

# COOL Reform Coalition

## Frequently Asked Questions

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### **1. Why should Congress include Appropriations contingency bill language now?**

- The current Appropriations cycle may be our last bite at the apple to solve this – to ensure the U.S. is in compliance with our WTO obligations.
- The timeframe estimated for all WTO appeals to be exhausted will likely fall in the middle of next year's Appropriations cycle, and the agriculture, food and manufacturing industries faces the real possibility of \$2 billion in retaliation from Canada and Mexico until Congress acts.
- Regardless the WTO decision expected this month, the U.S., Canada, and Mexico can each decide to appeal, delaying the final WTO determination into next year.
- It may prove difficult next year mid-Appropriations cycle to move legislation through Congress in time to avoid retaliation.
- Companies are making critical business decisions today in an atmosphere of uncertainty created by the real potential for retaliation next year. Companies need as much certainty as possible to make good decisions for their employees and customers.

### **2. Couldn't Congress simply enact a fix, if needed, by Unanimous Consent (UC) next year?**

- Supporters of COOL in the Northern Plains States care passionately about the regulation and wouldn't likely be impacted directly by Canada/Mexico retaliation, and may muster enough support to object to a UC.
- While we respect their view on COOL, we as a broader industry group can ill afford the job loss and economic impact to the U.S. economy that would result until Congress chooses to act.

### **3. Wouldn't Appropriations only halt COOL for one year?**

- Our ask is to include contingency bill language to suspend COOL.
- The effect would be, only if the WTO makes a final determination that the U.S. is out of compliance (the final WTO decision is expected next year), then the suspended rule would remain inactive beyond the regular appropriations cycle. USDA would need to notice the Federal Register or use Notice & Comment to revive COOL.
- The difference is the food, agriculture and manufacturing industries wouldn't be faced with retaliation while the merits of COOL may be debated anew by Congress.

### **4. What if contingency language is included and next year's final WTO decision doesn't give retaliation rights to Canada and Mexico?**

- Nothing changes.
- COOL would continue to be in effect as it is today, and our industries wouldn't face retaliation.

For more information on the COOL Reform Coalition, please visit us at [www.COOLReform.com](http://www.COOLReform.com).