

110TH CONGRESS  
1ST SESSION

# H. R. 4180

To allow United States citizens to bring civil actions against persons who fail to perform an act or duty under the United States-Peru Trade Promotion Agreement Implementation Act.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2007

Mr. ELLISON (for himself and Mr. MICHAUD) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To allow United States citizens to bring civil actions against persons who fail to perform an act or duty under the United States-Peru Trade Promotion Agreement Implementation Act.

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. CIVIL SUITS UNDER U.S. PERU TRADE PRO-**  
4 **MOTION AGREEMENT IMPLEMENTATION ACT.**

5 Section 102(c) of the United States-Peru Trade Pro-  
6 motion Agreement Implementation Act is amended to read  
7 as follows:

1       “(c) THIRD PARTY RIGHT OF ACTION ALLOWED.—  
2 Any citizen of the United States may commence a civil  
3 action on his or her own behalf or in a representative ca-  
4 pacity against any person (including the United States or  
5 any other governmental instrumentality or agency to the  
6 extent permitted by the eleventh amendment to the Con-  
7 stitution) who is alleged to have knowingly failed to per-  
8 form any act or duty under this Act. The United States  
9 District Court for the District of Columbia shall have ju-  
10 risdiction, without regard to the amount in controversy or  
11 the citizenship of the parties, to issue appropriate orders  
12 requiring such person to perform such act or duty.”.

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