Public Health Service Act (42 U.S.C. 295 et seq.), which bolster the nursing workforce at all levels, to increase the number of doctorally prepared faculty members, and to educate and research scientists who can discover new nursing care models to improve the health status of the diverse population of the United States; and

Whereas nursing has touched the lives of the people of the United States from birth to the end of life; and

Whereas nursing has been voted as the most honest and ethical profession in the United States for the past 13 years: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Nurses Week, as founded by the American Nurses Association;
(2) recognizes the significant contributions of nurses to the health care system of the United States; and
(3) encourages the people of the United States to observe National Nurses Week with appropriate recognition, ceremonies, activities, and programs to demonstrate the importance of nurses to the everyday lives of patients.

AMENDMENTS SUBMITTED AND PROPOSED
SA 1221. Mr. Hatch submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table.

TEXT OF AMENDMENTS
SA 1221. Mr. Hatch submitted an amendment remote from full Title II, to secure the right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
(a) SHORT TITLE.—This Act may be cited as the “2022 Taxpayer Protection and Affordable Care Act”.
(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—TRADE PROMOTION AUTHORITY
Sec. 101. SHORT TITLE.
Sec. 102. Trade negotiating objectives.
Sec. 103. Trade agreements authority.
Sec. 104. Congressional oversight, consultations, and access to information.
Sec. 105. Notice, consultations, and reports.
Sec. 106. Implementation of trade agreements.
Sec. 107. Treatment of certain trade agreements for which negotiations have already begun.
Sec. 108. Small businesses.
Sec. 109. Interests of small businesses.
Sec. 110. Conforming amendments; application of certain provisions.
Sec. 111. Designation.

TITLE II—EXTENSION OF TRADE ADJUSTMENT ASSISTANCE
Sec. 203. Extension of trade adjustment assistance program.
Sec. 204. Performance measurement and reporting.
Sec. 205. Applicability of trade adjustment assistance provisions.
Sec. 206. Sunset provisions.
Sec. 207. Elimination of modification of Health Coverage Tax Credit.
Sec. 208. Customs user fees.
Sec. 209. Child tax credit not refundable for taxpayers electing to exclude foreign earned income from tax.
Sec. 210. Time for payment of corporate estimated taxes.
Sec. 211. Coverage for payment for renal dialysis services for individuals with acute kidney injury.
Sec. 212. Extension of the Medicare sequester for fiscal year 2024.

This title may be cited as the “Bipartisan Congressional Trade Priorities and Accountability Act of 2023.”

TITLE II—TRADE NEGOTIATING OBJECTIVES
Sec. 101. SHORT TITLE.
Sec. 102. TRADE NEGOTIATING OBJECTIVES.
(a) OVERALL TRADE NEGOTIATING OBJECTIVES.—The overall trade negotiating objectives of the United States for agreements subject to the provision of section 1103 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, 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 159 of this Act), including the determination of the relationship between trade and worker rights;
(7) to seek provisions in trade agreements under which the 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 and expanded 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 today’s global economy, and provide for the reduction or elimination of barriers and other restrictive and trade-distorting measures to the Internet; and
(12) to take into account other legitimate interests of the United States; and
(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 barriers to international trade in goods, and provide for the reduction or elimination of barriers and other restrictive and trade-distorting measures to the Internet; and
(B) to obtain reciprocal and nonreciprocal barrier elimination agreements, including with respect to those tariff categories covering exports of goods from the United States.
(2) TRADE IN SERVICES.—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 the 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 most-favored-nation treatment to United States trade 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; and
(i) encourage the adoption of international standards and require a science-based justification for being 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 accordance with their international obligations, including the WTO Agreement on the Application of Trade Measures to Protect Human, Animal, or Plant Life or Health in Accordance with International Obligations.
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, 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; and
(iii) 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 agricultural markets to the detriment of the United States;
(E) allowing the programming of programs that support family farms and rural communities but do not distort trade;
(F) taking into account whether a product is included in programs 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 feasible, including the principle of due process; and
(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 mechanisms; and
(j) unfair or trade distorting activities of state trading enterprises and other administrative mechanisms, with emphasis on requiring transparency in the operation of state trading enterprises and such other mechanisms in order to end cross subsidization, price discrimination, and price undercutting;
(k) unjustified trade restrictions or commercial requirements, such as labeling, that affect new technologies, including biotechnology;
(l) unjustified sanitary or phytosanitary restrictions, including restrictions not based on scientific assessment in contravention of obligations in the Uruguay Round Agreement;
(m) unjustified technical barriers to trade and; and
(n) 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 or cyclical products;
(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 between the United States and the country 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) making similar assistance programs, market development programs, and export credit programs; (Q) seeking to secure that the broadest market access possible is afforded, bilateral, regional, and bilateral negotiations, recognizing the effect that simultaneous sets of negotiations may have on the United States import sensitive commodities (including those subject to tariff rate quotas); and
(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, and 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.
(F) FOREIGN INVESTMENT.—Recognizing that United States law on foreign investment 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 provide the same level of robust benefits and comparable to those that would be available under United States legal principles and practice:
(i) reducing or eliminating exceptions to the principle of national treatment;
(ii) freeing the transfer of funds relating to investments; (iii) ensuring that all requests for dispute settlement procedures are—
(A) to ensure that current obligations, procedures, and rules, including the principle of due process, are—
(B) to secure fair, equitable, and nondiscriminatory market access and other commercial opportunities for United States persons that rely upon intellectual property; and
(C) to respect the Declaration on the Protection of the Traditional Knowledge, Folklore, and Expression of Communities and Nongovernmental Entities, including Aspects of Intellectual Property Rights, referred to in section 101(d)(15) of the Uruguay Round Agreements Agreement on Trade-Related Aspects of Intellectual Property Rights and the Agreement on Trade-Related Aspects of Intellectual Property Rights
(D) to further promote adequate and effective intellectual property protections and enforcement; and
(E) to provide for an appellate body or other appropriate forum for the prompt, efficient, and effective resolution of disputes.
(F) INTELLECTUAL PROPERTY.—The principal negotiating objectives of the United States regarding trade-related intellectual property are—
(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;
(iii) providing strong protection for new and emerging technologies and new methods of transacting and distributing products embodying intellectual property, including in a manner that facilitates legitimate digital trade;
(iv) preventing or eliminating discrimination with respect to matters affecting the availability, acquisition, scope, maintenance, use, and enforcement of intellectual property rights;
(v) ensuring that standards of protection and enforcement keep pace with technological developments, and particularly 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; and
(vi) preventing or eliminating government involvement in the violation of intellectual property rights, including cyber theft and piracy; and
(G) 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; and
(H) providing strong enforcement of intellectual property rights, including through civil, administrative, and criminal enforcement mechanisms; and
(I) ensuring that standards of protection and enforcement keep pace with technological developments, and particularly 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; and
(J) securing fair, equitable, and nondiscriminatory market access and other commercial opportunities for United States persons that rely upon intellectual property; and
(K) to respect the Declaration on the Protection of the Traditional Knowledge, Folklore, and Expression of Communities and Nongovernmental Entities, including Aspects of Intellectual Property Rights, referred to in section 101(d)(15) of the Uruguay Round Agreements Agreement on Trade-Related Aspects of Intellectual Property Rights
(L) to further promote adequate and effective intellectual property protections and enforcement; and
(M) to provide for an appellate body or other appropriate forum for the prompt, efficient, and effective resolution of disputes.
(5) 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—
(i) ensuring 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) if delivered goods and services receive no less favorable treatment under trade rules and commitments than like products delivered in physical form; and

(ii) the enforcement 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 the disclosure of data to entities outside the jurisdiction of the trade-related measure;

(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 investment 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 analysis, 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 regulatory 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 suppliers;

(H) to ensure that foreign governments—

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

(ii) protect such information against disclosure, except in exceptional circumstances to provide evidence, 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 ensure 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.

(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, 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

(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 or 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 allocation 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 reasonably allocate enforcement resources; and

(C) to ensure that enforceable labor and environmental 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 take labor or environmental law enforcement actions 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 or in order to prevent effective balance of payments adjustment or to gain an unfair competitive advantage over other parties to the agreement and other market mechanisms, enforceable rules, reporting, monitoring, transparency, or other means, as appropriate.

(12) 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 to—

(A) achieve full implementation and enforcement, and extend the coverage of the World Trade Organization and multilateral and plurilateral trade agreements to promote 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 exporters and to obtain fairer and more open conditions of trade, including through utilization of global value chains, through the negotiation of new plurilateral 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, including the Dispute Settlement Body and the Committee on Trade Policy Review; and

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

(G) to ensure that labor, environmental, health, and 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 environmental obligations are subject to the same dispute settlement and remedies as other enforceable obligations under the agreement; and

(I) to ensure that labor is not 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 or in order to prevent effective balance of payments adjustment or to gain an unfair competitive advantage over other parties to the agreement and other market mechanisms, enforceable rules, reporting, monitoring, transparency, or other means, as appropriate.
The principal negotiating objective of the United States with respect to the use of money or other values of public office or public corruption shall be—

(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 transparent 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 provisions that lessen the effectiveness of domestic and international enforcement mechanisms applicable to persons or governments not party to the trade agreements; and

(D) to seek provisions that lessen the effectiveness of domestic and international enforcement mechanisms applicable to persons or governments not party to the trade agreements.

(17) **Border Taxes.**—The principal negotiating objectives of the United States with respect to border taxes is to obtain a revision of the terms of the World Trade Organization and to achieve fairer and more open conditions of trade in textiles and apparel.

(18) **Textile Negotiations.**—The principal negotiating objectives of the United States with respect to trade in textiles and apparel articles are to—

(A) to obtain high standards and effective international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fairly on terms and conditions of trade in textiles and apparel.

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

(19) **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 and services, including preferential treatment.

(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, regional or sectoral organizations, or related agencies of international organizations that are politically motivated and are intended to penalize or otherwise limit commercial relations, especially with Israel, or persons doing business in Israel or in Israel-controlled territories.

(20) **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.

(21) **Capacity Building and Other Priorities.** In order to address and maintain United States competitiveness in the global economy, the President shall—

(A) to work to strengthen the capacity of United States trading partners to carry out their 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.

(22) **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.**

(23) **Promote consideration of multilateral environmental agreements and consult with trading partners to develop and establish the consistency of any such agreement that includes trade measures with existing environmental exceptions under Article XX of GATT 1994.**

(24) **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.**

### Section 103. Trade Agreement Authority

#### (a) Agreements Regarding Tariff Barriers.

(I) In General.—Whenever the President determines that one or more 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 the title will be promoted thereby, the President may—

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

(i) July 1, 2018; or

(ii) July 1, 2021, if trade agreement procedures are extended under section 103(b) and (c); and

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

(i) such modification or continuation of any existing duty or 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) if—

(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.

(4) Exemption from Staging.—No staging is required under subparagraph (A) with respect to a reduction that is provided under paragraph (1) for an article of a kind that is not produced in the United States. The United States International Trade Commission shall provide the identity of articles that may be exempted from staging under this subparagraph.

(5) Rounding.—If the President determines that 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. For purposes of paragraph (1), the term "trade agreement" means a trade agreement entered into under subsection (b) of the Uruguay Round Agreements Act (19 U.S.C. 3501(5)), if the United States agrees to exceptions 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, 2019, 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 (3) 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 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; and

(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 extension disapproves the request of the President for the extension of the authority provided for in title II of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 of the trade authorities procedures under that Act 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 at any time during the Congress 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 and Administration.

(C) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2129) (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) either House of Congress to consider any extension disapproval resolution not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules and Administration;

(ii) the Senate to consider any extension disapproval resolution after June 30, 2018.

(d) Consultations with Members of Congress.—In order to contribute to the continued economic expansion of the United States, the President shall commence negotiations covering the elimination or substantial reduction of all trade barriers and obstacles affecting the agricultural, mineral, and infrastructure products. In such negotiations, 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 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 chairman and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, after consultation with the committees of the Senate with jurisdiction over trade issues, shall develop written guidelines on enhanced coordination with Congress regarding negotiations conducted at any time during that Congress and the committees of the House of Representatives and the Senate with jurisdiction over trade issues regarding negotiations conducted at any time during that Congress.

(B) Consultation.—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, 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;

(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 the 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

(iii) the sharing of detailed and timely information with Members of Congress, and their staff with proper security clearances as appropriate, regarding those negotiations and the laws that may be recommended to Congress to carry out any trade agreement or any requirement of, amendment to, or recommendation under, that agreement.

(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 advisors.—

(1) Designation.—

(A) House representatives.—In each Congress, any Member of the House of Representatives may be designated as a congressional advisor 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 advisor 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 advisors.—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 Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, the congressional advisors for 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 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) Accreditation.—Each Member of Congress designated as a congressional advisor 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 negotiations relating to trade agreements.

(c) Congressional advisory groups on negotiations.—

(1) 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 Senate with jurisdiction over trade issues, and

(iii) the committees of the House of Representatives that would have, under the Rules of the House of Representatives, jurisdiction over the laws affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.

(2) Members and functions.—

(A) Membership of the House advisory group on negotiations.—The House Advisory Group on Negotiations shall consist 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 Senate with jurisdiction over trade issues, and

(iii) their designees, of the committees of the House of Representatives that would have, under the Rules of the House of Representatives, jurisdiction over the laws affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.

(B) 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 described in subparagraphs (A)(i) and (B)(i).

(D) Consultation and advice.—The congressional advisory groups shall consult with

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and provide advice to the Trade Representative regarding the formulation of specific objectives, negotiating strategies and positions, the development of the applicable trade agreements, and compliance and enforcement of the negotiated commitments under the trade agreement.

(E) Chair.—If no Advisory Group on Negotiations is established pursuant to subparagraph (A), the Chair of the Committee on Ways and Means of the House of Representatives and the Senate Advisory Group on Negotiations shall be the Chair of the Committee on Finance of the Senate.

(F) Coordination with other committees.—The Chair of the House of Representatives and the Committee on Finance of the Senate shall coordinate the negotiations with the relevant committees as required by applicable law.

Section 104. Notice, Consultations, and Reporting Requirements

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

(A) provide, at least 30 calendar days before initiating negotiations with a country, or within 30 days of a written notice to Congress of the President’s intention to enter into the negotiations with that country and set forth in the notice the details described in section 103(b), meet with the request of the Senate 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 considered appropriate.

(B) after consulting with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, such other committees or congressional advisory groups 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, meet with the Chief Transparency Officer. The Chief Transparency Officer shall consult with Congress at least every 90 days concerning the negotiations and the dissemination of information related to the negotiations.

(D) after consulting with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, and at least 30 calendar days before initiating negotiations with a country, the President shall—

(i) provide the United States Trade Representative with any United States objectives for the negotiations with that country, and whether the President intends to seek an agreement, or changes to an existing agreement;

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

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

(E) Consultations with advisory committees.—The United States Trade Representative, in consultation with the appropriate committees of Congress, 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.—(i) There shall be in the Office one Chief Transparency Officer. The Chief Transparency Officer shall consult with Congress on transparency issues in trade negotiations, engage and assist the public, and advise the United States Trade Representative on transparency policies.

(ii) The Chief Transparency Officer shall—

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

(B) establish a centralized clearinghouse for the collection and dissemination of information regarding negotiations conducted with the United States as a result of the Uruguay Round Agreements, for which the rate of...
duty was reduced on January 1, 1965, to a rate which was not less than 97.5 percent of the rate of duty that applied to such article on December 31, 1944.

(II) objectives of 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 clause (i)(I) are commended—

(b) whether the products identified face unjustified sanitary or phytosanitary restrictions, affecting the United States economy as a whole and affecting the United States agriculture as a whole; and

(iv) upon complying with the procedures set forth in clauses (iii) and (iv) of section 135 of the Trade Act of 1974 (19 U.S.C. 2011c) regarding any trade remedy law.

(iii) request that the International Trade Commission prepare an assessment of the probable economic effects of any such tariff reduction on the United States agriculture as a whole and the United States economy as a whole and the production, employment, and competitiveness of the United States as a whole or of any industry, including the impact of any such tariff reduction on the United States agriculture as a whole and the United States economy as a whole and affecting the United States agriculture as a whole.

(ii) request that the United States Trade Representative be apprised of the negotiations and the Senate Advisory Group on Negotiations convened under section 104(c).

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

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

(iii) may not be amended by either Committee;

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

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

(vi) may not be amended.

(iv) Resolutions in the Senate—

(C) The implementation of the agreement may be significantly affected by the agreement.

(vii) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2216) relating to floor consideration of certain resolutions in the House and Senate shall apply to resolutions.

(b) Advisory Committee Reports—

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

(ii) May be introduced by any Member of the House of Congress by the Committee on Ways and Means and, in addition, by the Committee on Rules.

(d) The President of the Senate, which has jurisdiction over legislation affecting the Senate, shall report to the Committee on Finance and the Committee on Ways and Means of the House of Representatives 

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

(e) The President of the House of Representatives, which has jurisdiction over legislation affecting the House of Representatives, shall report to the Committee on Ways and Means and, in addition, by the Committee on Rules.

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

(g) The President of the House of Representatives shall report to the President.

(h) The President of the House of Representatives shall report to the President.

(i) The President of the Senate shall report to the President.

(j) The President of the Senate shall report to the President.

(k) The President of the Senate shall report to the President.

(l) The President of the Senate shall report to the President.

(m) The President of the Senate shall report to the President.

(n) The President of the Senate shall report to the President.

(o) The President of the Senate shall report to the President.

(p) The President of the Senate shall report to the President.

(q) The President of the Senate shall report to the President.

(r) The President of the Senate shall report to the President.

(s) The President of the Senate shall report to the President.

(t) The President of the Senate shall report to the President.

(u) The President of the Senate shall report to the President.

(v) The President of the Senate shall report to the President.

(w) The President of the Senate shall report to the President.

(x) The President of the Senate shall report to the President.

(y) The President of the Senate shall report to the President.

(z) The President of the Senate shall report to the President.

(aa) request that the resolution be referred to the Committee on Ways and Means and the Committee on Finance of the Senate;

(bb) request that the resolution be referred to the Committee on Ways and Means and the Committee on Finance of the Senate;

(cc) request that the resolution be referred to the Committee on Ways and Means and the Committee on Finance of the Senate;

(dd) request that the resolution be referred to the Committee on Ways and Means and the Committee on Finance of the Senate;

(ee) request that the resolution be referred to the Committee on Ways and Means and the Committee on Finance of the Senate;

(ff) request that the resolution be referred to the Committee on Ways and Means and the Committee on Finance of the Senate;

(gg) request that the resolution be referred to the Committee on Ways and Means and the Committee on Finance of the Senate;

(hh) request that the resolution be referred to the Committee on Ways and Means and the Committee on Finance of the Senate;

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

(iii) Resolution involving subject matters which would be affected by the trade agreement; and

(IV) shall be referred to the Committee on Ways and Means and, in addition, by the Committee on Rules.

(a) will be affected by the agreement;

(b) may be considered by the House of Representatives with the procedures set forth in section 152 of the Trade Act of 1974 (19 U.S.C. 2216).

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

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

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

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

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

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

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

(j) may be introduced by any Member of the House of Representatives.

(k) may be introduced by any Member of the House of Representatives.

(l) may be introduced by any Member of the House of Representatives.

(m) may be introduced by any Member of the House of Representatives.

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(r) may be introduced by any Member of the House of Representatives.

(s) may be introduced by any Member of the House of Representatives.

(t) may be introduced by any Member of the House of Representatives.

(u) may be introduced by any Member of the House of Representatives.

(v) may be introduced by any Member of the House of Representatives.

(w) may be introduced by any Member of the House of Representatives.

(x) may be introduced by any Member of the House of Representatives.

(y) may be introduced by any Member of the House of Representatives.

(z) may be introduced by any Member of the House of Representatives.

(aa) may be introduced by any Member of the House of Representatives.

(bb) may be introduced by any Member of the House of Representatives.

(cc) may be introduced by any Member of the House of Representatives.

(dd) may be introduced by any Member of the House of Representatives.

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

(iii) may not be amended by either Committee.

(iv) Resolutions in the Senate—

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

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

(iii) may not be amended by either Committee.

(iv) Resolutions in the Senate—

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

(n) may be introduced by any Member of the Senate.

(o) may be introduced by any Member of the Senate.

(p) may be introduced by any Member of the Senate.

(q) may be introduced by any Member of the Senate.

(r) may be introduced by any Member of the Senate.

(s) may be introduced by any Member of the Senate.

(t) may be introduced by any Member of the Senate.

(u) may be introduced by any Member of the Senate.

(v) may be introduced by any Member of the Senate.

(w) may be introduced by any Member of the Senate.

(x) may be introduced by any Member of the Senate.

(y) may be introduced by any Member of the Senate.

(z) may be introduced by any Member of the Senate.

(aa) may be introduced by any Member of the Senate.

(bb) may be introduced by any Member of the Senate.

(cc) may be introduced by any Member of the Senate.

(dd) may be introduced by any Member of the Senate.

economic assessments regarding the agreement, including literature regarding any substantially equivalent proposed agreement, and shall provide in its assessment a description of the additional equipment and personnel required by U.S. Customs and Border Protection.

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

(D) IMPACT ON STATE AND LOCAL GOVERNMENTS.—A description of the impact the agreement has on the trade practices of the United States 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).

(F) BUDGET SUBMISSION.—The President shall submit to Congress 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 a draft of an implementing bill described in section 103(b)(3); (ii) a statement of any administrative action proposed to implement the agreement; and (iii) the supporting information described in paragraph (2)(A).

The implementing bill is enacted into law.

(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 to the Committee on Finance of the Senate the views of that Member on any relevant legal obligations.

(H) The President may submit to 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, including labor markets, modeled after Executive Order 13141 (64 Fed. Reg. 63169), dated November 16, 1999, and its consistent with Executive Order 13141 (64 Fed. Reg. 63169), dated November 16, 1999, and its relevant guidelines; 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, 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 taking action; and

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

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)(D), the President shall submit to Congress a copy of the final legal text of an agreement pursuant to section 106(a)(1)(E).

(F) 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 taking action; and

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

(2) SUPPORTING INFORMATION.—

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

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

(ii) a statement—

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

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

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

(b) the extent to which the agreement changes provisions of an agreement previously negotiated; and

(c) how the agreement serves the interests of the United States trade agreement; and

(d) how the implementing bill meets the standards set forth in section 103(b)(5).

(B) PUBLIC AVAILABILITY.—The President shall make all reports required under this subsection 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 it agrees to obligations under the agreement, the implementing bill submitted with respect to the agreement shall provide that the obligations under the agreement apply only to the parties to the agreement, if such application is consistent with the terms of the agreement. The implementation of such obligations, and any reciprocal obligations entered into under section 103(b), if other countries are party to the agreement, or agreements entered into under section 103(b) with other than a favorable recommendation, shall not be considered to be part of the agreement approved by Congress and shall have no force and effect under United States law in any dispute settlement body.

(b) Negotiations 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 any House of Congress receives a notice of final agreement 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 a trade agreement or agreements;" with the blank space being filled with a description of the trade agreement or agreements.

(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—

(A) 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; or

(B) 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

(C) the agreement or agreements fail to include 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) 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, pursuant to procedures set forth in clause (iii) of section 152(b)(2) of such Act.

(c) CONSULTATION AND COMPLIANCE RESOLUTION—

(d) DISCLOSURE OF COMMITMENTS.—Any agreement or understanding entered into under the auspices of the World Trade Organization pursuant to the Trade Act of 1974 or the Trade Act of 1988 shall not be considered to be part of the agreement approved by Congress and shall have no force and effect under United States law in any dispute settlement body.

(e) Daply Disapproval Resolutions—(i) In general.—If a procedural disapproval resolution is introduced in either House of Congress and not reported by the Committee on Ways and Means, the implementing bill submitted with respect to a trade agreement or agreements entered into under section 103(b) with other than a favorable recommendation shall not be considered to be part of the agreement approved by Congress and shall have no force and effect under United States law in any dispute settlement body.

(ii) Such resolutions—

(A) may be introduced by any Member of the House or the Senate;

(B) shall be referred to the Committee on Ways and Means and the Committee on Finance; and

(C) may not be amended.

(f) DISCLOSURE OF COMMITMENTS.—Any agreement or understanding entered into under section 103(b) if other countries are party to the agreement, or agreements, the implementation of such obligations, and any reciprocal obligations entered into under section 103(b), if other countries are party to the agreement, or agreements, shall not be considered to be part of the agreement approved by Congress and shall have no force and effect under United States law in any dispute settlement body.

(g) Trade Authorities Procedures—

(1) APPLICABILITY OF TRADE AUTHORITIES PROCEDURES.—(A) REPORTING OF RESOLUTION.—If, when the Committee on Finance of the Senate and the Committee on Ways and Means reports a resolution described in subparagraph (A)(i) of this section, the implementing bill with respect to such trade agreement or agreements entered into under section 103(b) (B) is not disclosed to Congress before an implementing bill with respect to that agreement is introduced in 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 such trade agreement or agreements;", the trade authorities procedures under that Act shall not apply to any implementing bill submitted with respect to such trade agreement or agreements.

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

(C) RESOLUTION DESCRIBED.—A resolution described in subparagraph (A) 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 such trade agreement or agreements;", with the blank space being filled with a description of the trade agreement or agreements.

(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 considered to be introduced to the Committee on Finance.

(2) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES AND COMPLIANCE RESOLUTION—

(A) QUALIFICATIONS FOR REPORTING RESOLUTION—

(i) The committee on Ways and Means of the House of Representatives represents an implementing bill with respect to a trade agreement or agreements entered into under section 103(b) with other than a favorable recommendation, and if no other procedural disapproval resolution with respect to such trade agreement or agreements 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 procedures set forth in clause (iii) of section 152(b)(2) of such Act.

(ii) A procedural disapproval resolution—

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

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

(C) may not be amended.

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

(B) COMMITTEE CONSIDERATION OF A QUALIFYING RESOLUTION.—(i) Not later than the fourth legislative day after the date of its introduction, the committee shall discharge the report 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 such trade agreement or agreements;", with the blank space being filled with a description of the trade agreement or agreements.

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

(D) APPLICABILITY OF TRADE AUTHORITIES PROCEDURES.—The trade authorities procedures shall not apply 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 (A) 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 which are the object of a consultation and compliance resolution if such resolution is adopted by the House.

(4) FOR FAILURE TO MEET OTHER REQUIREMENTS.—Not later than December 15, 2015, the Secretary of Commerce, in consultation with the Secretary of the Treasury, the Attorney General, and the United States Trade Representative, shall transmit to Congress a report setting forth any matter of the executive branch to address concerns of Congress regarding whether dispute settlement panels and the Appellate Body of the World Trade Organization have fulfilled the obligations, rights, of the United States, as described in section 102(b)(15)(C). Trade authorities procedures shall not apply to any implementing bill submitted with respect to any agreement or obligations 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 THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—

(a) IN GENERAL.—The trade authorities procedures shall not apply to any implementation 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 with section 104(a)(1)(B). The term ‘‘minimum standards set forth in section 108 of the Trade Act of 1974 (19 U.S.C. 2191)’’ shall be determined without regard to the 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 that—

(A) 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;

(b) 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 Group 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 applicable United States laws, that State, or that locality (as the case may be).

(c) DISPUTE SETTLEMENTS.—Reports, including findings and recommendations, 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, the law or government of any State or locality of the United States.

SEC. 109. INTERESTS OF SMALL BUSINESSES.

(a) SIGNATURES 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 restructured; and the United States Trade Representative assigned the responsibility for small businesses.

(b) CONSIDERATION OF SMALL BUSINESS INTERESTS.—The United States Trade Representative for Small Business, Market Access, and Industrial Competitiveness shall be responsible for ensuring that the United States Trade Representative is considered in all trade negotiations in accordance with the objective described in section 103(a)(8).

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

(a) CONFORMING AMENDMENTS.—

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

(A) in subsection (a), by striking section 102 of the Bipartisan Trade Promotion Authority Act of 2015; and

(B) in subsection (b), by striking section 103 of the Bipartisan Trade Promotion Authority Act of 2015; and

(2) by striking section 2103 of the Bipartisan Trade Promotion Authority Act of 2002 and inserting section 103 of the Bipartisan Trade Promotion Authority Act of 2015; and

(3) PUBLIC HEARINGS.—Section 133(a) of the Trade Act of 1974 (19 U.S.C. 2151(b)) is amended by striking section 2103 of the Bipartisan Trade Promotion Authority Act of 2002 and inserting section 103 of the Bipartisan Trade Promotion Authority Act of 2015.

(b) INFORMATION AND ADVICE FROM PRIVATE AND PUBLIC SECTORS.—Section 103 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 Trade Promotion Authority Act of 2015; and

(B) in subsection (e), (i) by striking section 2103 of the Bipartisan Trade Promotion Authority Act of 2002 and inserting section 103 of the Bipartisan Trade Promotion Authority Act of 2015; and

(c) INFORMATION FROM TRADE ADVICE.—Notwithstanding section 2103 of the Bipartisan Trade Promotion Authority Act of 2002 and inserting section 103 of the Bipartisan Trade Promotion Authority Act of 2015; and

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

(A) in subsection (b), by striking 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) 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

(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 Trade Promotion Authority Act of 2015; and

(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 pursuant to sections 101 or 102 of the Trade Act of 1974 (19 U.S.C. 2111 or 2112), as appropriate; and
(2) any proclamation of 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 sections 101 or 102 of the Trade Act of 1974 (19 U.S.C. 2112).

SEC. 111. DEFINITIONS.

(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)(7) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(7)).

(4) ANTIDUMPING AGREEMENT.—The term ‘‘Antidumping Agreement’’ means the Agreement on Implementation of Articles VI, VII, X, X1, X11, and X12 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) APPENDIX BODY.—The term ‘‘Appendix Body’’ means the Appendix Body established under Article 17.1 of the Dispute Settlement Understanding.

(6) AGREEMENT OF 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:

(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/960), adopted November 28, 1979, under GATT 1947 (as defined in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3511)).

(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. 3511).

(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
(B) that is an import-sensitive agricultural product under title II of the Trade Act of 1974, as in effect on December 31, 2013, and as amended by 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 upon November 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 and either—
(A) are determined by the Federal Government and include Federal statutes and regulations addressing those standards, protections, or conditions, but does not include State or local labor laws.
(B) are determined by the United States person—
(i) a United States citizens;
(ii) a partnership, corporation, or other legal entity that is organized under the laws of the United States; and
(iii) a 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.

(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 a foreign country and is controlled by entities described in subparagraph (B) or United States citizens.

(20) URUGUAY ROUND AGREEMENTS.—The term ‘‘Uruguay Round Agreements’’ has the meaning given that term in section 2(10) of the Uruguay Round Agreements Act (19 U.S.C. 3501).

(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 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).

TITLE II—EXTENSION OF TRADE ADJUSTMENT ASSISTANCE

SEC. 201. SHORT TITLE.

This Act may be cited as the ‘‘Trade Adjustment Assistance Reauthorization Act of 2015’’.

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

(1) REPEAL OF SNAPBACK.—Section 233 of the Trade Adjustment Assistance Extension Act of 2010 (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) apply 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, references to an amendment or repeal of a provision of this Act 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.

(g) 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” and inserting “June 30, 2021”.

(b) TRAINING FUNDS.—Section 236(a)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2286(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. 2117(a)) is amended by striking “December 31, 2013” and inserting “June 30, 2021”.

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SEC. 204. PERFORMANCE MEASUREMENT AND REPORTING.

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

(ii) by striking “data” and inserting “measures”;

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

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

(3) in paragraph (2), by striking “CORE INDICATORS DESCRIBED” and inserting “INDICATORS OF PERFORMANCE”;

(4) 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 (I), obtained a recognized industry-recognized 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 secondary school diploma or recognized equivalent.

(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 secondary school diploma or recognized equivalent within one year after exit from the program.”;

(5) in paragraph (3)—

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

(B) by striking “quarterly” and inserting “annual”;

(C) by striking “data” and inserting “measures”;

(6) 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 cooperators that provides required performance information under paragraph (1) and the information contained in those reports.

(b) PRODUCTION 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 (1), by striking “enrolled in” and inserting “who received”;

(B) in subparagraph (B), by striking “complete” and inserting “exit’’; and

(2) in subsection (c), by striking “measures”;

(c) R ECOGNIZED POSTSECONDARY CREDENTIAL.—Section 239(j) of the Trade Act of 1974 (19 U.S.C. 2311) is amended—

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

(i) by striking “data” and inserting “primary”;

(ii) by adding at the end the following:

“(O) The average cost per worker of receiving training approved under section 236, as determined for the worker who received training approved under section 236 and obtained unsubsidized employment in a field related to that training.”;

(2) in paragraph (4), by striking subparagraph (B) and inserting the following:

“(B) PRIMARY INDICATORS OF PERFORMANCE DESCRIBED.—

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

(ii) by striking subparagraph (C), by striking “complete” and inserting “exit’’;

(iii) by adding at the end the following:

“(P) 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.”;

(3) in section 222 of the Trade Act of 1974, as in effect on such date of enactment, under section 222 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 assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall—

(1) consider that determination; and

(2) if the firm meets the requirements of section 251 of the Trade Act of 1974, 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 before 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 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, if the firm or its representative files a petition for a certification of eligibility under section 251 of the Trade Act of 1974 on or before 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 2 of title 2 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 subchapter 2, chapters 3, 5, and 6 of title 2 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 205(c) of that Act shall be applied and administered as if subparagraphs (A), (B), and (C) of that paragraph were not in effect; and

(2) section 203 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 follows:

(1) in paragraph (1) of that section, as in effect on such date of enactment, shall be applied and administered by substituting “the 1-year period beginning on July 1, 2021” for “the 1-year period beginning on July 1, 2007”;

(2) in paragraph (2), by substituting “104-week period” for “104-week period” and all that follows through “October 1, 2007”; and

(3) section 285 of that Act shall be applied and administered by substituting “June 30, 2022” for “June 30, 2007”.

(b) EXTENSION.—Subparagraph (B) of section 251 of the Internal Revenue Code of 1986 is amended by striking “before January 1, 2014” and inserting “before January 1, 2021”.

(c) COORDINATION WITH CREDIT FOR COVERAGE UNDER A QUALIFIED HEALTH PLAN.—

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

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

“(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 to be made on or before the due date 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.

“(C) COORDINATION WITH PREMIUM TAX CREDIT.—

“(A) IN GENERAL.—An eligible coverage month to which 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 such month may 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—

“(i) the sum of the credits allowed under this section (determined without regard to paragraphs (1) and (2) of 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 an advance payment 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)(1)(A).”;

“(D) 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, 2006” and inserting “January 1, 2021”.

“(2) CONFORMING AMENDMENT.—

“(A) In section 7527 of such Code is amended by striking “‘occurring’ and all that follows through “application—”
“(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 inserting “inures to the eligible individual” and all that follows through “For purposes of” and inserting “insurance.” For purposes of

“(2) EFFECTIVE DATE.—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 “(4)” after “35(e)(1)” after “35(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.

(g) TRANSITION RULE.—Notwithstanding section 5655 of the Internal Revenue Code of 1986, in the case of corporation with assets of not less than $1,000,000,000 (determined as of the end of the preceding taxable year), the amount 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

“(1) the amount of the next required installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph;

“(2) the amount of such increase shall be reckoned as a separate installment for purposes of section 6655.

(h) CREDIT FOR ELIGIBLE FIRM EXPENDITURES.—Section 35(g)(11)(B)(i) of the Internal Revenue Code of 1986 is amended by inserting before the semicolon “in addition to”, 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 1854(r)(3))’’.

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

“(1) the amount required installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph;

“(2) the amount of such increase shall be reckoned as a separate installment for purposes of section 6655.

(i) CREDIT FOR ELIGIBLE FIRM EXPENDITURES.—Section 35(g)(11)(B)(i) of the Internal Revenue Code of 1986 is amended by inserting before the semicolon “in addition to”, 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 1854(r)(3))’’.

(j) 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 (42 U.S.C. 1395v(k)(2)(A)(ii)(II)) 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 SUBJECTING 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:

“(6) EXCEPTION FOR TAXPAYERS SUBJECTING TO EXCLUDE FOREIGN EARNED INCOME FROM TAX.—For purposes of subsection (a) during the period beginning on July 29, 2025, and ending on September 30, 2025, ‘September 30, 2024’ and inserting ‘September 30, 2025’; and

“EXCELLENT DEPARTMENT OF THE INTERIOR, NATIVE AMERICAN AFFAIRS, OF THE UNITED STATES.—The Secretary of the Interior shall, in consultation with the President, the Congress, and the relevant States, take all necessary action to ensure the safety and security of the American people while preserving and enhancing the Nation’s natural and cultural resources, and most importantly, the lives of the Native American people. The Secretary shall ensure that the Department of the Interior fulfills its trust responsibilities to the American people and its treaty obligations to the Native American people, and that the resources of the United States are managed in a safe, healthy, and environmentally sound manner. The Secretary shall, as appropriate, take all necessary action to ensure the efficient and effective management of the Nation’s natural and cultural resources, and the safety, security, and health of the American people, while protecting the rights of Native American people and the use of natural resources by the public at large.

“AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 12, 2015, at 10 a.m., in room SD–396 of the Dirksen Senate Office Building. The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 12, 2015, at 2:15 p.m., to hold a hearing entitled ‘‘The Civil Nuclear Agreement with China: Balancing the Potential Risks and Rewards.’’ The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS’ AFFAIRS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on May 12, 2015, at 2:30 p.m. in room SR–418, of the Russell Senate Office Building, to conduct a hearing entitled ‘‘Exploring the Implementation and Future of the Veterans Choice Program.’’ The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. THUNE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 12, 2015, at 2:30 p.m. The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. THUNE. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on May 12, 2015, at 3:30 p.m. The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PERSONNEL

Mr. THUNE. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on May 12, 2015, at 5:30 p.m. The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. THUNE. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on