

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.