

1 *gations under the agreement apply only to the parties*
2 *to the agreement, if such application is consistent*
3 *with the terms of the agreement. The implementing*
4 *bill may also provide that the benefits and obligations*
5 *under the agreement do not apply uniformly to all*
6 *parties to the agreement, if such application is con-*
7 *sistent with the terms of the agreement.*

8 (4) *DISCLOSURE OF COMMITMENTS.—Any agree-*
9 *ment or other understanding with a foreign govern-*
10 *ment or governments (whether oral or in writing)*
11 *that—*

12 (A) *relates to a trade agreement with re-*
13 *spect to which Congress enacts an implementing*
14 *bill under trade authorities procedures; and*

15 (B) *is not disclosed to Congress before an*
16 *implementing bill with respect to that agreement*
17 *is introduced in either House of Congress,*
18 *shall not be considered to be part of the agreement ap-*
19 *proved by Congress and shall have no force and effect*
20 *under United States law or in any dispute settlement*
21 *body.*

22 (b) *LIMITATIONS ON TRADE AUTHORITIES PROCE-*
23 *DURES.—*

24 (1) *FOR LACK OF NOTICE OR CONSULTATIONS.—*

1 (A) *IN GENERAL.*—The trade authorities
2 procedures shall not apply to any implementing
3 bill submitted with respect to a trade agreement
4 or trade agreements entered into under section
5 103(b) if during the 60-day period beginning on
6 the date that one House of Congress agrees to a
7 procedural disapproval resolution for lack of no-
8 tice or consultations with respect to such trade
9 agreement or agreements, the other House sepa-
10 rately agrees to a procedural disapproval resolu-
11 tion with respect to such trade agreement or
12 agreements.

13 (B) *PROCEDURAL DISAPPROVAL RESOLU-*
14 *TION.*—(i) For purposes of this paragraph, the
15 term “procedural disapproval resolution” means
16 a resolution of either House of Congress, the sole
17 matter after the resolving clause of which is as
18 follows: “That the President has failed or refused
19 to notify or consult in accordance with the Bi-
20 partisan Congressional Trade Priorities and Ac-
21 countability Act of 2015 on negotiations with re-
22 spect to _____ and, therefore, the
23 trade authorities procedures under that Act shall
24 not apply to any implementing bill submitted
25 with respect to such trade agreement or agree-

1 ments.”, with the blank space being filled with a
2 description of the trade agreement or agreements
3 with respect to which the President is considered
4 to have failed or refused to notify or consult.

5 (ii) For purposes of clause (i) and para-
6 graphs (3)(C) and (4)(C), the President has
7 “failed or refused to notify or consult in accord-
8 ance with the Bipartisan Congressional Trade
9 Priorities and Accountability Act of 2015” on
10 negotiations with respect to a trade agreement or
11 trade agreements if—

12 (I) the President has failed or refused
13 to consult (as the case may be) in accord-
14 ance with sections 104 and 105 and this
15 section with respect to the negotiations,
16 agreement, or agreements;

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

20 (III) the President has not met with
21 the House Advisory Group on Negotiations
22 or the Senate Advisory Group on Negotia-
23 tions pursuant to a request made under sec-
24 tion 104(c)(4) with respect to the negotia-
25 tions, agreement, or agreements; or

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

5 (2) PROCEDURES FOR CONSIDERING RESOLU-
6 TIONS.—(A) Procedural disapproval resolutions—

7 (i) in the House of Representatives—

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

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

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

15 (ii) in the Senate—

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

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

20 (III) may not be amended.

21 (B) The provisions of subsections (d) and (e) of
22 section 152 of the Trade Act of 1974 (19 U.S.C. 2192)
23 (relating to the floor consideration of certain resolu-
24 tions in the House and Senate) apply to a procedural
25 disapproval resolution introduced with respect to a

1 *trade agreement if no other procedural disapproval*
2 *resolution with respect to that trade agreement has*
3 *previously been reported in that House of Congress by*
4 *the Committee on Ways and Means or the Committee*
5 *on Finance, as the case may be, and if no resolution*
6 *described in clause (ii) of section 105(b)(3)(B) with*
7 *respect to that trade agreement has been reported in*
8 *that House of Congress by the Committee on Ways*
9 *and Means or the Committee on Finance, as the case*
10 *may be, pursuant to the procedures set forth in*
11 *clauses (iii) through (vii) of such section.*

12 *(C) It is not in order for the House of Represent-*
13 *atives to consider any procedural disapproval resolu-*
14 *tion not reported by the Committee on Ways and*
15 *Means and, in addition, by the Committee on Rules.*

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

19 *(3) CONSIDERATION IN SENATE OF CONSULTA-*
20 *TION AND COMPLIANCE RESOLUTION TO REMOVE*
21 *TRADE AUTHORITIES PROCEDURES.—*

22 *(A) REPORTING OF RESOLUTION.—If, when*
23 *the Committee on Finance of the Senate meets on*
24 *whether to report an implementing bill with re-*
25 *spect to a trade agreement or agreements entered*

1 *into under section 103(b), the committee fails to*
2 *favorably report the bill, the committee shall re-*
3 *port a resolution described in subparagraph (C).*

4 *(B) APPLICABILITY OF TRADE AUTHORITIES*
5 *PROCEDURES.—The trade authorities procedures*
6 *shall not apply in the Senate to any imple-*
7 *menting bill submitted with respect to a trade*
8 *agreement or agreements described in subpara-*
9 *graph (A) if the Committee on Finance reports*
10 *a resolution described in subparagraph (C) and*
11 *such resolution is agreed to by the Senate.*

12 *(C) RESOLUTION DESCRIBED.—A resolution*
13 *described in this subparagraph is a resolution of*
14 *the Senate originating from the Committee on*
15 *Finance the sole matter after the resolving clause*
16 *of which is as follows: “That the President has*
17 *failed or refused to notify or consult in accord-*
18 *ance with the Bipartisan Congressional Trade*
19 *Priorities and Accountability Act of 2015 on ne-*
20 *gotiations with respect to _____ and,*
21 *therefore, the trade authorities procedures under*
22 *that Act shall not apply in the Senate to any*
23 *implementing bill submitted with respect to such*
24 *trade agreement or agreements.”, with the blank*
25 *space being filled with a description of the trade*

1 *agreement or agreements described in subpara-*
2 *graph (A).*

3 (D) *PROCEDURES.*—*If the Senate does not*
4 *agree to a motion to invoke cloture on the motion*
5 *to proceed to a resolution described in subpara-*
6 *graph (C), the resolution shall be committed to*
7 *the Committee on Finance.*

8 (4) *CONSIDERATION IN THE HOUSE OF REP-*
9 *RESENTATIVES OF A CONSULTATION AND COMPLIANCE*
10 *RESOLUTION.*—

11 (A) *QUALIFICATIONS FOR REPORTING RESO-*
12 *LUTION.*—*If—*

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

19 (ii) *a Member of the House of Rep-*
20 *resentatives has introduced a consultation*
21 *and compliance resolution on the legislative*
22 *day following the filing of a report to ac-*
23 *company the implementing bill with other*
24 *than a favorable recommendation,*

1 *then the Committee on Ways and Means shall*
2 *consider a consultation and compliance resolu-*
3 *tion pursuant to subparagraph (B).*

4 *(B) COMMITTEE CONSIDERATION OF A*
5 *QUALIFYING RESOLUTION.—(i) Not later than*
6 *the fourth legislative day after the date of intro-*
7 *duction of the resolution, the Committee on Ways*
8 *and Means shall meet to consider a resolution*
9 *meeting the qualifications set forth in subpara-*
10 *graph (A).*

11 *(ii) After consideration of one such resolu-*
12 *tion by the Committee on Ways and Means, this*
13 *subparagraph shall not apply to any other such*
14 *resolution.*

15 *(iii) If the Committee on Ways and Means*
16 *has not reported the resolution by the sixth legis-*
17 *lative day after the date of its introduction, that*
18 *committee shall be discharged from further con-*
19 *sideration of the resolution.*

20 *(C) CONSULTATION AND COMPLIANCE RESO-*
21 *LUTION DESCRIBED.—A consultation and com-*
22 *pliance resolution—*

23 *(i) is a resolution of the House of Rep-*
24 *resentatives, the sole matter after the resolv-*
25 *ing clause of which is as follows: "That the*

1 *President has failed or refused to notify or*
2 *consult in accordance with the Bipartisan*
3 *Congressional Trade Priorities and Ac-*
4 *countability Act of 2015 on negotiations*
5 *with respect to _____ and, therefore,*
6 *the trade authorities procedures under that*
7 *Act shall not apply in the House of Rep-*
8 *resentatives to any implementing bill sub-*
9 *mitted with respect to such trade agreement*
10 *or agreements.”, with the blank space being*
11 *filled with a description of the trade agree-*
12 *ment or agreements described in subpara-*
13 *graph (A); and*

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

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

23 (5) *FOR FAILURE TO MEET OTHER REQUIRE-*
24 *MENTS.—Not later than December 15, 2015, the Sec-*
25 *retary of Commerce, in consultation with the Sec-*

1 *retary of State, the Secretary of the Treasury, the At-*
2 *torney General, and the United States Trade Rep-*
3 *resentative, shall transmit to Congress a report set-*
4 *ting forth the strategy of the executive branch to ad-*
5 *dress concerns of Congress regarding whether dispute*
6 *settlement panels and the Appellate Body of the*
7 *World Trade Organization have added to obligations,*
8 *or diminished rights, of the United States, as de-*
9 *scribed in section 102(b)(15)(C). Trade authorities*
10 *procedures shall not apply to any implementing bill*
11 *with respect to an agreement negotiated under the*
12 *auspices of the World Trade Organization unless the*
13 *Secretary of Commerce has issued such report by the*
14 *deadline specified in this paragraph.*

15 (6) *LIMITATIONS ON PROCEDURES WITH RE-*
16 *SPECT TO AGREEMENTS WITH COUNTRIES NOT IN*
17 *COMPLIANCE WITH TRAFFICKING VICTIMS PROTECTION*
18 *ACT OF 2000.—*

19 (A) *IN GENERAL.—The trade authorities*
20 *procedures shall not apply to any implementing*
21 *bill submitted with respect to a trade agreement*
22 *or trade agreements entered into under section*
23 *103(b) with a country to which the minimum*
24 *standards for the elimination of trafficking are*
25 *applicable and the government of which does not*

1 *fully comply with such standards and is not*
2 *making significant efforts to bring the country*
3 *into compliance (commonly referred to as a “tier*
4 *3” country), as determined in the most recent*
5 *annual report on trafficking in persons sub-*
6 *mitted under section 110(b)(1) of the Trafficking*
7 *Victims Protection Act of 2000 (22 U.S.C.*
8 *7107(b)(1)).*

9 *(B) MINIMUM STANDARDS FOR THE ELIMI-*
10 *NATION OF TRAFFICKING DEFINED.—In this*
11 *paragraph, the term “minimum standards for*
12 *the elimination of trafficking” means the stand-*
13 *ards set forth in section 108 of the Trafficking*
14 *Victims Protection Act of 2000 (22 U.S.C. 7106).*

15 *(c) RULES OF HOUSE OF REPRESENTATIVES AND SEN-*
16 *ATE.—Subsection (b) of this section, section 103(c), and sec-*
17 *tion 105(b)(3) are enacted by Congress—*

18 *(1) as an exercise of the rulemaking power of the*
19 *House of Representatives and the Senate, respectively,*
20 *and as such are deemed a part of the rules of each*
21 *House, respectively, and such procedures supersede*
22 *other rules only to the extent that they are incon-*
23 *sistent with such other rules; and*

24 *(2) with the full recognition of the constitutional*
25 *right of either House to change the rules (so far as re-*

1 *lating to the procedures of that House) at any time,*
2 *in the same manner, and to the same extent as any*
3 *other rule of that House.*

4 **SEC. 107. TREATMENT OF CERTAIN TRADE AGREEMENTS**
5 **FOR WHICH NEGOTIATIONS HAVE ALREADY**
6 **BEGUN.**

7 (a) *CERTAIN AGREEMENTS.*—*Notwithstanding the*
8 *prenegotiation notification and consultation requirement*
9 *described in section 105(a), if an agreement to which section*
10 *103(b) applies—*

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

13 (2) *is entered into with the Trans-Pacific Part-*
14 *nership countries with respect to which notifications*
15 *have been made in a manner consistent with section*
16 *105(a)(1)(A) as of the date of the enactment of this*
17 *Act,*

18 (3) *is entered into with the European Union,*

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

24 (5) *is an agreement with respect to environ-*
25 *mental goods entered into with WTO members with*