Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
García (IL)
Garcia (TX)
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McBath
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NAYS—196

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (NC)
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Golden
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Huizenga
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marshall
Massie
Mast
McAdams
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—7

Hudson
Hunter
Marchant
McEachin
Serrano
Shimkus
Stanton

□ 1035

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. STANTON. Mr. Speaker, had I been present, I would have voted "yea" on rollcall No. 698.

UNITED STATES-MEXICO-CANADA AGREEMENT IMPLEMENTATION ACT

Mr. HOYER. Madam Speaker, pursuant to the order of the House of December 16, 2019, I call up the bill (H.R. 5430) to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. TORRES SMALL of New Mexico). Pursuant to the order of the House of December 16, 2019, the bill is considered read.

The text of the bill is as follows:

H.R. 5430

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''United States-Mexico-Canada Agreement Implementation Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Purpose.
Sec. 3. Definitions.

TITLE I—APPROVAL OF, AND GENERAL PROVISIONS RELATING TO, THE USMCA

Sec. 101. Approval and entry into force of the USMCA.
Sec. 102. Relationship of the USMCA to United States and State law.
Sec. 103. Implementing actions in anticipation of entry into force; initial regulations; tariff proclamation authority.
Sec. 104. Consultation and layover provisions for, and effective date of, proclaimed actions.
Sec. 105. Administration of dispute settlement proceedings.
Sec. 106. Trade Representative authority.
Sec. 107. Effective date.

TITLE II—CUSTOMS PROVISIONS

Sec. 201. Exclusion of originating goods of USMCA countries from special agriculture safeguard authority.
Sec. 202. Rules of origin.
Sec. 202A. Special rules for automotive goods.
Sec. 203. Merchandise processing fee.
Sec. 204. Disclosure of incorrect information; false certifications of origin; denial of preferential tariff treatment.
Sec. 205. Reliquidation of entries.
Sec. 206. Recordkeeping requirements.
Sec. 207. Actions regarding verification of claims under the USMCA.
Sec. 208. Drawback [reserved].
Sec. 209. Other amendments to the Tariff Act of 1930.
Sec. 210. Regulations.

TITLE III—APPLICATION OF USMCA TO SECTORS AND SERVICES

Subtitle A—Relief From Injury Caused by Import Competition [reserved]

Subtitle B—Temporary Entry of Business Persons [reserved]

Subtitle C—United States-Mexico Cross-border Long-haul Trucking Services

Sec. 321. Definitions.
Sec. 322. Investigations and determinations by Commission.
Sec. 323. Commission recommendations and report.
Sec. 324. Action by President with respect to affirmative determination.
Sec. 325. Confidential business information.
Sec. 326. Conforming amendments.
Sec. 327. Survey of operating authorities.

TITLE IV—ANTIDUMPING AND COUNTERVAILING DUTIES

Subtitle A—Preventing Duty Evasion

Sec. 401. Cooperation on duty evasion.

Subtitle B—Dispute Settlement [reserved]

Subtitle C—Conforming Amendments

Sec. 421. Judicial review in antidumping duty and countervailing duty cases.
Sec. 422. Conforming amendments to other provisions of the Tariff Act of 1930.
Sec. 423. Conforming amendments to title 28, United States Code.

Subtitle D—General Provisions

Sec. 431. Effect of termination of USMCA country status.
Sec. 432. Effective date.

TITLE V—TRANSFER PROVISIONS AND OTHER AMENDMENTS

Sec. 501. Drawback.
Sec. 502. Relief from injury caused by import competition.

Sec. 503. Temporary entry.
Sec. 504. Dispute settlement in antidumping and countervailing duty cases.
Sec. 505. Government procurement.
Sec. 506. Actions affecting United States cultural industries.
Sec. 507. Regulatory treatment of uranium purchases.
Sec. 508. Report on amendments to existing law.

TITLE VI—TRANSITION TO AND EXTENSION OF USMCA

Subtitle A—Transitional Provisions

Sec. 601. Repeal of North American Free Trade Agreement Implementation Act.
Sec. 602. Continued suspension of the United States-Canada Free-Trade Agreement.

Subtitle B—Joint Reviews Regarding Extension of USMCA

Sec. 611. Participation in joint reviews with Canada and Mexico regarding extension of the term of the USMCA and other action regarding the USMCA.

Subtitle C—Termination of USMCA

Sec. 621. Termination of USMCA.

TITLE VII—LABOR MONITORING AND ENFORCEMENT

Sec. 701. Definitions.

Subtitle A—Interagency Labor Committee for Monitoring and Enforcement

Sec. 711. Interagency labor committee for monitoring and enforcement.
Sec. 712. Duties.
Sec. 713. Enforcement priorities.
Sec. 714. Assessments.
Sec. 715. Recommendation for enforcement action.
Sec. 716. Petition process.
Sec. 717. Hotline.
Sec. 718. Reports.
Sec. 719. Consultations on appointment and funding of rapid response labor panelists.

Subtitle B—Mexico Labor Attachés

Sec. 721. Establishment.
Sec. 722. Duties.
Sec. 723. Status.

Subtitle C—Independent Mexico Labor Expert Board

Sec. 731. Establishment.
Sec. 732. Membership; term.
Sec. 733. Funding.
Sec. 734. Reports.

Subtitle D—Forced Labor

Sec. 741. Forced labor enforcement task force.
Sec. 742. Timeline required.
Sec. 743. Reports required.
Sec. 744. Duties related to Mexico.

Subtitle E—Enforcement Under Rapid Response Labor Mechanism

Sec. 751. Transmission of reports.
Sec. 752. Suspension of liquidation.
Sec. 753. Final remedies.

TITLE VIII—ENVIRONMENT MONITORING AND ENFORCEMENT

Sec. 801. Definitions.

Subtitle A—Interagency Environment Committee for Monitoring and Enforcement

Sec. 811. Establishment.
Sec. 812. Assessment.
Sec. 813. Monitoring actions.
Sec. 814. Enforcement actions.
Sec. 815. Other monitoring and enforcement actions.
Sec. 816. Report to Congress.
Sec. 817. Regulations.

Subtitle B—Other Matters

Sec. 821. Border water infrastructure improvement authority.
Sec. 822. Detail of personnel to Office of the United States Trade Representative.

Subtitle C—North American Development Bank

Sec. 831. General capital increase.
Sec. 832. Policy goals.
Sec. 833. Efficiencies and streamlining.
Sec. 834. Performance measures.

TITLE IX—USMCA SUPPLEMENTAL APPROPRIATIONS ACT, 2019

SEC. 2. PURPOSE.

The purpose of this Act is to approve and implement the Agreement between the United States of America, the United Mexican States, and Canada entered into under the authority of section 103(b) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4202(b)).

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives.

(2) HTS.—The term ''HTS'' means the Harmonized Tariff Schedule of the United States.

(3) IDENTICAL GOODS.—The term ''identical goods'' means goods that are the same in all respects relevant to the rule of origin that qualifies the goods as originating goods.

(4) INTERNATIONAL TRADE COMMISSION.—The term ''International Trade Commission'' means the United States International Trade Commission.

(5) MEXICO.—The term ''Mexico'' means the United Mexican States.

(6) NAFTA.—The term ''NAFTA'' means the North American Free Trade Agreement approved by Congress under section 101(a)(1) of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3311(a)(1)).

(7) PREFERENTIAL TARIFF TREATMENT.—The term ''preferential tariff treatment'' means the customs duty rate that is applicable to an originating good (as defined in section 202(a)) under the USMCA.

(8) TRADE REPRESENTATIVE.—The term ''Trade Representative'' means the United States Trade Representative.

(9) USMCA.—The term ''USMCA'' means the Agreement between the United States of America, the United Mexican States, and Canada, which is—

(A) attached as an Annex to the Protocol Replacing the North American Free Trade Agreement with the Agreement between the United States of America, the United Mexican States, and Canada, done at Buenos Aires on November 30, 2018, as amended by the Protocol of Amendment to the Agreement Between the United States of America, the United Mexican States, and Canada, done at Mexico City on December 10, 2019; and

(B) approved by Congress under section 101(a)(1).

(10) USMCA COUNTRY.—Except as otherwise provided, the term ''USMCA country'' means—

(A) Canada for such time as the USMCA is in force with respect to, and the United States applies the USMCA to, Canada; and

(B) Mexico for such time as the USMCA is in force with respect to, and the United States applies the USMCA to, Mexico.

TITLE I—APPROVAL OF, AND GENERAL PROVISIONS RELATING TO, THE USMCA

SEC. 101. APPROVAL AND ENTRY INTO FORCE OF THE USMCA.

(a) APPROVAL OF USMCA AND STATEMENT OF ADMINISTRATIVE ACTION.—Pursuant to section 106 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4205) and section 151 of the Trade Act of 1974 (19 U.S.C. 2191), Congress approves—

(1) the Protocol Replacing the North American Free Trade Agreement with the Agreement between the United States of America, the United Mexican States, and Canada, done at Buenos Aires on November 30, 2018, as submitted to Congress on December 13, 2019;

(2) the Agreement between the United States of America, the United Mexican States, and Canada, attached as an Annex to the Protocol, as amended by the Protocol of Amendment to the Agreement between the United States of America, the United Mexican States, and Canada, done at Mexico City on December 10, 2019, as submitted to Congress on December 13, 2019; and

(3) the statement of administrative action proposed to implement that Agreement, as submitted to Congress on December 13, 2019.

(b) CONDITIONS FOR ENTRY INTO FORCE OF THE AGREEMENT.—The President is authorized to provide for the USMCA to enter into force with respect to Canada and Mexico not earlier than 30 days after the date on which the President submits to Congress the written notice required by section 106(a)(1)(G) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4205(a)(1)(G)), which shall include the date on which the USMCA will enter into force.

SEC. 102. RELATIONSHIP OF THE USMCA TO UNITED STATES AND STATE LAW.

(a) RELATIONSHIP OF USMCA TO UNITED STATES LAW.—

(1) UNITED STATES LAW TO PREVAIL IN CONFLICT.—No provision of the USMCA, nor the application of any such provision to any person or circumstance, which is inconsistent with any law of the United States, shall have effect.

(2) CONSTRUCTION.—Nothing in this Act shall be construed—

(A) to amend or modify any law of the United States, or

(B) to limit any authority conferred under any law of the United States,

unless specifically provided for in this Act.

(b) RELATIONSHIP OF USMCA TO STATE LAW.—

(1) LEGAL CHALLENGE.—No State law, or the application thereof, may be declared invalid as to any person or circumstance on the ground that the provision or application is inconsistent with the USMCA, except in an action brought by the United States for the purpose of declaring such law or application invalid.

(2) DEFINITION OF STATE LAW.—For purposes of this subsection, the term ''State law'' includes—

(A) any law of a political subdivision of a State; and

(B) any State law regulating or taxing the business of insurance.

(c) EFFECT OF USMCA WITH RESPECT TO PRIVATE REMEDIES.—No person other than the United States—

(1) shall have any cause of action or defense under the USMCA or by virtue of congressional approval thereof; or

(2) may challenge, in any action brought under any provision of law, any action or inaction by any department, agency, or other instrumentality of the United States, any State, or any political subdivision of a State, on the ground that such action or inaction is inconsistent with the USMCA.

SEC. 103. IMPLEMENTING ACTIONS IN ANTICIPATION OF ENTRY INTO FORCE; INITIAL REGULATIONS; TARIFF PROCLAMATION AUTHORITY.

(a) IMPLEMENTING ACTIONS.—

(1) PROCLAMATION AUTHORITY.—After the date of the enactment of this Act—

(A) the President may proclaim such actions, and

(B) other appropriate officers of the United States Government may prescribe such regulations,

as may be necessary to ensure that any provision of this Act, or amendment made by this Act, that takes effect on the date on which the USMCA enters into force is appropriately implemented on such date, but no such proclamation or regulation may have an effective date earlier than the date on which the USMCA enters into force.

(2) EFFECTIVE DATE OF CERTAIN PROCLAIMED ACTIONS.—Any action proclaimed by the President under the authority of this Act that is not subject to the consultation and layover provisions under section 104 may not take effect before the 15th day after the date on which the text of the proclamation is published in the Federal Register.

(3) WAIVER OF 15-DAY RESTRICTION.—The 15-day restriction contained in paragraph (2) on the taking effect of proclaimed actions is waived to the extent that the application of such restriction would prevent the taking effect on the date on which the USMCA enters into force of any action proclaimed under this section.

(b) INITIAL REGULATIONS.—

(1) IN GENERAL.—Except as provided by paragraph (2) or (3), initial regulations necessary or appropriate to carry out the actions required by or authorized under this Act or proposed in the statement of administrative action approved under section 101(a)(2) to implement the USMCA shall, to the maximum extent feasible, be prescribed within 1 year after the date on which the USMCA enters into force.

(2) UNIFORM REGULATIONS.—Interim or initial regulations to implement the Uniform Regulations regarding rules of origin provided for under article 5.16 of the USMCA shall be prescribed not later than the date on which the USMCA enters into force.

(3) IMPLEMENTING ACTIONS WITH EFFECTIVE DATES AFTER ENTRY INTO FORCE.—In the case of any implementing action that takes effect on a date after the date on which the USMCA enters into force, initial regulations to carry out that action shall, to the maximum extent feasible, be prescribed within 1 year after such effective date.

(c) TARIFF MODIFICATIONS.—

(1) TARIFF MODIFICATIONS PROVIDED FOR IN THE USMCA.—The President may proclaim—

(A) such modifications or continuation of any duty,

(B) such continuation of duty-free or excise treatment, or

(C) such additional duties,

as the President determines to be necessary or appropriate to carry out or apply articles 2.4, 2.5, 2.7, 2.8, 2.9, 2.10, 6.2, and 6.3, the Schedule of the United States to Annex 2–B, including the appendices to that Annex, Annex 2–C, and Annex 6–A, of the USMCA.

(2) OTHER TARIFF MODIFICATIONS.—Subject to the consultation and layover provisions of section 104, the President may proclaim—

(A) such modifications or continuation of any duty,

(B) such modifications as the United States may agree to with a USMCA country regarding the staging of any duty treatment set forth in the Schedule of the United States to Annex 2–B of the USMCA, including the appendices to that Annex,

(C) such continuation of duty-free or excise treatment, or

(D) such additional duties,

as the President determines to be necessary or appropriate to maintain the general level of reciprocal and mutually advantageous concessions with respect to a USMCA country provided for by the USMCA.

(3) CONVERSION TO AD VALOREM RATES.—For purposes of paragraphs (1) and (2), with respect to any good for which the base rate in the Schedule of the United States to Annex 2–B of the USMCA is a specific or compound rate of duty, the President shall substitute for the base rate an ad valorem rate that the President determines to be equivalent to the base rate.

(4) TARIFF-RATE QUOTAS.—In implementing the tariff-rate quotas set forth in the Schedule of the United States to Annex 2–B of the USMCA, the President shall take such actions as may be necessary to ensure that imports of agricultural goods do not disrupt the orderly marketing of agricultural goods in the United States.

(5) PRESIDENTIAL PROCLAMATION AUTHORITY RELATING TO RULES OF ORIGIN.—

(A) IN GENERAL.—The President may proclaim, as part of the HTS—

(i) the provisions set forth in Annex 4–B of the USMCA;

(ii) the provisions set forth in paragraph 2 of article 3.A.6 of Annex 3–A of the USMCA;

(iii) the provisions set forth in paragraph 5 of Annex 3–B of the USMCA;

(iv) the provisions set forth in paragraphs 14(b), 14(c), and 15(e) of Section B of Appendix 2 to Annex 2–B of the USMCA; and

(v) any additional subordinate category that is necessary to carry out section 202 and section 202A consistent with the USMCA.

(B) MODIFICATIONS.—

(i) IN GENERAL.—Subject to the consultation and layover provisions of section 104, the President may proclaim modifications to the provisions proclaimed under the authority of subparagraph (A), other than the provisions of chapters 50 through 63 of the USMCA.

(ii) SPECIAL RULE FOR TEXTILES.—Notwithstanding clause (i), and subject to the consultation and layover provisions of section 104, the President may proclaim—

(I) such modifications to the provisions proclaimed under the authority of subparagraph (A) as are necessary to implement an agreement with one or more USMCA countries pursuant to article 6.4 of the USMCA; and

(II) before the end of the 1-year period beginning on the date on which the USMCA enters into force, modifications to correct any typographical, clerical, or other nonsubstantive technical error regarding the provisions of chapters 50 through 63 of the USMCA.

SEC. 104. CONSULTATION AND LAYOVER PROVISIONS FOR, AND EFFECTIVE DATE OF, PROCLAIMED ACTIONS.

If a provision of this Act provides that the implementation of an action by the President by proclamation is subject to the consultation and layover requirements of this section, that action may be proclaimed only if—

(1) the President has obtained advice regarding the proposed action from—

(A) the appropriate advisory committees established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155); and

(B) the International Trade Commission, which shall hold a public hearing on the proposed action before providing advice regarding the proposed action;

(2) the President has submitted to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that sets forth—

(A) the proposed action and the reasons therefor; and

(B) the advice obtained under paragraph (1);

(3) a period of 60 calendar days, beginning on the first day on which the requirements set forth in paragraphs (1) and (2) have been met, has expired; and

(4) the President has consulted with the committees referred to in paragraph (2) regarding the proposed action during the period referred to in paragraph (3).

SEC. 105. ADMINISTRATION OF DISPUTE SETTLEMENT PROCEEDINGS.

(a) UNITED STATES SECTION OF SECRETARIAT.—

(1) ESTABLISHMENT OR DESIGNATION OF OFFICE.—The President is authorized to establish or designate within the Department of Commerce an office to serve as the United States Section of the Secretariat established under article 30.6 of the USMCA.

(2) FUNCTIONS AND ADMINISTRATIVE ASSISTANCE.—The office established or designated under paragraph (1), subject to the oversight of the interagency group established under section 411(c)(2), shall—

(A) carry out its functions within the Secretariat to facilitate the operation of the USMCA, including the operation of section D of chapter 10 and chapter 31 of the USMCA; and

(B) provide administrative assistance to—

(i) panels established under chapter 31 of the USMCA, including under Annex 31–A (relating to the Facility-Specific Rapid Response Labor Mechanism);

(ii) technical advisers and experts provided for under chapter 31 of the USMCA;

(iii) binational panels and extraordinary challenge committees established under section D of chapter 10 of the USMCA; and

(iv) binational panels and extraordinary challenge committees established under NAFTA for matters covered by article 34.1 of the USMCA (relating to transition from NAFTA).

(3) TREATMENT OF OFFICE UNDER FREEDOM OF INFORMATION ACT.—The office established or designated under paragraph (1) shall not be considered an agency for purposes of section 552 of title 5, United States Code.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each fiscal year after fiscal year 2020 to the Department of Commerce $2,000,000 for—

(1) the operations of the office established or designated under subsection (a)(1); and

(2) the payment of the United States share of the expenses of—

(A) panels established under chapter 31 of the USMCA, including under Annex 31–A (relating to the Facility-Specific Rapid Response Labor Mechanism);

(B) binational panels and extraordinary challenge committees established under section D of chapter 10 of the USMCA; and

(C) binational panels and extraordinary challenge committees established under NAFTA for matters covered by article 34.1 of the USMCA (relating to transition from NAFTA).

(c) REIMBURSEMENT OF CERTAIN EXPENSES.—If the Canadian Section or the Mexican Section of the Secretariat provides funds to the United States Section during any fiscal year as reimbursement for expenses in connection with dispute settlement proceedings under section D of chapter 10 or chapter 31 of the USMCA, or under chapter 19 of NAFTA, the United States Section may, notwithstanding section 3302 of title 31, United States Code, retain and use such funds to carry out the functions described in subsection (a)(2).

SEC. 106. TRADE REPRESENTATIVE AUTHORITY.

If a country (other than the United States) that has signed the USMCA does not enact implementing legislation, the Trade Representative is authorized to enter into negotiations with the other country that has signed the USMCA to consider how the applicable provisions of the USMCA can come into force with respect to the United States and that other country as promptly as possible.

SEC. 107. EFFECTIVE DATE.

(a) IN GENERAL.—Sections 1 through 3 and this title (other than section 103(c)) shall take effect on the date of the enactment of this Act.

(b) PROCLAMATION AUTHORITY.—Section 103(c) shall take effect on the date on which the USMCA enters into force.

TITLE II—CUSTOMS PROVISIONS

SEC. 201. EXCLUSION OF ORIGINATING GOODS OF USMCA COUNTRIES FROM SPECIAL AGRICULTURE SAFEGUARD AUTHORITY.

(a) IN GENERAL.—Section 405(e) of the Uruguay Round Agreements Act (19 U.S.C. 3602(e)) is amended to read as follows:

''(e) EXCLUSION OF ORIGINATING GOODS OF USMCA COUNTRIES.—

''(1) IN GENERAL.—The President shall exempt from any duty imposed under this section any good that qualifies as an originating good under section 202 of the United States-Mexico-Canada Agreement Implementation Act of a USMCA country with respect to which preferential tariff treatment is provided under the USMCA.

''(2) DEFINITIONS.—In this subsection, the terms 'preferential tariff treatment', 'USMCA', and 'USMCA country' have the meanings given those terms in section 3 of the United States-Mexico-Canada Agreement Implementation Act.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall—

(A) take effect on the date on which the USMCA enters into force; and

(B) apply with respect to a good entered for consumption, or withdrawn from warehouse for consumption, on or after that date.

(2) TRANSITION FROM NAFTA TREATMENT.—In the case of a good entered for consumption, or withdrawn from warehouse for consumption, before the date on which the USMCA enters into force—

(A) the amendment made by subsection (a) to section 405(e) of the Uruguay Round Agreements Act (19 U.S.C. 3602(e)) shall not apply with respect to the good; and

(B) section 405(e) of such Act, as in effect on the day before that date, shall continue to apply on and after that date with respect to the good.

SEC. 202. RULES OF ORIGIN.

(a) DEFINITIONS.—In this section:

(1) AQUACULTURE.—The term ''aquaculture'' means the farming of aquatic organisms, including fish, molluscs, crustaceans, other aquatic invertebrates, and aquatic plants from seed stock such as eggs, fry, fingerlings, or larvae, by intervention in the rearing or growth processes to enhance production such as regular stocking, feeding, or protection from predators.

(2) CUSTOMS VALUATION AGREEMENT.—The term ''Customs Valuation Agreement'' means the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 referred to in section 101(d)(8) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(8)).

(3) FUNGIBLE GOOD OR FUNGIBLE MATERIAL.—The term ''fungible good'' or ''fungible material'' means a good or material, as the case may be, that is interchangeable with another good or material for commercial purposes and the properties of which are essentially identical to such other good or material.

(4) GOOD WHOLLY OBTAINED OR PRODUCED ENTIRELY IN THE TERRITORY OF ONE OR MORE USMCA COUNTRIES.—The term ''good wholly obtained or produced entirely in the territory of one or more USMCA countries'' means any of the following:

(A) A mineral good or other naturally occurring substance extracted or taken from the territory of one or more USMCA countries.

(B) A plant, plant good, vegetable, or fungus grown, cultivated, harvested, picked, or gathered in the territory of one or more USMCA countries.

(C) A live animal born and raised in the territory of one or more USMCA countries.

(D) A good obtained in the territory of one or more USMCA countries from a live animal.

(E) An animal obtained by hunting, trapping, fishing, gathering, or capturing in the territory of one or more USMCA countries.

(F) A good obtained in the territory of one or more USMCA countries from aquaculture.

(G) A fish, shellfish, or other marine life taken from the sea, seabed, or subsoil outside the territory of one or more USMCA countries and outside the territorial sea of any country that is not a USMCA country by—

(i) a vessel that is registered or recorded with a USMCA country and flying the flag of that country; or

(ii) a vessel that is documented under the laws of the United States.

(H) A good produced on board a factory ship from goods referred to in subparagraph (G), if such factory ship—

(i) is registered or recorded with a USMCA country and flies the flag of that country; or

(ii) is a vessel that is documented under the laws of the United States.

(I) A good, other than a good referred to in subparagraph (G), that is taken by a USMCA country, or a person of a USMCA country, from the seabed or subsoil outside the territory of a USMCA country, if that USMCA country has the right to exploit such seabed or subsoil.

(J) Waste and scrap derived from—

(i) production in the territory of one or more USMCA countries; or

(ii) used goods collected in the territory of one or more USMCA countries, if such goods are fit only for the recovery of raw materials.

(K) A good produced in the territory of one or more USMCA countries exclusively from goods referred to in any of subparagraphs (A) through (J), or from their derivatives, at any stage of production.

(5) INDIRECT MATERIAL.—The term ''indirect material'' means a material used or consumed in the production, testing, or inspection of a good but not physically incorporated into the good, or a material used or consumed in the maintenance of buildings or the operation of equipment associated with the production of a good, including—

(A) fuel and energy;

(B) tools, dies, and molds;

(C) spare parts and materials used or consumed in the maintenance of equipment or buildings;

(D) lubricants, greases, compounding materials, and other materials used or consumed in production or to operate equipment or buildings;

(E) gloves, glasses, footwear, clothing, safety equipment, and supplies;

(F) equipment, devices, and supplies used for testing or inspecting the good;

(G) catalysts and solvents; and

(H) any other material that is not incorporated into the good, if the use of the material in the production of the good can reasonably be demonstrated to be a part of that production.

(6) INTERMEDIATE MATERIAL.—The term ''intermediate material'' means a material that is self-produced, used or consumed in the production of a good, and designated as an intermediate material pursuant to subsection (d)(9).

(7) MATERIAL.—The term ''material'' means a good that is used or consumed in the production of another good and includes a part or an ingredient.

(8) NET COST.—The term ''net cost'' means total cost minus sales promotion, marketing, and after-sales service costs, royalties, shipping and packing costs, and nonallowable interest costs that are included in the total cost.

(9) NET COST OF A GOOD.—The term ''net cost of a good'' means the net cost that can be reasonably allocated to a good using one of the methods set forth in subsection (d)(7).

(10) NONALLOWABLE INTEREST COSTS.—The term ''nonallowable interest costs'' means interest costs incurred by a producer that exceed 700 basis points above the applicable official interest rate for comparable maturities of the country in which the producer is located.

(11) NONORIGINATING GOOD OR NONORIGINATING MATERIAL.—The term ''nonoriginating good'' or ''nonoriginating material'' means a good or material, as the case may be, that does not qualify as originating under this section.

(12) ORIGINATING GOOD; ORIGINATING MATERIAL.—The term ''originating good'' or ''originating material'' means a good or material, as the case may be, that qualifies as originating under this section.

(13) PACKAGING MATERIALS AND CONTAINERS.—The term ''packaging materials and containers'' means materials and containers in which a good is packaged for retail sale.

(14) PACKING MATERIALS AND CONTAINERS.—The term ''packing materials and containers'' means materials and containers that are used to protect a good during transportation.

(15) PRODUCER.—The term ''producer'' means a person who engages in the production of a good.

(16) PRODUCTION.—The term ''production'' means—

(A) growing, cultivating, raising, mining, harvesting, fishing, trapping, hunting, capturing, breeding, extracting, manufacturing, processing, or assembling a good; or

(B) the farming of aquatic organisms through aquaculture.

(17) REASONABLY ALLOCATE.—The term ''reasonably allocate'' means to apportion in a manner appropriate to the circumstances.

(18) RECOVERED MATERIAL.—The term ''recovered material'' means a material in the form of individual parts that are the result of—

(A) the disassembly of a used good into individual parts; and

(B) the cleaning, inspecting, testing, or other processing that is necessary for improvement to sound working condition of such individual parts.

(19) REMANUFACTURED GOOD.—The term ''remanufactured good'' means a good classified in the HTS under any of chapters 84 through 90 or under heading 9402, other than a good classified under heading 8418, 8509, 8510, 8516, or 8703 or subheading 8414.51, 8450.11, 8450.12, 8508.11, or 8517.11, that—

(A) is entirely or partially composed of recovered materials;

(B) has a life expectancy similar to, and performs in a manner that is the same as or similar to, such a good when new; and

(C) has a factory warranty similar to that applicable to such a good when new.

(20) ROYALTIES.—The term ''royalties'' means payments of any kind, including payments under technical assistance or similar agreements, made as consideration for the use of, or right to use, a copyright, literary, artistic, or scientific work, patent, trademark, design, model, plan, or secret formula or secret process, excluding payments under technical assistance or similar agreements

that can be related to a specific service such as—

(A) personnel training, without regard to where the training is performed; or

(B) if performed in the territory of one or more USMCA countries, engineering, tooling, die-setting, software design and similar computer services, or other services.

(21) SALES PROMOTION, MARKETING, AND AFTER-SALES SERVICE COSTS.—The term ''sales promotion, marketing, and after-sales service costs'' means the costs related to sales promotion, marketing, and after-sales service for the following:

(A) Sales and marketing promotion, media advertising, advertising and market research, promotional and demonstration materials, exhibits, sales conferences, trade shows, conventions, banners, marketing displays, free samples, sales, marketing, and after-sales service literature (product brochures, catalogs, technical literature, price lists, service manuals, and sales aid information), establishment and protection of logos and trademarks, sponsorships, wholesale and retail charges, and entertainment.

(B) Sales and marketing incentives, consumer, retailer, or wholesaler rebates, and merchandise incentives.

(C) Salaries and wages, sales commissions, bonuses, benefits (such as medical, insurance, and pension benefits), traveling and living expenses, and membership and professional fees for sales promotion, marketing, and after-sales service personnel.

(D) Product liability insurance.

(E) Rent and depreciation of sales promotion, marketing, and after-sales service offices and distribution centers.

(F) Payments by the producer to other persons for warranty repairs.

(G) If the costs are identified separately for sales promotion, marketing, or after-sales service of goods on the financial statements or cost accounts of the producer, the following:

(i) Property insurance premiums, taxes, utilities, and repair and maintenance of sales promotion, marketing, and after-sales service offices and distribution centers.

(ii) Recruiting and training of sales promotion, marketing, and after-sales service personnel, and after-sales training of customers' employees.

(iii) Office supplies for sales promotion, marketing, and after-sales service of goods.

(iv) Telephone, mail, and other communications.

(22) SELF-PRODUCED MATERIAL.—The term ''self-produced material'' means a material that is produced by the producer of a good and used in the production of that good.

(23) SHIPPING AND PACKING COSTS.—The term ''shipping and packing costs'' means the costs incurred in packing a good for shipment and shipping the good from the point of direct shipment to the buyer, excluding the costs of preparing and packaging the good for retail sale.

(24) TERRITORY.—The term ''territory'', with respect to a USMCA country, has the meaning given that term in section C of chapter 1 of the USMCA.

(25) TOTAL COST.—

(A) IN GENERAL.—The term ''total cost''—

(i) means all product costs, period costs, and other costs for a good incurred in the territory of one or more USMCA countries; and

(ii) does not include—

(I) profits that are earned by the producer of the good, regardless of whether the costs are retained by the producer or paid out to other persons as dividends; or

(II) taxes paid on those profits, including capital gains taxes.

(B) OTHER DEFINITIONS.—In this paragraph:

(i) OTHER COSTS.—The term ''other costs'' means all costs recorded on the books of the producer that are not product costs or period costs, such as interest.

(ii) PERIOD COSTS.—The term ''period costs'' means costs, other than product costs, that are expensed in the period in which they are incurred, such as selling expenses and general and administrative expenses.

(iii) PRODUCT COSTS.—The term ''product costs'' means costs that are associated with the production of a good, including the value of materials, direct labor costs, and direct overhead.

(26) TRANSACTION VALUE.—The term ''transaction value'' means the price—

(A) actually paid or payable for a good or material with respect to a transaction of a producer; and

(B) adjusted in accordance with the principles set forth in paragraphs 1, 3, and 4 of article 8 of the Customs Valuation Agreement.

(27) USMCA COUNTRY.—The term ''USMCA country'' means the United States, Canada, or Mexico for such time as the USMCA is in force with respect to Canada or Mexico, and the United States applies the USMCA to Canada or Mexico.

(28) VALUE.—The term ''value'' means the value of a good or material for purposes of calculating customs duties or applying this section.

(b) APPLICATION AND INTERPRETATION.—In this section:

(1) TARIFF CLASSIFICATION.—The basis for any tariff classification is the HTS.

(2) REFERENCE TO HTS.—Whenever in this section there is a reference to a chapter, heading, or subheading, that reference shall be a reference to a chapter, heading, or subheading of the HTS.

(3) COST OR VALUE.—Any cost or value referred to in this section with respect to a good shall be recorded and maintained in accordance with the generally accepted accounting principles applicable in the territory of the USMCA country in which the good is produced.

(c) ORIGINATING GOODS.—

(1) IN GENERAL.—For purposes of this Act and for purposes of implementing the preferential tariff treatment provided for under the USMCA, except as otherwise provided in this section, a good is an originating good if—

(A) the good is a good wholly obtained or produced entirely in the territory of one or more USMCA countries;

(B) the good is produced entirely in the territory of one or more USMCA countries using nonoriginating materials, if the good satisfies all applicable requirements set forth in Annex 4–B of the USMCA; or

(C) the good is produced entirely in the territory of one or more USMCA countries, exclusively from originating materials;

(D) except for a good provided for under any of chapters 61 through 63—

(i) the good is produced entirely in the territory of one or more USMCA countries;

(ii) one or more of the nonoriginating materials provided for as parts under the HTS and used in the production of the good do not satisfy the requirements set forth in Annex 4–B of the USMCA because—

(I) both the good and its materials are classified under the same subheading or under the same heading that is not further subdivided into subheadings; or

(II) the good was imported into the territory of a USMCA country in an unassembled form or a disassembled form but was classified as an assembled good pursuant to rule 2(a) of the General Rules of Interpretation of the HTS; and

(iii) the regional value content of the good is not less than 60 percent if the transaction value method is used, or not less than 50 percent if the net cost method is used and the good satisfies all other applicable requirements of this section; or

(E) the good itself, as imported, is listed in table 2.10.1 of the USMCA and is imported into the territory of the United States from the territory of a USMCA country.

(2) REMANUFACTURED GOODS.—For purposes of determining whether a remanufactured good is an originating good, a recovered material derived in the territory of one or more USMCA countries shall be treated as originating if the recovered material is used or consumed in the production of, and incorporated into, the remanufactured good.

(d) REGIONAL VALUE CONTENT.—

(1) IN GENERAL.—Except as provided in paragraph (5), for purposes of subparagraphs (B) and (D) of subsection (c)(1), the regional value content of a good shall be calculated, at the choice of the importer, exporter, or producer of the good, on the basis of—

(A) the transaction value method described in paragraph (2); or

(B) the net cost method described in paragraph (3).

(2) TRANSACTION VALUE METHOD.—

(A) IN GENERAL.—An importer, exporter, or producer of a good may calculate the regional value content of the good on the basis of the following transaction value method:

$$RVC = \frac{TV - VNM}{TV} \times 100$$

(B) DEFINITIONS.—In this paragraph:

(i) RVC.—The term ''RVC'' means the regional value content of the good, expressed as a percentage.

(ii) TV.—The term ''TV'' means the transaction value of the good, adjusted to exclude any costs incurred in the international shipment of the good.

(iii) VNM.—The term ''VNM'' means the value of nonoriginating materials used by the producer in the production of the good.

(3) NET COST METHOD.—

(A) IN GENERAL.—An importer, exporter, or producer of a good may calculate the regional value content of the good on the basis of the following net cost method:

$$RVC = \frac{NC - VNM}{NC} \times 100$$

(B) DEFINITIONS.—In this paragraph:

(i) NC.—The term ''NC'' means the net cost of the good.

(ii) RVC.—The term ''RVC'' means the regional value content of the good, expressed as a percentage.

(iii) VNM.—The term ''VNM'' means the value of nonoriginating materials used by the producer in the production of the good.

(4) VALUE OF NONORIGINATING MATERIALS.—

(A) IN GENERAL.—The value of nonoriginating materials used by the producer in the production of a good shall not, for purposes of calculating the regional value content of the good under paragraph (2) or (3), include the value of nonoriginating materials used or consumed to produce originating materials that are subsequently used or consumed in the production of the good.

(B) SPECIAL RULE FOR CERTAIN COMPONENTS.—The following components of the value of nonoriginating materials used by the producer in the production of a good may be counted as originating content for purposes of determining whether the good meets the regional value content requirement set forth in Annex 4–B of the USMCA:

(i) The value of processing the nonoriginating materials undertaken in the territory of one or more USMCA countries.

(ii) The value of any originating materials used or consumed in the production of the nonoriginating materials undertaken in the territory of one or more USMCA countries.

(5) NET COST METHOD REQUIRED IN CERTAIN CASES.—An importer, exporter, or producer of a good shall calculate the regional value content of the good solely on the basis of the net cost method described in paragraph (3) if the rule for the good set forth in Annex 4–B of the USMCA includes a regional value content requirement not based on the transaction value method described in paragraph (2).

(6) NET COST METHOD ALLOWED FOR ADJUSTMENTS.—

(A) IN GENERAL.—If an importer, exporter, or producer of a good calculates the regional value content of the good on the basis of the transaction value method described in paragraph (2) and a USMCA country subsequently notifies the importer, exporter, or producer, during the course of a verification conducted in accordance with chapter 5 or 6 of the USMCA, that the transaction value of the good or the value of any material used in the production of the good must be adjusted or is unacceptable under article 1 of the Customs Valuation Agreement, the importer, exporter, or producer may calculate the regional value content of the good on the basis of the net cost method.

(B) REVIEW OF ADJUSTMENT.—Nothing in subparagraph (A) shall be construed to prevent any review or appeal available in accordance with article 5.15 of the USMCA with respect to an adjustment to or a rejection of—

(i) the transaction value of a good; or

(ii) the value of any material used in the production of a good.

(7) CALCULATING NET COST.—The producer of a good may, consistent with regulations implementing this section, calculate the net cost of the good under paragraph (3) by—

(A) calculating the total cost incurred with respect to all goods produced by that producer, subtracting any sales promotion, marketing, and after-sales services costs, royalties, shipping and packing costs, and nonallowable interest costs that are included in the total cost of those goods, and then reasonably allocating the resulting net cost of those goods to the good;

(B) calculating the total cost incurred with respect to all goods produced by that producer, reasonably allocating the total cost to the good, and subtracting any sales promotion, marketing, and after-sales service costs, royalties, shipping and packing costs, and nonallowable interest costs, that are included in the portion of the total cost allocated to the good; or

(C) reasonably allocating each cost that is part of the total cost incurred with respect to the good so that the aggregate of those costs does not include any sales promotion, marketing, and after-sales service costs, royalties, shipping and packing costs, and nonallowable interest costs.

(8) VALUE OF MATERIALS USED IN PRODUCTION.—For purposes of calculating the regional value content of a good under this subsection, applying the de minimis rules under subsection (f), and calculating the value of nonoriginating components in a set under subsection (m), the value of a material used in the production of a good is—

(A) in the case of a material that is imported by the producer of the good, the transaction value of the material at the time of importation, including the costs incurred in the international shipment of the material;

(B) in the case of a material acquired in the territory in which the good is produced—

(i) the price paid or payable by the producer in the USMCA country where the producer is located;

(ii) the value as determined under subparagraph (A), as set forth in regulations prescribed by the Secretary of the Treasury providing for the application of transaction value in the absence of an importation by the producer; or

(iii) the earliest ascertainable price paid or payable in the territory of the country; or

(C) in the case of a self-produced material, the sum of—

(i) all expenses incurred in the production of the material, including general expenses; and

(ii) an amount for profit equivalent to the profit added in the normal course of trade or equal to the profit that is usually reflected in the sale of goods of the same class or kind as the material.

(9) INTERMEDIATE MATERIALS.—

(A) IN GENERAL.—Any self-produced material that is used in the production of a good may be designated by the producer of the good as an intermediate material for purposes of calculating the regional value content of the good under paragraph (2) or (3).

(B) MATERIALS USED IN PRODUCTION OF INTERMEDIATE MATERIALS.—If a self-produced material is designated as an intermediate material under subparagraph (A) for purposes of calculating a regional value content requirement, no other self-produced material subject to a regional value content requirement used or consumed in the production of that intermediate material may be designated by the producer as an intermediate material.

(10) FURTHER ADJUSTMENTS TO VALUE OF MATERIALS.—The following expenses, if included in the value of a nonoriginating material calculated under paragraph (8), may be deducted from the value of the nonoriginating material:

(A) The costs of freight, insurance, packing, and all other costs incurred in transporting the material to the location of the producer.

(B) Duties, taxes, and customs brokerage fees on the material paid in the territory of one or more USMCA countries, other than duties or taxes that are waived, refunded, refundable, or otherwise recoverable, including credit against duty or tax paid or payable.

(C) The cost of waste and spoilage resulting from the use of the material in the production of the good, less the value of renewable scrap or byproducts.

(e) ACCUMULATION.—

(1) PRODUCERS.—A good that is produced in the territory of one or more USMCA countries, by one or more producers, is an originating good if the good satisfies the requirements of subsection (c) and all other applicable requirements of this section.

(2) ORIGINATING MATERIALS USED IN PRODUCTION OF GOODS OF A USMCA COUNTRY.—Originating materials from the territory of one or more USMCA countries that are used in the production of a good in the territory of another USMCA country shall be considered to originate in the territory of such other USMCA country.

(3) PRODUCTION UNDERTAKEN ON NONORIGINATING MATERIALS USED IN THE PRODUCTION OF GOODS.—In determining whether a good is an originating good under this section, production undertaken on nonoriginating material in the territory of one or more USMCA countries by one or more producers shall contribute to the originating status of the good, regardless of whether that production is sufficient to confer originating status to the nonoriginating material.

(f) DE MINIMIS AMOUNTS OF NONORIGINATING MATERIALS.—

(1) IN GENERAL.—Except as provided in paragraphs (2) through (4), a good that does not undergo a change in tariff classification or satisfy a regional value content requirement set forth in Annex 4–B of the USMCA is an originating good if—

(A) the value of all nonoriginating materials that are used in the production of the good, and do not undergo the applicable change in tariff classification set forth in Annex 4–B of the USMCA—

(i) does not exceed 10 percent of the transaction value of the good, adjusted to exclude any costs incurred in the international shipment of the good; or

(ii) does not exceed 10 percent of the total cost of the good;

(B) the good meets all other applicable requirements of this section; and

(C) the value of such nonoriginating materials is included in the value of nonoriginating materials for any applicable regional value content requirement for the good.

(2) EXCEPTIONS FOR DAIRY AND OTHER PRODUCTS.—Paragraph (1) does not apply to the following:

(A) A nonoriginating material of headings 0401 through 0406, or a nonoriginating dairy preparation containing over 10 percent by dry weight of milk solids of subheading 1901.90 or 2106.90, used or consumed in the production of a good of headings 0401 through 0406.

(B) A nonoriginating material of headings 0401 through 0406, or nonoriginating dairy preparation containing over 10 percent by dry weight of milk solids of subheading 1901.90 or 2106.90, used or consumed in the production of any of the following goods:

(i) Infant preparations containing over 10 percent by dry weight of milk solids, of subheading 1901.10.

(ii) Mixes and doughs containing over 25 percent by dry weight of butterfat, not put up for retail sale, of subheading 1901.20.

(iii) A dairy preparation containing over 10 percent by dry weight of milk solids, of subheading 1901.90 or 2106.90.

(iv) A good of heading 2105.

(v) Beverages containing milk of subheading 2202.90.

(vi) Animal feeds containing over 10 percent by dry weight of milk solids of subheading 2309.90.

(C) A nonoriginating material of heading 0805, or any of subheadings 2009.11 through 2009.39, used or consumed in the production of a good of subheadings 2009.11 through 2009.39, or a fruit or vegetable juice of any single fruit or vegetable, fortified with minerals or vitamins, concentrated or unconcentrated, of subheading 2106.90 or 2202.90.

(D) A nonoriginating material of chapter 9 used or consumed in the production of instant coffee, not flavored, of subheading 2101.11.

(E) A nonoriginating material of chapter 15 used or consumed in the production of a good of heading 1507, 1508, 1512, 1514, or 1515.

(F) A nonoriginating material of heading 1701 used or consumed in the production of a good of any of headings 1701 through 1703.

(G) A nonoriginating material of chapter 17 or heading 1805 used in the production of a good of subheading 1806.10.

(H) Nonoriginating peaches, pears, or apricots of chapter 8 or 20, used in the production of a good of heading 2008.

(I) A nonoriginating single juice ingredient of heading 2009 used or consumed in the production of a good of—

(i) subheading 2009.90, or tariff item 2106.90.54 (concentrated mixtures of fruit or vegetable juice, fortified with minerals or vitamins); or

(ii) tariff item 2202.99.37 (mixtures of fruit or vegetable juices, fortified with minerals or vitamins).

(J) A nonoriginating material of any of headings 2203 through 2208 used or consumed in the production of a good provided for under heading 2207 or 2208.

(3) GOODS PROVIDED FOR UNDER CHAPTERS 1 THROUGH 27.—Paragraph (1) does not apply to a nonoriginating material used or consumed in the production of a good provided for in chapters 1 through 27 unless the nonoriginating material is provided for in a different subheading than the subheading of the good for which origin is being determined.

(4) TEXTILE OR APPAREL GOODS.—

(A) GOODS CLASSIFIED UNDER CHAPTERS 50 THROUGH 60.—Except as provided in subparagraph (C), a textile or apparel good provided for in any of chapters 50 through 60 or heading 9619 that is not an originating good because certain nonoriginating materials used in the production of the good do not undergo an applicable change in tariff classification set forth in Annex 4–B of the USMCA, shall be considered to be an originating good if the total weight of all such materials, including elastomeric yarns, is not more than 10 percent of the total weight of the good and the good meets all other applicable requirements of this section.

(B) GOODS CLASSIFIED UNDER CHAPTERS 61 THROUGH 63.—Except as provided in subparagraph (C), a textile or apparel good provided for in chapter 61, 62, or 63 that is not an originating good because certain fibers or yarns used in the production of the component of the good that determines the tariff classification of the good do not undergo an applicable change in tariff classification set forth in Annex 4–B of the USMCA shall be considered to be an originating good if the total weight of all such fibers or yarns in the component, including elastomeric yarns, is not more than 10 percent of the total weight of the component and the good meets all other applicable requirements of this section.

(C) GOODS CONTAINING NONORIGINATING ELASTOMERIC YARNS.—

(i) GOODS CLASSIFIED UNDER CHAPTERS 50 THROUGH 60 OR HEADING 9619 .—A textile or apparel good described in subparagraph (A) containing nonoriginating elastomeric yarns shall be considered to be an originating good only if the nonoriginating elastomeric yarns contained in the good do not exceed 7 percent of the total weight of the good.

(ii) GOODS CLASSIFIED UNDER CHAPTERS 61 THROUGH 63.—A textile or apparel good described in subparagraph (B) containing nonoriginating elastomeric yarns shall be considered to be an originating good only if the nonoriginating elastomeric yarns contained in the component of the good that determines the tariff classification of the good do not exceed 7 percent of the total weight of the good.

(g) FUNGIBLE GOODS AND MATERIALS.—

(1) FUNGIBLE MATERIALS USED IN PRODUCTION.—Subject to paragraph (3), if originating and nonoriginating fungible materials are used or consumed in the production of a good, the determination of whether the materials are originating may be made on the basis of any of the inventory management methods set forth in regulations implementing this section.

(2) FUNGIBLE GOODS COMMINGLED AND EXPORTED.—Subject to paragraph (3), if originating and nonoriginating fungible goods are commingled and exported in the same form, the determination of whether the goods are originating may be made on the basis of any of the inventory management methods set forth in regulations implementing this section.

(3) USE OF INVENTORY MANAGEMENT METHOD.—A person that selects an inventory management method for purposes of paragraph (1) or (2) shall use that inventory management method throughout the fiscal year of the person.

(h) ACCESSORIES, SPARE PARTS, TOOLS, AND INSTRUCTIONAL OR OTHER INFORMATION MATERIALS.—

(1) IN GENERAL.—Subject to paragraph (2), accessories, spare parts, tools, or instructional or other information materials delivered with a good shall—

(A) be treated as originating if the good is an originating good;

(B) be disregarded in determining whether a good is a good wholly obtained or produced entirely in the territory of one or more USMCA countries or satisfies a process or change in tariff classification set forth in Annex 4–B of the USMCA; and

(C) be taken into account as originating or nonoriginating materials, as the case may be, in calculating any applicable regional value content of the good set forth in Annex 4–B of the USMCA.

(2) CONDITIONS.—Paragraph (1) shall apply only if—

(A) the accessories, spare parts, tools, or instructional or other information materials are classified with and delivered with, but not invoiced separately from, the good; and

(B) the types, quantities, and value of the accessories, spare parts, tools, or instructional or other information materials are customary for the good.

(i) PACKAGING MATERIALS AND CONTAINERS FOR RETAIL SALE.—Packaging materials and containers in which a good is packaged for retail sale, if classified with the good, shall be disregarded in determining whether all of the nonoriginating materials used in the production of the good undergo the applicable process or change in tariff classification requirement set forth in Annex 4–B of the USMCA, or whether the good is a good wholly obtained or produced entirely in the territory of one or more USMCA countries. If the good is subject to a regional value content requirement set forth in that Annex, the value of such packaging materials and containers shall be taken into account as originating or nonoriginating materials, as the case may be, in calculating the regional value content of the good.

(j) PACKING MATERIALS AND CONTAINERS FOR SHIPMENT.—Packing materials and containers for shipment shall be disregarded in determining whether a good is an originating good.

(k) INDIRECT MATERIALS.—An indirect material shall be treated as an originating material without regard to where it is produced.

(l) TRANSIT AND TRANSSHIPMENT.—A good that has undergone production necessary to qualify as an originating good under subsection (c) shall not be considered to be an originating good if, subsequent to that production, the good—

(1) undergoes further production or any other operation outside the territory of a USMCA country, other than—

(A) unloading, reloading, separation from a bulk shipment, storing, labeling, or marking, as required by a USMCA country; or

(B) any other operation necessary to preserve the good in good condition or to transport the good to the territory of the importing USMCA country; or

(2) does not remain under the control of customs authorities in a country other than a USMCA country.

(m) GOODS CLASSIFIABLE AS GOODS PUT UP IN SETS.—

(1) GOODS OTHER THAN TEXTILE OR APPAREL GOODS.—Notwithstanding the rules set forth in Annex 4–B of the USMCA, goods classifiable as goods put up in sets for retail sale as provided for in rule 3 of the General Rule of Interpretation of the HTS shall not be considered to be originating goods unless—

(A) each of the goods in the set is an originating good; or

(B) the total value of the nonoriginating goods in the set does not exceed 10 percent of the value of the set.

(2) TEXTILE OR APPAREL GOODS.—Notwithstanding the rules set forth in Annex 4–B of the USMCA, goods classifiable as goods put up in sets for retail sale as provided for in rule 3 of the General Rule of Interpretation of the HTS shall not be considered to be originating goods unless—

(A) each of the goods in the set is an originating good; or

(B) the total value of the nonoriginating goods in the set does not exceed 10 percent of the value of the set.

(n) NONQUALIFYING OPERATIONS.—A good shall not be considered to be an originating good merely by reason of—

(1) mere dilution with water or another substance that does not materially alter the characteristics of the good; or

(2) any production or pricing practice with respect to which it may be demonstrated, by a preponderance of the evidence, that the object of the practice was to circumvent this section.

(o) EFFECTIVE DATE.—

(1) IN GENERAL.—This section shall—

(A) take effect on the date on which the USMCA enters into force; and

(B) apply with respect to a good entered for consumption, or withdrawn from warehouse for consumption, on or after that date.

(2) TRANSITION FROM NAFTA TREATMENT.—Section 202 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3332), as in effect on the day before the date on which the USMCA enters into force, shall continue to apply on and after that date with respect to a good entered for consumption, or withdrawn from warehouse for consumption, before that date.

SEC. 202A. SPECIAL RULES FOR AUTOMOTIVE GOODS.

(a) DEFINITIONS.—In this section:

(1) ALTERNATIVE STAGING REGIME.—The term ''alternative staging regime'' means the application, pursuant to subsection (d), of the requirements of article 8 of the automotive appendix to the production of covered vehicles to allow producers of such vehicles to bring such production into compliance with the requirements of articles 2 through 7 of that appendix.

(2) ALTERNATIVE STAGING REGIME PERIOD.—The term ''alternative staging regime period'' means the period during which the alternative staging regime is in effect.

(3) AUTOMOTIVE APPENDIX.—The term ''automotive appendix'' means the Appendix to Annex 4–B of the USMCA (relating to the product-specific rules of origin for automotive goods).

(4) AUTOMOTIVE GOOD.—The term ''automotive good'' means—

(A) a covered vehicle; or

(B) a part, component, or material listed in table A.1, A.2, B, C, D, or E of the automotive appendix.

(5) AUTOMOTIVE RULES OF ORIGIN.—The term ''automotive rules of origin'' means the rules of origin for automotive goods set forth in the automotive appendix.

(6) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of U.S. Customs and Border Protection.

(7) COVERED VEHICLE.—The term ''covered vehicle'' means a passenger vehicle, light truck, or heavy truck.

(8) INTERAGENCY COMMITTEE.—The term ''interagency committee'' means the interagency committee established under subsection (b)(1).

(9) PASSENGER VEHICLE; LIGHT TRUCK; HEAVY TRUCK.—The terms ''passenger vehicle'', ''light truck'', and ''heavy truck'' have

the meanings given those terms in article 1 of the automotive appendix.

(10) USMCA COUNTRY.—The term ''USMCA country'' means the United States, Canada, or Mexico for such time as the USMCA is in force with respect to Canada or Mexico, and the United States applies the USMCA to Canada or Mexico.

(b) ESTABLISHMENT OF INTERAGENCY COMMITTEE.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall establish an interagency committee—

(A) to provide advice, as appropriate, on the implementation, enforcement, and modification of provisions of the USMCA that relate to automotive goods, including the alternative staging regime; and

(B) to review the operation of the USMCA with respect to trade in automotive goods, including—

(i) the economic effects of the automotive rules of origin on the United States economy, workers, and consumers; and

(ii) the impact of new technology on such rules of origin.

(2) MEMBERS.—The members of the interagency committee shall be the following:

(A) The Trade Representative.

(B) The Secretary of Commerce.

(C) The Commissioner.

(D) The Secretary of Labor.

(E) The Chair of the International Trade Commission.

(F) Any other members determined to be necessary by the Trade Representative.

(3) CHAIR.—The chair of the interagency committee shall be the Trade Representative.

(4) USE OF INFORMATION.—

(A) INFORMATION SHARING.—Notwithstanding any other provision of law, the members of the interagency committee may exchange information for purposes of carrying out this section.

(B) CONFIDENTIALITY OF INFORMATION.—The interagency committee and any Federal agency represented on the interagency committee may not disclose to the public any confidential documents or information received in the course of carrying out this section, except information aggregated to preserve confidentiality and used in the reports described in subsection (g).

(c) CERTIFICATION REQUIREMENTS.—

(1) CERTIFICATION RELATING TO LABOR VALUE CONTENT REQUIREMENTS.—

(A) IN GENERAL.—A covered vehicle shall be eligible for preferential tariff treatment only if the producer of the covered vehicle—

(i) provides a certification to the Commissioner that the production of covered vehicles by the producer meets the labor value content requirements, including the high-wage material and manufacturing expenditures, high-wage technology expenditures, and high-wage assembly expenditures, as set forth in article 7 of the automotive appendix or, if the producer is subject to the alternative staging regime, articles 7 and 8 of that appendix, and includes the calculations of the producer related to the labor value content requirements; and

(ii) has information on record to support those calculations.

(B) IMPLEMENTATION.—For purposes of meeting the requirements under subparagraph (A)—

(i) the Secretary of Labor, in consultation with the Commissioner, shall ensure that the certification of a producer under subparagraph (A)(i) does not contain omissions or errors before the certification is considered properly filed; and

(ii) a calculation described in subparagraph (A)(i) based on a producer's preceding fiscal or calendar year is valid for the producer's subsequent fiscal or calendar year, as the case may be, as set forth in articles 7 and 8 of the automotive appendix.

(C) REGULATIONS REQUIRED.—The Secretary of the Treasury, in consultation with the Secretary of Labor, shall prescribe regulations to carry out this paragraph, including regulations setting forth the procedures and requirements for a producer of covered vehicles to establish that the producer meets the labor value content requirements for preferential tariff treatment.

(2) CERTIFICATION RELATING TO STEEL AND ALUMINUM PURCHASE REQUIREMENTS.—

(A) IN GENERAL.—A covered vehicle shall be eligible for preferential tariff treatment only if the producer of the covered vehicle—

(i) provides a certification to the Commissioner that the production of covered vehicles by the producer meets the steel and aluminum purchase requirements set forth in article 6 of the automotive appendix or, if the producer is subject to the alternative staging regime, articles 6 and 8 of that appendix; and

(ii) has information on record to support the calculations relied on for the certification.

(B) IMPLEMENTATION.—For purposes of meeting the requirements under subparagraph (A)—

(i) the Commissioner shall ensure that the certification of a producer under subparagraph (A)(i) does not contain omissions or errors before the certification is considered properly filed; and

(ii) a calculation described in subparagraph (A)(ii) based on a producer's preceding fiscal or calendar year is valid for the producer's subsequent fiscal or calendar year, as the case may be, as set forth in articles 6 and 8 of the automotive appendix.

(C) REGULATIONS REQUIRED.—The Secretary of the Treasury shall prescribe regulations to carry out this paragraph, including regulations setting forth the procedures and requirements for a producer of covered vehicles to establish that the producer meets the steel and aluminum purchase requirements for preferential tariff treatment.

(d) ALTERNATIVE STAGING REGIME.—

(1) PUBLICATION OF REQUIREMENTS.—Not later than 90 days after the date of the enactment of this Act, the Trade Representative, in consultation with the interagency committee, shall publish in the Federal Register requirements, procedures, and guidance required to implement the alternative staging regime, including with respect to the following:

(A) The procedures, calculation methodology, timeframe, specific regional value content thresholds, and other minimum requirements, consistent with article 8 of the automotive appendix, with which a producer of covered vehicles subject to the alternative staging regime is required to comply during the alternative staging regime period for such vehicles to be eligible for preferential tariff treatment pursuant to the alternative staging regime.

(B) The date by which requests for the alternative staging regime are required to be submitted.

(C) The information a producer of passenger vehicles or light trucks is required to provide, in the producer's request to use the alternative staging regime, to demonstrate the actions that the producer will take to be prepared to meet all the requirements set forth in articles 2 through 7 of the automotive appendix after the alternative staging regime period has expired, including the following:

(i) A statement identifying which of the requirements set forth in articles 2 through 7 of the automotive appendix that the producer expects it will be unable to meet upon entry into force of the USMCA based on current business plans.

(ii) A statement indicating whether the passenger vehicles or light trucks for which the producer seeks to use the alternative staging regime account for 10 percent or less, or more than 10 percent, of the total production of passenger vehicles or light trucks, as the case may be, in USMCA countries by the producer during the 12-month period preceding the date on which the USMCA enters into force, or the average of such production during the 36-month period preceding that date, whichever is greater.

(iii) In the case of a producer that seeks to use the alternative staging regime for more than 10 percent of the producer's total production of passenger vehicles or light trucks, as the case may be, in USMCA countries—

(I) a detailed and credible plan describing with specificity the actions the producer intends to take to bring production of the passenger vehicles or light trucks, as the case may be, into compliance with the requirements set forth in articles 2 through 7 of the automotive appendix after the alternative staging regime period expires; and

(II) a statement indicating the time period for which the producer is requesting to use the alternative staging regime, if that time period is greater than 5 years after the USMCA enters into force.

(D) The procedures for accepting and reviewing requests for the alternative staging regime, including that the Trade Representative will—

(i) notify a producer of any deficiencies in the request of the producer that would result in a denial of the request not later than 30 days after the request is submitted; and

(ii) provide producers the opportunity to submit supplemental information.

(E) The criteria the Trade Representative, in consultation with the interagency committee, will consider when determining whether to approve a request for the alternative staging regime. Such criteria shall only include elements necessary for the producer to demonstrate the producer's ability to meet the requirements specified in subparagraphs (A) and (B). The criteria shall also describe the information to meet those requirements in sufficient detail to allow the producer to identify the information necessary to complete a request for the alternative staging regime.

(F) The opportunity for a producer described in subparagraph (C)(iii) to modify the producer's request for the alternative staging regime.

(2) REVIEW OF REQUESTS FOR ALTERNATIVE STAGING REGIME.—

(A) IN GENERAL.—In reviewing the request of a producer of passenger vehicles or light trucks for the alternative staging regime, the Trade Representative, in consultation with the interagency committee, shall determine—

(i) whether the request covers 10 percent or less, or more than 10 percent, of the production of passenger vehicles or light trucks in USMCA countries by the producer; and

(ii) whether the producer has identified with specificity which of the requirements set forth in articles 2 through 7 of the automotive appendix the producer is unable to meet based on current business plans.

(B) APPROVAL OF ALTERNATIVE STAGING REGIME FOR PASSENGER VEHICLE OR LIGHT TRUCK PRODUCTION NOT EXCEEDING 10 PERCENT OF NORTH AMERICAN PRODUCTION.—The Trade Representative shall authorize the use of the alternative staging regime if the Trade Representative, in consultation with the interagency committee, determines that—

(i) the request for the alternative staging regime covers passenger vehicles or light trucks that do not exceed 10 percent of the

production of passenger vehicles or lights trucks, as the case may be, in USMCA countries by the producer; and

(ii) the producer has identified with specificity which of the requirements set forth in articles 2 through 7 of the automotive appendix the producer is unable to meet based on current business plans.

(C) APPROVAL OF ALTERNATIVE STAGING REGIME FOR PASSENGER VEHICLE OR LIGHT TRUCK PRODUCTION EXCEEDING 10 PERCENT OF NORTH AMERICAN PRODUCTION.—The Trade Representative shall authorize the use of the alternative staging regime if the Trade Representative, in consultation with the interagency committee, determines that—

(i) the request for the alternative staging regime covers more than 10 percent of the production of passenger vehicles or lights trucks, as the case may be, in USMCA countries by the producer;

(ii) the producer has identified with specificity which of the requirements set forth in articles 2 through 7 of the automotive appendix the producer is unable to meet based on current business plans; and

(iii) the detailed and credible plan of the producer submitted under paragraph (1)(C)(iii) is based on substantial evidence and reasonably calculated to bring the production of the passenger vehicles or light trucks, as the case may be, into compliance with the requirements set forth in articles 2 through 7 of the automotive appendix after the alternative staging regime period has expired.

(3) PROCEDURES RELATED TO REVIEWING AND APPROVING REQUESTS.—

(A) DEADLINE FOR REVIEW.—Not later than 120 days after receiving a request of a producer for the alternative staging regime, the Trade Representative, in consultation with the interagency committee, shall—

(i) review the request;

(ii) make a determination with respect to whether to authorize the use of the alternative staging regime; and

(iii) provide to each producer a response in writing stating whether the producer may use the alternative staging regime.

(B) ESTABLISHMENT OF A PUBLIC LIST.—The Trade Representative shall maintain, and update as necessary, a public list of the producers of covered vehicles that have been authorized to use the alternative staging regime.

(C) REPORTING.—Before a determination is made with respect to whether to authorize the use of the alternative staging regime, the Trade Representative shall provide to the appropriate congressional committees a summary of requests for the alternative staging regime.

(4) ALTERNATIVE STAGING REGIME REVIEW AND MODIFICATION.—

(A) MATERIAL CHANGES TO CIRCUMSTANCES.—

(i) NOTIFICATION.—If the request of a producer to use the alternative staging regime for more than 10 percent of the total production of passenger vehicles or light trucks, as the case may be, in USMCA countries by the producer has been granted, the producer shall notify the Trade Representative and the interagency committee of any material changes to the information contained in the request, including any supplemental information relating to that request, and of any material changes to circumstances, that will affect the producer's ability to meet any of the requirements set forth in articles 2 through 7 of the automotive appendix after the alternative staging regime period has expired.

(ii) REQUESTS FOR MODIFICATION OF PLANS.—

(I) IN GENERAL.—A producer that submits a notification under clause (i) with respect to a change described in that clause may submit to the Trade Representative and the interagency committee a request for modification of its plan.

(II) DETERMINATION REGARDING MODIFICATION.—Not later than 90 days after receiving a request submitted under subclause (I), the Trade Representative, in consultation with the interagency committee, shall—

(aa) review the request;

(bb) make a determination with respect to whether the modified plan is based on substantial evidence and reasonably calculated to ensure that the producer will still be able to meet the requirements set forth in articles 2 through 7 of the automotive appendix after the alternative staging regime period has expired;

(cc) if the Trade Representative makes an affirmative determination under item (bb), approve the modified plan; and

(dd) notify the producer in writing of the determination.

(iii) INABILITY TO MEET REQUIREMENTS.—If the Trade Representative, in consultation with the interagency committee, determines that the information provided by a producer under clause (i) demonstrates that the producer will no longer be able to meet the requirements set forth in articles 2 through 7 of the automotive appendix after the alternative staging regime period has expired, the Trade Representative shall notify the producer in writing, and no claim for preferential tariff treatment may be made, on or after the date of the determination, with respect to a covered vehicle of the producer pursuant to the alternative staging regime.

(5) FAILURE TO MEET REQUIREMENTS FOR ALTERNATIVE STAGING REGIME.—

(A) IN GENERAL.—If, at any time, the Trade Representative, in consultation with the interagency committee, makes a determination described in subparagraph (B) with respect to a producer of covered vehicles subject to the alternative staging regime—

(i) any claim for preferential tariff treatment under the alternative staging regime for any covered vehicle of that producer shall be considered invalid; and

(ii) notwithstanding the finality of a liquidation of an entry, the importer of any covered vehicle of that producer shall be liable for the duties, taxes, and fees that would have been applicable to that vehicle if preferential tariff treatment pursuant to the alternative staging regime had not applied when the vehicle was entered for consumption, or withdrawn from warehouse for consumption, plus interest assessed on or after the date of entry and before the date of the determination.

(B) DETERMINATION DESCRIBED.—A determination described in this subparagraph is a determination that a producer of covered vehicles subject to the alternative staging regime—

(i) has failed to take the steps set forth in the producer's request for the alternative staging regime and, as a result of that failure, the producer will no longer be able to meet the requirements set forth in articles 2 through 7 of the automotive appendix after the alternative staging regime period has expired;

(ii) has provided false or misleading information in the producer's request; or

(iii) in the case of a producer authorized to use the alternative staging regime for more than 10 percent of the total production of passenger vehicles or light trucks in USMCA countries by the producer, has failed to notify the Trade Representative under paragraph (4)(A) of material changes to circumstances that will prevent the producer from meeting any of the requirements set forth in articles 2 through 7 of the automotive appendix after the alternative staging regime period has expired.

(e) VERIFICATION OF LABOR VALUE CONTENT REQUIREMENTS.—

(1) IN GENERAL.—As part of a verification conducted under section 207, the Secretary of the Treasury, in conjunction with the Secretary of Labor, may conduct a verification of whether a covered vehicle complies with the labor value content requirements set forth in article 7 of the automotive appendix or, if the producer is subject to the alternative staging regime under subsection (d), articles 7 and 8 of that appendix.

(2) ROLE OF SECRETARY OF LABOR.—In cooperation with the Secretary of the Treasury, the Secretary of Labor shall participate in any verification conducted under paragraph (1) by verifying whether the production of covered vehicles by a producer meets the high-wage components of the labor value content requirements, including the wage component of the high-wage material and manufacturing expenditures, the high-wage technology expenditures, and the high-wage assembly expenditures, within the meaning given those terms in article 7 of that appendix.

(3) ROLE OF SECRETARY OF THE TREASURY.—The Secretary of the Treasury shall participate in any verification conducted under paragraph (1) by verifying—

(A) the components of the labor value content requirements not covered by paragraph (2), including the annual purchase value and cost components of the high-wage material and manufacturing expenditures, within the meaning given those terms in article 7 of that appendix; and

(B) whether the producer has met the labor value content requirements.

(4) ACTIONS BY SECRETARY OF LABOR.—

(A) IN GENERAL.—In participating in a verification conducted under paragraph (1), the Secretary of Labor shall assist the Secretary of the Treasury to do the following:

(i) Examine, or cause to be examined, upon reasonable notice, any record (including any statement, declaration, document, or electronically generated or machine readable data) described in the notice with reasonable specificity.

(ii) Request information from any officer, employee, or agent of a producer of automotive goods, as necessary, that may be relevant with respect to whether the production of covered vehicles meets the high-wage components of the labor value content requirements set forth in article 7 of the automotive appendix or, if the producer is subject to the alternative staging regime under subsection (d), articles 7 and 8 of that appendix.

(B) NATURE OF INFORMATION REQUESTED.—Records and information that may be examined or requested under subparagraph (A) may relate to wages, hours, job responsibilities, and other information in any plant or facility relied on by a producer of covered vehicles to demonstrate that the production of such vehicles by the producer meets the labor value content requirements set forth in article 7 of the automotive appendix or, if the producer is subject to the alternative staging regime under subsection (d), articles 7 and 8 of that appendix.

(5) WHISTLEBLOWER PROTECTIONS.—

(A) UNLAWFUL ACTS.—It is unlawful to intimidate, threaten, restrain, coerce, blacklist, discharge, or in any other manner discriminate against any person for—

(i) disclosing information to a Federal agency or to any person relating to a verification under this subsection; or

(ii) cooperating or seeking to cooperate in a verification under this subsection.

(B) ENFORCEMENT.—The Secretary of the Treasury and the Secretary of Labor are authorized to take such actions under existing

law, including imposing appropriate penalties and seeking appropriate injunctive relief, as may be necessary to ensure compliance with this subsection and as provided for in existing regulations.

(6) PROTESTS OF DECISIONS OF U.S. CUSTOMS AND BORDER PROTECTION.—

(A) IN GENERAL.—If a protest under section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) of a decision of U.S. Customs and Border Protection with respect to the eligibility for preferential tariff treatment of a covered vehicle relates to the analysis of the Department of Labor relating to the high-wage components of the labor value content requirements described in paragraph (1), the Secretary of Labor shall—

(i) conduct an administrative review of the portion of the decision relating to such requirements; and

(ii) provide the results of that review to the Commissioner.

(B) NO ACCELERATED DISPOSITION.—An importer may not request the accelerated disposition under section 515(b) of the Tariff Act of 1930 (19 U.S.C. 1515(b)) of a protest against a decision of the Commissioner described in subparagraph (A).

(f) ADMINISTRATION BY DEPARTMENT OF LABOR.—The Secretary of Labor is authorized to establish or designate an office within the Department of Labor to carry out the provisions of this section for which the Department is responsible.

(g) REVIEW AND REPORTS.—

(1) PERIODIC REVIEW ON AUTOMOTIVE RULES OF ORIGIN.—

(A) IN GENERAL.—The Trade Representative, in consultation with the interagency committee, shall conduct a biennial review of the operation of the USMCA with respect to trade in automotive goods, including—

(i) to the extent practicable, a summary of actions taken by producers to demonstrate compliance with the automotive rules of origin, use of the alternative staging regime, enforcement of such rules of origin, and other relevant matters; and

(ii) whether the automotive rules of origin are effective and relevant in light of new technology and changes in the content, production processes, and character of automotive goods.

(B) REPORT.—

(i) IN GENERAL.—The Trade Representative shall submit to the appropriate congressional committees a report on each review conducted under subparagraph (A).

(ii) INITIAL REPORT.—The first report required under clause (i) shall be submitted not later than 2 years after the date on which the USMCA enters into force.

(iii) TERMINATION OF REPORTING REQUIREMENT.—The requirement to submit reports under clause (i) shall terminate on the date that is 10 years after the date on which the USMCA enters into force.

(2) REPORT BY INTERNATIONAL TRADE COMMISSION.—Not later than one year after the submission of the first report required by paragraph (1)(B), and every 2 years thereafter until the date that is 12 years after the date on which the USMCA enters into force, the International Trade Commission shall submit to the appropriate congressional committees and the President a report on—

(A) the economic impact of the automotive rules of origin on—

(i) the gross domestic product of the United States;

(ii) exports from and imports into the United States;

(iii) aggregate employment and employment opportunities in the United States;

(iv) production, investment, use of productive facilities, and profit levels in the automotive industries and other pertinent industries in the United States affected by the automotive rules of origin;

(v) wages and employment of workers in the automotive sector in the United States; and

(vi) the interests of consumers in the United States;

(B) the operation of the automotive rules of origin and their effects on the competitiveness of the United States with respect to production and trade in automotive goods, taking into account developments in technology, production processes, or other related matters;

(C) whether the automotive rules of origin are relevant in light of technological changes in the United States; and

(D) such other matters as the International Trade Commission considers relevant to the economic impact of the automotive rules of origin, including prices, sales, inventories, patterns of demand, capital investment, obsolescence of equipment, and diversification of production in the United States.

(3) REPORT BY COMPTROLLER GENERAL.—Not later than 4 years after the date on which the USMCA enters into force, the Comptroller General of the United States shall submit to the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives and the Committee on Appropriations and the Committee on Finance of the Senate a report assessing the effectiveness of United States Government interagency coordination on implementation, enforcement, and verification of the automotive rules of origin and the customs procedures of the USMCA with respect to automotive goods.

(4) PUBLIC PARTICIPATION.—Before submitting a report under paragraph (1)(B) or (2), the agency responsible for the report shall—

(A) solicit information relating to matters that will be addressed in the report from producers of automotive goods, labor organizations, and other interested parties;

(B) provide for an opportunity for the submission of comments, orally or in writing, from members of the public relating to such matters; and

(C) after submitting the report, post a version of the report appropriate for public viewing on a publicly available internet website for the agency.

(h) EFFECTIVE DATE.—This section shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply with respect to goods entered, or withdrawn from warehouse for consumption, on or after the date on which the USMCA enters into force.

SEC. 203. MERCHANDISE PROCESSING FEE.

(a) IN GENERAL.—Section 13031(b)(10) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)(10)) is amended by striking subparagraph (B) and inserting the following:

''(B) No fee may be charged under paragraph (9) or (10) of subsection (a) with respect to goods that qualify as originating goods under section 202 of the United States-Mexico-Canada Agreement Implementation Act or qualify for duty-free treatment under Annex 6–A of the USMCA (as defined in section 3 of that Act). Any service for which an exemption from such fee is provided by reason of this paragraph may not be funded with money contained in the Customs User Fee Account.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall—

(A) take effect on the date on which the USMCA enters into force; and

(B) apply with respect to a good entered or released on or after that date.

(2) TRANSITION FROM NAFTA TREATMENT.—In the case of a good entered or released before the date on which the USMCA enters into force—

(A) the amendments made by subsection (a) to section 13031(b)(10)(B) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)(10)(B)) shall not apply with respect to the good; and

(B) section 13031(b)(10)(B) of such Act, as in effect on the day before that date, shall continue to apply on and after that date with respect to the good.

(3) ENTERED OR RELEASED DEFINED.—In this subsection, the term ''entered or released'' has the meaning given that term in section 13031(b)(8)(E) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)(8)(E)).

SEC. 204. DISCLOSURE OF INCORRECT INFORMATION; FALSE CERTIFICATIONS OF ORIGIN; DENIAL OF PREFERENTIAL TARIFF TREATMENT.

(a) DISCLOSURE OF INCORRECT INFORMATION.—Section 592 of the Tariff Act of 1930 (19 U.S.C. 1592) is amended—

(1) in subsection (c), by striking paragraph (5) and inserting the following:

''(5) PRIOR DISCLOSURE REGARDING CLAIMS UNDER THE USMCA.—An importer shall not be subject to penalties under subsection (a) for making an incorrect claim that a good qualifies as an originating good under section 202 of the United States-Mexico-Canada Agreement Implementation Act if the importer, in accordance with regulations prescribed by the Secretary of the Treasury, promptly makes a corrected declaration and pays any duties owing with respect to that good.''; and

(2) by striking subsection (f) and inserting the following:

''(f) FALSE CERTIFICATIONS OF ORIGIN UNDER THE USMCA.—

''(1) IN GENERAL.—Subject to paragraph (2), it is unlawful for any person to certify falsely, by fraud, gross negligence, or negligence, in a USMCA certification of origin (as such term is defined in section 508 of this Act) that a good exported from the United States qualifies as an originating good under the rules of origin provided for in section 202 of the United States-Mexico-Canada Agreement Implementation Act. The procedures and penalties of this section that apply to a violation of subsection (a) also apply to a violation of this subsection.

''(2) PROMPT AND VOLUNTARY DISCLOSURE OF INCORRECT INFORMATION.—No penalty shall be imposed under this subsection if, promptly after an exporter or producer that issued a USMCA certification of origin has reason to believe that such certification contains or is based on incorrect information, the exporter or producer voluntarily provides written notice of such incorrect information to every person to whom the certification was issued.

''(3) EXCEPTION.—A person shall not be considered to have violated paragraph (1) if—

''(A) the information was correct at the time it was provided in a USMCA certification of origin but was later rendered incorrect due to a change in circumstances; and

''(B) the person promptly and voluntarily provides written notice of the change in circumstances to all persons to whom the person provided the certification.''.

(b) DENIAL OF PREFERENTIAL TARIFF TREATMENT.—Section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) is amended—

(1) in subsection (b), by striking ''and article 1904'' and all that follows through ''Free-Trade Agreement'';

(2) in subsection (c)—

(A) in paragraph (1), in the matter following subparagraph (D), by striking ''section 202 of the North American Free Trade Agreement Implementation Act'' and inserting ''section 202 of the United States-Mexico-

Canada Agreement Implementation Act''; and

(B) in paragraph (2)(E)—

(i) by striking ''section 202 of the North American Free Trade Agreement Implementation Act'' and inserting ''section 202 of the United States-Mexico-Canada Agreement Implementation Act''; and

(ii) by striking ''NAFTA Certificate of Origin'' and inserting ''USMCA certification of origin (as such term is defined in section 508 of this Act)'';

(3) in subsection (e), by striking ''section 202 of the North American Free Trade Agreement Implementation Act'' and inserting ''section 202 of the United States-Mexico-Canada Agreement Implementation Act''; and

(4) by striking subsection (f) and inserting the following:

''(f) DENIAL OF PREFERENTIAL TARIFF TREATMENT UNDER THE USMCA.—If U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement of the Department of Homeland Security finds indications of a pattern of conduct by an importer, exporter, or producer of false or unsupported representations that goods qualify under the rules of origin provided for in section 202 of the United States-Mexico-Canada Agreement Implementation Act, U.S. Customs and Border Protection, in accordance with regulations prescribed by the Secretary of the Treasury, may suspend preferential tariff treatment under the USMCA (as defined in section 3 of that Act) to entries of identical goods covered by subsequent representations by that importer, exporter, or producer until U.S. Customs and Border Protection determines that representations of that person are in conformity with such section 202.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall—

(A) take effect on the date on which the USMCA enters into force; and

(B) apply with respect to a good entered, or exported from the United States, as the case may be, on or after that date.

(2) TRANSITION FROM NAFTA TREATMENT.—In the case of a good entered, or exported from the United States, as the case may be, before the date on which the USMCA enters into force—

(A) the amendments made by subsection (a) to section 592 of the Tariff Act of 1930 (19 U.S.C. 1592) and the amendments made by subsection (b) to section 514 of such Act (19 U.S.C. 1514) shall not apply with respect to the good; and

(B) sections 592 and 514 of such Act, as in effect on the day before that date, shall continue to apply on and after that date with respect to the good.

(3) ENTERED DEFINED.—In this subsection, the term ''entered'' includes a withdrawal from warehouse for consumption.

SEC. 205. RELIQUIDATION OF ENTRIES.

(a) IN GENERAL.—Section 520(d) of the Tariff Act of 1930 (19 U.S.C. 1520(d)) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''section 202 of the North American Free Trade Agreement Implementation Act,'';

(B) by striking '', or section 203'' and inserting '', section 203''; and

(C) by striking ''for which'' and inserting '', or section 202 of the United States-Mexico-Canada Agreement Implementation Act (except with respect to any merchandise processing fees), for which''; and

(2) by striking paragraph (2) and inserting the following:

''(2) copies of all applicable certificates or certifications of origin; and''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall—

(A) take effect on the date on which the USMCA enters into force; and

(B) apply with respect to a good entered for consumption, or withdrawn from warehouse for consumption, on or after that date.

(2) TRANSITION FROM NAFTA TREATMENT.—In the case of a good entered for consumption, or withdrawn from warehouse for consumption, before the date on which the USMCA enters into force—

(A) the amendments made by subsection (a) to section 520(d) of the Tariff Act of 1930 (19 U.S.C. 1520(d)) shall not apply with respect to the good; and

(B) section 520(d) of such Act, as in effect on the day before that date, shall continue to apply on and after that date with respect to the good.

SEC. 206. RECORDKEEPING REQUIREMENTS.

(a) IN GENERAL.—Section 508 of the Tariff Act of 1930 (19 U.S.C. 1508) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) EXPORTS AND IMPORTS RELATING TO USMCA COUNTRIES.—

''(1) DEFINITIONS.—In this subsection:

''(A) USMCA; USMCA COUNTRY.—The terms 'USMCA' and 'USMCA country' have the meanings given those terms in section 3 of the United States-Mexico-Canada Agreement Implementation Act.

''(B) USMCA CERTIFICATION OF ORIGIN.—The term 'USMCA certification of origin' means the certification established under article 5.2.1 of the USMCA that a good qualifies as an originating good under the USMCA.

''(2) EXPORTS TO USMCA COUNTRIES.—Any person who completes a USMCA certification of origin or provides a written representation for a good exported from the United States to a USMCA country shall make, keep, and, pursuant to rules and regulations prescribed by the Secretary of the Treasury, render for examination and inspection, all records and supporting documents related to the origin of the good (including the certification or copies thereof), including records related to—

''(A) the purchase, cost, value, and shipping of, and payment for, the good;

''(B) the purchase, cost, value, and shipping of, and payment for, all materials, including indirect materials, used in the production of the good; and

''(C) the production of the good in the form in which it was exported or the production of the material in the form in which it was sold.

''(3) EXPORTS UNDER THE CANADIAN AGREEMENT.—Any person who exports, or who knowingly causes to be exported, any merchandise to Canada during such time as the United States-Canada Free-Trade Agreement is in force with respect to, and the United States applies that Agreement to, Canada shall make, keep, and render for examination and inspection such records (including certifications of origin or copies thereof) which pertain to the exportations.

''(4) IMPORTS INTO THE UNITED STATES.—

''(A) IN GENERAL.—Any importer who claims preferential tariff treatment under the USMCA for a good imported into the United States from a USMCA country shall make, keep, and, pursuant to rules and regulations prescribed by the Secretary of the Treasury of the Secretary of Labor, render for examination and inspection—

''(i) records and supporting documentation related to the importation;

''(ii) all records and supporting documents related to the origin of the good (including the certification or copies thereof), if the importer completed the certification; and

''(iii) records and supporting documents necessary to demonstrate that the good did not, while in transit to the United States, undergo further production or any other operation other than unloading, reloading, or any other operation necessary to preserve the good in good condition or to transport the good to the United States.

''(B) VEHICLE PRODUCER.—Any vehicle producer whose good is the subject of a claim for preferential tariff treatment under the USMCA shall make, keep, and, pursuant to rules and regulations promulgated by the Secretary of the Treasury and Secretary of Labor, render for examination and inspection records and supporting documents related to the labor value content and steel and aluminum purchasing requirements for the qualification of its vehicles for preferential treatment.

''(5) RETENTION PERIOD.—

''(A) EXPORTS TO USMCA COUNTRIES.—A person covered by paragraph (2) who completes a USMCA certification of origin or provides a written representation for a good exported from the United States to a USMCA country shall keep the records required by such paragraph relating to that certification of origin for a period of at least 5 years after the date on which the certification is completed.

''(B) EXPORTS UNDER CANADIAN AGREEMENT.—The records required by paragraph (3) shall be kept for such periods of time as the Secretary shall prescribe, except that—

''(i) no period of time for the retention of the records may exceed 5 years from the date of entry, filing of a reconciliation, or exportation, as appropriate; and

''(ii) records for any drawback claim shall be kept until the 3rd anniversary of the date of liquidation of the claim.

''(C) IMPORTS INTO THE UNITED STATES.—

''(i) IN GENERAL.—An importer covered by paragraph (4)(A) shall keep the records and supporting documents required by such paragraph for a period of at least 5 years after the date of importation of the good.

''(ii) VEHICLE PRODUCER.—A vehicle producer covered by paragraph (4)(B) shall keep the records and supporting documents required by paragraph (4)(B) for a period of at least 5 years after the date of filing the certifications required under paragraphs (1) and (2) of section 202A(c) of the United States-Mexico-Canada Agreement Implementation Act.'';

(2) by striking subsection (c); and

(3) in the paragraph heading for subsection (e)(1), by striking ''NAFTA'' and inserting ''USMCA''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on the date on which the USMCA enters into force.

(2) APPLICABILITY.—

(A) EXPORTS.—Paragraphs (2) and (5)(A) of section 508(b) of the Tariff Act of 1930, as amended by subsection (a), shall apply with respect to a good exported from the United States on or after the date on which the USMCA enters into force.

(B) IMPORTS.—Paragraphs (4) and (5)(C) of section 508(b) of the Tariff Act of 1930, as amended by subsection (a), shall apply with respect to a good that is entered for consumption, or withdrawn from warehouse for consumption, on or after the date on which the USMCA enters into force.

(3) TRANSITION FROM NAFTA TREATMENT.—

(A) EXPORTS.—In the case of a good exported from the United States before the date on which the USMCA enters into force—

(i) the amendments made by subsection (a) to paragraphs (2) and (5)(A) of section 508(b) of the Tariff Act of 1930 (19 U.S.C. 1508) shall not apply with respect to the good; and

(ii) section 508 of such Act, as in effect on the day before that date, shall continue to apply on and after that date with respect to the good.

(B) IMPORTS.—In the case of a good that is entered for consumption, or withdrawn from warehouse for consumption, before the date on which the USMCA enters into force, the amendments made by subsection (a) to paragraphs (4) and (5)(C) of section 508(b) of the Tariff Act of 1930 (19 U.S.C. 1508) shall not apply with respect to the good.

SEC. 207. ACTIONS REGARDING VERIFICATION OF CLAIMS UNDER THE USMCA.

(a) VERIFICATION.—

(1) ORIGIN VERIFICATION.—

(A) IN GENERAL.—The Secretary of the Treasury may, pursuant to article 5.9 of the USMCA, conduct a verification of whether a good is an originating good under section 202 or 202A.

(B) ADDITIONAL REQUIREMENTS.—If the Secretary conducts a verification under subparagraph (A), the President may direct the Secretary—

(i) during the verification process, to release the good only upon payment of duties or provision of security; and

(ii) if the Secretary makes a negative determination under subsection (b), to take action under subsection (c).

(2) TEXTILE AND APPAREL GOODS.—

(A) IN GENERAL.—The Secretary of the Treasury may, pursuant to article 6.6 of the USMCA, conduct a verification described in subparagraph (C) with respect to a textile or apparel good.

(B) ADDITIONAL REQUIREMENTS.—If the Secretary conducts a verification under subparagraph (A) with respect to a textile or apparel good, the President may direct the Secretary—

(i) during the verification process, to take appropriate action described in subparagraph (D); and

(ii) if the Secretary makes a negative determination described in subsection (b), to take action under subsection (c).

(C) VERIFICATION DESCRIBED.—A verification described in this subparagraph with respect to a textile or apparel good is—

(i) a verification of whether the good qualifies for preferential tariff treatment under the USMCA; or

(ii) a verification of whether customs offenses are occurring or have occurred with respect to the good.

(D) ACTION DURING VERIFICATION.—Appropriate action described in this subparagraph may consist of—

(i) release of the textile or apparel good that is the subject of a verification described in subparagraph (C) upon payment of duties or provision of security;

(ii) suspension of preferential tariff treatment under the USMCA with respect to—

(I) the textile or apparel good that is the subject of a verification described in subparagraph (C)(i), if the Secretary determines that there is insufficient information to support the claim for preferential tariff treatment; or

(II) any textile or apparel good exported or produced by a person that is the subject of a verification described in subparagraph (C)(ii) if the Secretary of the Treasury determines that there is insufficient information to support the claim for preferential tariff treatment made with respect to that good;

(iii) denial of preferential tariff treatment under the USMCA with respect to—

(I) the textile or apparel good that is the subject of a verification described in subparagraph (C)(i) if the Secretary determines that incorrect information has been provided to support the claim for preferential tariff treatment; or

(II) any textile or apparel good exported or produced by a person that is the subject of a verification described in subparagraph (C)(ii) if the Secretary determines that the person has provided incorrect information to support the claim for preferential tariff treatment that has been made with respect to that good;

(iv) detention of any textile or apparel good exported or produced by a person that is the subject of a verification described in subparagraph (C) if the Secretary determines that there is insufficient information to determine the country of origin of that good; and

(v) denial of entry into the United States of any textile or apparel good exported or produced by a person that is the subject of a verification described in subparagraph (C) if the Secretary determines that the person has provided incorrect information regarding the country of origin of that good.

(b) NEGATIVE DETERMINATION.—

(1) IN GENERAL.—A negative determination described in this subsection with respect to a good imported, exported, or produced by an importer, exporter, or producer is a determination by the Secretary, based on a verification conducted under subsection (a), that—

(A) a claim by the importer, exporter, or producer that the good qualifies as an originating good under section 202 is inaccurate; or

(B) the good does not qualify for preferential tariff treatment under the USMCA because—

(i) the importer, exporter, or producer failed to respond to a written request for information or failed to provide sufficient information to determine that the good qualifies as an originating good;

(ii) after receipt of a written notification for a visit to conduct verification under subsection (a), the exporter or producer did not provide written consent for that visit;

(iii) the importer, exporter, or producer does not maintain, or denies access to, records or documentation required under section 508(l) of the Tariff Act of 1930 (19 U.S.C. 1508(l));

(iv) in the case of verification conducted under subsection (a)(2)—

(I) access or permission for a site visit is denied;

(II) officials of the United States are prevented from completing a site visit on the proposed date and the exporter or producer does not provide an acceptable alternative date for the site visit; or

(III) the exporter or producer does not provide access to relevant documents or facilities during a site visit; or

(v) the importer, exporter, or producer—

(I) otherwise fails to comply with the requirements of this section; or

(II) based on the preponderance of the evidence, circumvents the requirements of this section.

(2) REQUESTS FOR INFORMATION.—The Secretary shall not make a negative determination described in paragraph (1)(B) unless—

(A) in a case in which the Secretary conducts a verification with respect to a good by written request or questionnaire submitted to the importer under article 5.9.1(a) of the USMCA and the claim for preferential tariff treatment under the USMCA is based on a certification of origin completed by the exporter or producer of the good, the Secretary requests information from the exporter or producer that completed the certification; or

(B) in a case in which the Secretary conducts a verification with respect to a textile or apparel good by requesting a site visit under article 6.6.2 of the USMCA, the Secretary requests information from the importer and from any exporter or producer that provided information to the Secretary to support the claim for preferential tariff treatment.

(c) ACTION BASED ON DETERMINATION.—

(1) DENIAL OF PREFERENTIAL TARIFF TREATMENT.—Upon making a negative determination described in subsection (b)(1) with respect to a good, the Secretary may deny preferential tariff treatment under the USMCA with respect to the good.

(2) WITHHOLDING OF PREFERENTIAL TARIFF TREATMENT BASED ON PATTERN OF CONDUCT.—If verifications of origin relating to identical goods indicate a pattern of conduct by an importer, exporter, or producer of false or unsupported representations relevant to a claim that a good imported into the United States qualifies for preferential tariff treatment under the USMCA, U.S. Customs and Border Protection, in accordance with regulations prescribed by the Secretary, may withhold preferential tariff treatment under the USMCA for entries of those goods imported, exported, or produced by that person until U.S. Customs and Border Protection determines that person has established compliance with requirements for claims for preferential tariff treatment under the USMCA.

(d) PREVENTION OF CIRCUMVENTION.—In making a determination under this section, including whether to accept or reject a claim for preferential tariff treatment under the USMCA, the Secretary shall interpret the requirements of this section in a manner to avoid and prevent circumvention of those requirements.

SEC. 208. DRAWBACK [RESERVED].

SEC. 209. OTHER AMENDMENTS TO THE TARIFF ACT OF 1930.

(a) COUNTRY OF ORIGIN MARKING.—Section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) is amended by striking subsection (k) and inserting the following:

''(k) TREATMENT OF GOODS OF A USMCA COUNTRY.—In applying this section to an article that qualifies as a good of a USMCA country (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act)—

''(1) the exemption under subsection (a)(3)(H) shall be applied by substituting 'reasonably know' for 'necessarily know';

''(2) the Secretary shall exempt the good from the requirements for marking under subsection (a) if the good—

''(A) is an original work of art; or

''(B) is provided for under subheading 6904.10, heading 8541, or heading 8542 of the Harmonized Tariff Schedule of the United States; and

''(3) subsection (b) does not apply to the usual container of any good described in subsection (a)(3)(E) or (I) or paragraph (2)(A) or (B) of this subsection.''.

(b) EXAMINATION OF BOOKS AND WITNESSES.—Section 509(a)(2)(A) of the Tariff Act of 1930 (19 U.S.C. 1509(a)(2)(A)) is amended—

(1) in clause (i), by inserting at the end ''or a vehicle producer whose good is subject to a claim of preferential tariff treatment under the USMCA (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act),''; and

(2) in clause (ii), by striking ''a NAFTA country'' and all that follows through ''Implementation Act)'' and inserting ''a USMCA country (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act)''.

(c) EXCHANGE OF INFORMATION.—Section 628 of the Tariff Act of 1930 (19 U.S.C. 1628) is amended by striking subsection (c) and inserting the following:

''(c) GOVERNMENT AGENCY OF USMCA COUNTRY.—

''(1) IN GENERAL.—The Secretary may authorize U.S. Customs and Border Protection to exchange information with any government agency of a USMCA country, if the Secretary—

''(A) reasonably believes the exchange of information is necessary to implement chapter 2, 4, 5, 6, or 7 of the USMCA; and

''(B) obtains assurances from such agency that the information will be held in confidence and used only for governmental purposes.

''(2) DEFINITIONS.—In this subsection, the terms 'USMCA' and 'USMCA country' have the meanings given those terms in section 3 of the United States-Mexico-Canada Agreement Implementation Act.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall—

(A) take effect on the date on which the USMCA enters into force; and

(B) apply with respect to a good entered for consumption, or withdrawn from warehouse for consumption, on or after that date.

(2) TRANSITION FROM NAFTA TREATMENT.—In the case of a good entered for consumption, or withdrawn from warehouse for consumption, before the date on which the USMCA enters into force—

(A) the amendments made by this section shall not apply with respect to the good; and

(B) the provisions of law amended by this section, as such provisions were in effect on the day before that date, shall continue to apply on and after that date with respect to the good.

(e) EFFECTIVE DATE RELATING TO EXCHANGE OF INFORMATION.—Notwithstanding the amendment made by subsection (c), the Secretary of the Treasury shall retain the authority provided in section 628(c) of the Tariff Act of 1930 (as in effect on the day before the date on which the USMCA enters into force) to exchange information with any government agency of a NAFTA country (as defined in section 2 of the North American Free Trade Agreement Implementation Act (as in effect on the day before the date on which the USMCA enters into force)).

SEC. 210. REGULATIONS.

(a) SECRETARY OF THE TREASURY.—The Secretary of the Treasury shall prescribe such regulations as may be necessary to carry out this title and the amendments made by this title (except as provided by subsection (b)).

(b) SECRETARY OF LABOR.—The Secretary of Labor shall prescribe such regulations as may be necessary to carry out the labor value content determination under section 202A.

TITLE III—APPLICATION OF USMCA TO SECTORS AND SERVICES

Subtitle A—Relief From Injury Caused by Import Competition [reserved]

Subtitle B—Temporary Entry of Business Persons [reserved]

Subtitle C—United States-Mexico Cross-border Long-haul Trucking Services

SEC. 321. DEFINITIONS.

In this subtitle:

(1) BORDER COMMERCIAL ZONE.—The term ''border commercial zone'' means—

(A) the area of United States territory of the municipalities along the United States-Mexico international border and the commercial zones of such municipalities as described in subpart B of part 372 of title 49, Code of Federal Regulations; and

(B) any additional border crossing and associated commercial zones listed in the Federal Motor Carrier Safety Administration OP–2 application instructions or successor documents.

(2) CARGO ORIGINATING IN MEXICO.—The term ''cargo originating in Mexico'' means any cargo that enters the United States by commercial motor vehicle from Mexico, including cargo that may have originated in a country other than Mexico.

(3) CHANGE IN CIRCUMSTANCES.—The term ''change in circumstance'' may include a substantial increase in services supplied by the grantee of a grant of authority.

(4) COMMERCIAL MOTOR VEHICLE.—The term ''commercial motor vehicle'' means a commercial motor vehicle, as such term is defined in paragraph (1) of section 31132 of title 49, United States Code, that meets the requirements of subparagraph (A) of such paragraph.

(5) CROSS-BORDER LONG-HAUL TRUCKING SERVICES.—The term ''cross-border long-haul trucking services'' means—

(A) the transportation by commercial motor vehicle of cargo originating in Mexico to a point in the United States outside of a border commercial zone; or

(B) the transportation by commercial motor vehicle of cargo originating in the United States from a point in the United States outside of a border commercial zone to a point in a border commercial zone or a point in Mexico.

(6) DRIVER.—The term ''driver'' means a person that drives a commercial motor vehicle in cross-border long-haul trucking services.

(7) GRANT OF AUTHORITY.—The term ''grant of authority'' means registration granted pursuant to section 13902 of title 49, United States Code, or a successor provision, to persons of Mexico to conduct cross-border long-haul trucking services in the United States.

(8) INTERESTED PARTY.—The term ''interested party'' means—

(A) persons of the United States engaged in the provision of cross-border long-haul trucking services;

(B) a trade or business association, a majority of whose members are part of the relevant United States long-haul trucking services industry;

(C) a certified or recognized union, or representative group of suppliers, operators, or drivers who are part of the United States long-haul trucking services industry;

(D) the Government of Mexico; or

(E) persons of Mexico.

(9) MATERIAL HARM.—The term ''material harm'' means a significant loss in the share of the United States market or relevant submarket for cross-border long-haul trucking services held by persons of the United States.

(10) OPERATOR OR SUPPLIER.—The term ''operator'' or ''supplier'' means an entity that has been granted registration under section 13902 of title 49, United States Code, to provide cross-border long-haul trucking services.

(11) PERSONS OF MEXICO.—The term ''persons of Mexico'' includes—

(A) entities domiciled in Mexico organized, or otherwise constituted under Mexican law, including subsidiaries of United States companies domiciled in Mexico, or entities owned or controlled by a Mexican national, which conduct cross-border long-haul trucking services, or employ drivers who are non-United States nationals; and

(B) drivers who are Mexican nationals.

(12) PERSONS OF THE UNITED STATES.—The term ''persons of the United States'' includes entities domiciled in the United States, organized or otherwise constituted under United States law, and not owned or controlled by persons of Mexico, which provide cross-border long-haul trucking services and long-haul commercial motor vehicle drivers who are United States nationals.

(13) THREAT OF MATERIAL HARM.—The term ''threat of material harm'' means material harm that is likely to occur.

(14) UNITED STATES LONG-HAUL TRUCKING SERVICES INDUSTRY.—The term ''United States long-haul trucking services industry'' means—

(A) United States suppliers, operators, or drivers as a whole providing cross-border long-haul trucking services; or

(B) United States suppliers, operators, or drivers providing cross-border long-haul trucking services in a specific sub-market of the whole United States market.

SEC. 322. INVESTIGATIONS AND DETERMINATIONS BY COMMISSION.

(a) INVESTIGATION.—Upon the filing of a petition by an interested party described in subparagraph (A), (B), or (C) of section 321(8) which is representative of a United States long-haul trucking services industry, or at the request of the President or the Trade Representative, or upon the resolution of the Committee on Ways and Means of the House of Representatives or the Committee on Finance of the Senate, the International Trade Commission (in this subtitle referred to as the ''Commission'') shall promptly initiate an investigation to determine—

(1) whether a request by a person of Mexico to receive a grant of authority that is pending as of the date of the filing of the petition threatens to cause material harm to a United States long-haul trucking services industry;

(2) whether a person of Mexico who has received a grant of authority on or after the date of entry into force of the USMCA and retains such grant of authority is causing or threatens to cause material harm to a United States long-haul trucking services industry; or

(3) whether, with respect to a person of Mexico who has received a grant of authority before the date of entry into force of the USMCA and retains such grant of authority, there has been a change in circumstances such that such person of Mexico is causing or threatens to cause material harm to a United States long-haul trucking services industry.

(b) TRANSMISSION OF PETITION, REQUEST, OR RESOLUTION.—The Commission shall transmit a copy of any petition, request, or resolution filed under subsection (a) to the Trade Representative and the Secretary of Transportation.

(c) PUBLICATION AND HEARINGS.—The Commission shall—

(1) promptly publish notice of the commencement of any investigation under subsection (a) in the Federal Register; and

(2) within a reasonable time period thereafter, hold public hearings at which the Commission shall afford interested parties an opportunity to be present, to present evidence, to respond to presentations of other parties, and otherwise to be heard.

(d) FACTORS APPLIED IN MAKING DETERMINATIONS.—In making a determination under subsection (a) of whether a request by a person of Mexico to receive a grant of authority, or a person of Mexico who has received a grant of authority and retains such grant of authority, as the case may be, threatens to cause material harm to a United States long-haul trucking services industry, the Commission shall—

(1) consider, among other things, and as relevant—

(A) the volume and tonnage of merchandise transported; and

(B) the employment, wages, hours of service, and working conditions; and

(2) with respect to a change in circumstances described in subsection (a)(3), take into account those operations by persons of Mexico under grants of authority in effect as of the date of entry into force of the USMCA are not causing material harm.

(e) ASSISTANCE TO COMMISSION.—

(1) IN GENERAL.—At the request of the Commission, the Secretary of Homeland Security shall consult with the Commission

and shall collect and maintain such additional data and other information on commercial motor vehicles entering or exiting the United States at a port of entry or exit at the United States border with Mexico as the Commission may request for the purpose of conducting investigations under subsection (a) and shall make such information available to the Commission in a timely manner.

(2) REQUESTS FOR INFORMATION.—

(A) IN GENERAL.—At the request of the Commission, the Secretary of Homeland Security, the Secretary of Transportation, the Secretary of Commerce, the Secretary of Labor, and the head of any other Federal agency shall make available to the Commission any information in their possession, including proprietary information, as the Commission may require in order to assist the Commission in making determinations under subsection (a).

(B) CONFIDENTIAL BUSINESS INFORMATION.—The Commission shall treat any proprietary information obtained under subparagraph (A) as confidential business information in accordance with regulations adopted by the Commission to carry out this subtitle.

(f) LIMITED DISCLOSURE OF CONFIDENTIAL BUSINESS INFORMATION UNDER PROTECTIVE ORDER.—The Commission shall promulgate regulations to provide access to confidential business information under protective order to authorized representatives of interested parties who are parties to an investigation under subsection (a).

(g) DEADLINE FOR DETERMINATION.—

(1) IN GENERAL.—Not later than 120 days after the date on which an investigation is initiated under subsection (a) with respect to a petition, request, or resolution, the Commission shall make a determination with respect to the petition, request, or resolution.

(2) EXCEPTION.—If, before the 100th day after an investigation is initiated under subsection (a), the Commission determines that the investigation is extraordinarily complicated, the Commission shall make its determination with respect to the investigation not later than 150 days after the date referred to in paragraph (1).

(h) APPLICABLE PROVISIONS.—For purposes of this subtitle, the provisions of paragraphs (1), (2), and (3) of section 330(d) of the Tariff Act of 1930 (19 U.S.C. 1330(d)) shall be applied with respect to determinations and findings made under this section as if such determinations and findings were made under section 202 of the Trade Act of 1974 (19 U.S.C. 2252).

SEC. 323. COMMISSION RECOMMENDATIONS AND REPORT.

(a) IN GENERAL.—If the Commission makes an affirmative determination under section 322, the Commission shall recommend the action that is necessary to address the material harm or threat of material harm found.

(b) LIMITATION.—Only those members of the Commission who agreed to the affirmative determination under section 322 are eligible to vote on the recommendation required to be made under subsection (a).

(c) REPORT.—Not later than the date that is 60 days after the date on which the determination is made under section 322, the Commission shall submit to the President a report that includes—

(1) the determination and an explanation of the basis for the determination;

(2) if the determination is affirmative, recommendations for action and an explanation of the basis for the recommendation; and

(3) any dissenting or separate views by members of the Commission regarding the determination.

(d) PUBLIC NOTICE.—Upon submitting a report to the President under subsection (c), the Commission shall—

(1) promptly make public the report (with the exception of information which the Commission determines to be confidential business information); and

(2) publish a summary of the report in the Federal Register.

SEC. 324. ACTION BY PRESIDENT WITH RESPECT TO AFFIRMATIVE DETERMINATION.

(a) IN GENERAL.—Not later than the date that is 30 days after the date on which the President receives a report of the Commission in which the Commission's determination under section 322 is affirmative or which contains a determination that the President may treat as affirmative in accordance with section 330(d)(1) of the Tariff Act of 1930 (19 U.S.C. 1330(d)(1))—

(1) the President shall, subject to subsection (b), issue an order to the Secretary of Transportation specifying the relief to be provided, consistent with subsection (c), and directing the relief to be carried out; and

(2) the Secretary of Transportation shall carry out such relief.

(b) EXCEPTION.—The President is not required to provide relief under this section if the President determines that provision of such relief—

(1) is not in the national economic interest of the United States; or

(2) would cause serious harm to the national security of the United States.

(c) NATURE OF RELIEF.—

(1) IN GENERAL.—The relief the President is authorized to provide under this subsection is as follows:

(A)(i) With respect to a determination relating to an investigation under section 322(a)(1), the denial or imposition of limitations on a request for a new grant of authority by the persons of Mexico that are the subject of the investigation.

(ii) With respect to a determination relating to an investigation under section 322(a)(1), the revocation of, or restrictions on, grants of authority issued to the persons of Mexico that are the subject of the investigation since the date of the petition, request, or resolution.

(B) With respect to a determination relating to an investigation under section 322(a)(2) or (3), the revocation or imposition of limitations on an existing grant of authority by the persons of Mexico that are the subject of the investigation.

(C) With respect to a determination relating to an investigation under section 322(a)(1), (2), or (3), a cap on the number of grants of authority issued to persons of Mexico annually.

(2) DEADLINE FOR RELIEF.—Not later than 15 days after the date on which the President determines the relief to be provided under this subsection, the President shall direct the Secretary of Transportation to carry out the relief.

(d) PERIOD OF RELIEF.—

(1) IN GENERAL.—Subject to paragraph (2), any relief that the President provides under this section may not be in effect for more than 2 years.

(2) EXTENSION.—

(A) IN GENERAL.—Subject to subparagraph (C), the President, after receiving a determination from the Commission under subparagraph (B) that is affirmative, or which contains a determination that the President may treat as affirmative in accordance with section 330(d)(1) of the Tariff Act of 1930 (19 U.S.C. 1330(d)(1)(1)), may extend the effective period of relief provided under this section by up to an additional 4 years, if the President determines that the provision of the relief continues to be necessary to remedy or prevent material harm.

(B) ACTION BY COMMISSION.—

(i) INVESTIGATION.—Upon request of the President, or upon the filing by an interested party described in subparagraph (A), (B), or (C) of section 321(8) which is representative of a United States long-haul trucking services industry that is filed with the Commission not earlier than the date that is 270 days, and not later than the date that is 240 days, before the date on which any action taken under this section is to terminate, the Commission shall conduct an investigation to determine whether action under this section continues to be necessary to remedy or prevent material harm.

(ii) NOTICE AND HEARING.—The Commission shall—

(I) publish notice of the commencement of an investigation under clause (i) in the Federal Register; and

(II) within a reasonable time thereafter, hold a public hearing at which the Commission shall afford interested parties an opportunity to be present, to present evidence, and to respond to the presentations of other parties and consumers, and otherwise be heard.

(iii) REPORT.—Not later than the date that is 60 days before relief provided under subsection (a) is to terminate, or such other date as determined by the President, the Commission shall submit to the President a report on its investigation and determination under this subparagraph.

(C) PERIOD OF RELIEF.—Any relief provided under this section, including any extension thereof, may not, in the aggregate, be in effect for more than 6 years.

(D) LIMITATION.—

(i) IN GENERAL.—Except as provided in clause (ii), the Commission may not conduct an investigation under subparagraph (B)(i) if—

(I) the subject matter of the investigation is the same as the subject matter of a previous investigation conducted under subparagraph (B)(i); and

(II) less than 1 year has elapsed since the Commission made its report to the President of the results of such previous investigation.

(ii) EXCEPTION.—Clause (i) shall not apply with respect to an investigation if the Commission determines good cause exists to conduct the investigation.

(e) REGULATIONS.—The Commission and the Secretary of Transportation are authorized to promulgate such rules and regulations as may be necessary to carry out this subtitle.

SEC. 325. CONFIDENTIAL BUSINESS INFORMATION.

Section 202(a)(8) of the Trade Act of 1974 (19 U.S.C. 2252(a)(8)) is amended in the first sentence by striking ''and title III of the United States-Panama Trade Promotion Agreement Implementation Act'' and inserting '', title III of the United States-Panama Trade Promotion Agreement Implementation Act, and subtitle C of title III of the United States-Mexico-Canada Agreement Implementation Act''.

SEC. 326. CONFORMING AMENDMENTS.

(a) REGISTRATION OF MOTOR CARRIERS.—Section 13902 of title 49, United States Code, is amended by inserting at the end the following:

''(j) MEXICO-DOMICILED MOTOR CARRIERS.—Notwithstanding any other provision of this section, upon an order in accordance with section 324(a) of the United States-Mexico-Canada Agreement Implementation Act, the Secretary shall carry out the relief specified by denying or imposing limitations on a request for registration or capping the number of requests for registration by Mexico-domiciled motor carriers of cargo to operate beyond the municipalities along the United States-Mexico international border and the commercial zones of those municipalities as directed.''.

(b) EFFECTIVE PERIODS OF REGISTRATION.—Section 13905 of title 49, United States Code, is amended by inserting at the end the following:

''(g) MEXICO-DOMICILED MOTOR CARRIERS.—Notwithstanding any other provision of this section, upon an order in accordance with section 324(a) of the United States-Mexico-Canada Agreement Implementation Act, the Secretary shall carry out the relief specified by revoking or imposing limitations on existing registrations of Mexico-domiciled motor carriers of cargo to operate beyond the municipalities along the United States-Mexico international border and the commercial zones of those municipalities as directed.''.

SEC. 327. SURVEY OF OPERATING AUTHORITIES.

The Department of Transportation shall undertake a survey of all existing grants of operating authority to, and pending applications for operating authority from, all Mexico-domiciled motor property carriers for operating beyond the Border Commercial Zones, including OP–1 (MX) operating authority (Mexico-domiciled Carriers for Motor Carrier Authority to Operate Beyond U.S. Municipalities and Commercial Zones on the U.S.-Mexico Border) and OP–1 operating authority (United States-based Enterprise Carrier of International Cargo Application for Motor Property Carrier and Broker Authority). The Department of Transportation shall prepare a report summarizing the results of such survey not less than 180 days after the date on which the USMCA enters into force, which it shall deliver to the Office of the United States Trade Representative, the Commission, and the Chairs and Ranking Members of the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Ways and Means of the House of Representatives, and the Committee on Finance of the Senate.

TITLE IV—ANTIDUMPING AND COUNTERVAILING DUTIES

Subtitle A—Preventing Duty Evasion

SEC. 401. COOPERATION ON DUTY EVASION.

Section 414(b) of the Enforce and Protect Act of 2015 (19 U.S.C. 4374(b)) is amended—

(1) by inserting ''or a party to the USMCA (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act)'' after ''subsection (a)''; and

(2) by inserting ''or the USMCA, as the case may be,'' after ''the bilateral agreement''.

Subtitle B—Dispute Settlement [reserved]

Subtitle C—Conforming Amendments

SEC. 421. JUDICIAL REVIEW IN ANTIDUMPING DUTY AND COUNTERVAILING DUTY CASES.

Section 516A of the Tariff Act of 1930 (19 U.S.C. 1516a) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(B)(vii), by striking ''the Tariff Act of 1930'' and inserting ''this Act''; and

(B) in paragraph (5)(D)(i), by striking ''article 1904 of the NAFTA'' and inserting ''article 10.12 of the USMCA'';

(2) in subsection (b)(3)—

(A) in the paragraph heading, by striking ''NAFTA OR UNITED STATES-CANADA'' and inserting ''UNITED STATES-CANADA OR USMCA''; and

(B) in the text, by striking ''of the NAFTA or of the Agreement'' and inserting ''of the Agreement or article 10.12 of the USMCA'';

(3) in subsection (f)—

(A) in paragraph (6)(A), by striking ''article 1908 of the NAFTA'' and inserting ''article 10.16 of the USMCA'';

(B) in paragraph (7)(A), by striking ''article 1908 of the NAFTA'' and inserting ''article 10.16 of the USMCA'';

(C) by striking paragraph (8);

(D) by redesignating paragraphs (9) and (10) as paragraphs (8) and (9), respectively;

(E) in paragraph (9), as redesignated by subparagraph (D), by striking subparagraphs (A) and (B) and inserting the following:

''(A) Canada for such time as the USMCA is in force with respect to, and the United States applies the USMCA to, Canada.

''(B) Mexico for such time as the USMCA is in force with respect to, and the United States applies the USMCA to, Mexico.''; and

(F) by adding at the end the following:

''(10) USMCA.—The term 'USMCA' has the meaning given that term in section 3 of the United States-Mexico-Canada Agreement Implementation Act.'';

(4) in subsection (g)—

(A) in paragraph (2), in the matter preceding subparagraph (A), by striking ''of the NAFTA or of the Agreement'' and inserting ''of the Agreement or article 10.12 of the USMCA'';

(B) in paragraph (3)(A)—

(i) in clause (i), by striking ''of the NAFTA or of the Agreement.'' and inserting ''of the Agreement or article 10.12 of the USMCA;'';

(ii) in clause (iii), by striking ''the NAFTA or of the Agreement'' and inserting ''the Agreement or the USMCA'';

(iii) in clause (v), by striking ''paragraph 12 of article 1905 of the NAFTA'' and inserting ''article 10.13 of the USMCA''; and

(iv) in clause (vi), by striking ''paragraph 12 of article 1905 of the NAFTA'' and inserting ''article 10.13 of the USMCA'';

(C) in paragraph (4)(A), by striking ''the North American Free Trade Agreement'' and all that follows through ''chapter 19 of the Agreement'' and inserting ''the United States-Canada Free-Trade Agreement Implementation Act of 1988 implementing the binational panel dispute settlement system under chapter 19 of the Agreement, or the United States-Mexico-Canada Agreement Implementation Act implementing the binational panel dispute settlement system under chapter 10 of the USMCA'';

(D) in paragraph (5)—

(i) in subparagraph (A), by striking ''of the NAFTA or of the Agreement'' and inserting ''of the Agreement or article 10.12 of the USMCA'';

(ii) in subparagraph (B), by striking ''of the NAFTA or of the Agreement'' and inserting ''of the Agreement or article 10.12 of the USMCA''; and

(iii) in subparagraph (C)—

(I) in clause (i), by striking ''of the NAFTA or of the Agreement'' and inserting ''of the Agreement or article 10.12 of the USMCA''; and

(II) in clause (iii), by striking ''of the NAFTA or of the Agreement'' and inserting ''of the Agreement or chapter 10 of the USMCA'';

(E) in paragraph (6), by striking ''of the NAFTA or of the Agreement'' and inserting ''of the Agreement or article 10.12 of the USMCA'';

(F) in paragraph (7)—

(i) in the paragraph heading, by striking ''OF THE NAFTA OR THE AGREEMENT'' and inserting ''OF THE AGREEMENT OR ARTICLE 10.12 OF THE USMCA''; and

(ii) in subparagraph (A), by striking ''the NAFTA or the Agreement'' and inserting ''article 1904 of the Agreement or article 10.12 of the USMCA'';

(G) in paragraph (8)—

(i) in subparagraph (A)—

(I) in clause (i), by striking ''of the NAFTA or of the Agreement'' and inserting ''of the Agreement or article 10.12 of the USMCA''; and

(II) in clause (ii)—

(aa) in the clause heading, by striking ''NAFTA'' and inserting ''USMCA''; and

(bb) in the text, by striking ''paragraph 11(a) of article 1905 of the NAFTA'' and inserting ''article 10.13 of the USMCA''; and

(ii) in subparagraph (C), by striking ''of the NAFTA or the Agreement'' and inserting ''of the Agreement or article 10.12 of the USMCA'';

(H) in paragraph (9), by striking ''of the NAFTA or of the Agreement'' and inserting ''of the Agreement or chapter 10 of the USMCA'';

(I) in paragraph (10), by striking ''the NAFTA or the Agreement'' and inserting ''the Agreement or under article 10.12 of the USMCA'';

(J) by striking paragraph (11) and inserting the following:

''(11) SUSPENSION AND TERMINATION OF SUSPENSION OF ARTICLE 10.12 OF THE USMCA.—

''(A) SUSPENSION.—If a special committee established under article 10.13 of the USMCA issues an affirmative finding, the Trade Representative may, in accordance with article 10.13 of the USMCA, suspend the operation of article 10.12 of the USMCA.

''(B) TERMINATION OF SUSPENSION.—If a special committee is reconvened and makes an affirmative determination described in article 10.13 of the USMCA, any suspension of the operation of article 10.12 of the USMCA shall terminate.''; and

(K) in paragraph (12)—

(i) in the paragraph heading, by striking ''NAFTA'' and inserting ''USMCA'';

(ii) by striking subparagraph (A) and inserting the following:

''(A) NOTICE OF SUSPENSION OR TERMINATION OF SUSPENSION OF ARTICLE 10.12 OF THE USMCA.—

''(i) NOTICE OF SUSPENSION.—Upon notification by the Trade Representative or the government of a country described in subparagraph (A) or (B) of subsection (f)(9) that the operation of article 10.12 of the USMCA has been suspended in accordance with article 10.13 of the USMCA, the United States Secretary shall publish in the Federal Register a notice of suspension of article 10.12 of the USMCA.

''(ii) NOTICE OF TERMINATION OF SUSPENSION.—Upon notification by the Trade Representative or the government of a country described in subparagraph (A) or (B) of subsection (f)(9) that the suspension of the operation of article 10.12 of the USMCA is terminated in accordance with article 10.13 of the USMCA, the United States Secretary shall publish in the Federal Register a notice of termination of suspension of article 10.12 of the USMCA.'';

(iii) in subparagraph (B)—

(I) in the subparagraph heading, by striking ''ARTICLE 1904'' and inserting ''ARTICLE 10.12 OF THE USMCA''; and

(II) in the matter preceding clause (i), by striking ''If'' and all that follows through ''NAFTA—'' and inserting the following: ''If the operation of article 10.12 of the USMCA is suspended in accordance with article 10.13 of the USMCA—'';

(iv) in subparagraph (C)—

(I) in clause (i)—

(aa) in the matter preceding subclause (I), by striking ''if the United States'' and all that follows through ''NAFTA—'' and inserting the following: ''if the United States made an allegation under article 10.13 of the USMCA and the operation of article 10.12 of the USMCA was suspended pursuant to article 10.13 of the USMCA—''; and

(bb) in subclause (I), by striking ''subsection (f)(10)(A) or (B)'' and inserting ''subparagraph (A) or (B) of subsection (f)(9)''; and

(II) in clause (ii), in the matter preceding subclause (I), by striking ''if a country'' and all that follows through ''NAFTA—'' and inserting the following: ''if a country described in subparagraph (A) or (B) of subsection (f)(9)

made an allegation under article 10.13 of the USMCA and the operation of article 10.12 of the USMCA was suspended pursuant to article 10.13 of the USMCA—''; and

(v) in subparagraph (D)(i), by striking ''a country described'' and all that follows through ''NAFTA'' and inserting ''a country described in subparagraph (A) or (B) of subsection (f)(9) pursuant to article 10.13 of the USMCA''.

SEC. 422. CONFORMING AMENDMENTS TO OTHER PROVISIONS OF THE TARIFF ACT OF 1930.

(a) DISCLOSURE OF PROPRIETARY INFORMATION UNDER PROTECTIVE ORDERS.—Section 777(f) of the Tariff Act of 1930 (19 U.S.C. 1677f(f)) is amended—

(1) in the subsection heading, by striking ''NORTH AMERICAN FREE TRADE AGREEMENT OR THE UNITED STATES-CANADA AGREEMENT'' and inserting ''THE UNITED STATES-CANADA AGREEMENT OR THE USMCA'';

(2) in paragraph (1)—

(A) in subparagraph (A), by striking ''article 1904 of the NAFTA'' and all that follows through '', the administering authority'' and inserting ''article 1904 of the United States-Canada Agreement or article 10.12 of the USMCA, or an extraordinary challenge committee is convened under Annex 1904.13 of the United States-Canada Agreement or chapter 10 of the USMCA, the administering authority''; and

(B) in subparagraph (B), by striking ''chapter 19 of the NAFTA or the Agreement'' each place it appears and inserting ''chapter 19 of the Agreement or chapter 10 of the USMCA'';

(3) in paragraph (3), by striking ''the NAFTA or the United States-Canada Agreement'' and inserting ''article 1904 of the United States-Canada Agreement or article 10.12 of the USMCA'';

(4) in paragraph (4), by striking ''section 402(b) of the North American Free Trade Agreement Implementation Act'' and inserting ''section 412(b) of the United States-Mexico-Canada Agreement Implementation Act''; and

(5) by striking ''section 516A(f)(10)'' each place it appears and inserting ''section 516A(f)(9)''.

(b) DEFINITION.—Section 771 of the Tariff Act of 1930 (19 U.S.C. 1677) is amended by striking paragraph (22) and inserting the following:

''(22) USMCA.—The term 'USMCA' has the meaning given that term in section 3 of the United States-Mexico-Canada Agreement Implementation Act.''.

SEC. 423. CONFORMING AMENDMENTS TO TITLE 28, UNITED STATES CODE.

(a) COURT OF INTERNATIONAL TRADE.—Chapter 95 of title 28, United States Code, is amended—

(1) in section 1581(i)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively;

(B) by inserting ''(1)'' after ''(i)'';

(C) in subparagraph (D), as redesignated by subparagraph (A), by striking ''paragraphs (1)–(3) of this subsection'' and inserting ''subparagraphs (A) through (C) of this paragraph''; and

(D) by striking the flush text and inserting the following:

''(2) This subsection shall not confer jurisdiction over an antidumping or countervailing duty determination which is reviewable by—

''(A) the Court of International Trade under section 516A(a) of the Tariff Act of 1930 (19 U.S.C. 1516a(a)); or

''(B) a binational panel under section 516A(g) of the Tariff Act of 1930 (19 U.S.C. 1516a(g)).'';

(2) in section 1584, by striking the section heading and inserting the following:

''§ 1584. Civil actions under the United States-Canada Free-Trade Agreement or the USMCA'';

and

(3) in the table of sections at the beginning of the chapter, by striking the item relating to section 1584 and inserting the following:

''1584. Civil actions under the United States-Canada Free-Trade Agreement or the USMCA.''.

(b) PARTICULAR PROCEEDINGS.—Sections 2201(a) and 2643(c)(5) of title 28, United States Code, are each amended by striking ''section 516A(f)(10)'' and inserting ''section 516A(f)(9)''.

Subtitle D—General Provisions

SEC. 431. EFFECT OF TERMINATION OF USMCA COUNTRY STATUS.

(a) IN GENERAL.—Except as provided in subsection (b), on the date on which a country ceases to be a USMCA country, the provisions of this title (other than this section) and the amendments made by this title shall cease to have effect with respect to that country.

(b) TRANSITION PROVISIONS.—

(1) PROCEEDINGS REGARDING PROTECTIVE ORDERS AND UNDERTAKINGS.—If on the date on which a country ceases to be a USMCA country an investigation or enforcement proceeding concerning the violation of a protective order issued under section 777(f) of the Tariff Act of 1930 (as amended by this title) or an undertaking of the government of that country is pending, the investigation or proceeding shall continue, and sanctions may continue to be imposed, in accordance with the provisions of such section 777(f) (as so amended).

(2) BINATIONAL PANEL AND EXTRAORDINARY CHALLENGE COMMITTEE REVIEWS.—If on the date on which a country ceases to be a USMCA country—

(A) a binational panel review under article 10.12 of the USMCA is pending, or has been requested, or

(B) an extraordinary challenge committee review under that article is pending, or has been requested,

with respect to a determination which involves a class or kind of merchandise and to which subsection (g)(2) of section 516A of the Tariff Act of 1930 (19 U.S.C. 1516a) applies, such determination shall be reviewable under subsection (a) of that section. In the case of a determination to which the provisions of this paragraph apply, the time limits for commencing an action under 516A(a) of the Tariff Act of 1930 shall not begin to run until the date on which the USMCA ceases to be in force with respect to that country.

SEC. 432. EFFECTIVE DATE.

The provisions of this title and the amendments made by this title shall take effect on the date on which the USMCA enters into force, but shall not apply—

(1) to any final determination described in paragraph (1)(B) or clause (i), (ii), or (iii) of paragraph (2)(B) of section 516A(a) of the Tariff Act of 1930 (19 U.S.C. 1516a(a)) notice of which is published in the Federal Register before such date, or to a determination described in paragraph (2)(B)(vi) of that section notice of which is received by the Government of Canada or Mexico before such date; or

(2) to any binational panel review under NAFTA, or any extraordinary challenge arising out of any such review, that was commenced before such date.

TITLE V—TRANSFER PROVISIONS AND OTHER AMENDMENTS

SEC. 501. DRAWBACK.

(a) CLERICAL AMENDMENT.—Section 208 of this Act is amended in the section heading by striking ''**[RESERVED]**''.

(b) USMCA DRAWBACK.—Subsection (a) of section 203 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3333) is—

(1) transferred to section 208 of this Act;

(2) inserted after the section heading for that section (as amended by subsection (a)); and

(3) amended—

(A) by striking ''NAFTA country'' each place it appears and inserting ''USMCA country'';

(B) in the subsection heading, by striking ''NAFTA'' and inserting ''USMCA'';

(C) in the matter preceding paragraph (1)—

(i) by striking ''and the amendments made by subsection (b)''; and

(ii) by striking ''NAFTA drawback'' and inserting ''USMCA drawback'';

(D) in paragraph (2)—

(i) in subparagraph (A), by inserting ''sorting, marking,'' after ''repacking,''; and

(ii) in subparagraph (B), by striking ''paragraph 12 of section A of Annex 703.2 of the Agreement'' and inserting ''paragraph 11 of Annex 3–B of the USMCA''; and

(E) by amending paragraph (6) to read as follows:

''(6) A good provided for in subheading 1701.13.20 or 1701.14.20 of the HTS that is imported under any re-export program or any like program and that is—

''(A) used as a material, or

''(B) substituted for by a good of the same kind and quality that is used as a material, in the production of a good provided for in existing Canadian tariff item 1701.99.00 or existing Mexican tariff item 1701.99.01, 1701.99.02, or 1701.99.99 (relating to refined sugar).''.

(c) SAME KIND AND QUALITY.—Section 208 of this Act, as amended by subsection (b), is further amended by adding at the end the following:

''(b) SAME KIND AND QUALITY.—For purposes of paragraphs (3)(A)(iii), (5)(C), (6)(B), and (8) of subsection (a), and for purposes of obtaining refunds, waivers, or reductions of customs duties with respect to a good subject to USMCA drawback under section 313(n)(2) of the Tariff Act of 1930 (19 U.S.C. 1313(n)(2)), a good is a good of the same kind and quality as another good—

''(1) for a good described in such paragraph (6)(B), if the good would have been considered of the same kind and quality as the other good on the day before the date on which the USMCA enters into force; or

''(2) for other goods if—

''(A) the good is classified under the same 8-digit HTS subheading number as the other good; or

''(B) drawback would be allowed with respect to the goods under subsection (b)(4), (j)(1), or (p) of section 313 of the Tariff Act of 1930 (19 U.S.C. 1313).''.

(d) CERTAIN FEES; INAPPLICABILITY TO COUNTERVAILING AND ANTIDUMPING DUTIES.—Subsections (d) and (e) of section 203 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3333) are—

(1) transferred to section 208 of this Act;

(2) inserted after subsection (b) of section 208 (as added by subsection (c));

(3) redesignated as subsections (c) and (d), respectively; and

(4) amended, in subsection (c) (as redesignated by paragraph (3)), by striking ''exported to'' and all that follows through the period at the end and inserting ''exported to a USMCA country.''.

(e) CONFORMING AMENDMENTS.—

(1) BONDED MANUFACTURING WAREHOUSES.—Section 311 of the Tariff Act of 1930 (19 U.S.C. 1311) is amended, in the eleventh paragraph—

(A) by striking ''NAFTA'' each place it appears;

(B) by striking ''section 203(a) of the North American Free Trade Agreement Implementation Act'' and inserting ''section 208(a) of the United States-Mexico-Canada Agreement Implementation Act''; and

(C) by striking ''section 2(4) of that Act'' and inserting ''section 3 of that Act''.

(2) BONDED SMELTING AND REFINING WAREHOUSES.—Section 312 of the Tariff Act of 1930 (19 U.S.C. 1312) is amended, in subsections (b) and (d)—

(A) by striking ''NAFTA'' each place it appears and inserting ''USMCA'';

(B) by striking ''section 2(4) of the North American Free Trade Agreement Implementation Act'' each place it appears and inserting ''section 3 of the United States-Mexico-Canada Agreement Implementation Act''; and

(C) by striking ''section 203(a) of that Act'' each place it appears and inserting ''section 208(a) of that Act''.

(3) DRAWBACK AND REFUNDS.—Section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) is amended—

(A) in subsection (j)(4), by striking subparagraph (A) and inserting the following:

''(A)(i) Effective upon the entry into force of the USMCA, the exportation to a USMCA country of merchandise that is fungible with and substituted for imported merchandise, other than merchandise described in paragraphs (1) through (8) of section 208(a) of the United States-Mexico-Canada Agreement Implementation Act, shall not constitute an exportation for purposes of paragraph (2).

''(ii) In this subparagraph, the terms 'USMCA' and 'USMCA country' have the meanings given those terms in section 3 of the United States-Mexico-Canada Agreement Implementation Act.'';

(B) in subsection (n)—

(i) in paragraph (1), by striking subparagraphs (A) and (B) and inserting the following:

''(A) the term 'USMCA country' has the meaning given that term in section 3 of the United States-Mexico-Canada Agreement Implementation Act;

''(B) the term 'good subject to USMCA drawback' has the meaning given that term in section 208(a) of the United States-Mexico-Canada Agreement Implementation Act;''; and

(ii) in paragraphs (2) and (3), by striking ''NAFTA'' each place it appears and inserting ''USMCA''; and

(C) in subsection (o), by striking ''NAFTA'' each place it appears and inserting ''USMCA''.

(4) MANIPULATION IN WAREHOUSE.—Section 562 of the Tariff Act of 1930 (19 U.S.C. 1562) is amended—

(A) by striking paragraph (1) and inserting the following:

''(1) without payment of duties for exportation to a USMCA country, as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act, if the merchandise is of a kind described in any of paragraphs (1) through (8) of section 208(a) of that Act;'';

(B) in paragraph (2)—

(i) by striking ''section 203(a) of that Act'' and inserting ''section 208(a) of that Act''; and

(ii) by striking ''NAFTA'' each place it appears and inserting ''USMCA''; and

(C) in paragraphs (3) and (4), by striking ''NAFTA'' each place it appears and inserting ''USMCA''.

(5) FOREIGN TRADE ZONES.—Section 3(a)(2) of the Act of June 18, 1934 (commonly known as the ''Foreign Trade Zones Act'') (19 U.S.C. 81c(a)(2)) is amended, in the flush text—

(A) by striking ''goods subject to NAFTA drawback, as defined in section 203(a) of the North American Free Trade Agreement Implementation Act'' and inserting ''goods subject to USMCA drawback, as defined in section 208(a) of the United States-Mexico-Canada Agreement Implementation Act'';

(B) by striking ''a NAFTA country, as defined in section 2(4) of that Act'' and inserting ''a USMCA country, as defined in section 3 of that Act''; and

(C) by striking ''NAFTA'' each place it appears and inserting ''USMCA''.

(f) ADDITIONAL CLERICAL AMENDMENT.—The table of contents for this Act is amended by striking the item relating to section 208 and inserting the following:

''Sec. 208. Drawback.''.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Each transfer, redesignation, and amendment made by subsections (b) through (e) shall—

(A) take effect on the date on which the USMCA enters into force; and

(B) apply with respect to a good entered, or withdrawn from warehouse for consumption, on or after that date.

(2) TRANSITION FROM NAFTA TREATMENT.—In the case of a good entered, or withdrawn from warehouse for consumption, before the date on which the USMCA enters into force—

(A) the amendments made by subsections (b) through (e) shall not apply with respect to the good; and

(B) the provisions of law amended by such subsections, as such provisions were in effect on the day before that date, shall continue to apply on and after that date with respect to the good.

SEC. 502. RELIEF FROM INJURY CAUSED BY IMPORT COMPETITION.

(a) CLERICAL AMENDMENT.—Subtitle A of title III of this Act is amended in the subtitle heading by striking ''**[reserved]**''.

(b) ARTICLE IMPACT IN IMPORT RELIEF CASES.—Section 311 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3371) is—

(1) transferred to subtitle A of title III of this Act;

(2) inserted after the heading (as amended by subsection (a)) of such subtitle;

(3) redesignated as section 301; and

(4) amended—

(A) in the section heading, by striking ''**NAFTA**'' and inserting ''**USMCA**'';

(B) in subsection (c), by striking ''section 312(a)'' and inserting ''section 302(a)''; and

(C) by striking ''NAFTA'' each place it appears and inserting ''USMCA''.

(c) PRESIDENTIAL ACTION REGARDING IMPORTS.—Section 312 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3372) is—

(1) transferred to subtitle A of title III of this Act;

(2) inserted after section 301 (as inserted and redesignated by subsection (b));

(3) redesignated as section 302; and

(4) amended—

(A) in the section heading, by striking ''**NAFTA**'' and inserting ''**USMCA**'';

(B) in subsection (b), in the subsection heading, by striking ''NAFTA'' and inserting ''USMCA'';

(C) in subsection (c), in the subsection heading, by striking ''NAFTA'' and inserting ''USMCA''; and

(D) by striking ''NAFTA'' each place it appears and inserting ''USMCA''.

(d) ADDITIONAL CLERICAL AMENDMENTS.—The table of contents for this Act is amended by striking the item relating to subtitle A of title III and inserting the following:

''Subtitle A—Relief From Injury Caused by Import Competition

''Sec. 301. USMCA article impact in import relief cases under the Trade Act of 1974.

''Sec. 302. Presidential action regarding USMCA imports.''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Each transfer, redesignation, and amendment made by this section shall—

(A) take effect on the date on which the USMCA enters into force; and

(B) apply with respect to an investigation under chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.) initiated on or after that date.

(2) TRANSITION FROM NAFTA.—In the case of an investigation under chapter 1 of title II of the Trade Act of 1974 initiated before the date on which the USMCA enters into force—

(A) the transfers, redesignations, and amendments made by this section shall not apply with respect to the investigation; and

(B) sections 311 and 312 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3371 and 3372), as in effect on the day before that date, shall continue to apply on and after that date with respect to the investigation.

SEC. 503. TEMPORARY ENTRY.

(a) CLERICAL AMENDMENT.—Subtitle B of title III of this Act is amended in the subtitle heading by striking ''**[reserved]**''.

(b) NONIMMIGRANT TRADERS AND INVESTORS.—Section 341 of the North American Free Trade Agreement Implementation Act (Public Law 103–182; 107 Stat. 2116) is—

(1) transferred to subtitle B of title III of this Act;

(2) inserted after the heading (as amended by subsection (a)) of such subtitle;

(3) redesignated as section 311; and

(4) amended—

(A) by striking subsections (b) and (c);

(B) by striking ''(a)'' and all that follows through ''Upon'' and inserting ''Upon'';

(C) by striking ''the Agreement'' each place it appears and inserting ''the USMCA'';

(D) by striking ''Annex 1603'' and inserting ''Annex 16–A''; and

(E) by striking ''Annex 1608'' and inserting ''article 16.1''.

(c) NONIMMIGRANT PROFESSIONALS.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (e)—

(A) by striking paragraphs (1), (3), (4), and (5);

(B) by redesignating paragraphs (2) and (6) as paragraphs (1) and (2), respectively; and

(C) in paragraph (1), as redesignated by subparagraph (B)—

(i) by striking ''Annex 1603 of the North American Free Trade Agreement (in this subsection referred to as 'NAFTA')'' and inserting ''Annex 16–A of the USMCA (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act)''; and

(ii) by striking the third and fourth sentences and inserting the following: ''For purposes of this paragraph, the term 'citizen of Mexico' means 'citizen' as defined in article 16.1 of the USMCA.''; and

(2) in subsection (j)(1)—

(A) in the first sentence, by striking ''Annex 1603 of the North American Free Trade Agreement'' and inserting ''Annex 16–A of the USMCA (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act)'';

(B) in the second sentence, by striking ''article 1603 of such Agreement'' and inserting ''article 16.4 of the USMCA''; and

(C) in the third sentence, by striking ''Annex 1608 of such Agreement'' and inserting ''article 16.1 of the USMCA''.

(d) CONFORMING AMENDMENTS.—

(1) INTEGRATED ENTRY AND EXIT DATA SYSTEM.—Section 110(c)(1)(B) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a(c)(1)(B)) is amended by striking ''North American Free

Trade Agreement'' and inserting ''USMCA (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act)''.

(2) ENHANCED BORDER SECURITY AND VISA ENTRY REFORM ACT OF 2002.—Section 604 of the Enhanced Border Security and Visa Entry Reform Act of 2002 (8 U.S.C. 1773) is amended by striking ''North American Free Trade Agreement'' and inserting ''USMCA (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act)''.

(e) ADDITIONAL CLERICAL AMENDMENTS.—The table of contents for this Act is amended by striking the item relating to subtitle A of title III and inserting the following:

''Subtitle B—Temporary Entry of Business Persons

''Sec. 311. Temporary entry.''.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Each transfer, redesignation, and amendment made by this section shall—

(A) take effect on the date on which the USMCA enters into force; and

(B) apply with respect to a visa issued on or after that date.

(2) TRANSITION FROM NAFTA.—In the case of a visa issued before the date on which the USMCA enters into force—

(A) the transfers, redesignations, and amendments made by this section shall not apply with respect to the visa; and

(B) the provisions of law amended by subsections (b) through (d), as such provisions were in effect on the day before that date, shall continue to apply on and after that date with respect to the visa.

SEC. 504. DISPUTE SETTLEMENT IN ANTI-DUMPING AND COUNTERVAILING DUTY CASES.

(a) CLERICAL AMENDMENT.—Subtitle B of title IV of this Act is amended in the subtitle heading by striking ''**[reserved]**''.

(b) REFERENCES IN SUBTITLE.—Section 401 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3431) is—

(1) transferred to subtitle B of title IV of this Act and inserted after the heading (as amended by subsection (a)) of such subtitle;

(2) redesignated as section 411; and

(3) amended by striking ''the Agreement'' and inserting ''the USMCA''.

(c) ORGANIZATIONAL AND ADMINISTRATIVE PROVISIONS.—Section 402 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3432) is—

(1) transferred to subtitle B of title IV of this Act and inserted after section 411 (as inserted and redesignated by subsection (b));

(2) redesignated as section 412; and

(3) amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in subparagraph (D), by striking ''in paragraph 1'' and all that follows and inserting ''in paragraph 1 of Annex 10–B.1 and paragraph 1 of Annex 10–B.3; and'';

(II) in subparagraph (E), by striking ''chapter 19'' and inserting ''chapter 10''; and

(III) in the matter following subparagraph (E), by striking ''in paragraph 1'' and all that follows through ''Annex 1904.13'' and inserting ''in paragraph 1 of Annex 10–B.1 and paragraph 1 of Annex 10–B.3''; and

(ii) in paragraph (2)—

(I) in the paragraph heading, by striking ''UNDER'' and all that follows before the period; and

(II) in the text—

(aa) by striking ''paragraph 1 of Annex 1901.2'' and inserting ''paragraph 1 of Annex 10–B.1'';

(bb) by striking ''chapter 19'' each place it appears and inserting ''chapter 10''; and

(cc) by striking ''article 1905'' and inserting ''article 10.13'';

(B) in subsection (b)(1)—

(i) by striking ''chapter 19'' each place it appears and inserting ''chapter 10''; and

(ii) by striking ''article 1905'' and inserting ''article 10.13'';

(C) in subsection (c)—

(i) in paragraph (1)—

(I) by striking ''chapter 19'' each place it appears and inserting ''chapter 10''; and

(II) by striking ''article 1905'' and inserting ''article 10.13'';

(ii) in paragraph (2)(B)—

(I) by striking ''chapter 19'' each place it appears and inserting ''chapter 10''; and

(II) in clause (i)(II), by striking ''article 1905'' and inserting ''article 10.13'';

(iii) in paragraph (3)—

(I) in subparagraph (A)(i), by striking ''Annex 1901.2'' and inserting ''Annex 10–B.1'';

(II) in subparagraph (A)(ii), by striking ''under Annex 1904.13'' and all that follows and inserting ''under Annex 10–B.3 and special committees under article 10.13.''; and

(III) in subparagraph (B)(i), by striking ''chapter 19'' and inserting ''chapter 10''; and

(iv) in paragraph (4)—

(I) in subparagraph (A), by striking ''chapter 19'' and inserting ''chapter 10''; and

(II) in subparagraph (C)(iv)(III), by striking ''chapter 19'' and inserting ''chapter 10'';

(D) in subsection (d)—

(i) in paragraph (1)—

(I) in subparagraph (A), by striking ''in paragraph 1'' and all that follows and inserting ''in paragraph 1 of Annex 10–B.1 and paragraph 1 of Annex 10–B.3; or''; and

(II) in subparagraph (B), by striking ''chapter 19'' and inserting ''chapter 10'';

(ii) in paragraph (2)—

(I) in subparagraph (A)(i), by striking ''in paragraph 1'' and all that follows through ''during'' and inserting ''in paragraph 1 of Annex 10–B.1 and paragraph 1 of Annex 10–B.3 during'';

(II) in subparagraph (A)(ii)—

(aa) by striking ''chapter 19'' and inserting ''chapter 10''; and

(bb) by striking ''the Agreement'' and inserting ''the USMCA'';

(III) in subparagraph (A)(iii), by striking ''NAFTA'' and inserting ''USMCA'';

(IV) in subparagraph (B)(i), by striking ''in paragraph 1'' and all that follows and inserting ''in paragraph 1 of Annex 10–B.1 and paragraph 1 of Annex 10–B.3; or''; and

(V) in subparagraph (B)(ii), by striking ''chapter 19'' and inserting ''chapter 10''; and

(iii) in paragraph (3)—

(I) in subparagraph (A), by striking ''in paragraph 1'' and all that follows through ''during'' and inserting ''in paragraph 1 of Annex 10–B.1 and paragraph 1 of Annex 10–B.3 during''; and

(II) in subparagraph (B), by striking ''chapter 19'' and inserting ''chapter 10'';

(E) in subsection (e), in the matter preceding paragraph (1)—

(i) by striking ''the Agreement'' and inserting ''the USMCA'';

(ii) by striking ''between the United States'' and all that follows through ''NAFTA country''; and

(iii) by striking ''January 3, 1994'' and inserting ''January 3, 2020'';

(F) in subsection (f), by striking ''chapter 19'' and inserting ''chapter 10'';

(G) in subsection (g), by striking ''chapter 19'' and inserting ''chapter 10''; and

(H) in subsection (h), by striking ''chapter 19'' and inserting ''chapter 10''.

(d) TESTIMONY AND PRODUCTION OF PAPERS.—Section 403 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3433) is—

(1) transferred to subtitle B of title IV of this Act and inserted after section 412 (as inserted and redesignated by subsection (c));

(2) redesignated as section 413; and

(3) amended in subsection (a), in the matter preceding paragraph (1), by striking ''under paragraph 13'' and all that follows through ''the committee—'' and inserting ''under paragraph 13 of article 10.12, and the allegations before the committee include a matter referred to in paragraph 13(a)(i) of article 10.12, for the purposes of carrying out its functions and duties under Annex 10–B.3, the committee—''.

(e) REQUESTS FOR REVIEW OF DETERMINATIONS.—Section 404 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3434) is—

(1) transferred to subtitle B of title IV of this Act and inserted after section 413 (as inserted and redesignated by subsection (d));

(2) redesignated as section 414; and

(3) amended—

(A) in the section heading, by striking ''**OF NAFTA COUNTRIES**'';

(B) in subsection (a)—

(i) in paragraph (1), by striking ''article 1911'' and all that follows and inserting ''article 10.8, of a USMCA country.''; and

(ii) in paragraph (2), by striking ''article 1908'' and inserting ''article 10.16'';

(C) in subsection (b), by striking ''article 1904'' and inserting ''article 10.12''; and

(D) in subsection (c), by striking ''article 1904'' each place it appears and inserting ''article 10.12''.

(f) RULES OF PROCEDURE FOR PANELS AND COMMITTEES.—Section 405 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3435) is—

(1) transferred to subtitle B of title IV of this Act and inserted after section 414 (as inserted and redesignated by subsection (e));

(2) redesignated as section 415; and

(3) amended—

(A) in subsection (a), in the matter preceding paragraph (1), by striking ''article 1904'' and inserting ''article 10.12'';

(B) in subsection (b), by striking ''Annex 1904.13'' and inserting ''Annex 10–B.3''; and

(C) in subsection (c), by striking ''Annex 1905.6'' and inserting ''Annex 10–B.4''.

(g) SUBSIDY NEGOTIATIONS.—Section 406 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3436) is—

(1) transferred to subtitle B of title IV of this Act and inserted after section 415 (as inserted and redesignated by subsection (f));

(2) redesignated as section 416; and

(3) amended, in the matter preceding paragraph (1), by striking ''NAFTA country'' and inserting ''USMCA country''.

(h) IDENTIFICATION OF INDUSTRIES FACING SUBSIDIZED IMPORTS.—Section 407 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3437) is—

(1) transferred to subtitle B of title IV of this Act and inserted after section 416 (as inserted and redesignated by subsection (g));

(2) redesignated as section 417; and

(3) amended—

(A) in subsection (a)(1)(A)—

(i) by striking ''the Agreement'' and inserting ''the USMCA''; and

(ii) by striking ''NAFTA country'' and inserting ''USMCA country'';

(B) in subsection (c), in the matter following paragraph (3), by striking ''NAFTA countries'' and inserting ''USMCA countries''; and

(C) in subsection (d)(3), by striking ''the Agreement'' and inserting ''the USMCA''.

(i) TREATMENT OF AMENDMENTS TO LAW.—Section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3438) is—

(1) transferred to subtitle B of title IV of this Act and inserted after section 417 (as inserted and redesignated by subsection (h));

(2) redesignated as section 418; and

(3) amended—

(A) in the matter preceding paragraph (1), by striking ''the Agreement'' and all that follows through ''United States'' and inserting ''the USMCA''; and

(B) in the flush text, by striking ''NAFTA country'' and inserting ''USMCA country''.

(j) ADDITIONAL CLERICAL AMENDMENTS.—The table of contents for this Act is amended by striking the item relating to subtitle B of title IV and inserting the following:

''Subtitle B—Dispute Settlement

''Sec. 411. References in subtitle.
''Sec. 412. Organizational and administrative provisions.
''Sec. 413. Testimony and production of papers in extraordinary challenges.
''Sec. 414. Requests for review of determination by competent investigating authorities.
''Sec. 415. Rules of procedure for panels and committees.
''Sec. 416. Subsidy negotiations.
''Sec. 417. Identification of industries facing subsidized imports.
''Sec. 418. Treatment of amendments to antidumping and countervailing duty law.''.

(k) EFFECTIVE DATE.—

(1) IN GENERAL.—Each transfer, redesignation, and amendment made by this section shall take effect on the date on which the USMCA enters into force, but shall not apply—

(A) to any final determination described in paragraph (1)(B) or clause (i), (ii), or (iii) of paragraph (2)(B) of section 516A(a) of the Tariff Act of 1930 (19 U.S.C. 1516a(a)) notice of which is published in the Federal Register before such date, or to a determination described in paragraph (2)(B)(vi) of that section notice of which is received by the Government of Canada or Mexico before such date; and

(B) to any binational panel review under NAFTA, or any extraordinary challenge arising out of any such review, that was commenced before such date.

(2) TRANSITION FROM NAFTA.—The transfers, redesignations, and amendments made by this section shall not apply, and the provisions of title IV of the North American Free Trade Agreement Implementation Act, as in effect on the day before the date on which the USMCA enters into force, shall continue to apply on and after that date with respect—

(A) to any final determination described in paragraph (1)(B) or clause (i), (ii), or (iii) of paragraph (2)(B) of section 516A(a) of the Tariff Act of 1930 (19 U.S.C. 1516a(a)) notice of which is published in the Federal Register before such date, or to a determination described in paragraph (2)(B)(vi) of that section notice of which is received by the Government of Canada or Mexico before the date on which the USMCA enters into force; and

(B) to any binational panel review under NAFTA, or any extraordinary challenge arising out of any such review, that was commenced before the date on which the USMCA enters into force.

SEC. 505. GOVERNMENT PROCUREMENT.

(a) GENERAL AUTHORITY TO MODIFY DISCRIMINATORY PURCHASING REQUIREMENTS.—Section 301 of the Trade Agreements Act of 1979 (19 U.S.C. 2511) is amended—

(1) in subsection (b)(1), by striking ''the North American Free Trade Agreement'' and inserting ''the USMCA (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act)''; and

(2) in subsection (e)—

(A) by striking ''Annex 1001.1a–2 of the North American Free Trade Agreement'' and inserting ''Annex 13–A of the USMCA (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act)''; and

(B) by striking ''chapter 10 of such Agreement'' and inserting ''chapter 13 of the USMCA''.

(b) DEFINITIONS.—Section 308(4)(A)(ii) of the Trade Agreements Act of 1979 (19 U.S.C. 2518(4)(A)(ii)) is amended—

(1) by striking ''a party to the North American Free Trade Agreement,'' and inserting ''Mexico, as a party to the USMCA (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act),''; and

(2) by striking ''the North American Free Trade Agreement for'' and inserting ''the USMCA for''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall—

(A) take effect on the date on which the USMCA enters into force; and

(B) apply with respect to a procurement on or after that date.

(2) TRANSITION FROM NAFTA TREATMENT.—In the case of a procurement before the date on which the USMCA enters into force—

(A) the amendments made by subsections (a) and (b) to sections 301 and 308 of the Trade Agreements Act of 1979 (19 U.S.C. 2511 and 2518) shall not apply with respect to the contract; and

(B) sections 301 and 308 of such Act, as in effect on the day before that date, shall continue to apply on and after that date with respect to the contract.

SEC. 506. ACTIONS AFFECTING UNITED STATES CULTURAL INDUSTRIES.

(a) IN GENERAL.—Section 182(f) of the Trade Act of 1974 (19 U.S.C. 2242(f)) is amended—

(1) in paragraph (1)(C), by striking ''article 2106 of the North American Free Trade Agreement'' and inserting ''article 32.6 of the USMCA (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act)''; and

(2) in paragraph (2), in the matter preceding subparagraph (A), by striking ''article 2106 of the North American Free Trade Agreement'' and inserting ''article 32.6 of the USMCA''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date on which the USMCA enters into force.

SEC. 507. REGULATORY TREATMENT OF URANIUM PURCHASES.

(a) IN GENERAL.—Section 1017(c) of the Energy Policy Act of 1992 (42 U.S.C. 2296b–6(c)) is amended by striking ''North American Free Trade Agreement'' and inserting ''USMCA (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date on which the USMCA enters into force.

SEC. 508. REPORT ON AMENDMENTS TO EXISTING LAW.

Not later than 180 days after the date of the enactment of this Act, the Trade Representative shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report setting forth a proposal for technical and conforming amendments to the laws under the jurisdiction of such committees, and other laws, necessary to fully carry out the provisions of, and amendments made by, this Act.

TITLE VI—TRANSITION TO AND EXTENSION OF USMCA

Subtitle A—Transitional Provisions

SEC. 601. REPEAL OF NORTH AMERICAN FREE TRADE AGREEMENT IMPLEMENTATION ACT.

The North American Free Trade Agreement Implementation Act (Public Law 103–182; 19 U.S.C. 3301 et seq.) is repealed, effective on the date on which the USMCA enters into force.

SEC. 602. CONTINUED SUSPENSION OF THE UNITED STATES-CANADA FREE-TRADE AGREEMENT.

Section 501(c)(3) of the United States-Canada Free-Trade Agreement Implementation Act of 1988 (Public Law 100–449; 19 U.S.C. 2112 note) is amended—

(1) in the paragraph heading, by striking ''NAFTA'' and inserting ''USMCA''; and

(2) in the matter preceding subparagraph (A), by striking ''between them of the North American Free Trade Agreement'' and inserting ''of the USMCA (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act)''.

Subtitle B—Joint Reviews Regarding Extension of USMCA

SEC. 611. PARTICIPATION IN JOINT REVIEWS WITH CANADA AND MEXICO REGARDING EXTENSION OF THE TERM OF THE USMCA AND OTHER ACTION REGARDING THE USMCA.

(a) IN GENERAL.—Pursuant to the requirements of this section, the President shall consult with the appropriate congressional committees and stakeholders before each joint review, including consultation with respect to—

(1) any recommendation for action to be proposed at the review; and

(2) the decision whether or not to confirm that the United States wishes to extend the USMCA.

(b) CONSULTATIONS WITH CONGRESS AND STAKEHOLDERS.—

(1) PUBLICATION AND PUBLIC HEARING.—At least 270 days before a joint review commences, the Trade Representative shall publish in the Federal Register a notice regarding the joint review and shall, as soon as possible following such publication, provide opportunity for the presentation of views relating to the operation of the USMCA, including a public hearing.

(2) REPORT TO CONGRESS.—At least 180 days before a 6-year joint review under article 34.7 of the USMCA commences, the Trade Representative shall report to the appropriate congressional committees regarding—

(A) the assessment of the Trade Representative with respect to the operation of the USMCA;

(B) the precise recommendation for action to be proposed at the review and the position of the United States with respect to whether to extend the term of the USMCA;

(C) what, if any, prior efforts have been made to resolve any concern that underlies that recommendation or position; and

(D) the views of the advisory committees established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155) regarding that recommendation or position.

(c) SUBSEQUENT ACTION TO ADDRESS LACK OF AGREEMENT ON TERM EXTENSION.—

(1) IN GENERAL.—If, as part of a joint review, any USMCA country does not confirm that the country wishes to extend the term of the USMCA under article 34.7.3 of the USMCA, at least 70 days before any subsequent annual joint review meeting conducted as required under article 34.7 of the USMCA, the Trade Representative shall report to the appropriate congressional committees regarding—

(A) any reason offered by a USMCA country regarding why the country is unable to agree to extend the term of the USMCA;

(B) the progress that has been made in efforts to achieve resolution of the concerns of that country;

(C) any proposed action that the Trade Representative intends to raise during the meeting; and

(D) the views of the advisory committees established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155) regarding the reasons described in subparagraph (A) and any proposed action under subparagraph (C).

(2) ADDITIONAL INFORMATION.—The Trade Representative shall also provide detailed and timely information in response to any questions posed by the appropriate congressional committees with respect to any meeting described in paragraph (1), including by submitting to those committees copies of any proposed text that the Trade Representative plans to submit to the other parties to the meeting.

(d) CONGRESSIONAL ENGAGEMENT AFTER JOINT REVIEW.—

(1) IN GENERAL.—Not later than 20 days after the USMCA countries have met for a joint review, the Trade Representative shall brief the appropriate congressional committees regarding the positions expressed by the countries during the joint review and what, if any, actions were agreed to by the countries.

(2) CONTINUED ENGAGEMENT.—After a joint review, the Trade Representative shall keep the appropriate congressional committees timely apprised of any developments arising out of or related to the review.

(e) DEFINITIONS.—In this section:

(1) JOINT REVIEW.—The term ''joint review'' means a review conducted under the process provided for in article 34.7 of the USMCA relating to extension of the term of the USMCA.

(2) USMCA COUNTRY.—The term ''USMCA country'' has the meaning given that term in section 202(a).

Subtitle C—Termination of USMCA

SEC. 621. TERMINATION OF USMCA.

(a) TERMINATION OF USMCA COUNTRY STATUS.—During any period in which a country ceases to be a USMCA country, this Act (other than this subsection and title IX) and the amendments made by this Act shall cease to have effect with respect to that country.

(b) TERMINATION OF USMCA.—On the date on which the USMCA ceases to be in force with respect to the United States, this Act and the amendments made by this Act (other than this subsection and title IX) shall cease to have effect.

TITLE VII—LABOR MONITORING AND ENFORCEMENT

SEC. 701. DEFINITIONS.

In this title:

(1) LABOR ATTACHÉ.—The term ''labor attaché'' means an individual hired under subtitle B.

(2) LABOR OBLIGATIONS.—The term ''labor obligations'' means the obligations under chapter 23 of the USMCA (relating to labor).

(3) MEXICO'S LABOR REFORM.—The term ''Mexico's labor reform'' means the legislation on labor reform enacted by Mexico on May 1, 2019.

Subtitle A—Interagency Labor Committee for Monitoring and Enforcement

SEC. 711. INTERAGENCY LABOR COMMITTEE FOR MONITORING AND ENFORCEMENT.

(a) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the President shall establish an Interagency Labor Committee for Monitoring and Enforcement (in this title referred to as the ''Interagency Labor Committee''), to coordinate United States efforts with respect to each USMCA country—

(1) to monitor the implementation and maintenance of the labor obligations;

(2) to monitor the implementation and maintenance of Mexico's labor reform; and

(3) to request enforcement actions with respect to a USMCA country that is not in compliance with such labor obligations.

(b) MEMBERSHIP.—The Interagency Labor Committee shall—

(1) be co-chaired by the Trade Representative and the Secretary of Labor; and

(2) include representatives of such other Federal departments or agencies with relevant expertise as the President determines appropriate.

(c) MEETINGS.—The Interagency Labor Committee shall meet at least once every 90 days during the 5-year period beginning on the date of the enactment of this Act, and at least once every 180 days thereafter for 5 years.

(d) INFORMATION SHARING.—Notwithstanding any other provision of law, the members of the Interagency Labor Committee may exchange information for purposes of carrying out this title.

SEC. 712. DUTIES.

The duties of the Interagency Labor Committee shall include the following:

(1) Coordinating the activities of departments and agencies of the Committee in monitoring implementation of and compliance with labor obligations, including by—

(A) requesting and reviewing relevant information from the governments of USMCA countries and from the public;

(B) coordinating visits to Mexico as necessary to assess implementation of Mexico's labor reform and compliance with the labor obligations of Mexico;

(C) receiving and reviewing quarterly assessments from the labor attachés with respect to the implementation of and compliance with Mexico's labor reform; and

(D) coordinating with the Secretary of Treasury with respect to support relating to labor issues provided to Mexico by the Inter-American Development Bank.

(2) Establishing an ongoing dialogue with appropriate officials of the Government of Mexico regarding the implementation of Mexico's labor reform and compliance with its labor obligations.

(3) Coordinating with other institutions and governments with respect to support relating to labor issues, such as the International Labour Organization and the Government of Canada.

(4) Identifying priority issues for capacity-building activities in Mexico to be funded by the United States, drawing primarily on the expertise of the Department of Labor.

(5) Meeting, at least biannually during the 5-year period beginning on the date of the enactment of this Act and at least annually for 5 years thereafter, with the Labor Advisory Committee for Trade Negotiations and Trade Policy established under section 135(c)(1) of the Trade Act of 1974 (19 U.S.C. 2155(c)(1)) (or any successor advisory committee) to consult and provide opportunities for input with respect to—

(A) the implementation of Mexico's labor reform;

(B) labor capacity-building activities in Mexico funded by the United States;

(C) labor monitoring efforts;

(D) labor enforcement priorities; and

(E) other relevant issues.

(6) Based on the assessments required by section 714, making recommendations relating to dispute settlement actions to the Trade Representative, in accordance with section 715.

(7) Based on reports provided by the Forced Labor Enforcement Task Force under section 743, developing recommendations for appropriate enforcement actions by the Trade Representative.

(8) Reviewing reports submitted by the labor experts appointed in accordance with Annex 31–A of the USMCA, with respect to the functioning of that Annex.

(9) Reviewing reports submitted by the Independent Mexico Labor Expert Board under section 734.

SEC. 713. ENFORCEMENT PRIORITIES.

The Interagency Labor Committee shall—

(1) review the list of priority sectors under Annex 31–A of the USMCA and suggest to USTR additional sectors for review by the USMCA countries as appropriate;

(2) establish and annually update a list of priority subsectors within such priority sectors to be the focus of the enforcement efforts of the Committee, the first of which shall consist of—

(A) auto assembly;

(B) auto parts;

(C) aerospace;

(D) industrial bakeries;

(E) electronics;

(F) call centers;

(G) mining; and

(H) steel and aluminum; and

(3) review priority facilities within such priority subsectors for monitoring and enforcement.

SEC. 714. ASSESSMENTS.

(a) ONGOING ASSESSMENTS.—For the 10-year period beginning on the date of the enactment of this Act, except as provided in subsection (b), the Interagency Labor Committee shall assess on a biannual basis the extent to which Mexico is in compliance with its obligations under Annex 23–A of the USMCA.

(b) CONSULTATION RELATING TO ANNUAL ASSESSMENT.—On or after the date that is 5 years after the date of the enactment of this Act, the Interagency Labor Committee may consult with the appropriate congressional committees with respect to the frequency of the assessment required under subsection (a) and, with the approval of both such committees, may conduct such assessment on an annual basis for the following 5 years.

(c) MATTERS TO BE INCLUDED.—The assessment required under subsection (a) shall also include each of the following:

(1) Whether Mexico is providing adequate funding to implement and enforce Mexico's labor reform, including specifically whether Mexico has provided funding consistent with commitments made to contribute the following amounts for the labor reform implementation budget:

(A) $176,000,000 for 2021.

(B) $325,000,000 for 2022.

(C) $328,000,000 for 2023.

(2) The extent to which any legal challenges to Mexico's labor reform have succeeded in that court system.

(3) The extent to which Mexico has implemented the federal and state labor courts, registration entity, and federal and state conciliation centers consistent with the timeline set forth for Mexico's labor reform, in the September 2019 policy statements by the Government of Mexico on a national strategy for implementation of the labor justice system, and in subsequent policy statements in accordance with Mexico's labor reform.

SEC. 715. RECOMMENDATION FOR ENFORCEMENT ACTION.

(a) RECOMMENDATION TO INITIATE.—If the Interagency Labor Committee determines, pursuant to an assessment under section 714, as a result of monitoring activities described in section 712(1), or pursuant to a report of

the Independent Mexico Labor Expert Board that a USMCA country has failed to meets its labor obligations, including with respect to obligations under Annex 23–A of the USMCA, the Committee shall recommend that the Trade Representative initiate enforcement actions under—

(1) article 23.13 or 23.17 of the USMCA (relating to cooperative labor dialogue and labor consultations);

(2) articles 31.4 and 31.6 of the USMCA (relating to dispute settlement consultations); or

(3) Annex 31–A of the USMCA (relating to the rapid response labor mechanism).

(b) TRADE REPRESENTATIVE DETERMINATIONS.—Not later than 60 days after the date on which the Trade Representative receives a recommendation pursuant to subsection (a), the Trade Representative shall—

(1) determine whether to initiate an enforcement action; and

(2) if such determination is negative, submit to the appropriate congressional committees a report on the reasons for such negative determination.

SEC. 716. PETITION PROCESS.

(a) IN GENERAL.—The Interagency Labor Committee shall establish procedures for submissions by the public of information with respect to potential failures to implement the labor obligations of a USMCA country.

(b) FACILITY-SPECIFIC PETITIONS.—With respect to information submitted in accordance with the procedures established under subsection (a) accompanying a petition relating to a denial of rights at a covered facility, as such terms are defined for purposes of Annex 31–A of the USMCA:

(1) The Interagency Labor Committee shall review such information within 30 days of submission and shall determine whether there is sufficient, credible evidence of a denial of rights (as so defined) enabling the good-faith invocation of enforcement mechanisms.

(2) If the Committee reaches a negative determination under paragraph (1), the Committee shall certify such determination to the appropriate congressional committees and the petitioner.

(3) If the Committee reaches an affirmative determination under paragraph (1), the Trade Representative shall submit a request for review, in accordance with article 31–A.4 of such Annex, with respect to the covered facility and shall inform the petitioner and the appropriate congressional committees of the submission of such request.

(4) Not later than 60 days after the date of an affirmative determination under paragraph (1), the Trade Representative shall—

(A) determine whether to request the establishment of a rapid response labor panel in accordance with such Annex; and

(B) if such determination is negative, certify such determination to the appropriate congressional committees in conjunction with the reasons for such determination and the details of any agreed-upon remediation plan.

(c) OTHER PETITIONS.—With respect to information submitted in accordance with the procedures established under subsection (a) accompanying a petition relating to any other violation of the labor obligations of a USMCA country:

(1) The Interagency Labor Committee shall review such information not later than 20 days after the date of the submission and shall determine whether the information warrants further review.

(2) If the Committee reaches an affirmative determination under paragraph (1), such further review shall focus exclusively on determining, not later than 60 days after the date of such submission, whether there is sufficient, credible evidence that the USMCA country is in violation of its labor obligations, for purposes of initiating enforcement action under chapter 23 or chapter 31 of the USMCA.

(3) If the Committee reaches an affirmative determination under paragraph (2), the Trade Representative shall—

(A) not later than 60 days after the date of the determination of the Committee, initiate appropriate enforcement action under such chapter 23 or chapter 31; or

(B) submit to the appropriate congressional committees a notification including the reasons for which action was not initiated within such 60-day period.

SEC. 717. HOTLINE.

The Interagency Labor Committee shall establish a web-based hotline, monitored by the Department of Labor, to receive confidential information regarding labor issues among USMCA countries directly from interested parties, including Mexican workers.

SEC. 718. REPORTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for 10 years except as provided in subsection (b), the Interagency Labor Committee shall submit to the appropriate congressional committees a report that includes—

(1) a description of Committee staffing and capacity building activities with Mexico;

(2) information regarding the budget resources for Mexico's labor reform and the deadlines in the September 2019 policy statements by the Government of Mexico on a national strategy for implementation of the labor justice system and in subsequent policy statements in accordance with Mexico's labor reform;

(3) a summary of petitions filed in accordance with section 716 and the use of the rapid response labor mechanism under Annex 31–A of the USMCA;

(4) the results of the most recent assessment conducted under section 714; and

(5) if, with respect to any report of the Independent Mexico Labor Expert Board submitted under section 734 that includes a determination described in paragraph (2) of such section, the Interagency Labor Committee does not concur with such determination, an explanation of the reasons for not concurring in such determination and a commitment to provide an oral briefing with respect to such explanation upon request.

(b) CONSULTATION RELATING TO ANNUAL ASSESSMENT.—On or after the date that is 5 years after the date of the enactment of this Act, the Trade Representative and the Secretary of Labor may consult with the appropriate congressional committees with respect to the frequency of the reports required under subsection (a) and, with the approval of both such committees, may submit such report on an annual basis for the following 5 years.

(c) FIVE-YEAR ASSESSMENT.—Not later than the date that is 5 years after the date of the establishment of the Interagency Labor Committee pursuant to section 711(a), the Committee shall jointly submit to the appropriate congressional committees—

(1) a comprehensive assessment of the implementation of Mexico's labor reform, including with respect to—

(A) whether Mexico has reviewed and legitimized all existing collective bargaining agreements in Mexico;

(B) whether Mexico has addressed the preexisting legal or administrative labor disputes;

(C) whether Mexico has established the Federal Center for Conciliation and Labor Registration, and an assessment of that Center's operation;

(D) whether Mexico has established the federal labor courts, and an assessment of their operation; and

(E) whether Mexico has established the state conciliation centers and labor courts in all states and an assessment of their operation; and

(2) a strategic plan and recommendations for actions to address areas of concern relating to the implementation of Mexico's labor reform, for purposes of the joint review conducted pursuant to article 34.7 of the USMCA on the sixth anniversary of the entry into force of the USMCA.

SEC. 719. CONSULTATIONS ON APPOINTMENT AND FUNDING OF RAPID RESPONSE LABOR PANELISTS.

(a) IN GENERAL.—The Interagency Labor Committee shall consult with the Labor Advisory Committee established under section 135(c)(1) of the Trade Act of 1974 (19 U.S.C. 2155(c)(1)) and the Advisory Committee for Trade Policy and Negotiations established under section 135(b) of such Act (or successor advisory committees) and the appropriate congressional committees with respect to the selection and appointment of candidates for the rapid response labor panelists described in Annex 31–A of the USMCA.

(b) FUNDING.—The United States, in consultation with Mexico, shall provide adequate funding for rapid response labor panelists to carry out the responsibilities under the USMCA promptly and fully.

Subtitle B—Mexico Labor Attachés

SEC. 721. ESTABLISHMENT.

The Secretary of Labor shall—

(1) hire and fix the compensation of up to 5 additional full-time officers or employees of the Department of Labor; and

(2) detail or assign such officers or employees to the United States Embassy or a United States Consulate in Mexico to carry out the duties described in section 722.

SEC. 722. DUTIES.

The duties described in this section are the following:

(1) Assisting the Interagency Labor Committee to monitor and enforce the labor obligations of Mexico.

(2) Submitting to the Interagency Labor Committee on a quarterly basis reports on the efforts undertaken by Mexico to comply with its labor obligations.

SEC. 723. STATUS.

Any officer or employee, while detailed or assigned under this subtitle, shall be considered, for the purpose of preserving their allowances, privileges, rights, seniority, and other benefits as such, an officer or employee of the United States Government and of the agency of the United States Government from which detailed or assigned, and shall continue to receive compensation, allowances, and benefits from program funds appropriated to that agency or made available to that agency for purposes related to the activities of the detail or assignment, in accordance with authorities related to their employment status and agency policies.

Subtitle C—Independent Mexico Labor Expert Board

SEC. 731. ESTABLISHMENT.

There is hereby established a board, to be known as the ''Independent Mexico Labor Expert Board'', to be responsible for monitoring and evaluating the implementation of Mexico's labor reform and compliance with its labor obligations. The Board shall also advise the Interagency Labor Committee with respect to capacity-building activities needed to support such implementation and compliance.

SEC. 732. MEMBERSHIP; TERM.

(a) MEMBERSHIP.—The Board shall be composed of 12 members who shall be appointed as follows:

(1) Four members to be appointed by the Labor Advisory Committee established under section 135(c)(1) of the Trade Act of 1974 (19 U.S.C. 2155(c)(1)) (or successor advisory committee).

(2) Two members appointed by the Speaker of the House of Representatives, in consultation with the Chair of the Committee on Ways and Means of the House of Representatives.

(3) Two members appointed by the president pro tempore of the Senate from among individuals recommended by the majority leader of the Senate and in consultation with the Chair of the Committee on Finance of the Senate.

(4) Two members appointed by the minority leader of the House of Representatives, in consultation with the Ranking Member of the Committee on Ways and Means of the House of Representatives.

(5) Two members appointed by the President pro tempore of the Senate from among individuals recommended by the minority leader of the Senate and in consultation with the Ranking Member of the Committee on Finance of the Senate.

(b) TERM.—Except as provided in subsection (c), members of the Board shall serve for a term of 6 years.

(c) EXTENSION OF TERM.—If the Board determines, at the end of the 6-year period beginning on the date of the appointment of the last member appointed in accordance with subsection (a), that Mexico is not fully in compliance with its labor obligations, a majority of the members of the Board may determine to extend its term for 4 additional years. A new Board shall be appointed in accordance with subsection (a) and shall serve for a single term of 4 years.

SEC. 733. FUNDING.

The United States shall provide necessary funding to support the work of the Board, including with respect to translation services and personnel support.

SEC. 734. REPORTS.

For the 6-year period beginning on the date of the enactment of this Act, and for an additional 4 years if the term of the Board is extended in accordance with section 732(c), the Board shall submit to appropriate congressional committees and to the Interagency Labor Committee an annual report that—

(1) contains an assessment of—

(A) the efforts of Mexico to implement Mexico's labor reform; and

(B) the manner and extent to which labor laws are generally enforced in Mexico; and

(2) may include a determination that Mexico is not in compliance with its labor obligations.

Subtitle D—Forced Labor

SEC. 741. FORCED LABOR ENFORCEMENT TASK FORCE.

(a) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the President shall establish a Forced Labor Enforcement Task Force to monitor United States enforcement of the prohibition under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

(b) MEMBERS; MEETINGS.—

(1) MEMBERS.—The Task Force shall be chaired by the Secretary of Homeland Security and shall be comprised of representatives from such other agencies with relevant expertise, including the Office of the United States Trade Representative and the Department of Labor, as the President determines appropriate.

(2) MEETINGS.—The Task Force shall meet on a quarterly basis regarding active Withhold and Release Orders, ongoing investigations, petitions received, and enforcement priorities, and other relevant issues with respect to enforcing the prohibition under section 307 of the Tariff Act.

SEC. 742. TIMELINE REQUIRED.

(a) IN GENERAL.—Not later than 90 days after the establishment of the Forced Labor Enforcement Task Force pursuant to section 741(a), the Task Force shall establish timelines for responding to petitions submitted to the Commissioner of U.S. Customs and Border Protection alleging that goods are being imported by or with child or forced labor.

(b) CONSULTATION REQUIRED.—In establishing the timelines during such 90-day period, the Task Force shall consult with the appropriate congressional committees.

(c) REPORT.—The Task Force shall timely submit to the appropriate congressional committees a report that contains the timelines established pursuant to subsection (a) and shall make such report publicly available.

SEC. 743. REPORTS REQUIRED.

The Forced Labor Enforcement Task Force shall submit to appropriate congressional committees a biannual report that includes the following:

(1) The enforcement activities and priorities of the Department of Homeland Security with respect to enforcing the prohibition under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

(2) The number of instances in which merchandise was denied entry pursuant to such prohibition during the preceding 180-day period.

(3) A description of the merchandise so denied entry.

(4) An enforcement plan regarding goods included in the most recent ''Findings on the Worst Forms of Child Labor'' report submitted in accordance with section 504 of the Trade Act of 1974 (19 U.S.C. 2464) and ''List of Goods Produced by Child Labor or Forced Labor'' submitted in accordance with section 105(b)(2)(C) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7112(b)(2)(C)).

(5) Such other information as the Forced Labor Enforcement Task Force considers appropriate with respect to monitoring and enforcing compliance with section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 744. DUTIES RELATED TO MEXICO.

The Task Force shall—

(1) develop, in consultation with the appropriate congressional committees, an enforcement plan regarding goods produced by or with forced labor in Mexico; and

(2) report to the Interagency Labor Committee with respect to any concerns relating to the enforcement of the prohibition under section 307 of the Tariff Act with respect to Mexico, including any allegations that may be filed with respect to forced labor in Mexico.

Subtitle E—Enforcement Under Rapid Response Labor Mechanism

SEC. 751. TRANSMISSION OF REPORTS.

Each report issued by a rapid response labor panel constituted in accordance with Annex 31–A of the USMCA shall be immediately submitted to the appropriate congressional committees, the Labor Advisory Committee established under section 135(c)(1) of the Trade Act of 1974 (19 U.S.C. 2155(c)(1)) (or successor advisory committee), and, as appropriate, the petitioner submitting information pursuant to section 716. The Trade Representative shall also make each such report publicly available in a timely manner.

SEC. 752. SUSPENSION OF LIQUIDATION.

(a) IN GENERAL.—If the United States files a request pursuant to article 31–A.4.2 of Annex 31–A of the USMCA, the Trade Representative may direct the Secretary of the Treasury to suspend liquidation for unliquidated entries of goods from such covered facility until such time as the Trade Representative notifies the Secretary that a condition described in subsection (b) has been met.

(b) RESUMPTION OF LIQUIDATION.—The conditions described in this subsection are the following:

(1) The rapid response labor panel has determined that there is no denial of rights at the covered facility within the meaning of such terms under Annex 31–A of the USMCA.

(2) A course of remediation for denial of rights has been agreed to and has been completed in accordance with the agreed-upon time.

(3) The denial of rights has been otherwise remedied.

SEC. 753. FINAL REMEDIES.

(a) IN GENERAL.—If a rapid response labor panel constituted in accordance with Annex 31–A of the USMCA determines with respect to a case that there has been a denial of rights within the meaning of such Annex, the Trade Representative may, in consultation with the appropriate congressional committees—

(1) direct the Secretary of the Treasury, until the date of the notification described in subsection (b) and in accordance with Annex 31–A of the USMCA—

(A) to—

(i) deny entry to goods, produced wholly or in part, from any covered facility involved in such case; or

(ii) allow for the release of goods, produced wholly or in part, from such covered facilities only upon payment of duties and any penalty; and

(B) to apply any duties or penalties to customs entries for which liquidation was suspended pursuant to section 752; and

(2) apply other remedies that are appropriate and available under Annex 31–A of the USMCA, until the denial of rights with respect to the case has been remedied.

(b) REMEDIATION NOTIFICATION.—The Trade Representative shall promptly notify the Secretary when the denial of rights with respect to a case described in subsection (a) has been remedied.

TITLE VIII—ENVIRONMENT MONITORING AND ENFORCEMENT

SEC. 801. DEFINITIONS.

In this title:

(1) ENVIRONMENTAL LAW.—The term ''environmental law'' has the meaning given the term in article 24.1 of the USMCA.

(2) ENVIRONMENTAL OBLIGATIONS.—The term ''environmental obligations'' means obligations relating to the environment under—

(A) chapter 1 of the USMCA (relating to initial provisions and general definitions); and

(B) chapter 24 of the USMCA (relating to environment).

Subtitle A—Interagency Environment Committee for Monitoring and Enforcement

SEC. 811. ESTABLISHMENT.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall establish an Interagency Environment Committee for Monitoring and Enforcement (in this title referred to as the ''Interagency Environment Committee'')—

(1) to coordinate United States efforts to monitor and enforce environmental obligations generally; and

(2) with respect to the USMCA countries—

(A) to carry out an assessment of their environmental laws and policies;

(B) to carry out monitoring actions with respect to the implementation and maintenance of their environmental obligations; and

(C) to request enforcement actions with respect to USMCA countries that are not in compliance with their environmental obligations.

(b) MEMBERSHIP.—The members of the Interagency Environment Committee shall be the following:

(1) The Trade Representative, who shall serve as chairperson.

(2) Representatives from each of the following:

(A) The National Oceanic Atmospheric Administration.

(B) The U.S. Fish and Wildlife Service.

(C) The U.S. Forest Service.

(D) The Environmental Protection Agency.

(E) The Animal and Plant Health Inspection Service.

(F) U.S. Customs and Border Protection.

(G) The Department of State.

(H) The Department of Justice.

(I) The Department of the Treasury.

(J) The United States Agency for International Development.

(3) Representatives from other Federal agencies, as the President determines to be appropriate.

(c) INFORMATION SHARING.—Notwithstanding any other provision of law, the members of the Interagency Environment Committee may exchange information for purposes of carrying out this subtitle.

SEC. 812. ASSESSMENT.

(a) IN GENERAL.—The Interagency Environment Committee shall carry out an assessment of the environmental laws and policies of the USMCA countries—

(1) to determine if such laws and policies are sufficient to implement their environmental obligations; and

(2) to identify any gaps between such laws and policies and their environmental obligations.

(b) MATTERS TO BE INCLUDED.—The assessment required by subsection (a) shall identify the environmental laws and policies of the USMCA countries with respect to which enhanced cooperation, including the provision of technical assistance and capacity building assistance, monitoring actions, and enforcement actions, if appropriate, should be carried out on an enhanced and continuing basis.

(c) REPORT.—Not later than 90 days after the date on which the Interagency Environment Committee is established, or the date on which the USMCA enters into force, whichever occurs earlier, the Interagency Environment Committee shall submit a report that contains the assessment required by subsection (a) to—

(1) the appropriate congressional committees; and

(2) the Trade and Environment Policy Advisory Committee (or successor advisory committee) established under section 135(c)(1) of the Trade Act of 1974 (19 U.S.C. 2155(c)(1)).

(d) UPDATE.—The Interagency Environment Committee shall—

(1) update the assessment required by subsection (a) at the appropriate time prior to submission of the report required by section 816(a) that is to be submitted in the fifth year after the USMCA enters into force; and

(2) submit the updated assessment to the Trade Representative for inclusion in such fifth annual report.

(e) CONSULTATION.—The Interagency Environment Committee shall consult on a regular basis with the USMCA countries—

(1) in carrying out the assessment required by subsection (a) and the update to the assessment required by subsection (d); and

(2) in preparing the report required by subsection (c).

SEC. 813. MONITORING ACTIONS.

(a) IN GENERAL.—The Interagency Environment Committee shall carry out monitoring actions, which shall include the monitoring actions described in subsections (b), (c), and (d), with respect to the implementation and maintenance of the environmental obligations of the USMCA countries.

(b) REVIEW OF CEC SECRETARIAT SUBMISSIONS.—

(1) IN GENERAL.—Not later than 30 days after the date on which the Secretariat of the Commission for Environmental Cooperation prepares a factual record under article 24.28 of the USMCA relating to a submission filed under article 24.27 of the USMCA with respect to a USMCA country, the Interagency Environment Committee—

(A) shall review the factual record; and

(B) may, based on findings of the review under subparagraph (A) that the USMCA country is not in compliance with its environmental obligations, request enforcement actions under section 814 with respect to the USMCA country.

(2) WRITTEN JUSTIFICATION.—If the Interagency Environment Committee finds that a USMCA country is not in compliance with its environmental obligations under paragraph (1)(B) and determines not to request enforcement actions under section 814 with respect to the USMCA country, the Committee shall, not later than 30 days after the date on which it makes the determination, provide to the appropriate congressional committees a written explanation and justification of the determination.

(c) REVIEW OF REPORTS OF UNITED STATES ENVIRONMENT ATTACHÉS TO MEXICO.—The Interagency Environment Committee shall—

(1) review each report submitted to the Committee under section 822(b)(2); and

(2) based on the findings of each such report, assess the efforts of Mexico to comply with its environmental obligations.

(d) UNITED STATES IMPLEMENTATION OF ENVIRONMENT COOPERATION AND CUSTOMS VERIFICATION AGREEMENT.—

(1) VERIFICATION OF SHIPMENTS.—The Interagency Environment Committee—

(A) may request verification of particular shipments of Mexico under the Environment Cooperation and Customs Verification Agreement between the United States and Mexico, done at Mexico City on December 10, 2019, in response to—

(i) comments submitted by the public to request verification of particular shipments of Mexico under such Agreement; or

(ii) on its own motion; and

(B) upon receipt of comments described in subparagraph (A)(i)—

(i) shall review the comments not later than 30 days after the date on which the comments are submitted to the Trade Representative; and

(ii) may request the Trade Representative to, within a reasonable period of time, request Mexico to provide relevant information for purposes of verification of particular shipments of Mexico described in subparagraph (A).

(2) REVIEW OF RELEVANT INFORMATION AND REQUEST FOR ADDITIONAL STEPS.—The Interagency Environment Committee—

(A) shall review relevant information provided by Mexico as described in paragraph (1)(B)(ii) to determine if the Trade Representative should request additional steps to verify information provided or related to a particular shipment of Mexico; and

(B) may request the Trade Representative to, within a reasonable period of time, request Mexico to take such additional steps with respect to the particular shipment.

(3) CONSULTATION.—The Trade Representative, on behalf of the Interagency Environment Committee, shall, on a quarterly basis, consult with the appropriate congressional committees and the Trade and Environment Policy Advisory Committee (or successor advisory committee) established under section 135(c)(1) of the Trade Act of 1974 (19 U.S.C. 2155(c)(1)) regarding the public comments and relevant information described in paragraph (1) and the actions taken under paragraph (2).

(e) APPLICATION.—Subsections (c) and (d) shall apply with respect to Mexico for such time as the USMCA is in force with respect to, and the United States applies the USMCA to, Mexico.

SEC. 814. ENFORCEMENT ACTIONS.

The Interagency Environment Committee—

(1) may request the Trade Representative to, within a reasonable period of time, request consultations under—

(A) article 24.29 of the USMCA (relating to environment consultations) with respect to the USMCA country; or

(B) articles 31.4 and 31.6 of the USMCA (relating to dispute settlement consultations) with respect to the USMCA country; or

(2) may request the heads of other Federal agencies described in section 815 to initiate monitoring or enforcement actions with respect to the USMCA country under the provisions of law described in section 815.

SEC. 815. OTHER MONITORING AND ENFORCEMENT ACTIONS.

(a) MARINE MAMMAL PROTECTION ACT.—The Secretary of Commerce has authority to take appropriate monitoring or enforcement actions under the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.).

(b) MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.—The Secretary of Commerce has authority to take appropriate monitoring or enforcement actions under the following provisions of law:

(1) The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(2) The Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1891 et seq.).

(3) The High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826d et seq.).

(4) The Shark Conservation Act of 2010 (16 U.S.C. 1826k note; 1857 note).

(5) The Shark Finning Prohibition Act (16 U.S.C. 1822 note).

(c) FISHERMEN'S PROTECTIVE ACT OF 1967.—The Secretary of Commerce and Secretary of the Interior have authority to take appropriate monitoring or enforcement actions under section 8 of the Fishermen's Protective Act of 1967 (22 U.S.C. 1978).

(d) AGREEMENT ON PORT STATE MEASURES TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING.—The Secretary of Commerce has authority to take appropriate monitoring or enforcement actions under the Port State Measures Agreement Act of 2015 (16 U.S.C. 7401 et seq.).

(e) ENDANGERED SPECIES ACT.—The Secretary of Agriculture, the Secretary of the Interior, the Secretary of Homeland Security, the Secretary of Commerce, and the Secretary of the Treasury have authority to take appropriate monitoring or enforcement actions under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(f) LACEY ACT.—The Secretary of Agriculture, the Secretary of Commerce, the Secretary of the Interior, the Secretary of Homeland Security, and the Secretary of the Treasury have authority to take appropriate monitoring or enforcement actions under the Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.).

(g) MIGRATORY BIRD TREATY ACT.—The Secretary of the Interior has authority to take appropriate monitoring or enforcement actions under the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703 et seq.).

(h) ELIMINATE, NEUTRALIZE, AND DISRUPT WILDLIFE TRAFFICKING ACT.—The Secretary

of State, the Secretary of the Interior, the Attorney General, and Administrator of the United States Agency for International Development have authority to take appropriate monitoring or enforcement actions under the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7601 et seq.).

(i) WILD BIRD CONSERVATION ACT.—The Secretary of the Interior has authority to take appropriate monitoring or enforcement actions under the Wild Bird Conservation Act of 1992 (16 U.S.C. 4901 et seq.).

(j) CUSTOMS SEIZURE AND OTHER AUTHORITIES.—The Secretary of Homeland Security has authority to take appropriate monitoring or enforcement actions under section 499 of the Tariff Act of 1930 (19 U.S.C. 1499) or section 596 of such Act (19 U.S.C. 1595a).

(k) OTHER RELEVANT PROVISIONS OF LAW.—The Interagency Environment Committee may request the heads of other Federal agencies to take appropriate monitoring or enforcement actions under other relevant provisions of law.

(l) RULE OF CONSTRUCTION.—Nothing in this section may be construed to supersede or otherwise limit in any manner the functions or authority of the head of any Federal agency described in this section under any other provision of law.

SEC. 816. REPORT TO CONGRESS.

(a) IN GENERAL.—The Trade Representative, in consultation with the head of any Federal agency described in this subtitle, shall submit to the appropriate congressional committees a report on the implementation of this subtitle, including—

(1) a description of efforts of the USMCA countries to implement their environmental obligations; and

(2) a description of additional efforts to be taken with respect to USMCA countries that are failing to implement their environmental obligations.

(b) TIMING OF REPORT.—The report required by subsection (a) shall be submitted—

(1) not later than one year after the date on which the USMCA enters into force;

(2) annually for each of the next four years; and

(3) biennially thereafter.

(c) ADDITIONAL MATTERS TO BE INCLUDED IN THE FIFTH ANNUAL REPORT.—The report required by subsection (a) that is submitted in the fifth year after the USMCA enters into force shall also include the following:

(1) The updated assessment required by section 812(d).

(2) A comprehensive determination regarding USMCA countries' implementation of their environmental obligations.

(3) An explanation of how compliance with environmental obligations will be taken into consideration during the ''joint review'' conducted pursuant to article 34.7.2 of the USMCA on the sixth anniversary of the entry into force of the USMCA.

SEC. 817. REGULATIONS.

The head of any Federal agency described in this subtitle, in consultation with the Interagency Environment Committee, may prescribe such regulations as are necessary to carry out the authorities of the Federal agency as provided for under this subtitle.

Subtitle B—Other Matters

SEC. 821. BORDER WATER INFRASTRUCTURE IMPROVEMENT AUTHORITY.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency shall, in coordination with eligible public entities, carry out the planning, design, construction, and operation and maintenance of high priority treatment works in the covered area to treat wastewater (including stormwater), nonpoint sources of pollution, and related matters resulting from international transboundary water flows originating in Mexico.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to Congress a report on activities carried out pursuant to this section.

(c) DEFINITIONS.—In this section:

(1) COVERED AREA.—The term ''covered area'' means the portion of the Tijuana River watershed that is in the United States.

(2) ELIGIBLE PUBLIC ENTITIES.—The term ''eligible public entities'' means—

(A) the United States Section of the International Boundary and Water Commission;

(B) the Corps of Engineers;

(C) the North American Development Bank;

(D) the Department of State;

(E) any other appropriate Federal agency;

(F) the State of California; and

(G) any of the following entities with jurisdiction over any part of the covered area:

(i) A local government.

(ii) An Indian Tribe.

(iii) A regional water board.

(iv) A public wastewater utility.

(3) TREATMENT WORKS.—The term ''treatment works'' has the meaning given that term in section 212 of the Federal Water Pollution Control Act.

SEC. 822. DETAIL OF PERSONNEL TO OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.

(a) IN GENERAL.—Upon the request of the Trade Representative, the Administrator of the Environmental Protection Agency, the Director of the U.S. Fish and Wildlife Service, and the Administrator of the National Oceanic Atmospheric Administration may detail, on a reimbursable basis, one employee of each such respective agency to the Office of the United States Trade Representative to be assigned to the United States Embassy in Mexico to carry out the duties described in subsection (b).

(b) DUTIES.—The duties described in this subsection are the following:

(1) Assist the Interagency Environment Committee to carry out monitoring and enforcement actions with respect to the environmental obligations of Mexico.

(2) Prepare and submit to the Interagency Environment Committee on a quarterly basis a report on efforts of Mexico to comply with its environmental obligations.

Subtitle C—North American Development Bank

SEC. 831. GENERAL CAPITAL INCREASE.

Part 2 of subtitle D of title V of Public Law 103–182 (22 U.S.C. 290m et seq.) is amended by adding at the end the following:

''SEC. 547. FIRST CAPITAL INCREASE.

''(a) SUBSCRIPTION AUTHORIZED.—

''(1) IN GENERAL.—The Secretary of the Treasury is authorized to subscribe on behalf of the United States to, and make payment for, 150,000 additional shares of the capital stock of the Bank.

''(2) LIMITATION.—Any subscription by the United States to the capital stock of the Bank shall be effective only to such extent and in such amounts as are provided in advance in appropriations Acts.

''(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—In order to pay for the increase in the United States subscription to the Bank under subsection (a), there are authorized to be appropriated, without fiscal year limitation, $1,500,000,000 for payment by the Secretary of the Treasury.

''(2) ALLOCATION OF FUNDS.—Of the amount authorized to be appropriated under paragraph (1)—

''(A) $225,000,000 shall be for paid in shares of the Bank; and

''(B) $1,275,000,000 shall be for callable shares of the Bank.''.

SEC. 832. POLICY GOALS.

(a) IN GENERAL.—To the extent consistent with the mission and scope of the North American Development Bank on the day before the date of the enactment of this Act and pursuant to section 2 of article II of the Charter, the Secretary of the Treasury should direct the representatives of the United States to the Board of Directors of the Bank to use the voice and vote of the United States to give preference to the financing of projects related to environmental infrastructure relating to water pollution, wastewater treatment, water conservation, municipal solid waste, stormwater drainage, non-point pollution, and related matters.

(b) CHARTER DEFINED.—In this section, the term ''Charter'' means the Agreement Concerning the Establishment of a Border Environment Cooperation Commission and a North American Development Bank, signed at Washington and Mexico November 16 and 18, 1993, and entered into force January 1, 1994 (TIAS 12516), between the United States and Mexico.

SEC. 833. EFFICIENCIES AND STREAMLINING.

The Secretary of the Treasury should direct the representatives of the United States to the Board of Directors of the North American Development Bank to use the voice and vote of the United States to seek to require the Bank to develop and implement efficiency improvements to streamline and accelerate the project certification and financing process, including through initiatives such as single certifications for revolving facilities, programmatic certification of similar groups of small projects, expansion of internal authority to approve qualified projects below certain monetary thresholds, and expedited certification for public sector projects subject to lender bidding processes.

SEC. 834. PERFORMANCE MEASURES.

(a) IN GENERAL.—The Secretary of the Treasury should direct the representatives of the United States to the Board of Directors of the North American Development Bank to use the voice and vote of the United States to seek to require the Bank to develop performance measures that—

(1) demonstrate how projects and financing approved by the Bank are meeting the Bank's mission and providing added value to the region near the international land border between the United States and Mexico; and

(2) are reviewed and updated not less frequently than annually.

(b) REPORT TO CONGRESS.—The Secretary of the Treasury shall submit to Congress, with the submission to Congress of the budget of the President for a fiscal year under section 1105(a) of title 31, United States Code, a report on progress in imposing the performance measures described in subsection (a) of this section.

TITLE IX—USMCA SUPPLEMENTAL APPROPRIATIONS ACT, 2019

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2020 and for other purposes, namely:

DEPARTMENT OF AGRICULTURE

AGRICULTURAL PROGRAMS

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', for enforcement of the Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.) during fiscal years 2020 through 2023 related to trade activities between the United States and Mexico, $4,000,000, to remain available until September 30, 2023: *Provided*, That such amount is designated by the Congress as being for an emergency requirement

pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for ''Operations, Research, and Facilities'', $16,000,000, to remain available until September 30, 2023: *Provided*, That $8,000,000 shall be available to engage in cooperation with the Government of Mexico to combat illegal, unreported, and unregulated fishing and enhance the implementation of the Seafood Import Monitoring Program pursuant to 16 U.S.C. 1826 and 1829, during fiscal years 2020 through 2023: *Provided further*, That $8,000,000 shall be available to carry out section 3 of the Marine Debris Act (33 U.S.C. 1952) during fiscal years 2020 through 2023 in the North American region: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $50,000,000, to remain available until September 30, 2023: *Provided*, That $30,000,000 shall be available solely to provide for additional capacity of the Office during fiscal years 2020 through 2023 to monitor compliance with labor obligations (as such term is defined in section 701 of this Act), including the necessary expenses of additional full-time employees to participate in the Interagency Labor Committee for Monitoring and Enforcement established pursuant to section 711 of this Act: *Provided further*, That $20,000,000 shall be available to reimburse the necessary expenses of personnel participating in the Interagency Environment Committee for Monitoring and Enforcement established pursuant to section 811 of this Act during fiscal years 2020 through 2023 to monitor compliance with environmental obligations (as such term is defined in section 801 of this Act), including up to 1 additional full-time employee detailed to the United States Embassy in Mexico from each of the United States Fish and Wildlife Service, the Environmental Protection Agency, and the National Oceanic and Atmospheric Administration: *Provided further*, That, if the United States Trade Representative determines that the additional amount appropriated under this heading in this Act exceeds the amount sufficient to provide for the reimbursement of personnel specified in the previous proviso, such excess amounts may be used to reimburse the necessary expenses of additional personnel participating in the Interagency Environment Committee for Monitoring and Enforcement during fiscal years 2020 through 2023 to monitor compliance with environmental obligations (as such term is defined in section 801 of this Act): *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TRADE ENFORCEMENT TRUST FUND

For an additional amount for the ''Trade Enforcement Trust Fund'', $40,000,000, to remain available until September 30, 2023, to carry out the enforcement of environmental obligations under the USMCA, including for state-to-state dispute settlement actions, during fiscal years 2020 through 2023: *Provided*, That, amounts appropriated in this paragraph shall not count toward the limitation specified in section 611(b)(2) of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4405): *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For an additional amount for ''Resource Management'', to enforce the Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.) and sections 42 and 43 of title 18, United States Code, with respect to goods imported or exported between the United States and Mexico, during fiscal years 2020 through 2023, $4,000,000, to remain available until September 30, 2023: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For an additional amount for ''Environmental Programs and Management'' for necessary expenses for carrying out the Environmental Protection Agency's efforts through the Commission for Environmental Cooperation during fiscal years 2020 through 2023, to reduce pollution, strengthen environmental governance, conserve biological diversity, and sustainably manage natural resources, $4,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND TRIBAL ASSISTANCE GRANTS

For an additional amount for ''State and Tribal Assistance Grants'' for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission, $300,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF LABOR

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $210,000,000, for the Bureau of International Labor Affairs to administer or operate international labor activities, bilateral and multilateral technical assistance, and microfinance programs, by or through contracts, grants, subgrants and other arrangements; of which $180,000,000, to remain available until December 31, 2023, shall be used to support reforms of the labor justice system in Mexico, including grants to support worker-focused capacity building, efforts to reduce workplace discrimination in Mexico, efforts to reduce child labor and forced labor in Mexico, efforts to reduce human trafficking, efforts to reduce child exploitation, and other efforts related to implementation of the USMCA; and of which $30,000,000, to remain available until September 30, 2027, shall be available to provide for additional capacity of the Bureau of International Labor Affairs during fiscal years 2020 through 2027 to monitor compliance with labor obligations (as such term is defined in section 701 of this Act), including the necessary expenses of additional full-time employees of the Bureau to participate in the Interagency Labor Committee for Monitoring and Enforcement established pursuant to section 711 of this Act: *Provided*, That the Secretary of Labor may detail or assign up to 5 additional full-time employees of the Bureau to the United States Embassy or consulates in Mexico to (1) assist in monitoring and enforcement actions with respect to the labor obligations of Mexico, and (2) prepare a report, to be submitted on a quarterly basis to the Interagency Labor Committee for Monitoring and Enforcement through September 30, 2027, on the efforts of Mexico to comply with labor obligations (as such term is defined in section 701 of this Act): *Provided further*, That such employees, while detailed or assigned, shall continue to receive compensation, allowances, and benefits from funds made available to the Bureau for purposes related to the activities of the detail or assignment, in accordance with authorities related to their employment status and agency policies: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MULTILATERAL ASSISTANCE

INTERNATIONAL FINANCIAL INSTITUTIONS

CONTRIBUTION TO THE NORTH AMERICAN DEVELOPMENT BANK

For payment to the North American Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $215,000,000, to remain available until expended: *Provided*, That the authorities and conditions applicable to accounts in title V of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6) shall apply to the amounts provided under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 901. Each amount appropriated or made available by this title is in addition to any amounts otherwise appropriated for any of the fiscal years involved.

SEC. 902. No part of any appropriation contained in this title shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 903. Unless otherwise provided for by this title, the additional amounts appropriated by this title to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2020.

SEC. 904. Each amount designated in this title by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

BUDGETARY EFFECTS

SEC. 905. (a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this title shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this title shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(7) and (c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this title shall be estimated for purposes of section 251 of such Act.

This title may be cited as the ''USMCA Supplemental Appropriations Act, 2019''.

The SPEAKER pro tempore. The bill shall be debatable for 2 hours equally divided and controlled by the majority leader and the minority leader or their respective designees.

The gentleman from Maryland (Mr. HOYER) and the gentleman from California (Mr. MCCARTHY) each will control 1 hour.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. HOYER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 5430.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. HOYER. Madam Speaker, I yield myself 1 minute.

This vote today, Madam Speaker, is a reminder that, even while the House was working on a serious matter regarding the President's accountability for abuses of office, we were still working hard to deliver on our promises to the American people to focus on economic opportunity, and in this instance we were working together.

This USMCA agreement before us is a vast improvement over the first version shown to us by President Trump and his team. We worked together, and it now includes critically important changes offered by Democratic members in order to ensure that its enforcement mechanisms are stronger, that it protects American workers, and that it will help lower prescription drug costs and improve access to medications.

This agreement, Madam Speaker, will also remove some of the uncertainty created by the tariff policies that have been pursued by the President.

I am glad that our House Democratic working group was able to secure new provisions to ensure that America's trading partners uphold the rights of workers to unionize and bargain collectively. And I am glad that this agreement includes strong, rapid-response enforcement mechanisms that will allow us to block imports produced in facilities where these commitments are violated.

I, and this Congress, will be closely monitoring the enforcement of this new agreement to make certain that the administration is doing its job and workers' rights are protected.

I thank Speaker PELOSI, Chairman NEAL of the Ways and Means Committee, and Ambassador Lighthizer, who represented the administration in his straightforward, honest way. Their hard work and negotiations with the White House to improve on the administration's initial draft were successful.

I thank, as well, the members of the Democratic working group who spent months working alongside the Speaker and chairman to fight for the provisions necessary to secure House support.

This agreement, Madam Speaker, is truly the product of bipartisanship with many victories for Democrats, of which all Americans can be proud, and obviously, victories for Republicans, as well. I hope we can approve it today with a strong, bipartisan vote of support.

Madam Speaker, I reserve the balance of my time.

Mr. MCCARTHY. Madam Speaker, I yield myself 1 minute.

Madam Speaker, in sharp contrast to yesterday, today is the first time this Chamber can finally rally behind an overwhelming, bipartisan legislative win since the beginning of this Congress.

More than a year ago, President Trump came together with the leaders of Mexico and Canada to sign a transformative trade deal that would revamp how we trade goods with our top two leading traders. Despite delay after delay from our Democratic colleagues, Republicans never relented.

We understood months ago that the United States-Mexico-Canada agreement would deliver a much-deserved win for the American worker. Today is for them. It is for our hardworking farmers who have early mornings and long days maintaining their harvest and livestock. It is for our consumers who will be paying less money at the checkout for everyday goods. It is for generations of Americans that will be able to enjoy a more prosperous and financially secure future for decades to come.

And because of that Republicans fought. We spoke to our constituents. We took to the floor to deliver speeches. I just did a report to see the number of times in the last year USMCA was mentioned on this floor. Ninety-one percent of all the times it was mentioned were from this side of the aisle and 9 percent on the other. I want to congratulate our members for never giving up.

We spoke about the wins the USMCA would deliver any chance we got, and we stayed in close contact with the administration to ensure that it would be the right deal worthy of the American workers' legacy.

Republicans also understood that the ratification of USMCA would only make the United States stronger as we continue to negotiate a trade with China.

I am glad today is here, but it is a year late. Mexico is our number one trader. Canada is our number two. China is number three. For the last year we have been trying to negotiate an agreement with China. Our hand would only have been stronger if today happened months ago. I am glad today is here, but the delay has hurt us.

As we move forward, another goal that President Trump continues to make progress on is our negotiations with China. Today will make him stronger and, hopefully, help his hand from the last year.

Our economy is booming, exceeding expectations on a regular basis. Thanks to this President and Republicans in Congress pushing pro-growth policies, we are living through the best economy in a generation.

Regardless, if you are a Republican or a Democrat, the strength of this economy is undeniable, and that is a fact worth celebrating.

□ 1045

The ratification of the USMCA will guarantee that the trajectory continues to move in the same positive direction.

After 25 years, a revised trade agreement was well past due.

I know other Presidents had promised they would be able to do this. It is no small feat and not easy by any means, but it is another promise kept by this President, and we want to thank him for his work.

When President Trump ran for office, passing the USMCA was a campaign promise. Critics said it couldn't be done, yet he made it happen. Another promise made, another promise kept.

I also want to commend the incredible support he had from Congressional Republicans, especially our Ranking Member KEVIN BRADY and the entire team he has on the Ways and Means Committee. They never faltered, they never backed down, and they continued to work.

Madam Speaker, they never let the Democrat pushback hold them back from delivering a major win for the American worker.

Today is a day worth celebrating. It is a day this House, after nearly a year, finally checked their partisanship at the door to better the lives of the American people.

Madam Speaker, I yield the balance of my time to the gentleman from Texas (Mr. BRADY).

Mr. BRADY. Madam Speaker, I reserve the balance of my time.

Mr. NEAL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am delighted to stand in support of H.R. 5430, the United States-Mexico-Canada Agreement Implementation Act.

The legislation we are considering today is the result of almost 14 months of negotiations between House Democrats and Ambassador Lighthizer, and I am very proud of the outcome that we have reached.

As a result of these months of work, the USMCA is a transformative agreement that creates a new high-water mark for U.S. trade deals going forward.

When we assumed the majority this year, we were asked to consider a renegotiated NAFTA that had structural flaws in a key number of areas: enforcement, labor rights, environment, and access to medicines.

Let me start with enforcement, which was the crux of this agreement.

As I have noted many times over the past year, I did not vote for the original NAFTA. The chief reason was the lack of enforceability mechanisms. During these past 25 years, we have seen the shortcomings of the original agreement, much of which comes down to a lack of enforcement, in my view.

House Democrats, working with Ambassador Lighthizer, fixed many of those issues. The improvements to the USMCA that we negotiated finally make the agreement enforceable by preventing a country from being able to block the formation of a dispute settlement panel.

On labor, our trade agreements, in many cases, have failed American workers. NAFTA has been symbolic of our broken promises to these workers.

Over 25 years of the NAFTA, there have been 39 petitions filed documenting the exploitation of workers and zero enforcement actions taken to remedy those violations.

In close partnership with labor unions and with the robust support of Ways and Means Democrats, support from Republicans, we negotiated improvements to the rules and to our monitoring regime, and we established a new enforcement mechanism.

On the rules, we strengthened certain provisions and addressed obstacles to enforcement in many others. On monitoring, for the first time we have created a proactive monitoring regime for labor obligations in a trade agreement. The implementing bill establishes an Interagency Labor Committee that will actively monitor Mexico's compliance, and report back to Congress.

On enforcement, we negotiated a historic mechanism never included in a trade agreement before. As a result of Democratic efforts, we will now have a facility-specific, rapid-response mechanism to address violations of key labor obligations.

We have made great improvements to environmental provisions. The USMCA will now include the highest environmental standards of any trade agreement in history and will include a new customs verification agreement to enhance enforcement.

The implementing bill, and I hope our colleagues in this Chamber will hear this, also secures more than $600 million in funding for environmental problems in the NAFTA region and reauthorizes the North American Development Bank.

Through the dedication of the working group members, the Trade Subcommittee members, we also secured important changes to USMCA that preserve Congress' ability to change U.S. law to address the crisis we face with respect to high prescription drug prices.

These changes set a new standard for U.S. trade agreements, and demonstrate that trade agreements can achieve broad, bipartisan support if they empower workers, protect patients, provide access to affordable healthcare, and improve our shared environment.

I am proud of what we did here. After 14 months of negotiating on every conceivable front, we have improved the old NAFTA.

Madam Speaker, I want to remind our colleagues today, if they decide that they are not going to vote for this piece of legislation in front of us, that is up to them. But one thing they cannot say is, this is not much better than what we have had in the past.

So the options here are clear: you can vote for what we have negotiated or you can embrace the status quo. And if this fails today, that is precisely what you are doing: embracing the status quo.

This agreement, based upon the painstaking efforts of members of the committee and Ambassador Lighthizer, was done with full transparency. No surprises are in this legislation.

I hope that today we can say at the end of the time limits that this was a successful negotiation of the largest trade agreement in American history, a hemispheric agreement that I think we can stand in support of with great pride today.

Madam Speaker, I reserve the balance of my time.

Mr. BRADY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, yesterday, with impeachment, was a low mark in partisanship.

Today, we have the opportunity to set a high mark in consensus and bipartisanship.

Today is a momentous day. We will finally consider the implementing bill that brings the trade relationship between the U.S., Canada, and Mexico into the 21st century.

This trade agreement is sorely needed. It has been over 25 years since we first established this trade relationship through NAFTA. So much has changed since then.

For one thing, when we passed NAFTA, the phone booths by the Ways and Means hearing room actually had pay phones in them.

A new 21st century trade agreement will be a force multiplier for America's already strong economy.

Today marks the day 2 years ago that the House approved the Tax Cuts and Jobs Act for the first time that has transformed America's economy.

Today, President Trump and Ambassador Lighthizer have fought hard and delivered on their promise for a pro-growth and moderate trade pact. And because of their outstanding leadership and working closely with our congressional leaders on both sides of the aisle, we now have a trade agreement that will deliver historic wins for the economy, and that is because this trade agreement is all about growth.

USMCA will set the stage for billions more in economic activity. It creates, for the first time, rules for competing in the digital economy, to the advantage of America's manufacturers and farmers across so many sectors. It pries open Canada's market for U.S. farmers and ranchers to sell American dairy, wheat, chickens, eggs, and turkey. It improves the competitive position of our manufacturers, our service companies, and our small businesses. It ends the race to the bottom created by what had been Mexico's poor labor laws.

The agreement, best of all, is enforceable, allowing us to challenge violations and to stop countries from blocking these challenges, holding Mexico and Canada accountable for these new rules.

More jobs. More American customers.

America's innovators will get the tools they need to succeed here as we compete with countries like China.

Independent experts predict this new agreement will spur over $68 billion in new economic activity.

We are always looking to create more U.S. jobs, and this will create more than 176,000 jobs here in America, including 76,000 in our auto sector. That is good news for everyone.

Best of all for the American people, USMCA is a truly bipartisan agreement.

To Chairman NEAL's credit and his remarkable hard work, House Democrats, including Chairman BLUMENAUER and my Texas colleague, HENRY CUELLAR and many others, worked in good faith with Ranking Member BUCHANAN and Ambassador Lighthizer to get on a path to ''yes.''

We are so glad to see so many Republican priorities were retained.

In the agreement before us today, we have labor and environmental rules that are realistic, they are measurable, they are enforceable.

What is not in this agreement are provisions for which there is no consensus, like the Paris climate accord.

It is not a perfect agreement. No trade agreements are. We will continue to work to improve the areas that we think can be improved in future agreements, but in any event, American workers have a major victory in the USMCA, and I am proud to support it.

It is a shame that the Speaker held it up for so long. It has been over a year since President Trump and our North American neighbors signed the new U.S.-Mexico-Canada Agreement. It has been over half a year since Mexico ratified the initial agreement, and they have undertaken transformational labor reform.

Due to Democrats' misguided obsession with impeachment, they neglected moving forward on this pro-worker and pro-growth trade agreement for far too long.

Nonetheless, today I am so encouraged that we are here, finally moving forward on this new, strengthened

North American Trade Agreement, because in the end, USMCA will not be a Republican win or a Democratic win, but a win for the American people, and a stronger, more prosperous alliance with our North American trading partners.

Madam Speaker, I reserve the balance of my time.

Mr. NEAL. Madam Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), the chairman of the Trade Subcommittee, who also made an invaluable effort in terms of the working group that assembled the document that we will vote on this afternoon.

Mr. BLUMENAUER. Madam Speaker, I thank Chairman NEAL for his extraordinary efforts.

Twenty-five years ago, NAFTA passed over strong opposition, with serious flaws.

At the beginning of this Congress, we were given a bill by the administration that didn't address those problems. It didn't have the votes to pass and it didn't deserve to pass.

I am proud of the work with our chairman; with our working group; the Speaker, who periodically invested huge amounts of time to keep it on track; and, of course, Ambassador Lighthizer, who was a great partner working with us.

We are voting today on an agreement that has fundamentally been rewritten and strengthened.

A personal priority for me was stripping unnecessary and harmful special provisions for Big Pharma. We have strengthened labor protections and enforcement. These are game changers. The help of AFL–CIO President Richard Trumka and, again, the Speaker were invaluable.

We have had environmental improvements. My colleague from Oregon, SUZANNE BONAMICI, deserves great praise for being tenacious on that. We will attack the raw sewage many of us saw flowing into the Pacific in Tijuana.

We finally have come to an agreement that can and should be passed.

I appreciate the hard work of all our colleagues, and hope that this is a foundation that we can move forward on to deal with challenges we have with a global economy with the same spirit of cooperation and innovation.

Mr. BRADY. Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BUCHANAN), the leading Republican on the Trade Subcommittee, who deserves great credit for this trade agreement.

Mr. BUCHANAN. Madam Speaker, I rise today in support of the United States-Mexico-Canada Agreement. I want to say up front, I am so excited about this bipartisan effort, that is going to make a big difference for American workers.

Madam Speaker, I want to thank our leaders on our committee: Leader BRADY, Chairman NEAL, Chairman BLUMENAUER. I want to thank all of them, because this has been a team effort. It is exciting to see that once in a while.

What the House passes today will bring us one step closer to finally modernizing and balancing the 25-year-old North American Free Trade Agreement, which supports nearly $1.3 trillion in economic activity and more than 12 million American jobs.

Passing USMCA will update the United States' critical trading relationships with our North American neighbors into the 21st century, a high-standard deal that benefits American workers, businesses, and the economy.

□ 1100

In fact, according to the independent International Trade Commission, USMCA will boost our economy by $68 billion and create an additional 175,000 new jobs.

International trade is critical to my home State of Florida, where we export more than $12 billion worth of goods and services to Canada and Mexico, supporting more than 700,000 jobs.

Leveling the playing field for Florida and the country, as well as increasing access to our foreign markets, is critical to growing the U.S. economy and creating good-paying jobs.

Florida has 15 deepwater seaports, including Port Manatee in my district. Florida exports tens of billions of dollars in goods and services annually and adds more than $100 billion in economic value to our State.

I also congratulate President Trump because this is something for the last 3 or 4 years he has been very passionate about, and Ambassador Lighthizer because, without him and his effort, I am not sure we would be here today.

Madam Speaker, I urge support for this landmark trade agreement.

Mr. NEAL. Madam Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. LEWIS), whose legendary work on behalf of America is well known to all.

Mr. LEWIS. Madam Speaker, I thank my friend, Chairman NEAL, for all of his hard and great work. He never gave up; he never gave in. He kept the faith, and he kept his eyes on the prize.

I thank all of my colleagues, both Democrats and Republicans, from the Ways and Means Committee for finding a way to get us to the point where we are today.

Twenty-six years ago, I opposed NAFTA with every bone in my body. I never thought the day would come when we would have the opportunity to right some of the wrongs in that agreement.

NAFTA failed our workers. It failed our Mexican brothers and sisters. It failed Mother Earth.

NAFTA destroyed the hopes and dreams of a generation. It wiped out communities. It started a race to the bottom.

With this vote, we have a chance to reset the clock, to chart a new path, and to create a new trade model.

We can always do more, but today, we build a new foundation for trade policy, a floor that reflects our values as a people and as a nation.

I thank the working group and all of our trade staff for working day in and day out. They were determined to do right.

Mr. BRADY. Madam Speaker, I am proud to yield 2 minutes to the gentlewoman from Wyoming (Ms. CHENEY), a free-market conservative who is an outstanding chairman of the Republican Conference.

Ms. CHENEY. Madam Speaker, I thank the Republican leader of the Ways and Means Committee, my friend Mr. BRADY, for all of his hard work, and Chairman NEAL, as well, for his work on this.

Sadly, Madam Speaker, last night, on the floor of this House, the Democrats impeached the President of the United States without any direct evidence. After that, we learned that, despite the fact that they claimed, for months, that impeachment was an urgent matter, Speaker PELOSI is refusing to send the Articles of Impeachment to the Senate. I suppose we shouldn't be surprised, as Leader MCCONNELL, moments ago, said that these articles are a reflection of very shoddy work and a rigged and rushed process.

The American voters will not forget the travesty that the House Democrats have overseen. Had they not been obsessed with impeaching President Trump, we could have approved this very deal a year ago. The bipartisan nature of this deal that we are here discussing today cannot cover up what happened on this floor last night.

Trade with Mexico and Canada is vital to our economy in my home State of Wyoming. Exports from Wyoming to our North American partners totaled $207 million in 2018. This USMCA will open countless new opportunities for Wyoming businesses, especially our agriculture producers selling our goods like wheat and beef, increasing export opportunities and the thousands of jobs supported by trade in Wyoming.

USMCA will also benefit our small- and medium-sized businesses, which already comprise 67 percent of our State's exports of machinery to Canada and Mexico.

For too long, NAFTA allowed countries to take advantage of U.S. workers. USMCA, negotiated by the President, is vital to strengthening our relationship with our North American trade partners while still holding Canada and Mexico accountable.

Madam Speaker, I support this crucial trade deal because it will bring tremendous benefits to my home State of Wyoming and all across the Nation, and I urge its approval today.

Mr. NEAL. Madam Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Madam Speaker, this agreement is good for moving more commerce across our three countries. It means more jobs, and it means lower prices for consumers. That is especially important in Texas where the original

NAFTA was signed only a few blocks from my San Antonio office: Mexico, our top trading partner; Canada, our second.

Some were so eager for this commerce that would be produced by continuing NAFTA that they were willing to accept most any agreement. But, we insisted that we get a much-improved agreement to address the legitimate concerns of those who raised objection to previous agreements.

What we have today is an initial step, an important step, toward achieving a truly 21st century trade agreement that not only encourages trade but protects the environment and recognizes the legitimate concerns of workers. This victory results from major changes in what President Trump proposed 14 months ago.

First, we secured additional funding for the North American Development Bank, the NAD Bank, based in San Antonio, which is important in addressing especially environmental concerns.

Second, and very significantly, we deleted the horrible Big Pharma power grab to extend its monopoly power for prescription price gouging.

Third, each country was forced to take all necessary measures to comply with multilateral environmental agreements which take precedence over trade. This includes an additional recent agreement to dramatically reduce heat-trapping chemicals. In 2021, when we have a new president who actually believes in science, the agreement will facilitate, not impede, our response to the climate crisis.

And, finally, instead of platitudes, we have an enforceable agreement to address worker concerns. Let's celebrate a major step forward in building broad public support for trade.

Mr. BRADY. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Arizona (Mr. SCHWEIKERT), an outstanding technology leader on the Ways and Means Committee.

Mr. SCHWEIKERT. Madam Speaker, I know we all had the points we want to walk through, but can I actually take a step sideways and do more a unified theory reason why I think getting this done is so incredibly important.

We talk about our issues with trade with China. We are living in a time right now where supply chains are choosing where to move around the world. The fact of the matter is that we are going to move North America into a stable, much more robust trading bloc where we know what the rules are. It gives us a chance to try to draw much more of the world's supply chains—manufacturing, trade, and commerce—as we get to be one of the key hubs in the world. The rancor, the fragility, the disagreements—hopefully that is behind us now.

Being from the State of Arizona, we also accomplished a number of things in this trade agreement that are really important. The de minimis rules, where small businesses, internet-based businesses, now have a fighting chance to engage in commerce back and forth across the border, and some of the other rules of protections of IP and data, we truly have modernized much of this agreement.

Will this help the United States? I sure hope so because you see a number of predictions that this draws almost a half a percent of GDP in growth. That is wonderful. I wish we could have done this a year ago, but we are finally getting it done.

We are living almost in a miracle of economic growth and economic stability. This just adds one more leg so we can keep this going. We got the tax policy right. We also have the international part of the tax policy right. Now, hopefully, we are getting part of the trade right. Can we continue to live this economic expansion miracle longer? I will make the argument that getting this USMCA done is incredibly important to this success.

Mr. NEAL. Madam Speaker, we consider it a bit of a miracle that the gentleman did not show up with his charts.

Madam Speaker, I yield 1½ minutes to the gentleman from California (Mr. THOMPSON), whose invaluable work on the committee and a steady hand all of the time is very much appreciated.

Mr. THOMPSON of California. Madam Speaker, I rise in strong support of the USMCA implementing legislation.

As a member of the working group, I can tell you how far we have come. The original agreement that was sent to Congress was a total failure at protecting workers' rights, providing access to affordable medicine, and protecting our environment. Further, it wasn't enforceable.

The bill we have before us today is the result of tireless work from Speaker PELOSI, Chairman NEAL, and the working group members who represented the diverse views of Congress.

With gains achieved through our negotiations, this trade deal will set the standard for all future trade agreements. It is enforceable; it protects workers; it helps address serious environmental issues; and it protects access to affordable medicine.

Finally, I thank the staff, which worked tirelessly to get us to this day. There were a lot of late nights and a lot of weekends sacrificed to reach this deal. Specifically, I thank the Katherines, Katherine Tai and Katherine Monge; the Trade Subcommittee staff, Alexandra Whittaker, John Catalfamo, Julia Friedman, Kate Connor Linton, Katie White, and Keigan Mull; and from my staff, my trade person, Jennifer Goedke.

I commend the Speaker, the chairman, and all the Members who worked so hard to get us here. All of those good things that both sides have been talking about today were not in the first draft that we got from the White House. This is a good bill because we made it a good bill. I ask everybody to support this bill.

Mr. BRADY. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), the outstanding Republican whip.

Mr. SCALISE. Madam Speaker, I thank Chairman BRADY for yielding. I thank all the people who we have worked with to get to this point because passing the United States-Mexico-Canada trade agreement is going to be a major victory for American workers, yet another sign that we can improve on our current trade relationships.

I think a lot of people were concerned that maybe the President would pull out of NAFTA because he was clearly critical of the flaws of the previous agreement. But what he did was actually go and negotiate with Mexico and get a better deal for American workers. Then he went to Canada, which might have been a little more reluctant, but he got a better deal with Canada, as well.

What you see is not only a trade agreement that is a major win for the American economy—conservative estimates show over 160,000 new jobs get created. Agriculture gets a big win because many of our products that we can't sell to Canada now will be able to be sent to those markets.

This shows how Congress can work with this administration to do something that is really good for American workers.

□ 1115

But what it also does, Madam Speaker, is it sends a message to the rest of the world that we can work with our friends to get better trade deals, our other friends around the world like Japan, like the United Kingdom, who would like to work to get better trade deals. But if you can't get a deal from your neighbors from the north and south, you surely are not going to be able to get a deal with anyone else.

Now, this tells them that we can close deals and that there are other countries lining up that want to be a part of this economy. We have the hottest economy in the world, and it is only going to get better for workers here.

But it then sends a message to China that not just America wants to send, but a message that all of our allies around the world want to send, that when you do business with America, you have to follow the rules. You can't play by your own set of rules. And now, for enforcement of deals, it really shows that China is going to have to become part of the world economy and play by the rules that everyone else in the world plays by.

That is an important win for all of those forgotten men and women across this country who appreciate the work President Trump has done, Bob Lighthizer, who has been his quarterback on this all the way through, and everyone else. So it is going to be a big win for our country and for our economy.

Mr. NEAL. Madam Speaker, I yield 1½ minutes to the gentleman from Connecticut (Mr. LARSON), a member of the working task force that assembled the document in front of us today, again, whose keen mind and good sense is always very helpful to these debates.

Mr. LARSON of Connecticut. Madam Speaker, I thank the chairman for yielding, and I want to commend Ranking Member BRADY and our colleagues on the other side as well. It is always a pleasure to know what this body can do when we work together.

I also want to associate myself with the remarks of the chairman for his incredible leadership. In his opening remarks, he underscored the key word that is central to this agreement that is far different from the previous NAFTA agreement. It is ''enforcement.'' It was his tenacity and the tenacity of the working group and the subcommittee that made this happen.

I commend Speaker PELOSI for her work and, clearly, for all the working members of the task force for the effort they put forward. MIKE THOMPSON has already credited the staff for their outstanding work, and I specifically want to thank ROSA DELAURO, who also was there for the first NAFTA vote as well and is a strong and a tenacious defender of labor.

The work of ROSA DELAURO, the work of President Trumka, the work of Ambassador Lighthizer, these were salient reasons that underscored Mr. NEAL's premise that enforcement at all levels, but specifically as it related to labor and environment, needed to be put in place.

Mr. BRADY. Madam Speaker, I am proud to yield 2 minutes to the gentleman from Nebraska (Mr. SMITH), the elite Republican leader of the Select Revenue Measures Subcommittee.

Mr. SMITH of Nebraska. Madam Speaker, I almost heard my colleague Mr. LARSON appreciate, I thought I heard him say President Trump, but then he did say ''Trumka,'' so I guess maybe not so much similarity there. But the fact of the matter is I appreciate the few nudges that we have seen over the last few weeks that have brought us to this point.

And I certainly appreciate the work of Ambassador Lighthizer and many on President Trump's team who have worked so hard to get us to this point.

Representing an agriculture powerhouse district, the Third District of Nebraska, where our farmers and ranchers work very diligently and very efficiently to help feed America and the world, we need good markets for them. Trade relationships in North America are so important, and we have this opportunity to modernize NAFTA, heading us in the direction of even more markets and really reflecting the needs of our economy and the economy across North America.

We have got this opportunity to bring people together, especially in light of events this week. I certainly appreciate this opportunity and our leaders on the Ways and Means Committee, both Mr. BRADY and the chairman as well.

This is a great time to work together. I look forward to its passage and urge everyone to vote ''yes.''

Mr. NEAL. Madam Speaker, I yield 1½ minutes to the gentleman from Wisconsin (Mr. KIND). His advocacy on behalf of agriculture is well-known to all in this body.

Mr. KIND. Madam Speaker, I rise in proud support of this trade agreement. It is important that we have a strong trading relationship with our two border neighbors, Mexico and Canada, our two biggest export markets.

I just caution my colleagues who choose to vote ''no'' on this that a ''no'' vote is a return to the failed policy of the old NAFTA, the status quo, rather than this more modernized version.

I am happy that dairy farmers in America are going to have greater access to the Canadian market.

We made progress on poultry and eggs.

We also tightened up the sanitary and phytosanitary standards so that those decisions have to be made on sound science rather than arbitrary decisions to block our agricultural exports.

We have, perhaps, the strongest worker protection chapter ever in the trade agreement, enhanced environmental standards, all to level the playing field for our workers, our farmers, our businesses so they can fairly compete rather than trying to compete in a race to the bottom.

Perhaps most importantly, we have the strongest enforcement chapter ever, and we look forward to working with Mexico and Canada to implement it the right way to make sure we are all playing by the same rules.

So this is solid, and I want to commend the chair, the ranking member, the working group, but also the staff for the countless hours that they put in to get us to this place, but especially Ambassador Bob Lighthizer for his perseverance and patience throughout these months.

These were difficult negotiations. This is what bipartisanship looks like on the House floor, where we are able to get this across the floor.

I encourage my colleagues to support this agreement, support the Northern Hemisphere economy. Show the rest of the world that we are back in business.

Mr. BRADY. Madam Speaker, I am proud to yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY), a Main Street businessman and the Republican leader of the Oversight Subcommittee.

Mr. KELLY of Pennsylvania. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, it is great to stand here today, and what a difference a day makes. It is really good to see Members on both sides of the aisle stand up and say: You know, we are really getting things done for America.

I would like to say that this is a Christmas gift that is wrapped up in paper that is red, white, and blue. It is a jobs bill: 176,000 jobs, $68 billion in new revenue. And this was arrived at because, in 2016, a candidate for the Presidency made the same commitment that everybody who ever runs for the Presidency says: If I get elected, I am going to make sure that we replace NAFTA with something that makes sense for American workers.

Promise made, promise kept. The 45th President of the United States has been on a tear improving this economy.

Now, having said all that—and I do have friends on both sides of the aisle. I just think that sometimes when we are on the floor here, it is impossible to show that.

There is a saying at Christmastime that says: Peace on Earth, and good will to men.

That is not the saying. It is: Peace on Earth to men of goodwill. That is a saying we need to take here.

One story I will share with you: As a child, I used to write a letter to Santa Claus every Christmas, and I would tell him everything I wanted. I would come down Christmas morning, and I never got everything I wanted, but I was sure as heck thankful for everything I got.

This is a tremendous jobs bill for America. This is a tremendous accomplishment. I can't imagine anybody not voting for this.

But I do want to take this opportunity to wish all of us a very Merry Christmas, and all of the people back home.

For the staffs on both sides, I thank them for everything they did.

This is the way that America is supposed to work and should continue to work as we end 2019 and go into 2020. It is a wonderful opportunity to show America that, on the people's floor in the House of Representatives, we can actually get things done.

Mr. NEAL. Madam Speaker, it is always an honor to endorse the Speaker of the House and to welcome her to the floor, but also to point something out.

On weekends, from Brussels, from Madrid, from Paris, she called me. And on the final weekend, time and again, with the U.S. trade rep on the line, the three of us went back and forth with Rich Trumka, who was in Pennsylvania on vacation, who couldn't have cell access until 5 o'clock in the evening. The Speaker was totally involved in this endeavor.

But most importantly, she called me in the middle of a Patriots game, and I was smart enough to take the call.

Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Madam Speaker, that is while I was watching what was happening with the San Francisco 49ers and the Baltimore Ravens. Sports, sports, the center of our lives. That is the unifying factor.

We all are for our teams—aren't we?—and, hopefully, we are all Team

USA. Now we can prove that on this U.S.-Mexico-Canada Agreement.

While I was calling the distinguished chairman, I was in Brussels for the 75th anniversary of the Battle of the Bulge. We had a bipartisan delegation there to thank our veterans. All of them were in their nineties, many of whom who were there, so we could thank them personally and be there to see them acknowledged by heads of state and the rest.

In terms of Spain, it was about we are still in it when it comes to the Paris accord. So, work, work, work.

But this was a priority, and time was important. We were trying to get it done as soon as it met the standards that we share.

I proudly rise to join my colleagues on this exciting day as the House passes a historic trade agreement that is truly worthy of the American people, a new and dramatically improved U.S.-Canada-Mexico trade agreement.

I salute Chairman RICHARD NEAL, a lifelong champion for working people, the maestro in the House on our side of this process, who helped deliver a trade agreement that will serve as a model for future trade agreements.

I thank each member of the Trade Working Group who worked so hard to improve the product that was sent originally by the administration nearly 2 years ago to where we are now.

I thank Chairman BLUMENAUER, chairman of the Trade Subcommittee, walking in now; Congresswoman ROSA DELAURO; Congressman JOHN LARSON; Congresswoman JAN SCHAKOWSKY; Congressman MIKE THOMPSON; Congresswoman TERRI SEWELL; Congresswoman SUZANNE BONAMICI; and Congressman JIMMY GOMEZ, each of them working on the different categories that are mentioned: enforcement, labor rights, environmental protections, and pharmaceuticals.

I thank every Member for their wisdom, leadership, and commitment to delivering for the people during this process.

I was just asked in a press conference: Aren't you giving President Trump—Mr. BRADY always asks this question—aren't you giving the President a victory to boast about?

I said: That would be collateral benefit if we could come together to support America's working families. And if the President wants to take credit, so be it. That would not stand in the way of our passing this. However, I do want to point out some of the distance we have come from the President's original product.

The House Democratic Caucus is united in our values and our priority to making progress for America's working families in everything we do, including this trade agreement.

We all thank Trade Representative Lighthizer, Mr. Ambassador, for being an honest broker and straight shooter with us as we worked toward an agreement. Not every day was without its, shall we say, exuberances, but this day is possible because of the hard work of many Members representing every corner of our country.

We thank Richard Trumka, president of the AFL–CIO, a true warrior for workers, who helped secure an agreement that is light-years better than what the administration proposed 2 years ago.

Democrats knew that hardworking Americans needed more from the USMCA than just some broken NAFTA with better language but no real enforcement. That was my concern: We just can't come up with a bill that is a little sugar on the top and say this is better, because the impact on workers would be felt for a long time to come. And we knew we could do better.

The original USMCA draft put forth by the administration fell far short of where it is now. It still left many American workers exposed to losing their jobs to Mexico; included unacceptable provisions, locking in high drug prices; came up short on key environmental standards; critically lacked the tough, effective enforcements that are essential to protect American jobs and holding our trading partners accountable to their promises.

After months of Democrats working with the Trade Representative, we have key changes to the USMCA that make this a truly transformative agreement for America's workers.

Now, with Democratic changes, the USMCA has the strongest enforcement mechanism of any U.S. trade agreement. Again, in contrast to the original USMCA draft which would have allowed nations that do not live up to their obligations to stop enforcement complaints from even being heard, Democrats' changes prevented nations from panel blocking.

For workers, while the administration drafts stack the deck against labor violation claims, our changes enact new rules and monitoring tools to protect American workers, prosecute labor violations, and ensure that Mexico is complying with labor reforms.

Other points that are for the workers include establishing labor attaches based in Mexico who will provide on-the-ground information about Mexico's labor practices and creating a facility-specific rapid response law enforcement mechanism to stop trade in goods that violate this agreement.

These are not technical changes. These make a big difference.

□ 1130

For the environment, whereas the administration's draft had weak environmental rules and tilted the playing field against violation claims, democrats have strengthened the rules and enforcement tools and are lowering pollution and increasing resilient infrastructure.

Sadly, while the administration refuses to acknowledge the existence, let alone the urgency, of the climate crisis, our changes in the USMCA set a firm footing for progress when we have a President who brings us back to the Paris accord.

And, by the way, when we were in Spain on this subject, our large bicameral delegation's theme was ''we are still in'' when it came to the Paris accord.

For lowering prescription drug costs, the White House draft contained unacceptable giveaways for Big Pharma that would have locked in high prescription drug prices.

Democrats have eliminated these unfair handouts to big corporations and secured provisions to lower drug costs and improve access to life-saving medicines.

The changes House Democrats have secured in the USMCA make this a truly transformational trade agreement. As the AFL–CIO wrote in their letter of support last week, we have secured an agreement that working people can proudly support.

Working people are responsible for a deal that is a vast improvement over the original NAFTA and the flawed proposal brought forward in 2017. For the first time, there truly will be enforceable labor standards.

The USMCA also eliminates special carve-outs for corporations like the big giveaway to Big Pharma in the administration's initial proposal and loopholes designed to make it harder to prosecute labor violations.

The USMCA is far from perfect, but there is no denying that the trade rules in America are fairer because of the hard work of so many people, and our perseverance. Working people have created a new standard for future trade negotiations.

Indeed, the strength of Democrats' USMCA is recognized by endorsements from groups representing tens of millions of Americans across industries and geographies: labor groups and trade organizations; farmers, growers, and ranchers; groups representing businesses around the country; social justice, and faith-based organizations, such as NETWORK.

The list goes on and on, and it will be part of the statement that I include in the RECORD.

This is a strong agreement that honors our promises For the People to give us bigger paychecks and makes a difference for millions.

With all the respect in the world for our neighbors, our respect for the greatness of Mexico as our neighbor, and the friendship that we have and want to engender, and our neighbor to the north, Canada, with respect to them, our responsibility is to have a trade agreement that lifts all workers in our hemisphere. Our first responsibility is to American workers.

I urge a bipartisan vote for the USMCA and urge Senator MCCONNELL to take the bill up quickly. We can send it right over, and he can take it up anytime.

If the Senate Republicans care about workers, they will no doubt join us to

send this bill to the President's desk in the House and in the Senate.

Madam Speaker, I commend our chairman, RICHARD NEAL, for his outstanding work. I know that you have a good rapport with Ranking Member BRADY. I thank all the Members who are responsible for bringing this to the floor.

AFL–CIO,
December 10, 2019.

AFL–CIO ENDORSES USMCA AFTER SUCCESSFULLY NEGOTIATING IMPROVEMENTS

LABOR FEDERATION PRESIDENT RICHARD TRUMKA ON THE UNITED STATES-MEXICO-CANADA AGREEMENT (USMCA), PROVIDED FINAL TEXT ACCURATELY REFLECTS CHANGES:

Make no mistake, we demanded a trade deal that benefits workers and fought every single day to negotiate that deal; and now we have secured an agreement that working people can proudly support.

I am grateful to House Speaker Nancy Pelosi and her allies on the USMCA working group, along with Senate champions like Sherrod Brown and Ron Wyden, for standing strong with us throughout this process as we demanded a truly enforceable agreement. I also commend Ambassador Robert Lighthizer for being a straight shooter and an honest broker as we worked toward a resolution.

Working people are responsible for a deal that is a vast improvement over both the original NAFTA and the flawed proposal brought forward in 2017. For the first time, there truly will be enforceable labor standards-including a process that allows for the inspections of factories and facilities that are not living up to their obligations.

The USMCA also eliminates special carve outs for corporations like the giveaway to Big Pharma in the administration's initial proposal and loopholes designed to make it harder to prosecute labor violations.

The USMCA is far from perfect. It alone is not a solution for outsourcing, inequality or climate change. Successfully tackling these issues requires a full-court press of economic policies that empower workers, including the repeal of tax cuts which reward companies for shipping our jobs overseas.

But there is no denying that the trade rules in America will now be fairer because of our hard work and perseverance. Working people have created a new standard for future trade negotiations.

President Trump may have opened this deal. But working people closed it. And for that, we should be very proud.

Mr. BRADY. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. WENSTRUP), who is a key member of the Ways and Means Committee and who hails from a huge trade State.

Mr. WENSTRUP. Madam Speaker, for over a year the administration and Republicans in Congress have emphasized the urgency of passing the new United States-Mexico-Canada Agreement, the USMCA.

With this bipartisan vote, and with the hard work from both sides of the aisle, we finally have the opportunity to rebalance North American trade. In spite of delays, this opportunity that exists for all Americans is finally here today.

It has been 25 years since our North American Trade Agreement was established, and it has not been updated to reflect the modern economy.

Under this new trade agreement, our farmers, manufacturers, and workers will finally have a deal that modernizes North American trade, boosts our economy, and strengthens our Nation's role in the global trading market.

American farmers will now have increased access to the Canadian market to sell products like dairy, poultry, eggs, and wheat, a vast improvement over the status quo.

It improves intellectual property provisions that will protect innovation, safeguard American trade secrets in Canada and Mexico, though certain protections could be stronger.

USMCA also modernizes trade with Canada and Mexico by establishing a new gold-standard digital trade chapter to continue the growth of our digital economy. It includes a new chapter dedicated to helping small- and medium-sized businesses, which make up 98 percent of our Nation's exporters.

Our economy relies on trade with our North American neighbors, and these additions will support American companies, farmers, and workers. In fact, USMCA is predicted to create over $68 billion in new economic activity and 176,000 new jobs here in America.

USMCA is a win for the United States and a win for North America. At long last, Americans will have an updated trade agreement that works for them. The stage is set for further agreements that help hardworking Americans.

Madam Speaker, I want to thank the President, Ambassador Lighthizer, and all of my colleagues for working so hard on this over the last couple of years. I encourage Members to support this.

Mr. NEAL. Madam Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Madam Speaker, I thank the chairman and Mr. BRADY. I thank Messrs. BLUMENAUER and BUCHANAN for the great job that they did. I also thank Mr. Lighthizer. He is a different kind of guy, and I really believe that he was essential to getting to this vote today.

In my entire political life, I have never had anyone say to me, as was said today, that if you vote against this, you are voting for the status quo.

I even have a Jerry Garcia tie on today. Me and the status quo don't agree most of the time.

So there are some questions that do remain.

The ship of human rights has not been righted. The President never once mentioned in any speech, during 2016 until now, about human rights and about workers' rights in discussing NAFTA. Mexican workers are still being treated like chattel, American jobs will still flow through other countries, and sham protection unions will still own the day. This bill has made many improvements, but it is not enough.

Some can say: Is there ever enough?

There are too many questions.

Will Mexico be held accountable to fully enforce their labor laws?

We don't know.

Mr. BRADY. Madam Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. ESTES), who is an outstanding new member of the Ways and Means Committee.

Mr. ESTES. Madam Speaker, I thank my colleague and friend from Texas for yielding, and I am proud to rise today to support the United States-Mexico-Canada Agreement.

Since President Trump announced the USMCA over 1 year ago, I have urged my colleagues across the aisle to join us in supporting this important trade agreement and getting it across the finish line. Today, I am thrilled to speak on the floor and ask my colleagues to support it one last time.

The journey to this day has been longer and harder than it should have been. For too long USMCA has taken a backseat to some partisan politics causing farmers, ranchers, and workers across the country to miss out on economic growth and jobs in the meantime. However, today we are taking a giant step forward in finally making that free and fair trade deal a reality.

The U.S.-Mexico-Canada Agreement will create 176,000 new jobs in our country and will boost the national GDP by $68 billion. It is important for farmers and ranchers in my State. The USMCA opens up new markets for American dairy, wheat, chicken, eggs, and turkey for the first time. This deal also helps U.S. manufacturing jobs and increases wages.

NAFTA was created 25 years ago, and the USMCA will now be the first trade agreement with a chapter dedicated to digital trade and sets new standards for labor and the environment.

I want to thank President Trump and Ambassador Lighthizer for their incredible leadership over the last couple of years to follow through on another campaign pledge and negotiate this update to NAFTA. I also want to thank Chairman NEAL and Ranking Member BRADY for their leadership to ensure that our Ways and Means Committee and Congress were involved in this process all along the way.

This is an important victory for President Trump and for millions of farmers, ranchers, and workers across our country who will benefit from the USMCA. As a strong advocate for free and fair trade, I proudly support the USMCA and look forward to working with the Senate to send this to the President's desk as soon as possible.

Mr. NEAL. Madam Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS), who is a well-known champion of all things Chicago and a great advocate of working men and women.

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I have always been told, if there is righteousness in the heart, then there is beauty in the character. I think what we have seen this week and what we are seeing today is the righteousness of the Members of this House who take the position that

neither side will get everything that it wants.

I certainly won't get everything that I want for the State of Illinois, but I have got dairy farmers—not as many as RON KIND may have in Wisconsin—I have got corn growers in Illinois and soybean growers—maybe not as many as there are in Iowa. But the comprehensiveness of the communities that we represent demand that we come together.

So I want to commend Chairman NEAL, our ranking member, the working group, and the Speaker of the House because it took all of them to make this work.

So, Madam Speaker, I am going to vote for it. I admit that I feel a great deal like BILL PASCRELL, but I am going to vote for it because we need to come together and do what we can for the American people.

Mr. BRADY. Madam Speaker, I yield 2 minutes to the gentlewoman from Indiana (Mrs. WALORSKI), who is a happy Hoosier and a champion for low tariffs and free trade.

Mrs. WALORSKI. Madam Speaker, I am indeed happy, and I am thrilled today to actually be here and cast my vote for the U.S.-Mexico-Canada Agreement, or the USMCA. I can't tell you enough of what it will do for our districts in northern Indiana.

The hardworking Hoosiers in Indiana's Second District are builders and growers. We manufacture most of the RVs you see on the road and a large portion of boats and trailers that you see on many lakes. We manufacture auto parts and musical instruments. Our farmers put food on the table, including corn, soybeans, pork, duck, eggs, and dairy products. Mexico and Canada are key export markets for all of them and the workers they employ.

It has been 25 years since NAFTA has been in force. Technology, transportation, and consumer habits have all evolved; NAFTA, however, stayed the same. Politicians promised the sky when it came to trade agreements, but President Trump promised to modernize NAFTA, and, unlike anyone else, he kept that promise with USMCA.

USMCA dismantles trade barriers that stood in the way of American exports for so long. For farmers in my district, this means more dairy, more poultry, and more eggs are heading to Canada. For manufacturers, this means fewer paperwork headaches that slow down shipments and prevent them altogether. For businesses of all sizes, types, and shapes, this means e-commerce standards that promote fair competition and that will be used as a standard in future agreements. For workers, this means more jobs staying in the United States.

Robust enforcement ensures that the potential of the USMCA does not evaporate overnight. The promises made by all sides will be promises kept by all sides.

Madam Speaker, this day is long overdue, but I am so happy it is finally here. Our economy is booming thanks to tax cuts and regulatory reforms, and now USMCA will keep that momentum going. It will put more money in workers' pockets, and it will help small businesses thrive.

It is a big win for President Trump and Ambassador Lighthizer, and it is a big win for America.

Madam Speaker, I urge my colleagues to support this agreement.

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Mr. NEAL. Madam Speaker, I yield 1 minute to the gentleman from Buffalo, New York (Mr. HIGGINS).

Mr. HIGGINS of New York. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, the economic future of Buffalo and western New York is tied strategically to southern Ontario, which is one-third of the entire population of the country of Canada.

I am pleased that this agreement strengthens the U.S.-Canadian economic and life quality relations. I am concerned, however, that the U.S.-Mexican economic relationship is more challenging.

The United States has lost 6 million manufacturing jobs in the past 20 years, and 53,000 manufacturing businesses have closed. NAFTA's promise of wage convergence, bringing Mexican wages to Canadian and U.S. standards, has failed. The Mexican wage is $5.10 a day, less than $0.64 an hour.

We have good reason to be skeptical of Mexico's commitment to do better. The USMCA, however, because of Chairman RICHARD NEAL's leadership and emphasis on rigorous enforcement, does have the potential for improved Mexican compliance on wages, the environment, and labor standards.

Mr. BRADY. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. MARCHANT), a leader on free trade from the Dallas-Fort Worth area.

Mr. MARCHANT. Madam Speaker, the United States-Mexico-Canada Agreement is a revolutionary trade deal that will usher in a new era of economic prosperity and growth for Americans across the country.

Texas, in particular, stands ready to thrive under this agreement. Our State exports more to Mexico than any other and is second in exports to Canada. Each year, over $135 billion worth of Texan goods are sent to our two closest trading partners, supporting over 114,000 jobs in Texas.

The reforms in the USMCA will ensure that we continue to have free and fair access to international marketplaces, keeping prices low for Americans and business booming for business and workers.

Madam Speaker, I thank the chairman and the ranking member, my good friend, for shepherding this through. Members on the other side of the aisle, I have been in legislatures for a long time, and I always believed that, on this bill, you were trying to get to ''yes'' on it. I appreciate the hours that you met, and Texas will appreciate every vote that is cast for this bill.

Mr. NEAL. Madam Speaker, I yield 1½ minutes to the gentlewoman from Alabama (Ms. SEWELL), who, again, was an invaluable member of the Trade Working Group. Her advocacy for people in her constituency is well known to all.

Ms. SEWELL of Alabama. Madam Speaker, I rise today in strong support of this trade deal. I was honored that Speaker PELOSI asked me to join the Democratic Trade Working Group.

We, the Gang of 8, along with you, Mr. Chairman, worked tirelessly for 6 months, negotiating with Bob Lighthizer, the U.S. Ambassador on trade. We took what was a very weak and unenforceable trade deal and made it into a renegotiated trade agreement that will protect American workers and businesses.

This bill we vote on today is a renegotiated USMCA. I am particularly proud that the working group won two major concessions on enforcement. First, we closed the panel-blocking loophole and created a strong state-to-state mechanism for enforcement. Second, we created a first-of-its-kind rapid response mechanism to improve labor enforcement in Mexico.

This deal is a win for the Steelworkers and Teamsters in my Alabama district. It is a win for the automobile manufacturers and steel industry in the State of Alabama. It is a win for Alabama farmers and agriculture producers.

This renegotiated trade agreement is a much-improved North American Free Trade Agreement, and it is because of that that I ask my fellow colleagues to support it.

Madam Speaker, I, again, thank Chairman NEAL, Speaker of the House NANCY PELOSI, my fellow Gang of 8 working group members, as well as Bob Lighthizer, and our especially hardworking staff. I thank, especially, Katherine Tai and my own staffer, Rob Nuttall, for all of their hard work on getting us there.

I do believe that this is a win for everyone, and I urge my colleagues to support this new, renegotiated USMCA.

Mr. BRADY. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. REED), a champion in manufacturing and the Republican leader of Subcommittee on Social Security.

Mr. REED. Madam Speaker, I thank the gentleman from Texas for yielding.

Madam Speaker, I rise today because this is a good day. I don't want to discuss yesterday. I don't want to discuss issues that divide us in this Chamber.

I want to discuss, today, the United States-Mexico-Canada Agreement because that has brought us together. When we come together, who wins in that situation? Not us as Members of the House of Representatives, not us here in Washington, D.C., but the American people.

I was reminded recently, this morning, that, about 2 years ago, we delivered on tax cuts, and I stood exactly

right here, and I knew that was going to unleash the American economy. We have an economy now at an all-time high, with 50-year lows for unemployment and 1.4 million new jobs in America.

Today, we have come together for the American worker, the American farmer. We have united as Democrats and Republicans to do something good for our fellow citizens, and that is this updated United States-Mexico-Canada Agreement.

As I stood here 2 years ago and had a discussion with my good friend from New York, Mr. Crowley, who is no longer here, I declared in one voice saying, hell, yes, I am going to vote for those tax cuts, and, hell, yes, I am going to vote for this Mexico-Canada trade agreement, because what we are doing here is, again, unleashing the power of America. Standing together, it is amazing what we can accomplish.

Madam Speaker, I applaud Chairman NEAL. I applaud the Democratic Trade Working Group. I applaud the other side of the aisle for standing with us today for the American workers and American farmers.

I also applaud President Trump for having the vision and the leadership to take on this issue when everyone told him it cannot be done.

Madam Speaker, I also applaud KEVIN BRADY, VERN BUCHANAN, and DEVIN NUNES, and members of the Committee on Ways and Means who stood forward and said: You know what we are going to do? We are going to make sure we stand for a principle we believe in. That is the American opportunity of a job in an economy that is growing and playing on a field across the world where we have a fair and level playing field of trade. Because, when we have fair, free trade, the American worker wins each and every day.

Madam Speaker, I ask my colleagues to support this legislation.

Mr. NEAL. Madam Speaker, I yield 1½ minutes to the gentlewoman from Washington (Ms. DELBENE), whose well-acknowledged efforts on behalf of the best and most important trade State in the country, Washington, as well as being a knowledgeable forecaster of international economics for all benefit all of us on the committee.

Ms. DELBENE. Madam Speaker, I thank the gentleman for yielding. I rise in support of the United States-Mexico-Canada Agreement and the implementing legislation.

Congressional Democrats worked hard to secure labor-specific enforcement tools and robust environmental provisions that make this agreement a substantial improvement over the original NAFTA.

Most importantly, this new agreement helps many of my constituents. Now, our dairy farmers will have greater market access to Canada, and our wineries will have an easier time selling their wine in British Columbia.

When this new agreement is in place, it will be the first U.S. trade agreement with a digital trade chapter. It includes provisions on data localization, cross-border data flows, and other requirements that preserve a free and open internet. That is important to all segments of our economy.

My district is home to a vibrant technology industry that is responsible for thousands of good-paying jobs and helps power America's large trade surplus in digital services.

Madam Speaker, I hope my colleagues will join me in supporting this agreement.

Mr. BRADY. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. NUNES), Republican leader of the Health Subcommittee and the outstanding leader of the Permanent Select Committee on Intelligence.

Mr. NUNES. Madam Speaker, I thank the gentleman for those kind words, and I am pleased that we have overcome numerous delays and are finally passing a North American trade deal for the 21st century.

USMCA will create jobs, boost the economy, and strengthen our relationship with our neighbors in Canada and Mexico. I want to express my gratitude to Ambassador Robert Lighthizer and his team, and Gregg Doud and his staff, for the hard work they have done on this agreement.

I also commend the President for delivering, yet again, for American farmers and workers under USMCA. Under this agreement, ag products that had zero tariffs under NAFTA will continue to be tariff-free. Our farmers and ranchers will gain additional access to the remaining protected sectors. Enforcement will be enhanced to ensure the agreement is implemented correctly.

Updated dispute mechanisms will ensure the United States has prompt access to a dispute settlement panel, when needed, to allow U.S. businesses to compete on a level playing field.

This is a great bipartisan agreement that will bring huge benefits to millions of Americans, and I urge my colleagues to support USMCA.

Finally, I thank Chairman NEAL and Ranking Member BRADY for all of their great work on this. I know it was not easy, but you guys did a really great work. I think the American people owe you a debt of gratitude.

Mr. NEAL. Madam Speaker, I yield to the gentlewoman from California (Ms. JUDY CHU), another invaluable member of the Committee on Ways and Means whose knowledge about southern California is very important to all of us.

Ms. JUDY CHU of California. Madam Speaker, I rise today in support of the improved USMCA. With the changes demanded by Democrats from the original proposal, this agreement marks a historic step that will stop the bleeding of American jobs to other countries.

Free trade agreements have often meant lost jobs or lower wages for American workers, and the Trump administration's initial USMCA was no different. But Democrats fought back to win new labor protections that make this deal actually work for Americans.

I have seen firsthand why these protections are so important. Earlier this year, I traveled on the Committee on Ways and Means' trip to Mexico to investigate the labor challenges we are facing.

At a Goodyear plant, I spoke directly to workers whose starting pay was only $2 an hour and even less after deductions. Then, when these workers went on strike to demand better wages, nearly 50 labor leaders were harassed, threatened with violence, and fired. This means that a company that pays American workers $23 an hour and made $15.5 billion in sales last year would rather fire Mexican workers than pay them a fair wage.

It is one of the many examples that explains why companies outsource jobs and exploit labor in other countries. And it is why Democrats fought so hard for a USMCA deal with strong labor protections to ensure a level playing field.

This trade deal isn't perfect, but it is an important step in the right direction and protects American jobs.

Mr. BRADY. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ARRINGTON), the food, fuel, and fiber capital of the world.

Mr. ARRINGTON. Madam Speaker, I couldn't have said that better myself. I thank the ranking member, my dear friend from the great State of Texas, for his leadership on this very important trade deal, our largest and most important relationship of all of our trading relationships.

I thank our chairman, Chairman NEAL, for keeping this thing on track and keeping people in the game so we could have a bipartisan consensus. That is the only way this could work, so the chairman is to be commended for his efforts.

But let's give credit where credit is due, for the one who led the charge, who did the heavy lifting, our President, Donald J. Trump. I am saying this because in 2016, he was already calling out some of these trade deals as a rip-off of American workers and manufacturers.

While NAFTA was a great deal for farmers and ranchers, we saw a 400 percent increase in trade for ag products since the inception of NAFTA. It hasn't been good all the way around. It hasn't been fair all the way around. It hasn't been productive, in terms of keeping jobs here in the United States.

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So kudos to our President for his dogged commitment to American-first trade policies. That doesn't mean America only. It means that we negotiate from strength, and we negotiate what is in the best interest of American workers, manufacturers, and farmers.

That is what this does: $70 billion in economic growth, 170,000 jobs, and billions in investment that will go into the auto manufacturing sector.

Our producers, dairy producers and other farmers, are going to have open access to new customers in Canada, so this is a huge win for America.

I want to join all my colleagues, Republican and Democrat, and champion this all the way through. So I urge my colleagues on both sides of the aisle, vote ''yes'' for USMCA, and vote for an even greater America and an even greater prospect for American prosperity.

God bless America.

Go west Texas.

Mr. NEAL. Madam Speaker, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. EVANS), whose district I recently visited, a real champion of the airport, a real champion of the seaport, and a real champion of international economics.

Mr. EVANS. Madam Speaker, I would like to first thank the chairman and the working group for working together.

Trade can be a poverty buster. It is a powerful tool in the toolbox by increasing the earning power of our communities and creating well-paying jobs.

Coming from the city of Philadelphia, which nearly has 25 percent poverty, well-paying jobs are the difference between thriving and surviving. Let me say that again: thriving and surviving. That is why this is important.

Trade is especially beneficial to minority-owned businesses. Minority-owned exporting businesses average three times more workers and pay a wage premium of nearly $16,000 more.

That is why I thank the chairman and the staff in the working group, because of their leadership. This really sends a message to the entire world that we want free trade, but also fair trade.

It is especially important to understand that everybody doesn't get everything they want. That is called negotiation.

Again, I stand here today, proudly, to say I am supporting this 100 percent.

Mr. BRADY. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. LAHOOD), an outstanding member of the Ways and Means Committee.

Mr. LAHOOD. Madam Speaker, I thank the ranking member for yielding the time.

I rise today in support of the USMCA.

And let's call this what it is: It is a win for America. It is a win for our farmers. It is a win for our manufacturers. It is a win for our workers.

For the past 2½ years, so many people have worked tirelessly to ensure that this high-standard and modernized trade agreement got completed.

I would especially thank Chairman NEAL and Ranking Member BRADY and our Ways and Means staff for all the hard work and the commitment and dedication to getting this done.

Also, to Bob Lighthizer. There is not a more capable trade ambassador that we have had than Bob Lighthizer. He has been relentless in his pursuit of getting this done.

Lastly, President Trump, it wouldn't have happened without him and what he did working with the Canadians and the Mexicans to get this trade agreement done.

This free and fair trade agreement benefits all of us, all sectors of our economy. Moreover, it will further support the record-breaking economic growth that this country has seen. We, arguably, have the best economy we have had in 40 years, and this will help that.

It is true that this agreement is not perfect. There are a few things that I would have liked to have seen done differently on sunset provision and ISDS and rules of origin.

But, at the end of the day, when you look at these 24 chapters and what it does to market access for agriculture, to digital trade provisions, USMCA puts America on top, and it shows the world that, with our two largest trading partners, Mexico and Canada, we can negotiate an agreement that is solid.

Remember, we represent 4½ percent of the world's population. We have to have markets around the world. This agreement sets the standard for doing that.

In Congress, I am proud to represent the 18th District of Illinois. It is the eighth largest district in terms of corn and soybean production. When I think about what this does for market access, breaking down barriers, this helps our farmers.

In Illinois, ag is the number one industry in our State. I think about our manufacturers and what this means for jobs and opportunities for them for products in Canada and Mexico.

The ability to sell our goods, products, and services around the world is absolutely vital to economic success in Illinois and across the country. Forty percent of the products we grow, produce, or manufacture in Illinois go to Canada or Mexico. This helps with that.

In closing, I would just say this is a good agreement. I look forward to supporting it, and I would ask my colleagues to do the same.

Mr. NEAL. Madam Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. SCHNEIDER), a very knowledgeable member of the Ways and Means Committee whose district I visited not that long ago.

Mr. SCHNEIDER. Madam Speaker, I want to associate myself with the remarks of my colleague from Illinois.

This is a win for American workers, for their families, for their communities, and for our Nation as a whole.

I want to thank Chairman NEAL and Ranking Member BRADY, the working group, and, in particular, our staff, who worked so hard, tirelessly, to bring this deal forward.

The USMCA legislation before us today is the result of many months of hard-fought negotiations between Congress and the administration, and it is a true victory for working people and our country.

Compared to the initial version of the agreement shared by the White House last year, the improved trade agreement before us today includes markedly stronger protections for American workers and crucially serious enforcement mechanisms that ensure all parties will follow the agreement.

While I believe the agreement includes higher standards to preserve our environment, I do regret the administration was unwilling to make any commitments to address the very real and pressing issues of climate change.

Nevertheless, the USMCA is a major step forward for American workers and businesses fighting to compete in an increasingly interconnected world. It also puts to rest the President's threat to pull out of NAFTA without the certainty of a replacement.

A testament to the hard-fought negotiations is the backing of this agreement from stakeholders as diverse as the AFL–CIO and the United States Chamber of Commerce.

I support the passage of the USMCA implementing language, and I urge my colleagues to do the same.

Mr. BRADY. Madam Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. RICE), an outstanding member of the Ways and Means Committee.

Mr. RICE of South Carolina. Madam Speaker, this is a great day for American workers.

The nameplate on my desk says, ''Jobs, Jobs, Jobs,'' and that is exactly what this new trade agreement will bring.

You see, for too long, America was willing to accept trade agreements that were tilted against American workers because we were so far ahead of the rest of the world, but we are not so far ahead anymore.

Ross Perot was right all those years ago when he said the old NAFTA would bring a giant sucking sound of American jobs going to Mexico, and that is precisely what happened in my district.

Unfair trade agreements are one of the primary reasons that the American middle class has stagnated for decades—until the election of Donald Trump.

The new USMCA corrects much of this imbalance:

It will prevent the departure of many more Americans jobs;

It will bring hundreds of thousands of new jobs to America;

It will raise the wages of workers throughout North America; and

It will accelerate the growth of our American economy.

I am thankful for the talent and effort of Ambassador Lighthizer in successfully reaching this incredibly complicated trilateral agreement.

I am also thankful that we finally have a President with the backbone and determination to do what is necessary to bring our trading partners to the table, many of whom have taken advantage of us for far too long, and despite the criticism of many here in our own country. Our President is doing what is right and fair for America and American workers.

Finally, Madam Speaker, I am thankful that Speaker PELOSI has finally found a moment of sufficient political expedience that she would allow this vote to lift American workers.

Mr. NEAL. Madam Speaker, I yield 1½ minutes to the gentleman from California (Mr. PANETTA), a very invaluable member of the Ways and Means Committee, advocate of the ''Salad Bowl of the World,'' and a good friend.

Mr. PANETTA. Madam Speaker, I rise today in support of USMCA.

That is right. The chairman is absolutely correct. I represent the central coast of California, and I fondly call it the ''Salad Bowl of the World.''

With agriculture being our number one industry, trade with Canada and Mexico and, thus, the USMCA is very, very important. This deal will provide our farmers and ranchers with continued, yet improved, access to those important markets.

It will also strengthen those sanitary and phytosanitary standards and make sure that sound science is used when it comes to our food safety, and it helps California wine get into those Canadian markets.

When this administration first presented USMCA to Congress, I have to say, it was unacceptable. However, thanks to Speaker PELOSI, Chairman NEAL, the Trade Working Group and, you bet, Ambassador Lighthizer, we were able to come up with one of the strongest, most progressive deals in the United States' history.

The USMCA now has some of the most stringent labor standards, some of the most robust funding for enforceability, and some of the strongest requirements for the environment ever.

The USMCA frames a new floor for future trade agreements. It creates new confidence in our most important trading partners, and it provides protection for the future of our fresh produce on our farms, for the dignity of our workers, for the sanctity of our environment, and, yes, for the success of our economy and our hemisphere.

Mr. BRADY. Madam Speaker, I include in the RECORD a series of statements in support of USMCA, including from the U.S. Chamber of Commerce, the Information Technology Industry Council, the Business Roundtable, the National Association of Manufacturers, the American Farm Bureau, who join a host of business, agriculture, technology, manufacturing, and small business organizations across America that have been instrumental in getting USMCA across the finish line.

U.S. CHAMBER OF COMMERCE,
CONGRESSIONAL & PUBLIC AFFAIRS,
Washington, DC, December 18, 2019.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce strongly supports H.R. 5430, the ''United States-Mexico-Canada Agreement (USMCA) Implementation Act,'' which would strengthen trade ties that support millions of American jobs. The Chamber will include votes on this bill in our annual How They Voted scorecard.

The case for approval of this legislation is strong. First, it would strengthen U.S. trade ties with Canada and Mexico, which are by far our most important export markets. More than 12 million American jobs—in sectors from agriculture and manufacturing to services and technology—depend on trade with our two North American neighbors. They are also the top two export destinations for U.S. small and medium-size businesses, more than 120,000 of which sell their goods and services to Canada and Mexico. The new pact would guarantee that virtually all U.S. exports enter these markets tariff-free.

Second, USMCA would modernize North American trade rules. When the North American Free Trade Agreement was negotiated a quarter of a century ago, there was no e-commerce, to give one example; consequently, the agreement did not address this sector. While USMCA falls short in several areas—including in intellectual property, which should not be considered a template for future agreements—its updated rules on digital trade, non-tariff barriers, services, and other areas promise substantial benefits.

Third, USMCA would restore certainty to these vital trade relationships. Tariffs and the threat of tariffs—applied to steel and aluminum, autos and auto parts, or applied to pursue non-trade objectives—have imposed real costs on the U.S. economy and dampened investment. Enactment of this new trade agreement would turn the page on this chapter and afford the business community the confidence it needs to invest and hire.

Implementation of USMCA would be a boon to U.S. companies and the workers they employ as they compete in our top two export markets. We urge the House to approve USMCA expeditiously.

Sincerely,

SUZANNE P. CLARK,
President,
U.S. Chamber of Commerce.

DEAR SPEAKER PELOSI, MINORITY LEADER MCCARTHY, MAJORITY LEADER MCCONNELL AND MINORITY LEADER SCHUMER: The undersigned Texas based business leaders and organizations urge your swift action and support of the United States-Mexico-Canada Agreement (USMCA). Ratification of USMCA is critically needed to provide certainty for the many business sectors in Texas that rely on trade with Canada and Mexico, while in turn contributing to the U.S. economy.

Texas exports more than any other state to Mexico and is second only behind Michigan for exports to Canada. More than 950,000 Texas jobs are supported by trade with Mexico and Canada. In 2018, Texas exported more than $137 billion worth of products to our North American partners, accounting for 43 percent of Texas' total exports to the world. These are staggering numbers that will only grow with the implementation of USMCA.

According to a recent independent International Trade Commission (ITC) report, USMCA will create more than 176,000 additional jobs and raise annual U.S. gross domestic product by $68.2 billion. It will increase U.S. exports to Canada by $19.1 billion and to Mexico by $14.2 billion. It is obvious USMCA will greatly benefit the Texas economy by spurring job growth and opening more trade access.

The manufacturing community in Texas heavily relies on passage of USMCA. In fact, Mexico and Canada purchase half of Texas' total global manufacturing exports. The Lone Star State's top exports to Mexico and Canada are petroleum and coal products, computer equipment, chemicals, motor vehicle parts, electrical equipment, semiconductors and electric components, fabricated metal products, plastics, engine, turbine and power transmission equipment and food and beverages. These exports totaled more than $120 billion in 2018 and are responsible for more than 114,000 Texas jobs. Passage of USMCA will help Texas manufacturers be more competitive and create many more jobs in Texas and the U.S.

USMCA would also create much needed certainty for Texas farm and ranch families who contribute to the economy and feed and clothe millions worldwide. Over 60,400 Texas jobs are supported by exporting agricultural products to Mexico and Canada. The annual value of Texas' agricultural exports to our North American neighbors totals more than $7.2 billion. USMCA would only build on these achievements by breaking down existing trade barriers and opening more market access for products like beef, dairy, corn, wheat and pork.

USMCA provides Texas with greater access to Canada's dairy, poultry and egg markets. It would enhance standards for biotechnology, reduce trade distorting policies, establish modern sanitary and phytosanitary standards and more. Combined with other agricultural provisions in USMCA, the ITC report estimates U.S. agricultural exports to Canada and the rest of the world would increase by $2.2 billion.

Through updated automotive rules of origin, USMCA encourages manufacturing and economic growth by requiring that 75 percent of auto content be produced in North America. USMCA also drives higher wages by mandating 40–45 percent of auto content be made by workers earning at least $16 per hour. These improvements will incentivize billions of dollars in additional U.S. vehicle and auto parts production while directly benefiting the Texas automotive industry.

USMCA also includes new provisions to strengthen and fully enforce environmental and labor obligations. The agreement requires parties to adopt and maintain in law and practice labor rights as recognized by the International Labor Organization. It requires worker representation in collective bargaining in Mexico, new provisions to take measures to prohibit the importation of goods produced by forced labor and to address violence against workers exercising their labor rights. These provisions make strides in leveling the playing field for Texas and U.S. workers and businesses.

USMCA also provides a strong framework to support North American energy trade. It will bolster North American competitiveness and help lower our reliance on energy imports from outside the region. It also maintains the free flow of energy across borders in North America through the continued zero-tariff treatment of U.S. energy exports to Mexico and Canada.

In addition, the new agreement will enable U.S. chemical manufacturers to create a North American model for chemical regulation while leveraging the highly-integrated, North American supply chain to reduce costs, boost U.S. exports and inject new growth and job creation throughout Texas and the U.S.

Further, Texas pharmaceutical and technology innovators will enjoy the strongest

protections for trade secrets contained in any U.S. trade agreement. USMCA also contains a new digital trade chapter that will facilitate the cross-border transfer of data and minimize limitations on where data must be stored.

As you can tell, passage of USMCA is vital to Texas and our country. We respectfully request that you quickly bring USMCA up for a vote in Congress and support its final passage. Hardworking Americans are counting on your leadership on this important issue.

Sincerely,

Texas Farm Bureau; Texas Association of Business; Accord Irrigation Technologies LLC; AgTexas Farm Credit Services; Allen/Fairview Chamber of Commerce; Apartment Association of Greater Dallas; Association of Texas Soil and Water Conservation Districts; Baytown Chamber of Commerce; Bryan/College Station Chamber of Commerce.

Cedar Park Chamber of Commerce; Cen-Tex Hispanic Chamber of Commerce; City of Coppell; DanHil Containers; Dallas Regional Chamber; Del Rio Chamber of Commerce; Denton Chamber of Commerce; DFW Minority Supplier Development Council, Inc.; Dumas Chamber of Commerce.

Earth Moving Contractors Association of Texas; El Paso Chamber of Commerce; El Paso Hispanic Chamber of Commerce; Exotic Wildlife Association; Farm Credit Bank of Texas; Fort Worth Chamber of Commerce; Freese & Nichols, Inc.; Frisco Chamber of Commerce; Global Tooling Specialties, Inc.; Granbury Chamber of Commerce.

Grand Prairie Chamber of Commerce; Grapevine Chamber of Commerce; Greater Arlington Chamber of Commerce; Greater Austin Chamber of Commerce; Greater Austin Hispanic Chamber of Commerce; Greater Dallas Asian American Chamber of Commerce; Greater Houston Partnership; Greater Irving-Las Colinas Chamber of Commerce; Greater Killeen Chamber of Commerce.

Greater Port Arthur Chamber of Commerce; Houston Hispanic Chamber of Commerce; Imperative Information Group; Independent Cattlemen's Association of Texas; Ingleside Chamber of Commerce; Intelligent Compensation, LLC; International Bank of Commerce; Lamesa Area Chamber of Commerce; Longview Chamber of Commerce; Lubbock Chamber of Commerce.

McAllen Chamber of Commerce; McKinney Chamber of Commerce; Nacogdoches County Chamber of Commerce; North American Strategy for Competitiveness; North Dallas Chamber of Commerce; North San Antonio Chamber of Commerce; North Texas Commission; Onshore Resources; Plains Cotton Cooperative Association.

Plains Cotton Growers, Inc.; Plains Land Bank; Plano Chamber of Commerce; Richardson Chamber of Commerce; Rio Grande Valley Hispanic Chamber of Commerce; Rio Grande Valley Partnership; Rolling Plains Cotton Growers, Inc.; San Antonio Chamber of Commerce; San Antonio Hispanic Chamber of Commerce.

Select Milk Producers, Inc.; Sherman Chamber of Commerce; South Texas Cotton & Grain Association; South Texans' Property Rights Association; Southern Rolling Plains Cotton Growers Association; Southwest Council of Agribusiness; State Tax Group, LLC; Texas Ag Industries.

Texas Agricultural Cooperative Council; Texas Agricultural Irrigation Association; Texas Allied Poultry Association; Texas Association of Dairymen; Texas Association of Mexican American Chambers of Commerce; Texas Border Council; Texas Broiler Council; Texas Business Leadership Council.

Texas Cattle Feeders Association; Texas Corn Producers Association; Texas Cotton Ginners' Association; Texas Egg Council; Texas Forestry Association; Texas Grain and Feed Association; Texas Grain Sorghum Association; Texas Independent Ginners Association; Texas Instruments; Texas International Produce Association.

Texas Logging Council; Texas Nursery and Landscape Association; Texas Pork Producers Association; Texas Poultry Federation; Texas Poultry Improvement Association; Texas REALTORS® Texas Rice Council; Texas Rice Producers Legislative Group; Texas Seed Trade Association; Texas Sheep and Goat Raisers Association.

Texas and Southwestern Cattle Raisers Association; Texas Soybean Association; Texas Turkey Federation; Texas Wheat Producers Association; The Borderplex Alliance; Texas Border Coalition; United Parcel Service of America, Inc.; United Corpus Christi Chamber of Commerce; U.S. Chamber of Commerce; United States Rice Producers Association.

United States-Mexico Chamber of Commerce; United States-Mexico Chamber of Commerce Houston Chapter; United States-Mexico Chamber of Commerce Southwest Chapter; Visit Fort Worth; Vocational Agriculture Teachers Association of Texas; Western Equipment Dealers Association; Western Peanut Growers Association.

DECEMBER 18, 2019.

DEAR MEMBER OF CONGRESS: On behalf of the CEO members of Business Roundtable, I urge you to vote in favor of H.R. 5430, the United States-Mexico-Canada Agreement Implementation Act. Over 12 million American jobs depend on the $1.4 trillion in trade with Canada and Mexico. Passing USMCA will modernize a 25-year old agreement with our neighbors and preserve and strengthen the North American economy.

USMCA includes many gold-standard provisions, further opens markets and sets standards that will benefit workers, businesses and farmers across broad industry sectors. USMCA, once in effect, will promote the digital economy and trade, remove key barriers to goods and services trade, promote the free flow of data for all sectors, enhance trade facilitation and e-commerce, and support small businesses by cutting red tape.

No trade agreement is perfect, and we do not support every individual provision in USMCA. Future agreements should include stronger intellectual property protections for life-saving innovations and technologies. Nevertheless, we strongly believe that USMCA, in its totality, will support U.S. economic growth, jobs, and innovation.

Business Roundtable appreciates the bipartisan efforts in Congress to ensure that all USMCA commitments will be fully enforceable, and we will work with Congress and the Administration through USMCA implementation to boost North American competitiveness.

Passing USMCA with broad bipartisan support will also deepen support for trade policies that help Americans compete at home and abroad. We urge you to vote Yes on USMCA.

Sincerely,

TOM LINEBARGER,
Chairman and Chief Executive Office, Cummins Inc. Chair, Trade and International Committee Business Roundtable.

ITI,
PROMOTING INNOVATION WORLDWIDE,
Washington, DC, December 18, 2019.

Hon. NANCY PELOSI,
Speaker of the House,
House of Representatives, Washington, DC.
Hon. KEVIN MCCARTHY,
Republican Leader,
House of Representatives, Washington, DC.

DEAR SPEAKER PELOSI AND LEADER MCCARTHY: On behalf of the members of the Information Technology Industry Council (ITI), I write to express our strong support for legislation implementing the U.S.-Mexico-Canada Agreement (H.R. 5430). Given the importance of this agreement to the technology sector, we will consider scoring votes in support of final passage in our 116th Congressional Voting Guide.

The U.S.-Mexico-Canada Agreement (USMCA) represents a landmark improvement in our relationships with some of our most important trading partners from the perspective of the tech sector, and a key step forward for U.S. leadership in innovation and digital trade. Notably, the U.S.-Mexico-Canada Agreement contains first-of-its-kind, cutting-edge digital trade provisions that recognize the reality of the 21st century economy and would boost the U.S. economy and its competitiveness around the world.

American companies of all sizes and across all industries leverage technology, and can expect to benefit from the USMCA's digital trade and other tech-focused provisions. These provisions will promote the seamless flow of data across borders, allow companies to store data where it makes the most sense from the perspective of their business and customers, prevent costly tariffs and taxes on technology products and services, safeguard source code and algorithms by prohibiting requirements that companies divulge them as a condition of doing business, promote acceptance of U.S.-developed international standards, and create consistency in testing and certification procedures for tech goods.

We applaud the work and leadership that has gone into securing the opportunity to move forward with ratification of the USMCA, and urge you and your colleagues to support the implementing legislation for the agreement when it comes to the House floor.

Sincerely,

JASON D. OXMAN,
President and CEO.

Mr. BRADY. Madam Speaker, I yield 1 minute to the gentleman from Kentucky (Mr. COMER).

Mr. COMER. Madam Speaker, ever since President Trump struck a new, pro-American trade agreement with Canada and Mexico over a year ago, he has worked tirelessly with Members of both parties to get to the point of passing the USMCA through Congress.

Make no mistake about it: The President's leadership on this issue has put us on the brink of this tremendous accomplishment. Today, we will pass a new trade deal that will create jobs, grow our economy, and help our farmers.

Having strongly advocated for the passage of this deal, I am proud to express my strong support for USMCA and all the opportunities it will provide.

Kentucky will strongly benefit from USMCA. Estimates show that our State, alone, will see over $260 million more in agriculture exports to Canada and Mexico. New trade markets, more stability for our farmers and manufacturers, and more accountability from our trading partners will help our people and grow our entire economy.

As a farmer and Kentucky's former commissioner of agriculture, I know firsthand the need for our country to establish new markets for our farmers. I am proud to be a strong voice for the agriculture community and represent their interests in Washington.

This is a great day for our farmers, for Kentucky, and for all of America.

Mr. NEAL. Madam Speaker, this is really a happy moment for me to acknowledge the work that the gentleman from California (Mr. GOMEZ) did on behalf of labor rights. He stood up in the working group on behalf of the working people, and I think that he considerably shifted this argument in their direction.

Madam Speaker, I yield 1½ minutes to the gentleman from California (Mr. GOMEZ).

(Mr. GOMEZ asked and was given permission to revise and extend his remarks.)

Mr. GOMEZ. Madam Speaker, I include in the RECORD a letter to the United States Trade Representative.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
September 17, 2019.

Hon. ROBERT E. LIGHTHIZER,
U.S. Trade Representative,
Washington, DC.

DEAR AMBASSADOR LIGHTHIZER: We write to express our concern regarding the inclusion of Article 20.89 in the United States-Mexico-Canada Agreement (USMCA). This provision, entitled ''Legal Remedies and Safe Harbors,'' mirrors Section 512 of Title 17, originally enacted by the Digital Millennium Copyright Act of 1998 (DMCA). In certain circumstances, Section 512 frees online platforms from liability for infringing content posted by third parties.

The effects of Section 512 and the appropriate role of a copyright safe harbor have become the subject of much attention in recent year. Some have called on Congress to update these very provisions, enacted in the days of a dial-up Internet. The U.S. Copyright Office is expected to produce a report on Section 512 around the end of this year, the result of a multi-year process that started in 2015. Moreover, the European Union has recently issued a copyright directive that includes reforms to its analogous safe harbor for online platforms, which may have an impact on the U.S. domestic policy debate.

Without taking a position on that debate in this letter, we find it problematic for the United States to export language mirroring this provision while such serious policy discussions are ongoing. For that reason, we do not believe a provision requiring parties to adopt a Section 512-style safe harbor system of the type mandated by Article 20.89 should continue to be included in future trade agreements. Given that the Judiciary Committee closely oversees Section 512 through its jurisdiction over intellectual property laws, we also hope that the Office of the United States Trade Representative will work closely with our Committee in advance of negotiating copyright issues going forward.

Thank you for your attention to this important matter. We would be pleased to discuss this issue with you at your convenience.

Sincerely,

JERROLD NADLER,
Chairman.
DOUG COLLINS,
Ranking Member.

Mr. GOMEZ. Madam Speaker, the original NAFTA was a failure for working families, and the NAFTA 2.0 deal that President Trump signed in 2018 was not much better. House Democrats recognized that, and we rejected it, and we worked until we got an enforceable deal.

As a result, the final revised USMCA is much better than NAFTA 1.0, and it is even better than NAFTA 2.0. And, I would say, you can't even call it ''NAFTA Lite'' anymore.

Despite our work, even with the improvements that we have made, I know that this won't bring back all the jobs that we have lost here in the United States; but, over time, I hope the new labor standards and the enhanced enforcement mechanisms we negotiated will help raise wages in Mexico, reducing U.S. corporations' incentive to outsource jobs.

No trade agreement or legislation is perfect, and I do not endorse every single provision of USMCA, but I know that it is always easier to talk about a problem than to fix a problem.

When we proceed on this issue, future trade agreements must recognize that trade and globalization have pushed wages down and weakened the negotiation power of workers. This is where our focus must be.

One provision I am proud of is in labor, and that is, specifically, a new rapid-response mechanism to enforce labor standards.

This has never been written into an American trade agreement. By ensuring Mexican workers' rights are protected, we prevent a race to the bottom. For the first time ever, we have an enforceable labor standard in a trade agreement.

I thank everybody who worked on this and made sure that we are moving in the right direction.

Madam Speaker, I rise to thank Speaker Pelosi for appointing me to the Working Group tasked with renegotiating USMCA on behalf of the Democratic Caucus.

I also thank my colleagues on the Working Group, Representatives Richard Neal, Earl Blumenauer, Jan Schakowsky, Mike Thompson, Suzanne Bonamici, John Larson, Terri Sewell, and Rosa Delauro.

Additionally, I wish to recognize the efforts of the Ways and Means trade staff and personal office staff who contributed. Their names are Laura Thrift, Osaremen Okolo, Syd Terry, Jack Spasiano, Robert Nuttall, Allison Smith, Scott Stephanou, Jennifer Goedke, Samuel Negatu, Keigan Mull, Julia Friedman, Katherine White, Katherine Linton, Alexandra Whittaker, John Catalfamo, Katherine Monge and Katherine Tai.

Finally, I wish to thank Ambassador Robert Lighthizer, Ambassador C.J. Mahoney, and the rest of the professional staff at the Office of the U.S. Trade Representative for their faithful engagement with House Democrats.

□ 1215

Mr. BRADY. Madam Speaker, I yield 1 minute to the gentlewoman from Missouri (Mrs. WAGNER).

Mrs. WAGNER. Madam Speaker, I thank the gentleman from Texas for yielding. I rise today to urge my colleagues to vote ''yes'' on the USMCA trade agreement.

For months, partisan politics and the Democrats' impeachment charade have prevented us from finalizing this agreement, but it is clear to Members on both sides of the aisle that the President has negotiated a deal that will strengthen our economy and benefit all Missourians and Americans.

One of every three rows of crops is grown for export in the great State of Missouri, and this deal expands market access in Canada and Mexico for our farmers.

It is the first time that a U.S. trade agreement is specifically addressing biotech, and the St. Louis region is the Silicon Valley for ag-tech.

USMCA also includes the Wagner language on human trafficking. I worked with Ambassador Lighthizer to guarantee that the USMCA holds my Fight Online Sex Trafficking Act, FOSTA, to help stop online sex trafficking here at home and now throughout North America.

A ''yes'' on the USMCA is a yes for victims, a yes for jobs, a yes for farmers, and a yes for the prosperity of all Americans.

Madam Speaker, I rise today to urge my colleagues to vote YES on the USMCA trade agreement. For months, partisan politics and the Democrats' impeachment charade have prevented us from finalizing this agreement. But it is clear to members on both sides of the aisle that the President has negotiated a deal that will strengthen our economy and benefit all Missourians.

One of every three rows of crops is grown for exports in the great state of Missouri, and this deal expands market access in Canada and Mexico for our farmers.

The USMCA also includes the "Wagner Language" on human trafficking. I worked with Ambassador Lighthizer to guarantee that the USMCA upholds my Fight Online Sex Trafficking Act (FOSTA) to help stop online sex trafficking here at home and now throughout North America.

A YES on the USMCA is a yes for victims, a yes for jobs, a yes for farmers, and a yes for the prosperity of all Americans. Thank you. I yield back.

This agreement also benefits Missouri's thriving ag tech community by addressing agricultural biotechnology, including new technologies such as gene editing.

This is the first time U.S. trade agreement is specifically addressing biotech, and the St. Louis region is the Silicon Valley for ag tech. The USMCA will help protect our intellectual property, and I hope it will be a standard for future trade agreements as well.

The Wagner Language allows our trading partners to enact domestic laws that enable victims to sue the websites that facilitate the sex trade and empower law enforcement to enforce criminal laws against the websites that sell women and children.

Mr. NEAL. Madam Speaker, I yield 1½ minutes to the gentlewoman from Oregon (Ms. BONAMICI), an important advocate of environmental issues as a member of the Trade Working Group.

Ms. BONAMICI. Madam Speaker, I rise in support of the updated United States-Mexico-Canada trade agreement.

In the years that followed NAFTA'S enactment in 1994, American jobs were outsourced to Mexico, and the wages and working conditions were not improved for Mexican workers. This

agreement, while not perfect, is an important opportunity to fix the damage from NAFTA and to create a new baseline for future trade agreements.

The renegotiated USMCA strengthens labor rules so that it will be easier to prove violations. It includes robust monitoring systems and strong enforcement tools, including people on the ground in Mexico to monitor compliance.

Importantly, the updated USMCA no longer includes harmful provisions that would have locked in high drug prices and made it more difficult for patients to access affordable generic drugs.

This final agreement also makes important advancements to protect our environment. It improves environmental rules, puts them in the text of the agreement, provides a path to reducing hydrofluorocarbon emissions, protects against overfishing, makes it easier to prove environmental violations, and secures more than $600 million to implement the environmental provisions and address pollution and marine debris.

Throughout the negotiation process, I fought hard for the inclusion of strong climate provisions. I am disappointed that the Trump administration rejected our efforts. We did, however, include a clause that creates a path for adding additional environmental and conservation agreements in the future. I will continue to do all I can to pass and implement bold policies to combat climate change.

The USMCA is significantly better than the agreement that the Trump administration brought to us. It is a major improvement over the NAFTA rules that are currently in place. It will bring more certainty to workers, to Oregonians, and for the environment.

I thank Speaker PELOSI for appointing me to the working group and the hardworking staff that got us to today.

Mr. BRADY. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. CONAWAY), who has been a longtime leader in agriculture, on the farm bill, and frankly, we couldn't have gotten this agreement done without him.

Mr. CONAWAY. Madam Speaker, I appreciate my colleague from Texas for yielding. I am certainly glad this day has finally arrived and to stand with American farmers by passing the USMCA.

For the last year, Democrats obsessed over a partisan impeachment process while President Trump remained focused on securing the wins that American farmers were counting on.

For our farm families, passing USMCA means an annual increase of $2.2 billion in agriculture exports. It also means we gain about 176,000 quality jobs for Americans. The USMCA resets our trading relationships with Mexico and Canada, improves our farmers' market access to these two important trading partners, and strips away nontariff barriers that prevent free and fair trade.

I commend President Trump, Ambassador Lighthizer, and Ambassador Doud for their tireless work on this agreement, in all its stages. Our farmers and ranchers were counting on them, and they delivered.

The near-universal support in the agricultural community for USMCA speaks volumes about the importance of this trade deal. I urge my colleagues to join me in supporting America's farmers and ranchers by voting to pass the USMCA.

Mr. NEAL. Madam Speaker, I yield 1½ minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), a formidable negotiator and a very important member of the Trade Working Group.

Ms. SCHAKOWSKY. Madam Speaker, I rise in support of the U.S.-Mexico-Canada trade agreement, the first trade agreement I have ever voted for in my more than 20 years in Congress.

I am proud to be on the working group that helped negotiate this agreement, and I thank the chairman of that group, RICHIE NEAL.

It is far better than the original NAFTA, and it is far better than the deeply flawed trade agreement that President Trump handed to us.

For example, he tried to tuck into it a huge gift to Big Pharma that would have raised the cost of medicine throughout our hemisphere. But from day one, I insisted that that provision be removed. Today, it is gone.

Without the work of the working group, without the help of the Speaker of the House, without Rich Trumka, the president of the AFL–CIO, we would not be voting on this today.

Is it a perfect thing? No, it is not. For example, there is a big gift to Big Tech provided in this called section 230, which gives a liability shield for all the companies and the platforms, for all the content that they have on those platforms.

Madam Speaker, I include in the RECORD a letter to Ambassador Lighthizer.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, August 6, 2019.

Hon. ROBERT E. LIGHTHIZER,
U.S. Trade Representative,
Washington, DC.

DEAR AMBASSADOR LIGHTHIZER: We write to express our concern regarding the inclusion of Article 19.17 in the United States-Mexico-Canada Agreement (USMCA).

In many respects, the language of Article 19.17 mirrors that of Section 230 of the Communications Decency Act. Section 230 shields online platforms from some of the liability associated with third-party content posted on those platforms.

As you may know, the effects of Section 230 and the appropriate role of such a liability shield have become the subject of much debate in recent years. While we take no view on that debate in this letter, we find it inappropriate for the United States to export language mirroring Section 230 while such serious policy discussions are ongoing. For that reason, we do not believe any provision regarding intermediary liability protections of the type created by Article 19.17 are ripe for inclusion in any trade deal going forward. Given that our Committee closely oversees Section 230 and all portions of the Telecommunications Act of 1996, we also hope in the future the Office of the United States Trade Representative will consult our committee in advance of negotiating on these issues.

Thank you for your attention to this important matter.

Sincerely,

FRANK PALLONE,
Chairman.
GREG WALDEN,
Ranking Member.

Ms. SCHAKOWSKY. Madam Speaker, I urge everyone to vote for the trade agreement.

Mr. BRADY. Madam Speaker, I yield 1 minute to the gentleman from Ohio (Mr. BALDERSON).

Mr. BALDERSON. Madam Speaker, I thank Mr. BRADY for yielding. I rise this afternoon with enthusiasm for a bipartisan agreement, the United States-Mexico-Canada Agreement, or USMCA.

This trade deal between our country and our top two trading partners will be a major win for the Buckeye State. Ohio farmers and manufacturers already export nearly $28 billion worth of goods to Canada and Mexico every year. The USMCA opens up Canada's market to American poultry and dairy so that Ohio farmers can now trade these products across international lines.

In this digital era, many people's shopping is increasingly done online. People can shop small businesses and larger companies alike, especially during the holiday gifting season. USMCA brings an outdated trade agreement into the 21st century with a previously nonexistent section on digital trade.

USMCA is what our country needs now, and I am thrilled to support this bipartisan agreement's passage. I thank Chairman NEAL and Ranking Member BRADY.

Mr. NEAL. Madam Speaker, I yield 1½ minutes to the gentlewoman from Connecticut (Ms. DELAURO), a formidable negotiator, a great friend, and, I must say, an invaluable member of the working group that helped assemble this document.

Ms. DELAURO. Madam Speaker, I was honored to be appointed to the Speaker's working group charged with renegotiating the deeply flawed NAFTA agreement that the President signed in 2018. It enshrined the failed status quo that had hurt American workers while extending monopoly protections for pharmaceutical companies that would lock in high medicine prices.

I was focused on crafting effective and meaningful standards to protect labor rights, constructing an enforcement mechanism for the U.S. and Mexico, strengthening and protecting environmental standards, and protecting access to affordable medicines.

I was pleased the principles we presented to and, in many instances, forced on the USTR are reflected in the final agreement. Our gains include a labor-specific enforcement mechanism

for new labor standards, a review body to ensure Mexico is meeting its obligations, penalties for goods and services not produced in compliance, and robust resources for monitoring and enforcement.

Despite the President's rhetoric, this agreement will not bring back U.S. manufacturing jobs or undo the damage of outsourcing provisions in the Republican tax law. Despite our best efforts, it lacks more robust climate standards, labor and environmental terms, and protections for food and product safety. So, it is not the model for the future.

Wage stagnation in America is not the inevitable result of globalization and technology. Special interests have shaped government policies that have held down wages and increased inequality.

Nobel-winning economist Joseph Stiglitz said: ''Inequality is not inevitable. It is a choice we make.''

We made progress on this agreement. It is a framework to build on. I support the agreement and pledge to continue our work addressing globalization and trade policy.

Mr. BRADY. Madam Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Madam Speaker, after nearly 400 days since President Trump signed the agreement, we are finally voting on USMCA to deliver real results for the people who make up the backbone of the American economy. This includes our farmers, ranchers, manufacturers, and each and every American family who depends on these industries.

USMCA will bring more than $68 billion in new economic activity, 176,000 new jobs here at home, and an increase of $2 billion a year annually in agricultural exports. These numbers don't lie, and that is only the beginning. Passing USMCA is a big win for the American economy.

Lastly, I can't talk about USMCA without mentioning how big of a win it is for American agriculture, particularly our dairy farmers. Under this agreement, our dairy producers will no longer be subject to Canada's class 6 and class 7 milk pricing programs, policies that have unfairly limited our export potential for years.

Madam Speaker, USMCA is a good agreement. It is a fair agreement, and it is a bipartisan agreement. I am pleased that we are finally voting on this crucial piece of policy and that we can deliver on this promise. I urge my colleagues to vote ''yes.''

Mr. NEAL. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. CUELLAR), a real champion of this agreement.

Mr. CUELLAR. Madam Speaker, I support the USMCA, NAFTA 2.1, because we are doing this in a bipartisan way.

I thank Speaker PELOSI and the working group and Chairman NEAL and his staff for working so hard; my Texas colleague KEVIN BRADY and his staff for working so hard; Ambassador Lighthizer and our friends to the south, the Mexicans, for working together.

My district is the epicenter of trade between the U.S. and Mexico. My city of Laredo handles 14,000 to 16,000 trailers every single day. The Laredo customs district handles 60 percent of all the trade between the U.S. and Mexico.

That means more than $1.7 billion of goods flow between the U.S. and Mexico every day. That is over $1 million every single minute. Trade is good. It means jobs, jobs, jobs.

I thank the committee for adding the signature environmental safeguard, the North American Development Bank. That is total, with the EPA, over $500 million for drinking water and for waste treatment plants.

Members, pass USMCA. It means one thing: jobs, jobs, jobs.

Mr. BRADY. Madam Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. KUSTOFF), the State that helped win Texas' independence.

Mr. KUSTOFF of Tennessee. Madam Speaker, I thank Ranking Member BRADY for yielding. I thank Ranking Member BRADY and Chairman NEAL for their hard work on this agreement.

We know that the U.S.-Mexico-Canada Agreement is vital to our Nation's economy and my home State of Tennessee. Over 200,000 jobs in Tennessee depend on the passage of USMCA, and that includes about 35,000 manufacturing jobs and 10,000 west Tennessee farm operations.

Madam Speaker, the Volunteer State produces almost $14 billion in exports to Canada and Mexico. More importantly, the USMCA updates the 25-year-old trade agreement that we know as NAFTA and modernizes the economic partnership of North America. Frankly, the USMCA will allow Tennessee and our Nation as a whole to achieve greater prosperity.

I thank President Trump for delivering on his promises and creating a better trade agreement for the American people.

□ 1230

Madam Speaker, I look forward to voting ''yes'' on the USMCA, and I urge all my colleagues to do so as well.

Mr. NEAL. Madam Speaker, I yield 1 minute to the gentlewoman from Oklahoma (Ms. KENDRA S. HORN), a real champion of agriculture and small business.

Ms. KENDRA S. HORN of Oklahoma. Madam Speaker, I thank Chairman NEAL for yielding.

Madam Speaker, I rise today in strong support of the passage of the United States-Mexico-Canada trade agreement.

I am proud to support this bipartisan agreement that strengthens trade and is good for both economic growth opportunities and for our workers.

A stronger trading relationship with Mexico and Canada is good for a stronger economy for Oklahoma. These two countries are already the Sooner State's largest trading partners, accounting for $2.4 billion in Oklahoma exports in the last year alone.

This newly-agreed-to USMCA is a monumental step in strengthening this trading relationship. This agreement not only ensures fair trade for Oklahoma businesses and workers—who continue to create world-class products—by guaranteeing that exports that enter Canada and Mexico are all tariff-free, but it also gives Congress the necessary tools of enforcement to combat the high cost of prescription drugs and is good for our workers.

This strongly improves labor standards, as well as allowing workers to compete on a level playing field.

Madam Speaker, I urge my colleagues to support this USMCA and other bipartisan solutions.

Mr. BRADY. Madam Speaker, I yield 1 minute to the gentleman from Michigan (Mr. MITCHELL), a gentleman who was pro trade and pro USMCA the moment that he hit Congress.

Mr. MITCHELL. Madam Speaker, I thank Mr. BRADY for being such a leader on this.

I saw the impact of NAFTA on my State of Michigan, on my community, and my family. Jobs disappeared at an astounding rate, including my dad's job working an assembly line at an auto plant. I saw the unfair treatment of farmers trying to export their products.

I live in a district with a major border crossing to Canada, the Blue Water Bridge. So I also saw the importance of trade with our neighbors. But trade must be fair, balanced, and not disadvantage hardworking American families.

NAFTA failed miserably at that.

USMCA is a massive improvement over NAFTA in more ways than time allows me to detail.

America needs the USMCA. We need it now. So let's finish this drawn-out process, pass the bill, and urge the Senate to proceed with speed.

Mr. NEAL. Madam Speaker, I yield 1 minute to the gentleman from Arizona (Mr. STANTON).

Mr. STANTON. Madam Speaker, I thank the gentleman for yielding.

Passing the U.S.-Mexico-Canada Agreement is essential to creating new jobs and strengthening the economy of my home State of Arizona.

Those of us in border States understand the value of trading with our neighbors, and I can tell you, growing trade relationships with Mexico and Canada is essential to Arizona. This new agreement will offer a big lift to our local companies.

Already in Arizona, nearly 230,000 jobs rely on across-the-border commerce. That means 230,000 paychecks buying holiday gifts, 230,000 paychecks putting food on the table for their families, and 230,000 paychecks contributing to our State's economy.

Today we have a real opportunity for job creators, from multi-national companies, to mid-size and small businesses, from tech workers to farmworkers. There is no doubt that the new USMCA is a win for all Arizonans.

This is a bipartisan agreement. It sets a new standard for creating trade rules that are enforceable, good for American workers, and effectively consider how business is done in the 21st century.

Importantly, it reasserts Congress' role in trade policy.

Madam Speaker, I thank Chairman NEAL and the trade working group for their hard work in getting this deal done.

Mr. BRADY. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. HURD), whose district has a long border with Mexico and who was deeply engaged in the negotiating rounds with Mexico, Canada, and the U.S., my friend from San Antonio.

Mr. HURD of Texas. Madam Speaker, why should all Americans care about free trade with Mexico and Canada?

We should care about the USMCA because just about every aspect of our lives, the food on our table, the clothes on our backs, the fuel in our cars, depends on free trade with Mexico and Canada.

We should care about USMCA because 14 million jobs across the Nation, including the jobs of over half of my constituents in south Texas, depend on free trade with Mexico and Canada.

We should care about USMCA because we live in a world where U.S. military and economic dominance is no longer guaranteed, and a strong North America is essential for us to remain competitive as China tries to replace America as the most important economy in the world.

So let's get the USMCA to the President's desk so we can start talking about increasing North American competitiveness in the rest of the world.

I support this bill.

Mr. NEAL. Madam Speaker, I yield 1 minute to the gentlewoman from Virginia (Ms. SPANBERGER), a courageous congresswoman.

Ms. SPANBERGER. Madam Speaker, I thank Chairman NEAL for yielding.

Madam Speaker, I rise today in support of H.R. 5430.

Last year, Virginia exported $4.3 billion worth of goods to Canada and Mexico. One out of six Virginia manufacturers exports to these two countries, and of these firms, 64 percent are small- or medium-sized businesses.

These businesses are the backbone of our economy, and today they are looking to Congress to take this vital step towards securing long-term trade stability.

Earlier this month, I made that point clear at a meeting with the vice president. During our discussion, I underscored the USMCA's potential to stimulate growth across the Seventh District of Virginia.

For central Virginia businesses, today's vote is a welcome step forward towards modernizing NAFTA and staying competitive in the 21st century.

For Virginia's crop and livestock producers, today's vote means protecting and expanding relationships with critical buyers in Canada and Mexico.

And for central Virginia's workers, today's vote carries with it a commitment from our trading partners to live up to their labor commitments.

I know that central Virginia's economy and the hardworking men and women who spur it forward have waited patiently for this day to arrive.

Madam Speaker, I thank everyone for their work on this: Mr. Chairman, Mr. Ranking Member, Ambassador Lighthizer, and my colleagues on the working group.

Madam Speaker, I urge my colleagues to support USMCA.

Mr. BRADY. Madam Speaker, I yield 1½ minutes to the gentlewoman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Madam Speaker, this week represented the best of times and the worst of times.

Yesterday displayed the worst of times by impeaching the President for political reasons and reversing the will of 63 million Americans.

Today, however, represents the best of times by finally voting to approve the USMCA.

This historic agreement, which has been held up by Speaker PELOSI for over a year, will bring 176,000 new jobs and spur $68 billion in new economic activity. It removes trade barriers for our ag products, creating new markets for our farmers and helping rural America as a result.

Encouragingly, the auto industry will benefit as well. Just last week, General Motors announced that it would be investing over $1 billion in a truck plant in my home State of Missouri due to the USMCA.

This agreement moves our relationship with Mexico and Canada into the 21st century, and will benefit the American farmer, the American worker, and the American consumer.

I applaud President Trump for delivering on this historic trade agreement.

I look forward to voting ''yes'' on the USMCA and bringing more jobs to our great country.

Mr. NEAL. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ of Texas. Madam Speaker, I rise today to express my support for the United States-Mexico-Canada Agreement and also to sound the alarm of an issue that should concern us all: violence.

To put things in perspective, since 2006, Mexico has lost as many people to homicide as the United States has lost in every war since Korea.

Just in the last 3 years, the number of homicides exceeded the number of soldiers lost in Korea and Vietnam combined, all while we act as if nothing is happening in our own backyard.

Negotiators worked tirelessly to get us here to today's vote, but they failed to acknowledge the single greatest threat to North American trade and prosperity: violence.

I rise today to say that we have missed an opportunity, and I cannot be silent and will not let this go.

Mexican President Lopez Obrador ran on a promise to achieve peace, end the war on drugs, and create a new civilian national guard to tackle organized crime by fighting poverty.

While I have no doubt of his good intentions, he has failed miserably. Mexico's crime rate continues to rise; the endemic mass murders, disappearances, extortions, and assaults in Mexico show no signs of slowing.

Madam Speaker, by accepting this as the status quo and staying silent, we risk standing in the way of our own economic success.

Mr. BRADY. Madam Speaker, I yield 1 minute to the gentleman from Iowa (Mr. KING), a champion of agriculture.

Mr. KING of Iowa. Madam Speaker, I thank the gentleman from Texas (Mr. BRADY), the ranking member of the Ways and Means Committee, and perhaps one of the most successful in modern time.

I am looking at this USMCA trade agreement. I said from the beginning that I would not have opened up NAFTA; it was good for Iowa agriculture, it was good for Iowa manufacturing, it was good for America in many areas. But the President promised that he would open it up and that he would prevail in his negotiations.

He has followed through and he has kept his word.

For a year and a half I have been having discussions with every entity that I can find that has been affected by this trade agreement. They all say, We are better off. They might say, We are marginally better off, but they say, We are better off, until you get to dairy, where we are a lot, lot better off than we were in the past.

This is a terrific trade agreement.

Whatever the nuances were afterwards where there were some changes that didn't affect, I don't think, the district that I represent, what this amounts to is this: It is a huge victory for the President of the United States, for Americans everywhere, for Iowans in the Fourth Congressional District, which is the number one agriculture producing district in all of America.

We are happy. We are delighted. We are thankful to have this Christmas present coming to us.

We say, Merry Christmas, Mr. President; Merry Christmas, America.

Mr. NEAL. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. ALLRED), a courageous congressman.

Mr. ALLRED. Madam Speaker, I rise to applaud the work of my colleagues in both parties on reaching a bipartisan consensus on a trade agreement between the U.S., Mexico, and Canada.

I know that this was no easy task, and today we are poised to pass this historic agreement.

This was a priority for me, and I worked tirelessly to ensure that the administration, my colleagues, and House leaders knew how important this was for Texas.

For Texans, trade with Mexico and Canada isn't just a textbook exercise or abstract policy issue; it is real jobs for more than 36,000 Texans in my district.

Businesses across north Texas rely on supply chains between our three nations to manufacture, distribute, and sell goods and services. We must give them certainty and stability.

Madam Speaker, I urge my colleagues to vote ''yes.'' This job-creating agreement will shift the trade paradigm and create a new standard for trade that will protect workers and the environment both here at home and across the North American continent.

Madam Speaker, I thank Chairman NEAL and the working group and Ambassador Lighthizer for their work on getting this across the line.

Mr. BRADY. Madam Speaker, I yield 1 minute to the gentleman from Michigan (Mr. HUIZENGA), a leader of ag and autos.

Mr. HUIZENGA. Madam Speaker, I rise in strong support of the United States-Mexico-Canada trade agreement negotiated by President Trump and his team, as well as the strong leadership here in the House.

For more than a year, I have called on Speaker PELOSI to have this vote on this trade agreement. I am glad the day has arrived.

The stakes for Michigan are extremely high. One estimate is 38.9 percent of Michigan's total GDP depends on trade, the highest in the Nation. A staggering 65 percent of the State's exports are bound for Canada and Mexico.

Trade with our Nation's neighbors support more than 338,000 Michigan jobs.

Ratifying the USMCA will lead to more than $30 billion in investment in new automotive manufacturing in the U.S. and create more than 75,000 jobs for American auto workers.

Passing the USMCA is also vitally important to our agricultural community. Michigan's food and agricultural exports total approximately $1.98 billion annually and support roughly 805,000 food and agricultural jobs.

This agreement will level the playing field for our farmers, growers, and producers, and expand market access for commodities such as dairy goods, poultry, and eggs.

This is a win for Michigan workers, farmers, and job creators, and I support this bill.

Mr. NEAL. Madam Speaker, I yield 1 minute to the gentlewoman from Minnesota (Ms. CRAIG), who I can assure everybody was an assertive advocate for this agreement.

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Ms. CRAIG. Madam Speaker, I rise today in support of USMCA.

This trade agreement is a win for Minnesota's family farmers and small business owners. It protects American workers and creates certainty and new opportunity moving forward with our largest trading partners.

I have walked on farms across my district with the families who feed, clothe, and fuel this country. One thing is clear: Years of tough prices, severe weather, and trade issues have taken their toll. They need this trade agreement now.

I am proud to have worked to eliminate the handouts to Big Pharma from the original draft. My commitment is to work with this administration when it benefits our community and stand up to them when it doesn't.

This is a good deal for American farmers, workers, and businesses. I urge my colleagues to vote in favor of this important trade agreement.

Mr. BRADY. Madam Speaker, I am pleased to yield 1 minute to the gentleman from Tennessee (Mr. DESJARLAIS).

Mr. DESJARLAIS. Madam Speaker, I rise today to support the United States-Mexico-Canada Agreement that will replace the outdated North American Free Trade Agreement.

USMCA opens new markets for American agriculture in Canada, returns manufacturing jobs outsourced to Mexico to our own country, and is the first U.S. trade deal to focus on cross-border commerce for small businesses, easing rules and regulations to level the playing field for startups and entrepreneurs.

Our economy is already strong. Jobs and income are growing, especially for working and middle-class Americans. My home State of Tennessee is a manufacturing and transportation hub, and small business jobs and wage growth there lead the Nation. The USMCA will further strengthen our economy.

However, the President's opposition, who just yesterday voted to impeach him, have for years obstructed the agenda my constituents, as well as Democrats and Republicans around the country, supported in 2016.

We have succeeded, despite unrelenting resistance. Donald Trump has shown courage and determination that has resulted in a pending trade deal with China. Combined with tax cuts, reduced regulations, and American energy independence, these trade deals and others the President has produced will continue our remarkable economic progress, as well as strengthen national security.

I am proud to support the USMCA for Tennessee farmers, manufacturers, and small businesses.

Mr. NEAL. Madam Speaker, I yield 1 minute to the gentlewoman from Michigan (Ms. STEVENS), a ferocious advocate.

Ms. STEVENS. Madam Speaker, today, we rise to pass a trade deal for the middle class. Today, we rise to strengthen the protections for the workers. Today is a great day, for today, we are standing up for our manufacturers and our manufacturing economy.

To all the suppliers in my district who advocated, who reached out, who asked for the certainty for their workforce, for the investment, today, we are getting something done for you. We do not say Republican or Democrat, but we say manufacturing. We say hoorah for the middle class, for the growth and the expansion for our middle class.

We came here to champion our manufacturing economy. We came here to get something done, to reach a compromise, to shed the awful effects of the original NAFTA, and to deliver yet again for people. That is what we are here for in our majority.

Mr. BRADY. Madam Speaker, I am proud to yield 1 minute to the gentleman from Washington (Mr. NEWHOUSE).

Mr. NEWHOUSE. Madam Speaker, today has been a long time coming for President Trump, the American people, and the American farmers and ranchers.

Our vote today ensures that we deliver on our promise to bring fair and equitable trade with our closest trading partners, Mexico and Canada.

In my home State of Washington, exports to Canada and Mexico totaled $11.3 billion in 2018, and trade-related jobs amount to nearly 40 percent of all jobs in the State.

I have heard from farmers, ranchers, and manufacturers in every county of central Washington. They all agree that today's vote to pass USMCA is exactly what we need.

Most importantly, USMCA maintains duty-free access for U.S. agriculture products, including the iconic Washington State apple, which accounts for nearly $450 million in exports annually.

The USMCA goes even further to advance access for the U.S. dairy and wine industries, two substantial drivers for Washington's economy.

Madam Speaker, I am proud today that we are delivering USMCA for my constituents.

Mr. NEAL. Madam Speaker, I yield 1 minute to the very capable gentlewoman from New Mexico (Ms. TORRES SMALL), who once even followed me into the coffee shop to advocate on behalf of this agreement.

Ms. TORRES SMALL of New Mexico. Madam Speaker, I thank President Trump, congressional leadership, Chairman NEAL, Ranking Member BRADY, and members of the USMCA working group for fighting to make significant improvements to the out-of-date NAFTA agreement.

This is a win for New Mexico's workers, small businesses, agricultural producers, and our economy as a whole.

In my conversations with constituents from across southern New Mexico, I have seen just why NAFTA is out of date and why USMCA will be a better deal.

Dairy producers in Belen and Roswell have talked with me about how, even when New Mexican dairies aren't selling directly to Canada, increased market access and new pricing will raise commodity prices across the country.

USMCA makes significant progress in protecting American workers by evening the playing field with meaningful enforcement mechanisms that will protect hard-won improvements.

Other New Mexicans, like our world-famous New Mexico chili and pecan growers, now have the certainty of a trade deal.

New Mexico stands to gain real benefits after we pass USMCA today.

Like any deal, it isn't perfect. Environment and enforcement standards can always be improved. But the USMCA is entirely necessary for New Mexico's producers, workers, and consumers.

This deal will deliver for New Mexico. It shows that compromise can be made, that we can put politics aside.

Madam Speaker, I urge my colleagues to vote in favor of USMCA.

Mr. BRADY. Madam Speaker, I am proud to yield 1 minute to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Madam Speaker, I rise in support of the USMCA but also to raise a concern about the inclusion of section 230 language of the Communications Decency Act.

This act gives broad legal immunity to Big Tech, which, in turn, uses it as a shield from accountability. It is important that this provision is not—I state ''not''—included in future trade agreements.

The behavior of Big Tech has been the subject of substantial scrutiny. Much of this scrutiny revolves around the appropriateness of maintaining this immunity clause.

On a daily basis, new concerns are raised about section 230, including illegal drug sales, child exploitation, terrorist recruitment, political bias, revenge porn, deepfakes, and many more. Section 230 has played a significant role.

When Speaker PELOSI and I agree on an issue, there is some there there.

I encourage my colleagues to support the USMCA but again raise the issue about section 230. Its continued merit on how it would apply to both trade agreements and everyday application demand modification due to its lack of accountability.

Mr. NEAL. Madam Speaker, I yield 1 minute to the gentlewoman from Iowa (Mrs. AXNE). I can assure the people of Iowa that she advocated on behalf of this agreement.

Mrs. AXNE. Madam Speaker, today, a lot of hard work is paying off with the passage of USMCA.

I thank my colleagues who crafted this agreement that gives market stability to farmers, protects Iowa workers from having their wages undercut, and helps reduce the high cost of biologic drugs. It even has important environmental protections.

I know my farmers, producers, and agriculture workers are celebrating the passage of USMCA today.

Everywhere I go, the message has been clear: We need USMCA because of uncertainty in our markets.

We now have that deal.

The House has done a great job, but the Senate already said they won't take up this agreement anytime soon.

It will pass today with bipartisan support. Whenever the Senate chooses to bring it up, it will pass with bipartisan support then, as well. The same Senators who have blamed the House for not moving this forward quickly enough are now stopping the USMCA from becoming law.

Iowans and Americans are asking for help, and we must get this deal done.

I am proud to have fought for a better trade agreement that works for Iowa, and I encourage those of us to vote for it in the House and for the Senate to take it up for a vote to make life better for people across the country.

Mr. BRADY. Madam Speaker, I am proud to yield 1 minute to the gentleman from Pennsylvania (Mr. KELLER).

Mr. KELLER. Madam Speaker, I rise today in support of the United States-Mexico-Canada trade agreement. While I am glad we are here today, this moment is long overdue.

While Democrats have been focusing on impeaching President Trump, manufacturers and family farmers in Pennsylvania's 12th Congressional District have been waiting for the trade deal to be ratified. That is because this trade deal means a lot to the hardworking people and farmers of Pennsylvania's 12th Congressional District.

Just take the positive effect the USMCA will have on Pennsylvania's 12th Congressional District farmers. Pennsylvania's 12th Congressional District is home to more than 10,500 farms, 98 percent of which are family farms. Moreover, our district is responsible for 18 percent of Pennsylvania's agriculture products.

The provisions in this deal eliminating Canada's class 7 milk pricing program, increasing corn and soybean exports, and many other improvements will make a huge difference for those family farms.

More important is the leverage that gives the United States when negotiating additional trade deals.

It is no surprise that when Speaker PELOSI agreed to the USMCA, China agreed to the Phase One trade deal that President Trump had been negotiating for the benefit of our country.

Again, USMCA is long overdue, but I am glad we are finally here to be able to support America in this trade deal.

Mr. NEAL. Madam Speaker, I am glad to yield 1 minute to the gentleman from California (Mr. COSTA), who is an assertive advocate of USMCA.

Mr. COSTA. Madam Speaker, I rise to recognize all the hard work it took to reach this agreement for the United States-Mexico-Canada Agreement: Chairman NEAL, Chairman BRADY, Chairman BLUMENAUER, the good work of Ambassador Lighthizer, the working groups the Speaker put together, and the Speaker's desire to see this get across the finish line.

It is important to update NAFTA for the sake of the American workers and our agricultural economy.

This agreement will improve opportunities for good-paying jobs in America by updating labor protections and standards in Mexico that can be enforced.

The agreement goes a long way to improve environmental standards and clean up cross-border pollution between California and Mexico and other border

With nearly half of California's agricultural products destined for foreign markets, the certainty this deal brings to relations between our two largest trading partners, Canada and Mexico, cannot be overstated.

I was glad to be a part of this bipartisan effort to bring people together for today's vote.

I congratulate the President. The fact of the matter is, this is good for America, good for working people, and good for agriculture.

Madam Speaker, I look forward to supporting USMCA, and I urge my colleagues to do the same.

Mr. BRADY. Madam Speaker, I am pleased to yield 1 minute to the gentleman from Minnesota (Mr. HAGEDORN).

Mr. HAGEDORN. Madam Speaker, after advocating for USMCA this past year, I am excited to vote for it today.

Not only will this deal expand trade with Mexico and Canada, but it is going to help us build momentum for deals with other nations, like China, Vietnam, and so forth. It is going to be great for our country.

One quick example of how this helps the American people, particularly farm families: Over the summer, Farmers for Free Trade rallied in our southern Minnesota district for USMCA. We were at the Hoffman Dairy Farm, about 15 miles south of New Ulm. The Hoffmans are sixth-generation dairy farms. They said that it has been 5 or 6 years of tough commodity prices—low prices, high input cost. They needed a win.

Our market for dairy has been shut out of Canada, virtually, with 300 percent tariffs. USMCA is going to knock down those tariffs, allow more exports, create more demand, help families like the Hoffmans, and help our country. I urge everyone to vote for the agreement.

Madam Speaker, as the first member of Minnesota's congressional delegation to support the USMCA, I am thrilled to finally have the opportunity to vote for the implementation of this agreement.

The USMCA is a long overdue, much needed and well-deserved bipartisan win for the American people. The agreement is a win for our workers, businesses, farmers and families in Minnesota's First District and throughout the nation.

It will open new markets, expand economic opportunity and create new high-wage jobs,

build momentum for trade deals with China and other nations, and help protect and promote our rural way of life in southern Minnesota.

We are already seeing evidence of this momentum with the United States and China announcing a "Phase One" trade agreement just days after the bipartisan agreement on USMCA was reached.

I am personally hearing from the farmers back home that they are relieved to finally have some market certainty after six years of low commodity prices. Especially our dairy farmers, who for the first time will have access to the Canadian market.

USMCA is also a boon to manufacturers who will continue to have duty-free access to Canada and Mexico, the industry's largest export markets—creating tens of thousands of new jobs and adding nearly $70 billion to the U.S. economy as a whole.

I will vote "yes" on this agreement, I urge my colleagues on both sides of the aisle to do the same, and I hope the Senate will move quickly to ratify the deal and send it to President Trump's desk so that the agreement can be implemented as quickly as possible for the American people.

Mr. NEAL. Madam Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. CUNNINGHAM), and I want to recognize the critical role that he played in getting us to this bipartisan negotiation of USMCA.

Mr. CUNNINGHAM. Madam Speaker, today, I am proud to rise in support of USMCA.

As the Representative of South Carolina's Lowcountry, which is home to the Port of Charleston, Volvo, Bosch, JW Aluminum, Becton Dickinson, and countless other manufacturers, I know just how important market stability and trade certainty is to my constituents.

I promised the people of the Lowcountry I would come to Washington to work with Democrats and Republicans in Congress, the White House, and anyone else necessary to find bipartisan, commonsense solutions to issues impacting our district. Passage of USMCA is a major step in that direction.

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Nearly 30,000 jobs in our district are supported by trade with Mexico and Canada. This agreement is absolutely critical to maintaining good-paying jobs and economic growth in the Lowcountry.

I urge all of my colleagues on both sides of the aisle to support passage of the USMCA to bolster America's economy, support workers, and protect the environment.

Mr. BRADY. Madam Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. HILL), my friend, a leader of trade policy in the George H.W. Bush administration.

Mr. HILL of Arkansas. Madam Speaker, I rise today in support of the USMCA, and I want to congratulate my friends, Mr. BRADY from Texas and Mr. NEAL, for their leadership in the House Ways and Means Committee. It is a great victory for their hard work and perseverance.

As a member of the USMCA Republican House Whip Team, I was proud to advocate on behalf of this much-needed update to NAFTA.

Twenty-seven years ago, I worked for President Bush 41 and worked on supporting his goal of North America becoming the world's premier economic market. How pleased he would be to be here today and see this bipartisan support to update the North American trade market for a new generation.

Impressive, indeed. We will take converts to free trade every day, even if some of them are overnight converts.

The Senate must act expeditiously now to convert this dream to a reality and benefit the 100,000 Arkansans who live and die by trade with Canada and Mexico.

Congratulations to President Trump and Ambassador Lighthizer on this historic victory, and Happy New Year to the economic region in North America.

Mr. NEAL. Madam Speaker, I yield 1 minute to the gentlewoman from Illinois (Mrs. BUSTOS), a well-regarded Congresswoman whose district I have visited.

Mrs. BUSTOS. Madam Speaker, I appreciate Chairman NEAL for yielding me the time.

In my congressional district, I represent more than 9,600 family farms and 90,000 labor households. I have toured my district many times and was fortunate enough to bring the Speaker of the House into the State of Illinois over the summer to meet with our family farmers.

Trade is one of the top issues people back home bring up to me, and the message that they deliver is loud and clear: We need a strong trade deal with broad-based support to help both America's farmers and our labor communities.

I have worked to help bring parties to the table and reach a deal that works for everyone. I am proud to say that the United States-Mexico-Canada trade agreement is that deal.

The USMCA outlines protections for labor that will make America better prepared to expand opportunities for our workforce. It builds on trade relationships critical to our agriculture markets, and it represents the strongest trade enforcement mechanisms our country has ever seen.

I am proud to cast my vote to support this step forward and to help build the foundation for future trade agreements.

Mr. BRADY. Madam Speaker, I yield 1 minute to the gentleman from South Dakota (Mr. JOHNSON), an agriculture leader from the Mount Rushmore State.

Mr. JOHNSON of South Dakota. Madam Speaker, so often in this political environment, victories bring with them a winner, but many more losers. Today is different. Today is a celebration. Today brings with it a bounty of benefits to a multitude of winners.

If you are a dairy family, today you are a winner.

If you are a middle-class family, today you are a winner.

If you grow wheat, if you write code, if you process cheese, you are a winner today.

So often in this Chamber we lament deals that could have been, but today is a deal we are celebrating, with $2 billion of new agriculture exports, with 176,000 new jobs, with $68 billion of real growth in this economy.

Madam Speaker, today, 300 million Americans are winners.

Mr. NEAL. Madam Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR), a very good friend of mine.

Ms. KAPTUR. Madam Speaker, I thank the chairman for yielding me the time.

I rise in opposition to NAFTA 2, which has been rebranded the USMCA.

First of all, it is being rushed through at the last moments of this session without the majority of Members even able to read it or participate in hearings on it.

Number two, it will not stem the continental outsourcing of U.S. jobs, and, sadly, and most importantly, it will not achieve the real enforcement by the Governments of Mexico or the United States.

For over 10 years, I have been trying to get the Government of Mexico to arrest and prosecute the brutal murderers of Santiago Cruz, a Mexican national fighting against the huge continental labor trafficking of his countrymen. He was educating his fellow farmworkers that they did not have to pay a bounty of $8,000 to come to this country to work in our fields as they became indentured workers.

Despite my over 10 years of efforts to bring justice to his brutal killers, Mexico behaves as if this crime never occurred. Why should I believe Mexico will enforce anything?

Furthermore, about a month ago, we saw the President of Mexico not able to keep control of his own streets, and he released the son of El Chapo, the drug lord. What makes you think this administration or the one in Mexico will do anything to enforce the laws that USMCA purports to support?

I urge all of my colleagues to vote "no."

Mr. BRADY. Madam Speaker, I yield 1 minute to the gentleman from Indiana (Mr. BAIRD).

Mr. BAIRD. Madam Speaker, for several months now, I have been very vocal about the importance of passing the USMCA for Indiana. I have heard from constituents about their desire to get this deal done. I have also encouraged my colleagues to push for a vote.

So I applaud the leadership to get this historic deal accomplished. Today's passage of USMCA will give businesses and farmers across our district increased opportunity to grow.

In 2018, our State exported more than $18 billion to Mexico and Canada. Under USMCA, that number will rise.

This trade deal is a big win for our automotive industry and agricultural community and for the protection of our intellectual property. With this improved trade agreement, we will see better market access and job growth here at home.

I am proud to support the passage of USMCA and look forward to supporting more victories for the U.S. economy.

Mr. NEAL. Madam Speaker, I yield 1 minute to the gentleman from New York (Mr. BRINDISI), a very accomplished gentleman.

Mr. BRINDISI. Madam Speaker, I want to thank the chairman for yielding and thank him for his work and the work of the Trade Working Group for their tireless effort to get this deal done.

I rise today in strong support of this legislation and for swift approval of USMCA.

We need to make sure that New York's workers, farmers, and small businesses have a fair shot at success. That is why I worked hard with Members on both sides of the aisle and the administration to get this deal to the finish line.

There are many reasons to support this agreement, such as stronger labor and environmental standards, but I will use my brief time to highlight the impact this will have on upstate New York's dairy farmers.

I have heard from dairy farmers across upstate New York about the need to get more milk to market, boost milk prices, and crack down on unfair Canadian price supports, which USMCA will do.

USMCA will help family farms, help manufacturers, and protect workers, and I urge swift passage of this agreement.

Mr. BRADY. Madam Speaker, I am proud to yield 1 minute to the gentleman from Ohio (Mr. DAVIDSON), a manufacturing champion.

Mr. DAVIDSON of Ohio. Madam Speaker, I thank the chairman for yielding.

It is an honor to stand in support of the U.S.-Mexico-Canada trade agreement.

Trade is a vital part of our economy. It has made America the world's land of opportunity. We have been a vital part of the world's economy.

Certainty is needed in trade right now. This deal certainly isn't perfect, but far too often here in Congress we let perfect become the enemy of good.

Frankly, we have a choice between no NAFTA, NAFTA, or an improved NAFTA, so it is not a hard multiple choice test. It is an improvement, and I look forward to continuing to work to advance the cause of capitalism and free trade in the United States of America.

Opportunities are going to make things better for Ohio's Eighth District, from manufacturing to agriculture, to financial services, and I thank everyone who has had a hand in making this come to fruition.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS), a very capable Congresswoman.

Mrs. DAVIS of California. Mr. Speaker, I thank Chairman NEAL for yielding.

Trade negotiations are not for the faint of heart. Few votes have generated more passion in this Chamber than votes on trade agreements. That is why I am so glad that we finally have an agreement that Members from both sides of the aisle can support.

It is no secret why that is. This is an agreement that sets up, for the first time, facility-level inspections to make sure that workers' rights are being honored, and it removes the onerous IP provisions that have made their way into far too many trade agreements in recent years.

Finally, as a Member from the San Diego region, it is important to have an agreement like this that both preserves and improves the binational partnership that defines the larger community.

This agreement lays the groundwork for the Federal Government to finally address the longstanding pollution flowing from the Tijuana River into San Diego Bay, which impacts both the health of our community and our military.

Mr. BRADY. Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Mrs. DINGELL), a very capable Member of the House.

Mrs. DINGELL. Mr. Speaker, I thank the chairman for all of his hard work on getting us here today.

We have to be honest: This trade deal won't undo the deep damage NAFTA 1.0 has done to our American workers, American manufacturing, and our environment. Today, factories sit empty in Michigan and across my district, while workers are unable to compete with subpar nonunion workers in other countries.

A new trade agreement is not just going to uproot those factories from overseas and bring them back home, but we fought hard to improve the original deal because what the Trump administration first proposed wasn't enough. Democrats fought for stronger labor and environmental standards and tougher enforcement mechanisms.

This agreement has earned my vote because of the significant improvements made over the last year in NAFTA 1.0, but our work is still there to strengthen American manufacturing, protect our environment, invest in our workers, and make sure we keep America at the forefront of innovation and technology.

Mr. BRADY. Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. DELGADO), a very capable Congressman and my neighbor.

Mr. DELGADO. Mr. Speaker, I thank the chairman for yielding.

My district, New York's 19th Congressional District, is home to nearly 5,000 farms. These are not large or corporate operations. They are small family farms passed down from one generation to the next.

These family farmers across my district—dairy, organic, vegetable, and diversified farmers—are being squeezed by market consolidation, lower prices, and unfavorable conditions during this downturn in the farm economy.

Today, the House has an opportunity to provide a long-overdue tool for their success—in a word, stability. The USMCA will maintain and, in some cases, increase, for our farmers, access to critical markets in Canada and Mexico.

I will cast my vote to ratify this important agreement with strength and protections for American workers and organized labor, as well as facility-specific enforcement mechanisms for these new terms.

I will close with a reminder.

This is not a panacea. Our small farmers are facing significant headwinds, and it is our duty, as a body, to support this time-honored tradition in upstate New York and across our country.

Mr. BRADY. Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 30 seconds to the gentleman from Michigan (Mr. LEVIN), my friend.

Mr. LEVIN of Michigan. Mr. Speaker, I thank my colleague for yielding.

The threshold question for any NAFTA replacement must be whether it will finally stop the outflow of American jobs and raise the standard of living for Mexican, Canadian, and, of course, American workers.

My Democratic colleagues have worked tirelessly to ensure NAFTA's replacement leads to positive change, and I thank them for their efforts which have improved the deal President Trump originally negotiated.

But these improvements will not be enough to overhaul the entrenched system in Mexico that denies workers their rights, keeps wages unconscionably low, and, consequently, incentivizes companies to ship jobs to Mexico.

The SPEAKER pro tempore (Mr. BRINDISI). The time of the gentleman has expired.

Mr. NEAL. Mr. Speaker, I yield the gentleman from Michigan an additional 30 seconds.

Mr. LEVIN of Michigan. It incentivizes companies to ship jobs to Mexico and out of our communities like mine in southeast Michigan.

Mexico has not demonstrated the will, meaningfully, to reform its labor system, and the weakness of USMCA's enforcement mechanisms mean that we will not be able to hold Mexico's feet to the fire when promised reforms do not occur.

I genuinely hope I am wrong about this, but I fear we can expect the USMCA will perpetuate the harms of

NAFTA for Mexican and American workers alike; therefore, I oppose this legislation.

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Mr. BRADY. Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Mrs. FLETCHER), who is very capable.

Mrs. FLETCHER. Mr. Speaker, I rise today in support of this USMCA agreement. In my home State of Texas, trade with Mexico and Canada accounts for billions of dollars and millions of jobs, many of them at the Port of Houston and in the greater Houston area.

The USMCA modernizes the framework for our trade, strengthening enforcement, labor, and environmental provisions in an updated agreement that does not adversely impact our businesses, our workers, or our environment.

It is also critical for our energy future, codifying a new zero-tariff policy and further encouraging U.S. energy exports across North America for years to come.

The agreement represents a true bipartisan accomplishment that will set the standard for future trade agreements.

Mr. Speaker, I want to thank Chairman NEAL, the working group, Ranking Member BRADY, and Ambassador Lighthizer for their work. As cochair of the New Democrat Coalition Trade Task Force, I have been actively working with them to advance this agreement all year. I am so glad to see it come to the floor of the House. I encourage my colleagues to vote ''yes''.

Mr. BRADY. Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I am prepared to close.

Mr. BRADY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, Texas is made for trade. No State ships or sells more around the world than the Lone Star State, and especially in my home region in the Houston area of the Eighth Congressional District of Texas.

So many of our jobs depend on free and fair trade, almost 1 million in our State alone. The new USMCA is incredibly vital and incredibly important for us because our two largest trading partners are our friend and neighbor, Mexico, and Canada as well.

I want to thank President Trump for bringing this trade agreement to reality. Like other Presidential candidates, he pledged to renegotiate NAFTA. Unlike any others, he delivered. He was convinced that we could rebuild bipartisan trade here in America by insisting on a fair and level playing field for American workers, and he was exactly right.

Earlier, when he championed tax reform, he did that because every expert and every other Presidential candidate, including Democrats, said: manufacturing in America is dead, just give up, it won't come back.

He believed otherwise, and so did Republicans; and because of our GOP tax cuts and his balanced regulations, we have created over a half a million new manufacturing jobs right here in America over the last 2 years.

I want to thank Ambassador Robert Lighthizer for being the architect of this trade agreement. I will tell you, Mr. Speaker, I was a skeptic when he said that we can rebuild bipartisan trade and we can fulfill many of the Democrats' labor and environmental wishes that no other President had ever delivered. So he proved me wrong.

Working closely with Chairman NEAL and others, he, in the original trade agreement of the USMCA a year ago, produced the most pro-labor and pro-environmental trade agreement in American history. In the last few months he has worked closely with Democrats to fine-tune that agreement so that these issues are enforceable. Republicans support that enforcement.

I also appreciate the leadership of Chairman NEAL, without whom we would not be here today. And I want to especially thank my trade staff led by the remarkable Angela Ellard, Josh Snead, David Giordano, and someone whose last day is with us here, Blake Harden as well.

During my time on the Ways and Means Committee, I have been proud to help lead the passage of 12 of the trade agreements America has in place today and two updates of the Trade Promotion Authority that lays out the trade rules for the White House and Congress to follow. So for me this is number 13.

I believe in the freedom to trade, and I truly believe it is the greatest economic freedom we possess. It lays at the heart of our free enterprise system. As Thomas Jefferson wrote: ''Commerce with other nations is not only necessary and beneficial to all parties, it is a right and a duty.''

It is the freedom to buy, sell, and compete anywhere in the world with as little government interference as possible. It is a freedom that if we build a better mousetrap, then we can sell it anywhere in the world; and when someone else builds a better mousetrap, then we have the freedom to buy it for our family and for our business. That economic freedom has lifted millions out of poverty and provided opportunity, prosperity, and peace, not just for ourselves but for the world.

That is why it was so disappointing the Democrats held up moving forward on this agreement for so long because every day of delay helped China, helped Europe, and helped other countries. This was long overdue.

But the truth of the matter is, we are here today and we have pulled together in a historic vote. America is made for trade, and with our new, strong economy—the most competitive economy today in the world—we need more customers all around the world. That is what this trade agreement does. It delivers on new customers and delivers on new prosperity.

I will close with this, Mr. Speaker. On the Ways and Means Committee I hold a seat formerly held by President George H. W. Bush and former Chairman Bill Archer. When President Bush signed this agreement in San Antonio, he said this so many years ago:

> This agreement is an achievement of three strong and proud nations and expresses our confidence in economic freedom and personal freedom in our people's energy and enterprise.

It is an honor to vote today in support of the States U.S.-Mexico-Canada agreement that embraces and enhances economic and personal freedom. Members of Congress should take pride in this work that they have put in to make today's debate on today's trade agreement a reality.

Mr. Speaker, I yield back the balance of my time.

Mr. NEAL. Mr. Speaker, I yield myself the balance of my time.

So on this occasion, Mr. Speaker, we conclude after 14 months of negotiating a hemispheric trade agreement—no small matter and no small accomplishment. It included a visit with the delegation to Mexico to meet with the President of Mexico, President Lopez Obrador. It included a delegation that visited Prime Minister Trudeau in Canada and intense negotiations in both countries, and I think it is fair to say that the conversations in both countries were indeed very spirited.

But before I go to more of the specifics, we would not have gotten here without some very important and critical moments of focused and diligent work by Members of the House and the staff that got us to where we are today.

First, an acknowledgment to Speaker PELOSI, who from day one said that the game plan is to get to yes. Her leadership to get the deal across the line, I think, was matched almost by her top trade adviser, Katherine Monge.

Let me thank the working group members, Trade Subcommittee Chairman BLUMENAUER and his staff Laura Thrift and David Skillman; Representative THOMPSON and his staff, Jennifer Goedke; Representative LARSON and his staff, Scott Stephanou; Representative TERRI SEWELL and her staff, Rob Nuttall; Representative JIM GOMEZ and his staff, Sam Negatu; Representative ROSA DELAURO and her staff, Jack Spasiano; Representative SCHAKOWSKY and her staff, Syd Terry and Osaremen Okolo; and Representative SUZANNE BONAMICI and her staff, Allison Smith.

I want to thank the House Legislative Counsel, Mark Synnes and Kalyani Parthasarathy for their expertise, creativity, and many hours of hard and good work with our staff to prepare this legislation that is more than 200 pages long. They represent the very best of this institution's professionalism.

For the support of colleagues and staff that I received from the diplomatic corps in Mexico City and Ottawa, we should express our gratitude as well to Ms. Elizabeth Hoffman at

our Embassy in Mexico City for her extraordinary talents and efforts to support our attempts as we got to yes.

I have great confidence and belief in the staff members at the Ways and Means Committee, and, yes, on both sides. So I want to thank my committee staff who have worked tirelessly on this agreement: Chief Trade Counsel and staff director of the Trade Subcommittee, Katherine Tai, who led us through the process along with her staff, Keigan Mull, Julia Friedman, Katie White, Alexandra Whittaker, John Catalfamo, and Kate Connor Linton. They were supported by a cast of very bright fellows and interns, Brishailah Brown, Chenoa Lee, and Tiffany Venmahavong.

I also want to thank our colleagues across the aisle. Especially I want to acknowledge today the role that Ambassador Robert Lighthizer played in this. There is something to be said for the experience of Capitol Hill and having been a former staff member. Time and again we thought we weren't going to get to where we wanted to be. And there were some moments, I would say, of incendiary commentary back and forth. Though there were many threats to leave the negotiation, it never materialized because a long walk through this Capitol can solve a lot of challenges.

Mr. BRADY was invaluable as well, and his committee staff, Angela Ellard, Josh Snead, Blake Harden, and David Giordano all played a very important role here.

This really is a bipartisan agreement, and I hope and expect that the challenges to USMCA will allow H.R. 5430 to enjoy broad, bipartisan support.

I certainly am urging support for this because of the following: it bolsters workers' rights; it corrects earlier Trump administration backsliding on environmental obligations to get us to this trade agreement; it eliminated many big giveaways to companies that would have locked in high medicine prices, and it preserves Congress' freedom to legislate to bring those prices down; and it incorporates the strongest enforcement mechanisms, including specifically enhanced mechanisms for enforcing labor rights in any U.S. trade agreement.

There are three titles that are devoted to the United States Government and our role: monitoring and enforcement of USMCA partners' obligations, monitoring and enforcement of USMCA partners' environmental obligations, and more than $843 million over 4 years that will be dedicated to monitoring and enforcement of labor and environmental obligations, including funds for education and training of workers and inspectors.

We would not have gotten here today, however, without the important considerations of organized labor and the honorable men and women of the AFL/CIO and the Teamsters. We had broad support by including them in the negotiation and the discussions. This agreement is much the better for it, but it also is the signature accomplishment for all of us who had a chance to participate in it.

Every once in a while, Mr. Speaker, you get to participate in these it-will-never-happen moments, and I believe that this indeed is one of them. So we also thank the NETWORK Lobby for Catholic Social Justice, American Chemistry Council, Association for Accessible Medicines, Coalition of Services Industries, Farmers for Free Trade, Information Technology Industry, the National Association of Manufacturers, the National Council of Textiles Organizations, The Software Alliance, and, indeed, many others.

I hope that this will serve as a template going forward for the two sides to reach a combination on many of the priorities that expire this year that we will include next year. But, also, I think it is an example of when men and women in this institution of goodwill—not just in the season—but men and women of goodwill can find common occurrence and common ground on an issue, in the end, that is really important to all members of the American family.

Mr. Speaker, I yield back the balance of my time.

Mr. DEFAZIO. Mr. Speaker, twenty-five years ago, I strongly opposed and helped lead the opposition against the North American Free Trade Agreement (NAFTA). While our efforts narrowly failed in the House, I was proud to vote against it.

Then-President Clinton said that the North American Free Trade Agreement (NAFTA) would create thousands of good-paying U.S. jobs and would result in trade surpluses between $9–$12 billion. The reality, however, couldn't be further from the truth, and NAFTA has been an absolute disaster.

After railing against NAFTA and promising to deliver a dramatically improved deal or withdraw from the agreement altogether, President Trump and his administration delivered the United States-Mexico-Canada Agreement (USMCA). By all accounts, the USMCA was nothing more than a continuation of NAFTA's same failed policies.

After months of extensive negotiations between House Democrats and the U.S. Trade Representative (USTR), important improvements have been made to the USMCA on a number of issues, including improvements I have long fought for and helped secure.

After extensive work with USTR, I am proud to have secured provisions in the USMCA that will better enable the U.S. to safeguard our roads. The deal includes language that allows the United States to restrict domestic long-haul services by Mexican trucks in the event of material harm to U.S. trucking suppliers, operators, and drivers. I am pleased that this restriction provides teeth to protect the U.S. trucking industry from unfair trade practices by Mexican motor carriers, and provides for consideration of impacts on driver wages and working conditions, to avoid a race to the bottom in trucking.

I am also pleased that damaging provisions that would have kept prescription drug costs high have been removed. House Democrats were able to successfully negotiate the removal of provisions that would have kept cheaper, generic drugs off the market longer.

Working Americans have been waiting for more than two decades for the opportunity to fix NAFTA's failed policies. Throughout my career I have fought for a truly transformative replacement that supports American workers while safeguarding the environment and protecting consumers. While it is an improvement from NAFTA, I do not believe that the USMCA is that transformative deal, and, as a result, I will be voting against it today.

The fact of the matter is that there is a deeply entrenched system of wage and rights suppression in Mexico. Hundreds of thousands of U.S. jobs were lost to Mexico as a result of this system, and these jobs aren't coming back to our country. Without upending this entrenched system altogether, we will not be able to raise wages and standards for Mexican workers, which means we will continue to struggle to prevent the hemorrhaging of American jobs that are being outsourced to low wage jobs in Mexico. I do not believe Mexico has devoted the funding or the staffing necessary for these changes, nor do I believe this agreement goes far enough in ensuring that workers and the U.S. have the remedies needed to prevent abuses from continuing to occur moving forward. Democratic and Republican administrations have shirked their responsibilities to fight for higher labor standards and fair trade policies, and I do not believe this agreement does enough to prevent those kind of abuses moving forward.

Further, the Republican tax bill enacted in 2017 actually promotes outsourcing by allowing multinational corporations to cut their tax rate in half if they shut a factory in the U.S. and move it to Mexico. I will reintroduce legislation next year to eliminate this incentive.

Beyond this, the USMCA is at its core a deal that will continue to promote pro-polluter, climate-denying policies. There are no substantive provisions to seriously curb air and water pollution, the deal completely ignores climate change, and its environmental enforcement mechanism is not nearly strong enough. We need to do much more to take bold steps to address climate change and to curb corporate polluting.

I am also disappointed that the administration abandoned its original position to eliminate chapter 19. I have long called for the elimination of this unconstitutional chapter which allows foreign tribunals to overrule U.S. trade protections against heavily subsidized foreign imports, and I am disappointed that the administration acquiesced to Canada.

While I don't believe this agreement sets forward a bold vision for a 21st century trade agreement, the reality is that this agreement will become law, and that means the real work of monitoring and enforcing the new provisions will begin. I will push for robust oversight and enforcement of the labor and environmental standards and work to ensure that any and all flaws are appropriately addressed when the USMCA's sunset provisions kick-in six years from now.

I have spent my entire career fighting on behalf of the American worker, including voting against every so-called free trade deal proposed to Congress that undermines our workforce and enables the destruction of our environment. I will continue to fight for truly transformative deals that create a new standard for how trade agreements should support the U.S. and its people.

Mr. Speaker, despite President Trump's promises to fix NAFTA and make a perfect trade agreement that will bring jobs back to the United States, the NAFTA 2.0 agreement signed last year prioritized corporations over American workers. Democratic lawmakers negotiated vigorously to improve the shoddy 2018 agreement, and they should be applauded for their work on the U.S. Mexico Canada Agreement (USMCA). The USMCA marks a significant improvement over the NAFTA 2.0 agreement on issues related to labor standards. The USMCA establishes labor specific enforcement mechanisms, removes NAFTA's Investor-State Dispute Settlement (ISDS) regime, and eliminates huge giveaways to the pharmaceutical industry. While significant strides were made, the agreement ultimately falls short of the critical labor and environmental needs that face our country today. Although I regretfully had to miss today's vote due to a family emergency, I would have voted no on the USMCA.

The USMCA does take long-overdue steps to improve conditions for Mexican workers and remove incentives for companies to move American jobs to Mexico. To be clear, this agreement will do nothing to bring back hundreds of thousands of manufacturing jobs to the U.S., and the Republican's tax bill signed into law last year still contains major incentives for corporations to outsource and offshore jobs. Mexico's promise to provide new labor protections, and the new rules included in this agreement, will help many workers in Mexico. However, the USMCA's enforcement mechanisms simply will not do enough to ensure these new rules are followed and could make it impossible for the U.S. to hold Mexico responsible if these promised reforms do not take effect.

Unfortunately, USMCA fails to address our climate crisis and adequately protect our environment. The agreement does not include enforcement of the Paris Climate Agreement or even the phrase ''climate change.'' It leaves intact NAFTA's incentives for corporations to dodge clean energy policies in the U.S. and leaves enforcement to a NAFTA-style interagency committee with little authority beyond writing reports. The agreement would not address documented pollution dumping and sets no limits on air, water, or land pollution. The deregulatory standards would also make it even harder for the U.S. to set new environmental regulations in the future. It was impossible for me to support this agreement without significantly more robust and binding environmental standards.

I respect and appreciate the hard work and dedication of my Democratic colleagues in transforming President Trump's terrible NAFTA 2.0 agreement into a more robust and fair USMCA. However, because of the weak environmental standards and the lack of robust enforcement of labor rights, I cannot support it.

Mr. MEEKS. Mr. Speaker, I rise in strong support of the US-Mexico-Canada Agreement Implementing Act. Updating NAFTA is crucial to America's workforce and our economy. Our vote today is not just about a trade bill. For our nation, trade has never been singularly about the exchange of goods and services across borders. This bill is about making monumental progress in the fundamental framework of trade negotiations. It is about America's competitive edge, the rights of our workers, the stewardship of our environment, and so much more.

Millions of American jobs depend on trade with Canada and Mexico. NAFTA is a 25-year-old agreement that has long needed an upgrade to meet the demands of our times. American workers and American businesses deserve the best possible update that we can negotiate, I believe that is precisely what we have here.

As a member of the New Democrat Coalition, and a strong supporter of international trade, I have for years fought for the advancement of key New Dem priorities to be included in trade bills. With USMCA I am pleased that under Speaker PELOSI's leadership Democrats negotiated for many of these priorities and they are in this agreement.

I am proud that we fought for and secured stronger labor and environmental provisions and the elimination of language in the implementing bill that would have allowed the administration to unilaterally lower the U.S. de minimis threshold.

The great state of New York shares a border with Canada. New York's connection with its top trading partner, Canada, is strengthened in this agreement. With USMCA, New York's sixteen billion dollars in exports to Canada can increase, jobs are secured, and we lay the groundwork for deeper economic ties while making progress in the best interest of citizens throughout North America.

America's strength has always been undergirded by our prowess in trade. New York has a special place in American history in that regard. With USMCA we safeguard our nation's ability to compete, while being caretakers of our environment and upholding the rights of our workers. After 14 months of negotiations, I am proud to support this bipartisan agreement, and push forward the framework for trade agreements in the years to come. I urge my colleagues to join me in supporting H.R. 5430—The United States-Mexico-Canada Agreement Implementation Act.

Mr. VISCLOSKY. Mr. Speaker, I rise today to oppose the United States-Mexico-Canada Agreement (USMCA).

Throughout my entire career, I have heard the promises of free trade agreements, yet have seen the subsequent challenges faced by steelworkers and the American manufacturing industry.

Specifically, the North American Free Trade Agreement (NAFTA) was rationalized on the promise of creating good-paying American jobs. Instead, this agreement contributed to the loss of over 700,000 American jobs through outsourcing and suppressed American wages. NAFTA has also led to the degradation of our environment through the lack of strong environmental protections and the consequent increase of greenhouse gas emissions in North America.

While I recognize that the USMCA appears to be an improvement over NAFTA, I remain deeply skeptical that it does enough.

For example, the USMCA includes a provision for enforcing labor standards. However, there is a lack of clarity on timelines for certain steps throughout the investigation process, which could delay enforcing penalties on violators of the agreement. I also remain leery that our trading partners have not demonstrated the commitment, fortitude, or track record to faithfully execute the labor protections detailed in this agreement.

Additionally, the USMCA includes a provision to require 40 to 45 percent of the vehicles made in the United States, Mexico, and Canada to be made by workers who earn—on average—at least $16 per hour. However, the calculation requirements for the average wage allows for the inclusion of wages related to research, development, and information technology employees, which could cause the continued suppression of wages for American manufacturing employees.

Further, in regard to environmental protections, the USMCA includes a provision that recognizes pollution as a threat to public health. However, it does not create binding standards and omits essential limits on air, water, and land pollution, which could create more challenges for future generations.

Finally, I would emphasize that advancing the USMCA to the full House for a vote within a week of receiving the text circumvents Congress' responsibility to the American people to thoroughly examine this agreement, which will have profound implications for our workers, our economy, and our environment. I am especially disappointed that this process has not afforded all Members of Congress a real opportunity to debate, amend, or improve this text before final passage.

If we have learned anything from the negative impacts of NAFTA and other free trade agreements, let it be that all Americans and all American workers deserve thoughtful, secure, and truly enforceable trade agreements.

Ms. JOHNSON of Texas. Mr. Speaker, I rise in strong support of H.R. 5430, the United States-Mexico-Canada Agreement Implementation Act. This legislation ratifies the USMCA, an update to the North American Free Trade Agreement agreed to by the governments of the United States, Canada and Mexico last year.

Over the past year, House Democrats have made the USMCA a better deal for the American people. New provisions in this trade agreement improve the original language by strengthening provisions related to labor and the environment. Most importantly, House Democrats fought hard to ensure Congress kept its authority to address the rising costs of prescription drugs by stripping out a giveaway to the pharmaceutical industry that would have locked in high prices for biologics across North America.

As the dean of the Texas Congressional Delegation, I know how important trade is to my state. This is an issue that unites Democrats and Republicans across Texas. Whenever trade is brought up, everyone pays attention because it's one of the drivers of our economy. In North Texas, Canada is one of our largest trading partners, and many goods that are transferred between the three countries in this agreement make their way through North Texas either on our highways, through the DFW International Airport, or through the Union Pacific Dallas International Terminal Inland Port in my district. While the energy sector created jobs and built the economy in North Texas, NAFTA and other trade agreements have only made our economy stronger.

Last year, I invited Ambassador Lighthizer to speak to the Texas Congressional Delegation about the USMCA and the profound impact it would have on our state. Ambassador Lighthizer and his staff at the office of the United States Trade Representative held similar meetings with other congressional delegations and working groups so that they could

understand all points of view on this agreement. Their willingness to work tirelessly alongside House Democrats to make this agreement a better deal for the American people deserves recognition.

Mr. Speaker, trade policy shouldn't be an issue that divides the members of this chamber on partisan or regional lines. We see here today what can be done when both sides come together to advance the causes of American workers, farmers and consumers. I strongly urge my colleagues to vote for this bill.

Mr. HOLDING. Mr. Speaker, it has been over a year since President Trump successfully negotiated the United States-Mexico-Canada Agreement.

This is a good deal that will benefit every corner of the country. USMCA will empower businesses of all sizes to grow and create jobs, and it is a substantial improvement over NAFTA.

Mr. Speaker, as it turns out this week is the 116th Anniversary of the Wright Brothers making the first flight in a powered aircraft. As we all know, the Wright Brothers were innovators and they traveled to North Carolina for this historic achievement.

To this day, North Carolina continues to attract the world's most creative and innovative workforce. One prime example is the enormous amount of pharmaceutical research that takes place. Lifesaving drugs are being made in my back yard and the world is better off for it.

This Administration was successful in getting Mexico and Canada to raise their exclusivity protections for cutting-edge biologic drugs. This was a monumental achievement. It is incredibly disappointing that Democrats sought to weaken these standards and actively worked against American innovators. These standards would have protected the hard work that is done by our health care industry as they work to come up with new cures and save more lives.

By striping these protections from the final agreement—Congressional Democrats have effectively kneecapped the dedicated scientists, doctors and manufacturers working around the clock to develop new cures.

I have a tough time understanding why American lawmakers would actively advocate against the interest of American companies trying to do business abroad.

Ensuring that American innovators' rights are protected in Mexico and Canada would have had no impact on drug pricing. The Ways and Means Committee has been over that topic before, and to insinuate that there is a correlation between protecting our inventions in Mexico and higher drug prices in the U.S. is disingenuous.

While I support the USMCA, the absence of these protections is a missed opportunity and we should do better.

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, trade with Canada and Mexico is a crucial component of our economy. Last year, the U.S. exported just over $565 billion in goods to these two nations. It is estimated that approximately 12 million American jobs rely on North American trade.

Our Nation's trade partnership with Canada and Mexico is particularly important for our state and local economies. In Puerto Rico, for example, exports to these two countries totaled $1.38 billion in 2018. This represents an increase of 161 percent from pre-NAFTA levels in 1993, when exports from the Island to Canada and Mexico totaled just $528.8 million.

Our economy clearly requires that we preserve and strengthen U.S. trade ties with Canada and Mexico. To achieve this, we must pass the U.S.-Mexico-Canada Agreement, or USMCA.

USMCA would not only ensure that U.S. manufacturers, farmers, and service providers can continue to access the Canadian and Mexican markets, but it would also rebalance and modernize NAFTA—our outdated trade agreement—into a 21st century, high-standard trade deal.

For instance, USMCA creates a new digital trade chapter and includes provisions to strengthen intellectual property (IP) protections critical to driving innovation. This is particularly important for jurisdictions like Puerto Rico, which is the top U.S. exporter of pharmaceutical and medicine products.

USMCA similarly seeks to level the playing field for workers by including enforceable labor standards. It is also the first trade agreement with a chapter focusing specifically on small and medium-sized businesses to help them grow and reach new markets.

The U.S. International Trade Commission estimates that USMCA would boost GDP by $68.2 billion and would add roughly 176,000 jobs.

USMCA is a clear win for our Nation.

Mr. RESCHENTHALER. Mr. Speaker, I rise in support of the United States-Mexico-Canada Agreement (USMCA) negotiated by President Trump which will generate new economic opportunities for Pennsylvania workers and families.

Thanks to President Trump's economic policies, earlier this year, Pennsylvania's unemployment hit an all-time low of 3.8 percent. In his first two years in office, the president fostered job and wage growth by enacting the largest tax reform in 31 years and cutting burdensome regulations that handcuffed Pennsylvania employers. But it's the USMCA, his rewrite of the North American Free Trade Agreement, that promises to be an even greater boon for my state's economy and the nation.

Pennsylvania is uniquely positioned to benefit from the USMCA given our strong ties with Canada and Mexico. In 2017 alone, Pennsylvania exported over $10 billion worth of goods to Canada and over $4 billion worth of goods to Mexico. Nearly 500,000 jobs across the state are supported by U.S. trade with our North American neighbors. By removing the red tape required to trade, we can empower job creators to grow their businesses and hire even more workers.

Importantly, the USMCA improves access to international markets for many of the industries that drive our state's economy. Pennsylvania farmers currently export over $1 billion in goods each year to Canada and Mexico. This agreement creates even more export opportunities by eliminating Canada's protectionist dairy program and opening access for chicken and egg exports.

U.S. manufacturing is another key sector that will enjoy new protections under the USMCA. The deal includes stronger rules of origin, meaning more goods and materials, including Pennsylvania steel, will be manufactured in the U.S. Further, the agreement puts in place new enforceable labor standards to level the playing field for American workers and includes new commitments to address non-tariff barriers that currently hinder trade.

The USMCA also includes, for the first time ever, a chapter dedicated to digital trade. I applaud the administration's work to promote digital trade and protect the intellectual property of American innovators. In my district alone, nearly 1,000 people are employed by the movie and television industry and rely on this work to pay their bills and feed their families. It is critical that we build upon the strengths and accomplishments of the USMCA and ensure future trade deals leave adequate space for Congress to work together with the president and American creators to reform and update current copyright laws, including Section 512 of the Digital Millennium Copyright Act, which was written in 1998 and has not kept up with the times. Future trade deals should exclude this provision so that Congress can work in a bipartisan manner to ensure U.S. law better protects the creative professionals living in my district and across the nation.

Mr. Speaker, President Trump has already fostered an economic resurgence through his pro-growth policies, and the USMCA will further that progress. I am proud to support USMCA today.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the order of the House of December 16, 2019, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. NEAL. Mr Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 777. An Act to reauthorize programs authorized under the Debbie Smith Act of 2004.

H.R. 3196. An Act to designate the Large Synoptic Survey Telescope as the ''Vera C. Rubin Observatory''.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 153. An Act to promote veteran involvement in STEM education, computer science, and scientific research, and for other purposes.

S. 2774. An Act to direct the Attorney General to establish and carry out a Veteran Treatment Court Program.

S. 3105. An Act to designate the facility of the United States Postal Service located at