

Administration of Barack Obama, 2016

Statement on Signing the Trade Facilitation and Trade Enforcement Act of 2015

February 24, 2016

Today I have signed into law H.R. 644, the "Trade Facilitation and Trade Enforcement Act of 2015," an Act that is an important milestone to the overall U.S. trade agenda and that will help our workers and businesses to compete fairly with the rest of the world. This bipartisan piece of legislation will strengthen trade enforcement at our ports, improve our ability to combat evasion of our enforcement actions, and improve transparency, accountability, and coordination in enforcement efforts. It also provides unprecedented new measures to address unfair currency practices by establishing a process that directs the executive branch to confront countries that engage in such practices and to impose penalties on countries that fail to remedy these issues.

The Act provides new tools and authorities for U.S. companies and workers to more effectively hold our trading partners accountable—now and into the future—and press for the investigation of cases of duty evasion. Antidumping and countervailing duty (AD/CVD) orders are a critical tool for cracking down on unfair competition by trading partners and companies that put American workers and businesses, such as in the steel industry, at a disadvantage. The Act will allow U.S. Customs and Border Protection (CBP) and the Department of Commerce to more effectively enforce AD/CVD orders and allow CBP to act more quickly to prevent importers from evading AD/CVD orders on unfairly traded imports of steel and other products. The Act will also improve communication between U.S. Government agencies and the private sector over how duty evasion investigations are proceeding, heighten accountability throughout the enforcement process, and more effectively counter attempts at duty evasion. It also enhances CBP efforts to combat the import of counterfeit goods and protect intellectual property rights holders and streamlines CBP operations by establishing the CBP Centers of Excellence and Expertise to enforce compliance and facilitate the flow of legitimate trade, thereby increasing U.S. competitiveness. And, it eliminates a provision that previously allowed some imports into the United States made, in whole or in part, with forced labor, including child labor.

The Act also provides tools to hold accountable trading partners that violate their trade obligations. The Act permanently establishes the Interagency Center on Trade Implementation, Monitoring, and Enforcement at the office of the United States Trade Representative, codifying the successor to the Interagency Trade Enforcement Center (ITEC) that was created by Executive Order in 2012. This Center will bring together expertise from across the Federal Government into one organization that will build on the crucial research and analytical work currently being done by ITEC to investigate potential trade enforcement disputes. Additionally, the Act provides my Administration with new tools to enhance engagement with countries that do not adequately and effectively protect intellectual property rights. My Administration looks forward to working with the Congress on the most effective way to use these new tools.

Provisions of the Act address trade with Israel. I have directed my Administration to strongly oppose boycotts, divestment campaigns, and sanctions targeting the State of Israel. As long as I am President, we will continue to do so. Certain provisions of this Act, by conflating

Israel and "Israeli-controlled territories," are contrary to longstanding bipartisan United States policy, including with regard to the treatment of settlements. Moreover, consistent with longstanding constitutional practice, my Administration will interpret and implement the provisions in the Act that purport to direct the Executive to seek to negotiate and enter into particular international agreements (section 414(a)(1)) or to take certain positions in international negotiations with respect to international agreements with foreign countries not qualifying for trade authorities procedures (sections 108(b), 414(a)(2), 415, and 909(c)) in a manner that does not interfere with my constitutional authority to conduct diplomacy.

BARACK OBAMA

The White House,
February 24, 2016.

NOTE: H.R. 644, approved February 24, was assigned Public Law No. 114–125.

Categories: Bill Signings and Vetoes : Trade Facilitation and Trade Enforcement Act of 2015, signing statement.

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