

114TH CONGRESS
2D SESSION

H. R. 6141

To amend the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 to require the publication of the negotiating position of the United States for each proposed trade agreement after each meeting of the parties to the trade agreement, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 2016

Mrs. DINGELL (for herself, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. POCAN, and Mr. NOLAN) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 to require the publication of the negotiating position of the United States for each proposed trade agreement after each meeting of the parties to the trade agreement, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Promoting Trans-
5 parency in Trade Act”.

1 **SEC. 2. PUBLICATIONS OF TEXTS OF TRADE AGREEMENTS**
2 **AFTER EACH ROUND OF NEGOTIATIONS.**

3 (a) **NEGOTIATIONS.**—Section 105(a)(1) of the Bipar-
4 tisan Congressional Trade Priorities and Accountability
5 Act of 2015 (19 U.S.C. 4204(a)(1)) is amended—

6 (1) in subparagraph (C), by striking “and” at
7 the end;

8 (2) in subparagraph (D), by striking the period
9 and inserting “; and”; and

10 (3) by adding at the end the following:

11 “(E) publish the United States position on
12 a publicly available Internet website at the con-
13 clusion of each negotiating round for the pro-
14 posed agreement.”.

15 (b) **PROCEDURAL DISAPPROVAL RESOLUTION.**—Sec-
16 tion 106(b) of the Bipartisan Congressional Trade Prior-
17 ities and Accountability Act of 2015 (19 U.S.C. 4205(b))
18 is amended—

19 (1) in paragraph (1)—

20 (A) in the heading, by striking “OR CON-
21 SULTATIONS” and inserting “, CONSULTATIONS,
22 OR PUBLICATION OF POSITIONS”; and

23 (B) in subparagraph (B)—

24 (i) in clause (i)—

25 (I) by striking “to notify or con-
26 sult” and all that follows through “on

1 negotiations” and inserting “, in ac-
2 cordance with the Bipartisan Congres-
3 sional Trade Priorities and Account-
4 ability Act of 2015, to notify or con-
5 sult on, or publish United States posi-
6 tions with respect to, negotiations”;
7 and

8 (II) by striking “notify or con-
9 sult.” and inserting “notify, consult,
10 or publish United States positions.”;
11 and

12 (ii) in clause (ii)—

13 (I) in the matter preceding sub-
14 clause (I), by striking “has ‘failed or
15 refused to notify or consult in accord-
16 ance with the Bipartisan Congres-
17 sional Trade Priorities and Account-
18 ability Act of 2015’ on negotiations”
19 and inserting “has ‘failed, in accord-
20 ance with the Bipartisan Congres-
21 sional Trade Priorities and Account-
22 ability Act of 2015, to notify or con-
23 sult on, or publish United States posi-
24 tions with respect to,’ negotiations”;

1 (II) in subclause (III), by strik-
2 ing “or” at the end;

3 (III) in subclause (IV), by strik-
4 ing the period at the end and insert-
5 ing “; or”; and

6 (IV) by adding at the end the fol-
7 lowing:

8 “(V) the President has failed,
9 under section 105(a)(1)(E), to publish
10 the United States position at the con-
11 clusion of each negotiating round of
12 the parties on the agreement.”; and

13 (2) in paragraphs (3)(C) and (4)(C), by strik-
14 ing “to notify or consult” and all that follows
15 through “on negotiations” and inserting “, in ac-
16 cordance with the Bipartisan Congressional Trade
17 Priorities and Accountability Act of 2015, to notify
18 or consult on, or publish United States positions
19 with respect to, negotiations”.

20 (c) DEFINITIONS.—Section 111 of the Bipartisan
21 Congressional Trade Priorities and Accountability Act of
22 2015 is amended—

23 (1) by redesignating paragraphs (19) through
24 (23) as paragraphs (20) through (24), respectively;

1 (2) by inserting after paragraph (18) the fol-
2 lowing new paragraph:

3 “(19) UNITED STATES POSITION.—The term
4 ‘United States position’ means, with respect to a ne-
5 gotiating round, the full text of each proposal com-
6 prising the negotiating position of the United States
7 at the conclusion of such negotiating round and in-
8 cludes each new proposal offered by the United
9 States at such negotiating round.”;

10 (3) by redesignating paragraphs (21) through
11 (24) (as so designated under paragraph (1)) as
12 paragraphs (22) through (25); and

13 (4) by inserting after paragraph (20) the fol-
14 lowing new paragraph:

15 “(21) NEGOTIATING ROUND.—The term ‘nego-
16 tiating round’ means, with respect to the parties to
17 negotiations on an agreement under section 103(b),
18 a meeting of the trade ministers (or designees) of
19 every party to such negotiations.”.

20 **SEC. 3. USTR TRANSPARENCY OFFICER.**

21 Section 141(b)(3) of the Trade Act of 1974 is amend-
22 ed by adding at the end the following: “The Trade Rep-
23 resentative shall ensure that the individual who is ap-
24 pointed the Chief Transparency Officer does not, because
25 of any other position the individual holds or otherwise,

1 have, or appear to have, any conflict of interest in ensur-
2 ing the transparency of the activities of the Office of the
3 Trade Representative, including trade negotiations.”.

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