

# Trade Promotions Authority



U.S. Dairy  
Export Council  
Ingredients | Products | Global Markets

## ! What is TPA?

Trade Promotion Authority (TPA) is a time-limited authority that Congress uses to establish trade negotiating objectives, notification, and consultation requirements of the Administration, and procedures to consider implementing legislation for trade agreements. TPA, also known as fast-track trade negotiating authority, is so named because the trade agreements submitted by the Office of the U.S. Trade Representative (USTR) under TPA's authority must be approved or rejected by Congress, without amendment or filibuster, under rules providing expedited consideration within timeframes set by the law. Rarely is Congress bound by such deadlines, making TPA unique.

## ! Current Situation

TPA is set to expire on July 1, 2021. TPA was last reauthorized in 2015 through the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114- 26), which was signed by then-President Obama on June 29, 2015.

## Why Its Needed

Implementing legislation under typical Congressional rules for debate could be subjected to amendment after an agreement is already negotiated. No country would finalize an agreement knowing the agreement may change from an amendment passed by Congress. Congress adopted TPA to expedite consideration of the agreements and protect it from substantial change through amendment. With TPA, Congress has sought to achieve four major goals:

- Define trade agreement policy priorities by specifying U.S. negotiating objectives.
- Ensure that the executive branch advances these objectives through various notification and consultation requirements with Congress.
- Define the terms, conditions, and procedures under which the President may enter into trade agreements and to determine which implementing bills may be approved under expedited authority; and
- Reaffirm the constitutional authority of Congress over trade policy by placing limitations on the use of TPA.

## National Milk Producers Federation / U.S. Dairy Export Council Position

NMPF and USDEC strongly support reauthorization of TPA to ensure USTR is provided with the tools necessary to negotiate trade deals and expanded market access for U.S. dairy products. To strengthen that guidance further, we urge additional clarity be included on TPA's language regarding common name preservation. Last year, over 100 members of the House of Representatives and 62 members of the Senate wrote USTR urging the executive branch to negotiate agricultural market access safeguards for products marketed using specific common food terms, traditional terms, or legitimate plant and grape varieties in all future U.S. trade negotiations. These safeguards are of particular importance to U.S. cheese, meat, and wine producers. High-standard, common food name safeguards should be a key negotiating objective in all future trade agreements and should be reflected in the negotiating objectives set forth by Congress during reauthorization of Trade Promotion Authority.