



U.S. REPRESENTATIVE
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“I’ve heard that TPA...”

Facts and Fables of Trade Promotion Authority (TPA)

“TPA will result in secret trade deals, agreed upon without public knowledge.” **Fable**

- Fact: TPA requires the President to make *any and all trade deals* publically accessible for 60 days before Congress can consider them.
- Fact: By law, TPA requires the President to consult Congress, in a specified number of meetings, to hold the Administration accountable during negotiations. *Without TPA, this consultation would not be required.*
- Most importantly, if the President does not follow the rules of TPA, *either House of Congress can independently remove TPA, without consent of the other chamber.*

“TPA gives the President total power over trade negotiations and trade laws.” **Fable**

- Fact: The President has always held the constitutional authority to negotiate with foreign nations.
- Fact: Trade deals *never alter U.S. Constitutional law*. Only Congress can make laws.
- Fact: TPA does not give the President any additional power; rather, it acts as a rule book on Executive power, setting the trade negotiation objectives for the President.

“TPA, TPP, and “Fast Track” all refer to the same legislation.” **Fable**

- TPA is a set of guidelines developed by Congress that limits what the President can and cannot agree to during negotiations. *The President must follow these guidelines or else Congress can dissolve TPA.*
- TPA is referred to as “Fast Track” because the bill simply says Congress will give the final approval on trade deals, without amendments, by a simple yes or no vote.
- TPP, or Trans Pacific Partnership, is a proposed trade agreement currently being negotiated, and will likely be taken up by Congress in the future. As with any international agreement, immigration is a concern, especially under this Administration.

“TPA is a new Executive power-grab and is unconstitutional.” Fable

- TPA has been a tool used by Congress to facilitate free trade agreements since the 1930s, and is completely constitutional.
- TPA, however, is no excuse to ignore trade agreement or bill details; no matter how clear the parameters, it will always be the duty of Congress to diligently exercise the strict oversight afforded by the Constitution.

“TPA sets Guidelines as to what would be acceptable in trade negotiations.” Fact

- Since the Administration conducts the negotiations, TPA defines to the President, in advance, the parameters he must stay within (i.e. cannot weaken our laws on immigration or the environment).
- TPA also requires that Congress be involved during the negotiation process, not after, as would be the case without TPA.

“TPA takes away American jobs and hurts the economy.” Fable

- Since the founding of our nation, trade has been a key component of the American economy.
- Free trade removes government barriers that increase costs of goods and products to Americans. It also removes barriers on export of American goods, which will create more manufacturing jobs for Americans.

“Without TPA, America will be handicapped in international trade.” Fact

- TPA promotes trade deals, by opening the conversation between Congress and the President and solidifying America’s trade objectives.
- Trade deals that result in open trade greatly benefit American businesses. For example, in the five years after NAFTA took effect, unemployment fell by over 2% and labor force participation hit a record high.

“TPA will stop China from being a world trade power.” Fable

- Fact: No matter what happens with TPP, China will not relent in their pursuit of becoming the world’s largest trading partner.

“Congress will be powerless to stop any deal under TPA.” Fable

- Fact: Congress will always retain the power to dismantle the TPA rules for various “disapproval” reasons. With the approval of TPA, no trade deal becomes binding without consent of both Houses of Congress.