

112TH CONGRESS
2D SESSION

S. 3327

To require the United States Trade Representative to take action to obtain the full compliance of the Russian Federation with its commitments under the protocol on the accession of the Russian Federation to the Agreement Establishing the World Trade Organization, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 21, 2012

Mr. BROWN of Ohio (for himself, Mr. ROCKEFELLER, Mr. SCHUMER, and Ms. STABENOW) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To require the United States Trade Representative to take action to obtain the full compliance of the Russian Federation with its commitments under the protocol on the accession of the Russian Federation to the Agreement Establishing the World Trade Organization, and for other purposes.

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 “Russian World Trade
5 Organization Commitments Verification Act of 2012”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **WORLD TRADE ORGANIZATION; WTO.**—The
4 terms “World Trade Organization” and “WTO”
5 mean the organization established pursuant to the
6 WTO Agreement.

7 (2) **WTO AGREEMENT.**—The term “WTO
8 Agreement” means the Agreement Establishing the
9 World Trade Organization entered into on April 15,
10 1994.

11 **SEC. 3. REPORTS ON COMMITMENTS UNDER THE PRO-**
12 **TOCOL ON THE ACCESSION OF THE RUSSIAN**
13 **FEDERATION TO THE WTO AGREEMENT.**

14 (a) **INITIAL REPORT.**—Not later than 90 days after
15 the date on which an Act of Congress authorizing the ex-
16 tension of permanent normal trade relations treatment to
17 products of the Russian Federation takes effect, the
18 United States Trade Representative shall submit to the
19 Committee on Finance of the Senate and the Committee
20 on Ways and Means of the House of Representatives and
21 publish in the Federal Register a report that—

22 (1) describes the commitments of the Russian
23 Federation under the protocol on the accession of
24 the Russian Federation to the WTO Agreement; and

25 (2) sets forth the date by which that protocol
26 requires each such commitment to be implemented.

1 (b) ANNUAL REPORTS.—

2 (1) IN GENERAL.—Not later than December 31
3 of each calendar year that begins after the date on
4 which an Act of Congress referred to in subsection
5 (a) takes effect, the United States Trade Represent-
6 ative shall submit to the Committee on Finance of
7 the Senate and the Committee on Ways and Means
8 of the House of Representatives and publish in the
9 Federal Register a report covering the period de-
10 scribed in paragraph (2) that—

11 (A) describes the actions taken by the Rus-
12 sian Federation to comply with each commit-
13 ment of the Russian Federation under the pro-
14 tocol on the accession of the Russian Federa-
15 tion to the WTO Agreement that the Trade
16 Representative determines has a significant ef-
17 fect on United States commerce;

18 (B) identifies any commitment described in
19 subparagraph (A) that the Trade Representa-
20 tive determines the Russian Federation is not
21 implementing or is not making progress toward
22 implementing in a timely or effective manner;

23 (C)(i) describes any actions taken by the
24 Trade Representative under section 4(a) to ob-
25 tain the full compliance of the Russian Federa-

tion with each commitment identified under subparagraph (B); or

(ii) if the Trade Representative has determined under section 4(b) that it is not in the national interests of the United States to obtain the full compliance of the Russian Federation with any such commitment, describes the reasons for that determination; and

(D) describes any actions the Trade Representative has taken pursuant to a request made by the Committee on Finance of the Senate or the Committee on Ways and Means of the House of Representatives under section 4(c).

(2) PERIOD DESCRIBED.—The period described in this paragraph is—

(A) in the case of the first report submitted under paragraph (1), the period beginning on the date on which the report required by subsection (a) was submitted and ending on the date on which the report required by paragraph (1) is submitted; and

(B) in the case of any subsequent report submitted under paragraph (1), the one-year period preceding the submission of the report.

1 **SEC. 4. ACTION BY THE UNITED STATES TRADE REP-**
2 **RESENTATIVE.**

3 (a) IN GENERAL.—Except as provided in subsection
4 (b), the United States Trade Representative shall, in con-
5 sultation with appropriate Federal agencies, take appro-
6 priate action to obtain the full compliance of the Russian
7 Federation with each commitment identified under section
8 3(b)(1)(B).

9 (b) DETERMINATION NOT TO TAKE ACTION.—The
10 United States Trade Representative may determine not to
11 take action under subsection (a) to obtain the full compli-
12 ance of the Russian Federation with a commitment identi-
13 fied under section 3(b)(1)(B) if the Trade Representa-
14 tive—

15 (1) determines that it is not in the national in-
16 terests of the United States to obtain the full com-
17 pliance of the Russian Federation with that commit-
18 ment; and

19 (2) submits to the Committee on Finance of the
20 Senate and the Committee on Ways and Means of
21 the House of Representatives a report that describes
22 in detail the reasons for that determination.

23 (c) REQUESTS FROM CONGRESS.—

24 (1) IN GENERAL.—The Committee on Finance
25 of the Senate or the Committee on Ways and Means
26 of the House of Representatives may request the

1 United States Trade Representative to take action
2 to obtain the full compliance of the Russian Federa-
3 tion with—

4 (A) a commitment identified by the Trade
5 Representative under section 3(b)(1)(B) and
6 with respect to which the Trade Representative
7 has made a determination under subsection (b)
8 not to take action if the Committee determines
9 that it is in the national interests of the United
10 States to obtain the full compliance of the Rus-
11 sian Federation with that commitment; or

12 (B) a commitment of the Russian Federa-
13 tion under the protocol on the accession of the
14 Russian Federation to the WTO Agreement not
15 identified by the Trade Representative under
16 section 3(b)(1)(B) if the Committee determines
17 that the Russian Federation is not imple-
18 menting the commitment or is not making
19 progress toward implementing the commitment
20 in a timely or effective manner.

21 (2) REPORT REQUIRED.—Not later than 15
22 days after receiving a request under paragraph (1)
23 from the Committee on Finance of the Senate or the
24 Committee on Ways and Means of the House of
25 Representatives to take appropriate action to obtain

1 the full compliance of the Russian Federation with
2 a commitment described in subparagraph (A) or (B)
3 of that paragraph, the Trade Representative shall
4 submit to those committees and publish in the Fed-
5 eral Register a report that—

6 (A) describes the action the Trade Rep-
7 resentative has taken or will take to obtain the
8 full compliance of the Russian Federation with
9 that commitment; or

10 (B) if the Trade Representative determines
11 not to take action to obtain the full compliance
12 of the Russian Federation with that commit-
13 ment—

14 (i) describes in detail the reasons for
15 that determination; and

16 (ii) identifies the economic interests in
17 the United States that would be adversely
18 affected if the Trade Representative took
19 action to obtain the full compliance of the
20 Russian Federation with that commitment.

21 **SEC. 5. PUBLIC PARTICIPATION.**

22 The United States Trade Representative shall seek
23 public participation in developing the reports required by
24 section 3 and determining under section 4(a) what action,
25 if any, it is appropriate to take with respect to a commit-

1 ment identified under section 3(b)(1)(B), by, before sub-
2 mitting such a report or making a determination to take
3 such action—

4 (1) publishing a notice in the Federal Register
5 with respect to the content of the report or the ac-
6 tion the Trade Representative is considering taking,
7 as the case may be; and

8 (2) holding a public hearing with respect to the
9 report or the action, as the case may be.

○