

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 sel-*  
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*