

116TH CONGRESS
2D SESSION

S. 3978

To require the United States Trade Representative to submit a report on plans to facilitate the full implementation of agreements of the World Trade Organization, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 17, 2020

Mrs. LOEFFLER 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 submit a report on plans to facilitate the full implementation of agreements of 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 “Enforcing Account-
5 ability and Transparency in International Trade Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The World Trade Organization is a 164-
2 member international organization that was created
3 to oversee and administer multilateral trade rules,
4 serve as a forum for trade liberalization negotia-
5 tions, and resolve trade disputes.

6 (2) The United States was a major force behind
7 the establishment of the World Trade Organization
8 in 1995.

9 (3) The United States, along with other coun-
10 tries, has sought to establish a more open, rules-
11 based trading system in the postwar era, with the
12 goal of fostering international economic cooperation
13 and raising economic prosperity worldwide.

14 (4) Congress holds constitutional authority over
15 foreign commerce and establishes trade negotiating
16 objectives and principles through legislation.

17 (5) The statutory basis for the membership of
18 the United States in the World Trade Organization
19 is the Uruguay Round Agreements Act (19 U.S.C.
20 3501 et seq.), and United States priorities and ob-
21 jectives for the General Agreement on Tariffs and
22 Trade of the World Trade Organization have been
23 reflected in various legislative measures providing
24 expedited trade promotion authority since 1974.

1 (6) Congress has recognized the World Trade
2 Organization as the “foundation of the global trad-
3 ing system” and plays a direct legislative and over-
4 sight role over the implementation of World Trade
5 Organization agreements in the United States.

6 (7) Ninety-eight percent of global trade is con-
7 ducted among members of the World Trade Organi-
8 zation.

9 (8) Approximately 65 percent of the United
10 States trade is with countries that do not have free
11 trade agreements with the United States, such as
12 with the People’s Republic of China, the European
13 Union, and India, which thus relies on the terms
14 provided in agreements of the World Trade Organi-
15 zation.

16 (9) About $\frac{2}{3}$ of the members of the World
17 Trade Organization, including the People’s Republic
18 of China, self-designate as “developing” countries.

19 (10) World Trade Organization agreements
20 allow countries to lower trade barriers gradually,
21 with developing countries and sensitive sectors in
22 particular usually given longer transition periods to
23 fulfill their obligations under new agreements.

24 (11) The World Trade Organization also sup-
25 plements such “special and differential” treatment

1 for developing countries by providing capacity-build-
2 ing measures, providing technical assistance for the
3 implementation of obligations under World Trade
4 Organization agreements, and permitting countries
5 to extend non-reciprocal trade preference programs
6 to such developing countries.

7 (12) On July 26, 2019, President Donald J.
8 Trump issued a document entitled “Memorandum
9 on Reforming Developing Country Status in the
10 World Trade Organization”.

11 **SEC. 3. REPORT ON UNITED STATES STRATEGY AT THE**
12 **WORLD TRADE ORGANIZATION.**

13 Not later than 90 days after the date of the enact-
14 ment of this Act, the United States Trade Representative
15 shall submit to Congress a report describing the manner
16 in which the Trade Representative plans to pursue a
17 United States strategy with respect to the World Trade
18 Organization to—

19 (1) facilitate the full implementation of agree-
20 ments reached by the World Trade Organization;

21 (2) enable the maximum benefits from trade to
22 accrue to those members of the World Trade Orga-
23 nization that face the greatest difficulty integrating
24 into the multilateral trading system of the World
25 Trade Organization; and

1 (3) ensure that any member of the World Trade
2 Organization that meets all of the following criteria
3 does not receive “special and differential” treatment
4 under current or future agreements of the World
5 Trade Organization:

6 (A) The member is ranked by the World
7 Bank as among one of the top 10 economies in
8 the world based on nominal gross domestic
9 product.

10 (B) The member is also a member of the
11 Group of 20.

12 (C) The member is also a member of, or
13 has begun the accession process to, the
14 Organisation for Economic Co-operation and
15 Development.

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