

# TRADE PROMOTION AUTHORITY



## WHAT IT IS

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.*

## WHY IT'S IMPORTANT

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.

## CURRENT SITUATION

Unfortunately, TPA expired in July 2021, which has contributed to an ongoing lack of new free trade agreements (FTAs), resulting in a

**RECORD LEVEL** PROJECTED FOOD AND AGRICULTURE TRADE DEFICIT



## NMPF AND USDEC'S STANCE

NMPF and USDEC strongly supports 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 in TPA's language regarding common name preservation.

TPA reauthorization should include requirements for USTR to proactively negotiate agriculture market access protectors for products marketed using specific common names like "parmesan" and "feta" to counter the EU's attempts to monopolize generic terms around the world.

**Common food and beverage name protections 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.**