

# Setting the Record Straight on TPA

**First and foremost, Washington uses far too many abbreviations and they can get misconstrued, so let's start with some definitions...**

**TPA = Trade Promotion Authority.** This is what the U.S. House is expected to vote on this Friday. It defines congressional objectives and priorities for the administration to follow when negotiating trade agreements (more on this below). TPA is not a new power being sought by the President. In fact, nearly every president since FDR has had TPA.

**TPP = Trans Pacific Partnership.** This is the name of a trade agreement that the U.S. is negotiating with 11 other countries. The U.S. has been negotiating this since the Bush administration. There is no vote scheduled on TPP and there won't be until all of the countries involved finalize negotiations and the public has been able to review it for at least 60 days (assuming TPA passes, that is).

**There is a lot of misinformation floating around about what the U.S. House of Representatives is voting on this week. Let's set the record straight...**

**Myth: Congress is voting this week on a trade agreement.**

**Fact: This week, Congress is expected to vote on TPA – a bill that would set congressional parameters on any ongoing trade negotiations, including TPP.**

TPA is in no way a trade agreement. Instead, TPA allows Congress to help set the rules for trade negotiations and lays out objectives of what a good trade deal looks like for America. This helps ensure greater transparency throughout the negotiating process by empowering Congress to conduct vigorous oversight and hold the administration accountable.

**Myth: Congress will have to pass TPA to see what is in it.**

**Fact: TPA's legislative language has been publicly available for nearly two months.**

We know exactly what TPA will do and we have for quite some time.

**Myth: TPP is being negotiated with a dangerous and unprecedented level of secrecy (and TPA lets that happen).**

**Fact: While TPP negotiating documents are available to Members of Congress, they are not fully available to the general public right now because there is no finalized agreement to review. This is common during negotiations like this. That being said, the final text would be available online for 60 days before it's even sent to Congress for its consideration, assuming TPA is in place. This 60-day review period is mandated by the pending TPA legislation.**

It is false to say that TPP negotiations have been secretive. The USTR and Congress have met nearly 1,700 times in the last five years to discuss TPP negotiations. Key congressional committees have also received previews of various TPP proposals before the U.S. Trade Representative took them to our trading partners. With TPA in place, the general public will have online access to the final version of any trade agreement, including TPP, 60 days before

that agreement is sent to Congress. Earlier drafts are not made public in this way, because revealing draft proposals before a deal is struck emboldens our opposition, undermines our negotiating positions, and exposes negotiators to public scrutiny over provisions that might not even be in a final deal. We need to keep the upper hand to get the best deal for America.

**Myth: TPA gives the President new and unlimited powers.**

***Fact: TPA gives Congress greater powers, while putting dozens of strict negotiating parameters on the President.***

The President already has the authority to negotiate a trade agreement under the Constitution, but TPA enables Congress to be part of the process. If TPA is established, Congress is telling the administration: If a trade agreement is to get the privilege of an up-or-down vote in Congress, you must follow our rules and instructions, keep us in the loop, and remember that we have the last say. As a result, Congress maintains total control over the international trade authority granted to it by Article I, Section 8 of the U.S. Constitution. Additionally, TPA in no way obligates Congress to approve TPP or any other trade agreement. If this administration violates the parameters we've set, Congress can revoke TPA. And if he follows the parameters and we still don't like the agreement, Congress has the power to vote it down.

**Myth: TPP is a secret backdoor to achieve the President's political agenda.**

***Fact: The TPA bill specifically bars the President from enacting any changes to U.S. law.***

Many have tried to claim that TPA will allow the President to bypass Congress and use the TPP as a backdoor to lawlessly expand immigration, curtail gun rights, or restrict Internet freedom, among other things. That is false. The Constitution is clear: only Congress can change U.S. law. TPA further reinforces that with additional restraints on the President.

**Myth: Trade agreements destroy U.S. jobs.**

***Fact: Expanding markets for American exports will fuel stronger economic growth and create jobs.***

95 percent of the world's consumers live outside our borders. Our growth is limited if our products can't reach those consumers on a level playing field. Trade supports **448,445 jobs** in Iowa. It enables Iowa to export **\$17.7 billion in goods and \$3.2 billion in services** annually through more than **3,367 exporters**. It has a huge impact on our economy, and with lower trade barriers, those opportunities only grow. If we don't expand our opportunities through trade agreements, other countries (like China) will fill the void.

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# The Bipartisan Congressional Trade Priorities and Accountability Act

## *Frequently Asked Questions*

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### **What is TPA?**

Trade Promotion Authority—or TPA—is a partnership between Congress and the administration that helps secure the most effective trade agreements possible. It has three main components: a list of congressionally-prescribed negotiating objectives that sets priorities for the administration to follow; robust consultation and transparency requirements that give Congress adequate oversight of negotiations and give the public a full understanding of what an agreement would mean; and a streamlined procedure to vote on a trade agreement if the administration meets its TPA obligations.

### **Why is TPA needed?**

TPA is the key to securing job-creating trade agreements that help American workers and ensure the United States is writing the rules of the global economy. It creates a united front between Congress and the president so that an administration can reach the best agreement possible. TPA also guarantees accountability, transparency, and enforceability from the administration as it negotiates trade deals and Congress considers them.

### **How does TPA improve trade agreements?**

Before making their best offers, our negotiating partners need to know that Congress will not re-write a trade agreement. Under TPA, Congress sets negotiating priorities and consultation requirements, and then provides an up-or-down vote if an administration meets them, so other nations can be confident that if they agree to a deal, the United States won't go back on its word.

### **Does TPA give new power to the president?**

No. Since 1974, every president has had TPA. In reality, TPA empowers Congress to demand accountability from the administration. The president already has the constitutional authority to negotiate a trade agreement. But only Congress can change U.S. law. So TPA ensures that Congress is playing a major role throughout negotiations, not just at the end.

### **How does TPA empower Congress?**

TPA provides the rules of the road for the administration as it negotiates with our trading partners. TPA includes 150 clear and ambitious negotiating objectives that set the priorities of any negotiation. TPA also requires the administration to consult with Congress throughout the negotiating process. Without TPA, there would be few guidelines and little accountability for the administration as it negotiates with other countries.

### **What consultation and transparency protections does TPA provide?**

This new version of TPA includes unprecedented consultation and transparency provisions. Any member of Congress can review the latest negotiating text and personally attend negotiating rounds. TPA requires the administration to brief any member who asks on the status of negotiations. It also includes robust reporting requirements on the effects of a trade agreement and makes those reports public. And TPA lays out a timeframe for congressional action once an agreement is complete that allows the American people to learn what the agreement would do before Congress votes.

**What happens if the administration doesn't meet its obligations under TPA?**

There's an off switch. If the administration falls short, Congress has the ability to turn off TPA protections and remove the streamlined voting procedures. In fact, this new version of TPA includes yet another layer of accountability, providing an additional process in which the House and Senate can separately turn off TPA if necessary.

**How does TPA affect U.S. sovereignty?**

It doesn't. TPA includes language that reaffirms that Congress—and only Congress—can change U.S. law. And no trade agreement can go into force without congressional approval.

**What does trade mean for America?**

More jobs. Higher wages. And American leadership in the global economy. More than 38 million American jobs—one in five of all U.S. jobs—are tied to trade. And those jobs pay higher wages—on average, 18 percent higher. Trade agreements make sure that American workers are able to compete on a level playing field, where we know they can thrive. At the same time, trade agreements help to ensure that the United States—not countries like China—is writing the rules in the global economy.