



Insight

TPA Is About Trade, Not Immigration

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Opponents of free trade are spreading false information that trade promotion authority (TPA) will give the president broad authority to unilaterally change U.S. immigration laws. These claims have no merit, and the [text of the TPA bill](#) directly refutes them.

TPA is legislation about facilitating trade. It reestablishes a cooperative tool between the legislative and executive branches that every president since Nixon has used to negotiate with our trading partners. TPA gives Congress oversight of trade agreements it would not have otherwise.

The current TPA bill outlines strict objectives which the executive branch must follow in its negotiations of free trade agreements and requires the executive branch to consult with Congress on pending trade agreements. Any commitments that are not disclosed to Congress are considered not to be part of the final agreement and therefore have no force of law. TPA also contains unprecedented transparency provisions, requiring the executive branch to post the full text of completed free trade agreements for 60 days prior to the president's signature.

As extra insurance against the possibility that there is an immigration loophole in the TPA bill, House Ways and Means Committee Chairman Paul Ryan agreed to add an amendment to a trade bill that is part of the package headed to the floor. This amendment explicitly states that immigration laws may not be changed unilaterally through free trade agreements.

Most damaging to these rumors is the provision that explicitly states the administration cannot unilaterally change U.S. law. The section states:

“No provision of any trade agreement entered into...nor the application of any such provision to any person or circumstance, that is inconsistent with any law of the United States, any State of the United States, or any locality of the United States shall have effect.”

Finally, the ultimate protection against an unwanted change to U.S. law is one of the basic tenets of TPA—Congress's yes or no vote on any free trade agreement the administration negotiates. If Congress discovers provisions in the negotiated agreements it does not like, it can vote no on the agreement, easily stopping these provisions.

TPA only facilitates free trade agreements—it does not open the door to unchecked executive authority. Suggestions to the contrary blatantly disregard the facts.