

114TH CONGRESS
1ST SESSION

H. R. 1947

To establish the Trade Agreements Enforcement Trust Fund to take actions to enforce free trade agreements to which the United States is a party, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2015

Mr. BLUMENAUER (for himself, Mr. KIND, Mr. NEAL, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Ms. LINDA T. SÁNCHEZ of California, and Mr. MCDERMOTT) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To establish the Trade Agreements Enforcement Trust Fund to take actions to enforce free trade agreements to which the United States is a party, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Supplemental Trade
5 Review, Oversight, Noncompliance and General Enforce-
6 ment Resources Act of 2015” or “STRONGER Act of
7 2015”.

1 **SEC. 2. TRADE AGREEMENTS ENFORCEMENT TRUST FUND.**

2 (a) ESTABLISHMENT; SOURCE OF FUNDS.—There is
3 established in the Treasury of the United States a trust
4 fund, to be known as the Trade Agreements Enforcement
5 Trust Fund (hereinafter in this section referred to as the
6 “Trust Fund”), consisting of such amounts as are trans-
7 ferred to the Trust Fund under subsection (b), any inter-
8 est earned on investment of amounts in the Trust Fund,
9 and any proceeds from the sale or redemption of any obli-
10 gations held in the Trust Fund under subsection (c).

11 (b) TRANSFER OF COUNTERVAILING AND ANTI-
12 DUMPING DUTIES TO TRUST FUND.—

13 (1) IN GENERAL.—The Secretary shall transfer
14 to the Trust Fund for each fiscal year that begins
15 on or after the date of the enactment of this Act an
16 amount equal to \$15,000,000 of the countervailing
17 duties and antidumping duties received in the Treas-
18 ury for such fiscal year.

19 (2) LIMITATION.—The total amount of funds in
20 the Trust Fund may not exceed \$30,000,000.

21 (c) INVESTMENT OF AMOUNTS; INTEREST AND PRO-
22 CEEDS.—

23 (1) INVESTMENT OF AMOUNTS.—The Secretary
24 shall be responsible for investing such portion of the
25 Trust Fund as is not, in the judgment of the Sec-
26 retary, required to meet current withdrawals. Such

1 investments shall only be made in interest-bearing
2 obligations of the United States or in obligations
3 guaranteed as to both principal and interest by the
4 United States.

5 (2) INTEREST AND PROCEEDS.—The interest
6 on, and the proceeds from the sale or redemption of,
7 any obligations held in Trust Fund shall be credited
8 to and form a part of the Trust Fund.

9 (d) FREQUENCY OF TRANSFERS; ADJUSTMENTS.—

10 (1) FREQUENCY OF TRANSFERS.—The Sec-
11 retary shall transfer amounts required to be trans-
12 ferred to the Trust Fund under subsection (b) at
13 least quarterly from the general fund of the Treas-
14 ury to the Trust Fund on the basis of estimates
15 made by the Secretary.

16 (2) ADJUSTMENTS.—The Secretary shall make
17 proper adjustment in the amounts subsequently
18 transferred to the Trust Fund to the extent prior es-
19 timates were in excess of or less than the amounts
20 required to be transferred to the Trust Fund.

21 **SEC. 3. AVAILABILITY OF AMOUNTS FROM TRUST FUND.**

22 (a) IN GENERAL.—The President is authorized to
23 make available such sums as are available in the Trust
24 Fund, including any amounts not obligated in previous fis-
25 cal years, to—

1 (1) the United States Trade Representative to
2 take the actions described in subsection (b)(1); and

3 (2) the United States Trade Representative, the
4 Secretary of State, the Administrator of the United
5 States Agency for International Development, the
6 Secretary of Labor, and the heads of other depart-
7 ments and agencies with relevant expertise, as ap-
8 propriate, to take the actions described in subsection
9 (b)(2).

10 (b) ACTIONS.—

11 (1) RELATING TO ENFORCEMENT.—The actions
12 described in this paragraph are the following:

13 (A) To seek to enforce and resolve any in-
14 consistencies with the provisions, commitments,
15 and obligations of any party made pursuant to
16 any free trade agreement with the United
17 States.

18 (B) To monitor the implementation of
19 commitments and obligations of any party made
20 pursuant to any free trade agreement with the
21 United States for purposes of systematically as-
22 sessing, identifying, investigating, or initiating
23 steps to address inconsistencies with such com-
24 mitments and obligations.

1 (C) To investigate and respond to petitions
2 pursuant to section 301 of the Trade Act of
3 1974 (19 U.S.C. 2411).

4 (D) To seek to enforce and resolve incon-
5 sistencies with the provisions, commitments,
6 and obligations of World Trade Organization
7 member countries under the WTO Agreement
8 (as defined in section 2(9) of the Uruguay
9 Round Agreements Act) and the agreements
10 annexed to that Agreement (as specified in sec-
11 tion 101(d) of the Uruguay Round Agreements
12 Act).

13 (2) RELATING TO IMPLEMENTATION ASSIST-
14 ANCE AND LOCAL CAPACITY BUILDING.—The actions
15 described in this paragraph are the following:

16 (A) To ensure capacity-building efforts un-
17 dertaken by the United States pursuant to any
18 free trade agreement prioritize and give special
19 attention to the timely, consistent, and robust
20 implementation of any labor and environmental
21 commitments and obligations of any party to
22 that free trade agreement.

23 (B) To ensure capacity-building efforts un-
24 dertaken by the United States pursuant to any

1 free trade agreement are self-sustaining and
2 promote local ownership.

3 (C) To ensure capacity-building efforts un-
4 dertaken by the United States pursuant to any
5 free trade agreement include performance indi-
6 cators against which the progress and obstacles
7 for implementation of environmental and labor
8 commitments can be identified and assessed
9 within a meaningful timeframe.

10 (D) To monitor and evaluate United
11 States capacity-building efforts described in
12 subparagraphs (A), (B), and (C) in a manner
13 consistent with section 4.

14 (e) LIMITATION.—Amounts made available in the
15 Trust Fund may not be used to negotiate any new free
16 trade agreements on or after the date of the enactment
17 of this Act.

18 (d) REPORT.—Not later than 18 months following
19 the entry into force of any new free trade agreement, the
20 United States Trade Representative, together with the
21 other parties taking actions under section 3(b)(2) pursu-
22 ant to that free trade agreement shall issue a report to
23 Congress detailing those actions.

24 **SEC. 4. COORDINATION AND ACCOUNTABILITY.**

25 (a) INTERAGENCY COMMITTEE.—

1 (1) IN GENERAL.—The President shall establish
2 a permanent interagency committee to ensure ac-
3 tions taken under section 3(b)(2) are effectively
4 prioritized, targeted, coordinated, and implemented.

5 (2) MEMBERS.—The committee shall consist of
6 the following:

7 (A) The Deputy United States Trade Rep-
8 resentative of the Office of the United States
9 Trade Representative, who shall serve as the
10 chair of the committee.

11 (B) The Under Secretary for Economic
12 Growth, Energy, and the Environment of the
13 Department of State.

14 (C) The Assistant Administrator for Eco-
15 nomic Growth, Education, and Environment of
16 the United States Agency for International De-
17 velopment.

18 (D) The Deputy Undersecretary for Inter-
19 national Affairs of the Department of Labor.

20 (E) Such senior representatives from other
21 departments and agencies with relevant exper-
22 tise, as appropriate, to be appointed by the
23 chair of the committee.

24 (3) AD HOC MEMBERS.—The United States am-
25 bassador to any country receiving United States as-

1 sistance by reason of actions taken under section
2 3(b)(2) shall serve as an ad hoc member of the com-
3 mittee for the period of time during which the plan-
4 ning, budgeting, and implementation of such assist-
5 ance is carried out.

6 (4) CONSULTATION.—The head of any depart-
7 ment or agency that is taking actions under section
8 3(b)(2) shall consult with the committee during the
9 drafting of any action plan, program, or effort led
10 by the United States for purposes of taking such ac-
11 tions.

12 (b) ACCOUNTABILITY.—The United States shall pro-
13 mote aid effectiveness and accountability through trans-
14 parency, monitoring, evaluation, and learning, and fos-
15 tering local ownership and implementation of U.S. assist-
16 ance carried out pursuant to section 3(b)(2) in the fol-
17 lowing manner:

18 (1) INCREASE TRANSPARENCY.—The inter-
19 agency committee established under section 4(a)
20 shall publish timely, comprehensive, and detailed in-
21 formation regarding the implementation assistance
22 and local capacity building described in section
23 3(b)(2) on a quarterly basis in IATI XML format,
24 consistent with the United States commitment to

1 full compliance with the International Aid Trans-
2 parency Initiative.

3 (2) STRENGTHEN EVALUATION.—The inter-
4 agency committee established under section 4(a)
5 shall conduct evaluations that are independent,
6 methodologically rigorous, made public in their en-
7 tirety, and transmitted to the International Aid
8 Transparency Initiative Registry as appropriate.

9 (3) PROMOTE LEARNING.—The interagency
10 committee established under section 4(a) shall de-
11 velop and implement procedures for ensuring that
12 data and evaluation results inform decisionmaking
13 and lead to the revision and promotion of best prac-
14 tices among relevant executive branch agencies.

15 **SEC. 5. DEFINITIONS.**

16 In this Act:

17 (1) ANTIDUMPING DUTY.—The term “anti-
18 dumping duty” means an antidumping duty imposed
19 under section 731 of the Tariff Act of 1930 (19
20 U.S.C. 1673).

21 (2) COUNTERVAILING DUTY.—The term “coun-
22 tervailing duty” means a countervailing duty im-
23 posed under section 701 of the Tariff Act of 1930
24 (19 U.S.C. 1671).

1 (3) SECRETARY.—Except as otherwise provided,
2 the term “Secretary” means the Secretary of the
3 Treasury.

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