

Trade Promotion Authority (TPA)

Brief Description:

Trade Promotion Authority (TPA), formerly called “fast track,” is the authority Congress has granted to the President for limited periods to enter into reciprocal trade agreements to reduce or eliminate barriers to trade and have implementing trade agreement bills considered under expedited legislative procedures, contingent on the President meeting certain statutory objectives in negotiating the agreement. Congressional trade negotiating objectives and consultation and notification procedures were last specified in the Bipartisan Trade Promotion Authority Act of 2002, which expired in 2007. The authority lays out U.S. trade negotiating objectives, procedures for congressional-executive notification and consultation, and the expedited legislative procedures under which a bill to implement a trade agreement is to be considered. While TPA is not required in a trade negotiation, it can be viewed as (1) a major signal of congressional support for advancing trade negotiations; and (2) an opportunity for Congress to stipulate principal trade negotiating objectives and consultation procedural requirements. More generally, TPA defines how Congress has chosen to exercise its constitutional authority over a particular aspect of trade policy, while affording the President added leverage to negotiate trade agreements by giving trading partners assurance that final agreements can receive consideration by Congress in a timely manner and without amendments.

TPA Current Status:

The most recent TPA authorization was enacted on August 6, 2002, as the Bipartisan Trade Promotion Authority Act (part of P.L. 107-210), and applied to trade agreements entered into/signed before July 1, 2007. Therefore, Congress would have to renew TPA in order for it to apply to future trade agreements and those currently under negotiation. On July 30, 2013, President Obama, in a speech, requested Congress reauthorize TPA. In the 113th Congress, bipartisan, bi-cameral legislation to renew TPA has been introduced (H.R. 3830/S. 1900). Congress may debate the renewal of TPA, both in the context of the T-TIP and other U.S. trade agreement negotiations. In the absence of TPA renewal, the Administration has been proceeding under the rules and negotiating objectives of the 2002 TPA.

TPA Quick Facts:

- The TPA, formerly called “fast track,” for trade agreements is the authority Congress grants the President to negotiate trade agreements, and to have their implementing bills considered under expedited legislative procedures, provided the President observes certain statutory obligations.
- TPA outlines Congressional guidance to the President on trade policy priorities and negotiating objectives.
- TPA establishes Congressional requirements for the Administration to notify and consult with Congress, with the private sector and other stakeholders and with the public during the negotiations of trade agreements.

- Since 1979, the authority has been used for 14 bilateral/regional FTAs and one additional set of multilateral trade liberalization agreements under the GATT (now the World Trade Organization (WTO))—the Uruguay Round Agreements Act of 1994.
- The TPA has been renewed four times- in 1979, 1984, 1988, and 2002.
- The most recent TPA authorization was enacted on August 6, 2002, as the Bipartisan Trade Promotion Authority Act (part of P.L. 107-210), and applied to trade agreements entered into/signed before July 1, 2007
- In the 113th Congress, bipartisan, bi-cameral legislation to renew TPA has been introduced (H.R. 3830/S. 1900).
- Until it is renewed, the Administration has been proceeding under the rules and negotiating objectives of the 2002 TPA.

TPA Documents:

113th Congress TPA Legislation

January 2014

[H.R.3830 - Bipartisan Congressional Trade Priorities Act of 2014](#)

January 2014

[S.1900 - Bipartisan Congressional Trade Priorities Act of 2014](#)

TPA Timeline/History:

1975	TPA was first enacted on January 1, 1975, under the Trade Act of 1974.
1979	The authority was used to enact the Tokyo Round Agreements Act of 1979, which implemented the 1974-1979 multilateral trade liberalization agreements reached under the Tokyo Round negotiations under the General Agreement on Tariffs and Trade (GATT), the predecessor to the World Trade Organization (WTO).
1993	Congress provided a short-term extension accommodating completion for GATT Uruguay Round negotiations.
1994	Since 1979, the authority has been used for 14 bilateral/regional free trade agreements (FTAs) and one additional set of multilateral trade liberalization agreements under the GATT (now the World Trade Organization (WTO))—the Uruguay Round Agreements Act of 1994.
2001	The House of Representatives passed Trade Promotion Authority (TPA).
2002	The Senate passed their version of TPA . The 2002 authorization for Trade Promotion Authority applied to agreements entered into before June 1, 2005.
2005	Congress renewed TPA, applying it to agreements entered into before July 1, 2007.
2007	July 1, 2007, TPA expired
2014	TPA has expired up to this point and the current Administration would like to see it renewed.