DEC
NATIONAL
DISTRICT EXPORT COUNCIL
Working for America's Exporters

Trade Promotion Authority

The president needs the authority to negotiate trade agreements – Trade Promotion Authority (TPA) –that the Congress can approve or disapprove but cannot amend or filibuster. Fast-track negotiating authority is granted to the president by Congress. Every president from Franklin D. Roosevelt to George W. Bush has been granted the authority to negotiate market-opening trade agreements in consultation with the Congress.

The U.S. Constitution gives the Congress authority to regulate international commerce, but it gives the president authority to negotiate with foreign governments. TPA rests on this constitutional partnership: It permits the executive branch to negotiate agreements in consultation with the Congress; when an agreement is reached, Congress may approve or reject it, but not amend it.

TPA lapsed in 2007. That's unacceptable; every American president needs TPA, and every president should have it. Potential partners won't negotiate seriously if they know agreements could be picked apart by Congress.

Without TPA, the United States is relegated to the sidelines as other nations negotiate trade agreements without us – putting American workers, farmers, and companies at a competitive disadvantage. Already, more than 300 free trade agreements are in force around the globe, but the United States is a party to just 14 such agreements covering 20 countries.

In the past, TPA has been renewed as part of an omnibus trade act. On this occasion, it would make sense to do so alongside a customs reauthorization bill (which exists in an advanced draft) and renewal of the Generalized System of Preferences (which will lapse on July 31, 2013).

The last time Congress passed TPA, in 2002, it took more than a year for a bill to reach the president's desk. The Obama Administration and Congress should begin discussions on new negotiating authority in early 2013.