

HR 3788

Protecting American Innovation Act

Congress: 117 (2021–2023, Ended)

Chamber: House

Policy Area: Foreign Trade and International Finance

Introduced: Jun 8, 2021

Current Status: Referred to the Subcommittee on Trade.

Latest Action: Referred to the Subcommittee on Trade. (Jun 8, 2021)

Official Text: <https://www.congress.gov/bill/117th-congress/house-bill/3788>

Sponsor

Name: Rep. Nunes, Devin [R-CA-22]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

| Committee | Chamber | Activity | Date |
|--------------------------|---------|-------------|-------------|
| Rules Committee | House | Referred To | Jun 8, 2021 |
| Ways and Means Committee | House | Referred to | Jun 8, 2021 |

Subjects & Policy Tags

Policy Area:

Foreign Trade and International Finance

Related Bills

| Bill | Relationship | Last Action |
|-------------|----------------|--|
| 117 HR 7430 | Identical bill | Apr 6, 2022: Referred to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. |

Protecting American Innovation Act

This bill establishes certain limitations on modifying trade agreements, including those related to the TRIPS Agreement (i.e., the Agreement on Trade-Related Aspects of Intellectual Property Rights). The TRIPS Agreement contains obligations for World Trade Organization members to protect patents and other intellectual property rights.

Specifically, the bill prohibits the President (or any U.S. official, employee, or agent) from negotiating or concluding any withdrawal, suspension, or modification to a trade agreement that adversely affects the rights of the United States or U.S. persons under a trade agreement with China or Russia.

Additionally, the bill states that a TRIPS waiver to address the COVID-19 pandemic shall not take effect if (1) the President does not submit required reports from the Department of Commerce and the Department of Defense (DOD), (2) the Commerce report concludes that the TRIPS waiver will not result in an increase in global vaccine access, or (3) the DOD report concludes that the TRIPS waiver would adversely impact U.S. national security.

Prior to entering into a negotiation with a trading partner concerning a suspension of or modification to a trade agreement, the bill requires (1) the U.S. Trade Representative to publish certain information in the Federal Register and allow for public comment, and (2) the President to provide written notice and consult with Congress. Further, the President shall not enter into any suspension of or modification to a trade agreement unless the President has complied with such consultation requirements and receives congressional approval.

Actions Timeline

- **Jun 8, 2021:** Introduced in House
- **Jun 8, 2021:** Referred to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Jun 8, 2021:** Referred to the Subcommittee on Trade.