

U.S. TRADE LEGISLATION PROPOSALS
100th CONGRESS

Revised

Date: September 25, 1987
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| SUBJECT | CURRENT LAW | HOUSE | SENATE | ADMIN POSITION | CDN POSITION |
|---|--|---|---|---|--------------|
| <p><u>IV UNFAIR TRADE PRACTICES</u></p> | | | | | |
| <p>[Section 301 Reform]</p> | | | | | |
| <p>A. Report on Barriers on Market Access</p> | <p>USTR to report annually on foreign acts, policies or practices constituting barriers to trade and estimate of impact on US Commerce (National Trade Estimate)</p> | <p>Retains current law.</p> | <p>In NTE annual report, requires USTR to estimate trade and investment lost as result of barrier. Also requires USTR to investigate barriers maintained by auto producing countries.</p> | <p>Senate proposal impractical.</p> | |
| <p>B. Initiation</p> | <p>Investigation initiated by petition or by USTR.</p> | <p>Retains current law.</p> | <p>Requires USTR to self-initiate in cases where expansion of US trade is most likely and against countries maintaining consistent pattern of import barriers (adversarial trade).</p> | <p>Objects to Senate proposal for variety of policy and tactical reasons including broadening of grounds for mandatory self-initiation.</p> | |
| <p>C. Determination</p> | | | | | |
| <p>(I) <u>Authority</u></p> | <p>USTR recommends action to President who decides whether Section 301 criteria are satisfied.</p> | <p>USTR to determine whether Section 301 criteria are satisfied. USTR also has authority to act subject to Presidential direction if any. USTR authority in cases involving export targeting or unjustifiable acts.</p> | <p>USTR to determine whether Section 301 criteria are satisfied. President retains authority to take action.</p> | <p>Prefers current law.</p> | |
| <p>(II) <u>Consultations</u></p> | <p>Upon initiation, USTR required to request consultations with foreign country involved. If solution not found and case involves a trade agreement, USTR required to promptly request dispute settlement.</p> | <p>USTR to request dispute settlement not later than 150 days after initiation.</p> | <p>Retains current law.</p> | | |

"Trade and International Economic Policy Reform Act of 1987"(HR3)
[passed April 30, 1987]

"Omnibus Trade and Competitiveness Act of 1987"/
[H.R.3(S.1420)]
[passed July 21, 1987]