



The Daily Dish

April 28th Edition

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ICYMI: [The New York Times](#) took stepped into the [Ex-Im Bank debate](#) with a piece on how AAF approaches the issues. “There is, however, one conservative think tank that has refused to join the crowd: the five-year-old American Action Forum... Since last May, it has issued a series of reports making the case that the country is better off with the Ex-Im Bank than without it.” In the words of AAF’s Andy Winkler, ideology can take a back seat in debates when “The numbers come first.”

Republican budget negotiators have reached a compromise to pass the first joint House-Senate budget in six years. According to [Reuters](#), key provisions will use the reconciliation process to replace parts of Obamacare with conservative solutions. [Reconciliation](#) allows for the passage of the budget bill without the need for 60 votes in the Senate, a simple majority is needed.

Eakinomics: Would TPA Empower President Obama?

One reservation conservatives have voiced about Trade Promotion Authority ([TPA](#)) is that it would further empower a president already guilty of serial executive overreach. Independent of how one views his “I’ve got a pen, and I’ve got a phone” approach to governance, this simply gets TPA wrong.

First, passing the TPA bill would not give authority to President Obama; it would give authority to the president. Yes, President Obama would be able to wield its authorities for roughly 18 months, but it would then pass to the next president (who will definitely not be Barrack Obama) for another four and one-half years.

Second, TPA is actually a way for Congress to constrain the latitude of the president during negotiations. For example, members of Congress can read the negotiating text, demand briefings from the U.S. Trade Representative, become an “adviser” and attend the negotiations, and become part of an Advisory Group. TPA also enables Congress to maintain control over changes to U.S. law and provides rules for considering trade agreements. It sets up the Congressional priorities for trade agreements, limits any subsequent implementing legislation to “necessary or appropriate” provisions, and applies the new TPA requirement to any ongoing negotiation. Most importantly, it affirms that only Congress can change U.S. law.

The latter is a direct rebuttal to the canard floating around the web that TPP will be a backdoor for unlimited immigration via executive action. The administration will not have authority under TPA or any pending trade agreement to use executive action to change U.S. immigration laws. U.S. Trade Rep. Michael Froman has confirmed: “No provision in TPP will require changes to U.S. immigration law, regulations, policy, or practice because our system is already operating in a manner that is consistent with the provisions in the temporary entry chapter.”

Finally, the ultimate control lies in the hands of Congress to vote down the Trans-Pacific Partnership or Trans-Atlantic Trade and Investment Partnership if they are not, in fact, beneficial to the U.S. TPA sets up mechanisms for Congress to turn off the expedited procedures if the administration fails to meet its TPA obligations. If this is not triggered, then there will be great pressure for Congress to pass such a trade agreement

once it is negotiated. But for the 1st time ever, TPA requires the president to publish the text of a completed trade agreement 60 days before signing it. This should reduce the chances that Congress gets “jammed” with a quick vote.

While TPA allows the executive branch to negotiate without the threat of deal-breaker amendments, it also expands the power of Congress in the area of trade.

From the Forum

[Five Years After Passage: The ACA by the Numbers](#) by Tara O’Neil, AAF Health Care Policy Analyst; and Conor Ryan, AAF Senior Health Care Data Analyst

[Infographic: Defense Sequestration is Damaging Military Personnel and Readiness](#)