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COMMITTEE ON WAYS AND MEANS
SUBCOMMITTEE ON TRADE, RANKING MEMBER
SUBCOMMITTEE ON SOCIAL SECURITY

DEMOCRATIC STEERING AND POLICY COMMITTEE

Congress of the United States
House of Representatives

August 28, 2018

The Hon. Kevin Brady
Chairman
Committee on Ways and Means
1011 Longworth House Office Building
Washington, DC 20515

The Hon. Dave Reichert
Chairman
Ways and Means Trade Subcommittee
1127 Longworth House Office Building
Washington, DC 20515

Dear Chairman Brady and Chairman Reichert:

Yesterday the Administration announced a "preliminary agreement" with Mexico in the NAFTA negotiation and is indicating the intention to wrap up the negotiation (with or without Canada) as soon as the end of this week. I am following up on the letter I sent with Ranking Member Neal dated April 17 (attached) and calling to your attention the fact that the House Advisory Group on Negotiation (HAGON) has not been consulted by the Administration since May 2017, before the NAFTA re-negotiation started. As Ranking Member of the Ways and Means Subcommittee on Trade and a member of the HAGON, I urge you to take action finally and call upon the Administration to consult the HAGON as soon as possible.

TPA requires the Administration to consult the HAGON members – chairs and ranking members of relevant House Committees – as part of its responsibilities to Congress in trade negotiations. As you know, Section 104 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (TPA) requires the President, during trade negotiations, to "consult closely and on a timely basis with, and keep full apprised of the negotiations, the House Advisory Group on Negotiations" including regarding "negotiating strategies and positions." TPA Section 105 also requires the President to consult with the HAGON before entering into a trade agreement.

Accordingly, I am urgently renewing the request for a HAGON meeting with the Administration to discuss the status of the NAFTA renegotiation. To the extent that the outcome of the negotiations will have already been decided with Mexico and Canada by the Administration meets with the HAGON, the Administration should answer to the members of the HAGON for the lack of any consultation with the HAGON during negotiations while negotiating strategies

and positions were being developed and implemented. The failure of the Administration to adequately consult during the course of the NAFTA renegotiation, including potentially as the Administration is required by TPA, coupled with the increasingly chaotic Trump Administration trade policy, continues to raise serious concerns for not just members of the HAGON and Congress, but American workers, businesses, and farmers.

But the result would not be just a failure by the Administration. What the American public also sees is a failure by Congress to assert its rightful, constitutional authority in trade negotiations. On repeated occasions now, Ways and Means Democrats have asked you to convene Committee hearings or a HAGON meeting with Administration officials on NAFTA, while the negotiations were still going on. Those requests have so far been met with a deafening silence. I ask you again, with respect and urgency, to take action so that we, as members of Congress, can do our jobs.

Sincerely,

A handwritten signature in blue ink that reads "Bill Pascrell Jr". The signature is written in a cursive style and is positioned above a horizontal line.

Bill Pascrell, Jr.
Ranking Member
Ways and Means Subcommittee on Trade

Attachment: Letter to Chairman Brady dated April 17