

(A) to achieve full implementation and extend the coverage of the World Trade Organization and multilateral and plurilateral agreements to products, sectors, and conditions of trade not adequately covered;

(B) to expand country participation in and enhancement of the Information Technology Agreement, the Government Procurement Agreement, and other plurilateral trade agreements of the World Trade Organization;

(C) to expand competitive market opportunities for United States exports and to obtain fairer and more open conditions of trade, including through utilization of global value chains, through the negotiation of new WTO multilateral and plurilateral trade agreements, such as an agreement on trade facilitation;

(D) to ensure that regional trade agreements to which the United States is not a party fully achieve the high standards of, and comply with, WTO disciplines, including Article XXIV of GATT 1994, Article V and V bis of the General Agreement on Trade in Services, and the Enabling Clause, including through meaningful WTO review of such regional trade agreements;

(E) to enhance compliance by WTO members with their obligations as WTO members through active participation in the bodies of the World Trade Organization by the United States and all other WTO members, including in the trade policy review mechanism and the committee system of the World Trade Organization, and by working to increase the effectiveness of such bodies; and

(F) to encourage greater cooperation between the World Trade Organization and other international organizations.

(14) TRADE INSTITUTION TRANSPARENCY.—The principal negotiating objective of the United States with respect to transparency is to obtain wider and broader application of the principle of transparency in the World Trade Organization, entities established under bilateral and regional trade agreements, and other international trade fora through seeking—

(A) timely public access to information regarding trade issues and the activities of such institutions;

(B) openness by ensuring public access to appropriate meetings, proceedings, and submissions, including with regard to trade and investment dispute settlement; and

(C) public access to all notifications and supporting documentation submitted by WTO members.

(15) ANTI-CORRUPTION.—The principal negotiating objectives of the United States with respect to the use of money or other things of value to influence acts, decisions, or omissions of foreign governments or officials or to secure any improper advantage in a manner affecting trade are—

(A) to obtain high standards and effective domestic enforcement mechanisms applicable to persons from all countries participating in the applicable trade agreement that prohibit such attempts to influence acts, decisions, or omissions of foreign governments or officials or to secure any such improper advantage;

(B) to ensure that such standards level the playing field for United States persons in international trade and investment; and

(C) to seek commitments to work jointly to encourage and support anti-corruption and anti-bribery initiatives in international trade fora, including through the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of the Organization for Economic Cooperation and Development, done at Paris December 17, 1997 (commonly known as the ''OECD Anti-Bribery Convention'').

(16) DISPUTE SETTLEMENT AND ENFORCEMENT.—The principal negotiating objectives of the United States with respect to dispute settlement and enforcement of trade agreements are—

(A) to seek provisions in trade agreements providing for resolution of disputes between governments under those trade agreements in an effective, timely, transparent, equitable, and reasoned manner, requiring determinations based on facts and the principles of the agreements, with the goal of increasing compliance with the agreements;

(B) to seek to strengthen the capacity of the Trade Policy Review Mechanism of the World Trade Organization to review compliance with commitments;

(C) to seek adherence by panels convened under the Dispute Settlement Understanding and by the Appellate Body to—

(i) the mandate of those panels and the Appellate Body to apply the WTO Agreement as written, without adding to or diminishing rights and obligations under the Agreement; and

(ii) the standard of review applicable under the Uruguay Round Agreement involved in the dispute, including greater deference, where appropriate, to the fact finding and technical expertise of national investigating authorities;

(D) to seek provisions encouraging the early identification and settlement of disputes through consultation;

(E) to seek provisions to encourage the provision of trade-expanding compensation if a party to a dispute under the agreement does not come into compliance with its obligations under the agreement;

(F) to seek provisions to impose a penalty upon a party to a dispute under the agreement that—

(i) encourages compliance with the obligations of the agreement;

(ii) is appropriate to the parties, nature, subject matter, and scope of the violation; and

(iii) has the aim of not adversely affecting parties or interests not party to the dispute while maintaining the effectiveness of the enforcement mechanism; and

(G) to seek provisions that treat United States principal negotiating objectives equally with respect to—

(i) the ability to resort to dispute settlement under the applicable agreement;

(ii) the availability of equivalent dispute settlement procedures; and

(iii) the availability of equivalent remedies.

(17) TRADE REMEDY LAWS.—The principal negotiating objectives of the United States with respect to trade remedy laws are—

(A) to preserve the ability of the United States to enforce rigorously its trade laws, including the antidumping, countervailing duty, and safeguard laws, and avoid agreements that lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies, or that lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(B) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market access barriers.

(18) BORDER TAXES.—The principal negotiating objective of the United States regarding border taxes is to obtain a revision of the rules of the World Trade Organization with respect to the treatment of border adjustments for internal taxes to redress the disadvantage to countries relying primarily on direct taxes for revenue rather than indirect taxes.

(19) TEXTILE NEGOTIATIONS.—The principal negotiating objectives of the United States with respect to trade in textiles and apparel articles are to obtain competitive opportunities for United States exports of textiles and apparel in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports in United States markets and to achieve fairer and more open conditions of trade in textiles and apparel.

(20) COMMERCIAL PARTNERSHIPS.—

(A) IN GENERAL.—With respect to an agreement that is proposed to be entered into with the Transatlantic Trade and Investment Partnership countries and to which section 103(b) will apply, the principal negotiating objectives of the United States regarding commercial partnerships are the following:

(i) To discourage actions by potential trading partners that directly or indirectly prejudice or otherwise discourage commercial activity solely between the United States and Israel.

(ii) To discourage politically motivated actions to boycott, divest from, or sanction Israel and to seek the elimination of politically motivated nontariff barriers on Israeli goods, services, or other commerce imposed on the State of Israel.

(iii) To seek the elimination of state-sponsored unsanctioned foreign boycotts against Israel or compliance with the Arab League Boycott of Israel by prospective trading partners.

(B) DEFINITION.—In this paragraph, the term ''actions to boycott, divest from, or sanction Israel'' means actions by states, non-member states of the United Nations, international organizations, or affiliated agencies of international organizations that are politically motivated and are intended to penalize or otherwise limit commercial relations specifically with Israel or persons doing business in Israel or in Israeli-controlled territories.

(21) GOOD GOVERNANCE, TRANSPARENCY, THE EFFECTIVE OPERATION OF LEGAL REGIMES, AND THE RULE OF LAW OF TRADING PARTNERS.—The principal negotiating objectives of the United States with respect to ensuring 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 is 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.

(c) CAPACITY BUILDING AND OTHER PRIORITIES.—In order to address and maintain United States competitiveness in the global economy, the President shall—

(1) direct the heads of relevant Federal agencies—

(A) to work to strengthen the capacity of United States trading partners to carry out obligations under trade agreements by consulting with any country seeking a trade agreement with the United States concerning that country's laws relating to customs and trade facilitation, sanitary and phytosanitary measures, technical barriers to trade, intellectual property rights, labor, and the environment; and

(B) to provide technical assistance to that country if needed;

(2) seek to establish consultative mechanisms among parties to trade agreements to strengthen the capacity of United States trading partners to develop and implement standards for the protection of the environment and human health based on sound science;

(3) promote consideration of multilateral environmental agreements and consult with parties to such agreements regarding the consistency of any such agreement that includes trade measures with existing environmental exceptions under Article XX of GATT 1994; and

(4) submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate an annual report on capacity-building activities undertaken in connection with trade agreements negotiated or being negotiated pursuant to this title.

SEC. 103. TRADE AGREEMENTS AUTHORITY.

(a) AGREEMENTS REGARDING TARIFF BARRIERS.—

(1) IN GENERAL.—Whenever the President determines that one or more existing duties or other import restrictions of any foreign country or the United States are unduly burdening and restricting the foreign trade of the United States and that the purposes, policies, priorities, and objectives of this title will be promoted thereby, the President—

(A) may enter into trade agreements with foreign countries before—

(i) July 1, 2018; or

(ii) July 1, 2021, if trade authorities procedures are extended under subsection (c); and

(B) may, subject to paragraphs (2) and (3), proclaim—

(i) such modification or continuance of any existing duty,

(ii) such continuance of existing duty free or excise treatment, or

(iii) such additional duties,

as the President determines to be required or appropriate to carry out any such trade agreement.

Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after July 1, 2018, or July 1, 2021, if trade authorities procedures are extended under subsection (c), shall not be eligible for approval under this title.

(2) NOTIFICATION.—The President shall notify Congress of the President's intention to enter into an agreement under this subsection.

(3) LIMITATIONS.—No proclamation may be made under paragraph (1) that—

(A) reduces any rate of duty (other than a rate of duty that does not exceed 5 percent ad valorem on the date of the enactment of this Act) to a rate of duty which is less than 50 percent of the rate of such duty that applies on such date of enactment;

(B) reduces the rate of duty below that applicable under the Uruguay Round Agreements or a successor agreement, on any import sensitive agricultural product; or

(C) increases any rate of duty above the rate that applied on the date of the enactment of this Act.

(4) AGGREGATE REDUCTION; EXEMPTION FROM STAGING.—

(A) AGGREGATE REDUCTION.—Except as provided in subparagraph (B), the aggregate reduction in the rate of duty on any article which is in effect on any day pursuant to a trade agreement entered into under paragraph (1) shall not exceed the aggregate reduction which would have been in effect on such day if—

(i) a reduction of 3 percent ad valorem or a reduction of 1/10 of the total reduction, whichever is greater, had taken effect on the effective date of the first reduction proclaimed under paragraph (1) to carry out such agreement with respect to such article; and

(ii) a reduction equal to the amount applicable under clause (i) had taken effect at 1-year intervals after the effective date of such first reduction.

(B) EXEMPTION FROM STAGING.—No staging is required under subparagraph (A) with respect to a duty reduction that is proclaimed under paragraph (1) for an article of a kind that is not produced in the United States. The United States International Trade Commission shall advise the President of the identity of articles that may be exempted from staging under this subparagraph.

(5) ROUNDING.—If the President determines that such action will simplify the computation of reductions under paragraph (4), the President may round an annual reduction by an amount equal to the lesser of—

(A) the difference between the reduction without regard to this paragraph and the next lower whole number; or

(B) 1/2 of 1 percent ad valorem.

(6) OTHER LIMITATIONS.—A rate of duty reduction that may not be proclaimed by reason of paragraph (3) may take effect only if a provision authorizing such reduction is included within an implementing bill provided for under section 106 and that bill is enacted into law.

(7) OTHER TARIFF MODIFICATIONS.—Notwithstanding paragraphs (1)(B), (3)(A), (3)(C), and (4) through (6), and subject to the consultation and layover requirements of section 115 of the Uruguay Round Agreements Act (19 U.S.C. 3524), the President may proclaim the modification of any duty or staged rate reduction of any duty set forth in Schedule XX, as defined in section 2(5) of that Act (19 U.S.C. 3501(5)), if the United States agrees to such modification or staged rate reduction in a negotiation for the reciprocal elimination or harmonization of duties under the auspices of the World Trade Organization.

(8) AUTHORITY UNDER URUGUAY ROUND AGREEMENTS ACT NOT AFFECTED.—Nothing in this subsection shall limit the authority provided to the President under section 111(b) of the Uruguay Round Agreements Act (19 U.S.C. 3521(b)).

(b) AGREEMENTS REGARDING TARIFF AND NONTARIFF BARRIERS.—

(1) IN GENERAL.—(A) Whenever the President determines that—

(i) 1 or more existing duties or any other import restriction of any foreign country or the United States or any other barrier to, or other distortion of, international trade unduly burdens or restricts the foreign trade of the United States or adversely affects the United States economy, or

(ii) the imposition of any such barrier or distortion is likely to result in such a burden, restriction, or effect,

and that the purposes, policies, priorities, and objectives of this title will be promoted thereby, the President may enter into a trade agreement described in subparagraph (B) during the period described in subparagraph (C).

(B) The President may enter into a trade agreement under subparagraph (A) with foreign countries providing for—

(i) the reduction or elimination of a duty, restriction, barrier, or other distortion described in subparagraph (A); or

(ii) the prohibition of, or limitation on the imposition of, such barrier or other distortion.

(C) The President may enter into a trade agreement under this paragraph before—

(i) July 1, 2018; or

(ii) July 1, 2021, if trade authorities procedures are extended under subsection (c).

Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after July 1, 2018, or July 1, 2021, if trade authorities procedures are extended under subsection (c), shall not be eligible for approval under this title.

(2) CONDITIONS.—A trade agreement may be entered into under this subsection only if such agreement makes progress in meeting the applicable objectives described in subsections (a) and (b) of section 102 and the President satisfies the conditions set forth in sections 104 and 105.

(3) BILLS QUALIFYING FOR TRADE AUTHORITIES PROCEDURES.—(A) The provisions of section 151 of the Trade Act of 1974 (in this title referred to as ''trade authorities procedures'') apply to a bill of either House of Congress which contains provisions described in subparagraph (B) to the same extent as such section 151 applies to implementing bills under that section. A bill to which this paragraph applies shall hereafter in this title be referred to as an ''implementing bill''.

(B) The provisions referred to in subparagraph (A) are—

(i) a provision approving a trade agreement entered into under this subsection and approving the statement of administrative action, if any, proposed to implement such trade agreement; and

(ii) if changes in existing laws or new statutory authority are required to implement such trade agreement or agreements, only such provisions as are strictly necessary or appropriate to implement such trade agreement or agreements, either repealing or amending existing laws or providing new statutory authority.

(c) EXTENSION DISAPPROVAL PROCESS FOR CONGRESSIONAL TRADE AUTHORITIES PROCEDURES.—

(1) IN GENERAL.—Except as provided in section 106(b)—

(A) the trade authorities procedures apply to implementing bills submitted with respect to trade agreements entered into under subsection (b) before July 1, 2018; and

(B) the trade authorities procedures shall be extended to implementing bills submitted with respect to trade agreements entered into under subsection (b) after June 30, 2018, and before July 1, 2021, if (and only if)—

(i) the President requests such extension under paragraph (2); and

(ii) neither House of Congress adopts an extension disapproval resolution under paragraph (5) before July 1, 2018.

(2) REPORT TO CONGRESS BY THE PRESIDENT.—If the President is of the opinion that the trade authorities procedures should be extended to implementing bills described in paragraph (1)(B), the President shall submit to Congress, not later than April 1, 2018, a written report that contains a request for such extension, together with—

(A) a description of all trade agreements that have been negotiated under subsection (b) and the anticipated schedule for submitting such agreements to Congress for approval;

(B) a description of the progress that has been made in negotiations to achieve the purposes, policies, priorities, and objectives of this title, and a statement that such progress justifies the continuation of negotiations; and

(C) a statement of the reasons why the extension is needed to complete the negotiations.

(3) OTHER REPORTS TO CONGRESS.—

(A) REPORT BY THE ADVISORY COMMITTEE.—The President shall promptly inform the Advisory Committee for Trade Policy and Negotiations established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155) of the decision of the President to submit a report to Congress under paragraph (2). The Advisory Committee shall submit to Congress as soon as practicable, but not later than June 1, 2018, a written report that contains—

(i) its views regarding the progress that has been made in negotiations to achieve the purposes, policies, priorities, and objectives of this title; and

(ii) a statement of its views, and the reasons therefor, regarding whether the extension requested under paragraph (2) should be approved or disapproved.

(B) REPORT BY INTERNATIONAL TRADE COMMISSION.—The President shall promptly inform the United States International Trade Commission of the decision of the President to submit a report to Congress under paragraph (2). The International Trade Commission shall submit to Congress as soon as practicable, but not later than June 1, 2018, a written report that contains a review and analysis of the economic impact on the United States of all trade agreements implemented between the date of the enactment of this Act and the date on which the President decides to seek an extension requested under paragraph (2).

(4) STATUS OF REPORTS.—The reports submitted to Congress under paragraphs (2) and (3), or any portion of such reports, may be classified to the extent the President determines appropriate.

(5) EXTENSION DISAPPROVAL RESOLUTIONS.—(A) For purposes of paragraph (1), the term ''extension disapproval resolution'' means a resolution of either House of Congress, the sole matter after the resolving clause of which is as follows: ''That the _____ disapproves the request of the President for the extension, under section 103(c)(1)(B)(i) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, of the trade authorities procedures under that Act to any implementing bill submitted with respect to any trade agreement entered into under section 103(b) of that Act after June 30, 2018.'', with the blank space being filled with the name of the resolving House of Congress.

(B) Extension disapproval resolutions—

(i) may be introduced in either House of Congress by any member of such House; and

(ii) shall be referred, in the House of Representatives, to the Committee on Ways and Means and, in addition, to the Committee on Rules.

(C) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to the floor consideration of certain resolutions in the House and Senate) apply to extension disapproval resolutions.

(D) It is not in order for—

(i) the House of Representatives to consider any extension disapproval resolution not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules;

(ii) the Senate to consider any extension disapproval resolution not reported by the Committee on Finance; or

(iii) either House of Congress to consider an extension disapproval resolution after June 30, 2018.

(d) COMMENCEMENT OF NEGOTIATIONS.—In order to contribute to the continued economic expansion of the United States, the President shall commence negotiations covering tariff and nontariff barriers affecting any industry, product, or service sector, and expand existing sectoral agreements to countries that are not parties to those agreements, in cases where the President determines that such negotiations are feasible and timely and would benefit the United States. Such sectors include agriculture, commercial services, intellectual property rights, industrial and capital goods, government procurement, information technology products, environmental technology and services, medical equipment and services, civil aircraft, and infrastructure products. In so doing, the President shall take into account all of the negotiating objectives set forth in section 102.

SEC. 104. CONGRESSIONAL OVERSIGHT, CONSULTATIONS, AND ACCESS TO INFORMATION.

(a) CONSULTATIONS WITH MEMBERS OF CONGRESS.—

(1) CONSULTATIONS DURING NEGOTIATIONS.—In the course of negotiations conducted under this title, the United States Trade Representative shall—

(A) meet upon request with any Member of Congress regarding negotiating objectives, the status of negotiations in progress, and the nature of any changes in the laws of the United States or the administration of those laws that may be recommended to Congress to carry out any trade agreement or any requirement of, amendment to, or recommendation under, that agreement;

(B) upon request of any Member of Congress, provide access to pertinent documents relating to the negotiations, including classified materials;

(C) consult closely and on a timely basis with, and keep fully apprised of the negotiations, the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate;

(D) consult closely and on a timely basis with, and keep fully apprised of the negotiations, the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under subsection (c) and all committees of the House of Representatives and the Senate with jurisdiction over laws that could be affected by a trade agreement resulting from the negotiations; and

(E) with regard to any negotiations and agreement relating to agricultural trade, also consult closely and on a timely basis (including immediately before initialing an agreement) with, and keep fully apprised of the negotiations, the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(2) CONSULTATIONS PRIOR TO ENTRY INTO FORCE.—Prior to exchanging notes providing for the entry into force of a trade agreement, the United States Trade Representative shall consult closely and on a timely basis with Members of Congress and committees as specified in paragraph (1), and keep them fully apprised of the measures a trading partner has taken to comply with those provisions of the agreement that are to take effect on the date that the agreement enters into force.

(3) ENHANCED COORDINATION WITH CONGRESS.—

(A) WRITTEN GUIDELINES.—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(i) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on enhanced coordination with Congress, including coordination with designated congressional advisers under subsection (b), regarding negotiations conducted under this title; and

(ii) may make such revisions to the guidelines as may be necessary from time to time.

(B) CONTENT OF GUIDELINES.—The guidelines developed under subparagraph (A) shall enhance coordination with Congress through procedures to ensure—

(i) timely briefings upon request of any Member of Congress regarding negotiating objectives, the status of negotiations in progress conducted under this title, and the nature of any changes in the laws of the United States or the administration of those laws that may be recommended to Congress to carry out any trade agreement or any requirement of, amendment to, or recommendation under, that agreement; and

(ii) the sharing of detailed and timely information with Members of Congress, and their staff with proper security clearances as appropriate, regarding those negotiations and pertinent documents related to those negotiations (including classified information), and with committee staff with proper security clearances as would be appropriate in the light of the responsibilities of that committee over the trade agreements programs affected by those negotiations.

(C) DISSEMINATION.—The United States Trade Representative shall disseminate the guidelines developed under subparagraph (A) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.

(b) DESIGNATED CONGRESSIONAL ADVISERS.—

(1) DESIGNATION.—

(A) HOUSE OF REPRESENTATIVES.—In each Congress, any Member of the House of Representatives may be designated as a congressional adviser on trade policy and negotiations by the Speaker of the House of Representatives, after consulting with the chairman and ranking member of the Committee on Ways and Means and the chairman and ranking member of the committee from which the Member will be selected.

(B) SENATE.—In each Congress, any Member of the Senate may be designated as a congressional adviser on trade policy and negotiations by the President pro tempore of the Senate, after consultation with the chairman and ranking member of the Committee on Finance and the chairman and ranking member of the committee from which the Member will be selected.

(2) CONSULTATIONS WITH DESIGNATED CONGRESSIONAL ADVISERS.—In the course of negotiations conducted under this title, the United States Trade Representative shall consult closely and on a timely basis (including immediately before initialing an agreement) with, and keep fully apprised of the negotiations, the congressional advisers for trade policy and negotiations designated under paragraph (1).

(3) ACCREDITATION.—Each Member of Congress designated as a congressional adviser under paragraph (1) shall be accredited by the United States Trade Representative on behalf of the President as an official adviser to the United States delegations to international conferences, meetings, and negotiating sessions relating to trade agreements.

(c) CONGRESSIONAL ADVISORY GROUPS ON NEGOTIATIONS.—

(1) IN GENERAL.—By not later than 60 days after the date of the enactment of this Act, and not later than 30 days after the convening of each Congress, the chairman of the Committee on Ways and Means of the House of Representatives shall convene the House Advisory Group on Negotiations and the chairman of the Committee on Finance of the Senate shall convene

the Senate Advisory Group on Negotiations (in this subsection referred to collectively as the ''congressional advisory groups'').

(2) MEMBERS AND FUNCTIONS.—

(A) MEMBERSHIP OF THE HOUSE ADVISORY GROUP ON NEGOTIATIONS.—In each Congress, the House Advisory Group on Negotiations shall be comprised of the following Members of the House of Representatives:

(i) The chairman and ranking member of the Committee on Ways and Means, and 3 additional members of such Committee (not more than 2 of whom are members of the same political party).

(ii) The chairman and ranking member, or their designees, of the committees of the House of Representatives that would have, under the Rules of the House of Representatives, jurisdiction over provisions of law affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.

(B) MEMBERSHIP OF THE SENATE ADVISORY GROUP ON NEGOTIATIONS.—In each Congress, the Senate Advisory Group on Negotiations shall be comprised of the following Members of the Senate:

(i) The chairman and ranking member of the Committee on Finance and 3 additional members of such Committee (not more than 2 of whom are members of the same political party).

(ii) The chairman and ranking member, or their designees, of the committees of the Senate that would have, under the Rules of the Senate, jurisdiction over provisions of law affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.

(C) ACCREDITATION.—Each member of the congressional advisory groups described in subparagraphs (A)(i) and (B)(i) shall be accredited by the United States Trade Representative on behalf of the President as an official adviser to the United States delegation in negotiations for any trade agreement to which this title applies. Each member of the congressional advisory groups described in subparagraphs (A)(ii) and (B)(ii) shall be accredited by the United States Trade Representative on behalf of the President as an official adviser to the United States delegation in the negotiations by reason of which the member is in one of the congressional advisory groups.

(D) CONSULTATION AND ADVICE.—The congressional advisory groups shall consult with and provide advice to the Trade Representative regarding the formulation of specific objectives, negotiating strategies and positions, the development of the applicable trade agreement, and compliance and enforcement of the negotiated commitments under the trade agreement.

(E) CHAIR.—The House Advisory Group on Negotiations shall be chaired by the Chairman of the Committee on Ways and Means of the House of Representatives and the Senate Advisory Group on Negotiations shall be chaired by the Chairman of the Committee on Finance of the Senate.

(F) COORDINATION WITH OTHER COMMITTEES.—Members of any committee represented on one of the congressional advisory groups may submit comments to the member of the appropriate congressional advisory group from that committee regarding any matter related to a negotiation for any trade agreement to which this title applies.

(3) GUIDELINES.—

(A) PURPOSE AND REVISION.—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(i) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines to facilitate the useful and timely exchange of information between the Trade Representative and the congressional advisory groups; and

(ii) may make such revisions to the guidelines as may be necessary from time to time.

(B) CONTENT.—The guidelines developed under subparagraph (A) shall provide for, among other things—

(i) detailed briefings on a fixed timetable to be specified in the guidelines of the congressional advisory groups regarding negotiating objectives and positions and the status of the applicable negotiations, beginning as soon as practicable after the congressional advisory groups are convened, with more frequent briefings as trade negotiations enter the final stage;

(ii) access by members of the congressional advisory groups, and staff with proper security clearances, to pertinent documents relating to the negotiations, including classified materials;

(iii) the closest practicable coordination between the Trade Representative and the congressional advisory groups at all critical periods during the negotiations, including at negotiation sites;

(iv) after the applicable trade agreement is concluded, consultation regarding ongoing compliance and enforcement of negotiated commitments under the trade agreement; and

(v) the timeframe for submitting the report required under section 105(d)(3).

(4) REQUEST FOR MEETING.—Upon the request of a majority of either of the congressional advisory groups, the President shall meet with that congressional advisory group before initiating negotiations with respect to a trade agreement, or at any other time concerning the negotiations.

(d) CONSULTATIONS WITH THE PUBLIC.—

(1) GUIDELINES FOR PUBLIC ENGAGEMENT.—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(A) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on public access to information regarding negotiations conducted under this title; and

(B) may make such revisions to the guidelines as may be necessary from time to time.

(2) PURPOSES.—The guidelines developed under paragraph (1) shall—

(A) facilitate transparency;

(B) encourage public participation; and

(C) promote collaboration in the negotiation process.

(3) CONTENT.—The guidelines developed under paragraph (1) shall include procedures that—

(A) provide for rapid disclosure of information in forms that the public can readily find and use; and

(B) provide frequent opportunities for public input through Federal Register requests for comment and other means.

(4) DISSEMINATION.—The United States Trade Representative shall disseminate the guidelines developed under paragraph (1) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.

(e) CONSULTATIONS WITH ADVISORY COMMITTEES.—

(1) GUIDELINES FOR ENGAGEMENT WITH ADVISORY COMMITTEES.—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(A) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on enhanced coordination with advisory committees established pursuant to section 135 of the Trade Act of 1974 (19 U.S.C. 2155) regarding negotiations conducted under this title; and

(B) may make such revisions to the guidelines as may be necessary from time to time.

(2) CONTENT.—The guidelines developed under paragraph (1) shall enhance coordination with advisory committees described in that paragraph through procedures to ensure—

(A) timely briefings of advisory committees and regular opportunities for advisory committees to provide input throughout the negotiation process on matters relevant to the sectors or functional areas represented by those committees; and

(B) the sharing of detailed and timely information with each member of an advisory committee regarding negotiations and pertinent documents related to the negotiation (including classified information) on matters relevant to the sectors or functional areas the member represents, and with a designee with proper security clearances of each such member as appropriate.

(3) DISSEMINATION.—The United States Trade Representative shall disseminate the guidelines developed under paragraph (1) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.

(f) ESTABLISHMENT OF POSITION OF CHIEF TRANSPARENCY OFFICER IN THE OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.—Section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

''(3) There shall be in the Office one Chief Transparency Officer. The Chief Transparency Officer shall consult with Congress on transparency policy, coordinate transparency in trade negotiations, engage and assist the public, and advise the United States Trade Representative on transparency policy.''.

SEC. 105. NOTICE, CONSULTATIONS, AND REPORTS.

(a) NOTICE, CONSULTATIONS, AND REPORTS BEFORE NEGOTIATION.—

(1) NOTICE.—The President, with respect to any agreement that is subject to the provisions of section 103(b), shall—

(A) provide, at least 90 calendar days before initiating negotiations with a country, written notice to Congress of the President's intention to enter into the negotiations with that country and set forth in the notice the date on which the President intends to initiate those negotiations, the specific United States objectives for the negotiations with that country, and whether the President intends to seek an agreement, or changes to an existing agreement;

(B) before and after submission of the notice, consult regarding the negotiations with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, such other committees of the House and Senate as the President deems appropriate, and the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under section 104(c);

(C) upon the request of a majority of the members of either the House Advisory Group on Negotiations or the Senate Advisory Group on Negotiations convened under section 104(c), meet with the requesting congressional advisory group before initiating the negotiations or at any other time concerning the negotiations; and

(D) after consulting with the Committee on Ways and Means and the Committee on Finance, and at least 30 calendar days before initiating negotiations with a country, publish on a publicly available Internet website of the Office of the United States Trade Representative, and regularly update thereafter, a detailed and comprehensive summary of the specific objectives with respect to the negotiations, and a description of how the agreement, if successfully concluded, will further those objectives and benefit the United States.

(2) NEGOTIATIONS REGARDING AGRICULTURE.—

(A) ASSESSMENT AND CONSULTATIONS FOLLOWING ASSESSMENT.—Before initiating or continuing negotiations the subject matter of which is directly related to the subject matter under

section 102(b)(3)(B) with any country, the President shall—

(i) assess whether United States tariffs on agricultural products that were bound under the Uruguay Round Agreements are lower than the tariffs bound by that country;

(ii) consider whether the tariff levels bound and applied throughout the world with respect to imports from the United States are higher than United States tariffs and whether the negotiation provides an opportunity to address any such disparity; and

(iii) consult with the Committee on Ways and Means and the Committee on Agriculture of the House of Representatives and the Committee on Finance and the Committee on Agriculture, Nutrition, and Forestry of the Senate 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.

(B) SPECIAL CONSULTATIONS ON IMPORT SENSITIVE PRODUCTS.—(i) Before initiating negotiations with regard to agriculture and, with respect to agreements described in paragraphs (2) and (3) of section 107(a), as soon as practicable after the date of the enactment of this Act, the United States Trade Representative shall—

(I) identify those agricultural products subject to tariff rate quotas on the date of enactment of this Act, and agricultural products subject to tariff reductions by the United States as a result of the Uruguay Round Agreements, for which the rate of duty was reduced on January 1, 1995, to a rate which was not less than 97.5 percent of the rate of duty that applied to such article on December 31, 1994;

(II) consult with the Committee on Ways and Means and the Committee on Agriculture of the House of Representatives and the Committee on Finance and the Committee on Agriculture, Nutrition, and Forestry of the Senate concerning—

(aa) whether any further tariff reductions on the products identified under subclause (I) should be appropriate, taking into account the impact of any such tariff reduction on the United States industry producing the product concerned;

(bb) whether the products so identified face unjustified sanitary or phytosanitary restrictions, including those not based on scientific principles in contravention of the Uruguay Round Agreements; and

(cc) whether the countries participating in the negotiations maintain export subsidies or other programs, policies, or practices that distort world trade in such products and the impact of such programs, policies, and practices on United States producers of the products;

(III) request that the International Trade Commission prepare an assessment of the probable economic effects of any such tariff reduction on the United States industry producing the product concerned and on the United States economy as a whole; and

(IV) upon complying with subclauses (I), (II), and (III), notify the Committee on Ways and Means and the Committee on Agriculture of the House of Representatives and the Committee on Finance and the Committee on Agriculture, Nutrition, and Forestry of the Senate of those products identified under subclause (I) for which the Trade Representative intends to seek tariff liberalization in the negotiations and the reasons for seeking such tariff liberalization.

(ii) If, after negotiations described in clause (i) are commenced—

(I) the United States Trade Representative identifies any additional agricultural product described in clause (i)(I) for tariff reductions which were not the subject of a notification under clause (i)(IV), or

(II) any additional agricultural product described in clause (i)(I) is the subject of a request for tariff reductions by a party to the negotiations,

the Trade Representative shall, as soon as practicable, notify the committees referred to in clause (i)(IV) of those products and the reasons for seeking such tariff reductions.

(3) NEGOTIATIONS REGARDING THE FISHING INDUSTRY.—Before initiating, or continuing, negotiations that directly relate to fish or shellfish trade with any country, the President shall consult with the Committee on Ways and Means and the Committee on Natural Resources of the House of Representatives, and the Committee on Finance and the Committee on Commerce, Science, and Transportation of the Senate, and shall keep the Committees apprised of the negotiations on an ongoing and timely basis.

(4) NEGOTIATIONS REGARDING TEXTILES.—Before initiating or continuing negotiations the subject matter of which is directly related to textiles and apparel products with any country, the President shall—

(A) assess whether United States tariffs on textile and apparel products that were bound under the Uruguay Round Agreements are lower than the tariffs bound by that country and whether the negotiation provides an opportunity to address any such disparity; 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 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.

(5) ADHERENCE TO EXISTING INTERNATIONAL TRADE AND INVESTMENT AGREEMENT OBLIGATIONS.—In determining whether to enter into negotiations with a particular country, the President shall take into account the extent to which that country has implemented, or has accelerated the implementation of, its international trade and investment commitments to the United States, including pursuant to the WTO Agreement.

(b) CONSULTATION WITH CONGRESS BEFORE ENTRY INTO AGREEMENT.—

(1) CONSULTATION.—Before entering into any trade agreement under section 103(b), the President shall consult with—

(A) the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate;

(B) each other committee of the House and the Senate, and each joint committee of Congress, which has jurisdiction over legislation involving subject matters which would be affected by the trade agreement; and

(C) the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under section 104(c).

(2) SCOPE.—The consultation described in paragraph (1) shall include consultation with respect to—

(A) the nature of the agreement;

(B) how and to what extent the agreement will achieve the applicable purposes, policies, priorities, and objectives of this title; and

(C) the implementation of the agreement under section 106, including the general effect of the agreement on existing laws.

(3) REPORT REGARDING UNITED STATES TRADE REMEDY LAWS.—

(A) CHANGES IN CERTAIN TRADE LAWS.—The President, not less than 180 calendar days before the day on which the President enters into a trade agreement under section 103(b), shall report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate—

(i) the range of proposals advanced in the negotiations with respect to that agreement, that may be in the final agreement, and that could require amendments to title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) or to chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.); and

(ii) how these proposals relate to the objectives described in section 102(b)(16).

(B) RESOLUTIONS.—(i) At any time after the transmission of the report under subparagraph (A), if a resolution is introduced with respect to that report in either House of Congress, the procedures set forth in clauses (iii) through (vii) shall apply to that resolution if—

(I) no other resolution with respect to that report has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, pursuant to those procedures; and

(II) no procedural disapproval resolution under section 106(b) introduced with respect to a trade agreement entered into pursuant to the negotiations to which the report under subparagraph (A) relates has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be.

(ii) For purposes of this subparagraph, the term ''resolution'' means only a resolution of either House of Congress, the matter after the resolving clause of which is as follows: ''That the _____ finds that the proposed changes to United States trade remedy laws contained in the report of the President transmitted to Congress on _____ under section 105(b)(3) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 with respect to _____, are inconsistent with the negotiating objectives described in section 102(b)(16) of that Act.'', with the first blank space being filled with the name of the resolving House of Congress, the second blank space being filled with the appropriate date of the report, and the third blank space being filled with the name of the country or countries involved.

(iii) Resolutions in the House of Representatives—

(I) may be introduced by any Member of the House;

(II) shall be referred to the Committee on Ways and Means and, in addition, to the Committee on Rules; and

(III) may not be amended by either Committee.

(iv) Resolutions in the Senate—

(I) may be introduced by any Member of the Senate;

(II) shall be referred to the Committee on Finance; and

(III) may not be amended.

(v) It is not in order for the House of Representatives to consider any resolution that is not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules.

(vi) It is not in order for the Senate to consider any resolution that is not reported by the Committee on Finance.

(vii) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to floor consideration of certain resolutions in the House and Senate) shall apply to resolutions.

(4) ADVISORY COMMITTEE REPORTS.—The report required under section 135(e)(1) of the Trade Act of 1974 (19 U.S.C. 2155(e)(1)) regarding any trade agreement entered into under subsection (a) or (b) of section 103 shall be provided to the President, Congress, and the United States Trade Representative not later than 30 days after the date on which the President notifies Congress under section 103(a)(2) or 106(a)(1)(A) of the intention of the President to enter into the agreement.

(c) INTERNATIONAL TRADE COMMISSION ASSESSMENT.—

(1) SUBMISSION OF INFORMATION TO COMMISSION.—The President, not later than 90 calendar days before the day on which the President enters into a trade agreement under section 103(b), shall provide the International Trade Commission (referred to in this subsection as the ''Commission'') with the details of the agreement as it exists at that time and request the Commission to prepare and submit an assessment of the agreement as described in paragraph (2). Between the time the President makes the request under this paragraph and the time the Commission submits the assessment, the President shall

keep the Commission current with respect to the details of the agreement.

(2) ASSESSMENT.—Not later than 105 calendar days after the President enters into a trade agreement under section 103(b), the Commission shall submit to the President and Congress a report assessing the likely impact of the agreement on the United States economy as a whole and on specific industry sectors, including the impact the agreement will have on the gross domestic product, exports and imports, aggregate employment and employment opportunities, the production, employment, and competitive position of industries likely to be significantly affected by the agreement, and the interests of United States consumers.

(3) REVIEW OF EMPIRICAL LITERATURE.—In preparing the assessment under paragraph (2), the Commission shall review available economic assessments regarding the agreement, including literature regarding any substantially equivalent proposed agreement, and shall provide in its assessment a description of the analyses used and conclusions drawn in such literature, and a discussion of areas of consensus and divergence between the various analyses and conclusions, including those of the Commission regarding the agreement.

(4) PUBLIC AVAILABILITY.—The President shall make each assessment under paragraph (2) available to the public.

(d) REPORTS SUBMITTED TO COMMITTEES WITH AGREEMENT.—

(1) ENVIRONMENTAL REVIEWS AND REPORTS.—The President shall—

(A) conduct environmental reviews of future trade and investment agreements, consistent with Executive Order 13141 (64 Fed. Reg. 63169), dated November 16, 1999, and its relevant guidelines; and

(B) submit a report on those reviews and on the content and operation of consultative mechanisms established pursuant to section 102(c) to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate at the time the President submits to Congress a copy of the final legal text of an agreement pursuant to section 106(a)(1)(E).

(2) EMPLOYMENT IMPACT REVIEWS AND REPORTS.—The President shall—

(A) review the impact of future trade agreements on United States employment, including labor markets, modeled after Executive Order 13141 (64 Fed. Reg. 63169) to the extent appropriate in establishing procedures and criteria; and

(B) submit a report on such reviews to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate at the time the President submits to Congress a copy of the final legal text of an agreement pursuant to section 106(a)(1)(E).

(3) REPORT ON LABOR RIGHTS.—The President shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, on a timeframe determined in accordance with section 104(c)(3)(B)(v)—

(A) a meaningful labor rights report of the country, or countries, with respect to which the President is negotiating; and

(B) a description of any provisions that would require changes to the labor laws and labor practices of the United States.

(4) PUBLIC AVAILABILITY.—The President shall make all reports required under this subsection available to the public.

(e) IMPLEMENTATION AND ENFORCEMENT PLAN.—

(1) IN GENERAL.—At the time the President submits to Congress a copy of the final legal text of an agreement pursuant to section 106(a)(1)(E), the President shall also submit to Congress a plan for implementing and enforcing the agreement.

(2) ELEMENTS.—The implementation and enforcement plan required by paragraph (1) shall include the following:

(A) BORDER PERSONNEL REQUIREMENTS.—A description of additional personnel required at border entry points, including a list of additional customs and agricultural inspectors.

(B) AGENCY STAFFING REQUIREMENTS.—A description of additional personnel required by Federal agencies responsible for monitoring and implementing the trade agreement, including personnel required by the Office of the United States Trade Representative, the Department of Commerce, the Department of Agriculture (including additional personnel required to implement sanitary and phytosanitary measures in order to obtain market access for United States exports), the Department of Homeland Security, the Department of the Treasury, and such other agencies as may be necessary.

(C) CUSTOMS INFRASTRUCTURE REQUIREMENTS.—A description of the additional equipment and facilities needed by U.S. Customs and Border Protection.

(D) IMPACT ON STATE AND LOCAL GOVERNMENTS.—A description of the impact the trade agreement will have on State and local governments as a result of increases in trade.

(E) COST ANALYSIS.—An analysis of the costs associated with each of the items listed in subparagraphs (A) through (D).

(3) BUDGET SUBMISSION.—The President shall include a request for the resources necessary to support the plan required by paragraph (1) in the first budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, after the date of the submission of the plan.

(4) PUBLIC AVAILABILITY.—The President shall make the plan required under this subsection available to the public.

(f) OTHER REPORTS.—

(1) REPORT ON PENALTIES.—Not later than one year after the imposition by the United States of a penalty or remedy permitted by a trade agreement to which this title applies, the President shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the effectiveness of the penalty or remedy applied under United States law in enforcing United States rights under the trade agreement, which shall address whether the penalty or remedy was effective in changing the behavior of the targeted party and whether the penalty or remedy had any adverse impact on parties or interests not party to the dispute.

(2) REPORT ON IMPACT OF TRADE PROMOTION AUTHORITY.—Not later than one year after the date of the enactment of this Act, and not later than 5 years thereafter, the United States International Trade Commission shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the economic impact on the United States of all trade agreements with respect to which Congress has enacted an implementing bill under trade authorities procedures since January 1, 1984.

(3) ENFORCEMENT CONSULTATIONS AND REPORTS.—(A) The United States Trade Representative shall consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate after acceptance of a petition for review or taking an enforcement action in regard to an obligation under a trade agreement, including a labor or environmental obligation. During such consultations, the United States Trade Representative shall describe the matter, including the basis for such action and the application of any relevant legal obligations.

(B) As part of the report required pursuant to section 163 of the Trade Act of 1974 (19 U.S.C. 2213), the President shall report annually to Congress on enforcement actions taken pursuant to a trade agreement to which the United States is a party, as well as on any public reports issued by Federal agencies on enforcement matters relating to a trade agreement.

(g) ADDITIONAL COORDINATION WITH MEMBERS.—Any Member of the House of Representatives may submit to the Committee on Ways and Means of the House of Representatives and any Member of the Senate may submit to the Committee on Finance of the Senate the views of that Member on any matter relevant to a proposed trade agreement, and the relevant Committee shall receive those views for consideration.

SEC. 106. IMPLEMENTATION OF TRADE AGREEMENTS.

(a) IN GENERAL.—

(1) NOTIFICATION AND SUBMISSION.—Any agreement entered into under section 103(b) shall enter into force with respect to the United States if (and only if)—

(A) the President, at least 90 calendar days before the day on which the President enters into the trade agreement, notifies the House of Representatives and the Senate of the President's intention to enter into the agreement, and promptly thereafter publishes notice of such intention in the Federal Register;

(B) the President, at least 60 days before the day on which the President enters into the agreement, publishes the text of the agreement on a publicly available Internet website of the Office of the United States Trade Representative;

(C) within 60 days after entering into the agreement, the President submits to Congress a description of those changes to existing laws that the President considers would be required in order to bring the United States into compliance with the agreement;

(D) the President, at least 30 days before submitting to Congress the materials under subparagraph (E), submits to Congress—

(i) a draft statement of any administrative action proposed to implement the agreement; and

(ii) a copy of the final legal text of the agreement;

(E) after entering into the agreement, the President submits to Congress, on a day on which both Houses of Congress are in session, a copy of the final legal text of the agreement, together with—

(i) a draft of an implementing bill described in section 103(b)(3);

(ii) a statement of any administrative action proposed to implement the trade agreement; and

(iii) the supporting information described in paragraph (2)(A);

(F) the implementing bill is enacted into law; and

(G) the President, not later than 30 days before the date on which the agreement enters into force with respect to a party to the agreement, submits written notice to Congress that the President has determined that the party has taken measures necessary to comply with those provisions of the agreement that are to take effect on the date on which the agreement enters into force.

(2) SUPPORTING INFORMATION.—

(A) IN GENERAL.—The supporting information required under paragraph (1)(E)(iii) consists of—

(i) an explanation as to how the implementing bill and proposed administrative action will change or affect existing law; and

(ii) a statement—

(I) asserting that the agreement makes progress in achieving the applicable purposes, policies, priorities, and objectives of this title; and

(II) setting forth the reasons of the President regarding—

(aa) how and to what extent the agreement makes progress in achieving the applicable purposes, policies, and objectives referred to in subclause (I);

(bb) whether and how the agreement changes provisions of an agreement previously negotiated;

(cc) how the agreement serves the interests of United States commerce; and

(dd) how the implementing bill meets the standards set forth in section 103(b)(3).

(B) PUBLIC AVAILABILITY.—The President shall make the supporting information described in subparagraph (A) available to the public.

(3) RECIPROCAL BENEFITS.—In order to ensure that a foreign country that is not a party to a trade agreement entered into under section 103(b) does not receive benefits under the agreement unless the country is also subject to the obligations under the agreement, the implementing bill submitted with respect to the agreement shall provide that the benefits and obligations under the agreement apply only to the parties to the agreement, if such application is consistent with the terms of the agreement. The implementing bill may also provide that the benefits and obligations under the agreement do not apply uniformly to all parties to the agreement, if such application is consistent with the terms of the agreement.

(4) DISCLOSURE OF COMMITMENTS.—Any agreement or other understanding with a foreign government or governments (whether oral or in writing) that—

(A) relates to a trade agreement with respect to which Congress enacts an implementing bill under trade authorities procedures; and

(B) is not disclosed to Congress before an implementing bill with respect to that agreement is introduced in either House of Congress,

shall not be considered to be part of the agreement approved by Congress and shall have no force and effect under United States law or in any dispute settlement body.

(b) LIMITATIONS ON TRADE AUTHORITIES PROCEDURES.—

(1) FOR LACK OF NOTICE OR CONSULTATIONS.—

(A) IN GENERAL.—The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) if during the 60-day period beginning on the date that one House of Congress agrees to a procedural disapproval resolution for lack of notice or consultations with respect to such trade agreement or agreements, the other House separately agrees to a procedural disapproval resolution with respect to such trade agreement or agreements.

(B) PROCEDURAL DISAPPROVAL RESOLUTION.—(i) For purposes of this paragraph, the term ''procedural disapproval resolution'' means a resolution of either House of Congress, the sole matter after the resolving clause of which is as follows: ''That the President has failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 on negotiations with respect to _____ and, therefore, the trade authorities procedures under that Act shall not apply to any implementing bill submitted with respect to such trade agreement or agreements.'', with the blank space being filled with a description of the trade agreement or agreements with respect to which the President is considered to have failed or refused to notify or consult.

(ii) For purposes of clause (i) and paragraphs (3)(C) and (4)(C), the President has ''failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015'' on negotiations with respect to a trade agreement or trade agreements if—

(I) the President has failed or refused to consult (as the case may be) in accordance with sections 104 and 105 and this section with respect to the negotiations, agreement, or agreements;

(II) guidelines under section 104 have not been developed or met with respect to the negotiations, agreement, or agreements;

(III) the President has not met with the House Advisory Group on Negotiations or the Senate Advisory Group on Negotiations pursuant to a request made under section 104(c)(4) with respect to the negotiations, agreement, or agreements; or

(IV) the agreement or agreements fail to make progress in achieving the purposes, policies, priorities, and objectives of this title.

(2) PROCEDURES FOR CONSIDERING RESOLUTIONS.—(A) Procedural disapproval resolutions—

(i) in the House of Representatives—

(I) may be introduced by any Member of the House;

(II) shall be referred to the Committee on Ways and Means and, in addition, to the Committee on Rules; and

(III) may not be amended by either Committee; and

(ii) in the Senate—

(I) may be introduced by any Member of the Senate;

(II) shall be referred to the Committee on Finance; and

(III) may not be amended.

(B) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to the floor consideration of certain resolutions in the House and Senate) apply to a procedural disapproval resolution introduced with respect to a trade agreement if no other procedural disapproval resolution with respect to that trade agreement has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, and if no resolution described in clause (ii) of section 105(b)(3)(B) with respect to that trade agreement has been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, pursuant to the procedures set forth in clauses (iii) through (vii) of such section.

(C) It is not in order for the House of Representatives to consider any procedural disapproval resolution not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules.

(D) It is not in order for the Senate to consider any procedural disapproval resolution not reported by the Committee on Finance.

(3) CONSIDERATION IN SENATE OF CONSULTATION AND COMPLIANCE RESOLUTION TO REMOVE TRADE AUTHORITIES PROCEDURES.—

(A) REPORTING OF RESOLUTION.—If, when the Committee on Finance of the Senate meets on whether to report an implementing bill with respect to a trade agreement or agreements entered into under section 103(b), the committee fails to favorably report the bill, the committee shall report a resolution described in subparagraph (C).

(B) APPLICABILITY OF TRADE AUTHORITIES PROCEDURES.—The trade authorities procedures shall not apply in the Senate to any implementing bill submitted with respect to a trade agreement or agreements described in subparagraph (A) if the Committee on Finance reports a resolution described in subparagraph (C) and such resolution is agreed to by the Senate.

(C) RESOLUTION DESCRIBED.—A resolution described in this subparagraph is a resolution of the Senate originating from the Committee on Finance the sole matter after the resolving clause of which is as follows: ''That the President has failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 on negotiations with respect to _____ and, therefore, the trade authorities procedures under that Act shall not apply in the Senate to any implementing bill submitted with respect to such trade agreement or agreements.'', with the blank space being filled with a description of the trade agreement or agreements described in subparagraph (A).

(D) PROCEDURES.—If the Senate does not agree to a motion to invoke cloture on the motion to proceed to a resolution described in subparagraph (C), the resolution shall be committed to the Committee on Finance.

(4) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES OF A CONSULTATION AND COMPLIANCE RESOLUTION.—

(A) QUALIFICATIONS FOR REPORTING RESOLUTION.—If—

(i) the Committee on Ways and Means of the House of Representatives reports an implementing bill with respect to a trade agreement or agreements entered into under section 103(b) with other than a favorable recommendation; and

(ii) a Member of the House of Representatives has introduced a consultation and compliance resolution on the legislative day following the filing of a report to accompany the implementing bill with other than a favorable recommendation,

then the Committee on Ways and Means shall consider a consultation and compliance resolution pursuant to subparagraph (B).

(B) COMMITTEE CONSIDERATION OF A QUALIFYING RESOLUTION.—(i) Not later than the fourth legislative day after the date of introduction of the resolution, the Committee on Ways and Means shall meet to consider a resolution meeting the qualifications set forth in subparagraph (A).

(ii) After consideration of one such resolution by the Committee on Ways and Means, this subparagraph shall not apply to any other such resolution.

(iii) If the Committee on Ways and Means has not reported the resolution by the sixth legislative day after the date of its introduction, that committee shall be discharged from further consideration of the resolution.

(C) CONSULTATION AND COMPLIANCE RESOLUTION DESCRIBED.—A consultation and compliance resolution—

(i) is a resolution of the House of Representatives, the sole matter after the resolving clause of which is as follows: ''That the President has failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 on negotiations with respect to _____ and, therefore, the trade authorities procedures under that Act shall not apply in the House of Representatives to any implementing bill submitted with respect to such trade agreement or agreements.'', with the blank space being filled with a description of the trade agreement or agreements described in subparagraph (A); and

(ii) shall be referred to the Committee on Ways and Means.

(D) APPLICABILITY OF TRADE AUTHORITIES PROCEDURES.—The trade authorities procedures shall not apply in the House of Representatives to any implementing bill submitted with respect to a trade agreement or agreements which are the object of a consultation and compliance resolution if such resolution is adopted by the House.

(5) FOR FAILURE TO MEET OTHER REQUIREMENTS.—Not later than December 15, 2015, the Secretary of Commerce, in consultation with the Secretary of State, the Secretary of the Treasury, the Attorney General, and the United States Trade Representative, shall transmit to Congress a report setting forth the strategy of the executive branch to address concerns of Congress regarding whether dispute settlement panels and the Appellate Body of the World Trade Organization have added to obligations, or diminished rights, of the United States, as described in section 102(b)(15)(C). Trade authorities procedures shall not apply to any implementing bill with respect to an agreement negotiated under the auspices of the World Trade Organization unless the Secretary of Commerce has issued such report by the deadline specified in this paragraph.

(6) LIMITATIONS ON PROCEDURES WITH RESPECT TO AGREEMENTS WITH COUNTRIES NOT IN COMPLIANCE WITH TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—

(A) IN GENERAL.—The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) with a country to which the minimum standards for the elimination of trafficking are applicable and the government of which does

not fully comply with such standards and is not making significant efforts to bring the country into compliance (commonly referred to as a ''tier 3'' country), as determined in the most recent annual report on trafficking in persons submitted under section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)).

(B) MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING DEFINED.—In this paragraph, the term ''minimum standards for the elimination of trafficking'' means the standards set forth in section 108 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106).

(c) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—Subsection (b) of this section, section 103(c), and section 105(b)(3) are enacted by Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such are deemed a part of the rules of each House, respectively, and such procedures supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with the full recognition of the constitutional right of either House to change the rules (so far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as any other rule of that House.

SEC. 107. TREATMENT OF CERTAIN TRADE AGREEMENTS FOR WHICH NEGOTIATIONS HAVE ALREADY BEGUN.

(a) CERTAIN AGREEMENTS.—Notwithstanding the prenegotiation notification and consultation requirement described in section 105(a), if an agreement to which section 103(b) applies—

(1) is entered into under the auspices of the World Trade Organization,

(2) is entered into with the Trans-Pacific Partnership countries with respect to which notifications have been made in a manner consistent with section 105(a)(1)(A) as of the date of the enactment of this Act,

(3) is entered into with the European Union,

(4) is an agreement with respect to international trade in services entered into with WTO members with respect to which a notification has been made in a manner consistent with section 105(a)(1)(A) as of the date of the enactment of this Act, or

(5) is an agreement with respect to environmental goods entered into with WTO members with respect to which a notification has been made in a manner consistent with section 105(a)(1)(A) as of the date of the enactment of this Act,

and results from negotiations that were commenced before the date of the enactment of this Act, subsection (b) shall apply.

(b) TREATMENT OF AGREEMENTS.—In the case of any agreement to which subsection (a) applies, the applicability of the trade authorities procedures to implementing bills shall be determined without regard to the requirements of section 105(a) (relating only to notice prior to initiating negotiations), and any resolution under paragraph (1)(B), (3)(C), or (4)(C) of section 106(b) shall not be in order on the basis of a failure or refusal to comply with the provisions of section 105(a), if (and only if) the President, as soon as feasible after the date of the enactment of this Act—

(1) notifies Congress of the negotiations described in subsection (a), the specific United States objectives in the negotiations, and whether the President is seeking a new agreement or changes to an existing agreement; and

(2) before and after submission of the notice, consults regarding the negotiations with the committees referred to in section 105(a)(1)(B) and the House and Senate Advisory Groups on Negotiations convened under section 104(c).

SEC. 108. SOVEREIGNTY.

(a) UNITED STATES LAW TO PREVAIL IN EVENT OF CONFLICT.—No provision of any trade agreement entered into under section 103(b), nor the application of any such provision to any person or circumstance, that is inconsistent with any law of the United States, any State of the United States, or any locality of the United States shall have effect.

(b) AMENDMENTS OR MODIFICATIONS OF UNITED STATES LAW.—No provision of any trade agreement entered into under section 103(b) shall prevent the United States, any State of the United States, or any locality of the United States from amending or modifying any law of the United States, that State, or that locality (as the case may be).

(c) DISPUTE SETTLEMENT REPORTS.—Reports, including findings and recommendations, issued by dispute settlement panels convened pursuant to any trade agreement entered into under section 103(b) shall have no binding effect on the law of the United States, the Government of the United States, or the law or government of any State or locality of the United States.

SEC. 109. INTERESTS OF SMALL BUSINESSES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States Trade Representative should facilitate participation by small businesses in the trade negotiation process; and

(2) the functions of the Office of the United States Trade Representative relating to small businesses should continue to be reflected in the title of the Assistant United States Trade Representative assigned the responsibility for small businesses.

(b) CONSIDERATION OF SMALL BUSINESS INTERESTS.—The Assistant United States Trade Representative for Small Business, Market Access, and Industrial Competitiveness shall be responsible for ensuring that the interests of small businesses are considered in all trade negotiations in accordance with the objective described in section 102(a)(8).

SEC. 110. CONFORMING AMENDMENTS; APPLICATION OF CERTAIN PROVISIONS.

(a) CONFORMING AMENDMENTS.—

(1) ADVICE FROM UNITED STATES INTERNATIONAL TRADE COMMISSION.—Section 131 of the Trade Act of 1974 (19 U.S.C. 2151) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''section 2103(a) or (b) of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''subsection (a) or (b) of section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''; and

(ii) in paragraph (2), by striking ''section 2103(b) of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 103(b) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015'';

(B) in subsection (b), by striking ''section 2103(a)(3)(A) of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 103(a)(4)(A) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''; and

(C) in subsection (c), by striking ''section 2103 of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 103(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.

(2) HEARINGS.—Section 132 of the Trade Act of 1974 (19 U.S.C. 2152) is amended by striking ''section 2103 of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.

(3) PUBLIC HEARINGS.—Section 133(a) of the Trade Act of 1974 (19 U.S.C. 2153(a)) is amended by striking ''section 2103 of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.

(4) PREREQUISITES FOR OFFERS.—Section 134 of the Trade Act of 1974 (19 U.S.C. 2154) is amended by striking ''section 2103 of the Bipartisan Trade Promotion Authority Act of 2002'' each place it appears and inserting ''section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.

(5) INFORMATION AND ADVICE FROM PRIVATE AND PUBLIC SECTORS.—Section 135 of the Trade Act of 1974 (19 U.S.C. 2155) is amended—

(A) in subsection (a)(1)(A), by striking ''section 2103 of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''; and

(B) in subsection (e)—

(i) in paragraph (1)—

(I) by striking ''section 2103 of the Bipartisan Trade Promotion Authority Act of 2002'' each place it appears and inserting ''section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''; and

(II) by striking ''not later than the date on which the President notifies the Congress under section 2105(a)(1)(A) of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''not later than the date that is 30 days after the date on which the President notifies Congress under section 106(a)(1)(A) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''; and

(ii) in paragraph (2), by striking ''section 2102 of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 102 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.

(6) PROCEDURES RELATING TO IMPLEMENTING BILLS.—Section 151 of the Trade Act of 1974 (19 U.S.C. 2191) is amended—

(A) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''section 2105(a)(1) of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 106(a)(1) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''; and

(B) in subsection (c)(1), by striking ''section 2105(a)(1) of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 106(a)(1) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.

(7) TRANSMISSION OF AGREEMENTS TO CONGRESS.—Section 162(a) of the Trade Act of 1974 (19 U.S.C. 2212(a)) is amended by striking ''section 2103 of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.

(b) APPLICATION OF CERTAIN PROVISIONS.—For purposes of applying sections 125, 126, and 127 of the Trade Act of 1974 (19 U.S.C. 2135, 2136, and 2137)—

(1) any trade agreement entered into under section 103 shall be treated as an agreement entered into under section 101 or 102 of the Trade Act of 1974 (19 U.S.C. 2111 or 2112), as appropriate; and

(2) any proclamation or Executive order issued pursuant to a trade agreement entered into under section 103 shall be treated as a proclamation or Executive order issued pursuant to a trade agreement entered into under section 102 of the Trade Act of 1974 (19 U.S.C. 2112).

SEC. 111. DEFINITIONS.

In this title:

(1) AGREEMENT ON AGRICULTURE.—The term ''Agreement on Agriculture'' means the agreement referred to in section 101(d)(2) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(2)).

(2) AGREEMENT ON SAFEGUARDS.—The term ''Agreement on Safeguards'' means the agreement referred to in section 101(d)(13) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(13)).

(3) AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES.—The term ''Agreement on Subsidies and Countervailing Measures'' means the agreement referred to in section 101(d)(12) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(12)).

(4) ANTIDUMPING AGREEMENT.—The term ''Antidumping Agreement'' means the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 referred to in section 101(d)(7) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(7)).

(5) APPELLATE BODY.—The term ''Appellate Body'' means the Appellate Body established under Article 17.1 of the Dispute Settlement Understanding.

(6) COMMON MULTILATERAL ENVIRONMENTAL AGREEMENT.—

(A) IN GENERAL.—The term ''common multilateral environmental agreement'' means any agreement specified in subparagraph (B) or included under subparagraph (C) to which both the United States and one or more other parties to the negotiations are full parties, including any current or future mutually agreed upon protocols, amendments, annexes, or adjustments to such an agreement.

(B) AGREEMENTS SPECIFIED.—The agreements specified in this subparagraph are the following:

(i) The Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington March 3, 1973 (27 UST 1087; TIAS 8249).

(ii) The Montreal Protocol on Substances that Deplete the Ozone Layer, done at Montreal September 16, 1987.

(iii) The Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships, 1973, done at London February 17, 1978.

(iv) The Convention on Wetlands of International Importance Especially as Waterfowl Habitat, done at Ramsar February 2, 1971 (TIAS 11084).

(v) The Convention on the Conservation of Antarctic Marine Living Resources, done at Canberra May 20, 1980 (33 UST 3476).

(vi) The International Convention for the Regulation of Whaling, done at Washington December 2, 1946 (62 Stat. 1716).

(vii) The Convention for the Establishment of an Inter-American Tropical Tuna Commission, done at Washington May 31, 1949 (1 UST 230).

(C) ADDITIONAL AGREEMENTS.—Both the United States and one or more other parties to the negotiations may agree to include any other multilateral environmental or conservation agreement to which they are full parties as a common multilateral environmental agreement under this paragraph.

(7) CORE LABOR STANDARDS.—The term ''core labor standards'' means—

(A) freedom of association;

(B) the effective recognition of the right to collective bargaining;

(C) the elimination of all forms of forced or compulsory labor;

(D) the effective abolition of child labor and a prohibition on the worst forms of child labor; and

(E) the elimination of discrimination in respect of employment and occupation.

(8) DISPUTE SETTLEMENT UNDERSTANDING.—The term ''Dispute Settlement Understanding'' means the Understanding on Rules and Procedures Governing the Settlement of Disputes referred to in section 101(d)(16) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(16)).

(9) ENABLING CLAUSE.—The term ''Enabling Clause'' means the Decision on Differential and More Favourable Treatment, Reciprocity and Fuller Participation of Developing Countries (L/4903), adopted November 28, 1979, under GATT 1947 (as defined in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501)).

(10) ENVIRONMENTAL LAWS.—The term ''environmental laws'', with respect to the laws of the United States, means environmental statutes and regulations enforceable by action of the Federal Government.

(11) GATT 1994.—The term ''GATT 1994'' has the meaning given that term in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).

(12) GENERAL AGREEMENT ON TRADE IN SERVICES.—The term ''General Agreement on Trade in Services'' means the General Agreement on Trade in Services (referred to in section 101(d)(14) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(14))).

(13) GOVERNMENT PROCUREMENT AGREEMENT.—The term ''Government Procurement Agreement'' means the Agreement on Government Procurement referred to in section 101(d)(17) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(17)).

(14) ILO.—The term ''ILO'' means the International Labor Organization.

(15) IMPORT SENSITIVE AGRICULTURAL PRODUCT.—The term ''import sensitive agricultural product'' means an agricultural product—

(A) with respect to which, as a result of the Uruguay Round Agreements, the rate of duty was the subject of tariff reductions by the United States and, pursuant to such Agreements, was reduced on January 1, 1995, to a rate that was not less than 97.5 percent of the rate of duty that applied to such article on December 31, 1994; or

(B) which was subject to a tariff rate quota on the date of the enactment of this Act.

(16) INFORMATION TECHNOLOGY AGREEMENT.—The term ''Information Technology Agreement'' means the Ministerial Declaration on Trade in Information Technology Products of the World Trade Organization, agreed to at Singapore December 13, 1996.

(17) INTERNATIONALLY RECOGNIZED CORE LABOR STANDARDS.—The term ''internationally recognized core labor standards'' means the core labor standards only as stated in the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up (1998).

(18) LABOR LAWS.—The term ''labor laws'' means the statutes and regulations, or provisions thereof, of a party to the negotiations that are directly related to core labor standards as well as other labor protections for children and minors and acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health, and for the United States, includes Federal statutes and regulations addressing those standards, protections, or conditions, but does not include State or local labor laws.

(19) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen;

(B) a partnership, corporation, or other legal entity that is organized under the laws of the United States; and

(C) a partnership, corporation, or other legal entity that is organized under the laws of a foreign country and is controlled by entities described in subparagraph (B) or United States citizens, or both.

(20) URUGUAY ROUND AGREEMENTS.—The term ''Uruguay Round Agreements'' has the meaning given that term in section 2(7) of the Uruguay Round Agreements Act (19 U.S.C. 3501(7)).

(21) WORLD TRADE ORGANIZATION; WTO.—The terms ''World Trade Organization'' and ''WTO'' mean the organization established pursuant to the WTO Agreement.

(22) WTO AGREEMENT.—The term ''WTO Agreement'' means the Agreement Establishing the World Trade Organization entered into on April 15, 1994.

(23) WTO MEMBER.—The term ''WTO member'' has the meaning given that term in section 2(10) of the Uruguay Round Agreements Act (19 U.S.C. 3501(10)).

TITLE II—EXTENSION OF TRADE ADJUSTMENT ASSISTANCE

SEC. 201. SHORT TITLE.

This title may be cited as the ''Trade Adjustment Assistance Reauthorization Act of 2015''.

SEC. 202. APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE.

(a) REPEAL OF SNAPBACK.—Section 233 of the Trade Adjustment Assistance Extension Act of 2011 (Public Law 112–40; 125 Stat. 416) is repealed.

(b) APPLICABILITY OF CERTAIN PROVISIONS.—Except as otherwise provided in this title, the provisions of chapters 2 through 6 of title II of the Trade Act of 1974, as in effect on December 31, 2013, and as amended by this title, shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to petitions for certification filed under chapter 2, 3, or 6 of title II of the Trade Act of 1974 on or after such date of enactment.

(c) REFERENCES.—Except as otherwise provided in this title, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision of chapters 2 through 6 of title II of the Trade Act of 1974, the reference shall be considered to be made to a provision of any such chapter, as in effect on December 31, 2013.

SEC. 203. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE PROGRAM.

(a) EXTENSION OF TERMINATION PROVISIONS.—Section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended by striking ''December 31, 2013'' each place it appears and inserting ''June 30, 2021''.

(b) TRAINING FUNDS.—Section 236(a)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)(A)) is amended by striking ''shall not exceed'' and all that follows and inserting ''shall not exceed $450,000,000 for each of fiscal years 2015 through 2021.''.

(c) REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE.—Section 246(b)(1) of the Trade Act of 1974 (19 U.S.C. 2318(b)(1)) is amended by striking ''December 31, 2013'' and inserting ''June 30, 2021''.

(d) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking ''December 31, 2013'' and inserting ''June 30, 2021''.

(2) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—Section 255(a) of the Trade Act of 1974 (19 U.S.C. 2345(a)) is amended by striking ''fiscal years 2012 and 2013'' and all that follows through ''December 31, 2013'' and inserting ''fiscal years 2015 through 2021''.

(3) TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.—Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended by striking ''fiscal years 2012 and 2013'' and all that follows through ''December 31, 2013'' and inserting ''fiscal years 2015 through 2021''.

SEC. 204. PERFORMANCE MEASUREMENT AND REPORTING.

(a) PERFORMANCE MEASURES.—Section 239(j) of the Trade Act of 1974 (19 U.S.C. 2311(j)) is amended—

(1) in the subsection heading, by striking ''DATA REPORTING'' and inserting ''PERFORMANCE MEASURES'';

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''a quarterly'' and inserting ''an annual''; and

(ii) by striking ''data'' and inserting ''measures'';

(B) in subparagraph (A), by striking ''core'' and inserting ''primary''; and

(C) in subparagraph (C), by inserting ''that promote efficiency and effectiveness'' after ''assistance program'';

(3) in paragraph (2)—

(A) in the paragraph heading, by striking ''CORE INDICATORS DESCRIBED'' and inserting ''INDICATORS OF PERFORMANCE''; and

(B) by striking subparagraph (A) and inserting the following:

''(A) PRIMARY INDICATORS OF PERFORMANCE DESCRIBED.—

''(i) IN GENERAL.—The primary indicators of performance referred to in paragraph (1)(A) shall consist of—

''(I) the percentage and number of workers who received benefits under the trade adjustment assistance program who are in unsubsidized employment during the second calendar quarter after exit from the program;

''(II) the percentage and number of workers who received benefits under the trade adjustment assistance program and who are in unsubsidized employment during the fourth calendar quarter after exit from the program;

''(III) the median earnings of workers described in subclause (I);

''(IV) the percentage and number of workers who received benefits under the trade adjustment assistance program who, subject to clause (ii), obtain a recognized postsecondary credential or a secondary school diploma or its recognized equivalent, during participation in the program or within one year after exit from the program; and

''(V) the percentage and number of workers who received benefits under the trade adjustment assistance program who, during a year while receiving such benefits, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable gains in skills toward such a credential or employment.

''(ii) INDICATOR RELATING TO CREDENTIAL.—For purposes of clause (i)(IV), a worker who received benefits under the trade adjustment assistance program who obtained a secondary school diploma or its recognized equivalent shall be included in the percentage counted for purposes of that clause only if the worker, in addition to obtaining such a diploma or its recognized equivalent, has obtained or retained employment or is in an education or training program leading to a recognized postsecondary credential within one year after exit from the program.'';

(4) in paragraph (3)—

(A) in the paragraph heading, by striking ''DATA'' and inserting ''MEASURES'';

(B) by striking ''quarterly'' and inserting ''annual''; and

(C) by striking ''data'' and inserting ''measures''; and

(5) by adding at the end the following:

''(4) ACCESSIBILITY OF STATE PERFORMANCE REPORTS.—The Secretary shall, on an annual basis, make available (including by electronic means), in an easily understandable format, the reports of cooperating States or cooperating State agencies required by paragraph (1) and the information contained in those reports.''.

(b) COLLECTION AND PUBLICATION OF DATA.—Section 249B of the Trade Act of 1974 (19 U.S.C. 2323) is amended—

(1) in subsection (b)—

(A) in paragraph (3)—

(i) in subparagraph (A), by striking ''enrolled in'' and inserting ''who received'';

(ii) in subparagraph (B)—

(I) by striking ''complete'' and inserting ''exited''; and

(II) by striking ''who were enrolled in'' and inserting '', including who received'';

(iii) in subparagraph (E), by striking ''complete'' and inserting ''exited'';

(iv) in subparagraph (F), by striking ''complete'' and inserting ''exit''; and

(v) by adding at the end the following:

''(G) The average cost per worker of receiving training approved under section 236.

''(H) The percentage of workers who received training approved under section 236 and obtained unsubsidized employment in a field related to that training.''; and

(B) in paragraph (4)—

(i) in subparagraphs (A) and (B), by striking ''quarterly'' each place it appears and inserting ''annual''; and

(ii) by striking subparagraph (C) and inserting the following:

''(C) The median earnings of workers described in section 239(j)(2)(A)(i)(III) during the second calendar quarter after exit from the program, expressed as a percentage of the median earnings of such workers before the calendar quarter in which such workers began receiving benefits under this chapter.''; and

(2) in subsection (e)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(ii) by inserting after subparagraph (A) the following:

''(B) the reports required under section 239(j);''; and

(B) in paragraph (2), by striking ''a quarterly'' and inserting ''an annual''.

(c) RECOGNIZED POSTSECONDARY CREDENTIAL DEFINED.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended by adding at the end the following:

''(19) The term 'recognized postsecondary credential' means a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by a State or the Federal Government, or an associate or baccalaureate degree.''.

SEC. 205. APPLICABILITY OF TRADE ADJUSTMENT ASSISTANCE PROVISIONS.

(a) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—

(1) PETITIONS FILED ON OR AFTER JANUARY 1, 2014, AND BEFORE DATE OF ENACTMENT.—

(A) CERTIFICATIONS OF WORKERS NOT CERTIFIED BEFORE DATE OF ENACTMENT.—

(i) CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.—If, as of the date of the enactment of this Act, the Secretary of Labor has not made a determination with respect to whether to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall make that determination based on the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment.

(ii) RECONSIDERATION OF DENIALS OF CERTIFICATIONS.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall—

(I) reconsider that determination; and

(II) if the group of workers meets the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment, certify the group of workers as eligible to apply for adjustment assistance.

(iii) PETITION DESCRIBED.—A petition described in this clause is a petition for a certification of eligibility for a group of workers filed under section 221 of the Trade Act of 1974 on or after January 1, 2014, and before the date of the enactment of this Act.

(B) ELIGIBILITY FOR BENEFITS.—

(i) IN GENERAL.—Except as provided in clause (ii), a worker certified as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in subparagraph (A)(iii) shall be eligible, on and after the date that is 90 days after the date of the enactment of this Act, to receive benefits only under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on such date of enactment.

(ii) COMPUTATION OF MAXIMUM BENEFITS.—Benefits received by a worker described in clause (i) under chapter 2 of title II of the Trade Act of 1974 before the date of the enactment of this Act shall be included in any determination of the maximum benefits for which the worker is eligible under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act.

(2) PETITIONS FILED BEFORE JANUARY 1, 2014.—A worker certified as eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or before December 31, 2013, shall continue to be eligible to apply for and receive benefits under the provisions of chapter 2 of title II of such Act, as in effect on December 31, 2013.

(3) QUALIFYING SEPARATIONS WITH RESPECT TO PETITIONS FILED WITHIN 90 DAYS OF DATE OF ENACTMENT.—Section 223(b) of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall be applied and administered by substituting ''before January 1, 2014'' for ''more than one year before the date of the petition on which such certification was granted'' for purposes of determining whether a worker is eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or after the date of the enactment of this Act and on or before the date that is 90 days after such date of enactment.

(b) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—

(1) CERTIFICATION OF FIRMS NOT CERTIFIED BEFORE DATE OF ENACTMENT.—

(A) CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.—If, as of the date of the enactment of this Act, the Secretary of Commerce has not made a determination with respect to whether to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall make that determination based on the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment.

(B) RECONSIDERATION OF DENIAL OF CERTAIN PETITIONS.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall—

(i) reconsider that determination; and

(ii) if the firm meets the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment, certify the firm as eligible to apply for adjustment assistance.

(C) PETITION DESCRIBED.—A petition described in this subparagraph is a petition for a certification of eligibility filed by a firm or its representative under section 251 of the Trade Act of 1974 on or after January 1, 2014, and before the date of the enactment of this Act.

(2) CERTIFICATION OF FIRMS THAT DID NOT SUBMIT PETITIONS BETWEEN JANUARY 1, 2014, AND DATE OF ENACTMENT.—

(A) IN GENERAL.—The Secretary of Commerce shall certify a firm described in subparagraph (B) as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974, as in effect on the date of the enactment of this Act, if the firm or its representative files a petition for a certification of eligibility under section 251 of the Trade Act of 1974 not later than 90 days after such date of enactment.

(B) FIRM DESCRIBED.—A firm described in this subparagraph is a firm that the Secretary determines would have been certified as eligible to apply for adjustment assistance if—

(i) the firm or its representative had filed a petition for a certification of eligibility under section 251 of the Trade Act of 1974 on a date during the period beginning on January 1, 2014, and ending on the day before the date of the enactment of this Act; and

(ii) the provisions of chapter 3 of title II of the Trade Act of 1974, as in effect on such date of enactment, had been in effect on that date during the period described in clause (i).

SEC. 206. SUNSET PROVISIONS.

(a) APPLICATION OF PRIOR LAW.—Subject to subsection (b), beginning on July 1, 2021, the provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.), as in effect on January 1, 2014, shall be in effect and apply, except that in applying and administering such chapters—

(1) paragraph (1) of section 231(c) of that Act shall be applied and administered as if subparagraphs (A), (B), and (C) of that paragraph were not in effect;

(2) section 233 of that Act shall be applied and administered—

(A) in subsection (a)—

(i) in paragraph (2), by substituting ''104-week period'' for ''104-week period'' and all that follows through ''130-week period)''; and

(ii) in paragraph (3)—

(I) in the matter preceding subparagraph (A), by substituting ''65'' for ''52''; and

(II) by substituting ''78-week period'' for ''52-week period'' each place it appears; and

(B) by applying and administering subsection (g) as if it read as follows:

''(g) PAYMENT OF TRADE READJUSTMENT ALLOWANCES TO COMPLETE TRAINING.—Notwithstanding any other provision of this section, in order to assist an adversely affected worker to complete training approved for the worker under section 236 that leads to the completion of a degree or industry-recognized credential, payments may be made as trade readjustment allowances for not more than 13 weeks within such period of eligibility as the Secretary may prescribe to account for a break in training or for justifiable cause that follows the last week for which the worker is otherwise entitled to a trade readjustment allowance under this chapter if—

''(1) payment of the trade readjustment allowance for not more than 13 weeks is necessary for the worker to complete the training;

''(2) the worker participates in training in each such week; and

''(3) the worker—

''(A) has substantially met the performance benchmarks established as part of the training approved for the worker;

''(B) is expected to continue to make progress toward the completion of the training; and

''(C) will complete the training during that period of eligibility.'';

(3) section 245(a) of that Act shall be applied and administered by substituting ''June 30, 2022'' for ''December 31, 2007'';

(4) section 246(b)(1) of that Act shall be applied and administered by substituting ''June 30, 2022'' for ''the date that is 5 years'' and all that follows through ''State'';

(5) section 256(b) of that Act shall be applied and administered by substituting ''the 1-year period beginning on July 1, 2021'' for ''each of fiscal years 2003 through 2007, and $4,000,000 for the 3-month period beginning on October 1, 2007'';

(6) section 298(a) of that Act shall be applied and administered by substituting ''the 1-year period beginning on July 1, 2021'' for ''each of the fiscal years'' and all that follows through ''October 1, 2007''; and

(7) section 285 of that Act shall be applied and administered—

(A) in subsection (a), by substituting ''June 30, 2022'' for ''December 31, 2007'' each place it appears; and

(B) by applying and administering subsection (b) as if it read as follows:

''(b) OTHER ASSISTANCE.—

''(1) ASSISTANCE FOR FIRMS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 3 after June 30, 2022.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 3 pursuant to a petition filed under section 251 on or before June 30, 2022, may be provided—

''(i) to the extent funds are available pursuant to such chapter for such purpose; and

''(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.

''(2) FARMERS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 6 after June 30, 2022.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 6 on or before June 30, 2022, may be provided—

''(i) to the extent funds are available pursuant to such chapter for such purpose; and

''(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.''.

(b) EXCEPTIONS.—The provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall continue to apply on and after July 1, 2021, with respect to—

(1) workers certified as eligible for trade adjustment assistance benefits under chapter 2 of title II of that Act pursuant to petitions filed under section 221 of that Act before July 1, 2021;

(2) firms certified as eligible for technical assistance or grants under chapter 3 of title II of that Act pursuant to petitions filed under section 251 of that Act before July 1, 2021; and

(3) agricultural commodity producers certified as eligible for technical or financial assistance under chapter 6 of title II of that Act pursuant to petitions filed under section 292 of that Act before July 1, 2021.

SEC. 207. EXTENSION AND MODIFICATION OF HEALTH COVERAGE TAX CREDIT.

(a) EXTENSION.—Subparagraph (B) of section 35(b)(1) of the Internal Revenue Code of 1986 is amended by striking ''before January 1, 2014'' and inserting ''before January 1, 2020''.

(b) COORDINATION WITH CREDIT FOR COVERAGE UNDER A QUALIFIED HEALTH PLAN.—Subsection (g) of section 35 of the Internal Revenue Code of 1986 is amended—

(1) by redesignating paragraph (11) as paragraph (13), and

(2) by inserting after paragraph (10) the following new paragraphs:

''(11) ELECTION.—

''(A) IN GENERAL.—This section shall not apply to any taxpayer for any eligible coverage month unless such taxpayer elects the application of this section for such month.

''(B) TIMING AND APPLICABILITY OF ELECTION.—Except as the Secretary may provide—

''(i) an election to have this section apply for any eligible coverage month in a taxable year shall be made not later than the due date (including extensions) for the return of tax for the taxable year, and

''(ii) any election for this section to apply for an eligible coverage month shall apply for all subsequent eligible coverage months in the taxable year and, once made, shall be irrevocable with respect to such months.

''(12) COORDINATION WITH PREMIUM TAX CREDIT.—

''(A) IN GENERAL.—An eligible coverage month to which the election under paragraph (11) applies shall not be treated as a coverage month (as defined in section 36B(c)(2)) for purposes of section 36B with respect to the taxpayer.

''(B) COORDINATION WITH ADVANCE PAYMENTS OF PREMIUM TAX CREDIT.—In the case of a taxpayer who makes the election under paragraph (11) with respect to any eligible coverage month in a taxable year or on behalf of whom any advance payment is made under section 7527 with respect to any month in such taxable year—

''(i) the tax imposed by this chapter for the taxable year shall be increased by the excess, if any, of—

''(I) the sum of any advance payments made on behalf of the taxpayer under section 1412 of the Patient Protection and Affordable Care Act and section 7527 for months during such taxable year, over

''(II) the sum of the credits allowed under this section (determined without regard to paragraph (1)) and section 36B (determined without regard to subsection (f)(1) thereof) for such taxable year, and

''(ii) section 36B(f)(2) shall not apply with respect to such taxpayer for such taxable year, except that if such taxpayer received any advance payments under section 7527 for any month in such taxable year and is later allowed a credit under section 36B for such taxable year, then section 36B(f)(2)(B) shall be applied by substituting the amount determined under clause (i) for the amount determined under section 36B(f)(2)(A).''.

(c) EXTENSION OF ADVANCE PAYMENT PROGRAM.—

(1) IN GENERAL.—Subsection (a) of section 7527 of the Internal Revenue Code of 1986 is amended by striking ''August 1, 2003'' and inserting ''the date that is 1 year after the date of the enactment of the Trade Adjustment Assistance Reauthorization Act of 2015''.

(2) CONFORMING AMENDMENT.—Paragraph (1) of section 7527(e) of such Code is amended by striking ''occurring'' and all that follows and inserting ''occurring—

''(A) after the date that is 1 year after the date of the enactment of the Trade Adjustment Assistance Reauthorization Act of 2015, and

''(B) prior to the first month for which an advance payment is made on behalf of such individual under subsection (a).''.

(d) INDIVIDUAL INSURANCE TREATED AS QUALIFIED HEALTH INSURANCE WITHOUT REGARD TO ENROLLMENT DATE.—

(1) IN GENERAL.—Subparagraph (J) of section 35(e)(1) of the Internal Revenue Code of 1986 is amended by striking ''insurance if the eligible individual'' and all that follows through ''For purposes of'' and inserting ''insurance. For purposes of''.

(2) SPECIAL RULE.—Subparagraph (J) of section 35(e)(1) of such Code, as amended by paragraph (1), is amended by striking ''insurance.'' and inserting ''insurance (other than coverage enrolled in through an Exchange established under the Patient Protection and Affordable Care Act).''.

(e) CONFORMING AMENDMENT.—Subsection (m) of section 6501 of the Internal Revenue Code of 1986 is amended by inserting '', 35(g)(11)'' after ''30D(e)(4)''.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to coverage months in taxable years beginning after December 31, 2013.

(2) PLANS AVAILABLE ON INDIVIDUAL MARKET FOR USE OF TAX CREDIT.—The amendment made by subsection (d)(2) shall apply to coverage months in taxable years beginning after December 31, 2015.

(3) TRANSITION RULE.—Notwithstanding section 35(g)(11)(B)(i) of the Internal Revenue Code of 1986 (as added by this title), an election to apply section 35 of such Code to an eligible coverage month (as defined in section 35(b) of such Code) (and not to claim the credit under section 36B of such Code with respect to such month) in a taxable year beginning after December 31, 2013, and before the date of the enactment of this Act—

(A) may be made at any time on or after such date of enactment and before the expiration of the 3-year period of limitation prescribed in section 6511(a) with respect to such taxable year; and

(B) may be made on an amended return.

(g) AGENCY OUTREACH.—As soon as possible after the date of the enactment of this Act, the Secretaries of the Treasury, Health and Human Services, and Labor (or such Secretaries' delegates) and the Director of the Pension Benefit Guaranty Corporation (or the Director's delegate) shall carry out programs of public outreach, including on the Internet, to inform potential eligible individuals (as defined in section 35(c)(1) of the Internal Revenue Code of 1986) of the extension of the credit under section 35 of the Internal Revenue Code of 1986 and the availability of the election to claim such credit retroactively for coverage months beginning after December 31, 2013.

SEC. 208. CUSTOMS USER FEES.

(a) IN GENERAL.—Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (B)(i), by striking ''September 30, 2024'' and inserting ''September 30, 2025''; and

(2) by adding at the end the following:

''(D) Fees may be charged under paragraphs (9) and (10) of subsection (a) during the period beginning on July 29, 2025, and ending on September 30, 2025.''.

(b) RATE FOR MERCHANDISE PROCESSING FEES.—Section 503 of the United States–Korea Free Trade Agreement Implementation Act (Public Law 112–41; 125 Stat. 460) is amended by adding at the end the following:

''(c) FURTHER ADDITIONAL PERIOD.—For the period beginning on July 15, 2025, and ending on September 30, 2025, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

''(1) in subparagraph (A), by substituting '0.3464' for '0.21'; and

''(2) in subparagraph (B)(i), by substituting '0.3464' for '0.21'.''.

SEC. 209. CHILD TAX CREDIT NOT REFUNDABLE FOR TAXPAYERS ELECTING TO EXCLUDE FOREIGN EARNED INCOME FROM TAX.

(a) IN GENERAL.—Section 24(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) EXCEPTION FOR TAXPAYERS EXCLUDING FOREIGN EARNED INCOME.—Paragraph (1) shall not apply to any taxpayer for any taxable year if such taxpayer elects to exclude any amount from gross income under section 911 for such taxable year.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2014.

SEC. 210. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Notwithstanding section 6655 of the Internal Revenue Code of 1986, in the case of a corporation with assets of not less than $1,000,000,000 (determined as of the end of the preceding taxable year)—

(1) the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2020 shall be increased by 2.75 percent of such amount (determined without regard to any increase in such amount not contained in such Code); and

(2) the amount of the next required installment after an installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

SEC. 211. COVERAGE AND PAYMENT FOR RENAL DIALYSIS SERVICES FOR INDIVIDUALS WITH ACUTE KIDNEY INJURY.

(a) COVERAGE.—Section 1861(s)(2)(F) of the Social Security Act (42 U.S.C. 1395x(s)(2)(F)) is amended by inserting before the semicolon the following: '', including such renal dialysis services furnished on or after January 1, 2017, by a renal dialysis facility or provider of services paid under section 1881(b)(14) to an individual with acute kidney injury (as defined in section 1834(r)(2))''.

(b) PAYMENT.—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:

''(r) PAYMENT FOR RENAL DIALYSIS SERVICES FOR INDIVIDUALS WITH ACUTE KIDNEY INJURY.—

''(1) PAYMENT RATE.—In the case of renal dialysis services (as defined in subparagraph (B) of section 1881(b)(14)) furnished under this part by a renal dialysis facility or provider of services paid under such section during a year (beginning with 2017) to an individual with acute kidney injury (as defined in paragraph (2)), the amount of payment under this part for such services shall be the base rate for renal dialysis services determined for such year under such section, as adjusted by any applicable geographic adjustment factor applied under subparagraph (D)(iv)(II) of such section and may be adjusted by the Secretary (on a budget neutral basis for payments under this paragraph) by any other adjustment factor under subparagraph (D) of such section.

''(2) INDIVIDUAL WITH ACUTE KIDNEY INJURY DEFINED.—In this subsection, the term 'individual with acute kidney injury' means an individual who has acute loss of renal function and does not receive renal dialysis services for which payment is made under section 1881(b)(14).''.

SEC. 212. MODIFICATION OF THE MEDICARE SEQUESTER FOR FISCAL YEAR 2024.

Section 251A(6)(D)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(6)(D)(ii)) is amended by striking ''0.0 percent'' and inserting ''0.25 percent''.

MOTION OFFERED BY MR. RYAN OF WISCONSIN

Mr. RYAN of Wisconsin. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Ryan of Wisconsin moves that the House concur in the Senate amendment to H.R. 1314.

The SPEAKER pro tempore. Pursuant to House Resolution 305, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The gentleman from Wisconsin (Mr. RYAN) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1314, the Trade Act of 2015, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as may I consume.

Mr. Speaker, the question before us today is really pretty simple: Is America going to shape the global economy or is it going to shape us? Ninety-five percent of the world's consumers, they don't live in this country. They live in other countries. So if we want to create more jobs in America, we have got to make more things here in America and sell them over there. In fact, one out of every five jobs in America already today depends on trade, and you know what, that is a good thing because these jobs pay more. They pay on average 18 percent more. But while the world is moving full steam ahead we have been standing still, Mr. Speaker.

We haven't completed a trade agreement in years. Today, there are 262 free trade agreements in place across the world. We are a party to 14. Since 2007, when the last version of trade promotion authority expired, there have been 100 trade agreements negotiated and signed. The U.S. is a party to none of those. China is negotiating seven agreements right now, including one with 16 countries.

In the global economy, if you are standing still, you are falling behind because all these other countries are negotiating agreements without us. What that basically means is other countries are lowering their trade barriers between those countries. As a result of them lowering their trade barriers, making their products more affordable, getting more market share, they are putting up barriers against our products, making it harder for us to get access to those markets.

Big companies can set up a factory in another country, make something there, and sell it there. Getting trade agreements means removing those barriers so we keep those factories here, so all businesses, big and small, can make things in America, grow things in America, and sell them overseas.

Let me just give you an example. Since the year 2000 there have been 48 trade agreements in East Asia alone. America has been a party to only two of them, and as a result of that, our share of their imports fell by 42 percent.

The rules of the global economy are being written right now, Mr. Speaker. That is not the question. The question is: Are we going to write the rules of the global economy with our allies or are we going to let other countries write the rules, such as China? This is why H.R. 1314, the Trade Act, would establish TPA, or trade promotion authority.

Now, there has been a lot of confusion about this bill, a lot of honest confusion and sometimes a lot of intentional confusion. Let me say really clearly what this bill is.

TPA is not a trade deal. TPA is not a trade agreement. TPA is a process for negotiating a trade agreement. Congress is not considering a trade agreement today. There is no secret agreement that nobody has read that is being voted on today. All we are voting on today is a process by which Congress considers trade agreements. The earliest we would do so would be in the fall, at the earliest. Why should we care about this process? Because a good process gets us a good result.

This TPA will give us the leverage that we, in Congress, need to get a fair deal for the American worker because when other countries know that the deal that they agreed to is a deal Congress will vote on they will give us their best offers. Countries aren't going to give us a good agreement if they have to negotiate with 535 people.

Here is how it works. Congress says to the President, when you submit a trade agreement, we will give you an up-or-down vote on three conditions. First, you have got to pursue specific negotiating objectives, 150 of them. Here is what we want to see in a trade agreement and here is what cannot be in a trade agreement.

Second, you have got to keep us informed. You have got to regularly consult with Congress. Congress must have access to all of the negotiating texts. Right now, it is whatever the administration chooses to give us. They control it. They decide on their terms. With TPA, Congress says no, no, no; we, in Congress, get access to these negotiating documents while it is being negotiated. We, in Congress, are accredited to go to the negotiations if we want to, and with the Zinke protocol, which we added to this, if we ourselves can't make it, we will send representatives for ourselves to these negotiations.

Third, and perhaps most importantly, transparency. In the old days, they used to call this thing fast track. President goes out and gets an agreement and then wham, whizzes it through, has Congress vote on it, it is in law, everybody's wondering what the heck just happened, what is in this thing. Not again. No more.

When an agreement is reached, when America gets an agreement with other countries, before the President can even sign off on it, we make it public for 60 days, up on the Internet, everybody can read it for themselves and see what it is. That is in this law. Never done that before. And then the President can sign it, but when he signs it, it doesn't go into effect. When he signs it, it just means he sends it to Congress, and then Congress considers it. Congress considers it and Congress determines whether it is going to happen or not. It is a bill like any other bill. Congress has to pass it. They have to affirmatively pass it for it to go into effect, and if the House of Representatives doesn't like the trade agreement and they vote it down with a simple majority vote, it doesn't happen. That is what this bill does. We have the final say.

I understand a lot of our Members, especially on our side of the aisle, they don't trust this administration. Join the club. Neither do I. That is precisely why I support this bill. TPA puts Congress in the driver's seat.

Mr. Speaker, the world is watching this. The world is watching whether or not—and they are trying to make a decision—is America still America or is America in retreat? Our allies want our leadership. Our adversaries are measuring how much we stack up. Our enemies would love for us to retreat. The world is watching as to whether or not America is going to lead in the world, whether America in the dawn of the 21st century is going to take command of writing the rules of the global economy or cede that command to other countries.

If we establish TPA, we are saying, on a bipartisan basis, we want America to lead; we believe in our country; we believe in our workers; we believe in our economy; we want to open up markets so that we can use American ingenuity and American workers to create American jobs. So we can sell our goods and our services and our products overseas so we can create more good-paying jobs right here at home. That is what this is about. It is about getting us on the playing field.

There have been 100 trade agreements negotiated, signed since 2007 when TPA last expired. We are a party to zero of those. The rest of the world is moving around. The rest of the world is getting better deals. The rest of the world is freezing us out. We have got to get back in this game and lead this game and define this game.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, May 14, 2015.

Hon. PAUL RYAN,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN RYAN: I am writing regarding H.R. 1890, the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, as amended, which the Committee on Ways and Means reported on April 23, 2015.

The bill contains provisions that fall within the jurisdiction of the Committee on the Budget. The Committee on the Budget did not take any action on H.R. 1890 prior to being discharged. By foregoing consideration of H.R. 1890, as amended, the Committee on the Budget does not waive any jurisdiction over the subject matter contained in this bill or similar legislation and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that the Committee may address any remaining issues that fall within its jurisdiction. The Committee on the Budget also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support of any such request.

We appreciate your cooperation and look forward to working with you as this bill moves through the Congress.

Sincerely,

TOM PRICE, M.D.,
Chairman, Committee on the Budget.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 18, 2015.

Hon. TOM PRICE,
Chairman, Committee on the Budget, Cannon House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Rules Committee's jurisdictional interest in H.R. 1890, the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, and your willingness to forego consideration by your committee.

I agree that the Committee on Budget has a valid jurisdictional interest in certain provisions of the bill and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration. As you have requested, I will support your request for an appropriate appointment of outside conferees from your committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Congressional Record during the floor consideration of the bill. Thank you again for your cooperation.

Sincerely,

PAUL RYAN,
Chairman.

COMMITTEE ON RULES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 24, 2015.

Hon. PAUL RYAN,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN RYAN: On April 23, 2015, the Committee on Ways and Means ordered reported H.R. 1890, the Bipartisan Congressional Trade Priorities and Accountability Act of 2015. As you know, the Committee on Rules was granted a referral upon the bill's introduction pursuant to the Committee's jurisdiction under rule X of the Rules of the House of Representatives over rules and joint rules of the House. The Committee has exclusive jurisdiction over several provisions related to expedited procedures for consideration of legislation in the House.

We appreciate your recognition of the Committee's jurisdiction over these provisions and your assurances that we will be able to make any necessary changes during any House-Senate conference. Because of your commitment to consult with my committee regarding these matters going forward, I will agree to waive consideration of the bill. By agreeing to waive consideration of the bill, the Rules Committee does not waive its jurisdiction. In addition, the Committee on Rules reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I ask your commitment to support any request by the Committee on Rules for conferees on this measure or related legislation.

I also request that you include this letter and your response as part of your committee's report on the bill and in the Congressional Record during its consideration on the House floor.

Thank you for your attention to these matters.

Sincerely,

PETE SESSIONS,
Chairman.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 24, 2015.

Hon. PETE SESSIONS,
Chairman, Committee on Rules, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Rules Committee's jurisdictional interest in H.R. 1890, the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, and your willingness to forego consideration by your committee.

I agree that the Committee on Rules has a valid jurisdictional interest in certain provisions of the bill and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration. As you have requested, I will support your request for an appropriate appointment of outside conferees from your committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the committee report and in the Congressional Record during the floor consideration of the bill. Thank you again for your cooperation.

Sincerely,

PAUL RYAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, May 11, 2015.

Hon. PAUL RYAN,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN RYAN: I write in regard to H.R. 1892, Trade Adjustment Assistance Act (TAA), and for other purposes of 2015, which was ordered reported by the Committee on Ways and Means on April 23, 2015. As you are aware, the bill also was referred to the Committee on Energy and Commerce. I wanted to notify you that the Committee on Energy and Commerce will forgo action on H.R. 1892 so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce's jurisdictional interests over this and similar legislation are in no way diminished or altered. In addition, the Committee reserves the right to seek conferees on H.R. 1892 and requests your support when such a request is made.

I would appreciate your response confirming this understanding with respect to H.R. 1892 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

FRED UPTON,
Chairman.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2015.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding your Committee's jurisdictional interest in H.R. 1892, the Trade Adjustment Assistance Act of 2015, ordered reported by the Committee on Ways and Means on April 23, 2015. I appreciate your decision to facilitate prompt consideration of the bill by the full House. I understand that by foregoing a mark-up of the bill, the Committee on Energy and Commerce is not waiving its interest in the provisions within its jurisdiction or the right to seek conferees.

Per your request, I will include a copy of our exchange of letters with respect to HR. 1892 in the Congressional Record during House consideration of this bill. We appreciate your cooperation and look forward to working with you as this bill moves through the Congress.

Sincerely,

PAUL RYAN,
Chairman.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 12, 2015.

Hon. TOM PRICE,
Chairman, Committee on the Budget, Cannon House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding your Committee's jurisdictional interest in H.R. 1892, the Trade Adjustment Assistance Act of 2015, ordered reported by the Committee on Ways and Means on April 23, 2015. I appreciate your decision to facilitate prompt consideration of the bill by the full House. I understand that by foregoing a mark-up of the bill, the Committee on the Budget is not waiving its interest in the provisions within its jurisdiction or the right to seek conferees.

Per your request, I will include a copy of our exchange of letters with respect to H.R. 1892 in the Congressional Record during House consideration of this bill. We appreciate your cooperation and look forward to working with you as this bill moves through the Congress.

Sincerely,

PAUL RYAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, May 8, 2015.

Hon. PAUL RYAN,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN RYAN: I am writing regarding H.R. 1892, the Trade Adjustment Assistance Act of 2015, as amended, which the Committee on Ways and Means ordered reported without recommendation on April 23, 2015.

The bill contains provisions that fall within the jurisdiction of the Committee on the Budget. In order to expedite House consideration of H.R. 1892, as amended, the Committee on the Budget will forgo action on the bill. This is being done with the understanding that, by foregoing consideration of H.R. 1892, as amended, the Committee on the Budget does not waive any jurisdiction over the subject matter contained in this bill or similar legislation and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that the Committee may address any remaining issues that fall within its jurisdiction. The Committee on the Budget also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support of any such request.

We appreciate your cooperation and look forward to working with you as this bill moves through the Congress.

Sincerely,

TOM PRICE, M.D.,
Chairman, Committee on the Budget.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

I have worked in all my years here to expand trade in ways that spread its benefits to the many, not just to the few. CHARLIE RANGEL and I led the fight to include strong and enforceable labor and environmental positions and to strike the right balance between innovation and access to medicines in the historic May 10 agreement of 2007.

The trouble with this TPA is that it means no meaningful provisions whatsoever in TPP on currency manipulation, which has destroyed millions of middle class American jobs and allows investors to challenge American health and environmental regulations and others, not through the American legal system but through unregulated arbitration panels.

□ 0930

It is about a TPP going in the wrong direction in access to medicines and, in some important ways, on environmental protections; and it is about countries like Mexico that deny their workers basic labor rights to gain an uncompetitive advantage over our companies and workers. It is about Vietnam and Malaysia, which stand in clear violation of the May 10 provisions on international workers' rights, with no plan we know of.

In that sense, it is secret of a TPP to change that, far from a progressive trade agreement. On this and every other area of the TPP, there are only vague negotiating objectives left to be determined whether they were met by those who did the negotiating. I just want to say these negotiating objectives are so vague that they are meaningless, and to hold them up as something that holds USTR to action is simply a mirage.

Instead of passing this bill, which gives a blank check to the administration to finish up TPP negotiations where they are now and leaves Congress with only an up-or-down vote at the end, we should be using our leverage to impact the negotiations. This bill does not do that.

We in Congress, despite all of the rhetoric, will be in the back seat, not in the falsely claimed driver's seat. That is what this is all about, not protectionism versus free trade, not reflective opposition as is sometimes claimed to expanded trade. I have worked for expanded trade. It is quite the opposite. I want a TPP that is worthy of broad bipartisan support.

As to TAA and proponents of TPA, they are the ones who have linked the two together in a single bill. TAA should not be a bargaining chip to get a deeply flawed TPA across the finish line, and that is how this has been set up. This TPA should stand on its own feet. Even in its best form, TAA was a modest program, and I was one of the authors supporting it, but this TAA bill includes a number of shortcomings compared to the high watermark of the program.

Despite the fact that the need in this country is growing and trade is expanding, the truth of the matter is we need to do far more to train and educate our workers and to invest in our future in order to compete in a global economy.

A ''no'' vote will give us another opportunity to improve TAA and TPA and to achieve our ultimate goal for which I and others have been working for months and months and months and months, and that is the goal: a strong TPP agreement that can gain broad, bipartisan support.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, let me inquire as to the time remaining.

The SPEAKER pro tempore. The gentleman from Wisconsin has 21½ minutes remaining, and the gentleman from Michigan has 25 minutes remaining.

Mr. RYAN of Wisconsin. Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, some have called Trade Adjustment Assistance ''burial insurance'' since it delivers limited help after a job is dead and buried.

At a time when Fast Trackers are claiming that they will include over half of the world's economy, we need a TAA that is funded for more workers

at risk of job loss. Unfortunately, this particular TAA proposal is really short for ''Taking Away Assistance.''

It includes substantially less funding than the Administration has said was essential to protecting those who lose their jobs through expanded trade. Further, this TAA fails to restore coverage to thousands whose jobs may be exported.

In a very contrived process this morning, designed to obscure what is really happening and to remove accountability from Members of this House, desperate Fast Trackers and fast talkers have split up the Senate bill into two pieces—two votes—before they put it back together in exactly the same form it was when it first got to the House. And along the way, they have a self-executing rule so that it appears that Members are not voting to do what they are doing.

The first vote we take today at the end of this debate is on TAA. Vote ''no.'' Your vote of ''no'' offers an opportunity to achieve both better Trade Adjustment Assistance and better trade legislation, and your vote ''no'' will also ensure that you are not on record as voting to send a bill to the President, which is exactly what will happen if you vote ''yes,'' that cuts Medicare by $700 billion.

Reject this bill, and develop a better alternative that reflects our values and 21st century economic realities. What really needs ''adjusting'' here today is the no compromise, no amendment attitude on trade. This vote wouldn't be so close if this process had not been so closed.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. NUNES), the chairman of the House Intelligence Committee, the former chairman of the Trade Subcommittee of the Ways and Means Committee, and a senior member of the Ways and Means Committee.

Mr. NUNES. Mr. Speaker, this is a time when everybody in this body needs to step back and really realize what we are here to do today. This is an historic moment. We will either move forward with our allies, with our partners—with our trading partners—or we will move back. TPA is just one step. It is a step that we must have in order to pass additional trade agreements that we have been doing throughout our history.

If you look at where we are today, this is about trade promotion authority. People will have plenty of time to look at whatever trade agreements come down the pipeline over the next 5 years. That is what this debate is about. Why do we need trade agreements? We need to reduce tariffs on products that are made in the United States so that we have a better opportunity to export them overseas.

Mr. Speaker, this agreement has geopolitical concerns also. If we look down the road at the first trade agreement that is supposed to come up, it is supposed to be the Trans-Pacific Partnership. Today, if you look at what our partners and allies in Asia are dealing with, it is a behemoth in China, and China doesn't want to play by the rules. They have consistently avoided playing by the rules, which is putting our allies and our trading partners at risk, which is why we need to come together and pass an agreement.

If you pass the Trans-Pacific Partnership agreement and the EU agreement, you have two-thirds of the world's economy under one set of rules. That is what this is really about. If we pass trade promotion authority, we move to the Trans-Pacific Partnership, and we move to the European Union agreement. Then we get two-thirds of the world's economy under the same set of rules.

I hope that my colleagues will step back and just stop all of the rhetoric on both sides of the aisle. On one side, we have people who are clearly representing the labor unions. On the other side, we have people who don't want to give the President a victory.

Today, Mr. Speaker, is a time when we need to step back and do the right thing for the right reasons for the American people.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio (Mr. TIBERI) be permitted to control the time on our side.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND), a member of our committee.

Mr. KIND. I thank my friend for yielding.

Mr. Speaker, I rise in support of the legislation before us today, trade promotion authority as well as Trade Adjustment Assistance.

What we are debating and what we have to decide today is whether to grant this President, this administration, the same type of trade negotiating authority that every President since FDR, minus Richard Nixon, has enjoyed.

As a Democrat who has supported this administration, I wonder why we would not at least have a modicum of trust in this President going out and trying to get the best trade deal that he can. We will have an opportunity later to analyze any agreement that is reached to make sure it makes sense for our constituents, for our States, and, ultimately, for our country.

Let's be clear here. We are already trading with these nations: Vietnam, Brunei, Malaysia. The question moving forward now is what the rules of trade are going to be. That is why we need to be at the table, negotiating those rules, elevating standards.

Now, we are going to be negotiating core labor, environmental, and human rights standards in the body of the agreement, fully enforceable like any other provision in it, which is something that we have lacked in past trade agreements.

When President Obama first ran for election, he was hoping for an opportunity to go back and amend NAFTA because he felt, as I did, that there were deficiencies in that agreement. This is the opportunity to go back and amend the problems that NAFTA created, the lack of core labor or environmental standards, especially as it related to Mexico.

We need to be clear that this is an opportunity to move forward, getting the rules of trade and the standards elevated up to where we are so that we have a level playing field for our workers, our farmers, our businesses to compete.

Otherwise, the alternative is a race to the bottom with no rules at all or, possibly, with China's rules. That, ultimately, is the choice we face here today: to move forward with this authority, to move forward with these trade agreements, elevating standards to where we are, or to end up in a global trading system with no rules or with China's rules. That would be a race to the bottom, and we will not be able to compete very effectively in it.

I encourage my colleagues to support the passage today so we can start leveling the playing field for our workers at home.

Mr. TIBERI. Mr. Speaker, it is now my honor to yield 1 minute to the gentleman from Indiana (Mr. YOUNG), a member of the Ways and Means Committee and a great partner in trying to open up and break down barriers around the world.

Mr. YOUNG of Indiana. Mr. Speaker, today, I rise in support of H.R. 1314, the Trade Act of 2015, and H.R. 644, the Trade Facilitation and Trade Enforcement Act.

With 96 percent of the world's customers living outside of the United States, it remains vital for Congress to facilitate free trade agreements through the passage of trade promotion authority. Absent TPA, America will continue to sit on the sidelines while the rest of the world negotiates free trade agreements and opens additional markets.

In my home State of Indiana, we have the largest number of manufacturers per capita in the United States. In the Hoosier State, exporting manufacturing goods supports 22 percent of our manufacturing jobs, 1 out of every 5. Our Hoosier farmers export over $3.6 billion across our 5 largest agricultural export sectors.

At the end of the day, trade equals jobs. Congress must pass TPA to empower our negotiators to receive the best deal possible for American families and job creators.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TIBERI. I yield the gentleman an additional 30 seconds.

Mr. YOUNG of Indiana. Mr. Speaker, I was proud to work with Chairman

RYAN to ensure that the House was able to include language within this act to ensure that no future free trade agreement can include language for backdoor cap-and-trade agreements.

We included language that would prevent this as it would negatively impact States like Indiana, which is the second largest user of coal in the United States. I look forward to voting in support of this vital piece of legislation.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the motion to concur is postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 44 minutes a.m.), the House stood in recess.

□ 1055

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 10 o'clock and 55 minutes p.m.

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the motion to concur in the Senate amendment to the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations will now resume.

The Clerk read the title of the bill.

The SPEAKER pro tempore. When proceedings were postponed earlier today, 39 minutes of debate remained on the bill.

The gentleman from Ohio (Mr. TIBERI) has 18 minutes remaining, and the gentleman from Michigan (Mr. LEVIN) has 21 minutes remaining.

The Chair recognizes the gentleman from Ohio.

Mr. TIBERI. Mr. Speaker, it is my privilege to yield 1 minute to the gentleman from California (Mr. MCCLINTOCK), one of our leaders here in the Congress on free trade.

Mr. MCCLINTOCK. Mr. Speaker, I thank the gentleman so much for yielding and for his good work.

Mr. Speaker, trade means prosperity. In any trade, both sides go away with something of greater value to themselves, or the trade wouldn't take place. More markets for American products means more jobs and higher wages for American workers. More products entering our economy means more consumer choices and lower prices.

Trade agreements make trade possible, but the authority to effectively negotiate trade agreements lapsed years ago, handicapping America ever since. This is not some new power; it just restores the same negotiating process that has served us well since the 1930s.

A lot of people confuse the TPA with the TPP. That is a trade agreement that hasn't even been finalized. If it is finalized, this bill assures that it has to meet 150 congressionally mandated conditions and be available for every American to read for at least 60 days before Congress votes to approve or reject it.

TPA tells world markets America is back.

Mr. LEVIN. Mr. Speaker, it is now my pleasure to yield 1½ minutes to the gentleman from Georgia (Mr. LEWIS), a member of our committee, the most distinguished Member from Georgia—or I should say the very distinguished Member.

Mr. LEWIS. Mr. Speaker, I want to thank my friend and my ranking member for yielding.

Mr. Speaker, I rise in strong opposition to the fast track amendment.

Over 20 years ago, I stood on this very House floor in opposition to NAFTA. I felt strongly then, as I do now, that these agreements are about more than trade. They are reflections of our values. Let me be clear, I am for trade. Since NAFTA, I have opposed some agreements and supported others, but I am not for trade at any price or at any cost.

Those of us on the Ways and Means Committee tried time and time again to make this legislation better, but mine and every single other Democratic amendment was rejected.

Mr. Speaker, I visited Vietnam, and I know that there is much work to be done. There is no freedom to organize, and freedom of speech is limited.

The people of Georgia are calling and writing my office in waves. For over 20 years, they have felt the hardship of unfair trade. Textile and automobile factories disappeared from metro Atlanta. Good jobs were shipped to Bangladesh, to China, to Mexico. Americans should not have to compete with starvation wages and environmental destruction.

Mr. Speaker, I do not know about you, but as Joshua of old said, as for me and my house, I am going to cast my lot with the working people of America.

Today, we have an opportunity to do what is right and what is just.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 15 seconds.

Mr. LEWIS. We can develop smart trade policies which reflect our values. Labor, human rights, and trade have always been connected. This is not new. This little planet is not ours to waste, but to use what we need and leave this little planet a little greener and a little more peaceful for generations yet unborn.

This Congress must be a headlight and not a taillight, or history will not be kind to us.

I urge each and every Member of this Congress to do what is right. Stand up for the working people of our country.

Mr. TIBERI. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. PAULSEN), a leader on trade, a member of the Ways and Means Subcommittee on Trade.

Mr. PAULSEN. Mr. Speaker, I thank the gentleman.

It is difficult to overstate the importance of trade with other countries. The benefits of trade are huge and enormous for our economy.

If you take all the trade agreements that we have with other countries around the world and you add them together, we have a trade surplus. If you take the nontrade agreements with the countries we don't have trade agreements with, we have a deficit. These agreements help us; they benefit us.

There is no doubt that the U.S. has been on the sidelines in recent years. This gets us back in the game, making us create a healthier economy here at home, changing and making sure that our status as a global leader will be right back on top, higher-paying jobs, better-paying jobs. This is an opportunity also to make sure the United States is setting the rules for our economy, for the world economy, instead of China.

Mr. Speaker, if you are for these things, you should be for this legislation. Trade promotion authority allows these agreements to move forward with congressional oversight.

Mr. LEVIN. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS), a member of our committee.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I thank the gentleman.

I rise in strong opposition to the trade bill before us, and I am also in opposition to using 1 cent of Medicare money for anything other than paying for health care for senior citizens.

I am not antitrade; I believe in trade, and I want a trade bill, but I want a trade bill that creates jobs and economic opportunity for the communities that I represent. I want a trade bill that creates fair wages and opportunities for employment.

I don't want a bill that continues to help the rich get richer and the poor get poorer and the middle class get squeezed into oblivion, and I don't want a fast track. As a matter of fact, the jobs in economic development have left the communities I represent fast enough. They don't need our help, and they don't need to be gone. We need jobs in America.

I am going to vote against this. If I do and if it is the wrong vote, I am going to be voting with the people that I represent, the people who sent me here, the people who have said ''represent us.'' They want a ''no'' vote. I vote ''no'' because I represent them.

Mr. TIBERI. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska (Mr. SMITH), a leader on trade, a

member of the Ways and Means Subcommittee on Trade.

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in support of the Trade Act of 2015.

We have the opportunity to remove major trade barriers which make it harder to sell U.S. products to consumers in other countries.

To grow our economy, we must expand our access to the 96 percent of consumers outside the United States. Nebraska's producers—farmers, ranchers, and others—want to serve new markets, and this bill is an important step forward.

A number of concerns have been raised, and I want to clarify a couple of points. Many Nebraskans are concerned about the President's actions on a number of issues. To address these concerns, we need to actually pass this bill and establish more than 150 congressional parameters that the President will be required to follow as trade negotiations take place.

Some might be concerned that no one is allowed to read proposed trade agreements. We must pass this bill, actually, to ensure that every Member of this body has full access to negotiating text and any final agreement is publicly posted online for 60 days before the President can sign it.

This bill also ensures we have an up-or-down vote on any trade agreement and contains new provisions allowing us to block agreements if the executive branch does not follow our rules.

This bill is important; it is an important step for opportunity and growth, and I ask for a ''yea'' vote.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), another valued member of our committee.

Mr. BLUMENAUER. Mr. Speaker, Democrats just left a very powerful presentation from the President of the United States to our Members, who simply ask that our Members play it straight: vote for things they believe in.

For instance, 125 Democrats voted for Trade Adjustment Assistance to help workers displaced because of things in the global economy. We have a provision before us today that is actually stronger than what 125 of us voted for before; yet there are some that are thinking, well, they may not vote for it.

I have had ads run against me for cutting Medicare; yet I am going to ask to enter into the RECORD a letter from the American Hospital Association, the American Medical Association, American Health Care Association, and the National Association for Home Care & Hospice that point out there were no cuts to Medicare because of the changes that we are involved with making.

Now, this is part of the problem we are having dealing with how to consider trade promotion authority. This is something that all of us should embrace. It sets the rules for the administration to negotiate and how we will evaluate it.

It will guarantee, as my friend from Nebraska just pointed out, everybody in America will have almost 5 full months to look at it before it is ever voted on. It contains the strongest environmental and labor provisions of any trade provisions in history.

That is what people talked to me about when they wanted NAFTA fixed. Trade promotion authority that we have here will do it. It is very important. I have not stopped working to improve this package. I have got things I want to change, work with the Senate, work in conference committee.

If we ever get an agreement, then I will evaluate the TPP based on what is in it, not speculation, innuendo, and reckless charges.

JUNE 11, 2015.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER AND LEADER PELOSI: On behalf of our members, who include a broad spectrum of Medicare providers, we are writing to share with you our appreciation for addressing the cuts to Medicare that had been included in trade legislation but will now be removed. We support the provisions in H.R. 1295, the ''Trade Preferences Extension Act of 2015,'' that remove this Medicare cut.

This week, the House is considering several trade bills. Section 603 of H.R. 1295, which was passed by the House earlier today, would eliminate the Medicare sequester extension for the last six months in 2024, which would have cut $700 million from Medicare according to Congressional Budget Office estimates. This provision also would have resulted in a net effect of increasing the sequester in 2024 beyond the 2 percent in the Budget Control Act. With the protection of Section 603, coupled with expeditious passage by the Senate of H.R. 1295 as amended, we would no longer view a vote in favor of the Trade Adjustment Assistance (TAA) legislation as a vote to cut Medicare.

Hospitals, physicians, nursing homes and home health and hospice providers have already absorbed hundreds of billions of dollars in cuts to the Medicare program in recent years. We believe that it is an unwise precedent to use Medicare cuts to pay for non-Medicare related legislation. We are grateful this is addressed favorably in Section 603.

Sincerely,

AMERICAN HOSPITAL ASSOCIATION;
AMERICAN MEDICAL ASSOCIATION;
AMERICAN HEALTH CARE ASSOCIATION;
NATIONAL ASSOCIATION FOR HOME CARE & HOSPICE.

Mr. TIBERI. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DOLD), a new member of the Ways and Means Committee.

Mr. DOLD. Mr. Speaker, I thank the gentleman.

Mr. Speaker, we want to make sure that we are moving forward and providing American leadership when it comes to trade.

My friend from Oregon here just articulately noted some of the reasons why this needs to move forward. Literally one in three manufacturing jobs relies upon exports; 95 percent of the world's consumers are outside of the United States.

I want to make sure that we have got good, high-paying jobs right here at home. The way to do that is to be able to make sure that we are deciding what are the rules of the road when it comes to trade.

The rules of the 21st century in the global economy are being written today, and the question is: Will the United States of America be there to be able to write these rules, to be part of the process? If we don't, certainly China and others will, putting the United States and our businesses, our workers, at an enormous disadvantage.

We want trade deals that are enforceable, accountable, and have high standards. This is about creating good, high-paying American jobs. This is what we all want. Frankly, we have got an opportunity to move forward.

The 10th Congressional District is the 4th largest manufacturing district in the nation, with over 107,000 manufacturing employees.

1 in 3 manufacturing jobs rely on exports.

New opportunities for America's small businesses.

97% of U.S. companies that export are small and medium-sized businesses.

The actual vote on any final trade agreement is months away. I want to clear up confusion, because there are efforts by critics of trade to distort what TPA is.

This is merely a vote on the process associated with moving forward on trade agreements—this is not the vote on any actual trade deal. That vote would not occur for months.

TPA explicitly prevents the enactment of any trade deal without separate, subsequent approval by Congress. Nothing will be enacted without an additional up-or-down vote in Congress.

TPA ensures that the American people will have an opportunity to read the actual text of any preliminary agreement that the President intends to enter into.

Specifically, the President must publish the text online at least 60 days prior to signing off on anything. And even after that, Congress still gets an up-or-down vote on approval or rejection. So, there is unprecedented transparency here.

Mr. LEVIN. I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL), another member of our committee.

Mr. PASCRELL. Mr. Speaker, I will tell you what an innuendo is. It is saying that the jobs that we lose are going to be replaced by just as good or better jobs.

Well, here is the record. Remember, you are giving assistance to workers who already lost their jobs. Wouldn't it make sense logically to try to save the jobs in the first place? Or do we believe, as President Bush said in February of 2004 in his economic report: Hey, if they make it cheaper overseas, we have got to do something else? That is a way out. That is innuendo.

If you want to talk about inequality, the jobs we are losing in manufacturing are paying over $600 a week, and

the jobs that are being replaced pay $330. Who are we kidding here? Get to the facts. Get to the facts.

Past trade deals have hurt the American worker. By the way, you placed this thing—those who are proponents of this legislation—that we are against trade. Nothing could be further from the truth. We want fair deals that help our workers. That is what this is all about.

In my town, a textile business lost everything 40–50 years ago; 25,000–30,000 people were employed with that textile industry. We sat here in the Congress of the United States and watched these people lose their jobs. You are sure as heck they want the retail jobs. Do you know what they paid?

Fast track and the underlying Trans-Pacific Partnership will continue the trend of corporations offshoring American jobs, driving down wages; and now, we are going to be competing with the Vietnamese who pay maybe 60 cents an hour. That is the level.

Everybody can't be like us. We understand that. We are not against trade. We want it to be fair, and we want the American worker to be protected. That is what this is all about.

We had our fears confirmed when the President told us that China wanted to join the TPP. That is the icing on the cake, making a bad deal even worse.

Mr. TIBERI. Mr. Speaker, I yield myself such time as I may consume.

I would like to remind my friend that globalization occurred long before any trade agreement. My dad lost his job, his steelworker job, years before NAFTA. In fact, we have a trade surplus, Mr. Speaker.

We have a trade surplus with the 20 countries that we have a trade agreement with, a deficit with the countries that we don't.

It is now my privilege to yield 1½ minutes to the gentleman from Pennsylvania (Mr. MEEHAN), a member of the Ways and Means Committee.

Mr. MEEHAN. Mr. Speaker, I thank the chairman.

Mr. Speaker, I rise in support of the Trade Act of 2015.

Ninety-five percent of the world's market is outside the United States, and selling our goods to these markets is critical to America's future prosperity. One in five of American jobs are directly tied to trade. If we can't knock down the tariffs that are placed on American goods around the world, the world is going to buy these goods elsewhere. Simply put, a strong trade agenda is essential to America's national security and the economic opportunity of hard-working taxpayers.

If you want a strong trade agreement with better protections for U.S. workers, you want trade promotion authority. TPA allows Congress to hold the administration accountable and gives Congress the chance to vote down a bad deal. Without it, we are negotiating from a disadvantage. If we are not setting the rules on global trade, China will.

Mr. Speaker, trade promotion authority means stronger, better trade agreements. I urge my colleagues on both sides of the aisle to support it because what is happening right now is, if we don't have an increasingly aggressive China in there setting the rules, the trade agreements give us the chances on things like labor, things like the environment, things like a fair and open Internet. Those are the kinds of things that are going to create future jobs and keep the world safer and better.

I urge my colleagues to support this.

Mr. LEVIN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ), another valued member of our committee.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise to speak against this misguided TPA bill. Many of my colleagues have highlighted the reasons to oppose the bill, but I want to focus on two specific fundamental issues, labor and civil rights.

There is nothing in this that requires countries to bring their labor laws and regulations into compliance before this deal takes effect. How can we have an agreement that doesn't require everybody to play by the same rules? That is just ridiculous.

We need trade agreements that prohibit signatory countries from murdering, jailing, torturing, or firing citizens for doing such outlandish things as trying to unionize and bargain for safer working conditions.

Enforceable labor provisions tell trading partners that we mean business on labor rights before letting their goods into the U.S. Trade agreements should not continue a race to the bottom for workers. We should be setting the standards.

I am frustrated that TPP negotiations are nearly complete and we are just now giving the administration their marching orders, but here we are, and those marching orders should be clear, especially on labor rights.

Additionally, in the Ways and Means markup for this legislation, I offered a commonsense amendment to address the issue of countries whose laws call for imprisonment, torture, and even death for the supposed crime of one's sexual orientation.

□ 1115

I was baffled to watch every single Republican member on the committee vote to say that it is perfectly acceptable to do business with countries that have these laws. Perhaps it was naive of me to think that we could at least have one bright-line rule for the most basic of human rights—not to be put to death based on a person's actual or perceived sexual orientation.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. LEVIN. I yield the gentlewoman an additional 30 seconds.

Ms. LINDA T. SÁNCHEZ of California. U.S. market access shouldn't be a free pass. If you want to do business with the U.S., we shouldn't tolerate such barbaric behavior.

For these reasons, I urge my colleagues to oppose this legislation.

Mr. TIBERI. Mr. Speaker, I now have the privilege to yield 1½ minutes to the gentleman from Illinois (Mr. ROSKAM), a member of the Ways and Means Committee and an important voice on trade.

Mr. ROSKAM. I thank Chairman TIBERI.

Mr. Speaker, one of two things is going to happen: we are either going to lean forward and claim the best days of America, which are ahead of us, or we are going to recede from those. The choice is here and the choice is today, and I urge us to move forward because I truly believe, if we pursue an aggressive trade agenda and if the United States leads on that trade agenda, I think good things are going to happen.

There is another part of this story, Mr. Speaker, as we have an opportunity to make history today as well. Included in the TPA is bipartisan legislation that I authored to shield Israel from being the victim of the insidious boycott, divestment, and sanctions movement that is brewing within Europe. This would be the first time in nearly four decades that Congress has taken action to combat boycotts against Israel.

Just last week, we saw a telecom giant, Orange, which is a company partially owned by the French Government, recede back from doing business in Israel and so forth based on BDS pressure. The language I offered that was unanimously adopted is simple: If you want to trade with the United States, you can't boycott Israel.

I want to thank Chairman RYAN and Chairman TIBERI for their leadership and Representative VARGAS and Senators PORTMAN and CARDIN for working with me on these important issues.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Speaker, I rise to stand as tall and as boldly as I can for the American worker. Almost 10 million Americans are unemployed; middle class income wages have been stagnant for decades; almost every low-wage job that could have moved overseas has moved overseas. We have to do something different—something smart, honest, brave, bold, and based on the almost unanimous consensus of American economists.

We need to tear down the trade barriers of other countries so that they will buy our goods and services. We need to establish much stronger labor and environmental laws overseas. We need to bring the rule of law to those countries so that investors will build new plants and equipment, and we need much stronger intellectual property protections around the world. We have to take globalization head on. We cannot isolate ourselves. No economy can grow from within. We tried protectionism, and we got the Great Recession.

Mr. Speaker, I stand for the American worker, and I support the Obama administration's commitment to free trade and to lifting the American middle class.

Mr. TIBERI. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. BRADY), a leader on trade, a leader on the Trade Subcommittee, a past chairman of the Trade Subcommittee, and a leader on the Ways and Means Committee.

Mr. BRADY of Texas. I thank Chairman TIBERI for his leadership on trade and American success.

Mr. Speaker, who has the power? This is the question. When your family or your business wants to buy a product, who decides what you can buy and at what price? Is it you, or is it special interests or union bosses or the government? If you build a better product or come up with a new idea, who has the power to decide where you can sell it around the world? Is it you, or is it special interests and government and, again, the union?

American trade is about giving you the power and you the freedom to buy and sell and compete around the world with as little government interference as possible. It is not enough to just buy American. We want to sell our American products around the world. When we do, we win. When we say to countries, ''You are selling into the U.S., and we insist we sell into your country,'' we win and we create jobs. When we don't, America grows weaker, and our foreign competitors grow stronger. Our manufacturers and our farmers and our local businesses get priced out and shut down.

American trade is about our jobs and our prosperity. This bill sets the rules for trade so that, with these agreements, everyone benefits; everyone plays by the rules; everyone has the same opportunity. I am voting ''yes'' for more American jobs and more American economic opportunity and for less government control of our trade.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR), a longtime veteran of this Congress.

Ms. KAPTUR. I thank our distinguished ranking member, Mr. LEVIN of Michigan.

Mr. Speaker, I rise in strong opposition to this limited fast-track trade debate.

Proponents of TPA are trying to lure votes for this Pacific deal by cynically adding $700 million to trade adjustment assistance to take care of millions more people who are going to lose their jobs as billions and billions more of our productive wealth is outsourced to other countries. What a fig leaf. It is too little for the damage about to be done.

The eyes of working families in communities across our country are focused on Congress today, hoping we will finally stand up and do what is right for America. This latest job outsourcing trade deal serves only the 1 percent, rewarding the few at the expense of the many. It is a great deal for Wall Street, and it is a great deal for transnational corporations. But for Main Street, a shrinking middle class, and millions more of our workers, it is another punch to the gut.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. LEVIN. I yield the gentlewoman an additional 30 seconds.

Ms. KAPTUR. I thank the gentleman.

Mr. Speaker, this week's scenario reminds me of the NAFTA fight. To pick up wavering Members back then, a deal was cut even to protect the corn broom industry, but in this deal, we don't protect people. In this deal, there is no protection against human trafficking. That has been stripped out. So we have protections for corn brooms but not for people.

In return for securing votes for narrow interests to gain a majority for passage, a few thousand people may benefit handsomely from these little provisions, but America won't. We will continue to rack up massive trade and job deficits as world markets remain closed to us, as they have for four decades. State-run enterprises will continue to eat more of our lunch. And for America's working class, millions more of whom will be left out in the cold, the TPP will be a truly pathetic package. I urge ''no,'' ''no,'' ''no'' votes this afternoon. Stand up for America's workers for a change.

Mr. TIBERI. Mr. Speaker, I yield myself such time as I may consume.

I have great respect for my colleague from Ohio, but let me just give you a few facts.

Of the 20 countries with which we have trade agreements, we have a trade surplus. With the countries with which we don't, we have a trade deficit. It speaks for itself. In Ohio, 89 percent of our exporters are small- and medium-sized companies with fewer than 500 people. With respect to TAA, I must say that most of these trading dollars are spent at community colleges, at technical colleges, and they use that money to train workers and to upgrade skills for a 21st century economy.

I wish my dad, who had lost his manufacturing job way before NAFTA and who had lost his steelworker job way before any bilateral trade agreement for globalization, had had TAA to help him get a new job.

As the President said, in reality, a vote against this TAA bill will be a vote to actually cut funding for community college. As the President said yesterday, a ''no'' vote could potentially kill TAA forever.

Mr. Speaker, I yield 1½ minutes to the gentleman from Washington State (Mr. REICHERT), a distinguished member of the Ways and Means Committee and Trade Subcommittee and a leader on trade issues.

Mr. REICHERT. I thank the gentleman for yielding.

Mr. Speaker, today, Americans find themselves asking this question over and over again: Are things ever going to get better for America? The only answer has to be ''yes.'' Today, we begin that process. Today, it is time for action. Today, we vote on trade legislation that is absolutely critical for America's future. Today, we send a message to the world—across this globe—a strong message that we are America, that we are strong, that we are free, and that we are united.

A ''yes'' vote today on TPA and TAA is a vote for a healthy economy. It is a vote for creating jobs. It is a vote for higher wages. It is a vote for selling America. That is the message we are going to send across this globe today. America is back, and we are going to be strong in this world economy.

Hard-working taxpayers deserve a government that gives the citizens of this country freedom, choice, and control to pursue their futures. Every American deserves this—to build one's own business, to hire employees, to seek promotions, and to provide for one's family. Mr. Speaker, it is what real leaders will deliver today.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska (Mr. ASHFORD).

Mr. ASHFORD. I thank the ranking member.

I believe, Mr. Speaker, that this is a vote for the ages. My constituents in Nebraska are asking me: ''BRAD, can we govern? Can we come together? Can we move this country forward?'' What we do here today will determine how we do move forward as a nation. What kind of country do we leave our children?

In my view, Mr. Speaker, we are at our best when we reach for the Moon. This, in my view, is one of those moments. This is a vote for better jobs, a stronger economy for American workers and for American exceptionalism. I believe, Mr. Speaker, that this is a vote for the ages. Please support TAA and TPP and TPA to make life better for all Americans.

Mr. TIBERI. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. BOUSTANY), a leader on trade, a leader on the Ways and Means Committee, and a leader for Louisiana.

Mr. BOUSTANY. I thank the chairman.

Mr. Speaker, after 1945, the U.S. set up a global trading system, and countries around the world are taking advantage of it. The world is not sitting still. Hundreds of trade agreements exist, but we only have 20 with which we have a trade surplus, and we are sitting on the sidelines, standing still. It is just unacceptable.

American leadership is needed. If we are going to grow this economy, if we are going to create good-paying jobs for workers and farmers, we need to open markets, as 95 percent of the markets are outside the U.S. Let's open those markets. Let's be fair to our American workers and farmers. Let's give them market access. TPA is the catalyst to opening those markets and for growth.

The world is crying for American leadership. I am afraid American prestige is on the line right now. It is waning. Countries around the world are watching us to see how we vote on this today. We have the opportunity to show that America will lead the global trading system we created. I think, if we don't do this, we have dealt a serious blow to American leadership. It is a catalyst for American leadership. Let's pass TPA.

Mr. LEVIN. Mr. Speaker, would you tell us how much time remains.

The SPEAKER pro tempore. The gentleman from Michigan has 8 minutes remaining, and the gentleman from Ohio has 5½ minutes remaining.

Mr. LEVIN. Mr. Speaker, I have the honor of yielding 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. I thank the gentleman for yielding.

Mr. Speaker, time and again, we are promised trade deals create opportunity. Time and again, instead, they send jobs abroad. In the first 7 years of NAFTA, New York City's textile and apparel industry shed 7,900 jobs. In total, fast-track trade policies have cost the U.S. more than 1 million jobs. New York lost more than 374,000 manufacturing jobs since NAFTA and the World Trade Organization agreements.

Why would the Trans-Pacific Partnership be different? If that deal is approved, the U.S. will lose more than 130,000 jobs to just 2 of the 12 TPP members—Japan and Vietnam. New York already ran a $47 billion trade deficit last year. This agreement will make the situation worse.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. LEVIN. I yield the gentlewoman an additional 20 seconds.

Ms. VELÁZQUEZ. When I go home to New York, I don't hear people telling me we need to rush into another trade deal. The only people pushing fast track are lobbyists and big corporations. They are not whom I represent. I would rather stand with New York's working families who oppose fast track. Vote ''no.''

□ 1130

Mr. TIBERI. Mr. Speaker, I yield 1 minute to the gentlewoman from South Dakota (Mrs. NOEM), a leader on the Committee on Ways and Means, a leader on trade.

Mrs. NOEM. Mr. Speaker, South Dakota tells the true story of what the benefits of trade can bring. When we have a trade agreement with another country, we sell 11½ times more goods to that country than if there were no agreement in place.

Trade has been and continues to be an important part of the American economy, but we cannot afford to fall behind. We have to continue to expand opportunities to export American-made products to these countries, but first we have to set the rules of the road.

The Constitution allows the President to negotiate trade agreements, but only Congress can approve or disapprove them. What we are voting on today ensures that Congress sets the priorities and the rules that the President has to follow. It allows an open and transparent process where the public can view any potential trade deal for 60 days before it is sent to Congress. If the President doesn't follow our rules, we can take TPA away; or if we don't like future trade deals, we can simply vote them down. But we need to assert the power of Congress in the process and ensure that the public gets to weigh in down the road. That is what we are doing here today.

I urge my colleagues to support this bill. America is counting on it.

Mr. LEVIN. I yield 1 minute to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I thank my friend for yielding.

Over the past 2 years, I have been a part of efforts, good-faith efforts, to write the strongest possible fast-track bill. But the process the legislation has gone through recently, with Ways and Means Democrats denied every opportunity to improve the legislation in committee, while Republicans were accommodated in the Customs bill with anti-immigrant, anti-environmental provisions, has moved the bill in precisely the wrong direction from what might have gained my support. Therefore, I plan to vote against TPA today.

But I strongly oppose the devious and reckless efforts to bring down TPA by trying to defeat the Trade Adjustment Assistance Act. TAA is a good bill which reflects longstanding Democratic priorities, and the objectionable Medicare offset that it contained has been removed. TAA has been critically important in North Carolina. I refuse to put displaced workers at risk for the sake of a political tactic.

I urge my colleagues, play it straight. Support TAA whether or not you support TPA.

Mr. TIBERI. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. SMITH), a new member of the Committee on Ways and Means.

Mr. SMITH of Missouri. Mr. Speaker, today I rise in support of TPA because trade is too important to southeast and southern Missouri to leave in the hands of this President or any President. TPA would bring more transparency and involvement to the negotiation process and gives Congress more authority over the President.

Without TPA, the President can keep Congress and the public in the dark on trade negotiations. Without TPA, the President alone sets the negotiating objectives; without TPA, Members of Congress are not entitled to read the text of negotiating documents during the process; and without TPA, the President does not have to publish updated summaries of trade bills during the negotiations.

However, with TPA, Members of Congress can be involved in the negotiation process to get the best deal for our folks back home. With TPA, for the first time ever, all bills negotiated would have to be public for 60 days before Congress votes on them; with TPA, Congress directs the negotiating objectives for trade bills; and with TPA, Members of Congress will have open access to the text anytime they want.

Mr. Speaker, we need TPA so that American trade deals can be transparent, effective, and enforceable.

Mr. LEVIN. I yield 1 minute to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, the proponents of this bill have not played it straight as far as legislative procedure. They took a Senate bill that should be a ''yes'' or ''no'' vote on this floor and split it up into two or three pieces. It is one package. If you are against fast track, vote ''no'' on TAA.

It is not the opponents who came up with this crazy procedure. If they had played it straight, we could play it straight. But now we are in a position to use the legislative tactics afforded by this House, pursuant to a rule that is complicated beyond belief, to sink this whole package by voting ''no'' on TAA. Vote ''no'' on Trade Adjustment Assistance because, if that happens, Republican leadership has said we go home.

What is the good of having a little bit of trade adjustment assistance if we lose millions of jobs because we put them on a fast track to Asia? Take Nancy Reagan seriously; when it comes to all three votes today, just vote ''no.''

Mr. TIBERI. I reserve the balance of my time.

Mr. LEVIN. I yield 1 minute to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. I thank the ranking member for yielding me this time.

Mr. Speaker, President John F. Kennedy once said: ''The U.S. did not rise to greatness waiting for others to lead. Economic isolation and political leadership are wholly incompatible.''

This is the moment for the United States to lead. I am voting ''yes'' on the trade bills that we have today. Trade is good for the United States: 95 percent of all consumers are outside the United States. Trade is good for Texas: last year we had over $289 billion of goods exported from Texas; 1.1 million jobs were created in Texas; millions of other jobs were created in the United States.

Now, who are those small companies? Who are those companies exporting? Ninety-three percent of those companies in Texas are small- and medium-sized, so therefore this is how we create good jobs here in the United States.

Ladies and gentlemen, let's support fair trade. Again, I ask you to support the trade bill today.

Mr. TIBERI. I continue to reserve the balance of my time.

Mr. LEVIN. How much time do I have remaining, please?

The SPEAKER pro tempore. The gentleman from Michigan has 3¾ minutes remaining.

Mr. LEVIN. I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, the debate today is about one issue; it comes down to one question: Do we support hard-working Americans or do we abandon them? A vote for these bills is a vote against jobs, and it is a vote against wages.

The Trade Adjustment Assistance bill is underfunded. It excludes teachers, police officers, firefighters, and farmers who are hurt when production jobs are shipped abroad, go overseas. If we want to protect working families, we must stop fast-tracking bad trade deals.

Fast track denies public scrutiny, it denies debate in this House, and it relinquishes our congressional authority and does not allow us to amend a piece of legislation that will have such an effect on people's lives in this country.

Why is this trade agreement in so much difficulty? Why? Because this is the first time that a majority of the Congress is starting to say: We need to prioritize what is happening to the hard-working men and women in our country. What is happening to their lives? What is their struggle?

This trade agreement is only going to hurt their ability to have a job and to increase their wages. If we want to change that, then our job today is to vote down this bill.

Say ''no'' to Trade Adjustment Assistance and say ''no'' to fast track.

Mr. TIBERI. Mr. Speaker, before I yield to the gentleman from Kentucky, I just want to point out the record here. No public service worker has ever been certified for TAA under the 2009 stimulus TAA that was passed. I will also reiterate a statement from the White House with respect to TAA, Mr. Speaker:

> If you're a Member of Congress and you vote against TAA this week, you are signing the death certificate for this assistance.

With that, Mr. Speaker, I yield 1 minute to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Mr. Speaker, I thank the chairman for the opportunity to speak in favor of this important legislation for jobs, our economy, transparency, and accountability.

Free trade is critical for my constituents in central and eastern Kentucky. More than half a million Kentucky jobs are related to international trade, and expanding trade agreements will provide even more opportunities for job growth. Our State has a diverse economy that is synonymous with certain products, including coal, bourbon, and thoroughbred racehorses. We are a powerhouse of manufacturing, producing vehicles such as the Toyota Camry and even aerospace technology, which is the State's leading export category.

To continue the growth in these signature industries, we need to establish fair and strong rules that hold other nations accountable for their unfair trade practices. We need to tear down barriers that block Kentucky goods from foreign markets.

What does free trade mean for Kentucky? In 2013, 2 years after our last free trade agreement was completed, the car of the year in South Korea was the Toyota Camry, manufactured in my district in Kentucky.

Let's be clear: The President already has the authority under the Constitution to negotiate trade agreements, but by passing TPA, we will ensure that Congress has the input into the final product and that America will shape the rules of global trade, not China.

Mr. LEVIN. Mr. Speaker, I yield the balance of my time to the gentleman from Wisconsin (Mr. POCAN).

Mr. POCAN. I thank the gentleman for yielding me this time.

Mr. Speaker, I grew up in an auto town, where almost everyone had a family member who worked in the industry, but today there are no cars made there anymore. To me, trade deals should be about whether or not we will fight for American jobs and American workers' wages. Bad trade deals cost us both. Unless we have a say, unless the American people have a say, this trade deal will do exactly the same and cost us more jobs.

I have read the text, and I know where we are at with it as of now. I would like to see a deal that has better real protective teeth for labor and environmental law, strong protections for American sovereignty, and better protections for food safety and more. Bottom line: I want a trade deal that protects American jobs and lifts our wages right here at home.

If we vote for TPA, we will have no ability to make it better. For this trade deal or any other trade deal in the next 6 years under any President, if we want the American people to have a voice, a real voice, we must retain our authority to impact trade deals and vote against TPA in all votes that affect it today.

Mr. LEVIN. I yield back the balance of my time.

Mr. TIBERI. Mr. Speaker, let me set the record straight. All three bills that we are voting on today can be read. This is TPA. This is the bill that will hold the President accountable—this President, the next President. This is the bill that tells the administration what we expect. This is the bill that Congress inserts itself into to the President's negotiating.

Listen, ladies and gentlemen, the world is trading. The world is globalized. The world was globalized long before America decided to pass NAFTA—long before. And, in fact, NAFTA, in 1993, the year before NAFTA took effect, the U.S. had a steel trade deficit of 3 million net tons with Canada and Mexico. In 2014, the most recent year for which data is available, the U.S. had a steel trade surplus of 1.2 million net tons with Canada and Mexico. NAFTA has benefited the entire North American steel industry. Total U.S.-Canada steel trade has increased 99 percent from 1993 to 2014. Total U.S.-Mexico steel trade has increased 352 percent between 1993 and 2014. That is why the steel industry in America supports this bill along with the enforcement that we are going to debate in a little bit.

In Ohio, Honda of America is a net exporter—is a net exporter. This is about jobs. This is about allowing those people, those workers, some of my constituents at East Liberty or in Marysville, to build more cars in Ohio, to send them overseas. The only way we do that is to break down barriers—more jobs.

Listen, I get job loss. My dad lost his job of 25 years. Ladies and gentlemen, we need to pass TPA to increase the number of jobs.

I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, today's vote on the trade package that includes trade adjustment assistance and trade promotion authority, also known as fast track, represents a flawed and hurried process to expedite the proposed Trans-Pacific Partnership Agreement that is almost at the finish line. We should not vote for a TPA that fails to include strong and enforceable negotiating objectives on currency manipulation, labor rights and does not address the investor state dispute settlement system, which could see corporations challenge government regulations in secret tribunals that leave taxpayers on the hook for the bill.

I also strongly oppose using trade adjustment assistance as a bargaining chip to help pass a flawed TPA. I support providing assistance to workers displaced by trade but this bill should stand on its own merits and be improved on behalf of all workers before it is rushed through for a final vote. We must go back to strengthen TAA and TPA before moving forward on any future trade agreement that will have wide-ranging consequences for America's working class.

Mr. VISCLOSKY. Mr. Speaker, I rise in strong opposition to H.R. 1314, which allows for fast track Trade Promotion Authority (TPA) for trade agreements entered into prior to July 1, 2021, including the prospective Trans Pacific Partnership (TPP) and the Transatlantic Trade and Investment Partnership (T–TIP). Past trade agreements have outsourced American jobs and caused irreparable harm to our domestic manufacturing base. I believe that TPP, T–TIP, and other potential future agreements will be no different.

Throughout my career, I have voted against unfair trade agreements. I voted against the North American Free Trade Agreement (NAFTA), which was sold on the promise of creating 200,000 American jobs. After enactment, the Economic Policy Institute (EPI) estimates that America lost 682,900 jobs, primarily in the manufacturing sector. I voted against the Korea Free Trade Agreement, which was sold on the promise of creating 70,000 American jobs. After enactment, again the EPI estimates that America lost 60,000 jobs. The future trade agreements we are discussing today are being sold on the promise

of creating more American jobs. That argument may continue to work for some. But I am not buying it.

There has been a bipartisan failure, administration after administration, to address the effects of unfair trade on domestic manufacturers. Democrat and Republican administrations have been wrong to support irresponsible trade agreements in the past that have exacerbated the problems faced by American workers. President Obama is wrong in this instance. Congress should instead support trade agreements that substantially improve our existing trade laws and enhance our ability to enforce them in a timely fashion. We should only support trade agreements that include strong enforcement procedures, address currency manipulation, provide environmental protections, and protect American manufacturers from competing unfairly with exploited foreign workers. It is wrong to expect American workers to compete against state-owned enterprises that have unlimited government resources and violate our free market trade laws.

American manufacturing and the steel industry are struggling every day to keep their footing in the fight against unfair trade. Earlier this year, I co-chaired a Congressional Steel Caucus hearing where industry and labor representatives unanimously agreed that America's steel sector is being systematically targeted by trading partners that use the U.S. market as their dumping ground.

Just this month, six American steel producers, including two producers with facilities in my district, filed anti-dumping and countervailing duty petitions against foreign countries engaged in illegal trade practices. While I am pleased that American steel producers are taking action to hold these countries accountable, I am concerned that this case will not stop the ongoing trend of countries dumping their products into U.S. markets. I have frequently testified in front of the International Trade Commission (ITC), and was pleased that in 2009 the ITC ruled against China in an Oil Country Tubular Goods case. However, last year I testified again in a similar case involving these same products. After duties were imposed on China in 2009, other countries, such as Vietnam, Thailand, Turkey, and South Korea, started dumping the same product on our shores. This is a dangerous trend and Congress and the Administration must stop such practices from continuing.

I am encouraged that the House has taken some action to address unfair trade practices by including provisions in the Trade Facilitation and Trade Enforcement Act of 2015 that would strengthen our antidumping and countervailing duty laws. But while these provisions are a step in the right direction, they are not enough.

TPA does not include strong, enforceable currency reforms, and instead allows the Administration, without any clear guidelines, to determine how best to address currency manipulators. TPA does nothing to ensure that strong environmental protections will be included in future trade agreements. TPA does not crack down on worker exploitation or lay out a roadmap to ensure countries included in future trade agreements are in compliance with international labor and human rights standards. Such economic inhibitors should be rejected. Instead, we should focus on investing in and encouraging vigorous domestic manufacturing.

Mr. Speaker, steel is the economic backbone of the First Congressional District of Indiana, the foundation of our manufacturing base, and an essential element of our national defense. I am proud to represent the workers who make this steel every single day. Today, I ask that my colleagues stand up for American workers and oppose H.R. 1314.

Mr. NADLER. Mr. Speaker, I rise in opposition to the Trade Act of 2015 (H.R. 1314), which would ''fast-track'' trade agreements, such as the Trans-Pacific Partnership (TPP), by allowing them to pass Congress by a straight up or down vote without any possibility of amendment.

Ever since NAFTA in 1993, these so-called free trade agreements have all been sold to the American people on the same propaganda; that they will boost exports and increase jobs. Yet the results have always been the same. Although we might increase exports somewhat, one of our biggest exports has been American jobs. Any claims to the contrary are not worth the paper they are written on.

For starters, these are not really free trade agreements. A true free trade agreement would consist of no more than a few pages simply listing the dates on which tariffs for various commodities would be eliminated. In fact, these agreements consist of thousands of pages of negotiated provisions, which history demonstrates have benefited multi-national companies while destroying millions of American jobs and depressing American wage levels. Without adequate labor, environmental and human rights standards, our trading partners can and do pay their workers 30 cents per hour, make their goods cheaper by dumping waste products in the river, and murder workers who try to join a union. No wonder factories in the United States close and move abroad. No wonder our balance of trade becomes calamitous.

We are always told that the next trade agreement will have better protections, but that has never been the case. None of the so-called protections have been enforceable or enforced. So it is particularly troubling that the text of the TPP is still classified. Members of Congress can look at it, but cannot take notes, cannot make copies, and cannot talk about what they have seen. What are they afraid people might discover? If it is true that the TPP includes enforceable provisions related to labor and environmental standards, why not make it public? Why not share what is supposedly so critical in this trade agreement with the American people?

The fact that the TPP is secret is obnoxious. Most of what we know about it has come from leaks that indicate that the TPP, just like its predecessors, will simply help multi-national corporations and further impoverish the lower and middle classes here at home.

For example, the TPP includes a chapter on Investment-State Dispute Settlement (ISDS) that would allow multi-national corporations to sue state and local governments, or the Federal government, in private tribunals by alleging that American laws or regulations limit their profits. Companies like Phillip Morris could sue for compensation for loss of sales because of cigarette labeling laws. Companies could sue to void enforcement of minimum wage, or factory, safety or consumer laws.

According to the USTR, the TPP will also include new rules to ''ensure fair competition between state-owned enterprises (SOEs) and private companies.'' This could lead to privatization of a variety of public services. And just this week, the House voted to repeal our Country of Origin Labeling law after the WTO ruled that it discriminated against Canada and Mexico, raising even more questions about the consequences of these trade agreements on the sovereignty of our nation.

These questions are only the tip of the iceberg, and highlight the need for an open and honest review of the TPP rather than blindly facilitating its passage. The Constitution grants Congress the power to regulate foreign commerce. We must not cede that authority to the Executive Branch and abdicate our responsibility to protect the public interest. If the TPP is as beneficial as its supporters have claimed, it should be able to withstand scrutiny in the light of day and a full debate in Congress.

But we don't have to rely on leaks about the TPP to justify voting against the bills on the floor today. A host of provisions that have been added to the Trade Enforcement bill (H.R. 644) in order to gain support for this bill are egregious, such as prohibiting negotiations to address climate change, weakening language to combat human trafficking, and removing language to address currency manipulation.

This bill is dangerous and destructive. I urge my colleagues to vote No.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to clause 1(c) of rule XIX, further consideration of the motion to concur is postponed.

□ 1145

AMERICA GIVES MORE ACT OF 2015

Mr. TIBERI. Mr. Speaker, pursuant to House Resolution 305, I call up the bill (H.R. 644) to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory, with the Senate amendments thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendments.

Senate amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Trade Facilitation and Trade Enforcement Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) AUTOMATED COMMERCIAL ENVIRONMENT.—The term ''Automated Commercial Environment'' means the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)).

(2) COMMISSIONER.—The term ''Commissioner'' means the Commissioner responsible for U.S. Customs and Border Protection.

(3) CUSTOMS AND TRADE LAWS OF THE UNITED STATES.—The term ''customs and trade laws of the United States'' includes the following:

(A) The Tariff Act of 1930 (19 U.S.C. 1202 et seq.).

(B) Section 249 of the Revised Statutes (19 U.S.C. 3).

(C) Section 2 of the Act of March 4, 1923 (42 Stat. 1453, chapter 251; 19 U.S.C. 6).

(D) The Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.).

(E) Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c).

(F) Section 251 of the Revised Statutes (19 U.S.C. 66).

(G) Section 1 of the Act of June 26, 1930 (46 Stat. 817, chapter 617; 19 U.S.C. 68).

(H) The Foreign Trade Zones Act (19 U.S.C. 81a et seq.).

(I) Section 1 of the Act of March 2, 1911 (36 Stat. 965, chapter 191; 19 U.S.C. 198).

(J) The Trade Act of 1974 (19 U.S.C. 2102 et seq.).

(K) The Trade Agreements Act of 1979 (19 U.S.C. 2501 et seq.).

(L) The North American Free Trade Agreement Implementation Act (19 U.S.C. 3301 et seq.).

(M) The Uruguay Round Agreements Act (19 U.S.C. 3501 et seq.).

(N) The Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.).

(O) The Andean Trade Preference Act (19 U.S.C. 3201 et seq.).

(P) The African Growth and Opportunity Act (19 U.S.C. 3701 et seq.).

(Q) The Customs Enforcement Act of 1986 (Public Law 99–570; 100 Stat. 3207–79).

(R) The Customs and Trade Act of 1990 (Public Law 101–382; 104 Stat. 629).

(S) The Customs Procedural Reform and Simplification Act of 1978 (Public Law 95–410; 92 Stat. 888).

(T) The Trade Act of 2002 (Public Law 107–210; 116 Stat. 933).

(U) The Convention on Cultural Property Implementation Act (19 U.S.C. 2601 et seq.).

(V) The Act of March 28, 1928 (45 Stat. 374, chapter 266; 19 U.S.C. 2077 et seq.).

(W) The Act of August 7, 1939 (53 Stat. 1263, chapter 566).

(X) Any other provision of law implementing a trade agreement.

(Y) Any other provision of law vesting customs revenue functions in the Secretary of the Treasury.

(Z) Any other provision of law relating to trade facilitation or trade enforcement that is

administered by U.S. Customs and Border Protection on behalf of any Federal agency that is required to participate in the International Trade Data System.

(AA) Any other provision of customs or trade law administered by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement.

(4) PRIVATE SECTOR ENTITY.—The term ''private sector entity'' means—

(A) an importer;

(B) an exporter;

(C) a forwarder;

(D) an air, sea, or land carrier or shipper;

(E) a contract logistics provider;

(F) a customs broker; or

(G) any other person (other than an employee of a government) affected by the implementation of the customs and trade laws of the United States.

(5) TRADE ENFORCEMENT.—The term ''trade enforcement'' means the enforcement of the customs and trade laws of the United States.

(6) TRADE FACILITATION.—The term ''trade facilitation'' refers to policies and activities of U.S. Customs and Border Protection with respect to facilitating the movement of merchandise into and out of the United States in a manner that complies with the customs and trade laws of the United States.

TITLE I—TRADE FACILITATION AND TRADE ENFORCEMENT

SEC. 101. IMPROVING PARTNERSHIP PROGRAMS.

(a) IN GENERAL.—In order to advance the security, trade enforcement, and trade facilitation missions of U.S. Customs and Border Protection, the Commissioner shall ensure that partnership programs of U.S. Customs and Border Protection established before the date of the enactment of this Act, such as the Customs-Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 961 et seq.), and partnership programs of U.S. Customs and Border Protection established after such date of enactment, provide trade benefits to private sector entities that meet the requirements for participation in those programs established by the Commissioner under this section.

(b) ELEMENTS.—In developing and operating partnership programs under subsection (a), the Commissioner shall—

(1) consult with private sector entities, the public, and other Federal agencies when appropriate, to ensure that participants in those programs receive commercially significant and measurable trade benefits, including providing preclearance of merchandise for qualified persons that demonstrate the highest levels of compliance with the customs and trade laws of the United States, regulations of U.S. Customs and Border Protection, and other requirements the Commissioner determines to be necessary;

(2) ensure an integrated and transparent system of trade benefits and compliance requirements for all partnership programs of U.S. Customs and Border Protection;

(3) consider consolidating partnership programs in situations in which doing so would support the objectives of such programs, increase participation in such programs, enhance the trade benefits provided to participants in such programs, and enhance the allocation of the resources of U.S. Customs and Border Protection;

(4) coordinate with the Director of U.S. Immigration and Customs Enforcement, and other Federal agencies with authority to detain and release merchandise entering the United States—

(A) to ensure coordination in the release of such merchandise through the Automated Commercial Environment, or its predecessor, and the International Trade Data System;

(B) to ensure that the partnership programs of those agencies are compatible with the partnership programs of U.S. Customs and Border Protection;

(C) to develop criteria for authorizing the release, on an expedited basis, of merchandise for which documentation is required from one or more of those agencies to clear or license the merchandise for entry into the United States; and

(D) to create pathways, within and among the appropriate Federal agencies, for qualified persons that demonstrate the highest levels of compliance to receive immediate clearance absent information that a transaction may pose a national security or compliance threat; and

(5) ensure that trade benefits are provided to participants in partnership programs.

(c) REPORT REQUIRED.—Not later than the date that is 180 days after the date of the enactment of this Act, and December 31 of each year 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 that—

(1) identifies each partnership program referred to in subsection (a);

(2) for each such program, identifies—

(A) the requirements for participants in the program;

(B) the commercially significant and measurable trade benefits provided to participants in the program;

(C) the number of participants in the program; and

(D) in the case of a program that provides for participation at multiple tiers, the number of participants at each such tier;

(3) identifies the number of participants enrolled in more than one such partnership program;

(4) assesses the effectiveness of each such partnership program in advancing the security, trade enforcement, and trade facilitation missions of U.S. Customs and Border Protection, based on historical developments, the level of participation in the program, and the evolution of benefits provided to participants in the program;

(5) summarizes the efforts of U.S. Customs and Border Protection to work with other Federal agencies with authority to detain and release merchandise entering the United States to ensure that partnership programs of those agencies are compatible with partnership programs of U.S. Customs and Border Protection;

(6) summarizes criteria developed with those agencies for authorizing the release, on an expedited basis, of merchandise for which documentation is required from one or more of those agencies to clear or license the merchandise for entry into the United States;

(7) summarizes the efforts of U.S. Customs and Border Protection to work with private sector entities and the public to develop and improve partnership programs referred to in subsection (a);

(8) describes measures taken by U.S. Customs and Border Protection to make private sector entities aware of the trade benefits available to participants in such programs; and

(9) summarizes the plans, targets, and goals of U.S. Customs and Border Protection with respect to such programs for the 2 years following the submission of the report.

SEC. 102. REPORT ON EFFECTIVENESS OF TRADE ENFORCEMENT ACTIVITIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States 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 the effectiveness of trade enforcement activities of U.S. Customs and Border Protection.

(b) CONTENTS.—The report required by subsection (a) shall include—

(1) a description of the use of resources, results of audits and verifications, targeting, organization, and training of personnel of U.S. Customs and Border Protection;

(2) a description of trade enforcement activities to address undervaluation, transshipment, legitimacy of entities making entry, protection of revenues, fraud prevention and detection, and penalties, including intentional misclassification, inadequate bonding, and other misrepresentations; and

(3) a description of trade enforcement activities with respect to the priority trade issues described in paragraph (3)(B)(ii) of section 2(d) of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2072(d)), as added by section 111(a) of this Act, including—

(A) methodologies used in such enforcement activities, such as targeting;

(B) recommendations for improving such enforcement activities; and

(C) a description of the implementation of previous recommendations for improving such enforcement activities.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 103. PRIORITIES AND PERFORMANCE STANDARDS FOR CUSTOMS MODERNIZATION, TRADE FACILITATION, AND TRADE ENFORCEMENT FUNCTIONS AND PROGRAMS.

(a) PRIORITIES AND PERFORMANCE STANDARDS.—

(1) IN GENERAL.—The Commissioner, in consultation with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, shall establish priorities and performance standards to measure the development and levels of achievement of the customs modernization, trade facilitation, and trade enforcement functions and programs described in subsection (b).

(2) MINIMUM PRIORITIES AND STANDARDS.—Such priorities and performance standards shall, at a minimum, include priorities and standards relating to efficiency, outcome, output, and other types of applicable measures.

(b) FUNCTIONS AND PROGRAMS DESCRIBED.—The functions and programs referred to in subsection (a) are the following:

(1) The Automated Commercial Environment.

(2) Each of the priority trade issues described in paragraph (3)(B)(ii) of section 2(d) of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2072(d)), as added by section 111(a) of this Act.

(3) The Centers of Excellence and Expertise described in section 110 of this Act.

(4) Drawback for exported merchandise under section 313 of the Tariff Act of 1930 (19 U.S.C. 1313), as amended by section 906 of this Act.

(5) Transactions relating to imported merchandise in bond.

(6) Collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.).

(7) The expedited clearance of cargo.

(8) The issuance of regulations and rulings.

(9) The issuance of Regulatory Audit Reports.

(c) CONSULTATIONS AND NOTIFICATION.—

(1) CONSULTATIONS.—The consultations required by subsection (a)(1) shall occur, at a minimum, on an annual basis.

(2) NOTIFICATION.—The Commissioner shall notify the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives of any changes to the priorities referred to in subsection (a) not later than 30 days before such changes are to take effect.

SEC. 104. EDUCATIONAL SEMINARS TO IMPROVE EFFORTS TO CLASSIFY AND APPRAISE IMPORTED ARTICLES, TO IMPROVE TRADE ENFORCEMENT EFFORTS, AND TO OTHERWISE FACILITATE LEGITIMATE INTERNATIONAL TRADE.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—The Commissioner and the Director shall establish and carry out on a fiscal year basis educational seminars to—

(A) improve the ability of U.S. Customs and Border Protection personnel to classify and appraise articles imported into the United States in accordance with the customs and trade laws of the United States;

(B) improve the trade enforcement efforts of U.S. Customs and Border Protection personnel and U.S. Immigration and Customs Enforcement personnel; and

(C) otherwise improve the ability and effectiveness of U.S. Customs and Border Protection personnel and U.S. Immigration and Customs Enforcement personnel to facilitate legitimate international trade.

(b) CONTENT.—

(1) CLASSIFYING AND APPRAISING IMPORTED ARTICLES.—In carrying out subsection (a)(1)(A), the Commissioner, the Director, and interested parties in the private sector selected under subsection (c) shall provide instruction and related instructional materials at each educational seminar under this section to U.S. Customs and Border Protection personnel and, as appropriate, to U.S. Immigration and Customs Enforcement personnel on the following:

(A) Conducting a physical inspection of an article imported into the United States, including testing of samples of the article, to determine if the article is mislabeled in the manifest or other accompanying documentation.

(B) Reviewing the manifest and other accompanying documentation of an article imported into the United States to determine if the country of origin of the article listed in the manifest or other accompanying documentation is accurate.

(C) Customs valuation.

(D) Industry supply chains and other related matters as determined to be appropriate by the Commissioner.

(2) TRADE ENFORCEMENT EFFORTS.—In carrying out subsection (a)(1)(B), the Commissioner, the Director, and interested parties in the private sector selected under subsection (c) shall provide instruction and related instructional materials at each educational seminar under this section to U.S. Customs and Border Protection personnel and, as appropriate, to U.S. Immigration and Customs Enforcement personnel to identify opportunities to enhance enforcement of the following:

(A) Collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.).

(B) Addressing evasion of duties on imports of textiles.

(C) Protection of intellectual property rights.

(D) Enforcement of child labor laws.

(3) APPROVAL OF COMMISSIONER AND DIRECTOR.—The instruction and related instructional materials at each educational seminar under this section shall be subject to the approval of the Commissioner and the Director.

(c) SELECTION PROCESS.—

(1) IN GENERAL.—The Commissioner shall establish a process to solicit, evaluate, and select interested parties in the private sector for purposes of assisting in providing instruction and related instructional materials described in subsection (b) at each educational seminar under this section.

(2) CRITERIA.—The Commissioner shall evaluate and select interested parties in the private sector under the process established under paragraph (1) based on—

(A) availability and usefulness;

(B) the volume, value, and incidence of mislabeling or misidentification of origin of imported articles; and

(C) other appropriate criteria established by the Commissioner.

(3) PUBLIC AVAILABILITY.—The Commissioner and the Director shall publish in the Federal Register a detailed description of the process established under paragraph (1) and the criteria established under paragraph (2).

(d) SPECIAL RULE FOR ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.—

(1) IN GENERAL.—The Commissioner shall give due consideration to carrying out an educational seminar under this section in whole or in part to improve the ability of U.S. Customs and Border Protection personnel to enforce a countervailing or antidumping duty order issued under section 706 or 736 of the Tariff Act of 1930 (19 U.S.C. 1671e or 1673e) upon the request of a petitioner in an action underlying such countervailing or antidumping duty order.

(2) INTERESTED PARTY.—A petitioner described in paragraph (1) shall be treated as an interested party in the private sector for purposes of the requirements of this section.

(e) PERFORMANCE STANDARDS.—The Commissioner and the Director shall establish performance standards to measure the development and level of achievement of educational seminars under this section.

(f) REPORTING.—Beginning September 30, 2016, the Commissioner and the Director shall submit to the Committee of Finance of the Senate and the Committee of Ways and Means of the House of Representatives an annual report on the effectiveness of educational seminars under this section.

(g) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term ''Director'' means the Director of U.S. Immigration and Customs Enforcement.

(2) UNITED STATES.—The term ''United States'' means the customs territory of the United States, as defined in General Note 2 to the Harmonized Tariff Schedule of the United States.

(3) U.S. CUSTOMS AND BORDER PROTECTION PERSONNEL.—The term ''U.S. Customs and Border Protection personnel'' means import specialists, auditors, and other appropriate employees of U.S. Customs and Border Protection.

(4) U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT PERSONNEL.—The term ''U.S. Immigration and Customs Enforcement personnel'' means Homeland Security Investigations Directorate personnel and other appropriate employees of U.S. Immigration and Customs Enforcement.

SEC. 105. JOINT STRATEGIC PLAN.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and every 2 years thereafter, the Commissioner and the Director of U.S. Immigration and Customs Enforcement shall jointly develop and submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, a joint strategic plan.

(b) CONTENTS.—The joint strategic plan required under this section shall be comprised of a comprehensive multi-year plan for trade enforcement and trade facilitation, and shall include—

(1) a summary of actions taken during the 2-year period preceding the submission of the plan to improve trade enforcement and trade facilitation, including a description and analysis of specific performance measures to evaluate the progress of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement in meeting each such responsibility;

(2) a statement of objectives and plans for further improving trade enforcement and trade facilitation;

(3) a specific identification of the priority trade issues described in paragraph (3)(B)(ii) of section 2(d) of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2072(d)), as added by section 111(a) of this Act, that can be addressed in order to enhance trade enforcement and trade facilitation, and a description of strategies and plans for addressing each such issue, including—

(A) a description of the targeting methodologies used for enforcement activities with respect to each such issue;

(B) recommendations for improving such enforcement activities; and

(C) a description of the implementation of previous recommendations for improving such enforcement activities;

(4) a description of efforts made to improve consultation and coordination among and within Federal agencies, and in particular between U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, regarding trade enforcement and trade facilitation;

(5) a description of the training that has occurred to date within U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to improve trade enforcement and trade facilitation, including training under section 104 of this Act;

(6) a description of efforts to work with the World Customs Organization and other international organizations, in consultation with other Federal agencies as appropriate, with respect to enhancing trade enforcement and trade facilitation;

(7) a description of U.S. Customs and Border Protection organizational benchmarks for optimizing staffing and wait times at ports of entry;

(8) a specific identification of any domestic or international best practices that may further improve trade enforcement and trade facilitation;

(9) any legislative recommendations to further improve trade enforcement and trade facilitation; and

(10) a description of efforts made to improve consultation and coordination with the private sector to enhance trade enforcement and trade facilitation.

(c) CONSULTATIONS.—

(1) IN GENERAL.—In developing the joint strategic plan required under this section, the Commissioner and the Director shall consult with—

(A) appropriate officials from the relevant Federal agencies, including—

(i) the Department of the Treasury;

(ii) the Department of Agriculture;

(iii) the Department of Commerce;

(iv) the Department of Justice;

(v) the Department of the Interior;

(vi) the Department of Health and Human Services;

(vii) the Food and Drug Administration;

(viii) the Consumer Product Safety Commission; and

(ix) the Office of the United States Trade Representative; and

(B) the Commercial Customs Operations Advisory Committee established by section 109 of this Act.

(2) OTHER CONSULTATIONS.—In developing the joint strategic plan required under this section, the Commissioner and the Director shall seek to consult with—

(A) appropriate officials from relevant foreign law enforcement agencies and international organizations, including the World Customs Organization; and

(B) interested parties in the private sector.

(d) FORM OF PLAN.—The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 106. AUTOMATED COMMERCIAL ENVIRONMENT.

(a) FUNDING.—Section 13031(f)(4)(B) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)(B)) is amended—

(1) by striking ''2003 through 2005'' and inserting ''2016 through 2018'';

(2) by striking ''such amounts as are available in that Account'' and inserting ''not less than $153,736,000''; and

(3) by striking ''for the development'' and inserting ''to complete the development and implementation''.

(b) REPORT.—Section 311(b)(3) of the Customs Border Security Act of 2002 (19 U.S.C. 2075 note) is amended to read as follows:

''(3) REPORT.—

''(A) IN GENERAL.—Not later than December 31, 2016, the Commissioner responsible for U.S. Customs and Border Protection shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives a report detailing—

''(i) U.S. Customs and Border Protection's incorporation of all core trade processing capabilities, including cargo release, entry summary, cargo manifest, cargo financial data, and export data elements into the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget and Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)) not later than September 30, 2016, to conform with the admissibility criteria of agencies participating in the International Trade Data System identified pursuant to section 411(d)(4)(A)(iii) of the Tariff Act of 1930;

''(ii) U.S. Customs and Border Protection's remaining priorities for processing entry summary data elements, cargo manifest data elements, cargo financial data elements, and export elements in the Automated Commercial Environment computer system, and the objectives and plans for implementing these remaining priorities;

''(iii) the components of the National Customs Automation Program specified in subsection (a)(2) of section 411 of the Tariff Act of 1930 that have not been implemented; and

''(iv) any additional components of the National Customs Automation Program initiated by the Commissioner to complete the development, establishment, and implementation of the Automated Commercial Environment computer system.

''(B) UPDATE OF REPORTS.—Not later than September 30, 2017, the Commissioner shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives an updated report addressing each of the matters referred to in subparagraph (A), and—

''(i) evaluating the effectiveness of the implementation of the Automated Commercial Environment computer system; and

''(ii) detailing the percentage of trade processed in the Automated Commercial Environment every month since September 30, 2016.''.

(c) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than December 31, 2017, the Comptroller General of the United States shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives a report—

(1) assessing the progress of other Federal agencies in accessing and utilizing the Automated Commercial Environment; and

(2) assessing the potential cost savings to the United States Government and importers and exporters and the potential benefits to enforcement of the customs and trade laws of the United States if the elements identified in clauses (i) through (iv) of section 311(b)(3)(A) of the Customs Border Security Act of 2002, as amended by subsection (b) of this section, are implemented.

SEC. 107. INTERNATIONAL TRADE DATA SYSTEM.

(a) INFORMATION TECHNOLOGY INFRASTRUCTURE.—Section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d)) is amended—

(1) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively;

(2) by inserting after paragraph (3) the following:

''(4) INFORMATION TECHNOLOGY INFRASTRUCTURE.—

''(A) IN GENERAL.—The Secretary shall work with the head of each agency participating in the ITDS and the Interagency Steering Committee to ensure that each agency—

''(i) develops and maintains the necessary information technology infrastructure to support the operation of the ITDS and to submit all data to the ITDS electronically;

''(ii) enters into a memorandum of understanding, or takes such other action as is necessary, to provide for the information sharing between the agency and U.S. Customs and Border Protection necessary for the operation and maintenance of the ITDS;

''(iii) not later than June 30, 2016, identifies and transmits to the Commissioner responsible for U.S. Customs and Border Protection the admissibility criteria and data elements required by the agency to authorize the release of cargo by U.S. Customs and Border Protection for incorporation into the operational functionality of the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget and Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)); and

''(iv) not later than December 31, 2016, utilizes the ITDS as the primary means of receiving from users the standard set of data and other relevant documentation, exclusive of applications for permits, licenses, or certifications required for the release of imported cargo and clearance of cargo for export.

''(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to require any action to be taken that would compromise an ongoing law enforcement investigation or national security.''; and

(3) in paragraph (8), as redesignated, by striking ''section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note)'' and inserting ''section 109 of the Trade Facilitation and Trade Enforcement Act of 2015''.

SEC. 108. CONSULTATIONS WITH RESPECT TO MUTUAL RECOGNITION ARRANGEMENTS.

(a) CONSULTATIONS.—The Secretary of Homeland Security, with respect to any proposed mutual recognition arrangement or similar agreement between the United States and a foreign government providing for mutual recognition of supply chain security programs and customs revenue functions, shall consult—

(1) not later than 30 days before initiating negotiations to enter into any such arrangement or similar agreement, with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives; and

(2) not later than 30 days before entering into any such arrangement or similar agreement, with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives.

(b) NEGOTIATING OBJECTIVE.—It shall be a negotiating objective of the United States in any negotiation for a mutual recognition arrangement with a foreign country on partnership programs, such as the Customs-Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 961 et seq.), to seek to ensure the compatibility of the partnership programs of that country with the partnership programs of U.S. Customs and Border Protection to enhance trade facilitation and trade enforcement.

SEC. 109. COMMERCIAL CUSTOMS OPERATIONS ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Not later than the date that is 60 days after the date of the enactment of this Act, the Secretary of the Treasury and the Secretary of Homeland Security shall jointly establish a Commercial Customs Operations Advisory Committee (in this section referred to as the ''Advisory Committee'').

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Committee shall be comprised of—

(A) 20 individuals appointed under paragraph (2);

(B) the Assistant Secretary for Tax Policy of the Department of the Treasury and the Commissioner, who shall jointly co-chair meetings of the Advisory Committee; and

(C) the Assistant Secretary for Policy and the Director of U.S. Immigration and Customs Enforcement of the Department of Homeland Security, who shall serve as deputy co-chairs of meetings of the Advisory Committee.

(2) APPOINTMENT.—

(A) IN GENERAL.—The Secretary of the Treasury and the Secretary of Homeland Security shall jointly appoint 20 individuals from the private sector to the Advisory Committee.

(B) REQUIREMENTS.—In making appointments under subparagraph (A), the Secretary of the Treasury and the Secretary of Homeland Security shall appoint members—

(i) to ensure that the membership of the Advisory Committee is representative of the individuals and firms affected by the commercial operations of U.S. Customs and Border Protection; and

(ii) without regard to political affiliation.

(C) TERMS.—Each individual appointed to the Advisory Committee under this paragraph shall be appointed for a term of not more than 3 years, and may be reappointed to subsequent terms, but may not serve more than 2 terms sequentially.

(3) TRANSFER OF MEMBERSHIP.—The Secretary of the Treasury and the Secretary of Homeland Security may transfer members serving on the Advisory Committee on Commercial Operations of the United States Customs Service established under section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) on the day before the date of the enactment of this Act to the Advisory Committee established under subsection (a).

(c) DUTIES.—The Advisory Committee established under subsection (a) shall—

(1) advise the Secretary of the Treasury and the Secretary of Homeland Security on all matters involving the commercial operations of U.S. Customs and Border Protection, including advising with respect to significant changes that are proposed with respect to regulations, policies, or practices of U.S. Customs and Border Protection;

(2) provide recommendations to the Secretary of the Treasury and the Secretary of Homeland Security on improvements to the commercial operations of U.S. Customs and Border Protection;

(3) collaborate in developing the agenda for Advisory Committee meetings; and

(4) perform such other functions relating to the commercial operations of U.S. Customs and Border Protection as prescribed by law or as the Secretary of the Treasury and the Secretary of Homeland Security jointly direct.

(d) MEETINGS.—

(1) IN GENERAL.—The Advisory Committee shall meet at the call of the Secretary of the Treasury and the Secretary of Homeland Security, or at the call of not less than two-thirds of the membership of the Advisory Committee. The Advisory Committee shall meet at least 4 times each calendar year.

(2) OPEN MEETINGS.—Notwithstanding section 10(a) of the Federal Advisory Committee Act (5 U.S.C. App.), the Advisory Committee meetings shall be open to the public unless the Secretary of the Treasury or the Secretary of Homeland Security determines that the meeting will include matters the disclosure of which would compromise the development of policies, priorities, or negotiating objectives or positions that could impact the commercial operations of U.S. Customs and Border Protection or the operations or investigations of U.S. Immigration and Customs Enforcement.

(e) ANNUAL REPORT.—Not later than December 31, 2016, and annually thereafter, the Advisory Committee shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that—

(1) describes the activities of the Advisory Committee during the preceding fiscal year; and

(2) sets forth any recommendations of the Advisory Committee regarding the commercial operations of U.S. Customs and Border Protection.

(f) TERMINATION.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.; relating to the termination of advisory committees) shall not apply to the Advisory Committee.

(g) CONFORMING AMENDMENT.—

(1) IN GENERAL.—Effective on the date on which the Advisory Committee is established under subsection (a), section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) is repealed.

(2) REFERENCE.—Any reference in law to the Advisory Committee on Commercial Operations of the United States Customs Service established under section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) made on or after the date on which the Advisory Committee is established under subsection (a), shall be deemed a reference to the Commercial Customs Operations Advisory Committee established under subsection (a).

SEC. 110. CENTERS OF EXCELLENCE AND EXPERTISE.

(a) IN GENERAL.—The Commissioner shall, in consultation with the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives, and the Commercial Customs Operations Advisory Committee established by section 109 of this Act, develop and implement Centers of Excellence and Expertise throughout U.S. Customs and Border Protection that—

(1) enhance the economic competitiveness of the United States by consistently enforcing the laws and regulations of the United States at all ports of entry of the United States and by facilitating the flow of legitimate trade through increasing industry-based knowledge;

(2) improve enforcement efforts, including enforcement of priority trade issues described in subparagraph (B)(ii) of section 2(d)(3) of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2072(d)), as added by section 111(a) of this Act, in specific industry sectors through the application of targeting information from the Commercial Targeting Division established under subparagraph (A) of such section 2(d)(3) and from other means of verification;

(3) build upon the expertise of U.S. Customs and Border Protection in particular industry operations, supply chains, and compliance requirements;

(4) promote the uniform implementation at each port of entry of the United States of policies and regulations relating to imports;

(5) centralize the trade enforcement and trade facilitation efforts of U.S. Customs and Border Protection;

(6) formalize an account-based approach to apply, as the Commissioner determines appropriate, to the importation of merchandise into the United States;

(7) foster partnerships though the expansion of trade programs and other trusted partner programs;

(8) develop applicable performance measurements to meet internal efficiency and effectiveness goals; and

(9) whenever feasible, facilitate a more efficient flow of information between Federal agencies.

(b) REPORT.—Not later than December 31, 2016, 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 describing—

(1) the scope, functions, and structure of each Center of Excellence and Expertise developed and implemented under subsection (a);

(2) the effectiveness of each such Center of Excellence and Expertise in improving enforcement efforts, including enforcement of priority trade issues, and facilitating legitimate trade;

(3) the quantitative and qualitative benefits of each such Center of Excellence and Expertise to the trade community, including through fostering partnerships through the expansion of trade programs such as the Importer Self Assessment program and other trusted partner programs;

(4) all applicable performance measurements with respect to each such Center of Excellence and Expertise, including performance measures with respect to meeting internal efficiency and effectiveness goals;

(5) the performance of each such Center of Excellence and Expertise in increasing the accuracy and completeness of data with respect to international trade and facilitating a more efficient flow of information between Federal agencies; and

(6) any planned changes in the number, scope, functions or any other aspect of the Centers of Excellence and Expertise developed and implemented under subsection (a).

SEC. 111. COMMERCIAL TARGETING DIVISION AND NATIONAL TARGETING AND ANALYSIS GROUPS.

(a) IN GENERAL.—Section 2(d) of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2072(d)) is amended by adding at the end the following:

''(3) COMMERCIAL TARGETING DIVISION AND NATIONAL TARGETING AND ANALYSIS GROUPS.—

''(A) ESTABLISHMENT OF COMMERCIAL TARGETING DIVISION.—

''(i) IN GENERAL.—The Secretary of Homeland Security shall establish and maintain within the Office of International Trade a Commercial Targeting Division.

''(ii) COMPOSITION.—The Commercial Targeting Division shall be composed of—

''(I) headquarters personnel led by an Executive Director, who shall report to the Assistant Commissioner for Trade; and

''(II) individual National Targeting and Analysis Groups, each led by a Director who shall report to the Executive Director of the Commercial Targeting Division.

''(iii) DUTIES.—The Commercial Targeting Division shall be dedicated—

''(I) to the development and conduct of commercial risk assessment targeting with respect to cargo destined for the United States in accordance with subparagraph (C); and

''(II) to issuing Trade Alerts described in subparagraph (D).

''(B) NATIONAL TARGETING AND ANALYSIS GROUPS.—

''(i) IN GENERAL.—A National Targeting and Analysis Group referred to in subparagraph (A)(ii)(II) shall, at a minimum, be established for each priority trade issue described in clause (ii).

''(ii) PRIORITY TRADE ISSUES.—

''(I) IN GENERAL.—The priority trade issues described in this clause are the following:

''(aa) Agriculture programs.

''(bb) Antidumping and countervailing duties.

''(cc) Import safety.

''(dd) Intellectual property rights.

''(ee) Revenue.

''(ff) Textiles and wearing apparel.

''(gg) Trade agreements and preference programs.

''(II) MODIFICATION.—The Commissioner is authorized to establish new priority trade issues and eliminate, consolidate, or otherwise modify the priority trade issues described in this paragraph if the Commissioner—

''(aa) determines it necessary and appropriate to do so;

''(bb) submits to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a summary of proposals to consolidate, eliminate, or otherwise modify existing priority trade issues not later than 60 days before such changes are to take effect; and

''(cc) submits to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a summary of proposals to establish new priority trade issues not later than 30 days after such changes are to take effect.

''(iii) DUTIES.—The duties of each National Targeting and Analysis Group shall include—

''(I) directing the trade enforcement and compliance assessment activities of U.S. Customs and Border Protection that relate to the Group's priority trade issue;

''(II) facilitating, promoting, and coordinating cooperation and the exchange of information between U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and other relevant Federal departments and agencies regarding the Group's priority trade issue; and

''(III) serving as the primary liaison between U.S. Customs and Border Protection and the public regarding United States Government activities regarding the Group's priority trade issue, including—

''(aa) providing for receipt and transmission to the appropriate U.S. Customs and Border Protection office of allegations from interested parties in the private sector of violations of customs and trade laws of the United States of merchandise relating to the priority trade issue;

''(bb) obtaining information from the appropriate U.S. Customs and Border Protection office on the status of any activities resulting from the submission of any such allegation, including any decision not to pursue the allegation, and providing any such information to each interested party in the private sector that submitted the allegation every 90 days after the allegation was received by U.S. Customs and Border Protection unless providing such information would compromise an ongoing law enforcement investigation; and

''(cc) notifying on a timely basis each interested party in the private sector that submitted such allegation of any civil or criminal actions taken by U.S. Customs and Border Protection or other Federal department or agency resulting from the allegation.

''(C) COMMERCIAL RISK ASSESSMENT TARGETING.—In carrying out its duties with respect to commercial risk assessment targeting, the Commercial Targeting Division shall—

''(i) establish targeted risk assessment methodologies and standards—

''(I) for evaluating the risk that cargo destined for the United States may violate the customs and trade laws of the United States, particularly those laws applicable to merchandise subject to the priority trade issues described in subparagraph (B)(ii); and

''(II) for issuing, as appropriate, Trade Alerts described in subparagraph (D); and

''(ii) to the extent practicable and otherwise authorized by law, use, to administer the methodologies and standards established under clause (i)—

''(I) publicly available information;

''(II) information available from the Automated Commercial System, the Automated Commercial Environment computer system, the Automated Targeting System, the Automated Export System, the International Trade Data System, the TECS (formerly known as the 'Treasury Enforcement Communications System'), the case management system of U.S. Immigration and Customs Enforcement, and any successor systems; and

''(III) information made available to the Commercial Targeting Division, including information provided by private sector entities.

''(D) TRADE ALERTS.—

''(i) ISSUANCE.—Based upon the application of the targeted risk assessment methodologies and standards established under subparagraph (C), the Executive Director of the Commercial Targeting Division and the Directors of the National Targeting and Analysis Groups may issue Trade Alerts to directors of United States ports of entry directing further inspection, or physical examination or testing, of specific merchandise to ensure compliance with all applicable customs and trade laws and regulations administered by U.S. Customs and Border Protection.

''(ii) DETERMINATIONS NOT TO IMPLEMENT TRADE ALERTS.—The director of a United States port of entry may determine not to conduct further inspections, or physical examination or testing, pursuant to a Trade Alert issued under clause (i) if the director—

''(I) finds that such a determination is justified by security interests; and

''(II) notifies the Assistant Commissioner of the Office of Field Operations and the Assistant

Commissioner of International Trade of U.S. Customs and Border Protection of the determination and the reasons for the determination not later than 48 hours after making the determination.

''(iii) SUMMARY OF DETERMINATIONS NOT TO IMPLEMENT.—The Assistant Commissioner of the Office of Field Operations of U.S. Customs and Border Protection shall—

''(I) compile an annual public summary of all determinations by directors of United States ports of entry under clause (ii) and the reasons for those determinations;

''(II) conduct an evaluation of the utilization of Trade Alerts issued under clause (i); and

''(III) submit the summary to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives not later than December 31 of each year.

''(iv) INSPECTION DEFINED.—In this subparagraph, the term 'inspection' means the comprehensive evaluation process used by U.S. Customs and Border Protection, other than physical examination or testing, to permit the entry of merchandise into the United States, or the clearance of merchandise for transportation in bond through the United States, for purposes of—

''(I) assessing duties;

''(II) identifying restricted or prohibited items; and

''(III) ensuring compliance with all applicable customs and trade laws and regulations administered by U.S. Customs and Border Protection.''.

(b) USE OF TRADE DATA FOR COMMERCIAL ENFORCEMENT PURPOSES.—Section 343(a)(3)(F) of the Trade Act of 2002 (19 U.S.C. 2071 note) is amended to read as follows:

''(F) The information collected pursuant to the regulations shall be used exclusively for ensuring cargo safety and security, preventing smuggling, and commercial risk assessment targeting, and shall not be used for any commercial enforcement purposes, including for determining merchandise entry. Notwithstanding the preceding sentence, nothing in this section shall be treated as amending, repealing, or otherwise modifying title IV of the Tariff Act of 1930 or regulations prescribed thereunder.''.

SEC. 112. REPORT ON OVERSIGHT OF REVENUE PROTECTION AND ENFORCEMENT MEASURES.

(a) IN GENERAL.—Not later than March 31, 2016, and not later than March 31 of each second year thereafter, the Inspector General of the Department of the Treasury shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report assessing, with respect to the period covered by the report, as specified in subsection (b), the following:

(1) The effectiveness of the measures taken by U.S. Customs and Border Protection with respect to protection of revenue, including—

(A) the collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.);

(B) the assessment, collection, and mitigation of commercial fines and penalties;

(C) the use of bonds, including continuous and single transaction bonds, to secure that revenue; and

(D) the adequacy of the policies of U.S. Customs and Border Protection with respect to the monitoring and tracking of merchandise transported in bond and collecting duties, as appropriate.

(2) The effectiveness of actions taken by U.S. Customs and Border Protection to measure accountability and performance with respect to protection of revenue.

(3) The number and outcome of investigations instituted by U.S. Customs and Border Protection with respect to the underpayment of duties.

(4) The effectiveness of training with respect to the collection of duties provided for personnel of U.S. Customs and Border Protection.

(b) PERIOD COVERED BY REPORT.—Each report required by subsection (a) shall cover the period of 2 fiscal years ending on September 30 of the calendar year preceding the submission of the report.

SEC. 113. REPORT ON SECURITY AND REVENUE MEASURES WITH RESPECT TO MERCHANDISE TRANSPORTED IN BOND.

(a) IN GENERAL.—Not later than December 31 of 2016, 2017, and 2018, the Secretary of Homeland Security and the Secretary of the Treasury shall jointly submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on efforts undertaken by U.S. Customs and Border Protection to ensure the secure transportation of merchandise in bond through the United States and the collection of revenue owed upon the entry of such merchandise into the United States for consumption.

(b) ELEMENTS.—Each report required by subsection (a) shall include, for the fiscal year preceding the submission of the report, information on—

(1) the overall number of entries of merchandise for transportation in bond through the United States;

(2) the ports at which merchandise arrives in the United States for transportation in bond and at which records of the arrival of such merchandise are generated;

(3) the average time taken to reconcile such records with the records at the final destination of the merchandise in the United States to demonstrate that the merchandise reaches its final destination or is reexported;

(4) the average time taken to transport merchandise in bond from the port at which the merchandise arrives in the United States to its final destination in the United States;

(5) the total amount of duties, taxes, and fees owed with respect to shipments of merchandise transported in bond and the total amount of such duties, taxes, and fees paid;

(6) the total number of notifications by carriers of merchandise being transported in bond that the destination of the merchandise has changed; and

(7) the number of entries that remain unreconciled.

SEC. 114. IMPORTER OF RECORD PROGRAM.

(a) ESTABLISHMENT.—Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall establish an importer of record program to assign and maintain importer of record numbers.

(b) REQUIREMENTS.—The Secretary shall ensure that, as part of the importer of record program, U.S. Customs and Border Protection—

(1) develops criteria that importers must meet in order to obtain an importer of record number, including—

(A) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to verify the existence of the importer requesting the importer of record number;

(B) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to identify linkages or other affiliations between importers that are requesting or have been assigned importer of record numbers; and

(C) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to identify changes in address and corporate structure of importers;

(2) provides a process by which importers are assigned importer of record numbers;

(3) maintains a centralized database of importer of record numbers, including a history of importer of record numbers associated with each importer, and the information described in subparagraphs (A), (B), and (C) of paragraph (1);

(4) evaluates and maintains the accuracy of the database if such information changes; and

(5) takes measures to ensure that duplicate importer of record numbers are not issued.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary 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 the importer of record program established under subsection (a).

(d) NUMBER DEFINED.—In this subsection, the term ''number'', with respect to an importer of record, means a filing identification number described in section 24.5 of title 19, Code of Federal Regulations (or any corresponding similar regulation) that fully supports the requirements of subsection (b) with respect to the collection and maintenance of information.

SEC. 115. ESTABLISHMENT OF NEW IMPORTER PROGRAM.

(a) IN GENERAL.—Not later than the date that is 180 days after the date of the enactment of this Act, the Commissioner shall establish a new importer program that directs U.S. Customs and Border Protection to adjust bond amounts for new importers based on the level of risk assessed by U.S. Customs and Border Protection for protection of revenue of the Federal Government.

(b) REQUIREMENTS.—The Commissioner shall ensure that, as part of the new importer program established under subsection (a), U.S. Customs and Border Protection—

(1) develops risk-based criteria for determining which importers are considered to be new importers for the purposes of this subsection;

(2) develops risk assessment guidelines for new importers to determine if and to what extent—

(A) to adjust bond amounts of imported products of new importers; and

(B) to increase screening of imported products of new importers;

(3) develops procedures to ensure increased oversight of imported products of new importers relating to the enforcement of the priority trade issues described in paragraph (3)(B)(ii) of section 2(d) of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2072(d)), as added by section 111(a) of this Act;

(4) develops procedures to ensure increased oversight of imported products of new importers by Centers of Excellence and Expertise established under section 110 of this Act; and

(5) establishes a centralized database of new importers to ensure accuracy of information that is required to be provided by new importers to U.S. Customs and Border Protection.

TITLE II—IMPORT HEALTH AND SAFETY

SEC. 201. INTERAGENCY IMPORT SAFETY WORKING GROUP.

(a) ESTABLISHMENT.—There is established an interagency Import Safety Working Group.

(b) MEMBERSHIP.—The interagency Import Safety Working Group shall consist of the following officials or their designees:

(1) The Secretary of Homeland Security, who shall serve as the Chair.

(2) The Secretary of Health and Human Services, who shall serve as the Vice Chair.

(3) The Secretary of the Treasury.

(4) The Secretary of Commerce.

(5) The Secretary of Agriculture.

(6) The United States Trade Representative.

(7) The Director of the Office of Management and Budget.

(8) The Commissioner of Food and Drugs.

(9) The Commissioner responsible for U.S. Customs and Border Protection.

(10) The Chairman of the Consumer Product Safety Commission.

(11) The Director of U.S. Immigration and Customs Enforcement.

(12) The head of any other Federal agency designated by the President to participate in the interagency Import Safety Working Group, as appropriate.

(c) DUTIES.—The duties of the interagency Import Safety Working Group shall include—

(1) consulting on the development of the joint import safety rapid response plan required by section 202 of this Act;

(2) periodically evaluating the adequacy of the plans, practices, and resources of the Federal Government dedicated to ensuring the safety of merchandise imported in the United States and the expeditious entry of such merchandise, including—

(A) minimizing the duplication of efforts among agencies the heads of which are members of the interagency Import Safety Working Group and ensuring the compatibility of the policies and regulations of those agencies; and

(B) recommending additional administrative actions, as appropriate, designed to ensure the safety of merchandise imported into the United States and the expeditious entry of such merchandise and considering the impact of those actions on private sector entities;

(3) reviewing the engagement and cooperation of foreign governments and foreign manufacturers in facilitating the inspection and certification, as appropriate, of such merchandise to be imported into the United States and the facilities producing such merchandise to ensure the safety of the merchandise and the expeditious entry of the merchandise into the United States;

(4) identifying best practices, in consultation with private sector entities as appropriate, to assist United States importers in taking all appropriate steps to ensure the safety of merchandise imported into the United States, including with respect to—

(A) the inspection of manufacturing facilities in foreign countries;

(B) the inspection of merchandise destined for the United States before exportation from a foreign country or before distribution in the United States; and

(C) the protection of the international supply chain (as defined in section 2 of the Security and Accountability For Every Port Act of 2006 (6 U.S.C. 901));

(5) identifying best practices to assist Federal, State, and local governments and agencies, and port authorities, to improve communication and coordination among such agencies and authorities with respect to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise; and

(6) otherwise identifying appropriate steps to increase the accountability of United States importers and the engagement of foreign government agencies with respect to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise.

SEC. 202. JOINT IMPORT SAFETY RAPID RESPONSE PLAN.

(a) IN GENERAL.—Not later than December 31, 2016, the Secretary of Homeland Security, in consultation with the interagency Import Safety Working Group, shall develop a plan (to be known as the ''joint import safety rapid response plan'') that sets forth protocols and defines practices for U.S. Customs and Border Protection to use—

(1) in taking action in response to, and coordinating Federal responses to, an incident in which cargo destined for or merchandise entering the United States has been identified as posing a threat to the health or safety of consumers in the United States; and

(2) in recovering from or mitigating the effects of actions and responses to an incident described in paragraph (1).

(b) CONTENTS.—The joint import safety rapid response plan shall address—

(1) the statutory and regulatory authorities and responsibilities of U.S. Customs and Border Protection and other Federal agencies in responding to an incident described in subsection (a)(1);

(2) the protocols and practices to be used by U.S. Customs and Border Protection when taking action in response to, and coordinating Federal responses to, such an incident;

(3) the measures to be taken by U.S. Customs and Border Protection and other Federal agencies in recovering from or mitigating the effects of actions taken in response to such an incident after the incident to ensure the resumption of the entry of merchandise into the United States; and

(4) exercises that U.S. Customs and Border Protection may conduct in conjunction with Federal, State, and local agencies, and private sector entities, to simulate responses to such an incident.

(c) UPDATES OF PLAN.—The Secretary of Homeland Security shall review and update the joint import safety rapid response plan, as appropriate, after conducting exercises under subsection (d).

(d) IMPORT HEALTH AND SAFETY EXERCISES.—

(1) IN GENERAL.—The Secretary of Homeland Security and the Commissioner shall periodically engage in the exercises referred to in subsection (b)(4), in conjunction with Federal, State, and local agencies and private sector entities, as appropriate, to test and evaluate the protocols and practices identified in the joint import safety rapid response plan at United States ports of entry.

(2) REQUIREMENTS FOR EXERCISES.—In conducting exercises under paragraph (1), the Secretary and the Commissioner shall—

(A) make allowance for the resources, needs, and constraints of United States ports of entry of different sizes in representative geographic locations across the United States;

(B) base evaluations on current risk assessments of merchandise entering the United States at representative United States ports of entry located across the United States;

(C) ensure that such exercises are conducted in a manner consistent with the National Incident Management System, the National Response Plan, the National Infrastructure Protection Plan, the National Preparedness Guidelines, the Maritime Transportation System Security Plan, and other such national initiatives of the Department of Homeland Security, as appropriate; and

(D) develop metrics with respect to the resumption of the entry of merchandise into the United States after an incident described in subsection (a)(1).

(3) REQUIREMENTS FOR TESTING AND EVALUATION.—The Secretary and the Commissioner shall ensure that the testing and evaluation carried out in conducting exercises under paragraph (1)—

(A) are performed using clear and objective performance measures; and

(B) result in the identification of specific recommendations or best practices for responding to an incident described in subsection (a)(1).

(4) DISSEMINATION OF RECOMMENDATIONS AND BEST PRACTICES.—The Secretary and the Commissioner shall—

(A) share the recommendations or best practices identified under paragraph (3)(B) among the members of the interagency Import Safety Working Group and with, as appropriate—

(i) State, local, and tribal governments;

(ii) foreign governments; and

(iii) private sector entities; and

(B) use such recommendations and best practices to update the joint import safety rapid response plan.

SEC. 203. TRAINING.

The Commissioner shall ensure that personnel of U.S. Customs and Border Protection assigned to United States ports of entry are trained to effectively administer the provisions of this title and to otherwise assist in ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise.

TITLE III—IMPORT-RELATED PROTECTION OF INTELLECTUAL PROPERTY RIGHTS

SEC. 301. DEFINITION OF INTELLECTUAL PROPERTY RIGHTS.

In this title, the term ''intellectual property rights'' refers to copyrights, trademarks, and other forms of intellectual property rights that are enforced by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement.

SEC. 302. EXCHANGE OF INFORMATION RELATED TO TRADE ENFORCEMENT.

(a) IN GENERAL.—The Tariff Act of 1930 is amended by inserting after section 628 (19 U.S.C. 1628) the following new section:

''SEC. 628A. EXCHANGE OF INFORMATION RELATED TO TRADE ENFORCEMENT.

''(a) IN GENERAL.—Subject to subsections (c) and (d), if the Commissioner responsible for U.S. Customs and Border Protection suspects that merchandise is being imported into the United States in violation of section 526 of this Act or section 602, 1201(a)(2), or 1201(b)(1) of title 17, United States Code, and determines that the examination or testing of the merchandise by a person described in subsection (b) would assist the Commissioner in determining if the merchandise is being imported in violation of that section, the Commissioner, to permit the person to conduct the examination and testing—

''(1) shall provide to the person information that appears on the merchandise and its packaging and labels, including unredacted images of the merchandise and its packaging and labels; and

''(2) may, subject to any applicable bonding requirements, provide to the person unredacted samples of the merchandise.

''(b) PERSON DESCRIBED.—A person described in this subsection is—

''(1) in the case of merchandise suspected of being imported in violation of section 526, the owner of the trademark suspected of being copied or simulated by the merchandise;

''(2) in the case of merchandise suspected of being imported in violation of section 602 of title 17, United States Code, the owner of the copyright suspected of being infringed by the merchandise;

''(3) in the case of merchandise suspected of being primarily designed or produced for the purpose of circumventing a technological measure that effectively controls access to a work protected under that title, and being imported in violation of section 1201(a)(2) of that title, the owner of a copyright in the work; and

''(4) in the case of merchandise suspected of being primarily designed or produced for the purpose of circumventing protection afforded by a technological measure that effectively protects a right of an owner of a copyright in a work or a portion of a work, and being imported in violation of section 1201(b)(1) of that title, the owner of the copyright.

''(c) LIMITATION.—Subsection (a) applies only with respect to merchandise suspected of infringing a trademark or copyright that is recorded with U.S. Customs and Border Protection.

''(d) EXCEPTION.—The Commissioner may not provide under subsection (a) information, photographs, or samples to a person described in subsection (b) if providing such information, photographs, or samples would compromise an ongoing law enforcement investigation or national security.''.

(b) TERMINATION OF PREVIOUS AUTHORITY.—Notwithstanding paragraph (2) of section 818(g) of Public Law 112–81 (125 Stat. 1496), paragraph (1) of that section shall have no force or effect on or after the date of the enactment of this Act.

SEC. 303. SEIZURE OF CIRCUMVENTION DEVICES.

(a) IN GENERAL.—Section 596(c)(2) of the Tariff Act of 1930 (19 U.S.C. 1595a(c)(2)) is amended—

(1) in subparagraph (E), by striking ''or'';

(2) in subparagraph (F), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(G) U.S. Customs and Border Protection determines it is a technology, product, service, device, component, or part thereof the importation of which is prohibited under subsection (a)(2) or (b)(1) of section 1201 of title 17, United States Code.''.

(b) NOTIFICATION OF PERSONS INJURED.—

(1) IN GENERAL.—Not later than the date that is 30 business days after seizing merchandise pursuant to subparagraph (G) of section 596(c)(2) of the Tariff Act of 1930, as added by subsection (a), the Commissioner shall provide to any person identified under paragraph (2) information regarding the merchandise seized that is equivalent to information provided to copyright owners under regulations of U.S. Customs and Border Protection for merchandise seized for violation of the copyright laws.

(2) PERSONS TO BE PROVIDED INFORMATION.—Any person injured by the violation of (a)(2) or (b)(1) of section 1201 of title 17, United States Code, that resulted in the seizure of the merchandise shall be provided information under paragraph (1), if that person is included on a list maintained by the Commissioner that is revised annually through publication in the Federal Register.

(3) REGULATIONS.—Not later than one year after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations establishing procedures that implement this subsection.

SEC. 304. ENFORCEMENT BY U.S. CUSTOMS AND BORDER PROTECTION OF WORKS FOR WHICH COPYRIGHT REGISTRATION IS PENDING.

Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall authorize a process pursuant to which the Commissioner shall enforce a copyright for which the owner has submitted an application for registration under title 17, United States Code, with the United States Copyright Office, to the same extent and in the same manner as if the copyright were registered with the Copyright Office, including by sharing information, images, and samples of merchandise suspected of infringing the copyright under section 628A of the Tariff Act of 1930, as added by section 302.

SEC. 305. NATIONAL INTELLECTUAL PROPERTY RIGHTS COORDINATION CENTER.

(a) ESTABLISHMENT.—The Secretary of Homeland Security shall—

(1) establish within U.S. Immigration and Customs Enforcement a National Intellectual Property Rights Coordination Center; and

(2) appoint an Assistant Director to head the National Intellectual Property Rights Coordination Center.

(b) DUTIES.—The Assistant Director of the National Intellectual Property Rights Coordination Center shall—

(1) coordinate the investigation of sources of merchandise that infringe intellectual property rights to identify organizations and individuals that produce, smuggle, or distribute such merchandise;

(2) conduct and coordinate training with other domestic and international law enforcement agencies on investigative best practices—

(A) to develop and expand the capability of such agencies to enforce intellectual property rights; and

(B) to develop metrics to assess whether the training improved enforcement of intellectual property rights;

(3) coordinate, with U.S. Customs and Border Protection, activities conducted by the United States to prevent the importation or exportation of merchandise that infringes intellectual property rights;

(4) support the international interdiction of merchandise destined for the United States that infringes intellectual property rights;

(5) collect and integrate information regarding infringement of intellectual property rights from domestic and international law enforcement agencies and other non-Federal sources;

(6) develop a means to receive and organize information regarding infringement of intellectual property rights from such agencies and other sources;

(7) disseminate information regarding infringement of intellectual property rights to other Federal agencies, as appropriate;

(8) develop and implement risk-based alert systems, in coordination with U.S. Customs and Border Protection, to improve the targeting of persons that repeatedly infringe intellectual property rights;

(9) coordinate with the offices of United States attorneys in order to develop expertise in, and assist with the investigation and prosecution of, crimes relating to the infringement of intellectual property rights; and

(10) carry out such other duties as the Secretary of Homeland Security may assign.

(c) COORDINATION WITH OTHER AGENCIES.—In carrying out the duties described in subsection (b), the Assistant Director of the National Intellectual Property Rights Coordination Center shall coordinate with—

(1) U.S. Customs and Border Protection;

(2) the Food and Drug Administration;

(3) the Department of Justice;

(4) the Department of Commerce, including the United States Patent and Trademark Office;

(5) the United States Postal Inspection Service;

(6) the Office of the United States Trade Representative;

(7) any Federal, State, local, or international law enforcement agencies that the Director of U.S. Immigration and Customs Enforcement considers appropriate; and

(8) any other entities that the Director considers appropriate.

(d) PRIVATE SECTOR OUTREACH.—

(1) IN GENERAL.—The Assistant Director of the National Intellectual Property Rights Coordination Center shall work with U.S. Customs and Border Protection and other Federal agencies to conduct outreach to private sector entities in order to determine trends in and methods of infringing intellectual property rights.

(2) INFORMATION SHARING.—The Assistant Director shall share information and best practices with respect to the enforcement of intellectual property rights with private sector entities, as appropriate, in order to coordinate public and private sector efforts to combat the infringement of intellectual property rights.

SEC. 306. JOINT STRATEGIC PLAN FOR THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.

The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall include in the joint strategic plan required by section 105 of this Act—

(1) a description of the efforts of the Department of Homeland Security to enforce intellectual property rights;

(2) a list of the 10 United States ports of entry at which U.S. Customs and Border Protection has seized the most merchandise, both by volume and by value, that infringes intellectual property rights during the most recent 2-year period for which data are available; and

(3) a recommendation for the optimal allocation of personnel, resources, and technology to ensure that U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement are adequately enforcing intellectual property rights.

SEC. 307. PERSONNEL DEDICATED TO THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.

(a) PERSONNEL OF U.S. CUSTOMS AND BORDER PROTECTION.—The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall ensure that sufficient personnel are assigned throughout U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, respectively, who have responsibility for preventing the importation into the United States of merchandise that infringes intellectual property rights.

(b) STAFFING OF NATIONAL INTELLECTUAL PROPERTY RIGHTS COORDINATION CENTER.—The Commissioner shall—

(1) assign not fewer than 3 full-time employees of U.S. Customs and Border Protection to the National Intellectual Property Rights Coordination Center established under section 305 of this Act; and

(2) ensure that sufficient personnel are assigned to United States ports of entry to carry out the directives of the Center.

SEC. 308. TRAINING WITH RESPECT TO THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.

(a) TRAINING.—The Commissioner shall ensure that officers of U.S. Customs and Border Protection are trained to effectively detect and identify merchandise destined for the United States that infringes intellectual property rights, including through the use of technologies identified under subsection (c).

(b) CONSULTATION WITH PRIVATE SECTOR.—The Commissioner shall consult with private sector entities to better identify opportunities for collaboration between U.S. Customs and Border Protection and such entities with respect to training for officers of U.S. Customs and Border Protection in enforcing intellectual property rights.

(c) IDENTIFICATION OF NEW TECHNOLOGIES.—In consultation with private sector entities, the Commissioner shall identify—

(1) technologies with the cost-effective capability to detect and identify merchandise at United States ports of entry that infringes intellectual property rights; and

(2) cost-effective programs for training officers of U.S. Customs and Border Protection to use such technologies.

(d) DONATIONS OF TECHNOLOGY.—Not later than the date that is 180 days after the date of the enactment of this Act, the Commissioner shall prescribe regulations to enable U.S. Customs and Border Protection to receive donations of hardware, software, equipment, and similar technologies, and to accept training and other support services, from private sector entities, for the purpose of enforcing intellectual property rights.

SEC. 309. INTERNATIONAL COOPERATION AND INFORMATION SHARING.

(a) COOPERATION.—The Secretary of Homeland Security shall coordinate with the competent law enforcement and customs authorities of foreign countries, including by sharing information relevant to enforcement actions, to enhance the efforts of the United States and such authorities to enforce intellectual property rights.

(b) TECHNICAL ASSISTANCE.—The Secretary of Homeland Security shall provide technical assistance to competent law enforcement and customs authorities of foreign countries to enhance the ability of such authorities to enforce intellectual property rights.

(c) INTERAGENCY COLLABORATION.—The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall lead interagency efforts to collaborate with law enforcement and customs authorities of foreign countries to enforce intellectual property rights.

SEC. 310. REPORT ON INTELLECTUAL PROPERTY RIGHTS ENFORCEMENT.

Not later than June 30, 2016, and annually thereafter, the Commissioner and the Director of U.S. Immigration and Customs Enforcement shall jointly submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that contains the following:

(1) With respect to the enforcement of intellectual property rights, the following:

(A) The number of referrals from U.S. Customs and Border Protection to U.S. Immigration and Customs Enforcement relating to infringement of intellectual property rights during the preceding year.

(B) The number of investigations relating to the infringement of intellectual property rights referred by U.S. Immigration and Customs Enforcement to a United States attorney for prosecution and the United States attorneys to which those investigations were referred.

(C) The number of such investigations accepted by each such United States attorney and the status or outcome of each such investigation.

(D) The number of such investigations that resulted in the imposition of civil or criminal penalties.

(E) A description of the efforts of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to improve the success rates of investigations and prosecutions relating to the infringement of intellectual property rights.

(2) An estimate of the average time required by the Office of International Trade of U.S. Customs and Border Protection to respond to a request from port personnel for advice with respect to whether merchandise detained by U.S. Customs and Border Protection infringed intellectual property rights, distinguished by types of intellectual property rights infringed.

(3) A summary of the outreach efforts of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement with respect to—

(A) the interdiction and investigation of, and the sharing of information between those agencies and other Federal agencies to prevent the infringement of intellectual property rights;

(B) collaboration with private sector entities—

(i) to identify trends in the infringement of, and technologies that infringe, intellectual property rights;

(ii) to identify opportunities for enhanced training of officers of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement; and

(iii) to develop best practices to enforce intellectual property rights; and

(C) coordination with foreign governments and international organizations with respect to the enforcement of intellectual property rights.

(4) A summary of the efforts of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to address the challenges with respect to the enforcement of intellectual property rights presented by Internet commerce and the transit of small packages and an identification of the volume, value, and type of merchandise seized for infringing intellectual property rights as a result of such efforts.

(5) A summary of training relating to the enforcement of intellectual property rights conducted under section 308 of this Act and expenditures for such training.

SEC. 311. INFORMATION FOR TRAVELERS REGARDING VIOLATIONS OF INTELLECTUAL PROPERTY RIGHTS.

(a) IN GENERAL.—The Secretary of Homeland Security shall develop and carry out an educational campaign to inform travelers entering or leaving the United States about the legal, economic, and public health and safety implications of acquiring merchandise that infringes intellectual property rights outside the United States and importing such merchandise into the United States in violation of United States law.

(b) DECLARATION FORMS.—The Commissioner shall ensure that all versions of Declaration Form 6059B of U.S. Customs and Border Protection, or a successor form, including any electronic equivalent of Declaration Form 6059B or a successor form, printed or displayed on or after the date that is 30 days after the date of the enactment of this Act include a written warning to inform travelers arriving in the United States that importation of merchandise into the United States that infringes intellectual property rights may subject travelers to civil or criminal penalties and may pose serious risks to safety or health.

TITLE IV—EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS

SEC. 401. SHORT TITLE.

This title may be cited as the ''Enforcing Orders and Reducing Customs Evasion Act of 2015''.

SEC. 402. PROCEDURES FOR INVESTIGATING CLAIMS OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

(a) IN GENERAL.—The Tariff Act of 1930 is amended by inserting after section 516A (19 U.S.C. 1516a) the following:

''SEC. 517. PROCEDURES FOR INVESTIGATING CLAIMS OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTERING AUTHORITY.—The term 'administering authority' has the meaning given that term in section 771(1).

''(2) COMMISSIONER.—The term 'Commissioner' means the Commissioner responsible for U.S. Customs and Border Protection, acting pursuant to the delegation by the Secretary of the Treasury of the authority of the Secretary with respect to customs revenue functions (as defined in section 415 of the Homeland Security Act of 2002 (6 U.S.C. 215)).

''(3) COVERED MERCHANDISE.—The term 'covered merchandise' means merchandise that is subject to—

''(A) an antidumping duty order issued under section 736;

''(B) a finding issued under the Antidumping Act, 1921; or

''(C) a countervailing duty order issued under section 706.

''(4) ENTER; ENTRY.—The terms 'enter' and 'entry' refer to the entry, or withdrawal from warehouse for consumption, of merchandise in the customs territory of the United States.

''(5) EVASION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'evasion' refers to entering covered merchandise into the customs territory of the United States by means of any document or electronically transmitted data or information, written or oral statement, or act that is material and false, or any omission that is material, and that results in any cash deposit or other security or any amount of applicable antidumping or countervailing duties being reduced or not being applied with respect to the merchandise.

''(B) EXCEPTION FOR CLERICAL ERROR.—

''(i) IN GENERAL.—Except as provided in clause (ii), the term 'evasion' does not include entering covered merchandise into the customs territory of the United States by means of—

''(I) a document or electronically transmitted data or information, written or oral statement, or act that is false as a result of a clerical error; or

''(II) an omission that results from a clerical error.

''(ii) PATTERNS OF NEGLIGENT CONDUCT.—If the Commissioner determines that a person has entered covered merchandise into the customs territory of the United States by means of a clerical error referred to in subclause (I) or (II) of clause (i) and that the clerical error is part of a pattern of negligent conduct on the part of that person, the Commissioner may determine, notwithstanding clause (i), that the person has entered such covered merchandise into the customs territory of the United States through evasion.

''(iii) ELECTRONIC REPETITION OF ERRORS.—For purposes of clause (ii), the mere nonintentional repetition by an electronic system of an initial clerical error does not constitute a pattern of negligent conduct.

''(iv) RULE OF CONSTRUCTION.—A determination by the Commissioner that a person has entered covered merchandise into the customs territory of the United States by means of a clerical error referred to in subclause (I) or (II) of clause (i) rather than through evasion shall not be construed to excuse that person from the payment of any duties applicable to the merchandise.

''(6) INTERESTED PARTY.—

''(A) IN GENERAL.—The term 'interested party' means—

''(i) a manufacturer, producer, or wholesaler in the United States of a domestic like product;

''(ii) a certified union or recognized union or group of workers that is representative of an industry engaged in the manufacture, production, or wholesale in the United States of a domestic like product;

''(iii) a trade or business association a majority of whose members manufacture, produce, or wholesale a domestic like product in the United States;

''(iv) an association, a majority of whose members is composed of interested parties described in clause (i), (ii), or (iii) with respect to a domestic like product; and

''(v) if the covered merchandise is a processed agricultural product, as defined in section 771(4)(E), a coalition or trade association that is representative of either—

''(I) processors;

''(II) processors and producers; or

''(III) processors and growers,

but this clause shall cease to have effect if the United States Trade Representative notifies the administering authority and the Commission that the application of this clause is inconsistent with the international obligations of the United States.

''(B) DOMESTIC LIKE PRODUCT.—For purposes of subparagraph (A), the term 'domestic like product' means a product that is like, or in the absence of like, most similar in characteristics and uses with, covered merchandise.

''(b) INVESTIGATIONS.—

''(1) IN GENERAL.—Not later than 10 business days after receiving an allegation described in paragraph (2) or a referral described in paragraph (3), the Commissioner shall initiate an investigation if the Commissioner determines that the information provided in the allegation or the referral, as the case may be, reasonably suggests that covered merchandise has been entered into the customs territory of the United States through evasion.

''(2) ALLEGATION DESCRIBED.—An allegation described in this paragraph is an allegation that a person has entered covered merchandise into the customs territory of the United States through evasion that is—

''(A) filed with the Commissioner by an interested party; and

''(B) accompanied by information reasonably available to the party that filed the allegation.

''(3) REFERRAL DESCRIBED.—A referral described in this paragraph is information submitted to the Commissioner by any other Federal agency, including the Department of Commerce or the United States International Trade Commission, that reasonably suggests that a person has entered covered merchandise into the customs territory of the United States through evasion.

''(4) CONSOLIDATION OF ALLEGATIONS AND REFERRALS.—

''(A) IN GENERAL.—The Commissioner may consolidate multiple allegations described in paragraph (2) and referrals described in paragraph (3) into a single investigation if the Commissioner determines it is appropriate to do so.

''(B) EFFECT ON TIMING REQUIREMENTS.—If the Commissioner consolidates multiple allegations or referrals into a single investigation under subparagraph (A), the date on which the Commissioner receives the first such allegation or referral shall be used for purposes of the requirement under paragraph (1) with respect to the timing of the initiation of the investigation.

''(5) INFORMATION-SHARING TO PROTECT HEALTH AND SAFETY.—If, during the course of conducting an investigation under paragraph (1) with respect to covered merchandise, the Commissioner has reason to suspect that such covered merchandise may pose a health or safety risk to consumers, the Commissioner shall provide, as appropriate, information to the appropriate Federal agencies for purposes of mitigating the risk.

''(6) TECHNICAL ASSISTANCE AND ADVICE.—

''(A) IN GENERAL.—Upon request, the Commissioner shall provide technical assistance and advice to eligible small businesses to enable such businesses to prepare and submit allegations described in paragraph (2), except that the Commissioner may deny assistance if the Commissioner concludes that the allegation, if submitted, would not lead to the initiation of an investigation under this subsection or any other action to address the allegation.

''(B) ELIGIBLE SMALL BUSINESS DEFINED.—

''(i) IN GENERAL.—In this paragraph, the term 'eligible small business' means any business concern that the Commissioner determines, due to its small size, has neither adequate internal resources nor the financial ability to obtain qualified outside assistance in preparing and filing allegations described in paragraph (2).

''(ii) NON-REVIEWABILITY.—The determination of the Commissioner regarding whether a business concern is an eligible small business for purposes of this paragraph is not reviewable by any other agency or by any court.

''(c) DETERMINATIONS.—

''(1) IN GENERAL.—Not later than 270 calendar days after the date on which the Commissioner initiates an investigation under subsection (b) with respect to covered merchandise, the Commissioner shall make a determination, based on substantial evidence, with respect to whether such covered merchandise was entered into the customs territory of the United States through evasion.

''(2) AUTHORITY TO COLLECT AND VERIFY ADDITIONAL INFORMATION.—In making a determination under paragraph (1) with respect to covered merchandise, the Commissioner may collect such additional information as is necessary to make the determination through such methods as the Commissioner considers appropriate, including by—

''(A) issuing a questionnaire with respect to such covered merchandise to—

''(i) an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise;

''(ii) a person alleged to have entered such covered merchandise into the customs territory of the United States through evasion;

''(iii) a person that is a foreign producer or exporter of such covered merchandise; or

''(iv) the government of a country from which such covered merchandise was exported; and

''(B) conducting verifications, including on-site verifications, of any relevant information.

''(3) ADVERSE INFERENCE.—If the Commissioner finds that a party or person described in clause (i), (ii), or (iii) of paragraph (2)(A) has failed to cooperate by not acting to the best of the party or person's ability to comply with a request for information, the Commissioner may, in making a determination under paragraph (1), use an inference that is adverse to the interests of that party or person in selecting from among the facts otherwise available to make the determination.

''(4) NOTIFICATION.—Not later than 5 business days after making a determination under paragraph (1) with respect to covered merchandise, the Commissioner—

''(A) shall provide to each interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise a notification of the determination and may, in addition, include an explanation of the basis for the determination; and

''(B) may provide to importers, in such manner as the Commissioner determines appropriate, information discovered in the investigation that the Commissioner determines will help educate importers with respect to importing merchandise into the customs territory of the United States in accordance with all applicable laws and regulations.

''(d) EFFECT OF DETERMINATIONS.—

''(1) IN GENERAL.—If the Commissioner makes a determination under subsection (c) that covered merchandise was entered into the customs territory of the United States through evasion, the Commissioner shall—

''(A)(i) suspend the liquidation of unliquidated entries of such covered merchandise that are subject to the determination and that enter on or after the date of the initiation of the investigation under subsection (b) with respect to such covered merchandise and on or before the date of the determination; or

''(ii) if the Commissioner has already suspended the liquidation of such entries pursuant to subsection (e)(1), continue to suspend the liquidation of such entries;

''(B) pursuant to the Commissioner's authority under section 504(b)—

''(i) extend the period for liquidating unliquidated entries of such covered merchandise that are subject to the determination and that entered before the date of the initiation of the investigation; or

''(ii) if the Commissioner has already extended the period for liquidating such entries pursuant to subsection (e)(1), continue to extend the period for liquidating such entries;

''(C) notify the administering authority of the determination and request that the administering authority—

''(i) identify the applicable antidumping or countervailing duty assessment rates for entries described in subparagraphs (A) and (B); or

''(ii) if no such assessment rate for such an entry is available at the time, identify the applicable cash deposit rate to be applied to the entry, with the applicable antidumping or countervailing duty assessment rate to be provided as soon as that rate becomes available;

''(D) require the posting of cash deposits and assess duties on entries described in subparagraphs (A) and (B) in accordance with the instructions received from the administering authority under paragraph (2); and

''(E) take such additional enforcement measures as the Commissioner determines appropriate, such as—

''(i) initiating proceedings under section 592 or 596;

''(ii) implementing, in consultation with the relevant Federal agencies, rule sets or modifications to rules sets for identifying, particularly through the Automated Targeting System and the Automated Commercial Environment authorized under section 13031(f) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)), importers, other parties, and merchandise that may be associated with evasion;

''(iii) requiring, with respect to merchandise for which the importer has repeatedly provided incomplete or erroneous entry summary information in connection with determinations of evasion, the importer to deposit estimated duties at the time of entry; and

''(iv) referring the record in whole or in part to U.S. Immigration and Customs Enforcement for civil or criminal investigation.

''(2) COOPERATION OF ADMINISTERING AUTHORITY.—

''(A) IN GENERAL.—Upon receiving a notification from the Commissioner under paragraph (1)(C), the administering authority shall promptly provide to the Commissioner the applicable cash deposit rates and antidumping or countervailing duty assessment rates and any necessary liquidation instructions.

''(B) SPECIAL RULE FOR CASES IN WHICH THE PRODUCER OR EXPORTER IS UNKNOWN.—If the Commissioner and the administering authority are unable to determine the producer or exporter of the merchandise with respect to which a notification is made under paragraph (1)(C), the administering authority shall identify, as the applicable cash deposit rate or antidumping or countervailing duty assessment rate, the cash deposit or duty (as the case may be) in the highest amount applicable to any producer or exporter, including the 'all-others' rate of the merchandise subject to an antidumping order or countervailing duty order under section 736 or 706, respectively, or a finding issued under the Antidumping Act, 1921, or any administrative review conducted under section 751.

''(e) INTERIM MEASURES.—Not later than 90 calendar days after initiating an investigation under subsection (b) with respect to covered merchandise, the Commissioner shall decide based on the investigation if there is a reasonable suspicion that such covered merchandise was entered into the customs territory of the United States through evasion and, if the Commissioner decides there is such a reasonable suspicion, the Commissioner shall—

''(1) suspend the liquidation of each unliquidated entry of such covered merchandise that entered on or after the date of the initiation of the investigation;

''(2) pursuant to the Commissioner's authority under section 504(b), extend the period for liquidating each unliquidated entry of such covered merchandise that entered before the date of the initiation of the investigation; and

''(3) pursuant to the Commissioner's authority under section 623, take such additional measures as the Commissioner determines necessary to protect the revenue of the United States, including requiring a single transaction bond or additional security or the posting of a cash deposit with respect to such covered merchandise.

''(f) ADMINISTRATIVE REVIEW.—

''(1) IN GENERAL.—Not later than 30 business days after the Commissioner makes a determination under subsection (c) with respect to whether covered merchandise was entered into the customs territory of the United States through evasion, a person determined to have entered such covered merchandise through evasion or an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise may file an appeal with the Commissioner for de novo review of the determination.

''(2) TIMELINE FOR REVIEW.—Not later than 60 business days after an appeal of a determination is filed under paragraph (1), the Commissioner shall complete the review of the determination.

''(g) JUDICIAL REVIEW.—

''(1) IN GENERAL.—Not later than 30 business days after the Commissioner completes a review under subsection (f) of a determination under subsection (c) with respect to whether covered merchandise was entered into the customs territory of the United States through evasion, a person determined to have entered such covered merchandise through evasion or an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise may commence a civil action in the United States Court of International Trade by filing concurrently a summons and complaint contesting any factual findings or legal conclusions upon which the determination is based.

''(2) STANDARD OF REVIEW.—In a civil action under this subsection, the court shall hold unlawful any determination, finding, or conclusion found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.

''(h) RULE OF CONSTRUCTION WITH RESPECT TO OTHER CIVIL AND CRIMINAL PROCEEDINGS AND INVESTIGATIONS.—No determination under subsection (c) or action taken by the Commissioner pursuant to this section shall be construed to limit the authority to carry out, or the scope of, any other proceeding or investigation pursuant to any other provision of Federal or State law, including sections 592 and 596.''.

(b) CONFORMING AMENDMENT.—Section 1581(c) of title 28, United States Code, is amended by inserting ''or 517'' after ''516A''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act.

(d) REGULATIONS.—Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe such regulations as may be necessary to implement the amendments made by this section.

(e) APPLICATION TO CANADA AND MEXICO.—Pursuant to article 1902 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3438), the amendments made by this section shall apply with respect to goods from Canada and Mexico.

SEC. 403. ANNUAL REPORT ON PREVENTION AND INVESTIGATION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

(a) IN GENERAL.—Not later than January 15 of each calendar year that begins on or after the date that is 270 days after the date of the enactment of this Act, the Commissioner, in consultation with the Secretary of Commerce and the Director of U.S. Immigration and Customs Enforcement, 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 the efforts being taken to prevent and investigate the entry of covered merchandise into the customs territory of the United States through evasion.

(b) CONTENTS.—Each report required under subsection (a) shall include—

(1) for the calendar year preceding the submission of the report—

(A) a summary of the efforts of U.S. Customs and Border Protection to prevent and investigate the entry of covered merchandise into the customs territory of the United States through evasion;

(B) the number of allegations of evasion received under subsection (b) of section 517 of the Tariff Act of 1930, as added by section 402 of this Act, and the number of such allegations resulting in investigations by U.S. Customs and Border Protection or any other agency;

(C) a summary of investigations initiated under subsection (b) of such section 517, including—

(i) the number and nature of the investigations initiated, conducted, and completed; and

(ii) the resolution of each completed investigation;

(D) the number of investigations initiated under that subsection not completed during the time provided for making determinations under subsection (c) of such section 517 and an explanation for why the investigations could not be completed on time;

(E) the amount of additional duties that were determined to be owed as a result of such investigations, the amount of such duties that were collected, and, for any such duties not collected, a description of the reasons those duties were not collected;

(F) with respect to each such investigation that led to the imposition of a penalty, the amount of the penalty;

(G) an identification of the countries of origin of covered merchandise determined under subsection (c) of such section 517 to be entered into the customs territory of the United States through evasion;

(H) the amount of antidumping and countervailing duties collected as a result of any investigations or other actions by U.S. Customs and Border Protection or any other agency;

(I) a description of the allocation of personnel and other resources of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to prevent and investigate evasion, including any assessments conducted regarding the allocation of such personnel and resources; and

(J) a description of training conducted to increase expertise and effectiveness in the prevention and investigation of evasion; and

(2) a description of processes and procedures of U.S. Customs and Border Protection to prevent and investigate evasion, including—

(A) the specific guidelines, policies, and practices used by U.S. Customs and Border Protection to ensure that allegations of evasion are promptly evaluated and acted upon in a timely manner;

(B) an evaluation of the efficacy of those guidelines, policies, and practices;

(C) an identification of any changes since the last report required by this section, if any, that have materially improved or reduced the effectiveness of U.S. Customs and Border Protection in preventing and investigating evasion;

(D) a description of the development and implementation of policies for the application of single entry and continuous bonds for entries of covered merchandise to sufficiently protect the collection of antidumping and countervailing duties commensurate with the level of risk of not collecting those duties;

(E) a description of the processes and procedures for increased cooperation and information sharing with the Department of Commerce, U.S. Immigration and Customs Enforcement, and any other relevant Federal agencies to prevent and investigate evasion; and

(F) an identification of any recommended policy changes for other Federal agencies or legislative changes to improve the effectiveness of U.S. Customs and Border Protection in preventing and investigating evasion.

(c) PUBLIC SUMMARY.—The Commissioner shall make available to the public a summary of the report required by subsection (a) that includes, at a minimum—

(1) a description of the type of merchandise with respect to which investigations were initiated under subsection (b) of section 517 of the Tariff Act of 1930, as added by section 402 of this Act;

(2) the amount of additional duties determined to be owed as a result of such investigations and the amount of such duties that were collected;

(3) an identification of the countries of origin of covered merchandise determined under subsection (c) of such section 517 to be entered into the customs territory of the United States through evasion; and

(4) a description of the types of measures used by U.S. Customs and Border Protection to prevent and investigate evasion.

(d) DEFINITIONS.—In this section, the terms ''covered merchandise'' and ''evasion'' have the meanings given those terms in section 517(a) of the Tariff Act of 1930, as added by section 402 of this Act.

TITLE V—AMENDMENTS TO ANTIDUMPING AND COUNTERVAILING DUTY LAWS

SEC. 501. CONSEQUENCES OF FAILURE TO COOPERATE WITH A REQUEST FOR INFORMATION IN A PROCEEDING.

Section 776 of the Tariff Act of 1930 (19 U.S.C. 1677e) is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(B) by striking ''ADVERSE INFERENCES.—If'' and inserting the following: ''ADVERSE INFERENCES.—

''(1) IN GENERAL.—If'';

(C) by striking ''under this title, may use'' and inserting the following: ''under this title—

''(A) may use''; and

(D) by striking ''facts otherwise available. Such adverse inference may include'' and inserting the following: ''facts otherwise available; and

''(B) is not required to determine, or make any adjustments to, a countervailable subsidy rate or weighted average dumping margin based on any assumptions about information the interested party would have provided if the interested party had complied with the request for information.

''(2) POTENTIAL SOURCES OF INFORMATION FOR ADVERSE INFERENCES.—An adverse inference under paragraph (1)(A) may include'';

(2) in subsection (c)—

(A) by striking ''CORROBORATION OF SECONDARY INFORMATION.—When the'' and inserting the following: ''CORROBORATION OF SECONDARY INFORMATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), when the''; and

(B) by adding at the end the following:

''(2) EXCEPTION.—The administrative authority and the Commission shall not be required to corroborate any dumping margin or countervailing duty applied in a separate segment of the same proceeding.''; and

(3) by adding at the end the following:

''(d) SUBSIDY RATES AND DUMPING MARGINS IN ADVERSE INFERENCE DETERMINATIONS.—

''(1) IN GENERAL.—If the administering authority uses an inference that is adverse to the interests of a party under subsection (b)(1)(A) in selecting among the facts otherwise available, the administering authority may—

''(A) in the case of a countervailing duty proceeding—

''(i) use a countervailable subsidy rate applied for the same or similar program in a countervailing duty proceeding involving the same country, or

''(ii) if there is no same or similar program, use a countervailable subsidy rate for a subsidy program from a proceeding that the administering authority considers reasonable to use, and

''(B) in the case of an antidumping duty proceeding, use any dumping margin from any segment of the proceeding under the applicable antidumping order.

''(2) DISCRETION TO APPLY HIGHEST RATE.—In carrying out paragraph (1), the administering authority may apply any of the countervailable subsidy rates or dumping margins specified under that paragraph, including the highest such rate or margin, based on the evaluation by the administering authority of the situation that resulted in the administering authority using an adverse inference in selecting among the facts otherwise available.

''(3) NO OBLIGATION TO MAKE CERTAIN ESTIMATES OR ADDRESS CERTAIN CLAIMS.—If the administering authority uses an adverse inference under subsection (b)(1)(A) in selecting among the facts otherwise available, the administering authority is not required, for purposes of subsection (c) or for any other purpose—

''(A) to estimate what the countervailable subsidy rate or dumping margin would have been if the interested party found to have failed to cooperate under subsection (b)(1) had cooperated, or

''(B) to demonstrate that the countervailable subsidy rate or dumping margin used by the administering authority reflects an alleged commercial reality of the interested party.''.

SEC. 502. DEFINITION OF MATERIAL INJURY.

(a) EFFECT OF PROFITABILITY OF DOMESTIC INDUSTRIES.—Section 771(7) of the Tariff Act of 1930 (19 U.S.C. 1677(7)) is amended by adding at the end the following:

''(J) EFFECT OF PROFITABILITY.—The Commission shall not determine that there is no material injury or threat of material injury to an industry in the United States merely because that industry is profitable or because the performance of that industry has recently improved.''.

(b) EVALUATION OF IMPACT ON DOMESTIC INDUSTRY IN DETERMINATION OF MATERIAL INJURY.—Subclause (I) of section 771(7)(C)(iii) of the Tariff Act of 1930 (19 U.S.C. 1677(7)(C)(iii)) is amended to read as follows:

''(I) actual and potential decline in output, sales, market share, gross profits, operating profits, net profits, ability to service debt, productivity, return on investments, return on assets, and utilization of capacity,''.

(c) CAPTIVE PRODUCTION.—Section 771(7)(C)(iv) of the Tariff Act of 1930 (19 U.S.C. 1677(7)(C)(iv)) is amended—

(1) in subclause (I), by striking the comma and inserting '', and'';

(2) in subclause (II), by striking '', and'' and inserting a comma; and

(3) by striking subclause (III).

SEC. 503. PARTICULAR MARKET SITUATION.

(a) DEFINITION OF ORDINARY COURSE OF TRADE.—Section 771(15) of the Tariff Act of 1930 (19 U.S.C. 1677(15)) is amended by adding at the end the following:

''(C) Situations in which the administering authority determines that the particular market situation prevents a proper comparison with the export price or constructed export price.''.

(b) DEFINITION OF NORMAL VALUE.—Section 773(a)(1)(B)(ii)(III) of the Tariff Act of 1930 (19 U.S.C. 1677b(a)(1)(B)(ii)(III)) is amended by striking ''in such other country.''.

(c) DEFINITION OF CONSTRUCTED VALUE.—Section 773(e) of the Tariff Act of 1930 (19 U.S.C. 1677b(e)) is amended—

(1) in paragraph (1), by striking ''business'' and inserting ''trade''; and

(2) By striking the flush text at the end and inserting the following:

''For purposes of paragraph (1), if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology. For purposes of paragraph (1), the cost of materials shall be determined without regard to any internal tax in the exporting country imposed on such materials or their disposition that is remitted or refunded upon exportation of the subject merchandise produced from such materials.''.

SEC. 504. DISTORTION OF PRICES OR COSTS.

(a) INVESTIGATION OF BELOW-COST SALES.—Section 773(b)(2) of the Tariff Act of 1930 (19 U.S.C. 1677b(b)(2)) is amended by striking subparagraph (A) and inserting the following:

''(A) REASONABLE GROUNDS TO BELIEVE OR SUSPECT.—

''(i) REVIEW.—In a review conducted under section 751 involving a specific exporter, there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that are less than the cost of production of the product if the administering authority disregarded some or all of the exporter's sales pursuant to paragraph (1) in the investigation or, if a review has been completed, in the most recently completed review.

''(ii) REQUESTS FOR INFORMATION.—In an investigation initiated under section 732 or a review conducted under section 751, the administering authority shall request information necessary to calculate the constructed value and cost of production under subsections (e) and (f) to determine whether there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that represent less than the cost of production of the product.''.

(b) PRICES AND COSTS IN NONMARKET ECONOMIES.—Section 773(c) of the Tariff Act of 1930 (19 U.S.C. 1677b(c)) is amended by adding at the end the following:

''(5) DISCRETION TO DISREGARD CERTAIN PRICE OR COST VALUES.—In valuing the factors of production under paragraph (1) for the subject merchandise, the administering authority may disregard price or cost values without further investigation if the administering authority has determined that broadly available export subsidies existed or particular instances of subsidization occurred with respect to those price or cost values or if those price or cost values were subject to an antidumping order.''.

SEC. 505. REDUCTION IN BURDEN ON DEPARTMENT OF COMMERCE BY REDUCING THE NUMBER OF VOLUNTARY RESPONDENTS.

Section 782(a) of the Tariff Act of 1930 (19 U.S.C. 1677m(a)) is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, 2 ems to the right;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(3) by striking ''INVESTIGATIONS AND REVIEWS.—In'' and inserting the following: ''INVESTIGATIONS AND REVIEWS.—

''(1) IN GENERAL.—In'';

(4) in paragraph (1), as designated by paragraph (3), by amending subparagraph (B), as redesignated by paragraph (2), to read as follows:

''(B) the number of exporters or producers subject to the investigation or review is not so large that any additional individual examination of such exporters or producers would be unduly burdensome to the administering authority and inhibit the timely completion of the investigation or review.''; and

(5) by adding at the end the following:

''(2) DETERMINATION OF UNDULY BURDENSOME.—In determining if an individual examination under paragraph (1)(B) would be unduly burdensome, the administering authority may consider the following:

''(A) The complexity of the issues or information presented in the proceeding, including questionnaires and any responses thereto.

''(B) Any prior experience of the administering authority in the same or similar proceeding.

''(C) The total number of investigations under subtitle A or B and reviews under section 751 being conducted by the administering authority as of the date of the determination.

''(D) Such other factors relating to the timely completion of each such investigation and review as the administering authority considers appropriate.''.

SEC. 506. APPLICATION TO CANADA AND MEXICO.

Pursuant to article 1902 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3438), the amendments made by this title shall apply with respect to goods from Canada and Mexico.

TITLE VI—ADDITIONAL TRADE ENFORCEMENT AND INTELLECTUAL PROPERTY RIGHTS PROTECTION

Subtitle A—Trade Enforcement

SEC. 601. TRADE ENFORCEMENT PRIORITIES.

(a) IN GENERAL.—Section 310 of the Trade Act of 1974 (19 U.S.C. 2420) is amended to read as follows:

''SEC. 310. TRADE ENFORCEMENT PRIORITIES.

''(a) TRADE ENFORCEMENT PRIORITIES, CONSULTATIONS, AND REPORT.—

''(1) TRADE ENFORCEMENT PRIORITIES CONSULTATIONS.—Not later than May 31 of each calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the United States Trade Representative (in this section referred to as the 'Trade Representative') shall consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to the prioritization of acts, policies, or practices of foreign governments that raise concerns with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or otherwise create or maintain barriers to United States goods, services, or investment.

''(2) IDENTIFICATION OF TRADE ENFORCEMENT PRIORITIES.—In identifying acts, policies, or practices of foreign governments as trade enforcement priorities under this subsection, the United States Trade Representative shall focus on those acts, policies, and practices the elimination of which is likely to have the most significant potential to increase United States economic growth, and take into account all relevant factors, including—

''(A) the economic significance of any potential inconsistency between an obligation assumed by a foreign government pursuant to a trade agreement to which both the foreign government and the United States are parties and the acts, policies, or practices of that government;

''(B) the impact of the acts, policies, or practices of a foreign government on maintaining and creating United States jobs and productive capacity;

''(C) the major barriers and trade distorting practices described in the most recent National Trade Estimate required under section 181(b);

''(D) the major barriers and trade distorting practices described in other relevant reports addressing international trade and investment barriers prepared by a Federal agency or congressional commission during the 12 months preceding the date of the most recent report under paragraph (3);

''(E) a foreign government's compliance with its obligations under any trade agreements to which both the foreign government and the United States are parties;

''(F) the implications of a foreign government's procurement plans and policies; and

''(G) the international competitive position and export potential of United States products and services.

''(3) REPORT ON TRADE ENFORCEMENT PRIORITIES AND ACTIONS TAKEN TO ADDRESS.—

''(A) IN GENERAL.—Not later than July 31 of each calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Trade Representative shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on acts, policies, or practices of foreign governments identified as trade enforcement priorities based on the consultations under paragraph (1) and the criteria set forth in paragraph (2).

''(B) REPORT IN SUBSEQUENT YEARS.—The Trade Representative shall include, when reporting under subparagraph (A) in any calendar year after the calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, a description of actions taken to address any acts, policies, or practices of foreign governments identified as trade enforcement priorities under this subsection in the calendar year preceding that report and, as relevant, any year before that calendar year.

''(b) SEMIANNUAL ENFORCEMENT CONSULTATIONS.—

''(1) IN GENERAL.—At the same time as the reporting under subsection (a)(3), and not later than January 31 of each following year, the Trade Representative shall consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to the identification, prioritization, investigation, and resolution of acts, policies, or practices of foreign governments of concern with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or that otherwise create or maintain trade barriers.

''(2) ACTS, POLICIES, OR PRACTICES OF CONCERN.—The semiannual enforcement consultations required by paragraph (1) shall address acts, policies, or practices of foreign governments that raise concerns with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or otherwise create or maintain trade barriers, including—

''(A) engagement with relevant trading partners;

''(B) strategies for addressing such concerns;

''(C) availability and deployment of resources to be used in the investigation or resolution of such concerns;

''(D) the merits of any potential dispute resolution proceeding under the WTO Agreements or

any other trade agreement to which the United States is a party relating to such concerns; and

''(E) any other aspects of such concerns.

''(3) ACTIVE INVESTIGATIONS.—The semiannual enforcement consultations required by paragraph (1) shall address acts, policies, or practices that the Trade Representative is actively investigating with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, including—

''(A) strategies for addressing concerns raised by such acts, policies, or practices;

''(B) any relevant timeline with respect to investigation of such acts, policies, or practices;

''(C) the merits of any potential dispute resolution proceeding under the WTO Agreements or any other trade agreement to which the United States is a party with respect to such acts, policies, or practices;

''(D) barriers to the advancement of the investigation of such acts, policies, or practices; and

''(E) any other matters relating to the investigation of such acts, policies, or practices.

''(4) ONGOING ENFORCEMENT ACTIONS.—The semiannual enforcement consultations required by paragraph (1) shall address all ongoing enforcement actions taken by or against the United States with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, including—

''(A) any relevant timeline with respect to such actions;

''(B) the merits of such actions;

''(C) any prospective implementation actions;

''(D) potential implications for any law or regulation of the United States;

''(E) potential implications for United States stakeholders, domestic competitors, and exporters; and

''(F) other issues relating to such actions.

''(5) ENFORCEMENT RESOURCES.—The semiannual enforcement consultations required by paragraph (1) shall address the availability and deployment of enforcement resources, resource constraints on monitoring and enforcement activities, and strategies to address those constraints, including the use of available resources of other Federal agencies to enhance monitoring and enforcement capabilities.

''(c) INVESTIGATION AND RESOLUTION.—In the case of any acts, policies, or practices of a foreign government identified as a trade enforcement priority under subsection (a), the Trade Representative shall, not later than the date of the first semiannual enforcement consultations held under subsection (b) after the identification of the priority, take appropriate action to address that priority, including—

''(1) engagement with the foreign government to resolve concerns raised by such acts, policies, or practices;

''(2) initiation of an investigation under section 302(b)(1) with respect to such acts, policies, or practices;

''(3) initiation of negotiations for a bilateral agreement that provides for resolution of concerns raised by such acts, policies, or practices; or

''(4) initiation of dispute settlement proceedings under the WTO Agreements or any other trade agreement to which the United States is a party with respect to such acts, policies, or practices.

''(d) ENFORCEMENT NOTIFICATIONS AND CONSULTATION.—

''(1) INITIATION OF ENFORCEMENT ACTION.—The Trade Representative shall notify and consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives in advance of initiation of any formal trade dispute by or against the United States taken in regard to an obligation under the WTO Agreements or any other trade agreement to which the United States is a party. With respect to a formal trade dispute against the United States, if advance notification and consultation are not possible, the Trade Representative shall notify and consult at the earliest practicable opportunity after initiation of the dispute.

''(2) CIRCULATION OF REPORTS.—The Trade Representative shall notify and consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives in advance of the announced or anticipated circulation of any report of a dispute settlement panel or the Appellate Body of the World Trade Organization or of a dispute settlement panel under any other trade agreement to which the United States is a party with respect to a formal trade dispute by or against the United States.

''(e) DEFINITIONS.—In this section:

''(1) WTO.—The term 'WTO' means the World Trade Organization.

''(2) WTO AGREEMENT.—The term 'WTO Agreement' has the meaning given that term in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9)).

''(3) WTO AGREEMENTS.—The term 'WTO Agreements' means the WTO Agreement and agreements annexed to that Agreement.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the item relating to section 310 and inserting the following:

''Sec. 310. Trade enforcement priorities.''.

SEC. 602. EXERCISE OF WTO AUTHORIZATION TO SUSPEND CONCESSIONS OR OTHER OBLIGATIONS UNDER TRADE AGREEMENTS.

(a) IN GENERAL.—Section 306 of the Trade Act of 1974 (19 U.S.C. 2416) is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

''(c) EXERCISE OF WTO AUTHORIZATION TO SUSPEND CONCESSIONS OR OTHER OBLIGATIONS.—If—

''(1) action has terminated pursuant to section 307(c),

''(2) the petitioner or any representative of the domestic industry that would benefit from reinstatement of action has submitted to the Trade Representative a written request for reinstatement of action, and

''(3) the Trade Representative has completed the requirements of subsection (d) and section 307(c)(3),

the Trade Representative may at any time determine to take action under section 301(c) to exercise an authorization to suspend concessions or other obligations under Article 22 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (referred to in section 101(d)(16) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(16))).''.

(b) CONFORMING AMENDMENTS.—Chapter 1 of title III of the Trade Act of 1974 (19 U.S.C. 2411 et seq.) is amended—

(1) in section 301(c)(1) (19 U.S.C. 2411(c)(1)), in the matter preceding subparagraph (A), by inserting ''or section 306(c)'' after ''subsection (a) or (b)'';

(2) in section 306(b) (19 U.S.C. 2416(b)), in the subsection heading, by striking ''FURTHER ACTION'' and inserting ''ACTION ON THE BASIS OF MONITORING'';

(3) in section 306(d) (19 U.S.C. 2416(d)), as redesignated by subsection (a)(1), by inserting ''or (c)'' after ''subsection (b)''; and

(4) in section 307(c)(3) (19 U.S.C. 2417(c)(3)), by inserting ''or if a request is submitted to the Trade Representative under 306(c)(2) to reinstate action,'' after ''under section 301,''.

SEC. 603. TRADE MONITORING.

(a) IN GENERAL.—Chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.) is amended by adding at the end the following:

''SEC. 205. TRADE MONITORING.

''(a) MONITORING TOOL FOR IMPORTS.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the United States International Trade Commission shall make available on a website of the Commission an import monitoring tool to allow the public access to data on the volume and value of goods imported into the United States for the purpose of assessing whether such data has changed with respect to such goods over a period of time.

''(2) DATA DESCRIBED.—For purposes of the monitoring tool under paragraph (1), the Commission shall use data compiled by the Department of Commerce and such other government data as the Commission considers appropriate.

''(3) PERIODS OF TIME.—The Commission shall ensure that data accessed through the monitoring tool under paragraph (1) includes data for the most recent quarter for which such data are available and previous quarters as the Commission considers practicable.

''(b) MONITORING REPORTS.—

''(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this section, and not less frequently than quarterly thereafter, the Secretary of Commerce shall publish on a website of the Department of Commerce, and notify the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives of the availability of, a monitoring report on changes in the volume and value of trade with respect to imports and exports of goods categorized based on the 6-digit subheading number of the goods under the Harmonized Tariff Schedule of the United States during the most recent quarter for which such data are available and previous quarters as the Secretary considers practicable.

''(2) REQUESTS FOR COMMENT.—Not later than one year after the date of the enactment of this section, the Secretary of Commerce shall solicit through the Federal Register public comment on the monitoring reports described in paragraph (1).

''(c) SUNSET.—The requirements under this section terminate on the date that is 7 years after the date of the enactment of this section.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended by inserting after the item relating to section 204 the following:

''Sec. 205. Trade monitoring.''.

SEC. 604. ESTABLISHMENT OF INTERAGENCY TRADE ENFORCEMENT CENTER.

(a) IN GENERAL.—Chapter 4 of title I of the Trade Act of 1974 (19 U.S.C. 2171) is amended by adding at the end the following:

''SEC. 142. INTERAGENCY TRADE ENFORCEMENT CENTER.

''(a) ESTABLISHMENT OF CENTER.—There is established in the Office of the United States Trade Representative an Interagency Trade Enforcement Center (in this section referred to as the 'Center').

''(b) FUNCTIONS OF CENTER.—

''(1) IN GENERAL.—The Center shall—

''(A) 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;

''(B) coordinate among the Office of the United States Trade Representative and other agencies with responsibilities relating to trade the exchange of information related to potential violations of international trade agreements by foreign trading partners of the United States; and

''(C) 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.

''(2) COORDINATION OF TRADE ENFORCEMENT.—

''(A) IN GENERAL.—The Center shall coordinate matters relating to the enforcement of United States trade rights under international

trade agreements and the enforcement of United States trade remedy laws among the Office of the United States Trade Representative and the following agencies:

''(i) The Department of State.

''(ii) The Department of the Treasury.

''(iii) The Department of Justice.

''(iv) The Department of Agriculture.

''(v) The Department of Commerce.

''(vi) The Department of Homeland Security.

''(vii) Such other agencies as the President, or the United States Trade Representative, may designate.

''(B) CONSULTATIONS ON INTELLECTUAL PROPERTY RIGHTS.—In matters relating to the enforcement of United States trade rights involving intellectual property rights, the Center shall consult with the Intellectual Property Enforcement Coordinator appointed pursuant to section 301 of the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (15 U.S.C. 8111).

''(c) PERSONNEL.—

''(1) DIRECTOR.—The head of the Center shall be the Director, who shall—

''(A) be appointed by the United States Trade Representative from among full-time senior-level officials of the Office of the United States Trade Representative; and

''(B) report to the Trade Representative.

''(2) DEPUTY DIRECTOR.—There shall be in the Center a Deputy Director, who shall—

''(A) be appointed by the Secretary of Commerce from among full-time senior-level officials of the Department of Commerce and detailed to the Center; and

''(B) report directly to the Director.

''(3) ADDITIONAL EMPLOYEES.—The agencies specified in subsection (b)(2)(A) may, in consultation with the Director, detail or assign their employees to the Center without reimbursement to support the functions of the Center.

''(d) ADMINISTRATION.—Funding and administrative support for the Center shall be provided by the Office of the United States Trade Representative.

''(e) ANNUAL REPORT.—Not later than one year after the date of the enactment of this section, and not less frequently than annually thereafter, the Director 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 the actions taken by the Center in the preceding year with respect to the enforcement of United States trade rights under international trade agreements and the enforcement of United States trade remedy laws.

''(f) DEFINITIONS.—In this section:

''(1) UNITED STATES TRADE REMEDY LAWS.—The term 'United States trade remedy laws' means the following:

''(A) Chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.).

''(B) Chapter 1 of title III of that Act (19 U.S.C. 2411 et seq.).

''(C) Sections 406 and 421 of that Act (19 U.S.C. 2436 and 2451).

''(D) Sections 332 and 337 of the Tariff Act of 1930 (19 U.S.C. 1332 and 1337).

''(E) Investigations initiated by the administering authority (as defined in section 771 of that Act (19 U.S.C. 1677)) under title VII of that Act (19 U.S.C. 1671 et seq.).

''(F) Section 281 of the Uruguay Round Agreements Act (19 U.S.C. 3571).

''(2) UNITED STATES TRADE RIGHTS.—The term 'United States trade rights' means any right, benefit, or advantage to which the United States is entitled under an international trade agreement and that could be effectuated through the use of a dispute settlement proceeding.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by inserting after the item relating to section 141 the following:

''Sec. 142. Interagency Trade Enforcement Center.''.

SEC. 605. ESTABLISHMENT OF CHIEF MANUFACTURING NEGOTIATOR.

(a) ESTABLISHMENT OF POSITION.—Section 141(b)(2) of the Trade Act of 1974 (19 U.S.C. 2171(b)(2)) is amended to read as follows:

''(2) There shall be in the Office 3 Deputy United States Trade Representatives, one Chief Agricultural Negotiator, and one Chief Manufacturing Negotiator, who shall all be appointed by the President, by and with the advice and consent of the Senate. As an exercise of the rulemaking power of the Senate, any nomination of a Deputy United States Trade Representative, the Chief Agricultural Negotiator, or the Chief Manufacturing Negotiator submitted to the Senate for its advice and consent, and referred to a committee, shall be referred to the Committee on Finance. Each Deputy United States Trade Representative, the Chief Agricultural Negotiator, and the Chief Manufacturing Negotiator shall hold office at the pleasure of the President and shall have the rank of Ambassador.''.

(b) FUNCTIONS OF POSITION.—Section 141(c) of the Trade Act of 1974 (19 U.S.C. 2171(c)) is amended—

(1) by moving paragraph (5) 2 ems to the left; and

(2) by adding at the end the following:

''(6)(A) 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.

''(B) Not later than one year after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, and annually thereafter, the Chief Manufacturing Negotiator 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 the actions taken by the Chief Manufacturing Negotiator in the preceding year.''.

(c) COMPENSATION.—Section 5314 of title 5, United States Code, is amended by striking ''Chief Agricultural Negotiator.'' and inserting the following:

''Chief Agricultural Negotiator, Office of the United States Trade Representative.

''Chief Manufacturing Negotiator, Office of the United States Trade Representative.''.

(d) TECHNICAL AMENDMENTS.—Section 141(e) of the Trade Act of 1974 (19 U.S.C. 2171(e)) is amended—

(1) in paragraph (1), by striking ''5314'' and inserting ''5315''; and

(2) in paragraph (2), by striking ''the maximum rate of pay for grade GS–18, as provided in section 5332'' and inserting ''the maximum rate of pay for level IV of the Executive Schedule in section 5315''.

SEC. 606. ENFORCEMENT UNDER TITLE III OF THE TRADE ACT OF 1974 WITH RESPECT TO CERTAIN ACTS, POLICIES, AND PRACTICES RELATING TO THE ENVIRONMENT.

Section 301(d)(3)(B) of the Trade Act of 1974 (19 U.S.C. 2411(d)(3)(B)) is amended—

(1) in clause (ii), by striking ''or'' at the end;

(2) in clause (iii)(V), by striking the period at the end and inserting '', or''; and

(3) by adding at the end the following:

''(iv) constitutes a persistent pattern of conduct by the government of the foreign country under which that government—

''(I) fails to effectively enforce the environmental laws of the foreign country,

''(II) waives or otherwise derogates from the environmental laws of the foreign country or weakens the protections afforded by such laws,

''(III) fails to provide for judicial or administrative proceedings giving access to remedies for violations of the environmental laws of the foreign country,

''(IV) fails to provide appropriate and effective sanctions or remedies for violations of the environmental laws of the foreign country, or

''(V) fails to effectively enforce environmental commitments under agreements to which the foreign country and the United States are a party.''.

SEC. 607. TRADE ENFORCEMENT TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the Trade Enforcement Trust Fund (in this section referred to as the ''Trust Fund''), consisting of amounts transferred to the Trust Fund under subsection (b) and any amounts that may be credited to the Trust Fund under subsection (c).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall transfer to the Trust Fund, from the general fund of the Treasury, for each fiscal year that begins on or after the date of the enactment of this Act, an amount equal to $15,000,000 (or a lesser amount as required pursuant to paragraph (2)) of the antidumping duties and countervailing duties received in the Treasury for such fiscal year.

(2) LIMITATION.—The total amount in the Trust Fund at any time may not exceed $30,000,000.

(3) FREQUENCY OF TRANSFERS; ADJUSTMENTS.—

(A) FREQUENCY OF TRANSFERS.—The Secretary shall transfer amounts required to be transferred to the Trust Fund under paragraph (1) not less frequently than quarterly from the general fund of the Treasury to the Trust Fund on the basis of estimates made by the Secretary.

(B) ADJUSTMENTS.—The Secretary shall make proper adjustments in amounts subsequently transferred to the Trust Fund to the extent prior estimates were in excess of or less than the amounts required to be transferred to the Trust Fund.

(c) INVESTMENT OF AMOUNTS.—

(1) INVESTMENT OF AMOUNTS.—The Secretary shall invest such portion of the Trust Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(2) INTEREST AND PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in Trust Fund shall be credited to and form a part of the Trust Fund.

(d) AVAILABILITY OF AMOUNTS FROM TRUST FUND.—

(1) ENFORCEMENT.—The United States Trade Representative may use the amounts in the Trust fund to carry out any of the following:

(A) To seek to enforce the provisions of and commitments and obligations under the WTO Agreements and free trade agreements to which the United States is a party and resolve any actions by foreign countries that are inconsistent with those provisions, commitments, and obligations.

(B) To monitor the implementation by foreign countries of the provisions of and commitments and obligations under free trade agreements to which the United States is a party for purposes of systematically assessing, identifying, investigating, or initiating steps to address inconsistencies with those provisions, commitments, and obligations.

(C) To thoroughly investigate and respond to petitions under section 302 of the Trade Act of 1974 (19 U.S.C. 2412) requesting that action be taken under section 301 of such Act (19 U.S.C. 2411).

(2) IMPLEMENTATION ASSISTANCE AND CAPACITY BUILDING.—The United States Trade Representative, the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of Labor, and such heads of other Federal agencies as the President considers appropriate may use the amounts in the Trust Fund to carry out any of the following:

(A) To ensure capacity-building efforts undertaken by the United States pursuant to any free trade agreement to which the United States is a party prioritize and give special attention to the timely, consistent, and robust implementation of the intellectual property, labor, and environmental commitments and obligations of any party to that free trade agreement.

(B) To ensure capacity-building efforts undertaken by the United States pursuant to any such free trade agreement are self-sustaining and promote local ownership.

(C) To ensure capacity-building efforts undertaken by the United States pursuant to any such free trade agreement include performance indicators against which the progress and obstacles for the implementation of commitments and obligations described in subparagraph (A) can be identified and assessed within a meaningful time frame.

(D) To monitor and evaluate the capacity-building efforts of the United States under subparagraphs (A), (B), and (C).

(3) LIMITATION.—Amounts made available in the Trust Fund may not be used for negotiations for any free trade agreement to be entered into on or after the date of the enactment of this Act.

(e) REPORT.—Not later than 18 months after the entry into force of any free trade agreement entered into after the date of the enactment of this Act, the United States Trade Representative, the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of Labor, and any other head of a Federal agency who has used amounts in the Trust Fund in connection with that agreement, shall each submit to Congress a report on the actions taken by that official under subsection (d) in connection with that agreement.

(f) COMPTROLLER GENERAL STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study that includes the following:

(A) A comprehensive analysis of the trade enforcement expenditures of each Federal agency with responsibilities relating to trade that specifies, with respect to each such Federal agency—

(i) the amounts appropriated for trade enforcement; and

(ii) the number of full-time employees carrying out activities relating to trade enforcement.

(B) Recommendations on the additional employees and resources that each such Federal agency may need to effectively enforce the free trade agreements to which the United States is a party.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study conducted under paragraph (1).

(g) DEFINITIONS.—In this section:

(1) ANTIDUMPING DUTY.—The term ''antidumping duty'' means an antidumping duty imposed under section 731 of the Tariff Act of 1930 (19 U.S.C. 1673).

(2) COUNTERVAILING DUTY.—The term ''countervailing duty'' means a countervailing duty imposed under section 701 of the Tariff Act of 1930 (19 U.S.C. 1671).

(3) WTO.—The term ''WTO'' means the World Trade Organization.

(4) WTO AGREEMENT.—The term ''WTO Agreement'' has the meaning given that term in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9)).

(5) WTO AGREEMENTS.—The term ''WTO Agreements'' means the WTO Agreement and agreements annexed to that Agreement.

SEC. 608. HONEY TRANSSHIPMENT.

(a) IN GENERAL.—The Commissioner shall direct appropriate personnel and resources of U.S. Customs and Border Protection to address concerns that honey is being imported into the United States in violation of the customs and trade laws of the United States.

(b) COUNTRY OF ORIGIN.—

(1) IN GENERAL.—The Commissioner shall compile a database of the individual characteristics of honey produced in foreign countries to facilitate the verification of country of origin markings of imported honey.

(2) ENGAGEMENT WITH FOREIGN GOVERNMENTS.—The Commissioner shall seek to engage the customs agencies of foreign governments for assistance in compiling the database described in paragraph (1).

(3) CONSULTATION WITH INDUSTRY.—In compiling the database described in paragraph (1), the Commissioner shall consult with entities in the honey industry regarding the development of industry standards for honey identification.

(4) CONSULTATION WITH FOOD AND DRUG ADMINISTRATION.—In compiling the database described in paragraph (1), the Commissioner shall consult with the Commissioner of Food and Drugs.

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall submit to Congress a report that—

(1) describes and assesses the limitations in the existing analysis capabilities of laboratories with respect to determining the country of origin of honey samples or the percentage of honey contained in a sample; and

(2) includes any recommendations of the Commissioner for improving such capabilities.

(d) SENSE OF CONGRESS.—It is the sense of Congress that the Commissioner of Food and Drugs should promptly establish a national standard of identity for honey for the Commissioner responsible for U.S. Customs and Border Protection to use to ensure that imports of honey are—

(1) classified accurately for purposes of assessing duties; and

(2) denied entry into the United States if such imports pose a threat to the health or safety of consumers in the United States.

SEC. 609. INCLUSION OF INTEREST IN CERTAIN DISTRIBUTIONS OF ANTIDUMPING DUTIES AND COUNTERVAILING DUTIES.

(a) IN GENERAL.—The Secretary of Homeland Security shall deposit all interest described in subsection (c) into the special account established under section 754(e) of the Tariff Act of 1930 (19 U.S.C. 1675c(e)) (repealed by subtitle F of title VII of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 154)) for inclusion in distributions described in subsection (b) made on or after the date of the enactment of this Act.

(b) DISTRIBUTIONS DESCRIBED.—Distributions described in this subsection are distributions of antidumping duties and countervailing duties assessed on or after October 1, 2000, that are made under section 754 of the Tariff Act of 1930 (19 U.S.C. 1675c) (repealed by subtitle F of title VII of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 154)), with respect to entries of merchandise—

(1) made on or before September 30, 2007; and

(2) that were, in accordance with section 822 of the Claims Resolution Act of 2010 (19 U.S.C. 1675c note), unliquidated, not in litigation, and not under an order of liquidation from the Department of Commerce on December 8, 2010.

(c) INTEREST DESCRIBED.—

(1) INTEREST REALIZED.—Interest described in this subsection is interest earned on antidumping duties or countervailing duties distributed as described in subsection (b) that is realized through application of a payment received on or after October 1, 2014, by U.S. Customs and Border Protection under, or in connection with—

(A) a customs bond pursuant to a court order or judgment entered as a result of a civil action filed by the Federal Government against the surety from which the payment was obtained for the purpose of collecting duties or interest owed with respect to an entry; or

(B) a settlement for any such bond if the settlement was executed after the Federal Government filed a civil action described in subparagraph (A).

(2) TYPES OF INTEREST.—Interest described in paragraph (1) includes the following:

(A) Interest accrued under section 778 of the Tariff Act of 1930 (19 U.S.C. 1677g).

(B) Interest accrued under section 505(d) of the Tariff Act of 1930 (19 U.S.C. 1505(d)).

(C) Equitable interest under common law or interest under section 963 of the Revised Statutes (19 U.S.C. 580) awarded by a court against a surety under its bond for late payment of antidumping duties, countervailing duties, or interest described in subparagraph (A) or (B).

(d) DEFINITIONS.—In this section:

(1) ANTIDUMPING DUTIES.—The term ''antidumping duties'' means antidumping duties imposed under section 731 of the Tariff Act of 1930 (19 U.S.C. 1673) or under the Antidumping Act, 1921 (title II of the Act of May 27, 1921; 42 Stat. 11, chapter 14).

(2) COUNTERVAILING DUTIES.—The term ''countervailing duties'' means countervailing duties imposed under section 701 of the Tariff Act of 1930 (19 U.S.C. 1671).

SEC. 610. ILLICITLY IMPORTED, EXPORTED, OR TRAFFICKED CULTURAL PROPERTY, ARCHAEOLOGICAL OR ETHNOLOGICAL MATERIALS, AND FISH, WILDLIFE, AND PLANTS.

(a) IN GENERAL.—The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall ensure that appropriate personnel of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, as the case may be, are trained in the detection, identification, detention, seizure, and forfeiture of cultural property, archaeological or ethnological materials, and fish, wildlife, and plants, the importation, exportation, or trafficking of which violates the laws of the United States.

(b) TRAINING.—The Commissioner and the Director are authorized to accept training and other support services from experts outside of the Federal Government with respect to the detection, identification, detention, seizure, and forfeiture of cultural property, archaeological or ethnological materials, or fish, wildlife, and plants described in subsection (a).

Subtitle B—Intellectual Property Rights Protection

SEC. 611. ESTABLISHMENT OF CHIEF INNOVATION AND INTELLECTUAL PROPERTY NEGOTIATOR.

(a) IN GENERAL.—Section 141 of the Trade Act of 1974 (19 U.S.C. 2171) is amended—

(1) in subsection (b)(2), as amended by section 605(a) of this Act—

(A) by striking ''and one Chief Manufacturing Negotiator'' and inserting ''one Chief Manufacturing Negotiator, and one Chief Innovation and Intellectual Property Negotiator'';

(B) by striking ''or the Chief Manufacturing Negotiator'' and inserting ''the Chief Manufacturing Negotiator, or the Chief Innovation and Intellectual Property Negotiator''; and

(C) by striking ''and the Chief Manufacturing Negotiator'' and inserting ''the Chief Manufacturing Negotiator, and the Chief Innovation and Intellectual Property Negotiator''; and

(2) in subsection (c), as amended by section 605(b) of this Act, by adding at the end the following:

''(7) The principal functions of the Chief Innovation and Intellectual Property Negotiator shall be to conduct trade negotiations and to enforce trade agreements relating to United States intellectual property and to take appropriate actions to address acts, policies, and practices of foreign governments that have a significant adverse impact on the value of United States innovation. The Chief Innovation and Intellectual Property Negotiator shall be a vigorous advocate on behalf of United States innovation and intellectual property interests. The Chief Innovation and Intellectual Property Negotiator shall perform such other functions as the United States Trade Representative may direct.''.

(b) COMPENSATION.—Section 5314 of title 5, United States Code, as amended by section 605(c) of this Act, is further amended by inserting after ''Chief Manufacturing Negotiator, Office of the United States Trade Representative.'' the following:

''Chief Innovation and Intellectual Property Negotiator, Office of the United States Trade Representative.''.

(c) REPORT REQUIRED.—Not later than one year after the appointment of the first Chief Innovation and Intellectual Property Negotiator pursuant to paragraph (2) of section 141(b) of the Trade Act of 1974, as amended by subsection (a), and annually thereafter, the United States Trade Representative shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report describing in detail—

(1) enforcement actions taken by the Trade Representative during the year preceding the submission of the report to ensure the protection of United States innovation and intellectual property interests; and

(2) other actions taken by the Trade Representative to advance United States innovation and intellectual property interests.

SEC. 612. MEASURES RELATING TO COUNTRIES THAT DENY ADEQUATE PROTECTION FOR INTELLECTUAL PROPERTY RIGHTS.

(a) INCLUSION OF COUNTRIES THAT DENY ADEQUATE PROTECTION OF TRADE SECRETS.—Section 182(d)(2) of the Trade Act of 1974 (19 U.S.C. 2242(d)(2)) is amended by inserting '', trade secrets,'' after ''copyrights''.

(b) SPECIAL RULES FOR COUNTRIES ON THE PRIORITY WATCH LIST OF THE UNITED STATES TRADE REPRESENTATIVE.—

(1) IN GENERAL.—Section 182 of the Trade Act of 1974 (19 U.S.C. 2242) is amended by striking subsection (g) and inserting the following:

''(g) SPECIAL RULES FOR FOREIGN COUNTRIES ON THE PRIORITY WATCH LIST.—

''(1) ACTION PLANS.—

''(A) IN GENERAL.—Not later than 90 days after the date on which the Trade Representative submits the National Trade Estimate under section 181(b), the Trade Representative shall develop an action plan described in subparagraph (C) with respect to each foreign country described in subparagraph (B).

''(B) FOREIGN COUNTRY DESCRIBED.—The Trade Representative shall develop an action plan pursuant to subparagraph (A) with respect to each foreign country that—

''(i) the Trade Representative has identified for placement on the priority watch list; and

''(ii) has remained on such list for at least 1 year.

''(C) ACTION PLAN DESCRIBED.—An action plan developed pursuant to subparagraph (A) shall contain the benchmarks described in subparagraph (D) and be designed to assist the foreign country—

''(i) to achieve—

''(I) adequate and effective protection of intellectual property rights; and

''(II) fair and equitable market access for United States persons that rely upon intellectual property protection; or

''(ii) to make significant progress toward achieving the goals described in clause (i).

''(D) BENCHMARKS DESCRIBED.—The benchmarks contained in an action plan developed pursuant to subparagraph (A) are such legislative, institutional, enforcement, or other actions as the Trade Representative determines to be necessary for the foreign country to achieve the goals described in clause (i) or (ii) of subparagraph (C).

''(2) FAILURE TO MEET ACTION PLAN BENCHMARKS.—If, 1 year after the date on which an action plan is developed under paragraph (1)(A), the President, in consultation with the Trade Representative, determines that the foreign country to which the action plan applies has not substantially complied with the benchmarks described in paragraph (1)(D), the President may take appropriate action with respect to the foreign country.

''(3) PRIORITY WATCH LIST DEFINED.—In this subsection, the term 'priority watch list' means the priority watch list established by the Trade Representative.

''(h) ANNUAL REPORT.—Not later than 30 days after the date on which the Trade Representative submits the National Trade Estimate under section 181(b), the Trade Representative shall transmit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on actions taken under this section during the 12 months preceding such report, and the reasons for such actions, including—

''(1) any foreign countries identified under subsection (a);

''(2) a description of progress made in achieving improved intellectual property protection and market access for persons relying on intellectual property rights; and

''(3) a description of the action plans developed under subsection (g) and any actions taken by foreign countries under such plans.''.

(2) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There are authorized to be appropriated to the Office of the United States Trade Representative such sums as may be necessary to provide assistance to any developing country to which an action plan applies under section 182(g) of the Trade Act of 1974, as amended by paragraph (1), to facilitate the efforts of the developing country to comply with the benchmarks contained in the action plan. Such assistance may include capacity building, activities designed to increase awareness of intellectual property rights, and training for officials responsible for enforcing intellectual property rights in the developing country.

(B) DEVELOPING COUNTRY DEFINED.—In this paragraph, the term ''developing country'' means a country classified by the World Bank as having a low-income or lower-middle-income economy.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as limiting the authority of the President or the United States Trade Representative to develop action plans other than action plans described in section 182(g) of the Trade Act of 1974, as amended by paragraph (1), or to take any action otherwise authorized by law in response to the failure of a foreign country to provide adequate and effective protection and enforcement of intellectual property rights.

TITLE VII—CURRENCY MANIPULATION

Subtitle A—Investigation of Currency Undervaluation

SEC. 701. SHORT TITLE.

This subtitle may be cited as the ''Currency Undervaluation Investigation Act''.

SEC. 702. INVESTIGATION OR REVIEW OF CURRENCY UNDERVALUATION UNDER COUNTERVAILING DUTY LAW.

Subsection (c) of section 702 of the Tariff Act of 1930 (19 U.S.C. 1671a(c)) is amended by adding at the end the following:

''(6) CURRENCY UNDERVALUATION.—For purposes of a countervailing duty investigation under this subtitle in which the determinations under clauses (i) and (ii) of paragraph (1)(A) are affirmative, or a review under subtitle C with respect to a countervailing duty order, the administering authority shall initiate an investigation to determine whether currency undervaluation by the government of a country or any public entity within the territory of a country is providing, directly or indirectly, a countervailable subsidy, if—

''(A) a petition filed by an interested party (described in subparagraph (C), (D), (E), (F), or (G) of section 771(9)) alleges the elements necessary for the imposition of the duty imposed by section 701(a); and

''(B) the petition is accompanied by information reasonably available to the petitioner supporting those allegations.''.

SEC. 703. BENEFIT CALCULATION METHODOLOGY WITH RESPECT TO CURRENCY UNDERVALUATION.

Section 771 of the Tariff Act of 1930 (19 U.S.C. 1677) is amended by adding at the end the following:

''(37) CURRENCY UNDERVALUATION BENEFIT.—

''(A) CURRENCY UNDERVALUATION BENEFIT.—For purposes of a countervailing duty investigation under subtitle A, or a review under subtitle C with respect to a countervailing duty order, the following shall apply:

''(i) IN GENERAL.—If the administering authority determines to investigate whether currency undervaluation provides a countervailable subsidy, the administering authority shall determine whether there is a benefit to the recipient of that subsidy and measure such benefit by comparing the simple average of the real exchange rates derived from application of the macroeconomic-balance approach and the equilibrium-real-exchange-rate approach to the official daily exchange rate identified by the administering authority.

''(ii) RELIANCE ON DATA.—In making the determination under clause (i), the administering authority shall rely upon data that are publicly available, reliable, and compiled and maintained by the International Monetary Fund or the World Bank, or other international organizations or national governments if data from the International Monetary Fund or World Bank are not available.

''(B) DEFINITIONS.—In this paragraph:

''(i) MACROECONOMIC-BALANCE APPROACH.—The term 'macroeconomic-balance approach' means a methodology under which the level of undervaluation of the real effective exchange rate of the currency of the exporting country is defined as the change in the real effective exchange rate needed to achieve equilibrium in the balance of payments of the exporting country, as such methodology is described in the guidelines of the International Monetary Fund's Consultative Group on Exchange Rate Issues, if available.

''(ii) EQUILIBRIUM-REAL-EXCHANGE-RATE APPROACH.—The term 'equilibrium-real-exchange-rate approach' means a methodology under which the level of undervaluation of the real effective exchange rate of the currency of the exporting country is defined as the difference between the observed real effective exchange rate and the real effective exchange rate, as such methodology is described in the guidelines of the International Monetary Fund's Consultative Group on Exchange Rate Issues, if available.

''(iii) REAL EXCHANGE RATES.—The term 'real exchange rates' means the bilateral exchange rates derived from converting the trade-weighted multilateral exchange rates yielded by the macroeconomic-balance approach and the equilibrium-real-exchange-rate approach into real bilateral terms.''.

SEC. 704. MODIFICATION OF DEFINITION OF SPECIFICITY WITH RESPECT TO EXPORT SUBSIDY.

Section 771(5A)(B) of the Tariff Act of 1930 (19 U.S.C. 1677(5A)(B)) is amended by adding at the end the following new sentence: ''The fact that a subsidy may also be provided in circumstances that do not involve export shall not, for that reason alone, mean that the subsidy cannot be considered contingent upon export performance.''.

SEC. 705. APPLICATION TO CANADA AND MEXICO.

Pursuant to article 1902 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3438), the amendments made by this subtitle shall apply with respect to goods from Canada and Mexico.

SEC. 706. EFFECTIVE DATE.

The amendments made by this subtitle apply to countervailing duty investigations initiated under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and reviews initiated under subtitle C of title VII of such Act (19 U.S.C. 1675 et seq.)—

(1) before the date of the enactment of this Act, if the investigation or review is pending a final determination as of such date of enactment; and

(2) on or after such date of enactment.

Subtitle B—Engagement on Currency Exchange Rate and Economic Policies

SEC. 711. ENHANCEMENT OF ENGAGEMENT ON CURRENCY EXCHANGE RATE AND ECONOMIC POLICIES WITH CERTAIN MAJOR TRADING PARTNERS OF THE UNITED STATES.

(a) MAJOR TRADING PARTNER REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once every 180 days thereafter, the Secretary shall submit to the appropriate committees of Congress a report on the macroeconomic and currency exchange rate policies of each country that is a major trading partner of the United States.

(2) ELEMENTS.—

(A) IN GENERAL.—Each report submitted under paragraph (1) shall contain—

(i) for each country that is a major trading partner of the United States—

(I) that country's bilateral trade balance with the United States;

(II) that country's current account balance as a percentage of its gross domestic product;

(III) the change in that country's current account balance as a percentage of its gross domestic product during the 3-year period preceding the submission of the report;

(IV) that country's foreign exchange reserves as a percentage of its short-term debt; and

(V) that country's foreign exchange reserves as a percentage of its gross domestic product; and

(ii) an enhanced analysis of macroeconomic and exchange rate policies for each country—

(I) that is a major trading partner of the United States;

(II) the currency of which is persistently and substantially undervalued;

(III) that has—

(aa) a significant bilateral trade surplus with the United States; and

(bb) a material global current account surplus; and

(IV) that has engaged in persistent one-sided intervention in the foreign exchange market.

(B) ENHANCED ANALYSIS.—Each enhanced analysis under subparagraph (A)(ii) shall include, for each country with respect to which an analysis is made under that subparagraph—

(i) a description of developments in the currency markets of that country, including, to the greatest extent feasible, developments with respect to currency interventions;

(ii) a description of trends in the real effective exchange rate of the currency of that country and in the degree of undervaluation of that currency;

(iii) an analysis of changes in the capital controls and trade restrictions of that country; and

(iv) patterns in the reserve accumulation of that country.

(b) ENGAGEMENT ON EXCHANGE RATE AND ECONOMIC POLICIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the President, through the Secretary, shall commence enhanced bilateral engagement with each country for which an enhanced analysis of macroeconomic and currency exchange rate policies is included in the report submitted under subsection (a), in order to—

(A) urge implementation of policies to address the causes of the undervaluation of its currency, its bilateral trade surplus with the United States, and its material global current account surplus, including undervaluation and surpluses relating to exchange rate management;

(B) express the concern of the United States with respect to the adverse trade and economic effects of that undervaluation and those surpluses;

(C) develop measurable objectives for addressing that undervaluation and those surpluses; and

(D) advise that country of the ability of the President to take action under subsection (c).

(2) EXCEPTION.—The Secretary may determine not to enhance bilateral engagement with a country under paragraph (1) for which an enhanced analysis of macroeconomic and exchange rate policies is included in the report submitted under subsection (a) if the Secretary submits to the appropriate committees of Congress a report that describes how the currency and other macroeconomic policies of that country are addressing the undervaluation and surpluses specified in paragraph (1)(A) with respect to that country, including undervaluation and surpluses relating to exchange rate management.

(c) REMEDIAL ACTION.—

(1) IN GENERAL.—If, on the date that is one year after the commencement of enhanced bilateral engagement by the President with respect to a country under subsection (b)(1), the country has failed to adopt appropriate policies to correct the undervaluation and surpluses described in subsection (b)(1)(A) with respect to that country, the President may take one or more of the following actions:

(A) Prohibit the Overseas Private Investment Corporation from approving any new financing (including any insurance, reinsurance, or guarantee) with respect to a project located in that country on and after such date.

(B) Except as provided in paragraph (2), and pursuant to paragraph (3), prohibit the Federal Government from procuring, or entering into any contract for the procurement of, goods or services from that country on and after such date.

(C) Instruct the United States Executive Director of the International Monetary Fund to use the voice and vote of the United States to call for additional rigorous surveillance of the macroeconomic and exchange rate policies of that country and, as appropriate, formal consultations on findings of currency manipulation.

(D) Instruct the United States Trade Representative to take into account, in consultation with the Secretary, in assessing whether to enter into a bilateral or regional trade agreement with that country or to initiate or participate in negotiations with respect to a bilateral or regional trade agreement with that country, the extent to which that country has failed to adopt appropriate policies to correct the undervaluation and surpluses described in subsection (b)(1)(A).

(2) EXCEPTION.—The President may not apply a prohibition under paragraph (1)(B) with respect to a country that is a party to the Agreement on Government Procurement or a free trade agreement to which the United States is a party.

(3) CONSULTATIONS.—

(A) OFFICE OF MANAGEMENT AND BUDGET.—Before applying a prohibition under paragraph (1)(B), the President shall consult with the Director of the Office of Management and Budget to determine whether such prohibition would subject the taxpayers of the United States to unreasonable cost.

(B) CONGRESS.—The President shall consult with the appropriate committees of Congress with respect to any action the President takes under paragraph (1)(B), including whether the President has consulted as required under subparagraph (A).

(d) DEFINITIONS.—In this section:

(1) AGREEMENT ON GOVERNMENT PROCUREMENT.—The term ''Agreement on Government Procurement'' means the agreement referred to in section 101(d)(17) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(17)).

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate; and

(B) the Committee on Financial Services and the Committee on Ways and Means of the House of Representatives.

(3) COUNTRY.—The term ''country'' means a foreign country, dependent territory, or possession of a foreign country, and may include an association of 2 or more foreign countries, dependent territories, or possessions of countries into a customs union outside the United States.

(4) REAL EFFECTIVE EXCHANGE RATE.—The term ''real effective exchange rate'' means a weighted average of bilateral exchange rates, expressed in price-adjusted terms.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

SEC. 712. ADVISORY COMMITTEE ON INTERNATIONAL EXCHANGE RATE POLICY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an Advisory Committee on International Exchange Rate Policy (in this section referred to as the ''Committee'').

(2) DUTIES.—The Committee shall be responsible for advising the Secretary of the Treasury with respect to the impact of international exchange rates and financial policies on the economy of the United States.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall be composed of 9 members as follows, none of whom shall be employees of the Federal Government:

(A) Three members shall be appointed by the President pro tempore of the Senate, upon the recommendation of the chairmen and ranking members of the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate.

(B) Three members shall be appointed by the Speaker of the House of Representatives upon the recommendation of the chairmen and ranking members of the Committee on Financial Services and the Committee on Ways and Means of the House of Representatives.

(C) Three members shall be appointed by the President.

(2) QUALIFICATIONS.—Members shall be selected under paragraph (1) on the basis of their objectivity and demonstrated expertise in finance, economics, or currency exchange.

(3) TERMS.—

(A) IN GENERAL.—Members shall be appointed for a term of 2 years or until the Committee terminates.

(B) REAPPOINTMENT.—A member may be reappointed to the Committee for additional terms.

(4) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) DURATION OF COMMITTEE.—

(1) IN GENERAL.—The Committee shall terminate on the date that is 2 years after the date of the enactment of this Act unless renewed by the President for a subsequent 2-year period.

(2) CONTINUED RENEWAL.—The President may continue to renew the Committee for successive 2-year periods by taking appropriate action to renew the Committee prior to the date on which the Committee would otherwise terminate.

(d) MEETINGS.—The Committee shall hold not less than 2 meetings each calendar year.

(e) CHAIRPERSON.—

(1) IN GENERAL.—The Committee shall elect from among its members a chairperson for a term of 2 years or until the Committee terminates.

(2) REELECTION; SUBSEQUENT TERMS.—A chairperson of the Committee may be reelected chairperson but is ineligible to serve consecutive terms as chairperson.

(f) STAFF.—The Secretary of the Treasury shall make available to the Committee such staff, information, personnel, administrative services, and assistance as the Committee may reasonably require to carry out the activities of the Committee.

(g) APPLICATION OF THE FEDERAL ADVISORY COMMITTEE ACT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

(2) EXCEPTION.—Meetings of the Committee shall be exempt from the requirements of subsections (a) and (b) of section 10 and section 11 of the Federal Advisory Committee Act (relating to open meetings, public notice, public participation, and public availability of documents), whenever and to the extent it is determined by the President or the Secretary of the Treasury that such meetings will be concerned with matters the disclosure of which—

(A) would seriously compromise the development by the Government of the United States of monetary or financial policy; or

(B) is likely to—

(i) lead to significant financial speculation in currencies, securities, or commodities; or

(ii) significantly endanger the stability of any financial institution.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Treasury for each fiscal year in which the Committee is in effect $1,000,000 to carry out this section.

TITLE VIII—PROCESS FOR CONSIDERATION OF TEMPORARY DUTY SUSPENSIONS AND REDUCTIONS

SEC. 801. SHORT TITLE.

This title may be cited as the ''American Manufacturing Competitiveness Act of 2015''.

SEC. 802. SENSE OF CONGRESS ON THE NEED FOR A MISCELLANEOUS TARIFF BILL.

(a) FINDINGS.—Congress makes the following findings:

(1) As of the date of the enactment of this Act, the Harmonized Tariff Schedule of the United States imposes duties on imported goods for which there is no domestic availability or insufficient domestic availability.

(2) The imposition of duties on such goods creates artificial distortions in the economy of the United States that negatively affect United States manufacturers and consumers.

(3) It is in the interests of the United States to update the Harmonized Tariff Schedule every 3 years to eliminate such artificial distortions by suspending or reducing duties on such goods.

(4) The manufacturing competitiveness of the United States around the world will be enhanced if Congress regularly and predictably updates the Harmonized Tariff Schedule to suspend or reduce duties on such goods.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, to remove the competitive disadvantage to United States manufactures and consumers resulting from an outdated Harmonized Tariff Schedule and to promote the competitiveness of United States manufacturers, Congress should consider a miscellaneous tariff bill not later than 180 days after the United States International Trade Commission and the Department of Commerce issue reports on proposed duty suspensions and reductions under this title.

SEC. 803. PROCESS FOR CONSIDERATION OF DUTY SUSPENSIONS AND REDUCTIONS.

(a) PURPOSE.—It is the purpose of this section to establish a process by the appropriate congressional committees, in conjunction with the Commission pursuant to its authorities under section 332 of the Tariff Act of 1930 (19 U.S.C. 1332), for the submission and consideration of proposed duty suspensions and reductions.

(b) ESTABLISHMENT.—Not later than October 15, 2015, and October 15, 2018, the appropriate congressional committees shall establish and, on the same day, publish on their respective publicly available Internet websites a process—

(1) to provide for the submission and consideration of legislation containing proposed duty suspensions and reductions in a manner that, to the maximum extent practicable, is consistent with the requirements described in subsection (c); and

(2) to include in a miscellaneous tariff bill those duty suspensions and reductions that meet the requirements of this title.

(c) REQUIREMENTS OF COMMISSION.—

(1) INITIATION.—Not later than October 15, 2015, and October 15, 2018, the Commission shall publish in the Federal Register and on a publicly available Internet website of the Commission a notice requesting members of the public to submit to the Commission during the 60-day period beginning on the date of such publication—

(A) proposed duty suspensions and reductions; and

(B) Commission disclosure forms with respect to such duty suspensions and reductions.

(2) REVIEW.—

(A) COMMISSION SUBMISSION TO CONGRESS.—As soon as practicable after the expiration of the 60-day period specified in paragraph (1), but not later than 15 days after the expiration of such 60-day period, the Commission shall submit to the appropriate congressional committees the proposed duty suspensions and reductions submitted under paragraph (1)(A) and the Commission disclosure forms with respect to such duty suspensions and reductions submitted under paragraph (1)(B).

(B) PUBLIC AVAILABILITY OF PROPOSED DUTY SUSPENSIONS AND REDUCTIONS.—Not later than 15 days after the expiration of the 60-day period specified in paragraph (1), the Commission shall publish on a publicly available Internet website of the Commission the proposed duty suspensions and reductions submitted under paragraph (1)(A) and the Commission disclosure forms with respect to such duty suspensions and reductions submitted under paragraph (1)(B).

(C) COMMISSION REPORTS TO CONGRESS.—Not later than the end of the 90-day period beginning on the date of publication of the proposed duty suspensions and reductions under subparagraph (B), the Commission shall submit to the appropriate congressional committees a report on each proposed duty suspension or reduction submitted pursuant to subsection (b)(1) or paragraph (1)(A) that contains the following information:

(i) A determination of whether or not domestic production of the article that is the subject of the proposed duty suspension or reduction exists and, if such production exists, whether or not a domestic producer of the article objects to the proposed duty suspension or reduction.

(ii) Any technical changes to the article description that are necessary for purposes of administration when articles are presented for importation.

(iii) The amount of tariff revenue that would no longer be collected if the proposed duty suspension or reduction takes effect.

(iv) A determination of whether or not the proposed duty suspension or reduction is available to any person that imports the article that is the subject of the proposed duty suspension or reduction.

(3) PROCEDURES.—The Commission shall prescribe and publish on a publicly available Internet website of the Commission procedures for complying with the requirements of this subsection.

(4) AUTHORITIES DESCRIBED.—The Commission shall carry out this subsection pursuant to its authorities under section 332 of the Tariff Act of 1930 (19 U.S.C. 1332).

(d) DEPARTMENT OF COMMERCE REPORT.—Not later than the end of the 90-day period beginning on the date of publication of the proposed duty suspensions and reductions under subsection (c)(2)(B), the Secretary of Commerce, in consultation with U.S. Customs and Border Protection and other relevant Federal agencies, shall submit to the appropriate congressional committees a report on each proposed duty suspension and reduction submitted pursuant to subsection (b)(1) or (c)(1)(A) that includes the following information:

(1) A determination of whether or not domestic production of the article that is the subject of the proposed duty suspension or reduction exists and, if such production exists, whether or not a domestic producer of the article objects to the proposed duty suspension or reduction.

(2) Any technical changes to the article description that are necessary for purposes of administration when articles are presented for importation.

(e) RULE OF CONSTRUCTION.—A proposed duty suspension or reduction submitted under this section by a Member of Congress shall receive treatment no more favorable than the treatment received by a proposed duty suspension or reduction submitted under this section by a member of the public.

SEC. 804. REPORT ON EFFECTS OF DUTY SUSPENSIONS AND REDUCTIONS ON UNITED STATES ECONOMY.

(a) IN GENERAL.—Not later than May 1, 2018, and May 1, 2020, the Commission shall submit to the appropriate congressional committees a report on the effects on the United States economy of temporary duty suspensions and reductions enacted pursuant to this title, including a broad assessment of the economic effects of such duty suspensions and reductions on producers, purchasers, and consumers in the United States, using case studies describing such effects on selected industries or by type of article as available data permit.

(b) RECOMMENDATIONS.—The Commission shall also solicit and append to the report required under subsection (a) recommendations with respect to those domestic industry sectors or specific domestic industries that might benefit from permanent duty suspensions and reductions or elimination of duties, either through a unilateral action of the United States or though negotiations for reciprocal tariff agreements, with a particular focus on inequities created by tariff inversions.

(c) FORM OF REPORT.—Each report required by this section shall be submitted in unclassified form, but may include a classified annex.

SEC. 805. JUDICIAL REVIEW PRECLUDED.

The exercise of functions under this title shall not be subject to judicial review.

SEC. 806. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

(2) COMMISSION.—The term ''Commission'' means the United States International Trade Commission.

(3) COMMISSION DISCLOSURE FORM.—The term ''Commission disclosure form'' means, with respect to a proposed duty suspension or reduction, a document submitted by a member of the public to the Commission that contains the following:

(A) The contact information for any known importers of the article to which the proposed duty suspension or reduction would apply.

(B) A certification by the member of the public that the proposed duty suspension or reduction is available to any person importing the article to which the proposed duty suspension or reduction would apply.

(4) DOMESTIC PRODUCER.—The term ''domestic producer'' means a person that demonstrates production, or imminent production, in the United States of an article that is identical to, or like or directly competitive with, an article to which a proposed duty suspension or reduction would apply.

(5) DUTY SUSPENSION OR REDUCTION.—

(A) IN GENERAL.—The term ''duty suspension or reduction'' means an amendment to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States that—

(i)(I) extends an existing temporary duty suspension or reduction of duty on an article under that subchapter; or

(II) provides for a new temporary duty suspension or reduction of duty on an article under that subchapter; and

(ii) otherwise meets the requirements described in subparagraph (B).

(B) REQUIREMENTS.—A duty suspension or reduction meets the requirements described in this subparagraph if—

(i) the duty suspension or reduction can be administered by U.S. Customs and Border Protection;

(ii) the estimated loss in revenue to the United States from the duty suspension or reduction does not exceed $500,000 in a calendar year during which the duty suspension or reduction would be in effect, as determined by the Congressional Budget Office; and

(iii) the duty suspension or reduction is available to any person importing the article that is the subject of the duty suspension or reduction.

(6) MEMBER OF CONGRESS.—The term ''Member of Congress'' means a Senator or a Representative in, or Delegate or Resident Commissioner to, Congress.

(7) MISCELLANEOUS TARIFF BILL.—The term ''miscellaneous tariff bill'' means a bill of either House of Congress that contains only—

(A) duty suspensions and reductions that—

(i) meet the applicable requirements for—

(I) consideration of duty suspensions and reductions described in section 803; or

(II) any other process required under the Rules of the House of Representatives or the Senate; and

(ii) are not the subject of an objection because such duty suspensions and reductions do not comply with the requirements of this title from—

(I) a Member of Congress; or

(II) a domestic producer, as contained in comments submitted to the appropriate congressional committees, the Commission, or the Department of Commerce under section 803; and

(B) provisions included in bills introduced in the House of Representatives or the Senate pursuant to a process described in subparagraph (A)(i)(II) that correct an error in the text or administration of a provision of the Harmonized Tariff Schedule of the United States.

TITLE IX—MISCELLANEOUS PROVISIONS

SEC. 901. DE MINIMIS VALUE.

(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.

(c) DE MINIMIS VALUE.—Section 321(a)(2)(C) of the Tariff Act of 1930 (19 U.S.C. 1321(a)(2)(C)) is amended by striking ''$200'' and inserting ''$800''.

(d) EFFECTIVE DATE.—The amendment made by subsection (c) shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SEC. 902. CONSULTATION ON TRADE AND CUSTOMS REVENUE FUNCTIONS.

Section 401(c) of the Safety and Accountability for Every Port Act (6 U.S.C. 115(c)) is amended—

(1) in paragraph (1), by striking ''on Department policies and actions that have'' and inserting ''not later than 30 days after proposing, and not later than 30 days before finalizing, any Department policies, initiatives, or actions that will have''; and

(2) in paragraph (2)(A), by striking ''not later than 30 days prior to the finalization of'' and inserting ''not later than 60 days before proposing, and not later than 60 days before finalizing,''.

SEC. 903. PENALTIES FOR CUSTOMS BROKERS.

(a) IN GENERAL.—Section 641(d)(1) of the Tariff Act of 1930 (19 U.S.C. 1641(d)(1)) is amended—

(1) in subparagraph (E), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (F), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(G) has been convicted of committing or conspiring to commit an act of terrorism described in section 2332b of title 18, United States Code.''.

(b) TECHNICAL AMENDMENTS.—Section 641 of the Tariff Act of 1930 (19 U.S.C. 1641) is amended—

(1) by striking ''the Customs Service'' each place it appears and inserting ''U.S. Customs and Border Protection'';

(2) in subsection (d)(2)(B), by striking ''The Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(3) in subsection (g)(2)(B), by striking ''Secretary's notice'' and inserting ''notice under subparagraph (A)''.

SEC. 904. AMENDMENTS TO CHAPTER 98 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES.

(a) ARTICLES EXPORTED AND RETURNED, ADVANCED OR IMPROVED ABROAD.—

(1) IN GENERAL.—U.S. Note 3 to subchapter II of chapter 98 of the Harmonized Tariff Schedule of the United States is amended by adding at the end the following:

''(f)(1) For purposes of subheadings 9802.00.40 and 9802.00.50, fungible articles exported from the United States for the purposes described in such subheadings—

''(A) may be commingled; and

''(B) the origin, value, and classification of such articles may be accounted for using an inventory management method.

''(2) If a person chooses to use an inventory management method under this paragraph with respect to fungible articles, the person shall use the same inventory management method for any other articles with respect to which the person claims fungibility under this paragraph.

''(3) For the purposes of this paragraph—

''(A) the term 'fungible articles' means merchandise or articles that, for commercial purposes, are identical or interchangeable in all situations; and

''(B) the term 'inventory management method' means any method for managing inventory that is based on generally accepted accounting principles.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection applies to articles classifiable under subheading 9802.00.40 or 9802.00.50 of the Harmonized Tariff Schedule of the United States that are entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.

(b) MODIFICATION OF PROVISIONS RELATING TO RETURNED PROPERTY.—

(1) IN GENERAL.—The article description for heading 9801.00.10 of the Harmonized Tariff Schedule of the United States is amended by inserting after ''exported'' the following: '', or any other products when returned within 3 years after having been exported''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) applies to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.

(c) DUTY-FREE TREATMENT FOR CERTAIN UNITED STATES GOVERNMENT PROPERTY RETURNED TO THE UNITED STATES.—

(1) IN GENERAL.—Subchapter I of chapter 98 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

''	*9801.00.11*	*United States Government property, returned to the United States without having been advanced in value or improved in condition by any means while abroad, entered by the United States Government or a contractor to the United States Government, and certified by the importer as United States Government property*	*Free*					*''.*

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) applies to goods entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.

SEC. 905. EXEMPTION FROM DUTY OF RESIDUE OF BULK CARGO CONTAINED IN INSTRUMENTS OF INTERNATIONAL TRAFFIC PREVIOUSLY EXPORTED FROM THE UNITED STATES.

(a) IN GENERAL.—General Note 3(e) of the Harmonized Tariff Schedule of the United States is amended—

(1) in subparagraph (v), by striking ''and'' at the end;

(2) in subparagraph (vi), by adding ''and'' at the end;

(3) by inserting after subparagraph (vi) (as so amended) the following new subparagraph:

''(vii) residue of bulk cargo contained in instruments of international traffic previously exported from the United States,''; and

(4) by adding at the end of the flush text following subparagraph (vii) (as so added) the following: ''For purposes of subparagraph (vii) of this paragraph: The term 'residue' means material of bulk cargo that remains in an instrument of international traffic after the bulk cargo is removed, with a quantity, by weight or volume, not exceeding 7 percent of the bulk cargo, and with no or de minimis value. The term 'bulk cargo' means cargo that is unpackaged and is in either solid, liquid, or gaseous form. The term 'instruments of international traffic' means containers or holders, capable of and suitable for repeated use, such as lift vans, cargo vans, shipping tanks, skids, pallets, caul boards, and cores for textile fabrics, arriving (whether loaded or empty) in use or to be used in the shipment of merchandise in international traffic, and any additional articles or classes of articles that the Commissioner responsible for U.S. Customs and Border Protection designates as instruments of international traffic.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to residue of bulk cargo contained in instruments of international traffic that are imported into the customs territory of the United States on or after such date of enactment and that previously have been exported from the United States.

SEC. 906. DRAWBACK AND REFUNDS.

(a) ARTICLES MADE FROM IMPORTED MERCHANDISE.—Section 313(a) of the Tariff Act of 1930 (19 U.S.C. 1313(a)) is amended by striking ''the full amount of the duties paid upon the merchandise so used shall be refunded as drawback, less 1 per centum of such duties, except that such'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l) shall be refunded as drawback, except that''.

(b) SUBSTITUTION FOR DRAWBACK PURPOSES.—Section 313(b) of the Tariff Act of 1930 (19 U.S.C. 1313(b)) is amended—

(1) by striking ''If imported'' and inserting the following:

''(1) IN GENERAL.—If imported'';

(2) by striking ''and any other merchandise (whether imported or domestic) of the same kind and quality are'' and inserting ''or merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise is'';

(3) by striking ''three years'' and inserting ''5 years'';

(4) by striking ''the receipt of such imported merchandise by the manufacturer or producer of such articles'' and inserting ''the date of importation of such imported merchandise'';

(5) by inserting ''or articles classifiable under the same 8-digit HTS subheading number as such articles,'' after ''any such articles,'';

(6) by striking ''an amount of drawback equal to'' and all that follows through the end period and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l), but only if those articles have not been used prior to such exportation or destruction.''; and

(7) by adding at the end the following:

''(2) REQUIREMENTS RELATING TO TRANSFER OF MERCHANDISE.—

''(A) MANUFACTURERS AND PRODUCERS.—Drawback shall be allowed under paragraph (1) with respect to an article manufactured or produced using imported merchandise or other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise only if the manufacturer or producer of the article received such imported merchandise or such other merchandise, directly or indirectly, from the importer.

''(B) EXPORTERS AND DESTROYERS.—Drawback shall be allowed under paragraph (1) with respect to a manufactured or produced article that is exported or destroyed only if the exporter or destroyer received that article or an article classifiable under the same 8-digit HTS subheading number as that article, directly or indirectly, from the manufacturer or producer.

''(C) EVIDENCE OF TRANSFER.—Transfers of merchandise under subparagraph (A) and transfers of articles under subparagraph (B) may be evidenced by business records kept in the normal course of business and no additional certificates of transfer or manufacture shall be required.

''(3) SUBMISSION OF BILL OF MATERIALS OR FORMULA.—

''(A) IN GENERAL.—Drawback shall be allowed under paragraph (1) with respect to an article manufactured or produced using imported merchandise or other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise only if the person making the drawback claim submits with the claim a bill of materials or formula identifying the merchandise and article by the 8-digit HTS subheading number and the quantity of the merchandise.

''(B) BILL OF MATERIALS AND FORMULA DEFINED.—In this paragraph, the terms 'bill of materials' and 'formula' mean records kept in the normal course of business that identify each component incorporated into a manufactured or produced article or that identify the quantity of each element, material, chemical, mixture, or other substance incorporated into a manufactured article.

''(4) SPECIAL RULE FOR SOUGHT CHEMICAL ELEMENTS.—

''(A) IN GENERAL.—For purposes of paragraph (1), a sought chemical element may be—

''(i) considered imported merchandise, or merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, used in the manufacture or production of an article as described in paragraph (1); and

''(ii) substituted for source material containing that sought chemical element, without regard to whether the sought chemical element and the source material are classifiable under the same 8-digit HTS subheading number, and apportioned quantitatively, as appropriate.

''(B) SOUGHT CHEMICAL ELEMENT DEFINED.—In this paragraph, the term 'sought chemical element' means an element listed in the Periodic Table of Elements that is imported into the United States or a chemical compound consisting of those elements, either separately in elemental form or contained in source material.''.

(c) MERCHANDISE NOT CONFORMING TO SAMPLE OR SPECIFICATIONS.—Section 313(c) of the Tariff Act of 1930 (19 U.S.C. 1313(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(ii), by striking ''under a certificate of delivery'' each place it appears;

(B) in subparagraph (D)—

(i) by striking ''3'' and inserting ''5''; and

(ii) by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(C) in the flush text at the end, by striking ''the full amount of the duties paid upon such merchandise, less 1 percent,'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';

(2) in paragraph (2), by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(3) by amending paragraph (3) to read as follows:

''(3) EVIDENCE OF TRANSFERS.—Transfers of merchandise under paragraph (1) may be evidenced by business records kept in the normal course of business and no additional certificates of transfer shall be required.''.

(d) PROOF OF EXPORTATION.—Section 313(i) of the Tariff Act of 1930 (19 U.S.C. 1313(i)) is amended to read as follows:

''(i) PROOF OF EXPORTATION.—A person claiming drawback under this section based on the exportation of an article shall provide proof of the exportation of the article. Such proof of exportation—

''(1) shall establish fully the date and fact of exportation and the identity of the exporter; and

''(2) may be established through the use of records kept in the normal course of business or through an electronic export system of the United States Government, as determined by the Commissioner responsible for U.S. Customs and Border Protection.''.

(e) UNUSED MERCHANDISE DRAWBACK.—Section 313(j) of the Tariff Act of 1930 (19 U.S.C. 1313(j)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), in the matter preceding clause (i)—

(i) by striking ''3-year'' and inserting ''5-year''; and

(ii) by inserting ''and before the drawback claim is filed'' after ''the date of importation''; and

(B) in the flush text at the end, by striking ''99 percent of the amount of each duty, tax, or fee so paid'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''paragraph (4)'' and inserting ''paragraphs (4), (5), and (6)'';

(B) in subparagraph (A), by striking ''commercially interchangeable with'' and inserting ''classifiable under the same 8-digit HTS subheading number as'';

(C) in subparagraph (B)—

(i) by striking ''3-year'' and inserting ''5-year''; and

(ii) by inserting ''and before the drawback claim is filed'' after ''the imported merchandise'';

(D) in subparagraph (C)(ii), by striking subclause (II) and inserting the following:

''(II) received the imported merchandise, other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, or any combination of such imported merchandise and such other merchandise, directly or indirectly from the person who imported and paid any duties, taxes, and fees imposed under Federal law upon importation or entry and due on the imported merchandise (and any such transferred merchandise, regardless of its origin, will be treated as the imported merchandise and any retained merchandise will be treated as domestic merchandise);''; and

(E) in the flush text at the end—

(i) by striking ''the amount of each such duty, tax, and fee'' and all that follows through ''99 percent of that duty, tax, or fee'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l) shall be refunded as drawback''; and

(ii) by striking the last sentence and inserting the following: ''Notwithstanding subparagraph (A), drawback shall be allowed under this paragraph with respect to wine if the imported wine and the exported wine are of the same color and the price variation between the imported wine and the exported wine does not exceed 50 percent. Transfers of merchandise may be evidenced by business records kept in the normal course of business and no additional certificates of transfer shall be required.'';

(3) in paragraph (3)(B), by striking ''the commercially interchangeable merchandise'' and inserting ''merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise''; and

(4) by adding at the end the following:

''(5)(A) For purposes of paragraph (2) and except as provided in subparagraph (B), merchandise may not be substituted for imported merchandise for drawback purposes based on the 8-digit HTS subheading number if the article description for the 8-digit HTS subheading number under which the imported merchandise is classified begins with the term 'other'.

''(B) In cases described in subparagraph (A), merchandise may be substituted for imported merchandise for drawback purposes if—

''(i) the other merchandise and such imported merchandise are classifiable under the same 10-digit HTS statistical reporting number; and

''(ii) the article description for that 10-digit HTS statistical reporting number does not begin with the term 'other'.

''(6)(A) For purposes of paragraph (2), a drawback claimant may use the first 8 digits of the 10-digit Schedule B number for merchandise or an article to determine if the merchandise or article is classifiable under the same 8-digit HTS subheading number as the imported merchandise, without regard to whether the Schedule B number corresponds to more than one 8-digit HTS subheading number.

''(B) In this paragraph, the term 'Schedule B' means the Department of Commerce Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States.''.

(f) LIABILITY FOR DRAWBACK CLAIMS.—Section 313(k) of the Tariff Act of 1930 (19 U.S.C. 1313(k)) is amended to read as follows:

''(k) LIABILITY FOR DRAWBACK CLAIMS.—

''(1) IN GENERAL.—Any person making a claim for drawback under this section shall be liable for the full amount of the drawback claimed.

''(2) LIABILITY OF IMPORTERS.—An importer shall be liable for any drawback claim made by another person with respect to merchandise imported by the importer in an amount equal to the lesser of—

''(A) the amount of duties, taxes, and fees that the person claimed with respect to the imported merchandise; or

''(B) the amount of duties, taxes, and fees that the importer authorized the other person to claim with respect to the imported merchandise.

''(3) JOINT AND SEVERAL LIABILITY.—Persons described in paragraphs (1) and (2) shall be jointly and severally liable for the amount described in paragraph (2).''.

(g) REGULATIONS.—Section 313(l) of the Tariff Act of 1930 (19 U.S.C. 1313(l)) is amended to read as follows:

''(l) REGULATIONS.—

''(1) IN GENERAL.—Allowance of the privileges provided for in this section shall be subject to compliance with such rules and regulations as the Secretary of the Treasury shall prescribe.

''(2) CALCULATION OF DRAWBACK.—

''(A) IN GENERAL.—Not later than the date that is 2 years after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015 (or, if later, the effective date provided for in section 906(q)(2)(B) of that Act), the Secretary shall prescribe regulations for determining the calculation of amounts refunded as drawback under this section.

''(B) REQUIREMENTS.—The regulations required by subparagraph (A) for determining the calculation of amounts refunded as drawback under this section shall provide for a refund of 99 percent of the duties, taxes, and fees paid with respect to the imported merchandise, except that where there is substitution of the merchandise or article, then—

''(i) in the case of an article that is exported, the amount of the refund shall be equal to 99 percent of the lesser of—

''(I) the amount of duties, taxes, and fees paid with respect to the imported merchandise; or

''(II) the amount of duties, taxes, and fees that would apply to the exported article if the exported article were imported; and

''(ii) in the case of an article that is destroyed, the amount of the refund shall be an amount that is—

''(I) equal to 99 percent of the lesser of—

''(aa) the amount of duties, taxes, and fees paid with respect to the imported merchandise; and

''(bb) the amount of duties, taxes, and fees that would apply to the destroyed article if the destroyed article were imported; and

''(II) reduced by the value of materials recovered during destruction as provided in subsection (x).

''(3) STATUS REPORTS ON REGULATIONS.—Not later than the date that is one year after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, and annually thereafter until the regulations required by paragraph (2) are final, the Secretary shall submit to Congress a report on the status of those regulations.''.

(h) SUBSTITUTION OF FINISHED PETROLEUM DERIVATIVES.—Section 313(p) of the Tariff Act of 1930 (19 U.S.C. 1313(p)) is amended—

(1) by striking ''Harmonized Tariff Schedule of the United States'' each place it appears and inserting ''HTS''; and

(2) in paragraph (3)(A)—

(A) in clause (ii)(III), by striking '', as so certified in a certificate of delivery or certificate of manufacture and delivery''; and

(B) in the flush text at the end—

(i) by striking '', as so designated on the certificate of delivery or certificate of manufacture and delivery''; and

(ii) by striking the last sentence and inserting the following: ''The party transferring the merchandise shall maintain records kept in the normal course of business to demonstrate the transfer.''.

(i) PACKAGING MATERIAL.—Section 313(q) of the Tariff Act of 1930 (19 U.S.C. 1313(q)) is amended—

(1) in paragraph (1), by striking ''of 99 percent of any duty, tax, or fee imposed under Federal law on such imported material'' and inserting ''in an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';

(2) in paragraph (2), by striking ''of 99 percent of any duty, tax, or fee imposed under Federal law on the imported or substituted merchandise used to manufacture or produce such material'' and inserting ''in an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)''; and

(3) in paragraph (3), by striking ''they contain'' and inserting ''it contains''.

(j) FILING OF DRAWBACK CLAIMS.—Section 313(r) of the Tariff Act of 1930 (19 U.S.C. 1313(r)) is amended—

(1) in paragraph (1)—

(A) by striking the first sentence and inserting the following: ''A drawback entry shall be filed or applied for, as applicable, not later than 5 years after the date on which merchandise on which drawback is claimed was imported.'';

(B) in the second sentence, by striking ''3-year'' and inserting ''5-year''; and

(C) in the third sentence, by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection'';

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''The Customs Service'' and inserting ''U.S. Customs and Border Protection'';

(ii) in clauses (i) and (ii), by striking ''the Customs Service'' each place it appears and inserting ''U.S. Customs and Border Protection''; and

(iii) in clause (ii)(I), by striking ''3-year'' and inserting ''5-year''; and

(B) in subparagraph (B), by striking ''the periods of time for retaining records set forth in subsection (t) of this section and'' and inserting ''the period of time for retaining records set forth in''; and

(3) by adding at the end the following:

''(4) All drawback claims filed on and after the date that is 2 years after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015 (or, if later, the effective date provided for in section 906(q)(2)(B) of that Act) shall be filed electronically.''.

(k) DESIGNATION OF MERCHANDISE BY SUCCESSOR.—Section 313(s) of the Tariff Act of 1930 (19 U.S.C. 1313(s)) is amended—

(1) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) subject to paragraphs (5) and (6) of subsection (j), imported merchandise, other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, or any combination of such imported merchandise and such other merchandise, that the predecessor received, before the date of succession, from the person who imported and paid any duties, taxes, and fees due on the imported merchandise;''; and

(2) in paragraph (4), by striking ''certifies that'' and all that follows and inserting ''certifies that the transferred merchandise was not and will not be claimed by the predecessor.''.

(l) DRAWBACK CERTIFICATES.—Section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) is amended by striking subsection (t).

(m) DRAWBACK FOR RECOVERED MATERIALS.—Section 313(x) of the Tariff Act of 1930 (19 U.S.C. 1313(x)) is amended by striking ''and (c)'' and inserting ''(c), and (j)''.

(n) DEFINITIONS.—Section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) is amended by adding at the end the following:

''(z) DEFINITIONS.—In this section:

''(1) DIRECTLY.—The term 'directly' means a transfer of merchandise or an article from one person to another person without any intermediate transfer.

''(2) HTS.—The term 'HTS' means the Harmonized Tariff Schedule of the United States.

''(3) INDIRECTLY.—The term 'indirectly' means a transfer of merchandise or an article from one person to another person with one or more intermediate transfers.''.

(o) RECORDKEEPING.—Section 508(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1508(c)(3)) is amended—

(1) by striking ''3rd'' and inserting ''5th''; and

(2) by striking ''payment'' and inserting ''liquidation''.

(p) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—

(1) IN GENERAL.—Not later than one year after the issuance of the regulations required by subsection (l)(2) of section 313 of the Tariff Act of 1930, as added by subsection (g), the Comptroller General of the United States 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 the modernization of drawback and refunds under section 313 of the Tariff Act of 1930, as amended by this section.

(2) CONTENTS.—The report required by paragraph (1) include the following:

(A) An assessment of the modernization of drawback and refunds under section 313 of the Tariff Act of 1930, as amended by this section.

(B) A description of drawback claims that were permissible before the effective date provided for in subsection (q) that are not permissible after that effective date and an identification of industries most affected.

(C) A description of drawback claims that were not permissible before the effective date provided for in subsection (q) that are permissible after that effective date and an identification of industries most affected.

(q) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall—

(A) take effect on the date of the enactment of this Act; and

(B) except as provided in paragraphs (2)(B) and (3), apply to drawback claims filed on or after the date that is 2 years after such date of enactment.

(2) REPORTING OF OPERABILITY OF AUTOMATED COMMERCIAL ENVIRONMENT COMPUTER SYSTEM.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and not later than 2 years after such date of enactment, the Secretary of the Treasury shall submit to Congress a report on—

(i) the date on which the Automated Commercial Environment will be ready to process drawback claims; and

(ii) the date on which the Automated Export System will be ready to accept proof of exportation under subsection (i) of section 313 of the Tariff Act of 1930, as amended by subsection (d).

(B) DELAY OF EFFECTIVE DATE.—If the Secretary indicates in the report required by subparagraph (A) that the Automated Commercial Environment will not be ready to process drawback claims by the date that is 2 years after the date of the enactment of this Act, the amendments made by this section shall apply to drawback claims filed on and after the date on which the Secretary certifies that the Automated Commercial Environment is ready to process drawback claims.

(3) TRANSITION RULE.—During the one-year period beginning on the date that is 2 years after the date of the enactment of this Act (or, if later, the effective date provided for in paragraph (2)(B)), a person may elect to file a claim for drawback under—

(A) section 313 of the Tariff Act of 1930, as amended by this section; or

(B) section 313 of the Tariff Act of 1930, as in effect on the day before the date of the enactment of this Act.

SEC. 907. INCLUSION OF CERTAIN INFORMATION IN SUBMISSION OF NOMINATION FOR APPOINTMENT AS DEPUTY UNITED STATES TRADE REPRESENTATIVE.

Section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)) is amended by adding at the end the following:

''(5) When the President submits to the Senate for its advice and consent a nomination of an individual for appointment as a Deputy United States Trade Representative under paragraph (2), the President shall include in that submission information on the country, regional offices, and functions of the Office of the United States Trade Representative with respect to which that individual will have responsibility.''.

SEC. 908. BIENNIAL REPORTS REGARDING COMPETITIVENESS ISSUES FACING THE UNITED STATES ECONOMY AND COMPETITIVE CONDITIONS FOR CERTAIN KEY UNITED STATES INDUSTRIES.

(a) IN GENERAL.—The United States International Trade Commission shall conduct a series of investigations, and submit a report on each such investigation in accordance with subsection (c), regarding competitiveness issues facing the economy of the United States and competitive conditions for certain key United States industries.

(b) CONTENTS OF REPORT.—

(1) IN GENERAL.—Each report required by subsection (a) shall include, to the extent practicable, the following:

(A) A detailed assessment of competitiveness issues facing the economy of the United States, over the 10-year period beginning on the date on which the report is submitted, that includes—

(i) projections, over that 10-year period, of economic measures, such as measures relating to production in the United States and United States trade, for the economy of the United States and for key United States industries, based on ongoing trends in the economy of the United States and global economies and incorporating estimates from prominent United States, foreign, multinational, and private sector organizations; and

(ii) a description of factors that drive economic growth, such as domestic productivity, the United States workforce, foreign demand for United States goods and services, and industry-specific developments.

(B) A detailed assessment of a key United States industry or key United States industries that, to the extent practicable—

(i) identifies with respect to each such industry the principal factors driving competitiveness as of the date on which the report is submitted; and

(ii) describes, with respect to each such industry, the structure of the global industry, its market characteristics, current industry trends, relevant policies and programs of foreign governments, and principal factors affecting future competitiveness.

(2) SELECTION OF KEY UNITED STATES INDUSTRIES.—

(A) IN GENERAL.—In conducting assessments required under paragraph (1)(B), the Commission shall, to the extent practicable, select a different key United States industry or different key United States industries for purposes of each report required by subsection (a).

(B) CONSULTATIONS WITH CONGRESS.—The Commission shall consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives before selecting the key United States industry or key United States industries for purposes of each report required by subsection (a).

(c) SUBMISSION OF REPORTS.—

(1) IN GENERAL.—Not later than May 15, 2017, and every 2 years thereafter through 2025, the Commission 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 the most recent investigation conducted under subsection (a).

(2) EXTENSION OF DEADLINE.—The Commission may, after consultation with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, submit a report under paragraph (1) later than the date required by that paragraph.

(3) CONFIDENTIAL BUSINESS INFORMATION.—A report submitted under paragraph (1) shall not include any confidential business information unless—

(A) the party that submitted the confidential business information to the Commission had notice, at the time of submission, that the information would be released by the Commission; or

(B) that party consents to the release of the information.

(d) KEY UNITED STATES INDUSTRY DEFINED.—In this section, the term ''key United States industry'' means a goods or services industry that—

(1) contributes significantly to United States economic activity and trade; or

(2) is a potential growth area for the United States and global markets.

SEC. 909. REPORT ON CERTAIN U.S. CUSTOMS AND BORDER PROTECTION AGREEMENTS.

(a) IN GENERAL.—Not later than one year after entering into an agreement under a program specified in subsection (b), and annually thereafter until the termination of the program, 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 that includes the following:

(1) A description of the development of the program.

(2) A description of the type of entity with which U.S. Customs and Border Protection entered into the agreement and the amount that entity reimbursed U.S. Customs and Border Protection under the agreement.

(3) An identification of the type of port of entry to which the agreement relates and an assessment of how the agreement provides economic benefits at the port of entry.

(4) A description of the services provided by U.S. Customs and Border Protection under the agreement during the year preceding the submission of the report.

(5) The amount of fees collected under the agreement during that year.

(6) A detailed accounting of how the fees collected under the agreement have been spent during that year.

(7) A summary of any complaints or criticism received by U.S. Customs and Border Protection during that year regarding the agreement.

(8) An assessment of the compliance of the entity described in paragraph (2) with the terms of the agreement.

(9) Recommendations with respect to how activities conducted pursuant to the agreement could function more effectively or better produce economic benefits.

(10) A summary of the benefits to and challenges faced by U.S. Customs and Border Protection and the entity described in paragraph (2) under the agreement.

(b) PROGRAM SPECIFIED.—A program specified in this subsection is—

(1) the program for entering into reimbursable fee agreements for the provision of U.S. Customs and Border Protection services established by section 560 of the Department of Homeland Security Appropriations Act, 2013 (division D of Public Law 113–6; 127 Stat. 378); or

(2) the pilot program authorizing U.S. Customs and Border Protection to enter into partnerships with private sector and government entities at ports of entry established by section 559 of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113–76; 6 U.S.C. 211 note).

SEC. 910. CHARTER FLIGHTS.

Section 13031(e)(1) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(e)(1)) is amended—

(1) by striking ''(1) Notwithstanding section 451 of the Tariff Act of 1930 (19 U.S.C. 1451) or any other provision of law (other than paragraph (2))'' and inserting the following:

''(1)(A) Notwithstanding section 451 of the Tariff Act of 1930 (19 U.S.C. 1451) or any other provision of law (other than subparagraph (B) and paragraph (2))''; and

(2) by adding at the end the following:

''(B)(i) An appropriate officer of U.S. Customs and Border Protection may assign a sufficient number of employees of U.S. Customs and Border Protection (if available) to perform services described in clause (ii) for a charter air carrier (as defined in section 40102 of title 49, United States Code) for a charter flight arriving after normal operating hours at an airport that is an established port of entry serviced by U.S. Customs and Border Protection, notwithstanding that overtime funds for those services are not available, if the charter air carrier—

''(I) not later than 4 hours before the flight arrives, specifically requests that such services be provided; and

''(II) pays any overtime fees incurred in connection with such services.

''(ii) Services described in this clause are customs services for passengers and their baggage or any other such service that could lawfully be performed during regular hours of operation.''.

SEC. 911. AMENDMENT TO TARIFF ACT OF 1930 TO REQUIRE COUNTRY OF ORIGIN MARKING OF CERTAIN CASTINGS.

(a) IN GENERAL.—Section 304(e) of the Tariff Act of 1930 (19 U.S.C. 1304(e)) is amended—

(1) in the subsection heading, by striking ''MANHOLE RINGS OR FRAMES, COVERS, AND ASSEMBLIES THEREOF'' and inserting ''CASTINGS'';

(2) by inserting ''inlet frames, tree and trench grates, lampposts, lamppost bases, cast utility poles, bollards, hydrants, utility boxes,'' before ''manhole rings,''; and

(3) by adding at the end before the period the following: ''in a location such that it will remain visible after installation''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to the importation of castings described in such amendments on or after the date that is 180 days after such date of enactment.

SEC. 912. 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.

SEC. 913. IMPROVED COLLECTION AND USE OF LABOR MARKET INFORMATION.

Section 1137 of the Social Security Act (42 U.S.C. 1320b–7) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''(including the occupational information under subsection (g))'' after ''paragraph (3) of this subsection''; and

(B) in paragraph (3), by striking ''employers (as defined'' and inserting ''subject to subsection (g), employers (as defined''; and

(2) by adding at the end the following new subsection:

''(g)(1) Beginning January 1, 2017, each quarterly wage report required to be submitted by an employer under subsection (a)(3) shall include such occupational information with respect to each employee of the employer that permits the classification of such employees into occupational categories as found in the Standard Occupational Classification (SOC) system.

''(2) The State agency receiving the occupational information described in paragraph (1) shall make such information available to the Secretary of Labor pursuant to procedures established by the Secretary of Labor.

''(3)(A) The Secretary of Labor shall make occupational information submitted under paragraph (2) available to other State and Federal agencies, including the United States Census Bureau, the Bureau of Labor Statistics, and other State and Federal research agencies.

''(B) Disclosure of occupational information under subparagraph (A) shall be subject to the agency having safeguards in place that meet the requirements under paragraph (4).

''(4) The Secretary of Labor shall establish and implement safeguards for the dissemination and, subject to paragraph (5), the use of occupational information received under this subsection.

''(5) Occupational information received under this subsection shall only be used to classify employees into occupational categories as found in the Standard Occupational Classification (SOC) system and to analyze and evaluate occupations in order to improve the labor market for workers and industries.

''(6) The Secretary of Labor shall establish procedures to verify the accuracy of information received under paragraph (2).''.

SEC. 914. STATEMENTS OF POLICY WITH RESPECT TO ISRAEL.

Congress—

(1) supports the strengthening of United States-Israel economic cooperation and recognizes the tremendous strategic, economic, and technological value of cooperation with Israel;

(2) recognizes the benefit of cooperation with Israel to United States companies, including by improving United States competitiveness in global markets;

(3) recognizes the importance of trade and commercial relations to the pursuit and sustainability of peace, and supports efforts to bring together the United States, Israel, the Palestinian territories, and others in enhanced commerce;

(4) opposes politically motivated actions that penalize or otherwise limit commercial relations specifically with Israel such as boycotts, divestment or sanctions;

(5) notes that the boycott, divestment, and sanctioning of Israel by governments, governmental bodies, quasi-governmental bodies, international organizations, and other such entities is contrary to the General Agreement on Tariffs and Trade (GATT) principle of nondiscrimination;

(6) encourages the inclusion of politically motivated actions that penalize or otherwise limit commercial relations specifically with Israel such as boycotts, divestment from, or sanctions against Israel as a topic of discussion at the U.S.-Israel Joint Economic Development Group (JEDG) and other areas to support the strengthening of the United States–Israel commercial relationship and combat any commercial discrimination against Israel;

(7) supports efforts to prevent investigations or prosecutions by governments or international organizations of United States persons on the sole basis of such persons doing business with Israel, with Israeli entities, or in territories controlled by Israel; and

(8) supports States of the United States examining a company's promotion or compliance with unsanctioned boycotts, divestment from, or sanctions against Israel as part of its consideration in awarding grants and contracts and supports the divestment of State assets from companies that support or promote actions to boycott, divest from, or sanction Israel.

TITLE X—OFFSETS

SEC. 1001. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.

(a) IN GENERAL.—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.

''(a) IN GENERAL.—If the Secretary receives certification by the Commissioner of Internal Revenue that any individual has a seriously delinquent tax debt in an amount in excess of $50,000, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 1001(d) of the Trade Facilitation and Trade Enforcement Act of 2015.

''(b) SERIOUSLY DELINQUENT TAX DEBT.—For purposes of this section, the term 'seriously delinquent tax debt' means an outstanding debt under this title for which a notice of lien has been filed in public records pursuant to section 6323 or a notice of levy has been filed pursuant to section 6331, except that such term does not include—

''(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122, and

''(2) a debt with respect to which collection is suspended because a collection due process hearing under section 6330, or relief under subsection (b), (c), or (f) of section 6015, is requested or pending.

''(c) ADJUSTMENT FOR INFLATION.—In the case of a calendar year beginning after 2016, the dollar amount in subsection (a) shall be increased by an amount equal to—

''(1) such dollar amount, multiplied by

''(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $1,000, such amount shall be rounded to the next highest multiple of $1,000.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.''.

(c) AUTHORITY FOR INFORMATION SHARING.—

(1) IN GENERAL.—Subsection (l) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(23) DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.—

''(A) IN GENERAL.—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax debt described in such section. Such return information shall be limited to—

''(i) the taxpayer identity information with respect to such taxpayer, and

''(ii) the amount of such seriously delinquent tax debt.

''(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 1001(d) of the Trade Facilitation and Trade Enforcement Act of 2015.''.

(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking ''or (22)'' each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting ''(22), or (23)''.

(d) AUTHORITY TO DENY OR REVOKE PASSPORT.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State shall not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in such subparagraph.

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(3) HOLD HARMLESS.—The Secretary of the Treasury and the Secretary of State shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.

(e) REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(f) EFFECTIVE DATE.—The provisions of, and amendments made by, this section shall take effect on January 1, 2016.

SEC. 1002. CUSTOMS USER FEES.

(a) IN GENERAL.—Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended by adding at the end the following:

''(C) Fees may be charged under paragraphs (9) and (10) of subsection (a) during the period beginning on July 8, 2025, and ending on July 28, 2025.''.

(b) RATE FOR MERCHANDISE PROCESSING FEES.—Section 503 of the United States–Korea Free Trade Agreement Implementation Act (Public Law 112–41; 125 Stat. 460) is amended—

(1) by striking ''For the period'' and inserting ''(a) IN GENERAL.—For the period''; and

(2) by adding at the end the following:

''(b) ADDITIONAL PERIOD.—For the period beginning on July 1, 2025, and ending on July 14, 2025, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

''(1) in subparagraph (A), by substituting '0.3464' for '0.21'; and

''(2) in subparagraph (B)(i), by substituting '0.3464' for '0.21'.''.

Amend the title so as to read: ''An Act to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes.''.

MOTION OFFERED BY MR. TIBERI

Mr. TIBERI. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Tiberi moves that the House concur in the Senate amendment to the title of H.R. 644 and concur in the Senate amendment to the text of H.R. 644 with the amendment printed in part A of House Report 114–146 modified by the amendment printed in part B of that report.

The text of the House amendment to the Senate amendments to the text is as follows:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the text of the bill, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Trade Facilitation and Trade Enforcement Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) AUTOMATED COMMERCIAL ENVIRONMENT.—The term ''Automated Commercial Environment'' means the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)).

(2) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of U.S. Customs and Border Protection, as described in section 411(b) of the Homeland Security Act of 2002, as added by section 802(a) of this Act.

(3) CUSTOMS AND TRADE LAWS OF THE UNITED STATES.—The term ''customs and trade laws of the United States'' includes the following:

(A) The Tariff Act of 1930 (19 U.S.C. 1202 et seq.).

(B) Section 249 of the Revised Statutes (19 U.S.C. 3).

(C) Section 2 of the Act of March 4, 1923 (42 Stat. 1453, chapter 251; 19 U.S.C. 6).

(D) The Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.).

(E) Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c).

(F) Section 251 of the Revised Statutes (19 U.S.C. 66).

(G) Section 1 of the Act of June 26, 1930 (46 Stat. 817, chapter 617; 19 U.S.C. 68).

(H) The Foreign Trade Zones Act (19 U.S.C. 81a et seq.).

(I) Section 1 of the Act of March 2, 1911 (36 Stat. 965, chapter 191; 19 U.S.C. 198).

(J) The Trade Act of 1974 (19 U.S.C. 2102 et seq.).

(K) The Trade Agreements Act of 1979 (19 U.S.C. 2501 et seq.).

(L) The North American Free Trade Agreement Implementation Act (19 U.S.C. 3301 et seq.).

(M) The Uruguay Round Agreements Act (19 U.S.C. 3501 et seq.).

(N) The Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.).

(O) The Andean Trade Preference Act (19 U.S.C. 3201 et seq.).

(P) The African Growth and Opportunity Act (19 U.S.C. 3701 et seq.).

(Q) The Customs Enforcement Act of 1986 (Public Law 99–570; 100 Stat. 3207–79).

(R) The Customs and Trade Act of 1990 (Public Law 101–382; 104 Stat. 629).

(S) The Customs Procedural Reform and Simplification Act of 1978 (Public Law 95–410; 92 Stat. 888).

(T) The Trade Act of 2002 (Public Law 107–210; 116 Stat. 933).

(U) The Convention on Cultural Property Implementation Act (19 U.S.C. 2601 et seq.).

(V) The Act of March 28, 1928 (45 Stat. 374, chapter 266; 19 U.S.C. 2077 et seq.).

(W) The Act of August 7, 1939 (53 Stat. 1263, chapter 566).

(X) Any other provision of law implementing a trade agreement.

(Y) Any other provision of law vesting customs revenue functions in the Secretary of the Treasury.

(Z) Any other provision of law relating to trade facilitation or trade enforcement that is administered by U.S. Customs and Border Protection on behalf of any Federal agency that is required to participate in the International Trade Data System.

(AA) Any other provision of customs or trade law administered by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement.

(4) PRIVATE SECTOR ENTITY.—The term ''private sector entity'' means—

(A) an importer;

(B) an exporter;

(C) a forwarder;

(D) an air, sea, or land carrier or shipper;

(E) a contract logistics provider;

(F) a customs broker; or

(G) any other person (other than an employee of a government) affected by the implementation of the customs and trade laws of the United States.

(5) TRADE ENFORCEMENT.—The term ''trade enforcement'' means the enforcement of the customs and trade laws of the United States.

(6) TRADE FACILITATION.—The term ''trade facilitation'' refers to policies and activities of U.S. Customs and Border Protection with respect to facilitating the movement of merchandise into and out of the United States in a manner that complies with the customs and trade laws of the United States.

TITLE I—TRADE FACILITATION AND TRADE ENFORCEMENT

SEC. 101. IMPROVING PARTNERSHIP PROGRAMS.

(a) IN GENERAL.—In order to advance the security, trade enforcement, and trade facilitation missions of U.S. Customs and Border Protection, the Commissioner shall ensure that partnership programs of U.S. Customs and Border Protection established before the date of the enactment of this Act, such as the Customs–Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 961 et seq.), and partnership programs of U.S. Customs and Border Protection established on or after such date of enactment, provide trade benefits to private sector entities that meet the requirements for participation in those programs established by the Commissioner under this section.

(b) ELEMENTS.—In developing and operating partnership programs under subsection (a), the Commissioner shall—

(1) consult with private sector entities, the public, and other Federal agencies when appropriate, to ensure that participants in those programs receive commercially significant and measurable trade benefits, including providing pre-clearance of merchandise for qualified persons that demonstrate the highest levels of compliance with the customs and trade laws of the United States, regulations of U.S. Customs and Border Protection, and other requirements the Commissioner determines to be necessary;

(2) ensure an integrated and transparent system of trade benefits and compliance requirements for all partnership programs of U.S. Customs and Border Protection;

(3) consider consolidating partnership programs in situations in which doing so would support the objectives of such programs, increase participation in such programs, enhance the trade benefits provided to participants in such programs, and enhance the allocation of the resources of U.S. Customs and Border Protection;

(4) coordinate with the Director of U.S. Immigration and Customs Enforcement, and other Federal agencies with authority to detain and release merchandise entering the United States—

(A) to ensure coordination in the release of such merchandise through the Automated Commercial Environment, or its predecessor, and the International Trade Data System;

(B) to ensure that the partnership programs of those agencies are compatible with the partnership programs of U.S. Customs and Border Protection;

(C) to develop criteria for authorizing the release, on an expedited basis, of merchandise for which documentation is required from one or more of those agencies to clear or license the merchandise for entry into the United States; and

(D) to create pathways, within and among the appropriate Federal agencies, for qualified persons that demonstrate the highest levels of compliance with the customs and trade laws of the United States to receive immediate clearance absent information that a transaction may pose a national security or compliance threat; and

(5) ensure that trade benefits are provided to participants in partnership programs.

(c) REPORT REQUIRED.—Not later than the date that is 180 days after the date of the enactment of this Act, and not later than December 31 of each calendar year thereafter, the Commissioner shall submit to the appropriate congressional committees a report that—

(1) identifies each partnership program referred to in subsection (a);

(2) for each such program, identifies—

(A) the requirements for participants in the program;

(B) the commercially significant and measurable trade benefits provided to participants in the program;

(C) the number of participants in the program; and

(D) in the case of a program that provides for participation at multiple tiers, the number of participants at each such tier;

(3) identifies the number of participants enrolled in more than one such partnership program;

(4) assesses the effectiveness of each such partnership program in advancing the security, trade enforcement, and trade facilitation missions of U.S. Customs and Border Protection, based on historical developments, the level of participation in the program, and the evolution of benefits provided to participants in the program;

(5) summarizes the efforts of U.S. Customs and Border Protection to work with other Federal agencies with authority to detain and release merchandise entering the United States to ensure that partnership programs of those agencies are compatible with partnership programs of U.S. Customs and Border Protection;

(6) summarizes criteria developed with those agencies for authorizing the release, on an expedited basis, of merchandise for which documentation is required from one or more of those agencies to clear or license the merchandise for entry into the United States;

(7) summarizes the efforts of U.S. Customs and Border Protection to work with private sector entities and the public to develop and improve partnership programs referred to in subsection (a);

(8) describes measures taken by U.S. Customs and Border Protection to make private sector entities aware of the trade benefits available to participants in such programs; and

(9) summarizes the plans, targets, and goals of U.S. Customs and Border Protection with respect to such programs for the 2 years following the submission of the report.

SEC. 102. REPORT ON EFFECTIVENESS OF TRADE ENFORCEMENT ACTIVITIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the effectiveness of trade enforcement activities of U.S. Customs and Border Protection.

(b) CONTENTS.—The report required by subsection (a) shall include—

(1) a description of the use of resources, results of audits and verifications, targeting, organization, and training of personnel of U.S. Customs and Border Protection; and

(2) a description of trade enforcement activities to address undervaluation, transshipment, legitimacy of entities making entry, protection of revenues, fraud prevention and detection, and penalties, including intentional misclassification, inadequate bonding, and other misrepresentations.

SEC. 103. PRIORITIES AND PERFORMANCE STANDARDS FOR CUSTOMS MODERNIZATION, TRADE FACILITATION, AND TRADE ENFORCEMENT FUNCTIONS AND PROGRAMS.

(a) PRIORITIES AND PERFORMANCE STANDARDS.—

(1) IN GENERAL.—The Commissioner, in consultation with the appropriate congressional committees, shall establish priorities and performance standards to measure the development and levels of achievement of the customs modernization, trade facilitation, and trade enforcement functions and programs described in subsection (b).

(2) MINIMUM PRIORITIES AND STANDARDS.—Such priorities and performance standards

shall, at a minimum, include priorities and standards relating to efficiency, outcome, output, and other types of applicable measures.

(b) FUNCTIONS AND PROGRAMS DESCRIBED.—The functions and programs referred to in subsection (a) are the following:

(1) The Automated Commercial Environment.

(2) Each of the priority trade issues described in section 118.

(3) The Centers of Excellence and Expertise described in section 110.

(4) Drawback for exported merchandise under section 313 of the Tariff Act of 1930 (19 U.S.C. 1313), as amended by section 906 of this Act.

(5) Transactions relating to imported merchandise in bond.

(6) Collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.).

(7) The expedited clearance of cargo.

(8) The issuance of regulations and rulings.

(9) The issuance of Regulatory Audit Reports.

(c) CONSULTATIONS AND NOTIFICATION.—

(1) CONSULTATIONS.—The consultations required by subsection (a)(1) shall occur, at a minimum, on an annual basis.

(2) NOTIFICATION.—The Commissioner shall notify the appropriate congressional committees of any changes to the priorities referred to in subsection (a) not later than 30 days before such changes are to take effect.

SEC. 104. EDUCATIONAL SEMINARS TO IMPROVE EFFORTS TO CLASSIFY AND APPRAISE IMPORTED ARTICLES, TO IMPROVE TRADE ENFORCEMENT EFFORTS, AND TO OTHERWISE FACILITATE LEGITIMATE INTERNATIONAL TRADE.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—The Commissioner and the Director shall establish and carry out on a fiscal year basis educational seminars to—

(A) improve the ability of U.S. Customs and Border Protection personnel to classify and appraise articles imported into the United States in accordance with the customs and trade laws of the United States;

(B) improve the trade enforcement efforts of U.S. Customs and Border Protection personnel and U.S. Immigration and Customs Enforcement personnel; and

(C) otherwise improve the ability and effectiveness of U.S. Customs and Border Protection personnel and U.S. Immigration and Customs Enforcement personnel to facilitate legitimate international trade.

(b) CONTENT.—

(1) CLASSIFYING AND APPRAISING IMPORTED ARTICLES.—In carrying out subsection (a)(1)(A), the Commissioner, the Director, and interested parties in the private sector selected under subsection (c) shall provide instruction and related instructional materials at each educational seminar under this section to U.S. Customs and Border Protection personnel and, as appropriate, to U.S. Immigration and Customs Enforcement personnel on the following:

(A) Conducting a physical inspection of an article imported into the United States, including testing of samples of the article, to determine if the article is mislabeled in the manifest or other accompanying documentation.

(B) Reviewing the manifest and other accompanying documentation of an article imported into the United States to determine if the country of origin of the article listed in the manifest or other accompanying documentation is accurate.

(C) Customs valuation.

(D) Industry supply chains and other related matters as determined to be appropriate by the Commissioner.

(2) TRADE ENFORCEMENT EFFORTS.—In carrying out subsection (a)(1)(B), the Commissioner, the Director, and interested parties in the private sector selected under subsection (c) shall provide instruction and related instructional materials at each educational seminar under this section to U.S. Customs and Border Protection personnel and, as appropriate, to U.S. Immigration and Customs Enforcement personnel to identify opportunities to enhance enforcement of the following:

(A) Collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.).

(B) Addressing evasion of duties on imports of textiles.

(C) Protection of intellectual property rights.

(D) Enforcement of child labor laws.

(3) APPROVAL OF COMMISSIONER AND DIRECTOR.—The instruction and related instructional materials at each educational seminar under this section shall be subject to the approval of the Commissioner and the Director.

(c) SELECTION PROCESS.—

(1) IN GENERAL.—The Commissioner shall establish a process to solicit, evaluate, and select interested parties in the private sector for purposes of assisting in providing instruction and related instructional materials described in subsection (b) at each educational seminar under this section.

(2) CRITERIA.—The Commissioner shall evaluate and select interested parties in the private sector under the process established under paragraph (1) based on—

(A) availability and usefulness;

(B) the volume, value, and incidence of mislabeling or misidentification of origin of imported articles; and

(C) other appropriate criteria established by the Commissioner.

(3) PUBLIC AVAILABILITY.—The Commissioner and the Director shall publish in the Federal Register a detailed description of the process established under paragraph (1) and the criteria established under paragraph (2).

(d) SPECIAL RULE FOR ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.—

(1) IN GENERAL.—The Commissioner shall give due consideration to carrying out an educational seminar under this section in whole or in part to improve the ability of U.S. Customs and Border Protection personnel to enforce a countervailing or antidumping duty order issued under section 706 or 736 of the Tariff Act of 1930 (19 U.S.C. 1671e or 1673e) upon the request of a petitioner in an action underlying such countervailing or antidumping duty order.

(2) INTERESTED PARTY.—A petitioner described in paragraph (1) shall be treated as an interested party in the private sector for purposes of the requirements of this section.

(e) PERFORMANCE STANDARDS.—The Commissioner and the Director shall establish performance standards to measure the development and level of achievement of educational seminars under this section.

(f) REPORTING.—Beginning September 30, 2016, the Commissioner and the Director shall submit to the appropriate congressional committees an annual report on the effectiveness of educational seminars under this section.

(g) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term ''Director'' means the Director of U.S. Immigration and Customs Enforcement.

(2) UNITED STATES.—The term ''United States'' means the customs territory of the United States, as defined in General Note 2 to the Harmonized Tariff Schedule of the United States.

(3) U.S. CUSTOMS AND BORDER PROTECTION PERSONNEL.—The term ''U.S. Customs and Border Protection personnel'' means import specialists, auditors, and other appropriate employees of the U.S. Customs and Border Protection.

(4) U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT PERSONNEL.—The term ''U.S. Immigration and Customs Enforcement personnel'' means Homeland Security Investigations Directorate personnel and other appropriate employees of U.S. Immigration and Customs Enforcement.

SEC. 105. JOINT STRATEGIC PLAN.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and every 2 years thereafter, the Commissioner and the Director of U.S. Immigration and Customs Enforcement shall jointly develop and submit to the appropriate congressional committees a joint strategic plan.

(b) CONTENTS.—The joint strategic plan required under this section shall be comprised of a comprehensive multi-year plan for trade enforcement and trade facilitation, and shall include—

(1) a summary of actions taken during the 2-year period preceding the submission of the plan to improve trade enforcement and trade facilitation, including a description and analysis of specific performance measures to evaluate the progress of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement in meeting each such responsibility;

(2) a statement of objectives and plans for further improving trade enforcement and trade facilitation;

(3) a specific identification of the priority trade issues described in section 118, that can be addressed in order to enhance trade enforcement and trade facilitation, and a description of strategies and plans for addressing each such issue;

(4) a description of efforts made to improve consultation and coordination among and within Federal agencies, and in particular between U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, regarding trade enforcement and trade facilitation;

(5) a description of the training that has occurred to date within U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to improve trade enforcement and trade facilitation, including training under section 104;

(6) a description of efforts to work with the World Customs Organization and other international organizations, in consultation with other Federal agencies as appropriate, with respect to enhancing trade enforcement and trade facilitation;

(7) a description of U.S. Custom and Border Protection organizational benchmarks for optimizing staffing and wait times at ports of entry;

(8) a specific identification of any domestic or international best practices that may further improve trade enforcement and trade facilitation;

(9) any legislative recommendations to further improve trade enforcement and trade facilitation; and

(10) a description of efforts made to improve consultation and coordination with the private sector to enhance trade enforcement and trade facilitation.

(c) CONSULTATIONS.—

(1) IN GENERAL.—In developing the joint strategic plan required under this section, the Commissioner and the Director of U.S.

Immigration and Customs Enforcement shall consult with—

(A) appropriate officials from the relevant Federal agencies, including—

(i) the Department of the Treasury;

(ii) the Department of Agriculture;

(iii) the Department of Commerce;

(iv) the Department of Justice;

(v) the Department of the Interior;

(vi) the Department of Health and Human Services;

(vii) the Food and Drug Administration;

(viii) the Consumer Product Safety Commission; and

(ix) the Office of the United States Trade Representative; and

(B) the Commercial Customs Operations Advisory Committee established by section 109.

(2) OTHER CONSULTATIONS.—In developing the joint strategic plan required under this section, the Commissioner and the Director shall seek to consult with—

(A) appropriate officials from relevant foreign law enforcement agencies and international organizations, including the World Customs Organization; and

(B) interested parties in the private sector.

SEC. 106. AUTOMATED COMMERCIAL ENVIRONMENT.

(a) FUNDING.—Section 13031(f)(4)(B) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)(B)) is amended—

(1) by striking ''2003 through 2005'' and inserting ''2016 through 2018'';

(2) by striking ''such amounts as are available in that Account'' and inserting ''not less than $153,736,000''; and

(3) by striking ''for the development'' and inserting ''to complete the development and implementation''.

(b) REPORT.—Section 311(b)(3) of the Customs Border Security Act of 2002 (19 U.S.C. 2075 note) is amended to read as follows:

''(3) REPORT.—

''(A) IN GENERAL.—Not later than December 31, 2016, the Commissioner of U.S. Customs and Border Protection shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives a report detailing—

''(i) U.S. Customs and Border Protection's incorporation of all core trade processing capabilities, including cargo release, entry summary, cargo manifest, cargo financial data, and export data elements into the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget and Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)) not later than September 30, 2016, to conform with the admissibility criteria of agencies participating in the International Trade Data System identified pursuant to section 411(d)(4)(A)(iii) of the Tariff Act of 1930;

''(ii) U.S. Customs and Border Protection's remaining priorities for processing entry summary data elements, cargo manifest data elements, cargo financial data elements, and export elements in the Automated Commercial Environment computer system, and the objectives and plans for implementing these remaining priorities;

''(iii) the components of the National Customs Automation Program specified in subsection (a)(2) of section 411 of the Tariff Act of 1930 that have not been implemented; and

''(iv) any additional components of the National Customs Automation Program initiated by the Commissioner to complete the development, establishment, and implementation of the Automated Commercial Environment computer system.

''(B) UPDATE OF REPORTS.—Not later than September 30, 2017, the Commissioner shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives an updated report addressing each of the matters referred to in subparagraph (A), and—

''(i) evaluating the effectiveness of the implementation of the Automated Commercial Environment computer system; and

''(ii) detailing the percentage of trade processed in the Automated Commercial Environment every month since September 30, 2016.''.

(c) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than December 31, 2017, the Comptroller General of the United States shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives a report—

(1) assessing the progress of other Federal agencies in accessing and utilizing the Automated Commercial Environment; and

(2) assessing the potential cost savings to the United States Government and importers and exporters and the potential benefits to enforcement of the customs and trade laws of the United States if the elements identified in clauses (i) through (iv) of section 311(b)(3)(A) of the Customs Border Security Act of 2002, as amended by subsection (b) of this section, are implemented.

SEC. 107. INTERNATIONAL TRADE DATA SYSTEM.

Section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d)) is amended—

(1) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively;

(2) by inserting after paragraph (3) the following:

''(4) INFORMATION TECHNOLOGY INFRASTRUCTURE.—

''(A) IN GENERAL.—The Secretary shall work with the head of each agency participating in the ITDS and the Interagency Steering Committee to ensure that each agency—

''(i) develops and maintains the necessary information technology infrastructure to support the operation of the ITDS and to submit all data to the ITDS electronically;

''(ii) enters into a memorandum of understanding, or takes such other action as is necessary, to provide for the information sharing between the agency and U.S. Customs and Border Protection necessary for the operation and maintenance of the ITDS;

''(iii) not later than June 30, 2016, identifies and transmits to the Commissioner of U.S. Customs and Border Protection the admissibility criteria and data elements required by the agency to authorize the release of cargo by U.S. Customs and Border Protection for incorporation into the operational functionality of the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget and Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)); and

''(iv) not later than December 31, 2016, utilizes the ITDS as the primary means of receiving from users the standard set of data and other relevant documentation, exclusive of applications for permits, licenses, or certifications required for the release of imported cargo and clearance of cargo for export.

''(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to require any action to be taken that would compromise an ongoing law enforcement investigation or national security.''; and

(3) in paragraph (8), as redesignated, by striking ''section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note)'' and inserting ''section 109 of the Trade Facilitation and Trade Enforcement Act of 2015''.

SEC. 108. CONSULTATIONS WITH RESPECT TO MUTUAL RECOGNITION ARRANGEMENTS.

(a) CONSULTATIONS.—The Secretary of Homeland Security, with respect to any proposed mutual recognition arrangement or similar agreement between the United States and a foreign government providing for mutual recognition of supply chain security programs and customs revenue functions, shall consult—

(1) not later than 30 days before initiating negotiations to enter into any such arrangement or similar agreement, with the appropriate congressional committees; and

(2) not later than 30 days before entering into any such arrangement or similar agreement, with the appropriate congressional committees.

(b) NEGOTIATING OBJECTIVE.—It shall be a negotiating objective of the United States in any negotiation for a mutual recognition arrangement with a foreign country on partnership programs, such as the Customs-Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 961 et seq.), to seek to ensure the compatibility of the partnership programs of that country with the partnership programs of U.S. Customs and Border Protection to enhance security, trade facilitation, and trade enforcement.

SEC. 109. COMMERCIAL CUSTOMS OPERATIONS ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Not later than the date that is 60 days after the date of the enactment of this Act, the Secretary of the Treasury and the Secretary of Homeland Security shall jointly establish a Commercial Customs Operations Advisory Committee (in this section referred to as the ''Advisory Committee'').

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Committee shall be comprised of—

(A) 20 individuals appointed under paragraph (2);

(B) the Assistant Secretary for Tax Policy of the Department of the Treasury and the Commissioner, who shall jointly co-chair meetings of the Advisory Committee; and

(C) the Assistant Secretary for Policy and the Director of U.S. Immigration and Customs Enforcement of the Department of Homeland Security, who shall serve as deputy co-chairs of meetings of the Advisory Committee.

(2) APPOINTMENT.—

(A) IN GENERAL.—The Secretary of the Treasury and the Secretary of Homeland Security shall jointly appoint 20 individuals from the private sector to the Advisory Committee.

(B) REQUIREMENTS.—In making appointments under subparagraph (A), the Secretary of the Treasury and the Secretary of Homeland Security shall appoint members—

(i) to ensure that the membership of the Advisory Committee is representative of the individuals and firms affected by the commercial operations of U.S. Customs and Border Protection; and

(ii) without regard to political affiliation.

(C) TERMS.—Each individual appointed to the Advisory Committee under this paragraph shall be appointed for a term of not more than 3 years, and may be reappointed to subsequent terms, but may not serve more than 2 terms sequentially.

(3) TRANSFER OF MEMBERSHIP.—The Secretary of the Treasury and the Secretary of Homeland Security may transfer members

serving on the Advisory Committee on Commercial Operations of the United States Customs Service established under section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) on the day before the date of the enactment of this Act to the Advisory Committee established under subsection (a).

(c) DUTIES.—The Advisory Committee established under subsection (a) shall—

(1) advise the Secretary of the Treasury and the Secretary of Homeland Security on all matters involving the commercial operations of U.S. Customs and Border Protection, including advising with respect to significant changes that are proposed with respect to regulations, policies, or practices of U.S. Customs and Border Protection;

(2) provide recommendations to the Secretary of the Treasury and the Secretary of Homeland Security on improvements to the commercial operations of U.S. Customs and Border Protection;

(3) collaborate in developing the agenda for Advisory Committee meetings; and

(4) perform such other functions relating to the commercial operations of U.S. Customs and Border Protection as prescribed by law or as the Secretary of the Treasury and the Secretary of Homeland Security jointly direct.

(d) MEETINGS.—

(1) IN GENERAL.—The Advisory Committee shall meet at the call of the Secretary of the Treasury and the Secretary of Homeland Security, or at the call of not less than ⅔ of the membership of the Advisory Committee. The Advisory Committee shall meet at least 4 times each calendar year.

(2) OPEN MEETINGS.—Notwithstanding section 10(a) of the Federal Advisory Committee Act (5 U.S.C. App.), the Advisory Committee meetings shall be open to the public unless the Secretary of the Treasury or the Secretary of Homeland Security determines that the meeting will include matters the disclosure of which would compromise the development of policies, priorities, or negotiating objectives or positions that could impact the commercial operations of U.S. Customs and Border Protection or the operations or investigations of U.S. Immigration and Customs Enforcement.

(e) ANNUAL REPORT.—Not later than December 31, 2016, and annually thereafter, the Advisory Committee shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that—

(1) describes the activities of the Advisory Committee during the preceding fiscal year; and

(2) sets forth any recommendations of the Advisory Committee regarding the commercial operations of U.S. Customs and Border Protection.

(f) TERMINATION.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.; relating to the termination of advisory committees) shall not apply to the Advisory Committee.

(g) CONFORMING AMENDMENT.—

(1) IN GENERAL.—Effective on the date on which the Advisory Committee is established under subsection (a), section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) is repealed.

(2) REFERENCE.—Any reference in law to the Advisory Committee on Commercial Operations of the United States Customs Service established under section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) made on or after the date on which the Advisory Committee is established under subsection (a), shall be deemed a reference to the Commercial Customs Operations Advisory Committee established under subsection (a).

SEC. 110. CENTERS OF EXCELLENCE AND EXPERTISE.

(a) IN GENERAL.—The Commissioner shall, in consultation with the appropriate congressional committees and the Commercial Customs Operations Advisory Committee established by section 109, develop and implement Centers of Excellence and Expertise throughout U.S. Customs and Border Protection that—

(1) enhance the economic competitiveness of the United States by consistently enforcing the laws and regulations of the United States at all ports of entry of the United States and by facilitating the flow of legitimate trade through increasing industry-based knowledge;

(2) improve enforcement efforts, including enforcement of priority trade issues described in section 118, in specific industry sectors through the application of targeting information from the National Targeting Center under section 111 and from other means of verification;

(3) build upon the expertise of U.S. Customs and Border Protection in particular industry operations, supply chains, and compliance requirements;

(4) promote the uniform implementation at each port of entry of the United States of policies and regulations relating to imports;

(5) centralize the trade enforcement and trade facilitation efforts of U.S. Customs and Border Protection;

(6) formalize an account-based approach to apply, as the Commissioner determines appropriate, to the importation of merchandise into the United States;

(7) foster partnerships though the expansion of trade programs and other trusted partner programs;

(8) develop applicable performance measurements to meet internal efficiency and effectiveness goals; and

(9) whenever feasible, facilitate a more efficient flow of information between Federal agencies.

(b) REPORT.—Not later than December 31, 2016, the Commissioner shall submit to the appropriate congressional committees a report describing—

(1) the scope, functions, and structure of each Center of Excellence and Expertise developed and implemented under subsection (a);

(2) the effectiveness of each such Center of Excellence and Expertise in improving enforcement efforts, including enforcement of priority trade issues described in section 118, and facilitating legitimate trade;

(3) the quantitative and qualitative benefits of each such Center of Excellence and Expertise to the trade community, including through fostering partnerships through the expansion of trade programs such as the Importer Self Assessment program and other trusted partner programs;

(4) all applicable performance measurements with respect to each such Center of Excellence and Expertise, including performance measures with respect to meeting internal efficiency and effectiveness goals;

(5) the performance of each such Center of Excellence and Expertise in increasing the accuracy and completeness of data with respect to international trade and facilitating a more efficient flow of information between Federal agencies; and

(6) any planned changes in the number, scope, functions or any other aspect of the Centers of Excellence and Expertise developed and implemented under subsection (a).

SEC. 111. COMMERCIAL RISK ASSESSMENT TARGETING AND TRADE ALERTS.

(a) COMMERCIAL RISK ASSESSMENT TARGETING.—In carrying out its duties under section 411(g)(4) of the Homeland Security Act of 2002, as added by section 802(a) of this Act, the National Targeting Center shall—

(1) establish targeted risk assessment methodologies and standards—

(A) for evaluating the risk that cargo destined for the United States may violate the customs and trade laws of the United States, particularly those laws applicable to merchandise subject to the priority trade issues described in section 118; and

(B) for issuing, as appropriate, Trade Alerts described in subsection (b);

(2) to the extent practicable and otherwise authorized by law, use, to administer the methodologies and standards established under paragraph (1)—

(A) publicly available information;

(B) information available from the Automated Commercial System, the Automated Commercial Environment computer system, the Automated Targeting System, the Automated Export System, the International Trade Data System, the TECS (formerly known as the ''Treasury Enforcement Communications System''), the case management system of U.S. Immigration and Customs Enforcement, and any successor systems; and

(C) information made available to the National Targeting Center, including information provided by private sector entities; and

(3) provide for the receipt and transmission to the appropriate U.S. Customs and Border Protection offices of allegations from interested parties in the private sector of violations of customs and trade laws of the United States of merchandise relating to the priority trade issues described in section 118.

(b) TRADE ALERTS.—

(1) ISSUANCE.—In carrying out its duties under section 411(g)(4) of the Homeland Security Act of 2002, as added by section 802(a) of this Act, and based upon the application of the targeted risk assessment methodologies and standards established under subsection (a), the Executive Director of the National Targeting Center may issue Trade Alerts to directors of United States ports of entry directing further inspection, or physical examination or testing, of specific merchandise to ensure compliance with all applicable customs and trade laws and regulations administered by U.S. Customs and Border Protection.

(2) DETERMINATIONS NOT TO IMPLEMENT TRADE ALERTS.—The director of a United States port of entry may determine not to conduct further inspections, or physical examination or testing, pursuant to a Trade Alert issued under paragraph (1) if—

(A) the director finds that such a determination is justified by port security interests; and

(B) not later than 48 hours after making the determination, notifies the Assistant Commissioner of the Office of Field Operations of U.S. Customs and Border Protection of the determination and the reasons for the determination.

(3) SUMMARY OF DETERMINATIONS NOT TO IMPLEMENT.—The Assistant Commissioner of the Office of Field Operations of U.S. Customs and Border Protection shall—

(A) compile an annual public summary of all determinations by directors of United States ports of entry under paragraph (2) and the reasons for those determinations;

(B) conduct an evaluation of the utilization of Trade Alerts issued under paragraph (1); and

(C) not later than December 31 of each year, submit the summary to the appropriate congressional committees.

(4) INSPECTION DEFINED.—In this subsection, the term ''inspection'' means the comprehensive evaluation process used by U.S. Customs and Border Protection, other

than physical examination or testing, to permit the entry of merchandise into the United States, or the clearance of merchandise for transportation in bond through the United States, for purposes of—

(A) assessing duties;

(B) identifying restricted or prohibited items; and

(C) ensuring compliance with all applicable customs and trade laws and regulations administered by U.S. Customs and Border Protection.

(c) USE OF TRADE DATA FOR COMMERCIAL ENFORCEMENT PURPOSES.—Section 343(a)(3)(F) of the Trade Act of 2002 (19 U.S.C. 2071 note) is amended to read as follows:

''(F) The information collected pursuant to the regulations shall be used exclusively for ensuring cargo safety and security, preventing smuggling, and commercial risk assessment targeting, and shall not be used for any commercial enforcement purposes, including for determining merchandise entry. Notwithstanding the preceding sentence, nothing in this section shall be treated as amending, repealing, or otherwise modifying title IV of the Tariff Act of 1930 or regulations promulgated thereunder.''.

SEC. 112. REPORT ON OVERSIGHT OF REVENUE PROTECTION AND ENFORCEMENT MEASURES.

(a) IN GENERAL.—Not later the March 31, 2016, and not later than March 31 of each second year thereafter, the Inspector General of the Department of the Treasury shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report assessing, with respect to the period covered by the report, as specified in subsection (b), the following:

(1) The effectiveness of the measures taken by U.S. Customs and Border Protection with respect to protection of revenue, including—

(A) the collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.);

(B) the assessment, collection, and mitigation of commercial fines and penalties;

(C) the use of bonds, including continuous and single transaction bonds, to secure that revenue; and

(D) the adequacy of the policies of U.S. Customs and Border Protection with respect to the monitoring and tracking of merchandise transported in bond and collecting duties, as appropriate.

(2) The effectiveness of actions taken by U.S. Customs and Border Protection to measure accountability and performance with respect to protection of revenue.

(3) The number and outcome of investigations instituted by U.S. Customs and Border Protection with respect to the underpayment of duties.

(4) The effectiveness of training with respect to the collection of duties provided for personnel of U.S. Customs and Border Protection.

(b) PERIOD COVERED BY REPORT.—Each report required by subsection (a) shall cover the period of 2 fiscal years ending on September 30 of the calendar year preceding the submission of the report.

SEC. 113. REPORT ON SECURITY AND REVENUE MEASURES WITH RESPECT TO MERCHANDISE TRANSPORTED IN BOND.

(a) IN GENERAL.—Not later than December 31 of 2016, 2017, and 2018, the Secretary of Homeland Security and the Secretary of the Treasury shall jointly submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on efforts undertaken by U.S. Customs and Border Protection to ensure the secure transportation of merchandise in bond through the United States and the collection of revenue owed upon the entry of such merchandise into the United States for consumption.

(b) ELEMENTS.—Each report required by subsection (a) shall include, for the fiscal year preceding the submission of the report, information on—

(1) the overall number of entries of merchandise for transportation in bond through the United States;

(2) the ports at which merchandise arrives in the United States for transportation in bond and at which records of the arrival of such merchandise are generated;

(3) the average time taken to reconcile such records with the records at the final destination of the merchandise in the United States to demonstrate that the merchandise reaches its final destination or is re-exported;

(4) the average time taken to transport merchandise in bond from the port at which the merchandise arrives in the United States to its final destination in the United States;

(5) the total amount of duties, taxes, and fees owed with respect to shipments of merchandise transported in bond and the total amount of such duties, taxes, and fees paid;

(6) the total number of notifications by carriers of merchandise being transported in bond that the destination of the merchandise has changed; and

(7) the number of entries that remain unreconciled.

SEC. 114. IMPORTER OF RECORD PROGRAM.

(a) ESTABLISHMENT.—Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall establish an importer of record program to assign and maintain importer of record numbers.

(b) REQUIREMENTS.—The Secretary shall ensure that, as part of the importer of record program, U.S. Customs and Border Protection—

(1) develops criteria that importers must meet in order to obtain an importer of record number, including—

(A) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to verify the existence of the importer requesting the importer of record number;

(B) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to identify linkages or other affiliations between importers that are requesting or have been assigned importer of record numbers; and

(C) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to identify changes in address and corporate structure of importers;

(2) provides a process by which importers are assigned importer of record numbers;

(3) maintains a centralized database of importer of record numbers, including a history of importer of record numbers associated with each importer, and the information described in subparagraphs (A), (B), and (C) of paragraph (1);

(4) evaluates and maintains the accuracy of the database if such information changes; and

(5) takes measures to ensure that duplicate importer of record numbers are not issued.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary 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 the importer of record program established under subsection (a).

(d) NUMBER DEFINED.—In this subsection, the term ''number'', with respect to an importer of record, means a filing identification number described in section 24.5 of title 19, Code of Federal Regulations (or any corresponding similar regulation) that fully supports the requirements of subsection (b) with respect to the collection and maintenance of information.

SEC. 115. ESTABLISHMENT OF NEW IMPORTER PROGRAM.

(a) IN GENERAL.—Not later than the date that is 180 days after the date of the enactment of this Act, the Commissioner shall establish a new importer program that directs U.S. Customs and Border Protection to adjust bond amounts for new importers based on the level of risk assessed by U.S. Customs and Border Protection for protection of revenue of the Federal Government.

(b) REQUIREMENTS.—The Commissioner shall ensure that, as part of the new importer program established under subsection (a), U.S. Customs and Border Protection—

(1) develops risk-based criteria for determining which importers are considered to be new importers for the purposes of this subsection;

(2) develops risk assessment guidelines for new importers to determine if and to what extent—

(A) to adjust bond amounts of imported products of new importers; and

(B) to increase screening of imported products of new importers;

(3) develops procedures to ensure increased oversight of imported products of new importers relating to the enforcement of the priority trade issues described in section 118;

(4) develops procedures to ensure increased oversight of imported products of new importers by Centers of Excellence and Expertise established under section 110; and

(5) establishes a centralized database of new importers to ensure accuracy of information that is required to be provided by new importers to U.S. Customs and Border Protection.

SEC. 116. CUSTOMS BROKER IDENTIFICATION OF IMPORTERS.

(a) IN GENERAL.—Section 641 of the Tariff Act of 1930 (19 U.S.C. 1641) is amended by adding at the end the following:

''(i) IDENTIFICATION OF IMPORTERS.—

''(1) IN GENERAL.—The Secretary shall prescribe regulations setting forth the minimum standards for customs brokers and importers, including nonresident importers, regarding the identity of the importer that shall apply in connection with the importation of merchandise into the United States.

''(2) MINIMUM REQUIREMENTS.—The regulations shall, at a minimum, require customs brokers to implement, and importers (after being given adequate notice) to comply with, reasonable procedures for—

''(A) collecting the identity of importers, including nonresident importers, seeking to import merchandise into the United States to the extent reasonable and practicable; and

''(B) maintaining records of the information used to substantiate a person's identity, including name, address, and other identifying information.

''(3) PENALTIES.—Any customs broker who fails to collect information required under the regulations prescribed under this subsection shall be liable to the United States, at the discretion of the Secretary, for a monetary penalty not to exceed $10,000 for each violation of those regulations and subject to revocation or suspension of a license or permit of the customs broker pursuant to the procedures set forth in subsection (d).

''(4) DEFINITIONS.—In this subsection—

''(A) the term 'importer' means one of the parties qualifying as an importer of record under section 484(a)(2)(B); and

''(B) the term 'nonresident importer' means an importer who is—

''(i) an individual who is not a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; or

''(ii) a partnership, corporation, or other commercial entity that is not organized under the laws of a jurisdiction within the customs territory of the United States (as such term is defined in General Note 2 of the Harmonized Tariff Schedule of the United States) or in the Virgin Islands of the United States.''.

(b) STUDY AND REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commissioner shall submit to Congress a report containing recommendations for—

(1) determining the most timely and effective way to require foreign nationals to provide customs brokers with appropriate and accurate information, comparable to that which is required of United States nationals, concerning the identity, address, and other related information relating to such foreign nationals necessary to enable customs brokers to comply with the requirements of section 641(i) of the Tariff Act of 1930 (as added by subsection (a) of this section); and

(2) establishing a system for customs brokers to review information maintained by relevant Federal agencies for purposes of verifying the identities of importers, including nonresident importers, seeking to import merchandise into the United States.

SEC. 117. REQUIREMENTS APPLICABLE TO NONRESIDENT IMPORTERS.

(a) IN GENERAL.—Part III of title IV of the Tariff Act of 1930 (19 U.S.C. 1481 et seq.) is amended by inserting after section 484b the following new section:

''SEC. 484c. REQUIREMENTS APPLICABLE TO NON-RESIDENT IMPORTERS.

''(a) IN GENERAL.—Except as provided in subsection (c), if an importer of record under section 484 is not a resident of the United States, the Commissioner of U.S. Customs and Border Protection shall require the nonresident importer to designate a resident agent in the United States subject to the requirements described in subsection (b).

''(b) REQUIREMENTS.—The requirements described in this subsection are the following:

''(1) The resident agent shall be authorized to accept service of process against the nonresident importer in connection with the importation of merchandise.

''(2) The Commissioner of U.S. Customs and Border Protection shall require the nonresident importer to establish a power of attorney with the resident agent in connection with the importation of merchandise.

''(c) NON-APPLICABILITY.—The requirements of this section shall not apply with respect to a non-resident importer who is a validated Tier 2 or Tier 3 participant in the Customs-Trade Partnership Against Terrorism program established under subtitle B of title II of the SAFE Port Act (6 U.S.C. 961 et seq.).

''(d) PENALTIES.—

''(1) IN GENERAL.—It shall be unlawful for any person to import into the United States any merchandise in violation of this section.

''(2) CIVIL PENALTIES.—Any person who violates paragraph (1) shall be liable for a civil penalty of $50,000 for each such violation.

''(3) OTHER PENALTIES.—In addition to the penalties specified in paragraph (2), any violation of this section that violates any other customs and trade laws of the United States shall be subject to any applicable civil and criminal penalty, including seizure and forfeiture, that may be imposed under such customs or trade law or title 18, United States Code, with respect to the importation of merchandise.

''(4) DEFINITION.—In this subsection, the term 'customs and trade laws of the United States' has the meaning given such term in section 2 of the Trade Facilitation and Trade Enforcement Act of 2015.''.

(b) EFFECTIVE DATE.—Section 484c of the Tariff Act of 1930, as added by subsection (a), takes effect on the date of the enactment of this Act and applies with respect to the importation, on or after the date that is 180 days after such date of enactment, of merchandise of an importer of record under section 484 of the Tariff Act of 1930 who is not a resident of the United States.

SEC. 118. PRIORITY TRADE ISSUES.

(a) IN GENERAL.—The Commissioner shall establish the following as priority trade issues:

(1) Agriculture programs.

(2) Antidumping and countervailing duties.

(3) Import safety.

(4) Intellectual property rights.

(5) Revenue.

(6) Textiles and wearing apparel.

(7) Trade agreements and preference programs.

(b) MODIFICATION.—The Commissioner is authorized to establish new priority trade issues and eliminate, consolidate, or otherwise modify the priority trade issues described in subsection (a) if the Commissioner—

(1) determines it necessary and appropriate to do so; and

(2) submits to the appropriate congressional committees a summary of the proposed changes to the priority trade issues not later than 60 days before such changes are to take effect.

SEC. 119. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this title, the term ''appropriate congressional committees'' means—

(1) the Committee on Finance and the Committee on Homeland Security and Government Affairs of the Senate; and

(2) the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives.

TITLE II—IMPORT HEALTH AND SAFETY

SEC. 201. INTERAGENCY IMPORT SAFETY WORKING GROUP.

(a) ESTABLISHMENT.—There is established an interagency Import Safety Working Group.

(b) MEMBERSHIP.—The interagency Import Safety Working Group shall consist of the following officials or their designees:

(1) The Secretary of Homeland Security, who shall serve as the Chair.

(2) The Secretary of Health and Human Services, who shall serve as the Vice Chair.

(3) The Secretary of the Treasury.

(4) The Secretary of Commerce.

(5) The Secretary of Agriculture.

(6) The United States Trade Representative.

(7) The Director of the Office of Management and Budget.

(8) The Commissioner of Food and Drugs.

(9) The Commissioner of U.S. Customs and Border Protection.

(10) The Chairman of the Consumer Product Safety Commission.

(11) The Director of U.S. Immigration and Customs Enforcement.

(12) The head of any other Federal agency designated by the President to participate in the interagency Import Safety Working Group, as appropriate.

(c) DUTIES.—The duties of the interagency Import Safety Working Group shall include—

(1) consulting on the development of the joint import safety rapid response plan required by section 202;

(2) periodically evaluating the adequacy of the plans, practices, and resources of the Federal Government dedicated to ensuring the safety of merchandise imported in the United States and the expeditious entry of such merchandise, including—

(A) minimizing the duplication of efforts among agencies the heads of which are members of the interagency Import Safety Working Group and ensuring the compatibility of the policies and regulations of those agencies; and

(B) recommending additional administrative actions, as appropriate, designed to ensure the safety of merchandise imported into the United States and the expeditious entry of such merchandise and considering the impact of those actions on private sector entities;

(3) reviewing the engagement and cooperation of foreign governments and foreign manufacturers in facilitating the inspection and certification, as appropriate, of such merchandise to be imported into the United States and the facilities producing such merchandise to ensure the safety of the merchandise and the expeditious entry of the merchandise into the United States;

(4) identifying best practices, in consultation with private sector entities as appropriate, to assist United States importers in taking all appropriate steps to ensure the safety of merchandise imported into the United States, including with respect to—

(A) the inspection of manufacturing facilities in foreign countries;

(B) the inspection of merchandise destined for the United States before exportation from a foreign country or before distribution in the United States; and

(C) the protection of the international supply chain (as defined in section 2 of the Security and Accountability For Every Port Act of 2006 (6 U.S.C. 901));

(5) identifying best practices to assist Federal, State, and local governments and agencies, and port authorities, to improve communication and coordination among such agencies and authorities with respect to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise; and

(6) otherwise identifying appropriate steps to increase the accountability of United States importers and the engagement of foreign government agencies with respect to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise.

SEC. 202. JOINT IMPORT SAFETY RAPID RESPONSE PLAN.

(a) IN GENERAL.—Not later than December 31, 2016, the Secretary of Homeland Security, in consultation with the interagency Import Safety Working Group established under section 201, shall develop a plan (to be known as the ''joint import safety rapid response plan'') that sets forth protocols and defines practices for U.S. Customs and Border Protection to use—

(1) in taking action in response to, and coordinating Federal responses to, an incident in which cargo destined for or merchandise entering the United States has been identified as posing a threat to the health or safety of consumers in the United States; and

(2) in recovering from or mitigating the effects of actions and responses to an incident described in paragraph (1).

(b) CONTENTS.—The joint import safety rapid response plan shall address—

(1) the statutory and regulatory authorities and responsibilities of U.S. Customs and Border Protection and other Federal agencies in responding to an incident described in subsection (a)(1);

(2) the protocols and practices to be used by U.S. Customs and Border Protection when taking action in response to, and coordinating Federal responses to, such an incident;

(3) the measures to be taken by U.S. Customs and Border Protection and other Federal agencies in recovering from or mitigating the effects of actions taken in response to such an incident after the incident to ensure the resumption of the entry of merchandise into the United States; and

(4) exercises that U.S. Customs and Border Protection may conduct in conjunction with Federal, State, and local agencies, and private sector entities, to simulate responses to such an incident.

(c) UPDATES OF PLAN.—The Secretary of Homeland Security shall review and update the joint import safety rapid response plan, as appropriate, after conducting exercises under subsection (d).

(d) IMPORT HEALTH AND SAFETY EXERCISES.—

(1) IN GENERAL.—The Secretary of Homeland Security and the Commissioner shall periodically engage in the exercises referred to in subsection (b)(4), in conjunction with Federal, State, and local agencies and private sector entities, as appropriate, to test and evaluate the protocols and practices identified in the joint import safety rapid response plan at United States ports of entry.

(2) REQUIREMENTS FOR EXERCISES.—In conducting exercises under paragraph (1), the Secretary and the Commissioner shall—

(A) make allowance for the resources, needs, and constraints of United States ports of entry of different sizes in representative geographic locations across the United States;

(B) base evaluations on current risk assessments of merchandise entering the United States at representative United States ports of entry located across the United States;

(C) ensure that such exercises are conducted in a manner consistent with the National Incident Management System, the National Response Plan, the National Infrastructure Protection Plan, the National Preparedness Guidelines, the Maritime Transportation System Security Plan, and other such national initiatives of the Department of Homeland Security, as appropriate; and

(D) develop metrics with respect to the resumption of the entry of merchandise into the United States after an incident described in subsection (a)(1).

(3) REQUIREMENTS FOR TESTING AND EVALUATION.—The Secretary and the Commissioner shall ensure that the testing and evaluation carried out in conducting exercises under paragraph (1)—

(A) are performed using clear and objective performance measures; and

(B) result in the identification of specific recommendations or best practices for responding to an incident described in subsection (a)(1).

(4) DISSEMINATION OF RECOMMENDATIONS AND BEST PRACTICES.—The Secretary and the Commissioner shall—

(A) share the recommendations or best practices identified under paragraph (3)(B) among the members of the interagency Import Safety Working Group established under section 201 and with, as appropriate—

(i) State, local, and tribal governments;

(ii) foreign governments; and

(iii) private sector entities; and

(B) use such recommendations and best practices to update the joint import safety rapid response plan.

SEC. 203. TRAINING.

The Commissioner shall ensure that personnel of U.S. Customs and Border Protection assigned to United States ports of entry are trained to effectively administer the provisions of this title and to otherwise assist in ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise.

TITLE III—IMPORT-RELATED PROTECTION OF INTELLECTUAL PROPERTY RIGHTS

SEC. 301. DEFINITION OF INTELLECTUAL PROPERTY RIGHTS.

In this title, the term ''intellectual property rights'' refers to copyrights, trademarks, and other forms of intellectual property rights that are enforced by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement.

SEC. 302. EXCHANGE OF INFORMATION RELATED TO TRADE ENFORCEMENT.

(a) IN GENERAL.—The Tariff Act of 1930 is amended by inserting after section 628 (19 U.S.C. 1628) the following new section:

''SEC. 628A. EXCHANGE OF INFORMATION RELATED TO TRADE ENFORCEMENT.

''(a) IN GENERAL.—Subject to subsections (c) and (d), if the Commissioner of U.S. Customs and Border Protection suspects that merchandise is being imported into the United States in violation of section 526 of this Act or section 602, 1201(a)(2), or 1201(b)(1) of title 17, United States Code, and determines that the examination or testing of the merchandise by a person described in subsection (b) would assist the Commissioner in determining if the merchandise is being imported in violation of that section, the Commissioner, to permit the person to conduct the examination and testing—

''(1) shall provide to the person information that appears on the merchandise and its packaging and labels, including unredacted images of the merchandise and its packaging and labels; and

''(2) may, subject to any applicable bonding requirements, provide to the person unredacted samples of the merchandise.

''(b) PERSON DESCRIBED.—A person described in this subsection is—

''(1) in the case of merchandise suspected of being imported in violation of section 526, the owner of the trademark suspected of being copied or simulated by the merchandise;

''(2) in the case of merchandise suspected of being imported in violation of section 602 of title 17, United States Code, the owner of the copyright suspected of being infringed by the merchandise;

''(3) in the case of merchandise suspected of being primarily designed or produced for the purpose of circumventing a technological measure that effectively controls access to a work protected under that title, and being imported in violation of section 1201(a)(2) of that title, the owner of a copyright in the work; and

''(4) in the case of merchandise suspected of being primarily designed or produced for the purpose of circumventing protection afforded by a technological measure that effectively protects a right of an owner of a copyright in a work or a portion of a work, and being imported in violation of section 1201(b)(1) of that title, the owner of the copyright.

''(c) LIMITATION.—Subsection (a) applies only with respect to merchandise suspected of infringing a trademark or copyright that is recorded with U.S. Customs and Border Protection.

''(d) EXCEPTION.—The Commissioner may not provide under subsection (a) information, photographs, or samples to a person described in subsection (b) if providing such information, photographs, or samples would compromise an ongoing law enforcement investigation or national security.''.

(b) TERMINATION OF PREVIOUS AUTHORITY.—Notwithstanding paragraph (2) of section 818(g) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1496; 10 U.S.C. 2302 note), paragraph (1) of that section shall have no force or effect on or after the date of the enactment of this Act.

SEC. 303. SEIZURE OF CIRCUMVENTION DEVICES.

(a) IN GENERAL.—Section 596(c)(2) of the Tariff Act of 1930 (19 U.S.C. 1595a(c)(2)) is amended—

(1) in subparagraph (E), by striking ''or'';

(2) in subparagraph (F), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(G) U.S. Customs and Border Protection determines it is a technology, product, service, device, component, or part thereof the importation of which is prohibited under subsection (a)(2) or (b)(1) of section 1201 of title 17, United States Code.''.

(b) NOTIFICATION OF PERSONS INJURED.—

(1) IN GENERAL.—Not later than the date that is 30 business days after seizing merchandise pursuant to subparagraph (G) of section 596(c)(2) of the Tariff Act of 1930, as added by subsection (a), the Commissioner shall provide to any person identified under paragraph (2) information regarding the merchandise seized that is equivalent to information provided to copyright owners under regulations of U.S. Customs and Border Protection for merchandise seized for violation of the copyright laws.

(2) PERSONS TO BE PROVIDED INFORMATION.—Any person injured by the violation of (a)(2) or (b)(1) of section 1201 of title 17, United States Code, that resulted in the seizure of the merchandise shall be provided information under paragraph (1), if that person is included on a list maintained by the Commissioner that is revised annually through publication in the Federal Register.

(3) REGULATIONS.—Not later than one year after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations establishing procedures that implement this subsection.

SEC. 304. ENFORCEMENT BY U.S. CUSTOMS AND BORDER PROTECTION OF WORKS FOR WHICH COPYRIGHT REGISTRATION IS PENDING.

Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall authorize a process pursuant to which the Commissioner shall enforce a copyright for which the owner has submitted an application for registration under title 17, United States Code, with the United States Copyright Office, to the same extent and in the same manner as if the copyright were registered with the Copyright Office, including by sharing information, images, and samples of merchandise suspected of infringing the copyright under section 628A of the Tariff Act of 1930, as added by section 302.

SEC. 305. NATIONAL INTELLECTUAL PROPERTY RIGHTS COORDINATION CENTER.

(a) ESTABLISHMENT.—The Secretary of Homeland Security shall—

(1) establish within U.S. Immigration and Customs Enforcement a National Intellectual Property Rights Coordination Center; and

(2) appoint an Assistant Director to head the National Intellectual Property Rights Coordination Center.

(b) DUTIES.—The Assistant Director of the National Intellectual Property Rights Coordination Center shall—

(1) coordinate the investigation of sources of merchandise that infringe intellectual property rights to identify organizations and individuals that produce, smuggle, or distribute such merchandise;

(2) conduct and coordinate training with other domestic and international law enforcement agencies on investigative best practices—

(A) to develop and expand the capability of such agencies to enforce intellectual property rights; and

(B) to develop metrics to assess whether the training improved enforcement of intellectual property rights;

(3) coordinate, with U.S. Customs and Border Protection, activities conducted by the United States to prevent the importation or exportation of merchandise that infringes intellectual property rights;

(4) support the international interdiction of merchandise destined for the United States that infringes intellectual property rights;

(5) collect and integrate information regarding infringement of intellectual property rights from domestic and international law enforcement agencies and other non-Federal sources;

(6) develop a means to receive and organize information regarding infringement of intellectual property rights from such agencies and other sources;

(7) disseminate information regarding infringement of intellectual property rights to other Federal agencies, as appropriate;

(8) develop and implement risk-based alert systems, in coordination with U.S. Customs and Border Protection, to improve the targeting of persons that repeatedly infringe intellectual property rights;

(9) coordinate with the offices of United States attorneys in order to develop expertise in, and assist with the investigation and prosecution of, crimes relating to the infringement of intellectual property rights; and

(10) carry out such other duties as the Secretary of Homeland Security may assign.

(c) COORDINATION WITH OTHER AGENCIES.—In carrying out the duties described in subsection (b), the Assistant Director of the National Intellectual Property Rights Coordination Center shall coordinate with—

(1) U.S. Customs and Border Protection;

(2) the Food and Drug Administration;

(3) the Department of Justice;

(4) the Department of Commerce, including the United States Patent and Trademark Office;

(5) the United States Postal Inspection Service;

(6) the Office of the United States Trade Representative;

(7) any Federal, State, local, or international law enforcement agencies that the Director of U.S. Immigration and Customs Enforcement considers appropriate; and

(8) any other entities that the Director considers appropriate.

(d) PRIVATE SECTOR OUTREACH.—

(1) IN GENERAL.—The Assistant Director of the National Intellectual Property Rights Coordination Center shall work with U.S. Customs and Border Protection and other Federal agencies to conduct outreach to private sector entities in order to determine trends in and methods of infringing intellectual property rights.

(2) INFORMATION SHARING.—The Assistant Director shall share information and best practices with respect to the enforcement of intellectual property rights with private sector entities, as appropriate, in order to coordinate public and private sector efforts to combat the infringement of intellectual property rights.

SEC. 306. JOINT STRATEGIC PLAN FOR THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.

The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall include in the joint strategic plan required by section 105—

(1) a description of the efforts of the Department of Homeland Security to enforce intellectual property rights;

(2) a list of the 10 United States ports of entry at which U.S. Customs and Border Protection has seized the most merchandise, both by volume and by value, that infringes intellectual property rights during the most recent 2-year period for which data are available; and

(3) a recommendation for the optimal allocation of personnel, resources, and technology to ensure that U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement are adequately enforcing intellectual property rights.

SEC. 307. PERSONNEL DEDICATED TO THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.

(a) PERSONNEL OF U.S. CUSTOMS AND BORDER PROTECTION.—The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall ensure that sufficient personnel are assigned throughout U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, respectively, who have responsibility for preventing the importation into the United States of merchandise that infringes intellectual property rights.

(b) STAFFING OF NATIONAL INTELLECTUAL PROPERTY RIGHTS COORDINATION CENTER.—The Commissioner shall—

(1) assign not fewer than 3 full-time employees of U.S. Customs and Border Protection to the National Intellectual Property Rights Coordination Center established under section 305; and

(2) ensure that sufficient personnel are assigned to United States ports of entry to carry out the directives of the Center.

SEC. 308. TRAINING WITH RESPECT TO THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.

(a) TRAINING.—The Commissioner shall ensure that officers of U.S. Customs and Border Protection are trained to effectively detect and identify merchandise destined for the United States that infringes intellectual property rights, including through the use of technologies identified under subsection (c).

(b) CONSULTATION WITH PRIVATE SECTOR.—The Commissioner shall consult with private sector entities to better identify opportunities for collaboration between U.S. Customs and Border Protection and such entities with respect to training for officers of U.S. Customs and Border Protection in enforcing intellectual property rights.

(c) IDENTIFICATION OF NEW TECHNOLOGIES.—In consultation with private sector entities, the Commissioner shall identify—

(1) technologies with the cost-effective capability to detect and identify merchandise at United States ports of entry that infringes intellectual property rights; and

(2) cost-effective programs for training officers of U.S. Customs and Border Protection to use such technologies.

(d) DONATIONS OF TECHNOLOGY.—Not later than the date that is 180 days after the date of the enactment of this Act, the Commissioner shall prescribe regulations to enable U.S. Customs and Border Protection to receive donations of hardware, software, equipment, and similar technologies, and to accept training and other support services, from private sector entities, for the purpose of enforcing intellectual property rights.

SEC. 309. INTERNATIONAL COOPERATION AND INFORMATION SHARING.

(a) COOPERATION.—The Secretary of Homeland Security shall coordinate with the competent law enforcement and customs authorities of foreign countries, including by sharing information relevant to enforcement actions, to enhance the efforts of the United States and such authorities to enforce intellectual property rights.

(b) TECHNICAL ASSISTANCE.—The Secretary of Homeland Security shall provide technical assistance to competent law enforcement and customs authorities of foreign countries to enhance the ability of such authorities to enforce intellectual property rights.

(c) INTERAGENCY COLLABORATION.—The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall lead interagency efforts to collaborate with law enforcement and customs authorities of foreign countries to enforce intellectual property rights.

SEC. 310. REPORT ON INTELLECTUAL PROPERTY RIGHTS ENFORCEMENT.

Not later than June 30, 2016, and annually thereafter, the Commissioner and the Director of U.S. Immigration and Customs Enforcement shall jointly submit to the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report that contains the following:

(1) With respect to the enforcement of intellectual property rights, the following:

(A) The number of referrals, during the preceding year, from U.S. Customs and Border Protection to U.S. Immigration and Customs Enforcement relating to infringement of intellectual property rights .

(B) The number of investigations relating to the infringement of intellectual property rights referred by U.S. Immigration and Customs Enforcement to a United States attorney for prosecution and the United States attorneys to which those investigations were referred.

(C) The number of such investigations accepted by each such United States attorney and the status or outcome of each such investigation.

(D) The number of such investigations that resulted in the imposition of civil or criminal penalties.

(E) A description of the efforts of U.S. Custom and Border Protection and U.S. Immigration and Customs Enforcement to improve the success rates of investigations and prosecutions relating to the infringement of intellectual property rights.

(2) An estimate of the average time required by the Office of International Trade of U.S. Customs and Border Protection to respond to a request from port personnel for advice with respect to whether merchandise detained by U.S. Customs and Border Protection infringed intellectual property rights, distinguished by types of intellectual property rights infringed.

(3) A summary of the outreach efforts of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement with respect to—

(A) the interdiction and investigation of, and the sharing of information between those agencies and other Federal agencies to prevent, the infringement of intellectual property rights;

(B) collaboration with private sector entities—

(i) to identify trends in the infringement of, and technologies that infringe, intellectual property rights;

(ii) to identify opportunities for enhanced training of officers of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement; and

(iii) to develop best practices to enforce intellectual property rights; and

(C) coordination with foreign governments and international organizations with respect to the enforcement of intellectual property rights.

(4) A summary of the efforts of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to address the challenges with respect to the enforcement of intellectual property rights presented by Internet commerce and the transit of small packages and an identification of the volume, value, and type of merchandise

seized for infringing intellectual property rights as a result of such efforts.

(5) A summary of training relating to the enforcement of intellectual property rights conducted under section 308 and expenditures for such training.

SEC. 311. INFORMATION FOR TRAVELERS REGARDING VIOLATIONS OF INTELLECTUAL PROPERTY RIGHTS.

(a) IN GENERAL.—The Secretary of Homeland Security shall develop and carry out an educational campaign to inform travelers entering or leaving the United States about the legal, economic, and public health and safety implications of acquiring merchandise that infringes intellectual property rights outside the United States and importing such merchandise into the United States in violation of United States law.

(b) DECLARATION FORMS.—The Commissioner shall ensure that all versions of Declaration Form 6059B of U.S. Customs and Border Protection, or a successor form, including any electronic equivalent of Declaration Form 6059B or a successor form, printed or displayed on or after the date that is 30 days after the date of the enactment of this Act include a written warning to inform travelers arriving in the United States that importation of merchandise into the United States that infringes intellectual property rights may subject travelers to civil or criminal penalties and may pose serious risks to safety or health.

TITLE IV—PREVENTION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS

SEC. 401. SHORT TITLE.

This title may be cited as the ''Preventing Recurring Trade Evasion and Circumvention Act'' or ''PROTECT Act''.

SEC. 402. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Finance and the Committee on Appropriations of the Senate; and

(B) the Committee on Ways and Means and the Committee on Appropriations of the House of Representatives.

(2) COVERED MERCHANDISE.—The term ''covered merchandise'' means merchandise that is subject to—

(A) a countervailing duty order issued under section 706 of the Tariff Act of 1930; or

(B) an antidumping duty order issued under section 736 of the Tariff Act of 1930.

(3) ELIGIBLE SMALL BUSINESS.—

(A) IN GENERAL.—The term ''eligible small business'' means any business concern which, in the Commissioner's judgment, due to its small size, has neither adequate internal resources nor financial ability to obtain qualified outside assistance in preparing and submitting for consideration allegations of evasion.

(B) NONREVIEWABILITY.—Any agency decision regarding whether a business concern is an eligible small business for purposes of section 411(b)(4)(E) is not reviewable by any other agency or by any court.

(4) ENTER; ENTRY.—The terms ''enter'' and ''entry'' refer to the entry, or withdrawal from warehouse for consumption, in the customs territory of the United States.

(5) EVADE; EVASION.—The terms ''evade'' and ''evasion'' refer to entering covered merchandise into the customs territory of the United States by means of any document or electronically transmitted data or information, written or oral statement, or act that is material and false, or any omission that is material, and that results in any cash deposit or other security or any amount of applicable antidumping or countervailing duties being reduced or not being applied with respect to the merchandise.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(7) TRADE REMEDY LAWS.—The term ''trade remedy laws'' means title VII of the Tariff Act of 1930.

SEC. 403. APPLICATION TO CANADA AND MEXICO.

Pursuant to article 1902 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3438), this title and the amendments made by this title shall apply with respect to goods from Canada and Mexico.

SUBTITLE A—ACTIONS RELATING TO ENFORCEMENT OF TRADE REMEDY LAWS

SEC. 411. TRADE REMEDY LAW ENFORCEMENT DIVISION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security shall establish and maintain within the Office of International Trade of U.S. Customs and Border Protection, established under section 2(d) of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2072(d)), a Trade Remedy Law Enforcement Division.

(2) COMPOSITION.—The Trade Law Remedy Enforcement Division shall be composed of—

(A) headquarters personnel led by a Director, who shall report to the Assistant Commissioner of the Office of International Trade; and

(B) a National Targeting and Analysis Group dedicated to preventing and countering evasion.

(3) DUTIES.—The Trade Remedy Law Enforcement Division shall be dedicated—

(A) to the development and administration of policies to prevent and counter evasion;

(B) to direct enforcement and compliance assessment activities concerning evasion;

(C) to the development and conduct of commercial risk assessment targeting with respect to cargo destined for the United States in accordance with subsection (c);

(D) to issuing Trade Alerts described in subsection (d); and

(E) to the development of policies for the application of single entry and continuous bonds for entries of covered merchandise to sufficiently protect the collection of antidumping and countervailing duties commensurate with the level of risk of noncollection.

(b) DUTIES OF DIRECTOR.—The duties of the Director of the Trade Remedy Law Enforcement Division shall include—

(1) directing the trade enforcement and compliance assessment activities of U.S. Customs and Border Protection that concern evasion;

(2) facilitating, promoting, and coordinating cooperation and the exchange of information between U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and other relevant agencies regarding evasion;

(3) notifying on a timely basis the administering authority (as defined in section 771(1) of the Tariff Act of 1930 (19 U.S.C. 1677(1))) and the Commission (as defined in section 771(2) of the Tariff Act of 1930 (19 U.S.C. 1677(2))) of any finding, determination, civil action, or criminal action taken by U.S. Customs and Border Protection or other Federal agency regarding evasion;

(4) serving as the primary liaison between U.S. Customs and Border Protection and the public regarding United States Government activities concerning evasion, including—

(A) receive and transmit to the appropriate U.S. Customs and Border Protection office allegations from parties of evasion;

(B) upon request by the party or parties that submitted an allegation of evasion, provide information to such party or parties on the status of U.S. Customs and Border Protection's consideration of the allegation and decision to pursue or not pursue any administrative inquiries or other actions, such as changes in policies, procedures, or resource allocation as a result of the allegation;

(C) as needed, request from the party or parties that submitted an allegation of evasion any additional information that may be relevant for U.S. Customs and Border Protection determining whether to initiate an administrative inquiry or take any other action regarding the allegation;

(D) notify on a timely basis the party or parties that submitted such an allegation of the results of any administrative, civil or criminal actions taken by U.S. Customs and Border Protection or other Federal agency regarding evasion as a direct or indirect result of the allegation;

(E) upon request, provide technical assistance and advice to eligible small businesses to enable such businesses to prepare and submit allegations of evasion, except that the Director may deny assistance if the Director concludes that the allegation, if submitted, would not lead to the initiation of an administrative inquiry or any other action to address the allegation;

(F) in cooperation with the public, the Commercial Customs Operations Advisory Committee, the Trade Support Network, and any other relevant parties and organizations, develop guidelines on the types and nature of information that may be provided in allegations of evasion; and

(G) regularly consult with the public, the Commercial Customs Operations Advisory Committee, the Trade Support Network, and any other relevant parties and organizations regarding the development and implementation of regulations, interpretations, and policies related to countering evasion.

(c) PREVENTING AND COUNTERING EVASION OF THE TRADE REMEDY LAWS.—In carrying out its duties with respect to preventing and countering evasion, the National Targeting and Analysis Group dedicated to preventing and countering evasion shall—

(1) establish targeted risk assessment methodologies and standards—

(A) for evaluating the risk that cargo destined for the United States may constitute evading covered merchandise; and

(B) for issuing, as appropriate, Trade Alerts described in subsection (d); and

(2) to the extent practicable and otherwise authorized by law, use information available from the Automated Commercial System, the Automated Commercial Environment computer system, the Automated Targeting System, the Automated Export System, the International Trade Data System, and the TECS, and any similar and successor systems, to administer the methodologies and standards established under paragraph (1).

(d) TRADE ALERTS.—Based upon the application of the targeted risk assessment methodologies and standards established under subsection (c), the Director of the Trade Remedy Law Enforcement Division shall issue Trade Alerts or other such means of notification to directors of United States ports of entry directing further inspection, physical examination, or testing of merchandise to ensure compliance with the trade remedy laws and to require additional bonds, cash deposits, or other security to ensure collection of any duties, taxes and fees owed.

SEC. 412. COLLECTION OF INFORMATION ON EVASION OF TRADE REMEDY LAWS.

(a) AUTHORITY TO COLLECT INFORMATION.—To determine whether covered merchandise is being entered into the customs territory of the United States through evasion, the Secretary, acting through the Commissioner—

(1) shall exercise all existing authorities to collect information needed to make the determination; and

(2) may collect such additional information as is necessary to make the determination through such methods as the Commissioner considers appropriate, including by issuing questionnaires with respect to the entry or entries at issue to—

(A) a person who filed an allegation with respect to the covered merchandise;

(B) a person who is alleged to have entered the covered merchandise into the customs territory of the United States through evasion; or

(C) any other person who is determined to have information relevant to the allegation of entry of covered merchandise into the customs territory of the United States through evasion.

(b) ADVERSE INFERENCE.—

(1) IN GENERAL.—If the Secretary finds that a person who filed an allegation, a person alleged to have entered covered merchandise into the customs territory of the United States through evasion, or a foreign producer or exporter of covered merchandise that is alleged to have entered into the customs territory of the United States through evasion, has failed to cooperate by not acting to the best of the person's ability to comply with a request for information, the Secretary may, in making a determination whether an entry or entries of covered merchandise may constitute merchandise that is entered into the customs territory of the United States through evasion, use an inference that is adverse to the interests of that person in selecting from among the facts otherwise available to determine whether evasion has occurred.

(2) ADVERSE INFERENCE DESCRIBED.—An adverse inference used under paragraph (1) may include reliance on information derived from—

(A) the allegation of evasion of the trade remedy laws, if any, submitted to U.S. Customs and Border Protection;

(B) a determination by the Commissioner in another investigation, proceeding, or other action regarding evasion of the unfair trade laws; or

(C) any other available information.

SEC. 413. ACCESS TO INFORMATION.

(a) IN GENERAL.—Section 777(b)(1)(A)(ii) of the Tariff Act of 1930 (19 U.S.C. 1677f(b)(1)(A)(ii)) is amended by inserting ''negligence, gross negligence, or'' after ''regarding''.

(b) ADDITIONAL INFORMATION.—Notwithstanding any other provision of law, the Secretary is authorized to provide to the Secretary of Commerce or the United States International Trade Commission any information that is necessary to enable the Secretary of Commerce or the United States International Trade Commission to assist the Secretary to identify, through risk assessment targeting or otherwise, covered merchandise that is entered into the customs territory of the United States through evasion.

SEC. 414. COOPERATION WITH FOREIGN COUNTRIES ON PREVENTING EVASION OF TRADE REMEDY LAWS.

(a) BILATERAL AGREEMENTS.—

(1) IN GENERAL.—The Secretary shall seek to negotiate and enter into bilateral agreements with the customs authorities or other appropriate authorities of foreign countries for purposes of cooperation on preventing evasion of the trade remedy laws of the United States and the trade remedy laws of the other country.

(2) PROVISIONS AND AUTHORITIES.—The Secretary shall seek to include in each such bilateral agreement the following provisions and authorities:

(A) On the request of the importing country, the exporting country shall provide, consistent with its laws, regulations, and procedures, production, trade, and transit documents and other information necessary to determine whether an entry or entries exported from the exporting country are subject to the importing country's trade remedy laws.

(B) On the written request of the importing country, the exporting country shall conduct a verification for purposes of enabling the importing country to make a determination described in subparagraph (A).

(C) The exporting country may allow the importing country to participate in a verification described in subparagraph (B), including through a site visit.

(D) If the exporting country does not allow participation of the importing country in a verification described in subparagraph (B), the importing country may take this fact into consideration in its trade enforcement and compliance assessment activities regarding the compliance of the exporting country's exports with the importing country's trade remedy laws.

(b) CONSIDERATION.—The Commissioner is authorized to take into consideration whether a country is a signatory to a bilateral agreement described in subsection (a) and the extent to which the country is cooperating under the bilateral agreement for purposes of trade enforcement and compliance assessment activities of U.S. Customs and Border Protection that concern evasion by such country's exports.

(c) REPORT.—Not later than December 31 of each year beginning after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report summarizing—

(1) the status of any ongoing negotiations of bilateral agreements described in subsection (a), including the identities of the countries involved in such negotiations;

(2) the terms of any completed bilateral agreements described in subsection (a); and

(3) bilateral cooperation and other activities conducted pursuant to or enabled by any completed bilateral agreements described in subsection (a).

SEC. 415. TRADE NEGOTIATING OBJECTIVES.

The principal negotiating objectives of the United States shall include obtaining the objectives of the bilateral agreements described under section 414(a) for any trade agreements under negotiation as of the date of the enactment of this Act or future trade agreement negotiations.

SUBTITLE B—INVESTIGATION OF EVASION OF TRADE REMEDY LAWS

SEC. 421. PROCEDURES FOR INVESTIGATION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

(a) IN GENERAL.—Title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) is amended by inserting after section 781 the following:

''SEC. 781A. PROCEDURES FOR PREVENTION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTERING AUTHORITY.—The term 'administering authority' has the meaning given that term in section 771.

''(2) COMMISSIONER.—The term 'Commissioner' means the Commissioner of U.S. Customs and Border Protection.

''(3) COVERED MERCHANDISE.—The term 'covered merchandise' means merchandise that is subject to—

''(A) a countervailing duty order issued under section 706; or

''(B) an antidumping duty order issued under section 736.

''(4) EVASION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'evasion' refers to entering covered merchandise into the customs territory of the United States by means of any document or electronically transmitted data or information, written or oral statement, or act that is material and false, or any omission that is material, and that results in any cash deposit or other security or any amount of applicable antidumping or countervailing duties being reduced or not being applied with respect to the merchandise.

''(B) EXCEPTION FOR CLERICAL ERROR.—

''(i) IN GENERAL.—Except as provided in clause (ii), the term 'evasion' does not include entering covered merchandise into the customs territory of the United States by means of—

''(I) a document or electronically transmitted data or information, written or oral statement, or act that is false as a result of a clerical error; or

''(II) an omission that results from a clerical error.

''(ii) PATTERNS OF NEGLIGENT CONDUCT.—If the administering authority determines that a person has entered covered merchandise into the customs territory of the United States by means of a clerical error referred to in subclause (I) or (II) of clause (i) and that the clerical error is part of a pattern of negligent conduct on the part of that person, the administering authority may determine, notwithstanding clause (i), that the person has entered such covered merchandise into the customs territory of the United States by means of evasion.

''(iii) ELECTRONIC REPETITION OF ERRORS.—For purposes of clause (ii), the mere unintentional repetition by an electronic system of an initial clerical error does not constitute a pattern of negligent conduct.

''(iv) RULE OF CONSTRUCTION.—A determination by the administering authority that a person has entered covered merchandise into the customs territory of the United States by means of a clerical error referred to in subclause (I) or (II) of clause (i) rather than by means of evasion shall not be construed to excuse that person from the payment of any duties applicable to the merchandise.

''(b) INVESTIGATION BY ADMINISTERING AUTHORITY.—

''(1) PROCEDURES FOR INITIATING INVESTIGATIONS.—

''(A) INITIATION BY ADMINISTERING AUTHORITY.—An investigation under this subsection shall be initiated with respect to merchandise imported into the United States whenever the administering authority determines, from information available to the administering authority, that an investigation is warranted with respect to whether the merchandise is covered merchandise that has entered into the customs territory of the United States by means of evasion.

''(B) INITIATION BY PETITION OR REFERRAL.—

''(i) IN GENERAL.—The administering authority shall determine whether to initiate an investigation under this subparagraph not later than 30 days after the date on which the administering authority receives a petition described in clause (ii) or a referral described in clause (iii).

''(ii) PETITION DESCRIBED.—A petition described in this clause is a petition that—

''(I) is filed with the administering authority by an interested party specified in subparagraph (A), (C), (D), (E), (F), or (G) of section 771(9);

''(II) alleges that merchandise imported into the United States is covered merchandise that has entered into the customs territory of the United States by means of evasion; and

''(III) is accompanied by information reasonably available to the petitioner supporting those allegations.

''(iii) REFERRAL DESCRIBED.—A referral described in this clause is a referral made by the Commissioner pursuant to subsection (c)(1).

''(2) TIME LIMITS FOR DETERMINATIONS.—

''(A) PRELIMINARY DETERMINATION.—

''(i) IN GENERAL.—Not later than 90 days after the administering authority initiates an investigation under paragraph (1) with respect to merchandise, the administering authority shall issue a preliminary determination, based on information available to the administering authority at the time of the determination, with respect to whether there is a reasonable basis to believe or suspect that the merchandise is covered merchandise that has entered into the customs territory of the United States by means of evasion.

''(ii) EXPEDITED PROCEDURES.—If the administering authority determines that expedited action is warranted with respect to an investigation initiated under paragraph (1), the administering authority may publish the notice of initiation of the investigation and the notice of the preliminary determination in the Federal Register at the same time.

''(B) FINAL DETERMINATION BY THE ADMINISTERING AUTHORITY.—Not later than 300 days after the date on which the administering authority initiates an investigation under paragraph (1) with respect to merchandise, the administering authority shall issue a final determination with respect to whether the merchandise is covered merchandise that has entered into the customs territory of the United States by means of evasion.

''(3) ACCESS TO INFORMATION.—

''(A) ENTRY DOCUMENTS, RECORDS, AND OTHER INFORMATION.—Not later than 10 days after receiving a request from the administering authority with respect to merchandise that is the subject of an investigation under paragraph (1), the Commissioner shall transmit to the administering authority copies of the documentation and information required by section 484(a)(1) with respect to the entry of the merchandise, as well as any other documentation or information requested by the administering authority.

''(B) ACCESS OF INTERESTED PARTIES.—Not later than 10 business days after the date on which the administering authority initiates an investigation under paragraph (1) with respect to merchandise, the administering authority shall provide to the authorized representative of each interested party that filed a petition under paragraph (1) or otherwise participates in a proceeding, pursuant to a protective order, the copies of the entry documentation and any other information received by the administering authority under subparagraph (A).

''(C) BUSINESS PROPRIETARY INFORMATION FROM PRIOR SEGMENTS.—If an authorized representative of an interested party participating in an investigation under paragraph (1) has access to business proprietary information released pursuant to an administrative protective order in a proceeding under subtitle A, B, or C of title VII of the Tariff Act of 1930 that is relevant to the investigation conducted under paragraph (1), that authorized representative may submit such information to the administering authority for its consideration in the context of the investigation conducted under paragraph (1).

''(4) AUTHORITY TO COLLECT AND VERIFY ADDITIONAL INFORMATION.—In making a determination under paragraph (2) with respect to covered merchandise, the administering authority may collect such additional information as is necessary to make the determination through such methods as the administering authority considers appropriate, including by—

''(A) issuing a questionnaire with respect to such covered merchandise to—

''(i) a person that filed an allegation under paragraph (1)(B)(ii) that resulted in the initiation of an investigation under paragraph (1)(A) with respect to such covered merchandise;

''(ii) a person alleged to have entered such covered merchandise into the customs territory of the United States by means of evasion;

''(iii) a person that is a foreign producer or exporter of such covered merchandise; or

''(iv) the government of a country from which such covered merchandise was exported;

''(B) conducting verifications, including on-site verifications, of any relevant information; and

''(C) requesting—

''(i) that the Commissioner provide any information and data available to U.S. Customs and Border Protection, and

''(ii) that the Commissioner gather additional necessary information from the importer of covered merchandise and other relevant parties.

''(5) ADVERSE INFERENCE.—If the administering authority finds that a person described in clause (i), (ii), or (iii) of paragraph (4)(A) has failed to cooperate by not acting to the best of the person's ability to comply with a request for information, the administering authority may, in making a determination under paragraph (2), use an inference that is adverse to the interests of that person in selecting from among the facts otherwise available to make the determination.

''(6) EFFECT OF AFFIRMATIVE PRELIMINARY DETERMINATION.—If the administering authority makes a preliminary determination under paragraph (2)(A) that merchandise is covered merchandise that has entered into the customs territory of the United States by means of evasion, the administering authority shall instruct U.S. Customs and Border Protection—

''(A) to suspend liquidation of each entry of the merchandise that—

''(i) enters on or after the date of the preliminary determination; or

''(ii) enters before that date, if the liquidation of the entry is not final on that date; and

''(B) to require the posting of a cash deposit for each entry of the merchandise in an amount determined pursuant to the order, or administrative review conducted under section 751, that applies to the merchandise.

''(7) EFFECT OF AFFIRMATIVE FINAL DETERMINATION.—

''(A) IN GENERAL.—If the administering authority makes a final determination under paragraph (2)(B) that merchandise is covered merchandise that has entered into the customs territory of the United States by means of evasion, the administering authority shall instruct U.S. Customs and Border Protection—

''(i) to assess duties on the merchandise in an amount determined pursuant to the order, or administrative review conducted under section 751, that applies to the merchandise;

''(ii) notwithstanding section 501, to reliquidate, in accordance with such order or administrative review, each entry of the merchandise that was liquidated and is determined to include covered merchandise; and

''(iii) to review and reassess the amount of bond or other security the importer is required to post for such merchandise entered on or after the date of the final determination to ensure the protection of revenue and compliance with the law.

''(B) ADDITIONAL AUTHORITY.—If the administering authority makes a final determination under paragraph (2)(B) that merchandise is covered merchandise that has entered into the customs territory of the United States by means of evasion, the administering authority may instruct U.S. Customs and Border Protection to require the importer of the merchandise to post a cash deposit or bond on such merchandise entered on or after the date of the final determination in an amount the administering authority determines in the final determination to be owed with respect to the merchandise.

''(8) EFFECT OF NEGATIVE FINAL DETERMINATION.—If the administering authority makes a final determination under paragraph (2)(B) that merchandise is not covered merchandise that has entered into the customs territory of the United States by means of evasion, the administering authority shall terminate the suspension of liquidation and refund any cash deposit imposed pursuant to paragraph (6) with respect to the merchandise.

''(9) NOTIFICATION.—Not later than 5 business days after making a determination under paragraph (2) with respect to covered merchandise, the administering authority may provide to importers, in such manner as the administering authority determines appropriate, information discovered in the investigation that the administering authority determines will help educate importers with respect to importing merchandise into the customs territory of the United States in accordance with all applicable laws and regulations.

''(10) SPECIAL RULE FOR CASES IN WHICH THE PRODUCER OR EXPORTER IS UNKNOWN.—If the administering authority is unable to determine the actual producer or exporter of the merchandise with respect to which the administering authority initiated an investigation under paragraph (1), the administering authority shall, in requiring the posting of a cash deposit under paragraph (6) or assessing duties pursuant to paragraph (7)(A), impose the cash deposit or duties (as the case may be) in the highest amount applicable to any producer or exporter of the merchandise pursuant to any order, or any administrative review conducted under section 751.

''(11) PUBLICATION OF DETERMINATIONS.—The administering authority shall publish in the Federal Register each notice of initiation of an investigation made under paragraph (1)(A), each preliminary determination made under paragraph (2)(A), and each final determination made under paragraph (2)(B).

''(12) REFERRALS TO OTHER AGENCIES.—

''(A) AFTER PRELIMINARY DETERMINATION.—Notwithstanding section 777 and subject to subparagraph (C), when the administering authority makes an affirmative preliminary determination under paragraph (2)(A), the administering authority shall—

''(i) transmit the administrative record to the Commissioner for such additional action as the Commissioner determines appropriate, including proceedings under section 592; and

''(ii) at the request of the head of another agency, transmit the administrative record to the head of that agency.

''(B) AFTER FINAL DETERMINATION.—Notwithstanding section 777 and subject to subparagraph (C), when the administering authority makes an affirmative final determination under paragraph (2)(B), the administering authority shall—

''(i) transmit the complete administrative record to the Commissioner; and

''(ii) at the request of the head of another agency, transmit the complete administrative record to the head of that agency.

''(c) REFERRAL BY U.S. CUSTOMS AND BORDER PROTECTION.—In the event the Commissioner receives information that a person has entered covered merchandise into the customs territory of the United States through

evasion, but is not able to determine whether the merchandise is in fact covered merchandise, the Commissioner shall—

''(1) refer the matter to the administering authority for additional proceedings under subsection (b); and

''(2) transmit to the administering authority—

''(A) copies of the entry documents and information required by section 484(a)(1) relating to the merchandise; and

''(B) any additional records or information that the Commissioner considers appropriate.

''(d) COOPERATION BETWEEN U.S. CUSTOMS AND BORDER PROTECTION AND THE DEPARTMENT OF COMMERCE.—

''(1) NOTIFICATION OF INVESTIGATIONS.—Upon receiving a petition and upon initiating an investigation under subsection (b), the administering authority shall notify the Commissioner.

''(2) PROCEDURES FOR COOPERATION.—Not later than 180 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Commissioner and the administering authority shall establish procedures to ensure maximum cooperation and communication between U.S. Customs and Border Protection and the administering authority in order to quickly, efficiently, and accurately investigate allegations of evasion of antidumping and countervailing duty orders.

''(e) ANNUAL REPORT ON PREVENTING EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.—

''(1) IN GENERAL.—Not later than February 28 of each year beginning in 2016, the Under Secretary for International Trade of the Department of Commerce shall submit to the Committee on Finance and the Committee on Appropriations of the Senate and the Committee on Ways and Means and the Committee on Appropriations of the House of Representatives a report on the efforts being taken under subsection (b) to prevent evasion of antidumping and countervailing duty orders.

''(2) CONTENTS.—Each report required by paragraph (1) shall include, for the calendar year preceding the submission of the report—

''(A)(i) the number of investigations initiated pursuant to subsection (b); and

''(ii) a description of such investigations, including—

''(I) the results of such investigations; and

''(II) the amount of antidumping and countervailing duties collected as a result of such investigations; and

''(B) the number of referrals made by the Commissioner pursuant to subsection (c).''.

(b) TECHNICAL AMENDMENT.—The table of contents for title VII of the Tariff Act of 1930 is amended by inserting after the item relating to section 781 the following:

''Sec. 781A. Procedures for prevention of evasion of antidumping and countervailing duty orders.''.

(c) JUDICIAL REVIEW.—Section 516A(a)(2) of the Tariff Act of 1930 (19 U.S.C. 1516a(a)(2)) is amended—

(1) in subparagraph (A)(i)(I), by striking ''or (viii)'' and inserting ''(viii), or (ix)''; and

(2) in subparagraph (B), by inserting at the end the following:

''(ix) A determination by the administering authority under section 781A.''.

(d) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act—

(1) the Secretary of Commerce shall prescribe such regulations as may be necessary to carry out subsection (b) of section 781A of the Tariff Act of 1930 (as added by subsection (a) of this section); and

(2) the Commissioner shall prescribe such regulations as may be necessary to carry out subsection (c) of such section 781A.

(e) EFFECTIVE DATE.—The amendments made by this section shall—

(1) take effect on the date that is 180 days after the date of the enactment of this Act; and

(2) apply with respect to merchandise entered on or after such date of enactment.

SEC. 422. GOVERNMENT ACCOUNTABILITY OFFICE REPORT.

Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Finance and the Committee on Appropriations of the Senate and the Committee on Ways and Means and the Committee on Appropriations of the House of Representatives a report assessing the effectiveness of—

(1) the provisions of, and amendments made by, this subtitle; and

(2) the actions taken and procedures developed by the Secretary of Commerce and the Commissioner pursuant to such provisions and amendments to prevent evasion of antidumping and countervailing duty orders under title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.).

SUBTITLE C—OTHER MATTERS

SEC. 431. ALLOCATION AND TRAINING OF PERSONNEL.

The Commissioner shall, to the maximum extent possible, ensure that U.S. Customs and Border Protection—

(1) employs sufficient personnel who have expertise in, and responsibility for, preventing and investigating the entry of covered merchandise into the customs territory of the United States through evasion;

(2) on the basis of risk assessment metrics, assigns sufficient personnel with primary responsibility for preventing the entry of covered merchandise into the customs territory of the United States through evasion to the ports of entry in the United States at which the Commissioner determines potential evasion presents the most substantial threats to the revenue of the United States; and

(3) provides adequate training to relevant personnel to increase expertise and effectiveness in the prevention and identification of entries of covered merchandise into the customs territory of the United States through evasion.

SEC. 432. ANNUAL REPORT ON PREVENTION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

(a) IN GENERAL.—Not later than February 28 of each year, beginning in 2016, the Commissioner, in consultation with the Secretary of Commerce and the Director of U.S. Immigration and Customs Enforcement, shall submit to the appropriate congressional committees a report on the efforts being taken to prevent and investigate evasion.

(b) CONTENTS.—Each report required under subsection (a) shall include—

(1) for the calendar year preceding the submission of the report—

(A) a summary of the efforts of U.S. Customs and Border Protection to prevent and identify evasion;

(B) the number of allegations of evasion received and the number of allegations of evasion resulting in any administrative, civil, or criminal actions by U.S. Customs and Border Protection or any other agency;

(C) a summary of the completed administrative inquiries of evasion, including the number and nature of the inquiries initiated, conducted, or completed, as well as their resolution;

(D) with respect to inquiries that lead to issuance of a penalty notice, the penalty amounts;

(E) the amounts of antidumping and countervailing duties collected as a result of any actions by U.S. Customs and Border Protection or any other agency;

(F) a description of the allocation of personnel and other resources of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to prevent, identify, and investigate evasion, including any assessments conducted regarding the allocation of such personnel and resources; and

(G) a description of training conducted to increase expertise and effectiveness in the prevention, identification, and investigation of evasion; and

(2) a description of U.S. Customs and Border Protection processes and procedures to prevent and identify evasion, including—

(A) the specific guidelines, policies, and practices used by U.S. Customs and Border Protection to ensure that allegations of evasion are promptly evaluated and acted upon in a timely manner;

(B) an evaluation of the efficacy of such existing guidelines, policies, and practices;

(C) identification of any changes since the last report that have materially improved or reduced the effectiveness of U.S. Customs and Border Protection to prevent and identify evasion;

(D) a description of the development and implementation of policies for the application of single entry and continuous bonds for entries of covered merchandise to sufficiently protect the collection of antidumping and countervailing duties commensurate with the level of risk on noncollection;

(E) the processes and procedures for increased cooperation and information sharing with the Department of Commerce, U.S. Immigration and Customs Enforcement, and any other relevant Federal agencies to prevent and identify evasion; and

(F) identification of any recommended policy changes of other Federal agencies or legislative changes to improve the effectiveness of U.S. Customs and Border Protection to prevent and identify evasion.

SEC. 433. ADDRESSING CIRCUMVENTION BY NEW SHIPPERS.

Section 751(a)(2)(B) of the Tariff Act of 1930 (19 U.S.C. 1675(a)(2)(B)) is amended—

(1) by striking clause (iii);

(2) by redesignating clause (iv) as clause (iii); and

(3) inserting after clause (iii), as redesignated by paragraph (2) of this section, the following:

''(iv) DETERMINATIONS BASED ON BONAFIDE SALES.—Any weighted average dumping margin or individual countervailing duty rate determined for an exporter or producer in a review conducted under clause (i) shall be based solely on the bona fide United States sales of an exporter or producer, as the case may be, made during the period covered by the review. In determining whether the United States sales of an exporter or producer made during the period covered by the review were bona fide, the administering authority shall consider, depending on the circumstances surrounding such sales—

''(I) the prices of such sales;

''(II) whether such sales were made in commercial quantities;

''(III) the timing of such sales;

''(IV) the expenses arising from such sales;

''(V) whether the subject merchandise involved in such sales was resold in the United States at a profit;

''(VI) whether such sales were made on an arms-length basis; and

''(VII) any other factor the administering authority determines to be relevant as to whether such sales are, or are not, likely to be typical of those the exporter or producer will make after completion of the review.''.

TITLE V—IMPROVEMENTS TO ANTIDUMPING AND COUNTERVAILING DUTY LAWS

SEC. 501. SHORT TITLE.

This title may be cited as the ''American Trade Enforcement Effectiveness Act''.

SEC. 502. CONSEQUENCES OF FAILURE TO COOPERATE WITH A REQUEST FOR INFORMATION IN A PROCEEDING.

Section 776 of the Tariff Act of 1930 (19 U.S.C. 1677e) is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(B) by striking ''ADVERSE INFERENCES.—If'' and inserting the following: ''ADVERSE INFERENCES.—

''(1) IN GENERAL.—If'';

(C) by striking ''under this title, may use'' and inserting the following: ''under this title—

''(A) may use''; and

(D) by striking ''facts otherwise available. Such adverse inference may include'' and inserting the following: ''facts otherwise available; and

''(B) is not required to determine, or make any adjustments to, a countervailable subsidy rate or weighted average dumping margin based on any assumptions about information the interested party would have provided if the interested party had complied with the request for information.

''(2) POTENTIAL SOURCES OF INFORMATION FOR ADVERSE INFERENCES.—An adverse inference under paragraph (1)(A) may include'';

(2) in subsection (c)—

(A) by striking ''CORROBORATION OF SECONDARY INFORMATION.—When the'' and inserting the following: ''CORROBORATION OF SECONDARY INFORMATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), when the''; and

(B) by adding at the end the following:

''(2) EXCEPTION.—The administrative authority and the Commission shall not be required to corroborate any dumping margin or countervailing duty applied in a separate segment of the same proceeding.''; and

(3) by adding at the end the following:

''(d) SUBSIDY RATES AND DUMPING MARGINS IN ADVERSE INFERENCE DETERMINATIONS.—

''(1) IN GENERAL.—If the administering authority uses an inference that is adverse to the interests of a party under subsection (b)(1)(A) in selecting among the facts otherwise available, the administering authority may—

''(A) in the case of a countervailing duty proceeding—

''(i) use a countervailable subsidy rate applied for the same or similar program in a countervailing duty proceeding involving the same country, or

''(ii) if there is no same or similar program, use a countervailable subsidy rate for a subsidy program from a proceeding that the administering authority considers reasonable to use, and

''(B) in the case of an antidumping duty proceeding, use any dumping margin from any segment of the proceeding under the applicable antidumping order.

''(2) DISCRETION TO APPLY HIGHEST RATE.—In carrying out paragraph (1), the administering authority may apply any of the countervailable subsidy rates or dumping margins specified under that paragraph, including the highest such rate or margin, based on the evaluation by the administering authority of the situation that resulted in the administering authority using an adverse inference in selecting among the facts otherwise available.

''(3) NO OBLIGATION TO MAKE CERTAIN ESTIMATES OR ADDRESS CERTAIN CLAIMS.—If the administering authority uses an adverse inference under subsection (b)(1)(A) in selecting among the facts otherwise available, the administering authority is not required, for purposes of subsection (c) or for any other purpose—

''(A) to estimate what the countervailable subsidy rate or dumping margin would have been if the interested party found to have failed to cooperate under subsection (b)(1) had cooperated, or

''(B) to demonstrate that the countervailable subsidy rate or dumping margin used by the administering authority reflects an alleged commercial reality of the interested party.''.

SEC. 503. DEFINITION OF MATERIAL INJURY.

(a) EFFECT OF PROFITABILITY OF DOMESTIC INDUSTRIES.—Section 771(7) of the Tariff Act of 1930 (19 U.S.C. 1677(7)) is amended by adding at the end the following:

''(J) EFFECT OF PROFITABILITY.—The Commission may not determine that there is no material injury or threat of material injury to an industry in the United States merely because that industry is profitable or because the performance of that industry has recently improved.''.

(b) EVALUATION OF IMPACT ON DOMESTIC INDUSTRY IN DETERMINATION OF MATERIAL INJURY.—Subclause (I) of section 771(7)(C)(iii) of the Tariff Act of 1930 (19 U.S.C. 1677(7)(C)(iii)) is amended to read as follows:

''(I) actual and potential decline in output, sales, market share, gross profits, operating profits, net profits, ability to service debt, productivity, return on investments, return on assets, and utilization of capacity,''.

(c) CAPTIVE PRODUCTION.—Section 771(7)(C)(iv) of the Tariff Act of 1930 (19 U.S.C. 1677(7)(C)(iv)) is amended—

(1) in subclause (I), by striking the comma and inserting '', and'';

(2) in subclause (II), by striking '', and'' and inserting a comma; and

(3) by striking subclause (III).

SEC. 504. PARTICULAR MARKET SITUATION.

(a) DEFINITION OF ORDINARY COURSE OF TRADE.—Section 771(15) of the Tariff Act of 1930 (19 U.S.C. 1677(15)) is amended by adding at the end the following:

''(C) Situations in which the administering authority determines that the particular market situation prevents a proper comparison with the export price or constructed export price.''.

(b) DEFINITION OF NORMAL VALUE.—Section 773(a)(1)(B)(ii)(III) of the Tariff Act of 1930 (19 U.S.C. 1677b(a)(1)(B)(ii)(III)) is amended by striking ''in such other country.''.

(c) DEFINITION OF CONSTRUCTED VALUE.—Section 773(e) of the Tariff Act of 1930 (19 U.S.C. 1677b(e)) is amended—

(1) in paragraph (1), by striking ''business'' and inserting ''trade''; and

(2) by striking the flush text at the end and inserting the following:

''For purposes of paragraph (1), if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology. For purposes of paragraph (1), the cost of materials shall be determined without regard to any internal tax in the exporting country imposed on such materials or their disposition that is remitted or refunded upon exportation of the subject merchandise produced from such materials.''.

SEC. 505. DISTORTION OF PRICES OR COSTS.

(a) INVESTIGATION OF BELOW-COST SALES.—Section 773(b)(2) of the Tariff Act of 1930 (19 U.S.C. 1677b(b)(2)) is amended by striking subparagraph (A) and inserting the following:

''(A) REASONABLE GROUNDS TO BELIEVE OR SUSPECT.—

''(i) REVIEW.—In a review conducted under section 751 involving a specific exporter, there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that are less than the cost of production of the product if the administering authority disregarded some or all of the exporter's sales pursuant to paragraph (1) in the investigation or, if a review has been completed, in the most recently completed review.

''(ii) REQUESTS FOR INFORMATION.—In an investigation initiated under section 732 or a review conducted under section 751, the administering authority shall request information necessary to calculate the constructed value and cost of production under subsections (e) and (f) to determine whether there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that represent less than the cost of production of the product.''.

(b) PRICES AND COSTS IN NONMARKET ECONOMIES.—Section 773(c) of the Tariff Act of 1930 (19 U.S.C. 1677b(c)) is amended by adding at the end the following:

''(5) DISCRETION TO DISREGARD CERTAIN PRICE OR COST VALUES.—In valuing the factors of production under paragraph (1) for the subject merchandise, the administering authority may disregard price or cost values without further investigation if the administering authority has determined that broadly available export subsidies existed or particular instances of subsidization occurred with respect to those price or cost values or if those price or cost values were subject to an antidumping order.''.

SEC. 506. REDUCTION IN BURDEN ON DEPARTMENT OF COMMERCE BY REDUCING THE NUMBER OF VOLUNTARY RESPONDENTS.

Section 782(a) of the Tariff Act of 1930 (19 U.S.C. 1677m(a)) is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, 2 ems to the right;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(3) by striking ''INVESTIGATIONS AND REVIEWS.—In'' and inserting the following: ''INVESTIGATIONS AND REVIEWS.—

''(1) IN GENERAL.—In'';

(4) in paragraph (1), as designated by paragraph (3), by amending subparagraph (B), as redesignated by paragraph (2), to read as follows:

''(B) the number of exporters or producers subject to the investigation or review is not so large that any additional individual examination of such exporters or producers would be unduly burdensome to the administering authority and inhibit the timely completion of the investigation or review.''; and

(5) by adding at the end the following:

''(2) DETERMINATION OF UNDULY BURDENSOME.—In determining if an individual examination under paragraph (1)(B) would be unduly burdensome, the administering authority may consider the following:

''(A) The complexity of the issues or information presented in the proceeding, including questionnaires and any responses thereto.

''(B) Any prior experience of the administering authority in the same or similar proceeding.

''(C) The total number of investigations under subtitle A or B and reviews under section 751 being conducted by the administering authority as of the date of the determination.

''(D) Such other factors relating to the timely completion of each such investigation and review as the administering authority considers appropriate.''.

SEC. 507. APPLICATION TO CANADA AND MEXICO.

Pursuant to article 1902 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3438), the amendments made by this title shall apply with respect to goods from Canada and Mexico.

TITLE VI—ADDITIONAL ENFORCEMENT PROVISIONS

SEC. 601. TRADE ENFORCEMENT PRIORITIES.

(a) IN GENERAL.—Section 310 of the Trade Act of 1974 (19 U.S.C. 2420) is amended to read as follows:

''SEC. 310. TRADE ENFORCEMENT PRIORITIES.

''(a) TRADE ENFORCEMENT PRIORITIES, CONSULTATIONS, AND REPORT.—

''(1) TRADE ENFORCEMENT PRIORITIES CONSULTATIONS.—Not later than May 31 of each calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the United States Trade Representative (in this section referred to as the 'Trade Representative') shall consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to the prioritization of acts, policies, or practices of foreign governments that raise concerns with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or otherwise create or maintain barriers to United States goods, services, or investment.

''(2) IDENTIFICATION OF TRADE ENFORCEMENT PRIORITIES.—In identifying acts, policies, or practices of foreign governments as trade enforcement priorities under this subsection, the United States Trade Representative shall focus on those acts, policies, and practices the elimination of which is likely to have the most significant potential to increase United States economic growth, and take into account all relevant factors, including—

''(A) the economic significance of any potential inconsistency between an obligation assumed by a foreign government pursuant to a trade agreement to which both the foreign government and the United States are parties and the acts, policies, or practices of that government;

''(B) the impact of the acts, policies, or practices of a foreign government on maintaining and creating United States jobs and productive capacity;

''(C) the major barriers and trade distorting practices described in the most recent National Trade Estimate required under section 181(b);

''(D) the major barriers and trade distorting practices described in other relevant reports addressing international trade and investment barriers prepared by a Federal agency or congressional commission during the 12 months preceding the date of the most recent report under paragraph (3);

''(E) a foreign government's compliance with its obligations under any trade agreements to which both the foreign government and the United States are parties;

''(F) the implications of a foreign government's procurement plans and policies; and

''(G) the international competitive position and export potential of United States products and services.

''(3) REPORT ON TRADE ENFORCEMENT PRIORITIES AND ACTIONS TAKEN TO ADDRESS.—

''(A) IN GENERAL.—Not later than July 31 of each calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Trade Representative 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 acts, policies, or practices of foreign governments identified as trade enforcement priorities based on the consultations under paragraph (1) and the criteria set forth in paragraph (2).

''(B) REPORT IN SUBSEQUENT YEARS.—The Trade Representative shall include, when reporting under subparagraph (A) in any calendar year after the calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, a description of actions taken to address any acts, policies, or practices of foreign governments identified as trade enforcement priorities under this subsection in the calendar year preceding that report and, as relevant, any year before that calendar year.

''(b) SEMI-ANNUAL ENFORCEMENT CONSULTATIONS.—

''(1) IN GENERAL.—At the same time as the reporting under subsection (a)(3), and not later than January 31 of each following year, the Trade Representative shall consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to the identification, prioritization, investigation, and resolution of acts, policies, or practices of foreign governments of concern with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or that otherwise create or maintain trade barriers.

''(2) ACTS, POLICIES, OR PRACTICES OF CONCERN.—The semi-annual enforcement consultations required by paragraph (1) shall address acts, policies, or practices of foreign governments that raise concerns with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or otherwise create or maintain trade barriers, including—

''(A) engagement with relevant trading partners;

''(B) strategies for addressing such concerns;

''(C) availability and deployment of resources to be used in the investigation or resolution of such concerns;

''(D) the merits of any potential dispute resolution proceeding under the WTO Agreements or any other trade agreement to which the United States is a party relating to such concerns; and

''(E) any other aspects of such concerns.

''(3) ACTIVE INVESTIGATIONS.—The semi-annual enforcement consultations required by paragraph (1) shall address acts, policies, or practices that the Trade Representative is actively investigating with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, including—

''(A) strategies for addressing concerns raised by such acts, policies, or practices;

''(B) any relevant timeline with respect to investigation of such acts, policies, or practices;

''(C) the merits of any potential dispute resolution proceeding under the WTO Agreements or any other trade agreement to which the United States is a party with respect to such acts, policies, or practices;

''(D) barriers to the advancement of the investigation of such acts, policies, or practices; and

''(E) any other matters relating to the investigation of such acts, policies, or practices.

''(4) ONGOING ENFORCEMENT ACTIONS.—The semi-annual enforcement consultations required by paragraph (1) shall address all ongoing enforcement actions taken by or against the United States with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, including—

''(A) any relevant timeline with respect to such actions;

''(B) the merits of such actions;

''(C) any prospective implementation actions;

''(D) potential implications for any law or regulation of the United States;

''(E) potential implications for United States stakeholders, domestic competitors, and exporters; and

''(F) other issues relating to such actions.

''(5) ENFORCEMENT RESOURCES.—The semi-annual enforcement consultations required by paragraph (1) shall address the availability and deployment of enforcement resources, resource constraints on monitoring and enforcement activities, and strategies to address those constraints, including the use of available resources of other Federal agencies to enhance monitoring and enforcement capabilities.

''(c) INVESTIGATION AND RESOLUTION.—In the case of any acts, policies, or practices of a foreign government identified as a trade enforcement priority under subsection (a), the Trade Representative shall, not later than the date of the first semi-annual enforcement consultations held under subsection (b) after the identification of the priority, take appropriate action to address that priority, including—

''(1) engagement with the foreign government to resolve concerns raised by such acts, policies, or practices;

''(2) initiation of an investigation under section 302(b)(1) with respect to such acts, policies, or practices;

''(3) initiation of negotiations for a bilateral agreement that provides for resolution of concerns raised by such acts, policies, or practices; or

''(4) initiation of dispute settlement proceedings under the WTO Agreements or any other trade agreement to which the United States is a party with respect to such acts, policies, or practices.

''(d) ENFORCEMENT NOTIFICATIONS AND CONSULTATION.—

''(1) INITIATION OF ENFORCEMENT ACTION.—The Trade Representative shall notify and consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives in advance of initiation of any formal trade dispute by or against the United States taken in regard to an obligation under the WTO Agreements or any other trade agreement to which the United States is a party. With respect to a formal trade dispute against the United States, if advance notification and consultation are not possible, the Trade Representative shall notify and consult at the earliest practicable opportunity after initiation of the dispute.

''(2) CIRCULATION OF REPORTS.—The Trade Representative shall notify and consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives in advance of the announced or anticipated circulation of any report of a dispute settlement panel or the Appellate Body of the World Trade Organization or of a dispute settlement panel under any other trade agreement to which the United States is a party with respect to a formal trade dispute by or against the United States.

''(e) DEFINITIONS.—In this section:

''(1) WTO.—The term 'WTO' means the World Trade Organization.

''(2) WTO AGREEMENT.—The term 'WTO Agreement' has the meaning given that term in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9)).

''(3) WTO AGREEMENTS.—The term 'WTO Agreements' means the WTO Agreement and agreements annexed to that Agreement.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the item relating to section 310 and inserting the following:

''Sec. 310. Trade enforcement priorities.''.

SEC. 602. EXERCISE OF WTO AUTHORIZATION TO SUSPEND CONCESSIONS OR OTHER OBLIGATIONS UNDER TRADE AGREEMENTS.

(a) IN GENERAL.—Section 306 of the Trade Act of 1974 (19 U.S.C. 2416) is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

''(c) EXERCISE OF WTO AUTHORIZATION TO SUSPEND CONCESSIONS OR OTHER OBLIGATIONS.—If—

''(1) action has terminated pursuant to section 307(c),

''(2) the petitioner or any representative of the domestic industry that would benefit from reinstatement of action has submitted to the Trade Representative a written request for reinstatement of action, and

''(3) the Trade Representatives has completed the requirements of subsection (d) and section 307(c)(3),

the Trade Representative may at any time determine to take action under section 301(c) to exercise an authorization to suspend concessions or other obligations under Article 22 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (referred to in section 101(d)(16) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(16))).''.

(b) CONFORMING AMENDMENTS.—Chapter 1 of title III of the Trade Act of 1974 (19 U.S.C. 2411 et seq.) is amended—

(1) in section 301(c)(1) (19 U.S.C. 2411(c)(1)), in the matter preceding subparagraph (A), by inserting ''or section 306(c)'' after ''subsection (a) or (b)'';

(2) in section 306(b) (19 U.S.C. 2416(b)), in the subsection heading, by striking ''FURTHER ACTION'' and inserting ''ACTION ON THE BASIS OF MONITORING'';

(3) in section 306(d) (19 U.S.C. 2416(d)), as redesignated by subsection (a)(1), by inserting ''or (c)'' after ''subsection (b)''; and

(4) in section 307(c)(3) (19 U.S.C. 2417(c)(3)), by inserting ''or if a request is submitted to the Trade Representative under section 306(c)(2) to reinstate action,'' after ''under section 301,''.

SEC. 603. TRADE MONITORING.

(a) IN GENERAL.—Chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.) is amended by adding at the end the following:

''SEC. 205. TRADE MONITORING.

''(a) MONITORING TOOL FOR IMPORTS.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the United States International Trade Commission shall make available on a website of the Commission an import monitoring tool to allow the public access to data on the volume and value of goods imported to the United States for the purpose of assessing whether such data has changed with respect to such goods over a period of time.

''(2) DATA DESCRIBED.—For purposes of the monitoring tool under paragraph (1), the Commission shall use data compiled by the Department of Commerce and such other government data as the Commission considers appropriate.

''(3) PERIODS OF TIME.—The Commission shall ensure that data accessed through the monitoring tool under paragraph (1) includes data for the most recent quarter for which such data are available and previous quarters as the Commission considers practicable.

''(b) MONITORING REPORTS.—

''(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this section, and not less frequently than quarterly thereafter, the Secretary of Commerce shall publish on a website of the Department of Commerce, and notify the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives of the availability of, a monitoring report on changes in the volume and value of trade with respect to imports and exports of goods categorized based on the 6-digit subheading number of the goods under the Harmonized Tariff Schedule of the United States during the most recent quarter for which such data are available and previous quarters as the Secretary considers practicable.

''(2) REQUESTS FOR COMMENT.—Not later than one year after the date of the enactment of this section, the Secretary of Commerce shall solicit through the Federal Register public comment on the monitoring reports described in paragraph (1).

''(c) SUNSET.—The requirements under this section terminate on the date that is seven years after the date of the enactment of this section.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended by inserting after the item relating to section 204 the following:

''Sec. 205. Trade monitoring.''.

TITLE VII—CURRENCY MANIPULATION

SEC. 701. ENHANCEMENT OF ENGAGEMENT ON CURRENCY EXCHANGE RATE AND ECONOMIC POLICIES WITH CERTAIN MAJOR TRADING PARTNERS OF THE UNITED STATES.

(a) MAJOR TRADING PARTNER REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once every 180 days thereafter, the Secretary shall submit to the appropriate committees of Congress a report on the macroeconomic and currency exchange rate policies of each country that is a major trading partner of the United States.

(2) ELEMENTS.—

(A) IN GENERAL.—Each report submitted under paragraph (1) shall contain—

(i) for each country that is a major trading partner of the United States—

(I) that country's bilateral trade balance with the United States;

(II) that country's current account balance as a percentage of its gross domestic product;

(III) the change in that country's current account balance as a percentage of its gross domestic product during the 3-year period preceding the submission of the report;

(IV) that country's foreign exchange reserves as a percentage of its short-term debt; and

(V) that country's foreign exchange reserves as a percentage of its gross domestic product; and

(ii) an enhanced analysis of macroeconomic and exchange rate policies for each country that is a major trading partner of the United States that has—

(I) a significant bilateral trade surplus with the United States;

(II) a material current account surplus; and

(III) engaged in persistent one-sided intervention in the foreign exchange market.

(B) ENHANCED ANALYSIS.—Each enhanced analysis under subparagraph (A)(ii) shall include, for each country with respect to which an analysis is made under that subparagraph—

(i) a description of developments in the currency markets of that country, including, to the greatest extent feasible, developments with respect to currency interventions;

(ii) a description of trends in the real effective exchange rate of the currency of that country and in the degree of undervaluation of that currency;

(iii) an analysis of changes in the capital controls and trade restrictions of that country;

(iv) patterns in the reserve accumulation of that country; and

(v) an analysis of the macroeconomic policy mix of that country and its pattern of savings-investment imbalances.

(3) GUIDANCE.—The Secretary shall publicly issue guidance not later than 90 days after the date of enactment of the Act that describes the factors used to assess under paragraph (2)(A)(ii) whether a country has a significant bilateral trade surplus with the United States, has a material current account surplus, and has engaged in persistent one-sided intervention in the foreign exchange market.

(b) ENGAGEMENT ON EXCHANGE RATE AND ECONOMIC POLICIES.—

(1) IN GENERAL.—The President, through the Secretary, shall commence enhanced bilateral engagement with each country for which an enhanced analysis of macroeconomic and currency exchange rate policies is included in the report submitted under subsection (a), in order to, as appropriate—

(A) urge implementation of policies to address the causes of the undervaluation of its currency, its bilateral trade surplus with the United States, and its material current account surplus, including undervaluation and surpluses relating to exchange rate management;

(B) express the concern of the United States with respect to the adverse trade and economic effects of that undervaluation and those surpluses; and/or

(C) advise that country of the ability of the President to take action under subsection (c).

(2) WAIVER.—

(A) IN GENERAL.—The Secretary may waive the requirement under subsection (b)(1) to commence enhanced bilateral engagement with a country if the Secretary determines that commencing enhanced bilateral engagement with the country—

(i) would have an adverse impact on the United States economy greater than the benefits of such action; or

(ii) would cause serious harm to the national security of the United States.

(B) CERTIFICATION.—The Secretary shall promptly certify to Congress a determination under subparagraph (A).

(c) REMEDIAL ACTION.—

(1) IN GENERAL.—If, on or after the date that is one year after the commencement of enhanced bilateral engagement by the President, through the Secretary, with respect to a country under subsection (b)(1), the Secretary determines that the country has failed to adopt appropriate policies to correct the undervaluation and surpluses described in subsection (b)(1)(A) with respect to that country, the President shall take one or more of the following actions:

(A) Prohibit the Overseas Private Investment Corporation from approving any new financing (including any insurance, reinsurance, or guarantee) with respect to a project located in that country on and after such date.

(B) Except as provided in paragraph (2), and pursuant to paragraph (3), prohibit the

Federal Government from procuring, or entering into any contract for the procurement of, goods or services from that country on and after such date.

(C) Instruct the United States Executive Director of the International Monetary Fund to call for additional rigorous surveillance of the macroeconomic and exchange rate policies of that country and, as appropriate, formal consultations on findings of currency manipulation.

(D) Instruct the United States Trade Representative to take into account, in consultation with the Secretary, in assessing whether to enter into a bilateral or regional trade agreement with that country or to initiate or participate in negotiations with respect to a bilateral or regional trade agreement with that country, the extent to which that country has failed to adopt appropriate policies to correct the undervaluation and surpluses described in subsection (b)(1)(A).

(2) WAIVER.—

(A) IN GENERAL.—The President may waive the requirement under paragraph (1) to take remedial action if the President determines that taking remedial action under paragraph (1) would—

(i) have an adverse impact on the United States economy greater than the benefits of taking remedial action; or

(ii) would cause serious harm to the national security of the United States.

(B) CERTIFICATION.—The President shall promptly certify to Congress a determination under subparagraph (A).

(3) EXCEPTION.—The President may not apply a prohibition under paragraph (1)(B) in a manner that is inconsistent with United States obligations under international agreements.

(4) CONSULTATIONS.—

(A) OFFICE OF MANAGEMENT AND BUDGET.—Before applying a prohibition under paragraph (1)(B), the President shall consult with the Director of the Office of Management and Budget to determine whether such prohibition would subject the taxpayers of the United States to unreasonable cost.

(B) CONGRESS.—The President shall consult with the appropriate committees of Congress with respect to any action the President takes under paragraph (1)(B), including whether the President has consulted as required under subparagraph (A).

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate; and

(B) the Committee on Financial Services and the Committee on Ways and Means of the House of Representatives.

(2) COUNTRY.—The term ''country'' means a foreign country, dependent territory, or possession of a foreign country, and may include an association of 2 or more foreign countries, dependent territories, or possessions of countries into a customs union outside the United States.

(3) REAL EFFECTIVE EXCHANGE RATE.—The term ''real effective exchange rate'' means a weighted average of bilateral exchange rates, expressed in price-adjusted terms.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

SEC. 702. ADVISORY COMMITTEE ON INTERNATIONAL EXCHANGE RATE POLICY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an Advisory Committee on International Exchange Rate Policy (in this section referred to as the ''Committee'').

(2) DUTIES.—The Committee shall be responsible for advising the Secretary of the Treasury with respect to the impact of international exchange rates and financial policies on the economy of the United States.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall be composed of 9 members as follows, none of whom shall be employees of the Federal Government:

(A) Three members shall be appointed by the President pro tempore of the Senate, upon the recommendation of the chairmen and ranking members of the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate.

(B) Three members shall be appointed by the Speaker of the House of Representatives upon the recommendation of the chairmen and ranking members of the Committee on Financial Services and the Committee on Ways and Means of the House of Representatives.

(C) Three members shall be appointed by the President.

(2) QUALIFICATIONS.—Members shall be selected under paragraph (1) on the basis of their objectivity and demonstrated expertise in finance, economics, or currency exchange.

(3) TERMS.—

(A) IN GENERAL.—Members shall be appointed for a term of 2 years or until the Committee terminates.

(B) REAPPOINTMENT.—A member may be reappointed to the Committee for additional terms.

(4) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) DURATION OF COMMITTEE.—

(1) IN GENERAL.—The Committee shall terminate on the date that is 2 years after the date of the enactment of this Act unless renewed by the President for a subsequent 2-year period.

(2) CONTINUED RENEWAL.—The President may continue to renew the Committee for successive 2-year periods by taking appropriate action to renew the Committee prior to the date on which the Committee would otherwise terminate.

(d) MEETINGS.—The Committee shall hold not less than 2 meetings each calendar year.

(e) CHAIRPERSON.—

(1) IN GENERAL.—The Committee shall elect from among its members a chairperson for a term of 2 years or until the Committee terminates.

(2) REELECTION; SUBSEQUENT TERMS.—A chairperson of the Committee may be reelected chairperson but is ineligible to serve consecutive terms as chairperson.

(f) STAFF.—The Secretary of the Treasury shall make available to the Committee such staff, information, personnel, administrative services, and assistance as the Committee may reasonably require to carry out the activities of the Committee.

(g) APPLICATION OF THE FEDERAL ADVISORY COMMITTEE ACT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

(2) EXCEPTION.—Meetings of the Committee shall be exempt from the requirements of subsections (a) and (b) of section 10 and section 11 of the Federal Advisory Committee Act (relating to open meetings, public notice, public participation, and public availability of documents), whenever and to the extent it is determined by the President or the Secretary of the Treasury that such meetings will be concerned with matters the disclosure of which—

(A) would seriously compromise the development by the Government of the United States of monetary or financial policy; or

(B) is likely to—

(i) lead to significant financial speculation in currencies, securities, or commodities; or

(ii) significantly endanger the stability of any financial institution.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Treasury for each fiscal year in which the Committee is in effect $1,000,000 to carry out this section.

TITLE VIII—ESTABLISHMENT OF U.S. CUSTOMS AND BORDER PROTECTION

SEC. 801. SHORT TITLE.

This title may be cited as the ''U.S. Customs and Border Protection Authorization Act''.

SEC. 802. ESTABLISHMENT OF U.S. CUSTOMS AND BORDER PROTECTION.

(a) IN GENERAL.—Section 411 of the Homeland Security Act of 2002 (6 U.S.C. 211) is amended to read as follows:

''SEC. 411. ESTABLISHMENT OF U.S. CUSTOMS AND BORDER PROTECTION; COMMISSIONER, DEPUTY COMMISSIONER, AND OPERATIONAL OFFICES.

''(a) IN GENERAL.—There is established in the Department an agency to be known as U.S. Customs and Border Protection.

''(b) COMMISSIONER OF U.S. CUSTOMS AND BORDER PROTECTION.—There shall be at the head of U.S. Customs and Border Protection a Commissioner of U.S. Customs and Border Protection (in this section referred to as the 'Commissioner'), who shall be appointed by the President, by and with the advice and consent of the Senate.

''(c) DUTIES.—The Commissioner shall—

''(1) ensure the interdiction of persons and goods illegally entering or exiting the United States;

''(2) facilitate and expedite the flow of legitimate travelers and trade;

''(3) detect, respond to, and interdict terrorists, drug smugglers and traffickers, human smugglers and traffickers, and other persons who may undermine the security of the United States, in cases in which such persons are entering, or have recently entered, the United States;

''(4) safeguard the borders of the United States to protect against the entry of dangerous goods;

''(5) oversee the functions of the Office of Trade established under section 802(h) of the Trade Facilitation and Trade Enforcement Act of 2015;

''(6) enforce and administer all customs laws of the United States, including the Tariff Act of 1930;

''(7) enforce and administer all immigration laws, as such term is defined in paragraph (17) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)), as necessary for the inspection, processing, and admission of persons who seek to enter or depart the United States, and as necessary to ensure the detection, interdiction, removal, departure from the United States, short-term detention, and transfer of persons unlawfully entering, or who have recently unlawfully entered, the United States, in coordination with U.S. Immigration and Customs Enforcement and United States Citizenship and Immigration Services;

''(8) develop and implement screening and targeting capabilities, including the screening, reviewing, identifying, and prioritizing of passengers and cargo across all international modes of transportation, both inbound and outbound;

''(9) in coordination with the Secretary, deploy technology to collect the data necessary for the Secretary to administer the biometric entry and exit data system pursuant to section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b);

''(10) enforce and administer the laws relating to agricultural import and entry inspection referred to in section 421;

''(11) in coordination with the Under Secretary for Management of the Department, ensure U.S. Customs and Border Protection complies with Federal law, the Federal Acquisition Regulation, and the Department's acquisition management directives for major acquisition programs of U.S. Customs and Border Protection;

''(12) enforce and administer—

''(A) the Container Security Initiative program under section 205 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 945; Public Law 109–347); and

''(B) the Customs-Trade Partnership Against Terrorism program under sections 211 through 223 of such Act (6 U.S.C. 961-973);

''(13) conduct polygraph examinations in accordance with section 3(1) of the Anti-Border Corruption Act of 2010 (Public Law 111–376);

''(14) establish the standard operating procedures described in subsection (k);

''(15) carry out the training required under subsection (l); and

''(16) carry out other duties and powers prescribed by law or delegated by the Secretary.

''(d) DEPUTY COMMISSIONER.—There shall be in U.S. Customs and Border Protection a Deputy Commissioner who shall assist the Commissioner in the management of U.S. Customs and Border Protection.

''(e) U.S. BORDER PATROL.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection the U.S. Border Patrol.

''(2) CHIEF.—There shall be at the head of the U.S. Border Patrol a Chief, who shall report to the Commissioner.

''(3) DUTIES.—The U.S. Border Patrol shall—

''(A) serve as the law enforcement office of U.S. Customs and Border Protection with primary responsibility for interdicting persons attempting to illegally enter or exit the United States or goods being illegally imported into or exported from the United States at a place other than a designated port of entry;

''(B) deter and prevent illegal entry of terrorists, terrorist weapons, persons, and contraband; and

''(C) carry out other duties and powers prescribed by the Commissioner.

''(f) OFFICE OF AIR AND MARINE OPERATIONS.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of Air and Marine Operations.

''(2) ASSISTANT COMMISSIONER.—There shall be at the head of the Office of Air and Marine Operations an Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—The Office of Air and Marine Operations shall—

''(A) serve as the law enforcement office within U.S. Customs and Border Protection with primary responsibility to detect, interdict, and prevent acts of terrorism and the unlawful movement of people, illicit drugs, and other contraband across the borders of the United States in the air and maritime environment;

''(B) conduct joint aviation and marine operations with U.S. Immigration and Customs Enforcement;

''(C) conduct aviation and marine operations with international, Federal, State, and local law enforcement agencies, as appropriate;

''(D) administer the Air and Marine Operations Center established under paragraph (4); and

''(E) carry out other duties and powers prescribed by the Commissioner.

''(4) AIR AND MARINE OPERATIONS CENTER.—

''(A) IN GENERAL.—There is established in the Office of Air and Marine Operations an Air and Marine Operations Center.

''(B) EXECUTIVE DIRECTOR.—There shall be at the head of the Air and Marine Operations Center an Executive Director, who shall report to the Assistant Commissioner of the Office of Air and Marine Operations.

''(C) DUTIES.—The Air and Marine Operations Center shall—

''(i) manage the air and maritime domain awareness of the Department;

''(ii) monitor and coordinate the airspace for Unmanned Aerial Systems operations of the Office of Air and Marine Operations in U.S. Customs and Border Protection;

''(iii) detect, identify, and coordinate a response to threats to national security in the air domain;

''(iv) provide aviation and marine support to other Federal, State, tribal, and local agencies; and

''(v) carry out other duties and powers prescribed by the Assistant Commissioner.

''(g) OFFICE OF FIELD OPERATIONS.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of Field Operations.

''(2) ASSISTANT COMMISSIONER.—There shall be at the head of the Office of Field Operations an Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—The Office of Field Operations shall coordinate the enforcement activities of U.S. Customs and Border Protection at United States air, land, and sea ports of entry to—

''(A) deter and prevent terrorists and terrorist weapons from entering the United States at such ports of entry;

''(B) conduct inspections at such ports of entry to safeguard the United States from terrorism and illegal entry of persons;

''(C) prevent illicit drugs, agricultural pests, and contraband from entering the United States;

''(D) in coordination with the Commissioner, facilitate and expedite the flow of legitimate travelers and trade;

''(E) administer the National Targeting Center established under paragraph (4); and

''(F) carry out other duties and powers prescribed by the Commissioner.

''(4) NATIONAL TARGETING CENTER.—

''(A) IN GENERAL.—There is established in the Office of Field Operations a National Targeting Center.

''(B) EXECUTIVE DIRECTOR.—There shall be at the head of the National Targeting Center an Executive Director, who shall report to the Assistant Commissioner of the Office of Field Operations.

''(C) DUTIES.—The National Targeting Center shall—

''(i) serve as the primary forum for targeting operations within U.S. Customs and Border Protection to collect and analyze traveler and cargo information in advance of arrival in the United States;

''(ii) identify, review, and target travelers and cargo for examination;

''(iii) coordinate the examination of entry and exit of travelers and cargo;

''(iv) develop and conduct commercial risk assessment targeting with respect to cargo destined for the United States;

''(v) issue Trade Alerts pursuant to section 111 of the Trade Facilitation and Trade Enforcement Act of 2015; and

''(vi) carry out other duties and powers prescribed by the Assistant Commissioner.

''(5) ANNUAL REPORT ON STAFFING.—Not later than 30 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015 and annually thereafter, the Assistant Commissioner shall submit to the appropriate congressional committees a report on the staffing model for the Office of Field Operations, including information on how many supervisors, frontline U.S. Customs and Border Protection officers, and support personnel are assigned to each Field Office and port of entry.

''(h) OFFICE OF INTELLIGENCE.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of Intelligence.

''(2) ASSISTANT COMMISSIONER.—There shall be at the head of the Office of Intelligence an Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—The Office of Intelligence shall—

''(A) develop, provide, coordinate, and implement intelligence capabilities into a cohesive intelligence enterprise to support the execution of the duties and responsibilities of U.S. Customs and Border Protection;

''(B) collect and analyze advance traveler and cargo information;

''(C) establish, in coordination with the Chief Intelligence Officer of the Department, as appropriate, intelligence-sharing relationships with Federal, State, local, and tribal agencies and intelligence agencies;

''(D) conduct risk-based covert testing of U.S. Customs and Border Protection operations, including for nuclear and radiological risks; and

''(E) carry out other duties and powers prescribed by the Commissioner.

''(i) OFFICE OF INTERNATIONAL AFFAIRS.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of International Affairs.

''(2) ASSISTANT COMMISSIONER.—There shall be at the head of the Office of International Affairs an Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—The Office of International Affairs, in collaboration with the Office of Policy of the Department, shall—

''(A) coordinate and support U.S. Customs and Border Protection's foreign initiatives, policies, programs, and activities;

''(B) coordinate and support U.S. Customs and Border Protection's personnel stationed abroad;

''(C) maintain partnerships and information sharing agreements and arrangements with foreign governments, international organizations, and United States agencies in support of U.S. Customs and Border Protection duties and responsibilities;

''(D) provide necessary capacity building, training, and assistance to foreign border control agencies to strengthen global supply chain and travel security, as appropriate;

''(E) coordinate mission support services to sustain U.S. Customs and Border Protection's global activities;

''(F) coordinate U.S. Customs and Border Protection's engagement in international negotiations; and

''(G) carry out other duties and powers prescribed by the Commissioner.

''(j) OFFICE OF INTERNAL AFFAIRS.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of Internal Affairs.

''(2) ASSISTANT COMMISSIONER.—There shall be at the head of the Office of Internal Affairs an Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—The Office of Internal Affairs shall—

''(A) investigate criminal and administrative matters and misconduct by officers, agents, and other employees of U.S. Customs and Border Protection;

''(B) perform investigations of applicants for employment with U.S. Customs and Border Protection and periodic reinvestigations (in accordance with section 3001 of the Intelligence Reform and Terrorism Prevention

Act of 2004 (50 U.S.C. 3341; Public Law 108–458)) of officers, agents, and other employees of United States Custom and Border Protection, including investigations to determine suitability for employment and eligibility for access to classified information;

''(C) manage integrity of U.S. Customs and Border Protection's counter-intelligence operations, including conduct of counter-intelligence investigations;

''(D) conduct research and analysis regarding misconduct of officers, agents, and other employees of U.S. Customs and Border Protection; and

''(E) carry out other duties and powers prescribed by the Commissioner.

''(k) STANDARD OPERATING PROCEDURES.—

''(1) IN GENERAL.—The Commissioner shall establish—

''(A) standard operating procedures for searching, reviewing, retaining, and sharing information contained in communication, electronic, or digital devices encountered by U.S. Customs and Border Protection personnel at United States ports of entry;

''(B) standard use of force procedures that officers and agents of U.S. Customs and Border Protection may employ in the execution of their duties, including the use of deadly force;

''(C) a uniform, standardized, and publically-available procedure for processing and investigating complaints against officers, agents, and employees of U.S. Customs and Border Protection for violations of professional conduct, including the timely disposition of complaints and a written notification to the complainant of the status or outcome, as appropriate, of the related investigation, in accordance with section 552a of title 5, United States Code (commonly referred to as the 'Privacy Act' or the 'Privacy Act of 1974');

''(D) an internal, uniform reporting mechanism regarding incidents involving the use of deadly force by an officer or agent of U.S. Customs and Border Protection, including an evaluation of the degree to which the procedures required under subparagraph (B) were followed; and

''(E) standard operating procedures, acting through the Assistant Commissioner for Air and Marine Operations and in coordination with the Office for Civil Rights and Civil Liberties and the Office of Privacy of the Department, to provide command, control, communication, surveillance, and reconnaissance assistance through the use of unmanned aerial systems, including the establishment of—

''(i) a process for other Federal, State, and local law enforcement agencies to submit mission requests;

''(ii) a formal procedure to determine whether to approve or deny such a mission request;

''(iii) a formal procedure to determine how such mission requests are prioritized and coordinated; and

''(iv) a process regarding the protection and privacy of data and images collected by U.S. Customs and Border Protection through the use of unmanned aerial systems.

''(2) REQUIREMENTS REGARDING CERTAIN NOTIFICATIONS.—The standard operating procedures established pursuant to subparagraph (A) of paragraph (1) shall require—

''(A) in the case of a search of information conducted on an electronic device by U.S. Customs and Border Protection personnel, the Commissioner to notify the individual subject to such search of the purpose and authority for such search, and how such individual may obtain information on reporting concerns about such search; and

''(B) in the case of information collected by U.S. Customs and Border Protection through a search of an electronic device, if such information is transmitted to another Federal agency for subject matter assistance, translation, or decryption, the Commissioner to notify the individual subject to such search of such transmission.

''(3) EXCEPTIONS.—

''(A) IN GENERAL.—The Commissioner may withhold the notifications required under paragraphs (1)(C) and (2) if the Commissioner determines that such notifications would impair national security, law enforcement, or other operational interests.

''(B) TERRORIST WATCH LISTS.—

''(i) SEARCHES.—If the individual subject to search of an electronic device pursuant to subparagraph (A) of paragraph (1) is included on a Government-operated or Government-maintained terrorist watch list, the notifications required under paragraph (2) shall not apply.

''(ii) COMPLAINTS.—If the complainant using the process established under subparagraph (C) of paragraph (1) is included on a Government-operated or Government-maintained terrorist watch list, the notification required under such subparagraph shall not apply.

''(4) UPDATE AND REVIEW.—The Commissioner shall review and update every three years the standard operating procedures required under this subsection.

''(5) AUDITS.—The Inspector General of the Department of Homeland Security shall develop and annually administer an auditing mechanism to review whether searches of electronic devices at or between United States ports of entry are being conducted in conformity with the standard operating procedures required under subparagraph (A) of paragraph (1). Such audits shall be submitted to the appropriate congressional committees and shall include the following:

''(A) A description of the activities of officers and agents of U.S. Customs and Border Protection with respect to such searches.

''(B) The number of such searches.

''(C) The number of instances in which information contained in such devices that were subjected to such searches was retained, copied, shared, or entered in an electronic database.

''(D) The number of such devices detained as the result of such searches.

''(E) The number of instances in which information collected from such device was subjected to such searches was transmitted to another Federal agency, including whether such transmission resulted in a prosecution or conviction.

''(6) REQUIREMENTS REGARDING OTHER NOTIFICATIONS.—The standard operating procedures established pursuant to subparagraph (B) of paragraph (1) shall require—

''(A) in the case of an incident of the use of deadly force by U.S. Customs and Border Protection personnel, the Commissioner to notify the appropriate congressional committees; and

''(B) the Commissioner to provide to such committees a copy of the evaluation pursuant to subparagraph (D) of such paragraph not later than 30 days after completion of such evaluation.

''(7) REPORT ON UNMANNED AERIAL SYSTEMS.—The Commissioner shall submit to the appropriate congressional committees an annual report that reviews whether the use of unmanned aerial systems are being conducted in conformity with the standard operating procedures required under subparagraph (E) of paragraph (1). Such reports—

''(A) shall be submitted with the President's annual budget;

''(B) may be submitted in classified form if the Commissioner determines that such is appropriate, and

''(C) shall include—

''(i) a detailed description of how, where, and for how long data and images collected through the use of unmanned aerial systems by U.S. Customs and Border Protection is collected and stored; and

''(ii) a list of Federal, State, and local law enforcement agencies that submitted mission requests in the previous year and the disposition of such requests.

''(l) TRAINING.—The Commissioner shall require all officers and agents of U.S. Customs and Border Protection to participate in a specified amount of continuing education (to be determined by the Commissioner) to maintain an understanding of Federal legal rulings, court decisions, and departmental policies, procedures, and guidelines.

''(m) SHORT TERM DETENTION STANDARDS.—

''(1) ACCESS TO FOOD AND WATER.—The Commissioner shall make every effort to ensure that adequate access to food and water is provided to an individual apprehended and detained at or between a United States port of entry as soon as practicable following the time of such apprehension or during subsequent short term detention.

''(2) ACCESS TO INFORMATION ON DETAINEE RIGHTS AT BORDER PATROL PROCESSING CENTERS.—

''(A) IN GENERAL.—The Commissioner shall ensure that an individual apprehended by a U.S. Border Patrol agent or an Office of Field Operations officer is provided with information concerning such individual's rights, including the right to contact a representative of such individual's government for purposes of United States treaty obligations.

''(B) FORM.—The information referred to in subparagraph (A) may be provided either verbally or in writing, and shall be posted in the detention holding cell in which such individual is being held. The information shall be provided in a language understandable to such individual.

''(3) SHORT TERM DETENTION DEFINED.—In this subsection, the term 'short term detention' means detention in a U.S. Customs and Border Protection processing center for 72 hours or less, before repatriation to a country of nationality or last habitual residence.

''(4) DAYTIME REPATRIATION.—When practicable, repatriations shall be limited to daylight hours and avoid locations that are determined to have high indices of crime and violence.

''(5) REPORT ON PROCUREMENT PROCESS AND STANDARDS.—Not later than 180 days after the date of the enactment of this section, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the procurement process and standards of entities with which U.S. Customs and Border Protection has contracts for the transportation and detention of individuals apprehended by agents or officers of U.S. Customs and Border Protection. Such report should also consider the operational efficiency of contracting the transportation and detention of such individuals.

''(6) REPORT ON INSPECTIONS OF SHORT-TERM CUSTODY FACILITIES.—The Commissioner shall—

''(A) annually inspect all facilities utilized for short term detention; and

''(B) make publically available information collected pursuant to such inspections, including information regarding the requirements under paragraphs (1) and (2) and, where appropriate, issue recommendations to improve the conditions of such facilities.

''(n) WAIT TIMES TRANSPARENCY.—

''(1) IN GENERAL.—The Commissioner shall—

''(A) publish live wait times at the 20 United States airports that support the highest volume of international travel (as determined by available Federal flight data);

''(B) make information about such wait times available to the public in real time through the U.S. Customs and Border Protection Web site;

''(C) submit to the appropriate congressional committees quarterly reports that include compilations of all such wait times and a ranking of such United States airports by wait times; and

''(D) provide adequate staffing at the U.S. Customs and Border Protection information center to ensure timely access for travelers attempting to submit comments or speak with a representative about their entry experiences.

''(2) CALCULATION.—The wait times referred to in paragraph (1)(A) shall be determined by calculating the time elapsed between an individual's entry into the U.S. Customs and Border Protection inspection area and such individual's clearance by a U.S. Customs and Border Protection officer.

''(o) OTHER AUTHORITIES.—

''(1) IN GENERAL.—The Secretary may establish such other offices or Assistant Commissioners (or other similar officers or officials) as the Secretary determines necessary to carry out the missions, duties, functions, and authorities of U.S. Customs and Border Protection.

''(2) NOTIFICATION.—If the Secretary exercises the authority provided pursuant to paragraph (1), the Secretary shall notify the appropriate congressional committees not later than 30 days before exercising such authority.

''(p) OTHER FEDERAL AGENCIES.—Nothing in this section may be construed as affecting in any manner the authority, existing on the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, of any other Federal agency, including the Transportation Security Administration, with respect to the duties of U.S. Customs and Border Protection described in subsection (c).''.

(b) SPECIAL RULES.—

(1) TREATMENT.—Section 411 of the Homeland Security Act of 2002, as amended by subsection (a) of this section, shall be treated as if included in such Act as of the date of the enactment of such Act, and, in addition to the functions, missions, duties, and authorities specified in such amended section 411, U.S. Customs and Border Protection shall continue to perform and carry out the functions, missions, duties, and authorities under section 411 of such Act as in existence on the day before such date of enactment, and section 415 of such Act.

(2) RULES OF CONSTRUCTION.—

(A) RULES AND REGULATIONS.—Notwithstanding paragraph (1), nothing in this title or any amendment made by this title may be construed as affecting in any manner any rule or regulation issued or promulgated pursuant to any provision of law, including section 411 of the Homeland Security Act of 2002 as in existence on the day before the date of the enactment of this Act, and any such rule or regulation shall continue to have full force and effect on and after such date.

(B) OTHER ACTIONS.—Notwithstanding paragraph (1), nothing in this Act may be construed as affecting in any manner any action, determination, policy, or decision pursuant to section 411 of the Homeland Security Act of 2002 as in existence on the day before the date of the enactment of this Act, and any such action, determination, policy, or decision shall continue to have full force and effect on and after such date.

(c) CONTINUATION IN OFFICE.—

(1) COMMISSIONER.—The individual serving as the Commissioner of Customs on the day before the date of the enactment of this Act may serve as the Commissioner of U.S. Customs and Border Protection on and after such date of enactment until a Commissioner of U.S. Customs and Border Protection is appointed under section 411 of the Homeland Security Act of 2002, as amended by subsection (a) of this section.

(2) OTHER POSITIONS.—The individuals serving as Assistant Commissioners and other officers and officials under section 411 of the Homeland Security Act of 2002 on the day before the date of the enactment of this Act may serve as the appropriate Assistant Commissioners and other officers and officials under such section 411 as amended by subsection (a) of this section unless the Commissioner of U.S. Customs and Border Protection determines that another individual should hold such position or positions.

(d) REFERENCE.—

(1) TITLE 5.—Section 5314 of title 5, United States Code, is amended by striking ''Commissioner of Customs, Department of Homeland Security'' and inserting ''Commissioner of U.S. Customs and Border Protection, Department of Homeland Security''.

(2) OTHER REFERENCES.—On and after the date of the enactment of this Act, any reference in law or regulations to the ''Commissioner of Customs'' or the ''Commissioner of the Customs Service'' shall be deemed to be a reference to the Commissioner of U.S. Customs and Border Protection.

(e) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by striking the item relating to section 411 and inserting the following new item:

''Sec. 411. Establishment of U.S. Customs and Border Protection; Commissioner, Deputy Commissioner, and operational offices.''.

(f) REPEALS.—Sections 416 and 418 of the Homeland Security Act of 2002 (6 U.S.C. 216 and 218), and the items relating to such sections in the table of contents in section 1(b) of such Act, are repealed.

(g) CLERICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(A) in title I—

(i) in section 102(f)(10) (6 U.S.C. 112(f)(10)), by striking ''the Directorate of Border and Transportation Security'' and inserting ''the Commissioner of U.S. Customs and Border Protection''; and

(ii) in section 103(a)(1) (6 U.S.C. 113(a)(1))—

(I) in subparagraph (C), by striking ''An Under Secretary for Border and Transportation Security.'' and inserting ''A Commissioner of U.S. Customs and Border Protection.''; and

(II) in subparagraph (G), by striking ''A Director of the Office of Counternarcotics Enforcement.'' and inserting ''A Director of U.S. Immigration and Customs Enforcement.''; and

(B) in title IV—

(i) by striking the title heading and inserting ''**BORDER, MARITIME, AND TRANSPORTATION SECURITY**'';

(ii) in subtitle A—

(I) by striking the subtitle heading and inserting ''**Border, Maritime, and Transportation Security Responsibilities and Functions**''; and

(II) in section 402 (6 U.S.C. 202)—

(aa) in the section heading, by striking ''**RESPONSIBILITIES**'' and inserting ''**BORDER, MARITIME, AND TRANSPORTATION RESPONSIBILITIES**''; and

(bb) by striking '', acting through the Under Secretary for Border and Transportation Security,'';

(iii) in subtitle B—

(I) by striking the subtitle heading and inserting ''**U.S. Customs and Border Protection**'';

(II) in section 412(b) (6 U.S.C. 212), by striking ''the United States Customs Service'' each place it appears and inserting ''U.S. Customs and Border Protection'';

(III) in section 413 (6 U.S.C. 213), by striking ''available to the United States Customs Service or'';

(IV) in section 414 (6 U.S.C. 214), by striking ''the United States Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(V) in section 415 (6 U.S.C. 215)—

(aa) in paragraph (7), by inserting before the colon the following: '', and of U.S. Customs and Border Protection on the day before the effective date of the U.S. Customs and Border Protection Authorization Act''; and

(bb) in paragraph (8), by inserting before the colon the following: '', and of U.S. Customs and Border Protection on the day before the effective date of the U.S. Customs and Border Protection Authorization Act'';

(iv) in subtitle C—

(I) by striking section 424 (6 U.S.C. 234) and inserting the following new section:

''SEC. 424. PRESERVATION OF TRANSPORTATION SECURITY ADMINISTRATION AS A DISTINCT ENTITY.

''Notwithstanding any other provision of this Act, the Transportation Security Administration shall be maintained as a distinct entity within the Department.''; and

(II) in section 430 (6 U.S.C. 238)—

(aa) by amending subsection (a) to read as follows:

''(a) ESTABLISHMENT.—There is established in the Department an Office for Domestic Preparedness.'';

(bb) in subsection (b), by striking the second sentence; and

(cc) in subsection (c)(7), by striking ''Directorate'' and inserting ''Department''; and

(v) in subtitle D—

(I) in section 441 (6 U.S.C. 251)—

(aa) by striking the section heading and inserting ''**TRANSFER OF FUNCTIONS**''; and

(bb) by striking ''Under Secretary for Border and Transportation Security'' and inserting ''Secretary'';

(II) in section 443 (6 U.S.C. 253)—

(aa) in the matter preceding paragraph (1), by striking ''Under Secretary for Border and Transportation Security'' and inserting ''Secretary''; and

(bb) by striking ''the Bureau of Border Security'' and inserting ''U.S. Immigration and Customs Enforcement'' each place it appears; and

(III) by amending section 444 (6 U.S.C. 254) to read as follows:

''SEC. 444. EMPLOYEE DISCIPLINE.

''Notwithstanding any other provision of law, the Secretary may impose disciplinary action on any employee of U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection who willfully deceives Congress or agency leadership on any matter.''.

(2) CONFORMING AMENDMENTS.—Section 401 of the Homeland Security Act of 2002 (6 U.S.C. 201) is repealed.

(3) CLERICAL AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended—

(A) by striking the item relating to title IV and inserting the following:

"TITLE IV—BORDER, MARITIME, AND TRANSPORTATION SECURITY";

(B) by striking the item relating to subtitle A of title IV and inserting the following:

''Subtitle A—Border, Maritime, and Transportation Security Responsibilities and Functions'';

(C) by striking the item relating to section 401;

(D) by striking the item relating to subtitle B of title IV and inserting the following:

''Subtitle B—U.S. Customs and Border Protection'';

(E) by striking the item relating to section 441 and inserting the following:

''Sec. 441. Transfer of functions.'';

and

(F) by striking the item relating to section 442 and inserting the following:

''Sec. 442. U.S. Immigration and Customs Enforcement.''.

(h) OFFICE OF TRADE.—

(1) TRADE OFFICES AND FUNCTIONS.—The Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.), is amended by adding at the end the following:

"SEC. 4. OFFICE OF TRADE.

''(a) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of Trade.

''(b) ASSISTANT COMMISSIONER.—

''(1) IN GENERAL.—There shall be at the head of the Office of Trade an Assistant Commissioner, who shall report to the Commissioner of U.S. Customs and Border Protection.

''(2) QUALIFICATIONS.—The Assistant Commissioner shall have a minimum of 10 years of professional experience with the customs and trade laws of the United States.

''(3) SENIOR EXECUTIVE SERVICE POSITION.—The position of Assistant Commissioner for Trade shall be a Senior Executive Service position (as defined in section 3132(a) of title 5, United States Code).

''(c) DUTIES.—The Office of Trade shall—

''(1) direct the development and implementation, pursuant to the customs and trade laws of the United States, of policies and regulations administered by U.S. Customs and Border Protection;

''(2) advise the Commissioner with respect to the impact on trade facilitation and trade enforcement of any policy or regulation otherwise proposed or administered by U.S. Customs and Border Protection;

''(3) coordinate and cooperate with the Assistant Commissioner for the Office of Field Operations with respect to the trade facilitation and trade enforcement activities of U.S. Customs and Border Protection carried out at the land borders and ports of entry of the United States;

''(4) direct the development and implementation of matters relating to the priority trade issues identified by the Commissioner of U.S. Customs and Border Protection in the joint strategic plan on trade facilitation and trade enforcement required under section 123A of the Customs and Trade Act of 1990;

''(5) otherwise advise the Commissioner of U.S. Customs and Border Protection with respect to the development and implementation of the joint strategic plan;

''(6) direct the trade enforcement activities of U.S. Customs and Border Protection;

''(7) oversee the trade modernization activities of U.S. Customs and Border Protection, including the development and implementation of the Automated Commercial Environment computer system authorized under section 13031(f)(5) of the Consolidated Omnibus Budget and Reconciliation Act of 1985 (19 U.S.C. 58c(f)(5)) and support for the establishment of the International Trade Data System under the oversight of the Department of Treasury pursuant to section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d));

''(8) direct the administration of customs revenue functions as otherwise provided by law or delegated by the Commissioner of U.S. Customs and Border Protection; and

''(9) prepare an annual report to be submitted to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives not later than March 1 of each calendar year that includes—

''(A) a summary of the changes to customs policies and regulations adopted by U.S. Customs and Border Protection during the preceding calendar year; and

''(B) a description of the public vetting and interagency consultation that occurred with respect to each such change.

''(d) TRANSFER OF ASSETS, FUNCTIONS, AND PERSONNEL; ELIMINATION OF OFFICES.—

''(1) OFFICE OF INTERNATIONAL TRADE.—

''(A) TRANSFER.—Not later than 30 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Commissioner shall transfer the assets, functions, personnel, and liabilities of the Office of International Trade to the Office of Trade established under subsection (b).

''(B) ELIMINATION.—Not later than 30 days after the date of enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Office of International Trade shall be abolished.

''(C) LIMITATION ON FUNDS.—No funds appropriated to U.S. Customs and Border Protection or the Department of Homeland Security may be used to transfer the assets, functions, personnel, and liabilities of the Office of International Trade to an office other than the Office of Trade established under subsection (a).

''(D) OFFICE OF INTERNATIONAL TRADE DEFINED.—In this paragraph, the term 'Office of International Trade' means the Office of International Trade established by section 2 of the Act of March 3, 1927 (44. Stat. 1381, chapter 348; 19 U.S.C. 2072), as added by section 402 of the Security and Accountability for Every Port Act of 2006 (Public Law 109–347; 120 Stat. 1924), and as in effect on the day before the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015.

''(2) OTHER TRANSFERS.—

''(A) IN GENERAL.—The Commissioner is authorized to transfer any other assets, functions, or personnel within U.S. Customs and Border Protection to the Office of Trade established under subsection (d).

''(B) CONGRESSIONAL NOTIFICATION.—Not less than 90 days prior to the transfer of assets, functions, or personnel under subparagraph (A)(i), the Commissioner shall notify the Committee on Finance of the Senate, the Committee on Homeland Security and Government Affairs of the Senate, the Committee on Ways and Means of the House of Representatives, and the Committee on Homeland Security of the House of Representatives of the specific assets, functions, or personnel to be transferred, and the reason for the transfer.

''(e) DEFINITIONS.—In this section, the terms 'customs and trade laws of the United States', 'trade enforcement', and 'trade facilitation' have the meanings given such terms in section 2 of the Trade Facilitation and Trade Enforcement Act of 2015.''.

(2) CONTINUATION IN OFFICE.—The individual serving as the Assistant Commissioner of the Office of International Trade on the day before the date of the enactment of this Act may serve as the Assistant Commissioner for Trade on or after such date of enactment, at the discretion of the Commissioner.

(3) CONFORMING AMENDMENTS.—Section 2 of the Act of March 3, 1927 (44. Stat. 1381, chapter 348; 19 U.S.C. 2072), as added by section 402 of the Security and Accountability for Every Port Act of 2006 (Public Law 109–347; 120 Stat. 1924), is amended—

(A) by striking subsection (d); and

(B) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(i) REPORTS AND ASSESSMENTS.—

(1) REPORT ON BUSINESS TRANSFORMATION INITIATIVE.—Not later than 90 days after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall submit to the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate a report on U.S. Customs and Border Protection's Business Transformation Initiative, including locations where the Initiative is deployed, the types of equipment utilized, a description of protocols and procedures, information on wait times at such locations since deployment, and information regarding the schedule for deployment at new locations.

(2) PORT OF ENTRY INFRASTRUCTURE NEEDS ASSESSMENTS.—Not later 180 days after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall assess the physical infrastructure and technology needs at the 20 busiest land ports of entry (as measured by U.S. Customs and Border Protection) with a particular attention to identify ways to—

(A) improve travel and trade facilitation;

(B) reduce wait times;

(C) improve physical infrastructure and conditions for individuals accessing pedestrian ports of entry;

(D) enter into long-term leases with nongovernmental and private sector entities;

(E) enter into lease-purchase agreements with nongovernmental and private sector entities; and

(F) achieve cost savings through leases described in subparagraphs (D) and (E).

(3) PERSONAL SEARCHES.—Not later than 90 days after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on supervisor-approved personal searches conducted in the previous year by U.S. Customs and Border Protection personnel. Such report shall include the number of personal searches conducted in each sector and field office, the number of invasive personal searches conducted in each sector and field office, whether personal searches were conducted by Office of Field Operations or U.S. Border Patrol personnel, and how many personal searches resulted in the discovery of contraband.

(j) TRUSTED TRAVELER PROGRAMS.—The Secretary of Homeland Security may not enter into or renew an agreement with the government of a foreign country for a trusted traveler program administered by U.S. Customs and Border Protection unless the Secretary certifies in writing that such government—

(1) routinely submits to INTERPOL for inclusion in INTERPOL's Stolen and Lost Travel Documents database information about lost and stolen passports and travel documents of the citizens and nationals of such country; or

(2) makes available to the United States Government the information described in paragraph (1) through another means of reporting.

(k) SENSE OF CONGRESS REGARDING THE FOREIGN LANGUAGE AWARD PROGRAM.—

(1) FINDINGS.—Congress finds the following:

(A) Congress established the Foreign Language Award Program (FLAP) to incentivize employees at United States ports of entry to utilize their foreign language skills on the job by providing a financial incentive for the use of the foreign language for at least ten percent of their duties after passage of competency tests. FLAP incentivizes the use of more than two dozen languages and has been instrumental in identifying and utilizing U.S. Customs and Border Protection officers and agents who are proficient in a foreign language.

(B) In 1993, Congress provided for dedicated funding for this program by stipulating that certain fees collected by U.S. Customs and Border Protection be used to fund FLAP.

(C) Through FLAP, foreign travelers are aided by having an officer at a port of entry who speaks their language, and U.S. Customs and Border Protection benefits by being able to focus its border security efforts in a more effective manner.

(2) SENSE OF CONGRESS.—It is the sense of Congress that FLAP incentivizes U.S. Customs and Border Protection officers to attain and maintain competency in a foreign language, thereby improving the efficiency of operations for the functioning of U.S. Customs and Border Protection's security mission, making the United States a more welcoming place when foreign travelers find officers can communicate in their language, and helping to expedite traveler processing to reduce wait times.

TITLE IX—MISCELLANEOUS PROVISIONS

SEC. 901. DE MINIMIS VALUE.

(a) DE MINIMIS VALUE.—Section 321(a)(2)(C) of the Tariff Act of 1930 (19 U.S.C. 1321(a)(2)(C)) is amended by striking ''$200'' and inserting ''$800''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SEC. 902. CONSULTATION ON TRADE AND CUSTOMS REVENUE FUNCTIONS.

Section 401(c) of the Safety and Accountability for Every Port Act (6 U.S.C. 115(c)) is amended—

(1) in paragraph (1), by striking ''on Department policies and actions that have'' and inserting ''not later than 30 days after proposing, and not later than 30 days before finalizing, any Department policies, initiatives, or actions that will have''; and

(2) in paragraph (2)(A), by striking ''not later than 30 days prior to the finalization of'' and inserting ''not later than 60 days before proposing, and not later than 60 days before finalizing,''.

SEC. 903. PENALTIES FOR CUSTOMS BROKERS.

(a) IN GENERAL.—Section 641(d)(1) of the Tariff Act of 1930 (19 U.S.C. 1641(d)(1)) is amended—

(1) in subparagraph (E), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (F), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(G) has been convicted of committing or conspiring to commit an act of terrorism described in section 2332b of title 18, United States Code.''.

(b) TECHNICAL AMENDMENTS.—Section 641 of the Tariff Act of 1930 (19 U.S.C. 1641) is amended—

(1) by striking ''the Customs Service'' each place it appears and inserting ''U.S. Customs and Border Protection'';

(2) in subsection (d)(2)(B), by striking ''The Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(3) in subsection (g)(2)(B), by striking ''Secretary's notice'' and inserting ''notice under subparagraph (A)''.

SEC. 904. AMENDMENTS TO CHAPTER 98 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES.

(a) ARTICLES EXPORTED AND RETURNED, ADVANCED OR IMPROVED ABROAD.—

(1) IN GENERAL.—U.S. Note 3 to subchapter II of chapter 98 of the Harmonized Tariff Schedule of the United States is amended by adding at the end the following:

''	9801.00.11	United States Government property, returned to the United States without having been advanced in value or improved in condition by any means while abroad, entered by the United States Government or a contractor to the United States Government, and certified by the importer as United States Government property	Free				''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) applies to goods entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.

SEC. 905. EXEMPTION FROM DUTY OF RESIDUE OF BULK CARGO CONTAINED IN INSTRUMENTS OF INTERNATIONAL TRAFFIC PREVIOUSLY EXPORTED FROM THE UNITED STATES.

(a) IN GENERAL.—General Note 3(e) of the Harmonized Tariff Schedule of the United States is amended—

(1) in subparagraph (v), by striking ''and'' at the end;

(2) in subparagraph (vi), by adding ''and'' at the end;

(3) by inserting after subparagraph (vi) (as so amended) the following new subparagraph:

''(vii) residue of bulk cargo contained in instruments of international traffic previously exported from the United States,''; and

(4) by adding at the end of the flush text following subparagraph (vii) (as so added) the following: ''For purposes of subparagraph (vii) of this paragraph: The term 'residue' means material of bulk cargo that remains in an instrument of international traffic after the bulk cargo is removed, with a quantity, by weight or volume, not exceeding 7 percent of the bulk cargo, and with no or de minimis value. The term 'bulk cargo' means cargo that is unpackaged and is in either solid, liquid, or gaseous form. The term 'instruments of international traffic' means containers or holders, capable of and suitable for repeated use, such as lift vans, cargo vans, shipping tanks, skids, pallets, caul boards, and cores for textile fabrics, arriving (whether loaded or empty) in use or to be used in the shipment of merchandise in international traffic, and any additional articles or classes of articles that the Commissioner of U.S. Customs and Border Protection designates as instruments of international traffic.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to residue of bulk cargo contained in instruments of international traffic that are imported into the customs territory of the United States on or after such date of enactment and that previously have been exported from the United States.

''(f)(1) For purposes of subheadings 9802.00.40 and 9802.00.50, fungible articles exported from the United States for the purposes described in such subheadings—

''(A) may be commingled; and

''(B) the origin, value, and classification of such articles may be accounted for using an inventory management method.

''(2) If a person chooses to use an inventory management method under this paragraph with respect to fungible articles, the person shall use the same inventory management method for any other articles with respect to which the person claims fungibility under this paragraph.

''(3) For the purposes of this paragraph—

''(A) the term 'fungible articles' means merchandise or articles that, for commercial purposes, are identical or interchangeable in all situations; and

''(B) the term 'inventory management method' means any method for managing inventory that is based on generally accepted accounting principles.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection applies to articles classifiable under subheading 9802.00.40 or 9802.00.50 of the Harmonized Tariff Schedule of the United States that are entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.

(b) MODIFICATION OF PROVISIONS RELATING TO RETURNED PROPERTY.—

(1) IN GENERAL.—The article description for heading 9801.00.10 of the Harmonized Tariff Schedule of the United States is amended by inserting after ''exported'' the following: '', or any other products when returned within 3 years after having been exported''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) applies to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.

(c) DUTY-FREE TREATMENT FOR CERTAIN UNITED STATES GOVERNMENT PROPERTY RETURNED TO THE UNITED STATES.—

(1) IN GENERAL.—Subchapter I of chapter 98 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

SEC. 906. DRAWBACK AND REFUNDS.

(a) ARTICLES MADE FROM IMPORTED MERCHANDISE.—Section 313(a) of the Tariff Act of 1930 (19 U.S.C. 1313(a)) is amended by striking ''the full amount of the duties paid upon the merchandise so used shall be refunded as drawback, less 1 per centum of such duties, except that such'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l) shall be refunded as drawback, except that''.

(b) SUBSTITUTION FOR DRAWBACK PURPOSES.—Section 313(b) of the Tariff Act of 1930 (19 U.S.C. 1313(b)) is amended—

(1) by striking ''If imported'' and inserting the following:

''(1) IN GENERAL.—If imported'';

(2) by striking ''and any other merchandise (whether imported or domestic) of the same kind and quality are'' and inserting ''or merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise is'';

(3) by striking ''three years'' and inserting ''5 years'';

(4) by striking ''the receipt of such imported merchandise by the manufacturer or producer of such articles'' and inserting ''the

date of importation of such imported merchandise'';

(5) by striking ''an amount of drawback equal to'' and all that follows through the end period and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l), but only if those articles have not been used prior to such exportation or destruction.''; and

(6) by adding at the end the following:

''(2) REQUIREMENTS RELATING TO TRANSFER OF MERCHANDISE.—

''(A) MANUFACTURERS AND PRODUCERS.—Drawback shall be allowed under paragraph (1) with respect to an article manufactured or produced using imported merchandise or other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise only if the manufacturer or producer of the article received such imported merchandise or such other merchandise, directly or indirectly, from the importer.

''(B) EXPORTERS AND DESTROYERS.—Drawback shall be allowed under paragraph (1) with respect to a manufactured or produced article that is exported or destroyed only if the exporter or destroyer received that article, directly or indirectly, from the manufacturer or producer.

''(C) EVIDENCE OF TRANSFER.—Transfers of merchandise under subparagraph (A) and transfers of articles under subparagraph (B) may be evidenced by business records kept in the normal course of business and no additional certificates of transfer or manufacture shall be required.

''(3) SUBMISSION OF BILL OF MATERIALS OR FORMULA.—

''(A) IN GENERAL.—Drawback shall be allowed under paragraph (1) with respect to an article manufactured or produced using imported merchandise or other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise only if the person making the drawback claim submits with the claim a bill of materials or formula identifying the merchandise and article by the 8-digit HTS subheading number and the quantity of the merchandise.

''(B) BILL OF MATERIALS AND FORMULA DEFINED.—In this paragraph, the terms 'bill of materials' and 'formula' mean records kept in the normal course of business that identify each component incorporated into a manufactured or produced article or that identify the quantity of each element, material, chemical, mixture, or other substance incorporated into a manufactured article.

''(4) SPECIAL RULE FOR SOUGHT CHEMICAL ELEMENTS.—

''(A) IN GENERAL.—For purposes of paragraph (1), a sought chemical element may be—

''(i) considered imported merchandise, or merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, used in the manufacture or production of an article as described in paragraph (1); and

''(ii) substituted for source material containing that sought chemical element, without regard to whether the sought chemical element and the source material are classifiable under the same 8-digit HTS subheading number, and apportioned quantitatively, as appropriate.

''(B) SOUGHT CHEMICAL ELEMENT DEFINED.—In this paragraph, the term 'sought chemical element' means an element listed in the Periodic Table of Elements that is imported into the United States or a chemical compound consisting of those elements, either separately in elemental form or contained in source material.''.

(c) MERCHANDISE NOT CONFORMING TO SAMPLE OR SPECIFICATIONS.—Section 313(c) of the Tariff Act of 1930 (19 U.S.C. 1313(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(ii), by striking ''under a certificate of delivery'' each place it appears;

(B) in subparagraph (D)—

(i) by striking ''3'' and inserting ''5''; and

(ii) by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(C) in the flush text at the end, by striking ''the full amount of the duties paid upon such merchandise, less 1 percent,'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';

(2) in paragraph (2), by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(3) by amending paragraph (3) to read as follows:

''(3) EVIDENCE OF TRANSFERS.—Transfers of merchandise under paragraph (1) may be evidenced by business records kept in the normal course of business and no additional certificates of transfer shall be required.''.

(d) PROOF OF EXPORTATION.—Section 313(i) of the Tariff Act of 1930 (19 U.S.C. 1313(i)) is amended to read as follows:

''(i) PROOF OF EXPORTATION.—A person claiming drawback under this section based on the exportation of an article shall provide proof of the exportation of the article. Such proof of exportation—

''(1) shall establish fully the date and fact of exportation and the identity of the exporter; and

''(2) may be established through the use of records kept in the normal course of business or through an electronic export system of the United States Government, as determined by the Commissioner of U.S. Customs and Border Protection.''.

(e) UNUSED MERCHANDISE DRAWBACK.—Section 313(j) of the Tariff Act of 1930 (19 U.S.C. 1313(j)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), in the matter preceding clause (i)—

(i) by striking ''3-year'' and inserting ''5-year''; and

(ii) by inserting ''and before the drawback claim is filed'' after ''the date of importation''; and

(B) in the flush text at the end, by striking ''99 percent of the amount of each duty, tax, or fee so paid'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''paragraph (4)'' and inserting ''paragraphs (4), (5), and (6)'';

(B) in subparagraph (A), by striking ''commercially interchangeable with'' and inserting ''classifiable under the same 8-digit HTS subheading number as'';

(C) in subparagraph (B)—

(i) by striking ''3-year'' and inserting ''5-year''; and

(ii) by inserting ''and before the drawback claim is filed'' after ''the imported merchandise''; and

(D) in subparagraph (C)(ii), by striking subclause (II) and inserting the following:

''(II) received the imported merchandise, other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, or any combination of such imported merchandise and such other merchandise, directly or indirectly from the person who imported and paid any duties, taxes, and fees imposed under Federal law upon importation or entry and due on the imported merchandise (and any such transferred merchandise, regardless of its origin, will be treated as the imported merchandise and any retained merchandise will be treated as domestic merchandise);'';

(E) in the flush text at the end—

(i) by striking ''the amount of each such duty, tax, and fee'' and all that follows through ''99 percent of that duty, tax, or fee'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l) shall be refunded as drawback''; and

(ii) by striking the last sentence and inserting the following: ''Notwithstanding subparagraph (A), drawback shall be allowed under this paragraph with respect to wine if the imported wine and the exported wine are of the same color and the price variation between the imported wine and the exported wine does not exceed 50 percent. Transfers of merchandise may be evidenced by business records kept in the normal course of business and no additional certificates of transfer shall be required.''; and

(3) in paragraph (3)(B), by striking ''the commercially interchangeable merchandise'' and inserting ''merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise''; and

(4) by adding at the end the following:

''(5)(A) For purposes of paragraph (2) and except as provided in subparagraph (B), merchandise may not be substituted for imported merchandise for drawback purposes based on the 8-digit HTS subheading number if the article description for the 8-digit HTS subheading number under which the imported merchandise is classified begins with the term 'other'.

''(B) In cases described in subparagraph (A), merchandise may be substituted for imported merchandise for drawback purposes if—

''(i) the other merchandise and such imported merchandise are classifiable under the same 10-digit HTS statistical reporting number; and

''(ii) the article description for that 10-digit HTS statistical reporting number does not begin with the term 'other'.

''(6)(A) For purposes of paragraph (2), a drawback claimant may use the first 8 digits of the 10-digit Schedule B number for merchandise or an article to determine if the merchandise or article is classifiable under the same 8-digit HTS subheading number as the imported merchandise, without regard to whether the Schedule B number corresponds to more than one 8-digit HTS subheading number.

''(B) In this paragraph, the term 'Schedule B' means the Department of Commerce Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States.''.

(f) LIABILITY FOR DRAWBACK CLAIMS.—Section 313(k) of the Tariff Act of 1930 (19 U.S.C. 1313(k)) is amended to read as follows:

''(k) LIABILITY FOR DRAWBACK CLAIMS.—

''(1) IN GENERAL.—Any person making a claim for drawback under this section shall be liable for the full amount of the drawback claimed.

''(2) LIABILITY OF IMPORTERS.—An importer shall be liable for any drawback claim made by another person with respect to merchandise imported by the importer in an amount equal to the lesser of—

''(A) the amount of duties, taxes, and fees that the person claimed with respect to the imported merchandise; or

''(B) the amount of duties, taxes, and fees that the importer authorized the other person to claim with respect to the imported merchandise.

''(3) JOINT AND SEVERAL LIABILITY.—Persons described in paragraphs (1) and (2) shall be jointly and severally liable for the amount described in paragraph (2).''.

(g) REGULATIONS.—Section 313(l) of the Tariff Act of 1930 (19 U.S.C. 1313(l)) is amended to read as follows:

''(l) REGULATIONS.—

''(1) IN GENERAL.—Allowance of the privileges provided for in this section shall be subject to compliance with such rules and regulations as the Secretary of the Treasury shall prescribe.

''(2) CALCULATION OF DRAWBACK.—

''(A) IN GENERAL.—Not later than the date that is 2 years after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015 (or, if later, the effective date provided for in section 906(q)(2)(B) of that Act), the Secretary shall prescribe regulations for determining the calculation of amounts refunded as drawback under this section.

''(B) CLAIMS WITH RESPECT TO UNUSED MERCHANDISE.—The regulations required by subparagraph (A) for determining the calculation of amounts refunded as drawback under this section shall provide for a refund of equal to 99 percent of the duties, taxes, and fees paid with respect to the imported merchandise, except that where there is substitution of the merchandise or article, then—

''(i) in the case of an article that is exported, the amount of the refund shall be equal to 99 percent of the lesser of—

''(I) the amount of duties, taxes, and fees paid with respect to the imported merchandise; or

''(II) the amount of duties, taxes, and fees that would apply to the exported article if the exported article were imported; and

''(ii) in the case of an article that is destroyed, the amount of the refund shall be an amount that is—

''(I) equal to 99 percent of the lesser of—

''(aa) the amount of duties, taxes, and fees paid with respect to the imported merchandise; and

''(bb) the amount of duties, taxes, and fees that would apply to the destroyed article if the destroyed article were imported; and

''(II) reduced by the value of materials recovered during destruction as provided in subsection (x).

''(C) CLAIMS WITH RESPECT TO ARTICLES INTO WHICH SUBSTITUTE MERCHANDISE IS INCORPORATED.—The regulations required by subparagraph (A) for determining the calculation of amounts refunded as drawback under this section shall provide for a refund of 99 percent of the duties, taxes, and fees paid with respect to the imported merchandise incorporated into an article that is exported or destroyed, except that where there is substitution of the imported merchandise, then—

''(i) in the case of an article that is exported, the amount of the refund shall be equal to 99 percent of the lesser of—

''(I) the amount of duties, taxes, and fees paid with respect to the imported merchandise; or

''(II) the amount of duties, taxes, and fees that would apply to the substituted merchandise if the substituted merchandise were imported; and

''(ii) in the case of an article that is destroyed, the amount of the refund shall be an amount that is—

''(I) equal to 99 percent of the lesser of—

''(aa) the amount of duties, taxes, and fees paid with respect to the imported merchandise; and

''(bb) the amount of duties, taxes, and fees that would apply to the substituted merchandise if the substituted merchandise were imported; and

''(II) reduced by the value of materials recovered during destruction as provided in subsection (x).

''(3) STATUS REPORTS ON REGULATIONS.—Not later than the date that is one year after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, and annually thereafter until the regulations required by paragraph (2) are final, the Secretary shall submit to Congress a report on the status of those regulations.''.

(h) SUBSTITUTION OF FINISHED PETROLEUM DERIVATIVES.—Section 313(p) of the Tariff Act of 1930 (19 U.S.C. 1313(p)) is amended—

(1) by striking ''Harmonized Tariff Schedule of the United States'' each place it appears and inserting ''HTS''; and

(2) in paragraph (3)(A)—

(A) in clause (ii)(III), by striking '', as so certified in a certificate of delivery or certificate of manufacture and delivery''; and

(B) in the flush text at the end—

(i) by striking '', so designated on the certificate of delivery or certificate of manufacture and delivery''; and

(ii) by striking the last sentence and inserting the following: ''The party transferring the merchandise shall maintain records kept in the normal course of business to demonstrate the transfer.''.

(i) PACKAGING MATERIAL.—Section 313(q) of the Tariff Act of 1930 (19 U.S.C. 1313(q)) is amended—

(1) in paragraph (1), by striking ''of 99 percent of any duty, tax, or fee imposed under Federal law on such imported material'' and inserting ''in an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';

(2) in paragraph (2), by striking ''of 99 percent of any duty, tax, or fee imposed under Federal law on the imported or substituted merchandise used to manufacture or produce such material'' and inserting ''in an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)''; and

(3) in paragraph (3), by striking ''they contain'' and inserting ''it contains''.

(j) FILING OF DRAWBACK CLAIMS.—Section 313(r) of the Tariff Act of 1930 (19 U.S.C. 1313(r)) is amended—

(1) in paragraph (1)—

(A) by striking the first sentence and inserting the following: ''A drawback entry shall be filed or applied for, as applicable, not later than 5 years after the date on which merchandise on which drawback is claimed was imported.'';

(B) in the second sentence, by striking ''3-year'' and inserting ''5-year''; and

(C) in the third sentence, by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection'';

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''The Customs Service'' and inserting ''U.S. Customs and Border Protection'';

(ii) in clauses (i) and (ii), by striking ''the Customs Service'' each place it appears and inserting ''U.S. Customs and Border Protection''; and

(iii) in clause (ii)(I), by striking ''3-year'' and inserting ''5-year''; and

(B) in subparagraph (B), by striking ''the periods of time for retaining records set forth in subsection (t) of this section and'' and inserting ''the period of time for retaining records set forth in''; and

(3) by adding at the end the following:

''(4) All drawback claims filed on and after the date that is 2 years after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015 (or, if later, the effective date provided for in section 906(q)(2)(B) of that Act) shall be filed electronically.''.

(k) DESIGNATION OF MERCHANDISE BY SUCCESSOR.—Section 313(s) of the Tariff Act of 1930 (19 U.S.C. 1313(s)) is amended—

(1) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) subject to paragraphs (5) and (6) of subsection (j), imported merchandise, other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, or any combination of such imported merchandise and such other merchandise, that the predecessor received, before the date of succession, from the person who imported and paid any duties, taxes, and fees due on the imported merchandise;''; and

(2) in paragraph (4), by striking ''certifies that'' and all that follows and inserting ''certifies that the transferred merchandise was not and will not be claimed by the predecessor.''.

(l) DRAWBACK CERTIFICATES.—Section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) is amended by striking subsection (t).

(m) DRAWBACK FOR RECOVERED MATERIALS.—Section 313(x) of the Tariff Act of 1930 (19 U.S.C. 1313(x)) is amended by striking ''and (c)'' and inserting ''(c), and (j)''.

(n) DEFINITIONS.—Section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) is amended by adding at the end the following:

''(z) DEFINITIONS.—In this section:

''(1) DIRECTLY.—The term 'directly' means a transfer of merchandise or an article from one person to another person without any intermediate transfer.

''(2) HTS.—The term 'HTS' means the Harmonized Tariff Schedule of the United States.

''(3) INDIRECTLY.—The term 'indirectly' means a transfer of merchandise or an article from one person to another person with one or more intermediate transfers.''.

(o) RECORDKEEPING.—Section 508(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1508(c)(3)) is amended—

(1) by striking ''3rd'' and inserting ''5th''; and

(2) by striking ''payment'' and inserting ''liquidation''.

(p) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—

(1) IN GENERAL.—Not later than one year after the issuance of the regulations required by subsection (l)(2) of section 313 of the Tariff Act of 1930, as added by subsection (g) of this section, the Comptroller General of the United States 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 the modernization of drawback and refunds under section 313 of the Tariff Act of 1930, as amended by this section.

(2) CONTENTS.—The report required by paragraph (1) include the following:

(A) An assessment of the modernization of drawback and refunds under section 313 of the Tariff Act of 1930, as amended by this section.

(B) A description of drawback claims that were permissible before the effective date provided for in subsection (q) that are not permissible after that effective date and an identification of industries most affected.

(C) A description of drawback claims that were not permissible before the effective date provided for in subsection (q) that are permissible after that effective date and an identification of industries most affected.

(q) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall—

(A) take effect on the date of the enactment of this Act; and

(B) apply to drawback claims filed on or after the date that is 2 years after such date of enactment.

(2) REPORTING OF OPERABILITY OF AUTOMATED COMMERCIAL ENVIRONMENT COMPUTER SYSTEM.—Not later than one year after the date of the enactment of this Act, and not

later than 2 years after such date of enactment, the Secretary of the Treasury shall submit to Congress a report on—

(A) the date on which the Automated Commercial Environment will be ready to process drawback claims; and

(B) the date on which the Automated Export System will be ready to accept proof of exportation under subsection (i) of section 313 of the Tariff Act of 1930, as amended by subsection (d).

(3) TRANSITION RULE.—During the one-year period beginning on the date that is 2 years after the date of the enactment of this Act (or, if later, the effective date provided for in paragraph (2)(B)), a person may elect to file a claim for drawback under—

(A) section 313 of the Tariff Act of 1930, as amended by this section; or

(B) section 313 of the Tariff Act of 1930, as in effect on the day before the date of the enactment of this Act.

SEC. 907. OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.

(a) ANNUAL REPORT ON TRADE AGREEMENTS PROGRAM AND NATIONAL TRADE POLICY AGENDA.—Section 163(a) of the Trade Act of 1974 (19 U.S.C. 2213(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) the operation of all United States Trade Representative-led interagency programs during the preceding year and for the year in which the report is submitted.''; and

(2) by adding at the end the following:

''(4) The report shall include, with respect to the matters referred to in paragraph (1)(C), information regarding—

''(A) the objectives and priorities of all United States Trade Representative-led interagency programs for the year, and the reasons therefor;

''(B) the actions proposed, or anticipated, to be undertaken during the year to achieve such objectives and priorities, including actions authorized under the trade laws and negotiations with foreign countries;

''(C) the role of each Federal agency participating in the interagency program in achieving such objectives and priorities and activities of each agency with respect to their participation in the program;

''(D) the United States Trade Representative's coordination of each participating Federal agency to more effectively achieve such objectives and priorities;

''(E) any proposed legislation necessary or appropriate to achieve any of such objectives or priorities; and

''(F) the progress that was made during the preceding year in achieving such objectives and priorities and coordination activities included in the statement provided for such year under this paragraph.''.

(b) RESOURCE MANAGEMENT AND STAFFING PLANS.—

(1) ANNUAL PLAN.—

(A) IN GENERAL.—The United States Trade Representative shall on an annual basis develop a plan—

(i) to match available resources of the Office of the United States Trade Representative to projected workload and provide a detailed analysis of how the funds allocated from the prior fiscal year to date have been spent;

(ii) to identify existing staff of the Office and new staff that will be necessary to support the trade negotiation and enforcement functions and powers of the Office (including those of the Trade Policy Staff Committee) as described in section 141 of the Trade Act of 1974 (19 U.S.C. 2171) and section 301 of the Trade Act of 1974 (19 U.S.C. 2411);

(iii) to identify existing staff of the Office and staff of other Federal agencies who will be required to be detailed to support United States Trade Representative-led interagency programs, including any associated expenses; and

(iv) to provide a detailed analysis of the budgetary requirements of United States Trade Representative-led interagency programs for the next fiscal year and provide a detailed analysis of how the funds allocated from the prior fiscal year to date have been spent.

(B) REPORT.—The United States Trade Representative shall submit to the Committee on Ways and Means and the Committee on Appropriations of the House of Representatives and the Committee on Finance and the Committee on Appropriations of the Senate a report that contains the plan required under subparagraph (A). The report required under this subparagraph shall be submitted in conjunction with the annual budget of the United States Government required to be submitted to Congress under section 1105 of title 31, United States Code.

(2) QUADRENNIAL PLAN.—

(A) IN GENERAL.—Pursuant to the goals and objectives of the strategic plan of the Office of the United States Trade Representative as required under section 306 of title 5, United States Code, the United States Trade Representative shall every 4 years develop a plan—

(i) to analyze internal quality controls and record management of the Office;

(ii) to identify existing staff of the Office and new staff that will be necessary to support the trade negotiation and enforcement functions and powers of the Office (including those of the Trade Policy Staff Committee) as described in section 141 of the Trade Act of 1974 (19 U.S.C. 2171) and section 301 of the Trade Act of 1974 (19 U.S.C. 2411);

(iii) to identify existing staff of the Office and staff in other Federal agencies who will be required to be detailed to support United States Trade Representative-led interagency programs, including any associated expenses;

(iv) to provide an outline of budget justifications, including salaries and expenses as well as non-personnel administrative expenses, for the fiscal years required under the strategic plan; and

(v) to provide an outline of budget justifications, including salaries and expenses as well as non-personnel administrative expenses, for United States Trade Representative-led interagency programs for the fiscal years required under the strategic plan.

(B) REPORT.—

(i) IN GENERAL.—The United States Trade Representative shall submit to the Committee on Ways and Means and the Committee on Appropriations of the House of Representatives and the Committee on Finance and the Committee on Appropriations of the Senate a report that contains the plan required under subparagraph (A). Except as provided in clause (ii), the report required under this clause shall be submitted in conjunction with the strategic plan of the Office as required under section 306 of title 5, United States Code.

(ii) EXCEPTION.—The United States Trade Representative shall submit to the congressional committees specified in clause (i) an initial report that contains the plan required under subparagraph (A) not later than February 1, 2016.

SEC. 908. UNITED STATES-ISRAEL TRADE AND COMMERCIAL ENHANCEMENT.

(a) FINDINGS.—Congress finds the following:

(1) Israel is America's dependable, democratic ally in the Middle East—an area of paramount strategic importance to the United States.

(2) The United States-Israel Free Trade Agreement formed the modern foundation of the bilateral commercial relationship between the two countries and was the first such agreement signed by the United States with a foreign country.

(3) The United States-Israel Free Trade Agreement has been instrumental in expanding commerce and the strategic relationship between the United States and Israel.

(4) More than $45 billion in goods and services is traded annually between the two countries in addition to roughly $10 billion in United States foreign direct investment in Israel.

(5) The United States continues to look for and find new opportunities to enhance cooperation with Israel, including through the enactment of the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150) and the United States-Israel Strategic Partnership Act of 2014 (Public Law 113–296).

(6) It has been the policy of the United States Government to combat all elements of the Arab League Boycott of Israel by—

(A) public statements of Administration officials;

(B) enactment of relevant sections of the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act), including sections to ensure foreign persons comply with applicable reporting requirements relating to the boycott;

(C) enactment of the 1976 Tax Reform Act (Public Law 94–455) that denies certain tax benefits to entities abiding by the boycott;

(D) ensuring through free trade agreements with Bahrain and Oman that such countries no longer participate in the boycott; and

(E) ensuring as a condition of membership in the World Trade Organization that Saudi Arabia no longer enforces the secondary or tertiary elements of the boycott.

(b) STATEMENTS OF POLICY.—Congress—

(1) supports the strengthening of United States-Israel economic cooperation and recognizes the tremendous strategic, economic, and technological value of cooperation with Israel;

(2) recognizes the benefit of cooperation with Israel to United States companies, including by improving American competitiveness in global markets;

(3) recognizes the importance of trade and commercial relations to the pursuit and sustainability of peace, and supports efforts to bring together the United States, Israel, the Palestinian territories, and others in enhanced commerce;

(4) opposes politically motivated actions that penalize or otherwise limit commercial relations specifically with Israel such as boycotts, divestment or sanctions;

(5) notes that the boycott, divestment, and sanctioning of Israel by governments, governmental bodies, quasi-governmental bodies, international organizations, and other such entities is contrary to the General Agreement on Tariffs and Trade (GATT) principle of non-discrimination;

(6) encourages the inclusion of politically motivated actions that penalize or otherwise limit commercial relations specifically with Israel such as boycotts, divestment from, or sanctions against Israel as a topic of discussion at the U.S.-Israel Joint Economic Development Group (JEDG) and other areas to support the strengthening of the United States-Israel commercial relationship and combat any commercial discrimination against Israel;

(7) supports efforts to prevent investigations or prosecutions by governments or international organizations of United States persons on the sole basis of such persons

doing business with Israel, with Israeli entities, or in Israeli-controlled territories; and

(8) supports American States examining a company's promotion or compliance with unsanctioned boycotts, divestment from, or sanctions against Israel as part of its consideration in awarding grants and contracts and supports the divestment of State assets from companies that support or promote actions to boycott, divest from, or sanction Israel.

(c) PRINCIPAL TRADE NEGOTIATING OBJECTIVES OF THE UNITED STATES.—

(1) COMMERCIAL PARTNERSHIPS.—Among the principal trade negotiating objectives of the United States for proposed trade agreements with foreign countries regarding commercial partnerships are the following:

(A) To discourage actions by potential trading partners that directly or indirectly prejudice or otherwise discourage commercial activity solely between the United States and Israel.

(B) To discourage politically motivated actions to boycott, divest from, or sanction Israel and to seek the elimination of politically motivated non-tariff barriers on Israeli goods, services, or other commerce imposed on the State of Israel.

(C) To seek the elimination of state-sponsored unsanctioned foreign boycotts against Israel or compliance with the Arab League Boycott of Israel by prospective trading partners.

(2) EFFECTIVE DATE.—This subsection takes effect on the date of the enactment of this Act and applies with respect to negotiations commenced before, on, or after the date of the enactment of this Act.

(d) REPORT ON POLITICALLY MOTIVATED ACTS OF BOYCOTT, DIVESTMENT FROM, AND SANCTIONS AGAINST ISRAEL.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to Congress a report on politically motivated acts of boycott, divestment from, and sanctions against Israel.

(2) MATTERS TO BE INCLUDED.—The report required by paragraph (1) shall include the following:

(A) A description of the establishment of barriers to trade, including non-tariff barriers, investment, or commerce by foreign countries or international organizations against United States persons operating or doing business in Israel, with Israeli entities, or in Israeli-controlled territories.

(B) A description of specific steps being taken by the United States to encourage foreign countries and international organizations to cease creating such barriers and to dismantle measures already in place and an assessment of the effectiveness of such steps.

(C) A description of specific steps being taken by the United States to prevent investigations or prosecutions by governments or international organizations of United States persons on the sole basis of such persons doing business with Israel, with Israeli entities, or in Israeli-controlled territories.

(D) Decisions by foreign persons, including corporate entities and state-affiliated financial institutions, that limit or prohibit economic relations with Israel or persons doing business in Israel or in Israeli controlled territories.

(e) CERTAIN FOREIGN JUDGMENTS AGAINST UNITED STATES PERSONS.—Notwithstanding any other provision of law, no domestic court shall recognize or enforce any foreign judgment entered against a United States person that conducts business operations in Israel, or any territory controlled by Israel, if the domestic court determines that the foreign judgment is based, in whole or in part, on a determination by a foreign court that the United States person's conducting business operations therein or with Israeli entities constitutes a violation of law.

(f) DEFINITIONS.—In this section:

(1) BOYCOTT, DIVESTMENT FROM, AND SANCTIONS AGAINST ISRAEL.—The term ''boycott, divestment from, and sanctions against Israel'' means actions by states, non-member states of the United Nations, international organizations, or affiliated agencies of international organizations that are politically motivated and are intended to penalize or otherwise limit commercial relations specifically with Israel or persons doing business in Israel or in Israeli-controlled territories.

(2) DOMESTIC COURT.—The term ''domestic court'' means a Federal court of the United States, or a court of any State or territory of the United States or of the District of Columbia.

(3) FOREIGN COURT.—The term ''foreign court'' means a court, an administrative body, or other tribunal of a foreign country.

(4) FOREIGN JUDGMENT.—The term ''foreign judgment'' means a final civil judgment rendered by a foreign court.

(5) FOREIGN PERSON.—The term ''foreign person'' means—

(A) any natural person who is not lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)) or who is not a protected individual (as defined in section 274B(a)(3) of such Act (8 U.S.C. 1324b(a)(3)); or

(B) any foreign corporation, business association, partnership, trust, society or any other entity or group that is not incorporated or organized to do business in the United States, as well as any international organization, foreign government and any agency or subdivision of foreign government, including a diplomatic mission.

(6) PERSON.—

(A) IN GENERAL.—The term ''person'' means—

(i) a natural person;

(ii) a corporation, business association, partnership, society, trust, financial institution, insurer, underwriter, guarantor, and any other business organization, any other nongovernmental entity, organization, or group, and any governmental entity operating as a business enterprise; and

(iii) any successor to any entity described in clause (ii).

(B) APPLICATION TO GOVERNMENTAL ENTITIES.—The term ''person'' does not include a government or governmental entity that is not operating as a business enterprise.

(7) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a natural person who is a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22))); or

(B) a corporation or other legal entity which is organized under the laws of the United States, any State or territory thereof, or the District of Columbia, if natural persons described in subparagraph (A) own, directly or indirectly, more than 50 percent of the outstanding capital stock or other beneficial interest in such legal entity.

SEC. 909. 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.

SEC. 910. CUSTOMS USER FEES.

(a) IN GENERAL.—Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended by adding at the end the following:

''(C) Fees may be charged under paragraphs (9) and (10) of subsection (a) during the period beginning on July 8, 2025, and ending on July 28, 2025.''.

(b) RATE FOR MERCHANDISE PROCESSING FEES.—Section 503 of the United States–Korea Free Trade Agreement Implementation Act (Public Law 112–41; 125 Stat. 460) is amended—

(1) by striking ''For the period'' and inserting ''(a) IN GENERAL.—For the period''; and

(2) by adding at the end the following:

''(b) ADDITIONAL PERIOD.—For the period beginning on July 1, 2025, and ending on July 14, 2025, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

''(1) in subparagraph (A), by substituting '0.3464' for '0.21'; and

''(2) in subparagraph (B)(i), by substituting '0.3464' for '0.21'.''.

SEC. 911. REPORT ON CERTAIN U.S. CUSTOMS AND BORDER PROTECTION AGREEMENTS.

(a) IN GENERAL.—Not later than one year after entering into an agreement under a program specified in subsection (b), and annually thereafter until the termination of the program, the Commissioner shall submit to the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report that includes the following:

(1) A description of the development of the program.

(2) A description of the type of entity with which U.S. Customs and Border Protection entered into the agreement and the amount that entity reimbursed U.S. Customs and Border Protection under the agreement.

(3) An identification of the type of port of entry to which the agreement relates and an assessment of how the agreement provides economic benefits at the port of entry.

(4) A description of the services provided by U.S. Customs and Border Protection under the agreement during the year preceding the submission of the report.

(5) The amount of fees collected under the agreement during that year.

(6) A detailed accounting of how the fees collected under the agreement have been spent during that year.

(7) A summary of any complaints or criticism received by U.S. Customs and Border Protection during that year regarding the agreement.

(8) An assessment of the compliance of the entity described in paragraph (2) with the terms of the agreement.

(9) Recommendations with respect to how activities conducted pursuant to the agreement could function more effectively or better produce economic benefits.

(10) A summary of the benefits to and challenges faced by U.S. Customs and Border Protection and the entity described in paragraph (2) under the agreement.

(b) PROGRAM SPECIFIED.—A program specified in this subsection is—

(1) the program for entering into reimbursable fee agreements for the provision of U.S. Customs and Border Protection services established by section 560 of the Department of Homeland Security Appropriations Act, 2013 (division D of Public Law 113–6; 127 Stat. 378); or

(2) the pilot program authorizing U.S. Customs and Border Protection to enter into partnerships with private sector and government entities at ports of entry established by section 559 of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113–76; 6 U.S.C. 211 note).

SEC. 912. AMENDMENTS TO BIPARTISAN CONGRESSIONAL TRADE PRIORITIES AND ACCOUNTABILITY ACT OF 2015.

(a) IMMIGRATION LAWS OF THE UNITED STATES.—Section 102(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 is amended—

(1) in paragraph (12), by striking ''and'' at the end;

(2) in paragraph (13), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(14) to ensure that trade agreements do not require changes to the immigration laws of the United States or obligate the United States to grant access or expand access to visas issued under section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).''.

(b) GLOBAL WARMING.—Section 102(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, as amended by subsection (a) of this section, is amended—

(1) in paragraph (13), by striking ''and'' at the end;

(2) in paragraph (14), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(15) to ensure that trade agreements do not require changes to U.S. law or obligate the United States with respect to global warming or climate change.''.

(c) FISHERIES NEGOTIATIONS.—Section 102(b) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 is amended by adding at the end the following:

''(22) FISHERIES NEGOTIATIONS.—The principal negotiating objectives of the United States with respect to trade in fish, seafood, and shellfish products are to obtain competitive opportunities for United States exports of fish, seafood, and shellfish products in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports of fish, seafood, and shellfish products in United States markets and to achieve fairer and more open conditions of trade in fish, seafood, and shellfish products, including by reducing or eliminating tariff and non-tariff barriers and eliminating subsidies that distort trade.''.

(d) ACCREDITATION.—Section 104(c)(2)(C) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 is amended by inserting after the first sentence the following: ''In addition, the chairman and ranking members described in subparagraphs (A)(i) and (B)(i) shall each be permitted to designate up to 3 personnel with proper security clearances to serve as delegates to such negotiations.''.

(e) TRAFFICKING IN PERSONS.—Section 106(b)(6) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

''(B) EXCEPTION.—

''(i) INVOKING EXCEPTION.—If the President submits to the appropriate congressional committees a letter stating that a country to which subparagraph (A) applies has taken concrete actions to implement the principal recommendations with respect to that country in the most recent annual report on trafficking in persons, this paragraph shall not apply with respect to agreements with that country.

''(ii) CONTENT OF LETTER; PUBLIC AVAILABILITY.—A letter submitted under clause (i) with respect to a country shall—

''(I) include a description of the concrete actions that the country has taken to implement the principal recommendations described in clause (i); and

''(II) be made available to the public.

''(iii) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subparagraph, the term 'appropriate congressional committees' means—

''(I) the Committee on Ways and Means and the Committee on Foreign Affairs of the House of Representatives; and

''(II) the Committee on Finance and the Committee on Foreign Relations of the Senate.'';

(f) TECHNICAL AMENDMENTS.—The Bipartisan Congressional Trade Priorities and Accountability Act of 2015 is amended—

(1) in section 105(b)(3)—

(A) in subparagraph (A)(ii), by striking ''section 102(b)(16)'' and inserting ''section 102(b)(17)''; and

(B) in subparagraph (B)(ii), by striking ''section 102(b)(16)'' and inserting ''section 102(b)(17)''; and

(2) in section 106(b)(5), by striking ''section 102(b)(15)(C)'' and inserting ''section 102(b)(16)(C)''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015.

SEC. 913. CERTAIN INTEREST TO BE INCLUDED IN DISTRIBUTIONS UNDER CONTINUED DUMPING AND SUBSIDY OFFSET ACT OF 2000.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Commissioner shall include in all distributions of collected antidumping and countervailing duties described in subsection (b) all interest earned on such duties, including—

(1) interest accrued under section 778 of the Tariff Act of 1930 (19 U.S.C. 1677g),

(2) interest accrued under section 505(d) of the Tariff Act of 1930 (19 U.S.C. 1505(d)), and

(3) common-law equitable interest, and all interest under section 963 of the Revised Statutes of the United States (19 U.S.C. 580),

awarded by a court against a surety's late payment of antidumping or countervailing duties and interest described in paragraph (1) or (2), under its bond,

which is, or was, realized through application of any payment received on or after October 1, 2014, by U.S. Customs and Border Protection under, or in connection with, any customs bond pursuant to a court order or judgment, or any settlement for any such bond.

(b) DISTRIBUTIONS DESCRIBED.—The distributions described in subsection (a) are all distributions made on or after the date of the enactment of this Act pursuant to section 754 of the Tariff Act of 1930 (19 U.S.C. 1675c) (as such section was in effect on February 7, 2006) of collected antidumping and countervailing duties assessed on or after October 1, 2000, on entries made through September 30, 2007.

SEC. 914. REPORT ON COMPETITIVENESS OF U.S. RECREATIONAL PERFORMANCE OUTERWEAR INDUSTRY.

Not later than June 1, 2016, the United States International Trade Commission 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 the competitiveness of the United States recreational performance outwear industry and its effects on the United States economy, including an assessment of duty structures on inputs as well as finished products and global supply chains.

SEC. 915. INCREASE IN PENALTY FOR FAILURE TO FILE RETURN OF TAX.

(a) IN GENERAL.—Section 6651(a) of the Internal Revenue Code of 1986 is amended by striking ''$135'' in the last sentence and inserting ''$205''.

(b) CONFORMING AMENDMENT.—Section 6651(i) of such Code is amended by striking ''$135'' and inserting ''$205''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed in calendar years after 2015.

The SPEAKER pro tempore. Pursuant to House Resolution 305, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The gentleman from Ohio (Mr. TIBERI) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. TIBERI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TIBERI. Mr. Speaker, I include an exchange of letters between the committees of jurisdiction in the RECORD at this point.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, May 14, 2015.

Hon. PAUL RYAN,
Chairman, Committee on Ways and Means, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN RYAN: I am writing to you concerning the jurisdictional interest of the Committee on Homeland Security in H.R. 1907, the ''Trade Facilitation and Trade Enforcement Act of 2015.'' The bill includes provisions that fall within the jurisdiction of the Committee on Homeland Security.

I recognize and appreciate the desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Homeland Security will forego consideration of this bill. The Committee takes this action

with the mutual understanding that by foregoing consideration of H.R. 1907 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction.

This waiver is also given with the understanding that the Committee on Homeland Security expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this or any similar legislation, and requests your support for such a request.

I would appreciate your response to this letter confirming this understanding with respect to H.R. 1907, and ask that a copy of this letter and your response be included in the Committee report on the bill as well as in the Congressional Record during consideration of this bill on the House floor.

Sincerely,

MICHAEL T. MCCAUL,
Chairman,
Committee on Homeland Security.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 14, 2015.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security, Ford House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Committee's jurisdictional interest in H.R. 1907, the Trade Facilitation and Trade Enforcement Act of 2015, and your willingness to forego consideration by your committee.

I agree that the Committee on Homeland Security has a valid jurisdictional interest in certain provisions of the bill and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration. As you have requested, I will support your request for an appropriate appointment of outside conferees from your committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Congressional Record during the floor consideration of H.R. 1907. Thank you again for your cooperation.

Sincerely,

PAUL RYAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, May 1, 2015.

Hon. PAUL RYAN,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN RYAN: Thank you for consulting with the Foreign Affairs Committee on H.R. 1907, the Trade Facilitation and Trade Enforcement Act of 2015, which was referred to us on April 21, 2015.

I agree that the Foreign Affairs Committee may be discharged from further action on this bill so that it may proceed expeditiously to the Floor, subject to the understanding that this waiver does not in any way diminish or alter the jurisdiction of the Foreign Affairs Committee, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I also request your support for the appointment of House Foreign Affairs conferees during any House-Senate conference on this legislation.

I ask that you place our letters on H.R. 1907 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with the Committee on Ways and Means as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 4, 2015.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN: Thank you for your letter regarding the Foreign Affairs Committee's jurisdictional interest in H.R. 1907, the Trade Facilitation and Trade Enforcement Act of 2015, and your willingness to forego consideration by your committee.

I agree that the Committee on Foreign Affairs has a valid jurisdictional interest in certain provisions of the bill and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration. As you have requested, I will support your request for an appropriate appointment of outside conferees from your committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Congressional Record during the floor consideration of the bill. Thank you again for your cooperation.

Sincerely,

PAUL RYAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, May 13, 2015.

Hon. PAUL RYAN,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN RYAN: On April 23, 2015, the Committee on Ways and Means ordered H.R. 1907, the Trade Facilitation and Trade Enforcement Act of 2015, to be reported favorably to the House. I agree to discharge the Committee on Financial Services from further consideration of the bill so that it may proceed expeditiously to the House Floor.

The Committee takes this action with our mutual understanding that, by foregoing consideration of H.R. 1907 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 1907 and would ask that a copy of our exchange of letters on this matter be included in your committee's report to accompany the legislation and/or in the Congressional Record during floor consideration thereof.

Sincerely,

JEB HENSARLING,
Chairman.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 14, 2015.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Committee's jurisdictional interest in H.R. 1907, the Trade Facilitation and Trade Enforcement Act of 2015, and your willingness to forego consideration by your committee.

I agree that the Committee on Financial Services has a valid jurisdictional interest in certain provisions of the bill and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration. As you have requested, I will support your request for an appropriate appointment of outside conferees from your committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Congressional Record during the floor consideration of H.R. 1907. Thank you again for your cooperation.

Sincerely,

PAUL RYAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 13, 2015.

Hon. PAUL RYAN,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN RYAN, I am writing with respect to H.R. 1907, the ''Trade Facilitation and Trade Enforcement Act of 2015.'' As a result of your having consulted with us on provisions in H.R. 1907 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to waive consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1907 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 1907.

Sincerely,

BOB GOODLATTE,
Chairman.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 13, 2015.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Committee's jurisdictional interest in H.R. 1907, the Trade Facilitation and Trade Enforcement Act of 2015, and your willingness to forego consideration by your committee.

I agree that the Committee on Judiciary has a valid jurisdictional interest in certain

provisions of the bill and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration. As you have requested, I will support your request for an appropriate appointment of outside conferees from your committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Congressional Record during the floor consideration of H.R. 1907. Thank you again for your cooperation.

Sincerely,

PAUL RYAN,
Chairman.

Mr. TIBERI. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. I thank the gentleman from Ohio for yielding.

Mr. Speaker, have you ever had one of those moments where you are compelled to come running down here and come up to the mike because you are so enraged with the duplicity of some of the things you are hearing?

Beyond the simple facts of the rhetoric, looking at the math of our trade surplus and deficits, the countries that we actually have trade agreements with, we have a surplus in manufactured goods; but let's move beyond the basic math of growing our economy, the demographics issue we have in our country, and the need to have markets around the world.

Some of the crazy things I am seeing put out in the media by Big Labor, the willingness to make up stories, to make up facts, Goebbels would be very proud of them.

Having paid attention to Arizona during the NAFTA disputes and some of the crazy things that were said then, now, we look back, and it wasn't true. NAFTA has been a net positive. All the scary things that were supposed to happen never happened.

Be careful that we are not getting conned by made-up stories. This is good for America.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

I want everybody to understand how these three bills are sequenced and how and why they were set up this way by the majority so people will understand our votes.

The sequence is the first vote will be TAA; next, TPA; and next, Customs. The reason for TAA being first is to try to maximize the votes among Democrats for TPA. That is really why they were set up this way. Why is Customs last? It is because there are many Democrats who will vote for TPA—at least some, there aren't that many perhaps—who don't like the Customs bill.

Everybody who is listening should understand the rationale for this sequencing, and everybody should understand our reaction to the sequencing and what has happened here.

The way this has evolved is this. For years, I have worked to try to build strong bipartisan support for trade agreements, and we often have succeeded. With Peru, it was over 100 Democrats. We worked on Korea and got less, but the leadership and I voted for it because we worked together eventually for a truly bipartisan bill.

This TPA bill doesn't have that, and essentially, what has happened—in part, because of that—is that the leverage has been lost by the administration, to some extent, and on our side to resist items like in the Customs bill. That is really what is happening here. So this Customs bill has to go over to the Senate, but everybody should understand the predicament that this places the administration and all of us in.

For example, the language regarding Malaysia and human trafficking—or human trafficking generally. What this Customs bill does is to weaken the language that is in the Senate bill. This is on human trafficking, sex human trafficking.

It also relates to workers. Hundreds of thousands of people—for example, in Malaysia, and other countries—essentially come to those countries. Often, their passports are taken. They have no rights. We say this should not happen. Malaysia is in tier 3, and the original amendment said any country in tier 3 should not have the benefits of TPP. This weakens it and places this in—if it succeeds—in the TPA bill.

Secondly, on climate change—we worked hard in the Peru FTA to incorporate the May 10 agreement. We worked hard on worker rights, on environment, on medicines. Actually, because the then-Administration would not negotiate it, Mr. RANGEL and I negotiated the United States-Peru Free Trade Agreement with the Peruvian Government. Let no one say I am not for expanded trade—or lots of other Democrats. It had an annex in it relating to forestation and deforestation and illegal logging. Why? It is because the Amazon affects all of us, and it affects trade.

Now, what we have is language which, if accepted here and then in the Senate, would essentially preclude that kind of an agreement. That is what happens when you don't proceed on a truly bipartisan basis and there is no leverage for some of us.

Let me also talk about currency. There is also a provision on immigration which could have an impact in terms of the negotiation. I don't know that there will be a provision. What I do know is that this amendment takes out the Schumer amendments on currency.

Let me just say a word. You have put some language into this bill on currency. It is like every other negotiating objective. It is not even Swiss cheese, with lots of holes. It is the weakest kind of cheese that has no real substance to it, except maybe a good taste, but this has a bad taste.

Those negotiating objectives really are not meaningful; they are so vague, and it is the person who negotiates it who judges whether those vague negotiating objectives have been met.

So you take out the Schumer amendment. Now, what has been the impact of currency manipulation on jobs in the United States of America? This is one of the bases of the feeling of a lot of people in various communities, including the labor community, but way beyond—and our citizenry.

Because of Japan's manipulation of currency—and then China's—we lost several million jobs. That is the reality. When people come here and say this bill of theirs, this TPA bill will help in terms of job creation, and they say, as was said many times in various places, these are jobs we have already lost, that is nonsense.

There are more jobs in manufacturing and other places that could be lost that relate to the worker provisions in terms of Mexico, which competes with us, but it also relates to currency manipulation. The President has now said that China is interested, and there will be no meaningful currency manipulation in TPP. Essentially, we are opening the door for more and more currency manipulation.

This is the reason for the depth of our feeling about this TPA and these amendments that will make it even worse. Everybody listening should understand the depth of the feeling from so many of us in and out of this place, every movement—whether labor, environmental, medicines, or whatever—to what is going on here.

I think this Customs bill makes TPA even worse and essentially has tied the hands—because there is not a strong bipartisan basis—I think, of the Administration to really throw its weight around in terms of these amendments. I am afraid some of them are going to become law, and that should not happen.

I strongly urge strong opposition to this Customs bill, H.R. 644. It is one of the several reasons we should be voting ''no'' on the three votes that are coming before us.

I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from Wisconsin (Mr. RYAN) will now control the time for the majority.

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, it is my pleasure to yield 1 minute to the distinguished gentleman from Ohio (Mr. BOEHNER), the Speaker of the House.

Mr. BOEHNER. Let me start by thanking the gentleman from Wisconsin for his leadership on the committee and his leadership on this bill. I also want to thank Chairman SESSIONS and members of the Rules Committee for all of their work.

I want to thank Mr. TIBERI, the chairman of the Trade Subcommittee, for the tremendous job that he has done. I am grateful to all Members who have offered constructive contributions to this debate.

My colleagues, we are not here today to debate any particular trade bill. The day for that may come, and when it does, we want to make sure that agreement reflects the people's priorities.

That means more jobs, higher pay, and more opportunities for workers, farmers, and small businesses. That is why we want to make sure that this agreement isn't rushed and we want to make sure that there is no agreement that is in secret. We want to make sure—darn sure—that there is less authority for the President and more authority for the people.

That is what this bill does. It is a means to an end, and the end is more free trade that is good for our economy and good for our country, which brings me to another priority in this bill, and that is American leadership.

When America leads, the world is safer, for freedom and for free enterprise. When we don't lead, we are allowing and essentially inviting China to go right on setting the rules of the world economy. What that does is keep our workers and our products on the sidelines.

We are Americans, aren't we? We are not people who stand still. We don't give in to doubt and defeatism. This is one of those moments when we need to remember that this country is an idea. It is an idea of people who choose their own destiny and people who dare to be exceptional.

□ 1200

My colleagues, you will recall that the Prime Minister of Japan was here earlier this spring. And during his address, which was about the need for America to lead on trade, he talked about how this is an ''awesome country'' because here, he said, ''you just choose the best idea, no matter who it comes from.''

Well, today, the best idea is to vote ''yes,'' not for the President, not for ourselves, but for our kids and our grandkids.

I know some Members of this body don't like trade promotion authority, some don't like Trade Adjustment Assistance. But today I am here to vote for both because it is the right thing to do.

Mr. LEVIN. I yield 1 minute to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. I thank the gentleman for yielding. I certainly appreciate it, and talking about these three bills, how they are linked together.

But if we look at a couple of them, in particular, the trade adjustment is the equivalent of an execution, but you are getting to choose your last meal. But the end result is you are dead or, in this case, you are losing your job.

I am an electrician with a tie. That is where I started my career. Day in and day out I heard those struggles. I can take you to my district and show you those empty buildings from the failed promises of a trade agreement.

I joined this body on November 12, coming out of the worst economic times, and the first thing we are going to do is kick the American worker, kick him when he is down.

We have empty plants, as I mentioned before. Trade adjustment helps you get a job for lower pay, less benefits, less wages. They call it a trade bill for a reason. You are trading good jobs in here in America for trade jobs——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. NORCROSS. They call it a trade bill because they are trading jobs. You lose your good job that has a pension, benefits, and a good wage that can take care of your children, for a job, after you go through the wringer, that pays less than half.

Yeah, we might have more jobs, but they are at the bottom end. They are not the kind that would help raise that.

So this body, if we worked as hard as we are on this bill for a transportation and infrastructure bill, those are jobs that are here today and are for our future and make our country stronger.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume for the purpose of engaging in a colloquy. I yield to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. I thank the chairman.

Mr. Speaker, from the time of Ben Franklin, reliable and affordable universal mail delivery service has been an essential commitment here in the United States, particularly to rural and low-income urban areas like my own.

I am concerned when I hear my constituents assert that our ongoing trade negotiations could undermine our Postal Service. TPA and trade negotiations must not undermine the U.S. Postal Service.

I am also very concerned that continued dumped steel imports are hurting our steel manufacturers. This is a very important industry in my district. Even when we have antidumping duties to counter dumped imports, these duties are often evaded through various schemes, such as sending steel to another country to manufacture steel products, then send the finalized product to the United States.

We must address these problems in this litigation for my support.

Mr. RYAN of Wisconsin. Reclaiming my time, I appreciate the gentleman's concern about the impact of currently negotiated trade agreements on the U.S. Postal Service.

The United States has consistently excluded government services, such as mail delivery, from its obligations in past agreements. It is my understanding that the United States is continuing to do so in the ongoing Trans-Pacific, EU, and Trade in Services negotiations.

In addition, TPA specifically directs that trade agreements take into account legitimate U.S. domestic objectives, which has consistently included providing universal mail services.

Our trade remedy laws are vital for countering unfairly priced and subsidized imports. That is also why I worked with the Steel Caucus here in the House, you being a member of that, to add to our enforcement bill a series of provisions that we call ''Level the Playing Field'' to strengthen those laws.

Evasion of these laws is also a serious problem, which is why this enforcement bill contains extensive provisions to create new tools and authorities to both prevent and go after evasion.

I thank the gentleman and appreciate his leadership on these issues.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. BARLETTA) for the purpose of engaging in a colloquy.

Mr. BARLETTA. I thank the chairman for helping me to improve this bill by including STEVE KING's immigration prohibitions and strong tools to stop currency manipulation.

We need to establish a process at Customs that will stop duty evasion, which hurts manufacturers in my district.

You and I, Mr. Chairman, have talked about having Customs investigate and decide duty-evasion cases subject to deadlines. Subjecting the decisionmaking process at Customs to review at the U.S. Court of International Trade will allow U.S. manufacturers hurt by duty evasion to finally get the relief that they deserve.

Mr. Chairman, do you commit to working with me on achieving these goals in conference?

Mr. RYAN of Wisconsin. Reclaiming my time, I commit to working with the gentleman to improve the bill in conference to level the playing field for American manufacturing and American workers. And I also thank the gentleman for his leadership in ensuring that we fully enforce U.S. trade laws.

Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA), a member of the Ways and Means Committee, and the chair of our caucus.

Mr. BECERRA. I thank the gentleman for yielding.

Trade is pretty simple. We do it every day, whether you are trading in the old car for a newer car, or whether it is the largest economy in the world trading with the rest of the world. We do it every day.

At the end of the day, what we want is a fair deal. I give you something; the benefit of the bargain is I get something back.

Any country that wants access to our markets needs to play by the rules. We can't allow cheating to hurt our workers, their wages, our businesses, or our economy.

And the American people get it. That is why they are so apprehensive about any trade deal this Congress puts before it, because they want to know, will we lead on their behalf? Or are we going to let the special interests dictate the rules?

Will we retreat from our responsibility to make sure that if some foreign company is going to have access

to our markets, they are going to play by the rules?

When I take a look at this trade promotion authority legislation, I ask myself, how can you ever get a good trade deal out of this when the rules are rigged against America?

One simple example. Everyone agrees we have had a bipartisan consensus in this House—more than 230 Members have signed on to a letter in the past saying, We have got to stop countries that manipulate their currency to try to make their products produced by their companies look cheaper than American products.

Yet, this legislation would prohibit us from going after the countries that are cheating to prevent the companies in those countries from cheating. So how are we going to stop the companies that we know are pirating, that are stealing, that are cheating against us, how are we ever going to stop them if the rules require us to go through those countries to try to get those companies to abide by the rules?

When the country is cheating, I guarantee you, the companies are going to cheat. And that is not the way you get foreigners to access our market.

We can do much better. We have to do much better because the American people want us to lead, not retreat.

That is why we should vote this down and get a better deal that the American people know and feel is the right thing for America.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), the distinguished majority whip.

Mr. SCALISE. Mr. Speaker, I want to thank the gentleman from Wisconsin for his leadership in bringing this bill to the floor.

Mr. Speaker, American trade is critical to strengthening our economy and to giving American workers the competitive advantage that we need so we can go out and sell more of our goods all around the world.

There aren't many impediments for foreign countries to bring their products into our countries and sell their goods here, but there are many, many impediments when we want to sell our products that we make, by American workers, to foreign countries, especially in Asian countries and European countries.

Those countries right now, our allies around the world, want to get good trade agreements, good level playing fields, so that we can have good negotiated trade back and forth and sell more of our products in those countries.

But right now China is writing the rules while America sits on the sidelines. We are not a country that sits on the sidelines, Mr. Speaker.

This bill gets us in the game so America can go out and our workers can compete on a level playing field and we can sell more of our products overseas.

But something else that this bill does, Mr. Speaker, is it actually gives Congress a direct say in the process, every step of the way. We lay out criteria, things that cannot be in trade deals, protections against immigration and global warming-type issues being included in these trade deals.

But it also gives transparency, strong and enforceable rules so that any agreement that is reached would have to be available online, not just for us to read, as Members of Congress, but for the entire Nation to read for at least 60 days before there is even a vote in Congress. And then, of course, Congress would have the ultimate veto authority over a bad deal if it was sent.

This bill is critical to getting America back in the game so our workers can be competitive. And when America competes on a level playing field, we win.

Let's go create those American jobs by passing this bill.

Mr. LEVIN. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Michigan has 17½ minutes remaining. The gentleman from Wisconsin has 22½ minutes remaining.

Mr. LEVIN. Mr. Speaker, I take special pleasure to yield 1 minute to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, the vote today is why I came to Congress. I promised the working men and women in my district that I would fight to make sure that they had a seat at the table when we were making decisions that impact their life and their livelihood.

We all know that we must grow our economy and we must compete in a global marketplace. We all know what great products the American worker builds, and that we can outcompete anybody in the world. But we cannot compete with the Bank of Japan and the Bank of China.

NAFTA cost us 1 million jobs, and Michigan is still paying the price. The Korea Free Trade Agreement was a great deal for South Korea. They have expanded their imports into this country by almost half a million products. And we have worked to just get 20,000 into that market.

Enough is enough. Congress cannot abdicate its responsibility to the working men and women of this country. It is our responsibility to protect our workers. Fast Track doesn't allow this. We should not pass it.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I understand the importance of trade and the impact trade negotiations can have on our local economies, even back home in Illinois.

Currently, 1 in 3 manufacturing jobs depend on exports, and 1 in 3 acres on all American farms are planted for hungry families overseas.

As a Congressman, it is my job to make sure trade agreements protect American workers, farmers, manufacturers, innovators, and service providers by opening markets around the world because, when given a fair playing field, I have the utmost confidence that American companies and industries can outcompete foreign competitors.

But too many times, past trade agreements have left our industries, especially steel, vulnerable to unfair trading practices like dumping.

I will continue to fight for stronger trade enforcement and be committed to protecting American jobs.

I want to thank Chairman RYAN and Subcommittee Chairman TIBERI for their leadership on this issue. And I really want to thank my colleague from Illinois, Representative MIKE BOST, for his tireless efforts to strengthen our trade remedy laws to protect American workers and more than 2,000 workers at our steel factory in Granite City, Illinois.

I urge a ''yes'' vote.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. BOUSTANY), a senior member of the Ways and Means Committee.

□ 1215

Mr. BOUSTANY. I thank the distinguished chairman of the committee for yielding.

Mr. Speaker, I believe all of us here in Congress can agree that evasion of antidumping and countervailing duties is a serious problem and needs to be effectively addressed. That is why I rise in support of this bill, because I think it thoroughly and thoughtfully addresses the issue.

The seafood industry in Louisiana has been particularly hit by this, which prompted me to work with industry, the committee, and others in the administration to come up with a legislative fix for the growing problem.

Thankfully, the bill before us today contains language from my PROTECT Act, providing tools for Customs to help out our legitimate importers, distributors, and trade-affected domestic industries to prevent and combat fraud at our border, not after the fact, which makes it much more difficult to deal with.

Specifically, the language in this bill is dedicated to preventing and investigating evasion. Within that unit, there will be a point of contact for private sector evasion allegations who will have the authority to direct these evasion investigations and the duty to inform interested parties. They have to inform the interested parties about the status of the investigations.

We have also increased the types of data that Customs can use to target evading imports, and this language will increase information sharing between the Department of Commerce and the International Trade Commission to effectively investigate evasion.

Finally, the bill sets specific requirements for Customs to adequately train its personnel involved in combating this. These are necessary improvements to stop fraud before it gets to our borders.

I can tell you, I have gotten plenty of comments from folks back in my district. Kimberly Chauvin, who is the owner of Bluewater Shrimp Company in Dulac, Louisiana, said the language ''creates provisions that we need. The Senate bill is a watered-down version. If we do not get BOUSTANY's bill, the whole bill does us no good whatsoever.''

We need these tools. These tools are essential to effectively combat evasion. Evasion is too important a problem to remain unaddressed, and I think we are going to get to the best possible agreement on this when we go to conference with this bill.

So I urge my colleagues to join me in supporting this very important piece of legislation. Let's move the ball forward. Let's really strengthen our laws to combat evasion and get this job done.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I yield 1 minute to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Mr. Speaker, today I rise in support of trade promotion authority, or TPA, and I would like to thank the gentleman from Wisconsin, PAUL RYAN, for his leadership on this issue.

TPA, not to be confused with TPP, would put Congress in the driver's seat when it comes to negotiating trade agreements. It would ensure the President is held accountable to Congress and the American people in negotiating all trade deals. TPA, a public document which I have read and is available for the American people to read—in fact, it is right here—would require the President to make public any free trade agreement before it comes to Congress for a vote.

Trade is a vital part of our economy. One in five jobs is supported by trade, and 4.7 million jobs depend on trade in California.

Right now, American companies cannot compete on a level playing field. Trade barriers make it difficult for the U.S. to sell their goods to the 95 percent of consumers that live overseas. Free trade agreements would eliminate these barriers and put in place fair and strong rules for U.S. companies to compete and win.

Furthermore, if Congress fails to pass TPA and set the rules of the global economy, China will. We simply cannot cede our role as the global leader in the 21st century.

I urge my colleagues in the House and the American people to rally behind TPA.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ), a member of our committee.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise to express both strong concern and guarded optimism about the customs bill before us today.

I will be voting against the underlying bill before us today because of the drastic and unnecessary changes the bill makes to TPA provisions related to human trafficking, currency manipulation, and immigration policy. However, I remain optimistic that the customs provisions in this bill can become as strong as the Senate bill during conference.

Senators worked on a bipartisan basis to reach an agreement after nearly a decade of negotiations on how we should be enforcing our trade laws. I am now hoping that House Republicans will be part of getting these provisions across the finish line.

One of my biggest priorities for many years has been finding a way to combat the blatant abuse and duty evasion by some foreign producers that undercut American industry here. Foreign companies use schemes to avoid paying the duties they owe on goods that they import into the United States. That is why I have introduced and fought for the ENFORCE Act. For the first time, it finally feels like we are very close to getting this done.

And to that end, I want to thank Representatives TIBERI and BOUSTANY, along with Chairman RYAN, for several productive discussions on the best way to get this done in conference. I hope that we will be able to keep working on a bipartisan basis to get a final, bipartisan House customs bill.

Giving up on the opportunity to give real teeth to our enforcement procedures would not only be harmful to our economy, but it sends a message to manufacturers, employers, and U.S. workers that this Congress doesn't care about them. By increasing our customs security measures, we can ensure that American companies that play by the rules are not undercut by foreign competitors who cheat by evading duties on their goods.

I urge my colleagues to work to improve this bill by incorporating final language with some teeth. U.S. manufacturers have waited long enough to have customs enforcement that works.

Mr. RYAN of Wisconsin. At this time, I yield 1 minute to the distinguished gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank Chairman RYAN for yielding, and I also thank him for his leadership on this issue.

Mr. Speaker, I would point out three things: trade promotion authority needs to pass, TAA needs to pass, and the customs bill needs to pass. Those are the toggle switches that are set up.

The negotiations with Chairman RYAN could not have been better. I laid two issues out in front: one was my concern that the President would negotiate global warming and climate change; the other one was the strong things that go beyond rumors of the negotiation of immigration provisions into the future trade agreements that would be negotiated under a trade promotion authority.

We addressed those issues. The language in the customs bill is language that is tight. I have confidence in it. It says it shall not obligate the United States to grant access or expand access to visas issued under 8 U.S.C. 1101(a)(15).

Mr. Speaker, this satisfies my concerns, and I know that enforcement is a concern. But we are committed to standing together should that day come that we need to do that, and we are hopeful that and expect that the President, who we also anticipate will follow his commitment to sign this bill, will also abide by the provisions in it.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield the gentleman an additional 30 seconds.

Mr. KING of Iowa. I thank the chairman.

We expect the President to abide by the provisions in it. We will follow through on our part of this bargain, if not. And this Congress has an opportunity to veto.

So what a wonderful thing it is to go into a trade promotion authority circumstance and know that for the next 6 to 9 years the U.S. Trade Representative will not be negotiating global warming, will not be negotiating immigration. We preserve that for the United States Congress, as the Constitution directs. So that level of confidence lets us then focus on the trade agreements that are good for the economic growth of the United States of America. That is what is in front of us here today, and I am very grateful we have gotten to this point.

I urge adoption of the customs bill.

Mr. LEVIN. Mr. Speaker, I now yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a member of our committee.

Mr. BLUMENAUER. Mr. Speaker, I am frustrated to be on the floor today unable to vote for H.R. 644. This bill should be about helping American businesses export more, with greater efficiency, cutting red tape at the border, and enhancing our ability to hold foreign tax cheats accountable. Instead, this bill cuts corners on what matters to America's exporters and those undercut by bad actors abroad and gives special attention to the paranoia of the Republican caucus.

The Senate passed a perfectly good, bipartisan customs bill which had a couple of strong provisions that I have authored in it. That legislation is not what we are considering. Instead, today's bill contains ill-advised language on immigration, climate change. It shorts efforts to deal with human trafficking and currency, and it reverses longstanding American policy towards Israel and settlements.

It is not so much the fact that there were these vote-buying tactics that

were used to lard this up with inappropriate items that's concerning, because most will fall off in conference. I am frustrated that provisions that would strengthen the bill and get bipartisan support have been left out.

The Green 301 provisions, to help American businesses working abroad who are put at a competitive disadvantage by operating at or above local environmental laws while native companies get a free pass when it comes to following what is on the books. It is not fair, and there should be an avenue of redress. The Green 301 would have done that.

And no one benefits from a trade agreement which can't be enforced.

I had the STRONGER Act, a trade enforcement and capacity building provision that I have offered up, that we have attempted to get through here. It is in the Senate bill—and should be in the House bill.

I will be fighting in conference to make sure that these provisions—Green 301 and STRONGER—are protected in the Senate, that we have a customs bill that is worthy of support and some of the goofy stuff gets stripped away.

I will vote for TPA, but I am really frustrated that we don't have a customs bill that we all can support.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I yield myself such time as I may consume to engage in a colloquy with the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. I thank the gentleman for yielding.

Mr. Chairman, despite a longstanding U.S. policy against the use of offset agreements, many foreign governments continue to insist on using offset agreements, which clearly distort trade, are an unfair trade practice, and result in lost opportunities for American workers.

Offset agreements and military sales contracts are add-on provisions that require U.S. companies to reinvest in foreign companies through the purchase of additional goods and services, technology transfer, foreign-based subcontractor mandates, and other similar activities.

Chairman RYAN, under TPA, how will the Federal Government curb a foreign country's use of military offsets?

Mr. RYAN of Wisconsin. I thank my friend for his question.

I agree that offset agreements distort fair trade. Under TPA, Congress will establish negotiating objectives for the President to seek more open market access for U.S. companies in the reduction, elimination, or prevention of trade distortion and localization barriers. Thus, these provisions will direct the President to seek to curb our negotiating partners' insistence on the use of offset agreements.

Mr. TURNER. I thank the gentleman for his response, and I look forward to working with him on this important issue.

Mr. RYAN of Wisconsin. Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, many this morning have said TPA will protect American jobs. In Rhode Island, my home State, we know that is not true. TPA will facilitate another bad trade deal that will result in more American jobs being shipped overseas.

Those who think this trade deal is good should come to Rhode Island and meet with the men and women who still can't find work after decades of a bad trade deal just like this one.

I have listened to former jewelry and textile workers who worked in the once bustling mills in Woonsocket, Pawtucket, and Providence, who don't understand why Congress is considering another trade bill that will eliminate more American jobs.

My State lost over 40,000 jobs after NAFTA, mostly in manufacturing.

Haven't we seen the devastating impact of bad trade deals? Haven't we learned our lesson, that a trade deal that fails to address currency manipulation, that doesn't include enforceable provisions on the environment and on labor is a bad deal for American workers?

Of course we need to compete in a global economy. Of course we need to grow our economy. But we need to do it in a way that protects American jobs and protects American workers. We need fair trade, not just free trade.

I urge my colleagues to vote ''no.''

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I yield 1 minute to the gentleman from Illinois (Mr. BOST), a member of the Steel Caucus, a Member who has been very passionate on the issue of leveling the playing field.

Mr. BOST. I thank the gentleman from Wisconsin for yielding.

Mr. Speaker, American workers can compete when everyone is on the same playing field and has the same rules.

While opening new markets in the U.S., products are important. We must have effective laws that protect companies and their workers from foreign companies who cheat. This includes nations that illegally dump into our markets.

Under our current trade laws, American companies like U.S. Steel in southern Illinois must suffer long-term harm before remedies take effect. You know, that is like waiting until the house burns to the ground before you call the fire department. It doesn't make sense.

That is why I am pleased that we are voting on the Enforcement bill today, which includes language that my friend from Illinois, Congressman RODNEY DAVIS, and I introduced to combat these illegal trade practices. This legislation speeds up the process and helps companies like U.S. Steel respond to illegal dumping before it causes serious harm to the company and its workers.

I encourage my colleagues to support today's bill, and we can protect our businesses and our workers from unfair trade.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I yield 1½ minutes to the gentleman from Indiana (Mr. MESSER), a member of our leadership team, the Policy Committee director.

Mr. MESSER. Mr. Speaker, today I rise in support of trade promotion authority because I am a conservative who believes trade creates jobs and opportunity.

In my district, farmers grow corn and soybeans and sell them all over the world. Factory workers, like my mom, build faucets, cars, forklifts, and caskets and sell them all over the world.

□ 1230

Trade allows that to happen. When the American worker gets a chance to compete on a level playing field, we win. That is why we need trade agreements.

The truth is, under the policies of this administration, paychecks are shrinking. For many workers, there is more month than money as they struggle to pay their bills. Killing this legislation does nothing to help those workers. In fact, it would only make their situation worse.

Trade-related jobs pay better. And when 95 percent of the Earth's population lives outside the United States, we can't afford to pull up the drawbridges and shut out the rest of the world. That is not smart policy, and it won't help the American worker.

Let's grow our economy. Let's secure good-paying jobs. And let's make sure the American worker leads this century just like we did the last.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished House majority leader.

Mr. MCCARTHY. Mr. Speaker, before I move forward, I want to thank the gentleman. He has shown true leadership in working, and working with everybody, in this House. Any time you take up a large piece of legislation, there are concerns. I have never seen another Member of this House sit with more meaning, more concerns, and try to find a solution, and I thank the chairman for that work.

Mr. Speaker, earlier this year, when I was headed home to California from D.C. one weekend, I saw something very troubling, but something actually today we can solve for the future. You see, it was February, and there was a labor dispute. There was a shutdown on our ports on the West Coast. So as the plane descended, instead of seeing the beaches stretched throughout California or the Santa Monica mountains, my attention was drawn to the number of ships sitting idle in the ocean and the number of ships that were just sitting in the port. You see, the docks were shut down and our economy was halted.

When Americans cannot have their products moved to willing buyers, the men and women who are part of the creation do not receive the rewards of their efforts. And in California, we cannot afford to waste any of our resources, especially what we have a short supply of—water. So when the trade was shut down, the food that was produced throughout the Central Valley would just rot on the docks.

But what was most interesting to me, Mr. Speaker, I remember a phone call I got just another weekend after. It was the president of the Republican freshman class here. He had just done a town hall, and he is from Colorado. He said: Mr. Leader, I have got a big issue in Colorado. The ports of the West Coast are shut down. You see, my small businesses are hurt by that. They are hurt when we are not able to have trade.

I remember a big bipartisan press conference we had, Republicans and Democrats alike, the largest one I have ever been a part of in the press room, talking about the ports being shut down, because every single one of their districts were affected, especially the small businesses.

When we cannot trade, our economy suffers and our way of life suffers. In fact, during that same period of this crippling shutdown, our economy actually shrank.

Today, what we are talking about on the floor is trade promotion authority. It allows us to get to an agreement. You know, we have not had it for a few years.

So what has happened around the world while the rest of America sat idle? There have been 100 trade agreements; 100 trade agreements around the world that we would want more of our small businesses to be a part of. You know how many we were a part of during that time? Zero, because we did not have TPA.

You know, trade is the difference between rotting produce on the harbor docks and sending California goods around the world. Trade is the difference between the lines of prosperity and the lines of stagnation.

We have a unique opportunity today. It is not a trade agreement. It is an opportunity. It is an opportunity that will empower each and every Member of this floor to have input, to have transparency, but what is more important, to empower every single American to make sure they are now at the table, that when there is the next trade agreement between countries who want to engage, America won't be left out, America can lead once more.

Mr. LEVIN. I yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I rise in opposition to this bill. All the trade agreements since NAFTA have been sold on the same propaganda, that they will increase our exports and jobs, yet the results have always been the same: they have multiplied our imports, ballooned our trade deficits, hemorrhaged our jobs, and depressed our wages.

Now we are asked to vote for a fast-track agreement that will say we cannot amend any trade agreements, only vote them up or down, even if they, like their predecessors, lack any means of protecting our workers from competition with workers who are paid 30 cents an hour and are assassinated if they try to form a union.

We know there will be a provision for private corporate tribunals that can invalidate and render unenforceable American laws and regulations. It is our constitutional duty to regulate foreign commerce and trade agreements, not take them on a take-it-or-leave-it basis from the executive branch. It is our constitutional duty to protect the American sovereignty against foreign companies invalidating our laws through private corporate tribunals.

We must vote ''no'' on fast track to allow Congress to do its job to see that the next trade agreement doesn't hemorrhage our jobs, doesn't ignore currency manipulation, and doesn't invalidate our consumer, labor, and environmental laws. We must say ''no.''

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. CURBELO).

Mr. CURBELO of Florida. Mr. Speaker, we are in the midst of an impassioned debate on trade promotion authority, trade adjustment assistance, and trade enforcement. We are hearing arguments from our colleagues on both sides of this issue, from both sides of the aisle. Mr. Speaker, I am honored to serve as the voice of my constituents from south Florida, who directly see the impact of these free trade agreements every single day.

The United States currently has 20 free trade agreements, 11 of which are with countries in South and Central America. Miami is often called the gateway to the Americas, and I am proud to represent a diverse and proud community that has seen the positive impact of free trade. Workers in south Florida create goods and services that are used throughout the world, something that is only made possible with free trade agreements.

Congress must pass TPA so the United States can open up new markets. Since 2007, there have been over 100 agreements signed on a global scale while our country has sat idly by.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield an additional 30 seconds to the gentleman.

Mr. CURBELO of Florida. Mr. Speaker, I want the American people's representatives to have a strong hand in negotiating future free trade agreements, and this TPA bill ensures this will happen. It provides unprecedented amounts of time for the agreements to be read and ensures proper safeguards are in place for Congress, not the President, to drive the agenda on the negotiations.

Mr. Speaker, I encourage a ''yes'' vote on TAA, TPA, and trade enforcement. If anyone has any doubts as to whether TPA is good for our country, I encourage you to visit south Florida.

Mr. LEVIN. I yield 30 seconds to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE), who I think has lost his voice.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I am not going to speak long as I have lost my voice.

If we pass fast track, the American workers will lose their voice. This is wrong. The President has said that social mobility and income inequality are the issues of our time. If I really believed that anything we are voting on here would do anything to address that, I would sincerely be voting ''yes,'' but it doesn't.

After 20 years of NAFTA and CAFTA and every sort of trade agreement, we have not seen our middle class benefit. Let's finally use this time to rebuild the American middle class and stand up for our workers.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia (Mr. CONNOLLY), a Member from the other side of the aisle.

Mr. CONNOLLY. Mr. Speaker, today's vote is about America's future. Who will shape it? It is not shaped by a recitation of grievance. It is not shaped by making trade a symbol of all that we find bad in economic progress. It is by seizing that future and shaping it, and that is what TPA does. It pries open foreign markets. It sets American rules setting. It allows us to frame the issues in 40 percent of the world's trade and economic activity.

We have never had an opportunity as important as this one to shape the global economy to our advantage and to those of our trading partners. We must not lose this opportunity.

The grievances are legitimate, the concerns and fears are legitimate, but we must look beyond them. We must address the future for future generations of American workers. I support the bill in front of us and urge my colleagues to do the same.

Again, I thank Mr. RYAN for his courtesy.

Mr. LEVIN. Mr. Speaker, how much time do we have remaining?

The SPEAKER pro tempore. The gentleman from Michigan has 10 minutes remaining. The gentleman from Wisconsin has 9½ minutes remaining.

Mr. LEVIN. I yield for the purpose of a unanimous consent request to the gentleman from California (Mr. SHERMAN).

(Mr. SHERMAN asked and was given permission to revise and extend his remarks.)

Mr. SHERMAN. I insert in the RECORD a chart showing that we have a $100 billion trade deficit with our FTA countries. Those are the official statistics of the U.S. International Trade Commission.

PUBLIC CITIZEN,
Washington, DC, February 2015.

JOB-KILLING TRADE DEFICITS SURGE UNDER FTAS: U.S. TRADE DEFICITS GROW MORE THAN 425% WITH FTA COUNTRIES, BUT DECLINE 11% WITH NON-FTA COUNTRIES

The aggregate U.S. goods trade deficit with Free Trade Agreement (FTA) partners is more than five times as high as before the deals went into effect, while the aggregate trade deficit with non-FTA countries has actually fallen. The key differences are soaring imports into the United States from FTA partners and lower growth in U.S. exports to those nations than to non-FTA nations. Growth of U.S. exports to FTA partners has been 20 percent lower than U.S. export growth to the rest of the world over the last decade (annual average growth of 5.3 percent to non-FTA nations vs. 4.3 percent to FTA nations from 2004 to 2014).

The aggregate U.S. trade deficit with FTA partners has increased by about $144 billion, or 427 percent, since the FTAs were implemented. In contrast, the aggregate trade deficit with all non-FTA countries has decreased by about $95 billion, or 11 percent, since 2006 (the median entry date of existing FTAs). Using the Obama administration's net exports-to-jobs ratio, the FTA trade deficit surge implies the loss of about 780,000 U.S. jobs. The North American Free Trade Agreement (NAFTA) contributed the most to the widening FTA deficit—under NAFTA, the U.S. trade deficit with Canada has ballooned and a U.S. trade surplus with Mexico has turned into a nearly $100 billion deficit. More recent deals have produced similar results. Under the 2012 Korea FTA, the U.S. template for the Trans-Pacific Partnership, the U.S. trade deficit with Korea has already surged 72 percent.

FTA partner	Entry date	Pre-FTA trade balance	2014 Balance	Change in balance since FTA
Israel*	1985	($1.0)	($15.2)	($14.2)
Canada	1989	(23.9)	(82.4)	(58.5)
Mexico	1994	2.6	(99.8)	(102.3)
Jordan	2001	0.3	0.6	0.3
Chile	2004	(2.0)	5.8	7.8
Singapore	2004	0.8	10.2	9.4
Australia	2005	7.4	13.6	6.2
Bahrain	2006	(0.1)	0.1	0.2
El Salvador	2006	(0.2)	0.7	0.9
Guatemala	2006	(0.6)	1.5	2.1
Honduras	2006	(0.7)	1.2	1.9
Morocco	2006	0.1	1.0	1.0
Nicaragua	2006	(0.7)	(2.2)	(1.5)
Dominican Republic	2007	0.6	2.8	2.2
Costa Rica	2009	1.2	(3.2)	(4.4)
Oman	2009	0.6	0.9	0.4
Peru	2009	(0.2)	2.9	3.0
Korea	2012	(15.4)	(26.6)	(11.2)
Colombia	2012	(10.0)	(1.2)	11.2
Panama	2012	7.8	9.4	1.6
FTA TOTAL:		($33.7)	($177.5)	($143.9)
Non-FTA TOTAL:	[2006]	($829.3)	($734.2)	$95.1
FTA Deficit Increase: 427% Non-FTA Deficit Decrease: 11%				

Source: U.S. International Trade Commission. Units: billions of 2014 dollars. (*Measured since 1989 due to data availability)

Mr. LEVIN. I yield 1 minute to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, Members, trade adjustment assistance should not be a sweetener, a trade-in coin. Trade adjustment assistance should be what we do no matter what. It shouldn't pave the way for trade promotion authority.

It is important and good to stand with dislocated workers who basically are pushed off their jobs because of bad trade deals, which we have been pursuing for 40 years. Yet here we are today, told that we have got to vote for this trade adjustment authority, which does not include public sector workers, which is smaller than it should be. We have got to support it because—and the only reason we are here to support it, the only reason we have been lobbied by no less than the President and three top Cabinet officials, is because they know it paves the way to trade promotion authority, which is what they really want so that, literally, Members give up our constitutional duty.

Where are my constitutional conservatives when you need them?

Mr. RYAN of Wisconsin. I reserve the balance of my time.

Mr. LEVIN. I yield 1 minute to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I come from Flint, Michigan. Flint, Michigan, was the birthplace of General Motors, a place that put the world on wheels. In the last couple of decades, it has seen 90 percent of our manufacturing jobs go away. Now, true, not all of them were lost because of bad trade deals, but many of them were. And bad trade deals have exacerbated that job loss and have ruined many parts of that community.

I support, as virtually all of us do, expanded trade as a way of growing the U.S. economy. I am a member of the President's Export Council. This is something we have to do. But this TPA is not a ''yes'' or ''no'' question on whether we should expand trade. This TPA is flawed. It fails to address the most significant trade barriers hurting American manufacturers. It fails to address currency manipulation by our trading partners. And if we don't address the most significant barrier, how can we expect any trade deal to have the effect? All we have to do is look at the performance of past deals that have had similar flaws and we can see why we have failed.

If we are going to engage in expanded trade, we have to do it right, in a way that deals with currency, that deals with labor obligations, that deals with environmental obligations.

Mr. RYAN of Wisconsin. I reserve the balance of my time.

□ 1245

Mr. RYAN of Wisconsin. Mr. Speaker, I continue to reserve the balance of my time

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Speaker, today's vote to grant the President trade promotion authority is about America's future in a globalized world.

Let's be clear what is at stake. America's standing as a global leader has not come without strong leadership from this body, and it will not be sustained if we act out of fear rather than on facts. The most basic fact is that nations around the world are fighting for trade agreements for every advantage they can get for their economies and their workers.

It then raises the question: If we don't pass this agreement, who will set the standards of trade? Will it be us, or will it be China? If this bill fails, it will be China.

The bill before us today is a bipartisan effort to ensure that trade deals negotiated by the Executive will be guided by congressional directives to reach the highest, most transparent, and progressive standards ever required by law.

This bill should have the support of any Member who cares about the enforceable labor and environmental standards, promoting the rule of law, greater congressional oversight, and greater transparency for the American people.

Today, we are also considering Trade Adjustment Assistance, a program that for years Democrats have promoted to provide income and job training for those affected. TAA should pass also.

Mr. RYAN of Wisconsin. Mr. Speaker, I continue to reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, may I inquire how much time is remaining?

The SPEAKER pro tempore. The gentleman from Wisconsin has 9½ minutes remaining. The gentleman from Michigan has 7 minutes remaining.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. TIBERI), chairman of the Trade Subcommittee and member of the Ways and Means Committee.

Mr. TIBERI. Mr. Speaker, I thank the chairman and thank him for his leadership, credible leadership, on this debate, about American leadership, quite frankly.

Ladies and gentlemen, we are here to debate three bills today: trade assistance for displaced workers, trade promotional and accountability authority that inserts Congress into the President's ability under the Constitution to negotiate a trade agreement with anybody he or she wants, and then finally customs and enforcement.

Enforcement is critical, ladies and gentlemen. It is a bill I am so thrilled and honored to have had the opportunity to introduce here in the House. This is a key bill as part of trade. Far too long, we haven't had as good of enforcement, quite frankly, as we need to have, and I am committed to that.

Now, let me just mention one thing—trade deficits, trade surpluses. We have 20 countries that we have agreements with, trade agreements with, 20 of them. Two of them happen to be on our borders, Mexico and Canada.

You take out energy that we import from them—and I would rather import it from them than anywhere else in the world—we have a trade surplus with those 20 countries, a surplus in manufacturing.

My dad was in manufacturing. I already told you before—and Mr. LEVIN has heard this 1,000 times, I think; he is probably tired of hearing it—my dad lost his job of 25 years, and I lost my health care as a kid in the household, along with my sisters, long before NAFTA.

Globalization began occurring, as Dr. BOUSTANY said, after World War II. We can either engage or disengage. When we disengage, we lose. When America engages, we win. We can outwork anybody.

What trade agreements do actually is break down barriers so we can compete, and then we have to have the enforcement piece. Ladies and gentlemen, that is what this is about. It is about breaking down barriers.

My State of Ohio has been devastated by globalization. My dad's job before NAFTA was devastated by globalization. Forty-eight countries in Asia have had trade agreements with each other. For the last 10 years, we are party to two. The world is passing us by. We are being left behind. We can compete if we break down barriers. That is what we need to do today.

Trade assistance—insert Congress into the President's ability to negotiate because he already has that ability. This doesn't change that. This inserts us. This inserts slow track. With that agreement, whatever that agreement is, in Asia, in Europe, 60 days in public before the President can sign it, 60 days.

I wish I had 6 hours—6 hours—to review the Affordable Care Act before I had to vote on it. This is 60 days where Members will have an ability to look at what was negotiated. If we don't like it, we will vote it down. We have the constitutional authority to do that.

This is about jobs. Vote all three bills ''yes.''

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I rise today in strong support of American workers, American manufacturing, and the environment and in strong opposition to TPA.

TPA is woefully inadequate when it comes to stopping currency manipulation, enforcing labor standards, and protecting American consumer and environmental protections. This is exactly the wrong time for Congress to be giving up its authority, which is our constituents' ability to have a voice on trade deals.

This is not labor versus business. Lapham-Hickey Steel, Independence Tube, and countless other manufacturers across my district oppose this. Ford Motor opposes this because they know past trade agreements sold as economic boons have been a bust, and they are gravely concerned about how the massive TPP enabled by this TPA will kill more Americans jobs. We need fair trade and American workers will win, but that is not what they are being given.

It is time for Congress to stand up for the middle class and American manufacturing and stop passing bad trade deals. Vote ''no'' on TPA.

Mr. RYAN of Wisconsin. Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Speaker, I thank the gentleman for yielding.

This reminds me of the song: Are you going to believe me or your lying eyes? When you come from areas of the country that some of us represent, you see what has happened with these trade deals.

Adelphi factory in Warren, Ohio, had 13,000 workers. NAFTA passed; they moved over the border and ship their products back to the United States. We will be lucky if there are even 2,000 workers there. An auto plant had 16,000 workers, General Motors. Now, they are down to 3,000–4,000 because of the trade agreements.

The chairman talked about currency manipulation. We have countries shipping products to the United States; their final product lands on our shores, and it is the same cost as the raw materials for the American company. That is not free trade. That is not fair trade. That is a raw deal for the companies in the United States and the American workers.

Let's even say that these trade agreements are good for the economy, as many people may believe. You still need immigration reform; you still need a transportation bill; you still need investments in research, in biosciences, and renewable energy.

I can't believe that some of us are voting for this and not getting any of those other things implemented. No, no, no.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from New York (Mr. REED), a Member of the House Ways and Means Committee.

Mr. REED. Mr. Speaker, I thank the chairman for yielding.

I rise today, Mr. Speaker, in strong support of trade. It is time for us to lead. When you open up markets to our manufacturers, to our workers, you are creating jobs here on American soil.

I am a firm believer in U.S. manufacturing, Mr. Speaker. I co-chair with my colleague from Ohio the Manufacturing Caucus here, and what we are seeing is a renaissance in U.S. manufacturing. We are finally driving utility costs down. We are creating an opportunity where U.S. manufacturers are coming back on shore.

What do we need to do? We need to create markets. Ninety-five percent of the world's population lives outside of America's borders. Forty percent of the world's market is represented in the negotiations that are going on with the Trans-Pacific Partnership.

Why in the world would we not lead and negotiate an openness and fair level playing field for our American workers and our American manufacturers? It doesn't make any sense.

I ask my colleagues to join us, join with us, to open up these markets so that we can create the jobs of today and tomorrow where we make it here to sell it there. That is what this is doing. That is what trade is all about. When we have rules-based trade, our workers and our manufacturers win.

I encourage us not to get into these petty political fights and have some type of litmus test as to who is on whose side in regards to this issue. Stand with the American workers; stand with the American manufacturers; open up those world markets to our rules-based system, and I would agree, at the end of the day, we all win, and America will win.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. CLAWSON), as I understand he hasn't been able to get time from his side.

Mr. CLAWSON of Florida. Mr. Speaker, I am for opportunity for everyone and fairness for everyone, including American companies and American workers.

Since leaving my career in the automotive industry, I often run into folks that I used to know from the industry, except now they work at CVS or they work at the TSA. They say: Mr. CLAWSON, any chance the plant is going to open back up? I am having a hard time making ends meet. I am having a hard time paying for my kid's college education.

I, unfortunately, can't give them much hope. If those plants close because of lack of American competitiveness, I can swallow hard, and I can accept it; but when those plants close because of currency manipulations, which is an afterthought today, then I don't accept it, and my sadness for this unemployment turns to hardness, which is where I am today.

This is not about American competitiveness; this is about getting a chance for world-class manufacturing facilities who eliminate jobs.

I say currency manipulation, no way. I say TPA, no way. I say vote ''no.''

Mr. RYAN of Wisconsin. Mr. Speaker, may I inquire as to how many speakers are left on the other side?

Mr. LEVIN. We have one, and I will close.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. SESSIONS), the distinguished chairman of the House Rules Committee, the coauthor of the TPA bill.

Mr. SESSIONS. Mr. Speaker, I thank the young chairman from Wisconsin for his hard work.

Mr. Speaker, before we pass TPA today, the law is that the President of the United States can go negotiate whatever he wants without negotiation with the Congress and just go do it and come and plop it on our doorstep.

I disagree with that, and that is why we are doing TPA, trade promotion authority, where the House of Representatives maintains its constitutional prerogatives and is empowering through TPA any President, whoever the President is, for the next 7 years to go negotiate in some 150 parameters as they negotiate.

We maintain our sovereignty in this bill, including additions that we say the President cannot go negotiate—a new global warming trade bill, climate change, he cannot go negotiate anything new on immigration; it goes on and on and on—steel, and other things.

We are giving the President our authority and expecting him to negotiate therein. This is a good deal for the American worker.

Mr. LEVIN. Mr. Speaker, it is now my real pleasure to yield 1 minute to the gentlewoman from California (Ms. PELOSI), our leader.

□ 1300

Ms. PELOSI. Mr. Speaker, today, we have a very important decision to make in this Congress.

I join with the Speaker in acknowledging the hard work that so many have put in on this important subject.

I want to thank the President of the United States and his administration for being available with their Cabinet officers and the rest to explain to us how they see what is in the TPA—let me call it ''fast track'' so we separate this out—and what the prospects are now for the Trans-Pacific Partnership.

I want to thank our friends in labor, environmental groups, and faith-based groups who have expressed their opposition to so much of what has been presented, all of which will be constructive as we try to move forward with a better trade promotion act—fast track. Not so fast fast track.

We all understand that we live in a global economy. Some of us, as I do, represent cities that are built on trade, the city of San Francisco, and I grew up in a city where the famous clipper ships brought product to and from our shores in Baltimore, Maryland. It is a great and exciting prospect to expand markets for our products and having U.S. global leadership.

I was hopeful from the start of all of this discussion that we could find a path to ''yes'' for the fast-track legislation that was being put forth. There were some bumps in the road along the way and some potholes along the way—unfortunately, I think, sinkholes as well—but that doesn't mean that that road cannot be repaired. I just believe that it must be lengthened.

Each week, each of us goes home to our districts, and in the case of many of us, we put our hands on a very hot stove. We hear the concerns of so many families who have financial instability and uncertainty. Some of it is still springing from 2008 when they were threatened with the loss of their homes, their jobs, and their pensions, when they were living on their savings, with the inability to send their kids to college—all of it undermining the American Dream. As the economy has improved under the leadership of President Obama, still, middle class economics have not fully turned around the country, because the consumer confidence that people must have in order to invest, to spend, to inject demand into the economy is simply not there.

So my concern about all of this, it is about time. Why are we fast-tracking trade and slow-walking the highway bill? It is about time. Again, people have not recovered from 2008 sufficiently to have the consumer confidence to turn around our consumer economy. I think, today, we have an opportunity to slow down. We all know we want to engage in trade promotion and the rest of that, but we have to slow down. With whatever the deal is with other countries, we want a better deal for America's workers.

Another element of time that I am concerned about is the time that is running out for us to rein in the consequences of climate change. I want to just talk about myself for a moment, and I am bragging. I hold myself second to none in this body on the subject of protecting the environment and recognizing the challenges of climate crisis.

When I first came to the Congress, President George Herbert Walker Bush was President, and he signed my legislation, which is now called the Pelosi Amendment to the International Development and Finance Act of 1989. It said that any of our directors with any of our multilateral development banks had to have an environmental assessment made—and made known—to the indigenous people who were affected by whatever development was there and made known to the world. The connection between the environment and commerce is inseparable, and for over 25 years, the Pelosi Amendment has been in effect.

When I became Speaker, my flagship issue was energy independence and climate, so I speak from some authority on this subject. The son of George Herbert Walker Bush, President George W. Bush, signed the energy bill of 2007. We worked together to find alternatives to fossil fuels. He wanted nuclear, and I wanted renewables. We had a very successful energy bill of 2007, done under the auspices of the Select Committee on Energy Independence and Global Warming that I established as Speaker, which has been abolished since then.

Pope Francis, in another week, will be announcing his initiative on climate. While this is all going on—while schoolchildren know that this is a challenge that we must face to protect our planet, while people of faith join us and say, ''This is God's creation, and we have a moral responsibility to be good stewards of it''—in this bill today, which is the customs bill that is on the floor right now, it prohibits the USTR from negotiating on climate change. How could it be? Twenty-five years ago, the Pelosi Amendment was passed because we saw melting snow in regions, and areas as big as the United Kingdom were burning in the Amazon. This is 25 years later, and we are putting in the bill that the USTR cannot negotiate on climate change. You cannot separate commerce and the environment.

I salute the President. He has been magnificent and courageous in going out there and taking up the fight for America's leadership on climate change. He has been great. He has an agreement with China, which almost could not have been foreseen except for his leadership and the cooperation between our two countries. So it is not that he isn't doing his part. It is Congress. Again, it is about time, slowing down our responses when we should be proactive, yet fast-tracking legislation to do that.

What is interesting is, we in the House, are we labeling ourselves the ''lower body'' and giving new meaning to that term when the Senate could have opportunity for amendment after amendment if their colleagues gave them the votes? In this House, we fast-track the fast track with no chance to amend any of it. Just vote it up or down. I find that unnecessary, unacceptable, and one place we could go to have a discussion on how to improve the fast-track legislation. At the same time, the Republican majority is allowing in the customs bill amendments to the fast-track bill, this amendment on climate, other amendments on immigration, and they were spelled out by Mr. SESSIONS earlier and with great

pride—amendments to the fast track in the customs bill but no amendments for Democrats. Again, I don't see how this Congress can ignore that. I don't see how this trade agreement can ignore it.

Much has been said about security issues that are involved in this agreement and that we have to make a geopolitical case for this trade agreement. Of course, we always have the safety of the American people as our first responsibility. Their security is what we come here to protect. Yet how could it be that we are allowing—again, let me say it another way because I am being very prayerful about this. Pope Paul VI said—I mentioned Francis earlier—if you want peace, work for justice, economic justice. I don't see this happening in this fast-track bill, or the lifting up of people in the rest of the world or having trade agreements that increase the paycheck of America's workers. That should be our first order of business—environmental justice, looking at these prohibitions on dealing with climate in 11 other countries in the world and then our own.

I commend the President because, in the fast-track bill, there are some good provisions, issues, on the environment. I am talking about an ethic, a responsibility, a comprehensive view of the future. Again, the Pelosi Amendment addressed the indigenous people, all of these people, who will be not of the first, shall we say, priority for many of these countries as they make their economic decisions.

On the subject of security, last year, 16 former three- and four-star generals and admirals who served on the CNA Corporation's Military Advisory Board released a report, and 16 former three- and four-star generals said that climate change is a catalyst for conflict. Climate change, they said, will have an impact on military readiness, strain base resilience both at home and abroad, and it may limit our ability to respond to future demands.

We have rejected fast track before. After NAFTA, President Clinton sent a fast-track bill to the Congress, and it didn't even have enough votes to be taken up. The second time, it was rejected. When we had a majority in the House, we did not have fast track for President Bush. So, when people say this is the first time, it isn't so. Instead, under the leadership of Mr. LEVIN and Mr. RANGEL, we had the May 10 agreement with the basic principles of how we should engage other countries. That is part of—and thank you, Mr. President—what the TPA has as its goals, but we were dealing bilaterally, one country at a time. This is a multilateral agreement with 11 other countries—12 countries and growing—and we need to slow this fast track down. I think it is possible.

One of the questions that arises is the question of the trade adjustment assistance. Most of us have not only voted for this but have been champions of it over time. In speaking about myself again, it was one of the first issues I dealt with when I came to the Congress. It is really important, but as some of my colleagues have said, our people would rather have a job than trade adjustment assistance. I talked about that red-hot stove that people put their hands on when they go home. Mr. CICILLINE talked about his district, Mr. NORCROSS about his, Mr. BOYLE about his, and the list goes on and on. How do we say to these people, ''We are here for you; you are our top priority'' when the impression that they have is that this is not a good deal for them? But it can be. I am hopeful that it can be. So, while I am a big supporter of TAA, if TAA slows down the fast track, I am prepared to vote against TAA because, then, its defeat, sad to say, is the only way that we will be able to slow down the fast track.

Now, I understand there will be some manipulations here one way or another as to what bill comes first and what can come up and what can't, but the facts are these, actually: if TAA fails, the fast track bill is stopped. They may take up the vote, as they said they would not, but they have changed. They may take up the vote, but it doesn't go anyplace. It is stuck in the station. And for that reason, because the Senate has sent us the bill that way, connected—and if the fast track passes, we will need TAA—sadly, I would vote against the TAA, and I just wanted you to know where I was coming from on that.

For these and other reasons, I will be voting today to slow down the fast track in order to get a better deal for the American people—bigger paychecks, better infrastructure. Help the American people fulfill the American Dream.

Again, I thank Mr. LEVIN for his leadership, and I thank all of our colleagues who have worked so hard on this, really, on both sides of the issue.

□ 1315

Mr. RYAN of Wisconsin. How much time is remaining?

The SPEAKER pro tempore. The gentleman from Wisconsin has 3½ minutes remaining, and the gentleman from Michigan has 3 minutes remaining.

Mr. RYAN of Wisconsin. Given that I have the right to close, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I am ready to close, and I yield myself the balance of my time.

Today the votes on TAA and TPA are combined, and we did not do that. The Republicans did so to win votes for TPA, so they used TAA as a bargaining chip. I don't support their doing so, as someone who has been a lead sponsor of TAA. Voting ''no'' on TAA gives us a better chance to get all of these issues right.

Throughout my career, I have voted on lots of trade agreements, and I have voted for most of them. I negotiated a few of them when USTR would not do so. As mentioned, we Democrats are responsible for the labor and environmental standards and, very importantly, access to medicines that we worked out with difficulty also on May 10. So we Democrats built the foundation, and we don't want to see it eroded. Language in bills isn't enough; it is what will happen in terms of the implementation of that language.

I want to say just a few words about jobs, because it is often said we have lost those jobs, they have gone away, so, therefore, don't worry. There are millions of jobs in this country that are in danger of being lost if we don't do trade right. That is why we need to do it right. I think TPA essentially puts TPP on a fast track when it is on the wrong track. It is on the wrong track. There are negotiating objectives, but they are so vague, they don't really mean anything.

We put forth a very, very important alternative, a substitute bill that laid out instructions on each of these 10 or 11 issues, whether it was workers' rights—I can go down the list—currency, environment, investment, access to medicines, automotive market access, rules of origin, tobacco controls, state-owned enterprises, agricultural market access, food safety. There has been a response to none of these.

So as someone who believes in expanded trade, we have to do better, and to fast-track TPA is on the wrong track. I urge a ''no'' vote on all of these bills.

I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself the balance of my time.

I make two points. This is about bringing transparency and accountability to government. We are not considering a trade agreement today. We are considering a process by which we consider trade agreements. That is what trade promotion authority is. In this process, we are saying you have got to let Members of Congress see the negotiating text, you have got to let the country see a trade agreement once an agreement is reached, and you have got to follow Congress' rules, Congress' direction. That is what this does to make sure that the executive branch follows the track laid out by the legislative branch. The bigger point is this: this is about jobs; it is about income, take-home pay, American leadership.

Mr. Speaker, the world is watching us right now. They are watching this vote. Since TPA lapsed in 2007, the rest of the world kept going. While America stood still on trade, the rest of the world created 100 trade agreements, negotiated and passed 100 trade agreements, to which the United States was a party to zero of them. What this means is other countries are going around the world getting better agreements between other countries, lower tariffs, lower nontariff barriers, so their trade grows, and as a result the barriers against American products go higher.

Ninety-five percent of the world's consumers don't live here; they live in

other countries. If we want good jobs and good wages, we need to make and grow more things in America and sell them overseas. What is happening is, every single day we do nothing to open these markets up, we lose, and the rest of the world gets those jobs.

The last point is a point that I think people don't appreciate as well. We are in the dawn of the 21st century with enormous issues: cyber threats, intellectual property, you name it. The rule book on how the global economy works is being written right now. The only way for us to be in the game to write that rule book is through trade agreements: get other countries to agree to our rules, get other countries to agree to our standards, open their markets to our products. That is how we write the rules for the global economy. That is how America leads.

A ''no'' vote is to say America can't even try. A ''yes'' vote is to say more transparency, more accountability. Then Congress decides, and we are giving America a chance to stay in the leading position in the world. That is why I argue for a ''yes,'' ''yes,'' ''yes'' vote.

I want to thank everyone on the staff of the Ways and Means Trade Subcommittee.

Our staff director, Angela Ellard, Geoff Antell, Stephen Claeys, Nasim, Neena Shenai, Casey Higgins, Paul Guaglianone.

Mr. Speaker, I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in strong opposition to fast track authority and the Trade Act of 2015. Passage of this legislation today will undermine Congress's constitutional authority to regulate trade and, I fear, accelerate the de-industrialization of our great country.

The Constitution is very clear that it is Congress, and Congress alone, that has the power to ''regulate commerce with foreign nations.'' Passage of fast track, which grants the Executive Branch authority over how and when legislation must be considered by Congress, undermines our chamber's very ability to effectively regulate foreign commerce.

I share the concerns of many Members and middle class families in Texas and around the country about the Trans-Pacific Partnership—TPP—this mega-trade deal we are negotiating with Japan, Vietnam, and other countries.

To this date, Congress has been left in the dark as to what's in TPP, let alone made public to the American people. We are told that TPP will help American businesses export billions of dollars of manufactured and services each year and has labor and environmental protections that all countries will have to abide by. But we simply don't know because we haven't seen the text.

What I do know is that these so-called free trade deals have displaced millions of middle class jobs to developing countries over the past 20 years.

Our district in Houston and Harris County, Texas saw first-hand the consequences of free trade when five plants moved to Mexico in the years immediately after we joined NAFTA.

If TPP benefits the American people as much its supporters say, it doesn't need fast track. It can—and should—be considered under regular order and give Congress and the American people the time to debate the merits of this trade agreement, the largest our country has ever negotiated.

Mr. Speaker, I call on Members from both sides of the aisle to stand with America's working families and small businesses and to vote no on fast track.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to clause 1(c) of rule XIX, further consideration of the motion to concur with an amendment is postponed.

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the motion to concur in the Senate amendment to the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations will now resume.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 305, the previous question is ordered.

The question of adoption of the motion is divided. The first portion of the divided question is on concurring in section 212 of the Senate amendment.

Pursuant to House Resolution 305, the first portion of the divided question is adopted.

Pursuant to House Resolution 305, the second portion of the divided question is: Will the House concur in the matter comprising the remainder of title II of the Senate amendment?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on the second portion of the divided question will be followed by a 5-minute vote on the remaining portion of the divided question, if ordered.

The vote was taken by electronic device, and there were—ayes 126, noes 302, not voting 6, as follows:

[Roll No. 361]

AYES—126

Aderholt
Ashford
Barletta
Barr
Barton
Bass
Benishek
Bera
Beyer
Bishop (MI)
Blum
Blumenauer
Bonamici
Bost
Boustany
Brady (TX)
Brooks (IN)
Calvert
Carney
Clyburn
Coffman
Cole
Comstock
Connolly
Cooper
Costa
Costello (PA)
Crenshaw
Cuellar
Curbelo (FL)
Davis (CA)
Davis, Rodney
Delaney
DelBene
Dent
Dold
Donovan
Emmer (MN)
Eshoo
Farr
Fitzpatrick
Fortenberry
Foster
Frelinghuysen
Graves (MO)
Grothman
Guinta
Guthrie
Hanna
Heck (WA)
Herrera Beutler
Himes
Hoyer
Huizenga (MI)
Hurt (VA)
Israel
Issa
Johnson (OH)
Johnson, E. B.
Jolly
Katko
Kelly (PA)
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kline
Larsen (WA)
Larson (CT)
Luetkemeyer
Marino
McCarthy
McHenry
McKinley
McMorris Rodgers
Meehan
Meeks
Messer
Mica
Miller (MI)
Moolenaar
Murphy (PA)
Nunes
O'Rourke
Paulsen
Perlmutter
Peters
Pitts
Polis
Price (NC)
Quigley
Reed
Reichert
Rice (NY)
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Rokita
Roskam
Royce
Ryan (WI)
Scalise
Schrader
Sewell (AL)
Shimkus
Shuster
Simpson
Smith (WA)
Stefanik
Stivers
Thompson (PA)
Thornberry
Tiberi
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walters, Mimi
Wasserman Schultz
Whitfield
Wilson (SC)
Young (IA)

NOES—302

Abraham
Adams
Aguilar
Allen
Amash
Babin
Beatty
Becerra
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boehner
Boyle, Brendan F.
Brady (PA)
Brat
Bridenstine
Brooks (AL)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Capps
Capuano
Cárdenas
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Cohen
Collins (GA)
Collins (NY)
Conaway
Conyers
Cook
Courtney
Cramer
Crawford
Crowley
Culberson
Cummings
Davis, Danny
DeFazio
DeGette
DeLauro
Denham
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Engel
Esty
Farenthold
Fattah
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hahn
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Hensarling
Hice, Jody B.
Higgins
Hill
Hinojosa
Holding
Honda
Hudson
Huelskamp
Huffman
Hultgren
Hunter
Hurd (TX)
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (MS)
Kennedy
Kildee
King (IA)
Kirkpatrick
Knight
Kuster
Labrador
Lamborn
Lance
Langevin
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Massie
Matsui
McCaul
McClintock
McCollum
McDermott
McGovern
McNerney
McSally
Meadows
Meng
Miller (FL)
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Olson
Palazzo
Pallone

Palmer
Pascrell
Payne
Pearce
Pelosi
Perry
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Rangel
Ratcliffe
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (MS)
Tipton
Titus
Tonko
Torres
Tsongas
Van Hollen
Veasey
Vela
Velázquez
Visclosky
Walker
Walorski
Walz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)
Zeldin
Zinke

NOT VOTING—6

Amodei
Carson (IN)
LaMalfa
Speier
Thompson (CA)
Vargas

□ 1347

Mrs. NOEM, Messrs. CRAMER, RENACCI, GIBBS, CARTER of Texas, BOEHNER, BUCSHON, HARPER, JENKINS of West Virginia, CHABOT, Ms. GRANGER, Messrs. PITTENGER, BUTTERFIELD, RUSH, and DENHAM changed their vote from ''aye'' to ''no.''

Mr. MCKINLEY changed his vote from ''no'' to ''aye.''

So the second portion of the divided question was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. CARSON of Indiana. Mr. Speaker, on rollcall No. 361, had I been present, I would have voted "no."

Mr. LAMALFA. Mr. Speaker, on rollcall No. 361 I was unavoidably detained in office meeting on the legislation and the roll was closed upon entrance to the House floor. Had I been present, I would have voted "no."

(By unanimous consent, Mr. MCCARTHY was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. MCCARTHY. Mr. Speaker, I rise for the purpose of an announcement.

Members are advised that we are proceeding to votes on the remaining two motions. I would advise the Members that the world is watching, and I encourage every Member of the House to vote ''yes.''

The SPEAKER pro tempore (Mr. SIMPSON). Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 305, the third portion of the divided question is: Will the House concur in the matter preceding title II of the Senate amendment?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 219, noes 211, not voting 4, as follows:

[Roll No. 362]

AYES—219

Abraham
Allen
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Beyer
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Boehner
Bonamici
Bost
Boustany
Brady (TX)
Brooks (IN)
Buchanan
Bucshon
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Comstock
Conaway
Connolly
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Rodney
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Ellmers (NC)
Emmer (MN)
Farr
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gibbs
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Himes
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kelly (MS)
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mullin
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
O'Rourke
Olson
Palazzo
Paulsen
Peters
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rouzer
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Wasserman Schultz
Weber (TX)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Womack
Woodall
Yoder
Young (IA)
Young (IN)
Zinke

NOES—211

Adams
Aderholt
Aguilar
Amash
Bass
Beatty
Becerra
Bishop (GA)
Boyle, Brendan F.
Brady (PA)
Brat
Bridenstine
Brooks (AL)
Brown (FL)
Brownley (CA)
Buck
Burgess
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Cohen
Collins (GA)
Collins (NY)
Conyers
Cook
Courtney
Crowley
Cummings
Davis, Danny
DeFazio
DeGette
DeLauro
DeSaulnier
Deutch
Dingell
Doggett
Donovan
Doyle, Michael F.
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farenthold
Fattah
Fleming
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibson
Gohmert
Gosar
Graham
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hahn
Harris
Hastings
Heck (WA)
Higgins
Honda
Hoyer
Huffman
Hunter
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kirkpatrick
Kuster
Labrador
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meadows
Meng
Mooney (WV)
Moore
Moulton
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Nugent
Pallone
Palmer
Pascrell
Payne
Pearce
Pelosi
Perlmutter
Perry
Peterson
Pingree
Pocan
Poliquin
Posey
Price (NC)
Rangel
Richmond
Rohrabacher
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Swalwell (CA)
Takai
Takano
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Westmoreland
Wilson (FL)
Wittman
Yarmuth
Yoho
Young (AK)
Zeldin

NOT VOTING—4

Amodei
Speier
Thompson (CA)
Vargas

□ 1354

So the third portion of the divided question was adopted.

The result of the vote was announced as above recorded.

A motion to reconsider this portion of the divided question was laid on the table.

MOTION TO RECONSIDER OFFERED BY MR. BOEHNER

Mr. BOEHNER. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Boehner moves that the House reconsider the vote on the question of concurring in the matter comprising the remainder of title II of the Senate amendment.

The SPEAKER pro tempore. The question is on the motion to reconsider offered by the gentleman from Ohio.

Mr. LEVIN. Mr. Speaker, could the Clerk read what the motion is?

The SPEAKER pro tempore. The vote is on the question to reconsider the

motion just made by the gentleman from Ohio.

The Clerk will re-report the motion.

The Clerk re-read the motion.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on the preceding question will be postponed.

AMERICA GIVES MORE ACT OF 2015

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the motion to concur in the Senate amendments to the bill (H.R. 644) to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory, will now resume.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 305, the previous question is ordered.

The question is on the motion offered by the gentleman from Ohio (Mr. TIBERI).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of the motion may be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 240, noes 190, not voting 4, as follows:

[Roll No. 363]

AYES—240

Abraham
Aderholt
Allen
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boehner
Bost
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poliquin
Pompeo
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—190

Adams
Aguilar
Amash
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brat
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cook
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Gosar
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Nugent
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Poe (TX)
Polis
Posey
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Swalwell (CA)
Takai
Takano
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Veasey
Vela
Velázquez
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Westmoreland
Wilson (FL)
Yarmuth
Yoho
Young (AK)

NOT VOTING—4

Amodei
Speier
Thompson (CA)
Vargas

□ 1414

Messrs. BURGESS and ROHRABACHER changed their vote from ''no'' to ''aye.''

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. VARGAS. Mr. Speaker, I wish the record to reflect that I would have voted to oppose the following items on the House floor today: 1) Motion to Concur in the Senate Amendment to H.R. 1314—Trade Act of 2015 (Trade Adjustment Assistance Provision); 2) Motion to Concur in the Senate Amendment to H.R. 1314—Trade Act of 2015 (Trade Promotion Authority Provision); 3) Motion to Concur in the Senate Amendments with an Amendment to H.R. 644—Trade Facilitation and Trade Enforcement Act of 2015.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

ADJOURNMENT FROM FRIDAY, JUNE 12, 2015, TO MONDAY, JUNE 15, 2015

Mr. CURBELO of Florida. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, June 15, 2015, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

THANK THE COMMITTEE ON WAYS AND MEANS STAFF

(Mr. RYAN of Wisconsin asked and was given permission to address the House for 1 minute.)

Mr. RYAN of Wisconsin. Mr. Speaker, I simply want to thank the incredible hard work of our staff. In particular, I would like to single out Angela Ellard, our chief trade counsel and staff director of the Ways and Means trade staff; Stephen Claeys, our trade counsel; Geoffrey Antell, our trade counsel; Neena Shenai, our trade counsel; Nasim Deylami, our trade counsel; Casey Higgins, our trade counsel; and Paul Guaglianone, our legislative assistant.

If it weren't for the late nights, hard work of our hard-working, dedicated staff that go all too often unrecognized around here, this effort would not have been possible. I just want to say from the bottom of my heart how appreciative I am for their dedication and hard work.

TRIBUTE TO THE LIFE OF BURNEY STARKS

(Ms. MCSALLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCSALLY. Mr. Speaker, I rise to pay tribute to the life of Burney Starks, a man who was beloved by many in southern Arizona and who recently, suddenly passed away.

Burney dedicated his life to service as an Army veteran, a school counselor, and drop-out prevention specialist for the Tucson Unified School District. He played football for the University of Arizona and graduated from the U of A with honors.

Southern Arizonans will remember his incredible singing voice, his love for Motown and karaoke, and his active involvement in the community. He was a lead organizer for the Juneteenth Festival, and he was involved in many local organizations, including the Tucson Boys Choir, Tucson MLK Celebration Committee, and the Warrior Alumni Foundation.

He had a passion for helping others succeed and a unique gift for bringing out their best. I had the distinct pleasure of seeing Burney a few weeks ago on Memorial Day before he died. He was as lighthearted and dynamic as ever.

His smile and laughter will be missed by many, but no doubt his spirit will live on through the countless lives he touched during his life.

DETERMINING A PATH FORWARD

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, over the last couple of hours, we had the opportunity to discuss some important issues that, as they were framed, many Americans might not understand. They are called trade issues or trade legislation to discuss the interactions between the United States and its future world trading partners.

No vote here should be maligned. When I stand here to emphasize that whatever the ultimate results are, if these bills do not generate into actual jobs for our local districts, then we have all failed.

That is the question for this Congress and that is the question for those who are working so intently and for those of us who raise the question whether jobs are created. And we will only move forward if we can determine a pathway of a structure that actually addresses the question of documented jobs, nonlost jobs or substituting jobs for the American people.

Trade, yes, it is business. But it is also the business of the American people and the constituents of the 18th Congressional District in areas like Fifth Ward and southeast and South Park and Acres Home and Independence Heights. It is a question of whether or not jobs are created.

Mr. Speaker, I look forward to that answer being answered as ''yes.''

NATIONAL GUARDSMAN FLORICH BURIAL AT ARLINGTON NATIONAL CEMETERY

(Mr. GRAVES of Louisiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRAVES of Louisiana. Mr. Speaker, every once in a while, this place works. Recently, we had a National Guardsman, Sergeant Florich, who perished along with a number of U.S. marines in the Gulf of Mexico as their Black Hawk went down.

The Secretary of the Army is granted the authority to grant exemptions to allow these heroes to be buried in Arlington National Cemetery. Unfortunately, the initial decision by the Army was to reject Sergeant Florich's burial request and that of his family. He was a fourth-generation Armed Forces military man serving our country.

Just today, Secretary McHugh reversed that decision. Along with the support of 120 Members of this body, on both the Republican and Democrat side, they all came together and asked the Secretary to review the decision.

I want to thank the Members of this House, Republican and Democrat, Members that I want to ask that you all continue to keep the Florich family in your prayers as his wife is about to deliver their new child.

Thanks again to the Members, Mr. Speaker.

MARITIME NATIONAL HERITAGE ACT

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, I rise today to mark the end of Capitol Hill Ocean Week.

In my region, the Pacific Ocean was and is central to Native American communities. It also gave rise to a proud maritime tradition along our coast. Entire industries sprang up and, for generations, folks have made a good living as fishermen, boat builders, dock workers, and servicemembers.

The Pacific is a place teaming with a diverse life that we ought to protect for future generations. If we want to protect our natural resources for our children, it is time to cherish our past and protect our future.

With that in mind, I will soon introduce the Maritime National Heritage Act. This legislation would designate the first and only heritage area in the country focused on maritime heritage. It would give Washington State greater access to resources to protect lighthouses, vessels, and other landmarks that contribute to the history and who we are in Washington State.

This bill is a good way to remind folks what our oceans mean to us and why they are so vital.

TO EXTEND THE AUTHORIZATION TO CARRY OUT THE REPLACEMENT OF THE EXISTING MEDICAL CENTER OF THE DEPARTMENT OF VETERANS AFFAIRS IN DENVER, COLORADO

Mr. COFFMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1568) to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. CARTER of Georgia). Is there objection to the request of the gentleman from Colorado?

Mr. PERLMUTTER. Mr. Speaker, I reserve the right to object, although I don't object.

I just want to thank my friend from Colorado, the authorizing committee, and the appropriators for providing some time through the end of the fiscal year. It gives the Army Corps of Engineers, the VA, and the contractor an opportunity to continue construction of our big VA Medical Center in Colorado. We still have a long-term solution that has to be resolved, but this gives everybody some breathing room to get that done.

With that, I withdraw my reservation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The text of the bill is as follows:

S. 1568

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AUTHORIZATION FOR DEPARTMENT OF VETERANS AFFAIRS MAJOR MEDICAL FACILITY PROJECT PREVIOUSLY AUTHORIZED.

Section 2(a) of the Construction Authorization and Choice Improvement Act (Public Law 114–19) is amended—

(1) by striking ''in fiscal year 2015,''; and

(2) by striking ''$900,000,000'' and inserting ''$1,050,000,000''.

SEC. 2. LIMITED, ONE-TIME AUTHORITY TO TRANSFER SPECIFIC AMOUNTS TO CARRY OUT MAJOR MEDICAL FACILITY PROJECT IN DENVER, COLORADO.

(a) IN GENERAL.—Of the unobligated balances of amounts available to the Department of Veterans Affairs for fiscal year 2015, the Secretary of Veterans Affairs may transfer amounts from the appropriations accounts under the following headings, in the amounts and from the activities specified, to the appropriations account under the heading ''Construction, Major Projects'':

(1) ''Medical Services'', $6,494,000 to be derived from amounts available for the Human Capital Investment Plan.

(2) ''Medical Support and Compliance'', $1,611,000 to be derived from amounts available for the Human Capital Investment Plan.

(3) ''Medical Facilities'', $80,735,000 to be derived from amounts available for green energy projects of the Department.

(4) ''National Cemetery Administration'', $60,000 to be derived from amounts available for the Human Capital Investment Plan.

(5) ''General Administration'', $1,130,000 to be derived from amounts available for the Office of the Secretary.

(6) ''General Operating Expenses, Veterans Benefits Administration'', $670,000 to be derived from amounts available for the Human Capital Investment Plan.

(7) ''Information Technology Systems'', $240,000 to be derived from amounts available for the Human Capital Investment Plan.

(8) ''Construction, Minor Projects'', $3,000,000 to be derived from amounts available for minor construction projects at the staff offices of the Department.

(b) TRANSFER OF AMOUNTS AVAILABLE IN FUNDS.—

(1) REVOLVING SUPPLY FUND.—Of the unobligated balances of amounts available in the revolving supply fund of the Department under section 8121 of title 38, United States Code, the Secretary may transfer $20,030,000 to the appropriations account under the heading ''Construction, Major Projects''.

(2) FRANCHISE FUND.—Of the unobligated balances of amounts available in the Department of Veterans Affairs Franchise Fund established in title I of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (Public Law 104–204; 31 U.S.C. 501 note), the Secretary may transfer $36,030,000 to the appropriations account under the heading ''Construction, Major Projects''.

(c) USE OF AMOUNTS AND AVAILABILITY.—The amounts transferred under subsections (a) and (b) shall—

(1) be used only to carry out the major medical facility construction project in Denver, Colorado, specified in section 2 of the Construction Authorization and Choice Improvement Act (Public Law 114–19); and

(2) remain available until September 30, 2016.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRADE

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, I stand before you today on behalf of the Michigan 14th District, which includes the great city of Detroit, to make clear my strong opposition to TPP and TAA.

As a native of Detroit and a longtime public servant, I have seen firsthand the devastating impact of global trade agreements like NAFTA. I will always fight for our businesses and manufacturing so that they can remain competitive globally, but never at the expense of hard-working Americans.

The TAA is underfunded by $125 million. The TAA also excluded public sector workers, which is unacceptable. Passage of TPP and TAA will only increase the risk of loss of American jobs.

I greatly appreciate the help the TAA provides to workers who have lost their jobs in trade in Michigan and the livelihoods of nearly 500,000. This is why I want to be on the record why my vote was a ''no.''

I will never accept cuts to these training programs. I will never agree to leave any hard-working Americans uncovered.

□ 1430

TRADE PROMOTION AUTHORITY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, trade promotion authority has passed the House on a pretty good bipartisan basis here. This will give the United States the tools it needs to send a message around the world that we are going to be competitive and we are going to be serious about trade.

It also gives the Congress very important tools to adhere to the principles that we in this House believe are important to hold the USTR and the White House accountable with all of our principles together for what is good for the country.

When we have huge tariffs on some of the products we try and export around the world, it makes it noncompetitive. This will send, again, a very strong signal the U.S. is ready to compete; it is not going to be pushed around on trade, and TPA will be a good tool to do that.

However, it is not TPP, which we haven't had much input on lately, and is very difficult to get at. People need to understand, there is a strong difference between TPA, that authorization, and TPP, which is still not finished, still not negotiated, and is something that is a complete separate question from TPA, which I think was a responsible measure we got done here today.

We need to clear up the misconceptions on what is happening and the good measures we in this House did today in order to have America and more jobs be able to come home and stay in the U.S. because of better trade policy.

800TH ANNIVERSARY OF MAGNA CARTA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 60 minutes as the designee of the majority leader.

Ms. FOXX. Mr. Speaker, on Monday, June 15, we will celebrate the 800th anniversary of Magna Carta, a document that revolutionized the world and is the foundation for the freedoms that so many take for granted today.

It is impossible to overstate the significance of that day at Runnymede in 1215 when King John of England declared that everyone, including the King, was subject to the rule of law; and as a result, constitutional government was born.

Magna Carta is Latin for ''great charter,'' and it was so named because of the document's protracted length. Only later, did the world realize how visionary the name truly is.

Most of the 63 clauses granted by King John dealt with specific grievances of a group of barons relating to his rule, but that framework for the relationship between the King and his subjects initiated the concept of freedom under law.

Clause 1 states:

First, that we have granted to God, and by his present charter have confirmed for us and our heirs in perpetuity, that the English Church shall be free, and shall have its rights undiminished, and its liberties unimpaired. That we wish this so to be observed, appears from the fact that of our own free will, before the outbreak of the present dispute between us and our barons, we granted and confirmed by charter the freedom of the Church's elections—a right reckoned to be of the greatest necessity and importance to it—and caused this to be confirmed by Pope Innocent III. This freedom we shall observe ourselves, and desire to be observed in good faith by our heirs in perpetuity.

To all free men of our kingdom we have also granted, for us and our heirs forever, all the liberties written out below, to have and to keep for them and their heirs, of us and our heirs.

Clause 12 reads:

No scutage or aid will be levied in our kingdom without its general consent.

Clause 13 says:

The city of London shall enjoy all its ancient liberties and free customs, both by land and by water. We also will and grant that all other cities, boroughs, towns, and ports shall enjoy all their liberties and free customs.

Clause 38 reads:

In future no official shall place a man on trial upon his own unsupported statement, without producing credible witnesses to the truth of it.

Finally, clause 39 states:

No free man shall be seized or imprisoned, or stripped of his rights or possessions, or

outlawed or exiled, or deprived of his standing in any way, nor will we proceed with force against him, or send others to do so, except by the lawful judgment of his equals or by the law of the land.

Let me repeat those last few words, Mr. Speaker, ''the law of the land.'' In those words, we see the idea that the law does not come from any individual person or government. To quote Daniel Hannan, who wrote a wonderful essay on the 800th anniversary of Magna Carta for The Wall Street Journal last month: ''It is immanent in the land itself, the common inheritance of the people living there.''

Mr. Speaker, the language may sound a little stilted, and folks may think, goodness, that doesn't sound like something we would say today, but it is so important for us to understand the direct link between Magna Carta and the Revolution that occurred in this country in 1776.

Although Magna Carta failed to resolve the conflict between King John and his barons, it was reissued several times after his death. Again, Magna Carta's legacy is particularly evident in the documents that form the basis of our government, the U.S. Constitution and the Bill of Rights.

At the National Archives, visitors to Washington have the opportunity to view one of four surviving originals of the 1297 Magna Carta alongside the remarkable documents it inspired. When visitors come here to the House, I often point out to them on the walls the profiles of the ancient lawgivers. Pope Innocent III is one of those ancient lawgivers shown here in the House.

Again, we can see directly, in many cases, how our Constitution and our Bill of Rights are derived from Magna Carta and also from the Bible, that we can see those direct connections.

Today, I would like to acknowledge the debt of gratitude we owe to those rebel barons with grievances against their King, and I am reminded that we must always be attentive to the freedom we have inherited.

Ronald Reagan said famously:

Freedom is not in our genes. It is only a generation away from being lost. It is something we have to cherish.

Also, Mr. Speaker, with freedom comes opportunity and responsibility, and I want to say how grateful I am for the opportunity I have had to serve in the House of Representatives along with my colleagues.

I often tell, particularly schoolchildren, when I talk to them about this country and the radical idea that it represents, that I am a person who grew up in a house with no electricity and no running water, extraordinarily poor, and with parents with no privilege, no exalted status in our country.

As I said, with the freedom that we have comes opportunity. We on our side of the aisle—and I know many of my colleagues, or most of my colleagues, on the other side of the aisle—want to see that opportunity that has been made available to those of us who currently serve, many of whom come from no privilege, to be able to hold onto that opportunity.

To do that, Mr. Speaker, we have to hold on to freedom. We are the freest country in the world, and that, the rule of law, and our capitalistic system are those things that make us such a great country.

I want to express again my appreciation to those rebel barons and to all the people who came after them who kept the idea of Magna Carta alive to the time when we could develop our Constitution and Bill of Rights and to the present time when we fight so hard to maintain those principles.

Mr. Speaker, I yield back the balance of my time.

CONGRATULATING ROBERTA GIANFORTONI

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from California (Mr. RUIZ) is recognized for 60 minutes as the designee of the minority leader.

Mr. RUIZ. Mr. Speaker, today, it is my honor to recognize and congratulate Roberta Gianfortoni, assistant dean for professional education at the Harvard T.H. Chan School of Public Health, as she retires after 26 years of service.

Assistant Dean Gianfortoni has been an inspirational leader and adviser in the School of Public Health for more than 4,000 graduates, including myself. Her guidance and mentorship during my time at Harvard opened my eyes to new issues and innovative solutions, inspiring me to think outside the box to address our public health challenges.

The students she mentored have gone on to become doctors, professors, national and international leaders, and advocates all working to improve public health conditions right here at home and across the globe. Her contributions to our Nation's public health will last for generations.

I cherish my time and the lessons I learned from Assistant Dean Gianfortoni. After 26 years of service, I congratulate her on her retirement.

Mr. Speaker, I yield back the balance of my time.

□ 1445

THE POWER OF TRADE PROMOTION AUTHORITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, it seems so often in this body we tend not to learn from mistakes. We passed a bill—I guess part of a bill—that the Senate sent, referred to as the TPA, but it is all about a trade agreement that will provide a structure in which the President can negotiate and dock other agreements into it. Since the TAA did not pass, then it can't, apparently, go directly to conference unless we pass an amendment to allow it to go to conference or find some other way to effectuate a conference on agreement. Mr. Speaker, I can only surmise that, since the Speaker, himself, moved to reconsider, then there is something afoot in order to keep it from dying, as it should have, since both the TPA and the TAA did not pass.

The TPA, I read it. It has got some good aspects to it, but it is not, in and of itself, free trade. As a judge in a district court—our highest level trial court in Texas—so many times, I would be the fact finder without a jury. So often, you would sit and listen to the evidence, and you would wonder why someone would take the action he did. There has got to be some motivating factor. You consider all of the possibilities.

We had a very rare visit from President Obama to the Capitol, trying to push people to vote for the TPA—this trade agreement—and the TAA. It was great to see him come out to the Congressional Baseball Game last night. It is not something he does regularly. So, Mr. Speaker, I am left to wonder. I mean, we have not seen this President push this hard on very many bills over the last 6½ years, and I am left wondering: Why would President Obama push so hard to pass this trade agreement structure that allows him to negotiate so many deals with so many different countries?

One possibility is he did it because he knew that Speaker BOEHNER was pushing to pass it, and it is possible that he really wanted to make Speaker BOEHNER and MITCH MCCONNELL, the leader down in the Senate, look good. That is a possibility. I don't think it is terribly probable. In weighing all of the evidence, it would seem to me that it is far more probable that the TPA will give this President far more power to fundamentally transform America in his remaining year and a half or so as President. That is what it appears to be to me.

Now, one of our Republicans speaking, whom I have tremendous respect and admiration for, commented that we are not a nation that sits on the sidelines. I agree that that used to be true, but we have basically sat on the sidelines as Christians and Jews are being persecuted and killed around the world in greater numbers than ever before. We have sat on the sidelines in Nigeria as precious little African girls are kidnapped and brutally, sexually assaulted day after day, month after month.

Then we see an article. According to the article, actually, this administration communicated to Nigeria that, if they will change their laws to provide for same-sex marriage and possibly for abortions to be paid for, then the United States would not continue to sit on the sidelines, that we would actually help them stop radical Islamists.

Of course, they didn't use the term ''radical Islamists,'' but that is what they are. They would stop them, the radical Islamists, from continuing to kill and persecute Christians the way they are doing in Nigeria.

I have talked to some folks who have been on a recent trip to eastern Africa and who have met and even prayed with leaders in east Africa. I was going to be on the trip, but, apparently, the Speaker feels, if you oppose him, then you are not allowed to travel, that those rewards are saved for people who vote as he tells them to. I will tell you what: if that is the price of speaking truth to power, it is still a great country.

The people who went on that trip indicated that leaders in eastern Africa had indicated that the United States administration, the Obama administration, was telling them, in essence, what the article said happened in Nigeria, which is that, if you will change your laws to allow for same-sex marriage, though it is totally against their spiritual beliefs as Christians or as Muslims, then we would help them with things like radical Islam, but, otherwise, we are not going to help them.

So I appreciate hearing a Republican say the United States is not a nation that sits on the sidelines, but this administration does. It sits on the sidelines and uses power to fundamentally transform this country and other countries. We have seen that.

I see my very dear friend from Kentucky (Mr. MASSIE) here on the floor, and I would like to yield to him for his comments and thoughts.

Mr. MASSIE. I appreciate the gentleman from Texas for yielding.

Mr. Speaker, we had a vote on the TPA here, and I just wanted to take some time to explain, and I think my colleague from Texas probably feels the same way. I am for trade. I think trade is good. I am not against trade, but, today, I voted against the trade promotion authority, which would fast track the TPP. I just wanted to take a second to explain why I was compelled to vote against this legislation today.

First of all, like my colleague, I have read the TPP. I have been down to the confidential room. It is a very thick document, and there are two bound volumes, and there is a binder that goes with it as sort of a guide. What struck me the most about this TPP document is the enormity of it. My staff isn't even allowed to read the document. We are not allowed to have access to the Internet while we are in there when we are looking at the document. We are not allowed to take notes from the room, and this document references other bound documents.

So how could I possibly—one person, by myself in a confidential room—understand what some of the unintended consequences of this trade agreement would be if I can't understand the document and if I am not allowed the resources to fully analyze this document? I want there to be more daylight on this document before we put it on a path to approval.

The other reason I voted ''no'' today was the implication of ceding our authority to the World Trade Organization, which struck me this week when we voted to overturn our country of origin labeling on beef and pork. Now, whether you think we should require companies to label beef and pork when they bring them into this country from another country—whether that is a good thing or whether that is a bad thing—that doesn't matter. What disturbs me is that the reason for writing this law this week was the World Trade Organization told us we had to. They said we have got to do that. We swore an oath to the Constitution, not to the World Trade Organization. My concern is that this trade agreement could bind us to things that we don't even understand yet because, surely, some trade agreement years ago has caused us this week to change our food labeling laws.

The third and final reason I voted against the TPA today—and this may be the best reason, in fact—is that my constituents don't like it. I have received 30 phone calls a day for the past week against this. I might have received 1 or 2 all week saying to vote for it. We didn't get a chip implanted in our brains when we came to Congress that makes us smarter than all of our constituents. I think it is important to be humble, to know that we don't always have the right answer. We don't really have a whole lot more information than our constituents have in this case. I think that their concern that they expressed to me, like of the President getting too much authority and that this President does not need more authority, is a valid concern; that there is not enough transparency is another valid concern.

I know my friend from Texas has expressed both of those concerns himself, and I am sure he is hearing those from his constituents as well.

Mr. GOHMERT. I would like to follow up with the observation there about our constituents because—I wish I didn't—I remember all too well how things went in this room on TARP, the Wall Street bailout. The vast number of Americans—a huge percentage of Americans—did not want us to pass the Wall Street bailout. There was an FDIC former Director, named Isaac, who came. He had a lot of economists' support, and he had a great free market solution. People were excited when that passed. I know we had people clapping today just like they did when ObamaCare passed. A lot of people clapped when ObamaCare passed. Then they got defeated in the next election, so they were not here to clap for this one. There were people who clapped for the Wall Street bailout's passing. Some of them didn't come back because the people could see this was not a good way to go.

Now, one of the things I love about being a Republican is that, basically, as conservatives, we are optimists. We think things can get better, and that is why we are here. I know you and I have worked so many times together, and that is why we are here. We want to make things better, and we think we can—that we have got a shot at making things better. But at some point, you at least have to take notice of the old Washington saying that, no matter how cynical you get here in Washington, it is never enough to catch up.

I love that people are aware that the President promised in ObamaCare that, if you liked your insurance, you could keep it and that, if you liked your doctor, you could keep him. He promised that nobody on Medicare would be affected, that it would only affect the reimbursements. Well, people have found out that those things were not true. They did lose the insurance they liked, and they lost the doctors they liked. Medicare recipients had found out: Wait a minute. You said it wouldn't affect me, but what I found out is, when you cut $700 billion from how much you reimburse the health care providers, my doctors are not able to see me. It does affect me.

Then, of course, I remember—and I did consider Bart Stupak a friend. I saw him not long ago, and I still think of him as a friend. I know he was pro-life and wanted to do what was right. He was promised by the President that nothing in or about ObamaCare would cause anybody who disagreed with abortion or who had spiritual beliefs against abortion—that nothing that they would ever have to buy would pay for abortion, that no Federal money would go for abortion. As I understood it, he was even getting the President to put that in writing for him.

□ 1500

Well, as JOE WILSON observed during a speech being given in here, I think he said it differently, but it turned out those things weren't true. Abortion is paid for with Federal dollars. The Federal Government even has fought people in court, like these precious Catholic nuns, the Little Sisters of the Poor. They have dedicated their lives to helping our Nation's poor and people that are downtrodden. Those are the kind of people that government officials used to revere, admire, respect. Not now. Because those broken promises even resulted in this administration fighting them in court to try to force them to have insurance that paid for abortion that these precious nuns believed was murdering a child in the womb.

Constituents were against TARP. There were people here that supported this free trade agreement, just as you and I support free trade, but they supported this TPA that truly will give the President more authority.

I remember some of these same people saying: Look, we don't have to worry because by passing the bill we are about to pass, the President can't remove anybody from Guantanamo without giving us notice, and when he

gives us notice, we can stop him. I mean, I have been told that. And, in fact, the law is, he can't remove anybody from Guantanamo without first giving us notice. The American people remember that.

They also happen to have noticed that the President cut a deal for a guy that looks like he is going to be charged with desertion, and released five terrorists from Guantanamo and didn't give us notice until after he had released them. So I love the optimism that says, yes, there have been misrepresentations from this administration over and over and over and over, and now we have had 6½ years of continued misrepresentations from the administration, and the good news is this time we really think he means it. Now, I love that kind of optimism; I really do.

I want to yield to the gentleman from Kentucky (Mr. MASSIE), my friend, for his thoughts.

Mr. MASSIE. Well, you are an optimist, Mr. GOHMERT, and I would wholeheartedly second that, but, look, you are also a realist, and I think we all need to be realists. The best way to keep those promises is not to make a promise you can't keep or not to make a promise that you can't make somebody else keep. So far, we have shown that we are pretty ineffectual here in Congress at keeping the President maintaining those promises. If you like the plan you have, you can keep it was one of those promises I remember.

While we are talking about the Affordable Care Act, I remember Congress was told to pass it so you can see what is in it. And we are being told: Pass the TPA so you can see what is in the TPP, at least so our constituents can see it.

I just want to close with this and not consume any more of the gentleman's time.

Mr. GOHMERT. Before the gentleman gets too far, reclaiming my time, I want to point out, he and I have been down to the classified area and viewed the TPP, but as I understand it, the President is going to be allowed to add like 20 percent to that that we have not even had an opportunity to see. So even when we say we have been down to the classified area, they made it available, we have been through it, we can't say that all of it was provided.

Is that your understanding?

Mr. MASSIE. That is absolutely correct. Furthermore, the document that we viewed was a draft. It is not complete. If you read it, virtually every page of it has a little footnote that says, oh, we are still working on this page here. So, yeah, we are fast-tracking something that we can't see, we are not really going to be a party to the negotiations, and we can't control the outcome of it. So I think we should do that with great caution.

I just want to close with this. I want to say that the vote today was not a referendum on free trade. It was not a referendum on whether it benefits our country to trade with other countries. We know that. We believe it. We have seen it. Trade is good. But this was a referendum on giving the President more authority; this was a referendum on voting for something we can't see, we can't verify; and this was a referendum on a huge, giant document. It reminds me of some of the omnibus bills we are given 2 days to read that come to this body, 1600 pages.

But this was a referendum on the process. That is why they couldn't get the bill passed today. TPA is not a law yet. It didn't pass today, but we support free trade. I know my colleague does. We just don't support the TPA.

Mr. GOHMERT. My friend has observed all the goings-on very closely. The President has acted extraordinarily in reaching out to Congress, trying to push through this trade bill.

I am curious whether the gentleman from Kentucky, my friend, thinks maybe this, for the first time, is an effort by the President reaching out to make the Republican Party, Republican leadership look good. Or what kind of motivation do you think most likely caused him to reach out more than he has, as I recall, on a bill?

Mr. MASSIE. Well, I don't want to question anybody's motivations here in this body or in the other branch of the government, but I will say I have seen a zeal for the deal, a zeal for the trade deal, a zeal for a deal that people don't fully even understand but they want to get the deal done.

So I think they just need to slow down, look at the terms of the deal, get some experts in that room with you when you are looking at that secret document, have them tell you what all those things mean in there and just kind of calm down the zeal for the deal. We can do trade, we can do free trade, we can do trade agreements, but not this giant omnibus-like trade agreement.

Thank you.

Mr. GOHMERT. I appreciate my friend, but my problem is, having had so many provisions explained, for example, oh, this won't affect seniors by cutting $700 billion out of Medicare, and, gee, if you will just renew the PATRIOT Act, section 215, gosh, you have got to be a terrorist before we get any of your personal information, your data—there have just been so many explanations and promises that have been made. With regard to section 215 of the PATRIOT Act, that was over two administrations. But there have been so many representations on what an administration—particularly this administration—believes something means that allowed activity far beyond that, that even if this administration or the prior administration says this is what something means, I am sorry, the judge completely hasn't left me, the chief justice completely hasn't left me, and so I care more about what the language says on its face than what somebody tells me they think it will mean or how they will apply it. Again, you know, we were told things about ObamaCare and the way it would be interpreted and carried out, the PATRIOT Act, the way it would be interpreted and carried out. It turns out it simply was not the case.

It is still why I am concerned over the part of section 215, even though I have been assured, oh, no, it really doesn't mean anything. But it says not only can they gather the data of people associated with terrorists or involved in international terrorism, but it has this little two-letter disjunctive, the ''or,'' clandestine intelligence activities. Nobody will explain where that is defined in writing because until it is defined adequately in writing, that can mean anything anybody wants it to mean. It is just too vague, allows too much arbitrariness and capriciousness. So I am not as concerned about what people tell me something says or means because I know when you put words in a bill, at some point some judge somewhere is going to say, you know what those words actually say; they mean exactly what they say.

So I am concerned about the power that is given to the President. I am concerned about the ability of the President to cut deals, and if he happens to forget to give us notice, as he happened to do with regard to the five terrorists that were released from Guantanamo, then I don't see this body stepping up and stopping him. I know we absolutely pledged we were going to on the illegal, unconstitutional amnesty he did, but then we decided, well, we will just trust the judge in Texas that his ruling will be upheld all the way to the Supreme Court. So we gave up on that fight as a body.

But I just have not seen anything from the House and Senate, either when it was under total Democratic control or now, that indicates we are going to be able to step up and stop the President if there is a violation of the law or a violation of personal commitments that were made. Because of that, I was not comfortable voting for TPA. I could not vote for it. I voted against TAA because it would facilitate TPA.

I do have to make a parenthetical note here. It is interesting, we are assured that TPA is going to create this massive number of jobs, but we have to—absolutely have to—pass TAA, which creates additional welfare because there are going to be so many Americans that lose their jobs as a result of TPA. So it is going to create all these American jobs, but we have got to have TAA so we can cover all the American jobs that are lost that go overseas, when the fact is: You want a free trade agreement, you want to blow the doors off the barriers in the world to American goods and services? Let's cut the biggest tariff that any nation in the world puts on its own goods and services called a corporate tax. Let's cut it, if not eliminate it, at least get it below that of China. And the cuts to the prices will be so astounding that the doors will come down. They will have to come down, because our goods

will not only be the best in the world, but they will be the best prices in the world.

So we want real free trade. You are not going to get it by cutting a deal with countries that manipulate their currencies. Those were excellent points that some across the aisle made. If you are talking about free trade with countries that manipulate their own currencies, you are not going to get free trade with countries that manipulate their own currency because they can always maneuver around you and make their product better. So this didn't address the manipulative nature of some nations' currencies. Without that, you are not going to have a free trade deal.

I would like to be an optimist and say that this bill that President Obama pushed so hard—historically hard for his administration—to get passed, I would like to be the optimist, as so many of my colleagues are, and say, but the reason President Obama was pushing for this so hard is this will really curtail his ability to make agreements without our agreement. I would like to think that he worked that hard to curtail his own power, but the realist, the old judge in me comes back and has to say, the verdict is he pushed for this TPA because it was going to give him a lot more power than he has now.

I yield to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. I thank my colleague from Texas. I appreciate his loyalty and his patriotism to our country. I look forward to working with him in the future to talk about future negotiations to make sure that the Federal Government, every time we act, every time we move, every time we vote is to do what is best for America, to make America stronger, more competitive, and a better nation to pass on to our next generation.

Mr. GOHMERT. I thank my friend and yield back the balance of my time.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 14 minutes p.m.), under its previous order, the House adjourned until Monday, June 15, 2015, at noon for morning-hour debate.

OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Ralph Lee Abraham, Alma S. Adams, Robert B. Aderholt, Pete Aguilar, Rick W. Allen, Justin Amash, Mark E. Amodei, Brad Ashford, Brian Babin, Lou Barletta, Andy Barr, Joe Barton, Karen Bass, Joyce Beatty, Xavier Becerra, Dan Benishek, Ami Bera, Donald S. Beyer, Jr., Gus M. Bilirakis, Mike Bishop, Rob Bishop, Sanford D. Bishop, Jr., Diane Black, Marsha Blackburn, Rod Blum, Earl Blumenauer, John A. Boehner, Suzanne Bonamici, Madeleine Z. Bordallo, Mike Bost, Charles W. Boustany, Jr., Brendan F. Boyle, Kevin Brady, Robert A. Brady, Dave Brat, Jim Bridenstine, Mo Brooks, Susan W. Brooks, Corrine Brown, Julia Brownley, Vern Buchanan, Ken Buck, Larry Bucshon, Michael C. Burgess, Cheri Bustos, G. K. Butterfield, Bradley Byrne, Ken Calvert, Lois Capps, Michael E. Capuano, Tony Cárdenas, John C. Carney, Jr., André Carson, Earl L. ''Buddy'' Carter, John R. Carter, Matt Cartwright, Kathy Castor, Joaquin Castro, Steve Chabot, Jason Chaffetz, Judy Chu, David N. Cicilline, Katherine M. Clark, Yvette D. Clarke, Curt Clawson, Wm. Lacy Clay, Emanuel Cleaver, James E. Clyburn, Mike Coffman, Steve Cohen, Tom Cole, Chris Collins, Doug Collins, Barbara Comstock, K. Michael Conaway, Gerald E. Connolly, John Conyers, Jr., Paul Cook, Jim Cooper, Jim Costa, Ryan A. Costello, Joe Courtney, Kevin Cramer, Eric A. ''Rick'' Crawford, Ander Crenshaw, Joseph Crowley, Henry Cuellar, John Abney Culberson, Elijah E. Cummings, Carlos Curbelo, Danny K. Davis, Rodney Davis, Susan A. Davis, Peter A. DeFazio, Diana DeGette, John K. Delaney, Rosa L. DeLauro, Suzan K. DelBene, Jeff Denham, Charles W. Dent, Ron DeSantis, Mark DeSaulnier, Scott DesJarlais, Theodore E. Deutch, Mario Diaz-Balart, Debbie Dingell, Lloyd Doggett, Robert J. Dold, Daniel M. Donovan, Jr., Michael F. Doyle, Tammy Duckworth, Sean P. Duffy, Jeff Duncan, John J. Duncan, Jr., Donna F. Edwards, Keith Ellison, Renee L. Ellmers, Tom Emmer, Eliot L. Engel, Anna G. Eshoo, Elizabeth H. Esty, Blake Farenthold, Sam Farr, Chaka Fattah, Stephen Lee Fincher, Michael G. Fitzpatrick, Charles J. ''Chuck'' Fleischmann, John Fleming, Bill Flores, J. Randy Forbes, Jeff Fortenberry, Bill Foster, Virginia Foxx, Lois Frankel, Trent Franks, Rodney P. Frelinghuysen, Marcia L. Fudge, Tulsi Gabbard, Ruben Gallego, John Garamendi, Scott Garrett, Bob Gibbs, Christopher P. Gibson, Louie Gohmert, Bob Goodlatte, Paul A. Gosar, Trey Gowdy, Gwen Graham, Kay Granger, Garret Graves, Sam Graves, Tom Graves, Alan Grayson, Al Green, Gene Green, H. Morgan Griffith, Raúl M. Grijalva, Glenn Grothman, Frank C. Guinta, Brett Guthrie, Luis V. Gutiérrez, Janice Hahn, Richard L. Hanna, Cresent Hardy, Gregg Harper, Andy Harris, Vicky Hartzler, Alcee L. Hastings, Denny Heck, Joseph J. Heck, Jeb Hensarling, Jaime Herrera Beutler, Jody B. Hice, Brian Higgins, J. French Hill, James A. Himes, Rubén Hinojosa, George Holding, Michael M. Honda, Steny H. Hoyer, Richard Hudson, Tim Huelskamp, Jared Huffman, Bill Huizenga, Randy Hultgren, Duncan Hunter, Will Hurd, Robert Hurt, Steve Israel, Darrell E. Issa, Sheila Jackson Lee, Hakeem S. Jeffries, Evan H. Jenkins, Lynn Jenkins, Bill Johnson, Eddie Bernice Johnson, Henry C. ''Hank'' Johnson, Jr., Sam Johnson, David W. Jolly, Walter B. Jones, Jim Jordan, David P. Joyce, Marcy Kaptur, John Katko, William R. Keating, Mike Kelly, Robin L. Kelly, Trent Kelly, Joseph P. Kennedy III, Daniel T. Kildee, Derek Kilmer, Ron Kind, Peter T. King, Steve King, Adam Kinzinger, Ann Kirkpatrick, John Kline, Stephen Knight, Ann M. Kuster, Raúl R. Labrador, Doug LaMalfa, Doug Lamborn, Leonard Lance, James R. Langevin, Rick Larsen, John B. Larson, Robert E. Latta, Brenda L. Lawrence, Barbara Lee, Sander M. Levin, John Lewis, Ted Lieu, Daniel Lipinski, Frank A. LoBiondo, David Loebsack, Zoe Lofgren, Billy Long, Barry Loudermilk, Mia B. Love, Alan S. Lowenthal, Nita M. Lowey, Frank D. Lucas, Blaine Luetkemeyer, Ben Ray Luján, Michelle Lujan Grisham, Cynthia M. Lummis, Stephen F. Lynch, Thomas MacArthur, Carolyn B. Maloney, Sean Patrick Maloney, Kenny Marchant, Tom Marino, Thomas Massie, Doris O. Matsui, Kevin McCarthy, Michael T. McCaul, Tom McClintock, Betty McCollum, James P. McGovern, Patrick T. McHenry, David B. McKinley, Cathy McMorris Rodgers, Jerry McNerney, Martha McSally, Mark Meadows, Patrick Meehan, Gregory W. Meeks, Grace Meng, Luke Messer, John L. Mica, Candice S. Miller, Jeff Miller, John R. Moolenaar, Alexander X. Mooney, Gwen Moore, Seth Moulton, Markwayne Mullin, Mick Mulvaney, Patrick Murphy, Tim Murphy, Jerrold Nadler, Grace F. Napolitano, Richard E. Neal, Randy Neugebauer, Dan Newhouse, Kristi L. Noem, Richard M. Nolan, Donald Norcross, Eleanor Holmes Norton, Richard B. Nugent, Devin Nunes, Alan Nunnelee*, Pete Olson, Beto O'Rourke, Steven M. Palazzo, Frank Pallone, Jr., Gary J. Palmer, Bill Pascrell, Jr., Erik Paulsen, Donald M. Payne, Jr., Stevan Pearce, Nancy Pelosi, Ed Perlmutter, Scott Perry, Scott H. Peters, Collin C. Peterson, Pedro R. Pierluisi, Chellie Pingree, Robert Pittenger, Joseph R. Pitts, Stacey E. Plaskett, Mark Pocan, Ted Poe, Bruce Poliquin, Jared Polis, Mike Pompeo, Bill Posey, David E. Price, Tom Price, Mike Quigley, Amata Coleman Radewagen, Charles B. Rangel, John Ratcliffe, Tom Reed, David G. Reichert, James B. Renacci, Reid J. Ribble, Kathleen M. Rice, Tom Rice, Cedric L. Richmond, E. Scott Rigell, Martha Roby, David P. Roe, Harold Rogers, Mike Rogers, Dana Rohrabacher, Todd Rokita, Thomas J. Rooney, Peter J. Roskam, Ileana Ros-Lehtinen, Dennis A. Ross, Keith J. Rothfus, David Rouzer, Lucille Roybal-Allard, Edward R. Royce, Raul Ruiz, C. A. Dutch Ruppersberger, Bobby L. Rush, Steve Russell, Paul Ryan, Tim Ryan, Gregorio Kilili Camacho Sablan, Matt Salmon, Linda T. Sánchez, Loretta Sanchez, Mark Sanford, John P. Sarbanes, Steve Scalise, Janice D. Schakowsky, Adam B. Schiff, Aaron Schock*, Kurt Schrader, David Schweikert, Austin Scott, David Scott, Robert C. ''Bobby'' Scott, F. James Sensenbrenner, Jr., José E. Serrano, Pete Sessions, Terri A. Sewell, Brad Sherman, John Shimkus, Bill Shuster, Michael K. Simpson, Kyrsten Sinema, Albio Sires, Louise McIntosh Slaughter, Adam Smith, Adrian Smith, Christopher H. Smith, Jason Smith, Lamar Smith, Jackie Speier, Elise M. Stefanik, Chris Stewart, Steve Stivers, Marlin A. Stutzman, Eric Swalwell, Mark Takai, Mark Takano, Bennie G. Thompson, Glenn Thompson, Mike Thompson, Mac Thornberry, Patrick J. Tiberi, Scott R. Tipton, Dina Titus, Paul Tonko, Norma J. Torres, David A. Trott, Niki Tsongas, Michael R. Turner, Fred Upton, David G. Valadao, Chris Van Hollen, Juan Vargas, Marc A. Veasey, Filemon Vela, Nydia M. Velázquez, Peter J. Visclosky, Ann Wagner, Tim Walberg, Greg Walden, Mark Walker, Jackie Walorski, Mimi Walters, Timothy J. Walz, Debbie Wasserman Schultz, Maxine Waters, Bonnie Watson Coleman, Randy K. Weber, Sr., Daniel Webster, Peter Welch, Brad R. Wenstrup, Bruce Westerman, Lynn A. Westmoreland, Ed Whitfield, Roger Williams, Frederica S. Wilson, Joe Wilson, Robert J. Wittman, Steve Womack, Rob Woodall, John A. Yarmuth, Kevin Yoder, Ted S. Yoho, David Young, Don Young, Todd C. Young, Lee M. Zeldin, Ryan K. Zinke

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first and second quarters of 2015, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO JAPAN, EXPENDED BETWEEN MAY 6 AND MAY 9, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Nancy Pelosi	5/8	5/9	Japan		533.00		5,233.00				5,766.00
Wyndee Parker	5/8	5/9	Japan		533.00		5,993.40				6,526.40
Kate Knudson	5/6	5/9	Japan		1,059.00		5,667.90				6,726.90
Committee total					2,125.00		16,894.30				19,019.30

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NANCY PELOSI, May 19, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Peter Welch	1/17	1/19	Cuba		822.00						822.00
Hon. Jason Chaffetz	3/5	3/9	South Africa		1,296.00		9,139.00				10,435.00
Hon. Steve Russell	3/5	3/9	South Africa		1,296.00		8,670.00				9,966.00
Andrew Dockham	3/5	3/9	South Africa		1,296.00		12,397.00				13,693.00
Jaron Bourke	3/5	3/9	South Africa		1,296.00		10,430.00				11,726.00
Hon. Stephen Lynch	3/5	3/9	South Africa		1,296.00						1,296.00
	3/9	3/11	Nigeria		780.00		10,754.00				11,534.00
Bruce Fernandez	3/9	3/9	South Africa		1,296.00						1,296.00
	3/9	3/11	Nigeria		780.00		13,817.00				14,597.00
Delegation expenses									5,843.00		5,843.00
Committee total					10,158.00		65,207.00		5,843.00		81,208.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JASON CHAFFETZ, Chairman, May 20, 2015.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1821. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Michael J. Connor, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

1822. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral John W. Miller, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

1823. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing three officers on the enclosed list to wear the insignia of the grade of major general or brigadier general, as indicated, pursuant to 10 U.S.C. 777; to the Committee on Armed Services.

1824. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Update of Pre-approved Plan Revenue Procedure (Rev. Proc. 2015-36) received June 11, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1825. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Substantial Business Activities [TD 9720] (RIN: 1545-BK85) received June 11, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1826. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Segregation Rule Effective Date [TD 9721] (RIN: 1545-BM17) received June 11, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 1190. A bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board (Rept. 114–150, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1991. A bill to extend the authority of the Secretary of the Interior and the Secretary of Agriculture to carry out the Federal Lands Recreation Enhancement Act, and for other purposes (Rept. 114–151, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 2505. A bill to amend title XVIII of the Social Security Act to require the annual reporting of data on enrollment in Medicare Advantage plans; with an amendment (Rept. 114–152, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Energy and Commerce and Rules discharged from further consideration. H.R. 1190 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Agriculture discharged from further consideration. H.R. 1991 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 2505 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FARENTHOLD (for himself, Mr. GOODLATTE, and Mr. MARINO):

H.R. 2745. A bill to amend the Clayton Act and the Federal Trade Commission Act to provide that the Federal Trade Commission shall exercise authority with respect to mergers only under the Clayton Act and only in the same procedural manner as the Attorney General exercises such authority; to the Committee on the Judiciary.

By Mr. BILIRAKIS (for himself, Mr. COLE, Ms. BROWN of Florida, and Mr. DIAZ-BALART):

H.R. 2746. A bill to amend the Internal Revenue Code of 1986 to provide a credit against

tax for hurricane and tornado mitigation expenditures; to the Committee on Ways and Means.

By Mr. MCGOVERN (for himself, Mr. JONES, Mr. POMPEO, Mr. ELLISON, Ms. CLARK of Massachusetts, and Ms. TSONGAS):

H.R. 2747. A bill to authorize the award of a military service medal to members of the Armed Forces who were exposed to ionizing radiation as a result of participation in the testing of nuclear weapons or under other circumstances; to the Committee on Armed Services.

By Mr. CARTWRIGHT (for himself, Ms. JACKSON LEE, Ms. CLARKE of New York, Mr. HASTINGS, Mr. HIGGINS, Mr. MCKINLEY, Mr. POCAN, Mr. TAKANO, Mr. VARGAS, Mr. GRIJALVA, and Mr. SEAN PATRICK MALONEY of New York):

H.R. 2748. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of hearing aids and related hearing services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VALADAO (for himself, Mr. DENHAM, Mr. COSTA, Mr. NUNES, Mr. CALVERT, Mr. ROYCE, Mr. CRAMER, Mr. MCCLINTOCK, Mr. KNIGHT, Mrs. MIMI WALTERS of California, Mrs. LUMMIS, Mr. ISSA, Mr. MCCARTHY, Mr. ROHRABACHER, Mr. COOK, Mr. RODNEY DAVIS of Illinois, and Mr. WALDEN):

H.R. 2749. A bill to amend the Reclamation Safety of Dams Act of 1978; to the Committee on Natural Resources.

By Mr. KATKO (for himself, Mr. MCCAUL, Miss RICE of New York, and Mr. PAYNE):

H.R. 2750. A bill to reform programs of the Transportation Security Administration, streamline transportation security regulations, and for other purposes; to the Committee on Homeland Security.

By Ms. MCCOLLUM (for herself, Mr. COLE, Mr. TAKAI, and Mr. DENHAM):

H.R. 2751. A bill to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes; to the Committee on Natural Resources.

By Mr. LARSON of Connecticut (for himself, Mr. REICHERT, Mr. COURTNEY, Ms. ESTY, Mr. HIMES, Ms. DELAURO, Mr. LANCE, Mr. KELLY of Pennsylvania, Mr. ISRAEL, Mr. KING of New York, Mr. PASCRELL, Mr. WALZ, Ms. PINGREE, Mr. THOMPSON of Pennsylvania, Mr. JOHNSON of Ohio, Mr. TONKO, Mr. ELLISON, Mr. RYAN of Ohio, Mr. HONDA, Mr. JOYCE, Ms. KAPTUR, Ms. KUSTER, Mr. GOODLATTE, Mr. BARLETTA, Mr. CARTER of Texas, Mr. LOEBSACK, and Mr. MICA):

H.R. 2752. A bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders; to the Committee on Ways and Means.

By Mr. JODY B. HICE of Georgia (for himself and Mr. LAMBORN):

H.R. 2753. A bill to require the Bureau of Alcohol, Tobacco, Firearms, and Explosives to make video recordings of the examination and testing of firearms and ammunition, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REED (for himself, Mr. RANGEL, and Ms. JENKINS of Kansas):

H.R. 2754. A bill to amend the Internal Revenue Code of 1986 to make the work opportunity credit permanent; to the Committee on Ways and Means.

By Mr. CÁRDENAS:

H.R. 2755. A bill to provide relocation subsidies for the long-term unemployed, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ABRAHAM:

H.R. 2756. A bill to reform the provision of health insurance coverage by promoting health savings accounts, State-based alternatives to coverage under the Affordable Care Act, and price transparency, in order to promote a more market-based health care system, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BABIN:

H.R. 2757. A bill to prohibit United States voluntary contributions to the regular budget of the United Nations or any United Nations agency; to the Committee on Foreign Affairs.

By Mr. BOUSTANY:

H.R. 2758. A bill to make permanent the returning worker exception to the annual numerical limitation on nonimmigrant visas issued under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. GIBSON (for himself and Mr. THOMPSON of California):

H.R. 2759. A bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mr. FRANKS of Arizona, Mr. RANGEL, Mr. YOUNG of Alaska, Mrs. KIRKPATRICK, Mr. CÁRDENAS, Mr. JONES, Mr. PERLMUTTER, Mr. TIPTON, Mr. MULLIN, Mr. LAMALFA, Mr. SABLAN, Mr. HONDA, Mr. COOK, Mr. SCHWEIKERT, Mrs. DINGELL, Mr. ZINKE, Mrs. TORRES, and Mr. SALMON):

H.R. 2760. A bill to establish the American Indian Trust Review Commission, and for other purposes; to the Committee on Natural Resources.

By Mr. JONES:

H.R. 2761. A bill to provide that human life shall be deemed to exist from conception; to the Committee on the Judiciary.

By Mr. MCNERNEY (for himself, Mr. LANGEVIN, Mr. PETERS, Ms. CLARK of Massachusetts, Ms. NORTON, Mr. HASTINGS, and Ms. WILSON of Florida):

H.R. 2762. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants to eligible local educational agencies to encourage female students to pursue studies and careers in science, mathematics, engineering, and technology; to the Committee on Education and the Workforce.

By Mr. MCNERNEY (for himself, Mr. PETERS, Mr. RANGEL, Ms. EDWARDS, and Ms. WILSON of Florida):

H.R. 2763. A bill to provide support to develop career and technical education programs of study and facilities in the areas of renewable energy; to the Committee on Education and the Workforce.

By Ms. ROYBAL-ALLARD:

H.R. 2764. A bill to amend the Fair Labor Standards Act of 1938 to strengthen the provisions relating to child labor; to the Committee on Education and the Workforce.

By Mr. SALMON:

H.R. 2765. A bill to prohibit the National Science Foundation from obligating amounts for the Polar Learning and Responding Climate Change Educational Partnership; to the Committee on Science, Space, and Technology.

By Ms. SPEIER (for herself, Ms. BORDALLO, Ms. JUDY CHU of California, Ms. CLARKE of New York, Mr. CONNOLLY, Mr. COSTA, Ms. ESHOO, Mr. FARR, Ms. GABBARD, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HASTINGS, Mr. HONDA, Ms. LEE, Mr. TED LIEU of California, Mr. LIPINSKI, Ms. LOFGREN, Ms. MATSUI, Ms. MENG, Mrs. NAPOLITANO, Ms. NORTON, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SWALWELL of California, Mr. TAKANO, Mr. TONKO, Mr. VARGAS, Mrs. LOWEY, Mr. CICILLINE, Mr. CASTRO of Texas, Ms. CASTOR of Florida, and Mr. HECK of Nevada):

H.R. 2766. A bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. SMITH of New Jersey (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SENSENBRENNER, Mr. ENGEL, Mr. TURNER, Mr. CONNOLLY, Mr. WEBER of Texas, Mr. LARSON of Connecticut, Mr. EMMER of Minnesota, Mr. SEAN PATRICK MALONEY of New York, Mr. CRENSHAW, Mr. MCDERMOTT, Mr. ROTHFUS, Mr. RUSH, Mr. ZINKE, Ms. LOFGREN, Mr. KINZINGER of Illinois, Mr. MCGOVERN, Mr. FORTENBERRY, Mr. CLAY, Mr. KING of New York, Mr. CICILLINE, Mr. HULTGREN, Mr. QUIGLEY, Mr. MARINO, Mr. KEATING, Mr. PERRY, Ms. MENG, and Mr. COOK):

H. Res. 310. A resolution expressing the sense of the House of Representatives regarding Srebrenica; to the Committee on Foreign Affairs.

By Mr. NOLAN:

H. Res. 311. A resolution expressing the sense of the House of Representatives that Congress should confirm that money is not free speech and that corporations are not people for purposes of the First Amendment right to make campaign contributions by enacting a constitutional amendment overturning the decision of the Supreme Court in the case of Citizens United v. Federal Election Commission, and should restore the right of Congress and the States to impose limits on the amount of expenditures that may be made by candidates and others in support of elections for public office by enacting a constitutional amendment overturning the decision of the Supreme Court in the case of Buckley v. Valeo; to the Committee on the Judiciary.

By Mr. KING of New York:

H. Res. 312. A resolution supporting raising awareness and educating the public about upper limb and lower limb differences; to the Committee on Oversight and Government Reform.

By Mr. FITZPATRICK (for himself, Ms. SPEIER, Mr. HUFFMAN, and Mr. DESAULNIER):

H. Res. 313. A resolution expressing support for designation of May 23rd as ''National

Rosie the Riveter Day''; to the Committee on Education and the Workforce.

By Mr. FRELINGHUYSEN:

H. Res. 314. A resolution expressing the sense of the House of Representatives regarding the eligibility of veterans service organizations for community development block grant funding; to the Committee on Veterans' Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. FARENTHOLD:

H.R. 2745.

Congress has the power to enact this legislation pursuant following:

Article I, Section 8, clause 3 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause ''to regulate Commerce with foreign Nations, and among the several States, and with Indian tribes,'' Article I, Section 8, clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause ''to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof,'' and, Article III of the United States Constitution, in that the legislation defines or affects powers of the Judiciary that are subject to legislation by Congress.

By Mr. BILIRAKIS:

H.R. 2746.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority to lay and collect Taxes, Duties, Imposts and Excises as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. MCGOVERN:

H.R. 2747.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1; Article I, Section 8, Clause 14; and Article I, Section 8, Clause 18

By Mr. CARTWRIGHT:

H.R. 2748.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8; Clause 1 of the Constitution states The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Mr. VALADAO:

H.R. 2749.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1, 3, and 18 of section 8 and clause 7 of section 9 of article I, of the Constitution of the United States.

By Mr. KATKO:

H.R. 2750.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes'' and

Article I, Section 8, Clause 18, ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Ms. MCCOLLUM:

H.R. 2751.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, which gives Congress the power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers.''

By Mr. LARSON of Connecticut:

H.R. 2752.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution which reads: ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.''

By Mr. JODY B. HICE of Georgia:

H.R. 2753.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution that states that Congress shall have Power ''To regulate Commerce with foreign Nations, and among the several States . . .''

By Mr. REED:

H.R. 2754.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 and Amendment XVI of the United States Constitution

By Mr. CÁRDENAS:

H.R. 2755.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution, to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. ABRAHAM:

H.R. 2756.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this legislation is found within Clause 3 of Section 8, Article 1 of the U.S. Constitution.

By Mr. BABIN:

H.R. 2757.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. BOUSTANY:

H.R. 2758.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 4 and 18

By Mr. GIBSON:

H.R. 2759.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article 1.

By Mr. GOSAR:

H.R. 2760.

Congress has the power to enact this legislation pursuant to the following:

This legislation is constitutionally appropriate pursuant to Article I, Section 8, Clause 3 (the Commerce Clause) which grants Congress the power ''to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes'' and Article IV, Section 3, Clause 2 (the Property Clause) which states ''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States''.

The Supreme Court, in Worcester v. Georgia (1832), reasoned that Indian Nations have always been considered as distinct, independent political communities, as the undisputed possessors of the soil, from time immemorial.

Thus, conducting a review of the Congress' trust relationship with American Indian tribes is permitted by the Constitution and confirmed by the courts..

By Mr. JONES:

H.R. 2761.

Congress has the power to enact this legislation pursuant to the following:

The Sanctity of Life Act is authorized by Article 1, Section 8 and Article 3, Section 1 which gives the Congress power to establish and limit the jurisdiction of lower federal courts as well as Article III, Section 2 which gives Congress the power to make exceptions to Supreme Court regulations.

By Mr. MCNERNEY:

H.R. 2762.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. MCNERNEY:

H.R. 2763.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Ms. ROYBAL-ALLARD:

H.R. 2764.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. SALMON:

H.R. 2765.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

By Ms. SPEIER:

H.R. 2766.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 20: Ms. JACKSON LEE.

H.R. 169: Mr. ABRAHAM.

H.R. 213: Ms. DUCKWORTH.

H.R. 237: Mr. BABIN.

H.R. 282: Mr. HIGGINS and Mr. HASTINGS.

H.R. 292: Mr. JOHNSON of Georgia and Mr. WALDEN.

H.R. 304: Mr. LEWIS and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 341: Mr. STIVERS and Mr. JONES.

H.R. 381: Mr. THOMPSON of Mississippi and Ms. DELAURO.

H.R. 427: Mr. KNIGHT.

H.R. 467: Mr. BEYER.

H.R. 511: Mr. BLUM and Mr. GUTHRIE

H.R. 540: Mrs. WATSON COLEMAN and Mr. CARTER of Georgia.

H.R. 556: Mr. YOUNG of Iowa, Ms. LOFGREN, Ms. CASTOR of Florida, Mr. STIVERS, and Mr. SHUSTER.
H.R. 619: Mr. COHEN.
H.R. 680: Ms. LEE, Mr. HASTINGS, and Ms. MCCOLLUM.
H.R. 702: Ms. MCSALLY.
H.R. 721: Mr. LOBIONDO, Mr. GRAVES of Louisiana, Mr. CICILLINE, Mrs. CAPPS, Mr. LUETKEMEYER, and Mr. SCHRADER.
H.R. 746: Mr. CARTWRIGHT.
H.R. 767: Mr. TONKO, Mr. CURBELO of Florida, and Mr. YOUNG of Iowa.
H.R. 774: Mr. MCCAUL, Mr. MOULTON, Mr. HONDA, and Mr. BYRNE.
H.R. 879: Mr. CULBERSON.
H.R. 882: Mr. ELLISON.
H.R. 918: Mr. AUSTIN SCOTT of Georgia.
H.R. 973: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 985: Mr. HUFFMAN.
H.R. 1062: Mr. BRAT and Mr. COHEN.
H.R. 1088: Ms. ESTY.
H.R. 1114: Mr. JOHNSON of Ohio.
H.R. 1142: Mr. DOLD, Mr. FITZPATRICK, and Ms. DELBENE.
H.R. 1196: Mr. BABIN.
H.R. 1197: Mr. JODY B. HICE of Georgia and Mr. YOUNG of Iowa.
H.R. 1234: Mr. BRAT.
H.R. 1283: Mr. GOHMERT.
H.R. 1288: Mr. BEYER, Mrs. NAPOLITANO, and Ms. MCCOLLUM.
H.R. 1388: Mr. JOYCE and Mr. LUETKEMEYER.
H.R. 1401: Ms. JACKSON LEE, Mr. BILIRAKIS, and Mr. NEAL.
H.R. 1427: Mr. JOHNSON of Georgia, Ms. MATSUI, Mr. YOUNG of Iowa, and Mr. LARSON of Connecticut.
H.R. 1462: Mr. YOUNG of Iowa.
H.R. 1475: Mr. THOMPSON of Pennsylvania and Mr. THOMPSON of Mississippi.
H.R. 1479: Mr. RIBBLE.
H.R. 1505: Mr. POSEY and Mr. WILSON of South Carolina.
H.R. 1566: Mr. SMITH of Texas.
H.R. 1608: Mr. ELLISON, Mrs. MCMORRIS RODGERS, Mr. MEEHAN, and Mr. HONDA.
H.R. 1635: Mr. DUNCAN of Tennessee.
H.R. 1643: Mr. FARENTHOLD.
H.R. 1683: Mr. CALVERT.
H.R. 1760: Mr. CURBELO of Florida.
H.R. 1768: Mr. CULBERSON.
H.R. 1814: Mr. TED LIEU of California, Mr. WALZ, Mr. COHEN, Ms. TITUS, Mr. FORTENBERRY, Mr. KENNEDY, Mr. PETERS, and Ms. STEFANIK.
H.R. 1834: Ms. KUSTER.
H.R. 1853: Mr. GROTHMAN, Mr. HUELSKAMP, Mr. LANCE, Mr. RUSH, and Ms. BROWNLEY of California.
H.R. 1859: Ms. NORTON.
H.R. 1901: Mr. CULBERSON.
H.R. 1910: Mrs. DINGELL and Mr. HIGGINS.
H.R. 1920: Mr. CLAWSON of Florida and Mr. YARMUTH.
H.R. 1921: Mr. YARMUTH.
H.R. 1935: Mr. WILSON of South Carolina, Mr. BISHOP of Michigan, and Mr. PALAZZO.
H.R. 2042: Mr. HUDSON, Mr. BABIN, Mr. ABRAHAM, Mr. TIPTON, Mr. ZINKE, Mr. SENSENBRENNER, Mr. BRIDENSTINE, Mr. MCCAUL, Mr. BILIRAKIS, Mr. RIBBLE, Mrs. BROOKS of Indiana, Mrs. ROBY, Mr. BARTON, Mr. SHUSTER, Mr. JOLLY, Mr. ASHFORD, Mr. LUETKEMEYER, and Mr. CARTER of Georgia.
H.R. 2050: Mr. RODNEY DAVIS of Illinois and Mrs. KIRKPATRICK.
H.R. 2061: Mr. PEARCE.
H.R. 2140: Mr. POE of Texas.
H.R. 2145: Mr. O'ROURKE.
H.R. 2147: Mr. THOMPSON of Mississippi, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. BEYER, Mrs. LAWRENCE, and Mr. RICHMOND.
H.R. 2149: Mr. COHEN.
H.R. 2156: Mr. GOODLATTE.
H.R. 2209: Ms. SINEMA.
H.R. 2255: Mr. ROKITA.
H.R. 2259: Mr. JOHNSON of Ohio.
H.R. 2290: Mr. GUINTA, Mr. ABRAHAM, and Mr. GIBBS.
H.R. 2293: Mr. KILMER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DOLD, Mr. AUSTIN SCOTT of Georgia, Mr. ENGEL, Mr. FRELINGHUYSEN, Mr. VAN HOLLEN, Mr. PETERS, Ms. JUDY CHU of California, Mr. SMITH of Washington, Mr. LOBIONDO, Mr. GRIJALVA, Ms. DELAURO, Ms. ESTY, Ms. WILSON of Florida, Mr. ELLISON, Ms. TITUS, Mr. VISCLOSKY, Mr. HECK of Nevada, Mr. CONNOLLY, Ms. FRANKEL of Florida, Mr. WELCH, Mr. KELLY of Pennsylvania, Mr. HASTINGS, Mr. BUCHANAN, Mrs. DAVIS of California, Mr. FARR, Mr. CICILLINE, Mr. CALVERT, Mr. COFFMAN, Mr. O'ROURKE, Mr. SWALWELL of California, Ms. PINGREE, Mr. FITZPATRICK, Mr. SCHIFF, and Mr. TURNER.
H.R. 2315: Mr. THOMPSON of California, Mr. JOHNSON of Ohio, and Ms. GRAHAM.
H.R. 2358: Mr. COLE.
H.R. 2400: Mr. BILIRAKIS, Mrs. LUMMIS, and Mr. SMITH of Texas.
H.R. 2404: Mrs. KIRKPATRICK and Ms. LORETTA SANCHEZ of California.
H.R. 2431: Mr. LOBIONDO.
H.R. 2449: Ms. WILSON of Florida, Ms. ADAMS, Mr. QUIGLEY, Mr. ELLISON, Mr. GRIJALVA, Ms. FRANKEL of Florida, and Mr. DANNY K. DAVIS of Illinois.
H.R. 2460: Mr. WALZ and Mr. KING of New York.
H.R. 2490: Mr. BLUM.
H.R. 2493: Mr. ISRAEL, Mr. DEUTCH, Mr. CONNOLLY, Mrs. BEATTY, Mr. CRAMER, Ms. DELAURO, Mr. JONES, Mr. TED LIEU of California, Mr. KEATING, Mr. CARTWRIGHT, Ms. PLASKETT, Ms. SLAUGHTER, and Mr. SARBANES.
H.R. 2510: Mr. BISHOP of Michigan, Mr. LOEBSACK, Mr. ABRAHAM, and Mr. YOUNG of Iowa.
H.R. 2522: Mr. THOMPSON of Mississippi, Ms. CLARKE of New York, and Ms. PLASKETT.
H.R. 2523: Ms. MCCOLLUM.
H.R. 2530: Ms. MENG and Mr. WELCH.
H.R. 2606: Mr. WEBER of Texas, Mr. MCCLINTOCK, and Mr. ROE of Tennessee.
H.R. 2643: Mr. RUSSELL, Mr. CRAMER, Mr. BARR, and Mr. MULLIN.
H.R. 2646: Mr. FORTENBERRY and Mr. GUTHRIE.
H.R. 2647: Mr. RIBBLE.
H.R. 2652: Mr. ROE of Tennessee, Mr. RUSSELL, and Mr. GROTHMAN.
H.R. 2654: Mr. COHEN, Mr. WELCH, Mr. JEFFRIES, Mr. LARSON of Connecticut, Mr. PAYNE, Mr. RUIZ, and Mr. KILDEE.
H.R. 2655: Mr. KILMER.
H.R. 2663: Mr. BLUM, Ms. MCSALLY, and Mr. CONNOLLY.
H.R. 2680: Ms. LOFGREN.
H.R. 2694: Mr. TED LIEU of California.
H.R. 2698: Mr. FINCHER.
H.R. 2719: Mr. YOUNG of Alaska, Mr. HUFFMAN, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2726: Mr. NUGENT, Mr. PERLMUTTER, and Mr. CLAWSON of Florida.
H.R. 2740: Mr. SERRANO, Mr. DOLD, and Mrs. TORRES.
H. Con. Res. 26: Mr. CARTER of Georgia.
H. Con. Res. 49: Mr. PERRY.
H. Con. Res. 56: Mr. BOST, Mr. RODNEY DAVIS of Illinois, and Mr. LANCE.
H. Res. 110: Ms. ROS-LEHTINEN.
H. Res. 112: Mr. CARTWRIGHT.
H. Res. 130: Mr. BISHOP of Georgia and Mr. JOHNSON of Ohio.
H. Res. 147: Ms. KELLY of Illinois, Mr. HASTINGS, Mr. DANNY K. DAVIS of Illinois, Mr. RANGEL, Mr. FATTAH, Mr. LEWIS, Ms. PLASKETT, Mr. CONYERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLAY, Ms. LEE, Mr. RUSH, Mrs. WATSON COLEMAN, Mr. JEFFRIES, Mr. CARSON of Indiana, Mr. BUTTERFIELD, Ms. CLARKE of New York, Ms. FUDGE, Mr. AL GREEN of Texas, Ms. JACKSON LEE, Ms. MOORE, Mr. CLYBURN, Mr. THOMPSON of Mississippi, Mrs. BEATTY, Mr. RICHMOND, Mr. VEASEY, Mr. BISHOP of Georgia, Mrs. LAWRENCE, Mr. ELLISON, Ms. MAXINE WATERS of California, Mr. JOHNSON of Georgia, Mr. CLEAVER, Mr. ENGEL, Ms. FRANKEL of Florida, Mr. MEEKS, and Mr. DEUTCH.
H. Res. 203: Mr. COHEN.
H. Res. 230: Mrs. LOWEY and Mr. DOLD.
H. Res. 233: Mr. JOHNSON of Ohio.
H. Res. 235: Mr. SIMPSON.
H. Res. 259: Mr. BRADY of Pennsylvania.
H. Res. 262: Mr. POCAN and Ms. NORTON.
H. Res. 284: Ms. BORDALLO and Ms. WASSERMAN SCHULTZ.
H. Res. 286: Mr. BENISHEK.
H. Res. 290: Mr. FRANKS of Arizona and Mr. VARGAS.
H. Res. 294: Mr. STEWART.
H. Res. 296: Mr. MEEKS.

EXTENSIONS OF REMARKS

RECOGNIZING DONNA LEITERMANN FOR HER HARD WORK AND DEDICATION AS A PUBLIC SERVANT IN THE FIFTH DISTRICT

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. KILDEE. Mr. Speaker, I ask the United States House of Representatives to join me in recognizing Donna Leitermann as she transitions from Bangor Township Treasurer to Bay City Treasurer. She will start her new career with the city on June 22, 2015.

Ms. Leitermann began her work as a public servant as Deputy Treasurer in December 1992. Two years later, she was elected as Bangor Township Treasurer and continued to serve for five terms.

Concurrent to serving as Bangor Township Treasurer, Ms. Leitermann was the treasurer of Bangor Township Downtown Development Authority and committee member of Bangor Township Department of Public Works. For two decades, there has not been a major infrastructure project in Bangor Township for which she was not responsible.

Public servants like Donna Leitermann deserve respect and appreciation. Every day, she has done important work that has positively affected her community. Ms. Leitermann has also been a member and past president of the Bay County Treasurer's Association, member of the Michigan Treasurer's Association, and treasurer and board director of Bay Future of Bay County.

Mr. Speaker, I applaud Donna Leitermann for her commitment to public service and thank her for diligently serving as Bangor Township Treasurer these past 21 years. I wish her all the luck as she begins a new chapter as Bay City Treasurer.

IN HONOR OF THE LAUNCHING OF DIRECT FLIGHTS BETWEEN HOUSTON GEORGE BUSH INTERCONTINENTAL AIRPORT (IAH) AND TAIWAN TAOYUAN INTERNATIONAL AIRPORT (TPE)

HON. JOHN ABNEY CULBERSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. CULBERSON. Mr. Speaker, I rise today to celebrate the launch of direct flights between Taipei and Houston. The inaugural flight BR–52 is scheduled to arrive in Houston Airport at around 4:30 p.m. on June 19th, 2015. The new direct service will make it easier for my constituents to travel to Taiwan and destinations throughout Asia for both business and leisure.

The United States and Taiwan share a thriving economic partnership. The new direct route will further enhance our close relationship by promoting business and tourism, which will result in new jobs and economic benefits for my constituents and all of Texas.

Mr. Speaker, it is an honor to recognize and congratulate Houston Airport, U.S. and Taiwanese officials involved, and the large Taiwanese-American community in Houston for their years of effort to achieve this significant milestone.

RECOGNIZING DIANE GERBER

HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. DONOVAN. Mr. Speaker, I rise today to recognize the tireless dedication of Staten Island's Diane Gerber in serving our veterans.

Originally from Brooklyn, Diane currently resides on Staten Island, and as a grandmother of eight, who single-handedly raised three children, she found time to commit 25 years to the American Legion's Cespino Russo Auxiliary Unit #1544.

Ms. Gerber served on American Legion Auxiliary Unit and County committees. She later ascended to the roles of Secretary, Vice President, and President. While serving as chair of these committees, she was the model of a true American citizen: fundraising to purchase holiday gifts for hospitalized veterans and helping bridge the educational gap by granting scholarships to many students.

During her term as President, she geared her attention toward her project, ''Soldier's Wish—Making Our Heroes' Wishes Come True.'' Through her leadership, over $57,000 has been raised so far. These funds are dedicated to identify the un-met needs of uniformed heroes regardless of rank or branch of service.

Mr. Speaker, Diane Gerber's commitment to improving and supporting the lives of those who have served our great nation is the perfect example of a model American citizen. I commend her outstanding achievements and I am proud to honor this hero from New York's 11th District.

THE GOLDMAN ACT TO RETURN ABDUCTED AMERICAN CHILDREN: ASSESSING THE COMPLIANCE REPORT AND REQUIRED ACTION

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. SMITH of New Jersey. Mr. Speaker, international parental child abduction rips children from their homes and families and whisks them away to a foreign land, alienating them from the love and care of the parent and family left behind. Child abduction is child abuse, and it continues to plague families across the United States.

Every year, an estimated 1,000 American children are unlawfully removed from their homes by one of their parents and taken across international borders. Less than half of these children ever come home.

The problem is so consequential and the State Department's previous approach of ''quiet diplomacy'' so inadequate, that Congress unanimously passed the Goldman Act last year to give teeth to requests for return and access. These actions increase in severity, and range from official protests through diplomatic channels, to extradition, to the suspension of development, security, or other foreign assistance.

The Goldman Act is a law calculated to get results, as we did in the return of Sean Goldman from Brazil in 2008.

But a law is only as good as its implementation.

Broken-hearted parents across America waited four years for the Goldman Act to become law and still await full U.S. government implementation of the law.

The State Department's first annual report that we are reviewing today should be a roadmap for action.

The State Department must get this report right in order for the law to be an effective tool.

If the report fails to accurately identify problem countries, the actions I mentioned above are not triggered.

Countries should be listed if they have high numbers of cases—30 percent or more—that have been pending over a year or if they regularly fail to enforce return orders, or if they have failed to take appropriates steps in even a single abduction case pending more than a year.

Once these countries are properly identified, the Secretary of State then determines which of the aforementioned actions the U.S. will apply to the country in order to encourage the timely resolution of abduction and access cases.

While the State Department has choice of which actions to apply, and can waive actions for up to 180 days, the State Department does not have discretion over whether to report accurately to Congress on the country's record, or on whether the country is objectively a noncompliant.

As we have seen in the human trafficking context, (I authored both the Trafficking Victims Protection Act of 2000 as well as the Goldman Act) accurate accounting of a country's record, especially in comparison with other countries, can do wonders to prod much needed reforms.

Accurate reporting is also critical to family court judges across the country and parents considering their child's travel to a foreign country where abduction or access problems are a risk.

The stakes are high: misleading or incomplete information could mean the loss of another American child to abduction.

For example, a judge might look at the report table filled with zeros in the unresolved cases category, erroneously conclude that a particular country is not of concern, and give permission to an estranged spouse to return to their country with the child for a vacation. The taking parent then abducts the child and the left behind parent then spends her life savings and many years trying to get her child returned to the U.S. All of which could have been avoided with accurate reporting on the danger.

I am very concerned that the first annual report contains major gaps and even misleading information, especially when it comes to countries with which we have the most intractable abduction cases.

For instance, the report indicates that India, which has consistently been in the top five destinations for abducted American children, had 19 new cases in 2014, 22 resolved cases and no unresolved cases. However, we know from the National Center for Missing and Exploited Children (NCMEC) that India has 53 open abduction cases—and that 51 have been pending for more than 1 year.

The report shows zero new cases in Tunisia for last year, 3 resolved cases, and zero unresolved cases. And yet Ms. Edeanna Barbirou testified to her more than 3-year battle to bring her children home from Tunisia. NCMEC's numbers show 6 ongoing abductions in Tunisia, all of which have been pending for more than a year.

Nowhere is the report's disconnect with reality more clear than in its handling of Japan, a country that has never issued and enforced a return order for a single one of the hundreds of American children abducted there, and was not listed as a country showing failing to cooperate in returns.

In March, nearly two months before the annual report was released, I chaired a hearing in the subcommittee which I chair featuring Ambassador Susan Jacobs in which it was made perfectly clear that, ''Congress expects that Japan will be evaluated not just on its handling of new abduction cases after it joined the Hague Convention last year, but on its work to resolve ALL open abduction cases,'' including the more than 50 cases I and others have been raising with the State Department for the last 5 years.

Among such cases is that of Sgt. Michael Elias, who has not seen his children, Jade and Michael Jr., since 2008. Michael served as a Marine who saw combat in Iraq. His wife, who worked in the Japanese consulate, used documents fraudulently obtained with the apparent complicity of Japanese consulate personnel to kidnap their children, then aged 4 and 2, in defiance of a court order, telling Michael on a phone call that there was nothing that he could do, as ''my country will protect me.''

Her country, very worried about its designation in the new report, sent a high-level delegation in March to meet with Ambassador Jacobs and explain why Japan should be excused from being listed as ''non-compliant,'' despite the fact that more than one year after signing the Hague Convention on the Civil Aspects of International Child Abduction, Japan has ordered zero returns to the U.S.

Just before the report was released in May—two weeks late—Takashi Okada, Deputy Director General in the Secretariat of the Ministry of Foreign Affairs, told the Japanese Diet that he had been in consultation with the State Department and ''because we strived to make an explanation to the U.S. side, I hope that the report contents will be based on our country's efforts.''

In other words, Japan got a pass from the State Department and escaped the list of countries facing action by the U.S. for their failure to resolve abduction cases based on what Mr. Okada euphemistically refers to as ''efforts,'' not results.

Sgt. Michael Elias's country has utterly failed to protect him. He has seen zero progress in his case over the last year—the 7th year of his heart-wrenching ordeal—and yet the State Department cannot even bring itself to hold Japan accountable by naming Japan an offender in the annual report.

It is disappointing, discouraging, and disgraceful. The report whitewashes Japan's egregious record on parental child abduction.

Adding insult to injury, the report table that was to show the unresolved abduction cases in Japan failed to include a single one of the more than 50 cases, 36 of which have been dragging on for more than 5 years, according to the National Center for Missing and Exploited Children. Instead, the table listed Japan has having a 43% resolution rate.

Japan has never issued and enforced a return order for an American child. These young victims, like their left-behind parents, are American citizens who need the help of their government.

The Goldman Act is clear: All requests for return that the State Department submitted to the foreign ministry and that remained unresolved 12 months later are to be counted against Japan. Nearly 100% of the abduction cases to Japan remain open; and the report's conclusion of 43% resolution is indefensible.

Moreover, not a single left behind parent pursuing access was allowed in-person contact with their child over the last year.

The Goldman Act has given the State Department new and powerful tools to bring Japan, and other countries, to the resolution table. The goal is not to disrupt relations but to heal the painful rifts caused by international child abduction.

The question still remains, will the State Department use the Goldman Act as required by law?

I appreciate the Department's presence at yesterday's hearing to discuss ways that we can improve the report and ensure that it fulfills the purposes for which it was intended—namely, the prevention of abduction and the reunification of the thousands of American families that have been suffering forced separation for too long.

WELCOMING THE TAIPEI ECONOMIC AND CULTURAL OFFICE, TECO, TO DENVER

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. COFFMAN. Mr. Speaker, I wish to welcome the Taipei Economic and Cultural Office, TECO, to the city of Denver. The establishment of this important office in Denver is a testament to the strong relationship the people of Colorado have developed over the years with the people of Taiwan. Colorado counts Taiwan as its 6th largest Asian trading partner and its 13th overall trading partner. Locating this office in Denver not only reflects the depth of our current relationship with Taiwan but will surely contribute to deepening our trade, education, and cultural ties in the coming years.

My district in Colorado has a growing Taiwanese population and their presence greatly enriches the district economically, culturally, and civically. Taiwanese entrepreneurs, business community, civic leaders, and students contribute greatly to our community. Over the past 50 years Taiwan has also proven itself as a significant political, economic, and security partner of the United States and I fully expect that strong relationship to grow even stronger in the years to come.

Having Taiwan as a meaningful partner clearly benefits both of our citizens, and I am proud that Colorado now has a direct relationship with Taiwan through the Taipei Economic and Cultural Office.

I look forward doing whatever I can to further enhance our close and growing relationship.

MIDDLE EAST WARS ARE A HORRIBLE MISTAKE

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. DUNCAN of Tennessee. Mr. Speaker, Thomas Sowell is one of this Nation's most-respected economists and syndicated columnists.

His latest column is about the lessons we should learn from our seemingly-endless war in Iraq.

Mr. Sowell wrote: ''Going back to square one, what lessons might we learn from the whole experience of the Iraq War?

If nothing else, we should never again imagine that we can engage in ''nation-building'' in the sweeping sense that term acquired in Iraq—least of all building a democratic Arab nation in a region of the world that has never had such a thing in a history that goes back thousands of years.''

Mr. Sowell is right.

It has been a horrible mistake for this Nation to spend trillions of dollars on unnecessary wars in the Middle East.

We should never have gotten involved in all these civil wars between Shi'a and Sunni.

Yet, we keep on pouring mega-billions down these ratholes, voting for even more billions over there as recently as yesterday. When will we ever learn?

HONORING THE ROTARY CLUB OF NORTH CHICAGO AND THE RECIPIENTS OF THE ROTARY HUMANITARIAN PATRIOT AWARD

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. DOLD. Mr. Speaker, I rise today to pay tribute to the outstanding community service of The Rotary Club of North Chicago and to recognize this year's recipients of The Rotary Humanitarian Patriot Award.

The Rotary Humanitarian Patriot Program was established by The Rotary Club of North Chicago in 2013 with three primary objectives: 1) recognizing individuals throughout Northeast Illinois who are the best at providing humanitarian support for our United Armed Forces Veterans and their families; 2) highlighting veteran services provided by local North Chicago institutions including the Captain James A. Lovell Federal Health Care Center and its integrated relationships with the active duty component at Great Lakes Naval Training Center and Rosalind Franklin University College of Medicine and Science; and 3) supporting research, treatment, and awareness for individuals living with post-traumatic stress disorder and traumatic brain injury.

Rotary was founded on the principle of service, and The Rotary Humanitarian Patriot Program is an inspiring extension of this mission. The award recipients all demonstrate an extraordinary sense of commitment to the men and women of our armed forces. These individuals understand that veterans have sacrificed greatly for this country and deserve nothing less than our highest gratitude and respect.

Mr. Speaker, I congratulate this year's recipients of The Rotary Humanitarian Patriot Award: Bryan Anderson, Joyce Campbell, Mary Carmody, Larry Crone, Jeff Harger, Gander the Service Dog, Lon Hodges, Robert Kauffman, Don Long, Rob Paddor, Judge John Philips, Anthony Sarpe, Craig Steichen, Matt Steichen, Angela Walker, Scott Watkins, Bill Wolff, Michael Woods, and Frank Yurasek.

Even more so, I thank these outstanding individuals and canine for the incredible work they continue to do. Their service strengthens our communities and our country, and I am grateful for the work of The Rotary Club of North Chicago and all of this year's honorees.

CONGRATULATING MR. D. EDWARD SMYTH ON HIS RETIREMENT

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. NADLER. Mr. Speaker, I rise to honor D. Edward ("Ted") Smyth on his retirement from McGraw Hill Financial, following a distinguished career at the highest levels of government and business.

In 2009, Ted joined the company as its Executive Vice President for Corporate Affairs, overseeing worldwide marketing, communications, government affairs and corporate responsibility. During his tenure, Ted helped lead the company's transformation into a focused provider of credit ratings, benchmarks and analytics to the financial marketplace, with marquee brands that include Standard & Poor's, Platts and J.D. Power. He also lent his expertise in corporate governance to the company's Board of Directors and served as a trusted counselor to two chief executive officers: Harold W. ("Terry") McGraw, III, and more recently, Douglas L. Peterson.

Ted came to McGraw Hill Financial after more than two decades at H.J. Heinz Company, where he held the dual roles of Senior Vice President for Corporate and Government Affairs and Chief Administrative Officer. In his time at Heinz, Ted created world-class communications and government relations functions and chaired both the Heinz Global Communications Committee and the Heinz Crisis and Issues Committee, reporting directly to Bill Johnson, Heinz's former chairman, president and CEO. Ted also built and sustained the company's talent management process, designed to attract and retain the best minds in the food industry.

Prior to joining Heinz in 1988, Ted spent 15 years as a senior diplomat for Ireland, serving in embassies and offices in Geneva, Portugal, Washington, D.C. and London. Among the many highlights of his diplomatic career, Ted served as a delegate to the 36-nation Conference on Security and Cooperation in Europe (CSCE) in Switzerland and was a special advisor to the Irish Prime Minister in seeking a peaceful resolution to the Northern Ireland conflict. Ted also was a member of the Secretariat of the New Ireland Forum and was Press Secretary for the Irish government in the United Kingdom.

A talented writer and sought-after speaker, Ted has authored numerous articles on public policy, has participated in leading conferences worldwide and has contributed thoughtful bylines to several leading newspapers. He lends his considerable leadership skills to a number of organizations, currently serving as a Director of Glucksman Ireland House at New York University, a member of the Global Studies Program of the Center for International Studies at the University of Pittsburgh, a trustee of the Clinton Institute in University College, Dublin, and a trustee of Marlboro College, Vermont. He also is a former Director of the Hain Celestial Company, the Africa America Institute and the Ireland Funds. Ted graduated with honors in History and Political Science from Trinity College in Dublin.

Mr. Speaker, apart from his countless accomplishments, Ted Smyth is a true gentleman and a friend to all who know him. I am honored to ask my colleagues to join me in thanking Ted for his many contributions and congratulating him on his remarkable career.

CONGRATULATING THE D.C. CHAPTER OF THE BLACK DATA PROCESSING ASSOCIATES ON ITS 37TH ANNIVERSARY

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in congratulating the District of Columbia chapter of the Black Data Processing Associates (BDPA) on its 37th anniversary of service to the residents of the District of Columbia and the national capital region.

Founded in May 1978 by Norman Mays, the D.C. chapter is the second chapter of BDPA formed, preceded only by the Philadelphia, Pennsylvania chapter, 1977. In 1979, BDPA was restructured as a national organization, and has 45 active chapters across the United States.

As the oldest and largest African American information technology (IT) organization, comprised of over 2,000 African-American IT professionals, as well as science, technology, engineering and math (STEM) college students, BDPA's vision is to be a powerful advocate for their interests within the global technology industry. Its mission is to be a global, member-focused technology organization that delivers programs and services for the professional well-being of its members.

BDPA continues to promote professional growth and technical development for young people and those entering into information and communication technology (ICT) in academia and corporate America. We also appreciate BDPA and its 45 chapters for continuing to provide ICT opportunities for STEM students and professionals.

Mr. Speaker, I ask the House of Representatives to join me in celebrating the 37th anniversary of the D.C. chapter of the Black Data Processing Associates, in congratulating BDPA for its outstanding accomplishments and commitment to the residents of the District of Columbia and around the country, and in welcoming those attending the BDPA Annual National Technology Conference and Career Fair, titled "Evolution of IT—Embracing the Digital Future," on August 18–22, 2015, at the Washington Hilton Hotel.

HONORING NORTH CAROLINA STATE UNIVERSITY WRESTLER, NICK GWIAZDOWSKI

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate Nick Gwiazdowski, a member of the North Carolina State University wrestling team, on winning his second straight NCAA Division I Individual Championship.

Mr. Gwiazdowski is the first Wolfpack wrestler to ever win multiple NCAA titles and one of the most successful student-athletes in NC State's history. He finished this season with a perfect 35–0 record and holds a record of 55 straight wins since last year—the nation's longest current winning streak.

North Carolina State has a long history of success in wrestling, with seven national championships. Gwiazdowski's remarkable victory—17 seconds into the championship match—adds yet another chapter to that storied tradition.

Congratulations to Nick Gwiazdowski. Wolfpack fans everywhere are proud of your championship and look forward to your senior season next year and the promise of a threepeat.

OUR SHREDDED FLAG

HON. JOSEPH J. HECK

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. HECK of Nevada. Mr. Speaker, recently, I was contacted by a constituent, Colonel Paul Dudley, United States Air Force, Retired. He wrote to express his patriotic feelings for our country and the treatment of our flag. Attached to his letter was a poem he wrote titled, "Our Shredded Flag." Since this Sunday, June 14th, is Flag Day, I thought it appropriate to submit his poem.

I am a United States of America shredded flag.
I fly from the roof of many typical American homes.
Some time ago, I was new and radiant when they placed me there,
But the wind and rain have reduced me to strings of red, white, and blue.
Sometimes I fly from vehicles until I am torn to shreds;
Though I still wave proudly, and can be recognized, I need replaced,
And here's why:
Brave military have carried me into battles in many wars
To save and preserve our nation, and restore peace.
I fly proudly above our military bases and naval vessels
To show that we are, yet today, a nation of strength and honor.
Our Veterans, Soldiers, Sailors, Airmen, Marines and Coast Guard
Still honor me, care for me, protect me, and rescue me when torn;
With them, I am in good hands.
When they see that I am weathering from the elements,
They take me down and honorably, ceremonially give me final rest,
And as a service to those citizens who do not seem to know, or do the same,
They do it for them, with great respect and understanding.
I am called ''Old Glory'', ''The Star Spangled Banner'', and other respected names,
Which make me flow and flutter proudly in the wind,
For I am the true vision of our great nation.
I represent a people who have achieved their freedom;
I remind a people of the sacrifices that we have made to keep it;
I go off to war with the greatest warriors, many who die defending it;
And I grieve when draped over their coffins when they are returned.
I am placed into the hands of their greatest loved ones
To honor them and remember them forevermore.
Those who dishonor me, stomp on me, and burn me, only destroy my cloth.
My meaning, my purpose, my honor and representation still live on;
These cannot be taken away so long as there remains a United States of America.
So, fellow citizens, protect what I stand for, not for me, but for you;
For I am merely dye on cloth with a God blessed meaning.
Honor me; respect me for what I represent,
And I will fly over you wherever, and forever.
I am the ''Stars and Stripes Forever''.

Written by Paul Frederick Dudley, Colonel, USAF (Ret) USMC (WWII) USAF (Vietnam) March 6, 2011.

RECOGNIZING DR. STEVEN A. LOOMIS

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. COFFMAN. Mr. Speaker, I rise today to recognize my constituent, Dr. Steven A. Loomis of Littleton, Colorado. Dr. Loomis will soon be elected the 93rd president of the American Optometric Association (AOA) during their 118th annual meeting on June 27, 2015, in Seattle, Washington.

Dr. Loomis is a graduate of Pacific University College of Optometry and owns Mountain Vista EyeCare and Dry Eye Center in Littleton, Colorado. He was first elected to the American Optometric Association Board of Trustees in 2007, and elected President-Elect at the 117th Annual AOA Congress & 44th Annual AOSA Conference: Optometry's Meeting in June 2014. Dr. Loomis has continuously proven to be a leader in his profession at the local, state, and national levels. In addition to his duties as President-Elect, Dr. Loomis is chair of the AOA Building Committee and serves as a member of the AOA Agenda, Executive, and Personnel Committees.

Dr. Loomis' enthusiasm for optometry and commitment to excellence in eye and vision care has earned him this prestigious national office. I take great pride representing Dr. Loomis in Colorado's Sixth Congressional District and I join his family, friends, and colleagues in congratulating him on this achievement. I am confident that he will have a very successful term as president of the AOA and I wish him the very best of luck.

MAYOR KURT D. DYKSTRA

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to recognize the Honorable Kurt D. Dykstra and his commendable service to the City of Holland as its 40th Mayor.

Mayor Dykstra was the first of his family to attend college, and earned his Bachelor of Arts degree, Magna Cum Laude, at Northwestern College, in Orange City, Iowa, and his Juris Doctor at Marquette University Law School, in Milwaukee, Wisconsin, graduating first in class, Summa Cum Laude.

Mayor Dykstra has been a member of the City Council since 2005 and represented Holland's fifth ward until his election to Mayor. As Holland's mayor since 2009, he has provided strong leadership for this thriving and successful lakefront city. Today, Holland is a bright, vibrant city thanks to his vision and leadership.

During his tenure, Holland was named the 2013 winner of Outstanding Achievement in Heritage Preservation, the 2012 winner of Environmental Efforts, named in Forbes list of America's Prettiest Towns, a Top Five Safest Cities in the U.S., and the 3rd Best Place for Families in the U.S.

Mayor Dykstra's record of successful leadership has enabled the City of Holland to continue to be recognized as a place to live, work and play. Under Mayor Dykstra, the city has become a place where businesses are able to grow, strong and safe neighborhoods flourish, and visitors are warmly welcomed. The City of Holland has been well served by his tenure.

I wish Mayor Dykstra the best of luck as he leaves West Michigan to become President of Trinity Christian College.

I ask my colleagues to join me in honoring Mayor Kurt Dykstra for his service to the City of Holland.

HONORING THE GLEN MOORE FIRE COMPANY

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. MEEHAN. Mr. Speaker, I rise today to congratulate the Glen Moore Fire Company on its 100th anniversary of serving and protecting families in Chester County.

Glen Moore's first apparatus was horse-drawn. It was bought for $100 in 1915 after local residents saw the need for fire protection in the community. Since then, the Company has grown and thrived and the Glen Moore area now benefits from the protection of a highly-trained team of expert officers and members, modern apparatus and equipment.

Mr. Speaker, in 2014 alone, the Glen Moore Fire Company responded to more than 300 incidents—one every 29 hours. We are grateful to the fine firefighters of the Glen Moore Fire Company and I wish them another 100 years of success in serving the community.

HONORING COUNCILMAN THOMAS D. MISERENDINO

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. MACARTHUR. Mr. Speaker, I rise today to honor Navy and Vietnam veteran Thomas Miserendino of New Jersey's Third Congressional District, who passed away last week, and express my deepest condolences to his family and friends.

Councilman Miserendino served our country valiantly during the Vietnam War and in his position as Senior Chief of the U.S. Navy. Councilman Miserendino continued his service to the country after his time in the Navy by actively serving his community.

Among his many volunteer services he was a Councilman to the Borough of Beachwood, the longest serving Chief of Beachwood Volunteer Fire Company, Ocean County manager for the NJ Firemen's Home, Secretary of the Beachwood Fire Relief Association, Life member of Ocean County Firemen's Association and past board member for Toms River Board of Education.

Mr. Speaker, South Jersey is tremendously grateful for Councilman Thomas Miserendino's service to our nation and its communities. It is my honor to recognize his service and achievements before the United States House of Representatives.

YOUNG AMERICA'S NATIONAL HIGH SCHOOL LEADERSHIP CONFERENCE

HON. ALEXANDER X. MOONEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. MOONEY of West Virginia. Mr. Speaker, I would like to congratulate all of the students who will take part in the Young America's National High School Leadership Conference from July 8th to 11th. At this conference, the students will learn leadership

skills along with discussing the ideas of individual freedom, a strong national defense, free enterprise, and traditional values. It is extremely important for young people in the United States to learn about the virtues of these ideas.

I join with the students' families and friends in wishing these young conservative leaders a successful conference, and excellent time in our nation's capital.

HONORING THE LIFE OF ANTHONY ''TONY'' GIANNETTA

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. COSTA. Mr. Speaker, I rise today to honor the life of Anthony Dominic ''Tony'' Giannetta, who passed away on May 30, 2015, at the age of 94. As the founder of Hallmark Homes, Tony helped expand the California home building industry and devoted much of his life to maintaining it. His kind heart, talent, and contributions to the Central Valley will be greatly missed.

Tony was born on November 7, 1920, in Fresno, California. Raised in Fresno, Tony graduated from Edison High School. He married Alice Therese Baraldi on November 22, 1942, and shortly thereafter the two moved to Marysville, CA, to fulfill Tony's duties in the United States Army. After the war the couple moved back to Fresno, where they settled and raised six sons.

During the late 1940's, Tony began his career in the home building industry as a carpenter. In 1951 Tony and John Mortillaro formed the Quality Homes Construction Company, which merged with the Cetti Brothers Construction Company a year later. Under the Hallmark Homes name, the company developed 27 subdivisions and built more than 4,500 homes in the Fresno, Clovis, and Madera areas, in addition to the construction of many commercial projects. This made Hallmark Homes one of the largest regional builders for three decades, and it marked the association of the name Tony Giannetta within the home building industry. In fact, the two became synonymous in Fresno.

Tony was a member of the Building Industry Association of the San Joaquin Valley, and served as president in 1967, 1979, and 1980. He acted as a Director to the California Building Industry Association and was a life director to the National Association of Homebuilders who on February 15, 2008 acknowledged him as a 50 year member, and he served on various committees for the California Building Industry Association including its Legislative Committee, Executive Committee, Insurance Committee, and Long Range Planning Committee.

As a Fresno native, maintaining community involvement was important to Tony. In partnership with the Construction Department at Fresno City College, Tony provided work experience training for students in the building industry. He was also instrumental in creating the National Association of Home Builders-Building Industry Association student chapters at Fresno City College and California State University, Fresno.

For his contributions to homebuilding and its community, Tony became a lifetime member of the Building Industry Association of the San Joaquin Valley in 1986 and was inducted into the California Housing Foundation Hall of Fame in 1988—the first inductee to come from the Central Valley. He was also awarded the Oscar Spano Lifetime Service Award in 1988 by his local building industry association.

In his spare time, Tony enjoyed traveling, playing sports and cherished his time with family and friends. He was a devoted husband to Alice, his bride of 72 years; a loving father to his sons, Gerald, Ronald, Anthony Jr., James, Michael and John; and the kind and generous grandfather of 12 grandchildren and 10 great-grandchildren. Tony's favorite memories included celebrating the holidays in his home as well as gathering for Sunday pasta lunches, a tradition he shared with his family.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to join me in honoring the life of Anthony Dominic ''Tony'' Giannetta, a Central Valley pioneer and influential figure in the California home building industry.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,152,758,342,047.24. We've added $7,525,881,293,134.16 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING THE OPENING OF THE RICHARD AND GINA SANTORI LIBRARY OF AURORA, ILLINOIS

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. FOSTER. Mr. Speaker, I rise today to celebrate the opening of the Richard and Gina Santori Library of Aurora, Illinois.

Since its founding in 1838, the Aurora Public Library system has nurtured education in our diverse community and has instilled a love of reading for generations of Aurorans. By establishing locations throughout the city, developing bookmobiles and robust outreach efforts, the library has made educational resources accessible to all Aurorans and been a strong contributor to community growth.

With the opening of the new library in downtown Aurora, the Aurora Public Library has embraced the challenges and opportunities of the next century. The building will feature a ''Makers Space'' on the first floor with a 3D printer, laser cutter, vinyl cutter, plotter printer, computers with CAD, CAM, Adobe Cloud and other creation software for students and community members to experiment and train with modern manufacturing tools. It will also feature an audio/visual library, the Kiwanis Club of Aurora Children's Library, and a Teen Space with a state-of-the-art media studio. These new resources will allow the Aurora Public Library to continue its mission and serve the new needs of our community.

Congratulations to the City of Aurora and the Aurora Public Library on the opening of the new facility. The Richard and Gina Santori Library will no doubt inspire future generations to become lifelong learners.

THE FUTURE OF U.S.-ZIMBABWE RELATIONS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2015

Mr. SMITH of New Jersey. Mr. Speaker, Zimbabwe is a country the size of the state of Montana, with a population of nearly 14 million people. However, its mineral wealth gives it an outsized importance. The southern African nation is the world's third largest source of platinum group metals and has significant reserves of nickel, gold, chromium and dozens of other metals and minerals. Significant diamond reserves were discovered in 2006. Currently, about 40 percent of the country's foreign exchange is earned from the export of these metals and minerals.

It was the abundance of such mineral resources, and their exploitation, which has driven the relationship between the West and Zimbabwe. Since its colonization by Cecil Rhodes' British South Africa Company in 1889 on behalf of Great Britain, the area once known as Southern Rhodesia has experienced a tumultuous history. The white minority gained self-governance in 1922, and a 1930 Land Apportionment Act restricted black access to land, making many Africans laborers and not land owners. In 1964, the white minority government unsuccessfully sought independence from Great Britain, and then unilaterally declared independence a year later under white rule. This move sparked international outrage and economic sanctions, and that regime was never widely recognized by the international community, though the support of white-ruled South Africa enabled the government to limp along.

Meanwhile, black opposition to minority rule, which began in the 1930s, erupted into a guerilla war in 1972. Attempts to end the conflict diplomatically failed until the 1979 talks brokered by Great Britain resulted in British-supervised independence elections. The winner of those elections was Robert Mugabe, leader of the Zimbabwe African National Union, or ZANU, who at age 91 continues to rule this country, in large part through intimidation and manipulation of elections.

As a hero of the independence and majority rule movements, Mugabe has enjoyed the support of many other African leaders, who have considered him an honored elder and have generally declined to join in international efforts to sanction his government. This has placed the United States in an awkward position, with limited African support for political and economic reforms in Zimbabwe.

Although many observers have credited the Mugabe government with productive management until fairly recent years, there were political problems from the beginning of his rule.

For example, Mugabe fired fellow independence leader Joshua Nkomo in 1982 and then launched a campaign to suppress what his government called a rebellion by pro-Nkomo forces. The Mugabe regime has been accused of killing thousands of ethnic Ndebele citizens over the next few years to end the supposed rebellion, assisted by military advisors from East Germany and North Korea.

Once one of the leading industrial nations in Africa, Zimbabwe began a long economic downward spiral in the late 1990s. Squatters, with the support of the Zimbabwe government, seized white farms they claimed had been stolen by white settlers in the past. Despite government assurances, these farms were not transferred to black farm workers, but rather to cronies of the Mugabe government who lacked agricultural experience. Both whites and blacks in Zimbabwe acknowledged that the land policies had been unfair, but the manner of addressing this problem led to serious economic problems for the country.

Agricultural production fell, and the manufacturing sector, heavily tied to agriculture, also diminished. Efforts to squeeze currency for shrinking national reserves from businesses, coupled with the disastrous requirement that businesses use the fictitious exchange rate, caused retailers to lose money with each sale. The effort to close the many vendors who supplied tourists with souvenirs and citizens with necessary household items was yet another milestone in Zimbabwe's economic collapse. By 2006, year-on-year inflation exceeded 1,000 percent. Devaluation of the currency and the subsequent use of foreign currency are credited with eventually preventing a complete economic collapse.

Zimbabwe and the United States have had a tempestuous relationship since that southern African country emerged from white minority rule. Part of the problem has been resentment by Zimbabwe President Robert Mugabe and his closest advisers against the United States for not supporting their liberation movement, the backdrop to which was the geopolitical conflict between the Soviet Union and the United States. Another part of the problem has been the justifiable public criticism of repressive political policies by the Mugabe government by successive U.S. administrations. Consequently, the minimal communications between our two governments has contributed to suspicions and an inability for U.S. officials to reach out to cooperative Zimbabwe officials.

Successive elections have been the subject of opposition and international criticism for the lack of political space allowed to those who would challenge the ruling ZANU party. Arrests, incarcerations, torture in custody, beatings at public rallies and demonstrations and disappearances of government opponents have denied legitimacy to the Zimbabwe election processes. The country's commitment to democratic governance has been further placed in question due to a series of repressive laws preventing freedoms of speech, association and movement.

As if the government's repressive tactics are not troubling enough, political jockeying in Zimbabwe, including the recent dismissal of Vice President Joice Mujuru, places the succession to President Mugabe in doubt, which puts U.S. policy in question. Last week's hearing examined current U.S. policy toward Zimbabwe and the prospects for an enhanced relationship depending on events that have not yet taken place.

Of course, in foreign policy, one cannot wait until a crisis materializes in order to create a planned response. A leader nearing the century mark, presiding over a fractious political scene in a country that has experienced political and economic turmoil creates a situation in which planning for a positive outcome to regime change must be devised.

Zimbabwe is a country rich in both natural and human potential. Once the resentments of the current old guard have passed and democratic governance can be established, U.S.-Zimbabwe relations can become what they have never been: harmonious and mutually beneficial.

Daily Digest

Senate

Chamber Action

The Senate was not in session and stands adjourned until 2 p.m., on Monday, June 15, 2015.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 22 public bills, H.R. 2745–2766; and 5 resolutions, H. Res. 310–314 were introduced. **Pages H4342–44**

Additional Cosponsors: **Pages H4344–45**

Reports Filed: Reports were filed today as follows:

H.R. 1190, to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board (H. Rept. 114–150, Part 1);

H.R. 1991, to extend the authority of the Secretary of the Interior and the Secretary of Agriculture to carry out the Federal Lands Recreation Enhancement Act, and for other purposes (H. Rept. 114–151, Part 1); and

H.R. 2505, to amend title XVIII of the Social Security Act to require the annual reporting of data on enrollment in Medicare Advantage plans, with an amendment (H. Rept. 114–152, Part 1). **Page H4342**

Journal: The House agreed to the Speaker's approval of the Journal by a voice vote. **Page H4245**

Recess: The House recessed at 9:44 a.m. and reconvened at 10:55 a.m. **Page H4265**

Trade Act of 2015: The House considered the Senate amendment to H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations. Pursuant to the Rule, the question of adoption of the motion was divided. **Pages H4247–71, H4333–35**

Pursuant to the Rule, the first portion of the divided question on concurring in section 212 of the Senate amendment was considered as adopted. **Page H4333**

On the second portion of the divided question, the House failed to concur in the matter comprising the remainder of title II of the Senate amendment by a recorded vote of 126 ayes to 302 noes, Roll No. 361. **Pages H4333–34**

On the third portion of the divided question, the House concurred in the matter preceding title II of the Senate amendment by a recorded vote of 219 ayes to 211 noes, Roll No. 362. **Page H4334**

Representative Boehner moved that the House reconsider the vote on the question of concurring in the matter comprising the remainder of title II of the Senate amendment. Subsequently, proceedings on the motion were postponed. **Pages H4334–35**

H. Res. 305, the rule providing for consideration of the Senate amendment to the bill (H.R. 1314) and the Senate amendments to the bill (H.R. 644) was agreed to yesterday, June 11th.

Trade Facilitation and Trade Enforcement Act of 2015: The House agreed to concur in the Senate amendment to the title and the Senate amendment to the text of H.R. 644, to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory, with the amendment printed in part A of H. Rept. 114–146, modified by the amendment printed in part B of H. Rept. 114–146, by a recorded vote of 240 ayes to 190 noes, Roll No. 363. **Pages H4271–H4333, H4335**

H. Res. 305, the rule providing for consideration of the Senate amendment to the bill (H.R. 1314)

and the Senate amendments to the bill (H.R. 644) was agreed to yesterday, June 11th.

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 12 noon on Monday, June 15th for Morning Hour debate. **Page H4335**

Replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado: The House agreed to take from the Speaker's table and pass S. 1568, to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, and to authorize transfers of amounts to carry out the replacement of such medical center. **Pages H4336–37**

Senate Message: Message received from the Senate today appears on page H4245.

Quorum Calls—Votes: Three recorded votes developed during the proceedings of today and appear on pages H4333-34, H4334, H4335. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 3:14 p.m.

Committee Meetings

EPA'S PROPOSED OZONE RULE

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled ''EPA's Proposed Ozone Rule''. Testimony was heard from Janet McCabe, Acting Assistant Administrator, Air and Radiation, Environmental Protection Agency.

OVERSIGHT FAILURES BEHIND THE RADIOLOGICAL INCIDENT AT DOE'S WASTE ISOLATION PILOT PLANT

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Oversight Failures Behind the Radiological Incident at DOE's Waste Isolation Pilot Plant''. Testimony was heard from Madelyn R. Creedon, Principal, Deputy Administrator, National Nuclear Security Administration; Mark Whitney, Acting Assistant Secretary for Environmental Management, Department of Energy; and Allison B. Bawden, Acting Director, Natural Resources and Environment, Government Accountability Office.

U.S. SURFACE TRANSPORTATION: TECHNOLOGY DRIVING THE FUTURE

Committee on Science, Space, and Technology: Subcommittee on Research and Technology held a hearing entitled ''U.S. Surface Transportation: Technology Driving the Future''. Testimony was heard from Gregory D. Winfree, Assistant Secretary for Research and Technology, Department of Transportation; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR MONDAY, JUNE 15, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Foreign Relations: to receive a closed briefing on lifting sanctions on Iran, focusing on practical implications, 5 p.m., S–116, Capitol.

Committee on Homeland Security and Governmental Affairs: business meeting to consider the nominations of Peter V. Neffenger, of Ohio, to be an Assistant Secretary of Homeland Security, and David S. Shapira, of Pennsylvania, to be a Governor of the United States Postal Service for a term expiring December 8, 2019, 5:30 p.m., S–216, Capitol.

House

Committee on Rules, Full Committee, hearing on H.R. 2596, the ''Intelligence Authorization Act for Fiscal Year 2016''; H.R. 160, the ''Protect Medical Innovation Act of 2015''; and H.R. 1190, the ''Protecting Seniors' Access to Medicare Act of 2015'', 5 p.m., H–313 Capitol.

Next Meeting of the SENATE

2 p.m., Monday, June 15

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond one hour), Senate will resume consideration of H.R. 1735, National Defense Authorization Act. The filing deadline for all first-degree amendments to both the bill and to McCain Amendment No. 1463, will be at 4 p.m.

At 5 p.m., Senate will begin consideration of the nominations of Matthew T. McGuire, of the District of Columbia, to be United States Executive Director of the International Bank for Reconstruction and Development, and Gentry O. Smith, of North Carolina, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service, and vote on confirmation of the nominations at approximately 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

12 p.m., Monday, June 15

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Congressional Record

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