

A Measured Pace, Distribution of Power, and Transparency

Current TPA Legislation Improves Upon Trade Negotiation Concerns

“Fast Track” was formally renamed Trade Promotion Authority by former President George W. Bush in its renewal request of 2001.¹ Despite the name change, trade opponents drill the antiquated term “Fast Track” into the public’s perception of TPA, painting the process as a hasty, decision-making vehicle. In actuality, “Fast Track” is anything but. To get a better understanding of the true rate at which TPA operates, see the info graphic on page three outlining TPA’s congressional timeline.

The publicly contentious component of the proposed TPA that most accurately represents the “fast” nature of TPA is the “up or down” vote, where Congress accepts or rejects a given trade deal as is, no amendments. Contrary to some trade opponent’s rhetoric, the “up or down” vote is not a mechanism for voracious policymakers to force questionable trade legislation down the throats of Americans. It is designed, however, as a measure to ensure trade agreements retain their essential character throughout a given bill’s development into law by restricting alterations to the deal.

Additionally, as US Commerce Department Portland Director Scott Goddin mentioned at the April CRCBFA General Membership Meeting, by the time the bill comes to the “up or down” vote itself, “It’s not like this should be new to [them].”² Once Congress sets the initial trade objectives with the Executive Branch, the administration begins negotiations abroad, all the while advised by private sectors, Interagency Trade Enforcement Centers [ITECs], Labor, Local Government, Trade Representatives, and Environment Advocates. The draft of the trade bill spends 60 days in Congress, 60 days in the public, *then* goes back to negotiations, and *then* is presented for the “up or down” vote. As stated in the April 16th Oregonian opinion piece [Wyden and Blumenauer on Trade](#), “That means a deal will be public for at least four months before Congress votes on whether to approve it. If any agreement is truly a bad deal that is plenty of time for critics to rally votes in opposition, using facts rather than assumptions.”

The assertion that the executive branch receives inordinate amounts of power through TPA is simply not true. The TPA’s framework is one of compromises: The president is allowed authority to spear-head trade negotiations overseas, but must submit to Congress’ trade objectives at home. It is also of import to note that, under the Reciprocal Trade Agreements Act of 1934, one of the reasons Congress granted authority to the Executive branch in the first place was lessen the political pressure placed on Congress

¹ Fergusson, Ian F. [Trade Promotion Authority \(TPA\) and the Role of Congress in Trade Policy](#). Rep. no. RL33743. Congressional Research Service, 23 Jan. 2015. Web. 29 Apr. 2015.

² Goddin, Scott R. CRCBFA April General Membership Meeting. United States, Portland. 22 Apr. 2015.

by special interest groups.³ The united front of the Executive and Legislative branches only serves to strengthen US relations abroad. Foreign countries are more likely to enter into agreements if they are provided assurance that trade deal objectives have already been vetted by Congress, and that, through the TPA, there is an avenue for legal ramifications of trade deals to become enacted into enforceable US law.

Transparency is a central issue in our nation's current conversation on trade policy. According to "[What's Really in the New Trade Promotion Authority Bill?](#)" by Cato Institute writer [K. William Watson](#), four new transparency provisions have been written to combat the notion of "trade deal secrecy." First, administrations will be required to submit summaries of negotiating positions to the public. To increase visibility to Congress itself, some individuals of congress members' staffs will be granted access to trade bill drafts, a clear attempt to improve the current friction between the Congressional Democrats and the Administration on the subject of trade. This year's TPA legislation also introduces the role of a "Chief Transparency Officer," whose sole purpose is to facilitate transparency in the negotiation of future trade deals. And lastly, arguably the most frank attempt in assuring citizens of the US government's commitment to transparency, the entire text of a bill must be made public for 60 days before being signed into law by the president.

The TPA has been approved by both the Senate Finance Committee and the House Ways and Means Committee. As "Our Man in DC" Peter Friedmann stated in his April 24th "[Trade Legislation Moving Fast](#)" message to the trade community, "We can now expect vociferous efforts to prevent passage of TPA" as it moves to a vote in the House and the Senate. Send a quick email or make a short call to your Senators, Congressmen, and Congresswomen to show support for the passage of the Trade Promotion Authority. If you require contact information for your elected officials, please email your home and work addresses to cesar@federalrelations.com.

For more information on the history of "Fast Track" and Trade Promotion Authority, read the Congressional Research Service [CRS] report "[Trade Promotion Authority \(TPA\) and the Role of Congress in Trade Policy](#)," written by International Trade and Finance Specialist Ian F. Fergusson. The CRS provides objective and non-partisan policy and legal analysis to the US Congress. For information on the Columbia River Customs Brokers & Forwarders Association, please visit www.CRCBFA.org

³ Fergusson, Ian F. [Trade Promotion Authority \(TPA\) and the Role of Congress in Trade Policy](#). Rep. no. RL33743. Congressional Research Service, 23 Jan. 2015. Web. 29 Apr. 2015.

