

Significant Changes in NFTC Trade Promotion Authority Act

Process Changes

- 1) Renewal of authority for five years with option to extend at regular five year intervals if the President requests such an extension and if neither House of Congress adopts a disapproval resolution for such extension.
- 2) Special rule for TPP negotiations: the fast track procedures provided in the bill would apply to a TPP agreement only if the President appropriately notifies Congress of the agreement within one year from the date of enactment of this bill.
- 3) The Ways and Means and Finance Committees are directed to jointly develop a plan for broad and deep consultation on trade agreements with other Members of Congress, under the leadership of the two committees.
- 4) Establishes an Office of Trade Analysis within USTR.
- 5) Establishes a petition process within the Executive Branch for unilateral trade liberalization proposals relating to nontariff barriers.
- 6) Permanent authority for fast track approval of changes to existing bilateral or regional agreements made solely for purposes of harmonization.

Negotiating Objectives Changes

- 1) Division of negotiating objectives into fundamental, multilateral, and regional/bilateral.
- 2) Recognition that trade is part of a larger set of overall competitiveness issues.
- 3) New focus on development and maintenance of global supply chains.
- 4) Elimination of most of the sector-specific objectives in previous law.
- 5) Addition of new objectives in such areas as environment, health care, cross border data flows, trade facilitation, forced localization, and export restrictions.
- 6) Multilateral objectives focus on moving toward a “two-track” system within the WTO in which countries willing to undertake greater liberalization can do so on a non-MFN basis and on tougher enforcement of the “substantially all trade” requirement for FTAs.
- 7) Bilateral objectives focus on countries that would provide the greatest economic benefit or those that would provide useful precedents in areas like investment, regulatory policy, due process, labor and environment.
- 8) Promote harmonization of the rules in the various bilateral and regional agreements.

