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AMENDMENT NO. _____ Calendar No. _____

Purpose: To prohibit the application of trade authorities procedures with respect to any bill implementing a trade agreement that permits modification of the agreement without congressional approval.

~~IN THE SENATE OF THE UNITED STATES 114th Cong., 1st Sess.~~

~~AMENDMENT N^o 1233~~

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To: *Amcl. No. 1221*
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Page(s)
GPO: 2014 91-623 (mac)

~~AMENDMENT intended to be proposed by Mr. SESSIONS to the amendment (No. 1221) proposed by Mr. HATCH~~

Viz:

- 1 On page 100, between lines *3* *4* ~~20~~ and ~~21~~, insert the fol-
2 lowing:
3 (7) REQUIREMENT FOR CONGRESSIONAL AP-
4 PROVAL.—
5 (A) IN GENERAL.—Notwithstanding any
6 other provision of law, section 103(b)(3) of this
7 Act and the provisions of section 151 of the
8 Trade Act of 1974 (19 U.S.C. 2191) (relating
9 to trade authorities procedures) shall not apply

1 to any bill implementing a trade agreement be-
2 tween the United States and any other country
3 or countries if such trade agreement or imple-
4 menting legislation contains any provision that
5 would permit, without the approval of Con-
6 gress—

7 (i) modifications, amendments, or ad-
8 ditions to the provisions of any such agree-
9 ment or implementing legislation;

10 (ii) modification of the parties to any
11 such agreement;

12 (iii) the adoption of an interpretation
13 of any such agreement, if such interpreta-
14 tion affects United States law or policy; or

15 (iv) the granting of a waiver of any
16 obligation under any such agreement, if
17 such waiver affects United States law or
18 policy.

19 (B) POINT OF ORDER IN SENATE.—

20 (i) IN GENERAL.—When the Senate is
21 considering an implementing bill, upon a
22 point of order being made by any Senator
23 against any part of the implementing bill
24 or trade agreement that contains material
25 in violation of subparagraph (A), and the

1 point of order is sustained by the Presiding
2 Officer, the Senate shall cease consider-
3 ation of the implementing bill under the
4 trade authorities procedures referred to in
5 subparagraph (A).

6 (ii) WAIVERS AND APPEALS.—

7 (I) WAIVERS.—Before the Pre-
8 siding Officer rules on a point of
9 order described in clause (i), any Sen-
10 ator may move to waive the point of
11 order. Such motion to waive shall not
12 be subject to amendment. A point of
13 order described in clause (i) may only
14 be waived by the affirmative vote of
15 60 Members of the Senate, duly cho-
16 sen and sworn.

17 (II) APPEALS.—After the Pre-
18 siding Officer rules on a point of
19 order under this subparagraph, any
20 Senator may appeal the ruling of the
21 Presiding Officer on the point of
22 order as it applies to some or all of
23 the provisions on which the Presiding
24 Officer ruled. A ruling of the Pre-
25 siding Officer on a point of order de-

1 scribed in clause (i) is sustained un-
2 less a majority of the Members of the
3 Senate, duly chosen and sworn, vote
4 not to sustain the ruling.

5 (III) DEBATE.—Debate on a mo-
6 tion to waive under subclause (I) or
7 on an appeal of the ruling of the Pre-
8 siding Officer under subclause (II)
9 shall be limited to 1 hour. Such time
10 shall be equally divided between, and
11 controlled by, the Majority Leader
12 and the Minority Leader of the Sen-
13 ate, or their designees.

14 (C) IN GENERAL.—In this paragraph, the
15 term “approval of Congress” means the affirm-
16 ative vote of both chambers of Congress in ac-
17 cordance with the applicable rules and proce-
18 dures of each chamber.