

112TH CONGRESS
1ST SESSION

S. 98

To renew trade promotion authority, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 5), 2011

Mr. PORTMAN (for himself and Mr. LIEBERMAN) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To renew trade promotion authority, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Creating American
5 Jobs through Exports Act of 2011”.

6 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

9 (1) President Barack Obama launched the Na-
10 tional Export Initiative under Executive Order
11 13534 (75 Fed. Reg. 12433), an ambitious plan to
12 double exports within 5 years and boost the domi-

1 nant goods, agriculture, and services sectors of the
2 United States by leveraging the power of global mar-
3 kets to create more jobs in the United States.

4 (2) The United States leads all other countries
5 with respect to the exportation of goods and serv-
6 ices, with total exports valued at almost
7 \$1,600,000,000,000 in 2009.

8 (3) Exports of goods and services from the
9 United States supported more than 10,000,000 jobs
10 in 2008.

11 (4) United States exports exceeded 12 percent
12 of the gross domestic product in the first half of
13 2010.

14 (5) Ninety-five percent of the world population
15 lives outside the United States, and it is essential
16 that businesses based in the United States have the
17 ability to access global customers on a level playing
18 field.

19 (6) Exports from the United States face bar-
20 riers at every turn and a recent study found that ex-
21 ports from 120 other countries face fewer barriers
22 than exports from the United States, effectively
23 making goods manufactured in the United States,
24 corn, hogs, and soybeans raised in the United
25 States, and services based in the United States more

1 expensive than comparable exports from other coun-
2 tries.

3 (7) Ninety percent of products imported into
4 the United States from Colombia and Panama enter
5 the United States duty-free, while the 10,000 United
6 States businesses, 85 percent of which are small- or
7 medium-sized businesses, that export to those mar-
8 kets face high tariffs.

9 (8) The Office of the United States Trade Rep-
10 resentative estimates that the pending United
11 States–Korea Free Trade Agreement will increase
12 annual exports of goods from the United States by
13 up to \$11,000,000,000, support at least 70,000 jobs
14 in the United States, and allow providers of services
15 based in the United States to compete in the serv-
16 ices market of South Korea, which is valued at more
17 than \$500,000,000,000.

18 (9) The European Union, whose companies
19 compete head-to-head with United States employers
20 globally, has completed free trade negotiations with
21 Colombia, South Korea, and Panama, and delay in
22 the implementation of the free trade agreements be-
23 tween those countries and the United States will re-
24 sult in a loss in the competitiveness of exports from
25 United States in those markets when those coun-

1 tries' agreements with the European Union go into
2 effect.

3 (b) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that—

5 (1) the President should continue the National
6 Export Initiative to increase global export and in-
7 vestment opportunities for the businesses that create
8 jobs in the United States; and

9 (2) the President should submit the United
10 States–Korea Free Trade Agreement, the United
11 States–Colombia Trade Promotion Agreement, and
12 the United States–Panama Trade Promotion Agree-
13 ment to Congress, and Congress should approve
14 those agreements, to create jobs in the United
15 States and stimulate the economy by eliminating the
16 barriers to trade faced by United States exports that
17 result in the loss of jobs in the United States.

18 **SEC. 3. RENEWAL OF TRADE PROMOTION AUTHORITY.**

19 (a) IN GENERAL.—Section 2103 of the Bipartisan
20 Trade Promotion Authority Act of 2002 (19 U.S.C. 3803)
21 is amended—

22 (1) in subsection (a)(1), by striking subpara-
23 graph (A) and inserting the following:

24 “(A) may enter into trade agreements with
25 foreign countries—

1 “(i) on and after the date of the en-
2 actment of the Creating American Jobs
3 through Exports Act of 2011 and before
4 July 1, 2016; or

5 “(ii) on and after July 1, 2016, and
6 before July 1, 2018, if trade authorities
7 procedures are extended under subsection
8 (c); and”;

9 (2) in subsection (b)(1), by striking subpara-
10 graph (C) and inserting the following:

11 “(C) The President may enter into a trade
12 agreement under this paragraph—

13 “(i) on and after the date of the enactment
14 of the Creating American Jobs through Exports
15 Act of 2011 and before July 1, 2016; or

16 “(ii) on and after July 1, 2016, and before
17 July 1, 2018, if trade authorities procedures
18 are extended under subsection (c).”;

19 (3) in subsection (c)—

20 (A) in paragraph (1)—

21 (i) in subparagraph (A), by striking
22 “before July 1, 2005” and inserting “on
23 and after the date of the enactment of the
24 Creating American Jobs through Exports
25 Act of 2011 and before July 1, 2016”; and

1 (ii) in subparagraph (B)—

2 (I) in the matter preceding clause
3 (i), by striking “after June 30, 2005,
4 and before July 1, 2007” and insert-
5 ing “on or after July 1, 2016, and be-
6 fore July 1, 2018”; and

7 (II) in clause (ii), by striking
8 “July 1, 2005” and inserting “July 1,
9 2016”;

10 (B) in paragraph (2), in the matter pre-
11 ceding subparagraph (A), by striking “April 1,
12 2005” and inserting “April 1, 2016”;

13 (C) in paragraph (3)—

14 (i) in subparagraph (A), in the matter
15 preceding clause (i), by striking “June 1,
16 2005” and inserting “June 1, 2016”; and

17 (ii) in subparagraph (B)—

18 (I) by striking “June 1, 2005”
19 and inserting “June 1, 2016”; and

20 (II) by striking “the date of en-
21 actment of this Act” and inserting
22 “the date of the enactment of the Cre-
23 ating American Jobs through Exports
24 Act of 2011”; and

1 (D) in paragraph (5), by striking “June
2 30, 2005” each place it appears and inserting
3 “June 30, 2016”.

4 (b) TREATMENT OF CERTAIN TRADE AGREEMENTS
5 FOR WHICH NEGOTIATIONS HAVE ALREADY BEGUN.—
6 Section 2106 of the Bipartisan Trade Promotion Author-
7 ity Act of 2002 (19 U.S.C. 3806) is amended by striking
8 “applies—” and all that follows through the end period
9 and inserting “applies results from negotiations that were
10 commenced before the date of the enactment of the Cre-
11 ating American Jobs through Exports Act of 2011, sub-
12 section (b) shall apply.”.

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