

CHAPTER 19—TELECOMMUNICATIONS TRADE

- Sec.
3101. Findings and purposes.
 (a) Findings.
 (b) Purposes.
3102. Definitions.
3103. Investigation of foreign telecommunications trade barriers.
 (a) In general.
 (b) Factors to be taken into account.
 (c) Revocations and additional identifications.
 (d) Report to Congress.
3104. Negotiations in response to investigation.
 (a) In general.
 (b) Establishment of specific negotiating objectives for each foreign priority country.
 (c) General negotiating objectives.
 (d) Specific negotiating objectives.
3105. Actions to be taken if no agreement obtained.
 (a) In general.
 (b) Actions authorized.
 (c) Negotiating period.
 (d) Modification and termination authority.
 (e) Report.
3106. Review of trade agreement implementation by Trade Representative.
 (a) In general.
 (b) Review factors.
 (c) Action in response to affirmative determination.
3107. Compensation authority.
3108. Consultations.
 (a) Advice from departments and agencies.
 (b) Advice from private sector.
 (c) Consultations with Congress and official advisors.
 (d) Modification of specific negotiating objectives.
3109. Submission of data; action to ensure compliance.
 (a) Submission of data.
 (b) Action to ensure compliance.
3110. Study on telecommunications competitiveness in United States.
 (a) In general.
 (b) Public comment.
 (c) Report.
3111. International obligations.

§ 3101. Findings and purposes

(a) Findings

The Congress finds that—

(1) rapid growth in the world market for telecommunications products and services is likely to continue for several decades;

(2) the United States can improve prospects for—

(A) the growth of—

(i) United States exports of telecommunications products and services, and

(ii) export-related employment and consumer services in the United States, and

(B) the continuance of the technological leadership of the United States,

by undertaking a program to achieve an open world market for trade in telecommunications products, services, and investment;

(3) most foreign markets for telecommunications products, services, and investment are

characterized by extensive government intervention (including restrictive import practices and discriminatory procurement practices) which adversely affect United States exports of telecommunications products and services and United States investment in telecommunications;

(4) the open nature of the United States telecommunications market, accruing from the liberalization and restructuring of such market, has contributed, and will continue to contribute, to an increase in imports of telecommunications products and a growing imbalance in competitive opportunities for trade in telecommunications;

(5) unless this imbalance is corrected through the achievement of mutually advantageous market opportunities for trade in telecommunications products and services between the United States and foreign countries, the United States should avoid granting continued open access to the telecommunications products and services of such foreign countries in the United States market; and

(6) the unique business conditions in the worldwide market for telecommunications products and services caused by the combination of deregulation and divestiture in the United States, which represents a unilateral liberalization of United States trade with the rest of the world, and continuing government intervention in the domestic industries of many other countries create a need to make an exception in the case of telecommunications products and services that should not necessarily be a precedent for legislating specific sectoral priorities in combating the closed markets or unfair foreign trade practices of other countries.

(b) Purposes

The purposes of this chapter are—

(1) to foster the economic and technological growth of, and employment in, the United States telecommunications industry;

(2) to secure a high quality telecommunications network for the benefit of the people of the United States;

(3) to develop an international consensus in favor of open trade and competition in telecommunications products and services;

(4) to ensure that countries which have made commitments to open telecommunications trade fully abide by those commitments; and

(5) to achieve a more open world trading system for telecommunications products and services through negotiation and provision of mutually advantageous market opportunities for United States telecommunications exporters and their subsidiaries in those markets in which barriers exist to free international trade.

(Pub. L. 100-418, title I, §1372, Aug. 23, 1988, 102 Stat. 1216.)

SHORT TITLE

Section 1371 of Pub. L. 100-418 provided that: "This part [part 4 (§§1371-1382) of subtitle C of title I of Pub. L. 100-418, enacting this chapter] may be cited as the 'Telecommunications Trade Act of 1988'."

§ 3102. Definitions

For purposes of this chapter—