

112TH CONGRESS  
2D SESSION

# H. R. 6537

To amend the Trade Act of 1974 to make improvements to the Generalized System of Preferences, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2012

Mr. NUNES introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Trade Act of 1974 to make improvements to the Generalized System of Preferences, 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 “Generalized System  
5 of Preferences Improvement Act”.

6 **SEC. 2. DESIGNATION OF BENEFICIARY DEVELOPING**  
7 **COUNTRIES.**

8 Section 502 of the Trade Act of 1974 (19 U.S.C.  
9 2462) is amended—

10 (1) in subsection (b)(2)—

1 (A) in subparagraph (C)—

2 (i) by striking “(C)” and inserting  
3 “(C)(i)”; and

4 (ii) by adding at the end the fol-  
5 lowing:

6 “(ii) Such country enters into an agree-  
7 ment to afford preferential treatment to the  
8 products of a developed country, other than the  
9 United States, unless the President determines  
10 and certifies to Congress that it is in the na-  
11 tional interests of the United States to des-  
12 ignate such country as a beneficiary developing  
13 country under this title.”;

14 (B) by inserting after subparagraph (H)  
15 the following:

16 “(I) Such country improperly uses sanitary  
17 and phytosanitary measures, technical barriers  
18 to trade, or other non-tariff trade barriers  
19 through a sustained or recurring course of ac-  
20 tion or inaction, in a manner negatively affect-  
21 ing trade between the country and the United  
22 States.”; and

23 (C) in the matter following subparagraph  
24 (I) (as added by subparagraph (B) of this para-

1 graph), by striking “and (H)” and inserting  
2 “(H), and (I)”; and  
3 (2) in subsection (c)—

4 (A) in paragraph (6), by striking “and” at  
5 the end;

6 (B) in paragraph (7), by striking the pe-  
7 riod at the end and inserting “; and”; and

8 (C) by adding at the end the following:

9 “(8) whether or not and the extent to which  
10 such country, in accordance with its capacity, adopts  
11 and follows international sanitary or phytosanitary  
12 standards and provides scientific justifications for  
13 deviations from such standards.”.

14 **SEC. 3. REVIEW AND REPORT TO CONGRESS.**

15 Section 504 of the Trade Act of 1974 (19 U.S.C.  
16 2464) is amended—

17 (1) in the section heading, by striking “**RE-**  
18 **PORT**” and inserting “**REPORTS**”;

19 (2) by striking “The President” and inserting  
20 “(a) REPORT ON WORKER RIGHTS AND CHILD  
21 LABOR.—The President”; and

22 (3) by adding at the end the following:

23 “(b) REPORT ON MARKET ACCESS.—

24 “(1) IN GENERAL.—The President shall submit  
25 an annual report to the Congress on the status of

1 market access within each covered beneficiary devel-  
2 oping country, including findings with respect to  
3 whether or not the beneficiary country, in accord-  
4 ance with its capacity, has adopted and followed  
5 international sanitary and phytosanitary standards  
6 and provides scientific justifications for deviations  
7 from such standards. The report shall also include  
8 findings as to whether or not each covered bene-  
9 ficiary developing country has improperly used sani-  
10 tary and phytosanitary measures, technical barriers  
11 to trade, and other non-tariff trade barriers.

12 “(2) COVERED BENEFICIARY DEVELOPING  
13 COUNTRY.—In paragraph (1), the term ‘covered ben-  
14 eficiary developing country ’ means a beneficiary de-  
15 veloping country that is one of the top 20 bene-  
16 ficiary developing countries in terms of dollar value  
17 of duty-free imports of articles under this title as  
18 identified on an annual basis by the United States  
19 International Trade Commission.”.

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