

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require the President to disclose the negotiating positions of the United States relating to intellectual property or the Internet in the Trans-Pacific Partnership negotiations.

IN THE SENATE OF THE UNITED STATES—112th Cong., 2d Sess.

H. R. 3606

To increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. WYDEN

Viz:

1 At the end, add the following:

2 **TITLE VIII—TRADE**

3 **SEC. 801. DISCLOSURE OF UNITED STATES POSITIONS RE-**

4 **LATING TO INTELLECTUAL PROPERTY OR**

5 **THE INTERNET IN THE TRANS-PACIFIC PART-**

6 **nership Negotiations.**

7 (a) DISCLOSURE OF EXISTING DOCUMENTS.—Not

8 later than 30 days after the date of the enactment of this

9 Act, the President shall make available to the public on

1 the website of the Office of the United States Trade Rep-
2 resentative each document—

3 (1) describing a position of, or proposal made
4 by, the United States with respect to intellectual
5 property, the Internet, or entities that use the Inter-
6 net, including electronic commerce; and

7 (2) that was shared with other parties to nego-
8 tiations for a Trans-Pacific Partnership Agreement
9 before such date of enactment.

10 (b) ONGOING DISCLOSURE OF DOCUMENTS.—On
11 and after the date of the enactment of this Act, the Presi-
12 dent shall make available to the public on the website of
13 the Office of the United States Trade Representative any
14 document describing a position of, or proposal made by,
15 the United States with respect to intellectual property, the
16 Internet, or entities that use the Internet, including elec-
17 tronic commerce, not later than 24 hours after the docu-
18 ment is shared with other parties to negotiations for a
19 Trans-Pacific Partnership Agreement.

20 (c) WAIVER.—The President may waive the applica-
21 tion of subsection (a) or (b) if the President—

22 (1) determines that making a document de-
23 scribed in subsection (a) or (b) (as the case may be)
24 available to the public would pose a threat to the na-
25 tional security of the United States; and

1 (2) submits to Congress a report describing the
2 reasons for that determination.