

116TH CONGRESS
1ST SESSION

H. CON. RES. 2

Establishing the Joint Ad Hoc Committee on Trade Responsibilities to develop a plan under which the functions and responsibilities of the Office of the United States Trade Representative shall be moved to the legislative branch in accordance with article I, section 8 of the Constitution of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2019

Mr. GRIFFITH submitted the following concurrent resolution; which was referred to the Committee on Rules, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

CONCURRENT RESOLUTION

Establishing the Joint Ad Hoc Committee on Trade Responsibilities to develop a plan under which the functions and responsibilities of the Office of the United States Trade Representative shall be moved to the legislative branch in accordance with article I, section 8 of the Constitution of the United States, and for other purposes.

1 *Resolved by the House of Representatives (the Senate*
2 *concurring),*

1 **SECTION 1. SHORT TITLE.**

2 This resolution may be cited as the “Reclaiming
3 Congress’s Constitutional Mandate in Trade Resolution”.

4 **SEC. 2. JOINT AD HOC COMMITTEE ON TRADE RESPON-**
5 **SIBILITIES.**

6 (a) ESTABLISHMENT.—There is established a Joint
7 Ad Hoc Committee on Trade Responsibilities (referred to
8 as the “Joint Ad Hoc Committee”).

9 (b) MEMBERSHIP.—The Joint Ad Hoc Committee
10 shall consist of 14 members, who shall be appointed not
11 later than 60 days after the date of the adoption of this
12 resolution, as follows:

13 (1) Nine Members of the House of Representa-
14 tives who shall be members of the Committee on
15 Ways and Means or the Committee on Energy and
16 Commerce, of whom—

17 (A) six shall be appointed by the Speaker
18 of the House of Representatives, one of whom
19 (as designated by the Speaker at the time of
20 appointment) shall serve as the Chair of the
21 Joint Ad Hoc Committee; and

22 (B) three shall be appointed by the minor-
23 ity leader of the House of Representatives.

24 (2) Five Senators who shall be members of the
25 Committee on Finance, of whom—

1 (A) three shall be appointed by the major-
 2 ity leader of the Senate, one of whom (as des-
 3 ignated by the majority leader at the time of
 4 appointment) shall serve as the Vice Chair of
 5 the Joint Ad Hoc Committee; and

6 (B) two shall be appointed by the minority
 7 leader of the Senate.

8 (c) DUTIES.—

9 (1) PLAN FOR TRANSFER OF USTR FUNCTIONS
 10 TO LEGISLATIVE BRANCH.—The Joint Ad Hoc Com-
 11 mittee shall develop a plan under which the func-
 12 tions and responsibilities of the Office of the United
 13 States Trade Representative shall be moved to the
 14 legislative branch in accordance with article I, sec-
 15 tion 8 of the Constitution of the United States.

16 (2) CONSULTATION WITH ADVISORY BOARD.—
 17 In developing the plan under paragraph (1), the
 18 Joint Ad Hoc Committee shall consult regularly with
 19 the Congressional Advisory Board on Trade Respon-
 20 sibilities established under section 3.

21 (3) DEADLINE FOR TRANSFER UNDER PLAN.—
 22 Under the plan developed by the Joint Ad Hoc Com-
 23 mittee under paragraph (1), the functions and re-
 24 sponsibilities of the Office of the United States

1 Trade Representative shall be moved to the legisla-
 2 tive branch—

3 (A) upon the expiration of the 4-year pe-
 4 riod which begins on the date the Joint Ad Hoc
 5 Committee submits the report described in sub-
 6 section (e); or

7 (B) on July 1, 2023,
 8 whichever is later.

9 (d) AUTHORITIES; EMPLOYMENT AND COMPENSA-
 10 TION OF STAFF.—

11 (1) AUTHORITY OF COMMITTEE.—

12 (A) IN GENERAL.—The Joint Ad Hoc
 13 Committee may—

14 (i) subject to subparagraph (B), sit
 15 and act at such places and times as the
 16 Joint Ad Hoc Committee determines are
 17 appropriate during the sessions, recesses,
 18 and adjourned periods of Congress; and

19 (ii) require the attendance of wit-
 20 nesses and the production of books, pa-
 21 pers, and documents, administer oaths,
 22 take testimony, and procure printing and
 23 binding.

24 (B) MEETINGS.—Beginning on the date
 25 that is 90 days after the date of the adoption

1 of this resolution, the Joint Ad Hoc Committee
2 may meet at the call of the Chair or a majority
3 of its members that are appointed as of such
4 date.

5 (2) APPOINTMENT AND COMPENSATION OF
6 STAFF.—(A) The Joint Ad Hoc Committee may ap-
7 point and fix the compensation of such experts, con-
8 sultants, technicians, and clerical personnel as it
9 deems necessary, but shall utilize existing staff to
10 the extent possible. Staff shall be compensated and
11 reimbursed in accordance with current rules, stat-
12 utes, practices, and procedures under which congres-
13 sional staff are currently compensated and reim-
14 bursed for their official expenses.

15 (B) The Joint Ad Hoc Committee may utilize
16 such voluntary and uncompensated services as it
17 deems necessary and may utilize the services, infor-
18 mation, facilities, and personnel of other agencies of
19 the legislative branch.

20 (3) WITNESSES.—Witnesses requested to ap-
21 pear before the Joint Ad Hoc Committee shall be re-
22 imbursed for travel, subsistence, and other necessary
23 expenses incurred in traveling to and from Joint Ad
24 Hoc Committee proceedings.

25 (4) EXPENSES.—

1 (A) HOUSE OF REPRESENTATIVES.—There
 2 shall be paid out of the applicable accounts of
 3 the House of Representatives such sums as may
 4 be necessary for the portion of the expenses of
 5 the Joint Ad Hoc Committee which are allo-
 6 cable to the House. Such payments shall be
 7 made on vouchers signed by the Chair of the
 8 Joint Ad Hoc Committee and approved in the
 9 manner directed by the Committee on House
 10 Administration of the House of Representatives.
 11 Amounts made available under this paragraph
 12 shall be expended in accordance with regula-
 13 tions prescribed by the Committee on House
 14 Administration of the House of Representatives.

15 (B) SENATE.—There shall be paid out of
 16 the contingent fund of the Senate such sums as
 17 may be necessary for the portion of the ex-
 18 penses of the Joint Ad Hoc Committee which
 19 are allocable to the Senate. Such payments
 20 shall be made on vouchers signed by the Vice
 21 Chair of the Joint Ad Hoc Committee.

22 (e) REPORT.—Not later than 16 months after the
 23 date on which all members of the Joint Ad Hoc Committee
 24 are appointed under subsection (b), the Committee shall

1 submit to Congress a report that contains the plan de-
 2 scribed in subsection (c).

3 (f) TERMINATION.—The Joint Ad Hoc Committee
 4 shall terminate upon the expiration of the 1-year period
 5 which begins on the date the Joint Ad Hoc Committee
 6 submits the report required under subsection (e).

7 **SEC. 3. CONGRESSIONAL ADVISORY BOARD.**

8 (a) ESTABLISHMENT.—There is established a Con-
 9 gressional Advisory Board on Trade Responsibilities (re-
 10 ferred to as the “Advisory Board”).

11 (b) MEMBERSHIP.—The Advisory Board shall consist
 12 of 21 members, who shall be appointed not later than 60
 13 days after the date of the adoption of this resolution, as
 14 follows:

15 (1) Four members appointed by the Speaker of
 16 the House of Representatives, of whom—

17 (A) one member shall be appointed from
 18 among the individuals described in subsection
 19 (c)(1); and

20 (B) three members shall be appointed from
 21 among the individuals described in subsection
 22 (c)(2).

23 (2) Four members appointed by the majority
 24 leader of the Senate, of whom—

1 (A) one member shall be appointed from
2 among the individuals described in subsection
3 (c)(1); and

4 (B) three members shall be appointed from
5 among the individuals described in subsection
6 (c)(2).

7 (3) Three members appointed by the minority
8 leader of the House of Representatives, of whom—

9 (A) one member shall be appointed from
10 among the individuals described in subsection
11 (c)(1); and

12 (B) two members shall be appointed from
13 among the individuals described in subsection
14 (c)(2).

15 (4) Three members appointed by the minority
16 leader of the Senate, of whom—

17 (A) one member shall be appointed from
18 among the individuals described in subsection
19 (c)(1); and

20 (B) two members shall be appointed from
21 among the individuals described in subsection
22 (c)(2).

23 (5) Six members appointed by the United
24 States Trade Representative, of whom—

1 (A) three members shall be appointed from
 2 among the individuals described in subsection
 3 (c)(1); and

4 (B) three members shall be appointed from
 5 among the individuals described in subsection
 6 (c)(2).

7 (6) The United States Trade Representative (or
 8 the Trade Representative's designee).

9 (c) INDIVIDUALS ELIGIBLE FOR APPOINTMENT.—
 10 The individuals eligible for appointment to the Advisory
 11 Board under subsection (b) are the following:

12 (1) Individuals with expertise on the constitu-
 13 tional roles of the President and Congress regarding
 14 United States trade policy and the development, ne-
 15 gotiation, implementation, and administration of bi-
 16 lateral and multilateral trade agreements.

17 (2) Individuals who are representatives of non-
 18 Federal governments, labor, industry, agriculture,
 19 small business, service industries, retailers, non-
 20 governmental environmental and conservation orga-
 21 nization, and consumer interests.

22 (d) DUTIES.—The Advisory Board shall advise the
 23 Joint Ad Hoc Committee on Trade Responsibilities estab-
 24 lished under section 2 in its development of the plan de-
 25 scribed in section 2(c).

1 (e) EXPENSES.—Members of the Advisory Board
2 shall serve without pay, but each member who does not
3 reside in the Washington Metropolitan Area shall receive
4 travel expenses, including per diem in lieu of subsistence,
5 in accordance with applicable provisions under subchapter
6 I of chapter 57 of title 5, United States Code. In this sub-
7 section, the term “Washington Metropolitan Area” means
8 the District of Columbia, the counties of Montgomery and
9 Prince Georges in Maryland, and the counties of Arling-
10 ton, Fairfax, Loudon, and Prince William and the cities
11 of Alexandria and Falls Church in Virginia.

12 (f) AVAILABILITY OF STAFF OF JOINT AD HOC COM-
13 MITTEE.—The Advisory Board may not appoint staff, but
14 upon request of the Advisory Board, the Joint Ad Hoc
15 Committee on Trade Responsibilities may detail any of its
16 personnel to assist the Advisory Board in carrying out the
17 Advisory Board’s duties under this Act.

18 (g) TERMINATION.—The Advisory Board shall termi-
19 nate upon the expiration of the 1-year period which begins
20 on the date the Joint Ad Hoc Committee on Trade Re-
21 sponsibilities submits the report required under section
22 2(e).

1 **SEC. 4. ASSISTANCE OF UNITED STATES TRADE REP-**
2 **RESENTATIVE.**

3 The United States Trade Representative and other
4 heads of offices in the executive branch, shall make avail-
5 able to the Joint Ad Hoc Committee on Trade Responsibil-
6 ities established under section 2 and the Congressional
7 Advisory Board on Trade Responsibilities established
8 under section 3 such information and assistance the Joint
9 Ad Hoc Committee and the Advisory Board may reason-
10 ably require to carry out their activities.

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