



WAYS AND MEANS

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GUIDE TO HOW USMCA MOVES FORWARD IN CONGRESS

After a long process of congressional consultation, the United States-Canada-Mexico Agreement (USMCA) is ready to be voted on by Congress. Here is how Congress moves forward:

1. In May 2017, after consultation with Congress, President Trump formally notified Congress of his Intent to modernize and update NAFTA under TPA rules; negotiations began in August 2017 with Congressional consultation throughout the process. USMCA was made public in August 2018 and signed in November 2018 after consulting Congress and the public.
2. Implementing legislation was formally submitted to Congress on December 13, 2019, beginning the TPA clock and process.
3. The House Committee on Ways and Means must report bill within 15 session days (scheduled for 12/17/19); no amendments are permitted because congressional input was provided throughout the negotiating process.
4. The House then has 15 session days to consider the bill (likely 12/19/19).
5. The House debates the bill for two hours (Rule already passed by UC), evenly divided between both parties and managed by W&M Chairman Neal and Republican Leader Brady.
6. Once debate concludes, the House will vote on the USMCA implementing legislation:
 - a. Congress "approves" the agreement, but it does not become law, unlike a treaty; Instead Congress considers legislation to implement U.S. obligations.
 - b. No amendments are permitted.
 - c. There will be no motion to recommit or points of order allowed.
7. Upon passage, the bill is sent to the Senate.
8. The Senate Finance Committee must take up the legislation within 15 session days.
9. Once Finance reports the legislation or discharges it, the full Senate has 15 session days to take it up:
 - a. No amendments are permitted.
 - b. Cloture is not required; points of order are not permitted.
 - c. The Senate can debate the bill up to 20 hours, unless it approves a different timeframe by unanimous consent
 - d. Passage requires only a simple majority.
10. Once the bill is enrolled, USMCA goes to the President for signature.

Why is there no "mock" mark-up for USMCA? Often, the Ways and Means and Finance Committees hold an unofficial mark-up before the President submits formal legislation to give Members an opportunity to offer amendments and demonstrate to the President their view of the implementing legislation.

- Such mock mark-ups are not required by TPA.
- Because the USMCA legislation was drafted jointly by the Administration and both Committees, and in the interest of having the legislation considered by the end of the year, both committees decided not to hold such a session.