

118TH CONGRESS
2D SESSION

H. R. 7962

To advance United States long-term trade competitiveness and economic leadership in the Indo-Pacific region.

IN THE HOUSE OF REPRESENTATIVES

APRIL 11, 2024

Mrs. MILLER of West Virginia (for herself, Mr. PANETTA, Mr. SMITH of Nebraska, Mr. BEYER, Mr. LAHOOD, and Mr. BERA) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To advance United States long-term trade competitiveness and economic leadership in the Indo-Pacific region.

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 “United States Trade
5 Leadership in the Indo-Pacific Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The United States is an Indo-Pacific power.

9 (2) The Indo-Pacific region, spanning from our
10 Pacific Coastline to the Indian Ocean, is home to

1 over half the world's people, including nearly 60 per-
2 cent of youth, and is at the center of the 21st-cen-
3 tury global economy, accounting for 60 percent of
4 global gross domestic product and two-thirds of the
5 world's economic growth in 2022.

6 (3) The Indo-Pacific region also includes some
7 of America's closest military allies and partners, sev-
8 eral of the world's largest militaries, and 5 nations
9 allied with the United States through mutual de-
10 fense treaties. The region also contains strategic ri-
11 vals with growing military capabilities, in particular
12 the People's Republic of China (PRC). Our partners
13 are critical for responding to potential threats in the
14 region, maintaining credible deterrence, and for fos-
15 tering peace.

16 (4) There is broad bipartisan agreement that
17 the United States must have a strong and durable
18 economic strategy in the Indo-Pacific to advance our
19 commercial, geostrategic, and national security inter-
20 ests and support our allies and partners in the re-
21 gion.

22 (5) This is especially true and increasingly ur-
23 gent in the face of heightened aggression and pres-
24 sure from the PRC, which seeks to expand its influ-
25 ence by actively pursuing trade agreements with key

1 partners in the Indo-Pacific that establish pref-
2 erential treatment for goods and services, deepen
3 supply chain integration, and establish rules based
4 on the PRC's state-led authoritarian economic model
5 that undercut America's workers, businesses, and
6 economic security.

7 (6) For decades, the United States has sought
8 to persuade the PRC to eliminate harmful trade
9 practices and act responsibly within the global rules-
10 based trading system. Unfortunately, the PRC has
11 not substantially changed its behavior and has in-
12 stead used forced labor, subsidies and overproduc-
13 tion, intellectual property theft and the forced trans-
14 fer of technology, authoritarian digital governance
15 policies, economic coercion, and other unfair prac-
16 tices to advance an economic model that undermines
17 human rights, American industries and workers, and
18 market-based economies around the world.

19 (7) The PRC is now actively seeking to increase
20 trade ties in the Indo-Pacific region as a means to
21 increase its economic influence and increase supply
22 chain dependency on the PRC. One of the most
23 prominent examples of the PRC's growing economic
24 influence in the Indo-Pacific region is the Regional
25 Comprehensive Economic Partnership (RCEP),

1 which entered into force in January 2022. RCEP is
2 now the largest trade agreement in the world, en-
3 compassing 15 countries that account for 30 percent
4 of the global economy. This agreement will increas-
5 ingly put the United States at a competitive dis-
6 advantage as the economies of the PRC, Australia,
7 Brunei, Cambodia, Indonesia, Japan, Korea, Laos,
8 Malaysia, Myanmar, New Zealand, the Philippines,
9 Singapore, Thailand, and Vietnam grow more inte-
10 grated.

11 (8) The PRC is also actively negotiating numer-
12 ous other regional and bilateral trade agreements
13 throughout the region and is attempting to accede to
14 the Comprehensive and Progressive Agreement for
15 Trans-Pacific Partnership (CPTPP) as well as the
16 Digital Economic Partnership Agreement (DEPA).

17 (9) The PRC's aggressive assertion of its eco-
18 nomic interests in the Indo-Pacific through the use
19 of trade agreements underscores the need for the
20 United States to provide a meaningful and credible
21 alternative to achieve our economic and national se-
22 curity goals.

23 (10) American workers and businesses also face
24 competitive pressures as other countries in the re-
25 gion pursue regional rules and preferential trade

1 agreements without the participation of the United
2 States. There are now more than 200 preferential
3 trade agreements in force with at least one party
4 from the region and over 100 more are under nego-
5 tiation or pending ratification.

6 (11) Recognizing this void in American leader-
7 ship, the Biden administration launched negotiations
8 with Australia, Brunei, India, Indonesia, Japan, Re-
9 public of Korea, Malaysia, New Zealand, the Phil-
10ippines, Singapore, Thailand, and Vietnam (with Fiji
11 joining shortly thereafter) on the Indo-Pacific Eco-
12 nomic Framework (IPEF) in 2022, with the aim of
13 deepening trade ties, strengthening supply chain re-
14 siliency, accelerating the development of climate in-
15 frastructure, and countering corruption.

16 (12) In November 2023, IPEF partners signed
17 an agreement on supply chain resiliency and an-
18 nounced the substantial conclusion of negotiations
19 on several additional agreements but have not final-
20 ized an agreement that includes commitments on
21 trade. The Biden Administration has not sought to
22 consult with Congress on the IPEF pillars.

23 (13) To inform future policymaking, Congress
24 should work with the administration in a bipartisan
25 manner to examine current United States economic

1 policy toward the Indo-Pacific, the impacts of re-
2 gional trade agreements on American competitive-
3 ness, and policies to advance United States objec-
4 tives in the region.

5 (14) Through a more comprehensive trade and
6 economic strategy toward the Indo-Pacific region,
7 the United States could exert greater leverage to im-
8 prove labor rights and help level the playing field for
9 American workers, enhance environmental stand-
10 ards, counter non-market economies and
11 authoritarianism, construct more resilient supply
12 chains, better meet the needs of our allies and part-
13 ners, and grow our economy by addressing barriers
14 to trade for American products.

15 **SEC. 3. INVESTIGATION OF IMPACT OF INDO-PACIFIC RE-**
16 **GIONAL AGREEMENTS ON UNITED STATES**
17 **COMPETITIVENESS.**

18 Not later than 180 days after the date of the enact-
19 ment of this Act, the United States International Trade
20 Commission shall conduct and conclude an investigation
21 to examine—

22 (1) how preferential market access provisions,
23 including tariffs, quotas, and services commitments,
24 in existing Indo-Pacific regional trade agreements,
25 including the Regional Comprehensive Economic

1 Partnership (RCEP) Agreement and the Com-
2 prehensive and Progressive Agreement for Trans-Pa-
3 cific Partnership (CPTPP), affect United States ex-
4 ports and growth opportunities in the Indo-Pacific
5 region;

6 (2) how existing non-tariff barriers, including
7 regulatory practices, relatively lower labor and envi-
8 ronmental standards, different rules for sectors
9 ranging from agriculture and the digital economy,
10 and standard-setting in these areas as part of exist-
11 ing Indo-Pacific regional and bilateral trade agree-
12 ments, impact the competitiveness of American
13 workers and businesses;

14 (3) the impact of existing Indo-Pacific regional
15 trade agreements on United States supply chain re-
16 siliency and connectivity, and in particular its im-
17 pact on the People’s Republic of China’s role in key
18 global supply chains; and

19 (4) differences between the United States-Mex-
20 ico-Canada Agreement (USMCA) and CPTPP,
21 RCEP, or other regional trade agreements in the
22 Indo-Pacific that would likely have a substantial im-
23 pact on United States businesses and workers.

24 **SEC. 4. INDO-PACIFIC TRADE STRATEGY COMMISSION.**

25 (a) ESTABLISHMENT.—

1 (1) IN GENERAL.—There is hereby established
2 an independent commission to be known as the
3 “Indo-Pacific Trade Strategy Commission” (in this
4 section referred to as the “Commission”), to develop
5 findings and recommendations for a comprehensive
6 trade strategy for the Indo-Pacific region for pur-
7 poses of—

8 (A) ensuring sustained United States eco-
9 nomic and geopolitical leadership in the Indo-
10 Pacific region;

11 (B) promoting United States innovation,
12 exports, and economic opportunities for workers
13 and businesses;

14 (C) countering the People’s Republic of
15 China’s aggressive trade agenda;

16 (D) promoting United States values,
17 norms, and standards;

18 (E) strengthening the United States econ-
19 omy;

20 (F) bolstering United States economic and
21 national security, including by addressing the
22 vulnerabilities identified in the G7 Leaders’
23 Statement on Economic Resilience and Eco-
24 nomic Security of May 20, 2023; and

1 (G) promoting United States supply chain
2 resilience.

3 (2) EFFECTIVE DATE.—This subsection shall
4 take effect on the date that is 30 days after the date
5 of the enactment of this Act.

6 (b) MEMBERSHIP.—

7 (1) NUMBER AND APPOINTMENT.—The Com-
8 mission shall be composed of 12 members appointed
9 as follows:

10 (A) 6 members appointed by mutual agree-
11 ment of the Chair of the Committee on Ways
12 and Means of the House of Representatives and
13 the Ranking Member of the Committee on Fi-
14 nance of the Senate.

15 (B) 6 members appointed by mutual agree-
16 ment of the Chair of the Committee on Finance
17 of the Senate and the Ranking Member of the
18 Committee on Ways and Means of the House of
19 Representatives.

20 (C) None of the appointed members shall
21 be a Member of the House of Representatives
22 or a Member of the Senate.

23 (2) QUALIFICATIONS.—The members of the
24 Commission shall be individuals who have well-docu-

1 mented expertise, knowledge, or experience in the
2 Indo-Pacific region, and—

3 (A) international trade;

4 (B) economic and supply chain issues;

5 (C) labor matters; or

6 (D) environmental policy.

7 (3) MEETINGS.—The Commission shall—

8 (A) hold public hearings and meetings;

9 (B) hold classified hearings or meetings, if
10 necessary to discuss classified material or infor-
11 mation;

12 (C) provide an opportunity for public com-
13 ment, including sharing of research and policy
14 analysis, through publication of a solicitation
15 for public comments during a period of not less
16 than 45 days;

17 (D) consult quarterly with Congress, spe-
18 cifically with members of the Committee on
19 Ways and Means of the House of Representa-
20 tives and members of the Committee on Fi-
21 nance of the Senate; and

22 (E) submit, not later than 18 months after
23 the date of the enactment of this Act, a final
24 report to Congress, specifically to the members
25 of the Committee on Ways and Means of the

- 1 House of Representatives and members of the
- 2 Committee on Finance of the Senate.

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