



# United States International Trade Commission

## Year in Review

### The Commissioners

Stephen Koplan,  
Chairman  
Deanna Tanner Okun,  
Vice Chairman  
Jennifer A. Hillman  
Charlotte R. Lane  
Daniel R. Pearson  
Shara L. Aranoff

## Fiscal Year 2005

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# Message from the Chairman

I am pleased to introduce the U.S. International Trade Commission's *Year in Review* for fiscal year 2005. Over the past 12 months our agency has continued to meet the challenges posed by import injury investigations, sunset reviews, continued growth of our unfair import investigations relating to intellectual property, and the increasing demands placed upon our research program in order to be responsive to the Administration and the Congress regarding strategic trade initiatives.

In the area of import injury investigations, during FY 2005 the agency instituted 12 title VII investigations, 123 five-year sunset reviews, which whenever possible were grouped for purposes of administrative efficiency, and one China safeguard investigation. The investigations covered products ranging from agricultural products such as orange juice to manufactured products such as diamond sawblades.

In FY 2005, there were also 57 active section 337 intellectual property investigations or ancillary proceedings. Approximately one-third of our active investigations focused on products in high technology areas such as flash memory circuits, digital image storage and retrieval devices, digital processors, electric robots, network controllers, network communications systems for optical networks, and hand-held mobile computing devices.

The Commission completed 21 industry and economic analysis investigations in FY 2005, of which 10 were section 332 factfinding investigations. In addition, technical assistance was provided in 73 issue areas.

On the administrative front, the Commission initiated the development of a Continuity of Operations Plan that addresses our response to emergency situations. The Plan, which was developed by an Emergency Preparedness Task Force, will ensure business continuity, improve information security as well as personnel and physical security, and leverage the capabilities of our robust telecommuting program. Continuing the successful history of our financial stewardship, the Commission received a clean opinion from the auditors of our FY 2005 financial statement. Also, we continued the development and implementation of several information technology initiatives during FY 2005, including the capability to accept confidential e-filings for agency investigations.

In order to ably respond to current and anticipated workload demands, we implemented a comprehensive human capital management strategy. During the current fiscal year, we published the final draft of our human capital strategic plan, which defines our human capital requirements, develops staffing standards and models, and helps identify future staffing needs. In addition, the Commission designed a new management performance system to ensure fair and accurate recognition of employee performance. As an indication of the success of our team effort, the International Trade Commission was rated "best in class" for training and development on the governmentwide Human Capital Survey.

On a personal note, I am honored to have been able to complete a second term as Chairman. Any success I have had in this capacity is directly attributable to the agency's dedicated and talented management team, professional and support staff, and to my personal staff whose superb advice is of unmeasurable value.

Stephen Koplan



Chairman

May 2006



# The Commission

The ITC is an independent, quasi-judicial federal agency established by Congress with a wide range of trade-related mandates.

Under its factfinding authority, the ITC exercises broad investigative powers on matters of trade. In its adjudicative role, the ITC makes determinations with respect to certain unfair trade practices. Through its research, the ITC is also a national resource where trade data are gathered and analyzed. Information and analysis are provided to the executive branch and the Congress to assist them in developing U.S. trade policy.

The ITC's mission is threefold: to administer U.S. trade remedy laws in a fair and objective manner; to provide the President, the U.S. Trade Representative (USTR), and the Congress with independent, quality analysis, information, and support on matters of tariffs and international trade and competitiveness; and to maintain the Harmonized Tariff Schedule (HTS) of the United States. In doing so, the ITC serves the public by implementing U.S. law and contributing to the development and implementation of sound and informed U.S. trade policy.

The ITC fulfills its mission and serves the nation through five major operations. These are:

- import injury investigations**, which involve determining whether certain unfairly traded imports (antidumping and countervailing duty investigations) as well as increased imports (global and bilateral safeguard investigations) injure or threaten to injure U.S. industries;
- intellectual property-based import investigations**, which involve directing actions, subject to Presidential disapproval, against certain unfair practices in import trade, such as patent and trademark infringement;
- industry and economic analysis**, which involves conducting objective analyses of major trade-related issues; estimating the probable economic effects of trade agreements; and analyzing the competitiveness of specific industries, seeking to identify economic factors within the industry as well as external factors that affect the industry's competitiveness;
- trade information services**, through which reliable and timely trade information and analysis is developed and delivered to the Commission, the Congress, the executive branch, and the general public; and
- trade policy support**, which involves direct technical support by ITC staff to the USTR, congressional committees and Members of Congress, interagency committees, and U.S. delegations to multilateral trade organizations, such as the World Trade Organization.

The six Commissioners are appointed by the President and confirmed by the Senate for terms of nine years, unless appointed to fill an unexpired term. The terms are set by statute and are staggered so that a different term expires every 18 months. A Commissioner who has served for more than five years is ineligible for reappointment. No more than three Commissioners may be members of the same political party. The Chairman and the Vice Chairman are designated by the President and serve for a statutory two-year term. The Chairman may not be of the same political party as the preceding Chairman, nor may the President designate two Commissioners of the same political party as the Chairman and Vice Chairman.

# The Commissioners

Stephen Koplan, a Democrat of Virginia, was designated Chairman of the ITC by President Bush for the term ending June 16, 2006. He previously served as Chairman of the ITC from June 17, 2000, through June 16, 2002. He was appointed by President Clinton and sworn in as a member of the Commission on August 4, 1998, for the Commission term ending June 16, 2005. Mr. Koplan has been admitted to practice law in both Massachusetts and the District of Columbia. He began his career as a prosecutor in the Tax Division of the U.S. Department of Justice. He served in the Department's Tax Division for five years and its Civil Rights Division for seven years. Subsequently, he was the Legislative Representative for tax and international trade issues for the AFL-CIO for six-and-one-half years. He also served as staff attorney to former Senator Lee Metcalf (D-MT), with responsibility for all tax and foreign trade legislation referred to the Senate Committee on Finance, and later as the General Counsel of the former Senate Post Office and Civil Service Committee. He served as the Vice President of Governmental Affairs of Joseph E. Seagram & Sons, Inc.; as a principal in two Washington, DC, law firms; and most recently, as the Director for Governmental and Conservation Affairs of Safari Club International. He holds a Bachelor of Arts degree from Brandeis University, a Juris Doctor degree from Boston University School of Law, and a Master of Laws (in Taxation) degree from the Graduate Tax Program of New York University School of Law.

Deanna Tanner Okun, a Republican of Idaho, was designated Vice Chairman of the ITC by President Bush for the term ending June 16, 2006. She served as Chairman of the ITC from June 17, 2002, to June 16, 2004, and previously served as Vice Chairman of the ITC from June 17, 2000, through June 16, 2002. She was appointed by President Clinton and sworn in as a member of the Commission on January 3, 2000, for the Commission term expiring on June 16, 2008. Prior to her appointment, Ms. Okun served as counsel for international affairs to Senator Frank Murkowski (R-AK) from 1993 to 1999, where she was responsible for the international trade issues with which the Senator was involved as a member of the Senate Committee on Finance. She also handled international energy and foreign relations issues for the Senator in his position as Chairman of the Senate Energy and Natural Resources Committee. Earlier, Ms. Okun served as a legislative assistant to Senator Murkowski, responsible for his Foreign Relations Committee work, with an emphasis on East Asian affairs. Prior to her work with the Senator, Ms. Okun was an associate attorney and member of the International Trade Group at the Washington, DC, law firm of Hogan & Hartson. Earlier in her career, she was a research associate specializing in trade at the Competitive Enterprise Institute in Washington, DC. She holds a Bachelor of Arts degree in political science with honors from Utah State University and received her J.D. with honors from the Duke University School of Law.

Jennifer A. Hillman, a Democrat of Indiana, was sworn in as a member of the Commission on August 4, 1998, for the term ending December 16, 2006. She served as Vice Chairman of the ITC from June 17, 2002, through June 16, 2004. Prior to her appointment, Ms. Hillman served as General Counsel for the United States Trade Representative (USTR) from 1995 to 1997, where she was responsible for a wide variety of trade matters, including all U.S. government submissions in dispute settlement cases pending before either the World Trade Organization or the North American Free Trade Agreement panels as well as all legal work done in connection with trade negotiations. Prior to that position, she served as Chief Textile Negotiator with the Rank of Ambassador for the USTR. Before joining the USTR, she was the Legislative Director and Counsel to Senator Terry Sanford (D-NC). She began her career as an attorney in the Washington, DC, firm of Patton, Boggs & Blow. Ms. Hillman holds a Bachelor of Arts degree in political science and a Master of Arts degree in higher education administration from Duke University; she received her J.D. from Harvard Law School.



Charlotte R. Lane, a Republican of West Virginia, was appointed by President George W. Bush and sworn in as a member of the Commission on August 27, 2003, as a recess appointment. On November 21, 2004, she was confirmed by the U.S. Senate and was sworn in on December 7, 2004, for the Commission term ending December 16, 2009. Prior to her appointment, Ms. Lane served as a member of the West Virginia Public Service Commission from 1997 to 2003 and was Chairman of that Commission from 1997 to 2001. She previously served as a Commissioner on the West Virginia Public Service Commission from 1985 to 1989. Ms. Lane served as a Member of the West Virginia House of Delegates from Kanawha County in the years 1979 to 1980, 1984, and 1990 to 1992. Ms. Lane has practiced law since 1972 in federal and state courts in West Virginia. She also served as Interim United States Attorney for the Southern District of West Virginia in 1987. Ms. Lane has been active in local and state organizations and previously served as president of the West Virginia Bar Association, president of the Charleston Rotary Club, and president of the Mid-Atlantic Conference of Regulatory Utility Commissioners. Ms. Lane holds a Bachelor of Arts degree from Marshall University and received her Juris Doctor degree from West Virginia University College of Law.

Daniel R. Pearson, a Republican of Minnesota, was appointed by President George W. Bush on August 22, 2003, as a recess appointment. On November 21, 2004, he was confirmed by the U.S. Senate and was sworn in on December 7, 2004, for the Commission term ending June 16, 2011. Prior to his appointment, Mr. Pearson was Assistant Vice President of Public Affairs for Cargill, Inc., in Minneapolis, MN, where his work focused primarily on trade policy issues, including the World Trade Organization agricultural negotiations, the efforts of China and other countries to join the WTO, the global “level playing field” initiative for the oilseed sector, the U.S.-Mexico sweetener dispute, and the effects of domestic agricultural policies on U.S. competitiveness. Before his appointment to Assistant Vice President, he served as a policy analyst in the public affairs department from 1987 to 1998. From 1981 to 1987, Mr. Pearson was the agricultural legislative assistant to Senator Rudy Boschwitz in Washington, DC, where he was responsible for legislative and regulatory issues under the jurisdiction of the Senate Agricultural Committee. He also served as staff for the Subcommittee on Foreign Agricultural Policy, chaired by Senator Boschwitz. From 1979 to 1980, Mr. Pearson farmed in a diversified 800-acre operation with his father and brother in Ogilvie, Minnesota. His extensive experience encompasses both trade-related matters and hands-on agricultural work. He holds Bachelor of Science and Master of Science degrees in agriculture and applied economics from the University of Minnesota.

Shara L. Aranoff, a Democrat of Maryland, was sworn in as a member of the Commission on September 6, 2005, for the term ending December 16, 2012. Prior to her appointment, Ms. Aranoff was Senior International Trade Counsel on the Democratic staff of the U.S. Senate Committee on Finance, where she was responsible for legislative and policy issues on international trade and investment, including the Trade Act of 2002; negotiations involving the World Trade Organization, the Free Trade Area of the Americas, and numerous free trade agreements; trade remedy laws; Trade Adjustment Assistance; and trade-related environment and labor issues. From June 1993 until her Senate Finance Committee appointment in January 2001, she served as an Attorney-Advisor in the Office of the General Counsel at the U.S. International Trade Commission. Earlier in her career, Ms. Aranoff was an Associate at the Washington, DC, law firm of Steptoe & Johnson, specializing in international trade and public international law. Prior to that, she served as a judicial clerk for the Honorable Herbert P. Wilkins, Associate Justice, Massachusetts Supreme Judicial Court. Ms. Aranoff holds a bachelor of arts degree from the Woodrow Wilson School of Public and International Affairs at Princeton University. She received her J.D. from Harvard Law School. She attended the Institut Universitaire de Hautes Etudes Internationales at the University of Geneva in Switzerland as a Fulbright Scholar from 1984-1985.

# Introduction

A global catastrophe had a direct effect on the ITC during FY 2005, raising the profile of the Commission's action in an antidumping duty investigation to an unexpected level.

The Commission's antidumping investigations involving certain frozen warmwater shrimp from six countries were drawing to a close when, in late December 2004, an underwater earthquake triggered the massive tsunami in Southeast Asia that killed hundreds of thousands of people in many countries. Among the countries hit hard by the tsunami were India and Thailand – two of the countries involved in the Commission's shrimp investigation.

The Commission made its injury determinations on January 6, 2005, as scheduled, based on the record built in the investigations. However, it announced at that time that it would collect information and accept submissions on whether the tsunami's impact on the frozen warmwater shrimp industries in India and Thailand warranted the Commission self-instituting changed circumstances reviews. The changed circumstances provision allows the Commission to conduct a review when changed circumstances make such a review appropriate.

After considering the submissions it received, the Commission did institute changed circumstances reviews to determine whether revoking the antidumping duty orders issued in the shrimp cases involving India and Thailand would be likely to lead to continuation or recurrence of injury to the U.S. industry. It made its determinations in the reviews, which were affirmative, in early FY 2006.

In addition to the shrimp changed circumstances reviews, intellectual property-related investigations and five-year (sunset) reviews of existing antidumping and countervailing duty orders dominated a steady trade remedy investigation caseload at the U.S. International Trade Commission during FY 2005.

Investigations under section 337 of the Tariff Act of 1930 continued at a high level during the year, with 25 new investigations and four new ancillary proceedings launched. Following the retirement of Administrative Law Judge Delbert R. Terrill early in the fiscal year, the ITC welcomed Judge Robert L. Barton, Jr., to the agency, maintaining a full complement of four ALJs to direct the litigation in this busy area of Commission business.

During FY 2005, the Commission also began the "second round" of five-year (sunset) reviews that were initially considered during the 1999-2002 phase-in period of the sunset review law. Antidumping and countervailing duty orders in place as of 1995 were initially reviewed during a three-year "transition" period starting in 1999; the fifth anniversaries of those "transition" orders began to arrive in 2004, swelling the Commission's FY 2005 five-year review caseload. The Commission instituted 123 five-year (sunset) reviews during the fiscal year. More information on the Commission's trade remedy investigations can be found at pages 13-18 and appendix A of this report.

The Commission's Industry and Economic Analysis program staff completed work on a variety of general factfinding and probable economic effect investigations during the year, including several that examined U.S. and foreign markets in a number of services areas (remediation and nature and landscape protection services, air and noise pollution abatement services, logistic services, and renewable energy services). The agency also investigated the economic impact on the United States of trade agreements signed since 2002 under trade

promotion authority, the probable economic effect of several proposed bilateral trade agreements, and the competitiveness of the U.S. foundry industry. Detailed information on these investigations can be found at pages 18-24 and in appendix B of this report.

The Commission continued to provide record levels of technical assistance to trade policymakers during FY 2005, meeting Administration and congressional requests for accurate, complex, objective information. ITC attorneys also continued to provide support to the USTR for WTO-related dispute settlement and litigation issues as well as to provide technical assistance to the executive branch in conjunction with the Doha Round trade negotiations, particularly the activities of the Negotiating Group on Rules.

Finally, the Commission makeup changed during FY 2005. Commissioners Charlotte R. Lane and Daniel R. Pearson, who had been serving as Commissioners under recess appointments, were confirmed by the U.S. Senate for full terms as Commissioners in November 2004. Commissioner Lane was confirmed for the Commission term expiring on December 16, 2009; Commissioner Pearson was confirmed for the Commission term expiring on June 16, 2011.

Also, Commissioner Marcia E. Miller, whose term expired on December 16, 2003, left the Commission in September 2005, when her successor was sworn in. Commissioner Shara L. Aranoff, a former ITC attorney in the Office of the General Counsel who went on to serve on the Democratic staff of the U.S. Senate Committee on Finance, was confirmed by the Senate and sworn in for the Commission term expiring on December 16, 2012.

# **Part One: Commission Activities and Accomplishments**

## **Operation 1: Import Injury Investigations**

The ITC determines whether imports are injuring or threatening to injure U.S. industries under a number of trade laws. Import injury investigations at the ITC include antidumping and countervailing duty investigations and five-year (sunset) reviews under title VII of the Tariff Act of 1930; global safeguard (escape clause), China safeguard, and market disruption investigations under the Trade Act of 1974; bilateral safeguard investigations under section 302 of the North American Free Trade Agreement (NAFTA) Implementation Act of 1994; and investigations under section 22 of the Agricultural Adjustment Act.

The Commissioners base their determinations in import injury investigations on the requirements of the appropriate law and the factual record built in each investigation. The Commissioners publish their opinions in import injury investigations, which are subject to judicial review (see appendix C for details on each investigation type).

In each investigation, the Commission and an investigative staff team (which includes a supervisory investigator, an investigator, an accountant/auditor, an economist, a commodity-industry analyst, and an attorney) develop a thorough record of the conditions of competition within the domestic market of the industry under investigation. The Commissioners and the staff team employ a variety of fact-gathering techniques, which include (but are not limited to) industry-specific questionnaires, telephone interviews, plant visits, consultations with technical and marketing specialists, statements by the parties, public hearings, and reviews of industry and market literature.

The investigative team collects and analyzes the extensive data in each investigation, then presents an objective and comprehensive report to the Commission. Data presented in the staff's report include (but are not limited to) the industry's productive capacity, actual production, capacity utilization, domestic and export shipments, inventories, imports, domestic market shares held by U.S. and foreign suppliers, employment, hours worked, productivity, wages and total compensation paid, unit labor costs, pricing, distribution channels, and full financial data on the U.S. companies producing the product under investigation. Somewhat more limited information about the foreign industry producing the product under investigation is also collected and analyzed.

In the course of import injury investigations, ITC staff work closely with officials at the U.S. Department of Commerce, the U.S. Customs Service, parties to the investigations and their attorneys, and company officials for U.S. producers, importers, and purchasers of the product. In addition, members of Congress frequently testify at import injury hearings to enter the views and concerns of their constituents into the record of the investigation.

ITC determinations under the antidumping and countervailing duty and the five-year (sunset) review laws can be appealed to the Court of International Trade (and further appealed to the Court of Appeals for the Federal Circuit). ITC attorneys represent the Commission in these proceedings, and litigation is another critical aspect of the ITC's import injury investigation work. For information concerning import injury appeals during FY 2005, see appendix E.

Antidumping/countervailing duty investigations, five-year (sunset) reviews, and global safeguard investigations are the import injury investigations most frequently conducted by the ITC.

## Antidumping/Countervailing Duty Investigations and Five-Year (Sunset) Reviews

Under title VII of the Tariff Act of 1930, U.S. industries may petition the government for relief from imports that are sold in the United States at less than fair value (“dumped”) or that benefit from countervailable subsidies provided through foreign government programs (“subsidized”). Dumping and subsidizing are considered unfair trade practices.

Under the law, the U.S. Department of Commerce (Commerce) determines whether the dumping or subsidizing exists, and, if so, the margin of dumping or amount of the subsidy. The ITC determines whether the dumped or subsidized imports materially injure or threaten to materially injure the U.S. industry. If both agencies make affirmative final determinations on their separate issues, Commerce will issue an antidumping duty order to address dumping or a countervailing duty order to address subsidies. Commerce is required to revoke an antidumping or countervailing duty order, or terminate a suspension agreement, after five years unless Commerce determines that revoking the order or terminating the suspension agreement would be likely to lead to continuation or recurrence of dumping or subsidies and the ITC determines that revoking the order or terminating the suspension agreement would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

A more detailed explanation of the antidumping/countervailing duty laws, including the five-year (sunset) review process, is included in appendix C.

Twelve title VII petitions were filed with the Commission in FY 2005. The majority concerned allegations of dumping (10 of the 12). The petitions covered a variety of products, including orange juice, superalloy degassed chromium, artists’ canvas, diamond sawblades, metal calendar slides, lined paper school supplies, and liquid sulfur dioxide. The Commission also finished work on a number of other cases that had been filed during FY 2004. See appendix A for a complete list of investigations and accompanying details.

The ITC instituted 123 five-year (sunset) reviews during FY 2005. A list of reviews is presented in appendix A, and the status of each review also can be found on the ITC’s Internet site at [www.usitc.gov](http://www.usitc.gov).

## Global Safeguard Investigations

Under section 201 of the Trade Act of 1974, domestic industries seriously injured or threatened with serious injury by increased imports may petition the ITC for import relief.

Section 201 does not require a finding of an unfair trade practice, as do the antidumping/countervailing duty laws. If the Commission makes an affirmative determination in a section 201 investigation, it recommends to the President relief that would remedy the injury and facilitate industry adjustment to import competition. The President makes the final decision whether to provide relief and the amount of relief.

Under section 204 of the law, the ITC conducts reviews to monitor industry adjustment during a period of relief granted under the global safeguard laws as well as to determine the effectiveness of relief provided under the laws at the conclusion of a relief period. A more detailed description of the global safeguard laws appears in appendix C.

During FY 2005, the Commission instituted and completed one global safeguard review involving steel.

## China Safeguard Investigations

Section 421 was added to the Trade Act of 1974 by the U.S.-China Relations Act of 2000 and implements a transitional bilateral safeguard provision in the U.S.-China agreement relating to China's accession to the World Trade Organization. Domestic producers can obtain relief under this provision if the Commission finds that Chinese products are being imported into the United States in such increased quantities or under such conditions as to cause or threaten to cause market disruption to the domestic producers of like or directly competitive products. Similar to global safeguard investigations, if the Commission makes an affirmative determination, it also proposes a remedy to the President.

The President makes the final decision concerning whether to provide relief to the U.S. industry and if so, the type and duration of relief. During FY 2005, the Commission instituted one China safeguard investigation concerning circular welded nonalloy steel pipe.

## NAFTA Implementation Act

Under section 312 of the North American Free Trade Agreement (NAFTA) Implementation Act, the Commission conducts investigations to determine whether a surge in imports from a NAFTA country or countries is undermining the effectiveness of a global safeguard relief action taken by the President. The Commission instituted no NAFTA safeguard (section 312) investigations during FY 2005.

## Operation 2: Intellectual Property-Based Import Investigations

Under section 337 of the Tariff Act of 1930, the ITC conducts investigations into certain alleged unfair practices in import trade. Most complaints filed under this provision involve allegations of patent infringement or trademark infringement. A more detailed explanation of section 337 is included in appendix C.

Parties to section 337 investigations include the complainants, the respondents, and an attorney from the ITC's Office of Unfair Import Investigations (OUII), whose role is to investigate the allegations in the complaint and to represent the public interest. Representation of the public interest is important because the remedies available in section 337 investigations may also affect nonparties and U.S. consumers.

Section 337 investigations are conducted in accordance with the Administrative Procedure Act and require formal evidentiary hearings before an Administrative Law Judge (ALJ). After the Commission has instituted an investigation, the matter is referred to the ITC's Office of the Administrative Law Judges. Cases are assigned to one of the ITC's four ALJs, who, after an extensive discovery process, holds a hearing. The judge considers the evidentiary record and the arguments of the parties and makes an initial determination, including findings of fact and conclusions of law. Temporary relief may be granted in certain cases.

The Commission may review and adopt, modify, or reverse the ALJ's initial determination. If the Commission does not review the judge's decision, it becomes the Commission's final determination.

If the Commission determines that there is a violation of section 337, it may issue remedial orders that would exclude the products from entry into the United States and/or order entities to cease and desist from certain actions. Those orders are effective when issued and become final 60 days after issuance unless disapproved for policy reasons by the U.S. Trade Representative within that 60-day period.

Section 337 investigations usually involve complex factual and legal determinations. The spectrum of products and intellectual property rights that were the subject of section 337 investigations in FY 2005 was extremely broad. Approximately one-third of the 57 active investigations in FY 2005 concerned products in high technology areas, especially in the computer and telecommunications fields, such as flash memory circuits, digital image storage and retrieval devices, digital processors, electronic robots, network controllers, network communications systems for optical networks, and hand-held mobile computing devices. Several other investigations involved sophisticated technologies relating to items such as pharmaceuticals, rubber antidegradants used in vehicle tires, color television receivers and color display monitors, and point of sale terminals. Other section 337 investigations active during the year concerned foam masking tape, pool cues, weather stations, ink markers, and automotive fuel caps.

During FY 2005, there were 57 active section 337 investigations and related (ancillary) proceedings. Of those 57, the Commission instituted 25 new section 337 investigations and four new ancillary proceedings based on previously concluded section 337 investigations. All but four of the section 337 matters active in FY 2005 contained allegations of patent infringement. Among the patent-based investigations, one investigation also included allegations of trade secret misappropriation. Three investigations and one ancillary proceeding were based on trademark and/or trade dress infringement.

Five of the section 337 proceedings active during FY 2005 were ancillary proceedings. These consisted of two enforcement proceedings, two remands from the Court of Appeals for the Federal Circuit, and a combined enforcement and advisory opinion proceeding. In FY 2005, the Commission issued two general exclusion orders, eight limited exclusion orders, and six cease and desist orders. A full list of investigations and related proceedings completed appears in appendix A.

ITC determinations in section 337 investigations can be appealed to the Court of Appeals for the Federal Circuit. ITC attorneys represent the Commission in these proceedings, and this appellate litigation is another critical aspect of the ITC's work under this operation. For information concerning section 337 appeals during FY 2005, see appendix E.

## Operation 3: Industry and Economic Analysis

The ITC conducts research and analysis to support trade negotiators and policy decisionmakers. By maintaining the highest level of industry, economic, and regional trade expertise, the ITC has become a recognized leader in independent research and analysis through objective and timely studies. While most of the ITC's formal research is conducted through its general factfinding investigations under section 332 of the Tariff Act of 1930, the agency's work in this area also includes probable economic effect investigations under the Trade Act of 1974 as well as other major research initiatives, including an extensive array of staff publications, working papers, and research notes.

## General Factfinding Investigations

Under section 332 of the Tariff Act of 1930, the ITC conducts general investigations on any matter involving tariffs or international trade.

These investigations include:

- probable effect studies, which analyze the likely effect of a proposed change in trade policy on U.S. trade levels, industry, and consumers (typically, these involve proposed multilateral trade agreements, free trade agreements between the United States and other countries, or changes in the tariff status of products under the U.S. Generalized System of Preferences or NAFTA);
- industry assessments, which analyze specific U.S. industries and provide information such as industry profiles, trade levels and trends, government policies affecting the industry, and strengths and weaknesses relative to foreign industry;
- negotiation background information, which examines specific foreign industries or countries to identify existing foreign trade barriers and compiles other background information to assist U.S. trade negotiators;
- customs or nomenclature investigations, which examine current practice, seek public input, and propose alternative methods or structures in the areas of customs procedures or tariff nomenclature;
- trade agreement analysis and sanctions analysis; and
- country and industry monitoring.

ITC general factfinding investigations are generally conducted at the request of the U.S. Trade Representative, the U.S. Senate's Committee on Finance, or the U.S. House of Representatives' Committee on Ways and Means. The resulting reports convey the Commission's objective findings and independent analyses on the subjects investigated. The Commission makes no recommendations on policy or other matters in its general factfinding reports. Upon completion of each investigation, the ITC submits its findings and analyses to the requester. General factfinding investigation reports are subsequently released to the public, unless they are classified by the requester for national security reasons.

Investigative teams for general factfinding investigations typically include trade analysts, economists, and attorneys; nomenclature experts are also sometimes part of these teams. Fact-gathering techniques in ITC general factfinding investigations may include public hearings; written or phone surveys of U.S. producers, importers, and consumers; domestic and foreign fieldwork; interviews with industry, government, and academic experts; extensive literature review; and data compilation and analysis. Members of Congress often testify at Commission hearings in general factfinding investigations to share the views and concerns of their constituents. ITC Industry and Economic Analysis work incorporates numerous analytical approaches, including statistical (econometric) and simulation analyses. The type of simulation analysis used varies, depending on the nature of the investigation, and ranges from single-sector (partial equilibrium) to multisector and multicountry (general equilibrium). In order to support its general equilibrium modeling capabilities, the ITC uses both a global database and a more detailed (500 sector) database of the U.S. economy.



## Probable Economic Effect Investigations

Under section 131 of the Trade Act of 1974, at the request of the President, the ITC investigates the effects on U.S. industries and consumers of possible tariff modifications resulting from trade agreements and of duty-free entry of specific products from developing countries under the Generalized System of Preferences.

Under section 2104(b) of the Trade Act of 2002, at the request of the USTR, the ITC assesses the probable economic effect on the U.S. industry producing the product concerned and on the U.S. economy as a whole of a tariff reduction on import-sensitive agricultural products.

Under section 2104(f) of the Trade Act of 2002, the ITC provides the President and the Congress with a report that assess the likely impact on the U.S. economy as a whole and on specific industry sectors and the interests of U.S. consumers of proposed free trade agreements with foreign countries.

## Other Major Research Initiatives

Under section 1205 of the Omnibus Trade and Competitiveness Act of 1988, the ITC is responsible for reviewing the Harmonized Tariff Schedule of the United States (HTS) and for recommending to the President modifications that it considers necessary or appropriate to conform the HTS with amendments to the global Harmonized System Convention.

The ITC periodically issues a series of detailed reports on thousands of products imported into and exported from the United States. These publications, known as Industry and Trade Summary reports, include information on product uses, U.S. and foreign producers, and customs treatments of the products being studied; they also analyze the basic factors bearing on the competitiveness of the U.S. industry in domestic and foreign markets.

In addition, ITC staff produce a variety of staff publications under the industry and economic analysis program that are intended to keep the Commission and trade policymakers in Congress and the executive branch informed of the latest developments in the international trade arena.

These staff publications represent the views of the individual staff authors and are not the views of the Commission or of any individual Commissioner. Publications of this genre include staff research papers, which are in-depth studies on topics of current interest; the *Industry Trade and Technology Review*, a quarterly publication of the ITC Office of Industries; and the *International Economic Review*, a regular publication of the ITC Office of Economics. In addition, as a means of honing their analytical skills and staying current in their individual fields of specialization, ITC staff in the Offices of Economics and Industries produce working papers and ITC economists publish research notes, which are available to their peers and the public through the ITC's Internet site. Some of the most significant general factfinding reports completed during the year are highlighted on the following pages. Detailed information on other ITC reports and publications completed during FY 2005 or pending on September 30, 2005, is provided in appendix B.

## Studies on Special Areas of Congressional or USTR Interest

### *Remediation and Nature and Landscape Protection Services: An Examination of U.S. and Foreign Markets (332-454)*

On July 1, 2003, the USTR requested that the ITC investigate and report on U.S. and foreign markets for remediation and nature and landscape protection services. The USTR requested that the ITC provide an overview of foreign and domestic markets for remediation and nature and landscape protection services; examine trade and investment in such markets, including barriers affecting such trade and investment, if any; and if possible, discuss existing regulatory practices. The USTR also asked the ITC to include examples from both developed- and developing-country markets. The ITC report, submitted in October 2004, found that the United States is the world's largest market for both remediation and nature and landscape protection services.

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2004/er1116bb1.htm](http://www.usitc.gov/ext_relations/news_release/2004/er1116bb1.htm)

View report: <http://hotdocs.usitc.gov/docs/pubs/332/pub3727.PDF>

### *Air and Noise Pollution Abatement Services: An Examination of U.S. and Foreign Markets (332-461)*

On July 12, 2004, the USTR requested that the ITC investigate and report on U.S. and foreign markets for air and noise pollution abatement services. The USTR asked the ITC to provide an overview of foreign and domestic markets for such services; examine trade and investment in such markets, including barriers affecting such trade and investment, if any; and if possible, discuss existing regulatory practices that generate demand for such services. The USTR also asked the ITC to include examples from both developed- and developing-country markets and, as appropriate, from economies with which the United States has established or is negotiating a free trade arrangement. The ITC report, submitted in April 2005, found that few barriers exist in global markets for air and noise pollution abatement services.

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er0419cc2.htm](http://www.usitc.gov/ext_relations/news_release/2005/er0419cc2.htm)

View report: <http://hotdocs.usitc.gov/docs/pubs/332/pub3761.PDF>

### *Logistic Services: An Overview of the Global Market and Potential Effects of Removing Trade Impediments (332-463)*

On August 6, 2004, the USTR requested that the ITC investigate and report on foreign markets for logistic services. The USTR noted that the globalization of manufacturing and electronic commerce have increased the demand for logistic services, which involve planning, implementing, managing, and controlling the flow and storage of goods, services, and related information from the point of origin to the point of consumption. The USTR asked the ITC to report on foreign logistic services markets and, to the extent possible, provide an overview of the global logistic services market; examine trade and investment in selected regional logistic service markets, including impediments to the provision of international logistic services, if any; and discuss and analyze the potential effects of removing impediments to logistic services on trade and economic welfare. The ITC report, submitted in May 2005, found that U.S.-based logistic service providers encounter a number

of impediments in foreign markets, some of which may be removed through trade agreements.

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er0516cc2.htm](http://www.usitc.gov/ext_relations/news_release/2005/er0516cc2.htm)

View report: <http://hotdocs.usitc.gov/docs/pubs/332/pub3770.PDF>

#### *Renewable Energy Services: An Examination of U.S. and Foreign Markets (332-462)*

On July 12, 2004, the USTR requested that the ITC investigate and report on U.S. and foreign markets for renewable energy services. The USTR asked the ITC to provide an overview of foreign and domestic markets for such services; examine trade and investment in such markets, including barriers affecting such trade and investment, if any; and discuss existing regulatory practices that generate demand for such services. The USTR asked the ITC to include examples from both developed- and developing-country markets and, as appropriate, from economies with which the United States has established or is negotiating a free trade arrangement. The ITC report, submitted in September 2005, found that demand for renewable energy services is driven largely by government policies including those that stem from national obligations under international environmental agreements. To a lesser extent, demand for renewable energy services is also derived from technological advances that have improved the cost-competitiveness of renewable energy technologies, concerns regarding the environment and energy security, and other factors.

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er1101cc3.htm](http://www.usitc.gov/ext_relations/news_release/2005/er1101cc3.htm)

View report: <http://hotdocs.usitc.gov/docs/pubs/332/pub3805.pdf>

#### **Studies Analyzing Various Aspects of U.S. Trade Agreements and Other Special Trade Programs**

##### *The Impact of Trade Agreements Implemented Under Trade Promotion Authority (TA-2103-1)*

The Trade Act of 2002 required the ITC to investigate and report on the economic impact on the United States of trade agreements signed since 2002 under trade promotion authority. Accordingly, the ITC reviewed and analyzed the economic impact on the United States of the U.S.-Chile Free Trade Agreement, the U.S.-Singapore Free Trade Agreement, and the U.S.-Australia Free Trade Agreement. The ITC report, submitted in June 2005, found that the three agreements will collectively have very little effect on the U.S. economy overall, though U.S. imports in some sectors (notably meat products and textiles and apparel) will increase substantially. However, the ITC reported that even in these sectors, the change is small relative to U.S. trade with the world and to U.S. output.

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er0601cc1.htm](http://www.usitc.gov/ext_relations/news_release/2005/er0601cc1.htm)

View report: <http://hotdocs.usitc.gov/docs/pubs/332/pub3780.PDF>

##### *Export Opportunities and Barriers in African Growth and Opportunity Act-Eligible Countries (332-464)*

On November 10, 2004, the USTR requested that the ITC investigate the export potential of, and trade barriers faced by, sub-Saharan African countries eligible for trade preferences under the African Growth and Opportunity Act. The USTR asked the ITC to identify, with respect

to each of the 37 AGOA-eligible sub-Saharan countries, the major economic sectors with the greatest potential for growth in export sales and domestic and international barriers that impede trade growth in such sectors. The ITC report was submitted to the USTR in June 2005, and a public version was released in November 2005.

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er1116cc1.htm](http://www.usitc.gov/ext_relations/news_release/2005/er1116cc1.htm)

View report: <http://hotdocs.usitc.gov/docs/pubs/332/pub3785.pdf>

*Probable economic effect of proposed U.S. free trade agreements* (TA-131-30 and 31; TA-2104-16 and 17)

As the USTR announced plans to pursue free trade agreements with Oman and the United Arab Emirates during FY 2005, the ITC was called upon to investigate the probable economic effects of each of those proposed FTAs. In each investigation, the ITC advised the President, with respect to each item in chapters 1 through 97 of the Harmonized Tariff Schedule of the United States, as to the probable economic effect of providing duty-free treatment for imports from the countries under investigation on industries in the United States producing like or directly competitive articles and on consumers. The ITC also advised the President as to the probable economic effect of eliminating tariffs on imports of certain agricultural products of the countries under investigation on U.S. industries producing like or directly competitive products and the economy as a whole. The ITC's reports, which were confidential, included:

*U.S.-Oman FTA: Advice Concerning the Probable Economic Effect*, submitted to the USTR in February 2005; and

*U.S.-UAE FTA: Advice Concerning the Probable Economic Effect*, submitted to the USTR in February 2005.

*U.S.-Bahrain Free Trade Agreement: Potential Economywide and Selected Sectoral Effects* (TA-2104-15)

The Trade Act of 2002 requires the ITC to prepare a report that assesses the likely impact of proposed free trade agreements on the U.S. economy as a whole and on specific industry sectors and the interests of U.S. consumers. The ITC's reports, which are public, are due to the President and the Congress no more than 90 days after the President signs the agreement, which he can do 90 days after he notifies the Congress of his intent to do so. The ITC report concerning the U.S.-Bahrain FTA was submitted to the USTR and the Congress and released to the public in October 2004.

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2004/er1001bb1.htm](http://www.usitc.gov/ext_relations/news_release/2004/er1001bb1.htm)

View report: <http://prototype.usitc.gov/Wais/pub3726.PDF>

## Studies Analyzing the Competitiveness of U.S. Industry

*Foundry Products: Competitive Conditions in the U.S. Market* (332-460)

On May 4, 2004, the Committee on Ways and Means, U.S. House of Representatives, requested that the ITC investigate the competitive conditions in the U.S. foundry products market. In requesting the investigation, the Committee noted that due to the impact of globalization, producers of foundry products were concerned about competitive conditions affecting their industries. The Committee requested that the ITC's study include an overview

of the industry together with a detailed analysis of selected key iron-, steel-, aluminum-, and copper-based cast products which are representative of the major segments of the foundry industry. The ITC report, submitted in May 2005, found that the U.S. foundry industry faces a highly competitive and changing marketplace.

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er0527cc1.htm](http://www.usitc.gov/ext_relations/news_release/2005/er0527cc1.htm)

View report: <http://hotdocs.usitc.gov/docs/pubs/332/pub3771.PDF>

## Studies Conducted on a Recurring Basis

### *Shifts in U.S. Merchandise Trade (332-345)*

On August 27, 1993, the Commission instituted on its own motion an annual investigation to review U.S. trade performance, focusing on changes in U.S. imports, exports, and trade balances of key agricultural and manufactured products and on changes in U.S. bilateral trade with major trading partners. In FY 1995, the ITC expanded the scope of its investigation and launched a separate publication focusing on the U.S. service sector. (A services report was not published in FY2005.)

In FY 2004, the ITC recast the merchandise trade publication in a more concise web-based format that focuses more on reasons for key shifts in trade, provides more sector detail, and can be searched by country or commodity sector, according to each user's individual interests. In the FY 2005 update, users will find a comprehensive review of U.S. trade performance in 2004, focusing on changes in U.S. exports, imports, and trade balances of key natural resource, agricultural, and manufacturing industries, as well as changes in U.S. trade with major partners. Also available are profiles of the U.S. industry and market for over 250 industry/commodity groups and subgroups, offering data for 2000-2004 on domestic consumption, production, employment, and trade.

View report: <http://www.usitc.gov/tradeshifts/default.htm>

### *The Year in Trade 2004*

The ITC has submitted to the Congress an annual report on the operations of the trade agreements program for more than 50 years. The report, now known as *The Year in Trade*, provides the Congress with factual information on trade policy and its administration. It also serves as a record of the major trade-related activities of the United States for use as a general reference by government officials and others with an interest in U.S. trade relations.

*The Year in Trade 2004*, published in July 2005, provides a practical review of U.S. international trade law, a survey of actions under U.S. trade laws, a summary of the operation of the World Trade Organization, an overview of U.S. free trade agreements and negotiations, and a review of U.S. bilateral trade relations with major trading partners. The report also examines the operation of such programs as the U.S. Generalized System of Preferences, the African Growth and Opportunity Act, the Andean Trade Preference and Drug Eradication Act, and the Caribbean Basin Economic Recovery Act, as well as developments in the U.S. textile and apparel program. The publication includes complete listings of antidumping, countervailing duty, intellectual property rights infringement, and section 301 cases undertaken by the U.S. government in 2004.

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er0805cc1.htm](http://www.usitc.gov/ext_relations/news_release/2005/er0805cc1.htm)

View report: [http://hotdocs.usitc.gov/docs/pubs/year\\_in\\_trade/pub3779.PDF](http://hotdocs.usitc.gov/docs/pubs/year_in_trade/pub3779.PDF)

## Operation 4: Trade Information Services

The ITC's trade information services offer the Commission, policymakers, international trade negotiators, and the public a rich array of international trade-related resources. Through this operation, the ITC:

- maintains the Harmonized Tariff Schedule of the United States (HTS), which provides the applicable tariff rates and statistical categories for all merchandise imported into the United States;
- develops and maintains the on-line interactive Tariff and Trade DataWeb, which provides worldwide interactive access to current and historical U.S. trade data;
- operates the ITC's Main Library, which has an extensive collection specializing in international trade matters and serves the Commission and the public;
- operates the Trade Remedy Assistance Office, which provides information to small businesses concerning the remedies and benefits available under U.S. trade laws and provides technical and legal assistance and advice to eligible small businesses seeking remedies; and
- prepares legislative analyses, known as "bill reports," which investigate the legal and economic effects of proposed tariff reductions and duty suspensions for specific products, for use by the House Committee on Ways and Means and the Senate Committee on Finance during consideration of tariff-related legislation.

Under this operation, the ITC also contributes to the development of the International Trade Data System (ITDS), an integrated trade data system to be shared by all federal trade agencies; the maintenance of U.S. commitments under Schedule XX of the General Agreement on Tariffs and Trade/World Trade Organization (GATT/WTO); the maintenance of an electronic version of the U.S. Schedule of Services under the General Agreement on Trade in Services (GATS); and the preparation of the electronic database that supports U.S. submissions to the WTO Integrated Database.

The HTS is based on the International Harmonized Commodity Description and Coding System (known simply as the Harmonized System), a global tariff classification system that covers most world trade in goods. The ITC publishes a new edition of the HTS annually and updates it as needed throughout the year. Each revision of the HTS is posted on the ITC's Internet site (<http://www.usitc.gov/tata/hts/index.htm>). In December 2004, the agency published the 2005 edition of the HTS (in hard copy and electronically). A printed supplement was published in July 2005, and updates were posted on the ITC's Internet site to reflect modifications to the HTS.

The ITC's Director of Tariff Affairs and Trade Agreements chairs the Committee for Statistical Annotation of the Tariff Schedule, which also includes representatives of U.S. Customs and Border Protection and the Census Bureau. The committee analyzes and evaluates petitions requesting changes in HTS statistical reporting categories; it received 20 such petitions during FY 2005. The Director also serves as chair of the Board of Directors of the ITDS.

The ITC continued to make its DataWeb available to the public on a full-time, free-of-charge basis. The ITC DataWeb is an interactive, self-service, Internet-based system that provides access to extensive tariff and trade data. The system provides tariff and trade data relied upon

by ITC staff as well as by staff at various federal government agencies, congressional offices, U.S. trade negotiating groups, and U.S. embassies. The ITC DataWeb is also used extensively by educational institutions, the U.S. private sector, and numerous private and public entities in other countries.

The ITC DataWeb, updated monthly, integrates international trade transactions with complex tariff and customs treatment. Data are available on a monthly, quarterly, annual, or year-to-date basis and can be retrieved in a number of classification systems, including the Harmonized Tariff Schedule, the Standard Industrial Classification (SIC), the Standard International Trade Classification (SITC), or the North American Industry Classification System (NAICS). A “Commodity Translation Wizard” translates between these classification systems. The ITC DataWeb offers data on imports and exports; U.S. import duties, preferential tariff programs, and staged tariff reductions; U.S. trade by global region and by partner country; and detailed ITC trade database tables. It can be accessed at <http://dataweb.usitc.gov> or from the ITC’s Internet site ([www.usitc.gov](http://www.usitc.gov)).

Registrations on the DataWeb, including public registrations, grew substantially during FY 2005 and now total over 95,000 users. The system generates up to 90,000 data reports per month; about 20 percent of these are generated for government staff, and the remainder are generated for the general public, multilateral institutions, and universities.

The ITC’s Main Library collection includes roughly 40,000 book and serial titles covering U.S. industry and international trade laws and practices, as well as numerous CD-ROM and on-line information databases. Although its primary mission is to support Commission research, the ITC’s Main Library is open to the public.

During FY 2005, the ITC completed bill reports for 200 tariff-related bills introduced by the 109th Congress. The ITC also had initiated reports on 351 additional bills and had yet to begin work on reports for another 224 bills when the fiscal year ended. Information on tariff bill reports prepared by the ITC can be found on the ITC’s Internet site at [http://www.usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

The agency provided information and assistance to 112 business, public, academic, and congressional customers through the Trade Remedy Assistance Program during FY 2005.

## Operation 5: Trade Policy Support

The ITC supports trade policymakers in the executive branch and in the Congress by providing technical expertise and objective information on international trade issues. The ITC offers technical advice through research, informal briefings and meetings, and testimony at congressional hearings. The agency also drafts Presidential proclamations and other Presidential documents, as well as final decisions by various executive branch agencies that modify the HTS to implement congressional legislation or trade policy decisions of the executive branch.

On request, the Commission provides ITC staff for long-term detail assignments with the USTR and the Congress, which offers support and expertise to U.S. policymakers while developing the professional skills of ITC staff. ITC staff also serve as technical advisors on the interagency Trade Policy Staff Committee and its many subcommittees, all of which are chaired by the USTR. Through its activities in this area, the ITC supports U.S. trade policy formulation and U.S. representation in international fora.

During FY 2005, ITC staff were active participants in interagency committees and subcommittees and international organizations in more than 82 different issue areas. The bulk of staff participation was focused upon WTO dispute settlement and litigation, negotiation and implementation of eight Free Trade Agreements, NAFTA implementation-related activities, and service issues.

WTO dispute settlement and litigation issues are having an increasing impact on the agency, as, together with USTR attorneys, ITC attorneys participate in dispute settlement consultations, prepare numerous briefs and other submissions, and appear in hearings before WTO panels and the appellate body. During FY 2005, this WTO-related work covered the ITC's antidumping and countervailing duty determinations involving softwood lumber, DRAMs, and wheat, and its five-year (sunset) reviews of the orders covering oil country tubular goods and cement. In addition, ITC staff provided support to the USTR in connection with both reviewing the antidumping, countervailing duty, and safeguard laws of other countries for consistency with WTO requirements and pursuing U.S.-initiated actions under the WTO dispute settlement procedures relative to the measures of other countries in those areas. ITC attorneys from the Office of the General Counsel provided technical assistance to the executive branch in conjunction with the Doha Round trade negotiations, particularly the activities of the Negotiating Group on Rules. More specifically, Commission staff provided support to executive branch officials by reviewing and helping draft U.S. submissions and talking points and attended formal meetings of the Negotiating Group on Rules in Geneva, Switzerland.

Throughout FY 2005, the Commission provided support and information to the Congress on a wide range of trade-related matters, responding to formal and informal requests for technical assistance, trade data and statistical information, explanations of U.S. trade laws, updates on ongoing investigations, and quick-response answers to diverse trade-related inquiries. The ITC responded to hundreds of congressional requests, formal and informal, for technical assistance during FY 2005. Issues of particular interest included the African Growth and Opportunity Act, China trade, textiles, the Byrd Amendment, and various pending and implemented free trade agreements. Forty-one Members of Congress appeared at Commission hearings during the year.

ITC staff participate in the World Customs Organization (WCO), an international organization headquartered in Brussels, Belgium, which oversees the continuous



development and maintenance of the global Harmonized System (HS). ITC staff also represent the U.S. government on the central committee for nomenclature and classification matters (the Harmonized System Committee), the Technical Committee on Rules of Origin, and the HS Review Subcommittee.

## Agencywide Accomplishments

The ITC's information technology (IT) program completed an upgrade to the agency's electronic document information system (EDIS) during FY 2005. EDIS now serves internal and external customers from a single authoritative database for all Commission investigations. IT staff are currently working to leverage an existing content management system to handle the electronic filing of confidential documents into the EDIS system. IT staff also enhanced the agency's Internet web site search capabilities during FY 2005 and began work on two other new projects – the planning for the migration to a new financial management system during FY 2006-2007 and the implementation of an Enterprise Portal Project to coordinate the development, delivery, search, and control of all of the agency's web-based content.

In partnership with the Office of Personnel Management, the ITC participated during FY 2005 in a governmentwide workforce survey and was designated "Best in Class" for small agencies in training and development.

For the second year in a row, the Commission received a clean opinion on its audited financial statements for FY 2005 and FY 2004.

The agency processed 31,637 documents during FY 2005. The ITC held 31 meetings in FY 2005 (compared to 26 meetings in FY 2004) and 33 days of hearings during the year (compared to 28 days of hearings in FY 2004).

Staff processed 523 requests for confidential treatment of information in its investigations and 129 requests for release of confidential business information under protective order during FY 2005. Under the Freedom of Information Act (FOIA), the ITC received 65 requests, 38 of which were granted in whole or in part.

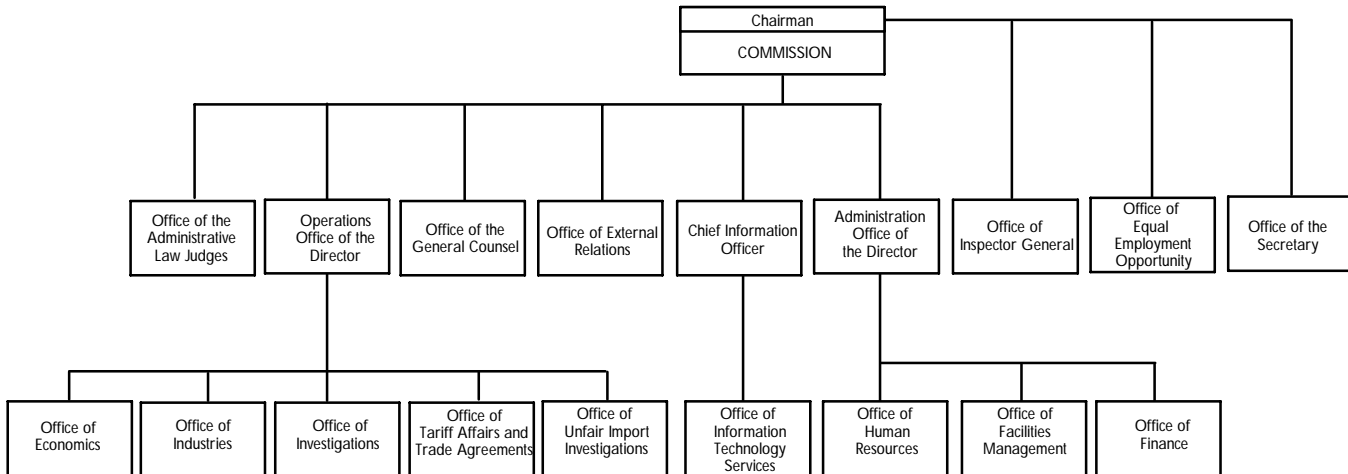
The ITC's visitor program arranged visits for 214 individuals from 47 foreign countries and the United States during FY 2005. Visitors included government representatives, journalists, business officials, economists, bankers, attorneys, professors, and students.

During FY 2005, the Inspector General conducted audits of the Commission's information security program and practices for both FY 2004 and FY 2005 as well as the Commission's financial performance and statement of management challenges for FY 2004.



# Part Two: Organization

## U.S. International Trade Commission



## Commission Organization

### Office of Operations

The ITC's core of investigative, industry, economic, nomenclature, and technical expertise is found within the Office of Operations. Under the supervision of the Director, staff in the component Offices in Operations complete all statutory investigations, studies, and special work projects assigned by the Commission. The ITC's Library Services is a component of the Office of Operations. Library Services staff manage the ITC's Main Library, a specialized technical library that serves as the agency's information and research center.

### Office of Investigations

The Office of Investigations conducts the ITC's countervailing duty, antidumping, and review investigations under title VII of the Tariff Act of 1930; safeguard and market disruption investigations under the Trade Act of 1974; investigations under section 302 of the North American Free Trade Agreement (NAFTA) Implementation Act of 1994; and investigations under section 22 of the Agricultural Adjustment Act.

### Office of Industries

The Office of Industries maintains technical expertise related to the performance and global competitiveness of U.S. industries and the impact of international trade on those industries. International trade analysts in the office produce studies on a range of issues each year. Investigative activity includes various types of import injury investigations, studies requested by the President or specific committees of the Congress under section 332 of the Tariff Act of 1930, and other monitoring and research activity. In addition, analysts provide technical assistance to the Congress, the USTR, other executive branch agencies, and the public.

## Office of Economics

The Office of Economics provides expert economic analysis for various types of import injury investigations, studies requested by the Congress and the President under section 332 of the Tariff Act of 1930, and various other research products. In addition, staff economists provide technical assistance to the Congress, the USTR, other executive branch agencies, and the public.

## Office of Tariff Affairs and Trade Agreements

The Office of Tariff Affairs and Trade Agreements (TATA) carries out the ITC's responsibilities with respect to the Harmonized Tariff Schedule of the United States and the international Harmonized System. TATA staff also work with the Office of Industries to prepare bill reports requested by Congress pertaining to proposed tariff reductions and duty suspensions for specific products. The office provides technical advice and assistance to the Congress and the USTR and participates in Trade Policy Staff Committee activities. The office participates in the World Customs Organization, and TATA's Director chairs both the Committee for Statistical Annotation of the Tariff Schedule and the Board of Directors of the International Trade Data System (ITDS).

## Office of Unfair Import Investigations

The Office of Unfair Import Investigations (OUII) participates as a full party representing the public interest in adjudicatory investigations conducted under section 337 of the Tariff Act of 1930. These investigations most frequently involve allegations of patent or trademark infringement. Allegations of copyright infringement, misappropriation of trade secrets, passing off, false advertising, and antitrust violations also can be litigated in these investigations. In addition to the investigation of a complaint under section 337, the Commission may conduct an enforcement proceeding to determine whether the importation or sale of a specific product violates an existing Commission order. Also, the Commission may issue advisory opinions regarding whether certain anticipated conduct would violate an outstanding Commission order.

## Office of the General Counsel

The General Counsel serves as the ITC's chief legal advisor. The General Counsel and the staff attorneys in the office provide legal advice and support to the Commissioners and ITC staff on investigations and research studies, prepare briefs and represent the ITC in court and before dispute resolution panels and administrative tribunals, and provide assistance and advice on general administrative matters, including personnel, labor relations, and contract issues.

## Office of the Administrative Law Judges

The Commission's Administrative Law Judges (ALJs) hold hearings and make initial determinations in investigations under section 337 of the Tariff Act of 1930. These investigations require formal evidentiary hearings in accordance with the Administrative Procedure Act (5 U.S.C. 551 et seq.). After the Commission has instituted an investigation, the matter is referred to the Office of the Administrative Law Judges. Cases are assigned on a rotating basis to one of the Commission's four ALJs, who, after an extensive discovery process, holds a hearing. The judge considers the evidentiary record and the arguments of the parties and makes an initial determination, including findings of fact and conclusions of law, which may be reviewed by the Commission. Temporary relief may be granted in certain cases.

## Office of External Relations

The Office of External Relations develops and maintains liaison between the ITC and its diverse external customers. The office is the focal point for contacts with the USTR and other executive branch agencies, Congress, foreign governments, international organizations, the public, and the international, national, and local news media. It also coordinates meetings with international visitors. External Relations keeps Commissioners and senior ITC staff informed of developing issues that might affect the agency's mission and reputation, coordinates Presidential requests for advice and information on trade issues, and manages interactions between the ITC and the international trade community. The ITC's Trade Remedy Assistance Office is a component of External Relations that assists small businesses seeking benefits or relief under U.S. trade laws.

## Office of Administration

The Office of Administration oversees the preparation of the Commission's budget; manages its financial systems; supervises all human resource matters, including collective bargaining with union representatives; provides procurement and facilities management services; and is responsible for all agency security matters. Component offices include Finance, Facilities Management, and Human Resources.

## Office of Finance

The Office of Finance maintains the ITC's financial information system and its payroll functions.

## Office of Facilities Management

The Office of Facilities Management directs and coordinates ITC administrative support services as well as all procurement functions.

## Office of Human Resources

The Office of Human Resources manages the ITC's recruitment, training, and personnel management operations and serves as a resource for managers and staff on employee relations, employee development, and benefits matters.

## Office of the Chief Information Officer

The Office of the Chief Information Officer provides information technology leadership, a comprehensive services and applications support portfolio, and a sound technology infrastructure to the ITC and its customers. CIO staff address information technology policy and information security as well as providing project management skills. The Office of Information Technology Services is a component of the office.

## Office of Information Technology Services

The Office of Information Technology Services oversees the day-to-day operation of the ITC's information technology systems and programs, including the network, e-business, publishing, and dockets services. The office manages the delivery of common automated office applications, all computer assets, and the Internet, internal web systems, and publishing activities; it also maintains the official repository for administrative proceedings and rulemaking documents.

### Office of the Secretary

The Office of the Secretary coordinates hearings and meetings of the Commission and is responsible for official record keeping, including petitions, briefs, and other legal documents. The office makes determinations on requests for confidential treatment of information, requests for information to be released under protective order, and requests under the Freedom of Information Act.

### Office of Equal Employment Opportunity

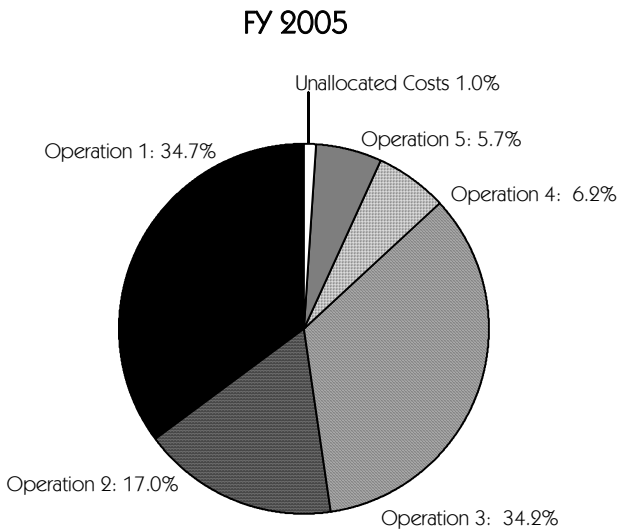
The Office of Equal Employment Opportunity (EEO) administers the ITC affirmative action program. The Director advises the Chairman, the Commission, and ITC managers on all EEO issues; manages and coordinates all EEO activities in accordance with relevant EEO laws and EEOC regulations; evaluates the sufficiency of the agency's EEO program and recommends improvements or corrections, including remedial and disciplinary action; encourages and promotes diversity outreach; and monitors recruitment activities to assure fairness in agency hiring practices.

### Office of Inspector General







The Inspector General conducts all audits and investigations related to ITC programs and operations and recommends and comments on proposed legislation, regulations, and procedures that affect the agency's efficiency and effectiveness. The accomplishments of the Inspector General are detailed in semiannual reports submitted to Congress in May and November.

# Agency Management

Workyear: Comparison by Operation



## Operations

	Operation 1:	Import Injury Investigations
	Operation 2:	Intellectual Property-Based Import Investigations
	Operation 3:	Industry and Economic Analysis
	Operation 4:	Trade Information Services
	Operation 5:	Trade Policy Support
	Unallocated Costs	

## ITC Personnel, FY 2005

The ITC maintains an expert staff of professional international trade and nomenclature analysts, investigators, attorneys, economists, computer specialists, and administrative support personnel. All ITC personnel are located at 500 E Street SW, Washington, DC 20436. At the end of FY 2005, a total of 352.5 permanent employees were employed by the ITC.

A breakdown of staff, by organization, is shown below:

Organizational unit	Number as of September 30, 2005
Commissioners . . . . .	6
Offices of the Commissioners . . . . .	18
Office of the General Counsel . . . . .	36
Office of the Administrative Law Judges . . . . .	12
Office of External Relations . . . . .	5
Office of the Director of Operations . . . . .	8
Office of Investigations . . . . .	34
Office of Industries . . . . .	96
Office of Economics . . . . .	42
Office of Tariff Affairs and Trade Agreements . . . . .	14
Office of Unfair Import Investigations . . . . .	17
Office of the Chief Information Officer . . . . .	4
Office of Information Technology Services . . . . .	23
Office of the Secretary . . . . .	7
Office of the Director of Administration . . . . .	4
Office of Finance . . . . .	5
Office of Facilities Management . . . . .	11
Office of Human Resources . . . . .	6
Office of Equal Employment Opportunity . . . . .	1
Office of Inspector General . . . . .	3.5
<b>Total . . . . .</b>	<b>352.5</b>

## ITC Budget, FY 2005

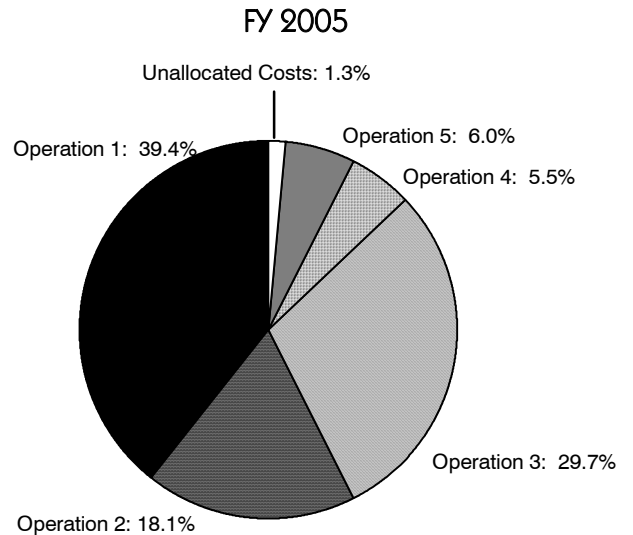
The ITC submits its budget to the President for transmittal to Congress. Because of the unique role of the ITC as a quasi-judicial, nonpartisan, independent agency designed to provide trade expertise to the legislative and executive branches of government, Congress provided in section 175 of the Trade Act of 1974 (19 U.S.C. 2232) that the ITC budget would not be subject to control by the Office of Management and Budget, but would instead be submitted directly to Congress.

During FY 2005, appropriated funds made available to the ITC amounted to \$62,304,076. Appropriated funds included an FY 2005 appropriation of \$61,700,000, recoveries and deobligations of \$636,623, rescissions of \$824,115, and a carryover of \$777,708.

Obligations for FY 2004 and FY 2005 are shown below:

Item	FY 2004	FY 2005
Salaries . . . . .	\$33,222,661	\$34,361,000
Benefits . . . . .	7,378,326	7,883,000
Rent . . . . .	5,942,039	6,189,000
Services . . . . .	6,929,228	7,538,000
Supplies and Material . . . . .	691,696	761,000
Equipment . . . . .	1,544,540	830,000
Other . . . . .	2,415,054	2,894,000
<b>Total . . . . .</b>	<b>\$58,123,544</b>	<b>\$60,456,000</b>

Dollar Cost: Comparison by Operation



### Operations

- Operation 1: Import Injury Investigations
- Operation 2: Intellectual Property-Based Import Investigations
- Operation 3: Industry and Economic Analysis
- Operation 4: Trade Information Services
- Operation 5: Trade Policy Support
- Unallocated Costs



**Appendix A:  
Summary of Investigations Completed During Fiscal  
Year 2005 and Pending on September 30, 2005**



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# Table I-A

## Antidumping and Countervailing Duty Investigations Conducted in Fiscal Year 2005

Investigation No. and Title	Date Instituted	Staff Conference	Preliminary Determination	Pub. No.	Public Hearing	Final Determination	Pub. No.
<b>701-TA-414</b> <i>Softwood Lumber from Canada</i> (Section 129 Consistency Determination)	07-27-04	N/A	N/A	N/A	10-13-04	Affirmative 11-24-04 <sup>1</sup>	3740
<b>731-TA-928</b> <i>Softwood Lumber from Canada</i> (Section 129 Consistency Determination)	07-27-04	N/A	N/A	N/A	10-13-04	Affirmative 11-24-04 <sup>1</sup>	3740
<b>731-TA-1054</b> <i>Light-Walled Rectangular Pipe and Tube from Mexico</i>	09-09-03	09-30-03	Affirmative 10-24-03	3644	08-31-04	Negative 10-12-04	3728
<b>731-TA-TA-1055</b> <i>Light-Walled Rectangular Pipe and Tube from Turkey</i>	09-09-03	09-30-03	Affirmative 10-24-03	3644	08-31-04	Negative 10-12-04	3728
<b>731-TA-1056</b> <i>Certain Aluminum Plate from South Africa</i>	10-16-03	11-06-03	Affirmative 12-01-03	3654	10-05-04	Negative 11-18-04	3734
<b>731-TA-1058</b> <i>Wooden Bedroom Furniture from China</i>	10-31-03	11-21-03	Affirmative 01-12-04	3667	11-09-04	Affirmative 12-22-04	3743
<b>731-TA-1059</b> <i>Hand Trucks from China</i>	11-13-03	12-04-03	Affirmative 12-29-03	3660	10-07-04	Affirmative 11-23-04	3737
<b>701-TA-437</b> <i>Carbazole Violet Pigment 23 from India</i>	11-21-03	12-12-03	Affirmative 01-05-04	3662	11-10-04	Affirmative 12-22-04	3744
<b>731-TA-1060</b> <i>Carbazole Violet Pigment 23 from China</i>	11-21-03	12-12-03	Affirmative 01-05-04	3662	11-10-04	Affirmative 12-22-04	3744
<b>731-TA-1061</b> <i>Carbazole Violet Pigment 23 from India</i>	11-21-03	12-12-03	Affirmative 01-05-04	3662	11-10-04	Affirmative 12-22-04	3744
<b>731-TA-1063</b> <i>Certain Frozen or Canned Warm-water Shrimp and Prawns from Brazil</i>	12-31-03	01-21-04	Affirmative 02-17-04	3672	12-01-04	Partial Affirmative <sup>2</sup> 01-19-05	3748
<b>731-TA-1064</b> <i>Certain Frozen or Canned Warm-water Shrimp and Prawns from China</i>	12-31-03	01-21-04	Affirmative 02-17-04	3672	12-01-04	Partial Affirmative <sup>2</sup> 01-19-05	3748
<b>731-TA-1065</b> <i>Certain Frozen or Canned Warm-water Shrimp and Prawns from Ecuador</i>	12-31-03	01-21-04	Affirmative 02-17-04	3672	12-01-04	Partial Affirmative <sup>2</sup> 01-19-05	3748

## Table I-A-Continued

### Antidumping and Countervailing Duty Investigations Conducted in Fiscal Year 2005

Investigation No. and Title	Date Instituted	Staff Conference	Preliminary Determination	Pub. No.	Public Hearing	Final Determination	Pub. No.
<b>731-TA-1066</b> <i>Certain Frozen or Canned Warm-water Shrimp and Prawns from India</i>	12-31-03	01-21-04	Affirmative 02-17-04	3672	12-01-04	Partial Affirmative <sup>2</sup> 01-19-05	3748
<b>731-TA-1067</b> <i>Certain Frozen or Canned Warm-water Shrimp and Prawns from Thailand</i>	12-31-03	01-21-04	Affirmative 02-17-04	3672	12-01-04	Partial Affirmative <sup>2</sup> 01-19-05	3748
<b>731-TA-1068</b> <i>Certain Frozen or Canned Warm-water Shrimp and Prawns from Vietnam</i>	12-31-03	01-21-04	Affirmative 02-17-04	3672	12-01-04	Partial Affirmative <sup>2</sup> 01-19-05	3748
<b>731-TA-1069</b> <i>Outboard Engines from Japan</i>	01-08-04	01-29-04	Affirmative 02-23-04	3673	12-14-04	Negative 02-17-05	3752
<b>731-TA-1070</b> <i>Certain Tissue Paper and Crepe Paper Products from China<sup>3</sup></i>	02-17-04	03-09-04	Affirmative 04-02-04	3682	N/A	N/A	N/A
<b>731-TA-1070A</b> <i>Certain Crepe Paper Products from China<sup>3</sup></i>	N/A	N/A	N/A	N/A	12-09-04	Affirmative 01-18-05	3749
<b>731-TA-1070B</b> <i>Certain Tissue Paper Products from China<sup>3</sup></i>	N/A	N/A	N/A	N/A	12-09-04	Affirmative 03-21-05	3758
<b>731-TA-1071</b> <i>Magnesium from China</i>	02-27-04	03-19-04	Affirmative 04-12-04	3685	02-23-05	Affirmative 04-11-05	3763
<b>731-TA-1072</b> <i>Magnesium from Russia</i>	02-27-04	03-19-04	Affirmative 04-12-04	3685	02-23-05	Affirmative 04-11-05	3763
<b>731-TA-1073</b> <i>Circular Welded Carbon Quality Line Pipe from China</i>	03-03-04	03-24-04	Affirmative 04-19-04	3687	N/A	Terminated 12-14-04	N/A
<b>731-TA-1074</b> <i>Circular Welded Carbon Quality Line Pipe from Korea</i>	03-03-04	03-24-04	Affirmative 04-19-04	3687	N/A	Terminated 02-17-05	N/A
<b>731-TA-1075</b> <i>Circular Welded Carbon Quality Line Pipe from Mexico</i>	03-03-04	03-24-04	Affirmative 04-19-04	3687	N/A	Terminated 02-17-05	N/A
<b>701-TA-438</b> <i>Live Swine from Canada</i>	03-05-04	03-26-04	Affirmative 05-10-04	3693	03-08-05	Terminated 03-11-05	3766
<b>731-TA-1076</b> <i>Live Swine from Canada</i>	03-05-04	03-26-04	Affirmative 05-10-04	3693	03-08-05	Negative 04-25-05	3766

## Table I-A-Continued

### Antidumping and Countervailing Duty Investigations Conducted in Fiscal Year 2005

Investigation No. and Title	Date Instituted	Staff Conference	Preliminary Determination	Pub. No.	Public Hearing	Final Determination	Pub. No.
<b>701-TA-439</b> <i>Polyethylene Terephthalate (PET) Resin from India</i>	03-24-04	04-14-04	Affirmative 05-10-04	3694	03-15-05	Negative 05-03-05	3769
<b>701-TA-440</b> <i>Polyethylene Terephthalate (PET) Resin from Thailand</i>	03-24-04	04-14-04	Affirmative 05-10-04	3694	03-15-05	Terminated 03-21-05	3769
<b>731-TA-1077</b> <i>Polyethylene Terephthalate (PET) Resin from India</i>	03-24-04	04-14-04	Affirmative 05-10-04	3694	03-15-05	Negative 05-03-05	3769
<b>731-TA-1078</b> <i>Polyethylene Terephthalate (PET) Resin from Indonesia</i>	03-24-04	04-14-04	Affirmative 05-10-04	3694	03-15-05	Negative 05-03-05	3769
<b>731-TA-1079</b> <i>Polyethylene Terephthalate (PET) Resin from Taiwan</i>	03-24-04	04-14-04	Affirmative 05-10-04	3694	03-15-05	Terminated 03-21-05	3769
<b>731-TA-1080</b> <i>Polyethylene Terephthalate (PET) Resin from Thailand</i>	03-24-04	04-14-04	Affirmative 05-10-04	3694	03-15-05	Negative 05-03-05	3769
<b>731-TA-1082</b> <i>Chlorinated Isocyanurates from China</i>	05-14-04	06-04-04	Affirmative 06-28-04	3705	05-05-05	Affirmative 06-17-05	3782
<b>731-TA-1083</b> <i>Chlorinated Isocyanurates from Spain</i>	05-14-04	06-04-04	Affirmative 06-28-04	3705	05-05-05	Affirmative 06-17-05	3782
<b>731-TA-1084</b> <i>Purified Carboxymethyl-cellulose from Finland</i>	06-09-04	06-30-04	Affirmative 07-26-04	3713	05-12-05	Affirmative 06-30-05	3787
<b>731-TA-1085</b> <i>Purified Carboxymethyl-cellulose from Mexico</i>	06-09-04	06-30-04	Affirmative 07-26-04	3713	05-12-05	Affirmative 06-30-05	3787
<b>731-TA-1086</b> <i>Purified Carboxymethyl-cellulose from the Netherlands</i>	06-09-04	06-30-04	Affirmative 07-26-04	3713	05-12-05	Affirmative 06-30-05	3787
<b>731-TA-1087</b> <i>Purified Carboxymethyl-cellulose from Sweden</i>	06-09-04	06-30-04	Affirmative 07-26-04	3713	05-12-05	Affirmative 06-30-05	3787
<b>731-TA-1088</b> <i>Polyvinyl Alcohol from Taiwan</i>	09-07-04	09-28-04	Negative 10-22-04	3732	N/A	N/A	N/A
<b>731-TA-1089</b> <i>Certain Orange Juice from Brazil</i>	12-27-04	01-19-05	Affirmative 03-07-05	3757	Pending	Pending	Pending
<b>731-TA-1090</b> <i>Superalloy Degassed Chromium from Japan</i>	03-04-05	03-25-05	Affirmative 04-18-05	3768	Pending	Pending	Pending
<b>731-TA-1091</b> <i>Artists' Canvas from China</i>	04-01-05	04-22-05	Affirmative 05-16-05	3777	Pending	Pending	Pending

## Table I-A-Continued

### Antidumping and Countervailing Duty Investigations Conducted in Fiscal Year 2005

Investigation No. and Title	Date Instituted	Staff Conference	Preliminary Determination	Pub. No.	Public Hearing	Final Determination	Pub. No.
<b>731-TA-1092</b> <i>Diamond Sawblades and Parts Thereof from China</i>	05-03-05	06-15-05	Affirmative 07-18-05	3791	Pending	Pending	Pending
<b>731-TA-1093</b> <i>Diamond Sawblades and Parts Thereof from Korea</i>	05-03-05	06-15-05	Affirmative 07-18-05	3791	Pending	Pending	Pending
<b>731-TA-1094</b> <i>Metal Calendar Slides from Japan</i>	06-29-05	07-20-05	Affirmative 08-15-2005	3792	Pending	Pending	Pending
<b>701-TA-442</b> <i>Certain Lined Paper School Supplies from India</i>	09-09-05	09-30-05	Pending	Pending	Pending	Pending	Pending
<b>701-TA-443</b> <i>Certain Lined Paper School Supplies from Indonesia</i>	09-09-05	09-30-05	Pending	Pending	Pending	Pending	Pending
<b>731-TA-1095</b> <i>Certain Lined Paper School Supplies from China</i>	09-09-05	09-30-05	Pending	Pending	Pending	Pending	Pending
<b>731-TA-1096</b> <i>Certain Lined Paper School Supplies from India</i>	09-09-05	09-30-05	Pending	Pending	Pending	Pending	Pending
<b>731-TA-1097</b> <i>Certain Lined Paper School Supplies from Indonesia</i>	09-09-05	09-30-05	Pending	Pending	Pending	Pending	Pending
<b>731-TA-1098</b> <i>Liquid Sulfur Dioxide from Canada</i>	09-30-05	Pending	Pending	Pending	Pending	Pending	Pending

<sup>1</sup> The Commission determination is submitted to the U.S. Trade Representative. The U.S. Trade Representative decides any further actions in relation to this matter.

<sup>2</sup> Four Commissioners found two like products in these investigations: canned warmwater shrimp and prawns and certain non-canned warmwater shrimp and prawns. They made affirmative determinations with respect to certain non-canned warmwater shrimp and prawns from all six countries. With respect to canned warmwater shrimp and prawns from China, Thailand, and Vietnam, they made negative determinations. They found that imports of canned warmwater shrimp and prawns from Brazil, Ecuador, and India were negligible. Imports are generally deemed "negligible" if they accounted for less than 3 percent of all such merchandise imported into the United States within the most recent 12-month period for which data are available preceding the filing of the petition.

<sup>3</sup> The original petition in this investigation (731-TA-1070) covered both crepe paper and tissue paper; the U.S. Department of Commerce conducted separate investigations on the two products.

NOTES – In fiscal year 2005, the following suspended investigations remained suspended: Inv. No. 731-TA-539C (Final), *Uranium from Russia* (suspended 10-16-92), and Inv. No. 731-TA-747 (Final), *Fresh Tomatoes from Mexico* (suspended 12-16-02)

In fiscal year 2005, the Commission conducted the following trade remand proceedings: Inv. Nos. 303-TA-23 and 731-TA-566-570, and 641 (Final), *Ferrosilicon from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela*; Inv. No. 731-TA-954 (Preliminary), *Carbon and Alloy Steel Wire Rod from Canada*; Inv. No. 731-TA-860 (Final), *Tin- and Chromium-Coated Steel Sheet from Japan*; Inv. Nos. 701-TA-430B and 731-TA-1019B, *Hard Red Spring Wheat from Canada*; Inv. Nos. 731-TA-955, 960, and 963 (Preliminary), *Carbon and Certain Alloy Steel Wire Rod from Egypt, South Africa, and Venezuela*. Information regarding these remand proceedings may be found in Table VI.



**Table I-B**  
**Changed Circumstances and Five-Year (Sunset) Reviews**  
**Conducted in Fiscal Year 2005**

Investigation No. and Title	Date Instituted	Type of Review	Public Hearing	Final Determination	Pub. No.
<b>731-TA-776</b> <i>Preserved Mushrooms from Chile</i> <i>(Second Review)</i>	11-03-03	Full	09-09-04	Affirmative 10-28-04	3731
<b>731-TA-777</b> <i>Preserved Mushrooms from China</i> <i>(Second Review)</i>	11-03-03	Full	09-09-04	Affirmative 10-28-04	3731
<b>731-TA-778</b> <i>Preserved Mushrooms from India</i> <i>(Second Review)</i>	11-03-03	Full	09-09-04	Affirmative 10-28-04	3731
<b>731-TA-779</b> <i>Preserved Mushrooms from Indonesia</i> <i>(Second Review)</i>	11-03-03	Full	09-09-04	Affirmative 10-28-04	3731
<b>731-TA-101</b> <i>Greige Polyester Cotton Printcloth from China</i> <i>(Second Review)</i>	03-01-04	Full	04-05-05	Affirmative 05-25-05	3776
<b>701-TA-376</b> <i>Certain Stainless Steel Plate from Belgium</i>	04-01-04	Full	03-30-05	Affirmative 06-27-05	3784
<b>701-TA-377</b> <i>Certain Stainless Steel Plate from Italy</i>	04-01-04	Full	03-30-05	Affirmative 06-27-05	3784
<b>701-TA-379</b> <i>Certain Stainless Steel Plate from South Africa</i>	04-01-04	Full	03-30-05	Affirmative 06-27-05	3784
<b>731-TA-788</b> <i>Certain Stainless Steel Plate from Belgium</i>	04-01-04	Full	03-30-05	Affirmative 06-27-05	3784
<b>731-TA-789</b> <i>Certain Stainless Steel Plate from Canada</i>	04-01-04	Full	03-30-05	Negative 06-27-05	3784
<b>731-TA-790</b> <i>Certain Stainless Steel Plate from Italy</i>	04-01-04	Full	03-30-05	Affirmative 06-27-05	3784
<b>731-TA-791</b> <i>Certain Stainless Steel Plate from Korea</i>	04-01-04	Full	03-30-05	Affirmative 06-27-05	3784
<b>731-TA-792</b> <i>Certain Stainless Steel Plate from South Africa</i>	04-01-04	Full	03-30-05	Affirmative 06-27-05	3784
<b>731-TA-793</b> <i>Certain Stainless Steel Plate from Taiwan</i>	04-01-04	Full	03-30-05	Affirmative 06-27-05	3784
<b>731-TA-326</b> <i>Frozen Concentrated Orange Juice from Brazil</i> <i>(Second Review)</i>	04-01-04	Full	02-01-05	Negative 03-28-05	3760
<b>731-TA-653</b> <i>Sebacic Acid from China</i> <i>(Second Review)</i>	04-01-04	Full	12-07-04	Negative 05-11-05	3775

## Table I-B-Continued

### Changed Circumstances and Five-Year (Sunset) Reviews Conducted in Fiscal Year 2005

Investigation No. and Title	Date Instituted	Type of Review	Public Hearing	Final Determination	Pub. No.
<b>701-TA-384</b> <i>Hot-Rolled Flat-Rolled Carbon Quality Steel Products from Brazil</i>	05-03-04	Full	03-02-05	Affirmative 04-28-05	3767
<b>731-TA-806</b> <i>Hot-Rolled Flat-Rolled Carbon Quality Steel Products from Brazil</i>	05-03-04	Full	03-02-05	Affirmative 04-28-05	3767
<b>731-TA-807</b> <i>Hot-Rolled Flat-Rolled Carbon Quality Steel Products from Japan</i>	05-03-04	Full	03-02-05	Affirmative 04-28-05	3767
<b>731-TA-808</b> <i>Hot-Rolled Flat-Rolled Carbon Quality Steel Products from Russia</i>	05-03-04	Full	03-02-05	Affirmative 04-28-05	3767
<b>731-TA-244</b> <i>Natural Bristle Paint Brushes from China (Second Review)</i>	05-03-04	Expedited	N/A	Affirmative 11-09-04	3733
<b>701-TA-381</b> <i>Stainless Steel Sheet and Strip from Italy</i>	06-01-04	Full	04-26-05	Affirmative 07-12-05	3788
<b>701-TA-382</b> <i>Stainless Steel Sheet and Strip from Korea</i>	06-01-04	Full	04-26-05	Affirmative 07-12-05	3788
<b>731-TA-797</b> <i>Stainless Steel Sheet and Strip from France</i>	06-01-04	Full	04-26-05	Negative 07-12-05	3788
<b>731-TA-798</b> <i>Stainless Steel Sheet and Strip from Germany</i>	06-01-04	Full	04-26-05	Affirmative 07-12-05	3788
<b>731-TA-799</b> <i>Stainless Steel Sheet and Strip from Italy</i>	06-01-04	Full	04-26-05	Affirmative 07-12-05	3788
<b>731-TA-800</b> <i>Stainless Steel Sheet and Strip from Japan</i>	06-01-04	Full	04-26-05	Affirmative 07-12-05	3788
<b>731-TA-801</b> <i>Stainless Steel Sheet and Strip from Korea</i>	06-01-04	Full	04-26-05	Affirmative 07-12-05	3788
<b>731-TA-802</b> <i>Stainless Steel Sheet and Strip from Mexico</i>	06-01-04	Full	04-26-05	Affirmative 07-12-05	3788
<b>731-TA-803</b> <i>Stainless Steel Sheet and Strip from Taiwan</i>	06-01-04	Full	04-26-05	Affirmative 07-12-05	3788
<b>731-TA-804</b> <i>Stainless Steel Sheet and Strip from the United Kingdom</i>	06-01-04	Full	04-26-05	Negative 07-12-05	3788
<b>AA1921-129</b> <i>Polychloroprene Rubber from Japan (Second Review)</i>	07-01-04	Full	05-03-05	Affirmative 06-27-05	3786

## Table I-B-Continued

### Changed Circumstances and Five-Year (Sunset) Reviews Conducted in Fiscal Year 2005

Investigation No. and Title	Date Instituted	Type of Review	Public Hearing	Final Determination	Pub. No.
<b>731-TA-282</b> <i>Petroleum Wax Candles from China</i> (Second Review)	08-02-04	Full	05-25-05	Affirmative 07-28-05	3790
<b>104-TAA-7</b> <i>Sugar from European Union</i> (Second Review)	09-01-04	Full	06-28-05	Negative 08-29-05	3793
<b>AA1921-198</b> <i>Sugar from Belgium</i> (Second Review)	09-01-04	Full	06-28-05	Negative 08-29-05	3793
<b>AA1921-199</b> <i>Sugar from France</i> (Second Review)	09-01-04	Full	06-28-05	Negative 08-29-05	3793
<b>AA1921-200</b> <i>Sugar from Germany</i> (Second Review)	09-01-04	Full	06-28-05	Negative 08-29-05	3793
<b>731-TA-25</b> <i>Anhydrous Sodium Metasilicate from France</i> (Second Review)	09-01-04	N/A	N/A	Terminated 10-21-04	None Issued
<b>701-TA-249</b> <i>Certain Iron Construction Castings from Brazil</i> (Second Review)	10-01-04	Expedited	N/A	Affirmative 06-07-05	3781
<b>731-TA-262</b> <i>Certain Iron Construction Castings from Brazil</i> (Second Review)	10-01-04	Expedited	N/A	Affirmative 06-07-05	3781
<b>731-TA-263</b> <i>Certain Iron Construction Castings from Canada</i> (Second Review)	10-01-04	Expedited	N/A	Affirmative 06-07-05	3781
<b>731-TA-265</b> <i>Certain Iron Construction Castings from China</i> (Second Review)	10-01-04	Expedited	N/A	Affirmative 06-07-05	3781
<b>731-TA-125</b> <i>Potassium Permanganate from China</i> (Second Review)	10-01-04	Expedited	N/A	Affirmative 05-26-05	3778
<b>731-TA-339</b> <i>Solid Urea from Romania</i> (Second Review)	10-01-04	N/A	N/A	Terminated 11-17-04	N/A
<b>731-TA-340B</b> <i>Solid Urea from Belarus</i> (Second Review)	10-01-04	N/A	N/A	Terminated 11-17-04	N/A
<b>731-TA-340C</b> <i>Solid Urea from Estonia</i> (Second Review)	10-01-04	N/A	N/A	Terminated 11-17-04	N/A
<b>731-TA-340D</b> <i>Solid Urea from Lithuania</i> (Second Review)	10-01-04	N/A	N/A	Terminated 11-17-04	N/A
<b>731-TA-340E</b> <i>Solid Urea from Russia</i> (Second Review)	10-01-04	Full	09-22-05	Pending	Pending

## Table I-B-Continued

### Changed Circumstances and Five-Year (Sunset) Reviews Conducted in Fiscal Year 2005

Investigation No. and Title	Date Instituted	Type of Review	Public Hearing	Final Determination	Pub. No.
<b>731-TA-340F</b> <i>Solid Urea from Tajikistan</i> (Second Review)	10-01-04	N/A	N/A	Terminated 11-17-04	N/A
<b>731-TA-340G</b> <i>Solid Urea from Turkmenistan</i> (Second Review)	10-01-04	N/A	N/A	Terminated 11-17-04	N/A
<b>731-TA-340H</b> <i>Solid Urea from Ukraine</i> (Second Review)	10-01-04	Full	09-22-05	Pending	Pending
<b>731-TA-340I</b> <i>Solid Urea from Uzbekistan</i> (Second Review)	10-01-04	N/A	N/A	Terminated 11-17-04	N/A
<b>731-TA-432</b> <i>Drafting Machines from Japan</i> (Second Review)	10-01-04	N/A	N/A	Terminated 11-24-04	N/A
<b>731-TA-308</b> <i>Carbon Steel Butt-Weld Pipe Fittings from Brazil</i> (Second Review)	12-01-04	Full	09-07-05	Pending	Pending
<b>731-TA-309</b> <i>Carbon Steel Butt-Weld Pipe Fittings from Japan</i> (Second Review)	12-01-04	Full	09-07-05	Pending	Pending
<b>731-TA-310</b> <i>Carbon Steel Butt-Weld Pipe Fittings from Taiwan</i> (Second Review)	12-01-04	Full	09-07-05	Pending	Pending
<b>731-TA-520</b> <i>Carbon Steel Butt-Weld Pipe Fittings from China</i> (Second Review)	12-01-04	Full	09-07-05	Pending	Pending
<b>731-TA-521</b> <i>Carbon Steel Butt-Weld Pipe Fittings from Thailand</i> (Second Review)	12-01-04	Full	09-07-05	Pending	Pending
<b>731-TA-385</b> <i>Granular Polytetrafluoroethylene Resin from Italy</i> (Second Review)	12-01-04	Full	Pending	Pending	Pending
<b>731-TA-386</b> <i>Granular Polytetrafluoroethylene Resin from Japan</i> (Second Review)	12-01-04	Full	Pending	Pending	Pending
<b>701-TA-202</b> <i>Cotton Shop Towels from Pakistan</i> (Second Review)	01-03-05	N/A	N/A	Terminated 02-17-05	N/A
<b>731-TA-103</b> <i>Cotton Shop Towels from China</i> (Second Review)	01-03-05	N/A	N/A	Terminated 02-17-05	N/A
<b>731-TA-514</b> <i>Cotton Shop Towels from Bangladesh</i> (Second Review)	01-03-05	N/A	N/A	Terminated 02-17-05	N/A
<b>701-TA-997</b> <i>Steel Rails from Canada</i> (Second Review)	01-03-05	N/A	N/A	Terminated 02-09-05	N/A

## Table I-B-Continued

### Changed Circumstances and Five-Year (Sunset) Reviews Conducted in Fiscal Year 2005

Investigation No. and Title	Date Instituted	Type of Review	Public Hearing	Final Determination	Pub. No.
<b>731-TA-492</b> <i>Steel Rails from Canada</i> (Second Review)	01-03-05	N/A	N/A	Terminated 02-09-05	N/A
<b>701-TA-388</b> <i>Cut-to-length Carbon Steel Plate from India</i>	01-03-05	Full	09-27-05	Pending	Pending
<b>701-TA-389</b> <i>Cut-to-length Carbon Steel Plate from Indonesia</i>	01-03-05	Full	09-27-05	Pending	Pending
<b>701-TA-390</b> <i>Cut-to-length Carbon Steel Plate from Italy</i>	01-03-05	Full	09-27-05	Pending	Pending
<b>701-TA-391</b> <i>Cut-to-length Carbon Steel Plate from Korea</i>	01-03-05	Full	09-27-05	Pending	Pending
<b>731-TA-816</b> <i>Cut-to-length Carbon Steel Plate from France</i>	01-03-05	Full	09-27-05	Pending	Pending
<b>731-TA-817</b> <i>Cut-to-length Carbon Steel Plate from India</i>	01-03-05	Full	09-27-05	Pending	Pending
<b>731-TA-818</b> <i>Cut-to-length Carbon Steel Plate from Indonesia</i>	01-03-05	Full	09-27-05	Pending	Pending
<b>731-TA-819</b> <i>Cut-to-length Carbon Steel Plate from Italy</i>	01-03-05	Full	09-27-05	Pending	Pending
<b>731-TA-820</b> <i>Cut-to-length Carbon Steel Plate from Japan</i>	01-03-05	Full	09-27-05	Pending	Pending
<b>731-TA-821</b> <i>Cut-to-length Carbon Steel Plate from Korea</i>	01-03-05	Full	09-27-05	Pending	Pending
<b>731-TA-279</b> <i>Malleable Cast Iron Pipe Fittings from Korea</i> (Second Review)	01-03-05	N/A	N/A	Terminated 02-28-05	N/A
<b>731-TA-347</b> <i>Malleable Cast Iron Pipe Fittings from Japan</i> (Second Review)	01-03-05	N/A	N/A	Terminated 02-28-05	N/A
<b>731-TA-814</b> <i>Creatine Monohydrate from China</i>	01-03-05	N/A	N/A	Terminated 02-04-05	N/A
<b>701-TA-302</b> <i>Salmon from Norway</i> (Second Review)	02-01-05	Full	Pending	Pending	Pending
<b>731-TA-454</b> <i>Salmon from Norway</i> (Second Review)	02-01-05	Full	Pending	Pending	Pending
<b>731-TA-376</b> <i>Stainless Steel Butt-Weld Pipe Fittings from Japan</i> (Second Review)	02-01-05	Expedited	N/A	Affirmative 09-29-05	3801
<b>731-TA-563</b> <i>Stainless Steel Butt-Weld Pipe Fittings from Korea</i> (Second Review)	02-01-05	Expedited	N/A	Affirmative 09-29-05	3801
<b>731-TA-564</b> <i>Stainless Steel Butt-Weld Pipe Fittings from Taiwan</i> (Second Review)	02-01-05	Expedited	N/A	Affirmative 09-29-05	3801

## Table I-B-Continued

### Changed Circumstances and Five-Year (Sunset) Reviews Conducted in Fiscal Year 2005

Investigation No. and Title	Date Instituted	Type of Review	Public Hearing	Final Determination	Pub. No.
<b>731-TA-459</b> <i>Polyethylene Terephthalate (PET) Film from Korea</i> (Second Review)	02-01-05	Expedited	N/A	Affirmative 09-29-05	3800
<b>731-TA-465</b> <i>Sodium Thiosulfate from Germany</i> (Second Review)	02-01-05	N/A	N/A	Terminated 03-07-05	N/A
<b>731-TA-466</b> <i>Sodium Thiosulfate from China</i> (Second Review)	02-01-05	N/A	N/A	Terminated 03-07-05	N/A
<b>731-TA-468</b> <i>Sodium Thiosulfate from the United Kingdom</i> (Second Review)	02-01-05	N/A	N/A	Terminated 03-07-05	N/A
<b>701-TA-267</b> <i>Top-of-the-Stove Stainless Steel Cooking Ware from Korea</i> (Second Review)	03-01-05	Expedited	N/A	Pending	Pending
<b>701-TA-268</b> <i>Top-of-the-Stove Stainless Steel Cooking Ware from Taiwan</i> (Second Review)	03-01-05	Expedited	N/A	Pending	Pending
<b>731-TA-298</b> <i>Porcelain-on-Steel Cooking Ware from China</i> (Second Review)	03-01-05	Expedited	N/A	Pending	Pending
<b>731-TA-299</b> <i>Porcelain-on-Steel Cooking Ware from Taiwan</i> (Second Review)	03-01-05	Expedited	N/A	Pending	Pending
<b>731-TA-304</b> <i>Top-of-the-Stove Stainless Steel Cooking Ware from Korea</i> (Second Review)	03-01-05	Expedited	N/A	Pending	Pending
<b>731-TA-305</b> <i>Top-of-the-Stove Stainless Steel Cooking Ware from Taiwan</i> (Second Review)	03-01-05	Expedited	N/A	Pending	Pending
<b>731-TA-287</b> <i>Raw In-Shell Pistachios from Iran</i>	03-01-05	Full	10-11-05	Pending	Pending
<b>731-TA-377</b> <i>Internal Combustion Industrial Forklift Trucks from Japan</i> (Second Review)	03-01-05	Full	11-01-05	Pending	Pending
<b>731-TA-469</b> <i>Electroluminescent Flat Panel Displays from Japan</i> (Second Review)	03-01-05	N/A	N/A	Terminated 04-11-05	N/A
<b>701-TA-269</b> <i>Brass Sheet and Strip from Brazil</i> (Second Review)	04-01-05	Full	Pending	Pending	Pending
<b>701-TA-270</b> <i>Brass Sheet and Strip from France</i> (Second Review)	04-01-05	Full	Pending	Pending	Pending
<b>731-TA-311</b> <i>Brass Sheet and Strip from Brazil</i> (Second Review)	04-01-05	Full	Pending	Pending	Pending
<b>731-TA-312</b> <i>Brass Sheet and Strip from Canada</i> (Second Review)	04-01-05	Full	Pending	Pending	Pending

## Table I-B-Continued

### Changed Circumstances and Five-Year (Sunset) Reviews Conducted in Fiscal Year 2005

Investigation No. and Title	Date Instituted	Type of Review	Public Hearing	Final Determination	Pub. No.
<b>731-TA-313</b> <i>Brass Sheet and Strip from France</i> (Second Review)	04-01-05	Full	Pending	Pending	Pending
<b>731-TA-314</b> <i>Brass Sheet and Strip from Italy</i> (Second Review)	04-01-05	Full	Pending	Pending	Pending
<b>731-TA-317</b> <i>Brass Sheet and Strip from Germany</i> (Second Review)	04-01-05	Full	Pending	Pending	Pending
<b>731-TA-379</b> <i>Brass Sheet and Strip from Japan</i> (Second Review)	04-01-05	Full	Pending	Pending	Pending
<b>731-TA-825</b> <i>Polyester Staple Fiber from Korea</i>	04-01-05	Full	Pending	Pending	Pending
<b>731-TA-826</b> <i>Polyester Staple Fiber from Taiwan</i>	04-01-05	Full	Pending	Pending	Pending
<b>731-TA-856</b> <i>Ammonium Nitrate from Russia</i>	04-01-05	Full	Pending	Pending	Pending
<b>701-TA-318</b> <i>Sulfanilic Acid from India</i> (Second Review)	05-02-05	Full	Pending	Pending	Pending
<b>731-TA-538</b> <i>Sulfanilic Acid from China</i> (Second Review)	05-02-05	Full	Pending	Pending	Pending
<b>731-TA-561</b> <i>Sulfanilic Acid from India</i> (Second Review)	05-02-05	Full	Pending	Pending	Pending
<b>701-TA-401</b> <i>Structural Steel Beams from Korea</i>	05-02-05	Full	Pending	Pending	Pending
<b>731-TA-853</b> <i>Structural Steel Beams from Japan</i>	05-02-05	Full	Pending	Pending	Pending
<b>731-TA-854</b> <i>Structural Steel Beams from Korea</i>	05-02-05	Full	Pending	Pending	Pending
<b>731-TA-429</b> <i>Mechanical Transfer Presses from Japan</i> (Second Review)	05-02-05	N/A	N/A	Terminated 06-21-05	N/A
<b>731-TA-841</b> <i>Non-frozen Concentrated Apple Juice from China</i>	05-02-05	Expedited	N/A	Affirmative 09-28-05	3799
<b>731-TA-846</b> <i>Small Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Czech Republic</i>	05-02-05	Full	Pending	Pending	Pending
<b>731-TA-847</b> <i>Large and Small Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Japan</i>	05-02-05	Full	Pending	Pending	Pending
<b>731-TA-848</b> <i>Large Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Mexico</i>	05-02-05	Full	Pending	Pending	Pending

## Table I-B-Continued

### Changed Circumstances and Five-Year (Sunset) Reviews Conducted in Fiscal Year 2005

Investigation No. and Title	Date Instituted	Type of Review	Public Hearing	Final Determination	Pub. No.
<b>731-TA-849</b> <i>Small Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Romania</i>	05-02-05	Full	Pending	Pending	Pending
<b>731-TA-850</b> <i>Small Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from South Africa</i>	05-02-05	Full	Pending	Pending	Pending
<b>731-TA-851</b> <i>Synthetic Indigo from China</i>	05-02-05	Full	Pending	Pending	Pending
<b>731-TA-344</b> <i>Tapered Bearings from China (Second Review)</i>	06-01-05	Full	Pending	Pending	Pending
<b>731-TA-391A</b> <i>Ball Bearings from Germany (Second Review)</i>	06-01-05	Full	Pending	Pending	Pending
<b>731-TA-392A</b> <i>Ball Bearings from France (Second Review)</i>	06-01-05	Full	Pending	Pending	Pending
<b>731-TA-392C</b> <i>Spherical Plain Bearings from France (Second Review)</i>	06-01-05	Full	Pending	Pending	Pending
<b>731-TA-393A</b> <i>Ball Bearings from Italy (Second Review)</i>	06-01-05	Full	Pending	Pending	Pending
<b>731-TA-394A</b> <i>Ball Bearings from Japan (Second Review)</i>	06-01-05	Full	Pending	Pending	Pending
<b>731-TA-396</b> <i>Ball Bearings from Singapore (Second Review)</i>	06-01-05	Full	Pending	Pending	Pending
<b>731-TA-399A</b> <i>Ball Bearings from the United Kingdom (Second Review)</i>	06-01-05	Full	Pending	Pending	Pending
<b>731-TA-464</b> <i>Sparklers from China (Second Review)</i>	06-01-05	Expedited	N/A	Pending	Pending
<b>731-TA-718</b> <i>Glycine from China (Second Review)</i>	06-01-05	Expedited	N/A	Pending	Pending
<b>701-TA-253</b> <i>Welded Carbon Steel Pipe from Turkey (Second Review)</i>	07-01-05	Full	Pending	Pending	Pending
<b>731-TA-132</b> <i>Small Diameter Carbon Steel Pipe from Taiwan (Second Review)</i>	07-01-05	Full	Pending	Pending	Pending
<b>731-TA-252</b> <i>Welded Carbon Steel Pipe from Thailand (Second Review)</i>	07-01-05	Full	Pending	Pending	Pending



Table I-B-Continued  
 Changed Circumstances and Five-Year (Sunset) Reviews  
 Conducted in Fiscal Year 2005

Investigation No. and Title	Date Instituted	Type of Review	Public Hearing	Final Determination	Pub. No.
<b>731-TA-271</b> <i>Welded Carbon Steel Pipe from India</i> (Second Review)	07-01-05	Full	Pending	Pending	Pending
<b>731-TA-273</b> <i>Welded Carbon Steel Pipe from Turkey</i> (Second Review)	07-01-05	Full	Pending	Pending	Pending
<b>731-TA-409</b> <i>Light-walled Rectangular Pipe from Argentina</i> (Second Review)	07-01-05	Full	Pending	Pending	Pending
<b>731-TA-410</b> <i>Light-walled Rectangular Pipe from Taiwan</i> (Second Review)	07-01-05	Full	Pending	Pending	Pending
<b>731-TA-532</b> <i>Circular Welded Nonalloy Steel Pipe from Brazil</i> (Second Review)	07-01-05	Full	Pending	Pending	Pending
<b>731-TA-533</b> <i>Circular Welded Nonalloy Steel Pipe from Korea</i> (Second Review)	07-01-05	Full	Pending	Pending	Pending
<b>731-TA-534</b> <i>Circular Welded Nonalloy Steel Pipe from Mexico</i> (Second Review)	07-01-05	Full	Pending	Pending	Pending
<b>731-TA-536</b> <i>Circular Welded Nonalloy Steel Pipe from Taiwan</i> (Second Review)	07-01-05	Full	Pending	Pending	Pending
<b>701-TA-309A</b> <i>Alloy Magnesium from Canada</i> (Second Review)	07-01-05	Full	Pending	Pending	Pending
<b>701-TA-309B</b> <i>Pure Magnesium from Canada</i> (Second Review)	07-01-05	Full	Pending	Pending	Pending
<b>731-TA-663</b> <i>Paper Clips from China</i> (Second Review)	07-01-05	Expedited	N/A	Pending	Pending
<b>731-TA-457A</b> <i>Axes and Adzes from China</i> (Second Review)	07-01-05	Expedited	N/A	Pending	Pending
<b>731-TA-457B</b> <i>Bars and Wedges from China</i> (Second Review)	07-01-05	Expedited	N/A	Pending	Pending
<b>731-TA-457C</b> <i>Hammers and Sledges from China</i> (Second Review)	07-01-05	Expedited	N/A	Pending	Pending
<b>731-TA-457D</b> <i>Picks and Mattocks from China</i> (Second Review)	07-01-05	Expedited	N/A	Pending	Pending
<b>731-TA-539C</b> <i>Uranium from Russia</i> (Second Review)	07-01-05	Full	Pending	Pending	Pending

## Table I-B-Continued

### Changed Circumstances and Five-Year (Sunset) Reviews Conducted in Fiscal Year 2005

Investigation No. and Title	Date Instituted	Type of Review	Public Hearing	Final Determination	Pub. No.
<b>731-TA-636</b> <i>Stainless Steel Wire Rod from Brazil</i> (Second Review)	07-01-05	Full	Pending	Pending	Pending
<b>731-TA-637</b> <i>Stainless Steel Wire Rod from France</i> (Second Review)	07-01-05	Full	Pending	Pending	Pending
<b>731-TA-638</b> <i>Stainless Steel Wire Rod from India</i> (Second Review)	07-01-05	Full	Pending	Pending	Pending
<b>731-TA-639</b> <i>Forged Stainless Steel Flanges from India</i> (Second Review)	07-01-05	Expedited	N/A	Pending	Pending
<b>731-TA-640</b> <i>Forged Stainless Steel Flanges from Taiwan</i> (Second Review)	07-01-05	Expedited	N/A	Pending	Pending
<b>731-TA-669</b> <i>Cased Pencils from China</i> (Second Review)	07-01-05	Expedited	N/A	Pending	Pending
<b>731-TA-860</b> <i>Tin- and Chromium-coated Steel Sheet from Japan</i>	07-01-05	Full	Pending	Pending	Pending
<b>731-TA-540</b> <i>Welded ASTM A-312 Stainless Steel Pipe from Korea</i>	09-01-05	Pending	Pending	Pending	Pending
<b>731-TA-541</b> <i>Welded ASTM A-312 Stainless Steel Pipe from Taiwan</i>	09-01-05	Pending	Pending	Pending	Pending
<b>731-TA-696</b> <i>Pure Magnesium from China</i>	09-01-05	Pending	Pending	Pending	Pending
<b>751-TA-28</b> <i>Certain Frozen Warmwater Shrimp and Prawns from India</i>	05-03-05	Changed Circumstances	09-14-05	Pending	Pending
<b>751-TA-29</b> <i>Certain Frozen Warmwater Shrimp and Prawns from Thailand</i>	05-03-05	Changed Circumstances	09-14-05	Pending	Pending

NOTES—The Commission conducts changed circumstances reviews under sec. 751(b) of the Tariff Act of 1930 and five-year (sunset) reviews under sec. 751(c) of the Tariff Act of 1930.

In fiscal year 2005, the Commission conducted the following trade remand proceedings: Inv. Nos. 701-TA-355 and 731-TA-659-660 (Review), *Grain-Oriented Silicon Electrical Steel (GOES) from Italy and Japan*; Inv. Nos. 731-TA-707-709 (Review), *Certain Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe from Argentina, Brazil, and Germany*; Inv. Nos. 701-364 and 731-TA-711 and 713-715 (Review), *Oil Country Tubular Goods from Argentina, Italy, Japan, and Korea*; Inv. No. 731-TA-451 (Review), *Gray Portland Cement and Cement Clinker from Mexico*; and 731-TA-614 (Review), *Corrosion Resistant Carbon Steel Flat Products from Canada*. Information regarding these remand proceedings may be found in Table VI.

## Table I-C Other Import Injury Investigations Conducted in Fiscal Year 2005

Investigation No. and Title	Petitioner or Requester	Date of Petition/ Request or Institution	Public Hearing	Commission Finding	Transmitted to the President	Pub No.
<b>TA-204-12</b> <i>Steel: Evaluation of the Effectiveness of Import Relief</i>	Required under section 204(d) of the Trade Act of 1974	03-21-05	07-21-05 <sup>1</sup>	Completed	09-19-05	3797
<b>TA-421-6</b> <i>Circular Welded Non-Alloy Steel Pipe from China</i>	Allied Tube and Conduit Corp., Harvey, IL; IPSCO Tubulars, Inc., Camanche, IA; Maruichi American Corp., Santa Fe Springs, CA; Maverick Tube Corp., Chesterfield, MO; Sharon Tube Co., Sharon, PA; Western Tube Conduit Corp., Long Beach, CA; Wheatland Tube Co., Wheatland, PA; and the United Steel workers of America, AFL-CIO, Pittsburgh, PA	08-02-05	09-16-05	Pending	Pending	Pending

<sup>1</sup> Although the Commission initially received 12 requests to appear at a public hearing, all such requests were subsequently withdrawn and no one appeared to give testimony at the hearing.

NOTE – In fiscal year 2005, the following suspended investigation remained suspended: Inv. No. 22-055, *Peanut Butter and Peanut Paste* (suspended 06-28-94)



**Table II**  
**Intellectual Property-Based Import Investigations and**  
**Related Proceedings Conducted in Fiscal Year 2005**

<b>Investigation No. and Title</b>	<b>Complainant</b>	<b>Fed. Reg. Notice</b>	<b>Final Determination</b>	<b>Date Orders Issued</b>	<b>Pub. No.</b>
<b>337-TA-406</b> <i>Certain Lens-Fitted Film Packages</i> (Enforcement Proceeding II)	Fuji Photo Film Co., Ltd. Tokyo, Japan	09-27-02	Commission imposed \$13.675 million penalty	01-18-05	N/A
<b>337-TA-406</b> <i>Certain Lens-Fitted Film Packages</i> (Enforcement Proceeding II) (Remand)	Fuji Photo Film Co., Ltd. Tokyo, Japan	12-28-05	Pending	N/A	N/A
<b>337-TA-454</b> <i>Certain Set-Top Boxes and Components Thereof</i> (Remand)	Gemstar-TV Guide International, Inc. Pasadena, CA	N/A	Settlement agreement	9-19-05	N/A
<b>337-TA-486</b> <i>Certain Agricultural Tractors, Lawn Tractors, Riding Lawnmowers, and Components Thereof</i> (Enforcement Proceeding)	CNH America LLC (formerly New Holland North America) New Holland, PA	11-19-04	Commission terminated enforcement proceeding without imposing additional relief	08-18-05	N/A
<b>337-TA-493</b> <i>Certain Zero-Mercury-Added Alkaline Batteries, Parts Thereof, and Products Containing Same</i>	Energizer Holdings, Inc. St. Louis, MO, and Eveready Battery Company, Inc., St. Louis, MO	06-02-03	No violation	10-01-04	N/A
<b>337-TA-494</b> <i>Certain Automotive Measuring Devices, Products Containing Same, and Bezels for Such Devices</i>	Auto Meter Products, Inc. Sycamore, IL	06-20-03	Cease and desist order and limited exclusion order	01-24-05	N/A
<b>337-TA-498</b> <i>Certain Insect Traps</i>	American Biophysics Corporation East Greenwich, RI	09-12-03	Cease and desist order and limited exclusion order	12-10-04	N/A
<b>337-TA-499</b> <i>Certain Audio Digital-to-Analog Converters and Products Containing Same</i>	Cirrus Logic, Inc. Austin, TX	11-14-03	Limited exclusion order issued; order rescinded 05-03-05 based on settlement agreement	02-11-05	N/A
<b>337-TA-500</b> <i>Certain Purple Protective Gloves</i>	Kimberly-Clark Corporation Irving, TX, and Safeskin Corporation Roswell, GA	11-26-03	General exclusion order	12-22-04	N/A
<b>337-TA-501</b> <i>Certain Encapsulated Integrated Circuit Devices and Products Containing Same</i>	Amkor Technology, Inc. West Chester, PA	12-19-03	Pending	N/A	N/A

## Table II-Continued

### Intellectual Property-Based Import Investigations and Related Proceedings Conducted in Fiscal Year 2005

Investigation No. and Title	Complainant	Fed. Reg. Notice	Final Determination	Date Orders Issued	Pub. No.
<b>337-TA-503</b> <i>Certain Automated Mechanical Transmission Systems for Medium-Duty and Heavy-Duty Trucks and Components Thereof</i> (Advisory Opinion Proceeding) <sup>1</sup>	ZF Friedrichshafen AG Friedrichshafen, Germany, and ArvinMeritor, Inc. Troy, MI	06-10-05	Pending	N/A	N/A
<b>337-TA-503</b> <i>Certain Automated Mechanical Transmission Systems for Medium-Duty and Heavy-Duty Trucks and Components Thereof</i>	Eaton Corporation Cleveland, OH	01-07-04	Cease and desist order and limited exclusion order	04-07-05	N/A
<b>337-TA-503</b> <i>Certain Automated Mechanical Transmission Systems for Medium-Duty Heavy-Duty Trucks, and Components Thereof</i> (Enforcement Proceeding) <sup>1</sup>	Eaton Corporation Cleveland, OH	06-10-05	Pending	N/A	N/A
<b>337-TA-505</b> <i>Certain Gun Barrels Used in Firearms Training Systems</i>	Beamhit, LLC, Columbia, MD; SafeShot, LLC, Columbia, MD; and SafeShot, Inc. New York, NY	03-16-04	Cease and desist order and limited exclusion order	02-03-05	N/A
<b>337-TA-506</b> <i>Certain Optical Disk Controller Chips and Chipsets and Products Containing Same, Including DVD Players and PC Optical Storage Devices</i>	Zoran Corporation, Sunnyvale, CA, and Oak Technology, Inc. Sunnyvale, CA	04-14-04	Cease and desist orders (7) and limited exclusion order	09-28-05	N/A
<b>337-TA-508</b> <i>Certain Absorbent Garments</i>	Tyco Healthcare Retail Group, Inc. King of Prussia, PA, and Paragon Trade Brands, Inc. King of Prussia, PA	05-07-04	Consent order	11-24-04	N/A
<b>337-TA-509</b> <i>Certain Personal Computers, Server Computers, and Components Thereof</i>	Hewlett-Packard Development Company, LP, Houston, TX, and Hewlett-Packard Company, Palo Alto, CA	06-07-04	Pending	N/A	N/A
<b>337-TA-510</b> <i>Certain Systems for Detecting and Removing Viruses or Worms, Components Thereof, and Products Containing Same</i>	Trend Micro Incorporated Cupertino, CA	06-08-04	Cease and desist order and limited exclusion order	08-08-05	N/A

## Table II-Continued

### Intellectual Property-Based Import Investigations and Related Proceedings Conducted in Fiscal Year 2005

Investigation No. and Title	Complainant	Fed. Reg. Notice	Final Determination	Date Orders Issued	Pub. No.
<b>337-TA-511</b> <i>Certain Pet Food Treats</i>	Thomas J. Baumgartner Rogers, AR, and Hillbilly Smokehouse, Inc. Rogers, AR	06-08-04	Limited exclusion order	06-01-05	N/A
<b>337-TA-512</b> <i>Certain Light-Emitting Diodes and Products Containing Same</i>	OSRAM GmbH Munich, Germany, and OSRAM Opto Semiconductors GmbH, Regensburg, Germany	06-10-04	Pending	N/A	N/A
<b>337-TA-513</b> <i>Certain Electronic Devices, Including Power Adapters, Power Converters, External Batteries and Detachable Tips, Used to Power and/or Charge Mobile Electronic Products, and Components Thereof</i>	Mobility Electronics, Inc. Scottsdale, AZ	06-14-04	Withdrawal of the complaint	11-08-04	N/A
<b>337-TA-514</b> <i>Certain Plastic Food Containers</i>	Newspring Industrial Corporation Kearny, NJ	06-22-04	General exclusion order	05-23-05	N/A
<b>337-TA-515</b> <i>Certain Injectable Implant Compositions</i>	Inamed Corporation Santa Barbara, CA	06-25-04	Withdrawal of the complaint	04-18-05	N/A
<b>337-TA-516</b> <i>Certain Disk Drives, Components Thereof, and Products Containing Same</i>	Seagate Technology, LLC Scotts Valley, CA	08-05-04	Settlement agreement	05-27-05	N/A
<b>337-TA-517</b> <i>Certain Shirts With Pucker-Free Seams and Methods of Producing Same</i>	TALTECH Limited Tortola, British Virgin Islands; TAL Apparel Limited Kowloon, Hong Kong; and The Apparel Group Limited Addison, TX	08-06-04	Withdrawal of the complaint	03-04-05	N/A
<b>337-TA-518</b> <i>Certain Ear Protection Devices</i>	180s, Inc., Baltimore, MD, and 180s, LLC, Baltimore, MD	08-06-04	Cease and desist order and limited exclusion order	06-03-05	N/A
<b>337-TA-519</b> <i>Certain Personal Computers, Monitors, and Components Thereof</i>	Gateway, Inc. Poway, CA	08-06-04	Pending	N/A	N/A
<b>337-TA-520</b> <i>Certain Digital Image Storage and Retrieval Devices</i>	Ampex Corporation Redwood City, CA	08-16-04	Settlement agreement	12-30-04	N/A
<b>337-TA-521</b> <i>Certain Voltage Regulator Circuits, Components Thereof and Products Containing Same</i>	Linear Technology Corporation Milpitas, CA	08-17-04	Pending	N/A	N/A

## Table II-Continued

### Intellectual Property-Based Import Investigations and Related Proceedings Conducted in Fiscal Year 2005

Investigation No. and Title	Complainant	Fed. Reg. Notice	Final Determination	Date Orders Issued	Pub. No.
<b>337-TA-522</b> <i>Certain Ink Markers and Packaging Thereof</i>	Sanford, L.P. Freeport, IL	08-24-04	Pending	N/A	N/A
<b>337-TA-523</b> <i>Certain Optical Disk Controller Chips and Chipsets and Products Containing the Same, Including DVD Players and PC Optical Storage Devices II</i>	MediaTek Inc. Hsin-Chu City, Taiwan	08-31-04	Pending	N/A	N/A
<b>337-TA-524</b> <i>Certain Point of Sale Terminals and Components Thereof<sup>2</sup></i>	Verve, LLC Austin, TX	09-03-04	Pending	N/A	N/A
<b>337-TA-525</b> <i>Certain Semiconductor Devices and Products Containing Same</i>	Taiwan Semiconductor Manufacturing Company, Ltd. Hsinchu, Taiwan; TSMC North America San Jose, CA; and WaferTech LLC Camas, WA	09-21-04	Settlement agreement	04-06-05	N/A
<b>337-TA-526</b> <i>Certain NAND Flash Memory Circuits and Products Containing Same</i>	SanDisk Corporation Sunnyvale, CA	11-19-04	Pending	N/A	N/A
<b>337-TA-527</b> <i>Certain Digital Image Storage and Retrieval Devices II</i>	Ampex Corporation Redwood City, CA	11-29-04	Withdrawal of the complaint	08-23-05	N/A
<b>337-TA-528</b> <i>Certain Foam Masking Tape</i>	3M Company St. Paul, MN; 3M Innovative Properties Company St. Paul, MN; and Jean Silvestre Hamoir, Belgium	01-03-05	Pending	N/A	N/A
<b>337-TA-529</b> <i>Digital Processors, Digital Processing Systems, Components Thereof, and Products Containing Same</i>	BLAX Corporation Boulder, CO	01-06-05	Settlement agreement	09-01-05	N/A
<b>337-TA-530</b> <i>Certain Electric Robots and Component Parts Thereof</i>	FANUC Robotics America, Inc. Rochester Hills, MI	01-18-05	Pending	N/A	N/A
<b>337-TA-531</b> <i>Certain Network Controllers and Products Containing Same</i>	Marvell International, Ltd. Hamilton, Bermuda	01-19-05	Pending	N/A	N/A
<b>337-TA-532</b> <i>Certain Automotive Fuel Caps and Components Thereof</i>	Stant Manufacturing, Inc. Connersville, IN	03-11-05	Withdrawal of the complaint	07-06-05	N/A



## Table II-Continued

### Intellectual Property-Based Import Investigations and Related Proceedings Conducted in Fiscal Year 2005

Investigation No. and Title	Complainant	Fed. Reg. Notice	Final Determination	Date Orders Issued	Pub. No.
<b>337-TA-533</b> <i>Certain Rubber Antidegradants, Components Thereof, and Products Containing Same</i>	Flexsys America LP Akron, OH	03-29-05	Pending	N/A	N/A
<b>337-TA-534</b> <i>Certain Color Television Receivers and Color Display Monitors, and Components Thereof</i>	Thomson Licensing S.A. Boulogne, France, and Thomson Licensing Inc. Princeton, NJ	03-29-05	Pending	N/A	N/A
<b>337-TA-535</b> <i>Certain Network Communications Systems for Optical Networks and Components Thereof</i>	Ciena Corporation Linthicum, MD	03-30-05	Withdrawal of the complaint	06-23-05	N/A
<b>337-TA-536</b> <i>Certain Pool Cues with Self-Aligning Joint Assemblies and Components Thereof</i>	J. Pechauer Custom Cues Incorporated Green Bay, WI	04-04-05	Pending	N/A	N/A
<b>337-TA-537</b> <i>Certain Weather Stations and Components Thereof</i>	Richmond IP Holdings, LLC Richmond, VA	04-15-05	Pending	N/A	N/A
<b>337-TA-538</b> <i>Certain Audio Processing Integrated Circuits and Products Containing Same</i>	SigmaTel, Inc. Austin, TX	04-18-05	Pending	N/A	N/A
<b>337-TA-539</b> <i>Certain Tadalafil or Any Salt or Solvate Thereof, and Products Containing Same</i>	Lilly ICOS LLC Wilmington, DE	05-13-05	Pending	N/A	N/A
<b>337-TA-540</b> <i>Certain Automotive Grilles</i>	Ford Global Technologies, LLC Dearborn, MI	05-31-05	Withdrawal of the complaint	08-09-05	N/A
<b>337-TA-541</b> <i>Certain Power Supply Controllers and Products Containing Same</i>	Power Integrations, Inc. San Jose, CA	06-13-05	Pending	N/A	N/A
<b>337-TA-542</b> <i>Certain DVD/CD Players and Recorders, Color Television Receivers and Monitors, and Components Thereof</i>	BenQ Corporation Taiwan, and BenQ America Corporation Irvine, CA	06-20-05	Pending	N/A	N/A
<b>337-TA-543</b> <i>Certain Baseband Processor Chips and Chipsets, Transmitter and Receiver (Radio) Chips, Power Control Chips, and Products Containing Same, Including Cellular Telephone Handsets</i>	Broadcom Corporation Irvine, CA	06-21-05	Pending	N/A	N/A

## Table II-Continued

### Intellectual Property-Based Import Investigations and Related Proceedings Conducted in Fiscal Year 2005

Investigation No. and Title	Complainant	Fed. Reg. Notice	Final Determination	Date Orders Issued	Pub. No.
<b>337-TA-544</b> <i>Certain Hand-Held Mobile Computing Devices, Components Thereof and Cradles Thereof</i>	Intermec Technologies Corporation Everett, WA	08-03-05	Pending	N/A	N/A
<b>337-TA-545</b> <i>Certain Laminated Floor Panels</i>	Unilin Beheer, B.V. The Netherlands; Flooring Industries Ltd. Republic of Ireland; and Unilin Flooring NC, LLC Thomasville, NC	08-03-05	Pending	N/A	N/A
<b>337-TA-546</b> <i>Certain Male Prophylactic Devices</i>	Portfolio Technologies, Inc. Chicago, IL	08-05-05	Pending	N/A	N/A
<b>337-TA-547</b> <i>Certain Personal Computers, Monitors and Components Thereof</i>	Hewlett-Packard Development Company, L.P., Houston, TX, and Hewlett-Packard Company Palo Alto, CA	08-10-05	Pending	N/A	N/A
<b>337-TA-548</b> <i>Certain Tissue Converting Machinery, Including Rewinders, Tail Sealers, Trim Removers, and Components Thereof</i>	Fabio Perini North America, Inc. Bay, WI	08-11-05	Pending	N/A	N/A
<b>337-TA-549</b> <i>Certain Ink Sticks for Solid Ink Printers</i>	Xerox Corporation Stamford, CT	09-06-05	Pending	N/A	N/A
<b>337-TA-500</b> <i>Certain Modified Vaccinia Ankara ("MVA") Viruses and Vaccines and Pharmaceutical Compositions Based Thereon</i>	Bavarian Nordic A/S Kvistgard, Denmark	09-23-05	Pending	N/A	N/A

<sup>1</sup> The enforcement proceeding and the advisory opinion proceeding in Inv. 337-TA-503 were filed separately, and then consolidated. One notice was published in the Federal Register on June 10, 2005.

<sup>2</sup> The violation phase of Inv. 337-TA-524 was terminated on 07-08-05; sanctions appeal that was commenced before termination is pending.

**Table III**  
**General Factfinding Investigations**  
**Conducted in Fiscal Year 2005**

Investigation No. and Title	Requester	Date Instituted	Public Hearing	Pub. No.	Date Published
<b>163-1</b> <i>Year in Trade: Operation of the Trade Agreements Program</i>	Section 163(c) of the Trade Act of 1974	01-01-48	N/A	3779	07-05
<b>NAFTA-103-7</b> <i>Certain Textile Articles: Effect of Modifications of NAFTA Rules of Origin for Goods of Canada and Mexico</i>	United States Trade Representative	09-01-04	N/A	3729	10-04
<b>NAFTA-103-8</b> <i>Certain Textile Articles: Effect of Modifications of NAFTA Rules of Origin for Goods of Canada</i>	United States Trade Representative	09-01-04	N/A	3729	10-04
<b>NAFTA-103-9</b> <i>Certain Sanitary Articles of Tri-Lobal Rayon Staple Fibers: Effect of Modification of NAFTA Rules of Origin for Goods of Canada and Mexico</i>	United States Trade Representative	10-27-04	N/A	3746	12-04
<b>Singapore FTA-103-10</b> <i>Certain Yarns and Fabrics: Effect of Modification of U.S.-Singapore FTA Rules of Origin for Goods of Singapore</i>	United States Trade Representative	03-14-05	N/A	3783	05-05
<b>Morocco FTA-103-11</b> <i>U.S.-Morocco Free Trade Agreement: Effect of Modifications to the U.S.-Morocco Free Trade Agreement</i>	United States Trade Representative	04-15-05	N/A	3774	04-05
<b>NAFTA-103-12</b> <i>Probable Effect of Certain Modifications to the North American Free Trade Agreement Rules of Origin</i>	United States Trade Representative	06-03-05	N/A	3802	09-05
<b>TA-1205-6</b> <i>Proposed Modifications to the Harmonized Tariff Schedule of the United States</i>	Article 16, Harmonized System Convention	09-08-04	N/A	3764	03-05
<b>TA-131-30 and TA-2104-16</b> <i>U.S.-Oman Free Trade Agreement: Advice Concerning the Probable Economic Effect of Providing Duty-Free Treatment for Imports</i>	United States Trade Representative	12-03-04	N/A	N/A	N/A
<b>TA-131-31 and TA-2104-17</b> <i>U.S.-UAE (United Arab Emirates) Free Trade Agreement: Advice Concerning the Probable Economic Effect of Providing Duty-Free Treatment for Imports</i>	United States Trade Representative	12-03-04	N/A	N/A	N/A
<b>TA-2103-1</b> <i>The Impact of Trade Agreements Implemented Under Trade Promotion Authority</i>	Required by the Trade Act of 2002	04-06-05	04-27-05	3780	06-05
<b>TA-2104-15</b> <i>U.S.-Bahrain Free Trade Agreement: Potential Economywide and Selected Sectoral Effects</i>	United States Trade Representative	07-26-04	N/A	3726	10-04
<b>TA-2104-18</b> <i>U.S.-Central America Free Trade Agreement: Potential Economywide and Selected Sectoral Effects</i>	United States Trade Representative	12-17-04	N/A	N/A	N/A
<b>332-227</b> <i>Biannual Reports of the Impact of the Caribbean Basin Economic Recovery Act on U.S. Industries and Consumers</i>	Required by sec. 215(a) of the Caribbean Basin Economic Recovery Act	03-21-86	N/A	3804	09-05
<b>332-288</b> <i>Ethyl Alcohol for Fuel Use: Determination of the Base Quantity of Imports</i>	Required by the Steel Trade Liberalization Program Implementation Act of 1989, as amended (19 U.S.C. 2703)	03-09-90	N/A	N/A	Pending
<b>332-325</b> <i>The Economic Effects of Significant U.S. Import Restraints</i>	United States Trade Representative	06-05-92	N/A	Pending	Pending

## Table III-Continued

### General Factfinding Investigations

### Conducted in Fiscal Year 2005

Investigation No. and Title	Requester	Date Instituted	Public Hearing	Pub. No.	Date Published
<b>332-345</b> <i>U.S. Trade Shifts in Selected Industries and Recent Trends in U.S. Services Trade</i>	Instituted by the U.S. International Trade Commission on its own motion	08-27-93	N/A	3789	07-05
<b>332-350</b> <i>Monitoring of U.S. Imports of Tomatoes</i>	Required by the North American Free Trade Agreement Implementation Act	12-30-93	N/A	3738	11-04
<b>332-351</b> <i>Monitoring of U.S. Imports of Peppers</i>	Required by the North American Free Trade Agreement Implementation Act	12-30-93	N/A	3739	11-04
<b>332-352</b> <i>Andean Trade Preference Act: Effect on the U.S. Economy and on Andean Drug Crop Eradication and Crop Substitution</i>	Required by sec. 206 of the Andean Trade Preference Act	02-17-94	N/A	3803	09-05
<b>332-360</b> <i>International Harmonization of Customs Rules of Origin</i>	United States Trade Representative	04-06-95	N/A	N/A	N/A
<b>332-415</b> <i>U.S. Trade and Investment with Sub-Saharan Africa</i>	United States Trade Representative	05-15-00	N/A	3741	12-04
<b>332-454</b> <i>Remediation and Nature and Landscape Protection Services: An Examination of U.S. and Foreign Markets</i>	United States Trade Representative	07-22-03	N/A	3727	10-04
<b>332-458</b> <i>Commercial Availability of Apparel Inputs (2004): Effect of Providing Preferential Treatment to Apparel from Sub-Saharan African, Caribbean Basin, and Andean Countries</i>	United States Trade Representative	02-02-04	N/A	3756	03-05
<b>332-460</b> <i>Foundry Products: Competitive Conditions in the U.S. Market</i>	Committee on Ways and Means, U.S. House of Representatives	06-03-04	10-14-04	3771	05-05
<b>332-461</b> <i>Air and Noise Pollution Abatement Services: An Examination of U.S. and Foreign Markets</i>	United States Trade Representative	08-04-04	10-20-04	3761	04-05
<b>332-462</b> <i>Renewable Energy Services: An Examination of U.S. and Foreign Markets</i>	United States Trade Representative	08-03-04	04-19-05	3805	10-05
<b>332-463</b> <i>Logistic Services: An Overview of the Global Market and Potential Effects of Removing Trade Impediments</i>	United States Trade Representative	08-26-04	11-19-04	3770	05-05
<b>332-464</b> <i>Export Opportunities and Barriers in African Growth and Opportunity Act-Eligible Countries</i>	United States Trade Representative	12-03-04	03-01-05	3785	06-05
<b>332-465</b> <i>Commercial Availability of Apparel Inputs (2005): Effect of Providing Preferential Treatment to Apparel from Sub-Saharan African, Caribbean Basin, and Andean Countries</i>	United States Trade Representative	01-19-05	N/A	Pending	Pending
<b>332-466</b> <i>Advice Concerning Possible Modifications to the U.S. Generalized System of Preferences</i>	United States Trade Representative	02-09-05	03-23-05	3772	05-05
<b>332-467</b> <i>Advice Concerning Possible Modifications to the U.S. Generalized System of Preferences, 2004 Special Review</i>	United States Trade Representative	04-06-05	N/A	3773	05-05
<b>332-468</b> <i>Economywide Simulation Modeling: Technical Analysis of the Doha Round</i>	United States Trade Representative	06-29-05	N/A	Pending	Pending
<b>332-469</b> <i>Conditions of Competition for Certain Oranges and Lemons in the U.S. Fresh Market</i>	Committee on Ways and Means, U.S. House of Representatives	07-28-05	02-07-06	Pending	Pending

## Table III-Continued General Factfinding Investigations Conducted in Fiscal Year 2005

Investigation No. and Title	Requester	Date Instituted	Public Hearing	Pub. No.	Date Published
<b>332-470</b> <i>Advice Concerning Possible Modifications to the U.S. Generalized System of Preferences, 2005 Review</i>	United States Trade Representative	08-15-05	09-29-05	Pending	Pending
<b>332-471</b> <i>Advice Concerning Possible Modifications to the U.S. Generalized System of Preferences, 2005 Special Review on Watches</i>	United States Trade Representative	08-15-05	09-29-05	Pending	Pending
<b>332-472</b> <i>Probable Economic Effect of the Reduction of U.S. Tariffs: Update of Advice for Certain Items</i>	United States Trade Representative	08-15-05	Pending	Pending	Pending

NOTES – In fiscal year 2005, the following investigation provided technical assistance to the United States Trade Representative: Inv. No. NAFTA-103-6, *Probable Effect of Certain Modifications to the North American Free Trade Agreement Rules of Origin*.

In fiscal year 2005, the following investigations remained inactive: Inv. 332-354, *Program to Maintain U.S. Schedule of Services Commitments* (instituted 05-13-94); and Inv. 332-377, *Program to Maintain Investment Restrictions Database* (instituted 01-22-97).



**Appendix B:  
Reports Completed During Fiscal Year 2005  
and in Progress on September 30, 2005**





## Studies Completed During FY 2005

In addition to the reports discussed below, details on a number of other factfinding investigations completed during FY 2005 appear in the **Commission Activities and Accomplishments** section of this report. See pages 21-24 for details on:

*Remediation and Nature and Landscape Protection Services: An Examination of U.S. and Foreign Markets* (332-454);

*Air and Noise Pollution Abatement Services: An Examination of U.S. and Foreign Markets* (332-461);

*Logistic Services: An Overview of the Global Market and Potential Effects of Removing Trade Impediments* (332-463);

*Renewable Energy Services: An Examination of U.S. and Foreign Markets* (332-462);

*The Impact of Trade Agreements Implemented Under Trade Promotion Authority* (TA-2103-17);

*Export Opportunities and Barriers in African Growth and Opportunity Act-Eligible Countries* (332-464);

*Probable economic effect of proposed U.S. free trade agreements* (TA-131-30 and 31; TA-2104-16 and 17);

*U.S.-Bahrain Free Trade Agreement: Potential Economywide and Selected Sectoral Effects* (TA-2104-15); and

*Foundry Products: Competitive Conditions in the U.S. Market* (332-460).

Information on the ITC's recurring annual report *Shifts in U.S. Merchandise Trade 2004* (332-345), as well as *The Year in Trade 2004*, may also be found in the **Commission Activities and Accomplishments** section.

*Investigations concerning possible modifications to various free trade agreements* (NAFTA-103-7, NAFTA-103-8, NAFTA-103-9, Singapore FTA-103-10, Morocco FTA-103-11, and NAFTA-103-12)

During FY 2005, the U.S. Trade Representative asked the ITC to review and analyze the probable economic effect on U.S. trade of proposed modifications to several free trade agreements. Such investigations included:

*Certain Textile Articles: Effect of Modifications of NAFTA Rules of Origin for Goods of Canada and Mexico* and *Certain Textile Articles: Effect of Modifications of NAFTA Rules of Origin for Goods of Canada*, submitted to the USTR in October 2004;

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2004/er1027bb1.htm](http://www.usitc.gov/ext_relations/news_release/2004/er1027bb1.htm)

View report: <http://prototype.usitc.gov/Wais/pub3729.pdf>

*Certain Sanitary Articles of Tri-Lobal Rayon Staple Fibers: Effects of Modification of NAFTA Rules of Origin for Goods of Canada and Mexico*, submitted to the USTR in December 2004;

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2004/er1217bb1.htm](http://www.usitc.gov/ext_relations/news_release/2004/er1217bb1.htm)

View report: <http://hotdocs.usitc.gov/docs/pubs/103/pub3746.pdf>

*Certain Yarns and Fabrics: Effect of Modification of U.S.-Singapore FTA Rules of Origin for Goods of Singapore*, submitted to the USTR in June 2005;

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er0614cc2.htm](http://www.usitc.gov/ext_relations/news_release/2005/er0614cc2.htm)

View report: <http://hotdocs.usitc.gov/docs/pubs/103/pub3783.PDF>

*Effect of Modifications to the U.S.-Morocco Free Trade Agreement*, submitted to the USTR in April 2005;

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er0428cc2.htm](http://www.usitc.gov/ext_relations/news_release/2005/er0428cc2.htm)

View report: <http://prototype.usitc.gov/Wais/pub3774.PDF>

*Probable Effect of Certain Modifications to the North American Free Trade Agreement Rules of Origin*, submitted to the USTR in September 2005.

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er1011cc1.htm](http://www.usitc.gov/ext_relations/news_release/2005/er1011cc1.htm)

View report: <http://hotdocs.usitc.gov/docs/pubs/103/pub3802.pdf>

*Advice Concerning Possible Modifications to the U.S. Generalized System of Preferences, 2004 Review* (332-466)

On February 4, 2005, the USTR requested that the ITC investigate possible modifications to the U.S. Generalized System of Preferences, providing advice as to whether any industry in the United States is likely to be adversely affected by the addition of dates, certain carpets and rugs, and leaf springs and leaves for motor vehicle suspensions or the removal of Russia from eligibility for duty-free treatment under the GSP for polytetrafluoroethylene in primary forms. The ITC was also asked to provide advice as to the adverse impacts of the granting of a waiver of the competitive need limits for certain leather goods from Argentina, certain fatty acids or acid oils from the Philippines, or certain travertine dimension stone from Turkey.

The ITC submitted its confidential report to the USTR and issued a public version in May 2005.

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er0519cc1.htm](http://www.usitc.gov/ext_relations/news_release/2005/er0519cc1.htm)

View report: <http://hotdocs.usitc.gov/docs/pubs/332/PUB3772.pdf>

*Advice Concerning Possible Modifications to the U.S. Generalized System of Preferences, 2004 Special Review* (332-467)

On April 1, 2005, the USTR requested that the ITC investigate possible modifications to the U.S. Generalized System of Preferences, providing advice as to the adverse impacts of granting a waiver of the competitive need limits for tropical plywood or contact lenses from Indonesia; and for certain silver jewelry and electrostatic photocopying apparatus from Thailand. The ITC submitted a confidential report to the USTR and issued a public version in May 2005.

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er0531cc1.htm](http://www.usitc.gov/ext_relations/news_release/2005/er0531cc1.htm)

View report: <http://hotdocs.usitc.gov/docs/pubs/332/pub3773.pdf>

## Recurring Industry Surveys

*Andean Trade Preference Act: Impact on U.S. Industries and Consumers and on Drug Crop Eradication and Crop Substitution, Eleventh Report, 2004 (332-352)*

Section 206 of the Andean Trade Preference Act (ATPA) requires the ITC to submit annual reports to the Congress and the President evaluating the economic impact of the ATPA on U.S. industries and consumers and discussing the ATPA's effectiveness in promoting drug-related crop eradication and crop substitution in the four Andean beneficiary countries – Bolivia, Colombia, Ecuador, and Peru. The current ITC report found that the overall effect of imports under the ATPA continued to be negligible in 2004. The ATPA continued to have a small, indirect, but positive effect on drug-crop eradication and crop substitution efforts in the ATPA countries in 2004.

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er1007cc1.htm](http://www.usitc.gov/ext_relations/news_release/2005/er1007cc1.htm)

View report: <http://hotdocs.usitc.gov/docs/pubs/332/pub3803.PDF>

*The Impact of the Caribbean Basin Economic Recovery Act, Seventeenth Report (332-227)*

Section 215 of the Caribbean Basin Economic Recovery Act (CBERA) requires the ITC to assess biennially the actual and the probable future effects of the CBERA on the U.S. economy generally, on U.S. industries, and on U.S. consumers. The CBERA program affords preferential tariff treatment to most products of 24 designated Caribbean, Central American, and South American countries; amendments in 2000 under the Caribbean Basin Trade Partnership Act (CBTPA) broadened the scope of products eligible for the tariff preferences. The CBTPA also instructed the Commission to report on the impact of the overall preference program on the beneficiary countries themselves. The current ITC report, submitted in September 2005, found that the overall effects of the CBERA on the U.S. economy and consumers continued to be negligible in 2003-2004.

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er1103cc1.htm](http://www.usitc.gov/ext_relations/news_release/2005/er1103cc1.htm)

View report: <http://hotdocs.usitc.gov/docs/pubs/332/pub3804.pdf>

*Ethyl Alcohol for Fuel Use: Determination of the Base Quantity of Imports (332-288)*

Section VII of the 1989 Steel Trade Liberalization Program Implementation Act requires the ITC to determine annually the U.S. domestic market for fuel ethyl alcohol during the 12-month period ending on the preceding September 30. Section VII of the Act concerns local feedstock requirements for fuel ethyl alcohol imported into the United States from Caribbean Basin Economic Recovery Act (CBERA) beneficiary countries. The ITC's domestic market estimate is used to establish the "base quantity" of imports that can be imported with a zero percent local feedstock requirement. Beyond the base quantity of imports, progressively higher local feedstock requirements are placed on imports of fuel ethyl alcohol and mixtures from the CBERA beneficiary countries. The ITC uses official statistics of the U.S. Department of Energy as well as the PIERS database of the Journal of Commerce to make its determinations. For the 12-month period ending September 30, 2004,

the ITC determined that the base quantity was 240.4 million gallons. The ITC announced this determination in December 2004.

View determination:

[http://www.usitc.gov/secretary/fed\\_reg\\_notices/332/332\\_288\\_notice12172004sgle.pdf](http://www.usitc.gov/secretary/fed_reg_notices/332/332_288_notice12172004sgle.pdf)

*Monitoring of U.S. Imports of Tomatoes (332-350)*  
*Monitoring of U.S. Imports of Peppers (332-351)*

Section 316 of the NAFTA Implementation Act requires the ITC to monitor U.S. imports of “fresh or chilled tomatoes” and “fresh or chilled peppers, other than chili peppers” until January 1, 2009. The reports include current conditions in the U.S. industry in such areas as production, imports, exports, and prices. The current reports were published in November 2004.

View report on tomatoes: <http://hotdocs.usitc.gov/docs/pubs/332/pub3738.pdf>

View report on peppers: <http://hotdocs.usitc.gov/docs/pubs/332/pub3739.pdf>

*U.S. Schedule of Services Commitments (332-354)*

On April 18, 1994, the USTR requested that the ITC initiate an ongoing program to compile and maintain the United States Schedule of Services Commitments as required by the General Agreement on Trade in Services (GATS), which was negotiated as part of the GATT Uruguay Round of multilateral trade negotiations. The USTR requested that the ITC compile an initial U.S. Schedule reflecting the final services commitments made in the Uruguay Round and work with the USTR to update the U.S. Schedule, as necessary, to reflect all future commitments resulting from the post-Uruguay Round negotiations on financial, telecommunications, and maritime services, and future bilateral and multilateral services negotiations undertaken by the USTR. The ITC compiled an initial U.S. Schedule and submitted it to the USTR in October 1994 and has made some subsequent changes. No additional changes were made in FY 2005.

*Program to Maintain Investment Restrictions Database (332-377)*

On January 8, 1997, the USTR requested that the ITC develop a confidential database that identifies and provides pertinent information regarding foreign investment restrictions. In the request letter, the USTR indicated that the database would assist the USTR in assessing the value of commitments undertaken by other countries and reporting on the final outcome of negotiations currently underway to develop a multilateral agreement on investment within the Organization for Economic Cooperation and Development. The Commission continues to maintain the database.

*U.S. Trade and Investment with Sub-Saharan Africa (332-415)*

On April 12, 2000, the USTR requested that the ITC monitor and assess U.S. trade with sub-Saharan Africa. The investigation will yield five annual reports. The fifth report was submitted in December 2004. Quarterly data concerning U.S. trade with the countries of sub-Saharan Africa, as well as sectoral trade with those countries, is maintained on the ITC web site at [http://reportweb.usitc.gov/africa/trade\\_data.html](http://reportweb.usitc.gov/africa/trade_data.html).

Further information:

[http://www.usitc.gov/ext\\_relations/news\\_release/2005/er0113cc2.htm](http://www.usitc.gov/ext_relations/news_release/2005/er0113cc2.htm)

View report: [http://hotdocs.usitc.gov/pub3741/pub3741\\_main.html](http://hotdocs.usitc.gov/pub3741/pub3741_main.html)

*Commercial Availability of Apparel Inputs (2004): Effect of Providing Preferential Treatment to Apparel from Sub-Saharan African, Caribbean Basin, and Andean Countries (332-458) and Commercial Availability of Apparel Inputs (2005): Effect of Providing Preferential Treatment to Apparel from Sub-Saharan African, Caribbean Basin, and Andean Countries (332-465)*

During FY 2005, the Commission continued to conduct individual product-specific reviews on the probable economic effect of granting duty-free and quota-free treatment to certain apparel imports under the apparel-related “commercial availability” (formerly “short-supply”) provisions of the African Growth and Opportunity Act (AGOA), the U.S.-Caribbean Basin Trade Partnership Act (CBTPA), and the Andean Trade Promotion and Drug Eradication Act (ATPDEA). As in the past, the USTR requested that the ITC conduct these investigations under an “umbrella” investigation. The AGOA and CBTPA, both part of the Trade and Development Act of 2000, and the ATPDEA, part of the Trade Act of 2002, extend duty-free and quota-free treatment to imports of apparel assembled in AGOA, CBTPA, and ATPDEA beneficiary countries from fabrics made in the United States from U.S. yarns. They also authorize the President, on request of an interested party, to grant preferential treatment to apparel made in AGOA, CBTPA, and ATPDEA beneficiary countries from fabrics or yarns which “cannot be supplied by the domestic industry in commercial quantities in a timely manner,” regardless of the source of the fabrics or yarns. Before proclaiming such preferential treatment, the President is required to submit a report to the U.S. House of Representatives’ Committee on Ways and Means and the U.S. Senate’s Committee on Finance that sets forth the proposed action, the reasons for it, advice from the ITC on the probable economic effect of the action, and advice from the appropriate industry advisory committee. The ITC’s advice was provided on an ongoing basis during 2004 under Inv. No. 332-458 and in 2005 under Inv. No. 332-465.

During FY 2005, the ITC completed 19 such reviews. The public versions of these reports can be viewed on the ITC’s website.

View the reports:

[http://www.usitc.gov/ind\\_econ\\_ana/research\\_ana/pres\\_cong/332/short\\_supply/shortsupstat.htm](http://www.usitc.gov/ind_econ_ana/research_ana/pres_cong/332/short_supply/shortsupstat.htm)

## Studies in Progress at the End of FY 2005

*International Harmonization of Customs Rules of Origin (332-360)*

On January 25, 1995, the USTR requested that the ITC investigate the international harmonization of customs rules of origin. The investigation will provide the basis for ITC participation in work related to the Uruguay Round Agreement on Rules of Origin, negotiated in the GATT Uruguay Round negotiations and adopted along with the Agreement Establishing the World Trade Organization. The ITC investigation will include soliciting public input to ensure that U.S. business interests are recognized in the development of U.S. proposals, participating in the development and representation of U.S. proposals before the World Customs Organization and the WTO, and conducting other research as required. Completion date to be determined.

*Economywide Simulation Modeling: Technical Analysis of the Doha Round (332-468)*

On May 25, 2005, the USTR requested that the ITC investigate and report on the economic impacts that may result from the World Trade Organization’s (WTO) Doha Round of trade negotiations. The USTR noted that the Administration was conducting an environmental

review of a proposed trade agreement for the Doha Round and requested that, as a contribution to the ongoing environmental review process, the ITC provide information that could contribute to the estimation and examination of the economic effects of the trade agreement so as to assist the Trade Policy Staff Committee in its environmental review of the proposed agreement. The ITC will quantify the expected changes in production, consumption, trade, and prices that may be associated with the Doha Round, with regional and sectoral aggregations appropriate to illustrate those changes. The ITC will also provide those estimates for scenarios, to the extent possible, that reflect a range of possible outcomes with respect to market access for all products and trade-distorting domestic assistance programs and export subsidies related to agriculture, to be informed by the “July package” agreed to by the WTO’s General Council on August 1, 2004. The ITC report will be confidential. Scheduled completion: March 2006.

*Conditions of Competition for Certain Oranges and Lemons in the U.S. Fresh Market (332-469)*

On July 5, 2005, the Committee on Ways and Means, U.S. House of Representatives, requested that the ITC investigate and report on competitive conditions in the U.S. market for fresh oranges and lemons. The ITC investigation will provide an overview of the global market for oranges and lemons for the fresh market, including production, consumption and trade; profiles of the orange and lemon fresh-market industries in the United States and principal foreign producer countries; an analysis of U.S. trade in fresh-market oranges and lemons with major competitor countries; and a comparison of the strengths and weaknesses of the U.S. fresh-market orange and lemon industries with foreign competitors. Scheduled completion: July 2006.

*Probable Economic Effect of the Reduction of U.S. Tariffs: Update of Advice for Certain Items (332-472)*

On July 29, 2005, the USTR requested that the ITC update advice that the agency provided in 2002 on the probable economic effect of the reduction of certain U.S. tariffs. The USTR asked the ITC to provide advice in 2002 to help the USTR prepare for the Doha round of multilateral trade negotiations. At that time, the ITC provided confidential advice on the probable economic effect of implementing certain tariff reduction scenarios (ITC Inv. No. 332-440). For the current investigation, the ITC will update its advice on certain products that have experienced a substantial increase in imports since the period covered in the 2002 report. The ITC report will be confidential. Scheduled completion: December 2005.

*Advice Concerning Possible Modifications to the U.S. Generalized System of Preferences, 2005 Review (332-470)*

On August 9, 2005, the USTR requested that the ITC investigate possible modifications to the U.S. Generalized System of Preferences (GSP), providing advice as to whether any industry in the United States is likely to be adversely affected by the elimination of import duties for all GSP beneficiary countries for carrageenan. The ITC will also provide advice with respect to the restoration of India for duty-free treatment under the GSP of ibuprofen. The ITC will also provide advice as to the impacts of the granting of a waiver of the competitive need limits for dried mangos from the Philippines, for certain yellow pine plywood from Brazil, and certain travertine from Turkey. Scheduled completion: November 2005.

*Advice Concerning Possible Modifications to the U.S. Generalized System of Preferences, 2005 Special Review on Watches (332-471)*

On August 9, 2005, the USTR requested that the ITC investigate possible modifications to the U.S. Generalized System of Preferences (GSP), providing advice as to the probable economic effects on U.S. industries and U.S. insular possessions of the elimination of import duties for all GSP beneficiary countries for certain watches. Scheduled completion: February 2006.

*Proposed Modifications to the Harmonized Tariff Schedule of the United States (1205-6)*

On September 8, 2004, the ITC instituted an investigation under section 1205 of the Omnibus Trade and Competitiveness Act of 1988, which directs the ITC to keep the Harmonized Tariff Schedule of the United States (HTS) under continuous review and to recommend to the President modifications to the HTS when amendments to the International Convention on the Harmonized Commodity Description and Coding System (Harmonized System) are recommended by the World Customs Organization (WCO) for adoption, and as other circumstances warrant. The majority of proposed changes in this investigation are the result of the work of the WCO and the Harmonized System Committee to update and clarify the Harmonized System nomenclature, as part of the WCO's long-term program to periodically review the nomenclature structure. The WCO has recommended the adoption of certain modifications to the Harmonized System that are due to become effective in January 2007. Scheduled completion: March 2006.





# **Appendix C: Statutes Involving the U.S. International Trade Commission**



# Antidumping and Countervailing Duty Laws Under the Tariff Act of 1930

Under the Tariff Act of 1930, U.S. industries may petition the government for relief from imports that are sold in the United States at less than fair value (“dumped”) or which benefit from subsidies provided through foreign government programs (“subsidized”). Under the law, the U.S. Department of Commerce determines whether the dumping or subsidizing exists and, if so, the margin of dumping or amount of the subsidy; the ITC determines whether the dumped or subsidized imports materially injure or threaten to materially injure the U.S. industry.

Antidumping and countervailing duty investigations are conducted under title VII of the Tariff Act of 1930. The ITC conducts the injury investigations in preliminary and final phases.

## *Preliminary Phase Antidumping Investigations (Imports Sold at Less Than Fair Value) and Preliminary Phase Countervailing Duty Investigations (Subsidized Imports)*

**When:** After the simultaneous filing of a petition with the ITC and the U.S. Department of Commerce, the ITC conducts a preliminary phase injury investigation.

**Duration:** The preliminary phase of the investigation usually must be completed within 45 days of the receipt of the petition. If Commerce has extended its deadline for initiating the investigation, the ITC must make its preliminary injury determination within 25 days after Commerce informs the ITC of the initiation of the investigation.

**Finding:** The ITC determines, on the basis of the best information available to it at the time of the determination, (1) whether there is a “reasonable indication” that an industry is materially injured or is threatened with material injury, or (2) whether the establishment of an industry is materially retarded, by reason of imports under investigation by the Department of Commerce that are allegedly sold at less than fair value in the United States or subsidized.

If the ITC determination is affirmative, Commerce continues its investigation. If the ITC determination is negative, the investigation is terminated. However, if the ITC, in making a preliminary or final determination, finds that imports from a country are negligible, then the investigation regarding those imports must be terminated. Imports from a country under investigation are deemed negligible if they amount to less than 3 percent of the volume of all such merchandise imported into the United States in the most recent 12-month period preceding the filing of the petition for which data are available.

There are exceptions to this rule. One exception is that when imports from more than one country are subject to investigation as a result of petitions filed on the same day, imports from one or more of those countries under investigation will not be deemed negligible if the sum of imports from countries subject to investigation whose imports are less than 3 percent on an individual basis collectively amounts to more than 7 percent of the volume of all such merchandise imported into the United States.

## *Final Phase Antidumping Investigations (Imports Sold at Less Than Fair Value) and Final Phase Countervailing Duty Investigations (Subsidized Imports)*

**When:** After a preliminary affirmative determination by the Secretary of Commerce (or after a final affirmative determination if the preliminary determination was negative) that

imported products are being, or are likely to be, sold at less than fair value or are subsidized, the ITC conducts the final phase of the injury investigation.

**Duration:** The ITC final phase injury investigation usually must be completed within 120 days after an affirmative preliminary determination by the Secretary of Commerce or within 45 days after an affirmative final determination by the Secretary of Commerce, whichever is later. However, in cases in which the Commerce preliminary determination is negative but the Commerce final determination is affirmative, then the ITC final injury determination must be made within 75 days.

**Finding:** The ITC determines (1) whether an industry in the United States is materially injured or threatened with material injury, or (2) whether the establishment of an industry in the United States is materially retarded, by reason of imports that the Department of Commerce has determined to be sold in the United States at less than fair value or subsidized.

If the ITC determination is affirmative, the Secretary of Commerce issues an antidumping duty order (in a dumping investigation) or a countervailing duty order (in a subsidy investigation), which is enforced by the U.S. Customs Service. ITC determinations may be appealed to the U.S. Court of International Trade in New York City, or, in cases involving Canada and/or Mexico, to a binational panel under the auspices of the North American Free Trade Agreement. ( For further information on antidumping investigations, see section 731 et seq. of the Tariff Act of 1930, 19 U.S.C. 1673 et seq. For further information on countervailing duty investigations, see section 701 et seq. of the Tariff Act of 1930, 19 U.S.C. 1671 et seq.)

### Section 753, Tariff Act of 1930 (Review Investigations)

In the case of a countervailing duty order with respect to which an affirmative determination of material injury by the Commission was not required at the time the order was issued, interested parties may request that the Commission initiate an investigation to determine whether an industry in the United States is likely to be materially injured by reason of imports of the subject merchandise if the order is revoked. Such requests must be filed with the Commission within six months of the date on which the country from which the subject merchandise originates becomes a signatory to the Agreement on Subsidies and Countervailing Measures. (For further information, see section 753, Tariff Act of 1930, 19 U.S.C. 1675b.)

### Sunset reviews

The Uruguay Round Agreements Act, approved in late 1994, amended the antidumping and countervailing duty laws in several respects. The most significant change was a provision that requires the Department of Commerce to revoke an antidumping or countervailing duty order, or terminate a suspension agreement, after five years unless the Department of Commerce and the ITC determine that revoking the order or terminating the suspension agreement would be likely to lead to continuation or recurrence of dumping or subsidies (Commerce) and of material injury (ITC) within a reasonably foreseeable time.

**When:** Five-year reviews of all antidumping and countervailing duty orders and suspension agreements are initiated by the Department of Commerce by no later than 30 days prior to their five-year anniversary.

Following the Department of Commerce's initiation of each five-year review, the ITC sets its schedule for the review and publishes this information in a Federal Register notice. The notice in each review is posted in the Five-Year (Sunset) Reviews section of the ITC web site.

**Duration:** The ITC’s notice of institution in five-year reviews requests that interested parties file with the ITC responses that discuss the likely effects of revoking the order under review and provide other pertinent information.

Generally within 95 days from institution, the ITC determines whether the responses it has received reflect an adequate or inadequate level of interest in the review. If the ITC determines that responses to its notice of institution are adequate, or if other circumstances warrant a full review, the ITC conducts a full review, which includes a public hearing and issuance of questionnaires. If the ITC determines that responses to its notice of institution are inadequate, the ITC conducts an expedited review. The ITC does not hold a hearing or conduct further investigative activities in expedited reviews. Commissioners base their injury determinations in expedited reviews on the facts available, including the ITC’s prior injury and, if applicable, prior review determinations, responses received to its notice of institution, publicly available data collected by staff in connection with the review, and information provided by the Department of Commerce.

The ITC usually completes full five-year reviews within 360 days of initiation and expedited reviews within 150 days. Both Commerce and the ITC have the authority to extend these deadlines by up to 90 days in all transition reviews and other extraordinarily complicated cases.

**Finding:** In five-year reviews, the ITC determines whether revocation of the antidumping or countervailing duty order, or termination of the suspended investigation, would be likely to lead to continuation or recurrence of material injury to the U.S. industry within a reasonably foreseeable time. If the ITC’s determination is affirmative, the order will remain in place. If the ITC’s determination is negative, the order will be revoked. (For further information on five-year (sunset) reviews, see section 751(c) of the Tariff Act of 1930, 19 U.S.C. 1675(c).)

## Safeguard Investigations

### Section 201, Trade Act of 1974 (Global Safeguard Investigations), Import Relief for Domestic Industries

Under section 201, domestic industries seriously injured or threatened with serious injury by increased imports may petition the ITC for import relief. The ITC determines whether an article is being imported in such increased quantities that it is a substantial cause of serious injury, or threat thereof, to the U.S. industry producing an article like or directly competitive with the imported article. If the Commission makes an affirmative determination, it recommends to the President relief that would prevent or remedy the injury and facilitate industry adjustment to import competition. The President makes the final decision whether to provide relief and the amount of relief.

Section 201 does not require a finding of an unfair trade practice, as do the antidumping and countervailing duty laws and section 337 of the Tariff Act of 1930. However, the injury requirement under section 201 is considered to be more difficult than those of the unfair trade statutes. Section 201 requires that the injury or threatened injury be “serious” and that the increased imports must be a “substantial cause” (important and not less than any other cause) of the serious injury or threat of serious injury.

Criteria for import relief under section 201 track the criteria in the WTO Agreement on Safeguards. The global safeguard law permits a country to escape temporarily from its

obligations under the Agreement with respect to a particular product when increased imports of that product are causing or are threatening to cause serious injury to domestic producers. Section 201 provides the legal framework under U.S. law for the President to invoke U.S. rights under the WTO Agreement on Safeguards.

**When:** The ITC conducts an investigation under section 201 upon receipt of a petition from a trade association, firm, certified or recognized union, or group of workers which is representative of a domestic industry; upon receipt of a request from the President or the USTR; upon receipt of a resolution of the House Committee on Ways and Means or Senate Committee on Finance; or upon its own motion.

**Duration:** The ITC generally must make its injury finding within 120 days (150 days in more complicated cases) of receipt of the petition, request, resolution, or institution on its own motion and must transmit its report to the President, together with any relief recommendations, within 180 days after receipt of the petition, request, resolution, or institution on its own motion.

**Finding:** If the ITC finding is affirmative, it must recommend a remedy to the President, who determines what relief, if any, will be imposed. Such relief may be in the form of a tariff increase, quantitative restrictions, or orderly marketing agreements.

**Followup:** If the President provides import relief, the ITC must monitor developments within the domestic industry and, if the duration of relief is more than three years, must provide a report to the President and the Congress on the results of its monitoring. Upon request, the ITC advises the President of the probable economic effect on the industry of the reduction, modification, or termination of the relief in effect. As the termination date of a relief action nears, the ITC, at the request of the President or the industry, may determine whether the relief provided continues to be necessary; the ITC submits a report to the President, who determines whether to extend the relief action. Upon termination of import relief, the ITC is required to report to the President and the Congress on the effectiveness of the relief action in facilitating the positive adjustment of the domestic industry to import competition. (For further information, see section 201 of the Trade Act of 1974, 19 U.S.C. 2251.)

### Section 311, NAFTA Implementation Act

Under section 311 of the NAFTA Implementation Act, if the ITC makes an affirmative determination under the global safeguard law, it must also find and report to the President whether (1) imports from a NAFTA country account for a substantial share of total imports and (2) imports from a NAFTA country contribute importantly to the serious injury, or threat thereof, caused by imports. (For further information, see section 311, NAFTA Implementation Act, (19 U.S.C. 3371).) If the President makes a negative determination, he must exclude NAFTA country imports from any global safeguard relief action. (For further information, see section 312(a), NAFTA Implementation Act (19 U.S.C. 3372(a)).)

### Section 312(c), NAFTA Implementation Act

If under section 312(a) of the NAFTA Implementation Act the President excludes imports from a NAFTA country or countries from a global safeguard relief action, the domestic industry may request that the ITC conduct an investigation to determine whether a subsequent surge in such imports undermines the effectiveness of the relief action. The ITC submits its findings to the President no later than 30 days after the request is received. The

President then determines whether to terminate the NAFTA country's or countries' exclusion from the global safeguard relief action. (For further information, see section 312(c), NAFTA Implementation Act (19 U.S.C. 3372(c).))

### **Section 421, Trade Act of 1974 (China Safeguard Investigations)**

Under section 421 of the Trade Act of 1974, the Commission determines whether imports of a product from China are being imported into the United States in such increased quantities or under such conditions as to cause or threaten to cause market disruption to the domestic producers of like or directly competitive products. If the Commission makes an affirmative determination, it proposes a remedy. The Commission sends its report to the President and the U.S. Trade Representative. The President makes the final remedy decision. (For further information, see section 421, Trade Act of 1974, 19 U.S.C. 2451.)

### **Section 422, Trade Act of 1974 (China Trade Diversion Investigations)**

Under section 422 of the Trade Act of 1974, the Commission determines whether (a) an action by China to prevent or remedy market disruption in a WTO member country or (b) an action, including a provisional action, by a WTO member to prevent or remedy market disruption from imports from China has caused, or threatens to cause, a significant diversion of trade into the domestic market of the United States. If the Commission makes an affirmative determination, it recommends a remedy. The Commission sends its report to the President and the U.S. Trade Representative. The President makes the final remedy decision. (For further information, see section 422, Trade Act of 1974, 19 U.S.C. 2451a.)

### **Section 302, NAFTA Implementation Act (Bilateral Safeguard Investigations)**

Under section 302 of the NAFTA Implementation Act, the Commission determines whether, as a result of the reduction or elimination in a duty under the NAFTA, increased imports from Canada or Mexico are a substantial cause of serious injury or threat of serious injury to a U.S. industry. If the Commission makes an affirmative determination, it makes a remedy recommendation to the President, who makes the final remedy decision. Section 302 investigations are similar procedurally to investigations under section 201 of the Trade Act of 1974. (For further information, see section 301, NAFTA Implementation Act, 19 U.S.C. 3352.)

## **Intellectual Property-Based Import Investigations**

### **Section 337, Tariff Act of 1930, Investigations of Intellectual Property Infringement and Other Unfair Practices in Import Trade**

Under section 337, the ITC determines whether there is unfair competition in the importation of products into, or their subsequent sale in, the United States. Section 337 declares the infringement of a U.S. patent, copyright, registered trademark, or mask work to be an unlawful practice in import trade. Section 337 also declares unlawful other unfair methods of competition and unfair acts in the importation and subsequent sale of products in the United States, the threat or effect of which is to destroy or substantially injure a domestic industry, prevent the establishment of such an industry, or restrain or monopolize trade and commerce in the United States.

Section 337 investigations require formal evidentiary hearings in accordance with the Administrative Procedure Act (5 U.S.C. 551 et seq.). The hearings are held before an

administrative law judge (ALJ). Parties to these investigations include complainants, respondents, and the ITC attorney representing the public interest. Following the evidentiary hearing, the ALJ issues an initial determination on all issues related to violations of section 337. The Commission may review and adopt, modify, or reverse the ALJ's decision. If the Commission does not review the initial determination, it becomes the ITC's decision. If a violation is found, the ITC may issue orders barring the importation of certain products into the United States. In addition to requesting long-term relief, complainants also may move for temporary relief pending final resolution of the investigation based on a showing of, among other things, irreparable harm in the absence of such temporary relief.

**When:** After receipt of a complaint alleging, under oath, a violation of section 337, the ITC determines whether the complaint satisfies the requirements of the Commission's rules and an investigation should be instituted. Following institution, the ITC conducts an investigation to determine whether the statute has been violated.

**Duration:** The ITC is required to conclude its investigation at the earliest practicable time, and must, within 45 days after an investigation is instituted, establish a target date for issuing its final determination.

**Finding:** If the accused imports are determined to infringe a valid and enforceable U.S. patent, copyright, registered trademark, or mask work, the ITC may issue orders excluding the products from entry into the United States and/or directing the violating parties to cease and desist from certain actions. Where such infringement is shown, injury need not be shown to establish a violation of section 337. In cases involving other unfair methods of competition or unfair acts, if the ITC finds that the importation of the accused articles substantially injures or threatens to substantially injure an industry, prevents the establishment of such an industry, or restrains or monopolizes trade and commerce in the United States, it may also issue exclusion and/or cease and desist orders. ITC orders are effective when issued and become final 60 days after issuance unless disapproved for policy reasons by the U.S. Trade Representative within that 60-day period. Appeals of ITC determinations may be taken to the U.S. Court of Appeals for the Federal Circuit. Violators of ITC section 337 orders are liable for civil penalties of up to \$100,000 a day or twice the value of the imported articles. (For further information, see section 337 of the Tariff Act of 1930, 19 U.S.C. 1337.)

## General Factfinding Investigations

### Section 332, Tariff Act of 1930, General Factfinding Investigations

Under section 332, the ITC investigates a wide variety of trade matters.

**When:** Upon request from the President, the Senate Committee on Finance, the House Committee on Ways and Means, or the USTR, or upon its own motion, the ITC initiates a factfinding investigation on any matter involving tariffs or international trade, including conditions of competition between U.S. and foreign industries.

**Duration:** Unless otherwise directed, the ITC establishes an administrative deadline. Deadlines for investigations requested by the President, the USTR, or Congress are usually set by mutual agreement.

**Finding:** ITC general factfinding investigations cover matters related to tariffs or trade and are generally conducted at the request of the U.S. Trade Representative, the Senate



Committee on Finance, or the House Committee on Ways and Means. The resulting reports convey the Commission's objective findings and independent analyses on the subjects investigated. The Commission makes no recommendations on policy or other matters in its general factfinding reports. Upon completion of each investigation, the ITC submits its findings and analyses to the requester. General factfinding investigation reports are subsequently released to the public, unless they are classified by the requester for national security reasons. (For further information, see section 332 of the Tariff Act of 1930, 19 U.S.C. 1332.)

## Other ITC Activities Required by Statute

### Section 22, Agricultural Adjustment Act, Import Interference With Agricultural Programs

Under section 22, the ITC conducts investigations at the direction of the President to determine whether products are being (or are practically certain to be) imported into the United States under such conditions and in such quantities that they render or tend to render ineffective or materially interfere with any program of the Department of Agriculture.

The ITC makes findings and recommendations to the President. The President may impose a fee or quota on the imports in question. However, no fee or quota may be imposed on any article produced by a member of the World Trade Organization. (For further information, see section 22 of the Agricultural Adjustment Act, 7 U.S.C. 624.)

### Section 406, Trade Act of 1974, Trade With Communist Countries

Under section 406 of the Trade Act of 1974, the Commission determines whether imports from a Communist country are causing market disruption in the United States. Section 406 investigations are similar procedurally to Commission investigations under section 201 of the Trade Act of 1974. If the Commission finds market disruption, it then makes a remedy recommendation to the President. The President makes the final decision with respect to remedy. (For further information, see section 406, Trade Act of 1974, 19 U.S.C. 2436.)

### Section 603, Trade Act of 1974 (Preliminary Investigations), Expedition of Preliminary Investigations

Section 603 of the Trade Act of 1974 authorizes the ITC to conduct preliminary investigations in order to expedite the performance of its functions under the Act. In recent years, the ITC has used this provision on several occasions in conjunction with section 337 of the Tariff Act of 1930 (which was amended by the Trade Act of 1974) to investigate allegations that may, with the gathering of additional information, provide a basis for an investigation under section 337. (For further information, see section 603, Trade Act of 1974, 19 U.S.C. 2482.)

### Uniform Statistical Data

The ITC, in cooperation with the Secretary of the Treasury and the Secretary of Commerce, establishes for statistical purposes an enumeration of articles imported into the United States and exported from the United States and seeks to establish comparability of such statistics with statistical programs for domestic production. (For further information, see section 484(f), Tariff Act of 1930, 19 U.S.C. 1484(f).)

## Harmonized Tariff Schedule of the United States

The ITC issues a publication containing the HTS and related material and considers questions concerning the arrangement of the HTS and the classification of articles. (For further information, see section 1207 of the Omnibus Trade and Competitiveness Act of 1988, 19 U.S.C. 3007; and sections 332(a) and 484(f), Tariff Act of 1930, 19 U.S.C. 1332(a), 1484(f).)

## Harmonized System Convention

The ITC has responsibility, along with the Department of the Treasury and the Department of Commerce, to represent the U.S. government concerning the activities of the Customs Cooperation Council (now informally known as the World Customs Organization Council, or WCO) relating to the Harmonized System Convention and to formulate U.S. government positions on technical and procedural issues relating to the Convention. (For further information, see section 1210, Omnibus Trade and Competitiveness Act of 1988, 19 U.S.C. 3010.)

In addition, the ITC is responsible for reviewing the HTS and for recommending to the President such modifications as it considers necessary or appropriate to conform the HTS with amendments to the Harmonized System Convention, to ensure that the HTS is kept up to date, and to alleviate unnecessary administrative burdens. (For further information, see section 1205, Omnibus Trade and Competitiveness Act of 1988, 19 U.S.C. 3005.)

## Advice Concerning Trade Negotiations

The ITC advises the President as to the probable economic effect on domestic industries and consumers of modification of duties and other barriers to trade that may be considered for inclusion in any proposed trade agreement with foreign countries. (For further information, see section 131, Trade Act of 1974, 19 U.S.C. 2151.)

The ITC advises the USTR as to the probable economic effects on the U.S. industry producing the product concerned and on the U.S. economy as a whole of a tariff reduction on import-sensitive agricultural products. (For further information, see section 2104(b)(2)(A)(iii), Trade Act of 2002, 19 U.S.C. 3804(b)(2)(A)(iii).)

The ITC provides the President and the Congress with a report that assesses the likely impact on the U.S. economy as a whole and on specific industry sectors and the interests of U.S. consumers of proposed free trade agreements with foreign countries. (For further information, see section 2104(f), Trade Act of 2002, 19 U.S.C. 3804(f).)

## Generalized System of Preferences

With respect to articles that may be considered for duty-free treatment when imported from designated developing countries, the ITC advises the President as to the probable economic effect on the domestic industry and on consumers of the removal of duty. (For further information, see sections 131 and 503, Trade Act of 1974, 19 U.S.C. 2151, 2163.)

### **Annual Report on the U.S. Trade Agreements Program**

The ITC annually prepares for Congress and the interested public a factual report on the operation of the trade agreements program. The report contains information on U.S. participation in multilateral and bilateral trade negotiations and agreements, as well as related material on foreign economic and trade developments and the administration of U.S. trade laws. (For further information, see section 163(c), Trade Act of 1974, 19 U.S.C. 2213(c).)

### **Caribbean Basin Economic Recovery Act**

The ITC submits biennial reports to Congress and the President on the economic impact on U.S. industries and consumers of the Caribbean Basin Economic Recovery Act and on the impact of the overall preference program on the beneficiary countries themselves. (For further information, see 19 U.S.C. 2704.)

### **Andean Trade Preference Act**

The ITC submits annual reports to Congress and the President on the impact on U.S. industries and consumers of the Andean Trade Preference Act and Andean drug crop eradication and crop substitution. (For further information, see 19 U.S.C. 3204.)



# Timetables For ITC Statutory Investigations

Figure 1  
Statutory Timetables for Antidumping and Countervailing Duty Investigations

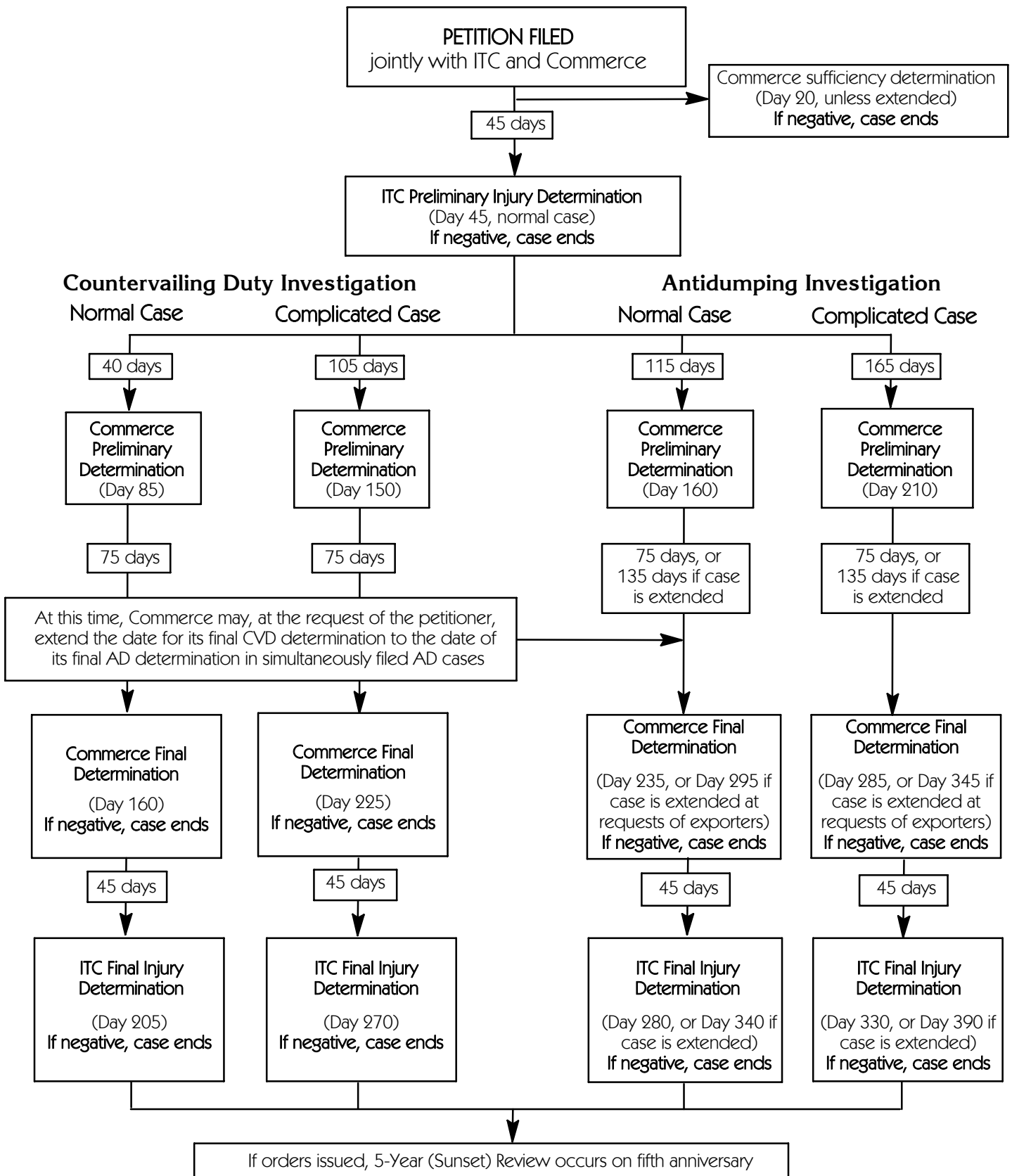


Figure 2  
Statutory Timetable for Intellectual Property Infringement and Other Unfair Practices in Import Trade Investigations

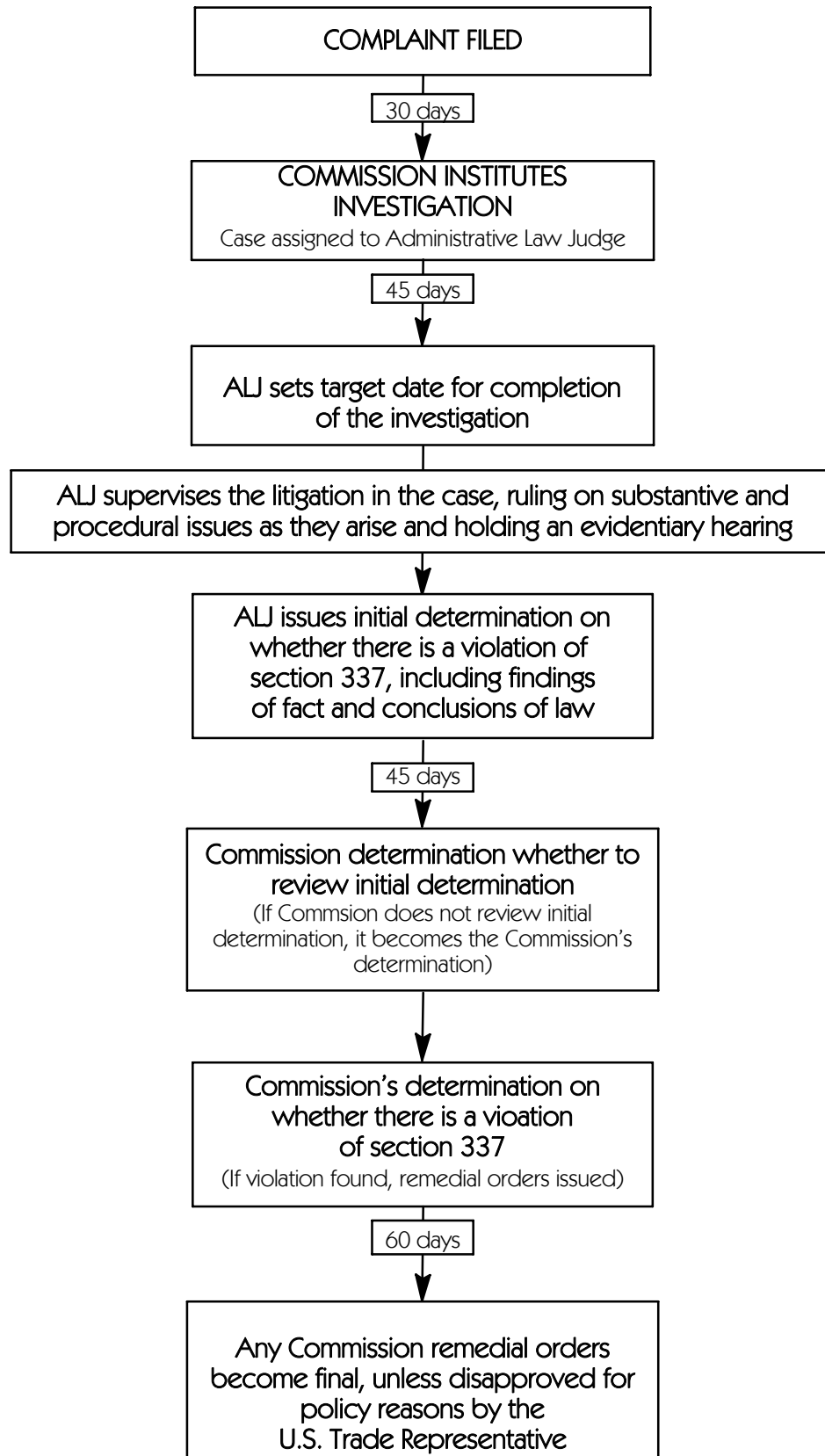
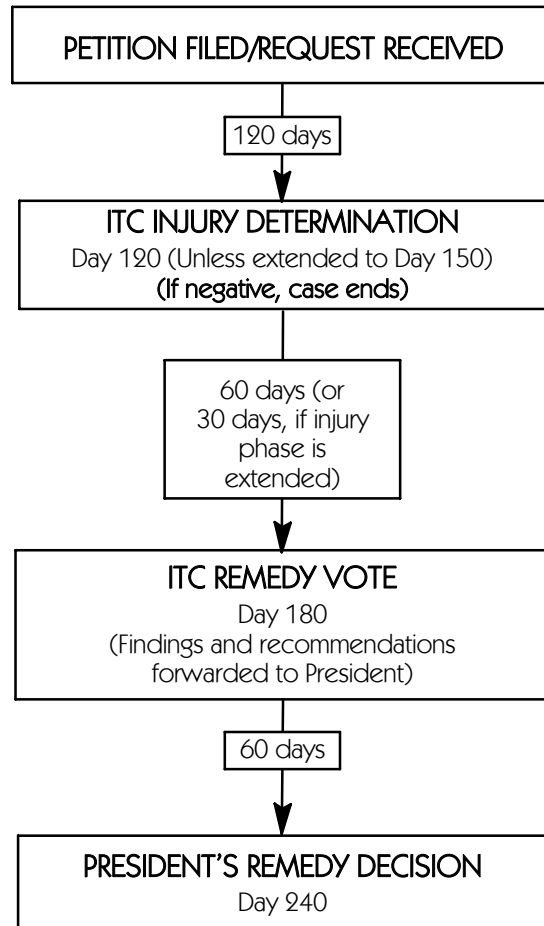


Figure 3  
Statutory Timetable for Global Safeguard Investigations







**Appendix D:  
Analyses Submitted to Congress on  
Proposed Legislation, Fiscal Year 2005**



## Table IV

### Reports Submitted to Congress on Proposed Legislation in Fiscal Year 2005

Number	Sponsor	Proposed Legislation	Date Submitted
H.R. 53	Mrs. Capito	To suspend temporarily the duty on chloroneb.	07-26-05
H.R. 178	Mr. Miller	To suspend temporarily the duty on Dichloroethyl Ether.	08-23-05
H.R. 521	Mr. Sherwood	To impose tariff-rate quotas on certain casein and milk protein concentrates.	09-28-05
H.R. 637	Ms. Kaptur	To suspend temporarily the duty on Butyl Ethyl Propanediol (BEPD).	07-26-05
H.R. 638	Ms. Kaptur	To suspend temporarily the duty on BEPD70L.	07-26-05
H.R. 639	Ms. Kaptur	To suspend temporarily the duty on Boltorn-1 (Bolt-1).	07-26-05
H.R. 640	Ms. Kaptur	To suspend temporarily the duty on Boltorn-2 (Bolt-2).	07-26-05
H.R. 641	Ms. Kaptur	To suspend temporarily the duty on Cyclic TMP Formal (CTF).	07-26-05
H.R. 642	Ms. Kaptur	To suspend temporarily the duty on DiTMP.	07-26-05
H.R. 643	Ms. Kaptur	To suspend temporarily the duty on Polyol DPP (DPP).	07-26-05
H.R. 644	Ms. Kaptur	To suspend temporarily the duty on Hydroxypivalic Acid (HPA).	07-26-05
H.R. 645	Ms. Kaptur	To suspend temporarily the duty on TMPDE.	07-26-05
H.R. 646	Ms. Kaptur	To suspend temporarily the duty on TMPME.	07-26-05
H.R. 647	Ms. Kaptur	To suspend temporarily the duty on TMP Oxetane (TMPO).	07-26-05
H.R. 648	Ms. Kaptur	To suspend temporarily the duty on TMPO Ethoxylate (TMPOE).	07-26-05
H.R. 707	Mr. Israel	To amend the Harmonized Tariff Schedule of the United States with respect to rattan webbing.	07-26-05
H.R. 1115	Mr. McKeon	To amend the Harmonized Tariff Schedule of the United States to clarify the tariff rate for certain mechanics' gloves.	07-26-05
H.R. 1202	Mr. Ryan	To suspend temporarily the duty on unidirectional (cardioid) electret condenser microphone modules for use in motor vehicles.	07-26-05
H.R. 1221	Mr. Weller	To suspend temporarily the duty on certain rubber or plastic footwear.	09-23-05
H.R. 1230	Mr. Blunt	To extend trade benefits to certain tents imported into the United States.	07-26-05
H.R. 1274	Mr. Baird	To suspend temporarily the duty on amyl-anthraquinone.	08-03-05

## Table IV-Continued

### Reports Submitted to Congress on Proposed Legislation in Fiscal Year 2005

Number	Sponsor	Proposed Legislation	Date Submitted
H.R. 1336	Mr. Cunningham	To amend the Harmonized Tariff Schedule of the United States to clarify the classification of laser light sources for semiconductor manufacturing.	07-26-05
H.R. 1391	Mr. Holt	To suspend temporarily the duty on allyl ureido monomer.	08-01-05
H.R. 1392	Mr. Holt	To suspend temporarily the duty on methacrylamido etheleneurae monomer.	08-01-05
H.R. 1444	Mr. Shays	To suspend temporarily the duty on certain meatless frozen food products.	07-26-05
H.R. 1464	Mr. Garrett	To suspend temporarily the duty on certain pimientos (capsicum anuum), prepared or preserved otherwise than by vinegar or acetic acid.	07-26-05
H.R. 1465	Mr. Garrett	To suspend temporarily the duty on certain pimientos (capsicum anuum), prepared or preserved by vinegar or acetic acid.	07-26-05
H.R. 1466	Mr. Garrett	To suspend temporarily the duty on certain pimientos (capsicum anuum), prepared or preserved otherwise than by vinegar or acetic acid.	07-26-05
H.R. 1534	Mr. Coble	To suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning.	07-26-05
H.R. 1535	Mr. Coble	To suspend temporarily the duty on acrylic or modacrylic synthetic filament tow.	07-26-05
H.R. 1536	Mr. Coble	To suspend temporarily the duty on certain synthetic staple fibers that are carded, combed, or otherwise processed for spinning.	07-26-05
H.R. 1537	Mr. Coble	To suspend temporarily the duty on nitrocellulose.	08-03-05
H.R. 1609	Mr. Holt	To reduce until December 31, 2008, the duty on potassium sorbate.	08-01-05
H.R. 1610	Mr. Holt	To reduce until December 31, 2008, the duty on sorbic acid.	08-01-05
H.R. 1698	Mr. Pascrell	To suspend temporarily the duty on certain capers preserved by vinegar or acetic acid.	07-26-05
H.R. 1699	Mr. Pascrell	To suspend temporarily the duty on certain pepperoncini prepared or preserved otherwise than by vinegar or acetic acid.	07-26-05
H.R. 1700	Mr. Pascrell	To suspend temporarily the duty on certain capers preserved by vinegar or acetic acid.	07-26-05
H.R. 1701	Mr. Pascrell	To suspend temporarily the duty on certain pepperoncini prepared or preserved by vinegar or acetic acid in concentrations at 0.5 percent or greater.	07-26-05
H.R. 1702	Mr. Pascrell	To suspend temporarily the duty on certain pepperoncini prepared or preserved otherwise than by vinegar or acetic acid in concentrations less than 0.5 percent.	07-26-05

## Table IV-Continued

### Reports Submitted to Congress on Proposed Legislation in Fiscal Year 2005

Number	Sponsor	Proposed Legislation	Date Submitted
H.R. 1715	Mr. McIntyre	To reduce until December 31, 2008, the duty on PDCB (p-Dichlorobenzene).	09-23-05
H.R. 1724	Mrs. Capito	To extend the temporary suspension of duty on Asulam sodium salt.	08-03-05
H.R. 1725	Mrs. Capito	To suspend temporarily the duty on Chloral.	08-03-05
H.R. 1726	Mrs. Capito	To suspend temporarily the duty on Imidacloprid Technical.	08-03-05
H.R. 1727	Mrs. Capito	To suspend temporarily the duty on Triadimefon.	08-03-05
H.R. 1732	Ms. Hart	To suspend temporarily the duty on Liquid Crystal Device (LCD) panel assemblies for use in LCD projection type televisions.	08-23-05
H.R. 1733	Ms. Hart	To suspend temporarily the duty on electron guns for high definition cathode ray tubes (CRTs).	08-23-05
H.R. 1734	Ms. Hart	To suspend temporarily the duty on Liquid Crystal Device (LCD) panel assemblies for use in LCD direct view televisions.	08-23-05
H.R. 1752	Mr. Aderholt	To suspend temporarily the duty on Polyethylene HE2591.	08-26-05
H.R. 1775	Mr. Hulshof	To suspend temporarily the duty on Thiacloprid.	08-03-05
H.R. 1777	Mr. Hulshof	To suspend temporarily the duty on Pyrimethanil.	08-03-05
H.R. 1778	Mr. Hulshof	To suspend temporarily the duty on Foramsulfuron.	08-23-05
H.R. 1779	Mr. Hulshof	To suspend temporarily the duty on Fenamidone.	08-03-05
H.R. 1780	Mr. Hulshof	To suspend temporarily the duty on Cyclanilide Technical.	08-03-05
H.R. 1782	Mr. Jenkins	To suspend temporarily the duty on palmitic acid.	09-23-05
H.R. 1783	Mr. Jenkins	To suspend temporarily the duty on Anisidine.	09-20-05
H.R. 1784	Mr. Jenkins	To suspend temporarily the duty on Tetrakis.	09-20-05
H.R. 1785	Mr. Jenkins	To suspend temporarily the duty on 2,4-Xylidine.	09-20-05
H.R. 1786	Mr. Jenkins	To suspend temporarily the duty on Crotonaldehyde.	09-20-05
H.R. 1787	Mr. Jenkins	To suspend temporarily the duty on t-Butyl acrylate.	09-20-05
H.R. 1788	Mr. Jenkins	To suspend temporarily the duty on propyl gallate.	09-20-05

## Table IV-Continued

### Reports Submitted to Congress on Proposed Legislation in Fiscal Year 2005

Number	Sponsor	Proposed Legislation	Date Submitted
H.R. 1799	Mr. Peterson	To extend the duty suspension on ORGASOL polyamide powders.	08-23-05
H.R. 1826	Mr. Cardin	To extend the temporary suspension of duty on 2-Chlorobenzyl chloride.	08-23-05
H.R. 1827	Mr. Cardin	To extend the temporary suspension of duty on (Z)-(1R,3R)-3-(2-Chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethylcyclopropane carboxylic acid.	08-23-05
H.R. 1828	Mr. Cardin	To extend the temporary suspension of duty on (S)-Alpha-Hydroxy-3-henoxybenzeneace-tonitrile.	08-23-05
H.R. 1829	Mr. Coble	To suspend temporarily the duty on Butanedioic acid, dimethyl ester, polymer with 4-hydroxy-2,2,6,6,-tetramethyl-1-piperidineethanol.	08-23-05
H.R. 1830	Mr. Coble	To extend the duty suspension on 3-amino-2'-(sulfato-ethyl sulfonyl) ethyl benzamide.	08-23-05
H.R. 1831	Mr. Coble	To extend the duty suspension on MUB 738 INT.	08-23-05
H.R. 1832	Mr. Coble	To extend the suspension of duty on 5-amino-N-(2-hydroxyethyl)-2,3-xylenesulfonamide.	08-23-05
H.R. 1833	Mr. Coble	To suspend temporarily the duty on mixtures of 1,3,5-Triazine-2,4,6-triamine, N,N-[1,2-ethane-diyl-bis [[[4,6-bis-[butyl (1,2,2,6,6-pentamethyl-4-piperidiny)amino]-1,3,5-triazine-2-yl] imino]-3,1-propanediyl] ] bis[N,N-dibutyl-N,N-bis(1,2,2,6,6-pentamethyl-4-piperidiny)- and Butanedioic acid, dimethylester polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperidine ethanol.	08-23-05
H.R. 1838	Mr. Forbes	To suspend temporarily the duty on 3-Cyclohexene-1-carboxylic acid, 6-[(di-2-propenylamino) carbonyl]-,(1R,6R)-rel-, reaction products with pentafluoroiodoethane-tetrafluoroethylene telomer, ammonium salt.	08-26-05
H.R. 1839	Mr. Forbes	To suspend temporarily the duty on Glycine, N,N-Bis[2-hydroxy-3-(2-propenyl)oxy]propyl]-, monosodium salt, reaction products with ammonium hydroxide and pentafluoroiodoethane-tetrafluoroethylene telomer.	08-26-05
H.R. 1841	Mr. Forbes	To suspend temporarily the duty on 1(3H)-Isobenzofuranone, 3,3-bis (2-methyl-1-octyl-1H-indol-3-yl)-.	08-26-05
H.R. 1842	Mr. Forbes	To suspend temporarily the duty on a mixture of Poly[[6-[(1,1,3,3-tetramethylbutyl) amino]-1,3,5-triazine-2,4-diy]][(2,2,6,6-tetramethyl-4-piperidiny)imino]-1,6-exanediy] [(2,2,6,6-tetramethyl-4-piperidiny)imino]] and Bis(2,2,6,6,-tetramethyl-4-piperidyl) sebacate.	08-26-05
H.R. 1843	Mr. Graves	To suspend temporarily the duty on MCPA.	08-26-05
H.R. 1844	Mr. Graves	To suspend temporarily the duty on Bronate Advanced.	08-26-05
H.R. 1845	Mr. Graves	To suspend temporarily the duty on Bromoxynil Octanoate Tech.	08-26-05

## Table IV-Continued

### Reports Submitted to Congress on Proposed Legislation in Fiscal Year 2005

Number	Sponsor	Proposed Legislation	Date Submitted
H.R. 1846	Mr. Graves	To suspend temporarily the duty on Bromoxynil MEO.	08-26-05
H.R. 1848	Mr. Holden	To suspend temporarily the duty on certain bitumen-coated polyethylene sleeves specifically designed to protect in-ground wood posts.	08-26-05
H.R. 1851	Mr. Nunes	To suspend temporarily the duty on nylon woolpacks used to package wool.	08-23-05
H.R. 1854	Mr. Rangel	To suspend temporarily the duty on magnesium zinc aluminum hydroxide carbonate hydrate.	08-26-05
H.R. 1855	Mr. Rangel	To extend the temporary suspension of duty on magnesium aluminum hydroxide carbonate hydrate.	08-26-05
H.R. 1856	Mr. Rangel	To extend the temporary duty suspension on C12-18 Alkenes.	08-26-05
H.R. 1857	Mr. Rangel	To extend the temporary suspension of duty on polytetramethylene ether glycol.	08-26-05
H.R. 1858	Mr. Rangel	To extend the temporary suspension of duty on cis-3-Hexen-1-ol.	08-26-05
H.R. 1880	Mr. Cleaver	To suspend temporarily the duty on 2,4-Dichloroaniline.	08-26-05
H.R. 1881	Mr. Cleaver	To suspend temporarily the duty on 2-Acetylbutyrolactone.	08-26-05
H.R. 1882	Mr. Cleaver	To suspend temporarily the duty on Alkylketone.	08-26-05
H.R. 1883	Mr. Cleaver	To reduce temporarily the duty on Cyfluthrin (Baythroid).	08-26-05
H.R. 1884	Mr. Cleaver	To suspend temporarily the duty on Beta-cyfluthrin.	08-26-05
H.R. 1885	Mr. Cleaver	To suspend temporarily the duty on Deltamethrin.	08-26-05
H.R. 1886	Mr. Cleaver	To suspend temporarily the duty on cyclopropane-1,1-dicarboxylic acid, dimethyl ester.	08-26-05
H.R. 1887	Mr. Cleaver	To suspend temporarily the duty on Spiroxamine.	08-26-05
H.R. 1888	Mr. Cleaver	To suspend temporarily the duty on Spiromesifen.	08-26-05
H.R. 1889	Mr. Cleaver	To extend the temporary suspension of duty on Ethoprop.	08-26-05
H.R. 1890	Mr. Cleaver	To suspend temporarily the duty on Propiconazole.	08-26-05
H.R. 1891	Mr. Cleaver	To suspend temporarily the duty on 4-Chlorobenzaldehyde.	08-26-05
H.R. 1892	Mr. Cleaver	To suspend temporarily the duty on Oxadiazon.	08-26-05

## Table IV-Continued

### Reports Submitted to Congress on Proposed Legislation in Fiscal Year 2005

Number	Sponsor	Proposed Legislation	Date Submitted
H.R. 1893	Mr. Cleaver	To extend the temporary suspension of duty on 2-Chlorobenzyl chloride.	08-26-05
H.R. 1894	Mr. Cleaver	To suspend temporarily the duty on NaHP.	08-26-05
H.R. 1895	Mr. Cleaver	To extend the temporary suspension of duty on Iprodione.	08-26-05
H.R. 1896	Mr. Cleaver	To extend the temporary suspension of duty on Fosetyl-Al.	08-26-05
H.R. 1897	Mr. Cleaver	To extend the temporary suspension of duty on Flufenacet (FOE Hydroxy).	08-26-05
H.R. 1899	Mr. Cleaver	To suspend temporarily the duty on Phosphorus Thiochloride.	08-26-05
H.R. 1900	Mr. Cleaver	To extend the temporary suspension of duty on Methanol, sodium salt.	08-26-05
H.R. 1901	Mr. Cleaver	To reduce temporarily the duty on Trifloxystrobin.	08-26-05
H.R. 1914	Mr. Honda	To amend the Harmonized Tariff Schedule of the United States to provide that the calculation of the duty imposed on imported cherries that are provisionally preserved does not include the weight of the preservative materials of the cherries.	09-13-05
H.R. 1923	Mr. Hulshof	To suspend temporarily the duty on booster and master cyl asy-brake.	09-28-05
H.R. 1924	Mr. Hulshof	To reduce temporarily the duty on certain transaxles.	09-28-05
H.R. 1925	Mr. Hulshof	To suspend temporarily the duty on converter asy.	09-28-05
H.R. 1926	Mr. Hulshof	To suspend temporarily the duty on module and bracket asy-power steering.	09-28-05
H.R. 1927	Mr. Hulshof	To reduce temporarily the duty on unit asy-battery hi volt.	09-28-05
H.R. 1944	Mr. Simmons	To reduce temporarily the duty on certain articles of natural cork.	09-13-05
H.R. 1945	Mr. Simmons	To provide temporary duty reductions for certain cotton fabrics, and for other purposes.	09-13-05
H.R. 1978	Mrs. Cubin	To suspend temporarily the duty on certain acrylic fiber tow.	09-13-05
H.R. 1979	Mrs. Cubin	To suspend temporarily the duty on certain acrylic fiber tow.	09-13-05
H.R. 1997	Mr. Manzullo	To amend the Harmonized Tariff Schedule of the United States to clarify the article description relating to certain monochrome glass envelopes, and for other purposes.	09-13-05
H.R. 2003	Mr. Otter	To amend the Harmonized Tariff Schedule of the United States to remove the 100 percent tariff imposed on Roquefort cheese.	09-13-05



## Table IV-Continued

### Reports Submitted to Congress on Proposed Legislation in Fiscal Year 2005

Number	Sponsor	Proposed Legislation	Date Submitted
H.R. 2016	Mr. Shaw	To suspend temporarily the duty on glass bulbs, designed for sprinkler systems and other release devices, filled with liquid that expands and breaks the bulb at a release temperature pre-determined by the manufacturer.	09-13-05
H.R. 2056	Mr. Gillmor	To reduce temporarily the duty on palm fatty acid distillate.	09-12-05
H.R. 2077	Mr. Brady	To suspend temporarily the duty on Garenoxacin mesylate.	09-12-05
H.R. 2078	Mr. Brady	To suspend temporarily the duty on butylated hydroxyethylbenzene.	09-12-05
H.R. 2091	Mr. Hoekstra	To suspend temporarily the duty on 4-Methoxy-2-methyldiphenylamine.	09-12-05
H.R. 2095	Mr. Jenkins	To suspend temporarily the duty on 1-fluoro-2-nitro benzene.	09-12-05
H.R. 2115	Mr. Weller	To suspend temporarily the duty on Acronal-S-600.	09-20-05
H.R. 2116	Mr. Weller	To suspend temporarily the duty on Lucirin TPO.	09-12-05
H.R. 2117	Mr. Weller	To suspend temporarily the duty on Astacin Finish PUM.	09-20-05
H.R. 2118	Mr. Weller	To suspend temporarily the duty on Sokalan PG IME.	09-20-05
H.R. 2119	Mr. Weller	To suspend temporarily the duty on Paliotol Yellow L 2140 HD.	09-20-05
H.R. 2136	Mr. Berry	To suspend temporarily the duty on Ethyl 4,5-dihydro-5,5-diphenyl-1,2-oxazole-3-carboxylate (Isoxadifen-ethyl).	09-12-05
H.R. 2137	Mr. Berry	To suspend temporarily the duty on 5-Cyclopropyl-4-(2-methylsulfonyl-4-trifluoro-methylbenzoyl)isoxazole (Isoxaflutole).	09-12-05
H.R. 2140	Mr. Berry	To suspend temporarily the duty on Mixtures of N,N-dimethyl-2-[3-(4,6-dimethoxyimidin-2-yl)ureidosulfonyl]-4-formylaminobenzamide (Foramsulfuron), methyl 4-iodo-2-[3-(4-methoxy-6-methyl-1,3,5-triazin-2-yl)ureidosulfonyl]benzoate, sodium salt (Iodosulfuron), and application adjuvants.	09-12-05
H.R. 2141	Mr. Berry	To suspend temporarily the duty on 1-Propanone, 2-methyl-1-[4-(methylthio)phenyl]-2-(4-morpholinyl)-(9cl).	09-12-05
H.R. 2142	Mr. Berry	To suspend temporarily the duty on 1,6-Hexanediamine, N,N'-bis(2,2,6,6-tetramethyl-4-piperidinyl)-, polymer with 2,4,6-trichloro-1,3,5-triazine, reaction products with N-butyl-1-butanamine and N-butyl-2,2,6,6-tetramethyl-4-piperidinamine.	09-12-05
H.R. 2143	Mr. Berry	To suspend temporarily the duty on Anthra[2,1,9-mna]naphth[2,3-h]acridine-5,10,15(16H)-trione,3-[(9,10-dihydro-9,10-dioxo-1-anthracenyl)amino]-.	09-12-05
H.R. 2145	Mr. Brown	To suspend temporarily the duty on TMQ.	09-20-05

## Table IV-Continued

### Reports Submitted to Congress on Proposed Legislation in Fiscal Year 2005

Number	Sponsor	Proposed Legislation	Date Submitted
H.R. 2146	Mr. Brown	To suspend temporarily the duty on 4-ADPA.	09-20-05
H.R. 2148	Mr. Brown	To suspend temporarily the duty on Vulcuren UPKA 1988.	09-20-05
H.R. 2149	Mr. Brown	To suspend temporarily the duty on Vullcanox 4010 NA/LG.	09-20-05
H.R. 2150	Mr. Brown	To suspend temporarily the duty on Vulkazon AFS/LG.	09-20-05
H.R. 2151	Mr. Brown	To suspend temporarily the duty on Vulkacit MOZ/LG and Vulkacit MOZ/SG.	09-20-05
H.R. 2152	Mr. Brown	To suspend temporarily the duty on Vulkanox ZMB-2/C5.	09-20-05
H.R. 2153	Mr. Brown	To suspend temporarily the duty on Anisic Aldehyde.	09-20-05
H.R. 2154	Mr. Brown	To suspend temporarily the duty on Methyl Salicylate.	09-20-05
H.R. 2155	Mr. Brown	To suspend temporarily the duty on 1,2 Octanediol.	09-20-05
H.R. 2156	Mr. Brown	To extend the duty suspension on 2,2-Dimethyl-3-(3-methylphenyl)propanal.	09-20-05
H.R. 2157	Mr. Brown	To extend the duty suspension on p-Methylacetophenone.	09-20-05
H.R. 2158	Mr. Brown	To extend the duty suspension on Cyclohexadec-8-en-1-one.	09-20-05
H.R. 2159	Mr. Brown	To extend the duty suspension on methanol, sodium salt.	09-20-05
H.R. 2160	Mr. Brown	To extend the duty suspension on 2-Phenylbenzimidazole-5-sulfonic acid.	09-20-05
H.R. 2161	Mr. Brown	To suspend temporarily the duty on 1,2 Pentanediol.	09-20-05
H.R. 2162	Mr. Brown	To extend the duty suspension on Methyl cinnamate.	09-20-05
H.R. 2163	Mr. Brown	To extend the duty suspension on cyclohexanol.	09-20-05
H.R. 2164	Mr. Brown	To extend the duty suspension on Thymol.	09-20-05
H.R. 2165	Mr. Brown	To extend the duty suspension on Menthyl anthranilate.	09-20-05
H.R. 2166	Mr. Brown	To suspend temporarily the duty on Frescolat MGA.	09-20-05
H.R. 2168	Mr. Brown	To extend the duty suspension on 5-Methyl-2-(methylethyl)cyclohexyl-2-hydroxypropanoate.	09-20-05
H.R. 2169	Mr. Brown	To suspend temporarily the duty on Cohedur RL.	09-20-05

## Table IV-Continued

### Reports Submitted to Congress on Proposed Legislation in Fiscal Year 2005

Number	Sponsor	Proposed Legislation	Date Submitted
H.R. 2170	Mr. Brown	To extend the duty suspension on isothiocyanate.	09-20-05
H.R. 2171	Mr. Brown	To extend the temporary suspension of duty on Vulkanent E/C.	09-20-05
H.R. 2172	Mr. Brown	To suspend temporarily the duty on MBTS.	09-20-05
H.R. 2173	Mr. Brown	To suspend temporarily the duty on 1,2 Hexanediol.	09-20-05
H.R. 2175	Mr. Chabot	To suspend temporarily the duty on certain rayon staple fibers.	09-23-05
H.R. 2179	Mr. Forbes	To extend the suspension of duty on hexanedioic acid, polymer with 1, 3-benzenedimethanamine.	09-23-05
H.R. 2198	Mr. Petri	To suspend temporarily the duty on fixed ratio speed changers for truckmounted concrete mixers.	09-23-05
H.R. 2212	Mr. Coble	To extend the temporary suspension of duty on Trinexapac-Ethyl.	09-23-05
H.R. 2213	Mr. Coble	To suspend temporarily the duty on formulations of Prosulfuron.	09-23-05
H.R. 2214	Mr. Coble	To suspend temporarily the duty on formulations of triasulfuron and dicamba.	09-23-05
H.R. 2215	Mr. Coble	To suspend temporarily the duty on formulations of triasulfuron.	09-23-05
H.R. 2220	Ms. Hart	To suspend temporarily the duty on Pontamine Green 2B.	09-23-05
H.R. 2221	Ms. Hart	To extend the duty suspension on Mesamoll.	09-23-05
H.R. 2222	Ms. Hart	To suspend temporarily the duty on Bayderm Bottom 10 UD.	09-23-05
H.R. 2223	Ms. Hart	To suspend temporarily the duty on Bayderm Finish DLH.	09-23-05
H.R. 2224	Ms. Hart	To suspend temporarily the duty on Levagard DMPP.	09-23-05
H.R. 2225	Ms. Hart	To suspend temporarily the duty on Bayderm Bottom DLV.	09-23-05
H.R. 2226	Ms. Hart	To suspend temporarily the duty on certain ethylene-vinyl acetate copolymers.	09-23-05
H.R. 2227	Ms. Hart	To extend the duty suspension on ortho-phenylphenol.	09-23-05
H.R. 2228	Ms. Hart	To extend the duty suspension on Iminodisuccinate.	09-23-05
H.R. 2241	Mr. Saxton	To suspend temporarily the duty on Lewatit.	09-23-05

## Table IV-Continued

### Reports Submitted to Congress on Proposed Legislation in Fiscal Year 2005

Number	Sponsor	Proposed Legislation	Date Submitted
H.R. 2242	Mr. Saxton	To extend the temporary suspension of duty on certain ion-exchange resins.	09-23-05
H.R. 2243	Mr. Spratt	To extend the temporary suspension of duty on 2,6 Dichlorotoluene.	09-23-05
H.R. 2244	Mr. Spratt	To suspend temporarily the duty on Glyoxylic Acid 50%.	09-23-05
H.R. 2245	Mr. Spratt	To suspend temporarily the duty on paraChlorophenol.	09-23-05
H.R. 2246	Mrs. Tauscher	To suspend temporarily the duty on allethrin.	09-23 -05
H.R. 2252	Ms. Corrine	To suspend temporarily the duty on Permethrin.	09-23-05
H.R. 2253	Ms. Corrine	To suspend temporarily the duty on Cyazofamid.	09-23-05
H.R. 2255	Ms. Corrine	To suspend temporarily the duty on on Flonicamid.	09-23-05
H.R. 2266	Mr. English	To extend the suspension of duty on a certain ion exchange resin.	09-23-05
H.R. 2267	Mr. English	To suspend temporarily the duty on a certain ion exchange resin powder.	09-23-05
H.R. 2268	Mr. English	To suspend temporarily the duty on a certain ion exchange resin powder.	09-23-05
H.R. 2269	Mr. English	To extend the temporary suspension of duty on helium.	09-23-05
H.R. 2270	Mr. English	To suspend temporarily the duty on Desmodur E 14.	09-23-05
H.R. 2271	Mr. English	To suspend temporarily the duty on Desmodur IL.	09-23-05
H.R. 2272	Mr. English	To suspend temporarily the duty on Desmodur HL.	09-23-05
H.R. 2273	Mr. English	To suspend temporarily the duty on Desmodur VP LS 2253.	09-23-05
H.R. 2274	Mr. English	To suspend temporarily the duty on Desmodur R-E.	09-28-05
H.R. 2276	Mr. English	To suspend temporarily the duty on TSME.	09-28-05
H.R. 2277	Mr. English	To suspend temporarily the duty on Walocel VP-M 20660.	09-28-05
H.R. 2278	Mr. English	To suspend temporarily the duty on Citral.	09-23-05
H.R. 2279	Mr. English	To suspend temporarily the duty on XAMA 2.	09-28-05
H.R. 2280	Mr. English	To suspend temporarily the duty on XAMA 7.	09-28-05

## Table IV-Continued Reports Submitted to Congress on Proposed Legislation in Fiscal Year 2005

Number	Sponsor	Proposed Legislation	Date Submitted
H.R. 2281	Mr. English	To suspend temporarily the duty on 2-Ethylhexyl 4-methoxycinnamate.	09-28-05
H.R. 2285	Mr. English	To extend the temporary suspension of duty on certain bags for toys.	09-23-05
H.R. 2286	Mr. English	To extend the temporary suspension of duty on cases for certain children's products.	09-23-05
H.R. 2287	Mr. English	To extend the temporary suspension of duty on certain children's products.	09-23-05
H.R. 2288	Mr. English	To suspend temporarily the duty on certain cases for toys.	09-23-05
H.R. 2289	Ms. Harman	To suspend temporarily the duty on certain cases for toys.	09-23-05
S. 698	Mr. Lautenberg	To suspend temporarily the duty on methacrylamido etheleneurac monomer.	08-01-05
S. 699	Mr. Lautenberg	To suspend temporarily the duty on allyl ureido monomer.	08-01-05
S. 700	Mr. Lautenberg	To reduce temporarily the duty on potassium sorbate.	08-01-05
S. 701	Mr. Lautenberg	To reduce temporarily the duty on certain sorbic acid (hexadienic acid) (2,4-hexadienoic acid).	08-01-05



# **Appendix E: Trade Litigation in Fiscal Year 2005**





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**Table V**  
**Trade Litigation Conducted in Fiscal Year 2005**

Case	Venue	Underlying Investigation	Status
Auto Meter Products 05-1305	Federal Circuit	337-TA-494: Certain Automotive Measuring Devices	Pending
Bourdeau Bros. 04-1588	Federal Circuit	337-TA-487: Certain Agricultural Vehicles and Components Thereof	Pending
Bratsk Aluminum Smelter 05-1213	Federal Circuit	731-TA-991: Silicon Metal from Russia	Pending
Candle Artisans, Inc. 05-1231	Federal Circuit	731-TA-982: Petroleum Wax Candles from China	Pending
Caribbean Ispat 05-1400	Federal Circuit	701-TA-417-419 and 731-TA-953, 954, 956-959, 961, and 962: Carbon and Certain Alloy Steel Wire Rod from Trinidad and Tobago	Pending
Cossentino 05-1254	Federal Circuit	337-TA-406: Certain Lens-fitted Film Packages	Pending
Eaton Corp. 05-1565	Federal Circuit	337-TA-503: Automated Mechanical Transmission Systems for Medium-Duty and Heavy Duty Trucks and Components Thereof	Pending
Energizer Holding 05-1018	Federal Circuit	337-TA-493: Certain Zero-Mercury-Added Alkaline Batteries, Parts Thereof and Products Containing Same	Pending
Fuji Photo 04-1618	Federal Circuit	337-TA-406: Certain Lens-fitted Film Packages	Pending
In re Gerdes Misc. No. 800	Federal Circuit	337-TA-532: Certain Automotive Fuel Caps and Components Thereof	Pending
Jazz Photo Corp. 05-1274	Federal Circuit	337-TA-406: Certain Lens-fitted Film Packages	Pending
Mstar Semiconductor 05-1129	Federal Circuit	337-TA-481, 491: Certain Display Controllers and Products Containing Same	Pending
Nippon Steel 05-1404, -1417	Federal Circuit	731-TA-860: Tin- and Chromium-Coated Steel Sheet from Japan	Pending
Siderca SAIC 05-1519	Federal Circuit	701-TA-362, and 731-TA-707-710: Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Argentina, Brazil, Germany, and Italy	Pending
Sorensen 05-1020	Federal Circuit	337-TA-502: Certain Automobile Tail Light Lenses and Products Incorporating Same	Pending
Acciai Speciali 01-00104	Court of International Trade	701-TA-355, 731-TA-659: Grain-Oriented Silicon Electrical Steel from Italy	Pending

## Table V-Continued

### Trade Litigation Conducted in Fiscal Year 2005

Case	Venue	Underlying Investigation	Status
Allegheny Ludlum Corp. 05-00488	Court of International Trade	701-TA-381-382 and 731-TA-797-804: Stainless Steel Sheet and Strip from France, Germany, Italy, Japan, Korea, Mexico, Taiwan, and the United Kingdom	Pending
Bergeron's Seafood 03-00448	Court of International Trade	731-TA-752: Crawfish Tail Meat from China	Pending
CC Metals 01-00138	Court of International Trade	303-TA-023, 751-TA-21-27 and 731-TA-566-570 and 641: Ferrosilicon from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela	Pending
Celanese Chemicals Ltd. 04-00594	Court of International Trade	731-TA-1088: Polyvinyl Alcohol from Taiwan	Pending
Cleo Inc. and Crystal Creative Products, Inc. 05-00336	Court of International Trade	731-TA-1070B: Certain Tissue Paper Products from the People's Republic of China	Pending
Co-Steel Raritan, Inc. 01-00955	Court of International Trade	731-TA-955, 960, and 963: Carbon and Certain Alloy Steel Wire Rod From South Africa and Venezuela	Pending
Eaton Corp. 05-00487	Court of International Trade	337-TA-503: Automated Mechanical Transmission Systems for Medium-Duty and Heavy-Duty Trucks	Pending
Elkem Metals 99-10-00628	Court of International Trade	303-TA-023, 751-TA-21-27, and 731-TA-566-570 and 641: Ferrosilicon from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela	Pending
Eurodif S.A. 02-00220	Court of International Trade	701-TA-409-412 and 731-TA-909-912: Low Enriched Uranium From France, Germany, the Netherlands, and the United Kingdom	Pending
Georgetown Steel 02-00739	Court of International Trade	701-TA-417-421 and 731-TA-953-963: Carbon and Alloy Steel Wire Rod from Germany	Pending
Giorgio Foods 03-00286	Court of International Trade	731-TA-776-779: Certain Preserved Mushrooms from Chile, China, and Indonesia	Pending
Hynix Semiconductor 03-00652	Court of International Trade	701-TA-431: Dynamic Random Access Memory of One Megabit or Above from the Republic of Korea	Pending
International Imaging Materials, Inc. 04-00215	Court of International Trade	731-TA-1039: Certain Wax and Wax Resin Thermal Transfer Ribbons from France and Japan	Pending
Kawasaki Steel 01-00105	Court of International Trade	701-TA-355 and 731-TA-649-660: Grain-oriented Silicon Electrical Steel from Italy and Japan	Pending
Lacquer Craft Mfg. 05-00082	Court of International Trade	731-TA-1058: Wooden Bedroom Furniture from China	Pending

Table V-Continued  
Trade Litigation Conducted in Fiscal Year 2005

Case	Venue	Underlying Investigation	Status
Nippon Steel 01-00103	Court of International Trade	701-TA-355 and 731-TA-659-660: Grain-oriented Silicon Electrical Steel from Italy and Japan	Pending
Noviant Oy 05-00465, 05-00466, 05-00467	Court of International Trade	731-TA-1086: Purified Carboxymethylcellulose from Finland, Mexico, the Netherlands, and Sweden	Pending
P.S. Chez Sidney 02-00635	Court of International Trade	731-TA-752: Crawfish Tail Meat from China	Pending
Sichuan Changhong Electric Co. 04-00266	Court of International Trade	731-TA-1034: Certain Color Television Receivers from China	Pending
Target Corporation 05-00337	Court of International Trade	731-TA-1070B: Certain Tissue Paper from the People's Republic of China	Pending
Urenco Nederland BV 02-00236	Court of International Trade	701-TA-409-412 and 731-TA-909-912: Low Enriched Uranium From France, Germany, the Netherlands and the United Kingdom	Pending
Zhejiang Native 02-00064	Court of International Trade	701-TA-402 and 731-TA-892-893: Honey From Argentina and the People's Republic of China	Pending
Atmel Corporation 1:05mc00355	U.S. District Court for the District of Columbia	337-TA-526: Certain NAND Flash Memory Circuits and Products Containing Same (Subpoena Enforcement Proceedings)	Pending
Climax Molybdenum Company 02-M-311	U.S. District Court for the District of Colorado	337-TA-477: Ammonium Octamolybdate Isomers	Pending
Jack C. Benun, Debtor Chapter 11 03-32195(MS)	U.S. Bankruptcy Court, District of New Jersey	337-TA-406: Lens-fitted Film Packages	Pending
Jazz Photo Corp., Debtor Chapter 11 03-26565(MS)	U.S. Bankruptcy Court, District of New Jersey	337-TA-406: Lens-fitted Film Packages	Pending
In the Matter of Carbon and Certain Alloy Steel Wire Rod from Canada USA-CDA-2002-1904-09	NAFTA	701-TA-418 and 731-TA-954: Carbon and Alloy Steel Wire Rod from Canada	Panel order affirming agency remand determination issued 03/18/05
In the Matter of Gray Portland Cement and Clinker from Mexico USA-MEX-2000-1904-10	NAFTA	731-TA-451: Gray Portland Cement and Clinker from Mexico	Pending

## Table V-Continued

### Trade Litigation Conducted in Fiscal Year 2005

Case	Venue	Underlying Investigation	Status
In the Matter of Corrosion Resistant Products from Canada USA-CDA-2000-1904-11	NAFTA	731-TA-614: Corrosion Resistant Carbon Steel Flat Products from Canada	Panel order affirming agency remand determination
In the Matter of Hard Red Spring Wheat from Canada USA-CDA-2003-1904-06	NAFTA	731-TA-430B and 731-TA-1019B: Hard Red Spring Wheat from Canada	Pending
In the Matter of Magnesium from Canada USA-CDA-2000-1904-09	NAFTA	701-TA-309A-B and 731-TA-528: Magnesium from Canada	Pending
In the Matter of Oil Country Tubular Goods from Mexico USA-MEX-2001-1904-06	NAFTA	731-TA-716: Oil Country Tubular Goods from Mexico	Pending
In the Matter of Purified Carboxymethylcellulose from Mexico USA-MEX-2005-1904-05	NAFTA	731-TA-1085: Purified Carboxymethylcellulose from Mexico	Pending
In the Matter of Softwood Lumber Products from Canada USA-CDA-2002-1904-07	NAFTA	701-TA-414 and 731-TA-928: Softwood Lumber Products from Canada	Panel order reversing ITC remand determination issued 08/31/04
In the Matter of Softwood Lumber Products from Canada ECC-2004-1904-01-USA	ECC	701-TA-414 and 731-TA-928: Softwood Lumber Products from Canada	ECC decision affirming Panel's reversal of ITC remand determination issued 08/09/05
In the Matter of Softwood Lumber Products from Canada USA-CDA-2005-1904-03	NAFTA	701-TA-414 and 731-TA-928: Softwood Lumber Products from Canada (Sec. 129 Consistency)	Pending
In the Matter of Stainless Steel Sheet and Strip in Coils from Mexico USA-MEX-2005-1904-06	NAFTA	701-TA-381-382 and 731-TA-797-804: Stainless Steel Sheet and Strip in Coils from Mexico	Pending
Canfor	NAFTA (Chapter 11- Investor-State Claim)	701-TA-414 and 731-TA-928: Softwood Lumber Products from Canada	Pending
Doman	NAFTA (Chapter 11- Investor-State Claim)	701-TA-414 and 731-TA-928: Softwood Lumber Products from Canada	Pending

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### Trade Litigation Conducted in Fiscal Year 2005

Case	Venue	Underlying Investigation	Status
Tembec	NAFTA (Chapter 11- Investor-State Claim)	701-TA-414 and 731-TA-928: Softwood Lumber Products from Canada	Pending
Terminal	NAFTA (Chapter 11- Investor-State Claim)	701-TA-414 and 731-TA-928: Softwood Lumber Products from Canada	Pending
In the Matter of Gray Portland Cement and Cement Clinker from Mexico USA-MEX-2002-1904-01	NAFTA	731-TA-451: Gray Portland Cement and Cement Clinker from Mexico (Changed Circumstances Review)	Pending
US-Hot-Rolled Steel DS184	World Trade Organization	731-TA-807: United States- Antidumping Measures on Hot-Rolled Steel from Japan	Implementation Pending
US-Sunset Reviews of Antidumping and Countervailing Measures on Cut-to-Length Steel Plate and Corrosion Resistant Steel DS262	World Trade Organization	701-TA-319-332, 334, 336-342, and 374-375; and 731-TA-573-579, 581-592, 594-597, 599-609, and 612-619: Five-Year Review of Antidumping and Countervailing Duties on Cut-to-Length Plate and Corrosion Resistant Steel from France and Germany	Pending
US-Sunset Review of Antidumping Measures on OCTG from Mexico DS282	World Trade Organization	731-TA-711, 713, 716: Sunset Review of Antidumping Duty Order on OCTG from Mexico	Panel Report issued 06/20/05 AB appeal pending
US-Sunset Review of Antidumping Measures on OCTG from Argentina DS268	World Trade Organization	731-TA-711, 713, 716: Sunset Review of Antidumping Duty Order on OCTG from Argentina	AB and Panel Reports adopted 12/17/04
US-Softwood Lumber from Canada DS277	World Trade Organization	701-TA-414 and 731-TA-928: Countervailing duty and antidumping injury determinations in Softwood Lumber from Canada	Implementation Pending
US-Antidumping Measures on Cement from Mexico DS281	World Trade Organization	731-TA-451, 461, 519: Changed circumstances and sunset reviews on Cement from Mexico	Pending
US-Section 337 DS186	World Trade Organization	Section 337 of the Tariff Act of 1930	Pending
US-Laws, Regulations, and Methodology for Calculating Dumping Margins (Zeroing) DS294	World Trade Organization	EC Challenges to US laws, regulations, and methodology for calculating dumping margins	Pending

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### Trade Litigation Conducted in Fiscal Year 2005

Case	Venue	Underlying Investigation	Status
US-CVD Measures on DRAMS from Korea DS296	World Trade Organization	701-TA-431: Countervailing duty investigation in DRAMS from Korea	AB and Panel Reports adopted 07/20/05; Implementation pending
US-AD/CVD Measures on Silicon Metal from Brazil DS239	World Trade Organization	DOC Antidumping Duties on Silicon Metal from Brazil	Pending
EC-Provisional Safeguard Measures on Imports of Certain Steel Products DS260	World Trade Organization	EC - Provisional Safeguard Measure on Steel Products	Pending
Mexico-Antidumping Measures on Rice and Mexico Trade Laws DS295	World Trade Organization	US Challenges to Mexico's Antidumping Measure on Long Grain White Rice and to Mexico's Foreign Trade Act	Panel Report issued 06/06/05; AB appeal pending
Mexico-Antidumping Measures on Beef DS295	World Trade Organization	US Challenges to Mexico's Antidumping Measure on Beef	Pending
US-Hard Red Spring Wheat from Canada DS310	World Trade Organization	701-TA-403B, 731-TA-1017B: Hard Red Spring Wheat from Canada	Pending
US-Measures Relating to Zeroing and Sunset Reviews Japan DS322	World Trade Organization	Various sunset reviews	Pending
US-CVD Measures on Certain Products from EC, Article 21.5 DS212	World Trade Organization	Privatization - Sunset	Article 21.5 Panel Report adopted by DSB on 09/30/05
Korea-Measures Affecting Trade in Commercial Vessels DS273	World Trade Organization (3 <sup>rd</sup> Party)	EC Challenges to Korea's Measures Affecting Trade in Commercial Ships	Panel Report adopted on 04/11/05
India-AD Measures on Batteries from Bangladesh DS-306	World Trade Organization (3 <sup>rd</sup> Party)	India - AD Measures on Batteries	Pending
EC-CVD Measures on DRAMs from Korea DS299	World Trade Organization (3 <sup>rd</sup> Party)	CVD Measures on Drams	Panel Report adopted by DSB on 08/03/05



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Trade Litigation Conducted in Fiscal Year 2005

Case	Venue	Underlying Investigation	Status
Korea-AD Measures on Paper from Indonesia DS-312	World Trade Organization (3 <sup>rd</sup> Party)	Antidumping Measures on Paper from Indonesia	Pending
Egypt-AD Duties on Matches from Pakistan DS327	World Trade Organization (3 <sup>rd</sup> Party)	Antidumping Measures on Matches from Pakistan	Pending
India-AD Measures on Imports of Certain Products from the EC DS304	World Trade Organization (3 <sup>rd</sup> Party)	Antidumping Measures on Imports of Certain Products from the EC	Pending
Ecuador - Fireboard Safeguard Products from the EC DS303	World Trade Organization (3 <sup>rd</sup> Party)	Antidumping Measures on Medium Density Fireboard	Pending
US-Measures Affecting Trade in Large Civil Aircraft DS317	World Trade Organization	Aircraft Subsidies	Pending
EC-Measures Affecting Trade in Large Civil Aircraft DS316	World Trade Organization	Aircraft Subsidies	Pending
Argus Industries, Inc. 03-1489	Federal Circuit	337-TA-406: Certain Lens-fitted Film Packages	Vacated and remanded 10/07/04
Cathedral Candle 04-1083	Federal Circuit	731-TA-282: Petroleum Wax Candles from China	Agency action under Byrd Amendment affirmed 03/09/05
Cossentino 04-1614	Federal Circuit	337-TA-406: Certain Lens-fitted Film Packages	Appeal dismissed as untimely 01/26/05
Cirrus Logic Inc. 05-1249	Federal Circuit	337-TA-499: Certain Audio Digital-To-Analog Converters and Products Containing Same	Appeal dismissed 03/31/05
Fuji Photo Film 03-1016	Federal Circuit	337-TA-406: Certain Lens-fitted Film Packages	Affirmed in part, vacated and remanded in part 10/07/04
Fuji Photo Film 04-1613	Federal Circuit	337-TA-406: Certain Lens-fitted Film Packages	Appeal dismissed as untimely 01/26/05

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### Trade Litigation Conducted in Fiscal Year 2005

Case	Venue	Underlying Investigation	Status
Fuji Photo Film 03-1488	Federal Circuit	337-TA-406: Certain Lens-fitted Film Packages	Affirmed in part, vacated and remanded in part 10/07/04
Nikon Corp. 03-1378	Federal Circuit	337-TA-468: Certain Microlithographic Machines and Components Thereof	Order of dismissal granted 12/02/04
NMB Singapore 05-1019	Federal Circuit	AA-1921-143, 731-TA-341, 343-345, 391-397, and 399: Bearings from China, France, Germany, Hungary, Italy, Japan, Romania, Singapore, Sweden, and the United Kingdom	Agency determination affirmed 08/03/05
NMB Singapore 05-1016	Federal Circuit	AA-1921-143, 731-TA-341, 343-345, 391-397, and 399: Bearings from China, France, Germany, Hungary, Italy, Japan, Romania, Singapore, Sweden, and the United Kingdom	Appeal dismissed voluntarily 02/25/05
Nucor Corporation 04-1373	Federal Circuit	701-TA-422-425 and 731-TA-964-983: Cold-Rolled Carbon Steel Flat Products from Argentina, Belgium, Brazil, China, France, Germany, Korea, the Netherlands, New Zealand, Russia, South Africa, Spain, Taiwan, Turkey, and Venezuela	Agency determination affirmed 07/07/05
Nucor Corporation 04-1374	Federal Circuit	701-TA-422-425 and 731-TA-964-983: Cold-Rolled Carbon Steel Flat Products from Argentina, Belgium, Brazil, China, France, Germany, Korea, the Netherlands, New Zealand, Russia, South Africa, Spain, Taiwan, Turkey, and Venezuela	Agency determination affirmed 07/07/05
SKF USA 04-1460	Federal Circuit	337-TA-469: Certain Bearings and Packaging Thereof	Agency determination affirmed 09/14/05
The Chamberlain Group 04-1322	Federal Circuit	337-TA-497: Certain Universal Transmitters for Garage Door Openers	Appeal dismissed 04/14/05
Timken Company 04-1325	Federal Circuit	AA-1921-143, 731-TA-341, 343-345, 391-397, and 399: Tapered Roller Bearings from China, France, Germany, Hungary, Italy, Japan, Romania, Singapore, Sweden, and the United Kingdom	Agency determination affirmed 02/14/05
Timken U.S. Corp. 05-1030	Federal Circuit	731-TA-391-394 and 399: Cylindrical Roller Bearings from France, Germany, Italy, Japan, and the United Kingdom	Agency determination affirmed 08/31/05

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### Trade Litigation Conducted in Fiscal Year 2005

Case	Venue	Underlying Investigation	Status
U.S. Phillips Corporation 04-1361	Federal Circuit	337-TA-474: Certain Recordable Compact Discs and Rewritable Compact Discs	Agency determination reversed and remanded 09/21/05
Usinor-Industeel 04-1081	Federal Circuit	701-TA-319 and 731-TA-573: Cut-to-length Carbon Steel Plate from Belgium	Agency determination affirmed 11/08/04
Vastfame Camera, Ltd 03-1426	Federal Circuit	337-TA-406: Certain Lens-fitted Film Packages	Agency determination vacated and remanded 10/07/04
Allied Mineral Products 03-00936	Court of International Trade	731-TA-1022: Refined Brown Aluminum Oxide from China	Agency determination affirmed 11/12/04
Bratsk Aluminum 03-00200	Court of International Trade	731-TA-991: Silicon Metal from Russia	Agency determination affirmed 12/03/04
Canadian Lumber Trade Alliance 05-00049	Court of International Trade	701-TA-414 and 731-TA-928: Certain Softwood Lumber Products from Canada (Sec. 129 Consistency)	Order of dismissal granted 03/21/05
Canadian Lumber Trade Alliance 05-0049	Court of International Trade	701-TA-414 and 731-TA-928: Certain Softwood Lumber Products from Canada (Sec. 129 Consistency)	Order of dismissal granted 03/21/05
The Government of Canada 05-00051	Court of International Trade	701-TA-414 and 731-TA-928: Certain Softwood Lumber Products from Canada (Sec. 129 Consistency)	Order of dismissal granted 03/21/05
The Government of Canada 05-00169	Court of International Trade	701-TA-414 and 731-TA-928: Certain Softwood Lumber Products from Canada (Sec. 129 Consistency)	Order of dismissal granted 03/21/05
Candle Artisans, Inc. 05-00538	Court of International Trade	731-TA-282: Petroleum Wax Candles from China	Agency action under Byrd Amendment affirmed 02/07/05
Carribean Ispat 02-00756	Court of International Trade	701-TA-417-421 and 731-TA-953-963: Carbon and Alloy Steel Wire Rod from Trinidad and Tobago	Agency determination affirmed 03/22/05
Cogne Acciai 04-00411	Court of International Trade	701-TA-373: Stainless Steel Wire Rod from Italy, Japan, Korea, Spain, Sweden, and Taiwan	Agency determination affirmed 09/12/05

Table V-Continued  
Trade Litigation Conducted in Fiscal Year 2005

Case	Venue	Underlying Investigation	Status
Dalmine S.p.A. 01-00693	Court of International Trade	701-TA-364, 731-TA-711, 713-716: Oil Country Tubular Goods from Italy	Agency remand determination affirmed 08/26/05
JCS Avisma Titanium 05-00360	Court of International Trade	731-TA-1071 and 731-TA-1072: Magnesium Metal from China and Russia	Order of dismissal granted 06/16/05
Nippon Steel 00-09-00479	Court of International Trade	731-TA-860: Tin and Chromium-coated Steel Sheet from Japan	Agency's 3 <sup>rd</sup> remand determination affirmed 03/25/05
Nitrogen Solutions 03-00260	Court of International Trade	731-TA-1006, 1008, and 1009: Urea Ammonium Nitrate Solutions from Belarus, Russia, and Ukraine	Agency determination affirmed 01/31/05
NKK Tubes 01-00694	Court of International Trade	701-TA-364, 731-TA-711, 713-716 Oil Country Tubular Goods from Japan	Agency remand determination affirmed 08/26/05
Northwest Alloys, Inc. 05-00357	Court of International Trade	731-TA-1071 and 731-TA-1072: Magnesium Metal from China and Russia	Voluntary dismissal granted 06/13/05
Novolipetsk Iron and Steel Corp. and Magnitogorsk Iron and Steel Works 05-00384	Court of International Trade	701-TA-384 and 731-TA-805-806: Certain Hot-Rolled Flat-Rolled Carbon Quality Steel Products from Brazil, Japan, and Russia	Voluntary dismissal granted 07/07/05
P.T. Eka Timur, Raya, P.T. Karya Kompos Bags, P.T. Surya Jaya Abadi Perkasa, P.T. Dieng Djaya, and P.T. Indo Evergreen Agro Business Corp. 04-00609	Court of International Trade	731-TA-752: Certain Preserved Mushrooms from Chile, China, India, and Indonesia	Voluntary dismissal granted 05/04/05
San Vicente Camalu 03-00517	Court of International Trade	731-TA-747: Fresh Tomatoes from Mexico	Appeal dismissed as untimely 04/18/05
Sensient Technologies 03-00283	Court of International Trade	701-TA-433, 731-TA-1029: Allura Red Coloring from India	Agency determination affirmed 09/10/04
Siderca SAIC 01-00603	Court of International Trade	701-TA-362, and 731-TA-707-710: Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Argentina, Brazil, Germany, and Italy	Agency remand determination affirmed 06/09/05

## Table V-Continued

### Trade Litigation Conducted in Fiscal Year 2005

Case	Venue	Underlying Investigation	Status
Siderca SAIC 01-00692	Court of International Trade	701-TA-364, 731-TA-711, 713-716: Oil Country Tubular Goods from Japan	Agency remand determination affirmed 08/26/05
Sual Holding 03-00177	Court of International Trade	731-TA-991: Silicon Metal from Russia	Agency remand determination affirmed 12/03/04
TCL Corporation 04-00269	Court of International Trade	731-TA-1034: Certain Color Television Receivers from China	Order of dismissal granted 10/13/04
U.S. Pet Resin Producers Coalition 05-00379	Court of International Trade	701-TA-439-440 and 731-TA-1077-1080 Polyethylene Terrephthalate Resin from India, Indonesia, and Thailand	Appeal dismissed for lack of prosecution 07/20/05
U.S. Steel 00-00151	Court of International Trade	701-TA-393-396, 731-TA-829-830, 833-834, 836, and 838: Cold-Rolled Steel Products from Argentina, Brazil, Japan, Russia, South Africa, and Thailand	Agency determination affirmed 11/18/04
ASAT, Inc. 1:04MS00395	U.S. District Court for the District of Columbia	337-TA-406: Certain Lens-Fitted Film Packages (Subpoena Enforcement Proceedings)	Court order enforcing agency subpoena issued 12/01/04
ASAT, Inc. 05-5009	U.S. Court of Appeals for District of Columbia	337-TA-406: Certain Lens-Fitted Film Packages (Subpoena Enforcement Proceedings)	Decision affirming district court jurisdiction but reversing court order enforcing subpoena issued 06/10/05



**Table VI**  
**Trade Litigation Remand Proceedings Conducted in**  
**Fiscal Year 2005**

<b>Investigation No. and Title</b>	<b>Date Instituted</b>	<b>Public Hearing</b>	<b>Final Determination</b>	<b>Pub. No.</b>
<b>303-TA-23</b> <i>Ferrosilicon from Venezuela</i> (Final) (Reconsideration) (Third Remand) <sup>1</sup>	06-22-04	N/A	Negative 03-03-05	3765
<b>731-TA-566</b> <i>Ferrosilicon from Kazakhstan</i> (Final) (Reconsideration) (Third Remand) <sup>1</sup>	06-22-04	N/A	Negative 03-03-05	3765
<b>731-TA-567</b> <i>Ferrosilicon from China</i> (Final) (Reconsideration) (Third Remand) <sup>1</sup>	06-22-04	N/A	Negative 03-03-05	3765
<b>731-TA-568</b> <i>Ferrosilicon from Russia</i> (Final) (Reconsideration) (Third Remand) <sup>1</sup>	06-22-04	N/A	Negative 03-03-05	3765
<b>731-TA-569</b> <i>Ferrosilicon from Ukraine</i> (Final) (Reconsideration) (Third Remand) <sup>1</sup>	06-22-04	N/A	Negative 03-03-05	3765
<b>731-TA-570</b> <i>Ferrosilicon from Venezuela</i> (Final) (Reconsideration) (Third Remand) <sup>1</sup>	06-22-04	N/A	Negative 03-03-05	3765
<b>731-TA-641</b> <i>Ferrosilicon from Brazil</i> (Final) (Reconsideration) (Third Remand) <sup>1</sup>	06-22-04	N/A	Negative 03-03-05	3765
<b>731-TA-954</b> <i>Carbon and Alloy Steel Wire Rod from Canada</i> (Final) (Remand) <sup>2</sup>	09-16-04	N/A	Affirmative 10-12-04	3730
<b>731-TA-860</b> <i>Tin- and Chromium-Coated Steel Sheet from Japan</i> (Final) (Third Remand) <sup>1</sup>	11-05-04	N/A	Affirmative 12-13-04	3751
<b>701-TA-430B</b> <i>Hard Red Spring Wheat from Canada</i> (Final) (Remand) <sup>2</sup>	06-29-05	N/A	Pending	Pending
<b>731-TA-1019B</b> <i>Hard Red Spring Wheat from Canada</i> (Final) (Remand) <sup>2</sup>	06-29-05	N/A	Pending	Pending
<b>731-TA-955</b> <i>Carbon and Certain Alloy Steel Wire Rod from Egypt</i> (Preliminary) (Second Remand) <sup>1</sup>	06-07-05	N/A	Negative 09-09-05	3796
<b>731-TA-960</b> <i>Carbon and Certain Alloy Steel Wire Rod from South Africa</i> (Preliminary) (Second Remand) <sup>1</sup>	06-07-05	N/A	Negative 09-09-05	3796
<b>731-TA-963</b> <i>Carbon and Certain Alloy Steel Wire Rod from Venezuela</i> (Preliminary) (Second Remand) <sup>1</sup>	06-07-05	N/A	Negative 09-09-05	3796
<b>701-TA-355</b> <i>Grain-Oriented Silicon Electrical Steel (GOES) from Italy</i> (Review) (Third Remand) <sup>1</sup>	07-18-05	N/A	Negative 09-13-05	3798

## Table VI-Continued

### Trade Litigation Remand Proceedings Conducted in Fiscal Year 2005

Investigation No. and Title	Date Instituted	Public Hearing	Final Determination	Pub. No.
<b>731-TA-659</b> <i>Grain-Oriented Silicon Electrical Steel (GOES) from Italy</i> (Review) (Third Remand) <sup>1</sup>	07-18-05	N/A	Negative 09-13-05	3798
<b>731-TA-660</b> <i>Grain-Oriented Silicon Electrical Steel (GOES) from Japan</i> (Review) (Third Remand) <sup>1</sup>	07-18-05	N/A	Negative 09-13-05	3798
<b>731-TA-707</b> <i>Certain Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe from Argentina</i> (Review) (Remand) <sup>1</sup>	10-27-04	N/A	Affirmative 01-24-05	3754
<b>731-TA-708</b> <i>Certain Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe from Brazil</i> (Review) (Remand) <sup>1</sup>	10-27-04	N/A	Affirmative 01-24-05	3754
<b>731-TA-709</b> <i>Certain Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe from Germany</i> (Review) (Remand) <sup>1</sup>	10-27-04	N/A	Affirmative 01-24-05	3754
<b>701-TA-364</b> <i>Oil Country Tubular Goods from Italy</i> (Review) (Remand) <sup>1</sup>	04-05-05	N/A	Affirmative 06-06-05	3795
<b>731-TA-711</b> <i>Oil Country Tubular Goods from Argentina</i> (Review) (Remand) <sup>1</sup>	04-05-05	N/A	Affirmative 06-06-05	3795
<b>731-TA-713</b> <i>Oil Country Tubular Goods from Italy</i> (Review) (Remand) <sup>1</sup>	04-05-05	N/A	Affirmative 06-06-05	3795
<b>731-TA-714</b> <i>Oil Country Tubular Goods from Japan</i> (Review) (Remand) <sup>1</sup>	04-05-05	N/A	Affirmative 06-06-05	3795
<b>731-TA-715</b> <i>Oil Country Tubular Goods from Korea</i> (Review) (Remand) <sup>1</sup>	04-05-05	N/A	Affirmative 06-06-05	3795
<b>731-TA-451</b> <i>Gray Portland Cement and Cement Clinker from Mexico</i> (Review) (Remand) <sup>2</sup>	06-24-05	N/A	Affirmative 09-22-05	Pending
<b>731-TA-614</b> <i>Corrosion Resistant Carbon Steel Flat Products from Canada</i> (Review) (Remand) <sup>2</sup>	10-19-04	N/A	Affirmative 12-03-04	3753

<sup>1</sup> Remanded by the U.S. Court of International Trade (CIT)

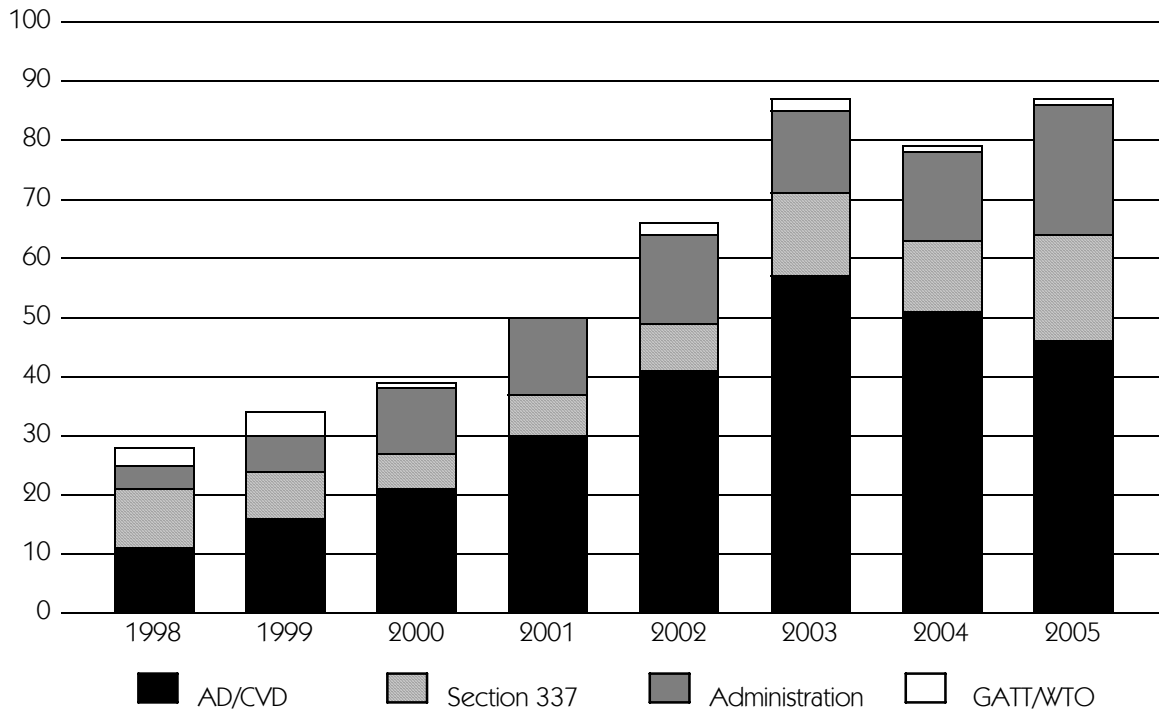
<sup>2</sup> Remanded by the Binational Panel established pursuant to the United States-Canada Free Trade Agreement.

NOTE - The Commission issued its opinions in the second and third remands of *Softwood Lumber* (701-TA-414 and 731-TA-928 (Final)) in FY2004 and published them in FY2005.



## Litigation Conducted in Fiscal Year 2005

In recent years, the Commission's litigation case load has risen significantly. The following chart shows, for each of the last several years, the number of pending cases, calculated as an average of the number of cases open in the four quarters of the year:



## ITC Services and Information Resources

**Internet Web Site ([www.usitc.gov](http://www.usitc.gov))** The ITC's Internet web site offers 24-hour access to an extensive variety of ITC information resources and workproducts, including: news releases; Federal Register notices; a daily event list; most ITC reports and publications, including the Harmonized Tariff Schedule of the United States and Congressional bill reports; the ITC DataWeb; the ITC Electronic Document Information System; information on recent petitions and complaints; the monthly calendar; a section focused on the ITC's five-year (sunset) reviews; the ITC's rules of practice and procedure, hearing guidelines, and an introduction to APO practices at the ITC; information on ongoing investigations; information related to the Freedom of Information Act; and general information about the agency, its work, and its Commissioners and staff.

**Public Information** News releases, the ITC annual report, and general information about the agency and its Commissioners can be obtained from the Public Affairs Officer, Office of External Relations, by calling 202-205-1819.

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**Public Reading Room** Public inspection files are maintained in every ITC investigation. These files can be reviewed in the ITC's Public Reading Room, located in the Office of the Secretary on the first floor of the ITC Building. Depending on the age of the records requested, the files are available electronically, in hard copy, and/or on microfiche. Photocopies of documents in the public files may be ordered for a fee from an on-site duplicating firm. The public reading room is open during agency hours. For information, call 202-205-1802.

**Office of the Secretary** Recorded information on the latest petitions and complaints filed with the ITC can be obtained by calling 202-205-2196. Inquiries under the Freedom of Information Act should be filed with the Secretary. For information, call 202-205-2000.

**Trade Remedy Assistance Office** The ITC's Trade Remedy Assistance Office, part of the agency's Office of External Relations, assists small businesses seeking benefits or relief under U.S. trade laws, providing general information concerning the remedies and benefits available under those laws as well as technical and legal assistance and advice to eligible small businesses seeking remedies. For information, call 1-800-343-9822.