

118TH CONGRESS  
1ST SESSION

# S. 3300

To require a report on the competitiveness of United States exports of specialty crops.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 14 (legislative day, NOVEMBER 13), 2023

Mr. WYDEN (for himself, Mr. CRAPO, Mr. KING, Mr. RISCH, Ms. CANTWELL, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To require a report on the competitiveness of United States exports of specialty crops.

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 “Specialty Crops Re-  
5 porting on Opportunities and Promotion Act of 2023” or  
6 the “Specialty CROP Act of 2023”.

7 **SEC. 2. REPORT ON COMPETITIVENESS OF UNITED STATES**

8 **EXPORTS OF SPECIALTY CROPS.**

9 Section 203(e)(7) of the Agricultural Trade Act of  
10 1978 (7 U.S.C. 5623(e)(7)) is amended to read as follows:

1 “(7) ANNUAL REPORT.—

2 “(A) IN GENERAL.—Each year, the Sec-  
3 retary, in consultation with the United States  
4 Trade Representative, shall submit to the ap-  
5 propriate committees of Congress a report de-  
6 tailing the competitiveness of United States ex-  
7 ports of specialty crops.

8 “(B) ELEMENTS.—The report required by  
9 subparagraph (A) shall—

10 “(i) identify and analyze acts, policies,  
11 or practices of foreign countries that con-  
12 stitute significant barriers to, or distor-  
13 tions of United States exports of specialty  
14 crops, including the imposition of—

15 “(I) tariffs (including retaliatory  
16 tariffs) and quotas (including tariff-  
17 rate quotas); and

18 “(II) nontariff barriers, including  
19 technical barriers to trade, sanitary  
20 and phytosanitary measures, import  
21 licensing procedures, and subsidies;

22 “(ii) make an estimate—

23 “(I) of the impacts on the com-  
24 petitiveness of United States exports  
25 of specialty crops of any act, policy, or

1 practice identified under clause (i);  
2 and

3 “(II) if feasible, of the value of  
4 additional specialty crops that would,  
5 during the year preceding submission  
6 of the report, have been exported from  
7 the United States to each foreign  
8 country an act, policy, or practice of  
9 which is identified under clause (i) if  
10 each such act, policy, or practice of  
11 that country did not exist;

12 “(iii) assess the extent to which each  
13 act, policy, or practice identified under  
14 clause (i) is subject to international agree-  
15 ments to which the United States is a  
16 party;

17 “(iv) include information with respect  
18 to any action taken by the executive  
19 branch during the year preceding submis-  
20 sion of the report, or expected to be taken  
21 after submission of the report, to eliminate  
22 any act, policy, or practice identified under  
23 clause (i), including—

24 “(I) any action under section  
25 301;

1                   “(II) negotiations or consulta-  
2                   tions with foreign governments, which  
3                   may include engagement through the  
4                   standing committee on sanitary and  
5                   phytosanitary matters established  
6                   under a free trade agreement to which  
7                   the United States is a party; and

8                   “(III) action at the World Trade  
9                   Organization, including dispute settle-  
10                  ment actions, consultations, or nego-  
11                  tiations; and

12                  “(v) a description of—

13                  “(I) any funds provided under  
14                  subsection (f)(3)(A)(iv) that were not  
15                  obligated in the fiscal year preceding  
16                  submission of the report; and

17                  “(II) the reason such funds were  
18                  not obligated.

19                  “(C) COMMENT PERIOD.—Before pre-  
20                  paring the report required by subparagraph  
21                  (A), the Secretary, in coordination with the  
22                  United States Trade Representative, shall—

23                  “(i) seek comment from the public  
24                  and the Agricultural Technical Advisory

1 Committee for Trade in Fruits and Vege-  
2 tables; and

3 “(ii) take such comments into account  
4 in preparing the report.

5 “(D) FORM OF REPORT.—

6 “(i) IN GENERAL.—The report re-  
7 quired by subparagraph (A) shall be sub-  
8 mitted in unclassified form, but may in-  
9 clude a classified annex.

10 “(ii) PUBLIC AVAILABILITY.—The un-  
11 classified portion of the report required by  
12 subparagraph (A) shall be made available  
13 to the public in machine readable format.”.

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