

1 Title: To require a report on the competitiveness of United States exports of specialty crops.
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4 Be it enacted by the Senate and House of Representatives of the United States of America in
5 Congress assembled,

6 SECTION 1. SHORT TITLE.

7 This Act may be cited as the “Specialty Crops Reporting on Opportunities and Promotion Act
8 of 2023” or the “Specialty CROP Act of 2023”.

9 SEC. 2. REPORT ON COMPETITIVENESS OF UNITED 10 STATES EXPORTS OF SPECIALTY CROPS.

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

13 “(7) ANNUAL REPORT.—

14 “(A) IN GENERAL.—Each year, the Secretary, in consultation with the United States
15 Trade Representative, shall submit to the appropriate committees of Congress a report
16 detailing the competitiveness of United States exports of specialty crops.

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

18 “(i) identify and analyze acts, policies, or practices of foreign countries that
19 constitute significant barriers to, or distortions of United States exports of
20 specialty crops, including the imposition of—

21 “(I) tariffs (including retaliatory tariffs) and quotas (including tariff-rate
22 quotas); and

23 “(II) nontariff barriers, including technical barriers to trade, sanitary and
24 phytosanitary measures, import licensing procedures, and subsidies;

25 “(ii) make an estimate—

26 “(I) of the impacts on the competitiveness of United States exports of
27 specialty crops of any act, policy, or practice identified under clause (i); and

28 “(II) if feasible, of the value of additional specialty crops that would,
29 during the year preceding submission of the report, have been exported from
30 the United States to each foreign country an act, policy, or practice of which
31 is identified under clause (i) if each such act, policy, or practice of that
32 country did not exist;

33 “(iii) assess the extent to which each act, policy, or practice identified under
34 clause (i) is subject to international agreements to which the United States is a
35 party;

36 “(iv) include information with respect to any action taken by the executive
37 branch during the year preceding submission of the report, or expected to be taken
38 after submission of the report, to eliminate any act, policy, or practice identified

1 under clause (i), including—
2 “(I) any action under section 301;
3 “(II) negotiations or consultations with foreign governments, which may
4 include engagement through the standing committee on sanitary and
5 phytosanitary matters established under a free trade agreement to which the
6 United States is a party; and
7 “(III) action at the World Trade Organization, including dispute settlement
8 actions, consultations, or negotiations; and
9 “(v) a description of—
10 “(I) any funds provided under subsection (f)(3)(A)(iv) that were not
11 obligated in the fiscal year preceding submission of the report; and
12 “(II) the reason such funds were not obligated.
13 “(C) COMMENT PERIOD.—Before preparing the report required by subparagraph (A),
14 the Secretary, in coordination with the United States Trade Representative, shall—
15 “(i) seek comment from the public and the Agricultural Technical Advisory
16 Committee for Trade in Fruits and Vegetables; and
17 “(ii) take such comments into account in preparing the report.
18 “(D) FORM OF REPORT.—
19 “(i) IN GENERAL.—The report required by subparagraph (A) shall be submitted
20 in unclassified form, but may include a classified annex.
21 “(ii) PUBLIC AVAILABILITY.—The unclassified portion of the report required by
22 subparagraph (A) shall be made available to the public in machine readable
23 format.”.