

112TH CONGRESS  
1ST SESSION

# H. R. 1518

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

APRIL 13, 2011

Mr. CRITZ (for himself and Ms. LINDA T. SÁNCHEZ OF CALIFORNIA) 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.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

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

### SEC. 2. IDENTIFICATION OF TRADE EXPANSION PRIORITIES.

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

#### “SEC. 310. IDENTIFICATION OF TRADE EXPANSION PRIORITIES.

“(a) IDENTIFICATION.—

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

“(A) review United States trade expansion priorities;

“(B) identify priority foreign country practices the elimination of which is likely to have the most significant potential to increase United States exports, either directly or through the establishment of a beneficial precedent; and

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

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

“(A) the major barriers and trade distorting practices described in the National Trade Estimate Report required under section 181(b);

“(B) the trade agreements to which a foreign country is a party and its compliance with those agreements;

“(C) the medium- and long-term implications of foreign government procurement plans; and

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

“(3) CONTENTS OF REPORT.—The Trade Representative may include in the report, if appropriate—

“(A) a description of foreign country practices that may in the future warrant identification as priority foreign country practices; and

“(B) a statement about other foreign country practices that were not identified because they are already being addressed by provisions of United States trade law, by existing bilateral trade agreements, or as part of trade negotiations with other countries, and because progress is being made toward the elimination of such practices.

“(b) INITIATION OF CONSULTATIONS.—By no later than the date that is 21 days after the date on which a report is submitted to the

appropriate congressional committees under subsection (a)(1)(C), the Trade Representative should seek consultations with each foreign country identified in the report as engaging in priority foreign country practices for the purpose of reaching a satisfactory resolution of such priority practices.

“(c) INITIATION OF INVESTIGATION.—If the Trade Representative seeks consultations under subsection (b) and a satisfactory resolution of the priority foreign country practices involved has not been reached within 90 days after the date on which a report is submitted to the appropriate congressional committees under subsection (a)(1)(C), the Trade Representative shall initiate under section 302(b)(1) an investigation under this chapter with respect to such priority foreign country practices.

“(d) AGREEMENTS FOR THE ELIMINATION OF BARRIERS.—In the consultations with a foreign country that the Trade Representative is required to request under section 303(a) with respect to an investigation initiated by reason of subsection (c), the Trade Representative shall seek to negotiate an agreement that provides for the elimination of the practices that are the subject of the investigation as quickly as possible or, if elimination of the practices is not feasible, an agreement that provides for compensatory trade benefits.

“(e) REPORTS.—The Trade Representative shall include in the semiannual report required by section 309(3) a report on the status of any investigations initiated pursuant to subsection (c) and, where appropriate, the extent to which such investigations have led to increased opportunities for the export of products and services of the United States.”.

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

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

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