

# United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

April 21, 2015

The Honorable Michael Froman  
Ambassador  
U.S. Trade Representative  
Washington, D.C. 20508

Dear Ambassador Froman:

Article I, section 8, clause 4 of the Constitution gives Congress the power to “establish a uniform Rule of Naturalization,” and the Supreme Court has long found that this provision of the Constitution grants Congress plenary power over immigration policy. For many years, Congress has made it abundantly clear that international trade agreements should not change, nor require any change, to U.S. immigration law and practice.

In July 2003, in the wake of the signing of the Chile and Singapore Free Trade Agreements, which included commitments to establish new temporary worker visa programs just for nationals of those countries, the Chair and Ranking Member of the House Judiciary Committee sent U.S. Trade Representative Zoellick a letter expressing the Committee’s “fundamental opposition to the inclusion of immigration matters in free trade agreements.” Later that month, the Senate unanimously passed a resolution stating that:

- (1) trade agreements are not the appropriate vehicle for enacting immigration-related laws or modifying current immigration policy; and
- (2) future trade agreements to which the United States is a party and the legislation implementing the agreements should not contain immigration-related provisions.

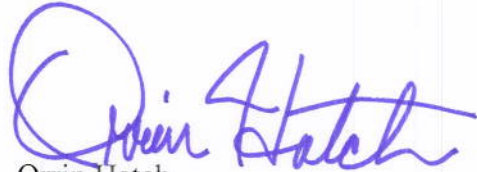
In 2012, the Chair and Ranking Member of the House Judiciary Committee sent the U.S. Trade Representative another letter repeating the Committee’s opposition to the inclusion of immigration matters in trade agreements and specifically referencing the ongoing Trans-Pacific Partnership negotiations.

We share these concerns and seek your assurance that, should Congress approve the Bipartisan Congressional Trade Priorities and Accountability Act and renew Trade Promotion Authority, your administration will not negotiate any provision as part of the Trans-Pacific Partnership agreement, the free trade agreement being negotiated with the European Union, the Trade in Service Agreement, or any other future trade deal, which requires changes to U.S. immigration law, regulations, policy, or practice.

Sincerely,



Charles E. Grassley  
Chairman  
Senate Judiciary Committee



Orrin Hatch  
Chairman  
Senate Finance Committee