

111TH CONGRESS  
2D SESSION

# H. R. 6007

To amend section 310 of the Trade Act of 1974 to strengthen provisions relating to the identification of United States trade expansion priorities.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2010

Mr. CRITZ (for himself, Ms. LINDA T. SÁNCHEZ of California, and Mr. BOCCIERI) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend section 310 of the Trade Act of 1974 to strengthen provisions relating to the identification of United States trade expansion priorities.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Trade Enforcement  
5 Priorities Act”.

1 **SEC. 2. IDENTIFICATION OF TRADE EXPANSION PRIOR-**  
2 **ITIES.**

3 (a) IDENTIFICATION OF TRADE EXPANSION PRIOR-  
4 ITIES.—Section 310 of the Trade Act of 1974 (19 U.S.C.  
5 2420) is amended to read as follows:

6 **“SEC. 310. IDENTIFICATION OF TRADE EXPANSION PRIOR-**  
7 **ITIES.**

8 “(a) IDENTIFICATION.—

9 “(1) IDENTIFICATION AND REPORT.—Within 30  
10 days after the submission in each calendar year of  
11 the report required by section 181(b), the United  
12 States Trade Representative shall—

13 “(A) review United States trade expansion  
14 priorities;

15 “(B) identify priority foreign country prac-  
16 tices the elimination of which is likely to have  
17 the most significant potential to increase  
18 United States exports, either directly or  
19 through the establishment of a beneficial prece-  
20 dent; and

21 “(C) submit to the Committee on Finance  
22 of the Senate and the Committee on Ways and  
23 Means of the House of Representatives and  
24 publish in the Federal Register a report on the  
25 priority foreign country practices so identified.

1           “(2) FACTORS.—In identifying priority foreign  
2 country practices under paragraph (1), the Trade  
3 Representative shall take into account all relevant  
4 factors, including—

5           “(A) the major barriers and trade dis-  
6 torting practices described in the National  
7 Trade Estimate Report required under section  
8 181(b);

9           “(B) the trade agreements to which a for-  
10 eign country is a party and its compliance with  
11 those agreements;

12           “(C) the medium- and long-term implica-  
13 tions of foreign government procurement plans;  
14 and

15           “(D) the international competitive position  
16 and export potential of United States products  
17 and services.

18           “(3) CONTENTS OF REPORT.—The Trade Rep-  
19 resentative may include in the report, if appro-  
20 priate—

21           “(A) a description of foreign country prac-  
22 tices that may in the future warrant identifica-  
23 tion as priority foreign country practices; and

24           “(B) a statement about other foreign coun-  
25 try practices that were not identified because

1           they are already being addressed by provisions  
2           of United States trade law, by existing bilateral  
3           trade agreements, or as part of trade negotia-  
4           tions with other countries, and because progress  
5           is being made toward the elimination of such  
6           practices.

7           “(b) INITIATION OF CONSULTATIONS.—By no later  
8           than the date that is 21 days after the date on which a  
9           report is submitted to the appropriate congressional com-  
10          mittees under subsection (a)(1)(C), the Trade Representa-  
11          tive should seek consultations with each foreign country  
12          identified in the report as engaging in priority foreign  
13          country practices for the purpose of reaching a satisfac-  
14          tory resolution of such priority practices.

15          “(c) INITIATION OF INVESTIGATION.—If the Trade  
16          Representative seeks consultations under subsection (b)  
17          and a satisfactory resolution of the priority foreign coun-  
18          try practices involved has not been reached within 90 days  
19          after the date on which a report is submitted to the appro-  
20          priate congressional committees under subsection  
21          (a)(1)(C), the Trade Representative shall initiate under  
22          section 302(b)(1) an investigation under this chapter with  
23          respect to such priority foreign country practices.

24          “(d) AGREEMENTS FOR THE ELIMINATION OF BAR-  
25          RIERS.—In the consultations with a foreign country that

1 the Trade Representative is required to request under sec-  
2 tion 303(a) with respect to an investigation initiated by  
3 reason of subsection (c), the Trade Representative shall  
4 seek to negotiate an agreement that provides for the elimi-  
5 nation of the practices that are the subject of the inves-  
6 tigation as quickly as possible or, if elimination of the  
7 practices is not feasible, an agreement that provides for  
8 compensatory trade benefits.

9       “(e) REPORTS.—The Trade Representative shall in-  
10 clude in the semiannual report required by section 309(3)  
11 a report on the status of any investigations initiated pur-  
12 suant to subsection (c) and, where appropriate, the extent  
13 to which such investigations have led to increased opportu-  
14 nities for the export of products and services of the United  
15 States.”.

16       (b) CONFORMING AMENDMENT.—The item relating  
17 to section 310 in the table of contents of the Trade Act  
18 of 1974 is amended to read as follows:

“Sec. 310. Identification of trade expansion priorities.”.

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