



United States
International Trade Commission

The Year in Trade 2013

Operation of the Trade Agreements
Program

65th Report

July 2014
Publication Number: 4481

United States International Trade Commission

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Preface

This report is the 65th in a series of annual reports submitted to the U.S. Congress under section 163(c) of the Trade Act of 1974 (19 U.S.C. 2213(c)) and its predecessor legislation. Section 163(c) of the Trade Act of 1974 states that “the International Trade Commission shall submit to the Congress at least once a year, a factual report on the operation of the trade agreements program.”

This report is one of the principal means by which the U.S. International Trade Commission provides Congress with factual information on trade policy and its administration for calendar year 2013. The trade agreements program includes “all activities consisting of, or related to, the administration of international agreements which primarily concern trade and which are concluded pursuant to the authority vested in the President by the Constitution” and congressional legislation.

Table of Contents

Preface.....	1
Abbreviations and Acronyms	11
Executive Summary.....	15
Chapter 1 Overview of U.S. Trade	33
Scope and Approach of the Report.....	33
Overview of the U.S. Economy in 2013.....	34
Exchange-Rate Trends	35
Balance of Payments	37
U.S. Trade in Goods in 2013	38
U.S. Merchandise Trade by Product Category	38
Exports	38
Imports.....	39
U.S. Imports under Preferential Trade Programs and Free Trade Agreements.....	40
U.S. Merchandise Trade with Selected Major Trading Partners.....	40
U.S. Trade in Services in 2013	42
U.S. Services Trade by Product Category	43
Exports	43
Imports.....	44
U.S. Services Trade with Leading Partners	44
Chapter 2 Administration of U.S. Trade Laws and Regulations.....	47
Import Relief Laws.....	47
Safeguard Actions.....	47
Laws against Unfair Trade Practices.....	47
Section 301 Investigations.....	47
Section 301 Cases	48
Special 301	49
Antidumping and Countervailing Duty Investigations and Reviews	52
Antidumping Duty Investigations	52
Countervailing Duty Investigations.....	54
Reviews of Outstanding Antidumping and Countervailing Duty Orders/Suspension Agreements.....	55
Section 337 Investigations.....	56
Trade Adjustment Assistance.....	57
Assistance for Workers.....	58
Assistance for Firms.....	59
Tariff Preference Programs	60
Generalized System of Preferences	60
African Growth and Opportunity Act	63
Andean Trade Preference Act	65
Caribbean Basin Economic Recovery Act	68

Haiti Initiatives	70
Chapter 3 The WTO, OECD, APEC, and TISA	73
World Trade Organization	73
Ministerial Conference	73
Agreement on Trade Facilitation	74
Agriculture	75
Development Issues.....	79
General Council	80
Work Programs, Decisions, and Reviews.....	80
Accessions	81
Selected Plurilateral Agreements.....	83
Agreement on Government Procurement	83
Agreement on Trade in Civil Aircraft	83
Information Technology Agreement	84
Dispute Settlement Body.....	85
New Requests for Consultations and New Panels Established	89
Panel and Appellate Body Reports Issued and/or Adopted during 2013 that Involve the United States	91
Organisation for Economic Co-operation and Development	93
Ministerial Council Meeting	93
Trade Committee.....	94
Asia-Pacific Economic Cooperation.....	97
The Bogor Goals, FTAAP, and Related APEC Commitments	97
Regional Economic Integration, Connectivity, and Sustainable Growth	99
Negotiations on a Trade in Services Agreement.....	100
Chapter 4 U.S. Free Trade Agreements	103
U.S. Trade with FTA Partners in 2013	103
Developments in FTA Negotiations during 2013	107
Negotiations and Consultations toward the Trans-Pacific Partnership (TPP) Agreement	107
U.S. Trade with TPP Partners	110
Negotiations and Consultations toward the Transatlantic Trade and Investment Partnership (TTIP) Agreement.....	112
Developments in FTAs Already in Force during 2013	113
U.S.-Bahrain FTA: Consultation with Bahrain to Protect Worker Rights	114
CAFTA-DR.....	114
Enforcement Plan Relating to Labor Rights in Guatemala	114
Meeting to Discuss Environmental Issues	115
U.S.-Chile FTA: Environmental Affairs Council Meeting.....	115
U.S.-Colombia TPA: Labor Issues Discussion with Colombia.....	116
U.S.-Jordan FTA: U.S.-Jordan Agreement to Boost Investment and ICT Services, and Enhance Labor Cooperation	116
U.S.-Korea Free Trade Agreement (KORUS FTA): Environment and Labor Councils and Joint Committee Meetings	117

U.S.-Morocco FTA: New Trade Facilitation Agreement	117
U.S.-Peru TPA.....	118
Progress on Environmental Matters.....	118
Free Trade Commission Meeting.....	119
North American Free Trade Agreement	119
Free Trade Commission.....	119
Commission for Labor Cooperation	120
Commission for Environmental Cooperation.....	120
Dispute Settlement.....	123
Chapter 11 Dispute Settlement Developments.....	123
Chapter 19 Dispute Panel Reviews	123
Trade and Investment Framework Agreements and Other Agreements.....	124
Developments in New TIFAs during 2013	124
Developments in Existing TIFAs during 2013	125
Other Agreements.....	125
Chapter 5 U.S. Relations with Selected Major Trading Partners.....	127
European Union.....	127
Transatlantic Trade and Investment Partnership.....	129
Beef Trade	131
Canada.....	132
Softwood Lumber	134
Regulatory Cooperation Council	135
Intellectual Property.....	135
China.....	136
Intellectual Property Rights Enforcement.....	139
Industrial Policies.....	140
Export Restraints on Raw Material Inputs	140
Agriculture	141
Services.....	142
U.S.-China Bilateral Investment Treaty	143
Mexico	144
High Level Economic Dialogue.....	146
High-Level Regulatory Cooperation Council.....	147
Work Plan.....	147
2013 Progress Report	148
Cross-Border Trucking between the United States and Mexico.....	149
Japan.....	150
TPP Negotiations and Dialogue	152
Passenger Vehicle Market Access	153
Japan Post.....	154
Agriculture Products.....	155
Republic of Korea	156
U.S.-Korea FTA.....	158
Beef.....	159

Brazil	159
Agreement on Trade and Economic Cooperation.....	161
Taiwan	161
U.S.-Taiwan Trade and Investment Framework Agreement.....	162
Beef and Beef Products	164
Rice	164
India.....	165
Trade and Investment Dialogue	167
Electronic Goods.....	168
Solar Equipment	168
Intellectual Property Rights.....	169
Bibliography.....	171
Appendix A Data Tables	205
Boxes	
3.1 Outline of the WTO Agreement on Trade Facilitation, 2013.....	76
3.2 Overview of the WTO dispute settlement procedures.....	86
Figures	
ES.1 U.S. trade balance in goods and services, 1995–2013.....	15
1.1 U.S. real gross domestic product, annual rate of change, 2004–13.....	34
1.2 Indices of U.S. dollar exchange rates for selected major foreign currencies, daily, 2013.....	36
1.3 U.S. merchandise trade with the world, 2011–13	39
1.4 Leading U.S. merchandise export markets, by share, 2013	41
1.5 Leading U.S. merchandise import sources, by share, 2013	42
1.6 U.S. private cross-border services trade with the world, 2011–13	43
1.7 Leading U.S. export markets for private services, by share, 2013	45
1.8 Leading U.S. import sources for private services, by share, 2013	46
5.1 U.S. merchandise trade with the EU-28, 2009–13	128
5.2 U.S. private services trade with the EU, 2009-13	128
5.3 U.S. merchandise trade with Canada, 2009–13.....	133
5.4 U.S. private services trade with Canada, 2009–13	133
5.5 U.S. merchandise trade with China, 2009–13	137
5.6 U.S. private services trade with China, 2009-13.....	137
5.7 U.S. merchandise trade with Mexico, 2009–13.....	145
5.8 U.S. private services trade with Mexico, 2009-13	145
5.9 U.S. merchandise trade with Japan, 2009–13	151
5.10 U.S. private services trade with Japan, 2009-13.....	151
5.11 U.S. merchandise trade with Korea, 2009–13	157
5.12 U.S. private services trade with Korea, 2009-13.....	157
5.13 U.S. merchandise trade with Brazil, 2009–13.....	160
5.14 U.S. private services trade with Brazil, 2009-13	160
5.15 U.S. merchandise trade with Taiwan, 2009–13	163
5.16 U.S. private services trade with Taiwan, 2009-13	163

5.17 U.S. merchandise trade with India, 2009–13.....	166
5.18 U.S. private services trade with India, 2009-13	166

Tables

ES.1 Summary of 2013 trade agreement activities.....	26
1.1 U.S. merchandise trade with selected major trading partners and the world, 2013 (millions of dollars)	41
1.2 U.S. private services trade with major trading partners and the world, 2013 (billions of dollars)	45
2.1 Antidumping duty orders that became effective during 2013	54
2.2 Countervailing duty orders that became effective during 2013	55
2.3 U.S. imports for consumption from GSP beneficiaries, 2011–13	62
2.4 U.S. imports for consumption from AGOA beneficiaries, 2011–13.....	64
2.5 U.S. imports for consumption from ATPA countries, 2011–13	67
2.6 U.S. imports for consumption from CBERA countries, 2011–13	69
2.7 U.S. imports for consumption of apparel from Haiti, 2011–13	71
3.1 WTO membership in 2013	82
3.2 WTO observers in 2013.....	83
3.3 WTO dispute settlement panels established during 2013	87
3.4 WTO dispute settlement panel and Appellate Body (AB) reports circulated or adopted in 2013 in which the United States was a party	92
4.1 U.S. merchandise trade with FTA partners, by FTA partner, applicable periods, 2011-13	104
4.2 U.S. imports for consumption entered under FTA provisions, by FTA partner, 2011–13	106
4.3 Status of U.S. FTA negotiations during 2013	107
4.4 U.S. merchandise trade with TPP partners, 2011–13.....	111
4.5 Active files as of yearend 2013 under Articles 14 and 15 of the North American Agreement on Environmental Cooperation	122
4.6 NAFTA Chapter 19 binational panels, active reviews as of yearend 2013	124

Appendix Tables

A.1 U.S. merchandise trade with major trading partners (total exports and general imports), 2013	207
A.2 U.S. merchandise trade with FTA partners (total exports and general imports), 2013.....	208
A.3 U.S. merchandise trade with the world, by USITC digest sectors, 2011–13	209
A.4 Leading U.S. domestic exports to the world by Schedule B subheading, 2011–13	210
A.5 Leading U.S. imports for consumption from the world by HTS subheading, 2011–13.....	211
A.6 U.S. trade with top 15 single-country trading partners, 2013	212
A.7 Top 15 U.S. single-country export markets and import sources, 2013.....	213
A.8 U.S. private services exports and imports from the world, by category, 2011–13.....	214
A.9 Antidumping cases active in 2013, by USITC investigation number	215
A.10 Antidumping duty orders and suspension agreements in effect as of December 31, 2013.....	217

A.11	Countervailing duty cases active in 2013, by USITC investigation number	222
A.12	Countervailing duty orders in effect as of December 31, 2013	223
A.13	Reviews of existing antidumping and countervailing duty orders completed in 2013, by date of completion.....	224
A.14	Section 337 investigations and related proceedings completed by the U.S. International Trade Commission during 2013 and those pending on December 31, 2013	225
A.15	Outstanding Section 337 exclusion orders as of December 31, 2013.....	231
A.16	U.S. imports for consumption under the GSP, by leading GSP beneficiary, 2011–13	236
A.17	U.S. imports for consumption under the GSP, by USITC digest sectors, 2011–13.....	237
A.18	Leading U.S. imports for consumption under the GSP, by HTS provision, 2011–13.....	238
A.19	U.S. imports for consumption under AGOA, by source, 2011–13.....	239
A.20	Leading U.S. imports for consumption under AGOA, by HTS provision, 2011–13.....	240
A.21	U.S. imports for consumption under ATPA/ATPDEA, by source, 2011–13	241
A.22	Leading U.S. imports for consumption under ATPA/ATPDEA, by HTS provision, 2011–13	242
A.23	U.S. imports for consumption under CBERA/CBTPA, by source, 2011–13	243
A.24	Leading U.S. imports for consumption under CBERA/CBTPA, by HTS provision, 2011–13	244
A.25	WTO dispute settlement cases to which the United States was a party, developments in 2013	245
A.26	NAFTA Chapter 19 substantive challenges to original and five-year review determinations of USITC and USDOC, developments in 2013	257
A.27	U.S. merchandise trade with the European Union (28 countries), by USITC digest sectors, 2011–13.....	258
A.28	Leading U.S. domestic exports to the European Union (28), by Schedule B subheading, 2011–13.....	259
A.29	Leading U.S. imports for consumption from the European Union (28), by HTS provision, 2011–13	260
A.30	U.S. merchandise trade with Canada, by USITC digest sectors, 2011–13.....	261
A.31	Leading U.S. domestic exports to Canada, by Schedule B subheading, 2011–13.....	262
A.32	Leading U.S. imports for consumption from Canada, by HTS provision, 2011–13	263
A.33	U.S. merchandise trade with China, by USITC digest sectors, 2011–13.....	264
A.34	Leading U.S. domestic exports to China, by Schedule B subheading, 2011–13.....	265
A.35	Leading U.S. imports for consumption from China, by HTS provision, 2011–13	266
A.36	U.S. merchandise trade with Mexico, by USITC digest sectors, 2011–13	267
A.37	Leading U.S. domestic exports to Mexico, by Schedule B subheading, 2011–13	268
A.38	Leading U.S. imports for consumption from Mexico, by HTS provision, 2011–13	269
A.39	U.S. merchandise trade with Japan, by USITC digest sectors, 2011–13	270
A.40	Leading U.S. domestic exports to Japan, by Schedule B subheading, 2011–13.....	271
A.41	Leading U.S. imports for consumption from Japan, by HTS provision, 2011–13	272
A.42	U.S. merchandise trade with Korea, by USITC digest sectors, 2011–13	273
A.43	Leading U.S. domestic exports to Korea, by Schedule B subheading, 2011–13	274
A.44	Leading U.S. imports for consumption from Korea, by HTS provision, 2011–13.....	275
A.45	U.S. merchandise trade with Brazil, by USITC digest sectors, 2011–13	276
A.46	Leading U.S. domestic exports to Brazil, by Schedule B subheading, 2011–13	277

A.47	Leading U.S. imports for consumption from Brazil, by HTS provision, 2011–13	278
A.48	U.S. merchandise trade with Taiwan, by USITC digest sectors, 2011–13	279
A.49	Leading U.S. domestic exports to Taiwan, by Schedule B subheading, 2011–13	280
A.50	Leading U.S. imports for consumption from Taiwan, by HTS provision, 2011–13.....	281
A.51	U.S. merchandise trade with India, by USITC digest sectors, 2011–13.....	282
A.52	Leading U.S. domestic exports to India, by Schedule B subheading, 2011–13.....	283
A.53	Leading U.S. imports for consumption from India, by HTS provision, 2011–13	284

Abbreviations and Acronyms

Acronyms	Term
AB	Appellate Body (WTO)
ACTA	Anti-Counterfeiting Trade Agreement
AD	antidumping
AGOA	African Growth and Opportunity Act
AI	avian influenza
APEC	Asia-Pacific Economic Cooperation
APHIS	Animal and Plant Health Inspection Service (USDA)
ARRA	American Recovery and Reinvestment Act
ASEAN	Association of Southeast Asian Nations
ATPA	Andean Trade Preference Act
ATPDEA	Andean Trade Promotion and Drug Eradication Act
BEA	Bureau of Economic Analysis (USDOC)
BECC	Border Environment Cooperation Commission (NAFTA)
BIT	Bilateral Investment Treaty
BOP	balance of payments
BSE	bovine spongiform encephalopathy
CAFTA-DR	Dominican Republic-Central America-United States Free Trade Agreement
CARICOM	Caribbean Community and Common Market
CBERA	Caribbean Basin Economic Recovery Act
CBI	Caribbean Basin Initiative
CBTPA	Caribbean Basin Trade Partnership Act
CCA	Consultative Committee on Agriculture
CEC	Commission for Environmental Cooperation (NAFTA)
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CLC	Commission for Labor Cooperation (NAFTA)
CNL	competitive need limitation
C-Si	crystalline silicon
COOL	country of origin labeling
CSQ	country-specific quota
CTD	Committee on Trade and Development (WTO)
CTI	Committee on Trade and Investment (APEC)
DDA	Doha Development Agenda (WTO)
DSB	Dispute Settlement Body (WTO)
DSU	Dispute Settlement Understanding (WTO)
DFQF	duty-free, quota-free
EAC	Environmental Affairs Council
EC	European Communities
ECA	Environmental Cooperation Agreement
ECOWAS	Economic Community of West African States
EDA	Economic Development Administration (USDOC)
EIAP	Earned Import Allowance Program
ETA	Employment and Training Administration (USDOL)
EU	European Union
FAO	Food and Agriculture Organization (UN)
FAS	Foreign Agricultural Service (USDA)

FDI	foreign direct investment
Fed. Reg.	Federal Register
FMCSA	Federal Motor Carrier Safety Administration
FTA	free trade agreement
FTAA	Free Trade Area of the Americas
FTAAP	Free Trade Area of the Asia-Pacific
FTC	Free Trade Commission (CAFTA-DR, NAFTA, Peru TPA)
FY	fiscal year
G20	Group of 20 (OECD)
GATT	General Agreement on Tariffs and Trade
GDP	gross domestic product
GPA	Agreement on Government Procurement (WTO)
GPS	global positioning system
GSP	Generalized System of Preferences
GVC	global value chain
HELP	Haiti Economic Lift Program
HLC	High Level Committee
HLED	High Level Economic Dialogue
HLWG	High-Level Working Group on Jobs and Growth
HOPE	Haitian Hemispheric Opportunity through Partnership Encouragement Act
HS	Harmonized Commodity Description and Coding System (international)
HTS	Harmonized Tariff Schedule of the United States
ICSID	International Centre for the Settlement of Investment Disputes
ICT	information and communications technology
IIS	Internet Information Services
ILO	International Labor Organization
IMF	International Monetary Fund
IPR	intellectual property rights
IT	information technology
ITA	Information Technology Agreement (WTO)
ITA	International Trade Administration (USDOC)
JCCT	Joint Commission on Commerce and Trade
JCEC	Joint Commission for Environmental Cooperation
JECFA	Joint FAO/WHO Expert Committee on Food Additives
JNNSM	Jawaharlal Nehru National Solar Mission (India)
KORUS FTA	U.S.-Korea Free Trade Agreement
LAC	Labor Affairs Council
LCIA	London Court of International Arbitration
LDBDC	least-developed beneficiary developing country
LDC	least-developed country
LTFV	less than fair value
MEA	multilateral environmental agreement
Mercosur	Common Market of the South
MFN	most-favored nation
MOU	memorandum of understanding
MRL	maximum residue limit
mt	metric tons
NAAEC	North American Agreement on Environmental Cooperation (NAFTA)
NAALC	North American Agreement on Labor Cooperation (NAFTA)

NAC	National Advisory Committee (NAFTA)
NADB	North American Development Bank (NAFTA)
NAEC	New Approach to Economic Challenges
NAFTA	North American Free Trade Agreement
NAO	National Administrative Office (NAFTA)
n.e.s.o.i.	not elsewhere specified or included
NTB	nontariff barrier
NTR	normal trade relations
OECD	Organisation for Economic Co-operation and Development
OIE	World Organisation for Animal Health (Office International des Epizooties)
OTEXA	Office of Textiles and Apparel (USDOC)
OTLA	Office of Trade and Labor Affairs (NAFTA)
PHP	Preferential Handling Procedure
PSU	Policy Support Unit
Pub. L.	Public Law
RCC	Regulatory Cooperation Council
S&ED	Strategic and Economic Dialogue (China)
SCM	Subsidies and Countervailing Measures
SEM	Submissions on Environmental Measures (NAFTA)
SLA	Softwood Lumber Agreement
SME	Sindicato Mexicano de Electricistas (NAFTA)
SMEs	small and medium-sized enterprises
SPS	sanitary and phytosanitary (standards)
SSA	sub-Saharan Africa
STAN	Structural Analysis database (OECD)
STAR	Service Trade Access Requirements
TAA	Trade Adjustment Assistance
TAAEA	Trade Adjustment Assistance Extension Act
TBT	technical barriers to trade
TICFA	Trade and Investment Cooperation Forum Agreement
TIFA	Trade and Investment Framework Agreement
TISA	Trade in Services Agreement
TIVA	Trade in Value-Added Terms
TPA	trade promotion agreement
TPF	U.S.-India Trade Policy Forum
TPL	tariff preference level
TPP	Trans-Pacific Partnership
TPSC	Trade Policy Staff Committee
TRIPS	Trade-Related Aspects of Intellectual Property Rights (WTO)
TRQ	tariff-rate quota
TTIP	Transatlantic Trade and Investment Partnership (EU)
UN	United Nations
U.S.C.	United States Code
USAID	U.S. Agency for International Development
USCBP	United States Customs and Border Protection (USDHS)
USDA	United States Department of Agriculture
USDHS	United States Department of Homeland Security
USDOC	United States Department of Commerce
USDOL	United States Department of Labor

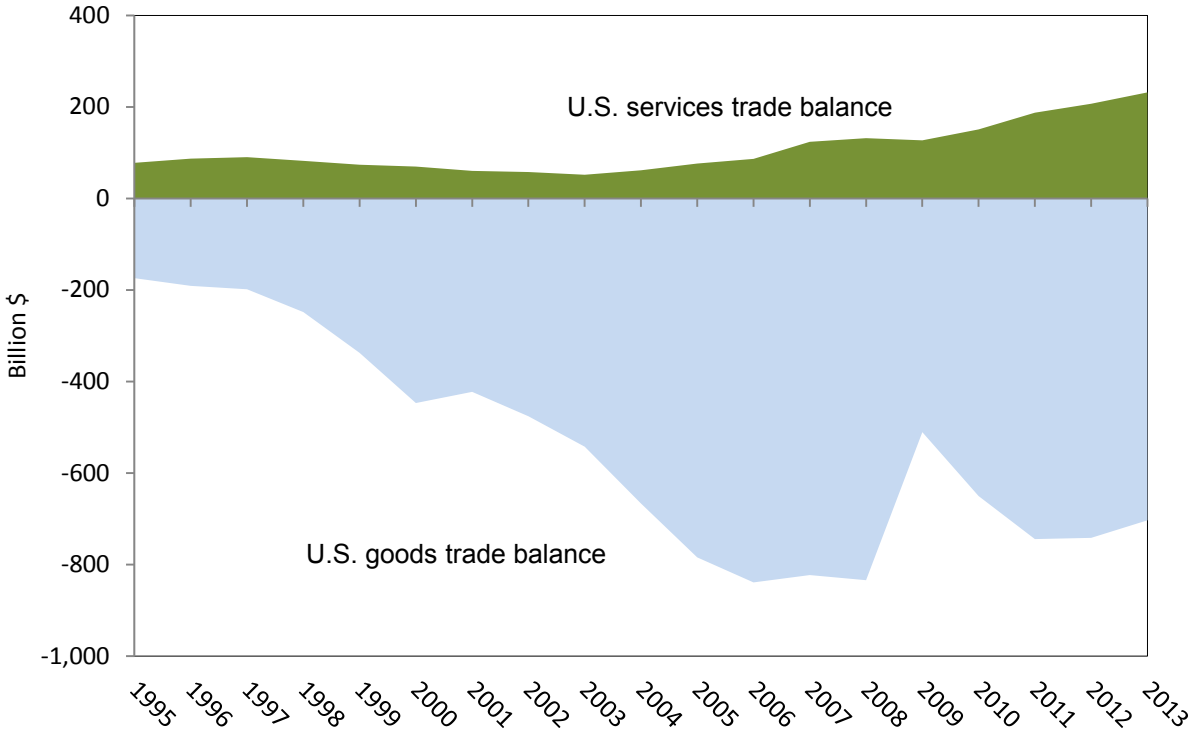
USDOS	United States Department of State
USDOT	United States Department of Transportation
USFDA	United States Food and Drug Administration
USITC	United States International Trade Commission
USTR	United States Trade Representative
WCO	World Customs Organization
WHO	World Health Organization (UN)
WIPO	World Intellectual Property Organization
WTO	World Trade Organization
WUPP	Wood Use Points Program

Executive Summary

The U.S. trade deficit for goods and services fell from \$535.0 billion in 2012 to \$475.0 billion in 2013 on a balance-of-payments basis. The deficit on goods fell from \$741.5 billion in 2012 to \$703.9 billion in 2013, well below the \$835.7 billion record set in 2006. At the same time, the U.S. surplus on services rose from \$206.8 billion in 2012 to a new record of \$229.0 billion in 2013 (figure ES.1).

U.S. trade in goods and services grew in 2013, but the rate of growth was significantly lower than in 2012. Generally slower growth in many foreign countries led to a smaller expansion in U.S. exports in 2013. The decline in U.S. imports of petroleum and petroleum-related products led to similarly lower growth in total U.S. imports of goods in 2013 compared to 2012. The U.S. economic recovery that began in the summer of 2009 continued as real gross domestic product (GDP) grew by 1.9 percent in 2013. However, this rate of growth was less than the 2.8 percent U.S. growth realized in 2012, due in part to a decline in government spending. The pace of global economic growth also slowed, from 3.2 percent in 2012 to 3.0 percent in 2013.

Figure ES.1 U.S. trade balance in goods and services, 1995–2013



Source: USDOC
 Note: Merchandise trade data are on a balance-of-payments basis.

The U.S. dollar appreciated 3.3 percent during 2013 against a broad trade-weighted index of foreign currencies. By yearend, the dollar had fallen against the Chinese yuan, the euro, and the pound sterling by 2–4 percent, but had appreciated against the Japanese yen by 20.8 percent. Currency movements were uneven during the year. Responding to financial market developments, as well as concerns about fiscal stresses in Europe and the global economic outlook, the dollar appreciated in the first, second, and fourth quarters and fell in the third quarter of 2013.

A summary of U.S. trade agreement activities in 2013 is presented below, followed by a table summarizing key developments on a monthly basis for the year (table ES.1). Trade agreement activities during 2013 included the administration of U.S. trade laws and regulations; U.S. participation in the World Trade Organization (WTO), the Organisation for Economic Co-operation and Development (OECD), and the Asia-Pacific Economic Cooperation (APEC) forum; U.S. negotiation of and participation in free trade agreements (FTAs); and bilateral developments with major trading partners.

Complementing the release of the *Year in Trade 2013* report, the USITC has developed a series of dashboards in MS Excel available online that present U.S. merchandise trade data in an interactive format. Readers will be able to conduct further analysis of U.S. merchandise trade with specific trading partners and U.S. trade under specific trade preference programs using these dashboards, which can be found on the Commission's website, www.usitc.gov/publications/dashboards.

Key Trade Developments in 2013

Administration of U.S. Trade Laws and Regulations

Safeguard actions: The Commission conducted no new safeguard investigations during 2013, and no U.S. safeguard measures under these provisions were in effect during any part of 2013. In addition, by statute, the authority to conduct investigations and apply measures under the China safeguards provision in section 421 of the Trade Act of 1974 ceased to be effective on December 11, 2013.

Antidumping duty investigations: The Commission instituted 42 new preliminary antidumping investigations and completed 10 final investigations during 2013. Antidumping duty orders were issued by the U.S. Department of Commerce (USDOC) in 8 of the final investigations on five products from five countries.

Countervailing duty investigations: The Commission instituted 14 new preliminary countervailing duty investigations and completed 12 final investigations during 2013. Countervailing duty orders were issued by the USDOC in 4 of the final investigations on four products from three countries.

Sunset reviews: During 2013, the Commission instituted 50 sunset reviews of existing antidumping duty and countervailing duty orders and suspension agreements. The Commission

completed 26 reviews, resulting in 22 antidumping duty and countervailing duty orders being continued for up to five additional years.

Section 337 investigations: During calendar year 2013, there were 109 active section 337 investigations and ancillary proceedings, 53 of which were instituted that year. Of these 53 new proceedings, 42 were new section 337 investigations and 11 were new ancillary proceedings relating to previously concluded investigations. The Commission completed a total of 55 investigations and ancillary proceedings in 2013 and issued 9 exclusion orders and 25 cease and desist orders. Slightly less than 40 percent of the active proceedings in 2013 involved computer and telecommunications equipment, while consumer electronics products, small consumer items, and pharmaceuticals and medical products each accounted for slightly more than 10 percent of the proceedings. At the close of 2013, 54 section 337 investigations and ancillary proceedings were pending at the Commission.

Trade Adjustment Assistance: In fiscal year (FY) 2013, the U.S. Department of Labor (USDOL) received 1,480 petitions for Trade Adjustment Assistance (TAA) for workers claiming harm from imports, on par with the 1,465 petitions received in FY 2012. USDOL certified 1,025 petitions as eligible for TAA covering 104,158 workers, and denied 279 petitions covering 23,628 workers. The TAA for Firms program also aided companies seeking technical assistance in expanding markets, strengthening their operations, or otherwise increasing their global competitiveness.

Trade Preference Programs

Generalized System of Preferences (GSP): Imports from developing countries for which GSP treatment was claimed totaled \$18.5 billion in 2013, accounting for 6.7 percent of total U.S. imports from GSP beneficiary countries and 0.8 percent of total imports from all trading partners. India was the leading GSP beneficiary in 2013, followed by Thailand and Brazil. On April 16, USTR initiated a review for the possible addition of Laos and Burma to the GSP program, and on June 27, Bangladesh was suspended from the GSP program because of worker rights issues. Authorization for the GSP program lapsed on July 31, 2013, and has not been renewed.

African Growth and Opportunity Act (AGOA): In 2013, 39 sub-Saharan African (SSA) countries were designated as eligible for AGOA benefits, and 27 SSA countries were designated eligible for AGOA textile and apparel benefits. South Sudan became eligible for AGOA benefits as of December 20, 2012, while Guinea-Bissau and Mali lost eligibility for AGOA benefits on January 1, 2013. In December 2013, the President announced that Mali would be reinstated on January 1, 2014, due to its inauguration of a democratically elected president in July 2013. Duty-free U.S. imports under AGOA, including those covered by GSP, were valued at \$26.8 billion in 2013. U.S. imports under AGOA, excluding imports also covered by GSP, were valued at \$24.8 billion, down 24.3 percent from 2012. This decrease was driven mainly by a decline in the value of U.S. imports of petroleum-related products, which made up 85.4 percent of imports under AGOA in 2013. Nigeria and Angola were the largest suppliers under AGOA in 2013.

Andean Trade Preference Act (ATPA): The President's authority to provide preferential treatment under ATPA, including the Andean Trade Promotion and Drug Eradication Act

(ATPDEA), expired on July 31, 2013. Ecuador was the only country still eligible to receive trade preferences under ATPA during 2013. Colombia and Peru had previously lost eligibility following the entry into force of free trade agreements with the United States, and Bolivia's eligibility had been suspended. However, the government of Ecuador announced on June 27, 2013, that it would withdraw from the ATPA program. In light of Ecuador's withdrawal, and the expiration of the President's authority to provide preferential treatment, U.S. imports under ATPA declined 77.7 percent in 2013 to \$2.5 billion. Crude petroleum and petroleum products accounted for the overwhelming share (89.3 percent) of U.S. imports under ATPA in 2013.

Caribbean Basin Economic Recovery Act (CBERA): At yearend 2013, 17 countries and dependent territories were eligible for CBERA preferences, and 8 of those countries were eligible for additional preferences under the Caribbean Basin Trade Partnership Act (CBTPA). Curaçao became eligible for both CBERA and CBTPA preferences on December 31, 2013. U.S. imports under CBERA (including CBTPA) fell by 24.4 percent, from \$3.1 billion in 2012 to \$2.4 billion in 2013, reflecting a decline in the value of U.S. imports of crude petroleum, knitted apparel products, undenatured ethyl alcohol, and melamine, which are major imports from CBERA countries. Additionally, Panama left CBERA on October 31, 2012, when the U.S.-Panama TPA entered into force, and was thus not eligible for CBERA benefits during any part of 2013. Trinidad and Tobago continued to be the leading supplier of U.S. imports under CBERA in 2013, accounting for 69.2 percent of the total. Haiti and The Bahamas were also leading suppliers.

Haiti initiatives: Haiti accounted for nearly all U.S. imports of apparel entering under CBTPA. U.S. imports of apparel from Haiti were up 4.9 percent from 2012; these imports totaled \$765.9 million, of which \$341.7 million entered under CBTPA. U.S. imports of apparel entering under the Haitian Hemispheric Opportunity through Partnership Encouragement Acts (HOPE I and II) and the Haiti Economic Lift Program (HELP), which added special provisions to CBERA, rose by almost 40 percent in 2013 to \$421.9 million. U.S. imports of apparel from Haiti under the Earned Import Allowance Program almost tripled to \$90.0 million in 2013.

WTO, OECD, APEC, and TISA

WTO developments: The World Trade Organization held its Ninth Ministerial Conference in Bali, Indonesia, from December 3 to 7, 2013, extending its scheduled conclusion by one day to reach agreement on a package of trade measures. Members concluded an Agreement on Trade Facilitation to expedite the movement, release, and clearance of goods, and to improve cooperation on customs matters among WTO members. They also reached a number of decisions in agriculture and in trade and economic development, in particular for the least-developed countries. Discussions during the year concerning WTO plurilateral agreements focused on bringing the revised Agreement on Government Procurement into force (which occurred on April 6, 2014), as well as negotiations to expand coverage of products under the Information Technology Agreement (ITA). In WTO-related negotiations, talks among the 27 participants looking to conclude an expansion of the Information Technology Agreement were suspended twice during 2013, first in July and again in November, largely over China's inability to accept terms under discussion to expand coverage to a number of products. Laos and Tajikistan acceded to the WTO in 2013; Yemen, whose accession will raise membership to 160,

was invited to accede in December. The WTO also appointed a new Director-General, Roberto Azevêdo, to a four-year term that started December 1, 2013.

WTO dispute settlement: During 2013, WTO members filed 20 new requests for WTO dispute settlement consultations, compared to 27 in 2012. The United States was the complainant in 3 of the 20 requests filed during 2013, and the named respondent in 2. Two of the 3 new requests filed by the United States during 2013 concerned measures taken by Indonesia, both relating to Indonesia's restrictions on importation of horticultural products, animals, and animal products. The third dispute concerned measures by India affecting solar cells and solar modules.

The United States was the named respondent in two new disputes filed during 2013, one filed by Korea and one by China. There were 12 new dispute settlement panels established during 2013; the United States was the complaining party in 2 of these panel proceedings and the responding party in 2.

OECD developments: The 34 OECD members held their OECD Council at the ministerial level in Paris, France, on May 29–30, 2013. Attendees looked at the New Approach to Economic Challenges, which focuses on incorporating broader social factors affecting skilled labor—such as education, environment, and gender equality—into the assumptions the OECD uses to gauge economic growth. In 2013, the OECD Trade Committee considered key projects underway, such as the Services Trade Restrictiveness Index as well as the OECD-WTO Trade in Value Added (TIVA) database. A joint project launched with the WTO in January, TIVA aims to quantify the value added to goods and services by source country as they pass through stages of global value chains.

APEC developments: APEC was chaired by Indonesia throughout 2013. Member economies focused on increasing regional economic integration; promoting physical, institutional, and people-to-people connectivity; and achieving sustainable, equitable growth in the region. APEC continued to work toward the 2015 goal of reducing applied tariffs on a list of environmental goods while focusing on the capacity-building needs of member countries. APEC's annual summit in October 2013 served as a forum for discussing progress toward the Free Trade Area of the Asia-Pacific, and for leaders of countries negotiating the Trans-Pacific Partnership (TPP) to reaffirm their commitment to a 21st-century trade agreement.

Trade in Services Agreement: In 2013, 23 countries, including the United States, began negotiating a new agreement aimed at promoting international trade in services. Four rounds of negotiations were held in 2013.

U.S. Free Trade Agreements

U.S. FTAs in force in 2013: The United States was a party to 14 FTAs with 20 countries as of December 31, 2013. These include the U.S.-Panama TPA (2012); the U.S.-Colombia TPA (2012); the U.S.-Korea FTA (2012); the U.S.-Oman FTA (2009); the U.S.-Peru TPA (2009); a multiparty FTA with the countries of Central America and the Dominican Republic (CAFTA-DR) that entered into force first with the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua

(2006–07) and then with Costa Rica (2009); the U.S.-Bahrain FTA (2006); the U.S.-Morocco FTA (2006); the U.S.-Australia FTA (2005); the U.S.-Chile FTA (2004); the U.S.-Singapore FTA (2004); the U.S.-Jordan FTA (2001); the North American Free Trade Agreement (NAFTA) with Canada and Mexico (1994); and the U.S.-Israel FTA (1985).

FTA developments: During 2013, four rounds of negotiations were held related to the TPP. The United States and the other TPP partners reached an agreement to bring Japan into the TPP negotiations with the 11 current participants—Australia, Brunei Darussalam, Chile, Malaysia, New Zealand, Peru, Singapore, Vietnam, Mexico, Canada, and the United States. In addition, TPP partners welcomed Korea’s formal announcement of its interest in joining the TPP.

Three rounds of negotiations for the Transatlantic Trade and Investment Partnership (TTIP) were held with the European Union (EU) in 2013. Discussions in these three rounds concerned the possible structure of the agreement, how chapters and specific issues might be handled, and pinpointing areas of common ground for text-based discussions. The negotiators also met with stakeholders.

FTA merchandise trade flows with FTA partners: Two-way merchandise trade (exports and imports) between the United States and its FTA partners amounted to \$1.4 trillion, or 39.1 percent of total U.S. merchandise trade in 2013. The NAFTA countries—Canada and Mexico—dominated U.S. trade with FTA partners in 2013, accounting for 73.9 percent of total U.S. merchandise trade with U.S. FTA partners, or \$1.0 trillion. In 2013, U.S. merchandise exports to the NAFTA partners expanded by 3.3 percent and imports by 2.4 percent, resulting in a decline in the U.S. merchandise trade deficit with the NAFTA partners to \$177.2 billion. Leading U.S. exports to the NAFTA countries included petroleum products, aircraft, and motor vehicles, while the leading U.S. imports were crude petroleum and motor vehicles.

U.S. two-way merchandise trade with FTA partners other than the NAFTA countries amounted to \$368.7 billion in 2013, representing an increase of 8.7 percent from 2012. U.S. imports from these FTA partners rose 10.5 percent to \$185.8 billion, while U.S. exports rose 7.0 percent to \$182.9 billion. Leading U.S. exports to the non-NAFTA FTA partners included petroleum products, aircraft, and processors or controllers, while the leading U.S. imports from these countries were crude petroleum, diamonds, and motor vehicles. The United States registered a merchandise trade deficit with these partners of \$3.0 billion in 2013, whereas it had a trade surplus of \$2.7 billion in 2012. This change was largely due to sharply reduced exports of machinery and equipment to Australia in 2013.

NAFTA developments: All of NAFTA’s provisions were fully implemented as of January 1, 2008, with the exception of the NAFTA cross-border trucking provisions; the current pilot program for cross-border trucking with Mexico is ongoing, but is scheduled to end in October 2014. (Developments in the trucking provisions in 2013 are described in the Mexico section below). The NAFTA Free Trade Commission typically meets annually, but did not meet in 2013. At the end of 2013, nine files remained active under articles 14 and 15 of the North American Agreement on Environmental Cooperation, one of which was submitted in 2013.

NAFTA dispute settlement: In 2013, there were five active Chapter 11 (investor-state disputes) cases filed against the United States, four of them filed by Canadian investors and one filed by Mexican investors. Additionally, four cases were filed by U.S. investors against Canada and none were filed against Mexico. At the end of 2013, the NAFTA Secretariat listed four active binational panels under Chapter 19; these are reviews of final determinations made by national authorities in antidumping and countervailing duty cases. Two of the four active cases challenged the Mexican agency's determinations on products from the United States. A third case challenged U.S. agencies' determinations on products from Canada, and a fourth challenged U.S. agencies' determinations on products from Mexico. No binational panels were formed in 2013 under Chapter 19.

Trade Activities with Major Trading Partners

European Union

The EU as a unit¹ continued to be the United States' largest two-way merchandise trading partner in 2013. U.S. merchandise trade with the EU was \$613.3 billion in 2013, which accounted for 17.0 percent of total U.S. merchandise trade. U.S. merchandise exports to the EU totaled \$231.7 billion, ranking the EU second to Canada, while the value of U.S. merchandise imports from the EU was \$381.6 billion, second to China. As a result, the U.S. merchandise trade deficit with the EU was \$149.9 billion in 2013. Leading U.S. exports to the EU included aircraft and parts, petroleum-related products, certain medicaments (medicines), passenger motor vehicles, blood fractions (e.g., antiserum), and coal. Leading U.S. imports included passenger motor vehicles, petroleum-related products, certain medicaments, and turbojets and parts. The EU was also the United States' largest trading partner in terms of services in 2013, accounting for 32.8 percent of total trade in private services.² The United States registered a trade surplus in services with the EU of \$60.5 billion in 2013.

The major focus of the U.S.-EU trade relationship in 2013 was the launch of negotiations on a comprehensive trade and investment agreement, TTIP. The two sides also addressed issues related to beef trade, including extending an expanded EU tariff-rate quota on imports of U.S. high-quality beef.

Canada

In 2013, Canada continued to be the United States' largest single-country two-way merchandise trading partner. Total two-way merchandise trade was valued at \$584.6 billion, accounting for 16.2 percent of U.S. trade with the world. U.S. merchandise exports to Canada amounted to \$251.7 billion in 2013, and U.S. merchandise imports from Canada were \$332.9 billion. The resulting merchandise trade deficit of \$81.2 billion was little changed from deficits in 2012 (\$79.3 billion) and 2011 (\$82.6 billion). Leading U.S. merchandise exports to Canada included

¹ The 28 members of the EU in 2013 were Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom.

² The services trade data reported for the EU and other countries are based on trade in private services, which exclude government sales and purchases of services.

passenger and transport motor vehicles and related parts, and petroleum-related products, followed by civilian aircraft and related products. Major U.S. merchandise imports from Canada were raw material and energy products, as well as passenger motor vehicles and their parts. Canada was also the United States' second-largest single-country partner for services in 2013 after the United Kingdom, valued at \$93.3 billion, accounting for 8.6 percent of U.S. trade in services with the world.

In December 2013, Canada and the United States submitted a joint request for arbitration under the 2006 Canada-United States Softwood Lumber Agreement. This request was to determine if compensatory amounts awarded in a 2011 dispute case should continue beyond the original 2013 expiration of the agreement, in light of the agreement's two-year extension (signed in January 2012). Canada also reintroduced intellectual property rights (IPR) legislation into Parliament to allow Canadian customs officials to take legal action against counterfeit trademark and pirated copyright goods transhipped through Canada to other countries, in particular the United States.

China

In 2013, China was the United States' second-largest single-country two-way merchandise trading partner. U.S. merchandise trade with China was \$552.5 billion, which accounted for 15.3 percent of U.S. trade with the world. The United States' bilateral trade deficit with China, which rose by \$2.4 billion to \$323.8 billion in 2013, remained higher than the U.S. deficit with any other single-country trading partner. U.S. merchandise exports to China were \$114.3 billion, and U.S. merchandise imports from China amounted to \$438.1 billion in 2013. Leading U.S. exports were soybeans, aircraft and parts, motor vehicles, metal waste and scrap, and cotton. Leading U.S. imports were computers and computer parts, cellphones, telecommunication equipment, toys, video games, and footwear. The United States ran a services trade surplus with China in 2013, which amounted to \$19.2 billion, compared to \$17.0 billion in 2012.

China's compliance with its WTO commitments remained a focus of U.S.-China trade relations in 2013. Notable U.S. concerns were China's IPR enforcement, industrial policies, export restraints on raw material inputs, import bans on certain U.S. agricultural products, and barriers to entry affecting services sectors. In July 2013, at the fifth U.S.-China Strategic and Economic Dialogue, the United States and China announced they intended to negotiate a bilateral investment treaty that would provide national treatment at all phases of investment.

Mexico

In 2013, Mexico was the United States' third-largest single-country two-way merchandise trading partner. With total two-way merchandise trade valued at \$459.4 billion, Mexico accounted for 12.7 percent of U.S. trade with the world. U.S. merchandise exports to Mexico totaled \$181.7 billion in 2013, and U.S. merchandise imports from Mexico amounted to \$277.7 billion, resulting in a merchandise trade deficit of \$96.0 billion. In 2013, leading U.S. exports to Mexico included transportation equipment, particularly automotive trade; chemicals and related products; energy-related products; and electronic products. Leading U.S. imports from

Mexico included transportation equipment, electronic products, energy-related products, machinery, computers, televisions, cellphones, and nonmonetary gold. The United States had a services trade surplus of \$11.7 billion with Mexico in 2013.

On May 2, 2013, the presidents of the United States and Mexico announced the formation of the High Level Economic Dialogue (HLED), whose goal is to promote competitiveness and connectivity; foster economic growth, productivity, entrepreneurship, and innovation; and build a partnership for regional and global leadership. On August 15, 2013, the U.S.-Mexico High-Level Regulatory Cooperation Council published its first “Progress Report to Leaders,” including an appendix on regulations for nanotechnologies. The report recounts meetings held during 2012–13 and details the current status of regulatory cooperation activities and discussions related to seven sector issues.

To address cross-border trucking between the United States and Mexico, the Federal Motor Carrier Safety Administration (FMCSA) announced the authorization of Mexico-domiciled motor carriers to transport cargo throughout the United States (long-haul operations) under a pilot program in 2011. As of December 2013, FMCSA had active long-haul operating authority for 14 Mexican-domiciled motor carriers. These carriers had a total of 56 participating vehicles authorized to operate throughout the United States, and the trucks underwent a total of 4,209 inspections.

Japan

In 2013, two-way U.S. merchandise trade with Japan—the United States’ fourth-largest single-country trading partner—was valued at \$197.6 billion, accounting for 5.5 percent of U.S. merchandise trade with the world. U.S. merchandise exports to Japan were \$59.7 billion in 2013, and U.S. merchandise imports from Japan were \$138.0 billion, resulting in a trade deficit of \$78.3 billion. Leading U.S. merchandise exports to Japan included aircraft and parts, certain medicines, pork, corn, wheat, and soybeans. Leading U.S. imports from Japan included passenger vehicles and parts, aircraft parts, parts for printers and copying machines, and heavy construction equipment. Japan was the United States’ third-largest single-country trading partner in services in 2013, and the United States’ services trade surplus with Japan was \$18.6 billion.

U.S.-Japanese economic dialogue was driven by Japan’s consultations toward joining the TPP negotiations in the first half of 2013, and continued during the second half of the year through bilateral negotiations that ran parallel to the multilateral TPP negotiations. Japan’s entry into TPP negotiations was accompanied by several points of progress in long-standing trade irritants between the United States and Japan, including a substantial expansion of market access for U.S. beef and several practical measures concerning the Japanese automotive and insurance sectors. Dialogue continued on these issues throughout the year as the two countries refocused their economic engagement on the negotiation of a free trade agreement.

Korea

In 2013, Korea was the United States' sixth-largest single-country two-way trading partner, with two-way merchandise trade valued at \$101.0 billion, accounting for 2.8 percent of U.S. trade with the world. U.S. merchandise exports to Korea were valued at \$39.0 billion and U.S. merchandise imports from Korea were valued at \$62.0 billion, resulting in a merchandise trade deficit of \$23.0 billion. Leading U.S. exports to Korea included aircraft and parts, processors, machines for the production of electronic integrated circuits and semiconductors, ferrous waste and scrap, medicaments, and coal. Leading U.S. imports from Korea included automobiles and parts, cellphones, petroleum oils, electronic integrated circuits, and parts for automatic data processing machines. The United States reported an overall trade surplus in services with Korea of \$11.1 billion in 2013.

In 2013, the second round of tariff cuts occurred under the U.S.-Korea FTA (KORUS FTA), and 12 of the 19 KORUS FTA committees and working groups held meetings. In November 2013, Korea expressed interest in joining the TPP.

Brazil

In 2013, Brazil maintained its position as the United States' ninth-largest single-country two-way merchandise trading partner. Two-way merchandise trade with Brazil was valued at \$64.5 billion in 2013, accounting for 1.8 percent of total U.S. merchandise trade with the world. U.S. exports to Brazil in 2013 were valued at \$37.6 billion, while U.S. imports from Brazil decreased by over 15 percent to \$26.9 billion. As a result, the United States recorded a \$10.8 billion surplus in merchandise trade in 2013, an increase of 95 percent from 2012. Leading U.S. exports to Brazil included aircraft and parts, petroleum-related oils and refined petroleum products, wheat, coal, medicaments, and propane. In 2013, as a result of a poor wheat crop in neighboring Argentina, exports of U.S. wheat to Brazil increased over 9,000 percent from 2012, reaching a value of \$1.2 billion—the highest level in 30 years. Leading U.S. imports from Brazil included petroleum-related products, semifinished iron products, ethyl alcohol, unroasted coffee, and non-alloy pig iron. In 2013, the U.S. trade surplus in services with Brazil increased to \$17.4 billion.

In 2013, Brazil and the United States held the second meeting of the Commission on Economic and Trade Relations under the Agreement on Trade and Economic Cooperation. Brazil's temporary tariff increase on 100 products, imposed in 2012 on products imported from outside Mercosur (the South American common market), ended. The USDA proposed to allow fresh beef from certain parts of Brazil to be imported.

Taiwan

In 2013, Taiwan remained the United States' 11th-largest single-economy two-way merchandise trading partner. U.S. two-way merchandise trade with Taiwan was \$60.8 billion in 2013, which accounted for 1.7 percent of U.S. trade with the world. The United States' bilateral trade deficit with Taiwan, which had risen considerably in 2011, dropped to \$16.9 billion in 2012 and \$14.3 billion in 2013. U.S. merchandise exports to Taiwan amounted to \$23.3 billion

in 2013, a 6.6 percent increase from 2012. U.S. merchandise imports from Taiwan amounted to \$37.5 billion in 2013, a 3.1 percent decrease from 2012. Leading U.S. exports were manufacturing-related semiconductor machines and instruments; ferrous waste and scrap; aircraft and parts; light oils; soybeans; and military weapons and munitions. Leading U.S. imports were cellphones, memory chips, electronic integrated circuits, processors, and radio navigational aid apparatus (GPS devices). The United States ran a services trade surplus with Taiwan in 2013, which amounted to \$4.0 billion, compared to \$3.9 billion the year before.

In 2013, the United States and Taiwan resumed high-level meetings under the U.S.-Taiwan Trade and Investment Framework Agreement. The United States also continued work with Taiwan to provide full market access for U.S. beef and beef products consistent with World Organisation for Animal Health (OIE) guidelines for bovine spongiform encephalopathy (BSE), based on a bilateral protocol negotiated in 2009. Additionally, the United States engaged Taiwan on issues related to Taiwan's inconsistent grading practice for imports of U.S. rice under a country-specific quota.

India

U.S. two-way merchandise trade with India—the United States' 12th-largest single-country trading partner—was valued at \$58.4 billion, accounting for 1.6 percent of U.S. merchandise trade with the world. U.S. merchandise exports amounted to \$16.9 billion in 2013, and U.S. merchandise imports from India were \$41.5 billion, resulting in a merchandise trade deficit of \$24.5 billion. Leading U.S. exports to India included aircraft and parts; nonmonetary gold; certain petroleum products used to manufacture tires; coal; and almonds. Leading U.S. imports from India included nonindustrial diamonds, certain medicines, light oils and preparations, mucilages and thickeners, and jewelry. India was the only major U.S. trading partner with which the United States had a deficit in services trade—\$6.0 billion—in 2013.

The United States and India addressed several areas of concern using bilateral high-level meetings and multilateral forums in 2013. Of particular concern to the United States were localization and testing requirements in various electronic goods sectors as well as the solar energy sector. The United States continued to monitor India's IPR protection policies, including those covering foreign company patent protection and copyright protection.

Table ES.1 Summary of 2013 trade agreement activities

January

8: The Generalized System of Preferences (GSP) subcommittee of the Trade Policy Staff Committee (TPSC) requests public comments on the effect of withdrawal, suspension, or limitation of GSP benefits for Bangladesh.

9: The United States and Chile convene the sixth meeting of the U.S.-Chile Environmental Affairs Council and the fourth meeting of the U.S.-Chile Joint Commission for Environmental Cooperation in Santiago, Chile.

10: The United States requests World Trade Organization (WTO) dispute settlement consultations with Indonesia concerning certain measures Indonesia imposes on the importation of horticultural products, animals, and animal products (DS455).

11: The United States and Peru reach agreement on a five-point action plan to support Peru's forestry sector reform efforts and to further Peru's implementation of its obligations under the U.S.-Peru Trade Promotion Agreement (TPA) Annex on Forest Sector Governance.

15: United States Trade Representative (USTR) Kirk notifies Congress of the Obama Administration's intent to enter into negotiations for a Trade in Services Agreement (TISA) with 20 trading partners.

16: The United States and Thailand conclude a two-day meeting under their Trade and Investment Framework Agreement (TIFA), agreeing to expand cooperation on bilateral, regional, and multilateral issues in order to increase trade and investment and support the creation and retention of jobs in both countries.

28: The WTO Dispute Settlement Body (DSB) establishes a panel at the request of Argentina concerning certain measures the United States imposes on the importation of animals, meat, and other animal products from Argentina (DS447).

28: The WTO DSB establishes a single panel at the request of the United States, the European Union (EU), and Japan concerning certain measures Argentina imposes on the importation of goods (DS438, DS444, DS445).

28: The United States and Jordan agree to a set of joint principles for international investment, as well as joint principles for information and communication technology (ICT) services.

28: USTR Kirk and U.S. Agricultural Secretary Vilsack announce that the United States and Japan have agreed on new terms and conditions for exports of U.S. beef and beef products to Japan, which will pave the way for expanded exports to Japan.

February

6: The United States requests WTO dispute settlement consultations with India concerning certain measures of India relating to domestic content requirements for solar cells and solar modules (DS456).

February—continued

11: U.S.-EU High-Level Working Group on Jobs and Growth publishes its final report recommending the initiation of formal domestic procedures to launch negotiations on a comprehensive trade and investment agreement.

13: President Obama, European Council President Van Rompuy, and European Commission President Barroso announce the decision to initiate internal procedures necessary to launch negotiations on a Transatlantic Trade and Investment Partnership (TTIP).

14: The United States and South Korea convene the first meeting of the Environmental Affairs Council under the U.S.-Korea Free Trade Agreement (KORUS FTA).

27: The United States and Afghanistan meet to continue their dialogue and evaluate progress under the United States-Afghanistan TIFA.

March

1: USTR submits the Administration's *2013 Trade Policy Agenda and 2012 Annual Report* to Congress.

4–13: The United States and its TPP partners—Australia, Brunei Darussalam, Canada, Chile, Malaysia, Mexico, New Zealand, Peru, Singapore, and Vietnam—hold the 16th round of TPP negotiations in Singapore.

6: The United States and Iraq announce that the bilateral U.S.-Iraq TIFA, first negotiated in 2005, is likely to enter into force later this year. It will provide a bilateral forum fostering more trade and investment between the two countries.

10: U.S.-Taiwan TIFA council meetings in Taipei result in new joint statements on investment principles and ICT services, as well as the launch of the new TIFA working groups on investment and technical barriers to trade.

12: USTR holds a public hearing before the TPSC on U.S. negotiating objectives for the TISA.

18–19: The United States and South Korea convene the first meeting of the Labor Affairs Council under the KORUS FTA.

20: President Obama notifies Congress of its intent to enter into TTIP negotiations with the EU.

28: USTR holds a public hearing and receives testimony on the GSP review of country practices petitions relating to Bangladesh, Georgia, Niger, Russia, and Uzbekistan.

29: Acting USTR Marantis announces that the United States is exploring the possibility of a TIFA with the Economic Community of West African States.

April

1: USTR releases three reports on foreign trade measures—*2013 Report on Sanitary and Phytosanitary Measures*, *2013 Report on Technical Barriers to Trade*, and *2013 National Trade Estimate Report on Foreign Trade Barriers*.

3: USTR releases the annual *2013 Section 1377 Review* on the operation and effectiveness of telecommunications trade agreements.

April—*continued*

10: USTR participates in the Forestry Subcommittee meeting of the U.S.-Peru TPA and the third meeting of the Environmental Cooperation Commission in Lima, Peru.

11: The United States and Guatemala agree on an Enforcement Plan to resolve concerns raised in a labor case brought by the United States under the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR).

16: The USTR announces initiation of a review of possible designation of Burma and Laos as GSP beneficiary developing countries.

21: The United States and other TPP negotiating partners welcome Japan as a new participant in the TPP negotiations.

24: The WTO DSB establishes a panel at the request of the United States concerning certain measures Indonesia imposes on the importation of horticultural products, animals, and animal products (DS455).

24: President Obama notifies Congress of its intent to include Japan in the TPP negotiations.

May

1: USTR releases the *2013 Special 301 Report* on the adequacy and effectiveness of U.S. trading partners' protection and enforcement of intellectual property rights (IPR).

7: Acting USTR Marantis and Acting Secretary of Labor Harris announce that the United States has requested consultations with the government of Bahrain under the labor chapter of the U.S.-Bahrain FTA regarding labor issues stemming from Bahrain's response to civil unrest in early 2011.

10: CAFTA-DR members reaffirm their commitment to work together to enhance the mutually supportive trade and environmental protections outlined in the CAFTA-DR Environment Chapter as well as the Environmental Cooperation Agreement, at an Environmental Affairs Council meeting in Santo Domingo, Dominican Republic.

15–24: The 17th round of TPP negotiations is held in Lima, Peru.

21: The United States and Burma sign a TIFA, creating a platform for ongoing dialogue and cooperation on trade and investment issues between the two governments.

29: The United States and the Caribbean Community (CARICOM) sign a TIFA.

30: The United States initiates a Section 301 investigation of the acts, policies, and practices of the government of Ukraine that resulted in identifying Ukraine as a Priority Foreign Country in *May's 2013 Special 301 Report*.

June

4: USTR holds a public hearing aimed at reviewing U.S. GSP eligibility for Burma and Laos.

5: The United States and Colombia conclude the first meeting of the Labor Affairs Council under the U.S.-Colombia FTA.

June—continued

- 6:** The United States and Peru meet to discuss implementation of the environmental provisions of the U.S.-Peru TPA and the U.S.-Peru Environmental Cooperation Agreement.
- 7:** The United States and Peru hold the third meeting of the Free Trade Commission, which is responsible for overseeing implementation and operation of the U.S.-Peru FTA. Participants discuss bilateral trade, investment, and economic issues, pending implementation issues, and cooperation in other fora, such as TPP.
- 13:** The United States and Indonesia meet to discuss the comprehensive trade agenda between the two countries, seeking to address issues in ways that would further promote job-creating trade and investment under the U.S.-Indonesia TIFA.
- 19:** USTR submits its first annual *Report on WTO Enforcement Actions: Russia to Congress*. The report highlights the enforcement actions USTR has taken to ensure Russia's full compliance with its WTO obligations.
- 27:** USTR announces results of the 2012 annual review under the GSP program, including a suspension of Bangladesh's eligibility for tariff benefits under the GSP program.
- 27:** Ecuador announces its intention to withdraw from the Andean Trade Preference Act (ATPA) program.

July

- 8–12:** The first round of TTIP negotiations is held in Washington D.C.

10–11: The fifth round of the U.S.-China Strategic and Economic Dialogue is held in Washington D.C.

12: USTR Froman announces that the United States has fully implemented the WTO's recommendations and rulings in the dispute brought by Mexico concerning the U.S. dolphin-safe labeling program (DS381).

12: The WTO DSB establishes a panel at the request of Vietnam concerning certain antidumping measures the United States imposes on certain frozen warm-water shrimp from Vietnam (DS429).

15–25: The 18th round of TPP negotiations is held in Kota Kinabalu, Malaysia, marking the first round in which Japan has participated as a full negotiating partner.

17: Negotiations for an expanded Information Technology Agreement (ITA) at the WTO are suspended due to concerns over China's position on the negotiations.

24: USTR Froman meets with Japanese Minister for Economy, Trade, and Industry Motegi in Washington, DC, to discuss Japan's participation in TPP negotiations as well as ongoing U.S.-Japan discussions on a series of multilateral trade issues.

29: Argentina requests that the WTO Director-General compose a panel concerning certain measures the United States imposes on the importation of animals, meat, and other animal products from Argentina (DS447).

29–August 2: USTR Froman joins President Obama for the final two of a three-nation trip to Senegal, South Africa, and Tanzania. The trip highlighted the importance of strengthening U.S.-Africa trade and investment ties.

July—continued

31: Authority to provide preferential treatment under GSP, ATPA, and the Andean Trade Promotion and Drug Eradication Act (ATPDEA) expires.

August

1: USTR Froman and Secretary of Agriculture Vilsack announce that the EU will continue to offer U.S. producers significant access, at zero duty, to the EU market for high-quality beef produced from non-hormone-treated cattle.

7–9: The United States and Japan hold bilateral negotiations related to autos, insurance, and nontariff measures in other key areas and sectors in Tokyo parallel to the TPP negotiations.

9–13: The 12th annual African Growth and Opportunity Act (AGOA) forum is held in Addis Ababa, Ethiopia.

22–30: The 19th round of TPP negotiations is held in Bandar Seri Begawan, Brunei Darussalam.

30: The United States requests WTO consultations with Indonesia concerning certain measures it imposes on the importation of horticultural products, animals, and animal products (DS465).

September

10: USTR conducts a public hearing as part of its ongoing section 301 investigation into certain IPR policies and practices in Ukraine.

11: The U.S.-China Joint Commission on Commerce and Trade holds its mid-year review in Beijing.

11–12: The United States and Brazil hold the second meeting of the Commission on Economic and Trade Relations under the U.S.-Brazil Agreement on Trade and Economic Cooperation. Discussion topics include investment, innovation, and small, medium-sized, and micro enterprises.

17: USTR announces country-specific and first-come, first-served in-quota allocations for the fiscal year 2014 tariff-rate quotas on imported raw cane sugar, refined and specialty sugar, and sugar-containing products.

18–28: The 12 TPP countries meet in Washington, DC, to discuss a range of issues under negotiation, including investment, financial services, and the environment.

25: The WTO DSB adopts the panel report concerning the complaint by the United States regarding China's imposition of duties on U.S. broiler products (DS427).

26: The United States and Japan announce an agreement to streamline organic trade between the two countries. Beginning January 1, 2014, organic products certified in either country may be sold in both countries.

30–October 1: The United States and Japan hold a second round of bilateral negotiations on motor vehicles, insurance, and nontariff measures.

October

1–2: Trade ministers for the TPP negotiating countries hold discussions in Bali, Indonesia, on the margins of the APEC Leaders' meeting.

October—*continued*

3: Brazil's Council of Ministers responsible for Foreign Trade (CAMEX) meet to discuss their next steps in response to the United States' September decision to reduce monthly settlement payments to the Brazil cotton fund.

3: The Indian Department of Electronics and Information Technology delayed, for a second time, a controversial testing requirement at the request of U.S. technology and telecommunications companies. The action delayed application of the requirement for an additional three months.

4–8: The APEC leaders' and ministerial meetings are held in Bali, Indonesia. Leaders agree to take steps toward increasing connectivity in the region, promoting sustainable and equitable growth, and improving regional economic integration.

21–23: The United States and Japan hold the third round of U.S.-Japan bilateral negotiations on motor vehicles, insurance, and nontariff measures.

21–25: Negotiations towards expanding the ITA resume at the WTO.

28: The United States expresses concerns about the enforcement of Guatemala's laws protecting worker rights, saying that significant work remains to ensure that an enforcement plan signed by the Guatemalan government earlier in the year is effectively implemented.

November

4–9: The fourth round of the TISA negotiations takes place in Geneva, Switzerland, among participating WTO members.

11–14: The eighth council meeting of the U.S.-Central Asia TIFA is held in Ashgabat, Turkmenistan.

11–15: The second round of TTIP negotiations takes place in Brussels, Belgium.

15: The United States and CARICOM hold an inaugural meeting of the U.S.-CARICOM Council on Trade and Investment under the recently inaugurated U.S.-CARICOM TIFA.

21: The United States and Morocco sign a Trade Facilitation Agreement. Morocco becomes the first country in the region to conclude a bilateral trade facilitation agreement with the United States, as well as endorse joint statements on investment principles and on ICT services trade with the United States.

25: The United States and Bangladesh sign the U.S.-Bangladesh Trade and Investment Cooperation Forum Agreement (TICFA).

29: USTR Froman welcomes Korea's expression of interest in joining the TPP.

December

3: China requests WTO dispute settlement consultations with the United States regarding the use of certain methodologies in antidumping investigations involving Chinese products (DS471).

3–7: The ninth annual WTO ministerial conference is held in Bali, Indonesia.

December—continued

5: Korea requests establishment of a WTO DSB panel concerning certain antidumping and countervailing measures the United States has placed on large residential washers from Korea (DS464).

7–10: A TPP ministerial meeting is held in Singapore.

16–20: The third round of TTIP negotiations takes place in Washington, DC.

18: The United States and Libya sign a TIFA, which will provide a forum to address trade issues and will help build trade and investment relations between the two countries.

19–20: The 24th session of the U.S.-China Joint Commission on Commerce and Trade occurs in Beijing, China.

20: USTR submits its first annual *Report on Russia's Implementation of the WTO Agreement* to Congress.

23: President Obama completes annual determinations regarding country eligibility for the AGOA in 2014. Eligibility will continue for the 39 currently eligible countries, and Mali's eligibility is reinstated effective January 1, 2014.

24: USTR submits the *2013 Report to Congress on China's WTO Compliance* to Congress.

Source: Compiled from official and private sources, including the U.S. Department of Commerce, U.S. Department of State, U.S. Trade Representative, White House, World Trade Organization, *Inside U.S. Trade*, and *Washington Trade Daily*.

Chapter 1

Overview of U.S. Trade

Scope and Approach of the Report

This report provides factual information on the operation of the U.S. trade agreements program and its administration for calendar year 2013.³ Trade agreement activities during 2013 include the administration of U.S. trade laws and regulations; U.S. participation in the World Trade Organization (WTO), the Organisation for Economic Co-operation and Development (OECD), and the Asia-Pacific Economic Cooperation (APEC) forum; U.S. negotiation of and participation in free trade agreements (FTAs); and bilateral developments with major trading partners.

This report is based on primary source materials about U.S. trade programs and administrative actions pertaining to them. These materials chiefly encompass U.S. government reports, notices, and news releases, including publications and news releases by the U.S. International Trade Commission (USITC or the Commission). Other primary sources of information include publications of international institutions, such as the International Monetary Fund (IMF), World Bank, OECD, WTO, United Nations (UN), and foreign governments. The report draws on professional journals, trade publications, and news reports for supplemental factual information when primary source information is unavailable.

Official U.S. merchandise trade data are provided throughout the report. Chapters 1 and 5 also offer data on services trade. The services trade data by country are based on figures for trade in private services, which exclude government sales and purchases of services. Services data were compiled by the Commission primarily from figures provided by the Bureau of Economic Analysis (BEA) of the U.S. Department of Commerce (USDOC or Commerce).

To complement the release of the *Year in Trade 2013* report, the USITC has developed a series of dashboards in MS Excel available online that present U.S. merchandise trade data in an interactive format. The dashboards are a companion piece to the traditional report. They will offer *Year in Trade* readers a new way to look at, visualize, and understand the U.S. merchandise trade data used in the report. Using the dashboards, readers will be able to conduct further analysis of U.S. merchandise trade focusing on specific trading partners, specific FTAs, and specific trade preference programs. The dashboards can be found at www.usitc.gov/publications/dashboards. All dashboards present data covering at least the period presented in this report (2011–13), while some allow the user to review data ranging from 1996 through 2013.⁴

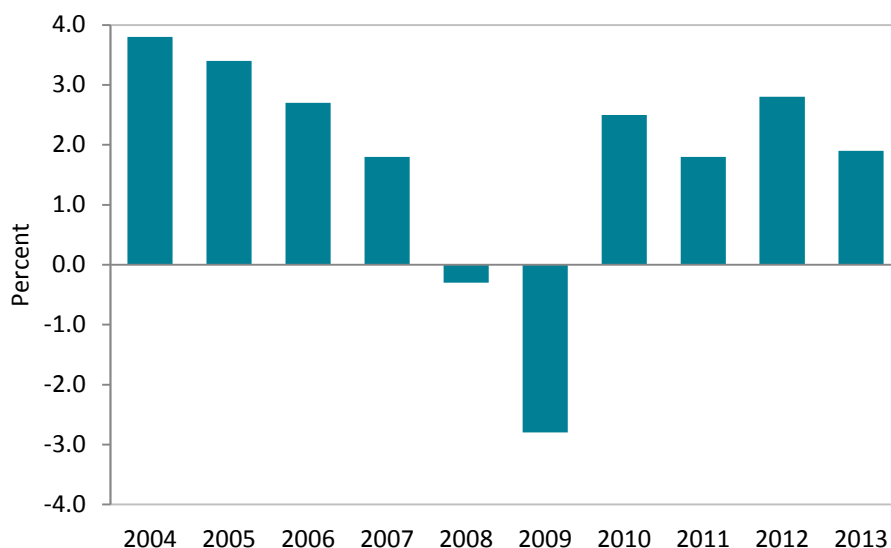
³ This is the 65th in a series of annual reports submitted to the U.S. Congress under section 163(c) of the Trade Act of 1974 (19 U.S.C. § 2213(c)) and its predecessor legislation.

⁴ Data in the dashboards may differ from the data presented in the report. For example, the dashboards may present unadjusted data from the U.S. Census Bureau (Census), whereas the corresponding data in a given report

Overview of the U.S. Economy in 2013

In 2013, the U.S. economy continued to rebound from the economic recession of 2008 and 2009, though at a weaker rate than in 2012. U.S. real gross domestic product (GDP) increased 1.9 percent in 2013, compared to 2.8 percent the previous year (figure 1.1). The increase in real GDP in 2013 mostly reflected positive contributions from personal consumption expenditures (1.33 percentage points) and gross private domestic investment (0.84 percentage points), partly offset by a negative contribution from government spending (−0.44 percentage points).⁵ The contribution of net exports of goods and services to growth in real GDP was 0.12 percentage points.⁶ To support the continued U.S. economic recovery, the U.S. Federal Reserve continued to buy long-term securities and kept the target range for the federal funds rate at 0 to 0.25 percent in 2013.⁷ The seasonally adjusted U.S. unemployment rate fell from 7.9 percent in January 2013 to 6.7 percent in December 2013.⁸

Figure 1.1 U.S. real gross domestic product, annual rate of change, 2004–13



Source: USDOC. <http://www.bea.gov/national/xls/gdpchg.xls>.

table may reflect an adjustment that is explained in a footnote. Dashboard mechanics are discussed in more detail in the dashboard's "Introductory Page" on the USITC website.

⁵ USDOC, BEA, "Gross Domestic Product: Fourth Quarter and Annual 2013 (Second Estimate)," February 28, 2014, table 2.

⁶ Ibid.

⁷ Federal Reserve, "Federal Reserve Issues FOMC Statement," June 19, 2013. The federal funds rate is the interest rate at which depository institutions lend their excess deposits to each other overnight. Federal Reserve, "Open Market Operations," n.d. (accessed March 12, 2014).

⁸ USDOL, BLS, "Labor Force Statistics from the Current Population Survey," n.d. (accessed January 16, 2014).

U.S. international trade continued to grow in 2013, although the percentage increase was significantly less than in 2012.⁹ Exports of goods and services increased 2.8 percent in 2013, compared to 4.6 percent in 2012, reflecting generally slower growth in most other countries. U.S. imports of goods and services increased very slightly (by less than 0.04 percent), reflecting lower U.S. demand for imported petroleum and petroleum-related products.¹⁰

The global economy also grew at a slightly reduced rate: the growth rate was 3.0 percent in 2013, compared to 3.2 percent in 2012.¹¹ Economic growth in major advanced economies fell slightly, slipping to 1.3 percent in 2013 from 1.4 percent in 2012. While growth has been more robust in many emerging and developing economies in recent years, economic growth for these economies also decreased on average, from 5.0 percent in 2012 to 4.7 percent in 2013.

Economic growth rates among major U.S. trading partners showed substantial differences. Output in the European Union (EU) euro area fell in 2013 by 0.5 percent, although the decline was less than the decline in 2012 (0.7 percent). The economic growth rate rose in the United Kingdom (from 0.3 percent in 2012 to 1.8 percent in 2013), in Canada (from 1.7 percent to 2.0 percent), and in Japan (from 1.4 percent to 1.5 percent). Economic growth rates among developing and emerging market economies were also mixed, with the growth rate falling in Mexico (from 3.9 percent in 2012 to 1.1 percent in 2013) and in India (from 4.7 percent to 4.4 percent). While China's economic growth rate was highest among major U.S. trading partners, its rate stayed constant in 2013 (7.7 percent in both 2012 and 2013).¹²

Exchange-Rate Trends

The U.S. dollar appreciated 3.3 percent in 2013 against a broad dollar index.¹³ By yearend, the dollar had appreciated 20.8 percent against the Japanese yen, 7.9 percent against the Canadian dollar, and 2.6 percent against the Mexican peso. However, the dollar fell against the Chinese yuan, the euro, and the pound sterling by 2 to 4 percent (figure 1.2). Fluctuations in the dollar reflected central bank policies as well as concerns about the global economic outlook. In the first quarter of the year, the dollar appreciated against most major currencies, reflecting a higher growth outlook for the U.S. economy and expectations that foreign central banks would continue monetary easing.¹⁴ In the second quarter, the dollar appreciated against most major currencies, except the euro, due to favorable U.S. economic reports and expectations that the

⁹ USDOC, Census Bureau, and BEA, "U.S. International Trade in Goods and Services, January 2014," March 7, 2014, exhibit 1.

¹⁰ According to the U.S. Energy Information Administration (USEIA), strong crude oil production growth in the United States has led to a "significant decline" in U.S. imports of petroleum. USEIA, "Short-term Energy Outlook," February 11, 2014.

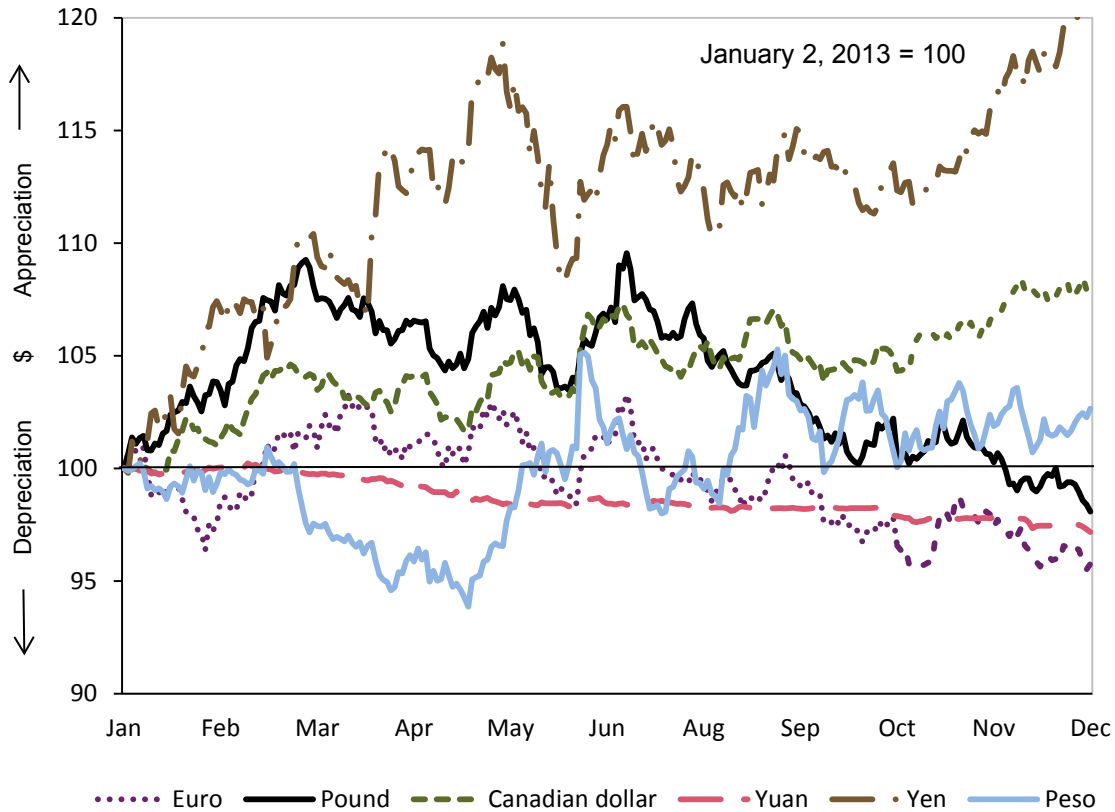
¹¹ IMF, *World Economic Outlook*, April 2014, table 1.1 Economic growth is measured as the percent change in GDP at constant prices.

¹² Ibid.

¹³ The broad dollar index is a weighted average of the foreign exchange values of the U.S. dollar against those of the currencies of a large group of major U.S. trading partners. Dollar appreciation is measured as the increase in the broad dollar index from January 2, 2013 to December 31, 2013.

¹⁴ FRBNY, "Treasury and Federal Reserve Foreign Exchange Operations January–March 2013," May 9, 2013, 1.

Figure 1.2 Indices of U.S. dollar exchange rates for selected major foreign currencies, daily, 2013^a



Source: U.S. Federal Reserve Board.

^aUnits of the foreign currency per unit of the U.S. dollar. A decrease in the index represents a depreciation of the U.S. dollar relative to the foreign currency, and an increase in the index represents an appreciation of the U.S. dollar relative to the foreign currency.

Federal Reserve Board would begin to reduce the pace of its asset purchases.¹⁵ In the third quarter of the year, the dollar depreciated against most major currencies due to a weaker-than-expected U.S. economic outlook and the continuation of Federal Reserve asset purchases, which prompted traders to reduce dollar exposures from the previous quarter.¹⁶ In the fourth quarter, the U.S. dollar appreciated against the yen and other emerging market currencies.¹⁷ The large appreciation of the dollar relative to the yen for the year reflected the expansionary monetary and fiscal policies Japan implemented during the course of the year.¹⁸

¹⁵ FRBNY, "Treasury and Federal Reserve Foreign Exchange Operations April–June 2013," August 8, 2013, 1.

¹⁶ FRBNY, "Treasury and Federal Reserve Foreign Exchange Operations July–September 2013," November 14, 2013, 1.

¹⁷ FRBNY, "Treasury and Federal Reserve Foreign Exchange Operations October–December 2013," February 13, 2014, 5–6.

¹⁸ FRBNY, "Treasury and Federal Reserve Foreign Exchange Operations July–September 2013," November 14, 2013, 7.

Balance of Payments¹⁹

The U.S. current-account deficit—the combined balances of trade in goods and services, income, and net unilateral current transfers—decreased to \$379.3 billion (preliminary) in 2013 from \$440.4 billion in 2012, following an increase in the previous three years.²⁰ The current-account deficit also decreased as a share of current-dollar U.S. GDP from 2.7 percent in 2012 to 2.3 percent in 2013. The decline in the current-account deficit was due to a decrease in the deficit in goods and services trade and an increase in the surplus in income, which offset an increase in net unilateral current transfers to foreigners in 2013.

The U.S. trade deficit for goods and services fell for the second consecutive year to \$474.9 billion in 2013 from \$534.7 billion in 2012. The deficit on goods decreased to \$703.9 billion in 2013 from \$741.5 billion in 2012, and remained well below the record goods deficit of \$835.7 billion in 2006. U.S. exports of goods rose from \$1,561.2 billion in 2012 to \$1,589.7 billion in 2013, reflecting growth in exports of capital goods, consumer goods, and in particular, petroleum and petroleum products. Imports of goods dipped to \$2,293.6 billion in 2013 from \$2,302.7 billion in 2012, reflecting a decline in imports of petroleum and petroleum products.

The U.S. trade surplus for services grew from \$206.8 billion in 2012 to \$229.0 billion in 2013, a new annual record.²¹ Services exports rose from \$649.3 billion to \$681.7 billion in this period. All major categories of services exports grew, with the largest increases in travel and other private services.²² At the same time, services imports also increased, rising slightly from \$442.5 billion in 2012 to \$452.7 billion in 2013. The largest increases in services imports were in other transportation, travel, and other private services.²³

¹⁹ This section of the report relies on trade data reported by the BEA. The trade balance reported by the BEA is the result of subtracting U.S. general imports from U.S. total exports using trade data from the U.S. Census Bureau (Census). The BEA adjusts these data to conform with the concepts and definitions used to prepare the international and national accounts. For a more detailed discussion of the differences between BOP-basis and Census-basis data, see USDOC, BEA, “A Guide to the U.S. International Transactions Accounts,” February 2010. All other sections of the report rely solely on Census data.

²⁰ Unless otherwise indicated, information in this section is from USDOC, BEA, “U.S. International Transactions: Fourth Quarter and Year 2013,” March 19, 2014, 5–7. Income includes investment income and compensation of employees (compensation payments to U.S. residents by nonresidents and payments to nonresidents by U.S. residents). Net unilateral transfers include current transfers, such as private remittances, charitable contributions, taxes on international transactions, and transfers between U.S. and foreign insurance companies.

²¹ Services data in this section include trade in private services, as well as transfers under U.S. military agency sales contracts and U.S. government purchases of miscellaneous services.

²² Exports of other private services include “mainly film and television tape rentals and expenditures of foreign residents temporarily working in the United States.” USDOC, BEA, “U.S. International Transactions Accounts Data: Table 3a,” March 19, 2014.

²³ “Other transportation” includes freight and port services. Services trade is discussed in more detail later in this chapter.

U.S. Trade in Goods in 2013²⁴

The value of U.S. exports of goods grew 1.4 percent while the value of imports fell 0.5 percent in 2013, compared to increases of 4.2 percent and 2.9 percent, respectively, in 2012 (appendix table A.3). The reduced growth in U.S. merchandise trade in 2013 reflected slower growth among the world economies and the reduction in the value of U.S. imports of petroleum and petroleum-related products. According to WTO data, China replaced the United States as the largest single-country merchandise trader in 2013.²⁵ U.S. merchandise imports continued to exceed merchandise exports. U.S. merchandise exports increased from \$1,353.2 billion in 2012 to \$1,372.0 billion in 2013, while U.S. merchandise imports declined from \$2,251.0 billion in 2012 to \$2,239.8 billion in 2013 (figure 1.3). The merchandise trade deficit was down slightly in 2013 at \$867.7 billion from \$897.8 billion in 2012.

U.S. Merchandise Trade by Product Category

Exports

U.S. exports in 8 of 12 merchandise sector categories increased by a total of \$25.8 billion in 2013, but fell in 4 other sector categories (footwear, minerals and metals, machinery, and electronic products) by \$7.0 billion (appendix table A.3).²⁶ Transport equipment, which consistently ranks as the largest U.S. export sector, accounted for 21.4 percent of merchandise exports in 2013. U.S. exports of transport equipment were valued at \$293.0 billion in 2013, up 2.5 percent from \$285.8 billion in 2012. Of the 8 merchandise export sectors that grew in 2013, 68.3 percent of the growth was accounted for by increased exports from 2 sectors: energy-related products and transport equipment. Energy-related products alone accounted for 40.2

²⁴ Merchandise trade data in this section do not match the BOP-basis data presented above because of adjustments made to the data, as described in footnote 19. Additionally, to maintain continuity with previous Commission reports analyzing free trade and preferential trade arrangements, in this section and in the following chapters export data consist of U.S. domestic exports and import data consist of U.S. imports for consumption, both as reported by Census (for further information on these terms, please select “View data field descriptions” at <http://dataweb.usitc.gov>). The trade balance derived on this basis differs from the merchandise trade balance, defined as total exports minus general imports, as generally reported by Census and other federal agencies (see definitions of general imports and merchandise trade balance at <http://www.census.gov/foreign-trade/reference/definitions>). Imports for consumption may contain re-exports while domestic exports do not. As a result, trade deficits calculated as U.S. domestic exports minus U.S. imports for consumption with certain partners may be overstated and trade surpluses with certain partners may be understated in comparison to the merchandise trade balance as defined above, depending on the composition of trade with those partners. This difference is most notable in bilateral trade with Canada, Mexico, and the EU. Total exports, general imports, and the merchandise trade balance as defined above with major trading partners and with FTA partners can be found in appendix tables A.1 and A.2.

²⁵ WTO, Statistics Database: Time Series on International Trade (accessed May 12, 2014). According to WTO data, the value of China’s merchandise imports and exports amounted to \$4.2 trillion, compared to \$3.9 trillion for the United States in 2013.

²⁶ The 12 sectors in appendix table A.3 include agricultural products, forest products, chemicals and related products, energy-related products, textiles and apparel, footwear, minerals and metals, machinery, transportation equipment, electronic products, miscellaneous manufactures, and special provisions. Information on the scope of each sector can be found in the section on Frequently Asked Questions (FAQs) on the Commission’s website at http://www.usitc.gov/research_and_analysis/tradeshifts/2012/index.htm.

Figure 1.3 U.S. merchandise trade with the world, 2011–13



Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Merchandise trade data here include U.S. domestic exports and imports for consumption.

percent of the export growth in these 8 sectors. Top products exported in 2013 included aircraft, spacecraft, and parts; petroleum oils; gold; passenger motor vehicles; and soybeans (see appendix table A.4 for details at the Schedule B subheading level).

Imports

U.S. imports in 9 of 12 merchandise sector categories rose by \$40.2 billion in 2013, while imports fell in 3 sector categories (chemicals and related products, energy-related products, and minerals and metals) by \$51.5 billion (appendix table A.3). Energy-related products accounted for most (88.5 percent) of the decline in imports from these 3 sectors. The electronic products sector, which has ranked as the largest import sector since 2012, accounted for 18.6 percent of total merchandise imports in 2013, followed by transportation equipment, at 16.6 percent. U.S. imports of electronic products were valued at \$417.2 billion in 2013, up 0.8 percent from \$413.8 billion in 2012, while imports of transportation equipment were valued at \$371.5 billion in 2013, up 3.7 percent from \$358.4 billion in 2012. Of the 9 industry sectors that experienced import growth in 2013, 57.5 percent of this growth was accounted for by increased imports of goods from 3 industry sectors: transport equipment, miscellaneous manufactures, and imports under special provisions. Top products imported in 2013 included petroleum oils, motor vehicles, cellphones, computers, and pharmaceuticals (see appendix table A.5 for details at the Harmonized Tariff Schedule of the United States [HTS] subheading level).

U.S. Imports under Preferential Trade Programs and Free Trade Agreements

The value of U.S. merchandise imports under the United States' four major preferential trade programs with developing countries fell from \$66.9 billion in 2012 to \$48.1 billion in 2013;²⁷ they accounted for 2.1 percent of total U.S. imports during 2013. Imports totaled \$18.5 billion under the U.S. Generalized System of Preferences (GSP) program (appendix table A.16); \$24.8 billion (excluding GSP imports) under the African Growth and Opportunity Act (AGOA) (appendix table A.19); \$2.5 billion under the Andean Trade Preference Act (ATPA), including the Andean Trade Promotion and Drug Eradication Act (ATPDEA) (appendix table A.21); and \$2.4 billion under the Caribbean Basin Economic Recovery Act (CBERA), including the Caribbean Basin Trade Partnership Act (CBTPA) (appendix table A.23).²⁸ The value of U.S. imports under all four of these programs fell in 2013. A much larger share of U.S. imports enter under free trade or trade promotion agreement provisions; the value of these imports increased 4.2 percent in 2013 and totaled \$410.4 billion, or 18.3 percent of total U.S. imports in 2013.²⁹

U.S. Merchandise Trade with Selected Major Trading Partners³⁰

Table 1.1 shows U.S. trade with selected major trading partners, ranked by total trade (exports and imports) in 2013. In 2013, the EU remained the United States' top trading partner in terms of two-way merchandise trade. Canada was the leading global market for U.S. exports. China continued as the leading source of U.S. imports through 2013. However, U.S. exports to China rose at a faster rate (10.1 percent) than U.S. imports from China (3.1 percent) in 2013. Canada also remained the largest single-country two-way trading partner of the United States, followed by China and Mexico (see appendix tables A.6 and A.7 for U.S. trade with the top 15 single-country trading partners). The leading U.S. export markets and import suppliers by share in 2013 are shown in figures 1.4 and 1.5.³¹

²⁷ U.S. tariff preferences provided to goods entered into the customs territory of the United States from U.S. insular possessions (U.S. Virgin Islands, Guam, Johnston Atoll, Midway Islands, and Wake Island) and to products of the Freely Associated States (the Marshall Islands, the Federated States of Micronesia, and Palau) are not analyzed in this report. See the USITC, *Harmonized Tariff Schedule of the United States (HTS) 2014*, January 2014, gen. note 3a (iv) and gen. note 10. U.S. insular possessions are defined in 19 C.F.R. § 7.2 (a).

²⁸ The President's authority to provide duty-free treatment under the GSP program expired on July 31, 2013. After that date, GSP imports did not actually enter duty free, but importers still claimed GSP status to facilitate receiving refunds if GSP were to be renewed retroactively, as has been done in the past. The President's authority to provide duty-free treatment under the ATPA/ATPDEA also expired on July 31, 2013. The 2013 data for these programs include any imports that claimed GSP or ATPA/ATPDEA status after the expiration date.

²⁹ U.S. imports under preferential trade programs are discussed in chapter 2. U.S. trade with countries under free trade or trade promotion agreement provisions is discussed in chapter 4.

³⁰ See chapter 5 for further information on U.S. merchandise trade with major trading partners, including the EU, Canada, China, Mexico, and other economies. Annual EU merchandise trade data include 28 countries for 2013 and the previous years covered in the report. Croatia became the 28th member on July 1, 2013.

³¹ Leading U.S. exports to and imports from these major trading partners are presented in appendix tables A.27–A.53.

Table 1.1 U.S. merchandise trade with selected major trading partners and the world, 2013 (millions of dollars)^a

Major trading partner	U.S. domestic exports	U.S. imports for consumption	Trade balance	Two-way trade (exports plus imports)
EU-28	231,676	381,591	-149,915	613,267
Canada	251,685	332,887	-81,202	584,572
China	114,313	438,147	-323,834	552,460
Mexico	181,690	277,664	-95,973	459,354
Japan	59,689	137,954	-78,265	197,643
Korea ^b	39,008	61,979	-22,971	100,987
Brazil	37,627	26,861	10,767	64,488
Taiwan	23,270	37,539	-14,269	60,808
India	16,911	41,459	-24,548	58,370
All others	416,169	503,671	-87,503	919,840
World	1,372,039	2,239,750	-867,712	3,611,789

Source: Official trade statistics of the USDOC as maintained by the USITC.

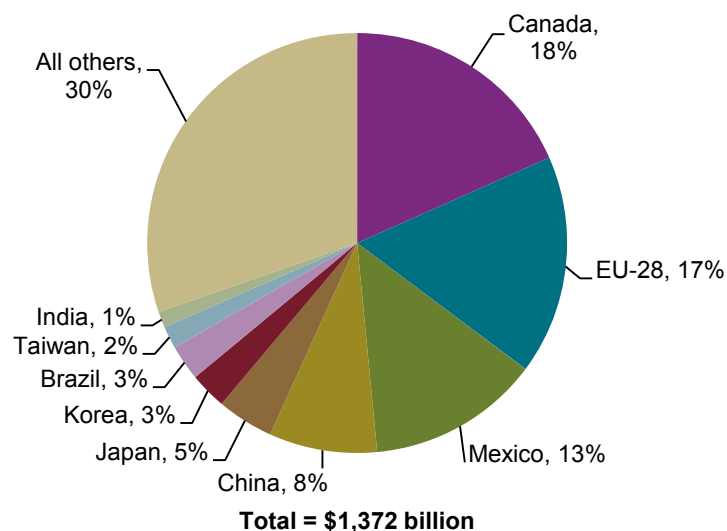
Note: Because of rounding, figures may not add to totals shown.

^aTrade balance is calculated here as U.S. domestic exports minus U.S. imports for consumption. These balances differ from the U.S. merchandise trade balance generally reported by Census, which is defined as total exports minus general imports.

Appendix table A.1 reports the trade balance on this basis.

^bRepublic of Korea.

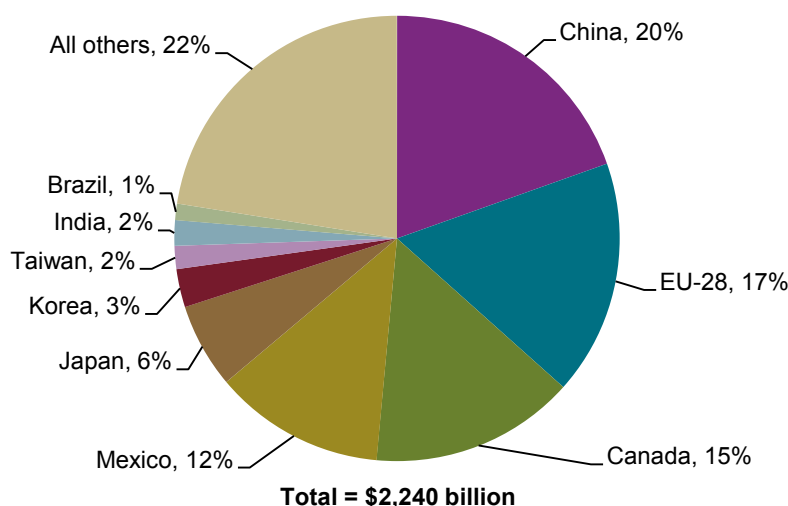
Figure 1.4 Leading U.S. merchandise export markets, by share, 2013



Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Merchandise trade data here include U.S. domestic exports. Because of rounding, figures may not add to 100 percent.

Figure 1.5 Leading U.S. merchandise import sources, by share, 2013



Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Merchandise trade data here include U.S. imports for consumption. Because of rounding, figures may not add to 100 percent.

U.S. Trade in Services in 2013³²

The U.S. surplus in cross-border private services trade increased 8.9 percent in 2013 to \$232.4 billion (figure 1.6).³³ The year 2013 represented the fourth consecutive year of growth in U.S. services trade since 2009. U.S. cross-border exports of private services rose 5.1 percent in 2013 to \$659.9 billion, faster than the 3.1 percent increase in U.S. imports, which reached \$427.5 billion. U.S. exports of private services posted gains in 10 of the 11 service categories in 2013, the exception being insurance services. By contrast, U.S. imports of private services decreased in two service categories: insurance and telecommunications services. Appendix table A.8 provides data on U.S. trade in private services by product category.

³² This section focuses primarily on cross-border transactions in private services, which exclude government sales and purchases of services. Services trade data are drawn from the BEA. In these national accounts data, “cross-border transactions” occur when firms resident in one country provide services to consumers in another, with people, information, or money crossing U.S. boundaries in the process. Cross-border transactions appear explicitly as imports and exports in the balance of payments. U.S. firms also provide services to foreign consumers through affiliates established in host countries, with the income generated through “affiliate transactions” appearing as investment income in the balance of payments. The channel of delivery used by service providers depends primarily on the nature of the service. For example, many financial services, such as retail banking services, are supplied most effectively by affiliates located close to the consumer. Conversely, most trade in education services takes the form of cross-border transactions, with students traveling abroad to attend foreign universities.

³³ USDOC, BEA, “U.S. International Transactions Accounts Data: Table 3a,” March 19, 2014.

Figure 1.6 U.S. private cross-border services trade with the world, 2011–13^a



Source: USDOC, BEA, U.S. International Transactions Accounts Data, March 19, 2014, table 3a.

^aData for 2013 are preliminary.

U.S. Services Trade by Product Category

Exports

Business, professional, and technical services³⁴ led U.S. cross-border services exports in 2013, accounting for 23.8 percent of the total, followed by travel services (21.2 percent)³⁵ and royalties and license fees (19.6 percent).³⁶ Although exports in most services categories grew in 2013, growth rates for some sectors were below 2012 levels, while others were virtually unchanged or declined. For instance, in 2013, U.S. exports of freight transport services and of business, professional, and technical services grew by 0.6 percent and 2.5 percent, respectively, compared to growth rates of 2.6 and 8.6 percent in 2012, while U.S. exports of insurance services fell by 4.7 percent in 2013. In total, services exports grew more slowly in 2013 than in 2012, reflecting lower global growth rates.

The post-recessionary growth of U.S. intellectual property exports increased in 2013. In 2013, royalties and license fees increased 4.1 percent to \$129.3 billion, as compared to 2.9 percent

³⁴ Business, professional, and technical services are characterized as labor-intensive services employing highly skilled and highly educated individuals who fill positions that frequently require specialized licensing or training. USITC, *Recent Trends in U.S. Services Trade: 2013 Annual Report*, July 2013, 2-1.

³⁵ Travel services comprise purchases of goods and services by U.S. residents traveling abroad (U.S. imports of travel services) and by foreign travelers in the United States (U.S. exports of travel services). These goods and services include food, lodging, recreation, gifts, entertainment, local transportation in the country of travel, and other items incidental to a foreign visit.

³⁶ U.S. exports of royalties and license fees comprise payments by foreigners to U.S. owners of intellectual property, such as trademarks, computer software, and industrial processes.

and \$124.2 billion in 2012. Growth in U.S. exports of royalties and license fees occurs when there is an increase in the value of U.S. intellectual property purchased by foreign consumers for use in their domestic markets. Royalties and license fees receipts cover a wide array of activities, ranging from the distribution of U.S.-produced movies and television shows to industrial processes in the manufacture of pharmaceuticals to general-use software.³⁷

Imports

Business, professional, and technical services (28.0 percent of total imports) and travel services (20.2 percent) led U.S. cross-border services imports in 2013. Among all service categories, U.S. import growth was mixed. U.S. imports of passenger fares experienced the largest growth at 7.8 percent (down from 11.5 percent in 2012), followed by freight services at 6.8 percent in 2013. In 2013, U.S. imports of port and financial services posted increases of 2.7 and 6.3 percent, respectively, after experiencing a decline in 2012. By contrast, U.S. imports of telecommunications and insurance services in 2013 fell by 4.7 percent and 3.8 percent, respectively. Elsewhere, U.S. imports of travel services increased by 3.3 percent, down from 6.7 percent in 2012. Broad growth of U.S. services imports, with increases in 9 of 11 categories, likely reflects increasing demand for services by both businesses and consumers as the U.S. economy continued its post-recession growth and stabilization.

U.S. Services Trade with Leading Partners

The EU was the United States' largest export market for services in 2013, as well as its largest foreign supplier of services (table 1.2), accounting for \$208.8 billion (31.6 percent) of total U.S. services exports and \$148.4 billion (34.7 percent) of total U.S. services imports that year (figures 1.7 and 1.8).³⁸ Canada and Japan were the second- and third-largest U.S. services trading partners in 2013. The U.S. trade surplus with the EU increased to \$60.5 billion in 2013, up from \$55.9 billion in 2012. The United States also maintained large trade surpluses in services with other leading trade partners, including Canada (\$34.3 billion), China (\$19.2 billion),³⁹ Japan (\$18.6 billion), Brazil (\$17.5 billion), Mexico (\$11.7 billion), the Republic of Korea (Korea) (\$11.1 billion), and Australia (\$11.1 billion). In addition, U.S. trade surpluses grew rapidly in 2013 with several countries, including Korea (27.6 percent), Argentina (\$5.3 billion surplus, 17.3 percent increase), and South Africa (\$1.0 billion surplus, 28.7 percent increase). India was the only leading services trade partner with which the United States recorded a trade deficit, \$6.0 billion, representing a decrease of nearly 9.5 percent from 2012. Although industry-specific data by trading partner are not yet available for 2013, the U.S. services trade deficit with India has been driven for the past several years by an increase in U.S. imports of computer and information services.⁴⁰

³⁷ USDOC, BEA, "U.S. International Services," October 2013, 32.

³⁸ In terms of single countries, Canada was the United States' largest export market and the United Kingdom (a member of the EU) was the largest import supplier of private services in 2013.

³⁹ U.S. services imports from China increased by 7.7 percent while U.S. services exports to China increased by 10.5 percent, resulting in an increase of 12.6 percent in the U.S. services trade surplus with China.

⁴⁰ USDOC, BEA, "U.S. International Services," October 2013, 60–61.

Table 1.2 U.S. private services trade with major trading partners and the world, 2013^a (billions of dollars)

Major trading partner	U.S. exports	U.S. imports	Trade balance	Two-way trade (exports plus imports)
EU-28 ^b	208.8	148.4	60.5	357.2
Canada	63.8	29.5	34.3	93.3
Japan	47.7	29.1	18.6	76.8
Mexico	28.5	16.8	11.7	45.3
China	33.2	14.0	19.2	47.2
India	12.8	18.8	-6.0	31.7
Brazil	24.8	7.3	17.5	32.1
Korea	20.5	9.4	11.1	29.9
Australia	17.6	6.6	11.1	24.2
Taiwan	11.6	7.7	4.0	19.3
Singapore	11.1	4.8	6.2	15.9
All others	179.3	135.1	34.9	305.1
World	659.9	427.5	232.4	1,087.4

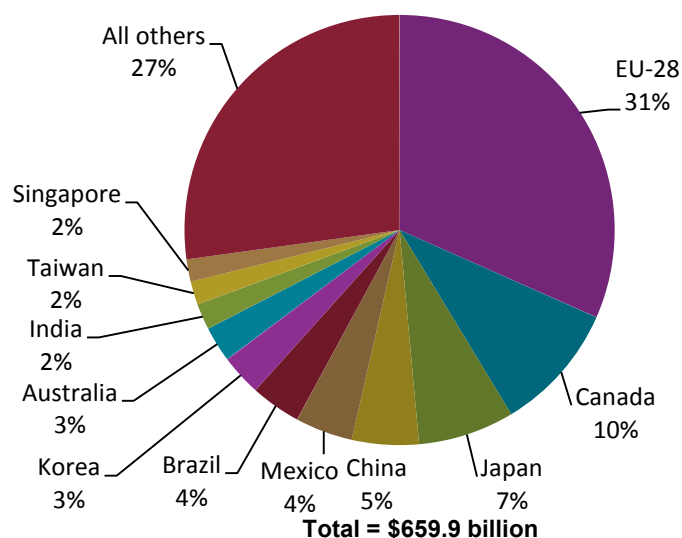
Source: USDOC, BEA, U.S. International Transactions Accounts Data, March 19, 2014, table 12.

Note: Because of rounding, figures may not add to totals shown.

^aData are preliminary.

^bEuropean Union data includes Croatia in the last two quarters of 2013 only.

Figure 1.7 Leading U.S. export markets for private services, by share, 2013^a

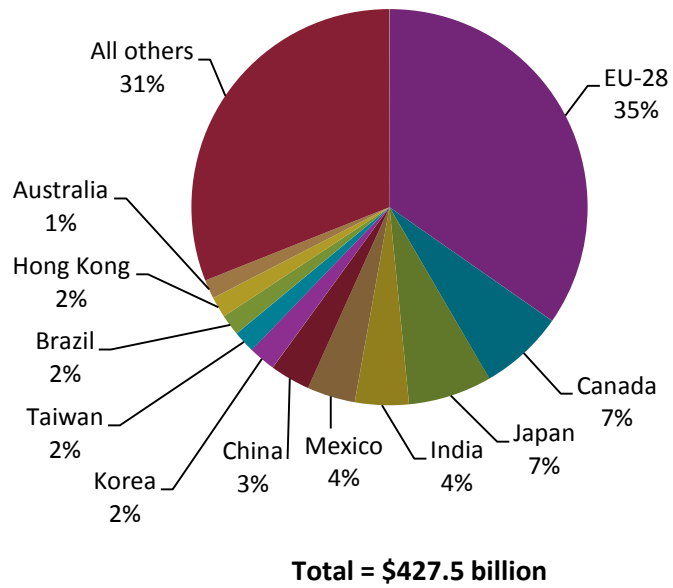


Source: USDOC, BEA, U.S. International Transactions Accounts Data, March 19, 2014, table 12.

Note: Because of rounding, figures may not add to 100 percent.

^aData for 2013 are preliminary.

Figure 1.8 Leading U.S. import sources for private services, by share, 2013^a



Source: USDOC, BEA, U.S. International Transactions Accounts Data, March 19, 2014, table 12.

Note: Because of rounding, figures may not add to 100 percent.

^aData for 2013 are preliminary.

Chapter 2

Administration of U.S. Trade Laws and Regulations

This chapter surveys activities related to the administration of U.S. trade laws during 2013, covering import relief laws, laws against unfair trade practices, trade adjustment assistance, and tariff preference programs. Tariff preference programs encompass the U.S. Generalized System of Preferences (GSP), the African Growth and Opportunity Act (AGOA), the Andean Trade Preference Act (ATPA), and the Caribbean Basin Economic Recovery Act (CBERA), including initiatives aiding Haiti. The online interactive merchandise trade dashboards that accompany the *Year in Trade 2013* report, as described in chapter 1, can be used for further analysis of U.S. trade under the tariff preference programs.

Import Relief Laws

Safeguard Actions

This section covers safeguard actions under provisions administered by the Commission, including the global safeguards provided for in sections 201–204 of the Trade Act of 1974,⁴¹ the China safeguards provided for in section 421 of the Trade Act of 1974,⁴² and the safeguards provided for in various bilateral free trade agreements (FTAs) involving the United States.

The Commission conducted no new safeguard investigations during 2013, and no U.S. safeguard measures under these provisions were in effect during any part of 2013. In addition, by statute, the authority to conduct investigations and apply measures under the China safeguards provision in section 421 of the Trade Act of 1974 ceased to be effective on December 11, 2013.⁴³

Laws against Unfair Trade Practices

Section 301 Investigations

Section 301 of the Trade Act of 1974 is the principal U.S. statute for addressing unfair foreign practices affecting U.S. commerce.⁴⁴ Section 301 may be used to enforce U.S. rights under bilateral and multilateral trade agreements or to respond to alleged unjustifiable, unreasonable, or discriminatory foreign government practices that burden or restrict U.S.

⁴¹ 19 U.S.C. §§ 2251–2254.

⁴² 19 U.S.C. § 2451.

⁴³ 19 U.S.C. § 2451b(c). Section 423(c) of this law provided that such authority, and regulations issued thereunder, were to “cease to be effective 12 years after the date of entry into force of the Protocol of Accession of the People’s Republic of China to the WTO.” China’s Protocol of Accession entered into force on December 11, 2001.

⁴⁴ Section 301 refers to sections 301–310 of the Trade Act of 1974, as amended (19 U.S.C. §§ 2411–2420).

commerce. Section 301 is administered by the Office of the U.S. Trade Representative (USTR). Interested persons may petition USTR to investigate foreign government policies or practices, or USTR may initiate an investigation itself.

If the investigation involves a trade agreement and consultations do not lead to a mutually acceptable resolution, section 303 of the Trade Act of 1974 requires USTR to use the dispute settlement procedures available under the subject agreement. If the matter is not resolved by the conclusion of the investigation, section 304 of the Trade Act of 1974 requires USTR to determine whether the practices in question fulfill any of three conditions: (1) they deny U.S. rights under a trade agreement; (2) they are unjustifiable, and burden or restrict U.S. commerce; or (3) they are unreasonable or discriminatory, and burden or restrict U.S. commerce. If the practices fulfill either of the first two conditions, USTR must take action.⁴⁵ If the practices fulfill the third condition—that is, if they are unreasonable or discriminatory, and they burden or restrict U.S. commerce—USTR must determine whether action is appropriate and, if so, what type of action to take.⁴⁶ The time period for making these determinations varies according to the type of practices alleged.

Section 301 Cases

In 2013, there was one ongoing section 301 case, and one new section 301 investigation was initiated. The ongoing case concerned various meat hormone directives of the EU, which prohibit the use of certain hormones that promote growth in farm animals. The United States successfully challenged the EU measures at the WTO, and in 1999, imposed additional ad valorem duties of 100 percent on about \$117 million in imports from the EU.⁴⁷

In January 2009, the United States and the EU launched a series of consultations in an effort to resolve the meat hormone dispute through negotiation. On May 13, 2009, the United States and the EU announced the signing of a memorandum of understanding (MOU).⁴⁸ Under the MOU, the EU agreed to open a tariff-rate quota (TRQ) with an in-quota tariff rate of zero for high-quality beef produced without growth-promoting hormones⁴⁹ in the amount of 20,000 metric tons,⁵⁰ and the United States agreed to reduce the scope of the retaliation list.⁵¹

The MOU further provided that the parties could enter a second phase under which the EU would increase the TRQ to 45,000 metric tons beginning in August 2012, and the United States

⁴⁵ Section 301(a) of the Trade Act of 1974, as amended (19 U.S.C. § 2411(a)).

⁴⁶ Section 301(b) of the Trade Act of 1974, as amended (19 U.S.C. § 2411(b)).

⁴⁷ 64 Fed. Reg. 40638 (July 27, 1999); WTO, *European Communities—Measures Concerning Meat and Meat Products* (DS26, DS48).

⁴⁸ *Memorandum of Understanding between the United States of America and the European Commission Regarding the Importation of Beef From Animals Not Treated with Certain Growth-Promoting Hormones and Increased Duties Applied by the United States to Certain Products of the European Communities*, May 13, 2009 (U.S.-EU Beef MOU). For more information on the three-phase MOU, see USITC, *The Year in Trade 2009*, 2010, 5-5.

⁴⁹ Article VI of the U.S.-EU Beef MOU defines “high quality beef.” High-quality beef is beef that meets certain quality characteristics.

⁵⁰ U.S.-EU Beef MOU, Art. II(1).

⁵¹ U.S.-EU Beef MOU, Art. II(3); 74 Fed. Reg. 40864 (August 13, 2009).

would lift the remaining additional duties.⁵² The United States and the EU entered into the second phase of the MOU beginning August 1, 2012, and the EU increased the TRQ for high-quality beef to 45,000 metric tons.⁵³ The MOU provided that the second phase would continue for one year. In August 2013, the United States and the EU agreed to extend the second phase of the MOU for two additional years, until August 2, 2015, thereby maintaining the TRQ for high-quality beef of 45,000 metric tons per year.⁵⁴

The new section 301 case in 2013 concerned intellectual property rights (IPR) protection in Ukraine. In May 2013, Ukraine was identified as a priority foreign country⁵⁵ in USTR's *2013 Special 301 Report* because of Ukraine's denial of adequate and effective protection of IPR and its denial of fair and equitable market access to persons that rely on IPR protection.⁵⁶ On May 30, 2013, the USTR initiated a section 301 investigation of the acts, policies, and practices of the government of Ukraine with respect to its IPR regime.⁵⁷ In particular, the investigation was to focus on piracy of copyrights and related rights over the Internet, the Ukrainian government's use of pirated software, and the non-transparent and unfair administration and operation of certain Ukrainian copyright collecting societies. The section 301 investigation of intellectual property rights in Ukraine was ongoing at the end of 2013.

Special 301

The Special 301 law⁵⁸ requires that the USTR annually identify and issue a list of foreign countries that deny adequate and effective protection of IPR, or deny fair and equitable market access to U.S. persons who rely on IPR protection.⁵⁹ Under the statute, a country denies adequate and effective IPR protection if the country does not allow foreign persons "to secure, exercise, and enforce rights related to patents, process patents, registered trademarks, copyrights and mask works."⁶⁰

⁵² U.S.-EU Beef MOU, Arts. I(2), II(4), and IV(2). The USTR terminated the imposition of the remaining additional duties in May 2011. For more background, see USITC, *The Year in Trade 2011*, 2012, 2-3.

⁵³ Regulation (EU) No. 464/2012 of the European Parliament and of the Council, *OJ L* 149, June 8, 2012, 1.

⁵⁴ USTR, "U.S. Trade Representative Froman, Secretary of Agriculture Vilsack," August 1, 2013.

⁵⁵ For an explanation of a "priority foreign country," see the next section on Special 301.

⁵⁶ USTR, *2013 Special 301 Report*, May 2013; USTR, "USTR Releases Annual Special 301 Report," May 1, 2013.

⁵⁷ USTR, "Acting U.S. Trade Representative Sapiro Announces Section 301," May 30, 2013; USTR, "Identification of Ukraine as a Priority Foreign Country and Initiation of Section 301 Investigation," 78 Fed. Reg. 33886 (June 5, 2013).

⁵⁸ The Special 301 law is set forth in section 182 of the Trade Act of 1974, as amended (19 U.S.C. § 2242).

⁵⁹ "Persons who rely on IPR protection" means persons involved in "(A) the creation, production or licensing of works of authorship ... that are copyrighted, or (B) the manufacture of products that are patented or for which there are process patents." Section 182(d)(1) of the Trade Act of 1974, as amended (19 U.S.C. § 2242(d)(1)).

⁶⁰ Section 182(d)(2) of the Trade Act of 1974, as amended (19 U.S.C. § 2242(d)(2)). Section 901(a)(2) of the Semiconductor Chip Protection Act (17 U.S.C. § 901(a)(2)) defines "mask work" as a "series of related images, however fixed or encoded—(A) having or representing the predetermined, three-dimensional pattern of metallic, insulating, or semiconductor material present or removed from the layers of a semiconductor chip product; and (B) in which series the relation of the images to one another is that each image has the pattern of the surface of one form of the semiconductor chip product."

Under the statute, a country denies fair and equitable market access if it denies access to a market for a product that is protected by a copyright or related right, patent, trademark, mask work, trade secret, or plant breeder's right through the use of laws and practices that violate international agreements or that constitute discriminatory nontariff trade barriers.⁶¹ A country may be found to deny adequate and effective IPR protection even if it is in compliance with its obligations under the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement).⁶²

In addition, the Special 301 law directs the USTR to identify and list so-called priority foreign countries.⁶³ Priority foreign countries are countries that have the most onerous or egregious acts, policies, or practices with the greatest adverse impact (actual or potential) on the relevant U.S. products.⁶⁴ Such countries must be designated as priority foreign countries unless they are entering into good-faith negotiations, or making significant progress in bilateral or multilateral negotiations to provide adequate and effective IPR protection.⁶⁵ The identification of a country as a priority foreign country triggers a section 301 investigation,⁶⁶ unless the USTR determines that the investigation would be detrimental to U.S. economic interests.⁶⁷

In addition to identifying priority foreign countries as required by statute, the USTR has adopted a practice of naming countries to a "watch list" or a "priority watch list" when the countries' IPR laws and practices fail to provide adequate and effective IPR protection, but the deficiencies do not warrant identification of the countries as priority foreign countries.⁶⁸ The priority watch list identifies countries with significant IPR problems that warrant close monitoring and bilateral consultation. If a country on the priority watch list makes adequate progress, it may be moved to the watch list or removed from any listing. On the other hand, a country that fails to make progress may be raised from the watch list to the priority watch list, or from the priority watch list to the list of priority foreign countries.

In its 2013 Special 301 review, the USTR examined the adequacy and effectiveness of IPR protection in 95 countries.⁶⁹ In conducting the review, the USTR focused on a wide range of issues and policy objectives relating to IPR protection and enforcement, including copyright piracy over the Internet; trademark counterfeiting and copyright piracy of physical goods, including semiconductors, optical discs, automobile parts, and medicines and health care products; trademark infringement, particularly with respect to domain names; the protection of trade secrets; compulsory technology transfer and licensing; transshipment of pirated and counterfeit goods; strengthened criminal and border enforcement; IPR training, resources, and prosecutions; criminal prosecutions and deterrent sentencing; ensuring that foreign

⁶¹ Section 182(d)(3) of the Trade Act of 1974, as amended (19 U.S.C. § 2242(d)(3)).

⁶² Section 182(d)(4) of the Trade Act of 1974, as amended (19 U.S.C. § 2242(d)(4)).

⁶³ Section 182(a)(2) of the Trade Act of 1974, as amended (19 U.S.C. § 2242(a)(2)).

⁶⁴ Section 182(b)(1) of the Trade Act of 1974, as amended (19 U.S.C. § 2242(b)(1)).

⁶⁵ *Ibid.*

⁶⁶ Section 182(f)(2) of the Trade Act of 1974, as amended (19 U.S.C. § 2242(f)(2)).

⁶⁷ Section 302(b)(2)(B) of the Trade Act of 1974, as amended (19 U.S.C. § 2412(b)(2)(B)).

⁶⁸ 77 Fed. Reg. 77178 (December 31, 2012).

⁶⁹ USTR, *2013 Special 301 Report*, May 2013; USTR, "USTR Releases Annual Special 301 Report," May 1, 2013.

government ministries only use legally authorized and properly licensed business software; market access barriers faced by U.S. pharmaceutical and medical device manufacturers; adequate implementation of the World Intellectual Property Organization (WIPO) Internet treaties;⁷⁰ and proper implementation of the TRIPS Agreement by developed and developing countries.

In the *2013 Special 301 Report*, Ukraine was identified as a priority foreign country, principally because of its unfair and nontransparent system for collecting and distributing music royalties, the widespread use of infringing software by the Ukrainian government, and the failure to implement an effective and transparent system to combat online piracy. Ukraine had made a series of commitments to make improvements on these particular issues in a 2010 IPR Action Plan, following intensive bilateral consultations. Notwithstanding the Ukrainian commitments, USTR noted that the situation in Ukraine had deteriorated significantly with respect to each of the three issues.

The *2013 Special 301 Report* identified 10 countries on the priority watch list: Algeria, Argentina, Chile, China, India, Indonesia, Pakistan, Russia, Thailand, and Venezuela. In listing China, the report highlighted the need for greater protection and enforcement of all forms of IPR there, including patents, trademarks, copyrights, trade secrets, and the protection of pharmaceutical test data. It noted U.S. concerns about cybertheft, compulsory licensing, trade secret theft, and “indigenous innovation” policies and related industrial policies in China that may disadvantage U.S. rights holders.

India remained on the priority watch list because it made only limited progress in improving its weak legal framework for IPR protection and enforcement. The *2013 Special 301 Report* noted concerns about the patent system, particularly in the pharmaceutical sector; compulsory licensing; unauthorized disclosure of test and other data; copyright piracy over the Internet; and market access measures that appear to discriminate in favor of the indigenous development of IPR.

Although Russia has made some progress in improving IPR protection and enforcement,⁷¹ it remained on the priority watch list because overall IPR protection and enforcement appears to have declined while online piracy is growing. No effective enforcement strategy has been developed by Russia to address this issue.

⁷⁰ The WIPO Internet treaties include the WIPO Copyright Treaty, adopted in Geneva on December 20, 1996, and the WIPO Performances and Phonograms Treaty, adopted in Geneva on December 20, 1996. See USTR, *2013 Special 301 Report*, May 2013, Annex 2.

⁷¹ On December 21, 2012, the USTR announced that the United States and Russia had agreed to an Intellectual Property Rights Action Plan to improve IPR protection and enforcement in Russia. USTR, “United States and Russian Federation Agree on Action Plan,” December 21, 2012.

The *2013 Special 301 Report* also identified 30 countries on its watch list.⁷² It also noted that Brunei Darussalam and Norway had made progress and were therefore removed from the watch list.

From 2006 through 2010, the USTR also identified so-called notorious markets in the same report. In 2010, the USTR announced that the agency would begin issuing a list of these markets separately.⁷³ In February 2011, the USTR published the first separate Notorious Markets List, which identifies select online and physical marketplaces that reportedly engage in and facilitate substantial piracy and counterfeiting.⁷⁴ Such markets have been the subject of enforcement actions or, according to the USTR, may merit further investigations. In September 2013, the USTR solicited public comments for the *2013 Special 301 Out-of-Cycle Review of Notorious Markets Report*.⁷⁵ The 2013 Notorious Markets List was not issued, and the out-of-cycle review was ongoing during 2013.⁷⁶

Antidumping and Countervailing Duty Investigations and Reviews

Antidumping Duty Investigations

The U.S. antidumping law is found in title VII of the Tariff Act of 1930, as amended.⁷⁷ This law offers relief to U.S. industries that are injured by imports that are dumped, or sold, at less than their “fair value” (LTFV). The U.S. government provides relief by imposing a special additional duty on a LTFV import that reflects its “dumping margin”—the amount by which its sale price is less than its fair value.

Antidumping duties are imposed when (1) the U.S. Department of Commerce (USDOC), the administering authority, has determined that imports are being, or are likely to be, sold at LTFV in the United States, and (2) the Commission has determined that a U.S. industry is materially injured or threatened with material injury, or that the establishment of an industry in the United States is materially retarded by reason of such imports. (Such a conclusion is called an “affirmative determination.”) Most investigations are conducted on the basis of a petition filed with the USDOC and the Commission by or on behalf of a U.S. industry. The USDOC and the Commission each conduct preliminary and final antidumping duty investigations in making their separate determinations.

⁷² The countries on the 2013 watch list are Barbados, Belarus, Bolivia, Brazil, Bulgaria, Canada, Colombia, Costa Rica, the Dominican Republic, Ecuador, Egypt, Finland, Greece, Guatemala, Israel, Italy, Jamaica, Kuwait, Lebanon, Mexico, Paraguay, Peru, the Philippines, Romania, Tajikistan, Trinidad and Tobago, Turkey, Turkmenistan, Uzbekistan, and Vietnam. USTR, *2013 Special 301 Report*, May 2013.

⁷³ 75 Fed. Reg. 60854 (October 1, 2010). The decision was made in coordination with the Office of the Intellectual Property Enforcement Coordinator (IPEC) and in accordance with the 2010 Joint Strategic Plan on Intellectual Property Enforcement. Executive Office of the President, IPEC, *2010 Joint Strategic Plan*, June 2010, 9.

⁷⁴ USTR, *2013 Out-of-Cycle Review of Notorious Markets*, February, 2014.

⁷⁵ 78 Fed. Reg. 57924 (September 20, 2013).

⁷⁶ The *2013 Out-of-Cycle Review of Notorious Markets Report* was issued by the USTR in February 2014.

⁷⁷ 19 U.S.C. § 1673 et seq.

In general, imports are considered to be sold at LTFV when a foreign firm sells merchandise in the U.S. market at a price that is lower than the “normal value” of the merchandise.⁷⁸ Generally, normal value is the price the foreign firm charges for a comparable product sold in its home market.⁷⁹ Under certain circumstances, the foreign firm’s U.S. sales price may also be compared with the price the foreign firm charges in other export markets or with the firm’s cost of producing the merchandise, taking into account the firm’s selling, general, and administrative expenses, as well as its profit. Under the law, this latter basis for comparison is known as constructed value.⁸⁰ Finally, where the producer is located in a non-market-economy country, a comparison is made between U.S. prices and a “surrogate” normal value (its factors of production, as valued by use of a “surrogate” country).⁸¹ In all three instances, the amount by which normal value exceeds the U.S. price is the “dumping margin.” The duty specified in an antidumping duty order reflects the weighted average dumping margins found by the USDOC both for the specific exporters it examined and for all other exporters.⁸² This rate of duty (in addition to any ordinary customs duty owed) will be applied to subsequent imports from the specified producers/exporters in the subject country, but it may be adjusted if the USDOC receives a request for an annual review.⁸³

The Commission instituted 42 new preliminary antidumping investigations and completed 10 final investigations in 2013.⁸⁴ As a result of affirmative Commission determinations, in 2013 antidumping duties were imposed in 8 of those completed investigations on five products from five countries (table 2.1).

The status of all antidumping investigations active at the Commission during 2013 is presented in appendix table A.9. A list of all antidumping duty orders, including suspension agreements (agreements to suspend investigations),⁸⁵ in effect as of the end of 2013 appears in appendix table A.10.

⁷⁸ 19 U.S.C. § 1677(35)(A); see also 19 U.S.C. § 1677a(a) (defining export price), § 1677a(b) (defining constructed export price).

⁷⁹ 19 U.S.C. § 1677b.

⁸⁰ 19 U.S.C. § 1677b(a)(4), § 1677b(e).

⁸¹ 19 U.S.C. § 1677b(c).

⁸² 19 U.S.C. § 1677(35)(B); 19 U.S.C. § 1673d(c).

⁸³ 19 U.S.C. § 1675(a).

⁸⁴ Data reported here and in the following two sections (“Countervailing Duty Investigations” and “Reviews of Outstanding Antidumping and Countervailing Duty Orders/Suspension Agreements”) reflect the total number of investigations. In other Commission reports these data are grouped by product because the same investigative team and all of the parties participate in a single grouped proceeding, and the Commission generally produces one report and issues one opinion containing its separate determinations for each investigation.

⁸⁵ An antidumping investigation may be suspended if exporters accounting for substantially all of the imports of the merchandise under investigation agree either to eliminate the dumping or to cease exports of the merchandise to the United States within six months. In extraordinary circumstances, an investigation may be suspended if exporters agree to revise prices to completely eliminate the injurious effect of exports of the merchandise in question to the United States. A suspended investigation is reinstated if USDOC determines that the suspension agreement has been violated. See 19 U.S.C. § 1673c.

Table 2.1 Antidumping duty orders that became effective during 2013^a

Country	Product	Range of dumping margins (percent)
China	Drawn stainless steel sinks	27.14–76.53
China	Utility-scale wind towers	44.99–70.63
China	Xanthan gum	15.09–154.07
Korea	Large residential washers	9.29–82.41
Mexico	Large residential washers	36.52–72.41
Taiwan	Steel wire garment hangers	69.98–125.43
Vietnam	Steel wire garment hangers	157.00–220.68
Vietnam	Utility-scale wind towers	51.50–58.49

Source: Compiled by USITC from *Federal Register* notices.

^aAntidumping duty orders become effective following final affirmative determinations by USDOC and the Commission. The rates in the table apply in addition to any ordinary customs duty owed.

Countervailing Duty Investigations

The U.S. countervailing duty law is also set forth in title VII of the Tariff Act of 1930, as amended. It provides for the imposition of special additional duties to offset (“countervail”) foreign subsidies on products imported into the United States.⁸⁶ In general, procedures for such investigations are similar to those under the antidumping law. Petitions are filed with the USDOC (the administering authority) and with the Commission. Before a countervailing duty order can be issued, the USDOC must find that a countervailable subsidy exists. In addition, the Commission must make an affirmative determination that a U.S. industry is materially injured or threatened with material injury, or that the establishment of an industry is materially retarded, by reason of the subsidized imports.

The Commission instituted 14 new preliminary countervailing duty investigations and completed 12 final investigations during 2013. Countervailing duties were imposed in 2013 as a result of affirmative Commission determinations in 4 of the completed investigations on four products from three countries (table 2.2). The status of all countervailing duty investigations active at the Commission during 2013 is presented in appendix table A.11, and a list of all countervailing duty orders (including suspension agreements)⁸⁷ in effect at the end of the year appears in appendix table A.12.

⁸⁶ A subsidy is defined as when an authority (a government of a country or any public entity within the territory of the country):

- (i) provides a financial contribution, (ii) provides any form of income or price support within the meaning of Article XVI of the GATT 1994, or (iii) makes a payment to a funding mechanism to provide a financial contribution, or entrusts or directs a private entity to make a financial contribution, if providing the contribution would normally be vested in the government and the practice does not differ in substance from practices normally followed by governments,

to a person and a benefit is thereby conferred. See 19 U.S.C. § 1677(5)(B).

⁸⁷ A countervailing duty investigation may be suspended if the government of the subsidizing country or exporters accounting for substantially all of the imports of the merchandise under investigation agree to eliminate the subsidy, to completely offset the net subsidy, or to cease exports of the merchandise to the United States within six months. In extraordinary circumstances, an investigation may be suspended if the government of the subsidizing country or exporters agrees to completely eliminate the injurious effect of exports of the merchandise

Table 2.2 Countervailing duty orders that became effective during 2013^a

Country	Product	Range of countervailable subsidy rates (percent)
China	Drawn stainless steel sinks	4.80–12.26
China	Utility-scale wind towers	21.86–34.81
Korea	Large residential washers	1.85–72.30
Vietnam	Steel wire garment hangers	31.58–90.42

Source: Compiled by USITC from *Federal Register* notices.

^aCountervailing duty orders become effective following final affirmative determinations by USDOC and the Commission. The rates in the table apply in addition to any ordinary customs duty owed.

Reviews of Outstanding Antidumping and Countervailing Duty Orders/Suspension Agreements

Section 751(a) of the Tariff Act of 1930 requires the USDOC, if requested, to conduct annual reviews of outstanding antidumping duty and countervailing duty orders to ascertain the amount of any net subsidy or dumping margin and to determine whether suspension agreements are being complied with.⁸⁸ Section 751(b) also authorizes the USDOC and the Commission, as appropriate, to review certain outstanding determinations and agreements after receiving information or a petition that shows changed circumstances.⁸⁹ For a changed circumstances review, the party that is asking to have an antidumping duty order, countervailing duty order, or suspension agreement revoked or modified has the burden of persuading the USDOC and the Commission that circumstances have changed enough to warrant review and revocation. On the basis of either the USDOC's or Commission's review, the USDOC may revoke an antidumping duty or countervailing duty order in whole or in part, or may either terminate or resume a suspended investigation. No changed-circumstances investigations were conducted at the Commission during 2013.

Section 751(c) of the Tariff Act of 1930 requires both the USDOC and the Commission to conduct sunset reviews of existing antidumping duty and countervailing duty orders and suspension agreements five years after their publication to determine whether revocation of an order or termination of a suspension agreement would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy and material injury.⁹⁰ During 2013, the USDOC and the Commission instituted 50 sunset reviews, and the Commission completed 26 reviews. As a result, 22 antidumping duty and countervailing duty orders were continued for five more years. Appendix table A.13 shows completed reviews of antidumping duty and countervailing duty orders and suspension agreements in 2013.⁹¹

in question to the United States. A suspended investigation is reinstated if USDOC determines that the suspension agreement has been violated. See 19 U.S.C. § 1671c.

⁸⁸ 19 U.S.C. § 1675(a).

⁸⁹ 19 U.S.C. § 1675(b).

⁹⁰ 19 U.S.C. § 1675(c).

⁹¹ For detailed information on reviews instituted, as well as Commission action in all reviews, see the Commission's website section "Five-Year (Sunset) Reviews" at <http://info.usitc.gov/oinv/sunset.NSF>.

Section 337 Investigations

Section 337 of the Tariff Act of 1930, as amended,⁹² prohibits certain unfair acts in the importation of goods into the United States. Most section 337 investigations involve allegations of patent infringement—specifically, whether products that infringe a valid and enforceable U.S. patent or that are produced by means of an infringed patented process are being imported into the United States, sold for importation, or sold after importation. To find a violation of section 337 based on patent infringement, the Commission must also determine that an industry in the United States related to articles protected by the patent either exists or is in the process of being established. Similar standards govern investigations involving infringement of registered trademarks, registered copyrights, registered mask works, and registered vessel hull designs. In addition, the Commission has broad authority to investigate other unfair methods of competition and unfair acts in the importation and sale of products in the United States (such as products manufactured abroad using stolen U.S. trade secrets), the threat or effect of which is to destroy or injure a U.S. industry, to prevent the establishment of a U.S. industry, or to restrain or monopolize trade and commerce in the United States.⁹³ The Commission may institute an investigation on the basis of a complaint or on its own initiative.⁹⁴

If the Commission determines that a violation exists, it can issue an exclusion order directing U.S. Customs and Border Protection to block the subject imports from entry into the United States, in addition to cease and desist orders directing the violating parties to stop engaging in the unlawful practices. The orders enter into force unless disapproved for policy reasons by the USTR⁹⁵ within 60 days of issuance.⁹⁶

During calendar year 2013, there were 109 active section 337 investigations and ancillary proceedings, 53 of which were instituted that year. Of these 53 new proceedings, 42 were new section 337 investigations and 11 were new ancillary proceedings relating to previously concluded investigations. In 37 of the new section 337 investigations instituted in 2013, patent infringement was the only type of unfair act alleged (although allegations of trade secret misappropriation were later added to 1 investigation). Of the remaining 5 investigations, 1 involved allegations of patent infringement and trade secret misappropriation; 2 involved allegations of only trade secret misappropriation; 1 involved allegations of copyright

⁹² 19 U.S.C. § 1337.

⁹³ Other unfair methods of competition and unfair acts have included common-law trademark infringement, trade dress infringement, trademark dilution, false advertising, and false designation of origin. (“Trade dress,” in general terms, is a product’s total appearance and image, including features such as size, texture, shape, color or color combinations, and graphics.) Unfair practices that involve the importation of dumped or subsidized merchandise must be pursued under antidumping or countervailing duty provisions, not under section 337.

⁹⁴ 19 U.S.C. § 1337(b)(1).

⁹⁵ 19 U.S.C. § 1337(j). Although the statute reserves the review for the President, since 2005 this function has been officially delegated to the USTR. 70 Fed. Reg. 43251 (July 26, 2005).

⁹⁶ Section 337 investigations at the Commission are conducted before an administrative law judge in accordance with the Administrative Procedure Act, 5 U.S.C. §§ 551 et seq. The judge conducts an evidentiary hearing and makes an initial determination, which is transmitted to the Commission for review. If the Commission finds a violation, it must determine the appropriate remedy, the amount of any bond to be collected while its determination is under review by the USTR, and whether public-interest considerations preclude issuing a remedy.

infringement, unfair methods of competition, and unfair acts; and 1 involved allegations of trademark infringement, unfair methods of competition, trademark dilution, and unfair acts.

The Commission completed a total of 55 investigations and ancillary proceedings under section 337 in 2013, including 1 modification proceeding, 2 bond-related proceedings, and 4 enforcement proceedings. In addition, 9 exclusion orders, including 3 general exclusion orders, and 25 cease and desist orders were issued during 2013. The Commission also issued one limited exclusion order and one cease and desist order that were disapproved by the USTR. The Commission terminated 28 investigations without determining whether there had been a violation. Twenty-three of these investigations were terminated on the basis of settlement agreements and/or consent orders.

As in prior years, the section 337 investigations active in 2013 involved a broad spectrum of products. Slightly less than 40 percent of the proceedings involved computer and telecommunications equipment. Consumer electronics products (such as video game systems, Blu-ray disc players, and set-top boxes), small consumer items (such as digital photo frames, cellphone cases, and robotic toys), and pharmaceuticals and medical products (such as reduced folate nutraceuticals, omega-3 supplements, and breathing systems for treating sleep apnea) each represented slightly more than 10 percent of the proceedings. The remaining proceedings—about 30 percent of the total—involved a wide variety of other types of goods, including integrated circuits, liquid-crystal displays, toner cartridges, rubber resins, lighting products, automobile tires, outdoor grills, household cleaning products, and crawler cranes.

At the close of 2013, 54 section 337 investigations and related proceedings were pending at the Commission. Commission activities involving section 337 proceedings in 2013 are presented in appendix table A.14. As of December 31, 2013, there were 96 exclusion orders based on violations of section 337 in effect. Appendix table A.15 lists the investigations in which these exclusion orders were issued.

Trade Adjustment Assistance

The United States provides trade adjustment assistance (TAA) to aid U.S. workers and firms adversely affected by import competition or by U.S. production moving to foreign countries.⁹⁷ The main TAA programs in effect in 2013 were TAA for Workers, administered by the U.S.

⁹⁷ TAA was first established by the Trade Expansion Act of 1962 (Pub. L. 87-793) and subsequently expanded and reauthorized numerous times. The most recent extension and modification of TAA was made by the Trade Adjustment Assistance Extension Act (TAAEA) of 2011 (Pub. L. 112-40), which was signed into law on October 21, 2011. The TAAEA generally extended most TAA provisions through December 31, 2013. CRS, *Trade Adjustment Assistance ((TAA) and Its Role in U.S. Trade Policy*, August 5, 2013, 14–16. On January 1, 2014, the 2011 Amendments to the Trade Act expired and the TAA program began operating under the sunset provisions, referred to as “Reversion 2014.” Reversion 2014 is a modified version of the 2002 Program that retains certain elements of the 2011 Program. For example, TAA for Workers under Reversion 2014 provides a wage subsidy to workers involved in a full-time training course lasting for 130 weeks (as in the 2011 Program) but limits worker eligibility to only those in the manufacturing sector (as in the 2002 Program). More examples of Reversion 2014 are provided below. USDOL, “Trade Adjustment Assistance for Workers: Comparison by Petition Number,” n.d. (accessed March 19, 2014).

Department of Labor (USDOL), and TAA for Firms, administered by the USDOC.⁹⁸ A third program, TAA for Farmers, was authorized by the Trade Adjustment Assistance Extension Act (TAAEA) of October 2011, but has not received appropriations since 2011.⁹⁹ Selected developments in the TAA programs for workers and firms during fiscal year (FY) 2013 are summarized below.¹⁰⁰ The most current information on each of the TAA programs, including the status of authorizing legislation and program funding, is available from the respective administering agencies cited in this report.

Assistance for Workers

The TAA for Workers program gives federal assistance to eligible workers who have been adversely affected by foreign trade. Assistance includes training and reemployment services, as well as income support, and included a tax credit for health care through 2013.¹⁰¹ Current information on provisions of the TAA for Workers program, as well as detailed information on program eligibility requirements, benefits, and available services, is available at the USDOL's Employment and Training Administration (ETA) website for TAA, <http://www.doleta.gov/tradeact/>.

To be certified by USDOL as being eligible for TAA, unemployed workers must establish that they were separated from their employment either because their jobs moved outside the United States or because of an increase in directly competitive imports. (Workers often apply in groups based on their former firms.) Workers at firms that are or were suppliers to or downstream users of the output of TAA-certified firms may also be eligible for TAA benefits. In 2013, both manufacturing and service workers (except those in the public sector) were eligible for TAA.¹⁰²

⁹⁸ A TAA program for communities adversely impacted by trade was mostly discontinued by legislation in 2011 because it was considered duplicative of other federal programs. One component of that program, the trade adjustment assistance community college and career training grants, was retained and is administered by the USDOL in partnership with the U.S. Department of Education. CRS, *Trade Adjustment Assistance (TAA) and Its Role*, August 5, 2013, 14. Further information on the college and career training grants program is available from USDOL, ETA, "Trade Adjustment Assistance Community College and Career Training," September 18, 2013.

⁹⁹ The TAA for Farmers program, which was administered by USDA's Foreign Agricultural Service, provided technical training and cash benefits to eligible U.S. producers of raw agricultural commodities and eligible fishermen whose crops or catch were adversely affected by imports. The program for farmers was first instituted in 2002 by Congress as part of the Trade Act of 2002 (Pub. L. 107-210), and was expanded as part of the American Recovery and Reinvestment Act (ARRA) of 2009 (Pub. L. 111-5) to increase producer eligibility for program benefits. Appropriations from ARRA lasted only through December 2010, and funding lapsed as of January 2011. CRS, *TAA for Farmers*, September 5, 2012, 2, 5; CRS, *Trade Adjustment Assistance (TAA) and Its Role*, August 5, 2013, 10–11. The program was re-authorized most recently as part of the TAAEA in October 2011 through the end of 2013, but USDA has not requested or received appropriations for this program between FY 2012 and FY 2014. CRS, *TAA for Farmers*, September 5, 2012, 5, 11; USDA, *Budget Summary and Annual Performance Plans (FYs 2012–15)* (accessed March 19, 2014).

¹⁰⁰ FY 2013 ran from October 1, 2012, to September 30, 2013.

¹⁰¹ The Health Care Tax Credit expired on January 1, 2014. USDOL, "Trade Adjustment Assistance for Workers: Comparison by Petition Number," n.d. (accessed March 19, 2014).

¹⁰² Since January 1, 2014, under Reversion 2014, services workers whose prior work was not related to manufacturing production are no longer eligible for TAA. In addition, workers who lost their jobs due to

Groups of workers submitted 1,480 petitions for TAA in FY 2013, roughly equivalent to the 1,465 petitions filed in FY 2012.¹⁰³ The ETA certified 1,025 petitions covering 104,158 workers as eligible for TAA, and denied 279 petitions covering 23,628 workers.¹⁰⁴ The largest number of petitions certified in FY 2013 were in the South census region (313 petitions covering 37,506 workers), followed by the Midwest (267 petitions covering 26,457 workers), the Northeast (249 petitions covering 20,806 workers), and the West (159 petitions covering 14,465 workers). By state, Texas had the most workers certified (10,853 workers), followed by California (7,609 workers), Pennsylvania (6,571 workers), New York (5,557 workers), and North Carolina (5,313 workers).

The majority (58.1 percent) of TAA petitions certified during FY 2013 were in goods-producing industries, covering 74,052 workers, primarily in the manufacturing sector. The remaining 41.9 percent of TAA petitions certified during FY 2013 were in services sectors, covering 30,106 workers. Among the services sector petitions certified, 17.0 percent were in professional, scientific, and technical services (5,110 workers); 11.4 percent were in information services (3,437 workers); and 8.0 percent were in finance and insurance (2,402 workers). The largest share of petitions that were certified attributed job losses to workers' firms moving production or services to foreign countries.

Assistance for Firms

The TAA for Firms program provided technical and financial assistance to U.S. manufacturers and service sector firms adversely affected by imports in 2013.¹⁰⁵ The TAA for Firms program helps eligible firms that have been certified for benefits to develop a business recovery plan ("adjustment proposal"). TAA also provides matching funds to help certified firms expand markets, strengthen their operations, or otherwise increase their global competitiveness.¹⁰⁶ Current information on provisions of the TAA for Firms program, as well as detailed information on program eligibility requirements, benefits, and available services, is available at the USDOC's Economic Development Administration (EDA) website for TAA, <http://www.taacenters.org/>.

To be eligible for TAA, firms must show that directly competitive imports have contributed to declines in employment and sales or production.¹⁰⁷ Assistance is in the form of matching funds

outsourcing are eligible only if their firm's production shifted to a country with which the United States has an FTA or certain preferential trade agreements. CRS, *Trade Adjustment Assistance for Workers*, December 17, 2012, 2; USDOL, "Trade Adjustment Assistance for Workers: Comparison," n.d. (accessed March 19, 2014).

¹⁰³ ETA's petition database is found at http://www.doleta.gov/tradeact/taa_reports/petitionsresults.cfm. Data represent actual figures as collected and reported for FY 2013 in TAA's Trade Act Participant Report (TAPR) data management system.

¹⁰⁴ Petitions are accepted and investigated on a rolling basis throughout the year, and petitions may be withdrawn and investigations terminated at any point. For these reasons, the number of petitions certified and denied for TAA in any fiscal year may not equal the total number of petitions filed in that year. USDOL, ETA, "Petition Filing Frequently Asked Questions (FAQ)," n.d. (accessed March 14, 2014).

¹⁰⁵ As of January 1, 2014, TAA for Firms no longer offered eligibility to services firms. USDOC, EDA, *Fiscal Year 2013 Annual Report to Congress: Trade Adjustment Assistance*, 3 (accessed March 29, 2014).

¹⁰⁶ *Ibid.*, 3.

¹⁰⁷ *Ibid.*, 10–11.

that can be applied toward the cost of hiring consultants, engineers, designers, or industry experts for improvement projects in areas such as manufacturing, engineering, marketing, information technology, and quality improvement and sales.¹⁰⁸ Under the program, the firm's management receives help in assessing the firm's strengths and weaknesses and developing an adjustment proposal to stimulate recovery and growth. Firms generally have up to five years to carry out an approved adjustment proposal.¹⁰⁹

EDA reported that in FY 2013 it accepted 105 petitions for TAA, with 105 petitions certified as eligible for assistance and one denied or withdrawn during the year. In comparison, EDA accepted 83 petitions in FY 2012, with 79 certified and 3 denied or withdrawn.¹¹⁰ Firms located in Illinois received the most certifications in FY 2013 (16 certifications, or 15 percent of the total), followed by firms in Pennsylvania (12 certifications, or 11 percent).¹¹¹ Manufacturing firms accounted for 89 percent of the firms certified for TAA during FY 2013, with firms in manufacturing and technical services, commercial machinery, wholesale trade, and agriculture accounting for the remainder.¹¹² EDA approved 114 adjustment proposals in FY 2013 with total government funding valued at \$6.2 million, up from 102 adjustment proposals with government funding valued at \$5.4 million approved in FY 2012.¹¹³

Tariff Preference Programs

Generalized System of Preferences

The U.S. Generalized System of Preferences (GSP) program authorizes the President to grant duty-free access to the U.S. market for certain products that are imported from developing countries and territories designated as beneficiaries.¹¹⁴ Certain additional products are allowed duty-free treatment when imported from countries designated as least-developed beneficiary developing countries (LDBDCs). The President's authority to provide duty-free treatment under the GSP program expired on December 31, 2010,¹¹⁵ and was renewed retroactively on October 21, 2011, effective through July 31, 2013.¹¹⁶ USTR completed an annual review of 2012 imports and announced the results on July 1, 2013. However, on July 31, 2013, the President's authority to provide duty-free treatment again lapsed and was not renewed during 2013. As detailed below, petitions have continued to be accepted for review so that the program can be reinstated smoothly if the President's authority is renewed.

¹⁰⁸ Ibid., 9–10.

¹⁰⁹ Ibid., 11–12.

¹¹⁰ Petitions are certified on a rolling basis throughout the year. Petitions certified in one fiscal year may be the result of those received or accepted in the previous fiscal year, while petitions received or accepted in a fiscal year may not result in certification in that year. USDOC, EDA, *Fiscal Year 2013 Annual Report to Congress: Trade Adjustment Assistance*, 13 (accessed March 29, 2014).

¹¹¹ USDOC, EDA, *Fiscal Year 2013 Annual Report to Congress: Trade Adjustment Assistance*, n.d, 15–16 (accessed March 29, 2014).

¹¹² Ibid., 17.

¹¹³ Ibid., 25.

¹¹⁴ The program is authorized by title V of the Trade Act of 1974, as amended, 19 U.S.C. § 2461 et seq.

¹¹⁵ Pub. L. 111-124.

¹¹⁶ Pub. L. 112-40.

The GSP program aims to accelerate economic growth in developing countries by offering unilateral tariff preferences. An underlying principle of the program is that creating trade opportunities for developing countries encourages broad-based economic development and sustains momentum for economic reform and liberalization. The GSP program also allows U.S. companies to have access to intermediate products from beneficiary countries on generally the same terms as those available to competitors in other developed countries that grant similar trade preferences.¹¹⁷

Countries are designated as “beneficiary developing countries” under the GSP program by the President, although they can lose this designation based on petitions alleging improper country practices, including inadequate protection of IPR or of internationally recognized worker rights.¹¹⁸ The President also designates the articles that are eligible for duty-free treatment, but may not designate articles that are designated as “import sensitive” by statute or that he determines to be “import sensitive” in the context of the GSP. Certain articles (for example, footwear, textiles, and apparel) are designated by statute as “import sensitive” and thus not eligible for duty-free treatment under the GSP program. The statute also provides for graduating countries from the program when they become “high income” and for ending the eligibility of articles, or of articles from certain countries, under certain conditions.

Competitive need limitations (CNLs) are another important part of the GSP program’s structure. CNLs are quantitative ceilings on GSP benefits for each product and beneficiary developing country, and are applied during program reviews. The GSP statute provides that a beneficiary developing country will lose its GSP eligibility with respect to a product if the CNLs are exceeded, though waivers may be granted under certain conditions. Under the CNLs, U.S. imports of a particular product from a beneficiary developing country cannot account for 50 percent or more of the value of total U.S. imports of that product during a calendar year, and/or U.S. imports of a particular product cannot exceed a certain dollar value (\$160 million in 2013 and increasing by \$5 million each year).¹¹⁹ The extension of the GSP program in 2006 provided that a CNL waiver in effect on a product for five or more years should be revoked if U.S. imports from a specific supplier meet certain “super-competitive” value thresholds.¹²⁰ The following developments affecting the U.S. GSP program occurred in 2013:

- On April 16, 2013, USTR announced initiation of a review of the possible designation of Burma and Laos as GSP beneficiary developing countries.¹²¹ A public hearing was held on June 4, 2013.
- Following a public hearing on March 28, and a comment period, the President proclaimed on June 27, 2013, that Bangladesh would be suspended from the GSP program in response to worker rights problems.¹²²

¹¹⁷ USTR, *2012 Trade Policy Agenda*, March 2012, 188.

¹¹⁸ The list of current GSP beneficiaries can be found on the USITC’s website at <http://www.usitc.gov/publications/docs/tata/hts/bychapter/1400gn.pdf#page=11>.

¹¹⁹ USTR, *U.S. Generalized System of Preferences (GSP) Guidebook*, December 2012, 11.

¹²⁰ 19 U.S.C. § 2463(d)(4)(B)(ii).

¹²¹ 78 Fed. Reg. 22593 (April 16, 2013).

¹²² Proclamation 8997, 78 Fed. Reg. 39949 (July 2, 2013).

- In the same June 27, 2013, proclamation, one product (corn, other than seed and yellow dent corn from Brazil) was excluded from GSP for exceeding the CNL; a second product (calcium silicon ferroalloys from Brazil) was granted a waiver of its CNL; and certain other technical corrections were made. In addition, country practice reviews continued for a number of GSP beneficiaries. These reviews focused on worker rights, IPR, and arbitral issues.¹²³
- The President’s authority to provide duty-free treatment under the program expired on July 31, 2013. As stated in a *Federal Register* notice on July 29, 2013, petitions have continued to be accepted for review so that the program can be reinstated smoothly if the President’s authority is renewed.¹²⁴

Imports for which GSP preference was claimed totaled \$18.5 billion in 2013, accounting for 6.7 percent of total U.S. imports from GSP beneficiary countries and 0.8 percent of total U.S. imports (table 2.3).¹²⁵ India was the leading GSP beneficiary in 2013, followed by Thailand and Brazil (appendix table A.16). Appendix table A.17 shows the overall sectoral distribution of GSP benefits, and appendix table A.18 shows the top 25 products imported under the GSP in 2013.

Table 2.3 U.S. imports for consumption from GSP beneficiaries, 2011–13

Item	2011	2012	2013
Total imports from GSP beneficiaries (million \$)	365,902	338,138	276,950
Total imports under GSP (million \$) ^a	18,539	19,857	18,516
Imports under LDBDC provisions (million \$) ^b	503	540	622
Imports under non-LDBDC provisions (million \$) ^c	18,036	19,317	17,894
Share of total imports under GSP (percent of total)	5.1	5.9	6.7

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: LDBDCs = least-developed beneficiary developing countries. The President’s authority to provide duty-free treatment under the GSP program expired on December 31, 2010, and was restarted on October 21, 2011; trade data for this period include retroactive entries. The President’s authority expired again on July 31, 2013, and has yet to be renewed. Data for 2013 since the expiration include imports that have GSP petitions on file in anticipation of renewal of the program.

^aThere were 127 GSP beneficiary countries for which U.S. importers could claim GSP duty preferences in 2013. However, U.S. importers claimed such preferences for imports from only 95 beneficiaries.

^bLDBDC-eligible products are those for which a rate of duty of “free” appears in the special rate column of the HTS, followed by the symbol “A+” in parentheses. The symbol “A+” indicates that all LDBDCs (and only LDBDCs) are eligible for duty-free treatment with respect to all articles listed in the designated provisions.

^cNon-LDBDC-eligible products are those for which a rate of duty of “free” appears in the special rate column of the Harmonized Tariff Schedule of the United States (HTS) followed by the symbols “A” or “A*” in parentheses. The symbol “A” indicates that all beneficiary countries are eligible for duty-free treatment with respect to all articles listed in the designated provisions. The symbol “A*” indicates that certain beneficiary countries (specified in general note 4(d) of the HTS) are not eligible for duty-free treatment with respect to any article provided for in the designated provision.

¹²³ Ibid.

¹²⁴ 78 Fed. Reg. 45596 (July 29, 2013).

¹²⁵ Imports entering the United States free of duty under preference programs are given duty-free preference only upon an importer’s claim for each shipment, supported with documentation. Note that imports after July 31, 2013, did not actually enter duty-free, but importers still claimed GSP status to facilitate receiving refunds in case GSP is renewed retroactively, as has been done in the past.

African Growth and Opportunity Act

The African Growth and Opportunity Act (AGOA or Act) was enacted in 2000 to promote stable and sustainable economic growth and development in sub-Saharan Africa. In a statement of policy in the Act, Congress expressed support for, among other things, “encouraging increased trade and investment between the United States and Sub-Saharan Africa” and “reducing tariff and nontariff barriers and other obstacles to sub-Saharan African and United States trade.”¹²⁶ By granting unilateral trade benefits to eligible beneficiary sub-Saharan African (SSA) countries, AGOA aims to promote political and economic reform in SSA, encourage regional economic integration, strengthen private sectors, and facilitate the development of civil societies and political freedom.¹²⁷ Authority to provide the principal trade preferences under AGOA is currently in effect through September 30, 2015.

AGOA builds on the U.S. GSP program, providing duty-free access to the U.S. market for all GSP-eligible products¹²⁸ and for an additional 1,800 qualifying tariff line-item products from designated SSA countries. In addition, AGOA authorizes duty-free treatment to certain textile and apparel articles made in qualifying beneficiary SSA countries.¹²⁹ In 2013, approximately 6,800 tariff lines were eligible for duty-free treatment under AGOA.¹³⁰

AGOA authorizes the President to designate an SSA country as an AGOA beneficiary country if the President determines the country meets the eligibility requirements set forth in section 104(a) of the Act.¹³¹ The Act also requires the President to review annually whether SSA countries are, or remain, eligible for AGOA benefits based on the eligibility criteria.¹³² In 2013, a total of 39 SSA countries were designated as eligible for AGOA benefits,¹³³ and 27 of these also qualified for AGOA textile and apparel benefits.¹³⁴ Of the countries in the latter group, all but

¹²⁶ Trade and Development Act of 2000, 19 U.S.C. 3701, Title I, sec. 103 (Pub. L.106-200), 19 U.S.C. § 3702.

¹²⁷ *Ibid.*

¹²⁸ The eligibility criteria for GSP and AGOA substantially overlap, and countries must be GSP-eligible in order to receive trade benefits under AGOA. USDOC, ITA, “AGOA: General Country Eligibility Provisions,” n.d. (accessed March 5, 2014).

¹²⁹ 19 U.S.C. § 3721. AGOA provisions that provide preferential treatment for certain textiles and apparel also expire on September 30, 2015. 19 U.S.C. § 3721(f).

¹³⁰ These tariff lines do not include imports under the AGOA apparel and textile provisions.

¹³¹ 19 U.S.C. § 3703(a). 19 U.S.C. § 3706 lists a total of 49 SSA countries, or their successor political entities, as potential AGOA beneficiaries.

¹³² 19 U.S.C. § 2466a(a)(2).

¹³³ The following 39 countries were listed in general note 16 of the HTS as designated AGOA beneficiaries during 2013: Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cabo Verde, Chad, Comoros, Republic of the Congo, Côte d’Ivoire, Djibouti, Ethiopia, Gabon, The Gambia, Ghana, Guinea, Kenya, Lesotho, Liberia, Malawi, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, São Tomé and Príncipe, Senegal, Seychelles, Sierra Leone, South Africa, South Sudan, Swaziland, Tanzania, Togo, Uganda, and Zambia. USITC, *Harmonized Tariff Schedule of the United States (HTS) 2013*, January 2013, 188.

¹³⁴ Twenty-eight countries are listed in U.S. Note 7(a) of the HTS as eligible to receive AGOA apparel benefits as of January 1, 2014. These countries include 27 countries eligible in 2013 plus Mali, which was restored to AGOA benefits on January 1, 2014. The eligible countries in 2013 included Benin, Botswana, Burkina Faso, Cameroon, Cabo Verde, Chad, Côte d’Ivoire, Ethiopia, The Gambia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, South Africa, Swaziland, Tanzania, Uganda, and Zambia. USITC, *Harmonized Tariff Schedule of the United States (HTS) 2014*, January 2014, section XXII, chapter

one (South Africa) were also eligible for additional textile and apparel benefits for lesser developed beneficiary countries. Notable among these extra benefits is the third-country fabric provision, which allows beneficiary countries to use non-U.S., non-AGOA fabrics in apparel exports under AGOA.

South Sudan became eligible for AGOA benefits in December 2012, while Guinea-Bissau and Mali lost their eligibility as of January 1, 2013.¹³⁵ However, in December 2013 the President announced that Mali would be reinstated as of January 1, 2014, due to Mali’s inauguration of a democratically elected president in July 2013.¹³⁶

In 2013, U.S. imports that entered duty-free from AGOA beneficiary countries under either AGOA or GSP were valued at \$26.8 billion. They accounted for 70.2 percent of total imports from AGOA countries and represented a 23.1 percent decrease in value from 2012. Articles entering the United States free of duty exclusively under AGOA (excluding GSP) were valued at \$24.8 billion, accounting for 64.9 percent of total imports from AGOA countries and representing a 24.3 percent decrease from 2012 (table 2.4). The drop in the value of petroleum-related product imports, particularly from Nigeria, Angola, and Gabon, was an important factor in the decrease of total imports under AGOA.¹³⁷

The leading suppliers of duty-free U.S. imports under AGOA in 2013 were Nigeria (43.6 percent of total AGOA imports), Angola (24.2 percent), South Africa (10.4 percent), Chad (9.7 percent), the Republic of the Congo (4.2 percent), and Gabon (3.7 percent).¹³⁸ These six countries accounted for 95.8 percent of total imports by value under AGOA, a decrease of 0.8 percentage points from 2012 (appendix table A.19). Petroleum-related products remained the leading

Table 2.4 U.S. imports for consumption from AGOA beneficiaries, 2011–13

Item	2011	2012	2013
Total imports from AGOA countries (million \$)	72,198	47,638	38,209
Total imports under AGOA, including GSP (million \$) ^a	53,840	34,892	26,816
Total Imports under AGOA, excluding GSP (million \$)	51,883	32,748	24,798
Share of total imports under AGOA (percent of total)	74.6	73.2	70.2

Source: Official trade statistics of the USDOC as maintained by the USITC.

^aAGOA-eligible products are those for which a rate of duty of “free” appears in the special rate column of the HTS followed by the symbol “D” in parentheses. The symbol “D” indicates that all AGOA beneficiaries are eligible for duty-free treatment with respect to all articles listed in the designated provisions. In addition, provisions of subchapters II and XIX of chapter 98 of the HTS set forth specific categories of AGOA-eligible products, under the terms of separate country designations enumerated in subchapter notes. Includes imports for which preferential tariff treatment was claimed by U.S. importers under GSP, for HTS rate lines with special duty symbols “A” or “A+.”

98, 98-II-3, U.S. Note 7(a). Also, see USDOC, OTEXA, “Trade Preference Programs: AGOA,” n.d. (accessed December 6, 2013). Côte d’Ivoire qualified for AGOA apparel benefits in March 2013. 78 Fed. Reg. 16908 (March 19, 2013).

¹³⁵ Proclamation 8921 of December 20, 2012, “To Take Certain Actions under the African Growth and Opportunity Act and for Other Purposes,” 77 Fed. Reg. 76799 (December 28, 2012).

¹³⁶ USTR, “Mali Now Eligible for Trade Benefits,” December 24, 2013; 78 Fed. Reg. 80417 (December 31, 2013).

¹³⁷ The decline in AGOA petroleum imports reflects the decline in total U.S. imports of these products. As noted in chapter 1, strong crude oil production growth in the United States has resulted in a “significant decline” in U.S. petroleum imports. USEIA, “Short-term Energy Outlook,” February 11, 2014.

¹³⁸ The share is based on exclusive AGOA imports and does not include imports under GSP.

imports under AGOA, accounting for 85.6 percent of total AGOA imports in 2013, though they were down by 4.4 percentage points from 90.0 percent in 2012. The total value of petroleum-related imports dropped from \$29.5 billion in 2012 to \$21.2 billion in 2013, a 28.0 percent decrease (appendix table A.20). Imports of apparel increased 11.2 percent, from \$0.8 billion in 2012 to \$0.9 billion in 2013. As a percentage of total AGOA imports by value, apparel rose from 2.5 percent in 2012 to 3.6 percent in 2013.¹³⁹

Section 105 of AGOA required the President to establish the U.S.-SSA Trade and Economic Cooperation Forum (also known as the AGOA Forum) through which USTR and the Secretaries of State, Commerce, and the Treasury meet with senior officials from AGOA-eligible countries to discuss trade, investment, and development relationships.¹⁴⁰ The 12th AGOA Forum was held in Addis Ababa, Ethiopia, on August 9–13, 2013. The event brought together senior officials from the United States and AGOA-eligible African countries to discuss a range of trade and investment issues.¹⁴¹ The theme of the 2013 AGOA Forum was “Sustainable Transformation through Trade and Technology.”

Because AGOA is scheduled to expire in September 2015, U.S. Trade Representative Froman announced at the 2013 AGOA Forum that he would be launching a comprehensive review of the AGOA program to assess how well AGOA has met its stated goals. The review is to include inputs from AGOA’s many stakeholders, a hearing, and roundtables on a range of AGOA issues. Additionally, the USTR asked the Commission to provide four reports related to AGOA.¹⁴² The USTR said that the results of all these activities will help inform the Administration’s consultations with Congress on the future of the AGOA program.¹⁴³

Andean Trade Preference Act

The Andean Trade Preference Act (ATPA) was enacted in 1991 to promote broad-based economic development and viable economic alternatives to coca cultivation and cocaine production by offering Andean countries (Bolivia, Colombia, Ecuador, and Peru) broader access to the U.S. market.¹⁴⁴ The President’s authority to provide preferential treatment under ATPA expired on December 4, 2001, but was renewed and expanded by the Andean Trade Promotion and Drug Eradication Act (ATPDEA), part of the Trade Act of 2002.¹⁴⁵ The President’s authority

¹³⁹ USITC DataWeb/DOC (accessed March 5, 2014).

¹⁴⁰ 19 U.S.C. § 3704.

¹⁴¹ USDOS, “AGOA Forum 2013” (accessed January 3, 2014).

¹⁴² The Commission’s reports and the investigations under which they were prepared are investigation no. 332-542, *AGOA: Trade and Investment Performance Overview*; investigation no. 332-544, *AGOA: Economic Effects of Providing Duty-Free Treatment for Imports*; investigation no. 332-545, *U.S. AGOA Rules of Origin: Possible Changes to Promote Regional Integration and Increase Exports to the United States*; and investigation no. 332-546, *EU-South Africa FTA: Impact on U.S. Exports to South Africa*. See also USITC, “Sub-Saharan African Trade and Investment under AGOA,” November 13, 2013.

¹⁴³ USTR, “USTR Froman Looks to Next Steps,” August 13, 2013.

¹⁴⁴ For a more detailed description of ATPA, including country and product eligibility, see USITC, *Andean Trade Preference Act*, September 2012.

¹⁴⁵ Pub. L. 107-210, title XXXI. ATPA beneficiaries are not automatically eligible for ATPDEA preferences. ATPDEA authorizes the President to designate any ATPA beneficiary as eligible for ATPDEA benefits, provided the President determines the country has satisfied certain requirements, including protection of IPR and internationally

to provide preferential treatment under ATPA, as amended by ATPDEA, has expired and been renewed a number of times since then, including in 2011. (The authority expired on February 12, 2011, and was renewed retroactively on October 21, 2011, through July 31, 2013.)¹⁴⁶ The President's authority to provide preferential treatment under both ATPA and ATPDEA expired on July 31, 2013, and as of the end of 2013 had not been renewed.¹⁴⁷

At the time the President's authority expired on July 31, 2013, three out of the four original beneficiary countries—Bolivia, Peru, and Colombia—had been removed from ATPA. Bolivia lost its eligibility on December 15, 2008, for failing to meet ATPA's counternarcotics cooperation criteria.¹⁴⁸ Peru lost its eligibility by statute effective January 1, 2011, following entry into force of the U.S.-Peru Trade Promotion Agreement (TPA). Most recently, Colombia also lost its eligibility by statute when the U.S.-Colombia TPA entered into force on May 15, 2012.¹⁴⁹ After May 2012, Ecuador was the only remaining ATPA beneficiary country. However, on June 27, 2013, the Ecuadorian government announced that it would withdraw from the ATPA program.¹⁵⁰

A wide range of products are eligible for duty-free entry under ATPA as originally enacted. ATPDEA amended ATPA to provide duty-free treatment for certain products previously excluded from ATPA, including certain textiles and apparel, certain footwear, tuna in foil or other flexible airtight packages (not cans), crude petroleum and petroleum products, and watches and watch parts assembled from components originating in countries not eligible for U.S. normal trade relations (NTR) rates of duty.¹⁵¹ Products that continue to be excluded from ATPA preferential treatment include textile and apparel articles not otherwise eligible for preferential treatment under ATPDEA (primarily textile articles), certain footwear, canned tuna, rum and tafia, and above-quota imports of certain agricultural products subject to TRQs (primarily sugar, beef, and dairy products).

Total (dutiable and duty-free) U.S. imports from ATPA-eligible countries were valued at \$11.5 billion in 2013, down 43.4 percent from \$20.2 billion in 2012. There were two principal reasons for the decline: Ecuador was the only eligible country in 2013 following Colombia's departure in May 2012, and the President's authority to provide preferential treatment under ATPA expired

recognized workers' rights. The President designated all four ATPA beneficiaries as ATPDEA beneficiaries on October 31, 2002. Proclamation No. 7616, "To Implement the Andean Trade Promotion and Drug Eradication Act," 67 Fed. Reg. 67283 (October 31, 2002).

¹⁴⁶ Pub. L. 112-42, § 501. Importers had 180 days to claim retroactive refunds. USDHS, USCBP, "Memorandum on the Renewal of ATPA," October 24, 2011.

¹⁴⁷ USDHS, USCBP, "Expiration of GSP, ATPA, and ATPDEA," July 12, 2013.

¹⁴⁸ Proclamation No. 8323 of November 25, 2008, 73 Fed. Reg. 72667 (November 28, 2008).

¹⁴⁹ Proclamation No. 8818 of May 14, 2012, 77 Fed. Reg. 29519 (May 18, 2012).

¹⁵⁰ Embassy of Ecuador, "Statement on the Renunciation of ATPDEA," June 27, 2013. According to USTR, Ecuador stopped receiving benefits when the program expired on July 31, 2013. USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, V.195; Valencia and Ellsworth, "Ecuador Offers U.S. Rights Aid, Waives Trade Benefits," June 27, 2013 (quoting the USTR's comment that Ecuador remained eligible for trade benefits despite Ecuador's renunciation).

¹⁵¹ Also known as Most Favored Nation (MFN) rates of duty.

at the end of July (table 2.5 and appendix table A.21).¹⁵² Similarly, U.S. imports specifically under ATPA declined by 77.7 percent in 2013 to \$2.5 billion, down from \$11.4 billion in 2012. U.S. imports under ATPDEA accounted for 91.6 percent of imports under ATPA in 2013 (\$2.3 billion) and U.S. imports under the original ATPA (ATPA excluding ATPDEA) accounted for the remaining 8.4 percent, valued at \$212 million.

Crude petroleum and petroleum products accounted for 89.1 percent of U.S. imports under ATPA in 2013 and represented 3 of the top 25 U.S. imports under the program (appendix table A.22). Fresh cut flowers (ornamental or for bouquets) was the next-largest category of imports under ATPA, accounting for 4.9 percent of such imports and for three of the leading imports under ATPA. The share of U.S. imports under ATPA accounted for by all other imports was 5.9 percent in 2013.

Table 2.5 U.S. imports for consumption from ATPA countries, 2011–13

Item	2011	2012	2013
Total imports from ATPA countries (million \$) ^a	31,891	20,228	11,454
Total imports under ATPA/ATPDEA (million \$) ^b	4,385	11,406	2,538
Imports under ATPDEA (million \$) ^c	3,965	10,605	2,326
Imports under ATPA excluding ATPDEA (million \$) ^d	420	801	212
Total imports under ATPA (as a share of all imports from ATPA countries)	13.7	56.4	22.2

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: The President’s authority to provide duty-free treatment lapsed between February 12, 2011, and October 21, 2011; retroactive entries under ATPA are included for this time period. ATPA expired again on July 31, 2013.

^aTotal imports from Colombia are included through May 2012 and for Ecuador, the last remaining beneficiary, through 2013.

^bIncludes imports recorded as entering under ATPA/ATPDEA after loss of eligibility or expiration of the agreement from Peru in 2011, from Colombia in 2012, and from Ecuador in 2013. Imports from Ecuador under ATPA/ATPDEA ceased after October 2013.

^cATPDEA-eligible products are those for which a rate of duty of “free” appears in the special rate column of the HTS followed by the symbol “J+” in parentheses. The symbol “J+” indicates that all ATPDEA beneficiary countries are eligible for duty-free treatment with respect to all articles listed in the designated provisions.

^dATPA-eligible products (excluding ATPDEA-eligible products) are those for which a special duty rate appears in the special rate column of the HTS, followed by the symbols “J” or “J*” in parentheses. The symbol “J” indicates that all beneficiary countries are eligible for special duty rate treatment with respect to all articles listed in the designated provisions. The symbol “J*” indicates that certain articles, specified in general note 11(d) of the HTS, are not eligible for special duty rate treatment with respect to any article listed in the designated provision. In addition, subchapter XXI of chapter 98 sets forth provisions covering specific products given duty-free eligibility under the ATPDEA, under the terms of separate country designations enumerated in that subchapter.

¹⁵² Total U.S. imports from Colombia in 2012 are included only for those months when Colombia was an ATPA beneficiary country.

Caribbean Basin Economic Recovery Act

The Caribbean Basin Economic Recovery Act (CBERA) was enacted in 1983 as part of the Caribbean Basin Initiative to encourage economic growth and development in the Caribbean Basin countries by using duty preferences to promote increased production and exports of nontraditional products.¹⁵³ The Caribbean Basin Trade Partnership Act (CBTPA) amended CBERA in 2000 and expanded the list of qualified articles, for eligible countries, to include certain apparel.¹⁵⁴ The CBTPA also extended “NAFTA-equivalent treatment”—that is, rates of duty equivalent to those accorded to goods using the rules of origin applicable under the North American Free Trade Agreement (NAFTA)—to a number of other products previously excluded from CBERA. These products included certain tuna; crude petroleum and petroleum products; certain footwear; watches and watch parts assembled from parts originating in countries not eligible for NTR rates of duty; and certain handbags, luggage, flat goods, work gloves, and leather wearing apparel. Products that are still excluded from CBERA preferential treatment include textile and apparel products not otherwise eligible for preferential treatment under CBTPA (mostly textile products) and above-quota imports of certain agricultural products subject to TRQs (primarily sugar, beef, and dairy products). CBTPA preferential treatment provisions were extended in 2010 through September 30, 2020, while other parts of CBERA have no expiration date.¹⁵⁵ In the section that follows, the term CBERA refers to CBERA as amended by the CBTPA.

At the end of 2013, 17 countries and dependent territories were eligible for CBERA preferences¹⁵⁶ and 8 were eligible for CBTPA preferences.¹⁵⁷ Panama lost its eligibility for both CBERA and CBTPA preferences when the U.S.-Panama TPA entered into force on October 31, 2012.¹⁵⁸ Also in 2012, several countries asked to be designated as eligible for benefits under CBERA, CBTPA, or both, but only one had achieved eligibility by yearend 2013. The Turks and Caicos Islands requested eligibility under CBERA; Aruba, The Bahamas, Dominica, Grenada, Montserrat, St. Kitts and Nevis, and St. Vincent and the Grenadines, under CBTPA;¹⁵⁹ and Curaçao and Sint Maarten, under CBERA and CBTPA.¹⁶⁰ (Until 2010, Curaçao and Sint Maarten

¹⁵³ For a more detailed description of CBERA, including country and product eligibility, see USITC, *Caribbean Basin Economic Recovery Act, 21st Report 2011–12*, September 2013.

¹⁵⁴ Textiles and apparel not subject to textile agreements in 1983 (which includes only textiles and apparel of silk or non-cotton vegetable fibers, mainly linen and ramie) are eligible for duty-free entry under the original CBERA provisions, which do not have an expiration date.

¹⁵⁵ Certain preferential treatment provisions relating to import-sensitive textile and apparel articles from CBERA countries and relating to textile and apparel articles imported under special rules for Haiti (see section on Haiti below) have been extended to September 30, 2020. This occurred on May 24, 2010, when the President signed the Haiti Economic Lift Program Act of 2010, Pub. L. 111-171, § 3.

¹⁵⁶ Antigua and Barbuda, Aruba, The Bahamas, Barbados, Belize, Curaçao, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Trinidad and Tobago, and the British Virgin Islands.

¹⁵⁷ Barbados, Belize, Curaçao, Guyana, Haiti, Jamaica, St. Lucia, and Trinidad and Tobago.

¹⁵⁸ Proclamation No. 8894, 77 Fed. Reg. 66507 (November 5, 2012).

¹⁵⁹ USTR, “Joint Statement from U.S.-CARICOM,” March 31, 2012; 77 Fed. Reg. 61816 (October 11, 2012).

¹⁶⁰ 77 Fed. Reg. 61816 (October 11, 2012). USTR, *Tenth CBERA Report*, December 31, 2013. In addition, Suriname requested beneficiary status under CBERA and CBTPA in December 2009, and in April 2010, USTR asked for public comments regarding this request. 75 Fed. Reg. 17198 (April 5, 2010).

were members of the now-dissolved Netherlands Antilles.) On December 31, the President designated Curaçao as a beneficiary country for purposes of CBERA and CBTPA.¹⁶¹

U.S. imports under CBERA fell by 24.4 percent, from \$3.1 billion in 2012 to \$2.4 billion in 2013 (table 2.6). This decrease reflected a decline in the value of 2013 U.S. imports of crude petroleum, knitted apparel products, undenatured ethyl alcohol, and melamine, which are major imports from CBERA countries. The decrease also reflected the fact that, as just noted, Panama lost eligibility for CBERA benefits at the end of October 2012 when the U.S.-Panama TPA entered into force. U.S. imports under CBERA accounted for 26.5 percent of all U.S. imports from CBERA countries in 2013. Trinidad and Tobago continued as the leading supplier of U.S. imports under CBERA in 2013, accounting for 69.2 percent of the total. Haiti and The Bahamas were also leading suppliers (appendix table A.23).

Mineral fuels, methanol, and apparel products dominated the list of imports under CBERA in 2013 (appendix table A.24). Of the 25 leading products under CBERA in 2013, 12 were agricultural and food products, which entered under CBERA preferences (accounting for 3.6 percent of total U.S. imports under CBERA in 2013); 3 were knitted apparel entered under CBTPA (14.2 percent); 2 were petroleum and fuel products entered under CBTPA (21.2 percent); 2 were organic chemicals entered under CBERA (50.4 percent); and the remaining 6 were miscellaneous products that qualify for benefits under CBERA provisions. Together, these 25 leading imports accounted for 97.2 percent of total U.S. imports under CBERA in 2013.

Table 2.6 U.S. imports for consumption from CBERA countries, 2011–13

Item	2011	2012	2013
Total imports from CBERA countries (million \$) ^a	14,515	11,849	8,954
Total imports under CBERA/CBTPA (million \$) ^b	3,619	3,137	2,371
Imports under CBTPA (million \$) ^c	1,879	1,633	852
Imports under CBERA, excluding CBTPA (million \$) ^d	1,740	1,504	1,520
Total imports under CBERA (as a share of all imports from CBERA countries)	24.9	26.5	26.5

Source: Official trade statistics of the USDOC as maintained by the USITC.

^aData for 2012 include U.S. imports from Panama only for the period during which Panama was eligible for CBERA benefits before the U.S.-Panama FTA entered into force on October 31, 2012.

^bIncludes a small amount of imports reported as originating from the Netherland Antilles in 2011.

^cCBTPA-eligible products are those for which a special duty rate appears in the special rate column of the HTS, followed by the symbol “R” in parentheses. The symbol “R” indicates that all CBTPA beneficiary countries are eligible for special duty rate treatment with respect to all articles listed in the designated provisions. In addition, subchapters II and XX of chapter 98 set forth provisions covering specific products eligible for duty-free entry, under separate country designations enumerated in those subchapters (and including the former CBTPA beneficiaries).

^dCBERA (excluding CBTPA)-eligible products are those for which a special duty rate appears in the special rate column of the HTS, followed by the symbols “E” or “E*” in parentheses. The symbol “E” indicates that all beneficiary countries are eligible for special duty rate treatment with respect to all articles listed in the designated provisions. The symbol “E*” indicates that certain articles, specified in general note 7(d) of the HTS, are not eligible for special duty rate treatment with respect to any article listed in the designated provision.

¹⁶¹ 78 Fed. Reg. 80417 (December 31, 2013).

Haiti Initiatives

Since 2006, CBERA has been amended three times to expand and enhance trade benefits for Haiti and to give Haitian apparel producers more flexibility in sourcing yarns and fabrics.¹⁶² In 2006, the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006 (HOPE Act)¹⁶³ amended CBERA to expand the rules of origin for inputs to apparel and wire harness automotive components assembled in Haiti and imported into the United States.¹⁶⁴ In 2008, the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2008 (HOPE II Act)¹⁶⁵ amended the HOPE Act to enhance the existing provisions and provide additional trade preferences to attract new investment and jobs in Haiti while also offering incentives to encourage the use of U.S. inputs.¹⁶⁶ Finally, in 2010, the President signed into law the Haiti Economic Lift Program of 2010 (HELP Act).¹⁶⁷ The HELP Act expanded existing U.S. trade preferences¹⁶⁸ (especially duty-free treatment for certain qualifying apparel) for Haiti that were established under the CBTPA and the HOPE Act and HOPE II (collectively referred to as HOPE or the HOPE Acts).

U.S. imports of apparel from Haiti totaled \$765.9 million in 2013, up 4.9 percent from \$730.0 million in 2012 (table 2.7).¹⁶⁹ Virtually all (99.7 percent) U.S. imports of apparel from Haiti entered duty-free under trade preference programs in 2013.¹⁷⁰ The continued growth in U.S. imports of apparel from Haiti in 2013 since the devastating earthquake in January 2010 has

¹⁶² Haiti's textiles and apparel industry is the largest sector of the country's economy and is considered a key growth area. Barrie, "Haiti: Sae-A Trading on Track to Begin Production," September 18, 2012; USDOS, U.S. Embassy, Port-au-Prince, "Haiti: FY2012 Second Quarter Report on the NEI Initiative," April 27, 2012.

¹⁶³ Pub. L. 109-432, sect. 5001 et seq., the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006.

¹⁶⁴ There were no U.S. imports of wire harness automotive components from Haiti during 2007–2013.

¹⁶⁵ Pub. L. 110-234, sect. 15401 et seq., the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2008.

¹⁶⁶ GAO, "Letter to the Honorable Max Baucus and the Honorable Dave Camp," December 14, 2012. For more details on the programs under the HOPE Acts, see USITC, *The Year in Trade 2010*, July 2011, 2-21 to 2-22; USITC, *Textiles and Apparel: Effects of Special Rules*, June 2008, i, ES-1, 1-3 to 1-5.

¹⁶⁷ Pub. L. 111-171, sect. 2, Haiti Economic Lift Program Act of 2010.

¹⁶⁸ Key provisions under the HELP Act include (1) extension of the CBTPA and HOPE Acts through September 30, 2020 (from the earlier expiration of September 30, 2018); (2) provision of duty-free treatment for additional textile and apparel products that are wholly assembled or knit to shape in Haiti regardless of the origin of the inputs; (3) increase in the respective tariff preference levels under which certain Haitian knit and woven apparel products may receive duty-free treatment, regardless of the origin of inputs, from 70 million to 200 million square meter equivalents; and (4) liberalization of the earned import allowance rule by allowing the duty-free importation of one square meter equivalent of apparel wholly assembled or knit to shape in Haiti, regardless of the origin of the inputs, for every two square meter equivalents (previously it was for every three square meter equivalents) of qualifying fabric from the United States. The HELP Act also inserted two new headings into the HTS: 9820.61.45 (certain knit apparel) and 9820.63.05 (home goods). For additional details on the HELP Act, see USITC, *The Year in Trade 2010*, July 2011, 2-21 to 2-22.

¹⁶⁹ Haitian apparel production remains concentrated in high-volume commodity garments that have reasonably predictable consumer demand and few styling changes. Cotton knit shirts and blouses, cotton underwear, and cotton trousers and pants dominated U.S. imports from Haiti, accounting for 49 percent, 15 percent, and 11 percent, respectively, of total U.S. imports of apparel from Haiti in 2013.

¹⁷⁰ Based on data from USDOC, OTEXA, "U.S. Imports under Trade Preference Programs" (accessed various dates).

Table 2.7 U.S. imports for consumption of apparel from Haiti, 2011–13

Item	2011	2012	2013
Total apparel imports from Haiti (million \$)	701.5	730.0	765.9
Apparel imports under a trade preference program (million \$)	689.1	727.0	763.6
CBERA/CBTPA (million \$)	461.4	423.6	341.7
HOPE and HELP Acts (million \$)	227.7	303.4	421.9
Share of total apparel imports from Haiti:	(percent)		
Apparel imports under a trade preference program	98.2	99.6	99.7
CBERA/CBTPA	65.8	58.0	44.6
HOPE and HELP Acts	32.5	41.6	55.1

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add up to totals shown.

been attributed to these preference programs, which offer unlimited duty-free treatment for certain apparel products and limited duty-free treatment for other apparel products up to certain quotas known as tariff preference levels (TPLs).¹⁷¹ Nevertheless, industry sources in Haiti report that the Haitian apparel industry’s capacity to take full advantage of these preferences remains hobbled by internal problems. They state that although improvements are slowly being made in Haiti’s infrastructure—ports, airports, and roads—shortages of building space and adequate facilities still hamper the industry’s ability to substantially increase production.¹⁷² In addition, they report that Haitian apparel producers have lower productivity than other producers in the Western Hemisphere, such as Nicaragua and Guatemala.¹⁷³

In 2013, Haiti accounted for nearly all (99.7 percent) of U.S. imports of apparel entering under the CBTPA. Just under half (44.6 percent) of total U.S. imports of apparel from Haiti entered under CBTPA provisions in 2013. The value of U.S. imports of apparel entering under the HOPE Acts rose by 39.1 percent, from \$303.4 million in 2012 to \$421.9 million in 2013,¹⁷⁴ and represented over half (55.1 percent) of total U.S. apparel imports that entered free of duty from Haiti. Over three-fourths (\$331.9 million) of the apparel imported into the United States from Haiti under the HOPE Acts entered under tariff preference levels that allow duty-free treatment for certain apparel up to established annual quotas (“restraint limits”).¹⁷⁵ About one-third (\$135.0 million) of these U.S. imports of apparel from Haiti entered under the woven

¹⁷¹ USDOS, U.S. Embassy, Port-au-Prince, “Haiti Response to USITC Biennial Caribbean Basin Investment Survey,” July 5, 2013.

¹⁷² U.S. apparel industry representative, telephone interview by USITC staff, January 31, 2014; Haitian apparel industry representatives, telephone interviews by USITC staff, February 4, 2014.

¹⁷³ U.S. government representative, email message to USITC staff, February 11, 2014.

¹⁷⁴ Data on trade under the HOPE Acts are from USDOC, OTEXA, “U.S. Imports under Trade Preference Programs” (accessed various dates).

¹⁷⁵ The tariff preference limits allow certain knit and woven apparel (both of which must be wholly assembled in Haiti), as well as certain apparel for which at least 50–60 percent of the export value added must consist of inputs from Haiti, the United States, or a country with which the United States has an FTA, to enter the United States free of duty, regardless of the source of the fabric. The tariff preference limits allow certain knit and woven apparel (both of which must be wholly assembled in Haiti) as well as certain apparel for which the export value added must have a minimum of inputs from Haiti, the United States, or country with which the United States has an FTA, of 50 to 60 percent, to enter the United States free of duty regardless of the source of the fabric.

apparel restraint limit in 2013. Over half (\$230.3 million) of the imports of apparel from Haiti entered under the knit apparel and value-added restraint limits the same year.¹⁷⁶

Virtually all of the remaining U.S. imports (\$90.0 million) under the HOPE Acts in 2013 entered under the Earned Import Allowance Program (EIAP), a special trade program created under HOPE II in 2008 that allowed the duty-free entry into the United States of certain apparel manufactured in Haiti. The EIAP originally provided that for every 3 square meter equivalents of qualifying fabric (defined as formed in the United States from U.S.-formed yarns) purchased or manufactured by the producer for apparel production in Haiti, a 1-unit credit was received that could be used toward the duty-free importation of apparel in the United States that was produced using non-qualifying fabric. In 2010, the HELP Act reduced the EIAP exchange ratio from 3-for-1 to 2-for-1 in an effort to encourage the program's use, since no apparel from Haiti was exported to the United States under the original 3-for-1 program. The near tripling of U.S. imports of apparel from Haiti under the EIAP from \$34.7 million in 2012 to \$90.0 in 2013 can likely be attributed to apparel producers' growing familiarity with the program and their taking advantage of credits earned on goods that otherwise would not qualify for duty-free treatment.¹⁷⁷ No U.S. imports entered in 2013 under two other HELP provisions added in 2010; i.e., HTS 9820.61.45 (certain knit apparel—unlimited) and HTS 9820.63.05 (home goods).

¹⁷⁶ The fill rates for the woven apparel restraint limit (HTS subheading 9820.62.05), knit apparel restraint limit (HTS subheading 9820.61.35), and value-added restraint limits (HTS subheadings 9820.61.25 and 9820.61.30) were 47.3 percent, 58.3 percent, and 5.5 percent respectively, for the preferential treatment period October 1, 2012, to September 30, 2013.

¹⁷⁷ U.S. government representative, email message to USITC staff, February 11, 2014.

Chapter 3

The WTO, OECD, APEC, and TISA

This chapter covers developments in 2013 in the World Trade Organization (WTO), including multilateral trade negotiations under the Doha Development Agenda; the work programs, decisions, and reviews of the WTO General Council; meetings held under WTO auspices by parties to plurilateral agreements; and major dispute settlement developments during the year. The chapter also covers activities in other key multilateral organizations, including the Organisation for Economic Co-operation and Development (OECD) and the Asia-Pacific Economic Cooperation (APEC) forum. Finally, the chapter covers negotiations for a Trade in Services Agreement (TISA), which began in 2013. While separate from the WTO, the negotiations were initiated as a result of slow progress on services negotiations under the WTO General Agreement on Trade in Services.

World Trade Organization

Ministerial Conference¹⁷⁸

The WTO held its Ninth Ministerial Conference from December 3 to 7, 2013, in Bali, Indonesia. The ministers reviewed the operation of the multilateral trade system, acting under the leadership of the new WTO Director-General Roberto Azevêdo, whose four-year appointment began December 1, 2013. The WTO Director-General also holds the post of chairman of the Trade Negotiating Committee overseeing the multilateral trade negotiations conducted under the Doha Development Agenda (“Doha Round”). The conference ended on December 7, one day later than scheduled, following round-the-clock consultations when ministers could not reach agreement on a complete package by the scheduled conclusion.¹⁷⁹

The primary focus of the ministerial conference was a package of issues covering trade facilitation, agriculture, and trade and economic development. The discussion of trade facilitation covered the reduction of administrative barriers to the movement of goods across borders, e.g., the simplification of customs procedures or obstacles involving port administration. The conference also addressed several agricultural issues under negotiation in the Doha Development Agenda, including export subsidies, agricultural import quotas, and food stockpiles intended to improve food security for developing-country members. In considering development, a key topic was the establishment of a monitoring mechanism to review and recommend improvements in the special treatment provisions afforded to developing-country members and, in particular, to least-developed country (LDC) members under various trade agreements. Another key development topic was the cotton negotiations involving the four

¹⁷⁸ WTO, “Bali Ministerial Declaration—Adopted on 7 December 2013,” December 11, 2013.

¹⁷⁹ WTO, “Ninth WTO Ministerial Conference: Days 3, 4, and 5,” December 7, 2013.

sub-Saharan cotton producers—Benin, Burkina Faso, Chad, and Mali (the “Cotton Four” or “C-4”).¹⁸⁰

Other issues discussed at the conference included issues of “nonviolation” provisions addressing intellectual property rights (IPR);¹⁸¹ electronic commerce (“e-commerce”); small and vulnerable economies; aid for trade; and trade and the transfer of technology. Plurilateral agreement issues included the Information Technology Agreement (ITA)¹⁸² and negotiations on ITA product expansion, as well as progress on bringing the revised Agreement on Government Procurement into force.¹⁸³

Agreement on Trade Facilitation

At the Ninth Ministerial Conference, WTO members reached consensus on a Trade Facilitation Agreement as part of a wider “Bali Package.” The agreement creates binding commitments among WTO members to expedite the movement, release, and clearance of goods; to improve cooperation on customs matters among WTO members; and to help developing-country members implement the agreement’s obligations.¹⁸⁴ The agreement aims to increase customs efficiency, the effective collection of revenue, and transparency in customs practices, as well as to reduce document processing and other requirements before traded goods arrive at the border.¹⁸⁵

The United States Trade Representative (USTR) Michael Froman announced at the conference that potential cost reductions from the Trade Facilitation Agreement were estimated at 10 percent for high-income countries and almost 14.5 percent for low-income countries.¹⁸⁶ He cited OECD estimates that worldwide income could rise by more than \$40 billion for every 1 percent in cost reduction, with nearly two-thirds (65 percent) of the income increase going to developing countries. Potential gains in world GDP, according to Froman, were estimated at nearly \$1 trillion.¹⁸⁷

The agreement establishes a Preparatory Committee on Trade tasked with developing a protocol to adopt the agreement, to be reported to the WTO General Council no later than July 31, 2014. WTO members will then have one year—until July 31, 2015—to accept or not accept the agreement as a protocol annexed to the 1995 Marrakesh Agreement Establishing the World Trade Organization (the “WTO Agreement”).¹⁸⁸ The WTO Agreement on Trade Facilitation has

¹⁸⁰ WTO, “Ninth WTO Ministerial Conference: Day 1,” December 3, 2013.

¹⁸¹ WTO summarizes a “nonviolation” complaint as a situation where a government alleges that it has been deprived of an expected benefit because of another government’s action or other similar situation, even where no agreement, commitment, or obligation has been violated.

¹⁸² Formally, the Ministerial Declaration on Trade in Information Technology Products. For further detail, see the “Plurilateral Agreements” section in this chapter.

¹⁸³ WTO, “Ministerial Conferences: Briefing Notes” (accessed December 9, 2013).

¹⁸⁴ WTO, “Agreement on Trade Facilitation—Ministerial Decision of 7 December 2013,” December 11, 2013.

¹⁸⁵ USDOS, “Ninth WTO Ministerial Conference Makes History,” December 18, 2013, par. 4.

¹⁸⁶ USTR, “Statement of U.S. Trade Representative Michael Froman,” December 6, 2013.

¹⁸⁷ USTR, “Saving Money, Growing Trade, Raising Incomes Worldwide,” December 7, 2013.

¹⁸⁸ WTO, “Agreement on Trade Facilitation—Ministerial Decision of 7 December 2013,” December 11, 2013, par. 1–3.

13 articles in section I, which sets out members' substantive obligations on facilitating customs and other border procedures. Section II addresses rules providing special and differential treatment for developing and least-developed country members. Annex 1 to the agreement sets out the format for notifications to be used for the import and export of goods, as well as for goods in transit (box 3.1).¹⁸⁹

Agriculture

The ministers at the conference reached agreement on a number of agricultural issues, addressing (1) agricultural service programs, (2) food security stockholding, (3) underfilled agricultural tariff-rate quotas (TRQs), and (4) export competition provisions concerning state trading enterprises.¹⁹⁰ Ministers also addressed several issues concerning cotton and developing-country members, including LDCs.

*Government service programs.*¹⁹¹ Members added several land-use and rural development programs to the list of general services exempt from reduction commitments under Annex 2 of the WTO Agreement on Agriculture. Such government agricultural service programs are exempt from reduction commitments because they provide benefits to the agricultural sector or rural community that offset whatever minimal production or trade distortion these programs might cause. Adding to the non-exhaustive list of general services already in Annex 2, members included six more programs, addressing (1) land rehabilitation, (2) soil conservation and resource management, (3) drought management and flood control, (4) rural employment programs, (5) issuance of property titles, and (6) farmer settlement programs.

*Food security stockholding.*¹⁹² A major issue considered at the conference was the use of domestic government support to build public stocks for food security. The problem is that such support may breach a country's commitments limiting trade-distorting support under the Agreement on Agriculture, in particular Article 6 (Domestic Support Commitments) and Article 7 (General Disciplines on Domestic Support). Members were able to come to an interim solution to address this concern. Under the interim plan, members agreed to refrain from WTO dispute settlement challenges when a developing-country member falls out of compliance with its commitments under the Agreement on Agriculture due to government support for such programs, when targeted on traditional staple food crops. In addition to the interim solution, members agreed to establish a work program under the WTO Committee on Agriculture to develop a permanent solution to the issue no later than the 11th WTO Ministerial Conference (i.e., no later than 2017).

¹⁸⁹ WTO, "Agreement on Trade Facilitation—Ministerial Decision of 7 December 2013," December 11, 2013.

¹⁹⁰ WTO summarizes a TRQ as a quota where an import quantity within a quota is charged a lower duty rate than the quantities above the quota; typically, import duty rates for amounts above the quota are significantly higher.

¹⁹¹ WTO, "General Services—Ministerial Decision of 7 December 2013," December 11, 2013; WTO, "Agreement on Agriculture: Annex 2," April 15, 1994; WTO, "Ninth WTO Ministerial Conference: Days 3, 4 and 5," December 7, 2013.

¹⁹² WTO, "Public Stockholding for Food Security Purposes—Ministerial Decision of 7 December 2013," December 11, 2013; USTR, "Promoting Food Security, Facilitating Competition, Enhancing Exports," December 7, 2013; WTO, "Ninth WTO Ministerial Conference: Days 3, 4 and 5," December 7, 2013.

Box 3.1 Outline of the WTO Agreement on Trade Facilitation, 2013

Annex—Agreement on Trade Facilitation

Preamble

Section I

Article 1: Publication and availability of information

1. Publication
2. Information available through Internet
3. Enquiry points
4. Notification

Article 2: Opportunity to comment, information before entry into force, and consultation

1. Opportunity to comment and information before entry into force
2. Consultations

Article 3: Advance rulings

Article 4: Appeal or review procedures

1. Right to appeal or review

Article 5: Other measures to enhance impartiality, nondiscrimination and transparency

1. Notifications for enhanced controls or inspections
2. Detention
3. Test procedures

Article 6: Disciplines on fees and charges imposed on or in connection with importation and exportation

1. General disciplines on fees and charges imposed on or in connection with importation and exportation
2. Specific disciplines on fees and charges imposed on or in connection with importation and exportation
3. Penalty disciplines

Article 7: Release and clearance of goods

1. Pre-arrival processing
2. Electronic payment
3. Separation of release from final determination of customs duties, taxes, fees, and charges
4. Risk management
5. Post-clearance audit
6. Establishment and publication of average release times
7. Trade facilitation measures for authorized operators
8. Expedited shipments
9. Perishable goods

Article 8: Border agency cooperation

Article 9: Movement of goods under customs control intended for import

Article 10: Formalities connected with importation and exportation and transit

1. Formalities and documentation requirements
2. Acceptance of copies
3. Use of international standards

4. Single window
5. Pre-shipment inspection
6. Use of customs brokers
7. Common border procedures and uniform documentation requirements
8. Rejected goods
9. Temporary admission of goods/inward and outward processing

Article 11: Freedom of transit

Article 12: Customs cooperation

1. Measures promoting compliance and cooperation
2. Exchange of information
3. Verification
4. Request
5. Protection and confidentiality
6. Provision of information
7. Postponement or refusal of a request
8. Reciprocity
9. Administrative burden
10. Limitations
11. Unauthorized use or disclosure
12. Bilateral and regional agreements

Article 13: Institutional arrangements

1. Committee on trade facilitation
2. National committee on trade facilitation

Section II

Special and differential treatment provisions for developing-country members and least-developed country members

1. General principles
2. Categories of provisions
3. Notification and implementation of Category A
4. Notification of definitive dates for implementation of Category B and Category C
5. Early warning mechanism: Extension of implementation dates for provisions in Categories B and C
6. Implementation of Category B and Category C
7. Shifting between Categories B and C
8. Grace period for the application of the understanding on rules and procedures governing the settlement of disputes
9. Provision of assistance for capacity building
10. Information on assistance to be submitted to the committee

Final Provisions

Annex 1: Format for Notification Under Article 10.1

Source: WTO, "Agreement on Trade Facilitation—Ministerial Decision of 7 December 2013," December 11, 2013.

Tariff-rate quota administration. WTO members reached an understanding¹⁹³ on the administration of TRQs for agricultural products, in particular those chronically under-filled¹⁹⁴ for no evident commercial reason. In the understanding, members set out specific import licensing procedures and obligations to provide greater transparency and opportunity for consultations between an importing member and other interested members and potential users. Members agreed to establish an “underfill” or “re-allocation” mechanism¹⁹⁵ for underfilled quotas within the purview of the Committee on Agriculture, with a review to begin no later than four years (i.e., by 2017) from adoption of the understanding.¹⁹⁶

Under the mechanism, the Committee on Agriculture is to track TRQs for key indicators—e.g., whether a quota fill rate has (1) remained below 65 percent for three consecutive years, (2) not increased by certain percentages in each of the previous three years, or (3) not been shown to be underfilled as a result of market circumstances. The underfill mechanism, once fully operational, will require an importing member to act on the basis of such indicators to provide unencumbered access to other interested members. The importing member may use one of two quota administration methods: (1) a first-come, first-served system applied at the border; or (2) an automatic, unconditional, within-quota license issued on demand, either choice to be maintained in place for a minimum of two years. Developing-country members are to be permitted to maintain their current TRQ administration or choose an alternative TRQ method for a similar two-year period.

*Export competition.*¹⁹⁷ Participants at the Bali ministerial agreed to hold dedicated annual discussions in the Committee on Agriculture to examine developments in the field of export competition. In addition to standard notifications under the Agreement on Agriculture, these discussions are to be augmented with information from a questionnaire designed to enhance transparency in the area of agricultural export competition. Key subjects in the questionnaire cover export subsidies; export credits, guarantees, and financing programs; provision of food aid and related policies; state trading enterprises that export agricultural products; and export-competition policies eliminated by policy reforms. Members agreed to review the situation regarding export competition at the 10th WTO Ministerial Conference (i.e., no later than 2015).

¹⁹³ WTO, “Understanding on Tariff Rate Quota Administration Provisions of Agricultural Products,” December 11, 2013; WTO, “Ninth WTO Ministerial Conference: Days 3, 4 and 5,” December 7, 2013.

¹⁹⁴ USTR cited in particular the EU, Japan, Norway, and Switzerland as import markets where U.S. farmers, ranchers, workers, and food processors might benefit from an understanding that could reallocate underfilled agricultural quotas. USTR, “Promoting Food Security, Facilitating Competition, Enhancing Exports,” December 7, 2013.

¹⁹⁵ Annex A of the understanding.

¹⁹⁶ WTO, “Understanding on Tariff Rate Quota Administration Provisions of Agricultural Products,” December 11, 2013; WTO, “Ninth WTO Ministerial Conference: Days 3, 4 and 5,” December 7, 2013. The understanding did not, however, fully resolve the future of the mechanism, indicating that the provisions for the underfill mechanism will “no longer apply” without a recommendation from the WTO General Council at the 12th WTO Ministerial Conference (i.e., by 2019), but also that “Members shall continue to apply the provisions . . . in the absence of a decision to extend [it].” WTO, “Understanding on Tariff Rate Quota Administration Provisions of Agricultural Products,” December 11, 2013, par. 14–15. Moreover, five countries reserved the right to discontinue the underfill mechanism regardless of any decision to continue it or not—Barbados, the Dominican Republic, El Salvador, Guatemala, and the United States.

¹⁹⁷ WTO, “Export Competition—Ministerial Decision of 7 December 2013,” December 11, 2013.

More broadly, the decision was also seen as impetus for members to resume WTO agriculture negotiations in all three of the major areas—i.e., market access and domestic support as well as export competition.¹⁹⁸

*Cotton.*¹⁹⁹ Participants agreed to hold dedicated discussions twice a year in the Committee on Agriculture in Special Session to examine trade-related developments affecting cotton. The framework for these discussions will center on the three “pillars” of the Agreement on Agriculture—market access, domestic support, and export competition—in relation to cotton so as to enhance the monitoring and transparency of cotton-specific developments. Ministers also agreed to improve market access for cotton products from the LDCs, as well as to improve development assistance for cotton production for these countries.²⁰⁰

Development Issues

In addition to action taken on cotton, members reached agreement on four other subjects related to the development needs of developing members and the LDCs.

*Preferential rules of origin for least-developed countries.*²⁰¹ Participants agreed at the conference on guidelines to simplify individual members’ rules of origin arrangements that provide preferential market access to products from the LDCs. The decision called for simplifying documentary requirements and enhancing transparency of the origin rules notified through established channels, notably the Transparency Mechanism for Preferential Trade Arrangements under the WTO Committee on Trade and Development. The decision provided that members might confer preferential access through origin rules based not only on final products, but also through rules of origin containing criteria based on the principle of substantial transformation.²⁰²

*Preferential treatment for services and service suppliers from least-developed countries.*²⁰³ WTO members agreed to make permanent the waiver adopted at the Eighth Ministerial Conference in 2011, which originally granted preferential treatment to the services and service suppliers of LDCs for the next 15 years (i.e., the preferential treatment was previously set to expire in 2026).

*Duty-free and quota-free market access for least-developed countries.*²⁰⁴ Developed-country WTO members reached agreement “to seek to improve” their duty-free and quota-free (DFQF)

¹⁹⁸ WTO, “Ninth WTO Ministerial Conference: Days 3, 4 and 5,” December 7, 2013.

¹⁹⁹ WTO, “Cotton—Ministerial Decision of 7 December 2013,” December 11, 2013.

²⁰⁰ WTO, “Ninth WTO Ministerial Conference: Days 3, 4 and 5,” December 7, 2013.

²⁰¹ WTO, “Preferential Rules of Origin for Least-developed Countries—Ministerial Decision of 7 December 2013,” December 11, 2013.

²⁰² The World Customs Organization (WCO) summarizes substantial transformation as “a production requirement guaranteeing that a meaningful manufacturing process has taken place in the free trade zone in order to confer originating status of a good.” WCO, “Substantial Transformation: Concept of ‘Originating Goods’” (accessed March 13, 2014).

²⁰³ WTO, “Operationalization of the Waiver Concerning Preferential Treatment to Services and Service Suppliers,” December 11, 2013.

²⁰⁴ WTO, “Duty-free and Quota-free (DFQF) Market Access,” December 11, 2013.

market access for LDCs to at least 97 percent²⁰⁵ for LDC products before the 10th Ministerial Conference (i.e., no later than 2015). The ministerial decision further agreed that developing-country members in a position to do so would also seek to provide or improve such access to LDCs. Members are to notify measures taken to increase market access for LDCs through the Transparency Mechanism for Preferential Trade Arrangements.

*Monitoring mechanism on special and differential treatment.*²⁰⁶ Members established a Special and Differential Treatment Monitoring Mechanism to analyze and review the implementation of special and differential treatment provisions. This monitoring mechanism is a new forum aimed at complementing other WTO channels that help developing and least-developed country members to integrate into the multilateral trading system. The forum is to meet twice a year in dedicated sessions of the WTO Committee on Trade and Development. WTO members are to review the experience of the monitoring mechanism three years after its first formal meeting, and subsequently as needed as circumstances evolve.

General Council

Work Programs, Decisions, and Reviews

*Intellectual property rights complaints.*²⁰⁷ Ministers at the conference directed the WTO Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS Council) to continue to examine “nonviolation complaints” under WTO dispute settlement provisions. Ministers first authorized the examination of this category of complaints in December 2011 to consider the effect of any measure or situation that does not necessarily conflict with WTO obligations or commitments, but may impair a member’s IPR benefits under the TRIPS Agreement. The ministers called for the TRIPS Council to make recommendations to them at the 10th Ministerial Conference in 2015, and members agreed not to bring nonviolation cases to dispute settlement pending such recommendations.

*Work program on electronic commerce.*²⁰⁸ At the conference, ministers agreed to continue the Work Program on Electronic Commerce, in particular as it relates to commercial issues, economic development, and evolving technology. Ministers cited a number of trade-related aspects of the program to address, including (1) enhanced Internet connectivity and access to information, telecommunications technologies, and public Internet sites; (2) the growth of mobile telephony; (3) electronically delivered software; (4) cloud computing; and (5) privacy, consumer protection, and the protection of confidential data. Ministers directed that the program continue to examine the opportunities and challenges for access to electronic commerce by micro, small, and medium-sized enterprises, with special consideration for developing and least-developed country members. The ministers instructed the General Council to hold several periodic reviews of the work program—in July 2014, December 2014, and July

²⁰⁵ Defined at the tariff level.

²⁰⁶ WTO, “Monitoring Mechanism on Special and Differential Treatment,” December 11, 2013.

²⁰⁷ WTO, “TRIPS Non-violation and Situation Complaints,” December 11, 2013.

²⁰⁸ WTO, “Work Programme on Electronic Commerce,” December 11, 2013.

2015. WTO members agreed to continue their current practice of not imposing customs duties on electronic transmissions in the interim to the 10th Ministerial Conference in 2015.

*Work program on small economies.*²⁰⁹ Ministers continued the Work Program on Small Economies, noting in particular the work on the effects of nontariff measures on small economies that has been conducted since 2011 in dedicated sessions of the Committee on Trade and Development. The ministers instructed the committee to continue its work in order to recommend ways for the General Council to help improve the economic situation of small economies. In particular, the committee was to focus on the challenges and opportunities for small economies in linking to global value chains involved in goods and services trade.

*Aid for trade.*²¹⁰ The conference noted the deliberations and outcomes of the Fourth Global Review of Aid for Trade, held July 8–10, 2013, and welcomed the progress made to date in the effort to help developing and least-developed country members. Ministers considered that the new Aid-for-Trade Work Program should be developed in the context of debate over the post-2015 development agenda.

*Trade and transfer of technology.*²¹¹ The conference directed the Working Group on Trade and Transfer of Technology to continue to examine the nexus between trade and the transfer of technology, aimed at enhancing the flow of technology to developing countries.

Accessions

At the end of 2013, the WTO had 159 members (table 3.1), with two countries acceding during the year and a third country invited to accede during the Ninth Ministerial Conference. Laos became the 158th WTO member on February 2, 2013,²¹² and Tajikistan became the 159th on March 2, 2013.²¹³ Yemen was invited to join the WTO in December 2013 at the Bali conference.²¹⁴ At the end of 2013, there were 25 observer countries in WTO accession working parties (table 3.2).

²⁰⁹ WTO, "Work Programme on Small Economies," December 11, 2013.

²¹⁰ WTO, "Aid for Trade," December 11, 2013.

²¹¹ WTO, "Trade and Transfer of Technology," December 11, 2013.

²¹² WTO, "Member Information: Lao People's Democratic Republic and the WTO" (accessed March 13, 2014).

²¹³ WTO, "Accessions: Tajikistan" (accessed March 13, 2014).

²¹⁴ Yemen became the 160th WTO member on June 26, 2014. WTO, "Yemen brings WTO membership to 160," June 26, 2014.

Table 3.1 WTO membership in 2013

Albania	Germany	Nigeria
Angola	Ghana	Norway
Antigua and Barbuda	Greece	Oman
Argentina	Grenada	Pakistan
Armenia	Guatemala	Panama
Australia	Guinea	Papua New Guinea
Austria	Guinea-Bissau	Paraguay
Bahrain	Guyana	Peru
Bangladesh	Haiti	Philippines
Barbados	Honduras	Poland
Belgium	Hong Kong, China	Portugal
Belize	Hungary	Qatar
Benin	Iceland	Romania
Bolivia	India	Russia
Botswana	Indonesia	Rwanda
Brazil	Ireland	Saint Kitts and Nevis
Brunei Darussalam	Israel	Saint Lucia
Bulgaria	Italy	Saint Vincent and the Grenadines
Burkina Faso	Jamaica	Samoa
Burma ^a	Japan	Saudi Arabia
Burundi	Jordan	Senegal
Cabo Verde	Kenya	Sierra Leone
Cambodia	Korea, Republic of	Singapore
Cameroon	Kuwait	Slovakia
Canada	Kyrgyzstan	Slovenia
Central Africa Republic	Laos	Solomon Islands
Chad	Latvia	South Africa
Chile	Lesotho	Spain
China	Liechtenstein	Sri Lanka
Colombia	Lithuania	Suriname
Congo, Democratic Republic of the	Luxembourg	Swaziland
Congo, Republic of the	Macao, China	Sweden
Costa Rica	Macedonia ^b	Switzerland
Côte d'Ivoire	Madagascar	Taiwan ^c
Croatia	Malawi	Tajikistan
Cuba	Malaysia	Tanzania
Cyprus	Maldives	Thailand
Czech Republic	Mali	Togo
Denmark	Malta	Tonga
Djibouti	Mauritania	Trinidad and Tobago
Dominica	Mauritius	Tunisia
Dominican Republic	Mexico	Turkey
Ecuador	Moldova	Uganda
Egypt	Mongolia	Ukraine
El Salvador	Montenegro	United Arab Emirates
Estonia	Morocco	United Kingdom
European Union	Mozambique	United States
Fiji	Namibia	Uruguay
Finland	Nepal	Vanuatu
France	Netherlands	Venezuela
Gabon	New Zealand	Vietnam
Gambia	Nicaragua	Zambia
Georgia	Niger	Zimbabwe

Source: WTO, "Understanding the WTO: The Organization: Members and Observers," n.d. (accessed March 13, 2014).

^aIn the WTO, Burma is known as Myanmar.

^bIn the WTO, Macedonia is known as the Former Yugoslav Republic of Macedonia.

^cIn the WTO, Taiwan is known as the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu, or less formally as "Chinese Taipei."

Table 3.2 WTO observers in 2013

Afghanistan	Equatorial Guinea	Serbia
Algeria	Ethiopia	Seychelles
Andorra	Iran	Sudan
Azerbaijan	Iraq	Syria
Bahamas	Kazakhstan	Uzbekistan
Belarus	Lebanon	Vatican (Holy See)
Bhutan	Liberia	Yemen
Bosnia and Herzegovina	Libya	
Comoros	São Tomé and Príncipe	

Source: WTO, "Understanding the WTO: The Organization: Members and Observers," n.d. (accessed March 13, 2014).

Selected Plurilateral Agreements

Agreement on Government Procurement²¹⁵

Parties to the revised WTO Agreement on Government Procurement, adopted in March 2012, noted progress toward bringing the revised agreement into force by March 31, 2014.²¹⁶ The parties encouraged all WTO members to consider the possibility of acceding to the revised agreement, noting it expands access to government procurement markets by an estimated \$80–\$100 billion annually, deters corruption, and promotes good governance and effective management of public resources. The parties acknowledged the efforts of several countries—China, Montenegro, and New Zealand—that are in the process of acceding to the agreement.

Agreement on Trade in Civil Aircraft²¹⁷

The Committee on Trade in Civil Aircraft held its annual meeting November 7, 2013, to discuss progress made toward a final consensus on modifications to the Product Coverage Annex to the Agreement on Trade in Civil Aircraft. The modifications are intended to bring the annex into conformity with the Harmonized System (HS)²¹⁸ nomenclature, 2007 edition (HS 2007). Based on information exchanges since their 2012 meeting, delegations considered that consensus was near on a revised annex. The chairman proposed at the November 2013 meeting that the committee meet in the first half of 2014 to finalize the revisions to the annex, after which the WTO Secretariat could prepare a final copy of the revised annex for action by the committee.

²¹⁵ WTO, Committee on Government Procurement, "Ministerial-level Meeting of the Committee on Government Procurement," December 3, 2013.

²¹⁶ The revised agreement entered into force on April 6, 2014, upon acceptance by two-thirds of its 15 signatories. It thus entered into force for the following 10 signatories: Canada; the EU; Hong Kong, China; Iceland; Israel; Liechtenstein; Norway; Singapore; Taiwan (Chinese Taipei); and the United States. 79 Fed. Reg. 14776 (March 17, 2014).

²¹⁷ WTO, Committee on Trade in Civil Aircraft, "Minutes of the Meeting Held on 7 November 2013," November 12, 2013; USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 3, 2014, II.112.

²¹⁸ Formally, the Harmonized Commodity Description and Coding System. WCO, "International Convention on the Harmonized Commodity Description and Coding System," June 14, 1983. The HS underwent further modifications in 2012; work on 2017 changes is ongoing.

Information Technology Agreement

As of October 3, 2013, there were 50 participants in the Ministerial Declaration on Trade in Information Technology Products, commonly known as the Information Technology Agreement (ITA). These participants covered 78 WTO members, states, or separate customs territories, and represented approximately 96 percent of world trade in information technology products.²¹⁹ New members that joined during 2013 were Tajikistan (March 2), Qatar (July 4), and Russia (September 13).²²⁰ During the year, the ITA Committee²²¹ continued with its Work Program on Nontariff Measures to identify impediments to trade in ITA products, as well as its Electromagnetic Interference/Electromagnetic Compatibility Pilot Project. In the latter effort, participants exchange information on national procedures used to assess conformity with standards used for ITA products in order to increase transparency and trade in the sector. In 2013, the ITA Committee also continued to work on consolidating differences in the HS classification that affect ITA products. In July 2013, ITA participants adopted a decision that narrowed classification divergences for a list of 18 products largely involving semiconductor technologies into single common classifications defined under the HS 1996.²²²

Negotiations to expand the ITA to new categories of information technology products ran into considerable difficulties in 2013, being twice suspended during that year.²²³ These negotiations had begun in the previous year. A core group of ITA participants—Costa Rica, the EU, Japan, Korea, Taiwan, and the United States—reached broad agreement at the May 15, 2012, meeting of the ITA Committee to proceed with negotiations to expand ITA product coverage. These participants made the decision recognizing that new categories of information technology products had been developed since conclusion of the original 1996 ITA.²²⁴ The proposed list for product expansion initially covered 130 product codes under the HS, comprising 439 product descriptions.²²⁵ The group's discussions led to establishment of a technical working group outside of the formal WTO ITA Committee framework.²²⁶ At the working group's meeting on September 26–27, 2012, China participated in the ITA expansion discussions for the first time,

²¹⁹ WTO, Committee of Participants on the Expansion of Trade in Information Technology Products, "Status of Implementation—Note by the Secretariat—Revision," October 4, 2013. As of October 3, 2013, participants in the ITA were Albania; Australia; Bahrain; Canada; China; Colombia; Costa Rica; the Dominican Republic; Egypt; El Salvador; the EU; Georgia; Guatemala; Honduras; Hong Kong, China; Iceland; India; Indonesia; Israel; Japan; Jordan; Korea; Kuwait; Kyrgyzstan; Macao, China; Malaysia; Mauritius; Moldova; Montenegro; Morocco; New Zealand; Nicaragua; Norway; Oman; Panama; Peru; the Philippines; Qatar; Russia; Saudi Arabia; Singapore; Switzerland (on behalf of the customs union of Switzerland and Liechtenstein); Taiwan (Chinese Taipei); Tajikistan; Thailand; Turkey; Ukraine; the United Arab Emirates; the United States; and Vietnam.

²²⁰ WTO, Committee of Participants on the Expansion of Trade in Information Technology Products, "Report (2013) of the Committee of Participants," October 15, 2013.

²²¹ Formally, the Committee of Participants on the Expansion of Trade in Information Technology Products.

²²² WTO, Committee of Participants on the Expansion of Trade in Information Technology Products, "Classification Divergences—Note by the Secretariat," March 11, 2009.

²²³ USTR, "USTR Froman Expresses U.S. Disappointment," July 17, 2013.

²²⁴ WTO, "9th WTO Ministerial Conference, Bali, 2013: Briefing Note" (accessed March 14, 2014); USTR, "Letter from the United States Trade Representative/Williamson," July 31, 2012.

²²⁵ USITC, *The Information Technology Agreement: Advice and Information on the Proposed Expansion; Part 1*, October 2012.

²²⁶ WTO, "9th WTO Ministerial Conference, Bali, 2013: Briefing Note" (accessed March 14, 2014).

reportedly favoring a more narrow expansion of product coverage as a result of domestic sensitivities.²²⁷ By the November 1, 2012, meeting of the ITA Committee, parties in the technical working group discussions had increased to 17.²²⁸ The group indicated that it aimed to reissue its draft list of ITA products by mid-December 2012. The reissued list would in turn become the basis for further discussion and subsequent negotiations.²²⁹

Discussions during the first half of 2013 aimed at consolidating and reducing the list of products proposed for ITA expansion. The group's criteria restricted proposed products to goods that were traded among members in significant quantities (covering 50 percent or more of world trade in a given product) or whose inclusion was supported by at least 8 of the 25 negotiating parties.²³⁰ In meetings in June 2013, China reported to the group that it was unable to agree to tariff cuts for over one-third of the 256 products under discussion.²³¹ Despite subsequent clarification of China's offers, the remaining parties in the group suspended negotiations on July 18, 2013.²³²

ITA expansion talks resumed October 21–24, 2013, with a central focus on China's offer to phase out tariffs for sensitive items.²³³ In subsequent meetings scheduled for November 11–20, China stated that it was unable to agree to tariff elimination for approximately one-quarter of the 256 products under discussion for tariff elimination, and furthermore could only agree to duty phaseouts for an additional 80 products.²³⁴ The parties reached an impasse in discussions on November 18, 2013, and suspended negotiations for a second time on November 21, 2013.²³⁵ By the end of 2013, parties to the technical working group discussions comprised 27 ITA participants: Albania; Australia; Canada; China; Colombia; Costa Rica; the Dominican Republic; El Salvador; the EU; Guatemala; Hong Kong, China; Iceland; Israel; Japan; Korea; Malaysia; Mauritius; Montenegro; New Zealand; Norway; the Philippines; Singapore; Switzerland; Taiwan; Thailand; Turkey; and the United States.²³⁶

Dispute Settlement Body

This section focuses on complaints filed before the WTO Dispute Settlement Body (DSB) and on panel and Appellate Body findings and recommendations adopted under the WTO Dispute

²²⁷ *Inside U.S. Trade*, "China Joins ITA Talks; Pushes Back," October 4, 2012.

²²⁸ The 17 parties were Australia; Canada; China; Costa Rica; the EU; Hong Kong, China; Japan; Korea; Malaysia; New Zealand; Norway; the Philippines; Singapore; Switzerland; Taiwan (Chinese Taipei); Thailand; and the United States.

²²⁹ WTO, Committee of Participants on the Expansion of Trade in Information Technology Products, "Minutes of the Meeting of 1 November 2012," March 14, 2013, par. 2.7.

²³⁰ *Inside U.S. Trade*, "ITA Expansion Negotiators Make Push To Finalize," June 6, 2013.

²³¹ *Inside U.S. Trade*, "China Poses New Roadblock," June 27, 2013.

²³² USTR, "USTR Froman Expresses U.S. Disappointment," July 17, 2013; *Inside U.S. Trade*, "U.S., Others Suspend ITA Talks," July 18, 2013.

²³³ *Inside U.S. Trade*, "Slow Restart To ITA Expansion Talks," October 24, 2013.

²³⁴ *Inside U.S. Trade*, "ITA Expansion Talks Suspended Again," November 21, 2013.

²³⁵ WTO, "9th WTO Ministerial Conference, Bali, 2013: Briefing Note" (accessed March 14, 2014); *Inside U.S. Trade*, "ITA Expansion Talks Suspended Again," November 21, 2013.

²³⁶ WTO, "9th WTO Ministerial Conference, Bali, 2013: Briefing Note" (accessed March 14, 2014).

Settlement Understanding during calendar year 2013 that involve the United States.²³⁷ Box 3.2 provides an overview of the WTO dispute settlement process.

Table 3.3 lists the disputes (involving all WTO members) that moved from the consultation stage to the more formal panel litigation stage during 2013. The titles of the disputes listed in table 3.3 also serve as an indication of the types of subject matter that reached the more formal litigation stage during 2013.

The rest of this section consists of short summaries of the procedural and substantive issues in disputes involving the United States that moved to the panel stage during 2013 and summaries of panel and Appellate Body reports involving the United States that were issued or adopted during 2013. The summaries are based entirely on information in publicly available documents, including summaries published online by the WTO and press releases issued by U.S. government agencies. They should not be regarded as comprehensive or as reflecting a U.S.

Box 3.2 Overview of the WTO dispute settlement procedures

The WTO Dispute Settlement Understanding (DSU) establishes a framework for the resolution of disputes that arise between members under the WTO agreements.^a Under the DSU, a member may file a complaint with the WTO DSB. After filing, the member must first seek to resolve the dispute through consultations with the named respondent party.^b If the consultations fail, the complaining party may ask the DSB to establish a panel to review the matters raised by the complaint and make findings and recommendations.^c Either party may appeal issues of law covered in the panel report and legal interpretations developed by the panel to the WTO's Appellate Body.^d

The findings and recommendations of the Appellate Body and of the panel (as modified by the Appellate Body) are then adopted by the DSB unless there is a consensus by the members to reject the ruling. While the guidelines suggest that panels should complete their proceedings in six months, and the Appellate Body should complete its review in 60 days, these periods are often extended.

Once the panel report or the Appellate Body report is adopted, the party concerned must notify the DSB of its intentions with respect to implementing the adopted recommendations.^e If it is impracticable to comply immediately, the party concerned is given a reasonable period of time to comply, with the time to be decided either through agreement of the parties and approval by the DSB, or through arbitration. Further provisions set out rules for compensation or the suspension of concessions in the event the respondent fails to implement the recommendations.^f Within a specified timeframe, parties can enter into negotiations to agree on mutually acceptable compensation. Should the parties fail to reach agreement, a party to the dispute may request the DSB's authorization to suspend concessions or other obligations to the other party concerned. Disagreements over the proposed level of suspension may be referred to arbitration.

^aWTO, "Understanding on Rules and Procedures Governing the Settlement of Disputes," 1995.

^bWTO DSU, Article 4.

^cWTO DSU, Article 6.

^dWTO DSU, Article 17.6.

^eWTO DSU, Article 21.3.

^fWTO DSU, Article 22.

²³⁷ For additional information on the WTO dispute settlement process, the DSU, and individual dispute cases, see the WTO, "Dispute Settlement" at http://www.wto.org/english/tratop_e/dispu_e/dispu_e.htm.

Table 3.3 WTO dispute settlement panels established during 2013

Case no.	Complainant	Respondent	Case name	Panel established
DS429	Vietnam	United States	United States—Anti-Dumping Measures on Certain Frozen Warmwater Shrimp from Viet Nam	February 27, 2013
DS435	Honduras	Australia	Australia—Certain Measures Concerning Trademarks, Geographical Indications and Other Plain Packaging Requirements Applicable to Tobacco Products and Packaging	September 25, 2013
DS438	European Union	Argentina	Argentina—Measures Affecting the Importation of Goods	January 28, 2013 (with DS444 and DS445)
DS442	Indonesia	European Union	European Union—Anti-Dumping Measures on Imports of Certain Fatty Alcohols from Indonesia	June 25, 2013
DS444	United States	Argentina	Argentina—Measures Affecting the Importation of Goods	January 28, 2013 (with DS438 and DS445)
DS445	Japan	Argentina	Argentina—Measures Affecting the Importation of Goods	January 28, 2013 (with DS438 and DS444)
DS447	Argentina	United States	United States—Measures Affecting the Importation of Animals, Meat and Other Products from Argentina	January 28, 2013
DS453	Panama	Argentina	Argentina—Measures Relating to Trade in Goods and Services	June 25, 2013
DS454	Japan	China	China—Measures Imposing Anti-Dumping Duties on High-Performance Stainless Steel Seamless Tubes (“HP-SSST”) from Japan	May 24, 2013
DS455	United States	Indonesia	Indonesia—Importation of horticultural products, animals and animal products	April 24, 2013
DS457	Guatemala	Peru	Peru—Additional Duty on Imports of Certain Agricultural Products	July 23, 2013
DS460	European Union	China	China—Measures Imposing Anti-Dumping Duties on High-Performance Stainless Steel Seamless Tubes (“HP-SSST”) from the European Union	August 30, 2013
DS461	Panama	Colombia	Colombia—Measures Relating to the Importation of Textiles, Apparel and Footwear	September 25, 2013
DS462	European Union	Russia	Russian Federation—Recycling Fee on Motor Vehicles	November 25, 2013

Source: Derived from WTO, “Dispute Settlement: The Disputes—Chronological List of Disputes” (accessed March 19, 2014).

government interpretation of the issues raised or addressed in the disputes or in panel or Appellate Body reports. A table showing procedural developments during 2013 in disputes in which the United States was the complainant or respondent appears in appendix table A.25.

This section focuses on developments through the panel and Appellate Body stage and generally does not include matters that arise after the DSB adopts panel or Appellate Body reports in the original dispute. As indicated in box 3.2, dispute litigation often continues beyond the adoption of the panel or Appellate Body report, particularly when the defending party is the “losing” party. Issues may arise about the reasonableness of the time sought by the losing party to implement findings and recommendations, the adequacy of actions taken by the losing party to comply with the findings and recommendations, and about possible compensation and retaliation. Matters may be referred to the original or a new panel for further findings and recommendations regarding compliance and other matters, and in appropriate cases the parties may seek the assistance of an arbitrator to resolve matters. There were a number of disputes still active during 2013, well after the panel or Appellate Body report had been adopted, including two high-profile disputes brought by the United States and the European Communities (EC),²³⁸ respectively, against each other’s large civilian aircraft measures.²³⁹ Other proceedings of note that were underway during 2013 after adoption of panel and Appellate Body reports involved two disputes relating to U.S. country of origin labeling requirements²⁴⁰ and a dispute relating to U.S. measures relating to the importation, marketing, and sale of tuna and tuna products.²⁴¹

²³⁸ In this report’s WTO dispute settlement section, the term “European Communities” (EC) is used rather than “EU” if the source document WTO online summary uses “EC.”

²³⁹ Compliance proceedings begun in 2012 in both disputes remained underway throughout 2013, with panel reports expected in DS316 (brought by the United States against the EU) by the end of 2014, and in DS353 (brought by the EU against the United States) during the first half of 2014. See WTO, “Dispute Settlement: DS316; European Communities—Measures Affecting Trade in Large Civil Aircraft” (accessed April 10, 2014); WTO, “Dispute Settlement: DS353; United States—Measures Affecting Trade in Large Civil Aircraft—Second Complaint” (accessed April 10, 2014).

²⁴⁰ WTO, “Dispute Settlement: DS384; United States—Certain Country of Origin Labelling (COOL) Requirements” (accessed April 10, 2014); WTO, “Dispute Settlement: DS386; United States—Certain Country of Origin Labelling Requirements” (accessed April 10, 2014). The disputes involved challenges by Canada and Mexico, respectively, of mandatory U.S. country of origin labelling (COOL) requirements; the respective panels and the Appellate Body found that aspects of U.S. requirements violated U.S. obligations under the Technical Barriers to Trade Agreement (TBT) and GATT 1994. In September 2012, both Canada and Mexico sought arbitration concerning the “reasonable period of time” the United States should have to implement the recommendations and rulings of the DSB, and in December 2012 the arbitrator determined that this period should expire on May 23, 2013. In August 2013, Canada and Mexico also requested the establishment of a compliance panel and a compliance panel was composed on September 27, 2013. As of the end of 2013, the panel had not issued its report.

²⁴¹ WTO, “Dispute Settlement: DS381; United States—Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products” (accessed April 10, 2014). The dispute concerned U.S. dolphin-safe labeling provisions and whether they were consistent with U.S. obligations under the GATT 1994 and the Agreement on Technical Barriers to Trade. The Appellate Body found aspects of the U.S. provisions inconsistent with the TBT Agreement. On July 23, 2013, the United States informed the DSB of a change in its dolphin-safe labeling requirements and that it had brought its requirements into conformity with the DSB recommendations and rulings. On November 14, 2013, Mexico requested the establishment of a compliance panel; the DSB established a panel on January 22, 2014; the panel was composed on January 27, 2014. See also USTR, “U.S. Announces Compliance,” July 12, 2013.

New Requests for Consultations and New Panels Established

During 2013, WTO members filed 20 new requests for WTO dispute settlement consultations, compared with 27 in 2012, 8 in 2011, and 17 in 2010. The United States was involved in 5 (3 as complainant and 2 as respondent) of the 20 requests filed during 2013 (as compared with 11 of the 27 requests filed during 2012). During 2013, the EU was involved in the largest number of new requests for consultations, at 7 (as the complainant in 3, and the respondent in 4). Other WTO members involved in multiple new disputes included Indonesia, 5 (as complainant in 2 and respondent in 3), and Russia, 3 (as the complainant in 1 and the respondent in 2). New disputes involving China fell sharply in 2013, with China involved in only 2 new disputes (as the complaining party in 1 and the responding party in 1). This compares with 10 new disputes in 2012, when China was the complaining party in 3 and the responding party in 7.

Twelve new dispute settlement panels were established during 2013 (table 3.3), including one panel that consolidated three complaints. The United States was the complaining party in two of these panel proceedings, and the responding party in two. The 12 new panels established in 2013 represents an increase from the 11 established in 2012, and the 7 panels established in each of 2011 and 2010.

Requests for consultations filed during 2013 in which the United States was the complaining party or named respondent

Two of the three new requests for dispute settlement consultations filed by the United States during 2013 concerned measures taken by Indonesia, with both relating to Indonesia's restrictions on importation of horticultural products, animals, and animal products.²⁴² The third dispute concerned measures by India relating to solar cells and solar modules.²⁴³ A panel was established during 2013 in only one of the three disputes, the first of the two disputes filed against Indonesia. The issues raised in that dispute are described in greater detail in the next section.

The United States was the named respondent in two new disputes filed during 2013, one filed by Korea and one filed by China. The dispute filed by Korea concerned U.S. countervailing duty and antidumping measures on large residential washers from Korea,²⁴⁴ and the dispute filed by China concerned U.S. methodologies and their application to antidumping proceedings involving China.²⁴⁵ No panel was established in either of these disputes during 2013.²⁴⁶

²⁴² WTO, "Dispute Settlement: DS455; Indonesia—Importation of Horticultural Products, Animals and Animal Products" (accessed March 21, 2014); WTO, "Dispute Settlement: DS465; Indonesia—Importation of Horticultural Products, Animals and Animal Products" (accessed March 28, 2014).

²⁴³ WTO, "Dispute Settlement: DS456; India—Certain Measures Relating to Solar Cells and Solar Modules" (accessed March 28, 2014).

²⁴⁴ WTO, "Dispute Settlement: DS464; United States—Anti-dumping and Countervailing Measures on Large Residential Washers from Korea" (accessed March 31, 2014).

²⁴⁵ WTO, "Dispute Settlement: DS471; United States—Certain Methodologies and Their Application to Anti-Dumping Proceedings Involving China" (accessed March 31, 2014).

Panels established during 2013 at the request of the United States

As indicated in table 3.3, the DSB established two panels at the request of the United States during 2013: one concerning measures taken by Argentina, and the second concerning measures taken by Indonesia. As of the end of 2013, the panel had been composed only in the Argentina dispute, with a final panel report expected in late spring 2014. The issues raised and the procedural histories of the two disputes are summarized below.

Argentina—Measures Affecting the Importation of Goods (DS444). In this dispute, filed on August 21, 2012, the United States challenged certain measures imposed by Argentina on the importation of goods, including certain licensing requirements, certain requirements imposed on importers to undertake trade-restrictive commitments, and systematic delays in granting or denying import approval. The United States alleged that these actions violated Articles III, X, and XI of the General Agreement on Tariffs and Trade (GATT) 1994; Article 2 of the Trade-Related Investment Measures (TRIMs) Agreement; Articles 1, 3, and 5 of the Agreement on Import Licensing Procedures; and Article 11 of the Safeguards Agreement. At its meeting on January 28, 2013, the DSB established a single panel to examine this dispute and two other disputes, DS438 (a complaint filed by the EU) and DS445 (a complaint filed by Japan). The Director-General composed the panel on May 27, 2013. On November 15, 2013, the chair of the panel informed the DSB that the panel expected to issue its final report to the parties by the end of May 2014.²⁴⁷

Indonesia—Importation of Horticultural Products, Animals and Animal Products (DS455). In this dispute, filed on January 10, 2013, the United States claimed that certain measures imposed by Indonesia on the importation of horticultural products, animals, and animal products are inconsistent with Articles X:3(a) and XI:1 of the GATT 1994; Article 4.2 of the Agreement on Agriculture; and Articles 1.2, 3.2 and 3.3 of the Import Licensing Agreement. After consultations failed to resolve the dispute, the United States asked for the establishment of a panel. The DSB established a panel at its meeting on April 24, 2013,²⁴⁸ but the panel had not been composed as of the end of 2013.

Panels established during 2013 in which the United States was the named respondent

The DSB established two panels during 2013 in which the United States was the named respondent, one at the request of Vietnam and the second at the request of Argentina. As of the end of 2013, both panel proceedings were still pending, with an anticipated final report

²⁴⁶ A panel in one of the two disputes, DS464: United States—Anti-dumping and Countervailing Measures on Large Residential Washers from Korea, was established on January 22, 2014 (see WTO, “Dispute Settlement: DS464” (accessed March 31, 2014).

²⁴⁷ WTO, “Dispute Settlement: DS444; Argentina—Measures Affecting the Importation of Goods” (accessed March 21, 2014). See also USTR, “United States Requests WTO Panel,” December 6, 2012. On May 5, the chair informed the DSB that the panel expected to issue its final report by the end of June 2014.

²⁴⁸ WTO, “Dispute Settlement: DS455; Indonesia—Importation of Horticultural Products, Animals and Animal Products” (accessed March 21, 2014). See also USTR, “U.S. Trade Representative Kirk Seeks World Trade Organization Dispute Settlement,” March 14, 2013.

date announced for only one of the two panels. The issues raised and the procedural histories of the two disputes are summarized below.

United States—Anti-Dumping Measures on Certain Frozen Warmwater Shrimp from Viet Nam (DS429). In this dispute, filed on February 20, 2012, Vietnam claimed that various U.S. laws, regulations, administrative proceedings, and practices relating to zeroing²⁴⁹ are inconsistent with U.S. obligations under Articles 1:1, VI:1, VI:2, and X:3(a) of the GATT 1994; Articles 1, 2.1, 2.4, 2.4.2, 6, 9, 11, 17.6(i), and Annex II of the Antidumping Agreement; Article XVI:4 of the WTO Agreement; Articles 3.7, 19.1, 21.1, 21.3, and 21.5 of the Dispute Settlement Understanding; and Vietnam’s Protocol of Accession. The DSB established a panel on February 27, 2013, and the panel was composed on July 12, 2013. On January 30, 2014, the chair of the panel informed the DSB that the panel expects to issue its final report to the parties by September 30, 2014.

United States—Measures Affecting the Importation of Animals, Meat and Other Animal Products from Argentina (DS447). In this dispute, filed on August 30, 2012, Argentina alleged that several actions or omissions by the United States appeared to be inconsistent with U.S. WTO obligations. This included (1) a U.S. prohibition on imports of fresh (chilled or frozen) beef from Argentina embodied in an interim and final rule of the U.S. Animal and Plant Health Inspection Service (APHIS); (2) the failure by the United States to recognize certain areas of Argentina’s territory as free of foot-and-mouth disease embodied in the APHIS Policy Regarding Importation of Animals and Animal Products; and (3) undue delays in recognizing the animal health status of a region or in granting approval to export animals or animal products from that region under U.S. regulations and additional U.S. statutory conditions. Specifically, Argentina alleged violations of provisions in Articles I:1, III:4, and XI:1 of the GATT 1994; Articles 1.1, 2.2, 2.3, 3.1, 3.3, 5.1, 5.2, 5.4, 5.6, 6.1, 6.2, 8 and Annex C.1, and Article 10.1 of the Sanitary and Phytosanitary (SPS) Agreement; and Article XVI:4 of the WTO Agreement. The DSB established a panel on January 28, 2013, and the Director-General composed the panel on August 8, 2013.²⁵⁰ In early March 2014, the panel chair informed the DSB that the panel expects to issue its final report in early 2015.

Panel and Appellate Body Reports Issued and/or Adopted during 2013 that Involve the United States

During 2013, the DSB adopted panel and/or Appellate Body reports in original disputes²⁵¹ in only one case in which the United States was the complainant or a respondent (table 3.4). The report in that dispute is summarized below.

²⁴⁹ Before 2006, USDOC engaged in a practice called “zeroing,” in which it treated non-dumped transactions as having a zero margin for purposes of computing a weighted average dumping margin for a class or kind of subject merchandise. USDOC has changed this practice in response to adverse rulings from the WTO. Under the revised practice, USDOC uses the non-dumped transactions as an offset to dumped transactions.

²⁵⁰ WTO, “Dispute Settlement: DS447; United States—Measures Affecting the Importation of Animals, Meat and Other Animal Products from Argentina” (accessed June 1, 2014).

²⁵¹ As opposed to panel and Appellate Body reports issued in subsequent compliance and other proceedings.

Table 3.4 WTO dispute settlement panel and Appellate Body (AB) reports circulated or adopted in 2013 in which the United States was a party

Case no.	Complainant	Respondent	Case name	Date of report circulation or adoption
DS427	United States	China	China—Anti-Dumping and Countervailing Duty Measures on Broiler Products from the United States	Panel report adopted (September 25, 2013)

Source: Derived from WTO, “Dispute Settlement: The Disputes—Chronological List of Disputes” (accessed March 19, 2014).

Reports in which the United States was the complainant

China—Anti-Dumping and Countervailing Duty Measures on Broiler Products from the United States (DS427). In this dispute, filed on September 20, 2011, the United States challenged China’s measures imposing antidumping and countervailing duties on broiler products from the United States. More specifically, the United States alleged that China’s measures appeared to be inconsistent with various provisions of the WTO Antidumping and Subsidies and Countervailing Measures (SCM) Agreements related to the process of the investigation as well as to the determinations at issue (improper reliance on facts available, failure to provide access to relevant information, insufficient explanation of the basis for the determination, absence of proper analysis of the effects of imports under investigation, absence of objective determination of causality, and imposition of countervailing duties in excess of the subsidy found to exist). The United States alleged violations of provisions in Articles 1, 2, 3, 4, 5, 6, and 12 of the Antidumping Agreement and Articles 10, 11, 12, 15, 16, 19, and 22 of the SCM Agreement. The United States also alleged that China’s measures are inconsistent with Article VI of the GATT 1994 as a result of the alleged violations of the Antidumping and SCM Agreements.

After consultations failed to resolve the dispute, the United States requested establishment of a panel. The DSB established a panel on January 20, 2012, and the Director-General composed the panel on May 24, 2012. The panel report was circulated to members on August 2, 2013.

The panel found in favor of the United States on nearly all U.S. claims regarding the conduct of China’s investigation, the insufficiency of China’s public notices, China’s allocation methodology, and the claim that China failed to explain adequately its subsidy calculation. The panel also agreed with U.S. claims that the antidumping rates applied by China were in contravention of the Antidumping Agreement. The panel also upheld U.S. claims regarding China’s price comparisons and finding of price suppression. The panel rejected the U.S. claim concerning China’s definition of the domestic industry, and found it unnecessary to rule on certain other U.S. claims concerning China’s analysis, having found China’s price analysis deficient.

The DSB adopted the panel report on September 25, 2013. On October 22, 2013, China informed the DSB that it intended to implement the DSB recommendations and rulings, and on

December 19, 2013, China and the United States informed the DSB that they had agreed that a reasonable time to do so would expire on July 9, 2014.²⁵²

Reports in which the United States was the respondent

No reports were issued during 2013.

Organisation for Economic Co-operation and Development

The Organisation for Economic Co-operation and Development (OECD) provides a forum for member governments to review and discuss economic, social, and other policy-related developments affecting their market economies, as well as to engage with other nonmember economies to address issues of common interest involving the global economy. There were 34 OECD members at the end of 2013.²⁵³

Ministerial Council Meeting

The meeting of the OECD Council at the ministerial level was held in Paris, France, on May 29–30, 2013. The chair summarized the highlights of the meeting, starting with a call by ministers to continue their focus on structural reforms and policies that improve the functioning of the labor market through the broader inclusion of different social segments in the workforce. Recent OECD efforts in this area have focused on improving education, vocational training, and work skills for several types of people, including youth; the most vulnerable in society, such as low-income families; and those facing other social barriers, such as gender inequality. Work cited in these areas included the OECD recommendations from the Giving Youth a Better Start Action Plan as well as the Recommendation of the Council on Gender Equality in Education, Employment and Entrepreneurship.²⁵⁴

The chair's summary of the ministerial meeting pointed out a need to rebuild a level of trust of citizens in government and other institutions. According to the summary, citizens need to regain confidence not only in government's ability to restore long-term growth that addresses the social impact of the global economic crisis, but also in fairness in governmental areas such as tax systems. Ministers highlighted two examples of recent OECD work in this area, one addressing the erosion of the government tax basis as a result of changing corporate profit sharing, and a second addressing plans to revise international tax rules to prevent commercial

²⁵² WTO, "Dispute Settlement: DS427; China—Anti-Dumping and Countervailing Duty Measures on Broiler Products from the United States" (accessed March 19, 2014). See also USTR, "World Trade Organization Adopts Report Ruling," September 25, 2013.

²⁵³ Australia, Austria, Belgium, Canada, Chile, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom, and the United States.

²⁵⁴ OECD, "Chair's Summary—OECD Ministerial Council Meeting (MCM), 29–30 May 2013," n.d. (accessed March 18, 2014).

firms from shifting funds to locations offering more favorable tax treatment. The chair summary also mentioned the need to build confidence and trust in the private sector in areas such as corporate governance, long-term investment, finance for small and medium-sized firms, consumer policy, and efforts to combat corruption.²⁵⁵

At the ministerial meeting, the OECD Secretary-General offered ministers the organization's Interim Report on the New Approach to Economic Challenges (NAEC) initiative. Ministers welcomed the report as a means to draw lessons from the global economic crisis and promote a more comprehensive concept of growth. According to the summary, such a concept encompasses not only basic economic growth but also broader factors, such as social equality in labor markets, access to high-quality education, environmentally sustainable growth, and other elements that contribute to skilled labor in an increasingly connected and complex global economy.²⁵⁶ Similarly, the ministers welcomed reports about OECD work on global value chains (GVCs) and on the joint OECD-WTO Trade in Value-Added Terms (TIVA) database.²⁵⁷ Finally, ministers reiterated the importance of OECD dialogue with nonmember partners. As part of this dialogue, the organization has launched a new regional program for Southeast Asia to exchange perspectives and common understandings on policy matters in order to address joint challenges.²⁵⁸

Trade Committee

The OECD Trade Committee held two sessions in 2013—its 161st session²⁵⁹ on May 15–16, 2013, and its 162nd session²⁶⁰ on November 5–6, 2013. At the committee's plenary session on May 15, the OECD Secretariat updated the Trade Committee on three key projects that are underway: (1) the Services Trade Restrictiveness Index, (2) Multilateralizing Regionalism, and (3) Emerging Trade Policy Issues and Trade Modeling Capacity. The committee also heard progress reports from the chairs of three subsidiary groups: the Working Party of the Trade Committee, the Joint Working Party on Trade and Environment, and the Arrangement on Export Credits.²⁶¹

The committee discussed progress on the NAEC initiative, as well as the TIVA database. The OECD introduced the NAEC initiative at the 2012 Ministerial Council Meeting to reassess

²⁵⁵ Ibid.

²⁵⁶ USDOS, U.S. Mission, Paris, "Evolving the OECD," September 17, 2013, par. 3, 6.

²⁵⁷ USDOS, U.S. Mission, Paris, "Inclusive Growth: OECD Working it Out," February 12, 2014, par. 2.

²⁵⁸ OECD, "Chair's Summary—OECD Ministerial Council Meeting (MCM), 29–30 May 2013," n.d. (accessed March 18, 2014).

²⁵⁹ OECD, Trade and Agriculture Directorate (TAD), Trade Committee, "Summary Record: 161st Session of the Trade Committee—Plenary Session," September 5, 2013; OECD, TAD, Trade Committee, "Summary Record: 161st Session of the Trade Committee—Confidential Session," September 5, 2013.

²⁶⁰ OECD, TAD, Trade Committee, "Summary Record: 162nd Session of the Trade Committee—Plenary Session," January 31, 2014; OECD, TAD, Trade Committee, "Summary Record: 162nd Session of the Trade Committee—Confidential Session," January 31, 2014.

²⁶¹ OECD, TAD, Trade Committee, "Chair's Highlights: Working Party of the Trade Committee," May 10, 2013; OECD, TAD, Trade Committee, "Chair's Highlights: the Recent Activities of the Joint Working Party on Trade and Environment," May 10, 2013; OECD, TAD, Trade Committee, "Report to the 161st Session of the Trade Committee: Export Credits," May 2, 2013.

fundamental assumptions in OECD analytical frameworks. The reassessment's aim is to make OECD policy advice not only promote strong economic growth, but also support a broader improvement in people's well-being, a fairer distribution of the benefits of growth, and economic production that uses natural resources more sustainably.²⁶²

The OECD-WTO TIVA database seeks to measure the value added by each country in the production of goods and services that are consumed worldwide when passing through stages of GVCs.²⁶³ Launched in January 2013, the TIVA initiative is developing a database of indicators that can be integrated with information that covers bilateral trade in goods, broken down by industry and by end use; data on trade in services; and the structural analysis (STAN) industry databases. The resulting database should better illuminate the underlying relations of trade and commercial relations between countries. TIVA indicators include (1) the breakdown of gross exports by industry into their domestic and foreign content; (2) the services content of gross exports by exporting industry, broken down by foreign/domestic origin; (3) bilateral trade balances, based on flows of value added embodied in domestic final demand; and (4) imports embodied in exports.

In addition, the committee discussed administrative items concerning preparations for the 2013 OECD Ministerial Council meeting with G20 country delegates.²⁶⁴ It also discussed programs such as the OECD Global Forum, held under the auspices of the Trade Committee.

At the Trade Committee's session on May 16 with participating G20 Members, Russia—as president of the G20—presented a progress report on the G20 trade policy agenda, with the OECD Secretariat highlighting participant contributions.²⁶⁵ The Trade Committee and G20 participants discussed the expansion of the TIVA database and its implications for policymaking on trade, investment, competitiveness, and skills and labor market issues. The committee and G20 participants held two sub-sessions focused on different facets of trade facilitation and trade in value added through GVCs.

The first sub-session of the May meeting explored the interaction of GVCs and trade issues, in particular considering how GVCs can compound the effects of protectionism on growth and employment. It also looked at the question whether different protectionist measures—tariffs, nontariff measures, regulations, and standards—affect GVCs for agriculture, manufactures, and services in different ways. In addition, the sub-session discussed the role of trade facilitation, in particular Aid for Trade measures, in advancing the integration of developing countries into GVCs.

²⁶² OECD, "Ministerial Meeting 2013: NAEC and Prioritising Inclusive Growth," n.d. (accessed March 18, 2014).

²⁶³ OECD, *Interconnected Economies: Benefiting from Global Value Chains*, 2013.

²⁶⁴ The Group of Twenty major advanced and emerging economies are Argentina, Australia, Brazil, Canada, China, the EU, France, Germany, India, Indonesia, Italy, Japan, Korea, Mexico, Russia, Saudi Arabia, South Africa, Turkey, United Kingdom, and the United States, <https://www.g20.org> (accessed March 19, 2014).

²⁶⁵ OECD, TAD, Trade Committee, "Summary Record; 161st Session of the Trade Committee—Session with the Participation of G20 Members," September 5, 2013.

The second sub-session examined various implications for policy formulation that arise from results of the TIVA database, such as how convergence of standards and mutual recognition measures can reinforce the positive effects of market opening. It also considered the policy implications of TIVA analyses showing how services may be embodied in goods trade. Finally, it discussed whether government policies need to be reevaluated to ensure that business and labor market environments maximize the benefits of integration into GVCs.

At the committee's closed session in May, members explored differences in the way government policy-makers and private sector officials view trade barriers to open markets (e.g., forced localization). Members also debated whether regulatory and other "behind the border" measures are increasing, and discussed what are the most egregious trade barriers and measures.²⁶⁶ The committee also reviewed its relations with Argentina and Argentina's participation in its work; requests for participant status in the committee from Egypt, Latvia, Lithuania, and Romania; the status of the committee's strategy on export credits; and the OECD program on Southeast Asia. The Secretariat updated the committee on the reporting process following OECD accession by Chile and Israel. In addition, the committee discussed its Market Openness Review of the Russian economy with the Russian delegation, focusing in particular on IPR and compliance with regulatory reform measures in the context of Russia's accession to the OECD.

At the Trade Committee's 162nd meeting in November, delegations heard updates from the chairs of the Working Party of the Trade Committee and of the Joint Working Party on Agriculture and Trade, as well as of the Trade Committee itself, concerning their respective work programs.²⁶⁷ The committee also explored issues concerning regulatory cooperation mechanisms to help reduce international transaction costs and facilitate trade, particularly looking at developments in regional trade agreements and negotiations. In addition, the committee considered progress being made in multilateral trade negotiations and related preparations for the February 2014 OECD Global Forum on Trade, hosted annually by the OECD Trade Committee.

At its closed meeting in November, the committee followed up on its May discussions concerning Russia's accession to the OECD.²⁶⁸ The committee held a Market Openness Review of Colombia, and subsequently held discussions concerning the Trade Committee's global relations strategy. Discussions related to this strategy touched on further review of Argentina's participation in the committee's work; consideration of participation status for Latvia, Lithuania, and Romania; and a request from Costa Rica for a Market Openness Review of its economy. Lastly, the Trade Committee considered adjustments made to the 2013 renewal of the mandate for the Export Credit Group, extending the group's mandate to July 31, 2015.

²⁶⁶ OECD, TAD, Trade Committee, "161st Session of the Trade Committee: Confidential Session—Draft Agenda," April 9, 2013.

²⁶⁷ OECD, TAD, Trade Committee, "162nd Session of the Trade Committee: Plenary Session—Draft Agenda," October 29, 2013.

²⁶⁸ OECD, TAD, Trade Committee, "162nd Session of the Trade Committee: Confidential Session—Draft Agenda," October 29, 2013.

Asia-Pacific Economic Cooperation

Asia-Pacific Economic Cooperation (APEC) is an international organization composed of 21 Pacific Basin economies seeking to enhance intraregional economic growth and cooperation.²⁶⁹ The organization operates as a cooperative, multilateral economic and trade group, where decisions are made by consensus and commitments are undertaken voluntarily. Since its inception, APEC has aimed to facilitate economic growth, trade, investment, and cooperation in the Asia-Pacific region.²⁷⁰ APEC pursues progress toward greater regional economic integration through annual meetings of heads of state and trade ministers, and coordinates capacity-building and liberalization efforts with member economies throughout the year. In 1994, member economies committed to meeting the Bogor Goals—named for the summit meeting in Bogor, Indonesia—which aimed to create a free and open trade and investment area in the Asia-Pacific region by 2010 for industrialized members' economies and by 2020 for developing members' economies.²⁷¹

Under the chairmanship of Indonesia throughout 2013, APEC focused on increasing regional economic integration in the context of a continued economic recovery; promoting physical, institutional, and people-to-people connectivity; and achieving sustainable growth and development. In addition, the APEC annual summit, held in Bali, Indonesia, in October 2013, served as a forum for discussing possible pathways and progress toward a Free Trade Area of the Asia-Pacific (FTAAP), as well as other multilateral commitments. APEC's working-level committees and groups worked throughout the year to improve the prospects of meeting the Bogor Goals and to develop a coordinated and equitable approach to the FTAAP.²⁷²

The Bogor Goals, FTAAP, and Related APEC Commitments

In 2013, APEC ministers and leaders remained committed to fully achieving the Bogor Goals by 2020, stating that working toward the attainment of free trade and investment had produced an extraordinary period of prosperity in the region. At the October 2013 APEC leaders' meeting, participants highlighted the importance of assisting developing countries to achieve the goals by 2020. At the same time, participants encouraged developed countries to take more concrete actions toward reaching the Bogor Goals. These actions were to be based on a 2010 assessment calling for greater trade and investment liberalization and 2011 guidelines setting forth standardized self-reporting and peer review of new trade policies and improvements in the

²⁶⁹ APEC was founded in 1989 when ministers from 12 Asia-Pacific governments met in Canberra, Australia, to discuss world and regional economic developments, global trade liberalization, and opportunities for regional cooperation. Current APEC membership includes Australia; Brunei Darussalam; Canada; Chile; China; Hong Kong, China; Indonesia; Japan; Korea; Malaysia; Mexico; New Zealand; Papua New Guinea; Peru; the Philippines; Russia; Singapore; Taiwan (Chinese Taipei); Thailand; the United States; and Vietnam. For further details, see APEC, *APEC at a Glance, 2014*, October 2013, and the APEC website, <http://www.apec.org/>.

²⁷⁰ APEC, *APEC at a Glance*, October 2013.

²⁷¹ Ibid.

²⁷² APEC, *21st APEC Economic Leaders' Meeting: The Bali Declaration*, October 8, 2013; APEC, *25th APEC Ministerial Meeting: Joint Statement*, October 5, 2013.

business environment.²⁷³ As a continuation of this self-review effort in 2013, economies agreed to the public release of an updated Bogor Goals Dashboard of Indicators laying out basic indicators used to measure regional integration. Member economies also agreed to a 2014 timeline for preparing and submitting Individual Action Plans toward meeting the Bogor goals.²⁷⁴

In addition to working toward the general objectives of the Bogor Goals, member economies affirmed their commitment to achieving a Free Trade Area of the Asia-Pacific (FTAAP). Recognizing the different tracks that such an agreement could take, leaders and ministers affirmed that APEC would serve as an information sharing and communication platform in order to improve transparency.²⁷⁵ In support of the FTAAP, APEC's Committee on Trade and Investment (CTI) continued to implement the Capacity Building Needs Initiative, a program of workshops and training courses designed to build member capacity in negotiating areas such as e-commerce, labor, government procurement, safeguards, dispute settlement, and scheduling of services and investment commitments in free trade agreements.²⁷⁶

The trade ministers of the 12 countries negotiating the Trans-Pacific Partnership (TPP) again used the APEC Leaders' Meeting in October as a forum to announce progress toward reaching an agreement. Leaders from these 12 countries announced that they were on track to complete the negotiations, and reaffirmed support for a "next-generation model" agreement that would benefit all member countries despite their different levels of economic development. Within the context of APEC, leaders stated that they viewed it as a promising pathway toward the finalization of a FTAAP and were encouraged by other APEC countries that had expressed an interest in future participation in negotiations.²⁷⁷

In addition, APEC leaders reiterated their confidence in the underlying institutional strength of the WTO, and extended a commitment to refrain from protectionist measures until the end of 2016. Stating that Doha negotiations were "at an impasse," leaders expressed urgency about achieving successful outcomes at the Ninth Ministerial Conference of the WTO in Bali, including outcomes related to trade facilitation, some elements of agriculture, and economic

²⁷³ APEC, *21st APEC Economic Leaders' Meeting: The Bali Declaration*, October 8, 2013; APEC, *25th APEC Ministerial Meeting: Joint Statement*, October 5, 2013. In 2010, APEC members assessed the progress made by 13 member countries toward the Bogor Goals and concluded that while broad liberalization had led to increased trade and investment linkages in the region, trade barriers between the economies remained. They based this assessment on a mutually endorsed and collaboratively written report which stated that, in the 13 countries, progress eliminating tariffs had not been uniform across sectors. Barriers to services trade were still in place, human mobility and FDI were still restricted, and work remained to be done with respect to nontariff measures and "behind-the-border" issues. APEC, *The Report on APEC's 2010 Economies' Progress*, 2010. These assessments were updated by the APEC Policy Support Unit (PSU) in a report that showed some progress in these areas. APEC, PSU, *APEC's Bogor Goals Progress Report, August 2012*, August 2012. For more information on the self-reporting mechanisms agreed to in 2011, see APEC, CTI, *2011 Annual Report to Ministers*, November 2011, appendix 1.

²⁷⁴ APEC, CTI, *CTI Annual Report to Ministers: 2013*, October 2013, 5; APEC, *25th APEC Ministerial Meeting: Joint Statement*, October 5, 2013.

²⁷⁵ APEC, *21st APEC Economic Leaders' Meeting: The Bali Declaration*, October 8, 2013; APEC, *25th APEC Ministerial Meeting: Joint Statement*, October 5, 2013.

²⁷⁶ APEC, CTI, *CTI Annual Report to Ministers: 2013*, October 2013, 6.

²⁷⁷ White House, *Trans-Pacific Partnership Leaders Statement*, October 8, 2013.

development.²⁷⁸ In addition, leaders encouraged swift progress in the negotiations to expand product coverage and membership in the WTO Information Technology Agreement (ITA). They noted that expansion would bolster the multilateral trading system and global economic growth, as well as contributing to APEC's mission to facilitate regional economic integration.²⁷⁹

Regional Economic Integration, Connectivity, and Sustainable Growth

In addition to providing a forum for leaders to discuss possible pathways toward multilateral liberalization, APEC pursues an agenda of regional economic integration that relies on developing nonbinding common principles, action plans, workshops, and research on best practices. In addition, APEC pursues economic objectives of shared importance driven by the needs and interests of member countries. This work ranges from technical policy prescriptions, studies, and workshops to more open-ended forums for discussion, and is therefore designed to deal practically with known issues as well as explore new areas of economic integration. These efforts continue year-round under the oversight of the APEC Secretariat and working-level committees and are guided by the outcomes of ministerial and leadership meetings.²⁸⁰

Building on an initiative begun in 2011, member economies continued to work toward the goal of reducing applied tariffs on the APEC List of Environmental Goods to 5 percent or less on a most-favored-nation basis by the end of 2015. Work in 2013 focused on capacity building to help reach that goal, including the development of a survey to identify economies' specific capacity-building needs related to reducing the tariffs. Countries also agreed to a proposal on public-private partnership designed to offer industry representatives and government officials a platform for a dialogue on issues related to trade in environmental goods and services. Other green growth initiatives include continuing a capacity-building and research project on green public procurement policies, discussions on liberalizing certain products to address both sustainable growth and rural development goals, and a workshop on public facilitation of sustainable automotive technologies.²⁸¹

Besides continuing work on environmental goods and services, APEC pursued a variety of other initiatives involving sustainable growth in areas such as small and medium-sized enterprises (SMEs), women's economic empowerment, health, oceans, food security, renewable energy, financial inclusion, and innovation. For example, APEC held the First Joint Ministerial Meeting on Small and Medium Enterprise and Women; it also strengthened disaster-related business continuity planning for SMEs through several initiatives during the year.²⁸²

The APEC Group on Services made progress on several initiatives. The group continued implementing the Action Plan on Statistics on Trade in Services, an effort developed in 2012 to

²⁷⁸ APEC, *21st APEC Economic Leaders' Meeting: Supporting the Multilateral Trading System and the 9th Ministerial Conference of the World Trade Organization*, October 8, 2013.

²⁷⁹ Ibid.

²⁸⁰ APEC, *APEC at a Glance*, October 2013.

²⁸¹ APEC, CTI, *CTI Annual Report to Ministers: 2013*, October 2013, 7–10.

²⁸² APEC, *Outcomes and Outlook 2013–14*, March 2014.

improve collection methods and the quality of services statistics in the region by networking regional experts and holding workshop training.²⁸³ Member countries continued to participate in expanding the Services Trade Access Requirements (STAR) Database, which is a tool businesses can use to facilitate trade in services and which is particularly useful for SMEs.²⁸⁴ In addition, the APEC Market Access Group continued work on technical initiatives designed to facilitate and encourage trade in remanufactured goods through workshops, capacity building, and information sharing.²⁸⁵

Promoting connectivity was a major focal point in APEC's policy agenda in 2013. Toward this goal, APEC worked on improving infrastructure through investment, making supply chains more efficient, advancing regulatory cooperation, and enhancing the mobility of people. Members endorsed a multiyear plan for infrastructure development and investment. This plan would improve members' investment environments, promote public-private partnerships, and enhance government capacity and coordination in preparing and executing infrastructure projects.²⁸⁶

In addition, CTI and the APEC Policy Support Unit completed an interim assessment of the Supply-Chain Connectivity Framework Action Plan. Focused on time, costs, and uncertainty of supply chain performance, this program is designed to improve supply chain connectivity in the region by 10 percent between 2010 and 2015. The interim assessment indicated that midterm progress toward achieving these goals was below pro rata benchmarks. Working to reach the 2015 objectives, CTI made progress in building inventories of policy recommendations that members could use to address eight key "chokepoints" in their supply chains.²⁸⁷ APEC also set a goal of having one million university students participate in intraregional exchange programs in order to encourage people-to-people connectivity in the Asia-Pacific region.²⁸⁸

Negotiations on a Trade in Services Agreement

On January 15, 2013, the USTR notified Congress of the administration's intent to enter into negotiations for a new trade agreement aimed at promoting international trade in services.²⁸⁹ The USTR cited 20 trading partners, representing nearly two-thirds of global trade in services, as the initial negotiating group of countries.²⁹⁰

²⁸³ APEC, CTI, *CTI Annual Report to Ministers: 2013*, October 2013, 11; APEC, *25th APEC Ministerial Meeting: Joint Statement*, October 5, 2013.

²⁸⁴ APEC, CTI, *CTI Annual Report to Ministers: 2013*, October 2013, 30; APEC, *25th APEC Ministerial Meeting: Joint Statement*, October 5, 2013.

²⁸⁵ APEC, CTI, *CTI Annual Report to Ministers: 2013*, October 2013, 10.

²⁸⁶ APEC, *25th APEC Ministerial Meeting: Joint Statement*, October 5, 2013.

²⁸⁷ APEC, CTI, *CTI Annual Report to Ministers: 2013*, October 2013, 17.

²⁸⁸ APEC, *Outcomes and Outlook*, March 2014.

²⁸⁹ USTR, "Letter from the United States Trade Representative/Boehner," January 15, 2013.

²⁹⁰ The USTR cited these 20 trade partners as Australia; Canada; Chile; Colombia; Costa Rica; the EU; Hong Kong, China; Iceland; Israel; Japan; Korea; Mexico; New Zealand; Norway; Pakistan; Panama; Peru; Switzerland; Taiwan

The first round of negotiations for a Trade in Services Agreement (TISA) was held April 27 to May 3, 2013, chaired by the United States. Initial discussions focused on rules governing the temporary entry of foreign businesspersons into a country, as well as trade in financial services, and produced a draft core negotiating text.²⁹¹ Switzerland presented an initial proposal regarding a TISA dispute settlement mechanism.²⁹² The second round was held June 24–28, 2013, and was chaired by the EU. Discussions centered on the inclusion of provisions from the WTO General Agreement on Trade in Services in the core text, with proposals circulated regarding professional services, financial services and domestic regulation, electronic commerce, and maritime transport services.

The third round was held September 16–20, 2013, chaired by Australia. Progress was made on the core text, with early offers by the United States and Japan, which opened market-access negotiations. Discussions were also held on new and enhanced disciplines (trade rules) governing global trade in services. The fourth round was held November 4–8, 2013, chaired by the United States. Negotiations focused on new and enhanced disciplines for trade in services in information and communications technology, financial services, professional services, the temporary entry of businesspersons, maritime transport services, and domestic regulation. Parties presented new proposals on air transport services, competitive delivery services, energy services, and subsidies. The EU presented its initial market-access offer. Further progress was made on the core text of the agreement:²⁹³ participants agreed to use a “negative list” approach for commitments on national treatment²⁹⁴ and largely finalized the text provisions on scheduling of commitments.

At yearend, the draft agreement was reported to include six sectoral annexes, focused on telecommunications and electronic commerce; financial services; professional services, including computer services; the movement of natural persons; maritime transport; and domestic regulation and transparency.²⁹⁵

(Chinese Taipei); and Turkey, in addition to the United States. Since January 2013, the number of trading partners participating in TISA negotiations has grown to 23.

²⁹¹ Government of Australia, DFAT, “Trade in Services Agreement (TiSA)” (accessed March 10, 2014).

²⁹² *Inside U.S. Trade*, “TISA Negotiators Begin Mode 4 Talks,” May 9, 2013.

²⁹³ The fifth round was held February 17 to 24, 2014, chaired by the EU. Three days of discussions were held, concentrated on starting market-access negotiations. Of an expanded group of 23 negotiating parties, 21 parties presented their initial market-access offers. Discussions also continued on the subjects of trade rules for ICT services, financial services, professional services, the temporary entry of business persons, maritime transport, and domestic regulation and transparency. The sixth round of discussions and negotiations is set for April 28 to May 2, 2014, in Geneva, Switzerland, chaired by Australia. Government of Australia, DFAT, “Trade in Services Agreement (TiSA)” (accessed March 10, 2014). Another source reports that 19 of the 23 TISA parties have tabled offers, citing the four parties yet to table offers as Chile, Pakistan, Paraguay, and Peru. *Inside U.S. Trade*, “Focus on TPP, TTIP and TISA,” February 18, 2014.

²⁹⁴ USTR, “Readout of Trade in Services Agreement (TISA) Negotiations,” November 8, 2013. A negative list approach in an international agreement is one that lists those items, entities, products, etc. to which the agreement will *not* apply, the commitment being to apply the agreement to everything else. Contrasts with positive list. <http://www-personal.umich.edu/~alandear/glossary/n.html>.

²⁹⁵ *Inside U.S. Trade*, “U.S. Tables Financial Services TISA Proposal,” February 20, 2014.

Chapter 4

U.S. Free Trade Agreements

This chapter summarizes developments related to U.S. free trade agreements (FTAs) during 2013. It describes trends in U.S. merchandise trade with FTA partners, the status of U.S. FTA negotiations during the year, and major North American Free Trade Agreement (NAFTA) activities, including NAFTA dispute settlement developments.²⁹⁶ The online interactive merchandise trade dashboards that accompany the *Year in Trade 2013* report can be used for further analysis of U.S trade under various FTAs.

U.S. Trade with FTA Partners in 2013

The United States was party to 14 FTAs as of December 31, 2013.²⁹⁷ FTAs in force during 2013 were the U.S.-Panama Trade Promotion Agreement (TPA) (2012); the U.S.-Colombia TPA (2012); the U.S.-Korea FTA (2012); the U.S.-Oman FTA (2009); the U.S.-Peru TPA (2009); a multiparty FTA with the countries of Central America and the Dominican Republic (CAFTA-DR) that includes the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua (entered into force 2006–07), and Costa Rica (2009); the U.S.-Bahrain FTA (2006); the U.S.-Morocco FTA (2006); the U.S.-Australia FTA (2005); the U.S.-Chile FTA (2004); the U.S.-Singapore FTA (2004); the U.S.-Jordan FTA (2001); NAFTA, with Canada and Mexico (1994); and the U.S.-Israel FTA (1985).

Two-way merchandise trade between the United States and its 20 FTA partners amounted to \$1.4 trillion or 39.1 percent of total U.S. merchandise trade in 2013. U.S. trade with FTA partners is dominated by trade with the NAFTA countries. In 2013, Canada and Mexico accounted for 73.9 percent of total U.S. trade with its FTA partners, or \$1.0 trillion. Two-way trade with Canada and Mexico increased by 2.4 percent in 2013 from 2012, with exports expanding by 3.3 percent and imports by 1.7 percent (table 4.1). Leading U.S. exports to the NAFTA countries included petroleum products, aircraft, and motor vehicles, while leading U.S. imports were crude petroleum and motor vehicles. The U.S. merchandise trade deficit with the NAFTA partners declined for the second year in a row, by 2.1 percent, to \$177.2 billion in 2013.

Outside of NAFTA, U.S. two-way trade with FTA partners amounted to \$368.7 billion in 2013, representing an increase of 8.7 percent from 2012.²⁹⁸ U.S. imports from these FTA partners increased 10.5 percent to \$185.8 billion, while U.S. exports increased 7.0 percent to \$182.9 billion. Leading U.S. exports to the non-NAFTA FTA partners included petroleum products,

²⁹⁶ The chapter also includes updates on Trade and Investment Framework Agreement (TIFA) activity.

²⁹⁷ Since the U.S.-Singapore FTA in 2004, the modifications to the Harmonized Tariff Schedule of the United States (HTS) required to implement each FTA can be found at USITC, Tariff Information Center website, http://www.usitc.gov/tariff_affairs/hts_index.htm.

²⁹⁸ Outside of NAFTA, there were 18 FTA partners with 13 FTAs in place during 2013, including FTAs with Australia, Bahrain, Chile, Colombia, Israel, Jordan, Korea, Morocco, Oman, Panama, Peru, and Singapore, as well as CAFTA-DR (with six FTA partners).

Table 4.1 U.S. merchandise trade with FTA partners, by FTA partner, applicable periods, 2011-13^a

FTA Partner	2011	2012	2013
	Million \$		
Domestic Exports:			
Israel	8,084	9,729	7,827
NAFTA	393,684	419,358	433,375
Canada	233,774	244,199	251,685
Mexico	159,910	175,159	181,690
Jordan	1,410	1,645	1,967
Chile	14,498	17,309	16,139
Singapore	28,224	27,013	26,690
Australia	25,491	28,907	23,976
Morocco	2,842	2,237	2,278
Bahrain	1,166	1,146	968
CAFTA-DR	28,403	28,204	27,080
Oman	1,369	1,661	1,423
Peru	7,412	8,196	8,857
Korea ^b	0	33,122	39,008
Colombia ^c	0	10,038	16,482
Panama ^d	0	1,687	10,176
FTA partner total	512,584	590,252	616,247
World total	1,299,176	1,353,211	1,372,039
FTA partner share of world (percent)	39.5	43.6	44.9
Imports for consumption:			
Israel	23,022	22,122	22,661
NAFTA	579,067	600,333	610,551
Canada	316,397	323,925	332,887
Mexico	262,671	276,408	277,664
Jordan	1,060	1,155	1,196
Chile	9,170	9,385	10,387
Singapore	18,982	20,080	17,671
Australia	10,173	9,575	9,519
Morocco	991	937	999
Bahrain	518	701	635
CAFTA-DR	27,947	30,848	29,829
Oman	2,184	1,354	1,022
Peru	6,153	6,586	8,143
Korea ^b	0	48,926	61,979
Colombia ^c	0	16,411	21,364
Panama ^d	0	109	430
FTA partner total	679,267	768,523	796,386
World total	2,186,951	2,251,035	2,239,750
FTA partner share of world (percent)	31.1	34.1	35.6

FTA Partner	2011	2012	2013
	Million \$		
Trade Balance			
Israel	-14,938	-12,393	-14,834
NAFTA	-185,384	-180,975	-177,175
Canada	-82,623	-79,726	-81,202
Mexico	-102,761	-101,249	-95,973
Jordan	350	490	771
Chile	5,328	7,923	5,752
Singapore	9,243	6,933	9,019
Australia	15,318	19,332	14,457
Morocco	1,851	1,300	1,279
Bahrain	648	446	333
CAFTA-DR	456	-2,644	-2,749
Oman	-815	307	401
Peru	1,259	1,610	714
Korea ^b	0	-15,804	-22,971
Colombia ^c	0	-6,374	-4,882
Panama ^d	0	1,578	9,746
FTA partner total	-166,683	-178,271	-180,139
World total	-887,775	-897,824	-867,712

Source: Official trade statistics of the USDOC as maintained by the USITC.

^aTrade balance is calculated here as U.S. domestic exports minus U.S. imports for consumption. These balances differ from the U.S. merchandise trade balance generally reported by Census, which is defined as total exports minus general imports. See footnote 24. Appendix table A.2 reports the trade balance on this basis.

^bU.S.-Korea FTA entered into force on March 15, 2012 (data reported for March 2012 forward).

^cU.S.-Colombia TPA entered into force on May 15, 2012 (data reported for May 2012 forward).

^dU.S.-Panama TPA entered into force on October 31, 2012 (data reported for November 2012 forward).

aircraft, and processors or controllers, while leading U.S. imports from these countries were crude petroleum, diamonds, and motor vehicles. The United States registered a merchandise trade deficit of \$3.0 billion in 2013 with these partners, compared to a trade surplus of \$2.7 billion in 2012, largely due to a decline in U.S. exports of machinery and equipment to Australia in 2013.²⁹⁹

The value of imports that entered the United States under FTA provisions increased 4.2 percent, from \$393.7 billion in 2012 to \$410.4 billion in 2013 (table 4.2). These imports accounted for 51.5 percent of total imports from FTA partners in 2013. Approximately 40.4 percent of total imports from CAFTA-DR partners entered under FTA provisions in 2013. Particularly high shares (more than 60 percent) of total imports from Jordan, Bahrain, Colombia, and Mexico (listed in descending order of magnitude) also entered under FTA provisions. By contrast, particularly low shares (20 percent or less) of total imports from Morocco, Israel, Singapore, and Panama entered under FTA provisions.

Imports that entered under FTA provisions accounted for 18.3 percent of total U.S. imports in 2013, an increase from 17.5 percent in 2012. The share of U.S. imports that entered under FTA provisions continued to be small in 2013 because a large share (over 60 percent) of the imports from U.S. FTA partners enters the United States free of duty under normal trade relations or column 1-general duty rates.

²⁹⁹ For more information about the decline in U.S. exports to Australia, see Associated Equipment Distributors, "Exports of U.S.-Made Construction Equipment," February 27, 2014.

Table 4.2 U.S. imports for consumption entered under FTA provisions, by FTA partner, 2011–13

FTA partner	2011	2012	2013	% change,
				2012–13
Million \$				
Israel	2,661	2,952	2,974	0.7
NAFTA	326,551	343,832	349,102	1.5
Canada	162,734	175,241	177,681	1.4
Mexico	163,817	168,591	171,421	1.7
Jordan	870	1,012	1,075	6.2
Chile	5,706	5,668	6,145	8.4
Singapore	1,138	1,068	1,733	62.3
Australia	3,034	3,419	3,628	6.1
Morocco	201	166	188	13.4
Bahrain	326	425	418	-1.7
CAFTA-DR	11,912	12,610	12,040	-4.5
Oman	1,526	655	582	-11.0
Peru	3,079	2,658	2,869	7.9
Korea	0	11,635	16,415	41.1
Colombia	0	7,638	13,175	72.5
Panama	0	4	31	690.2
Total imports under FTA provisions	357,005	393,742	410,376	4.2
World	2,186,951	2,251,035	2,239,750	-0.5
Share of total imports from FTA partner:	Share of total imports from FTA partner			
Israel	11.6	13.3	13.1	
NAFTA	56.4	57.3	57.2	
Canada	51.4	54.1	53.4	
Mexico	62.4	61.0	61.7	
Jordan	82.1	87.7	89.9	
Chile	62.2	60.4	59.2	
Singapore	6.0	5.3	9.8	
Australia	29.8	35.7	38.1	
Morocco	20.3	17.7	18.8	
Bahrain	62.9	60.6	65.8	
CAFTA-DR	42.6	40.9	40.4	
Oman	69.8	48.3	56.9	
Peru	50.0	40.4	35.2	
Korea	(^a)	23.8	26.5	
Colombia	(^a)	46.5	61.7	
Panama	(^a)	3.6	7.2	
FTA partner total	52.6	51.2	51.5	

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: The U.S.-Korea FTA entered into force on March 15, 2012; the U.S.-Colombia TPA entered into force on May 15, 2012; and the U.S.-Panama TPA entered into force on October 31, 2012.

^aUndefined.

Developments in FTA Negotiations during 2013

On April 21, 2013, the United States and other Trans-Pacific Partnership (TPP) negotiating partners welcomed Japan as a new participant in the TPP negotiations, pending the successful completion of domestic procedures by each TPP country.³⁰⁰ During 2013, the United States and the EU also conducted three formal rounds of the Transatlantic Trade and Investment Partnership (TTIP).³⁰¹ The status of U.S. FTA negotiations during 2013 is shown in table 4.3.

Negotiations and Consultations toward the Trans-Pacific Partnership (TPP) Agreement

The United States and its TPP partners—Australia, Brunei Darussalam (Brunei), Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, and Vietnam—concluded four formal rounds of negotiations in 2013. The 16th round of the TPP was held in March (Singapore), the 17th round in May (Lima, Peru), the 18th round in July (Kota Kinabalu, Malaysia), and the 19th round in August (Bandar Seri Begawan, Brunei). TPP ministers also met at the margins of the Asia-Pacific Economic Cooperation (APEC) leaders’ meetings in April (Surabaya, Indonesia), in October (Bali, Indonesia), and in December (Singapore). TPP negotiators also held six intersessional meetings to exchange proposals, identify creative and pragmatic solutions to outstanding issues, and close gaps. Meeting focuses included rules of origin (October 28–November 1, Mexico City, and November 12–18, Salt Lake City), government procurement (October 30–November 2, Washington, DC), state-owned enterprises (November 4–7, Santiago, Chile), investment (November 6–8, Washington, DC), and legal and institutional issues (November 12–14, Washington, DC).

In the 16th round of TPP negotiations, delegations intensified their drive to find mutually acceptable paths forward on the remaining issues in the legal text of the agreement. Chief negotiators and 20 working groups reported making progress in bridging the gaps in a number of areas, such as customs, investment, telecommunications, services, technical barriers to

Table 4.3 Status of U.S. FTA negotiations during 2013

FTA partner(s)	Negotiations Launched	Negotiations concluded	Agreement signed by parties	Date of entry into force
Trans-Pacific Partnership (Australia, Brunei, Canada, Chile, Malaysia, Mexico, New Zealand, Peru, Japan, Singapore, and Vietnam)	Dec. 14, 2009	—	—	—
Transatlantic Trade and Investment Partnership (EU)	March 20, 2013	—	—	—

Source: USTR, various press releases, 2006–12. <http://www.ustr.gov>.

Note: No negotiations have taken place concerning the Free Trade Area of the Americas since 2005, and none have taken place concerning the Southern African Customs Union (Botswana, Lesotho, Namibia, South Africa, and Swaziland), Ecuador, Thailand, and the United Arab Emirates since 2006.

³⁰⁰ USTR, “Obama Administration Notifies Congress of Intent,” April 24, 2013.

³⁰¹ The United States and the EU announced their intentions to launch negotiations on TTIP on February 13, 2013.

trade, sanitary and phytosanitary measures, intellectual property, regulatory coherence, legal and institutional issues, and development of supply chains. TPP partners also made progress in continuing to develop the comprehensive packages that will provide market access for eligible goods, services, investment, and government procurement. Productive exchanges were also held on rules of origin and on how best to promote development of regional supply chains to benefit companies based in TPP partner countries. Negotiators also discussed proposals to open services and investment for government procurement markets and agreed on additional intersessional work to build on market access advances made in the 15th round.³⁰²

On March 15, 2013, USTR welcomed Japan's announcement formally expressing its interest in joining TPP negotiations.³⁰³ On April 12, 2013, the United States and Japan completed bilateral TPP consultations, and on April 24, 2013, USTR notified Congress of its intent to include Japan in the TPP negotiations, stating that Japan would join the negotiations on July 23, 2013, during the 18th round.³⁰⁴ The notification triggered a 90-day consultation period with Congress. USTR announced its plans to conduct bilateral, parallel negotiations with Japan to address concerns about nontariff measures and the automotive and insurance sectors.³⁰⁵

In April, TPP Ministers met at the margins of the APEC Ministers meeting in Surabaya, Indonesia. TPP Ministers announced that an agreement had been reached to bring Japan into the regional trade talks, pending successful conclusion of each member's respective domestic procedures.³⁰⁶ USTR held TPP discussions with Vietnamese officials beginning April 24 in Hanoi, focusing on meaningful market access in Vietnam for goods and services, as well as on the importance of fully enforcing labor and environmental provisions.³⁰⁷

In the 17th TPP round, negotiating groups reported making significant progress in services, government procurement, sanitary and phytosanitary issues, trade remedies, labor, and dispute settlement. Work also progressed on other legal texts, including those on technical barriers to trade, e-commerce, rules of origin, investment, financial services, intellectual property, transparency, competition, and environment. Negotiators also made progress on tariff packages and rules of origin that reflected stakeholders' input on how to promote trade and regional integration. They also discussed plans for integrating Japan into the TPP negotiations.³⁰⁸

In the 18th TPP round, negotiators resolved many of the technical issues in the texts of all chapters across the agreement.³⁰⁹ They announced plans to discuss all other outstanding issues

³⁰² USTR, "TPP Negotiations Shift into High Gear," March 13, 2013.

³⁰³ USTR, "Statement by Acting U.S. Trade Representative Demetrios Marantis on Japan's Announcement," March 15, 2013.

³⁰⁴ USTR, "Obama Administration Notifies Congress of Intent to Include Japan," April 24, 2013; CRS, *Japan Joins the Trans-Pacific Partnership: What Are the Implications?* August 13, 2013.

³⁰⁵ USTR, "Acting Deputy U.S. Trade Representative Wendy Cutler to Visit Japan," July 31, 2013.

³⁰⁶ USTR, "Acting U.S. Trade Representative Marantis Lauds Progress," April 21, 2013.

³⁰⁷ USTR, "United States Advances Trans-Pacific Partnership Goals," April 24, 2013.

³⁰⁸ USTR, "Trans-Pacific Partnership Negotiations Maintain Strong Momentum," May 24, 2013.

³⁰⁹ USTR, "Statement on the 18th Round of Trans-Pacific Partners Negotiations," July 25, 2013.

through intersessional work before the next round of negotiations.³¹⁰ Thirteen negotiating groups met to discuss investment, nonconforming measures, competition, market access, rules of origin, technical barriers to trade, financial services, e-commerce, temporary entry, intellectual property, environment, government procurement, and legal and institutional issues. The negotiators made progress on constructing a market access package for their respective markets for industrial, agricultural, and textile and apparel products; services and investment; and government procurement. On July 23, TPP members welcomed Japan as the 12th member of the negotiations.³¹¹

On August 22, USTR announced plans to present a new proposal on tobacco at the TPP negotiations in Brunei.³¹² Noting that the TPP Agreement would contain a general exception for matters necessary to protect human life and health, the proposal would state that this general exception should also apply to tobacco health measures. Another provision would require that before a party to TPP challenges another party's tobacco regulatory measures using the TPP dispute settlement mechanism, the health authorities of the concerned parties should meet to discuss the measure. Lastly, USTR indicated that the U.S. position on market access would remain unchanged; consistent with long-standing policy, the United States will continue to press for an end to tariffs on agricultural goods.³¹³

In the 19th round, ministers noted that work on the majority of issues had reached an advanced stage and that TPP partners had explored ways to develop a mutually acceptable package. The package would include possible "landing zones" on remaining sensitive and challenging questions and on sequencing issues in the final talks.³¹⁴ Negotiators advanced their technical work on texts covering market access for goods, rules of origin, financial services, investment, temporary entry, and government procurement, as well as those on intellectual property, competition, and environmental issues. Ministers offered guidance on how to drive the negotiations toward a conclusion within a 2013 time frame.³¹⁵

During September 18–21, chief negotiators concluded meetings in Washington, DC, having worked toward solutions and next steps on a range of issues under negotiation in the trade agreement talks.³¹⁶ In some TPP chapters (customs, telecommunications, sanitary and phytosanitary issues, technical barriers to trade, cross-border services, and labor), progress was made on many issues, and discussions were held on how best to resolve the others. Chief negotiators also discussed approaches to resolving challenges on e-commerce and legal and institutional issues, and met with negotiating groups covering market access for goods and government procurement. They discussed plans for the TPP ministers' and leaders' meetings at

³¹⁰ Government of Australia, DFAT, "Eighteenth Round of Trans-Pacific Partnership Agreement (TPP) Negotiations" (accessed April 9, 2014).

³¹¹ USTR, "Statement on the 18th Round of the Trans-Pacific Negotiations," July 25, 2013.

³¹² USTR, "New U.S. Proposal on Tobacco Regulation," August 22, 2013.

³¹³ *Ibid.*

³¹⁴ USTR, "Joint Press Statement TPP Ministers Meeting," August 23, 2013.

³¹⁵ *Ibid.*

³¹⁶ USTR, "Readout of This Week's Trans-Pacific Partnership Discussions," September 23, 2013.

the margins of APEC in Bali as well. In addition, the United States also held bilateral meetings with a number of TPP members on the issue of state-owned enterprises.³¹⁷

Following a three-day meeting of trade ministers in Bali, TPP leaders met on October 3 at the margins of the APEC Leaders' Summit to review progress in the negotiations.³¹⁸ Leaders announced that they were on track to complete the TPP negotiations, reporting progress on all the legal texts and annexes on access to each partner's goods, services, investment, financial services, government procurement, and temporary entry markets.³¹⁹ Leaders agreed that negotiators should proceed to resolve all outstanding issues with the objective of completing a comprehensive and balanced regional agreement.³²⁰

On November 29, 2013, USTR issued a statement welcoming Korea's interest in joining the TPP.³²¹

During December 7–10, ministers and heads of delegations completed four days of ministerial meetings in Singapore, following the WTO ministerial meeting in Bali. Ministers indicated that they had made substantial progress toward completing the TPP³²² and that they were able to identify potential "landing zones" for the majority of key outstanding issues in the text, as well as for market access issues. However, ministers reported that they were unable to reach an agreement on all points by the end of 2013 and that talks would extend into 2014.³²³

U.S. Trade with TPP Partners

In 2013, the United States had a trade deficit of \$261.3 billion with its partners in the TPP negotiations (table 4.4). U.S. trade with the TPP partners is dominated by Canada and Mexico, which received \$433.4 billion of the \$588.1 billion in U.S. exports (73.7 percent) to TPP partners and supplied \$610.6 billion of the \$849.4 billion in U.S. imports (71.9 percent) from TPP partners in 2013. In addition to the NAFTA partners, four other TPP partners also have FTAs with the United States: Australia, Chile, Peru, and Singapore. The United States ran a trade surplus of \$29.9 billion with these four FTA TPP partners in 2013.

The addition of Japan as a TPP partner in 2013 substantially increased the value of U.S. trade with non-FTA TPP partners. With Japan, U.S. exports to non-FTA TPP partners were higher by \$59.7 billion in 2013; U.S. imports, by \$138.0 billion. In total, U.S. exports and imports from non-FTA TPP partners accounted for 13.4 percent of U.S. TPP exports and 22.7 percent of U.S. TPP imports in 2013.

³¹⁷ Ibid.

³¹⁸ USTR, "Readout of Ambassador Michael Froman's Oct. 3 Meeting," October 17, 2013.

³¹⁹ White House, "Trans-Pacific Partnership Leaders Statement," October 8, 2013.

³²⁰ USTR, "Trans-Pacific Partnership Leaders Statement," October 17, 2013.

³²¹ USTR, "Statement by U.S. Trade Representative Michael Froman on Korea's Announcement," November 29, 2013.

³²² USTR, "Substantial Progress in Singapore," December 10, 2013.

³²³ USTR, "Statement of the Ministers and Heads of Delegation," December 10, 2013.

Table 4.4 U.S. merchandise trade with TPP partners,^a 2011–13^b

	2011	2012	2013	% change, 2012-13
	Million \$			
Total trade with TPP partners:				
Total exports to TPP partners	550,729	583,772	588,072	0.7
Total imports from TPP partners	797,660	839,838	849,396	1.1
Trade balance	-246,931	-256,066	-261,324	
Domestic exports:				
TPP partners with FTAs	469,309	500,783	509,038	1.6
Of which NAFTA	393,684	419,358	433,375	3.3
TPP partners without FTAs	81,420	82,989	79,034	-4.8
Of which Japan	61,409	64,599	59,689	-7.6
Share with FTAs (percent)	85.2	85.8	86.6	
Imports for consumption:				
TPP partners with FTAs	623,544	645,960	656,271	1.6
Of which NAFTA	579,067	600,333	610,551	1.7
TPP partners without FTAs	174,115	193,878	193,125	-0.4
Of which Japan	127,901	144,538	137,954	-4.6
Share with FTAs (percent)	78.2	76.9	77.3	
Trade balance:				
TPP partners with FTAs	-154,236	-145,176	-147,233	
Of which NAFTA	-185,384	-180,975	-177,175	
TPP partners without FTAs	-92,696	-110,889	-114,091	
Of which Japan	-66,492	-79,939	-78,265	

Source: Official trade statistics of the USDOC as maintained by the USITC.

^aTPP negotiating partners at yearend 2013 included Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, and Vietnam. Of these, the United States has FTAs with Australia, Canada, Chile, Mexico, Peru, and Singapore.

^bTrade balance is calculated here as U.S. domestic exports minus U.S. imports for consumption. These balances differ from the U.S. merchandise trade balance generally reported by Census, which is defined as total exports minus general imports. See footnote 24. Appendix table A.2 reports the trade balance on this basis.

The United States runs a deficit, which has been increasing since 2010, with the five non-FTA TPP partners, Brunei, Japan, Malaysia, New Zealand, and Vietnam. U.S. exports to the non-FTA TPP countries are dominated by aircraft, medicaments, and agricultural products, including corn (maize), pork, wheat, and soybeans. The largest categories of U.S. imports from the non-FTA TPP countries include automobiles and parts, aircraft parts, parts and accessories of printing machines, earthmoving equipment, semiconductor manufacturing equipment, and television cameras. In total, TPP in its current form covers 42.9 percent of total 2013 U.S. exports and 37.9 percent of U.S. imports. If concluded, TPP would be the world's largest FTA in terms of total trade covered.

Negotiations and Consultations toward the Transatlantic Trade and Investment Partnership (TTIP) Agreement

On March 20, 2013, the Obama Administration notified Congress of its intent to enter into negotiations on a comprehensive trade and investment agreement with the EU.³²⁴ This followed a February 13 joint announcement by President Obama and EU leaders indicating their intent to pursue talks toward the TTIP based on recommendations from the U.S.-EU High Level Working Group on Jobs and Growth.³²⁵ The Administration's notification of intent triggered a 90-day consultation period for Congress to comment on the proposed negotiations.³²⁶ On March 12, the European Commission agreed to a draft mandate for the TTIP negotiations, which was transmitted to the Council of the European Union for the approval of member states. On June 14, the Council of Ministers approved the mandate for the European Commission to negotiate TTIP.³²⁷

In 2013, the United States and the EU concluded three formal rounds of TTIP negotiations. The first round was held in July (Washington, DC), the second, in November (Brussels), and the third, in December (Washington, DC). During the first round, July 8–12, 2013, discussions focused on the possible structure of the negotiations and on how possible chapters and specific issues might be addressed.³²⁸ The first round of negotiations also identified the approaches and ambitions of the negotiating parties for 20 trade areas expected to be addressed by TTIP, including market access for agricultural and industrial goods, government procurement, investment, energy and raw materials, regulatory issues, sanitary and phytosanitary measures, services, intellectual property rights, sustainable development, small and medium-sized enterprises, dispute settlement, competition, customs/trade facilitation, and state-owned enterprises.³²⁹ Negotiators identified certain areas of convergence across various components of the negotiations and, in areas of divergence, explored possible ways to bridge the gaps.³³⁰ Negotiators also met with 350 stakeholders from the private sector, academia, trade unions, and nongovernmental organizations to answer questions and obtain their input for the proposed trade pact.

The second round of TTIP negotiations was initially scheduled for October 7–11, but was postponed due to the U.S. government shutdown. This round was eventually hosted by the EU in Brussels during November 11–15.³³¹ Negotiators made progress in identifying areas of

³²⁴ USTR, "Obama Administration Notifies Congress of Intent to Negotiate," March 20, 2013.

³²⁵ USTR, "U.S., EU Announce Decision to Launch Negotiations," February 13, 2013. For more information on the U.S.-EU High Level Working Group on Jobs and Growth, see the EU section in chapter 5.

³²⁶ USTR, "Obama Administration Notifies Congress of Intent to Negotiate," March 20, 2013.

³²⁷ EU Council of Ministers, "Council Approves Launch of Trade and Investment Negotiations," June 14, 2013.

³²⁸ USTR, "Statement by U.S. Trade Representative Froman on the First Round," July 12, 2013; White House, "Fact Sheet: Transatlantic Trade and Investment Partnership," June 17, 2013.

³²⁹ European Commission, "EU and US Conclude First Round of TTIP Negotiations," July 12, 2013.

³³⁰ *Ibid.*

³³¹ USTR, "Statement by U.S. Trade Representative Froman on the Conclusion of Round Two," November 15, 2013.

common ground in order to start preparing for text-based discussions in future rounds.³³² Areas of discussion included services, investment, energy and raw materials, and a range of regulatory issues, including regulatory coherence, technical barriers to trade, and sector approaches.³³³

In the third round, hosted by the United States in Washington, DC, December 16–20, a number of TTIP negotiating groups continued their work on services, market access, competition, trade facilitation, sector issues, investment, textiles, labor and environment, intellectual property rights, and technical barriers to trade.³³⁴ The round also offered stakeholders an opportunity to give negotiators feedback on negotiating objectives for the TTIP. Chief negotiators and their teams participated in a three-hour session with stakeholders that included more than 50 policy presentations covering a range of issues, including consumer and food safety, innovation, and agriculture.³³⁵

Developments in FTAs Already in Force during 2013

In 2013, U.S. officials held consultations with the United States' FTA partners to discuss a variety of matters, including labor issues, the environment, implementation and functioning of the agreements, and dispute settlement. Highlights of these developments are presented below.

Thirteen of the 14 U.S. FTAs have provisions on labor rights. In 2013, the U.S. Department of Labor (USDOL) and other agencies acted on five labor complaints made by interested parties from Bahrain, the Dominican Republic, Guatemala, Honduras, and Mexico that had been submitted under the labor chapters of various FTAs.³³⁶ The USDOL's Office of Trade and Labor Affairs (OTLA) evaluated submissions regarding denial of workers' rights in Honduras (under CAFTA-DR) and Mexico (under NAFTA). The USTR and the Secretary of Labor requested consultations with the government of Bahrain (responding to a 2011 U.S.-Bahrain FTA submission) and agreed to an enforcement plan with Guatemala regarding worker rights (2008

³³² European Commission, "EU and US Conclude Second Round," November 15, 2013.

³³³ European Commission, "EU and US Conclude Second Round," November 15, 2013; USTR, "Announcement of Next Round," November 4, 2013.

³³⁴ USTR, "Update on the Third Round," December 19, 2013; USTR, "Statement by U.S. Trade Representative Froman on the Conclusion," December 20, 2013.

³³⁵ USTR, "Update on the Third Round," December 19, 2013.

³³⁶ Labor provisions in FTAs have set up processes through which interested organizations that believe a trading partner is not fulfilling commitments made under the FTAs can submit complaints ("submissions") to the USDOL. The USDOL's Office of Trade and Labor Affairs (OTLA) receives and reviews submissions made under the labor chapters of the FTAs. Depending on the outcome of the review, OTLA may recommend further actions, including consultations with the other country. The United States requested consultations for the first time under an FTA labor chapter in 2010 with Guatemala. USDOL, OTLA, "Submissions under the Labor Provisions of Free Trade Agreements" (accessed March 12, 2014).

CAFTA-DR submission). Additionally, OTLA issued a report in September 2013 raising concerns about certain labor laws in the Dominican Republic (2011 CAFTA-DR submission).³³⁷

Ten FTAs contain provisions designed to protect foreign investors and their investments and to facilitate the settlement of investment disputes. According to the U.S. Department of State, among the U.S. FTAs that provide for investor-state dispute settlement, there are ongoing investor disputes under NAFTA,³³⁸ the U.S.-Chile FTA, CAFTA-DR, and the U.S.-Peru TPA.³³⁹

U.S.-Bahrain FTA: Consultation with Bahrain to Protect Worker Rights

On May 7, 2013, USTR announced that it had requested consultations with the government of Bahrain under the Labor Chapter of the U.S.-Bahrain FTA.³⁴⁰ The request followed a December 2012 report by the USDOL that highlighted labor issues stemming from the government of Bahrain's response to civil unrest in early 2011. The United States sought consultations to discuss actions taken by Bahrain that appeared to be inconsistent with the Labor Chapter of the FTA. According to the USDOL's report, trade unionists and leaders were apparently targeted for firing after a general strike in March 2011, and Bahrain's labor laws do not provide adequate protection from employment discrimination based on religious (sectarian) identity or political opinion. The USDOL report recognized that members of the government of Bahrain, in particular the Minister of Labor, had taken important steps to address labor concerns following the unrest in 2011 by seeking to reinstate the fired workers. It found, however, that problems remained with Bahrain's labor laws as well as with the treatment of certain reinstated workers.³⁴¹

CAFTA-DR

Enforcement Plan Relating to Labor Rights in Guatemala

On April 26, 2013, representatives from the United States and Guatemala met and signed an 18-point Enforcement Plan outlining concrete actions to strengthen labor law enforcement in Guatemala. Under the Enforcement Plan, Guatemala committed to strengthen labor inspections, expedite and streamline the process of sanctioning employers and ordering remediation of labor violations, increase labor law compliance by exporting companies, improve the monitoring and enforcement of labor court orders, publish labor law enforcement information, and set up mechanisms to ensure that workers are paid what they are owed when factories close.³⁴² Guatemala's representatives committed to implement the enforcement plan

³³⁷ USDOL, OTLA, "Submissions under the Labor Provisions of Free Trade Agreements" (accessed March 12, 2014).

³³⁸ For more information on dispute settlement under NAFTA, see the section on NAFTA later in this chapter.

³³⁹ For more information, see U.S. Department of State, International Claims and Investment Disputes, <http://www.state.gov/s/l/c3433.htm>.

³⁴⁰ USTR, "United States Seeks to Protect Worker Rights," May 7, 2013.

³⁴¹ Ibid.

³⁴² USTR, "Acting U.S. Trade Representative Marantis and Acting Labor Secretary Harris," April 11, 2013.

within six months. This labor case is the first that the United States has brought to dispute settlement under an FTA.

On October 28, USTR expressed serious concerns, saying that significant work remained to be done to ensure that the Enforcement Plan is effectively implemented.³⁴³ USTR acknowledged the important steps already taken under the plan, but indicated to Guatemalan officials that the United States expects solid progress in fully implementing the commitments. According to USTR, if Guatemala fails to comply with the provisions of the Enforcement Plan, the United States retains the right to reactivate an arbitration panel established in a 2011 labor enforcement case brought against Guatemala under the CAFTA-DR.

Meeting to Discuss Environmental Issues

On May 9, 2013, officials from the United States and parties to CAFTA-DR held the seventh meeting of the Environmental Affairs Council (EAC) under CAFTA-DR.³⁴⁴ Members of the council reaffirmed their commitment to work together to enhance the mutually supportive nature of trade and environmental protection through the CAFTA-DR Environment Chapter and Environment Cooperation Agreement. They reviewed progress on implementation of the Environment Chapter and shared important achievements, including those involving environmental cooperation and capacity building.

U.S.-Chile FTA: Environmental Affairs Council Meeting

During the week of January 10, 2013, the United States and Chile convened the sixth meeting of the Environmental Affairs Council (EAC) under the U.S.-Chile FTA and the fourth meeting of the Joint Commission for Environmental Cooperation (JCEC) under the U.S.-Chile Environmental Cooperation Agreement.³⁴⁵ The EAC reviewed implementation of, and compliance with, the obligations listed in the Environment Chapter of the FTA. Chile highlighted its new law that created the Ministry of Environment and other environmental institutions, such as the Environmental Evaluation Service and the Superintendency of Environment. Chile and the United States also signed the 2012–14 Work Program for Environmental Cooperation and reaffirmed their commitment to continue working together to preserve and protect the environment through the FTA Environment Chapter and Environmental Cooperation Agreement.

³⁴³ USTR, “United States Continues to Press Guatemala,” October 28, 2013.

³⁴⁴ USTR, “United States and Central America-Dominican Republic,” May 10, 2013. Officials from Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, and the United States attended.

³⁴⁵ USTR, “United States and Chile Hold Sixth Meeting,” January 10, 2013.

U.S.-Colombia TPA: Labor Issues Discussion with Colombia

U.S. and Colombian officials convened the inaugural meeting of the Labor Affairs Council in Washington, DC on June 4–5, 2013, under the U.S.-Colombia TPA.³⁴⁶ The council reaffirmed the parties' commitments under the Labor Chapter, including the commitment to adopt and maintain in law and practice the rights as stated in the International Labor Organization (ILO) Declaration on Fundamental Principles of Rights to Work. The council held in-depth discussions on several topics, including (1) the vision of the new Colombian Ministry of Labor and activities to strengthen institutional capacity and labor law enforcement and compliance, (2) multilateral cooperation and technical assistance and capacity building, and (3) the implementation of the Labor Chapter of the U.S-Colombia TPA. The council discussed the labor obligations of the agreement as well as progress under the Colombian Action Plan Related to Labor Rights. It also discussed areas of technical cooperation and capacity building, including on the topics of enhanced social dialogue, promotion of high-quality jobs, and improving labor inspections.

U.S.-Jordan FTA: U.S.-Jordan Agreement to Boost Investment and ICT Services, and Enhance Labor Cooperation

On January 28, 2013, the United States and Jordan agreed on the Joint Principles for International Investment as well as the Joint Principles for Information and Communication Technology (ICT) Services.³⁴⁷ The two countries also agreed to a new initiative on promoting labor rights and improving working conditions in Jordan. In recognition of the economic benefits that international investment can offer, the United States and Jordan committed to adopt and maintain an open and nondiscriminatory investment regime, strong protection for foreign investment, transparency and public participation in the development of laws and regulations, and a level competitive playing field for international investment. Under the Joint Principles for ICT Services, the United States and Jordan agreed to support the global development of ICT services, such as the Internet and other network-based applications. The ICT principles address issues such as the free flow of information across borders, facilitating the cross-border supply of services, and foreign investment in ICT sectors.³⁴⁸

³⁴⁶ USTR, "United States and Colombia Hold Inaugural Meeting," June 5, 2013.

³⁴⁷ USTR, "U.S. Trade Representative Ron Kirk Announces Agreements," January 28, 2013.

³⁴⁸ Ibid.

U.S.-Korea Free Trade Agreement (KORUS FTA): Environment and Labor Councils and Joint Committee Meetings

On February 14, 2013, the United States and Korea convened the first meeting of the Environmental Affairs Council (EAC) under the KORUS FTA.³⁴⁹ At the meeting, officials reviewed implementation of the Environmental Chapter of the KORUS FTA. Korean officials highlighted developments in a wide range of areas, including initiatives to protect air and water resources, and public health.

The United States and Korea convened the first meeting of the Labor Affairs Council under the KORUS FTA on March 19, 2013. At this meeting, officials reviewed the implementation of the Labor Chapter and the labor obligations of the FTA.³⁵⁰ The two parties confirmed that implementation of the Labor Chapter during the first year, including the establishment of the council and contact points for labor issues, has been positive and constructive. The council also held in-depth discussions on areas for future cooperation on specific priority areas, including the collection and analysis of employment and labor statistics, and collaboration on supporting corporate compliance with international labor standards in global supply chains.

On October 5, the United States and Korea convened the second meeting of the KORUS FTA Joint Committee, which was held on the margins of the APEC ministerial, to review implementation of the FTA to date. The ministers noted that the overall implementation of the KORUS FTA had gone smoothly to date.³⁵¹ The United States raised a number of issues requiring further attention, in particular financial services, autos, and customs-related matters.

U.S.-Morocco FTA: New Trade Facilitation Agreement

On November 21, 2013, the United States and Morocco signed the U.S.-Morocco Trade Facilitation Agreement. The agreement, which builds on the U.S.-Morocco FTA, includes provisions for Internet publication of customs laws, regulations, and administrative and transit procedures for imports and exports of goods; simplified customs procedures; and penalties for violations of customs laws.³⁵² Morocco became the first country in the Middle East/North Africa region to conclude a bilateral trade facilitation agreement, as well as to endorse joint principles on investment and ICT services trade with the United States.³⁵³

³⁴⁹ USTR, "United States and Korea Hold First Meeting," February 14, 2013.

³⁵⁰ USTR, "United States and Korea Hold First Meeting," March 19, 2013.

³⁵¹ USTR, "Readout of the Second Meeting," October 5, 2013.

³⁵² USTR, "United States, Morocco Sign Bilateral Trade Facilitation Agreement," November 21, 2013.

³⁵³ Ibid.

U.S.-Peru TPA

Progress on Environmental Matters

On January 11, 2013, the United States and Peru announced agreement on a five-point action plan to support Peru's forestry sector reforms and to further Peru's implementation of its obligations under the U.S.-Peru TPA Annex on Forest Sector Governance.³⁵⁴ The two governments identified a targeted set of actions for Peru to undertake to address specific environmental challenges. These actions include strengthening physical inspection of big-leaf mahogany and Spanish cedar trees; strengthening accurate development and implementation of the annual operating plans; ensuring timely criminal and administrative proceedings to sanction anyone who violates Peru's forestry and wildlife laws; improving systems to track and verify the chain of custody of timber exports of big-leaf mahogany and Spanish cedar; and strengthening the implementation of Peru's National Anti-Corruption Forest and Wildlife Sector Plan.³⁵⁵

On April 10, 2013, the United States and Peru held the sixth meeting of the Sub-Committee on Forest Sector Governance to review progress made to implement the U.S.-Peru TPA Annex on Forest Sector Governance. Positive steps included the development of a prototype for an information system that will track and verify the chain of custody for wood harvested in Peru's forests; the adoption of laws and administrative procedures for management, supervision, and issuance of permits for timber species exports covered by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); and Peru's efforts to develop regulations to implement its new Forestry and Wildlife Law.³⁵⁶ The third meeting of the Environmental Cooperation Commission also took place on the same date, and members reviewed ongoing and future environmental cooperation activities that support the implementation of the Annex on Forest Sector Governance. Members also discussed activities to support the January 2013 Joint Action Plan that focuses on deepening ongoing cooperation with respect to the management of big-leaf mahogany and Spanish cedar.³⁵⁷

During June 4–5, 2013, the United States-Peru Environmental Affairs Council and the Environmental Cooperation Commission convened their fourth meeting in Washington, DC.³⁵⁸ The meeting focused on progress to implement the environmental provisions of the U.S.-Peru TPA and environmental cooperation activities under the U.S.-Peru Environmental Cooperation Agreement. A key focus of the meeting was the discussion regarding the creation of an independent secretariat to receive and consider submissions on enforcement matters, as called for by the U.S.-Peru TPA.³⁵⁹

³⁵⁴ USTR, "The United States and Peru Reach Agreement," January 11, 2013.

³⁵⁵ *Ibid.*

³⁵⁶ USTR, "USTR Participates in Forestry Sub-Committee," April 10, 2013.

³⁵⁷ *Ibid.*

³⁵⁸ USTR, "Assistant U.S. Trade Representative for Environment and Natural Resources," June 6, 2013.

³⁵⁹ *Ibid.*

Free Trade Commission Meeting

On June 7, 2013, USTR and Peru held the third meeting of the Free Trade Commission in Washington, DC. The commission was established under the U.S.-Peru TPA to oversee the implementation and operation of the TPA and to address formally matters that arise under the agreement.³⁶⁰ A variety of issues were discussed, including the work of environmental, intellectual property, and other committees; implementation issues; and cooperation in other forums, including the TPP. Officials agreed to work to ensure the effective implementation of and compliance with the trade in goods and services, labor, and environment obligations under the TPA.³⁶¹

North American Free Trade Agreement³⁶²

The North American Free Trade Agreement (NAFTA) between the United States, Canada, and Mexico entered into force on January 1, 1994. All of the agreement's provisions were implemented by January 1, 2008, with the exception of the NAFTA cross-border trucking provisions.³⁶³ In 2013, total two-way (exports plus imports) U.S. merchandise trade with its NAFTA partners increased by 2.4 percent over 2012, with U.S.-Canada merchandise trade amounting to \$584.6 billion and U.S.-Mexico merchandise trade totaling \$459.4 billion (table 4.1). The following sections describe the major activities of NAFTA's Free Trade Commission (FTC), Commission for Labor Cooperation (CLC), and Commission for Environmental Cooperation (CEC), as well as the dispute settlement activities under NAFTA chapters 11 and 19 during 2013.

Free Trade Commission

The FTC is NAFTA's central oversight body, established under article 2001 of the agreement. It is chaired jointly by trade representatives or their designees from the three member countries.³⁶⁴ The FTC is responsible for overseeing NAFTA's "implementation and further elaboration," as well as activities under its dispute settlement provisions.³⁶⁵

The FTC typically meets annually, but did not meet in 2013. At its most recent meeting in April 2012 in Washington, DC, the FTC agreed to continue the ongoing regulatory cooperation initiatives aimed at facilitating trade and reducing unnecessary administrative costs.³⁶⁶ These initiatives operate through the U.S.-Canada Regulatory Cooperation Council and the U.S.-Mexico

³⁶⁰ USTR, "Assistant U.S. Trade Representative for the Western Hemisphere," June 7, 2013.

³⁶¹ Ibid.

³⁶² U.S. bilateral trade relations with Canada and Mexico are described in chapter 5 of this report.

³⁶³ The section on Mexico in chapter 5 discusses NAFTA's cross-border trucking provisions. Information on the last remaining restrictions on U.S.-Mexico trade, which were removed on January 1, 2008, is given in USITC, *The Year in Trade 2008, 2009*, 5-16. All product categories offer duty-free entry to originating goods from Mexico, and all except over-TRQ shipments of goods from Canada are likewise eligible.

³⁶⁴ The representatives are the USTR, the Canadian Minister for International Trade, and the Mexican Secretary of the Economy.

³⁶⁵ USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, 130.

³⁶⁶ USTR, "Joint Statement from 2012 NAFTA," April 3, 2012.

High-Level Regulatory Cooperation Council.³⁶⁷ The FTC also agreed to enhance trade in chemicals starting with exploratory work on rules of origin, customs procedures, and classification.³⁶⁸

Commission for Labor Cooperation

The CLC, composed of a ministerial council and an administrative secretariat, was established under the North American Agreement on Labor Cooperation (NAALC). The NAALC is a supplemental agreement to NAFTA that aims to promote effective enforcement of domestic labor laws and foster transparency in administering them. The CLC is responsible for implementing the NAALC. Each NAFTA partner has established a national administrative office (NAO) within its labor ministry to serve as the contact point with the other parties, the secretariat, other government agencies, and the public. The United States NAO is the USDOL's Office of Trade and Labor Affairs (OTLA).³⁶⁹ Another NAO function is to receive and respond to public communications on labor law matters arising in another NAALC country. Each NAO establishes its own domestic procedures for reviewing and responding to public communications. The NAOs and the secretariat also carry out the cooperative activities of the CLC, including seminars, conferences, joint research projects, and technical assistance.³⁷⁰

In 2013, representatives of each country's NAO met to discuss ways to strengthen coordination and communications among the NAOs. Also, the National Advisory Committee for Labor Provisions in U.S. Free Trade Agreements (NAC) provided recommendations to the U.S. NAO on how to improve the functioning of the NAALC.³⁷¹ In January 2012, OTLA announced that it accepted for review a submission by the Sindicato Mexicano de Electricistas, a Mexican union, on behalf of 93 other organizations, concerning the Mexican government's obligations under the NAALC.³⁷² In March 2013, officials from OTLA met with the NAC and provided an update on the review of its submission. OTLA indicated that the Mexican union had requested the opportunity to provide additional information for the review, and that OTLA then extended the review period to consider this new information.³⁷³

Commission for Environmental Cooperation

The CEC was established under article 8 of the North American Agreement on Environmental Cooperation (NAAEC). This supplemental agreement to NAFTA is designed to ensure that trade liberalization and efforts to protect the environment are mutually supportive. The CEC oversees

³⁶⁷ USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, 131. For more information on regulatory cooperation, see sections on Canada and Mexico in chapter 5.

³⁶⁸ For additional information see USITC, *The Year in Trade 2012, 2013*, 4-15; USTR, "Joint Statement from 2012 NAFTA," April 3, 2012.

³⁶⁹ USDOL, OTLA, "Submissions under the North American Agreement on Labor Cooperation (NAALC)" (accessed March 18, 2014).

³⁷⁰ CLC, "The National Administrative Offices" (accessed March 18, 2014).

³⁷¹ USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, 131.

³⁷² 77 Fed. Reg. 4366 (January 27, 2012). Also, USDOL, OTLA, "Submissions under the Labor Provisions of Free Trade Agreements: Mexico" (accessed March 18, 2014).

³⁷³ USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, 131.

the mandate of the NAAEC and is composed of (1) the Council—the governing body of the CEC—made up of the environmental ministers from the United States, Canada, and Mexico;³⁷⁴ (2) the Joint Public Advisory Committee, made up of five private citizens from each of the NAFTA parties; and (3) the Secretariat, located in Montreal. The Secretariat provides technical, administrative, and operational support to the Council; prepares independent reports on environmental matters, along with information on the state of the environment throughout North America; and processes citizen submissions on enforcement matters.³⁷⁵

Articles 14 and 15 of the NAAEC provide citizens and nongovernmental organizations with a mechanism to help enforce environmental laws in the NAFTA countries.³⁷⁶ Article 14 governs alleged violations submitted for review by the CEC. It sets forth guidelines regarding criteria for submissions and parties that can file complaints. Article 15 outlines the Secretariat’s obligations in considering the submissions and publishing findings in the factual record.³⁷⁷ At the end of 2013, nine complaint files remained active under Articles 14 and 15, one of which was submitted in 2013. In 2013, one active file involved the United States, three involved Canada, and five involved Mexico (see details in table 4.5).

At the 20th regular session of the CEC Council, held on July 11, 2013, in Los Cabos, Mexico, the Council agreed to a new operational plan for 2013–14 that focuses on collaborative actions in three strategic areas: greening transportation, tackling climate change while improving air quality, and addressing waste in trade.³⁷⁸ The Council also stated that it continues to support CEC efforts aimed at improving the alignment of environmental standards across North America, including the transportation sector, in accordance with legal frameworks and national circumstances.³⁷⁹

At the 2013 CEC Council meeting, the Council announced two new tools designed to make the Submissions on Enforcement Matters (SEM) process more accessible to the North American public: (1) a new online portal, designed to provide members of the public with a user-friendly resource for filing submissions; and (2) an online SEM “tracker” that will allow interested parties to monitor compliance with the mandatory SEM process deadlines.³⁸⁰ In 2012, the CEC Council adopted significant revisions of the SEM process.

³⁷⁴ The CEC Council consists of the U.S. Environmental Protection Agency Administrator, Canadian Environment Minister, and Mexican Secretary for Environment and Natural Resources.

³⁷⁵ CEC, Secretariat, “Three Countries Working Together” (accessed March 19, 2014).

³⁷⁶ CEC, “Submissions on Enforcement Matters” (accessed March 19, 2014).

³⁷⁷ CEC, “Part Three, Article 14 and Article 15” (accessed March 19, 2014).

³⁷⁸ In 2012, the FTC approved a work plan to strengthen cooperation between the FTC and the CEC. Trade officials from the three member countries participated in the CEC’s 2013–14 Operational Plan. USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, 131.

³⁷⁹ CEC, “CEC Ministerial Statement: Twentieth Regular Session” (accessed March 19, 2014).

³⁸⁰ *Ibid.*

Table 4.5 Active files as of yearend 2013 under Articles 14 and 15 of the North American Agreement on Environmental Cooperation

Name	Case	First filed	Country ^a	Status
Coal-fired Power Plants	SEM-04-005	Sept. 20, 2004	United States	The Secretariat submitted a draft factual record to Council, for a 45-day comment period on the accuracy of the draft on October 25, 2013.
Ex Hacienda El Hospital II	SEM-06-003	July 17, 2006	Mexico	The Secretariat received comments from Mexico on November 27, 2013, and from Canada on December 24, 2013.
Ex Hacienda El Hospital III	SEM-06-004	Sept. 22, 2006	Mexico	The Secretariat received comments from Mexico on November 27, 2013, and from Canada on December 24, 2013.
Wetlands in Manzanillo	SEM-09-002	Feb. 4, 2009	Mexico	The Council decided to defer voting on whether to instruct the Secretariat to prepare a factual record on November 15, 2013.
Alberta Tailings Ponds	SEM-10-002	Apr. 13, 2010	Canada	The Secretariat determined that the submission met the criteria of Article 14(1) and requested a response from the concerned government party on December 11, 2013.
Sumidero Canyon II	SEM-11-002	Nov. 29, 2011	Mexico	The Secretariat informed Council that the Secretariat considers that the submission warrants development of a factual record on November 11, 2013.
Protection of Polar Bears	SEM-11-003	Dec. 5, 2011	Canada	The Secretariat informed Council that the Secretariat considers that the submission warrants development of a factual record on November 7, 2013.
BC Salmon Farms	SEM-12-001	Feb. 10, 2012	Canada	The Secretariat received the requested information from the concerned government party on December 17, 2013.
Tourism Development in the Gulf of California	SEM-13-001	Apr. 11, 2013	Mexico	The Secretariat determined that the submission met the criteria of Article 14(1) and requested a response from the concerned government on November 12, 2013.

Source: CEC, "Submission on Enforcement Matters: Active Submissions" (accessed March 12, 2014).

^aRefers to the country against which an allegation was filed.

In November 1993, the United States and Mexico agreed on arrangements to support border communities with environmental infrastructure projects to advance the goals of NAFTA and the NAAEC. The Border Environment Cooperation Commission (BECC) and the North American Development Bank (NADB) are working with communities throughout the U.S.-Mexico border region to address their environmental infrastructure needs.³⁸¹ As of December 31, 2013, the NADB has contracted a cumulative total of approximately \$2.3 billion in loans and grants, of which a total of \$2.0 billion has already been disbursed. These funds helped finance 192 projects certified by the BECC with an estimated total cost of \$5.7 billion.³⁸²

³⁸¹ USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, 131.

³⁸² BECC and NADB, *Quarterly Status Report*, December 31, 2013; NADB, "Summary of Project Implementation Activities: Active Projects," December 31, 2013.

Dispute Settlement

The dispute settlement provisions of NAFTA Chapters 11 and 19 cover a variety of areas.³⁸³ The sections below describe developments during 2013 in NAFTA Chapter 11 investor-state disputes and Chapter 19 binational reviews of final determinations of antidumping and countervailing cases. Appendix table A.26 presents an overview of developments in NAFTA Chapter 19 dispute settlement cases to which the United States was a party in 2013.

Chapter 11 Dispute Settlement Developments

Chapter 11 of NAFTA includes provisions designed to protect cross-border investors and ease the settlement of investment disputes. Under subpart B of Chapter 11, an individual investor who alleges that a NAFTA country has breached its investment obligations under Chapter 11 may pursue arbitration through internationally recognized channels or remedies available in the host country's domestic courts.³⁸⁴ A key feature of the Chapter 11 arbitral provisions is the enforceability in domestic courts of final awards made by arbitration tribunals.³⁸⁵

In 2013, there were five active Chapter 11 cases filed against the United States, four of them filed by Canadian investors and one filed by Mexican investors;³⁸⁶ four filed by U.S. investors against Canada;³⁸⁷ and none filed against Mexico.³⁸⁸

Chapter 19 Dispute Panel Reviews

Chapter 19 of NAFTA contains a mechanism that provides for a binational panel to review final determinations made by national investigating authorities in antidumping and countervailing duty cases. Such a panel serves as an alternative to judicial review by domestic courts and may be established at the request of any involved NAFTA country.³⁸⁹ At the end of 2013, the NAFTA Secretariat listed four binational panels active under Chapter 19 (table 4.6). Two of the four active cases challenged the Mexican agency's determinations on products from the United States. One of the four active cases in 2013 challenged U.S. agencies' determinations on products from Canada, and one challenged U.S. agencies' determinations on products from Mexico.³⁹⁰ There were no binational panels formed in 2013 under Chapter 19.

³⁸³ NAFTA Secretariat, "Overview of the Dispute Settlement Provisions" (accessed March 19, 2014).

³⁸⁴ Internationally recognized arbitral mechanisms include the International Centre for the Settlement of Investment Disputes (ICSID) at the World Bank, ICSID's Additional Facility Rules, and the rules of the United Nations Commission on International Trade Law (UNCITRAL Rules). NAFTA Secretariat, "Overview of the Dispute Settlement Provisions" (accessed March 19, 2014).

³⁸⁵ Ibid.

³⁸⁶ USDOS, "NAFTA Investor-State Arbitrations: Cases Filed against the United States" (accessed March 19, 2014).

³⁸⁷ USDOS, "NAFTA Investor-State Arbitrations: Cases Filed against the Government of Canada" (accessed March 19, 2014).

³⁸⁸ USDOS, "NAFTA Investor-State Arbitrations: Cases Filed against the United Mexican States" (accessed March 19, 2014).

³⁸⁹ NAFTA Secretariat, "Overview of the Dispute Settlement Provisions" (accessed March 19, 2014). Such reviews involve the parties and designated agencies, rather than individuals or firms.

³⁹⁰ NAFTA Secretariat, "NAFTA—Chapter 19 Active Cases" (accessed March 12, 2014).

Table 4.6 NAFTA Chapter 19 binational panels, active reviews as of yearend 2013

Country ^a	Case number	National agencies' final determination ^b	Case title
Mexico	MEX-USA-2012-1904-01	SE Antidumping Administrative Review	Chicken Thighs and Legs
	MEX-USA-2012-1904-02	SE Antidumping Administrative Review	Ethylene Glycol Monobutyl Ether
United States	USA-CDA-2009-1904-01	USDOC Antidumping Administrative Review	Carbon and Alloy Steel Wire Rod
	USA-MEX-2012-1904-02	USDOC Antidumping Administrative Review	Bottom Mount Combination Refrigerator-Freezers

Source: NAFTA Secretariat, "Status Report of Dispute Settlement Proceeding." (accessed March 12, 2014).

^aThe United States filed the first two cases contesting Mexico's determinations, Canada filed the next case contesting a U.S. determination, and Mexico filed the remaining case contesting a U.S. determination.

^bIn Canada, final dumping and subsidy determinations are made by the Canada Border Services Agency, and injury determinations are made by the Canadian International Trade Tribunal. In Mexico, all determinations are made by the Secretariat of Economy (SE). In the United States, dumping and subsidy determinations are made by the U.S. Department of Commerce (USDOC), and injury determinations are made by the USITC. NAFTA Secretariat, "Overview of the Dispute Settlement Provisions" (accessed March 12, 2014).

Trade and Investment Framework Agreements and Other Agreements

The United States has entered into Trade and Investment Framework Agreements (TIFAs) with a number of countries and regional economic groups. These agreements create a forum through which the United States meets with partner governments on a regular basis (generally annually), through formal TIFA Councils, to discuss issues that affect trade and investment and to increase cooperation.³⁹¹

Developments in New TIFAs during 2013

In 2013, the United States entered into TIFAs with the Caribbean Community (CARICOM),³⁹² Burma,³⁹³ and Libya.³⁹⁴ In March 2013, it was announced that the United States was also considering entering into a TIFA with the Economic Community of West African States.³⁹⁵ Also in March 2013, the United States and Iraq announced progress on the entry into force of the bilateral TIFA that was signed in 2005, with the intention of holding the first meeting of the U.S.-Iraq TIFA Council in 2014.³⁹⁶ The inaugural meeting of the U.S.-CARICOM TIFA Council was held in November 2013 and the council discussed intellectual property protection, the development of e-commerce infrastructure, and the removal of barriers to trade.³⁹⁷

³⁹¹ USTR, "Trade and Investment Framework Agreements."

³⁹² USTR, "Acting U.S. Trade Representative Miriam Sapiro Hails Signature," May 29, 2013.

³⁹³ USTR, "United States and Burma Sign," May 21, 2013.

³⁹⁴ USTR, "United States, Libya Sign," December 18, 2013.

³⁹⁵ USTR, "The United States Explores New Opportunity," March 29, 2013.

³⁹⁶ USTR, "United States of America and the Republic of Iraq Announce Progress," March 6, 2013.

³⁹⁷ USTR, "United States and Caribbean Community," November 15, 2013.

Developments in Existing TIFAs during 2013

In January 2013, the U.S.-Thailand TIFA Council met to discuss expanding trade in goods, services, and agriculture; protection of intellectual property rights; Thai import restrictions on pork products; and Thai regulations that might restrict access to the telecommunications sector and those that might require domestic processing of credit card transactions.³⁹⁸ In February, at the seventh meeting of the U.S.-Afghanistan TIFA Council in Washington, DC, the Council discussed market access issues, Afghanistan's work towards acceding to the WTO by the end of 2014, both countries' efforts to improve transit of Afghan goods to export markets, agriculture, women's entrepreneurship, and Afghanistan's mining sector.³⁹⁹ In March 2013, the U.S.-Taiwan TIFA Council met and released new joint statements on investment principles and ICT services, and also launched new TIFA working groups on investment and technical barriers to trade.⁴⁰⁰ The U.S.-Indonesia TIFA Council meeting in June 2013 included discussions on Indonesia's restrictions to its agriculture, manufacturing, energy, and telecommunications markets and investment restrictions; trade issues including those within APEC and the WTO; and intellectual property rights.⁴⁰¹ The U.S. Central Asia TIFA Council held its eighth meeting in Turkmenistan in November 2013 to discuss energy trade, investment, WTO membership, customs, procurement, trade and investment between Central Asia and Afghanistan, and the promotion of women's entrepreneurship.⁴⁰²

Other Agreements

In November 2013, the United States and Bangladesh signed a Trade and Investment Cooperation Forum Agreement in order to improve the two countries' bilateral trade and investment relationship, as well as to track and discuss Bangladesh's work toward improving worker safety and worker rights.⁴⁰³

³⁹⁸ USTR, "United States and Thailand Deepen Commitments," January 17, 2013.

³⁹⁹ USTR, "Readout from the Seventh Meeting," February 28, 2013.

⁴⁰⁰ USTR, "Deputy U.S. Trade Representative Demetrios Marantis Welcomes," March 10, 2013.

⁴⁰¹ USTR, "United States and Indonesia Meet," June 13, 2013.

⁴⁰² USTR, "Joint Statement from the United States-Central Asia Trade and Investment," November 14, 2013.

⁴⁰³ USTR, "United States, Bangladesh Sign Trade and Investment Cooperation," November 25, 2013.

Chapter 5

U.S. Relations with Selected Major Trading Partners

This chapter reviews U.S. bilateral trade relations with nine selected trading partners during 2013: the EU, Canada, China, Mexico, Japan, Korea, Brazil, Taiwan, and India (ordered by value of two-way merchandise trade). Appendix tables A.6 and A.7 show U.S. trade with its top 15 single-country trading partners in 2013.⁴⁰⁴ The online interactive merchandise trade dashboards that accompany the *Year in Trade 2013* report can be used for further analysis of U.S. trade with all of its trading partners.

European Union

The EU as a unit⁴⁰⁵ is the largest two-way (exports and imports) U.S. trading partner in terms of both goods and services. The value of U.S. merchandise trade with the 28 member states of the EU rose 0.5 percent in 2013 to \$613.3 billion, accounting for 17.0 percent of total U.S. trade. However, U.S.-EU trade that year still had not recovered to the level recorded in 2008 (\$614.9 billion), just before the global economic downturn. Although U.S. imports from the EU grew slightly in 2013, U.S. exports to the EU declined as slow growth in the EU continued. As a result, the U.S. merchandise trade deficit with the EU grew \$11.3 billion or 8.1 percent, to \$149.9 billion in 2013 (figure 5.1). On the other hand, the U.S. trade surplus in private services with the EU was \$60.5 billion in 2013, up \$4.5 billion from 2012 (figure 5.2). The EU accounted for 32.8 percent of U.S. two-way trade in services in 2013, with the United Kingdom as the largest services trader within the EU, followed by Germany and France.⁴⁰⁶

The EU continued to be the second-largest market (after Canada) for U.S. exports in 2013. U.S. merchandise exports to the EU fell 1.8 percent in 2013 to \$231.7 billion. Leading U.S. exports included aircraft and parts, petroleum-related products, certain medicaments (medicines), passenger motor vehicles, blood fractions (e.g., antiserum), and coal. The most notable gains

⁴⁰⁴ In chapter 5, the country trade balance is calculated as U.S. domestic exports minus U.S. imports for consumption. These balances differ from the U.S. merchandise trade balance generally reported by Census, which is defined as total exports minus general imports. Appendix table A.1 reports the country trade balance on this basis. For more information, please see footnote 24 in chapter 1.

⁴⁰⁵ In 2013, Croatia joined the European Union as the 28th member state. The 28 members of the EU in 2013 were Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom.

⁴⁰⁶ The services trade data by country reported in this chapter are based on trade in private services, which exclude government sales and purchases of services.

Figure 5.1 U.S. merchandise trade with the EU-28, 2009–13



Source: Official trade statistics of the USDOC as maintained by USITC.

Figure 5.2 U.S. private services trade with the EU, 2009-13^a



Source: Official trade statistics of the USDOC as maintained by USITC.

^aData for 2013 are preliminary.

among top exports were certain heterocyclic compounds,⁴⁰⁷ which increased 66.7 percent from 2012, and shelled almonds, which rose 42.8 percent. Exports of petroleum-related products also rose significantly by value. The decline in the value of U.S. exports was led by nonmonetary gold, coal, and certain medicaments. Of the top 25 U.S. exports to the EU, 13 declined by value between 2012 and 2013.

The EU was also the second-largest source of U.S. imports, following China. U.S. merchandise imports from the EU rose 1.9 percent in 2013 to \$381.6 billion. Leading U.S. imports included passenger motor vehicles, petroleum-related products, certain medicaments, and turbojets and parts. Among the top imports, the most notable increases by value were in motor vehicles, which grew by \$3.3 billion, and airplanes and other aircraft, which grew by \$1.8 billion. U.S.-EU merchandise trade data are shown in appendix tables A.27 through A.29.

The major focus of U.S.-EU trade relations in 2013 was the launch of negotiations to conclude a bilateral trade and investment agreement, which is described below and was discussed in greater detail in chapter 4. The two sides also addressed issues related to beef trade, including extending an EU tariff-rate quota (TRQ) on imports of U.S. high-quality beef, and amending U.S. import regulations on bovine spongiform encephalopathy (BSE) to end long-standing restrictions on U.S. imports of EU beef. There were also developments in WTO dispute settlement cases involving the United States and EU in 2013. Following a WTO dispute brought by the United States regarding EU tariff treatment of certain information technology products, in September 2013 the EU adopted a European Council regulation⁴⁰⁸ providing duty-free treatment for flat panel displays.⁴⁰⁹ The two WTO dispute settlement cases involving the long-running U.S. and EU complaints about each other's measures affecting trade in large civil aircraft remained in the compliance panel phase in 2013 (see chapter 3 and appendix table A.25).

Transatlantic Trade and Investment Partnership

On February 13, 2013, U.S. and EU leaders announced their intention to launch negotiations on a comprehensive trade and investment agreement.⁴¹⁰ On June 17, these leaders formally launched negotiations to conclude a Transatlantic Trade and Investment Partnership (TTIP).⁴¹¹

TTIP negotiations are based on the findings and recommendations of the U.S.-EU High-Level Working Group on Jobs and Growth (HLWG). The HLWG was set up at the November 2011 U.S.-EU Summit to identify and assess policies and measures that could increase bilateral trade and investment to support job creation, economic growth, and international competitiveness.⁴¹²

⁴⁰⁷ These heterocyclic compounds are organic chemicals containing a pyrimidine ring or a piperazine ring. They are used either as intermediates in the production of chemicals or as end products (e.g., the active ingredients in pharmaceuticals and pesticides).

⁴⁰⁸ Council Regulation 953/2013, *Official Journal of the European Union*, No. L 263/4. The regulation entered into effect on October 25, 2013.

⁴⁰⁹ USTR, "USTR Froman Welcomes EU Action," October 25, 2013.

⁴¹⁰ White House, "Statement from United States President Barack Obama," February 13, 2013.

⁴¹¹ White House, "Remarks by President Obama, U.K. Prime Minister Cameron," June 17, 2013.

⁴¹² HLWG, "Interim Report to Leaders from the Co-Chairs," June 19, 2012.

The working group provided an interim report on their findings in June 2012⁴¹³ and a final report on February 11, 2013.⁴¹⁴ After engaging with key stakeholders and assessing various options, in the final report the HLWG recommended negotiating “a comprehensive agreement that addresses a broad range of bilateral trade and investment issues, including regulatory issues, and contributes to the development of global rules.” The HLWG noted that because the U.S. and EU economies are substantially open already, the new agreement will “need to break ground to create additional bilateral market openings and establish new trade rules that are globally relevant.”⁴¹⁵

The final report identifies three broad areas for negotiations: market access, regulatory issues and nontariff barriers, and rules to address shared global trade challenges and opportunities. With respect to market access, the HLWG recommended that the agreement go “beyond what the United States and the EU have achieved in previous trade agreements.” In particular, the agreement should (1) eliminate all tariffs on bilateral trade; (2) bind services commitments to the “highest level of liberalization that each side has achieved in trade agreements to date” and “seek to achieve new market access” by addressing remaining long-standing barriers to trade in services; (3) include investment provisions that are “based on the highest levels of liberalization and highest standards of protection that both sides have negotiated to date”; and (4) improve “access to government procurement opportunities at all levels of government on the basis of national treatment.”⁴¹⁶

In the area of regulatory issues and nontariff barriers, the HLWG recommended that the two sides find ways to address “behind-the-border” nontariff barriers and reduce the costs associated with regulatory differences. In particular, the agreement should include (1) an “SPS-plus” chapter and a “TBT-plus” chapter, which would include establishing bilateral forums to address sanitary and phytosanitary (SPS) and technical barriers to trade (TBT) issues, respectively, as they arise;⁴¹⁷ (2) rules on regulatory coherence and transparency for goods and services, including early consultations on significant regulations, use of impact assessments, periodic review of existing regulatory measures, and application of good regulatory practices; (3) commitments to promote regulatory compatibility in mutually agreed goods and services sectors, including considering a variety of approaches, such as regulatory harmonization, equivalence, or mutual recognition, where appropriate; and (4) a framework for identifying opportunities for and guiding future regulatory cooperation, including provisions that provide an institutional basis for future progress. To help develop concrete action plans, the United States and the EU requested stakeholder comments on how to promote regulatory compatibility in September 2012. These proposals were initially reviewed at a meeting of the

⁴¹³ Ibid. For more information on the interim report, see USITC, *The Year in Trade 2012, 2013*, 5-2 to 5-3.

⁴¹⁴ HLWG, “Final Report,” February 11, 2013.

⁴¹⁵ Ibid.

⁴¹⁶ Ibid.

⁴¹⁷ SPS-plus and TBT-plus refer to strengthening and reinforcing the rules and disciplines of the WTO’s agreements on SPS measures and TBTs, respectively.

High-Level Regulatory Cooperation Forum in April 2013, but more proposals are expected as negotiations on regulatory issues progress.⁴¹⁸

Finally, the HLWG recommended developing rules that go beyond bilateral trade and contribute to strengthening the multilateral trading system by addressing IPR, the environment, and labor. According to the HLWG, the agreement should also include globally relevant rules, principles, or modes of cooperation in the following areas: customs and trade facilitation, competition policy, state-owned enterprises, localization barriers to trade,⁴¹⁹ raw materials and energy, small and medium-sized enterprises, and transparency.

Following the launch of negotiations in June 2013, U.S. and EU officials held three rounds of negotiations in 2013. These rounds are described in chapter 4.

Beef Trade

To resolve a dispute over the EU's ban on imports of hormone-treated beef, the United States and the EU signed a memorandum of understanding (MOU) in May 2009 that increased access to the EU market for U.S. exports of "high quality" beef. Such beef must be from cattle not treated with growth-promoting hormones.⁴²⁰ The MOU established a TRQ of 20,000 metric tons with an in-quota tariff rate of zero percent.⁴²¹ In August 2012, as part of the second phase of the MOU, the EU raised the TRQ to 45,000 metric tons for one year. In return, the United States suspended retaliatory duties it had imposed in 1999 in response to the findings of a WTO dispute settlement panel on the matter. In August 2013, both sides announced an agreement to extend phase 2 of the MOU, including the quota, for two years—until August 2, 2015.⁴²² The MOU also provides for a third phase, which would require the EU to maintain the higher quota in exchange for a permanent cessation of U.S. retaliatory duties.⁴²³

In November 2013, the U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) announced its intention to amend U.S. import regulations on BSE, which will end restrictions on U.S. imports of EU beef that have been in place since the 1990s. APHIS posted the final rule in the *Federal Register* on December 4, 2013, and it became effective March 4, 2014.⁴²⁴ The new regulations will permit imports from a particular country based on the same criteria and risk categories that the World Organization for Animal Health

⁴¹⁸ HLWG, "Final Report," February 11, 2013.

⁴¹⁹ Localization barriers to trade are measures designed to protect, favor, or stimulate domestic industries, service providers, and/or intellectual property (IP) at the expense of goods, services, or IP from other countries. For more information, see USTR, Trade Topics, <http://www.ustr.gov/trade-topics/localization-barriers>.

⁴²⁰ *Memorandum of Understanding between the United States of America and the European Commission Regarding the Importation of Beef From Animals Not Treated with Certain Growth-Promoting Hormones and Increased Duties Applied by the United States to Certain Products of the European Communities*, May 13, 2009, http://www.ustr.gov/sites/default/files/asset_upload_file254_15654.pdf. For more information on the MOU, see USITC, *The Year in Trade 2009, 2010*, 5-5.

⁴²¹ The EU's high-quality beef quota is open to all countries on a most-favored-nation basis.

⁴²² USTR, "U.S. Trade Representative Froman, Secretary of Agriculture Vilsack Announce," August 1, 2013.

⁴²³ U.S.-EU Beef MOU, Art. II(5).

⁴²⁴ 78 F.R. 72980–73008 (December 4, 2013).

(OIE)⁴²⁵ uses to rate a country's BSE risk status.⁴²⁶ However, before EU producers can export to the United States, national meat inspection systems in EU member states must be approved by the USDA as providing protection for human health equivalent to U.S. procedures.⁴²⁷

Canada

Canada is the United States' largest single-country trading partner in terms of two-way trade in goods (exports plus imports), and its second-largest single-country partner for trade in services, after the United Kingdom. Total U.S. two-way merchandise trade with Canada was valued at \$584.6 billion in 2013, representing about 16.2 percent of U.S. merchandise trade with the world. U.S. merchandise exports to Canada amounted to \$251.7 billion in 2013, and U.S. merchandise imports from Canada amounted to \$332.9 billion, resulting in a merchandise trade deficit of \$81.2 billion, little changed from deficits in 2012 (\$79.3 billion) and 2011 (\$82.6 billion) (figure 5.3). Canada's economic recovery from the 2008–09 global recession slowed in early 2012 and remained subdued in 2013. Canada's exports were weaker than expected in 2013, partly due to slow economic recovery in the United States—Canada's main export market—and partly influenced by other factors, such as low productivity growth and increased competition from emerging markets.⁴²⁸

Canada's total two-way trade in private services with the United States was valued at \$93.3 billion in 2013, accounting for 8.6 percent of U.S. trade in services with the world. U.S. services exports to Canada were valued at \$63.8 billion, while U.S. services imports from Canada were valued at \$29.5 billion, resulting in a U.S. surplus on trade in services with Canada of \$34.3 billion (figure 5.4). The 2013 U.S. services surplus with Canada represented an increase of 9.2 percent from 2012, continuing the upward trend of the past five years (2009–13).

Canada was the foremost single-country export market for U.S. goods in 2013, with a value roughly 60 percent higher than the second-largest U.S. goods export market (Mexico). The leading 25 U.S. goods exports to Canada accounted for roughly 30 percent of U.S. good exports to Canada (\$251.7 billion). Motor vehicles, tractors, trailers, and related parts (under HS chapter 87) were the leading products, representing half of the top 25 U.S. goods exports to Canada. U.S. exports of energy products (under HS chapter 27) came second, accounting for over a quarter of the top 25 U.S. goods exports to the Canadian market. These included products such as crude petroleum, light oils, and natural gas.

Canada was the second-largest single-country source of U.S. goods imports in 2013, after China. U.S. imports for consumption from Canada were valued at \$332.9 billion, up slightly from 2012 (\$323.9 billion) and 2011 (\$316.4 billion). Leading U.S. merchandise imports from Canada were energy products (under HS chapter 27), which accounted for nearly one-third of U.S. imports

⁴²⁵ The OIE is an international body that sets standards related to animal health.

⁴²⁶ USDA, APHIS, "APHIS Finalizes Bovine Import Regulations," November 1, 2013.

⁴²⁷ Glotz, "Beef Industry Hails Lifting of US Export Ban," November 4, 2013; *Inside U.S. Trade*, "U.S. Lifts 'Mad Cow' Restrictions," November 7, 2013.

⁴²⁸ OECD, "Canada," *Economic Outlook*, November 2013, 123; IMF, "Canada—2013 Article IV Consultation," February 2014, 4.

Figure 5.3 U.S. merchandise trade with Canada, 2009–13



Source: Official trade statistics of the USDOC as maintained by USITC.

Figure 5.4 U.S. private services trade with Canada, 2009–13^a



Source: Official trade statistics of the USDOC as maintained by USITC.

^aData for 2013 are preliminary.

from Canada, followed by passenger vehicles and related parts (under HS chapter 87) and raw materials, such as coniferous wood, nonmonetary gold, and aluminum. (See appendix tables A.30 to A.32 for details of U.S.-Canada merchandise trade.)

The United States and Canada share the world's largest and most comprehensive bilateral trading relationship, with Canada being the single largest foreign supplier of energy—petroleum, natural gas, and electricity—to the United States.⁴²⁹ Canada was the fourth largest source of foreign direct investment in the United States, totaling \$261 billion in 2012 (latest data available).⁴³⁰ Since 1994, trade between the two countries has operated within the framework of the NAFTA agreement between the United States, Canada, and Mexico. NAFTA has reduced trade barriers and liberalized rules in a wide variety of areas—agriculture, services, energy, financial services, investment, and government procurement—as well as provided an institutional structure through which to settle a variety of disputes among the three partners.

In 2013, the United States and Canada continued to work to integrate the two economies more closely. They consulted on agricultural and industrial goods matters through forums such as the Canada-United States Consultative Committee on Agriculture and the Canada-United States Regulatory Cooperation Council to facilitate trade, targeting in particular trade distortions caused by behind-the-border measures. In September 2013, Canada and the United States agreed to a joint request for arbitration under the 2006 Softwood Lumber Agreement to resolve a dispute regarding interpretation of the award made in a 2011 case decided under the agreement (see following discussion).

Softwood Lumber

On September 30, 2013, Canada and the United States agreed to submit a joint request for arbitration under the 2006 U.S.-Canada Softwood Lumber Agreement (SLA) to resolve a dispute concerning the interpretation of the compensatory amounts awarded in a case decided under the SLA in January 2011.⁴³¹ On January 20, 2011, the tribunal in LCIA⁴³² case no. 81010 made an award concerning provincial subsidies that requires Canada to apply additional export charges on shipments of softwood lumber from Quebec and Ontario to the United States in order to remedy breaches of the SLA concerning certain forestry programs in those provinces.⁴³³ The charges were designed to collect \$58.85 million over the term of the original SLA, which was to expire on October 12, 2013. Canada started to apply the additional export charges on March 1, 2011, but did not collect the full \$58.85 million by the expiration date of the original SLA (October 12, 2013). On January 23, 2012, the parties agreed to extend the SLA for an additional two years, setting a new expiration date of October 12, 2015. As a consequence, the parties

⁴²⁹ USDOS, Bureau of Western Hemisphere Affairs, "U.S. Relations with Canada," August 23, 2013.

⁴³⁰ USDOS, American Embassy, Canada, "U.S.-Canada Economic Relations" (accessed March 25, 2014).

⁴³¹ LCIA (London Court of International Arbitration), "Joint Request for Arbitration—Submitted on Behalf of Canada and the United States of America," September 30, 2013. See text of the 2006 U.S.-Canada Softwood Lumber Agreement at http://www.ustr.gov/webfm_send/3254, and the Extension to the 2006 U.S.-Canada Softwood Lumber Agreement at http://www.ustr.gov/webfm_send/3255.

⁴³² London Court of International Arbitration, the dispute settlement body recognized under the SLA.

⁴³³ USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, III.137; USDOS, American Embassy, Canada, "Canada: 2014 National Trade Estimate Report," December 12, 2013, par. 20–22.

agreed in 2013 to reconvene the original tribunal to determine whether or not the award requires Canada to continue to apply the additional export charges while the extended SLA remains in effect.⁴³⁴

Regulatory Cooperation Council

Canada and the United States announced the creation of the Canada-United States Regulatory Cooperation Council (RCC) on February 4, 2011.⁴³⁵ The aim of the RCC is to eliminate unnecessary regulatory differences and duplication that hinder cross-border trade and investment. After consultations with the private sector and bilateral negotiations between Canada and the United States, the RCC released a Joint Action Plan on Regulatory Cooperation on December 7, 2011, describing 29 ways in which Canada and the United States will seek greater regulatory alignment.⁴³⁶ All 29 work plans were finalized by July 2012, and include sector initiatives in areas such as automotive, agricultural, and consumer products, as well as future technologies, including nanotechnology. Activities under these work plans include collaboration on common approaches to regulations, mutual recognition of standards and development of joint standards, harmonized testing procedures, technical and scientific cooperation, information sharing, and pilot programs to increase regulatory transparency.

U.S. regulatory agencies and their Canadian counterparts met in Washington, DC, on June 19, 2013, to discuss work under the 2011 Joint Action Plan, the next steps in regulatory alignment, and the future role of the RCC.⁴³⁷ The RCC held its first stakeholder meeting with interested private sector participants in January 2012, and a second stakeholder meeting on June 20, 2013, in Washington, DC. At the June 2013 meeting, industry representatives from the automobile, consumer products, food, and major appliance sectors shared views on how to better align the regulatory system in both countries in key areas such as product approval procedures, reduction of duplicative requirements, and setting and implementing standards.⁴³⁸

Intellectual Property

Canada was placed on the USTR Special 301 Priority Watch List in 2009, but was moved in 2012 to the Watch List in light of Canada's moves to legislate improved copyright protection. Canada passed the Copyright Modernization Act on June 29, 2012, implementing into national law the World Intellectual Property Organization (WIPO) Copyright Treaty and the Performances and Phonograms Treaty—commonly known as the WIPO Internet Treaties—that Canada had signed

⁴³⁴ For further information, see USITC, *The Year in Trade 2011*, July 2012, 5-6. On March 21, 2014, the tribunal determined that Canada has no obligation to continue to apply the compensatory adjustments beyond October 12, 2013. LCIA No. 810108, "The United States of America and Canada—DETERMINATION," March 21, 2014.

⁴³⁵ USDOS, American Embassy, Canada, "2013 Investment Climate Statement" (accessed March 25, 2014).

⁴³⁶ USDOC, ITA, "U.S.-Canada Regulatory Cooperation Council" (accessed March 25, 2014); USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, III.137.

⁴³⁷ USDOC, ITA, "June 19, 2013: Meeting of Canada-United States Regulatory Cooperation Council" (accessed March 26, 2014).

⁴³⁸ USDOC, ITA, "June 20, 2013: RCC Stakeholder Dialogue Session" (accessed March 26, 2014); RCC, "U.S.-Canada Regulatory Cooperation—Charting the Path Forward," June 20, 2013.

in 1997.⁴³⁹ Most of these provisions to improve copyright protection became effective on November 7, 2012.⁴⁴⁰

In October 2011, Canada signed the Anti-Counterfeiting Trade Agreement, which obligates Canada to grant Canadian border officials ex officio authority to take legal action against infringing products, including the seizure of counterfeit trademark and pirated copyright goods transshipped through Canada for the United States. Canada has indicated its intention to introduce domestic legislation to meet its commitments under this agreement, but has not yet done so. The United States has urged Canada to enact such legislation as soon as possible.⁴⁴¹ In October 2013, Canada reintroduced the Combating Counterfeit Products Act in Parliament after a previous version lapsed in September at the end of the first session.⁴⁴²

In addition, a new patent utility standard adopted by Canadian courts for pharmaceuticals has raised concerns among U.S. firms over the adequacy of Canada's patent protection regime.⁴⁴³ The U.S. pharmaceutical industry has expressed the view that Canada's administrative process for regulatory approval and review of pharmaceutical products may limit patent protection in Canada. For example, one U.S. firm had its patent invalidated and another pharmaceutical patent was voided in November 2012 by Canadian Supreme Court decision.⁴⁴⁴

China

In 2013, China remained the United States' second-largest single-country trading partner based on two-way goods trade, accounting for 15.3 percent of U.S. trade with the world. U.S. two-way merchandise trade with China amounted to \$552.5 billion in 2013, an increase of 4.6 percent over \$528.4 billion in 2012. The U.S. merchandise trade deficit with China, which rose by 0.8 percent, or \$2.4 billion, to \$323.8 billion in 2013, remained higher than the U.S. deficit with any other trading partner. The increase in the trade deficit was mostly attributable to an increase in U.S. merchandise imports from China, which more than offset an accompanying increase in U.S. exports to China (figure 5.5). However, the U.S. trade surplus in services with China increased by 12.6 percent from \$17.0 billion in 2012 to \$19.2 billion in 2013 (figure 5.6).

China overtook Japan to become the third-largest single-country destination for U.S. merchandise exports in 2007, and remained in that position, behind Canada and Mexico, through 2013. U.S. merchandise exports to China amounted to \$114.3 billion in 2013, a 10.4 percent increase over 2012. Of U.S. merchandise exports to China in 2013, about 11.7 percent consisted of soybeans, and 10.6 percent consisted of aircraft and parts. Other leading U.S.

⁴³⁹ USITC, *The Year in Trade 2012*, July 2013, 7.

⁴⁴⁰ Ibid. See text of the act at <http://laws.justice.gc.ca/PDF/C-42.pdf>, and most recent amendments to the consolidated act at <http://laws.justice.gc.ca/eng/acts/C-42/page-1.html>.

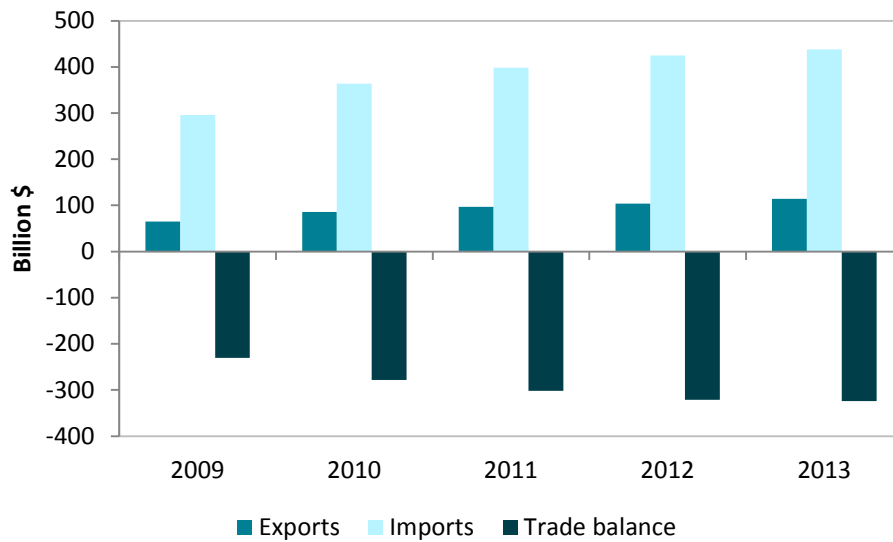
⁴⁴¹ USDOS, American Embassy, Canada, "2013 Investment Climate Statement" (accessed March 25, 2014).

⁴⁴² Ibid.; Parliament of Canada, "C-8: An Act to Amend the Copyright Act and the Trade-marks Act and To Make Consequential Amendments to Other Acts: Short Title: Combating Counterfeit Products Act," October 16, 2013–present.

⁴⁴³ USDOS, American Embassy, Canada, "2013 Investment Climate Statement" (accessed March 25, 2014); USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, III.137.

⁴⁴⁴ USTR, *2013 National Trade Estimate Report*, April 2013, 58.

Figure 5.5 U.S. merchandise trade with China, 2009–13



Source: Official trade statistics of the USDOC as maintained by USITC.

Figure 5.6 U.S. private services trade with China, 2009-13^a



Source: Official trade statistics of the USDOC as maintained by USITC.

^aData for 2013 are preliminary.

exports to China included motor vehicles, metal waste and scrap, and cotton. The increase in the value of U.S. exports to China in 2013 was led by a \$4.2 billion increase in exports of aircraft and parts and a \$3.1 billion increase in passenger motor vehicles, followed by increases in exports of wheat, brewing or distilling dregs and waste, gold, and telecommunication instruments and apparatus.

In 2013, China remained the largest source of U.S. imports. U.S. merchandise imports from China amounted to \$438.1 billion, an increase of 3.1 percent over 2012. Leading U.S. imports from China in 2013 were computers and computer parts, cellphones, telecommunications equipment, toys, video games, and footwear. The increase in the value of U.S. imports in 2013 was led by growth in imports of cellphones, computers and computer parts, telecommunication equipment, and electrical static converters. U.S.-China merchandise trade data are shown in appendix tables A.33 through A.35.

In 2013, U.S.-China trade relations focused on the following Chinese policies and practices: China's IPR protection and enforcement; industrial policies; export restraints on raw material inputs; import bans on U.S. agricultural products; and entry barriers in services sectors. These issues were among the principal themes of the 2013 U.S.-China Strategic and Economic Dialogue (S&ED) and the 2013 Joint Commission on Commerce and Trade (JCCT).⁴⁴⁵ The S&ED, established in 2009, is a high-level forum in which the United States and China can discuss a wide range of bilateral, regional, and global political, strategic, security, and economic issues. The JCCT, established in 1983, is a forum for high-level dialogue on bilateral trade issues and a vehicle for promoting commercial relations. Both the S&ED and the JCCT meet annually.

Since China's accession to the WTO, the United States has brought 15 WTO dispute settlement cases against China, and China has brought 9 WTO dispute settlement cases against the United States.⁴⁴⁶ In December 2013, China filed a new WTO dispute settlement case against the United States regarding its use of certain methodologies in antidumping investigations involving Chinese products (DS471).⁴⁴⁷ There were also developments in a number of existing WTO dispute settlement cases between the United States and China in 2013. The WTO panel report was adopted in a case brought by the United States regarding China's antidumping and countervailing duty measures on broiler products from the United States (DS427).⁴⁴⁸ China reported it had fully implemented the Dispute Settlement Body (DSB) recommendations and rulings in two cases brought by the United States: (1) certain measures affecting electronic payment services (DS413);⁴⁴⁹ and (2) measures related to the exportation of various raw

⁴⁴⁵ U.S. Department of Treasury, "Joint U.S.-China Economic Track Fact Sheet," July 12, 2013; USDOC, "24th U.S.-China Joint Commission on Commerce and Trade," December 20, 2013.

⁴⁴⁶ WTO, "Chronological List of Dispute Cases" (accessed March 12, 2014).

⁴⁴⁷ WTO, "Dispute Settlement: DS471; United States—Certain Methodologies and Their Application to Anti-Dumping Proceedings Involving China" (accessed January 3, 2014).

⁴⁴⁸ WTO, "Dispute Settlement: DS427; China—Anti-dumping and Countervailing Duty Measures on Broiler Products from the United States" (accessed January 3, 2014).

⁴⁴⁹ WTO, "Dispute Settlement: DS413; China—Certain Measures Affecting Electronic Payment Services" (accessed January 3, 2014).

materials (DS394).⁴⁵⁰ The United States reported it had fully implemented the DSB recommendations and rulings in a case brought by China regarding antidumping measures on shrimp and diamond sawblades from China (DS422); however, China disagreed, arguing that the United States had failed to revoke the antidumping duty on sawblades.⁴⁵¹ Developments in several of these cases during 2013 are described in more detail in chapter 3 and appendix table A.25.

Intellectual Property Rights Enforcement⁴⁵²

The United States and China have had lengthy and long-standing consultations on IPR issues, particularly since China's accession to the WTO and acceptance of the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement. As a result, China has undertaken wide-ranging revisions to its laws and numerous special campaigns to improve public awareness of IPR and enforcement. These efforts have yielded positive results, although much work reportedly remains to be done. According to USTR, the ongoing and sustained involvement of China's governmental leaders will be critical if China is to deliver on its substantial IPR commitments.

USTR's 2013 *Special 301* report again placed China on the Priority Watch List for countries with particular problems with respect to IPR protection, enforcement, or market access for persons relying on intellectual property.⁴⁵³ USTR noted substantial concerns with the theft of U.S. firms' trade secrets and forced technology transfer, the difficulty of obtaining legal redress, and problems with non-deterrent IPR enforcement in general. More positively, USTR cited improvements in China's IPR landscape through increased judicial resources devoted to IPR cases and through notable efforts to update major intellectual property laws. For example, a judicial interpretation by China's Supreme People's Court, which took effect on January 1, 2013, clarified that those who facilitate online infringement would be held jointly liable with the actual infringers.⁴⁵⁴

USTR's 2013 *Out-of-Cycle Review of Notorious Markets*, which identified Internet and physical markets that reportedly engage in substantial copyright and trademark infringement, also highlighted developments in China, including some encouraging trends. In 2013, the Chinese website Xunlei shut down the previously listed multiplatform site GouGou; another Chinese website, Warez-bb, cooperated with authorities to address unauthorized conduct on its site; and a third, PaiPai, took measures to address complaints about its role in facilitating the distribution of pirated and counterfeit goods, and expanded its work with rights holders to include business and entertainment software and other content industries. As a result of their

⁴⁵⁰ WTO, "Dispute Settlement: DS394; China—Measures related to the Exportation of Various Raw Materials" (accessed January 3, 2014).

⁴⁵¹ WTO, "Dispute Settlement: DS422; United States—Anti-dumping Measures on Shrimp and Diamond Sawblades from China" (accessed January 3, 2014).

⁴⁵² For more information on the effect of China's IPR infringement, see USITC, *China: Intellectual Property Infringement*, November 2010; USITC, *China: Effects of Intellectual Property Infringement*, May 2011.

⁴⁵³ USTR, *2013 Special 301 Report*, May 2013.

⁴⁵⁴ *Ibid.*, 10.

efforts, GouGou, Warez-bb, and PaiPai were removed from the Notorious Markets list.⁴⁵⁵ However, USTR listed a number of Chinese websites that still sell counterfeit goods and facilitate the unauthorized downloading and distribution of music, movies, and software, as well as physical markets in China where large quantities of copyright- and trademark-infringing products are being sold.⁴⁵⁶

Industrial Policies

According to USTR, China continues to use industrial policies that “seek to limit market access for imported goods, foreign manufacturers and foreign-based service suppliers, while offering substantial government guidance, resources and regulatory support to Chinese industries.”⁴⁵⁷ Such policies remained a major U.S. concern in 2013; they included China’s indigenous innovation policy, export restraints, subsidies to domestic industries, value-added tax rebates, and restrictive investment regime.⁴⁵⁸

According to USTR, some progress was made on these issues in 2013. At the December 2013 JCCT meeting, China made a commitment that it would not implement two measures that would have excluded vehicles manufactured by foreign enterprises or foreign-invested enterprises from procurement by the Chinese government and the Chinese Communist Party. Additionally, as a result of the 2012 bilateral dialogue, in 2013 the Chinese government reversed a proposed measure relating to approval of new medical devices that sought to limit eligibility for priority treatment to medical device manufacturers holding indigenous intellectual property.⁴⁵⁹

Export Restraints on Raw Material Inputs

USTR reported that China continued to impose “numerous export restraints” in 2013, including export quotas, export licensing and bidding requirements, minimum export prices, and export duties on exports of raw materials. USTR also reported that such practices distort trade in raw materials as well as intermediate and final products.⁴⁶⁰ The United States filed two WTO dispute settlement complaints (DS394 in 2009 and DS431 in 2012) addressing China’s export restraints on raw materials.⁴⁶¹ The United States prevailed in the first dispute settlement case

⁴⁵⁵ USTR, *2013 Out-of-Cycle Review of Notorious Markets*, February 2014, 3.

⁴⁵⁶ The list of Chinese online websites and physical marketplaces can be found in USTR, *2013 Out-of-Cycle Review of Notorious Markets*, February 2014.

⁴⁵⁷ USTR, *2013 Report to Congress on China’s WTO Compliance*, December 2013, 8.

⁴⁵⁸ USTR, *2012 Report to Congress on China’s WTO Compliance*, December 2012, 7–10.

⁴⁵⁹ USTR, *2013 Report to Congress on China’s WTO Compliance*, December 2013, 8–9.

⁴⁶⁰ *Ibid.*, 42–43.

⁴⁶¹ WTO, “Dispute Settlement: DS394; China—Measures Related to the Exportation of Various Raw Materials”; WTO, “Dispute Settlement: DS431; China—Measures Related to the Exportation of Rare Earths, Tungsten and Molybdenum” (accessed January 3, 2014).

(DS394) in 2012⁴⁶² and, in response, during 2013 China took steps to remove export duties and export quotas on certain raw material inputs covered in the dispute.⁴⁶³

Agriculture

In 2013, U.S. agricultural exports worth about \$25.9 billion, or 18.0 percent of all U.S. agricultural exports, went to China, making it the largest U.S. agricultural export destination.⁴⁶⁴ Although U.S. agricultural exports to China continued to grow in 2013, a variety of nontariff barriers remained to impede market access, including SPS measures and inspection-related requirements.⁴⁶⁵

In 2013, China continued to block the importation of U.S. beef and beef products in response to a case of BSE detected in the United States in 2003.⁴⁶⁶ At the December 2013 JCCT meeting, both sides agreed to aim to resume Chinese market access for U.S. beef by July 2014 on the basis of mutually agreed-upon conditions.⁴⁶⁷

In 2013, China also continued to ban imports of U.S. pork containing trace amounts of ractopamine, even at concentrations below the U.S. maximum residue level (MRL) and the proposed Codex Alimentarius MRL.⁴⁶⁸ The ban reflected China's zero-tolerance policy for ractopamine, a veterinary drug used in animal feed to promote muscle growth in pigs, cattle, and, to a limited extent, heavy turkeys.⁴⁶⁹

In 2007, China placed avian influenza (AI)-related import bans on U.S. poultry and poultry products from several U.S. states. The United States asked China to take prompt action in accordance with science-based international standards on the state-level bans.⁴⁷⁰ During 2010–12, China lifted bans on U.S. poultry products from Idaho, Kentucky, Minnesota, Pennsylvania, and Texas. In June 2013, China lifted the Arkansas ban, but reimposed it several weeks later when a detection of low-pathogenic AI was reported. China also imposed a ban on poultry products from Wisconsin in June 2013 due to a detection of low-pathogenic AI. As of December 2013, China maintained import bans on poultry and poultry products from Arkansas, New York,

⁴⁶² In March 2014, the WTO Panel ruled in favor of the United States in DS431. China has notified the WTO of its decision to appeal.

⁴⁶³ USTR, *2013 Report to Congress on China's WTO Compliance*, December 2013, 9.

⁴⁶⁴ USDA, "Top 15 U.S. Agricultural Export Destinations," April 21, 2014.

⁴⁶⁵ USTR, *2013 Report to Congress on China's WTO Compliance*, December, 2013, 86–89. For more information on the conditions of competition in China's agricultural market and trade, see USITC, *China's Agricultural Trade: Competitive Conditions*, March 2011.

⁴⁶⁶ USTR, *2013 Report to Congress on China's WTO Compliance*, December, 2013, 92.

⁴⁶⁷ USTR, "24th U.S.-China Joint Commission on Commerce and Trade," December 20, 2013.

⁴⁶⁸ USTR, *2012 Report on Sanitary and Phytosanitary Measures*, April 2, 2012, 31. The Codex Alimentarius Commission is a UN food standards-setting body.

⁴⁶⁹ FAO, "Discussion on Ractopamine in Codex," April 26, 2012.

⁴⁷⁰ USTR, *2012 Report on Sanitary and Phytosanitary Measures*, April 2, 2012, 34.

Virginia, and Wisconsin.⁴⁷¹ Additionally, poultry from eligible states may not transit the four restricted states, even if the truck, container, or railcar is sealed.

Services

In 2013, about 5.0 percent, or \$33.2 billion, of U.S. services exports went to China, making it the fifth-largest single-country market for U.S. services. However, USTR noted that in 2013 China continued to “maintain or erect restrictive or cumbersome terms of entry or internal expansion in some sectors (e.g., financial services, legal services, express delivery services, and construction and related engineering services) that prevent or discourage foreign suppliers from gaining market access.”⁴⁷² Additionally, USTR noted that barriers such as “discriminatory regulatory processes, informal bans on entry, overly burdensome licensing and operating requirements” have prevented or discouraged U.S. services suppliers from achieving their full market potential in China.⁴⁷³

China’s telecommunication services market—the world’s second-largest—is one area that has been noted as problematic.⁴⁷⁴ Telecommunications services in China are classified into two categories: basic and value-added. As of November 2013, the Chinese regulator had licensed more than 29,000 domestic suppliers of value-added telecommunications services, but only 41 foreign suppliers.⁴⁷⁵ In 2013, China released a draft revision of its Catalogue of Telecommunications Services that seeks to expand the scope of value-added telecommunications services to include a range of Internet-based services, such as cloud computing services, e-commerce services, and content distribution network services. This change could potentially further limit the market access of foreign suppliers by subjecting them to additional telecommunications licensing requirements.⁴⁷⁶

Life insurance is another area of concern, though there have been recent promising developments. At present, in this sector, China permits foreign companies to participate only in Chinese-foreign joint ventures, with foreign equity capped at 50 percent. China also prevents foreign insurance brokers from providing a full scope of services. Such market access restrictions have limited foreign insurers to low market share in the Chinese insurance market—less than 4 percent of the life insurance sector and only 1 percent of the non-life (i.e., property and casualty) insurance sector.⁴⁷⁷ At the May 2012 S&ED meeting, China noted that its regulations had been amended to allow U.S. and other foreign insurance companies to sell mandatory auto liability insurance in China. At the July 2013 S&ED meeting, China stated that in its pilot projects for tax-deferred insurance pension products, it will treat domestic enterprises

⁴⁷¹ USTR, *2013 Report on China’s WTO Compliance*, December 2013, 95. In May 2014, China lifted the import ban on poultry and poultry products from Virginia, allowing Virginia products slaughtered or processed on or after April 30, 2014, to enter the country. USDA, FSIS, “Export Requirements for the People’s Republic of China,” May 8, 2014.

⁴⁷² USTR, *2013 Report to Congress on China’s WTO Compliance*, December 2013, 114–115.

⁴⁷³ *Ibid.*, 11.

⁴⁷⁴ USITC, *Recent Trends in U.S. Services Trade: 2012 Annual Report*, July 2012, 8-2.

⁴⁷⁵ USTR, *2013 Report to Congress on China’s WTO Compliance*, December 2013, 127.

⁴⁷⁶ Morrison & Foerster, “China’s MIIT Releases Long-Awaited Draft,” June 13, 2013.

⁴⁷⁷ USTR, *2013 Report to Congress on China’s WTO Compliance*, December 2013, 122.

and foreign-invested enterprises equally with regard to participation and any further expansion.⁴⁷⁸

A third problem area has involved China's restrictions on foreign suppliers of electronic payment services, including major U.S. credit card companies. In 2010, the United States brought a WTO dispute settlement case against China regarding its measures affecting electronic payment services (DS413), and won the case in 2012.⁴⁷⁹ China announced in July 2013 that it had complied with the WTO recommendations; however, USTR disagreed.⁴⁸⁰ USTR acknowledged that, as of December 2013, China had taken some steps toward complying with the WTO's rulings, but stated that China continued to deny market access to foreign services providers in at least one important respect. Specifically, China has not set up a process for foreign suppliers to obtain licenses to provide electronic payment services for payment card transactions denominated in local currency through commercial presence in China.⁴⁸¹ The United States has indicated its concerns about the situation at the WTO and is considering further options there while continuing to press China to comply with the rulings.⁴⁸²

U.S.-China Bilateral Investment Treaty

In July 2013, at the fifth U.S.-China S&ED meeting, the two countries announced that they intended to negotiate a bilateral investment treaty (BIT) that would provide national treatment at all phases of investment, including market access (i.e., the "pre-establishment" phase of investment), and in all sectors of the Chinese economy (with negotiated exceptions).⁴⁸³

According to the U.S. Department of Treasury, this was the first time that China agreed to negotiate a BIT on this scale, which will help eliminate the market barriers and level the playing field for U.S. businesses in China.⁴⁸⁴ The United States and China had previously agreed to launch negotiations for a BIT on June 18, 2008, during the fourth meeting of the U.S.-China Strategic Economic Dialogue. However, negotiations were delayed during a review of the United States' 2004 model BIT, which concluded in April 2012 with a new model BIT.⁴⁸⁵ U.S.-China negotiations will be based on the new model BIT, which provides investors with "improved market access; protection from discriminatory, expropriatory, or otherwise harmful

⁴⁷⁸ USTR, *2013 Report to Congress on China's WTO Compliance*, December, 2013, 123.

⁴⁷⁹ WTO, "Dispute Settlement: DS413; China—Certain Measures Affecting Electronic Payment Services" (accessed January 3, 2014).

⁴⁸⁰ USTR, "2013 Year in Review: A Look Back," January 3, 2014.

⁴⁸¹ USTR, *2013 Report to Congress on China's WTO Compliance*, December, 2013, 125.

⁴⁸² *Ibid.*, 125.

⁴⁸³ U.S. Department of Treasury, "U.S. Fact Sheet—Economic Track Fifth Meeting" July 12, 2013; USTR, *2013 Report to Congress on China's WTO Compliance*, December, 2013, 77. At the July 2014 S&ED meeting, the two sides agreed to intensify BIT negotiations with an aim to reach agreement on core issues and major articles of the treaty text by the end of 2014, and initiate the "negative list" negotiation to identify exceptions early in 2015 based on each other's "negative list" offers. A "negative list" lists those sectors where investments would be explicitly excluded from the terms of the BIT. U.S. Department of Treasury, "U.S. and China Joint Fact Sheet Sixth Meeting," July 11, 2014.

⁴⁸⁴ U.S. Department of Treasury, "U.S. and China Breakthrough Announcement," July 15, 2013.

⁴⁸⁵ USTR, "United States Concludes Review of Model Bilateral Investment Treaty," April 2012. The Obama Administration initiated a review of the 2004 model BIT to ensure that it was consistent with the Administration's economic agenda.

government treatment; and a mechanism to pursue binding international arbitration for breaches of the treaty.”⁴⁸⁶ The 2012 model BIT made several changes from the earlier model BIT, including enhanced transparency and public participation; strengthened disciplines that address preferential treatment to state-owned enterprises, including the distortions created by certain indigenous innovation policies; and improved protections relating to labor and the environment.⁴⁸⁷

Mexico

In 2013, Mexico was the United States’ third-largest single-country merchandise trading partner, following Canada and China. Merchandise trade between the two countries increased 1.7 percent to \$459.4 billion in 2013, accounting for 12.7 percent of U.S. trade with the world. While the U.S. merchandise trade deficit with Mexico fell by \$5.2 billion in 2013, to \$96.0 billion, it was still the United States’ second-largest merchandise trade deficit with any single country (figure 5.7). The deficit was outweighed only by that with China, which was almost three and a half times the U.S. trade deficit with Mexico.

At the same time, the U.S. trade surplus in services with Mexico decreased by 4.5 percent to \$11.7 billion in 2013 (figure 5.8). U.S. services exports to Mexico were valued at \$28.5 billion, while U.S. services imports from Mexico totaled \$16.8 billion. Mexico was the United States’ sixth-largest single-country trading partner for services in 2013, after the United Kingdom, Canada, Japan, Germany, and China.

U.S. merchandise exports to Mexico totaled \$181.7 billion in 2013, an increase of 3.7 percent from 2012. In 2013, leading U.S. exports to Mexico included transportation equipment, particularly automotive trade; chemicals and related products; energy-related products; and electronic products. These exports together accounted for 60 percent of total U.S. merchandise exports to Mexico. Other leading exports to Mexico included parts and accessories for automatic data processing machines; articles of plastic; corn; copper ores; and soybeans.

In 2013, U.S. merchandise imports from Mexico increased by 0.5 percent to \$277.7 billion. Leading U.S. imports from Mexico included transportation equipment, electronic products, energy-related products, and machinery, which together accounted for 75 percent of total U.S. merchandise imports from Mexico. Other leading imports from Mexico were computers, televisions, cellphones, and nonmonetary gold. Particularly important in the increase of U.S. imports from Mexico was the rise in the value of imports of vehicles and vehicle parts and accessories. U.S.-Mexico merchandise trade data are shown in appendix tables A.36 through A.38.

U.S.-Mexican trade relations are governed in large part by NAFTA, which provides duty-free treatment to a sizable portion of the goods traded between the two parties (table 4.2).⁴⁸⁸ In

⁴⁸⁶ USTR, “United States Concludes Review of Model Bilateral Investment Treaty,” April 2012.

⁴⁸⁷ Ibid.

⁴⁸⁸ For more information on NAFTA, see chapter 4.

Figure 5.7 U.S. merchandise trade with Mexico, 2009–13



Source: Official trade statistics of the USDOC as maintained by USITC.

Figure 5.8 U.S. private services trade with Mexico, 2009-13^a



Source: Official trade statistics of the USDOC as maintained by USITC.

^aData for 2013 are preliminary.

October 2012, Mexico officially joined the ongoing negotiations under the Trans-Pacific Partnership (TPP), a prospective regional trade agreement between the United States and 11 other countries (including Mexico).⁴⁸⁹

Various trade disputes between the United States and Mexico were the subject of WTO and NAFTA dispute settlement proceedings in 2013. These include long-standing WTO disputes brought by Mexico on U.S. requirements for country of origin labeling and U.S. measures relating to the importation, marketing, and sale of tuna and tuna products, both of which remained in the compliance stage in 2013. The procedural developments in each of these cases are listed in appendix tables A.25 and A.26, respectively.

To strengthen the U.S.-Mexico commercial and economic relationship, a new High Level Economic Dialogue (HLED) was established in 2013; it is described below. Also summarized below are developments in bilateral regulatory cooperation and developments related to NAFTA's cross-border trucking provisions.

High Level Economic Dialogue

On May 2, 2013, the presidents of the United States and Mexico met in Mexico City and announced the formation of the HLED, whose goal is to promote competitiveness and connectivity; foster economic growth, productivity, entrepreneurship, and innovation; and build a partnership for regional and global leadership.⁴⁹⁰ The HLED intends to advance strategic economic and commercial priorities central to promoting mutual economic growth, job creation, and competitiveness. The HLED, which will be led at the cabinet level and meet annually, aims to build on a variety of existing successful bilateral dialogues and working groups.⁴⁹¹

On September 20, 2013, Vice President Biden, together with Mexican government officials, launched the HLED in Mexico City, co-chaired by the U.S. Department of State, U.S. Department of Commerce, Office of the U.S. Trade Representative, and their Mexican counterparts.⁴⁹² To accomplish the goals laid out in the HLED work plan,

the United States and Mexico plan to: continue the work of the Mexico-U.S. Entrepreneurship and Innovation Council (MUSEIC) and expand entrepreneurship delegation exchanges; collaborate on organizing an information and communications technology road show, regulatory workshop series, and broadband innovation information exchanges; announce negotiations to modernize and expand our bilateral air transport relationship; develop an agenda of ongoing cooperation on

⁴⁸⁹ TPP is discussed in chapter 4.

⁴⁹⁰ White House, "Fact Sheet: U.S.-Mexico Partnership," March 12, 2013; White House, "Fact Sheet: U.S.-Mexico High Level Economic Dialogue," September 20, 2013.

⁴⁹¹ White House, "Fact Sheet: U.S.-Mexico Partnership," March 12, 2013.

⁴⁹² White House, "Fact Sheet: U.S.-Mexico High Level Economic Dialogue," September 20, 2013; USDOC, "Secretary Pritzker Co-Chairs U.S.-Mexico High Level Economic Dialogue," September 20, 2013; USDOC, ITA, Fact Sheet "High Level Economic Dialogue" (accessed March 13, 2014).

intelligent transportation and freight systems; make efficient use of the North American Development Bank by supporting new and ongoing cross-border initiatives and directing its Board to begin an assessment of the Bank's long-term capital needs as well as how it can more effectively leverage private sector capital to support border infrastructure; and pursue joint investment initiatives.⁴⁹³

High-Level Regulatory Cooperation Council

On May 19, 2010, Mexico and the United States established the U.S.-Mexico High-Level Regulatory Cooperation Council (HLRCC) to enhance regulatory cooperation between the United States and Mexico through bilateral working groups composed of senior regulatory, trade, and foreign affairs officials from both countries.⁴⁹⁴ In March 2011 the HLRCC published terms of reference⁴⁹⁵ that set a goal of developing a work plan within two years. The work plan was to identify sectors in which both governments considered that harmonized regulations would be likely to reduce transaction costs and have a high positive impact on economic growth. Released in February 2012, the HLRCC's work plan stipulated that the effort should include a focus on standards and technical regulations that mitigate risk—such as safety, health, and environmental risk—and that regulations should be consistent within the NAFTA region. Important economic aims are to facilitate intra-North American commerce and enhance the competitiveness of North American producers in key export markets, with a focus on small and medium-sized enterprises.

Work Plan

After extensive consultations with private sector stakeholders, public comment, and bilateral discussion within the HLRCC, the council released the initial United States-Mexico HLRCC Work Plan on February 28, 2012, covering the period 2012–13.⁴⁹⁶ The work plan addressed regulatory issues in the areas of food and agriculture, energy, transportation, health, technology, and standards accreditation. Specific sectoral subjects focused on seven areas: food safety modernization, electronic certification (“e-certification”) for plants and plant products, commercial motor vehicle safety standards and procedures, electronic health record systems (“e-health”), offshore oil and gas development standards, nanotechnology, and the cross-sectoral issue of accreditation of conformity assessment bodies.

⁴⁹³ White House, “Fact Sheet: U.S.-Mexico High Level Economic Dialogue,” September 20, 2013. On February 19, 2014, the presidents of Canada, Mexico, and the United States held the North American Leader's Summit in Toluca, Mexico. At the summit, the presidents stated, “We are determined to promote inclusive broad-based economic growth for the wellbeing of our citizens, so that 21st century North America sets new global standards for trade, education, sustainable growth, and innovation.” White House, “Joint Statement by North American Leaders,” February 19, 2014; USDOC, “U.S. Secretary of Commerce Penny Pritzker Attends,” February 19, 2014.

⁴⁹⁴ White House, “Joint Statement from President Barack Obama and President Felipe Calderón,” May 19, 2010; USDOC, ITA, “U.S.-Mexico High Level Regulatory Cooperation Council” (accessed May 1, 2014).

⁴⁹⁵ White House, “Terms of Reference for the High-Level Regulatory Cooperation Council,” March 3, 2011.

⁴⁹⁶ White House, Executive Office of the President, *United States-Mexico High Level Regulatory Cooperation Council*, February 28, 2012.

2013 Progress Report

On August 15, 2013, the HLRCC published its first “Progress Report to Leaders,” including an appendix discussing regulations for nanotechnologies.⁴⁹⁷ The report lists the agencies involved, recounts meetings held during 2012–13, and details the current status of discussions in the seven sectoral topics set out in the work plan.

On food safety, a key topic has been the U.S. Food Safety Modernization Act. The report noted that Mexico was developing an e-certification system as part of the Mexican Single Window for Foreign Trade (VUCEM)⁴⁹⁸ following the release on June 27, 2013, of an electronic module for the Phytosanitary Certificate Issuance and Tracking system in the United States. In the area of transportation, the report cited progress toward alignment of truck safety standards to eliminate duplication of verification costs for vehicles entering either country, as well as progress toward developing a plan to recognize Mexico’s certifications of commercial vehicle inspection as the legal equivalent to inspections under U.S. law. Discussion of e-health record systems centered around sharing best regulatory practices for e-health certification programs, information exchange on interoperability standards for electronic health records, and the creation of a framework to establish core vocabularies for electronic health records. Regarding offshore oil and gas standards, discussions focused on developing a framework to identify critical oil and gas exploration and production activities in the Gulf of Mexico. The discussions centered on sharing best practices employed worldwide, as well as participation in offshore platform inspection and workshops to review lessons learned concerning oil spill responses.

Appendix A of the 2013 Progress Report contains guidelines for nanotechnology regulation drafted by Mexico in accordance with Mexican legal provisions.⁴⁹⁹ According to the appendix, the guidelines were developed in particular to help protect the environment, human health, and the consumer. Presented in Mexico City on November 12, 2012, the guidelines note that nanotechnology in Mexico is found in materials such as cosmetic products, coatings, bactericides, textiles, and other products. Among other principles, the guidelines state that regulations on nanotechnology, when needed, (1) should be based on sound technical and scientific evidence, (2) should protect worker health and the environment, and (3) should involve open communication with trade partners.⁵⁰⁰

The report also addressed a cross-sectoral issue: the accreditation of conformity assessment bodies. The progress report detailed activities undertaken by U.S. and Mexican regulatory agencies to increase recognition of U.S. and Mexican laboratories in the two countries. The activities focused on improving Mexican laboratories’ understanding of technical requirements and application processes in the United States and on making Mexican regulations more transparent to U.S. laboratories seeking certification.

⁴⁹⁷ United States-Mexico Regulatory Cooperation Council, “Progress Report to Leaders,” August 15, 2013.

⁴⁹⁸ In Mexico, *Ventanilla Digital Mexicana de Comercio Exterior*.

⁴⁹⁹ United States-Mexico Regulatory Cooperation Council, “Progress Report to Leaders,” August 15, 2013, appendix

A.

⁵⁰⁰ *Ibid.*

Cross-Border Trucking between the United States and Mexico

Before 2000, all Mexican trucks were limited to trucking goods in the United States within the “commercial zones” (which extend up to 25 miles into the United States along the U.S.-Mexico border). Under the cross-border trucking commitments found in Chapter 12 of NAFTA, Mexican trucks were allowed to provide cross-border truck services throughout the United States beginning in 2000. The implementation of these provisions was delayed because of U.S. safety concerns.⁵⁰¹ To address these concerns, in 2011 the U.S. Department of Transportation established a Pilot Program on the NAFTA Long-Haul Trucking Provisions,⁵⁰² following the suspension of an earlier program.⁵⁰³ The pilot program was not to exceed three years.⁵⁰⁴

Under the pilot program, on July 8, 2011, the Federal Motor Carrier Safety Administration (FMCSA) authorized Mexico-domiciled motor carriers to transport cargo throughout the United States (long-haul operations).⁵⁰⁵ To enter the pilot program, Mexican trucks must meet criteria that U.S. and Mexican government officials agreed upon.⁵⁰⁶ The agreement also stipulated that before a carrier has completed 18 months of operation under the pilot program, a final compliance review is to be conducted. Carriers that pass the review are granted a permanent operating authority to operate throughout both countries.⁵⁰⁷

In 2012, FMCSA conducted an audit of the program, concluding that there might not be enough authorized carriers to statistically assess the safety of the pilot program. The audit, covering the period from October 2011 through May 2012, noted that “The low participation in the pilot program puts FMCSA at risk of not meeting its goals for providing an adequate and representative sample of Mexico-domiciled carriers and inspections necessary to assess the impact on motor carrier safety.”⁵⁰⁸ FMCSA estimated that at least 46 carriers would be needed to conduct a target of 4,100 inspections over a period of three years.

As of December 2013, FMCSA had active long-haul operating authority for 14 Mexican-domiciled motor carriers. These carriers had a total of 56 participating vehicles authorized to

⁵⁰¹ Developments in cross-border truck services between the United States and Mexico from 1981 to 2012 are reported in USITC, *The Year in Trade 2008, 2009*, 5-16; USITC, *The Year in Trade 2009, 2010*, 5-16; USITC, *The Year in Trade 2010, 2011*, 5-12; USITC, *The Year in Trade 2011, 2012*, 5-14; USITC, *The Year in Trade 2012, 2013*, 5-13.

⁵⁰² 76 Fed. Reg. 20807 (April 13, 2011).

⁵⁰³ The earlier program was suspended in 2009. In response, Mexico retaliated by suspending NAFTA preferential tariffs on certain U.S. products. In 2011, Mexico eliminated the retaliatory duties after the first Mexican carrier was authorized to enter the 2011 pilot program. For more details, see USITC, *The Year in Trade 2011, 2012*, 5-14; USITC, *The Year in Trade 2012, 2013*, 5-13.

⁵⁰⁴ Details of the program are reported in USITC, *The Year in Trade 2011, 2012*, 5-14.

⁵⁰⁵ 76 Fed. Reg. 40420 (July 8, 2011).

⁵⁰⁶ USDOT, FMCSA, “Memorandum of Understanding on International Freight,” July 6, 2011.

⁵⁰⁷ Ibid.

⁵⁰⁸ USDOT, FMCSA, “Increased Participation and Improved Oversight Mechanisms,” August 16, 2012, 2.

operate throughout the United States, and the trucks underwent a total of 4,209 inspections.⁵⁰⁹ The program is scheduled to end in October 2014.

Japan

In 2013, Japan remained the fourth-largest single-country U.S. trading partner in terms of two-way merchandise trade. Japan accounted for 5.5 percent of total U.S. merchandise trade, down from 5.8 percent in 2012. U.S.-Japan two-way trade has not changed significantly since the late 1990s, a trend driven in part by slow growth in Japan that was further exacerbated by the Great East Japan Earthquake disaster of 2011. In addition, Japanese producers increasingly rely on operations in third-country Asian markets to meet global demand as well as regional supply chains to further process Japanese intermediate goods; the result is a relative decline in Japanese exports to the United States and other markets not directly within its downstream supply chains.⁵¹⁰

U.S. merchandise trade with Japan was \$197.6 billion in 2013, a decrease of 5.5 percent from 2012 that resulted from lower exports and imports and was characteristic of a decline in the value of Japanese global trade.⁵¹¹ The United States recorded a merchandise trade deficit with Japan of \$78.3 billion in 2013, roughly equivalent to the \$79.9 billion deficit in 2012 (figure 5.9). The stability of the bilateral trade deficit was due to nearly identical declines in the value of U.S. exports to and imports from Japan.

Japan was the United States' third-largest single-country trading partner in services, behind the United Kingdom and Canada, in 2013. U.S. services exports to Japan rose 2.6 percent to \$47.7 billion, while imports of services from Japan rose 8.2 percent to \$29.1 billion. The result was a \$971 million decrease in the U.S. services surplus with Japan, to \$18.6 billion, in 2013 (figure 5.10).

Japan remained the fourth-largest destination for U.S. merchandise exports, accounting for 4.4 percent of global U.S. exports. Between 2012 and 2013, however, U.S. merchandise exports to Japan fell by 7.6 percent, from \$64.6 billion in 2012 to \$59.7 billion in 2013. Leading U.S. exports to Japan were aircraft and parts, certain medicaments (medicines), corn, pork, wheat, and soybeans. The decline in U.S. exports to Japan was broadly based across most major sectors, such as corn (which fell by \$1.2 billion) and aircraft and parts (which fell by \$1.0 billion). Nonetheless, certain leading products experienced significant export growth, including liquefied propane, which increased by \$427 million, and machines used to manufacture semiconductor devices or electronic integrated circuits, which increased by \$441 million.

⁵⁰⁹ USDOT, FMCSA, Mexico Cross-Border Trucking Pilot Program, "Operational Update Reports," 12/23/2013–12/29/2013 (revised 01/27/2014); USDOT, FMCSA, "Mexico-Domiciled Motor Carriers with Active Operating Authority," December 29, 2013.

⁵¹⁰ CRS, *U.S.-Japan Economic Relations: Significance, Prospects*, February 18, 2014, 4–5; JETRO, *FY2013 Survey on the International Operations of Japanese Firms*, February 27, 2014.

⁵¹¹ GTIS, Global Trade Atlas database (accessed April 4, 2014). The EIU reports that the annual average exchange rate between the U.S. dollar and the Japanese yen increased from 79.8 ¥/\$ in 2012 to 97.6 ¥/\$ in 2013. Therefore, the apparent decline in the U.S.-dollar value of Japanese trade may in part reflect the substantial depreciation of the Japanese yen relative to the U.S. dollar that occurred between 2012 and 2013.

Figure 5.9 U.S. merchandise trade with Japan, 2009–13



Source: Official trade statistics of the USDOC as maintained by USITC.

Figure 5.10 U.S. private services trade with Japan, 2009-13^a



Source: Official trade statistics of the USDOC as maintained by USITC.

^aData for 2013 are preliminary.

Japan remained the fourth-largest source of U.S. merchandise imports, accounting for 6.2 percent of global U.S. imports. U.S. merchandise imports from Japan fell by 4.6 percent to \$138.0 billion in 2013, down from \$144.5 billion in 2012. Leading U.S. imports from Japan were passenger vehicles and parts, aircraft parts, parts for printers and copying machines, and heavy construction equipment. The decline in U.S. imports from Japan was led by a variety of products, including certain automotive parts, electronics, and heavy machinery. However, imports of passenger vehicles remained stable, while imports of certain aircraft parts generally increased. U.S.-Japan merchandise trade data are shown in appendix tables A.39 through A.41.

Economic dialogue between the United States and Japan in 2013 centered on Japan's official entry into TPP negotiations in July 2013, including bilateral consultations beforehand and formal negotiations afterward. As part of these discussions, Japan agreed to work with the United States to address several long-standing trade concerns. These involved automotive market access, insurance and express delivery competition policy, and cross-cutting nontariff barriers to trade, such as standards and lack of transparency. In addition, Japan coordinated closely with the United States on a variety of WTO dispute settlement matters involving third-country markets, including a dispute concerning Chinese export restraints on rare earths, tungsten, and molybdenum.⁵¹² Japan and the United States also worked together in negotiations to expand the products covered by the WTO Information Technology Agreement, as well as the membership of the agreement.⁵¹³

TPP Negotiations and Dialogue

Between February 2012 and April 2013, bilateral economic dialogue between the United States and Japan was largely driven by consultations regarding Japan's interest in joining the TPP.⁵¹⁴ In exchange for U.S. support for Japan's entrance into TPP negotiations, the United States looked for Japan to address three "confidence-building measures" related to Japanese restrictions on U.S. beef, market access for U.S. automotive exports, and insurance competition policy.⁵¹⁵ As indicated further below, Japan took steps to address all three of these concerns before formally joining the negotiations. Japan also indicated its willingness to join the 11 other TPP partners in negotiating a high-standard trade agreement, including market access for industrial and agricultural goods, open markets for services and investment, protection of the environment, workers' rights, and IPR. Japan further agreed to subject all goods to negotiation.⁵¹⁶

Before Japan entered into TPP negotiations, Japanese and U.S. policy makers also agreed to conduct bilateral negotiations parallel to the multilateral negotiations. These talks were designed to produce outcomes that would be incorporated into the final TPP agreement once

⁵¹² USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, 9.

⁵¹³ *Ibid.*, 4, 142.

⁵¹⁴ USTR, "Toward the Trans-Pacific Partnership," April 12, 2013. For additional information on the TPP, see chapter 4.

⁵¹⁵ CRS, *U.S.-Japan Economic Relations: Significance, Prospects, and Policy Options*, February 18, 2014, 12.

⁵¹⁶ USTR, "Toward the Trans-Pacific Partnership," April 12, 2013; USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, 2-3.

concluded.⁵¹⁷ These bilateral negotiations will continue to focus on the insurance sector of the Japanese market and automotive market access issues. In addition, the United States and Japan agreed to use this bilateral negotiating framework to address a variety of cross-cutting nontariff measures in Japan that affect U.S. exporters and investors. The United States stated that it would seek more transparency in Japanese public decision making, including by increasing access to ministry-appointed advisory councils and through public comment procedures; facilitation of opportunities for mergers and acquisitions; stronger copyright, trademark rights, and enforcement of IPR; flexibility and transparency in standards setting and greater adoption of international standards; improved government procurement bidding processes; fairer competition policy, including competition policy governing express delivery services; and less restrictive SPS measures.⁵¹⁸

Following the conclusion of preliminary consultations with the United States as well as with other TPP countries, the President notified Congress of his intent to include Japan in the TPP negotiations in April 2013.⁵¹⁹ After a 90-day consultation period with Congress and the public on U.S. negotiating objectives with respect to Japan, Japan entered formal TPP negotiations during the 18th round in July 2013.⁵²⁰ As multilateral TPP negotiations continued throughout 2013, the United States and Japan had four rounds of bilateral parallel negotiations.⁵²¹

Passenger Vehicle Market Access

Despite the presence of a large domestic passenger vehicle market in Japan and a globally competitive passenger vehicle industry in the United States, U.S. manufacturers have been unable to make significant sales to this market. In order to address these concerns over market access, the United States used bilateral discussions both before and after Japan's entry into TPP negotiations to address long-standing concerns over barriers to trade in such goods. The passenger vehicle consultations and negotiations focused on transparency in regulations, standards and conformity assessment, and on facilitating the adoption and distribution of "green" and new-technology vehicles, as well as other issues.⁵²² Japan and the United States further agreed to negotiate a special motor vehicle safeguard provision as part of the TPP, as well as a "mechanism to 'snap back' tariffs" as a remedy in dispute settlement cases."⁵²³

In addition, Japan announced in April 2013 that it would more than double the number of motor vehicles that could enter under its Preferential Handling Procedure (PHP), an easier, faster certification program used to quickly establish safety and environmental compliance of imported vehicles. U.S. producers would be able to export up to 5,000 vehicles annually, per

⁵¹⁷ USTR, "Transcript: Briefing by USTR Ambassador Froman," December 10, 2013.

⁵¹⁸ USTR, "Toward the Trans-Pacific Partnership," April 12, 2013; USTR, "Fact Sheet: Non-Tariff Measures: U.S. Consultations with Japan," April 12, 2013.

⁵¹⁹ USTR, "Obama Administration Notifies Congress of Intent," April 24, 2013.

⁵²⁰ USTR, "Statement on the 18th Round of Trans-Pacific Partnership Negotiations," July 25, 2013.

⁵²¹ USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, 142. These parallel bilateral negotiations continued into 2014.

⁵²² USTR, *Motor Vehicle Trade: Terms of Reference*, April 12, 2013.

⁵²³ USTR, "Toward the Trans-Pacific Partnership," April 12, 2013.

model, under the PHP program, up from 2,000 vehicles.⁵²⁴ Japan also agreed that, in a finalized agreement, U.S. tariffs on imports of Japanese motor vehicles would be phased out in accordance with the longest staging period established during the TPP negotiations, and that these phase-outs would be “back loaded” to take place at the end of the staging period.⁵²⁵

Japan Post

In 2013, the United States continued to press Japan on the competitive position held by Japan Post Holdings Co. (Japan Post), a publicly held company, in the banking, insurance, and express delivery sectors of the Japanese economy.⁵²⁶ As in previous years, a major concern for U.S. policy makers and business leaders has been that Japan Post uses its size and the variety of its domestic holdings to cross-subsidize and promote its services across sectors, allowing it to monopolize services markets. In addition, Japan Post is subject to fewer reporting and customs clearance requirements than private companies, which may give it a competitive advantage over both smaller domestic firms and foreign competitors. While the United States remains neutral as to whether Japan Post should be privatized, it is concerned that these advantages do not allow smaller domestic businesses or international providers to compete on a level playing field within the banking, insurance, and express delivery services sectors.⁵²⁷

In 2007, former Prime Minister Koizumi’s government introduced reforms designed to privatize and separate the holdings of Japan Post, thereby making them subject to the same regulations as private firms. However, successor governments moved to reverse or mitigate these reforms before they were fully implemented, and the Japanese Diet passed legislation in April 2012 to loosen regulatory requirements on Japan Post as part of a compromise among various Japanese political parties.⁵²⁸ This legislation extended Japan Post companies’ exemptions from the Insurance Business Law and Banking Law, gave companies within Japan Post more latitude to expand their business scope, and increased interconnectedness between the Japan Post’s mail delivery and network operations subsidiaries.⁵²⁹

As part of the consultative process leading to Japan’s entrance into TPP negotiations, the United States and Japan agreed to address “level playing field” issues relating to Japan Post insurance and express delivery operations. Japan unilaterally announced in April 2013 that it would not approve new or modified cancer insurance and/or stand-alone medical products sold

⁵²⁴ Ibid.

⁵²⁵ Ibid.

⁵²⁶ USTR, “Toward the Trans-Pacific Partnership,” April 12, 2013; USTR, “Non-Tariff Measures: U.S. Consultations with Japan,” April 12, 2013. Japan Post is a Japanese conglomerate owned by the government of Japan; it supplies integrated postal, banking, and insurance services, among other services. Japan Post Group, *Annual Report 2013*, July 2013.

⁵²⁷ USTR, *2014 National Trade Estimate Report on Foreign Trade Barriers*, March 2014, 180–182.

⁵²⁸ CRS, *U.S.-Japan Economic Relations: Significance, Prospects, and Policy Options*, February 18, 2014, 10–11.

⁵²⁹ USTR, *2014 National Trade Estimate Report on Foreign Trade Barriers*, March 2014, 180–182; USTR, *2013 National Trade Estimate Report on Foreign Trade Barriers*, April 2013, 180; WTO, *Trade Policy Review: Japan*, February 21, 2013, 87–88.

by Japan Post Insurance until it determined that equivalent conditions of competition exist between Japan Post and private insurance companies.⁵³⁰

Agriculture Products

Japan banned imports of U.S. beef in December 2003 due to concerns about BSE, following years in which Japan was the largest export market for U.S. beef.⁵³¹ The ban was adjusted in July 2006 to exclude cuts from cattle older than 20 months of age; nevertheless, the restrictions effectively banned most of the high-quality beef that U.S. exporters had traditionally shipped to Japan.⁵³² Discussions between officials in Japan and the United States continued after this time, culminating in a bilateral meeting between President Obama and then-Prime Minister Yoshihiko Noda on the sidelines of the 2011 APEC Leaders' Meeting, after which the Japanese Prime Minister announced that Japan would review current restrictions on U.S. beef imports.⁵³³

Between December 2011 and October 2012, Japan's independent Food Safety Commission conducted a risk assessment on raising the age limit of cattle that can be used to supply U.S. beef products for export to Japan.⁵³⁴ The United States and Japan agreed to expand U.S. beef exports to Japan in January 2013, with Japan permitting beef from cattle less than 30 months of age and revising other restrictive standards for U.S. beef exports. In addition, the two governments agreed to hold both regular and ad hoc consultations to review progress under the agreement to address any issues that may arise. Japan further confirmed that an ongoing Food Safety Commission risk assessment is considering raising the age limit above 30 months for beef from the United States.⁵³⁵ The United States continued to press Japan for full market access for beef from animals of all ages.⁵³⁶

The U.S. and Japanese governments also engaged in other productive discussions covering agricultural market access issues. In September 2013, the United States and Japan announced the United States-Japan Organic Equivalency Arrangement. This bilateral agreement allows products certified as organic in Japan or in the United States to be sold as organic in either country without the need to obtain separate certifications in each country.⁵³⁷ Also during 2013, the U.S. government expressed concerns over Japan's Wood Use Points Program (WUPP), an incentive program designed to encourage Japanese homeowners and builders to use local wood species. As a result of a petitioning effort by the U.S. Embassy, the Softwood Export Council, and American academic institutions, Japan's National Land Afforestation Promotion

⁵³⁰ USTR, "Toward the Trans-Pacific Partnership," April 12, 2013.

⁵³¹ USITC, *Year in Trade 2010*, 2011, 5-16.

⁵³² USTR, "U.S. Trade Representative Ron Kirk and Agriculture Secretary Tom Vilsack," January 2013; USITC, *Year in Trade 2011*, 2012, 5-18 to 5-19.

⁵³³ White House, "Readout by the Press Secretary on the President's Meeting," November 12, 2011.

⁵³⁴ USTR, "U.S. Trade Representative Ron Kirk and Agriculture Secretary Tom Vilsack," January 2013.

⁵³⁵ *Ibid.*

⁵³⁶ USTR, *2014 Report on Sanitary and Phytosanitary Measures*, March 2014.

⁵³⁷ USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, Annex III; USTR, "United States and Japan Streamline Organic Trade," September 26, 2013.

Organization approved inclusion of U.S. Douglas fir as an eligible species under the WUPP program in December 2013.⁵³⁸

U.S. officials continued to work with their Japanese counterparts to resolve SPS restrictions in the Japanese market involving food additives, gelatin and collagen, poultry, and potatoes. In a development affecting a variety of U.S. agricultural exports, Japan changed its risk assessments of fungicides into a single, streamlined process and allowed U.S. agrochemical companies submitting registration applications with the U.S. Environmental Protection Agency to simultaneously apply for import tolerances in Japan.⁵³⁹

Republic of Korea

The Republic of Korea (Korea) was the United States' sixth-largest single-country trading partner in 2013. Two-way merchandise trade was valued at \$101.0 billion in 2013, accounting for 2.8 percent of U.S. trade with the world. The United States recorded a \$23.0 billion merchandise trade deficit with Korea in 2013, or 28.5 percent higher than in 2012 (figure 5.11). The U.S. trade surplus in services with Korea increased by over \$2 billion, or by nearly 28 percent, to \$11.1 billion in 2013 (figure 5.12).

U.S. merchandise exports to Korea were valued at \$39.0 billion in 2013, a decrease of 2.5 percent from 2012. Leading U.S. exports to Korea during the year included aircraft, spacecraft, and parts, valued at \$2.6 billion; processors or controllers, valued at \$2.4 billion; and machines for the production of semiconductor devices or electronic integrated circuits, valued at \$1.2 billion. Other leading U.S. exports in 2013 were ferrous waste and scrap, medicaments, and coal. Of the top five exports to Korea, growth in value occurred in processors or controllers (21.4 percent) and medicaments (25.7 percent). Significant decreases occurred in machines for the manufacture of semiconductor devices or electronic integrated circuits and ferrous waste and scrap (32.4 percent and 20.3 percent, respectively). The value of the top U.S. export—aircraft, spacecraft, and parts—after jumping nearly 40 percent from 2011 to 2012, fell by 0.6 percent from 2012 to 2013.

U.S. merchandise imports from Korea totaled \$62.0 billion in 2013, an increase of 7.1 percent from 2012. Some of the top products imported from Korea saw significant gains, including motor vehicles, cellphones, and parts for automatic data processing machines. Though imports of cellphones have not recovered to 2011 levels and declined 40.9 percent from 2011 to 2012, they increased more than 30 percent from 2012 to nearly \$6 billion in 2013. Imports of passenger vehicles with cylinder capacity between 1,000 cc and 1,500 cc increased in value by 517 percent from 2012. Few of the top imports experienced significant decreases in value from 2012, with the exception of car tires, mechanical shovels, and seamed pipe. U.S.-Korea merchandise trade data are shown in appendix tables A.42 through A.44.

⁵³⁸ USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, 20; SEFS, "CINTRAFOR Scores Major Victory for Pacific Northwest," January 15, 2014.

⁵³⁹ USTR, *2014 Report on Sanitary and Phytosanitary Measures*, March 2014, 60–64.

Figure 5.11 U.S. merchandise trade with Korea, 2009–13



Source: Official trade statistics of the USDOC as maintained by USITC.

Figure 5.12 U.S. private services trade with Korea, 2009-13^a



Source: Official trade statistics of the USDOC as maintained by USITC.

^aData for 2013 are preliminary.

Korea was the United States' 10th-largest single-country trading partner in services in 2013. U.S. services exports to Korea increased 13.5 percent from 2012 to reach \$20.5 billion in 2013, while U.S. services imports from Korea remained relatively unchanged from 2012 levels at just over \$9 billion.

The U.S.-Korea FTA (KORUS) entered its second year of implementation in 2013. Korea expressed interest in joining the TPP in November 2013, and its inclusion, at the appropriate time, was welcomed by USTR.⁵⁴⁰ After requesting consultations through the WTO in August, Korea and the United States held consultations on antidumping and countervailing duty measures imposed on large residential washers from Korea in October. In December, Korea requested the establishment of a WTO dispute resolution body panel to address this matter.⁵⁴¹

U.S.-Korea FTA

The KORUS FTA entered into force on March 15, 2012. The agreement ends tariffs on over 95 percent of U.S. exports of industrial and consumer goods by 2016.⁵⁴² The second round of tariff cuts under the KORUS FTA occurred on January 1, 2013. Through a combination of tariff elimination and expansion of tariff-rate quotas, nearly two-thirds of U.S. agricultural exports to Korea are now eligible for duty-free treatment.⁵⁴³

On October 5, the second meeting of the KORUS FTA Joint Committee was held on the margins of the APEC ministerial in Bali, Indonesia. The Joint Committee is the premier committee under the FTA, responsible for supervising its implementation, coordinating the work of its other committees, and resolving issues that may arise. The two parties discussed origin verification, financial services, and automotive issues, and also updated each other on free trade agreements and regional trade agreements that were being negotiated.⁵⁴⁴ A Senior Officials Meeting was held on November 17, 2013, to follow up on the topics discussed in the October meeting and report on the FTA committees and working groups.⁵⁴⁵

In 2013, 12 of the 19 FTA committees and working groups held meetings. Among these were the Environmental Affairs Council, the Committee on Sanitary and Phytosanitary Matters, the Labor Affairs Council, the Professional Services Working Group, the Fisheries Committee, the Committee on Technical Barriers to Trade, the Automotive Working Group, the Working Group on Small and Medium Sized Enterprises, the Committee on Trade in Goods, and the Medicines and Medical Devices Committee.⁵⁴⁶ The Labor Affairs Council held its first meeting on March

⁵⁴⁰ USTR, "Statement by U.S. Trade Representative Michael Froman on Korea's Announcement," November 29, 2013.

⁵⁴¹ WTO, "Dispute Settlement: DS464; United States—Anti-dumping and Countervailing Measures on Large Residential Washers from Korea" (accessed April 9, 2014); USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 3, 2014, 96–97.

⁵⁴² USTR, "U.S.-Korea Free Trade Agreement Shows Strong Results," March 12, 2014.

⁵⁴³ USTR, *2014 National Trade Estimate Report on Foreign Trade Barriers*, March 2014, 208.

⁵⁴⁴ USTR, "Readout of the Second Meeting," October 18, 2013; USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, 127.

⁵⁴⁵ USTR, "Readout of the Second Meeting," October 18, 2013.

⁵⁴⁶ *Ibid.*

18–19, 2013, in Washington, DC. Participants reaffirmed commitments under the Labor Chapter and discussed specific priority areas to address, which included information sharing on employment and labor statistics and collaboration on global supply chain issues.⁵⁴⁷

Beef

Until 2008, the Korean market had been closed to imports of U.S. beef for several years. In 2008, the United States and Korea reached an agreement under which Korea would reopen its markets fully to U.S. beef and beef products. As a result of a voluntary commercial understanding, the United States may export beef from animals less than 30 months of age to Korea until Korean consumer confidence improves. Additionally, under KORUS, Korea has agreed to eliminate its 40 percent tariff on beef over a period of 15 years. In 2013, Korea was the fifth-largest export market for U.S. beef.⁵⁴⁸

Brazil

In 2013, Brazil was the United States' ninth-largest single-country trading partner. Brazil is also the United States' second-largest Latin American trading partner and its largest South American trading partner. Two-way merchandise trade between the United States and Brazil shrank 6.5 percent to \$64.5 billion in 2013, accounting for 1.8 percent of total U.S. trade with the world. The decline in two-way trade was a result of a decrease in U.S. imports from Brazil, as U.S. exports to Brazil increased very slightly from 2012 levels. After a steady increase in the merchandise trade balance from 2009 to 2011, the United States' 2012 trade surplus fell by nearly 20 percent from 2010 and 2011 levels. In 2013, however, the U.S. trade surplus with Brazil recovered and surpassed 2010 and 2011 levels, reaching \$10.8 billion, or a striking 94.6 percent increase from 2012 (figure 5.13). Brazil was the United States' eighth-largest single-country two-way trading partner in services. The U.S. trade surplus in services trade with Brazil rose by 2.8 percent in 2013, reaching \$17.5 billion (figure 5.14).

Leading U.S. exports to Brazil included aircraft and parts, petroleum-related oils and refined petroleum products, wheat, coal, light oils and preparations, medicaments, and propane. In 2013, exports of U.S. wheat to Brazil jumped over 9,000 percent from 2012 levels, reaching a value of \$1.2 billion, the highest level in 30 years.⁵⁴⁹ This increase was a result of a poor crop in Argentina caused by bad weather and subsequent export restrictions in Argentina, traditionally Brazil's main supplier of imported wheat. In 2013, Brazil temporarily lowered the 10 percent tariff on wheat from non-Mercosur countries to zero.⁵⁵⁰ The remaining top five exports to Brazil declined from 2012 levels, though there were increases in the other leading exports, including propane and insecticides.

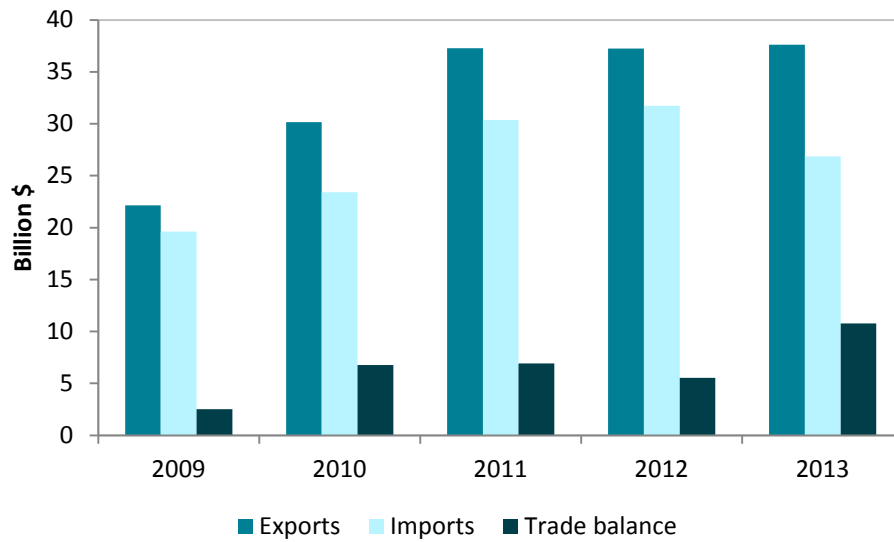
⁵⁴⁷ Department of Labor, "Joint Statement of the Labor Affairs Council," March 19, 2013.

⁵⁴⁸ USTR, *2014 National Trade Estimate Report on Foreign Trade Barriers*, March 2014, 208–9.

⁵⁴⁹ USDA, FAS, "Brazil: U.S. Wheat Exports to Brazil," February 19, 2014.

⁵⁵⁰ USDA, FAS, "Brazil: Grain and Feed Update," January 23, 2014. Mercosur (or Mercosul, in Portuguese) is a South American common market agreement among Argentina, Brazil, Paraguay, Uruguay, and Venezuela. Bolivia, Chile, Colombia, Ecuador, Guyana, Peru, and Suriname are associate members.

Figure 5.13 U.S. merchandise trade with Brazil, 2009–13



Source: Official trade statistics of the USDOC as maintained by USITC.

Figure 5.14 U.S. private services trade with Brazil, 2009-13^a



Source: Official trade statistics of the USDOC as maintained by USITC.

^aData for 2013 are preliminary.

U.S. imports from Brazil decreased in value by over 15.3 percent from 2012, falling to \$26.9 billion in 2013. Over half of the nearly \$5 billion decrease in imports from Brazil is a result of the 50.5 percent decline in value of U.S. imports of crude petroleum from Brazil, which reflected a 42.3 percent decline in the quantity of crude petroleum imported from Brazil.⁵⁵¹ Other leading imports that decreased in value include semifinished iron products, petroleum oils, ethyl alcohol, unroasted coffee, and non-alloy pig iron. U.S. imports from Brazil that increased from 2012 levels included aircraft, wood pulp, granite, and tobacco. U.S.-Brazil merchandise trade data are shown in appendix tables A.45 through A.47.

A number of developments in 2013 affected economic relations between the United States and Brazil. The October 2012 temporary tariff increases on 100 products imposed on imports from non-Mercosur countries expired in November 2013, and the Brazilian government announced that it did not intend to extend those tariffs or impose new tariff increases.⁵⁵² In December 2013, USDA and the Brazil Ministry of Agriculture released a joint statement indicating that the two agencies had agreed on a path towards amending rules that limit bilateral beef trade.⁵⁵³ In February 2013, the United States and Brazil informed the WTO DSB of a mutually satisfactory solution to a dispute regarding antidumping duties the United States had imposed on imported orange juice from Brazil.⁵⁵⁴ In September 2013, the amount of the monthly settlement payment to the Brazilian cotton fund resulting from a WTO dispute with Brazil on upland cotton was halved.⁵⁵⁵

Agreement on Trade and Economic Cooperation

The United States and Brazil held the second meeting of the Commission on Economic and Trade Relations under the United States-Brazil Agreement on Trade and Economic Cooperation in September 2013 in Brazil. The parties discussed trade and investment issues, including increased cooperation on investment; innovation; and small, medium-sized, and micro enterprises, as well as regulatory cooperation, market access, and procurement issues at this meeting.⁵⁵⁶ The parties also agreed to hold a third meeting in Washington, DC, in 2014.

Taiwan

In 2013, the United States reported \$60.8 billion in two-way merchandise trade with Taiwan, a modest increase of 0.4 percent over 2012 trade of \$60.6 billion. Taiwan remained the 11th-largest single-economy trading partner with the United States in 2013, accounting for 1.7 percent of total U.S. trade with the world. In 2013, U.S. exports to Taiwan increased, while U.S.

⁵⁵¹ USEIA, official statistics (accessed April 21, 2014).

⁵⁵² USTR, *2014 National Trade Estimate Report*, March 2014, 33.

⁵⁵³ USDA, "Joint Statement on U.S.-Brazil Beef Trade," December 18, 2013.

⁵⁵⁴ WTO, "Dispute Settlement: DS 382; "Administrative Reviews and Other Measures Related to Imports of Certain Orange Juice from Brazil" (accessed April 17, 2014).

⁵⁵⁵ *Inside U.S. Trade*, "U.S. Cuts Cotton Payment," October 1, 2013. For more information, see USITC, *The Year in Trade 2012*, July 2013, 5-21.

⁵⁵⁶ USTR, "United States and Brazil Hold Second Meeting," September 13, 2013.

imports from Taiwan declined slightly compared to the 2012 level. As a result, the United States' bilateral trade deficit with Taiwan fell by 15.5 percent, from \$16.9 billion in 2012 to \$14.3 billion in 2013 (figure 5.15). On the other hand, the U.S. services trade surplus with Taiwan increased 1.0 percent, from \$3.9 billion in 2012 to \$4.0 billion in 2013 (figure 5.16).

U.S. merchandise exports to Taiwan amounted to \$23.3 billion in 2013, a 6.6 percent increase from \$21.8 billion in 2012. Machines and instruments related to semiconductor manufacturing remained the leading U.S. exports to Taiwan, increasing 21.2 percent from 2012 and accounting for \$2.3 billion, or 10.1 percent, of 2013 merchandise exports. Other leading U.S. exports to Taiwan in 2013 were ferrous waste and scrap, aircraft and parts, light oils, soybeans, and military weapons and munitions. The increase in U.S. merchandise exports to Taiwan was mostly attributable to dramatic increases in two categories. U.S. exports of military weapons and munitions grew over 2,500 percent, from \$21.6 million in 2012 to \$564.1 million in 2013, while U.S. exports of light oils grew 154.0 percent, from \$352.1 million in 2012 to \$894.4 million in 2013.

U.S. merchandise imports from Taiwan amounted to \$37.5 billion in 2013, a 3.1 percent decrease from \$38.7 billion in 2012. Leading U.S. imports by value were cellphones, data processing machines, memory chips, electronic integrated circuits, processors, and radio navigational aid apparatus (GPS devices). Although cellphone imports fell 63.5 percent in 2012 and 25.4 percent in 2013, they remained the leading U.S. merchandise import from Taiwan. U.S. imports of GPS devices and reception apparatus for television also fell 41.4 percent and 44.1 percent in 2013, respectively. On the other hand, U.S. imports of memory chips and photosensitive semiconductor devices increased 32.0 percent and 32.9 percent in 2013, to \$1.4 billion and \$0.6 billion, respectively. U.S.-Taiwan merchandise trade data are shown in appendix tables A.48 through A.50.

In 2013, U.S.-Taiwan trade relations focused on the resumption of the high-level meetings under the U.S.-Taiwan Trade and Investment Framework Agreement (TIFA), Taiwan's import ban on U.S. beef and beef products, Taiwan's TRQ system for rice imports, and its inconsistent grading practice, which has affected imports of U.S. rice.

U.S.-Taiwan Trade and Investment Framework Agreement

The U.S.-Taiwan Trade and Investment Framework Agreement (TIFA), signed in 1994, has served as a key mechanism to strengthen bilateral commercial ties between the United States and Taiwan, and covers a broad range of trade and investment issues important to U.S. and Taiwan stakeholders.⁵⁵⁷ High-level meetings under the TIFA were to take place on an annual basis. However, the talks were suspended in 2007 due to a dispute over Taiwan's restrictions on imports of U.S. beef. In light of positive developments in the U.S.-Taiwan beef issue in 2012 (see

⁵⁵⁷ USTR, "United States and Taiwan Enhance Trade Ties," April, 2014.

Figure 5.15 U.S. merchandise trade with Taiwan, 2009–13



Source: Official trade statistics of the USDOC as maintained by USITC.

Figure 5.16 U.S. private services trade with Taiwan, 2009-13^a



Source: Official trade statistics of the USDOC as maintained by USITC.

^aData for 2013 are preliminary.

section below), the United States and Taiwan resumed the TIFA talks in March 2013.⁵⁵⁸ The outcome of the March meeting included the establishment of two working groups on investment and technical barriers to trade, as well as joint statements on principles for information and communications technology (ICT) services and investment.⁵⁵⁹ Additionally, a joint working group on SPS and agricultural standards, led by the USDA's Animal and Plant Health Inspection Service (APHIS) and the U.S. Environmental Protection Agency, met to discuss agricultural trade issues in December 2013.⁵⁶⁰

Beef and Beef Products

In September 2012, Taiwan authorities implemented a maximum residue limit (MRL) for ractopamine in beef, an important milestone in the U.S.-Taiwan trade dispute over beef and beef products. As noted earlier in the China section, ractopamine is a veterinary drug used in animal feed to promote muscle growth in pigs, cattle, and, to a limited extent, heavy turkeys. It was approved for use in cattle by the U.S. Food and Drug Administration in 2003.⁵⁶¹ Following the implementation of the MRL measure, U.S. beef exports to Taiwan nearly doubled, from \$128.1 million in 2012 to \$254.2 million in 2013.⁵⁶² However, in 2013 Taiwan had not established a MRL for ractopamine in pork, which continued to disrupt U.S. exports of pork to Taiwan.⁵⁶³

Taiwan banned imports of U.S. beef and beef products following the detection of BSE in the United States in 2003. In 2009, the United States and Taiwan reached an agreement on a bilateral protocol defining the conditions for the exportation of U.S. beef and beef products to Taiwan. However, in 2013, USTR continued to note that Taiwan has failed to comply fully with the protocol and provide full market access for U.S. beef and beef products.⁵⁶⁴

Rice

Upon accession to the WTO in 2002, Taiwan committed to lifting its ban on rice imports and opened an import quota of 144,720 metric tons (mt) on a brown rice basis under a "special treatment" regime. Subsequently, Taiwan adopted a complex TRQ system for rice imports that includes a ceiling price mechanism and a country-specific quota (CSQ) regime. Taiwan's annual rice TRQ is divided into two portions: 35 percent, or 50,652 mt, for private sector imports, and 65 percent, or 94,068 mt, for public sector imports. The amount allocated to public sector imports is divided by country of origin and tender type. The U.S. quota accounted for the largest share of the public sector import quota at 64,634 mt.⁵⁶⁵

⁵⁵⁸ USTR, "Deputy U.S. Trade Representative Demetrios Marantis," March 10, 2013.

⁵⁵⁹ USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2013, 146.

⁵⁶⁰ *Ibid.*

⁵⁶¹ FAO, "Discussion on Ractopamine in Codex," April 26, 2012; USTR, *2011 Report on Sanitary and Phytosanitary Measures*, March 2011, 24.

⁵⁶² USITC DataWeb/USDOC (accessed March 11, 2014).

⁵⁶³ USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2014, 146.

⁵⁶⁴ *Ibid.*, 147.

⁵⁶⁵ USTR, *2014 National Trade Estimate Report*, March, 2014, 320.

In 2007 and 2008, Taiwan rejected all bids for U.S. rice under the CSQ, arguing that U.S. prices were high and exceeded Taiwan's ceiling price. U.S. exporters raised concerns that Taiwan's ceiling price mechanism, which is not transparent, had arbitrarily set prices lower than the levels bid by U.S. exporters, causing their bids to fail. The United States has continued to urge Taiwan to fill the 2007 and 2008 shortfalls (approximately 80,000 mt on a brown rice basis), but Taiwan authorities have not agreed.⁵⁶⁶ According to USTR, Taiwan fully met its obligations to purchase U.S. rice for the years 2009–12.⁵⁶⁷ As of March 2014, however, Taiwan had yet to fulfill 2013 purchase obligations under the U.S. CSQ, with a potential shortfall of 3,000 mt to 5,000 mt.⁵⁶⁸

In 2013, the United States also continued to engage Taiwan on issues related to Taiwan's inconsistent grading practice for imports of U.S. rice under the U.S. CSQ. Discrepancies increased between the grades that U.S. rice received as it was leaving the United States and those it received as it arrived in Taiwan, which resulted in U.S. rice failing grade inspections on arrival in Taiwan. To remedy this, the United States worked with Taiwan's Agriculture and Food Agency as well as Taiwan's Council on Agriculture in May 2013 to establish standardized grading mechanisms between the two economies.⁵⁶⁹

India

In 2013, India remained the 12th-largest single-country U.S. trading partner. U.S.-India two-way merchandise trade was valued at \$58.4 billion, accounting for 1.6 percent of U.S. merchandise trade with the world. U.S. imports of goods from India grew to \$41.5 billion as U.S. exports to India declined to \$16.9 billion, resulting in an increase in the U.S. merchandise trade deficit with India from \$21.1 billion in 2012 to \$24.5 billion in 2013 (figure 5.17).

The United States also registered a services trade deficit with India—its only deficit in services with any major trading partner in 2013. However, the services deficit, which amounted to \$6.0 billion in 2013, fell by 9.5 percent from \$6.6 billion in 2012. Although U.S. imports of Indian services increased from \$18.5 billion in 2012 to \$18.8 billion in 2013, U.S. exports of services to India increased from \$11.9 billion in 2012 to \$12.8 billion in 2013 (figure 5.18).

India was the 19th-largest single-country destination for U.S. merchandise exports in 2013, down from 18th in 2012. U.S. merchandise exports to India decreased by 10.9 percent, from \$19.0 billion in 2012 to \$16.9 billion in 2013. Leading U.S. exports to India included aircraft and parts; nonmonetary gold; aircraft; certain petroleum products used to manufacture tires; coal; and almonds. The decline in exports to India was the net effect of widely varying growth trends in underlying products. Exports of most major raw material products, including nonmonetary gold, coal, and nonindustrial diamonds, as well as certain chemical products, such as diammonium phosphate, experienced major declines. Other large sectors, such as aircraft and parts and certain petroleum products, experienced significant export growth.

⁵⁶⁶ Ibid.

⁵⁶⁷ Ibid., 346.

⁵⁶⁸ Ibid., 320.

⁵⁶⁹ USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March, 2014, 147.

Figure 5.17 U.S. merchandise trade with India, 2009–13



Source: Official trade statistics of the USDOC as maintained by USITC.

Figure 5.18 U.S. private services trade with India, 2009-13^a



Source: Official trade statistics of the USDOC as maintained by USITC.

^aData for 2013 are preliminary.

India remained the 10th-largest single-country source of U.S. merchandise imports in 2013. U.S. imports from India amounted to \$41.5 billion in 2013, representing a 3.4 percent increase from \$40.1 billion in 2012. Leading U.S. imports from India were nonindustrial diamonds, certain medicaments (medicines), light oils and preparations, mucilages and thickeners, and jewelry. The overall growth in imports from India was driven by substantial growth in certain major sectors like nonindustrial diamonds (which grew by \$2.0 billion), light oils and preparations, frozen shrimp, and crude petroleum. At the same time, imports of mucilages and thickeners fell by \$1.8 billion, and some imports of lesser value, such as certain tractors and cotton T-shirts, also declined. U.S.-India merchandise trade data are shown in appendix tables A.51 through A.53.

During 2013, the United States and India continued discussions of diverse bilateral trade and investment issues through multilateral forums, direct high-level contact, and negotiations toward a bilateral investment treaty (BIT). U.S. policymakers engaged the government of India on several issues that continue to pose challenges in the trade relationship, including localization and testing requirements and issues related to the protection of IPR. The United States continued with WTO dispute settlement proceedings regarding India's maintenance of nontariff barriers on U.S. exports of various agricultural products, including poultry and chicken eggs.⁵⁷⁰ The United States also initiated WTO dispute settlement consultations regarding India's national solar policy and its preferential treatment of domestically produced solar cells and modules.

Trade and Investment Dialogue

While the U.S.-India Trade Policy Forum, created in 2005, remains the formal platform for bilateral trade, investment, and economic dialogue between the two countries, the United States and India have not held a meeting of the forum since 2010.⁵⁷¹ However, the U.S.-India trade and investment dialogue continued through a variety of other forums in 2013, including during Prime Minister Manmohan Singh's visit to Washington in September 2013, in which President Obama addressed Indian manufacturing and IPR policies.⁵⁷² USTR Froman and the Indian Minister of Commerce and Industry, Anand Sharma, met several times during the year. They discussed the need for a continuation of sustained and substantive dialogue under the U.S.-India Trade Policy Forum to address trade and investment issues such as India's localization barriers to trade, copyright and patent protection, and green technology (all discussed below).⁵⁷³ In addition, the United States and India continued negotiations toward a BIT. These negotiations resumed in 2012 following the release of a new U.S. model BIT, which forms the basis for the way U.S. policymakers are negotiating BITs going forward.⁵⁷⁴ This version enhances

⁵⁷⁰ USTR, *2014 Report on Sanitary and Phytosanitary Measures*, March 2014, 57-58.

⁵⁷¹ USTR, "United States and India Hold Seventh Trade Policy Forum," September 21, 2010.

⁵⁷² USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2013, 153.

⁵⁷³ USTR, "Readout of the Meeting," July 11, 2013.

⁵⁷⁴ USTR, *2014 Trade Policy Agenda and 2013 Annual Report*, March 2013, 153.

the 2004 model BIT by promoting transparency, strengthening labor rights and environmental protections, and adding provisions for state-led economies.⁵⁷⁵

Electronic Goods

The United States remained concerned about a possible expansion of India's National Manufacturing Policy affecting U.S. exports of electronic goods in 2013. Announced in November 2011, the policy calls for greater local-content requirements in certain key sectors, such as ICT and clean energy.⁵⁷⁶ India pursued these goals by issuing the Preferential Market Access notification in February 2012, which required government entities and private firms to meet their needs for electronic products, such as telecommunications and certain computer equipment, in part by purchasing domestically produced goods. India revised this policy in December 2013 after significant engagement with U.S. officials and industry members, and these requirements now pertain exclusively to government procurement.⁵⁷⁷

India maintains various security and safety regulations concerning electronic goods. India planned to institute a requirement that telecommunications equipment vendors test all imported ICT equipment in Indian laboratories beginning in July 2014.⁵⁷⁸ Indian policymakers also worked to implement a September 2012 order that mandates compulsory registration with Indian laboratories for 15 categories of imported electronic and IT goods, even if those products are fully certified in internationally recognized laboratories. This policy was originally set to take effect in April 2013, but entry into force was delayed until January 2014.⁵⁷⁹ U.S. exporters of ICT equipment report that they incur significant expenses during the testing phase, struggle to find Indian labs that are capable of testing the equipment, and are forced to leave their products in labs for extended periods of time.⁵⁸⁰ USTR continued to work with Indian officials on these testing requirements both bilaterally and at the WTO Technical Barriers to Trade (TBT) Committee in 2013, including pushing for delays to implementation of the burdensome Indian policies.⁵⁸¹

Solar Equipment

Another concern for U.S. policymakers in 2013 was the expansion of local-content requirements for Indian developers of solar power-generating projects under the Jawaharlal Nehru National Solar Mission (JNNSM), India's national solar policy. Launched in 2010, this policy sets the goal of developing 20,000 megawatts of grid-connected solar power by 2022 through large-scale deployment goals, research and development, and local production of power-generating equipment. The JNNSM is scheduled to take place over three phases, with

⁵⁷⁵ USDOS, "Model BIT Fact Sheet," April 20, 2012.

⁵⁷⁶ USTR, *2014 Section 1377 Review*, April 2014, 19.

⁵⁷⁷ *Ibid.*, 19-20; USTR, *2014 Report on Technical Barriers to Trade*, April 2014, 80-81.

⁵⁷⁸ USTR, *2014 National Trade Estimate Report*, March 2014, 150-151.

⁵⁷⁹ USTR, *2014 Report on Technical Barriers to Trade*, April 2014, 81; USTR, "2013 Year in Review," January 3, 2014.

⁵⁸⁰ Shapiro, Garfield, and Seiffert, letter to Penny S. Pritzker, Michael B. Froman, and Caroline Atkinson, September 23, 2013.

⁵⁸¹ USTR, *2014 Report on Technical Barriers to Trade*, April 2014, 81; USTR, "2013 Year in Review," January 3, 2014.

the first phase ending in 2013 and the second phase extending through 2017.⁵⁸² Phase 1, which was split into two batches, required domestic sourcing for crystalline silicon (c-Si) photovoltaic modules for the first batch, while domestic sourcing requirements for the second batch applied to both c-Si modules and c-Si cells.⁵⁸³

In February 2013, the United States requested WTO dispute settlement consultations with India concerning local-content requirements in Phase 1.⁵⁸⁴ In October 2013, India issued guidelines for the first set of projects under phase 2 of the JNNSM: one group of projects would be required to use only domestic sources for c-Si cells and modules as well as thin-film modules, while another group had no restrictions on origins of cells and modules.⁵⁸⁵

Intellectual Property Rights

India has been on USTR's Priority Watch List or designated a priority foreign country—designations reserved for countries with significant IPR problems—since 1989,⁵⁸⁶ and it was still on the Priority Watch List as of May 2013.⁵⁸⁷ USTR's *2013 Special Report* noted concerns with patents and regulatory data protection, copyright protections, IPR enforcement, and localization requirements.⁵⁸⁸

USTR reported that in the pharmaceutical sector some innovative firms were facing serious challenges securing and enforcing patents. For example, USTR cited a 2013 decision by the Indian Supreme Court (upholding the denial of a patent for Novartis's leukemia drug Glivec), which appeared to confirm that India's law imposes an additional requirement for obtaining patents for certain chemical forms.⁵⁸⁹ A March 2013 decision by the Indian Intellectual Property Appellate Board to uphold a compulsory license for Bayer's cancer drug Nexavar, which granted an Indian generic drug manufacturer the right to produce the drug at a reduced royalty rate, also raised substantial concerns among multinational pharmaceutical companies.⁵⁹⁰

USTR further noted in the *2013 Special 301 Report* that both physical and online piracy remained significant problems for creative and software industries in India. In May 2012, India passed the Copyright (Amendment) Act, with the goal of bringing the copyright law into

⁵⁸² Government of India, Ministry of New and Renewable Energy, *Jawaharlal Nehru National Solar Mission: Towards Building SOLAR INDIA* (accessed April 6, 2014).

⁵⁸³ USTR, "United States Challenges India's Restrictions on U.S. Solar Exports," February 2013. India also instituted a local-content requirement of 30 percent for concentrated solar power projects during Phase 1. Government of India, Ministry of New and Renewable Energy, *Jawaharlal Nehru National Solar Mission: Guidelines*, July 2010; Government of India, Ministry of New and Renewable Energy, *Jawaharlal Nehru National Solar Mission: Guidelines*, August 2011.

⁵⁸⁴ USTR, "United States Challenges India's Restrictions on U.S. Solar Exports," February 2013.

⁵⁸⁵ USTR, *2014 National Trade Estimate Report*, March 2014, 153. In February 2014, the United States requested WTO dispute settlement consultations with India concerning the domestic content requirements in Phase 2 of the JNNSM. USTR, "Remarks by USTR Michael Froman," February 20, 2014.

⁵⁸⁶ International Intellectual Property Alliance, "Chart of Countries' Special 301 Placement," February 8, 2013.

⁵⁸⁷ USTR, *2013 Special 301 Report*, May 2013, 38–40.

⁵⁸⁸ *Ibid.*

⁵⁸⁹ *Ibid.*

⁵⁹⁰ See Chatterjee, "India's First Compulsory Licence Upheld," March 4, 2013.

compliance with the World Intellectual Property Organization (WIPO) Internet Treaties, which protect digital works and works distributed over the Internet. While acknowledging improvements made under this law, USTR found that questions remained regarding the scope of exclusive rights under Indian law and the ability of rights holders to properly exercise those rights.⁵⁹¹ USTR recommended additional legislation, such as an anti-camcording law, to help content-based industries effectively combat physical and online piracy.⁵⁹² In the *2013 Special 301 Out-of-Cycle Review of Notorious Markets Report*, USTR also identified several Indian physical marketplaces in New Delhi, Mumbai, and Hyderabad that provide widespread distribution of counterfeit media such as CDs, DVDs, and video games.⁵⁹³

⁵⁹¹ *Ibid.*

⁵⁹² *Ibid.*

⁵⁹³ USTR, *2013 Out-of-Cycle Review of Notorious Markets*, February 12, 2014, 16. The localization concerns raised by USTR are addressed above in the sections on Electronic Goods and Solar Equipment.

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Appendix A

Data Tables

Table A.1 U.S. merchandise trade with major trading partners (total exports and general imports), 2013

Major partners	U.S. total exports	U.S. general imports	Merchandise trade balance, Census basis	Two-way trade (total exports plus general imports)
	Million \$			
EU-28	262,116	387,127	-125,011	649,243
Canada	300,347	332,078	-31,731	632,425
China	122,016	440,434	-318,417	562,450
Mexico	226,153	280,456	-54,303	506,608
Japan	65,145	138,534	-73,389	203,678
Korea	41,555	62,228	-20,673	103,783
Brazil	44,116	27,553	16,563	71,669
Taiwan	25,639	37,931	-12,292	63,570
India	21,875	41,829	-19,954	63,704
All others	470,017	519,252	-49,235	989,269
World	1,578,979	2,267,421	-688,443	3,846,400

Source: Census Bureau, U.S. Department of Commerce. <http://www.census.gov/foreign-trade/>.

Note: Merchandise trade data used to derive country and world trade balances in this table differ from trade data used elsewhere in this report. This table uses U.S. total exports and U.S. general imports to derive the official merchandise trade balance on the Census basis. The merchandise trade balance presented here is that used by Census to describe official trade balances. Merchandise trade data used to derive country and world trade balances throughout the report use imports for consumption and domestic exports. For more information, please see footnote 24 in chapter 1; the Census merchandise trade balance definition at <http://www.census.gov/foreign-trade/reference/definitions/#M>; and the "View data field descriptions" selection at <http://dataweb.usitc.gov>.

Table A.2 U.S. merchandise trade with FTA partners (total exports and general imports), 2013

FTA partners	U.S. total exports	U.S. general imports	Merchandise trade balance, Census basis	Two-way trade (total exports plus general imports)
	Million \$			
Israel	13,738	22,676	-8,938	36,414
NAFTA	526,398	612,533	-86,136	1,138,931
Jordan	2,087	1,197	890	3,284
Chile	17,585	10,363	7,221	27,948
Singapore	30,724	17,828	12,896	48,552
Australia	26,047	9,272	35,319	16,776
Morocco	2,305	977	1,328	3,282
Bahrain	1,018	635	383	1,653
CAFTA-DR	29,451	30,114	-662	59,565
Oman	1,504	1,022	482	2,527
Peru	10,056	8,122	1,933	18,178
Korea	41,555	62,228	-20,673	103,783
Colombia	18,606	21,617	-3,011	40,224
Panama	10,782	449	10,333	11,231
FTA partner total	757,495	836,965	-79,471	1,594,460
World	1,578,979	2,267,421	-688,443	3,846,400

Source: Census Bureau, U.S. Department of Commerce. <http://www.census.gov/foreign-trade/>.

Note: Merchandise trade data used to derive FTA-partner trade balances in this table differ from trade data used in chapter 4. This table uses U.S. total exports and U.S. general imports to derive the official merchandise trade balance on the Census basis. The merchandise trade balance presented here is that used by Census to describe official trade balances. Merchandise trade data used to derive FTA-partner trade balances in chapter 4 uses imports for consumption and domestic exports. For more information, please see footnote 24 in chapter 1; the Census merchandise trade balance definition at <http://www.census.gov/foreign-trade/reference/definitions/#M>; and the "View data field descriptions" selection at <http://dataweb.usitc.gov>.

Table A.3 U.S. merchandise trade with the world, by USITC digest sectors, 2011–13

Sector Grouping	Description	2011	2012	2013	% change 2012–13
		Million \$			
Domestic exports:					
1	Agricultural products	145,724	149,293	152,162	1.9
2	Forest products	39,274	38,309	39,244	2.4
3	Chemicals and related products	213,983	217,452	218,078	0.3
4	Energy-related products	134,088	142,294	152,652	7.3
5	Textiles and apparel	19,433	19,211	19,754	2.8
6	Footwear	832	824	789	-4.3
7	Minerals and metals	140,640	140,516	133,749	-4.8
8	Machinery	115,193	122,404	122,269	-0.1
9	Transportation equipment	257,589	285,772	293,023	2.5
10	Electronic products	164,537	167,003	166,976	0.0
11	Miscellaneous manufactures	26,759	27,914	29,843	6.9
12	Special provisions	41,123	42,218	43,501	3.0
Total U.S. domestic exports		1,299,176	1,353,211	1,372,039	1.4
Imports for consumption:					
1	Agricultural products	115,585	122,400	125,699	2.7
2	Forest products	36,271	37,116	39,966	7.7
3	Chemicals and related products	254,229	252,153	250,484	-0.7
4	Energy-related products	430,796	398,441	352,853	-11.4
5	Textiles and apparel	113,611	113,507	117,225	3.3
6	Footwear	22,559	23,745	24,612	3.7
7	Minerals and metals	192,550	194,712	190,474	-2.2
8	Machinery	154,948	166,237	169,113	1.7
9	Transportation equipment	306,579	358,409	371,548	3.7
10	Electronic products	400,592	413,767	417,226	0.8
11	Miscellaneous manufactures	99,415	104,443	109,412	4.8
12	Special provisions	59,815	66,105	71,137	7.6
Total U.S. imports for consumption		2,186,951	2,251,035	2,239,750	-0.5

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add up to totals shown.

Table A.4 Leading U.S. domestic exports to the world by Schedule B subheading, 2011–13

Schedule B subheading	Description	2011	2012	2013	% change 2012–13
		Million \$			
8800.00	Aircraft, spacecraft, and parts thereof	74,961	86,050	96,287	11.9
2710.19	Petroleum oils & oils (not light) from bituminous minerals or preps n.e.s.o.i. 70%+ by weight from petroleum oils or bituminous minerals	62,984	71,452	76,878	7.6
2710.12	Light oils and preparations	^(a)	30,413	33,773	11.0
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	24,134	33,339	31,585	-5.3
8703.23	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,500 cc but not over 3,000 cc	22,318	19,478	21,808	12.0
1201.90	Soybeans, whether or not broken, other than seed	^(b)	24,695	21,456	-13.1
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	15,537	18,611	20,356	9.4
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages, etc., and pharmaceutical goods), n.e.s.o.i.	18,386	19,436	17,322	-10.9
8542.31	Processors or controllers	10,667	11,325	11,355	0.3
2701.12	Bituminous coal, whether or not pulverized, but not agglomerated	15,587	14,349	10,506	-26.8
1001.99	Wheat and meslin other than durum or seed wheat	^(c)	7,953	10,242	28.8
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	10,215	10,970	9,892	-9.8
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	7,622	8,177	8,579	4.9
8704.31	Motor vehicles for goods transport n.e.s.o.i., with spark-ignition internal combustion piston engine, gross vehicle weight not over 5 metric tons	7,122	7,474	8,570	14.7
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	8,044	8,102	8,182	1.0
3002.10	Antisera and other blood fractions, and modified immunological products	5,038	6,439	8,059	25.2
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	7,206	7,530	7,085	-5.9
1005.90	Corn (maize), other than seed corn	13,756	9,419	6,503	-31.0
8708.40	Gear boxes and parts thereof, for motor vehicles	4,943	5,165	6,000	16.2
7204.49	Ferrous waste and scrap, n.e.s.o.i.	9,217	7,482	5,991	-19.9
8431.43	Parts for boring or sinking machinery, n.e.s.o.i.	6,507	6,541	5,919	-9.5
2711.21	Natural gas, gaseous	5,436	4,346	5,818	33.9
8486.20	Machines and apparatus for the manufacture of semiconductor devices or electronic integrated circuits	5,331	5,279	5,813	10.1
5201.00	Cotton, not carded or combed	8,424	6,246	5,589	-10.5
8542.39	Electronic integrated circuits, n.e.s.o.i.	5,566	5,312	5,361	0.9
	Total of items shown	349,000	435,581	448,929	3.1
	All other	950,176	917,630	923,110	0.6
	Total of all commodities	1,299,176	1,353,211	1,372,039	1.4

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add up to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aTrade in 2011 reported under HTS tariff line 2710.11.

^bTrade in 2011 reported under HTS tariff line 1201.00.

^cTrade in 2011 reported under HTS tariff line 1001.90.

Table A.5 Leading U.S. imports for consumption from the world by HTS subheading, 2011–13

HTS subheading	Description	2011	2012	2013	% change 2012–13
		Million \$			
2709.00	Petroleum oils and oils from bituminous minerals, crude	246,894	228,944	195,487	-14.6
8703.23	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,500 cc but not over 3,000 cc	64,355	77,086	84,873	10.1
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	56,502	66,287	62,953	-5.0
2710.19	Petroleum oils & oils (not light) from bituminous minerals or preps n.e.s.o.i. 70%+ by wt. from petroleum oils or bitum. min.	74,995	68,113	61,295	-10.0
8517.12	Telephones for cellular networks or for other wireless networks	42,213	43,665	47,185	8.1
8471.30	Portable automatic data processing machines, weight not more than 10 kg, consisting of at least a central processing unit, keyboard and display	42,091	43,216	42,634	-1.3
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages, etc., and pharmaceutical goods), n.e.s.o.i.	37,802	34,541	33,924	-1.8
2710.12	Light oils and preparations	(^a)	35,606	33,005	-7.3
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	23,758	27,254	29,869	9.6
7102.39	Diamonds, nonindustrial, worked, including polished or drilled	21,691	19,638	22,673	15.5
2713.11	Petroleum coke, not calcined	16,543	18,914	17,161	-9.3
8542.31	Processors or controllers	14,378	14,895	16,828	13.0
8473.30	Parts and accessories for automatic data processing machines and units thereof, magnetic or optical readers, transcribing machines, etc., n.e.s.o.i.	15,553	14,330	15,498	8.2
8471.50	Processing units other than those of 8471.41 and 8471.49, n.e.s.o.i..	15,023	15,125	15,231	0.7
8528.72	Reception apparatus for television, incorporating a screen or video display device, color	16,621	16,642	14,425	-13.3
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	14,330	15,912	14,124	-11.2
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	9,707	11,929	13,095	9.8
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	11,460	12,911	12,266	-5.0
8471.70	Automatic data processing storage units, n.e.s.o.i..	9,969	13,149	11,965	-9.0
9503.00	Toys, including riding toys o/than bicycles, puzzles, reduced scale models	10,877	10,914	11,096	1.7
8411.91	Parts of turbojets or turbopropellers	9,148	10,087	10,831	7.4
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	8,477	10,202	10,817	6.0
8443.99	Parts and accessories of printing machinery, n.e.s.o.i.	11,527	10,842	10,738	-1.0
8704.31	Motor vehicles for goods transport n.e.s.o.i., with spark-ignition internal combustion piston engine, gvw not over 5 metric tons	7,573	9,193	10,360	12.7
2711.21	Natural gas, gaseous	13,290	8,292	9,540	15.1
	Total of items shown	794,778	837,686	807,876	-3.6
	All other	1,392,173	1,413,349	1,431,875	1.3
	Total of all commodities	2,186,951	2,251,035	2,239,750	-0.5

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add up to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aTrade in 2011 reported under HTS tariff line 2710.11.

Table A.6 U.S. trade with top 15 single-country trading partners, 2013

Rank	Country	Domestic exports	Imports for Consumption	Total	% of total trade
Million \$					
1	Canada	251,685	332,887	584,572	16.2
2	China	114,313	438,147	552,460	15.3
3	Mexico	181,690	277,664	459,354	12.7
4	Japan	59,689	137,954	197,643	5.5
5	Germany	42,372	112,233	154,605	4.3
6	Korea	39,008	61,979	100,987	2.8
7	United Kingdom	41,228	52,165	93,393	2.6
8	France	28,351	44,697	73,048	2.0
9	Brazil	37,627	26,861	64,488	1.8
10	Saudi Arabia	17,656	46,576	64,232	1.8
11	Taiwan	23,270	37,539	60,808	1.7
12	India	16,911	41,459	58,370	1.6
13	Netherlands	37,137	18,850	55,987	1.6
14	Italy	15,362	38,274	53,636	1.5
15	Switzerland	22,040	28,095	50,135	1.4
	Top 15	928,340	1,695,378	2,623,718	72.6
	All others	443,699	544,372	988,071	27.4
	Total	1,372,039	2,239,750	3,611,789	100.0

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add up to totals shown.

Table A.7 Top 15 U.S. single-country export markets and import sources, 2013

Rank	Country	Million \$	% of total exports
Domestic exports:			
1	Canada	251,685	18.3
2	Mexico	181,690	13.2
3	China	114,313	8.3
4	Japan	59,689	4.4
5	Germany	42,372	3.1
6	United Kingdom	41,228	3.0
7	Korea	39,008	2.8
8	Brazil	37,627	2.7
9	Netherlands	37,137	2.7
10	Hong Kong	31,644	2.3
11	France	28,351	2.1
12	Belgium	26,736	1.9
13	Singapore	26,690	1.9
14	Australia	23,976	1.7
15	Taiwan	23,270	1.7
	Top 15 countries	965,417	70.4
	All others	406,622	29.6
	Total U.S. domestic exports to the world	1,372,039	100.0
Imports for consumption:			
		Million \$	% of total exports
1	China	438,147	19.6
2	Canada	332,887	14.9
3	Mexico	277,664	12.4
4	Japan	137,954	6.2
5	Germany	112,233	5.0
6	Korea	61,979	2.8
7	United Kingdom	52,165	2.3
8	Saudi Arabia	46,576	2.1
9	France	44,697	2.0
10	India	41,459	1.9
11	Italy	38,274	1.7
12	Taiwan	37,539	1.7
13	Ireland	31,336	1.4
14	Switzerland	28,095	1.3
15	Malaysia	27,241	1.2
	Top 15 countries	1,708,245	76.3
	All others	531,505	23.7
	Total U.S. imports for consumption	2,239,750	100.0

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add up to totals shown.

Table A.8 U.S. private services exports and imports from the world, by category, 2011–13

Service industry	2011	2012	2013	% change, 2012–13
	Million \$			
Exports				
Business, professional, and technical services	140,974	153,093	156,883	2.5
Travel	115,552	126,214	139,569	10.6
Royalties and license fees	120,717	124,182	129,331	4.1
Financial services	78,243	76,418	81,270	6.3
Passenger fares	36,763	39,360	41,145	4.5
Education	22,823	24,710	26,357	6.7
Port services	21,334	21,562	22,987	6.6
Freight	21,733	22,293	22,427	0.6
Insurance services	14,958	16,067	15,311	-4.7
Telecommunications	12,851	14,009	14,083	0.5
Other	9,796	10,231	10,535	3.0
Total	595,744	628,138	659,899	5.1
Imports				
Business, professional, and technical services	111,332	116,217	119,846	3.1
Travel	78,229	83,451	86,243	3.3
Insurance services	55,794	52,563	50,590	-3.8
Freight	40,418	41,873	44,740	6.8
Royalties and license fees	34,786	39,889	41,291	3.5
Passenger fares	31,079	34,654	37,344	7.8
Financial services	17,566	16,952	18,027	6.3
Port services	14,212	13,572	13,939	2.7
Telecommunications	7,792	8,007	7,633	-4.7
Education	5,763	6,037	6,393	5.9
Other	1,407	1,450	1,485	2.4
Total	398,378	414,666	427,530	3.1

Source: USDOC, BEA, U.S. International Transactions Accounts Data, March 19, 2014, table 3a.

Note: Data for 2013 are preliminary.

Table A.9 Antidumping cases active in 2013, by USITC investigation number

USITC investigation number	Product	Country of origin	Date of institution	USITC prelim	ITA ^a prelim	ITA final	USITC final	Date of final action ^b
Affirmative = A; Negative = N								
731-TA-1195	Utility-scale wind towers	China	12/29/2011	A	A	A	A	2/8/2013
731-TA-1196	Utility-scale wind towers	Vietnam	12/29/2011	A	A	A	A	2/8/2013
731-TA-1197	Steel wire garment hangers	Taiwan	12/29/2011	A	A	A	A	2/8/2013
731-TA-1198	Steel wire garment hangers	Vietnam	12/29/2011	A	A	A	A	1/28/2013
731-TA-1199	Large residential washers	Korea	12/30/2011	A	A	A	A	2/8/2013
731-TA-1200	Large residential washers	Mexico	12/30/2011	A	A	A	A	2/8/2013
731-TA-1201	Drawn stainless steel sinks	China	3/1/2012	A	A	A	A	4/4/2013
731-TA-1202	Xanthan gum	Austria	6/5/2012	A	A	A	N	7/12/2013
731-TA-1203	Xanthan gum	China	6/5/2012	A	A	A	A	7/12/2013
731-TA-1204	Hardwood plywood	China	9/27/2012	A	A	A	N	11/25/2013
731-TA-1205	Silica bricks	China	11/15/2012	A	A	A	N	(^c)
731-TA-1206	Nickel-plated steel	Japan	3/27/2013	A	A	(^c)	(^c)	(^c)
731-TA-1207	Prestressed steel tie wire	China	4/23/2013	A	A	(^c)	(^c)	(^c)
731-TA-1208	Prestressed steel tie wire	Mexico	4/23/2013	A	A	(^c)	(^c)	(^c)
731-TA-1209	Prestressed steel tie wire	Thailand	4/23/2013	A	N	(^c)	(^c)	(^c)
731-TA-1210	Welded stainless steel pressure pipe	Malaysia	5/16/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1211	Welded stainless steel pressure pipe	Thailand	5/16/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1212	Welded stainless steel pressure pipe	Vietnam	5/15/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1213	Steel threaded rod	India	6/27/2013	A	A	(^c)	(^c)	(^c)
731-TA-1214	Steel threaded rod	Thailand	6/27/2013	A	A	(^c)	(^c)	(^c)
731-TA-1215	Oil country tubular goods	India	7/2/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1216	Oil country tubular goods	Korea	7/2/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1217	Oil country tubular goods	Philippines	7/2/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1218	Oil country tubular goods	Saudi Arabia	7/2/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1219	Oil country tubular goods	Taiwan	7/2/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1220	Oil country tubular goods	Thailand	7/2/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1221	Oil country tubular goods	Turkey	7/2/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1222	Oil country tubular goods	Ukraine	7/2/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1223	Oil country tubular goods	Vietnam	7/2/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1224	Ferrosilicon	Russia	7/19/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1225	Ferrosilicon	Venezuela	7/19/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1226	Chlorinated isocyanurates	China	8/29/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1227	Steel concrete rebar	Mexico	9/4/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1228	Steel concrete rebar	Turkey	9/4/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1229	Monosodium glutamate	China	9/16/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1230	Monosodium glutamate	Indonesia	9/16/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1231	Grain-oriented electrical steel	China	9/18/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1232	Grain-oriented electrical steel	Czech Republic	9/18/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1233	Grain-oriented electrical steel	Germany	9/18/2013	A	(^c)	(^c)	(^c)	(^c)

USITC investigation number	Product	Country of origin	Date of institution	USITC prelim	ITA ^a prelim	ITA final	USITC final	Date of final action ^b
731-TA-1234	Grain-oriented electrical steel	Japan	9/18/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1235	Grain-oriented electrical steel	Korea	9/18/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1236	Grain-oriented electrical steel	Poland	9/18/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1237	Grain-oriented electrical steel	Russia	9/18/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1238	Non-oriented electrical steel	China	9/30/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1239	Non-oriented electrical steel	Germany	9/30/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1240	Non-oriented electrical steel	Japan	9/30/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1241	Non-oriented electrical steel	Korea	9/30/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1242	Non-oriented electrical steel	Sweden	9/30/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1243	Non-oriented electrical steel	Taiwan	9/30/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1244	Tetrafluoroethane	China	10/22/2013	A	(^c)	(^c)	(^c)	(^c)
731-TA-1245	Calcium hypochlorite	China	12/18/2013	(^c)	(^c)	(^c)	(^c)	(^c)
731-TA-1246	Crystalline silicon photovoltaic products	China	12/31/2013	(^c)	(^c)	(^c)	(^c)	(^c)
731-TA-1247	Crystalline silicon photovoltaic products	Taiwan	12/31/2013	(^c)	(^c)	(^c)	(^c)	(^c)

Source: U.S. International Trade Commission.

^a"ITA" is the International Trade Administration of the USDOC.

^bFor cases in which the final action was taken by the ITA, the date shown is the Federal Register notice date of that action. For cases in which the final action was taken by USITC, the date of the USITC notification of USDOC is shown.

^cPending as of December 31, 2013.

Table A.10 Antidumping duty orders and suspension agreements in effect as of December 31, 2013

Country	Commodity	Effective date of original action
Argentina	Lemon juice (suspended)	Sept. 10, 2007
Australia	Electrolytic manganese dioxide	Oct. 7, 2008
Belarus	Steel concrete reinforcing bar	Sept. 7, 2001
Belgium	Stainless steel plate in coils	May 21, 1999
Brazil	Polyethylene terephthalate film, sheet, and strip	Nov. 10, 2008
	Frozen or canned warmwater shrimp and prawns	Feb. 1, 2005
	Prestressed concrete steel wire strand	Jan. 28, 2004
	Carbon and certain alloy steel wire rod	Oct. 29, 2002
	Stainless steel bar	Feb. 21, 1995
	Circular welded nonalloy steel pipe	Nov. 2, 1992
	Carbon steel butt-weld pipe fittings	Dec. 17, 1986
	Iron construction castings	May 9, 1986
Canada	Citric acid and certain citric salts	May 29, 2009
	Iron construction castings	Mar. 5, 1986
Chile	Preserved mushrooms	Dec. 2, 1998
China	Xanthan gum	July 19, 2013
	Drawn stainless steel sinks	Apr. 11, 2013
	Utility-scale wind towers	Feb. 15, 2013
	Crystalline silicon photovoltaic cells	Dec. 07, 2012
	High-pressure steel cylinders	Jun. 21, 2012
	Stilbenic optical brightening agent	May 10, 2012
	Multilayered wood flooring	Dec. 8, 2011
	Aluminum extrusions	May 26, 2011
	Drill pipe and drill collars	Mar. 3, 2011
	Seamless refined copper pipe and tube	Nov. 22, 2010
	Coated paper	Nov. 17, 2010
	Seamless carbon and alloy steel standard, line, and pressure pipe	Nov. 10, 2010
	Magnesia carbon bricks	Sept. 20, 2010
	Narrow woven ribbons	Sept. 1, 2010
	Woven electric blankets	Aug. 18, 2010
	Steel grating	July 23, 2010
	Prestressed concrete steel wire strand	June 29, 2010
	Oil country tubular goods	May 21, 2010
	Potassium phosphate salts	July 22, 2010
	Kitchen appliance shelving and racks	Sept. 14, 2009
	Tow-behind lawn groomer	Aug. 3, 2009
	Citric acid and certain citric salts	May 29, 2009
	Circular welded carbon-quality steel line pipe	May 13, 2009
	Frontseating service valves	April 28, 2009
	HEDP	April 28, 2009
	Steel threaded rod	April 14, 2009
	Circular welded austenitic stainless pressure pipe	Mar. 17, 2009
	Small-diameter graphite electrodes	Feb. 26, 2009
	Uncovered innerspring units	Feb. 19, 2009
	Lightweight thermal paper	Nov. 24, 2008
	Polyethylene terephthalate film, sheet, and strip	Nov. 10, 2008
	Electrolytic manganese dioxide	Oct. 7, 2008
	Steel wire garment hangers	Oct. 6, 2008
	Raw flexible magnets	Sept. 17, 2008
	Off-the-road tires	Sept. 4, 2008
	Sodium nitrite	Aug. 27, 2008
	Laminated woven sacks	Aug. 7, 2008
	Light-walled rectangular pipe and tube	Aug. 5, 2008
	Steel nails	Aug. 1, 2008
	Circular welded carbon-quality steel pipe	July 22, 2008

Country	Commodity	Effective date of original action
	Sodium hexametaphosphate	Mar. 19, 2008
	Certain polyester staple fiber	June 1, 2007
	Certain activated carbon	April 27, 2007
	Certain lined paper school supplies	Sept. 28, 2006
	Artist's canvas	June 1, 2006
	Chlorinated isocyanurates	June 24, 2005
	Magnesium	April 15, 2005
	Tissue paper	Mar. 30, 2005
	Frozen or canned warmwater shrimp and prawns	Feb. 1, 2005
	Crepe paper	Jan. 25, 2005
	Wooden bedroom furniture	Jan. 4, 2005
	Carbazole violet pigment 23	Dec. 29, 2004
	Hand trucks	Dec. 2, 2004
	Polyethylene retail carrier bags	Aug. 9, 2004
	Ironing tables	Aug. 6, 2004
	Tetrahydrofurfuryl alcohol	Aug. 6, 2004
	Malleable iron pipe fittings	Dec. 12, 2003
	Refined brown aluminum oxide	Nov. 19, 2003
	Barium carbonate	Oct. 1, 2003
	Polyvinyl alcohol	Oct. 1, 2003
	Saccharin	July 9, 2003
	Non-malleable cast iron pipe fittings	Apr. 7, 2003
	Ferrovandium	Jan. 28, 2003
	Folding gift boxes	Jan. 8, 2002
	Honey	Dec. 10, 2001
	Hot-rolled carbon steel flat products	Nov. 29, 2001
	Pure magnesium (granular)	Nov. 19, 2001
	Foundry coke	Sept. 17, 2001
	Steel concrete reinforcing bars	Sept. 7, 2001
	Preserved mushrooms	Feb. 19, 1999
	Carbon steel plate	Oct. 24, 1997
	Crawfish tail meat	Sept. 15, 1997
	Persulfates	July 7, 1997
	Furfuryl alcohol	June 21, 1995
	Pure magnesium (ingot)	May 12, 1995
	Glycine	Mar. 29, 1995
	Cased pencils	Dec. 28, 1994
	Silicomanganese	Dec. 22, 1994
	Paper clips	Nov. 25, 1994
	Fresh garlic	Nov. 16, 1994
	Helical spring lock washers	Oct. 19, 1993
	Sulfanilic acid	Aug. 19, 1992
	Carbon steel butt-weld pipe fittings	July 6, 1992
	Silicon metal	June 10, 1991
	Axes and adzes	Feb. 19, 1991
	Bars and wedges	Feb. 19, 1991
	Hammers and sledges	Feb. 19, 1991
	Picks and mattocks	Feb. 19, 1991
	Tapered roller bearings	June 15, 1987
	Porcelain-on-steel cooking ware	Dec. 2, 1986
	Petroleum wax candles	Aug. 28, 1986
	Iron construction castings	May 9, 1986
	Barium chloride	Oct. 17, 1984
	Chloropicrin	Mar. 22, 1984
	Potassium permanganate	Jan. 31, 1984
Finland	Carboxymethylcellulose	July 11, 2005
France	Low-enriched uranium	Feb. 13, 2002

Country	Commodity	Effective date of original action
	Brass sheet and strip	Mar. 6, 1987
Germany	Lightweight thermal paper	Nov. 24, 2008
	Sodium nitrite	Aug. 27, 2008
	Seamless pipe	Aug. 3, 1995
	Brass sheet and strip	Mar. 6, 1987
India	Commodity matchbooks	Dec. 11, 2009
	HEDP	Apr. 28, 2009
	Certain lined paper school supplies	Sept. 28, 2006
	Frozen or canned warmwater shrimp and prawns	Feb. 1, 2005
	Carbazole violet pigment 23	Dec. 29, 2004
	Prestressed concrete steel wire strand	Jan. 28, 2004
	Polyethylene terephthalate (PET) film	July 1, 2002
	Silicomanganese	May 23, 2002
	Hot-rolled carbon steel flat products	Dec. 3, 2001
	Carbon steel plate	Feb. 10, 2000
	Preserved mushrooms	Feb. 19, 1999
	Stainless steel bar	Feb. 21, 1995
	Stainless steel wire rod	Dec. 1, 1993
	Sulfanilic acid	Mar. 2, 1993
	Welded carbon-steel pipe	May 12, 1986
Indonesia	Coated paper suitable for high-quality print graphics using sheet-fed presses	Nov. 11, 2010
	Polyethylene retail carrier bags	May 4, 2010
	Carbon and certain alloy steel wire rod	Oct. 29, 2002
	Hot-rolled carbon steel flat products	Dec. 3, 2001
	Steel concrete reinforcing bars	Sept. 7, 2001
	Carbon steel plate	Feb. 10, 2000
	Preserved mushrooms	Feb. 19, 1999
Iran	Raw in-shell pistachios	July 17, 1986
Italy	Stainless steel butt-weld pipe fittings	Feb. 23, 2001
	Stainless steel wire rod	Sept. 15, 1998
	Pasta	July 24, 1996
	Granular polytetrafluoroethylene resin	Aug. 30, 1988
	Brass sheet and strip	Mar. 6, 1987
	Pressure-sensitive plastic tape	Oct. 21, 1977
Japan	Polyvinyl alcohol	July 2, 2003
	Welded large-diameter line pipe	Dec. 6, 2001
	Tin- and chromium-coated steel sheet	Aug. 28, 2000
	Large-diameter seamless pipe	June 26, 2000
	Small-diameter seamless pipe	June 26, 2000
	Stainless steel sheet and strip	July 27, 1999
	Stainless steel wire rod	Sept. 15, 1998
	Clad steel plate	July 2, 1996
	Stainless steel bar	Feb. 21, 1995
	Gray portland cement and clinker	May 10, 1991
	Brass sheet and strip	Aug. 12, 1988
	Carbon steel butt-weld pipe fittings	Feb. 10, 1987
	Prestressed concrete steel wire strand	Dec. 8, 1978
Kazakhstan	Silicomanganese	May 23, 2002
Korea	Large residential washers	Feb. 15, 2013
	Large power transformers	Aug. 31, 2012
	Light-walled rectangular pipe and tube	Aug. 5, 2008
	Prestressed concrete steel wire strand	Jan. 28, 2004
	Polyvinyl alcohol	Oct. 1, 2003
	Polyester staple fiber	May 25, 2000
	Carbon steel plate	Feb. 10, 2000
	Stainless steel sheet and strip	July 27, 1999
	Stainless steel plate in coils	May 21, 1999

Country	Commodity	Effective date of original action
	Stainless steel wire rod	Sept. 15, 1998
	Welded ASTM A-312 stainless steel pipe	Dec. 30, 1992
	Circular welded non-alloy steel pipe	Nov. 2, 1992
Latvia	Steel concrete reinforcing bars	Sept. 7, 2001
Malaysia	Polyethylene retail carrier bags	Aug. 9, 2004
	Stainless steel butt-weld pipe fittings	Feb. 23, 2001
Mexico	Large residential washers	Feb. 15, 2013
	Seamless refined copper pipe and tube	Nov. 22, 2010
	Magnesia carbon bricks	Sept. 20, 2010
	Light-walled rectangular pipe and tube	Aug. 5, 2008
	Prestressed concrete steel wire strand	Jan. 28, 2004
	Carbon and certain alloy steel wire rod	Oct. 29, 2002
	Fresh tomatoes (suspended)	Nov. 1, 1996
	Circular welded non-alloy steel pipe	Nov. 2, 1992
Moldova	Carbon and certain alloy steel wire rod	Oct. 29, 2002
	Steel concrete reinforcing bars	Sept. 7, 2001
Netherlands	Carboxymethylcellulose	July 11, 2005
Philippines	Stainless steel butt-weld pipe fittings	Feb. 23, 2001
Poland	Steel concrete reinforcing bars	Sept. 7, 2001
Romania	Small-diameter seamless pipe	Aug. 10, 2000
Russia	Silicon metal	Mar. 26, 2003
	Ammonium nitrate (suspended)	May 19, 2000
	Hot-rolled carbon steel flat products (suspended)	July 12, 1999
	Carbon steel plate (suspended)	Oct. 24, 1997
	Uranium (suspended)	Oct. 16, 1992
	Solid urea	July 14, 1987
South Africa	Uncovered innerspring units	Dec. 11, 2008
	Ferrovandium	Jan. 28, 2003
	Stainless steel plate in coils	May 21, 1999
Spain	Chlorinated isocyanurates	June 24, 2005
	Stainless steel wire rod	Sept. 15, 1998
	Stainless steel bar	Mar. 2, 1995
Taiwan	Steel wire garment hangers	Dec. 10, 2012
	Stilbenic optical brightening agent	May 10, 2012
	Polyvinyl alcohol	Mar. 15, 2011
	Narrow woven ribbons	Sept. 1, 2010
	Polyethylene retail carrier bags	May 4, 2010
	Raw flexible magnets	Sept. 17, 2008
	Polyethylene terephthalate (PET) film	July 1, 2002
	Hot-rolled carbon steel flat products	Nov. 29, 2001
	Polyester staple fiber	May 25, 2000
	Stainless steel sheet and strip	July 27, 1999
	Stainless steel plate in coils	May 21, 1999
	Stainless steel wire rod	Sept. 15, 1998
	Helical spring lockwashers	June 28, 1993
	Welded ASTM A-312 stainless steel pipe	Dec. 30, 1992
	Circular welded non-alloy steel pipe	Nov. 2, 1992
	Light-walled rectangular pipe	Mar. 27, 1989
	Carbon steel butt-weld pipe fittings	Dec. 17, 1986
	Small-diameter carbon steel pipe	May 7, 1984
Thailand	Frozen or canned warmwater shrimp and prawns	Feb. 1, 2005
	Polyethylene retail carrier bags	Aug. 9, 2004
	Prestressed concrete steel wire strand	Jan. 28, 2004
	Hot-rolled carbon steel flat products	Nov. 29, 2001
	Carbon steel butt-weld pipe fittings	July 6, 1992
	Welded carbon steel pipe	Mar. 11, 1986

Country	Commodity	Effective date of original action
Trinidad & Tobago	Carbon and certain alloy steel wire rod	Oct. 29, 2002
Turkey	Light-walled rectangular pipe and tube	May 30, 2008
	Pasta	July 24, 1996
	Welded carbon steel pipe	May 15, 1986
Ukraine	Carbon and certain alloy steel wire rod	Oct. 29, 2002
	Hot-rolled carbon steel flat products	Nov. 29, 2001
	Silicomanganese	Sept. 17, 2001
	Ammonium nitrate	Sept. 12, 2001
	Steel concrete reinforcing bars	Sept. 7, 2001
	Carbon steel plate (suspended)	Oct. 24, 1997
	Solid urea	July 14, 1987
United Arab Emirates	Steel nails	May 10, 2012
	Polyethylene terephthalate film, sheet, and strip	Nov. 10, 2008
Venezuela	Silicomanganese	May 23, 2002
Vietnam	Utility-scale wind towers	Feb. 15, 2013
	Steel wire garment hangers	Feb. 5, 2013
	Polyethylene retail carrier bags	May 4, 2010
	Uncovered innerspring units	Dec. 11, 2008
	Frozen or canned warmwater shrimp and prawns	Feb. 1, 2005
	Frozen fish fillets	Aug. 12, 2003

Source: U.S. International Trade Commission.

Table A.11 Countervailing duty cases active in 2013, by USITC investigation number

USITC investigation number	Product	Country of origin	Date of institution	USITC prelim	ITA ^a prelim	ITA final	USITC final	Date of final action ^b
Affirmative = A; Negative = N								
701-TA-486	Utility-scale wind towers	China	12/29/2011	A	A	A	A	2/8/2013
701-TA-487	Steel wire garment hangers	Vietnam	12/29/2011	A	A	A	A	1/28/2013
701-TA-488	Large residential washers	Korea	12/30/2011	A	A	A	A	2/8/2013
701-TA-489	Drawn stainless steel sinks	China	3/1/2012	A	A	A	A	4/4/2013
701-TA-490	Hardwood plywood	China	9/27/2012	A	A	A	N	11/25/2013
701-TA-491	Frozen warmwater shrimp	China	12/28/2012	A	A	A	N	10/21/2013
701-TA-492	Frozen warmwater shrimp	Ecuador	12/28/2012	A	N	A	N	10/21/2013
701-TA-493	Frozen warmwater shrimp	India	12/28/2012	A	A	A	N	10/21/2013
701-TA-494	Frozen warmwater shrimp	Indonesia	12/28/2012	A	N	N	(^c)	8/19/2013
701-TA-495	Frozen warmwater shrimp	Malaysia	12/28/2012	A	A	A	N	10/21/2013
701-TA-496	Frozen warmwater shrimp	Thailand	12/28/2012	A	A	N	(^c)	8/19/2013
701-TA-497	Frozen warmwater shrimp	Vietnam	12/28/2012	A	A	A	N	10/21/2013
701-TA-498	Steel threaded rod	India	6/27/2013	A	(^d)	(^d)	(^d)	(^d)
701-TA-499	Oil country tubular goods	India	7/2/2013	A	(^d)	(^d)	(^d)	(^d)
701-TA-500	Oil country tubular goods	Turkey	7/2/2013	A	(^d)	(^d)	(^d)	(^d)
701-TA-501	Chlorinated isocyanurates	China	8/29/2013	A	(^d)	(^d)	(^d)	(^d)
701-TA-502	Steel concrete rebar	Turkey	9/4/2013	A	(^d)	(^d)	(^d)	(^d)
701-TA-503	Monosodium glutamate	China	9/16/2013	A	(^d)	(^d)	(^d)	(^d)
701-TA-504	Monosodium glutamate	Indonesia	9/16/2013	A	(^d)	(^d)	(^d)	(^d)
701-TA-505	Grain-oriented electrical steel	China	9/18/2013	A	(^d)	(^d)	(^d)	(^d)
701-TA-506	Non-oriented electrical steel	China	9/30/2013	A	(^d)	(^d)	(^d)	(^d)
701-TA-507	Non-oriented electrical steel	Korea	9/30/2013	A	(^d)	(^d)	(^d)	(^d)
701-TA-508	Non-oriented electrical steel	Taiwan	9/30/2013	A	(^d)	(^d)	(^d)	(^d)
701-TA-509	Tetrafluoroethane	China	10/22/2013	A	(^d)	(^d)	(^d)	(^d)
701-TA-510	Calcium hypochlorite	China	12/18/2013	(^d)	(^d)	(^d)	(^d)	(^d)
701-TA-511	Crystalline silicon photovoltaic products	China	12/31/2013	(^d)	(^d)	(^d)	(^d)	(^d)

Source: U.S. International Trade Commission.

^aInternational Trade Administration, USDOC.

^bFor cases in which the final action was taken by the ITA, the date shown is the *Federal Register* notice date of that action. For cases in which the final action was taken by USITC, the date of the USITC notification of USDOC is shown.

^cNot applicable.

^dPending as of December 31, 2013.

Table A.12 Countervailing duty orders in effect as of December 31, 2013

Country	Commodity	Effective date of original action
Brazil	Carbon and certain alloy steel wire rod	Oct. 22, 2002
	Heavy iron construction castings	May 15, 1986
China	Utility-scale wind towers	Feb. 15, 2013
	Drawn stainless steel sinks	April 11, 2013
	Crystalline silicon photovoltaic cells	Dec. 07, 2012
	High pressure steel cylinders	Jun. 21, 2012
	Multilayered wood flooring	Dec. 8, 2011
	Aluminum extrusions	May 26, 2011
	Drill pipe and drill collars	Mar. 3, 2011
	Seamless refined copper pipe and tube	Nov. 22, 2010
	Coated paper	Nov. 17, 2010
	Seamless carbon and alloy steel standard, line, and pressure pipe	Nov. 10, 2010
	Magnesia carbon bricks	Sept. 21, 2010
	Narrow woven ribbons	Sept. 1, 2010
	Steel grating	July 23, 2010
	Potassium phosphate salts	July 22, 2010
	Prestressed concrete steel wire strand	July 7, 2010
	Oil country tubular goods	Jan. 20, 2010
	Citric acid and certain citric salts	May 29, 2009
	Kitchen appliance shelving and racks	Sept. 14, 2009
	Tow-behind lawn groomers	Aug. 3, 2009
	Welded stainless steel pressure pipe	Mar. 19, 2009
	Circular welded carbon-quality steel line pipe	Jan. 23, 2009
	Lightweight thermal paper	Nov. 24, 2008
	Raw flexible magnets	Sept. 17, 2008
	Off-the-road tires	Sept. 4, 2008
	Sodium nitrite	Aug. 27, 2008
	Laminated woven sacks	Aug. 7, 2008
	Light-walled rectangular pipe and tube	Aug. 5, 2008
	Circular welded carbon-quality steel pipe	July 22, 2008
India	Commodity matchbooks	Dec. 11, 2009
	Lined paper school supplies	Sept. 28, 2006
	Carbazole violet pigment 23	Dec. 29, 2004
	Prestressed concrete steel wire strand	Feb. 4, 2004
	Polyethylene terephthalate (PET) film	July 1, 2002
	Hot-rolled carbon steel flat products	Dec. 3, 2001
	Carbon steel plate	Feb. 10, 2000
	Sulfanilic acid	Mar. 2, 1993
Indonesia	Coated paper	Nov. 17, 2010
	Hot-rolled carbon steel flat products	Dec. 3, 2001
	Carbon steel plate	Feb. 10, 2000
Iran	Roasted in-shell pistachios	Oct. 7, 1986
	Raw in-shell pistachios	Mar. 11, 1986
Italy	Pasta	July 24, 1996
Korea	Large residential washers	Feb. 15, 2013
	Carbon steel plate	Feb. 10, 2000
	Stainless steel sheet and strip	Aug. 6, 1999
South Africa	Stainless steel plate in coils	May 11, 1999
Thailand	Hot-rolled carbon steel flat products	Dec. 3, 2001
Turkey	Pasta	July 24, 1996
	Welded carbon steel pipe	Mar. 7, 1986
Vietnam	Polyethylene retail carrier bags	May 4, 2010
	Steel wire garment hangers	Feb. 5, 2013

Source: U.S. International Trade Commission.

Table A.13 Reviews of existing antidumping and countervailing duty orders completed in 2013, by date of completion

USITC investigation number	Product	Country of origin	Completion date^a	Action
731-TA-739	Clad steel plate	Japan	Continued	1/28/2013
731-TA-1103	Activated carbon	China	Continued	2/22/2013
701-TA-350	Corrosion-resistant carbon steel	Korea	Revoked	3/5/2013
731-TA-616	Corrosion-resistant carbon steel	Germany	Revoked	3/5/2013
731-TA-618	Corrosion-resistant carbon steel	Korea	Revoked	3/5/2013
731-TA-894	Ammonium nitrate	Ukraine	Continued	5/24/2013
731-TA-1110	Sodium hexametaphosphate	China	Continued	6/28/2013
731-TA-873	Steel concrete reinforcing bar	Belarus	Continued	7/2/2013
731-TA-874	Steel concrete reinforcing bar	China	Continued	7/2/2013
731-TA-875	Steel concrete reinforcing bar	Indonesia	Continued	7/2/2013
731-TA-878	Steel concrete reinforcing bar	Latvia	Continued	7/2/2013
731-TA-879	Steel concrete reinforcing bar	Moldova	Continued	7/2/2013
731-TA-880	Steel concrete reinforcing bar	Poland	Continued	7/2/2013
731-TA-882	Steel concrete reinforcing bar	Ukraine	Continued	7/2/2013
731-TA-1105	Lemon juice	Argentina	Continued	7/26/2013
731-TA-1106	Lemon juice	Mexico	Revoked	7/26/2013
701-TA-365	Pasta	Italy	Continued	8/30/2013
701-TA-366	Pasta	Turkey	Continued	8/30/2013
731-TA-734	Pasta	Italy	Continued	8/30/2013
731-TA-735	Pasta	Turkey	Continued	8/30/2013
731-TA-929	Silicomanganese	India	Continued	9/18/2013
731-TA-930	Silicomanganese	Kazakhstan	Continued	9/18/2013
731-TA-931	Silicomanganese	Venezuela	Continued	9/18/2013
731-TA-919	Welded large-diameter line pipe	Japan	Continued	9/26/2013
701-TA-447	Circular welded carbon-quality pipe	China	Continued	11/18/2013
731-TA-116	Circular welded carbon-quality pipe	China	Continued	11/18/2013

Source: U.S. International Trade Commission.

^aThe completion date shown is the date of the USITC notification of USDOC.

Table A.14 Section 337 investigations and related proceedings completed by the U.S. International Trade Commission during 2013 and those pending on December 31, 2013

Status of investigation	Article	Country ^a	Commission determination ^b
Completed:			
337-TA-562	Certain Incremental Dental Positioning Adjustment Appliances and Methods of Producing Same	British Virgin Islands, Pakistan	One related (ancillary) enforcement proceeding; terminated based on a finding of no violation.
337-TA-659	Certain Prepregs, Laminates, and Finished Circuit Boards	Taiwan, Hong Kong, China	One related (ancillary) enforcement proceeding; terminated based on a settlement agreement.
337-TA-666	Certain Cold Cathode Fluorescent Lamp (CCFL) Inverter Circuits and Products Containing Same	Taiwan, Korea	One related (ancillary) modification proceeding; terminated based on a modification to a consent order.
337-TA-710	Certain Personal Data and Mobile Communications Devices and Related Software	Taiwan	One related (ancillary) enforcement proceeding; terminated based on a settlement agreement.
337-TA-739	Certain Ground Fault Circuit Interrupters and Products Containing Same	China	One related (ancillary) enforcement proceeding; issued cease and desist orders.
337-TA-744	Certain Mobile Devices, Associated Software, and Components Thereof	No foreign respondents	One related (ancillary) bond forfeiture and one related (ancillary) bond return proceeding; terminated as premature.
337-TA-745	Certain Wireless Communication Devices, Portable Music and Data Processing Devices, Computers and Components Thereof	No foreign respondents	Terminated based on a finding of no violation.
337-TA-746	Certain Automated Media Library Devices	Germany, China, Mexico	Terminated based on a finding of no violation.
337-TA-752	Certain Gaming and Entertainment Consoles, Related Software, and Components Thereof	No foreign respondents	Terminated based on a finding of no violation.
337-TA-770	Certain Video Game Systems and Wireless Controllers and Components Thereof	Japan	Terminated based on a finding of no violation.
337-TA-781	Certain Microprocessors, Components Thereof, and Products Containing Same	Costa Rica, Malaysia, Philippines, China	Terminated based on a finding of no violation.
337-TA-791 (consolidated with 337-TA-826)	Certain Electric Fireplaces, Components Thereof, Manuals for Same, Certain Processes For Manufacturing or Relating to Same and Certain Products Containing Same	China	Issued limited exclusion order.
337-TA-792	Certain Static Random Access Memories and Products Containing Same	France, Sweden, Netherlands	Terminated based on a finding of no violation.
337-TA-794	Certain Electronic Devices, Including Wireless Communication Devices, Portable Music and Data Processing Devices, and Tablet Computers	No foreign respondents	Terminated based on disapproval of limited exclusion order and cease and desist order by the USTR.
337-TA-796	Certain Electronic Digital Media Devices and Components Thereof	Korea	Issued limited exclusion order and cease and desist orders.
337-TA-797	Certain Portable Electronic Devices and Related Software	Taiwan	Terminated based on a settlement agreement.
337-TA-804	Certain LED Photographic Lighting Devices and Components Thereof	China, Taiwan	Issued general exclusion order.
337-TA-805	Certain Devices for Improving Uniformity Used in a Backlight Module and Components Thereof and Products Containing the Same	Korea	Terminated based on a finding of no violation.

Status of investigation	Article	Country ^a	Commission determination ^b
337-TA-807	Certain Digital Photo Frames and Image Display Devices and Components Thereof	Taiwan, Canada, Japan	Issued limited exclusion order and cease and desist orders.
337-TA-808	Certain Electronic Devices with Communication Capabilities, Components Thereof, and Related Software	No foreign respondents	Terminated based on a settlement agreement.
337-TA-812	Certain Computing Devices with Associated Instruction Sets and Software	No foreign respondents	Terminated based on a settlement agreement.
337-TA-813	Certain Electronic Devices with Graphics Data Processing Systems, Components Thereof, and Associated Software	No foreign respondents	Terminated based on a settlement agreement.
337-TA-819	Certain Semiconductor Chips with DRAM Circuitry, and Modules and Products Containing Same	Taiwan	Terminated based on a settlement agreement.
337-TA-820	Certain Products Containing Interactive Program Guide and Parental Controls Technology	China	Terminated based on a settlement agreement.
337-TA-823	Certain Kinesiotherapy Devices and Components Thereof	Sweden, China, Netherlands	Issued general exclusion order and cease and desist orders.
337-TA-824	Certain Blu-Ray Disc Players, Components Thereof and Products Containing Same	Japan, China, Korea	Terminated based on a settlement agreement.
337-TA-825	Certain Silicon Microphone Packages and Products Containing Same	No foreign respondents	Terminated based on a settlement agreement.
337-TA-826 (consolidated with 337-TA-791)	Certain Electric Fireplaces, Components Thereof, Manuals for Same, Certain Processes for Manufacturing or Relating to Same and Certain Products Containing Same	China	Issued a limited exclusion order.
337-TA-828	Certain Video Displays and Products Using and Containing Same	Taiwan	Terminated based on a settlement agreement.
337-TA-829	Certain Toner Cartridges and Components Thereof	Vietnam, Mexico, China, Hong Kong, Canada	Issued a general exclusion order and cease and desist orders.
337-TA-830	Certain Dimmable Compact Fluorescent Lamps and Products Containing Same	China	Terminated based on a settlement agreement and withdrawal of the complaint.
337-TA-831	Certain Electronic Devices for Capturing and Transmitting Images, and Components Thereof	Taiwan	Terminated based on a settlement agreement.
337-TA-832	Certain Ink Application Devices and Components Thereof and Methods of Using the Same	Canada, China	Issued a limited exclusion order.
337-TA-834	Certain Mobile Electronic Devices Incorporating Haptics	Taiwan	Terminated based on withdrawal of the complaint.
337-TA-836	Certain Consumer Electronics and Display Devices and Products Containing Same	Canada, Taiwan, Korea, Japan, Sweden	Terminated based on a settlement agreement.
337-TA-838	Certain Food Waste Disposers and Components and Packaging Thereof	No foreign respondents	Terminated based on withdrawal of the complaint.
337-TA-839	Certain Consumer Electronics, Including Mobile Phones and Tablets	Taiwan, Korea, Canada	Terminated based on a settlement agreement.
337-TA-841	Certain Computers and Computer Peripheral Devices and Components Thereof and Products Containing the Same	Taiwan, Japan, France, Korea	Terminated based on a finding of no violation.
337-TA-854	Certain Two-Way Global Satellite Communication Devices, System and Components Thereof	United Kingdom	Terminated based on a consent order.

Status of investigation	Article	Country ^a	Commission determination ^b
337-TA-855	Certain Sintered Rare Earth Magnets, Methods of Making Same and Products Containing Same	China, Hong Kong, Austria, Germany	Terminated based on a settlement agreement.
337-TA-857	Certain Reduced Folate Nutraceutical Products and L-Methylfolate Raw Ingredients Used Therein	Italy, Switzerland	Terminated based on withdrawal of the complaint.
337-TA-858	Certain Devices with Secure Communication Capabilities, Components Thereof, and Products Containing Same	No foreign respondents	Terminated based on withdrawal of the complaint.
337-TA-863	Certain Paper Shredders, Certain Processes for Manufacturing or Relating to Same and Certain Products Containing Same and Certain Parts Thereof	China, Hong Kong	Terminated based on a settlement agreement.
337-TA-864	Certain Mobile Handset Devices and Related Touch Keyboard Software	China	Terminated based on a settlement agreement.
337-TA-865	Certain Balloon Dissection Devices and Products Containing Same	Germany	Terminated based on a consent order.
337-TA-869	Certain Robotic Toys and Components Thereof	British Virgin Islands, Hong Kong, New Zealand	Terminated based on a consent order.
337-TA-870	Certain Electronic Bark Control Collars	No foreign respondents	Terminated based on a settlement agreement.
337-TA-874	Certain Products Having Laminated Packaging, Laminated Packaging, and Components Thereof	France	Terminated based on a finding of no violation.
337-TA-875	Certain Radio Frequency Identification (RFID) Products and Components Thereof	No foreign respondents	Terminated based on a settlement agreement.
337-TA-878	Certain Electronic Devices Having Placeshifting or Display Replication Functionality and Products Containing Same	No foreign respondents	Issued a limited exclusion order and cease and desist orders.
337-TA-879	Certain Sleep-Disordered Breathing Treatment Systems and Components Thereof	Taiwan	Terminated based on a consent order.
337-TA-880	Certain Linear Actuators	China	Terminated based on withdrawal of the complaint.
337-TA-891	Certain Laundry and Household Cleaning Products and Related Packaging	Mexico	Terminated based on a settlement agreement.
Pending:			
337-TA-501	Certain Encapsulated Integrated Circuit Devices and Products Containing Same	Malaysia	One related (ancillary) remand proceeding; pending before the Commission.
337-TA-613	Certain 3G Mobile Handsets and Components Thereof	Finland	One related (ancillary) remand proceeding; pending before the Commission.
337-TA-641	Certain Variable Speed Wind Turbines and Components Thereof	Japan	One related (ancillary) remand proceeding; pending before the Commission.
337-TA-739	Certain Ground Fault Circuit Interrupters and Products Containing Same	China	One related (ancillary) bond return proceeding and one related (ancillary) advisory proceeding; pending before the Commission.
337-TA-750	Certain Mobile Devices and Related Software	No foreign respondents	One related (ancillary) remand proceeding; pending before the Commission.
337-TA-796	Certain Electronic Digital Media Devices and Components Thereof	Korea	One related (ancillary) bond return proceeding; pending before the ALJ.

Status of investigation	Article	Country ^a	Commission determination ^b
337-TA-800	Certain Wireless Devices with 3G Capabilities and Components Thereof	China, Finland	Pending before the Commission.
337-TA-816	Certain Wiper Blades	Korea, China, Taiwan	Pending before the ALJ.
337-TA-823	Certain Kinesiotherapy Devices and Components Thereof	Sweden, China, Netherlands	One related (ancillary) advisory proceeding; pending before the Commission.
337-TA-830	Certain Dimmable Compact Fluorescent Lamps and Products Containing Same	China	One related (ancillary) enforcement proceeding and one related (ancillary) modification proceeding; pending before the ALJ.
337-TA-833	Certain Digital Models, Digital Data, and Treatment Plans for Use in Making Incremental Dental Positioning Adjustment Appliances, the Appliances Made Therefrom, and Methods of Making the Same	Pakistan	Pending before the Commission.
337-TA-837	Certain Audiovisual Components and Products Containing the Same	Japan, Taiwan	Pending before the Commission.
337-TA-847	Certain Electronic Devices, Including Mobile Phones and Tablet Computers, and Components Thereof	Taiwan	Pending before the Commission.
337-TA-849	Certain Rubber Resins and Processes for Manufacturing Same	China, Hong Kong, Canada	Pending before the Commission.
337-TA-850	Electronic Imaging Devices	Taiwan, Korea, China	Pending before the Commission.
337-TA-853	Certain Wireless Consumer Electronics Devices and Components Thereof	Taiwan, Switzerland, China, Japan, Korea, Canada	Pending before the Commission.
337-TA-854	Certain Two-Way Global Satellite Communication Devices, System and Components Thereof	United Kingdom	One related (ancillary) enforcement proceeding; pending before the ALJ.
337-TA-859	Certain Integrated Circuit Chips and Products Containing the Same	No foreign respondents	Pending before the ALJ.
337-TA-860	Certain Optoelectronic Devices for Fiber Optic Communications, Components Thereof, and Products Containing the Same	Denmark, Germany, France, Israel	Pending before the Commission.
337-TA-861 (consolidated with 337-TA-867)	Certain Cases for Portable Electronic Devices	China, Taiwan, Hong Kong	Pending before the ALJ.
337-TA-862	Certain Electronic Devices, Including Wireless Communication Devices, Tablet Computers, Media Players, and Televisions, and Components Thereof	Korea	Pending before the ALJ.
337-TA-866	Certain Wireless Communications Equipment and Articles Therein	Sweden	Pending before the ALJ.
337-TA-867 (consolidated with 337-TA-861)	Certain Cases for Portable Electronic Devices	China, Taiwan	Pending before the ALJ.
337-TA-868	Certain Wireless Devices with 3G and/or 4G Capabilities and Components Thereof	China, Finland, Korea	Pending before the ALJ.
337-TA-871	Certain Wireless Communications Base Stations and Components Thereof	Sweden	Pending before the Commission.
337-TA-872	Compact Fluorescent Reflector Lamps, Products Containing Same and Components Thereof	No foreign respondents	Pending before the ALJ.

Status of investigation	Article	Country ^a	Commission determination ^b
337-TA-873	Certain Integrated Circuit Devices and Products Containing the Same	Taiwan, Korea, Finland	Pending before the ALJ.
337-TA-876	Certain Microelectromechanical Systems (MEMs Devices) and Products Containing Same	No foreign respondents	Pending before the ALJ.
337-TA-877	Certain Omega-3 Extracts from Marine or Aquatic Biomass and Products Containing the Same	Norway, Israel, New Zealand, Canada	Pending before the ALJ.
337-TA-879	Certain Sleep-Disordered Breathing Treatment Systems and Components Thereof	Taiwan	One related (ancillary) advisory proceeding; pending before the ALJ.
337-TA-881	Certain Windshield Wiper Devices and Components Thereof	Mexico	Pending before the ALJ.
337-TA-882	Certain Digital Media Devices, Including Televisions, Blu-Ray Disc Players, Home Theater Systems, Tablets and Mobile Phones, Components Thereof and Associated Software	Korea, Japan	Pending before the ALJ.
337-TA-883	Certain Opaque Polymers	Turkey, Netherlands	Pending before the ALJ.
337-TA-884	Certain Consumer Electronics with Display and Processing Capabilities	China, Japan, Taiwan	Pending before the ALJ.
337-TA-885	Certain Portable Electronic Communications Devices, Including Mobile Phones and Components Thereof	Taiwan	Pending before the ALJ.
337-TA-886	Certain TV Programs, Literary Works for TV Production and Episode Guides Pertaining to Same	Canada	Pending before the ALJ.
337-TA-887	Certain Crawler Cranes and Components Thereof	China	Pending before the ALJ.
337-TA-888	Certain Silicon Microphone Packages and Products Containing Same	China	Pending before the ALJ.
337-TA-889	Certain Wireless Devices, Including Mobile Phones and Tablets	Korea	Pending before the ALJ.
337-TA-890	Certain Sleep-Disordered Breathing Treatment Systems and Components Thereof	China	Pending before the ALJ.
337-TA-892	Certain Point-to Point Network Communication Devices and Products Containing Same	Taiwan, Korea, Japan, Sweden	Pending before the ALJ.
337-TA-893	Certain Flash Memory Chips and Products Containing Same	Taiwan, Japan, Hong Kong	Pending before the ALJ.
337-TA-894	Certain Tires and Products Containing Same	China, Thailand	Pending before the ALJ.
337-TA-895	Certain Multiple Mode Outdoor Grills and Parts Thereof	China, Hong Kong	Pending before the ALJ.
337-TA-896	Certain Thermal Support Devices for Infants, Infant Incubators, Infant Warmers, and Components Thereof	Japan	Pending before the ALJ.
337-TA-897	Certain Optical Disc Drives, Components Thereof, and Products Containing the Same	Hong Kong, Korea, Japan, Taiwan	Pending before the ALJ.
337-TA-898	Certain Marine Sonar Imaging Devices, Products Containing the Same, and Components Thereof	Hong Kong, United Kingdom	Pending before the ALJ.
337-TA-899	Certain Vision-Based Driver Assistance System Cameras and Components Thereof	No foreign respondents	Pending before the ALJ.
337-TA-900	Certain Navigation Products, Including GPS Devices, Navigation and Display Systems, Radar Systems, Navigational Aids, Mapping Systems and Related Software	Switzerland, Norway, United Kingdom	Pending before the ALJ.

Status of investigation	Article	Country^a	Commission determination^b
337-TA-901	Certain Handheld Magnifiers and Products Containing Same	China	Pending before the ALJ.
337-TA-902	Certain Windshield Wipers and Components Thereof	Belgium	Pending before the ALJ.
337-TA-903	Certain Antivenom Compositions and Products Containing the Same	Mexico	Pending before the ALJ.

Source: U.S. International Trade Commission.

^aThe country designation is based on the address of the foreign respondents named in the notice of investigation. "Hong Kong" refers to "Hong Kong, China"; "Korea" refers to "Republic of Korea."

^bALJ stands for Administrative Law Judge.

Table A.15 Outstanding Section 337 exclusion orders as of December 31, 2013

Investigation no.	Article	Country^a	Date patent expires^b
337-TA-55	Certain Novelty Glasses	Hong Kong	Nonpatent
337-TA-69	Certain Airtight Cast-Iron Stoves	Taiwan, Korea	Nonpatent
337-TA-87	Certain Coin-Operated Audio-Visual Games and Components Thereof	Japan, Taiwan	Nonpatent
337-TA-105	Certain Coin-Operated Audio-Visual Games and Components Thereof (viz. Rally-X and Pac-Man)	Japan, Taiwan	Nonpatent
337-TA-112	Certain Cube Puzzles	Taiwan, Japan, Canada	Nonpatent
337-TA-114	Certain Miniature Plug-In Blade Fuses	Taiwan	Nonpatent
337-TA-118	Certain Sneakers with Fabric Uppers and Rubber Soles	Korea	Nonpatent
337-TA-137	Certain Heavy-Duty Staple Gun Tackers	Taiwan, Hong Kong	Nonpatent
337-TA-152	Certain Plastic Food Storage Containers	Hong Kong, Taiwan	Nonpatent
337-TA-167	Certain Single Handle Faucets	Taiwan	Nonpatent
337-TA-174	Certain Woodworking Machines	Taiwan, South Africa	Nonpatent
337-TA-195	Certain Cloisonne Jewelry	Taiwan	Nonpatent
337-TA-197	Certain Compound Action Metal Cutting Snips and Components Thereof	Taiwan	Nonpatent
337-TA-229	Certain Nut Jewelry and Parts Thereof	Taiwan	Nonpatent
337-TA-231	Certain Soft Sculpture Dolls, Popularly Known as "Cabbage Patch Kids," Related Literature, and Packaging Therefor	No foreign respondents	Nonpatent
337-TA-266	Certain Reclosable Plastic Bags and Tubing	Singapore, Taiwan, Korea, Thailand, Hong Kong	Nonpatent
337-TA-279	Certain Plastic Light Duty Screw Anchors	Taiwan	Nonpatent
337-TA-285	Certain Chemiluminescent Compositions and Components Thereof and Methods of Using, and Products Incorporating, the Same	France	Nonpatent
337-TA-287	Certain Strip Lights	Taiwan	Nonpatent
337-TA-295	Certain Novelty Teleidoscopes	Hong Kong	Nonpatent
337-TA-319	Certain Automotive Fuel Caps and Radiator Caps and Related Packaging and Promotional Materials	Taiwan	Nonpatent
337-TA-321	Certain Soft Drinks and Their Containers	Colombia	Nonpatent
337-TA-378	Certain Asian-Style Kamaboko Fish Cakes	Japan	Nonpatent
337-TA-380	Certain Agricultural Tractors under 50 Power Take-Off Horsepower	Japan	Nonpatent
337-TA-413	Certain Rare-Earth Magnets and Magnetic Material and Articles Containing Same	Taiwan	July 8, 2014
337-TA-424	Certain Cigarettes and Packaging Thereof	No foreign respondents	Nonpatent
337-TA-440	Certain 4-Androstenediol	China	July 13, 2018
337-TA-448	Certain Oscillating Sprinklers, Sprinkler Components, and Nozzles	Taiwan, Israel, Germany	July 8, 2014 July 8, 2014
337-TA-473	Certain Video Game Systems, Accessories, and Components Thereof	No foreign respondents	Dec. 18, 2015 Dec. 25, 2015
337-TA-481/491	Certain Display Controllers with Upscaling Functionality and Products Containing Same; and Certain Display Controllers and Products Containing Same	Taiwan	Feb. 24, 2017
337-TA-482	Certain Compact Disc and DVD Holders	Denmark, Hong Kong, Taiwan	May 1, 2015
337-TA-486	Certain Agricultural Tractors, Lawn Tractors, Riding Lawnmowers, and Components Thereof	China	Nonpatent
337-TA-487 ^c	Certain Agricultural Vehicles and Components Thereof	China, Netherlands, France, Germany, Canada	Nonpatent

Investigation no.	Article	Country ^a	Date patent expires ^b
337-TA-494	Certain Automotive Measuring Devices, Products Containing Same, and Bezels for Such Devices	Taiwan	Nonpatent
337-TA-498	Certain Insect Traps	No foreign respondents	Jan. 30, 2018
337-TA-500	Certain Purple Protective Gloves	Malaysia	Nonpatent
337-TA-505	Certain Gun Barrels Used in Firearms Training Systems	Switzerland, Netherlands	Sept. 25, 2015 Aug. 25, 2017
337-TA-512	Certain Light-Emitting Diodes and Products Containing Same	Malaysia	Jan. 18, 2015 Sept. 22, 2017 Sept. 22, 2017 Sept. 22, 2017 Sept. 22, 2017 Sept. 22, 2017 July 27, 2018 July 27, 2018 July 27, 2018
337-TA-514	Certain Plastic Food Containers	China	Dec. 23, 2017 Dec. 23, 2017
337-TA-518	Certain Ear Protection Devices	China, Taiwan	June 2, 2015
337-TA-522	Certain Ink Markers and Packaging Thereof	China, India, Korea, Hong Kong	Nonpatent
337-TA-539	Certain Tadalafil or Any Salt or Solvate Thereof, and Products Containing Same	India, Panama, Haiti, Nicaragua, Mexico, Australia	June 12, 2016
337-TA-541	Certain Power Supply Controllers and Products Containing Same	Taiwan	Sept. 24, 2019 Sept. 24, 2019
337-TA-545	Certain Laminated Floor Panels	Canada, Netherlands, China, Malaysia	June 10, 2017 June 10, 2017 June 10, 2017
337-TA-549	Certain Ink Sticks for Solid Ink Printers	Korea	Apr. 29, 2022 Apr. 29, 2022 Apr. 29, 2022
337-TA-557	Certain Automotive Parts	Taiwan	June 22, 2018 July 27, 2018 Sept. 28, 2018 Oct. 5, 2018 Oct. 26, 2018 Mar. 1, 2019 Mar. 22, 2019
337-TA-563	Certain Portable Power Stations and Packaging Thereof	China	Feb. 4, 2017 Nonpatent Nonpatent
337-TA-565	Certain Ink Cartridges and Components Thereof	Hong Kong, China, Germany, Korea	Apr. 1, 2014 May 18, 2019 May 18, 2019 Apr. 3, 2022 Aug. 17, 2023 Aug. 26, 2023
337-TA-567	Certain Foam Footwear	Canada	Oct. 3, 2020 Mar. 28, 2020
337-TA-575	Certain Lighters	Hong Kong, China	Nonpatent
337-TA-582	Certain Hydraulic Excavators and Components Thereof	Canada	Nonpatent
337-TA-588	Certain Digital Multimeters, and Products with Multimeter Functionality	Hong Kong, China	Nonpatent
337-TA-590	Certain Coupler Devices for Power Supply Facilities, Components Thereof, and Products Containing Same	Taiwan, Germany, China	Aug. 5, 2024

Investigation no.	Article	Country ^a	Date patent expires ^b
337-TA-603	Certain DVD Players and Recorders and Certain Products Containing Same	China, Hong Kong	Dec. 23, 2014 Jan. 18, 2015 Jan. 30, 2016
337-TA-604	Certain Sucralose, Sweeteners Containing Sucralose, and Related Intermediate Compounds Thereof	China, United Kingdom, Hong Kong	Oct. 17, 2017 Apr. 18, 2023
337-TA-611	Certain Magnifying Loupe Products and Components Thereof	China	May 20, 2022
337-TA-615	Certain Ground Fault Circuit Interrupters and Products Containing the Same	China	Oct. 24, 2014 Nov. 21, 2020 May 3, 2021 Apr. 28, 2025
337-TA-617	Certain Digital Televisions and Certain Products Containing Same and Methods of Using Same	Taiwan, Hong Kong, China	Apr. 9, 2018
337-TA-629	Certain Silicon Microphone Packages and Products Containing the Same	Malaysia	June 21, 2021 Sept. 16, 2022
337-TA-637	Certain Hair Irons and Packaging Thereof	Singapore, China, Hong Kong	Nonpatent
337-TA-638	Certain Intermediate Bulk Containers	China	Mar. 21, 2015
337-TA-643	Certain Cigarettes and Packaging Thereof	Moldova, Belize, Singapore, Ukraine, Kyrgyzstan, Gibraltar, United Kingdom, Switzerland	Nonpatent
337-TA-644	Certain Composite Wear Components and Products Containing the Same	India, Italy	Aug. 27, 2017
337-TA-650 ^d	Certain Coaxial Cable Connectors and Components Thereof and Products Containing Same	Taiwan, China	Sept. 12, 2014 Aug. 2, 2017 Jan. 24, 2020
337-TA-655	Certain Cast Steel Railway Wheels, Certain Processes for Manufacturing or Relating to Same and Certain Products Containing Same	China	Nonpatent
337-TA-678	Certain Energy Drink Products	No foreign respondents	Nonpatent
337-TA-679	Certain Products Advertised As Containing Creatine Ethyl Ester	No foreign respondents	Nonpatent
337-TA-691	Certain Inkjet Ink Supplies and Components Thereof	China, Hong Kong	Mar. 9, 2018 May 11, 2018
337-TA-700	Certain MEMS Devices and Products Containing Same	No foreign respondents	Jan. 29, 2021
337-TA-710	Certain Personal Data and Mobile Communication Devices and Related Software	Taiwan	Feb. 1, 2016
337-TA-718	Certain Electronic Paper Towel Dispensing Devices and Components Thereof	Canada, Hong Kong, Taiwan, Turkey	Feb. 9, 2021 Feb. 9, 2021 Mar.15, 2021 May 27, 2021
337-TA-720	Certain Biometric Scanning Devices, Components Thereof, Associated Software, and Products Containing the Same	Korea	May 9, 2017 Jan. 16, 2023
337-TA-722	Certain Automotive Vehicles and Designs Therefore	China	Jan. 3, 2020
337-TA-723	Certain Inkjet Ink Cartridges with Printheads and Components Thereof	Taiwan, Hong Kong, China	Aug. 30, 2019 July 24, 2020 July 24, 2020 Oct. 30, 2020 Oct. 30, 2020
337-TA-725	Certain Caskets	Mexico	May 10, 2015 May 10, 2015 May 10, 2015 July 9, 2016 Sept. 13, 2020

Investigation no.	Article	Country ^a	Date patent expires ^b
337-TA-730	Certain Inkjet Ink Supplies and Components Thereof	Hong Kong, China	Aug. 20, 2023 Oct. 29, 2023
337-TA-739	Certain Ground Fault Circuit Interrupters and Products Containing Same	China	Oct. 21, 2023
337-TA-740	Certain Toner Cartridges and Components Thereof	China, Hong Kong, Canada, Korea, Macao	Feb. 16, 2016 Feb. 16, 2016 Dec. 20, 2016 Dec. 20, 2016 Dec. 20, 2016 Dec. 20, 2016 Feb. 18, 2018 Sept. 22, 2019 July 18, 2021 July 15, 2022 July 15, 2022 Apr. 29, 2023 May 21, 2023 Dec. 19, 2024
337-TA-744	Certain Mobile Devices, Associated Software, and Components Thereof	No foreign respondents	Apr. 10, 2018
337-TA-754	Certain Handbags, Luggage, Accessories, and Packaging Thereof	China	Nonpatent
337-TA-759	Certain Birthing Simulators and Associated Systems	China	May 8, 2016 May 8, 2016
337-TA-763	Certain Radio Control Hobby Transmitters and Receivers and Products Containing Same	China	Oct. 18, 2025 Nonpatent
337-TA-776	Certain Lighting Control Devices Including Dimmer Switches and Parts Thereof	China	June 10, 2014
337-TA-780	Certain Protective Cases and Components Thereof	China, Hong Kong	Sept. 29, 2023 June 15, 2024 May 11, 2024 June 15, 2024 Mar. 22, 2025 Apr. 19, 2025 Jan. 25, 2029 Nonpatent
337-TA-791/826	Certain Electric Fireplaces, Components Thereof, Manuals for Same, Certain Processes for Manufacturing or Relating to Same and Certain Products Containing Same; and Certain Electric Fireplaces, Components Thereof, Manuals for Same, Certain Processes for Manufacturing or Relating to Same and Certain Products Containing Same	China	Nonpatent
337-TA-796	Certain Electronic Digital Media Devices and Components Thereof	Korea	Sept. 6, 2026 Jan. 5, 2027
337-TA-804	Certain LED Photographic Lighting Devices and Components Thereof	China, Taiwan	Dec. 7, 2021 Dec. 7, 2021
337-TA-807	Certain Digital Photo Frames and Image Display Devices and Components Thereof	Taiwan, Canada, Japan	July 6, 2020 Dec. 26, 2020 Oct. 29, 2021
337-TA-823	Certain Kinesiotherapy Devices and Components Thereof	Sweden, China, Netherlands	Sept. 18, 2026
337-TA-829	Certain Toner Cartridges and Components Thereof	Vietnam, Mexico, China, Hong Kong, Canada	March 26, 2016 March 26, 2016
337-TA-832	Certain Ink Application Devices and Components Thereof and Methods of Using the Same	Canada, China	Feb. 28, 2020 Sept. 2, 2020

Investigation no.	Article	Country^a	Date patent expires^b
337-TA-878	Certain Electronic Devices Having Placeshifting or Display Replication Functionality and Products Containing Same	No foreign respondents	May 26, 2019 May 26, 2019 June 7, 2025 June 7, 2025 June 7, 2025 May 1, 2029

Source: U.S. International Trade Commission.

^aThis column lists the countries of the foreign respondents named in the notice of investigation.

^bMultiple dates indicate the expiration dates of separate patents within the investigation.

^cThere are three outstanding exclusion orders in inv. no. 337-TA-487.

^dThere are three outstanding exclusion orders in inv. no. 337-TA-650.

Table A.16 U.S. imports for consumption under the GSP, by leading GSP beneficiary, 2011–13

Source	2011	2012	2013	% change 2012–13
	Thousand \$			
India	3,736,156	4,453,874	4,222,999	-5.2
Thailand	3,719,574	3,709,582	3,341,136	-9.9
Brazil	2,059,096	2,317,083	2,306,520	-0.5
Indonesia	1,965,418	2,208,075	1,834,042	-16.9
Philippines	1,133,796	1,239,219	1,267,527	2.3
Turkey	894,703	1,139,221	1,213,494	6.5
South Africa	1,332,575	1,294,108	1,089,648	-15.8
Angola	300,237	631,683	710,350	12.5
Russia	574,780	543,880	465,868	-14.3
Pakistan	130,686	195,187	225,267	15.4
Ecuador	147,406	106,823	182,951	71.3
Sri Lanka	135,237	157,980	158,360	0.2
Bolivia	81,963	128,193	158,129	23.4
Tunisia	98,747	149,124	146,004	-2.1
Venezuela	115,914	98,573	110,262	11.9
Georgia	117,947	124,058	107,444	-13.4
Kazakhstan	93,322	111,379	93,597	-16.0
Uruguay	51,383	56,476	92,408	63.6
Armenia	79,539	80,600	86,784	7.7
Côte d'Ivoire	48,579	96,148	84,440	-12.2
Paraguay	77,117	69,685	78,972	13.3
Egypt	48,655	60,413	70,906	17.4
Lebanon	35,822	40,713	55,979	37.5
Ukraine	53,202	72,359	50,782	-29.8
Congo, Democratic Republic of the	691	93,704	50,155	-46.5
Subtotal, top 25 GSP beneficiaries	17,032,545	19,178,139	18,204,026	-5.1
All other beneficiaries	1,506,536	678,563	311,968	-54.0
Total U.S. imports for consumption under the GSP	18,539,081	19,856,702	18,515,994	-6.8

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown.

Table A.17 U.S. imports for consumption under the GSP, by USITC digest sectors, 2011–13

Sector Grouping	Description	2011	2012	2013	% change 2012–13
		Million \$			
U.S. imports for consumption:					
1	Agricultural products	2,865	3,015	2,984	-1.0
2	Forest products	469	546	600	9.9
3	Chemicals and related products	4,047	4,216	3,700	-12.2
4	Energy-related products	482	724	711	-1.8
5	Textiles and apparel	631	611	570	-6.8
6	Footwear	1	1	4	295.7
7	Minerals and metals	4,177	4,300	3,897	-9.4
8	Machinery	1,816	2,115	2,092	-1.1
9	Transportation equipment	1,691	1,885	1,688	-10.4
10	Electronic products	730	853	959	12.5
11	Miscellaneous manufactures	1,630	1,591	1,310	-17.7
Total U.S. imports for consumption under the GSP		18,539	19,857	18,516	-6.8
		Percent of total			
Share of U.S. imports for consumption:					
1	Agricultural products	15.5	15.2	16.1	
2	Forest products	2.5	2.7	3.2	
3	Chemicals and related products	21.8	21.2	20.0	
4	Energy-related products	2.6	3.6	3.8	
5	Textiles and apparel	3.4	3.1	3.1	
6	Footwear	0.0	0.0	0.0	
7	Minerals and metals	22.5	21.7	21.0	
8	Machinery	9.8	10.7	11.3	
9	Transportation equipment	9.1	9.5	9.1	
10	Electronic products	3.9	4.3	5.2	
11	Miscellaneous manufactures	8.8	8.0	7.1	
Total U.S. imports for consumption under the GSP		100.0	100.0	100.0	

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown.

Table A.18 Leading U.S. imports for consumption under the GSP, by HTS provision, 2011–13

HTS provision	Description	Million \$			% change 2012–13
		2011	2012	2013	
2709.00	Petroleum oils and oils from bituminous minerals, crude	481	664	649	-2.3
4011.10	New pneumatic tires, of rubber, of a kind used on motor cars (including station wagons and racing cars)	421	575	345	-39.9
7113.19	Jewelry and parts thereof, of precious metal other than silver	248	335	333	-0.4
7202.41	Ferrochromium, containing more than 4% (weight) carbon	386	373	319	-14.4
1005.90	Corn (maize), other than seed corn	9	119	312	161.0
7606.12	Aluminum alloy rectangular (including square) plates, sheets and strip, over 0.2 mm thick	493	399	267	-33.1
8415.90	Parts, n.e.s.o.i., of air conditioning machines	126	193	262	36.2
4015.19	Gloves, mittens and mitts, other than surgical, of vulcanized rubber	224	250	239	-4.8
2106.90	Food preparations n.e.s.o.i.	262	224	211	-5.8
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	261	260	205	-21.3
6802.99	Worked monumental or building stone n.e.s.o.i., of stone n.e.s.o.i.	86	145	196	34.9
2202.90	Nonalcoholic beverages, n.e.s.o.i. (including milk-based drinks and nonalcoholic beer)	91	149	185	23.9
7202.30	Ferrosilicon manganese	279	280	172	-38.7
7202.21	Ferrosilicon, containing more than 55% (weight) silicon	170	201	164	-18.3
2008.99	Fruit and other edible parts of plants, n.e.s.o.i., prepared or preserved, whether or not containing added sweetening or spirit, n.e.s.o.i.	126	127	149	17.6
4412.31	Plywood n.e.s.o.i., not of bamboo, not over 6mm thickness with at least one outer ply of wood as specified in subheading note 1 to chapter 44	108	137	145	5.6
8481.80	Taps, cocks, valves and similar appliances for pipes, vats or the like, including thermostatically controlled valves, n.e.s.o.i.	157	176	145	-17.9
1704.90	Sugar confectionery (including white chocolate), not containing cocoa, n.e.s.o.i.	137	130	138	6.8
8483.10	Transmission shafts (including camshafts and crankshafts) and cranks	147	191	134	-29.6
7323.93	Table, kitchen or other household articles and parts thereof, of stainless steel	102	112	134	19.9
2934.10	Heterocyclic compounds containing an unfused triazole ring (whether or not hydrogenated) in the structure	38	85	133	57.0
7403.11	Refined copper cathodes and sections of cathodes	4	0	130	^a
9001.50	Spectacle lenses of materials other than glass	97	96	128	33.8
3907.60	Polyethylene terephthalate, in primary forms	47	72	125	75.3
8708.94	Steering wheels, steering columns and steering boxes and parts thereof, for motor vehicles	75	104	125	19.8
	Total of items shown	4,574	5,397	5,347	-0.9
	All other HTS subheadings	13,965	14,459	13,169	-8.9
	Total of all commodities	18,539	19,857	18,516	-6.8

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aUndefined.

Table A.19 U.S. imports for consumption under AGOA, by source, 2011–13

Source	2011	2012	2013	% change 2012–13
	Thousand \$			
Nigeria	31,003,705	17,723,567	10,818,897	-39.0
Angola	11,534,112	6,660,738	6,003,258	-9.9
South Africa	2,464,831	2,384,109	2,578,238	8.1
Chad	2,991,226	2,376,665	2,397,799	0.9
Congo, Republic of the	1,935,187	1,225,539	1,039,454	-15.2
Gabon	477,521	1,271,621	924,951	-27.3
Kenya	288,273	287,737	336,535	17.0
Lesotho	314,311	300,609	320,807	6.7
Mauritius	155,982	160,030	187,895	17.4
Swaziland	77,121	62,373	53,940	-13.5
Malawi	56,146	46,307	47,084	1.7
Cameroon	137,372	111,765	36,427	-67.4
Ethiopia	10,887	18,294	31,711	73.3
Tanzania	5,131	10,446	10,360	-0.8
Botswana	15,479	10,427	5,856	-43.8
Ghana	414,094	16,988	2,811	-83.5
Mozambique	689	30	1,362	4,513.2
Côte d'Ivoire	0	29,901	229	-99.2
Cabo Verde	154	117	146	25.2
Uganda	787	64	56	-13.3
Senegal	3	5,634	11	-99.8
Rwanda	17	8	9	19.5
Zambia	10	7	8	23.0
Burkina Faso	2	5	7	32.4
Guinea	0	3	6	122.1
Niger	0	1	^(a)	-75.3
Gambia	1	0	0	^(b)
Namibia	13	216	0	-100.0
Mali	2	21	0	-100.0
Togo	0	44,448	0	-100.0
Total U.S. imports for consumption under AGOA	51,883,054	32,747,670	24,797,856	-24.3

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown.

^aLess than \$500.

^bUndefined.

Table A.20 Leading U.S. imports for consumption under AGOA, by HTS provision, 2011–13

HTS provision	Description	2011	2012	2013	% change 2012–13
		Million \$			
2709.00	Petroleum oils and oils from bituminous minerals, crude	47,434	28,114	19,984	-28.9
8703.23	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,500 cc but not over 3,000 cc	1,995	1,872	2,098	12.1
2710.12	Light oils and preparations	^(a)	896	771	-13.9
2710.19	Petroleum oils and oils (not light) from bituminous minerals or preps n.e.s.o.i. 70%+ by weight from petroleum oils or bituminous minerals	262	453	465	2.8
7202.11	Ferromanganese, containing more than 2% (wt.) carbon	205	197	180	-8.8
6205.20	Men's or boys' shirts of cotton, not knitted or crocheted	117	129	149	15.2
6203.42	Men's or boys' trousers, bib and brace overalls, breeches and shorts of cotton, not knitted or crocheted	141	135	140	3.7
6110.30	Sweaters, pullovers, sweatshirts, vests and similar articles of manmade fibers, knitted or crocheted	75	68	99	45.0
6204.62	Women's or girls' trousers, bib and brace overalls, breeches and shorts of cotton, not knitted or crocheted	126	105	88	-16.6
6104.63	Women's or girls' trousers, bib and brace overalls, breeches and shorts of synthetic fibers, knitted or crocheted	41	47	84	78.5
3823.70	Industrial fatty alcohols	47	54	61	11.5
0802.62	Macadamia nuts, shelled	^(b)	57	52	-8.5
0805.10	Oranges, fresh	38	40	51	28.8
6105.20	Men's or boys' shirts of manmade fibers, knitted or crocheted	28	35	49	38.2
6109.90	T-shirts, singlets, tank tops and similar garments, of textile materials n.e.s.o.i., knitted or crocheted	18	27	40	45.7
2401.20	Tobacco, partly or wholly stemmed/stripped	40	39	37	-6.6
2204.21	Wine of fresh grapes (other than sparkling wine) and grape must with fermentation prevented, etc., by adding alcohol, containers of not over 2 liters	27	29	33	13.4
6204.63	Women's or girls' trousers, bib and brace overalls, breeches and shorts of synthetic fibers, not knitted or crocheted	15	20	30	54.7
6103.43	Men's or boys' trousers, bib and brace overalls, breeches and shorts of synthetic fibers, knitted or crocheted	26	26	28	10.0
6110.20	Sweaters, pullovers, sweatshirts, vests and similar articles of cotton, knitted or crocheted	62	34	27	-20.5
8111.00	Manganese and articles thereof, including waste and scrap	8	24	23	-4.2
6104.62	Women's or girls' trousers, bib and brace overalls, breeches and shorts of cotton, knitted or crocheted	49	56	22	-60.7
2204.29	Wine of fresh grapes (other than sparkling wine) and grape must with fermentation prevented, etc., by adding alcohol, containers holding over 2 liters	3	15	18	18.9
2207.10	Ethyl alcohol, undenatured, of an alcoholic strength by volume of 80% vol. or higher	17	17	17	-1.3
6105.10	Men's or boys' shirts of cotton, knitted or crocheted	31	19	15	-20.1
	Total of items shown	50,807	32,509	24,562	-24.4
	All other HTS subheadings	1,077	238	236	-0.9
	Total of all commodities	51,883	32,748	24,798	-24.3

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation "n.e.s.o.i." stands for "not elsewhere specified or included."

^aTrade in 2011 reported under HTS tariff line 2710.11^bTrade in 2011 reported under HTS tariff line 0802.60

Table A.21 U.S. imports for consumption under ATPA/ATPDEA, by source, 2011–13

Source	2011	2012	2013	% change 2012–13
	Million \$			
Colombia ^a	2,675	5,536	0	-100.0
Ecuador ^b	1,706	5,870	2,538	-56.8
Peru ^c	5	0	0	(^d)
Total	4,385	11,406	2,538	-77.7

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown.

^aColombia's status as an ATPA beneficiary country ended effective May 15, 2012. This table includes imports valued at \$222 million from Colombia that claimed ATPA/ATPDEA preferences after that date.

^bEcuador's status as an ATPA beneficiary country ended when the program expired on July 31, 2013. This table includes imports valued at \$80 million from Ecuador that claimed ATPA/ATPDEA preferences after that date.

^cPeru's status as an ATPA beneficiary country ended on January 1, 2011. This table includes imports valued at \$5 million from Peru that claimed ATPA/ATPDEA preferences after that date.

^dUndefined.

Table A.22 Leading U.S. imports for consumption under ATPA/ATPDEA, by HTS provision, 2011–13

HTS provision	Description	2011	2012	2013	% change
		Million \$			2012–13
2709.00	Petroleum oils and oils from bituminous minerals, crude	3,629	10,029	2,228	-77.8
0603.11	Fresh roses of a kind suitable for bouquets or other ornamental purposes	140	245	72	-70.6
1604.14	Tunas, skipjack and bonito (<i>sarda</i> spp.), prepared or preserved, whole or in pieces, but not minced	18	94	59	-37.5
0603.19	Fresh flowers, n.e.s.o.i., of a kind suitable for bouquets or other ornamental purposes	64	125	47	-62.5
2710.12	Light oils and preparations	^(a)	109	39	-64.3
2008.99	Fruit and other edible parts of plants, n.e.s.o.i., prepared or preserved, whether or not containing added sweetening or spirit, n.e.s.o.i.	7	32	18	-43.6
0710.80	Vegetables, n.e.s.o.i., uncooked or cooked by steaming or boiling in water, frozen	6	23	11	-51.6
0714.90	Roots and tubers with high starch or inulin content, n.e.s.o.i., fresh, chilled, frozen or dried, whether or not sliced or in form of pellet; sago pith	4	11	8	-26.8
8544.49	Insulated electric conductors, for a voltage not exceeding 1000 v, not fitted with connectors	2	5	5	5.5
2005.99	Vegetables, prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 20.06, n.e.s.o.i.	3	9	4	-58.2
0804.50	Guavas, mangoes and mangosteens, fresh or dried	15	21	4	-83.0
3907.60	Polyethylene terephthalate, in primary forms	^(b)	1	3	224.7
0811.90	Fruit, n.e.s.o.i., and nuts, uncooked or cooked by steaming or boiling in water, whether or not containing added sweetening, frozen	2	9	3	-65.1
3923.21	Sacks and bags (including cones), of polymers of ethylene	1	5	2	-52.7
6115.21	Panty hose and tights (excluding graduated compression hosiery), knitted or crocheted, of synthetic fibers measuring < 67 decitex per single yarn	2	3	2	-28.4
0604.90	Foliage, branches, and other parts of plants for ornamental purposes	^(c)	3	2	-35.4
0603.15	Fresh cut lilies (<i>lilium</i> spp.)	^(d)	9	2	-78.0
2009.89	Juice of any single vegetable, other than cranberry juice or other fruit juice, n.e.s.o.i., concentrated or not concentrated	^(e)	3	2	-51.1
6908.90	Glazed ceramic flags and paving, hearth or wall tiles n.e.s.o.i.	4	7	1	-77.9
0710.29	Leguminous vegetables, n.e.s.o.i., uncooked or cooked by steaming or boiling in water, frozen	1	2	1	-48.6
0804.30	Pineapples, fresh or dried	3	5	1	-77.5
0714.50	Fresh frozen, dried, or chilled yautia (<i>xanthosoma</i> spp.)	^(f)	1	1	-6.6
0811.10	Strawberries, uncooked or cooked by steaming or boiling in water, whether or not sweetened, frozen	^(b)	1	1	-33.9
3823.19	Industrial monocarboxylic fatty acids, n.e.s.o.i.; acid oils from refining	0	0	1	226.5
0603.14	Fresh chrysanthemums of a kind suitable for bouquets or other ornamental purposes	34	53	1	-98.3
	Total of items shown	3,935	10,806	2,518	-76.7
	All other HTS subheadings	450	600	20	-96.6
	Total of all commodities	4,385	11,406	2,538	-77.7

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aTrade in 2011 reported under HTS tariff line 2710.11.

^bLess than \$500,000.

^cTrade in 2011 reported under HTS tariff line 0604.99.

^dTrade in 2011 reported under HTS tariff line 0603.19.

^eTrade in 2011 reported under HTS tariff line 2009.80.

^fTrade in 2011 reported under HTS tariff line 0714.90.

Table A.23 U.S. imports for consumption under CBERA/CBTPA, by source, 2011–13

Source	2011	2012	2013	% change 2012–13
	Thousand \$			
Trinidad and Tobago	2,594,465	2,171,207	1,640,693	-24.4
Haiti	474,602	436,783	361,625	-17.2
Bahamas	123,854	130,309	142,890	9.7
Belize	146,045	131,898	104,822	-20.5
Jamaica	179,045	206,046	91,931	-55.4
St. Kitts-Nevis	27,273	22,350	18,933	-15.3
Guyana	11,129	5,300	4,532	-14.5
St. Lucia	1,889	1,836	3,155	71.9
Barbados	4,493	3,812	2,040	-46.5
Grenada	257	341	295	-13.5
Dominica	149	117	170	45.3
St. Vincent and Grenadines	88	138	141	2.2
British Virgin Islands	136	451	103	-77.1
Antigua and Barbuda	23	30	24	-17.6
Aruba	249	27	18	-32.1
Panama ^a	55,184	26,319	0	-100.0
Montserrat Island	0	24	0	-100.0
Total U.S. imports for consumption under CBERA/CBTPA	3,618,883	3,136,986	2,371,374	-24.4

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown.

^aU.S. imports from Panama are included only for the period during which Panama was eligible for CBERA benefits before the U.S.-Panama Trade Promotion Agreement entered into effect on October 31, 2013.

Table A.24 Leading U.S. imports for consumption under CBERA/CBTPA, by HTS provision, 2011–13

HTS provision	Description	2011	2012	2013	% change 2012-13
2905.11	Methanol (methyl alcohol)	1,097	1,022	1,172	14.6
2709.00	Petroleum oils and oils from bituminous minerals, crude	1,274	1,164	371	-68.1
6109.10	T-shirts, singlets, tank tops and similar garments of cotton, knitted or crocheted	213	225	209	-7.1
3903.11	Polystyrene, expandable, in primary forms	122	129	142	9.4
2710.19	Petroleum oils and oils (not light) from bituminous minerals or preps n.e.s.o.i. 70%+ by weight from petroleum oils or bituminous minerals	125	40	133	231.1
6110.20	Sweaters, pullovers, sweatshirts, vests and similar articles of cotton, knitted or crocheted	221	176	118	-32.9
2207.10	Ethyl alcohol, undenatured, of an alcoholic strength by volume of 80% vol. or higher	244	153	27	-82.5
0714.30	Fresh, frozen, or dried, or chilled yams (<i>dioscorea</i> spp.)	^(a)	16	17	7.4
2933.61	Melamine	24	22	17	-22.0
0804.50	Guavas, mangoes and mangosteens, fresh or dried	10	9	12	37.5
0807.20	Papayas (papaws), fresh	13	11	12	10.1
2103.90	Sauces and preparations therefor, n.e.s.o.i.; mixed condiments and mixed seasonings	10	11	11	5.5
8525.50	Transmission apparatus for television	16	12	11	-12.8
6109.90	T-shirts, singlets, tank tops and similar garments, of textile materials n.e.s.o.i., knitted or crocheted	18	16	11	-31.7
2106.90	Food preparations n.e.s.o.i.	4	6	8	37.0
2009.11	Orange juice, frozen, whether or not sweetened	6	8	7	-11.7
2009.19	Orange juice, other than frozen, not fortified with vitamins or minerals, of a brix value exceeding 20	5	8	5	-36.8
2008.99	Fruit and other edible parts of plants, n.e.s.o.i., prepared or preserved, whether or not containing added sweetening or spirit, n.e.s.o.i.	6	6	5	-15.1
2202.10	Waters, including mineral waters and aerated waters, sweetened or flavored	7	5	5	-12.7
2005.99	Vegetables, prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 20.06, n.e.s.o.i.	3	4	5	18.1
2818.10	Artificial corundum, whether or not chemically defined	0	0	4	^(b)
8503.00	Parts of electric motors, generators, generating sets and rotary converters	4	4	4	-4.9
2202.90	Nonalcoholic beverages, n.e.s.o.i. (including milk-based drinks and nonalcoholic beer)	5	5	4	-24.5
8504.90	Parts for electrical transformers, static converters and inductors	4	4	3	-16.1
2104.10	Soups and broths and preparations therefor	2	2	3	56.5
	Total of items shown	3,433	3,056	2,313	-24.3
	All other HTS subheadings	186	81	58	-28.2
	Total of all commodities	3,619	3,137	2,371	-24.4

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.” Data for 2012 include U.S. imports from Panama only for the period during which Panama was eligible for CBERA benefits before the U.S. Panama Trade Promotion Agreement entered into force on October 31, 2013.

^aTrade in 2011 reported under HTS tariff line 0714.20.

^bUndefined.

Table A.25 WTO dispute settlement cases to which the United States was a party, developments in 2013

Case no.	Title	Complainant	Action (month/day/year)
DS217	United States—Continued Dumping and Subsidy Offset Act of 2000 (Byrd Amendment)	Australia, Brazil, Chile, European Communities (EC), India, Indonesia, Japan, Korea, Thailand	<p>Complaining parties request consultations (12/21/00). Panel established (08/23/01) and composed (10/25/01). Panel report circulated to members (09/16/02). U.S. notifies Dispute Settlement Body (DSB) it will appeal panel decision (10/18/02). Appellate Body circulates its report (06/16/03). Arbitrator finds that U.S. has failed to implement the DSB recommendations and rulings (01/15/04). Arbitrator circulates decisions relating to level of suspension of concessions to offset U.S. Byrd Amendment distributions (08/31/04). Authority to retaliate granted (11/26/04, 12/17/04). DSB authorizes or takes note of various requests or agreements to suspend concessions (2004–05). U.S. states at DSB meeting that recent changes bring U.S. law into conformity with its WTO obligations (02/17/06). Japan and EC notify DSB annually of the new list of products on which the additional import duty would apply, prior to the entry into force of a level of suspension of concessions (2006–13).</p>
DS294	United States—Laws, Regulations and Methodology for Calculating Dumping Margins (Zeroing)	European Communities	<p>EC requests consultations (06/12/03). Panel established (03/19/04) and composed (10/27/04). Panel report circulated (10/31/05). Appellate Body report circulated (04/18/06). DSB adopts Appellate Body report and panel report as modified (05/09/06). U.S. announces that it intends to implement the DSB recommendations and rulings (05/30/06). U.S. and EC agree, pursuant to Dispute Settlement Understanding (DSU) Article 21.3(b), to the reasonable period of time for implementation (07/28/06). U.S. and EC reach an understanding on Article 21 and 22 procedures (05/04/07). EC requests Article 21.5 consultations (07/09/07). Brazil and Korea request to join consultations (07/20/07). EC requests establishment of Article 21.5 panel (09/13/07). Article 21.5 Appellate Body report adopted (06/11/09). EC requests authorization to suspend concessions or other obligations per Article 22.2 of DSU (01/29/10). U.S. informs DSB it objects to suspension level proposed by the EU (02/12/10). DSB refers the matter to arbitration (02/18/10). European Union and United States at various times during 2010–early 2012 jointly requested that the arbitrator suspend work; work suspended through June 28, 2012. EU and U.S. inform the DSB of a memorandum between the U.S. and the EC which envisages a roadmap addressing the dispute (02/06/12). EU withdraws its request for authorization to suspend concessions or other obligations under Article 22.2 of DSU following completion by the U.S. of the steps undertaken pursuant to roadmap notified in February 2012 (06/22/12). Arbitrator informs the DSB of receipt of joint communication of June 22, 2012, from the EU and U.S. and that the U.S. and EU request that the arbitrator notify the DSB that it is not necessary for it to issue a report/ award in this dispute; the arbitrator therefore considers that it has completed its work (07/02/12).</p>

Case no.	Title	Complainant	Action (month/day/year)
DS316	European Communities— Measures Affecting Trade in Large Civil Aircraft	United States	<p>U.S. requests consultations with EC (10/06/04). Panel established (07/20/05) and composed (10/17/05). Panel circulates its report (06/30/10). EU appeals decision to Appellate Body (07/21/10); U.S. does the same (08/19/10). Appellate Body report circulated (05/18/11). DSB adopts Appellate Body report and panel report (as modified) (06/01/11). EU informs DSB it intends to implement DSB recommendation (06/17/11). EU informs DSB it has taken steps to bring its measures into conformity with obligations (12/01/11). U.S. requests consultations with EU under Article 21.5 and requests authority to take countermeasures (12/09/11). EU objects to requested level of U.S. measures and requests matter be referred to arbitration under Article 22.6; DSB refers to arbitration (12/22/11). U.S. and EU request arbitrator to suspend work (01/19/12). Arbitrator suspends work until either party requests resumption (01/20/12).</p>
DS322	United States— Measures Relating to Zeroing and Sunset Reviews	Japan	<p>Japan requests consultations (11/24/04). Panel established (02/28/05) and composed (04/15/05). Panel report circulated (09/20/06). Appellate Body report circulated (01/9/07). DSB adopts Appellate Body report and panel report (as modified) (01/23/07). Agreement reached on the reasonable period of time for implementation (05/04/07). Article 21.3(c) arbitration report circulated (05/11/07). Japan seeks authorization to suspend concessions (01/10/08). Japan asks for establishment of Article 21.5 panel (04/07/08). United States and Japan request arbitrator to suspend work (06/06/08). Article 21.5 panel report circulated (04/24/09). U.S. notifies DSB of intent to appeal (05/20/09). Article 21.5 Appellate Body report adopted (08/31/09). Japan requests arbitrator to resume arbitration proceedings (04/23/10). U.S. and Japan request arbitrator to suspend work (12/15/10). Subsequent requests continue suspension through August 21, 2012 (02/01/12). U.S. and Japan inform DSB of memorandum of understanding regarding the dispute (02/06/12). Japan withdraws request for authorization to suspend concessions/obligations under Article 22.6 after U.S. completes steps notified to the DSB in Feb. 2012 (08/03/12). Arbitrator informs DSB, following receipt of request from Japan and U.S., that no award is necessary, that it is not necessary to issue a decision, and that work is considered completed (08/14/12).</p>

Case no.	Title	Complainant	Action (month/day/year)
DS344	United States—Final Antidumping Measures on Stainless Steel from Mexico	Mexico	<p>Mexico requests consultations (05/26/06). Panel established (10/26/06) and composed (12/20/06). Panel report circulated (12/20/07). Mexico notifies DSB of decision to appeal (01/31/08). DSB adopts Appellate Body report and panel report (as modified) (05/20/08). Mexico requests that the reasonable period of time for U.S. implementation be determined through binding arbitration pursuant to Article 21.3(c) (08/11/08). Article 21.3 arbitration report circulated (10/31/08), setting April 30, 2009, as a reasonable time for the U.S. to implement. U.S. informs DSB that U.S. and Mexico concluded a sequencing agreement (05/20/09). Mexico requests establishment of a compliance panel (09/07/10). DSB agrees to refer the matter to the original panel if possible (09/21/10). Compliance panel composed (05/13/11). Panel chairman informs DSB that he expects to circulate a final report in March 2012 (11/09/11). Mexico asks compliance panel to suspend work until May 14, 2012 (04/27/12). Mexico asks compliance panel to suspend work until May 31, 2012 (05/14/12). Mexico asks compliance panel to suspend work until further notice (05/31/12), and panel agrees. Mexico and the U.S. notify the DSB that the parties have reached a mutually satisfactory solution (04/08/13).</p>
DS350	United States—Continued Existence and Application of Zeroing Methodology	European Communities	<p>EC requests consultations (10/02/06). Panel established (06/04/07) and composed (07/06/07). Panel report circulated (10/01/08). EC (11/06/08) and U.S. (11/18/08) notify DSB of decision to appeal. Appellate Body and modified panel reports adopted (02/19/09). U.S. and EC agree that a reasonable time for the U.S. to implement is Dec. 19, 2009 (06/02/09). EU and U.S. notify the DSB of agreed procedures under Articles 21 and 22 (01/04/10). EU and U.S. inform the DSB of a memorandum between the U.S. and European Commission which envisages a roadmap addressing the dispute (02/06/12).</p>

Case no.	Title	Complainant	Action (month/day/year)
DS353	United States— Measures Affecting Trade in Large Civil Aircraft—Second Complaint	European Communities	<p>EC requests consultations (06/27/05).</p> <p>Panel established (02/17/06) and composed (11/22/06).</p> <p>Panel chairman informs DSB multiple times that panel needs additional time to complete work in light of complexities of the dispute (05/18/07, 07/11/08, 12/16/09, 07/07/10).</p> <p>Panel report circulated to members (03/31/11).</p> <p>EU notifies DSB of its decision to appeal to Appellate Body (04/01/11), and U.S. also notifies decision to appeal (04/28/11).</p> <p>Appellate Body report circulated to members (03/12/12) and adopted (03/23/12).</p> <p>U.S. informs DSB it intends to implement DSB recommendations and rulings (04/13/12).</p> <p>EU and U.S. inform DSB of agreed procedures under Articles 21 and 22 of DSU and Article 7 of SCM Agreement (04/24/12).</p> <p>U.S. notifies DSB of withdrawal of subsidies and adverse effects of dispute, and that it fully complies with DSB recommendations and rulings (09/23/12).</p> <p>EU requests consultations under Article 21.5 (09/25/12).</p> <p>EU requests authority to take countermeasures under Article 22 of DSU and Agreement on Subsidies and Countervailing Measures (SCM Agreement) (09/27/12).</p> <p>EU requests establishment of compliance panel (10/11/12).</p> <p>Compliance panel composed (10/30/12).</p> <p>Compliance panel chairman informs DSB that panel will circulate report during first half of 2014 (01/15/13).</p> <p>U.S. objects to level of suspension of concessions/ obligations sought; U.S. seeks arbitration under Article 22.6 of the DSU (10/22/12).</p> <p>At request of U.S. and EU, arbitrator to suspend arbitration proceedings (11/28/12).</p>

Case no.	Title	Complainant	Action (month/day/year)
DS363	China—Measures Affecting Trading Rights and Distribution Services for Certain Publications and Audiovisual Entertainment Products	United States	<p>U.S. requests consultations with China (04/10/07). Panel established (11/27/07) and composed (03/27/08). Panel report circulated (08/12/09). China (09/22/09) and U.S. (10/05/09) notify the DSB of their respective decisions to appeal. Appellate Body report circulated to members (12/21/09). DSB adopts Appellate Body report and panel report (as modified) (01/19/10). China and U.S. inform DSB that they have agreed that a reasonable period for China to implement the DSB recommendations is by March 14, 2011 (07/12/10). China reports to DSB that it has made efforts to implement DSB recommendations; U.S. expresses concern about lack of progress by China (03/25/11). U.S. and China inform DSB of agreed procedures under Articles 21 and 22 of the DSU (04/13/11). China reports to the DSB it has completed amendments to most measures and has signed a memorandum of understanding with the U.S. (02/22/12). China tells DSB that it has ensured full implementation of DSB recommendations and rulings except for measures concerning films for theatrical release. U.S. states that it is not in a position to agree that China has fully implemented DSB recommendations and rulings in all areas except films for theatrical release (03/23/12). China and the U.S. inform the DSB of key elements relating to theatrical release as set forth in the MOU noted at the Feb. 22, 2012, DSB meeting (05/09/12). China tells DSB it has taken all necessary steps and has complied with DSB recommendations. U.S. says that MOU represented significant progress but not a final resolution (05/24/12).</p>
DS379	United States—Definitive Anti-Dumping and Countervailing Duties on Certain Products from China	China	<p>China requests consultations with U.S. (09/19/08). Panel established (01/20/09) and composed (03/04/09). Panel report circulated (10/22/10). China notifies DSB it will appeal the panel's decision to the Appellate Body (12/01/10). Appellate Body report circulated (03/11/11). DSB adopts Appellate Body report and panel report (as modified) (03/25/11). China and the U.S. inform DSB that they have agreed that a reasonable time for the U.S. to implement the DSB's recommendations is Feb. 25, 2012 (07/5/11). China and the U.S. inform the DSB that they have modified the reasonable time period, with the period to expire April 25, 2012 (01/17/12). China and U.S. notify the DSB of agreed procedures under Articles 21 and 22 of the DSU (05/11/12). U.S. tells DSB it has brought the measures at issue into full compliance with DSB recommendations and rulings (08/31/12), but China says that it does not agree with the U.S. claim to such effect (09/28/12).</p>

Case no.	Title	Complainant	Action (month/day/year)
DS381	United States— Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products	Mexico	<p>Mexico requests consultations with the U.S. (10/24/08). Panel established (04/20/09) and composed (12/14/09). Panel chairman informs DSB panel expects to issue report in February 2011 (06/15/10). Parties agree on new panel member following death of one member (08/12/10). Panel report circulated to members (09/15/11). U.S. notifies DSB of its decision to appeal the panel's decision (01/20/12); Mexico does the same (01/25/12). Appellate Body report is circulated to members (05/16/12) and adopted by DSB (06/13/12). U.S. states that it intends to implement the DSB recommendations and rulings (06/25/12), and the U.S. and Mexico inform the DSB that they have agreed that a reasonable time to do so is by July 13, 2013 (09/17/12). U.S. advises DSB that it has made effective a final rule amending dolphin-safe labelling requirements, bringing its requirements into compliance (07/23/13). Mexico and U.S. inform the DSB of agreed procedures under Articles 21 and 22 of the DSU (08/02/13). Mexico requests establishment of a compliance panel (11/14/13); DSB agrees to refer to original panel (01/22/14), and panel is composed (01/27/14). Panel chair informs DSB that the panel expects to issue its final report by December 2014 (04/16/14).</p>
DS382	United States—Anti- Dumping Administrative Reviews and Other Measures Related to Imports of Certain Orange Juice from Brazil	Brazil	<p>Brazil requests consultations with the U.S. (11/27/08). Panel established (09/25/09) and composed (05/10/10). Panel report circulated (03/25/11). DSB adopts the panel report, and Brazil and U.S. notify the DSB that they have agreed that a reasonable time for the U.S. to implement the DSB recommendations expires on March 17, 2012 (06/17/11). U.S. informs the DSB that following a 5-year sunset review the USITC has recently determined to revoke the existing antidumping order on orange juice as of March 9, 2011 (03/23/12). Brazil tells DSB it is still assessing whether the U.S. implementation measure would resolve the dispute. Brazil and the U.S. inform the DSB of agreed procedures regarding Articles 21 and 22 of the DSU (04/03/12). Brazil and the U.S. inform the DSB that the parties have reached a mutually satisfactory solution to the dispute (02/14/13).</p>

Case no.	Title	Complainant	Action (month/day/year)
DS384	United States— Certain Country of Origin Labelling (COOL) Requirements	Canada	<p>Canada requests consultations with the U.S. (12/01/08). Single panel established to examine this dispute and DS386 (11/19/09); panel composed (05/10/10). Panel report circulated to members (11/18/11). U.S. notifies the DSB of its decision to appeal certain issues of law and legal interpretations (03/23/12), and Canada notifies the DSB it will do the same (03/28/12). Appellate Body report is circulated to members (06/29/12) and adopted (07/23/12). U.S. informs DSB it intends to implement DSB recommendations and rulings (08/21/12). Canada requests that reasonable time to implement be determined through binding arbitration (09/13/12), and requests that the Director-General appoint an arbitrator (09/26/12); arbitrator appointed (10/04/12). Arbitrator determines that the reasonable time is by May 23, 2013 (12/04/12). U.S. informs DSB that USDA has issued a final rule that brings U.S. labelling requirements into compliance (05/24/13). Canada disagrees that changes bring U.S. requirements into compliance, and the U.S. and Canada inform DSB of agreed procedures under Articles 21 and 22 of DSU (06/10/13). Canada requests establishment of compliance panel (08/19/13); DSB refers to original panel if possible (09/25/13); compliance panel composed (09/27/13). Compliance panel chair informs DSB that panel expects to issue its final report towards end of July 2014 (03/26/14).</p>
DS386	United States— Certain Country of Origin Labelling Requirements	Mexico	<p>Mexico requests consultations with the U.S. (12/17/08). Single panel established to examine this dispute and DS384 (11/19/09); panel composed (05/10/10). Panel report circulated to members (11/18/11). U.S. notifies the DSB of its decision to appeal certain issues of law and legal interpretations (03/23/12), and Mexico notifies the DSB it will do the same (03/28/12). Appellate Body report is circulated to members (06/29/12) and adopted (07/23/12). U.S. informs DSB it intends to implement DSB recommendations and rulings (08/21/12). Mexico requests that reasonable time to implement be determined through binding arbitration (09/13/12), and requests that the Director-General appoint an arbitrator (09/26/12); arbitrator appointed (10/04/12). Arbitrator determines that the reasonable time is by May 23, 2013 (12/04/12). U.S. informs DSB that USDA has issued a final rule that brings U.S. labelling requirements into compliance (05/24/13). Mexico disagrees that changes bring U.S. requirements into compliance, and the U.S. and Mexico inform DSB of agreed procedures under Articles 21 and 22 of DSU (06/10/13). Mexico requests establishment of compliance panel (08/19/13); DSB refers to original panel if possible (09/25/13); compliance panel composed (09/27/13). Compliance panel chair informs DSB that panel expects to issue its final report towards end of July 2014 (03/26/14).</p>
DS387	China—Grants, Loans and other Incentives	United States	U.S. requests consultations (12/19/08).

Case no.	Title	Complainant	Action (month/day/year)
DS389	European Communities—Certain Measures Affecting Poultry Meat and Poultry Meat Products from the United States	United States	U.S. requests consultations (01/16/09). Panel established (11/19/09).
DS394	China—Measures Related to the Exportation of Various Raw Materials	United States	U.S. requests consultations (06/23/09). U.S. requests establishment of a panel (12/21/09). Single panel established to examine this dispute and disputes DS395 and DS398 (12/21/09); panel composed (03/29/10). Panel circulated to members (07/05/11). China notifies the DSB of its decision to appeal (08/31/11). U.S. notifies the DSB of its decision to appeal (09/06/11). Appellate Body report is circulated to members (01/30/12). DSB adopts Appellate Body report and panel report as modified by Appellate Body (02/22/12). China informs DSB of its intention to implement DSB recommendations and of its need for a reasonable time to do so (03/23/12). China and the U.S. notify the DSB that they have agreed that the reasonable time is by Dec. 31, 2012 (05/24/12). China and the U.S. inform the DSB of agreed procedures under Articles 21 and 22 of the DSU (01/17/13). China reports to DSB that the application of export duties and export quotas to certain raw materials has been removed effective January 1, 2013, and that China has fully implemented the DSB's recommendations and rulings (01/28/13).
DS403	Philippines—Taxes on Distilled Spirits	United States	U.S. requests consultations (01/14/10). Single panel established to consider DS403 and DS396 (complaint by the EU) (04/20/10); panel composed (07/05/10). Panel report circulated to members (08/15/11). Philippines notifies the DSB of its decision to appeal to the Appellate Body (09/23/11), as does EU (09/28/11). Appellate Body report is circulated to members (12/21/11). DSB adopts Appellate Body report and panel report as modified by Appellate Body (01/20/12). Philippines states that it intends to implement DSB's recommendations and ruling and would require a reasonable time to do so (02/22/12). Philippines and U.S. inform DSB that they have agreed that the reasonable time is by March 8, 2013 (04/20/12). Philippines reports enactment of legislation that completes implementation of the DSB's recommendations and rulings (01/28/13).
DS404	United States—Anti-dumping Measures on Certain Shrimp from Viet Nam	Vietnam	Vietnam requests consultations (02/01/10). Panel established (05/18/10) and composed (07/26/10). Panel report circulated to members (07/11/11). DSB adopts panel report (09/02/11). Vietnam and U.S. inform DSB they have agreed that a reasonable time for the U.S. to implement the DSB recommendations expires on July 2, 2012 (10/31/11).

Case no.	Title	Complainant	Action (month/day/year)
DS406	United States— Measures Affecting the Production and Sale of Clove Cigarettes	Indonesia	Indonesia requests consultations (04/07/10). Panel established (07/20/10) and composed (09/09/10). Panel report circulated to members (09/02/11). U.S. notifies DSB of its decision to appeal to the Appellate Body (01/05/12). Appellate Body report is circulated to members (04/04/12) and adopted (04/24/12). U.S. informs DSB of its intent to implement DSB recommendations and rulings and of need for a reasonable period of time to do so (05/24/12). Indonesia and the U.S. inform the DSB that the reasonable period of time is by July 24, 2013 (06/14/12). Indonesia requests authorization from DSB to suspend concessions or other obligations under Article 22.2 of the DSU (08/12/13). U.S. objects to level of suspension of concessions or other obligations and refers the matter to arbitration pursuant to Article 22.6 of the DSU (08/22/13). Matter referred to arbitration at DSB meeting (08/23/13).
DS413	China—Certain Measures Affecting Electronic Payment Services	United States	U.S. requests consultations (09/15/10). Panel established (03/25/11) and composed (07/04/11). Panel report circulated to members (07/16/12) and adopted by DSB (08/31/12). China states that it intends to implement the DSB's recommendations and rulings and will need a reasonable amount of time to do so (09/28/12). China and U.S. inform DSB that the reasonable period of time for China to implement is by July 31, 2013 (11/22/12). China reports to DSB that it has fully implemented the DSB's recommendations and rulings; the U.S. states that it does not agree, and that it will monitor and review China's actions (07/23/13). China and the U.S. inform the DSB of agreed procedures under Articles 21 and 22 of the DSU.
DS414	China—Countervailing and Anti-Dumping Duties on Grain Oriented Flat-rolled Electrical Steel from the United States	United States	U.S. requests consultations (09/15/10). Panel established (03/25/11) and composed (05/10/11). Panel report circulated to members (06/15/12). China notifies DSB of its decision to appeal to the Appellate Body (07/20/12). Appellate Body report is circulated to members (10/18/12) and adopted by DSB (11/16/12). China states that it intends to implement the DSB's recommendations and rulings and will need a reasonable amount of time to do so (11/30/12). U.S. requests that the reasonable period of time be determined through binding arbitration pursuant to Article 21.3(c) of the DSU (02/08/13). Director-General appoints arbitrator (02/28/13). Arbitration report circulated; arbitrator determines that the reasonable period of time is July 31, 2013 (05/03/13). China and U.S. inform DSB of agreed procedures under Articles 21 and 22 of DSU (08/19/13). U.S. requests consultations pursuant to Article 21.5 of the DSU (01/13/14). U.S. requests establishment of a compliance panel (02/13/14); DSB agrees to refer to original panel if possible (02/26/14).
DS419	China—Measures Concerning Wind Power Equipment	United States	U.S. requests consultations (12/22/10). EU and Japan request to join consultations (01/12/11 and 01/17/11, respectively).

Case no.	Title	Complainant	Action (month/day/year)
DS420	United States—Anti-dumping Measures on Corrosion-Resistant Carbon Steel Flat Products from Korea	Korea	Korea requests consultations (01/31/11). Korea requests establishment of a panel (09/15/11). Korea withdraws request for panel (09/27/11). Korea requests establishment of a panel (02/09/12). Korea informs DSB of agreement on procedures between U.S. and Korea (02/14/12). Panel established (02/22/12). Prior to composition of the panel, Korea requests that panel proceedings be suspended in accordance with Article 12.12 of the DSU until further notification (06/12/12).
DS422	United States—Anti-Dumping Measures on Shrimp and Diamond Sawblades from China	China	China requests consultations (02/28/11). Panel established (10/25/11) and composed (12/21/11). Panel report circulated to members (06/08/12) and adopted by DSB (07/23/12). China and U.S. inform DSB that they have agreed that the reasonable period of time for the U.S. to implement is by March 23, 2013 (07/27/12). U.S. informs DSB that it has fully implemented DSB recommendations and rulings; China states that it does not share U.S. view as U.S. has not revoked antidumping duty on sawblades (03/26/13).
DS424	United States—Anti-Dumping Measures on Imports of Stainless Steel Sheet and Strip in Coils from Italy	European Union	EU requests consultations (04/01/11). Japan requests to join the consultations (04/18/11).
DS427	China—Anti-Dumping and Countervailing Duty Measures on Broiler Products from the United States	United States	U.S. requests consultations (09/20/11). Panel established (01/20/12) and composed (05/24/12). Panel report circulated to members (08/02/13) and adopted by DSB (09/25/13). China informs DSB it intends to implement DSB recommendations and rulings (10/22/13). China and U.S. inform DSB that they have agreed that a reasonable period of time to implement is by July 9, 2014 (12/19/13).
DS429	United States—Anti-Dumping Measures on Certain Frozen Warmwater Shrimp from Viet Nam	Vietnam	Vietnam requests consultations (02/20/12). Panel established (02/27/13) and composed (07/12/13). Panel chair informs DSB that the panel expects to issue its final report to the parties by Sept. 30, 2014 (01/30/14).
DS430	India—Measures Concerning the Importation of Certain Agricultural Products from the United States	United States	U.S. requests consultations (03/06/12). Panel established (06/25/12) and composed (02/18/13). Panel chair informs DSB that the panel expects to issue its final report to the parties no later than June 2014 (08/05/13).
DS431	China—Measures Related to the Exportation of Rare Earths, Tungsten and Molybdenum	United States	U.S. requests consultations (03/13/12). Single panel to examine DS431, DS432, and DS433 is established (07/23/12) and composed (09/24/12). Panel report circulated to members (03/26/14). U.S. notifies the DSB of its decision to appeal to the Appellate Body certain issues of law and legal interpretation (04/08/14); China notifies the DSB of its decision to appeal (04/17/14).
DS436	United States—Counter-vailing Measures on Certain Hot-Rolled Carbon Steel Flat Products from India	India	India requests consultations (04/24/12). Panel established (08/31/12) and composed (02/18/13). Panel chair informs DSB that the panel expects to issue its final report to the parties by April 2014 (07/08/13).

Case no.	Title	Complainant	Action (month/day/year)
DS437	United States— Counter- vailing Duty Measures on Certain Products from China	China	China requests consultations (05/25/12). Panel established (09/28/12) and composed (11/26/12). Panel chair informs DSB that the panel expects to issue its final report to the parties by January 2014 (04/29/13). Panel chair informs DSB that panel expects to complete its work in May 2014 (11/18/13).
DS440	China—Anti-Dumping and Countervailing Duties on Certain Automobiles from the United States	United States	U.S. requests consultations (07/05/12). Panel established (10/23/12) and composed (02/11/13). Panel chair informs DSB that the panel expects to issue its final report to the parties by March 2014 (09/25/13). Panel report circulated to members (05/23/14).
DS444	Argentina—Measures Affecting the Importation of Goods	United States	U.S. requests consultations (08/21/12). Single panel established to examine DS438, DS444, and DS445 (01/28/13); and panel composed (05/27/13). Panel chair informs DSB that the panel expects to issue its final report to the parties by end of May 2014 (11/15/13). Panel chair informs DSB that it estimates it will issue a final report to the parties by the end of June 2014 (05/05/13).
DS447	United States— Measures Affecting the Importation of Animals, Meat and Other Animal Products from Argentina	Argentina	Argentina requests consultations (08/30/12). Panel established (01/28/13) and composed (08/08/13). Panel chair informs DSB that the panel expects to issue its final report to the parties in early 2015 (03/07/14).
DS448	United States— Measures Affecting the Importation of Fresh Lemons	Argentina	Argentina requests consultations (09/03/12). Argentina requests establishment of a panel (12/06/12); establishment deferred (12/17/12).
DS449	United States— Counter- vailing and Anti-dumping Measures on Certain Products from China	China	China requests consultations (09/17/12). Panel established (12/17/12) and composed (03/04/13). Panel report circulated to members (03/27/14). China notifies the DSB of its decision to appeal to the Appellate Body certain issues of law and legal interpretation (04/08/14); the U.S. notifies the DSB of its decision to appeal (04/17/14).
DS450	China—Certain Measures Affecting the Automobile and Automobile-Parts Industries	United States	U.S. requests consultations (09/17/12).
DS455	Indonesia— Importation of horticultural products, animals and animal products	United States	U.S. requests consultations (01/10/13). Panel established (04/24/13).
DS456	India—Certain Measures Relating to Solar Cells and Solar Modules	United States	U.S. requests consultations (02/06/13); U.S. requests supplementary consultations (02/10/14). U.S. requests establishment of a panel (04/14/13).
DS464	United States—Anti- dumping and Countervailing Measures on large residential washers from Korea	Korea	Korea requests consultations (08/29/13). Panel established (01/22/14).

Case no.	Title	Complainant	Action (month/day/year)
DS465	Indonesia— Importation of Horticultural Products, Animals and Animal Products	United States	U.S. requests consultations (08/30/13).
DS471	United States— Certain Methodologies and their Application to Anti-Dumping Proceedings Involving China	China	China requests consultations (12/3/13). Panel established (03/26/14).

Source: WTO, "Chronological List of Disputes Cases," http://www.wto.org/english/tratop_e/dispu_e/dispu_status_e.htm.

Note: This list focuses on formal actions in disputes during 2013; some intermediate procedural actions are omitted. Selected pre-2013 and post-2013 actions are noted to place the 2013 actions in context. Actions reflected in the table are generally those posted on the WTO website as of June 1, 2014.

Table A.26 NAFTA Chapter 19 substantive challenges to original and five-year review determinations of USITC and USDOC, developments in 2013

File no.	Dispute ^a	Action (month/day/year)
USA-CDA-2009-1904-01	Steel Wire Rod (AD) (Investigating authority: International Trade Administration)	Request for panel review (01/16/09). Oral argument (12/18/12). Status: Active.
USA-MEX-2008-1904-01	Stainless Steel Sheet and Strip in Coils (AD) (Investigating authority: International Trade Administration)	Request for panel review (03/12/08). Status: Terminated: 02/08/13.
USA-MEX-2009-1904-02	Stainless Steel Sheet and Strip in Coils (AD) (Investigating authority: International Trade Administration)	Request for panel review (03/11/09). Oral argument (06/07/12). Status: Terminated: 01/18/13.
USA-MEX-2010-1904-01	Stainless Steel Sheet and Strip in Coils (AD) (Investigating authority: International Trade Administration)	Request for panel review (03/11/10). Status: Terminated: 02/12/13.
USA-MEX-2011-1904-01	Stainless Steel Sheet and Strip in Coils (AD) (Investigating authority: International Trade Administration)	Request for panel review (02/11/11). Status: Terminated: 03/18/13.
USA-MEX-2011-1904-02	Light-Walled Rectangular Pipe and Tube (AD) (Investigating authority: International Trade Administration)	Request for panel review (03/18/11). Decision date 1: 12/05/12. Decision date 2: 08/06/13. Status: Completed.
USA-MEX-2012-1904-01	Light-Walled Rectangular Pipe and Tube (AD) (Investigating authority: International Trade Administration)	Request for panel review (02/10/12). Status: Terminated: 08/09/12.
USA-MEX-2012-1904-02	Bottom Mount Combination Refrigerator-Freezers (AD) (Investigating authority: International Trade Administration)	Request for panel review (04/24/12). Status: Active.
USA-MEX-2012-1904-03	Seamless Refined Copper Pipe and Tube (AD) (Investigating authority: International Trade Administration)	Request for panel review (10/24/12). Status: Terminated: 07/03/13.
MEX-USA-2011-1904-01	Stearic Acid (CVD) (Investigating authority: Secretaría de Economía)	Request for panel review (11/04/11). Decision date 1: 10/10/13. Status: Terminated.
MEX-USA-2012-1904-01	Chicken Thighs and Legs (AD) (Investigating authority: Secretaría de Economía)	Request for panel review (09/03/12). Status: Active.
MEX-USA-2012-1904-02	Ethylene Glycol Monobutyl Ether (AD) (Investigating authority: Secretaría de Economía)	Request for panel review (10/09/12). Status: Active.

Source: NAFTA Secretariat, "Status Report: NAFTA and FTA Dispute Settlement Proceedings," <http://www.nafta-sec-alena.org/en/StatusReport.aspx> (accessed March 24, 2014).

Note: This list includes active cases during 2013, including those in which little if any formal action occurred during 2013.

^aAD stands for antidumping duty and CVD stands for countervailing duty.

Table A.27 U.S. merchandise trade with the European Union (28 countries), by USITC digest sectors, 2011–13

Sector Grouping	Description	2011	2012	2013	% change 2012–13
		Million \$			
Domestic exports:					
1	Agricultural products	12,066	12,019	13,554	12.8
2	Forest products	5,244	5,111	5,071	-0.8
3	Chemicals and related products	53,679	54,470	54,394	-0.1
4	Energy-related products	26,597	25,703	26,437	2.9
5	Textiles and apparel	2,140	2,073	2,125	2.5
6	Footwear	56	56	60	7.2
7	Minerals and metals	26,493	23,126	16,737	-27.6
8	Machinery	17,249	16,939	17,344	2.4
9	Transportation equipment	48,299	48,020	47,955	-0.1
10	Electronic products	36,630	35,134	34,836	-0.8
11	Miscellaneous manufactures	5,445	5,715	5,626	-1.6
12	Special provisions	7,689	7,549	7,537	-0.1
	Total	241,587	235,916	231,676	-1.8
Imports for consumption:					
1	Agricultural products	18,917	19,926	20,833	4.5
2	Forest products	4,560	4,528	4,742	4.7
3	Chemicals and related products	91,738	86,566	86,274	-0.3
4	Energy-related products	26,706	27,033	24,012	-11.2
5	Textiles and apparel	5,259	5,376	5,640	4.9
6	Footwear	1,568	1,683	1,860	10.5
7	Minerals and metals	29,028	30,107	29,061	-3.5
8	Machinery	40,246	41,167	41,564	1.0
9	Transportation equipment	71,357	82,400	88,148	7.0
10	Electronic products	40,863	41,589	42,091	1.2
11	Miscellaneous manufactures	13,692	15,151	17,217	13.6
12	Special provisions	18,923	19,043	20,149	5.8
	Total	362,856	374,570	381,591	1.9

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown.

Table A.28 Leading U.S. domestic exports to the European Union (28), by Schedule B subheading, 2011–13

Schedule B subheading	Description	2011	2012	2013	% change 2012–13
		Million \$			
8800.00	Aircraft, spacecraft, and parts thereof	24,701	23,975	25,723	7.3
2710.19	Petroleum oils and oils (not light) from bituminous minerals or preps n.e.s.o.i. 70%+ by weight from petroleum oils or bituminous minerals	15,017	16,016	18,148	13.3
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages, etc., and pharmaceutical goods), n.e.s.o.i.	9,470	10,497	8,906	-15.1
3002.10	Antisera and other blood fractions, and modified immunological products	3,229	3,725	4,751	27.5
2701.12	Bituminous coal, whether or not pulverized, but not agglomerated	6,596	6,220	4,542	-27.0
8703.33	Passenger motor vehicles with compression-ignition internal combustion piston engine (diesel), cylinder capacity over 2,500 cc	1,535	3,671	3,345	-8.9
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	3,022	2,924	3,001	2.7
3822.00	Composite diagnostic or laboratory reagents, other than those pharmaceuticals in heading 3002 or 3006; certified reference materials	2,368	2,327	2,514	8.1
9018.39	Medical etc. needles n.e.s.o.i., catheters, cannulae and the like; parts and accessories thereof	2,113	2,097	2,209	5.3
8703.32	Passenger motor vehicles with compression-ignition internal combustion piston engine (diesel), cylinder capacity over 1,500 cc but not over 2,500 cc	344	2,267	1,926	-15.0
2933.59	Heterocyclic compounds containing a pyrimidine ring (hydrogenated or not) or a piperazine ring in the structure, n.e.s.o.i.	574	1,124	1,874	66.7
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	1,991	1,956	1,778	-9.1
1201.90	Soybeans, whether or not broken, other than seed	(^a)	1,481	1,528	3.2
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	8,892	7,363	1,497	-79.7
8411.99	Parts of gas turbines, n.e.s.o.i. (other than parts for turbojets or turbopropellers)	1,658	1,817	1,481	-18.5
0802.12	Almonds, fresh or dried, shelled	938	1,012	1,446	42.8
9701.10	Paintings, drawings and pastels, hand-executed works of art, framed or not framed	1,080	1,126	1,402	24.4
8703.23	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,500 cc but not over 3,000 cc	5,616	1,381	1,319	-4.5
9018.19	Electro-diagnostic apparatus (and apparatus for functional exploratory examination or for checking physiological parameters) n.e.s.o.i., and parts, etc.	1,376	1,214	1,161	-4.4
9021.39	Artificial parts of the body (other than artificial joints) and parts and accessories thereof, n.e.s.o.i.	754	1,049	1,125	7.3
7112.99	Precious metal (other than of gold or platinum) waste and scrap, including metal clad with precious metals, n.e.s.o.i.	1,724	1,453	1,122	-22.8
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	1,179	1,175	1,105	-6.0
2933.39	Heterocyclic compounds containing an unfused pyridine ring (whether or not hydrogenated) in the structure, n.e.s.o.i.	1,024	1,142	1,072	-6.2
8471.50	Processing units other than those of 8471.41 and 8471.49, n.e.s.o.i.	1,082	1,244	1,015	-18.5
2934.99	Nucleic acids and their salts, whether or not chemically defined; other heterocyclic compounds; n.e.s.o.i.	952	819	990	21.0
	Total of items shown	97,238	99,074	94,980	-4.1
	All other HTS subheadings	144,349	136,842	136,696	-0.1
	Total U.S. domestic exports to the EU-28	241,587	235,916	231,676	-1.8

Source: USDOC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aTrade in 2011 reported under HTS tariff line 1201.00.

Table A.29 Leading U.S. imports for consumption from the European Union (28), by HTS provision, 2011–13

HTS provision	Description	2011	2012	2013	% change 2012–13
		Million \$			
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	15,399	18,571	19,012	2.4
8703.23	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,500 cc but not over 3,000 cc	12,634	14,839	17,691	19.2
2710.12	Light oils and preparations	(^a)	17,778	15,250	-14.2
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages, etc., and pharmaceutical goods), n.e.s.o.i.	20,438	16,888	14,871	-11.9
8411.91	Parts of turbojets or turbopropellers	5,909	6,510	6,878	5.6
8802.40	Airplanes and other aircraft n.e.s.o.i., of an unladen weight exceeding 15,000 kg	4,018	3,750	5,510	46.9
2710.19	Petroleum oils and oils (not light) from bituminous minerals or preps n.e.s.o.i. 70%+ by weight from petroleum oils or bituminous minerals	6,043	4,785	5,458	14.1
9701.10	Paintings, drawings and pastels, hand-executed works of art, framed or not framed	3,745	4,476	5,190	16.0
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	3,791	4,490	4,522	0.7
3002.10	Antisera and other blood fractions, and modified immunological products	2,576	3,501	4,312	23.2
7102.39	Diamonds, nonindustrial, worked, including polished or drilled	3,792	3,647	4,127	13.2
2933.59	Heterocyclic compounds containing a pyrimidine ring (hydrogenated or not) or a piperazine ring in the structure, n.e.s.o.i.	2,920	3,259	4,066	24.8
2933.99	Heterocyclic compounds with nitrogen hetero-atom(s) only, n.e.s.o.i.	6,027	5,087	3,845	-24.4
2934.99	Nucleic acids and their salts, whether or not chemically defined; other heterocyclic compounds; n.e.s.o.i.	6,770	4,694	3,698	-21.2
3004.39	Medicaments, in measured doses, etc., containing hormones or other steroids used primarily as hormones, but not containing antibiotics, n.e.s.o.i.	3,414	4,027	3,606	-10.5
8411.12	Turbojets of a thrust exceeding 25 kn	2,602	3,477	3,594	3.4
3004.31	Medicaments, in measured doses, etc., containing insulin but not containing antibiotics	2,105	2,885	3,587	24.3
9021.39	Artificial parts of the body (other than artificial joints) and parts and accessories thereof, n.e.s.o.i.	2,263	2,519	2,787	10.7
2204.21	Wine of fresh grapes (other than sparkling wine) and grape must with fermentation prevented, etc., by adding alcohol, containers of not over 2 liters	2,493	2,573	2,765	7.5
3002.20	Vaccines for human medicine	1,548	1,382	2,383	72.4
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	2,222	2,193	2,318	5.7
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	1,444	2,153	2,164	0.5
3302.10	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of these substances used in the food or drink industries	1,832	1,787	2,044	14.4
3002.90	Human blood; animal blood prepared for therapeutic, etc., uses; toxins, cultures of micro-organisms (excluding yeasts) and similar products n.e.s.o.i.	4,864	3,276	1,779	-45.7
8481.80	Taps, cocks, valves and similar appliances for pipes, vats or the like, including thermostatically controlled valves, n.e.s.o.i.	1,605	1,701	1,777	4.5
	Total of items shown	120,454	140,248	143,235	2.1
	All other HTS subheadings	242,402	234,322	238,356	1.7
	Total U.S. imports for consumption from the EU-28	362,856	374,570	381,591	1.9

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation "n.e.s.o.i." stands for "not elsewhere specified or included."

^aTrade in 2011 reported under HTS tariff line 2710.11.

Table A.30 U.S. merchandise trade with Canada, by USITC digest sectors, 2011–13

Sector Grouping	Description	2011	2012	2013	% change 2012–13
		Million \$			
Domestic exports:					
1	Agricultural products	20,637	22,285	23,087	3.6
2	Forest products	10,249	10,236	10,257	0.2
3	Chemicals and related products	35,319	36,027	36,043	0.0
4	Energy-related products	17,437	18,204	24,720	35.8
5	Textiles and apparel	3,675	3,873	3,849	-0.6
6	Footwear	94	116	125	7.7
7	Minerals and metals	28,710	28,691	27,585	-3.9
8	Machinery	23,025	24,938	24,658	-1.1
9	Transportation equipment	63,354	67,427	68,452	1.5
10	Electronic products	18,207	18,455	17,731	-3.9
11	Miscellaneous manufactures	5,710	6,451	6,476	0.4
12	Special provisions	7,357	7,496	8,701	16.1
	Total	233,774	244,199	251,685	3.1
Imports for consumption:					
1	Agricultural products	21,893	23,203	24,913	7.4
2	Forest products	16,521	16,464	18,088	9.9
3	Chemicals and related products	34,515	34,161	33,762	-1.2
4	Energy-related products	103,749	103,042	109,739	6.5
5	Textiles and apparel	2,320	2,413	2,323	-3.8
6	Footwear	55	49	47	-2.8
7	Minerals and metals	35,358	32,529	33,380	2.6
8	Machinery	12,511	13,350	13,521	1.3
9	Transportation equipment	64,420	73,230	71,358	-2.6
10	Electronic products	9,758	9,513	9,074	-4.6
11	Miscellaneous manufactures	4,628	4,472	4,394	-1.7
12	Special provisions	10,668	11,498	12,287	6.9
	Total	316,397	323,925	332,887	2.8

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown.

Table A.31 Leading U.S. domestic exports to Canada, by Schedule B subheading, 2011–13

Schedule B subheading	Description	2011	2012	2013	% change 2012–13
		Million \$			
8704.31	Motor vehicles for goods transport n.e.s.o.i., with spark-ignition internal combustion piston engine, gross vehicle weight not over 5 metric tons	6,359	6,581	7,291	10.8
2710.12	Light oils and preparations	(^a)	5,170	7,196	39.2
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	5,076	5,304	5,909	11.4
8703.23	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,500 cc but not over 3,000 cc	5,622	5,942	5,902	-0.7
2710.19	Petroleum oils and oils (not light) from bituminous minerals or preps n.e.s.o.i. 70%+ by weight from petroleum oils or bituminous minerals	4,951	4,281	5,386	25.8
8800.00	Aircraft, spacecraft, and parts thereof	4,544	4,320	5,363	24.1
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	4,640	5,060	5,071	0.2
2709.00	Petroleum oils and oils from bituminous minerals, crude	1,459	2,183	4,818	120.8
2711.21	Natural gas, gaseous	3,685	2,761	3,655	32.4
8407.34	Spark-ignition reciprocating piston engines for propulsion of vehicles except railway or tramway stock, over 1,000 cc cylinder capacity	3,029	3,723	3,548	-4.7
8708.40	Gear boxes and parts thereof, for motor vehicles	2,468	2,381	2,788	17.1
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	2,060	2,190	2,156	-1.5
8701.20	Road tractors for semi-trailers	1,709	2,032	1,848	-9.1
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages, etc., and pharmaceutical goods), n.e.s.o.i.	2,330	1,939	1,757	-9.4
8481.80	Taps, cocks, valves and similar appliances for pipes, vats or the like, including thermostatically controlled valves, n.e.s.o.i.	1,197	1,357	1,372	1.1
8716.10	Trailers and semi-trailers for housing or camping	1,056	1,123	1,192	6.2
8716.39	Trailers and semi-trailers for the transport of goods, n.e.s.o.i.	928	1,101	1,162	5.5
8708.80	Suspension systems and parts thereof, for motor vehicles	1,151	1,272	1,161	-8.7
2106.90	Food preparations n.e.s.o.i.	941	1,098	1,144	4.2
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	180	498	1,111	123.2
7606.12	Aluminum alloy rectangular (including square) plates, sheets and strip, over 0.2 mm thick	1,174	1,162	1,110	-4.4
8704.22	Motor vehicles for goods transport n.e.s.o.i., with compression-ignition internal combustion piston engine (diesel), gross vehicle weight over 5 but not over 20 metric tons	913	891	1,069	19.9
8708.30	Brakes and servo-brakes and parts thereof n.e.s.o.i., for motor vehicles	973	1,092	1,017	-6.8
8708.94	Steering wheels, steering columns and steering boxes and parts thereof, for motor vehicles	744	841	978	16.2
1905.90	Bread, pastry, cakes, biscuits and similar baked products, n.e.s.o.i., and puddings, whether or not containing chocolate, fruit, nuts or confectionery	736	847	937	10.6
	Total of items shown	57,923	65,146	74,941	15.0
	All other HTS subheadings	175,851	179,053	176,744	-1.3
	Total U.S. domestic exports to Canada	233,774	244,199	251,685	3.1

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aTrade in 2011 reported under HTS tariff line 2710.11.

Table A.32 Leading U.S. imports for consumption from Canada, by HTS provision, 2011–13

HTS provision	Description	2011	2012	2013	% change
		Million \$			2012–13
2709.00	Petroleum oils and oils from bituminous minerals, crude	65,436	69,468	74,053	6.6
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	25,474	28,787	25,458	-11.6
8703.23	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,500 cc but not over 3,000 cc	12,609	16,257	17,679	8.7
2711.21	Natural gas, gaseous	12,825	7,927	9,446	19.2
2710.19	Petroleum oils and oils (not light) from bituminous minerals or preps n.e.s.o.i. 70%+ by weight from petroleum oils or bituminous minerals	8,645	9,431	9,236	-2.1
2710.12	Light oils and preparations	(^a)	7,122	7,123	0.0
4407.10	Coniferous wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, etc., over 6 mm (.236 in.) thick	2,658	3,246	4,226	30.2
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	3,646	2,553	3,179	24.5
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	2,615	2,972	3,119	4.9
7601.10	Aluminum, not alloyed, unwrought	2,627	2,242	3,118	39.1
3104.20	Potassium chloride	3,560	3,225	3,073	-4.7
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages, etc., and pharmaceutical goods), n.e.s.o.i.	2,503	2,758	2,579	-6.5
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	2,195	2,294	2,312	0.8
8802.40	Airplanes and other aircraft n.e.s.o.i., of an unladen weight exceeding 15,000 kg	1,299	1,467	2,294	56.3
2716.00	Electrical energy	2,096	1,914	2,293	19.8
7601.20	Aluminum alloys, unwrought	2,346	2,157	2,121	-1.7
2711.12	Propane, liquefied	2,156	1,878	1,915	2.0
8407.34	Spark-ignition reciprocating piston engines for propulsion of vehicles except railway or tramway stock, over 1,000 cc cylinder capacity	2,486	2,612	1,900	-27.3
3901.90	Polymers of ethylene n.e.s.o.i., in primary forms	1,832	1,629	1,823	11.9
2713.20	Petroleum bitumen	1,732	1,546	1,550	0.3
7118.90	Coin, n.e.s.o.i.	1,589	1,237	1,541	24.6
4802.61	Uncoated paper/paperboard for writing/printing/other graphic purposes n.e.s.o.i., over 10% total fiber by mechanical/chemical process, in rolls	1,639	1,401	1,491	6.4
4703.21	Chemical woodpulp, soda or sulfate, other than dissolving grades, semibleached or bleached, coniferous	1,836	1,398	1,446	3.5
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	1,030	1,213	1,367	12.6
3901.20	Polyethylene having a specific gravity of 0.94 or more, in primary forms	1,187	1,246	1,357	8.9
	Total of items shown	166,024	177,980	185,699	4.3
	All other HTS subheadings	150,373	145,945	147,188	0.9
	Total U.S. imports for consumption from Canada	316,397	323,925	332,887	2.8

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aTrade in 2011 reported under HTS tariff line 2710.11.

Table A.33 U.S. merchandise trade with China, by USITC digest sectors, 2011–13

Sector Grouping	Description	2011	2012	2013	% change 2012–13
		Million \$			
Domestic exports:					
1	Agricultural products	20,089	27,266	27,176	-0.3
2	Forest products	6,722	6,208	6,791	9.4
3	Chemicals and related products	15,021	14,205	14,128	-0.5
4	Energy-related products	2,308	2,785	3,057	9.8
5	Textiles and apparel	1,240	1,243	1,412	13.6
6	Footwear	56	47	44	-5.7
7	Minerals and metals	13,489	12,099	11,998	-0.8
8	Machinery	8,946	8,539	9,085	6.4
9	Transportation equipment	15,827	17,494	25,038	43.1
10	Electronic products	11,889	12,331	14,123	14.5
11	Miscellaneous manufactures	425	458	508	10.9
12	Special provisions	886	834	954	14.3
	Total	96,898	103,508	114,313	10.4
Imports for consumption:					
1	Agricultural products	6,498	7,043	6,967	-1.1
2	Forest products	7,333	8,080	8,277	2.4
3	Chemicals and related products	25,637	27,975	29,445	5.3
4	Energy-related products	620	390	498	27.7
5	Textiles and apparel	44,798	44,949	46,239	2.9
6	Footwear	16,677	17,026	16,876	-0.9
7	Minerals and metals	25,258	26,890	27,616	2.7
8	Machinery	36,534	40,730	44,024	8.1
9	Transportation equipment	15,284	16,866	17,813	5.6
10	Electronic products	158,671	171,159	175,212	2.4
11	Miscellaneous manufactures	57,041	59,339	60,574	2.1
12	Special provisions	4,116	4,425	4,606	4.1
	Total	398,467	424,874	438,147	3.1

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown.

Table A.34 Leading U.S. domestic exports to China, by Schedule B subheading, 2011–13

Schedule B subheading	Description	2011	2012	2013	% change 2012–13
		Million \$			
1201.90	Soybeans, whether or not broken, other than seed	(^a)	14,973	13,365	-10.7
8800.00	Aircraft, spacecraft, and parts thereof	6,322	7,874	12,076	53.4
8703.23	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,500 cc but not over 3,000 cc	2,912	2,881	4,916	70.6
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	1,562	1,955	2,996	53.2
7404.00	Copper waste and scrap	3,454	2,944	2,773	-5.8
7602.00	Aluminum waste and scrap	2,731	2,370	2,253	-4.9
5201.00	Cotton, not carded or combed	2,562	3,422	2,181	-36.3
8542.31	Processors or controllers	2,188	1,339	1,549	15.6
2303.30	Brewing or distilling dregs and waste, whether or not in the form of pellets	340	618	1,395	125.8
1001.99	Wheat and meslin other than durum or seed wheat	(^b)	213	1,295	508.1
1005.90	Corn (maize), other than seed corn	850	1,319	1,255	-4.9
4707.10	Waste and scrap of unbleached kraft paper or paperboard or of corrugated paper or paperboard	1,086	1,210	1,061	-12.3
4101.50	Whole raw bovine or equine hides and skins, of weight exceed 16 kg, fresh, pickled or otherwise preserved but not tanned or further prepared	618	827	1,040	25.8
9030.40	Instruments and apparatus n.e.s.o.i., specially designed for telecommunications (for example, cross-talk meters, gain measuring instruments, etc.)	149	571	986	72.5
2701.12	Bituminous coal, whether or not pulverized, but not agglomerated	828	1,222	895	-26.7
4403.20	Coniferous wood in the rough, whether or not stripped of bark or sapwood or roughly squared, not treated	825	570	862	51.4
8542.32	Memories	337	301	832	175.9
4703.21	Chemical woodpulp, soda or sulfate, other than dissolving grades, semibleached or bleached, coniferous	782	702	824	17.5
8486.20	Machines and apparatus for the manufacture of semiconductor devices or electronic integrated circuits	565	439	801	82.6
7204.49	Ferrous waste and scrap, n.e.s.o.i.	1,588	678	626	-7.7
2603.00	Copper ores and concentrates	687	664	612	-7.8
8408.90	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines), n.e.s.o.i.	678	569	573	0.7
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	156	(^c)	572	(^d)
2710.12	Light oils and preparations	(^e)	394	559	41.8
2713.11	Petroleum coke, not calcined	471	342	524	53.3
	Total of items shown	31,691	48,398	56,822	17.4
	All other HTS subheadings	65,207	55,109	57,491	4.3
	Total U.S. domestic exports to China	96,898	103,508	114,313	10.4

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aTrade in 2011 reported under HTS tariff line 1201.00.

^bTrade in 2011 reported under HTS tariff line 1001.90.

^cLess than \$500,000.

^dOver 1000%.

^eTrade in 2011 reported under HTS tariff line 2710.11.

Table A.35 Leading U.S. imports for consumption from China, by HTS provision, 2011–13

HTS provision	Description	2011	2012	2013	% change 2012–13
		Million \$			
8471.30	Portable automatic data processing machines, weight not more than 10 kg, consisting of at least a central processing unit, keyboard and display	39,336	40,896	39,612	-3.1
8517.12	Telephones for cellular networks or for other wireless networks	22,916	33,351	36,878	10.6
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	9,319	10,871	11,956	10.0
9503.00	Toys, including riding toys other than bicycles, puzzles, reduced-scale models	9,401	9,307	9,454	1.6
8473.30	Parts and accessories for automatic data processing machines and units thereof, magnetic or optical readers, transcribing machines, etc., n.e.s.o.i.	8,780	8,582	8,803	2.6
9504.50	Video game consoles and machines, other than of 9504.30; parts and accessories	^(a)	4,733	4,649	-1.8
6403.99	Footwear, with outer soles of rubber, plastics or composition leather and uppers of leather n.e.s.o.i., not covering the ankle	4,399	4,148	4,268	2.9
8504.40	Electrical static converters; power supplies for adp machines or units of 8471	3,475	3,619	3,997	10.4
8471.70	Automatic data processing storage units, n.e.s.o.i.	3,614	4,225	3,784	-10.4
6402.99	Footwear, with outer soles and uppers of rubber or plastics n.e.s.o.i., not covering the ankle	3,697	3,977	3,774	-5.1
8443.99	Parts and accessories of printing machinery, n.e.s.o.i.	3,519	3,344	3,721	11.3
8443.31	Machines which perform two or more of the functions of printing, copying or facsimile transmission, capable of connecting to an automatic data processing machine or to a network	4,018	3,827	3,542	-7.5
6110.20	Sweaters, pullovers, sweatshirts, vests and similar articles of cotton, knitted or crocheted	3,408	3,066	3,301	7.7
4202.92	Container bags, boxes, cases and satchels n.e.s.o.i., with outer surface of sheeting of plastics or of textile materials	2,893	3,071	3,071	0.0
8528.51	Monitors, other than CRT, designed for use with automatic data processing machines	3,452	3,138	2,999	-4.4
8528.72	Reception apparatus for television, incorporating a screen or video display device, color	4,012	4,224	2,989	-29.2
8471.50	Processing units other than those of 8471.41 and 8471.49, n.e.s.o.i.	3,373	2,838	2,787	-1.8
9401.61	Seats with wooden frames, upholstered, n.e.s.o.i.	2,085	2,464	2,761	12.0
8471.49	Automatic data processing machines and units thereof presented in the form of systems, n.e.s.o.i.	1,957	1,762	2,740	55.5
9403.20	Metal furniture, n.e.s.o.i.	2,299	2,528	2,692	6.5
6403.91	Footwear, with outer soles of rubber, plastics or composition leather and uppers of leather, n.e.s.o.i., covering the ankle	2,486	2,537	2,451	-3.4
9405.40	Electric lamps and lighting fittings, n.e.s.o.i.	1,544	2,075	2,421	16.7
9403.60	Wooden furniture, n.e.s.o.i.	2,311	2,390	2,416	1.1
6204.62	Women's or girls' trousers, bib and brace overalls, breeches and shorts of cotton, not knitted or crocheted	2,092	2,335	2,398	2.7
8517.70	Parts of telecommunications apparatus	2,161	2,198	2,378	8.2
	Total of items shown	146,547	165,510	169,841	2.6
	All other HTS subheadings	251,920	259,364	268,306	3.4
	Total U.S. imports for consumption from China	398,467	424,874	438,147	3.1

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation "n.e.s.o.i." stands for "not elsewhere specified or included."

^aTrade in 2011 reported under HTS tariff line 9504.10.

Table A.36 U.S. merchandise trade with Mexico, by USITC digest sectors, 2011–13

Sector Grouping	Description	2011	2012	2013	% change 2012–13
		Million \$			
Domestic exports:					
1	Agricultural products	18,425	18,981	18,258	-3.8
2	Forest products	5,067	5,239	5,391	2.9
3	Chemicals and related products	27,670	30,652	31,736	3.5
4	Energy-related products	23,652	24,152	23,386	-3.2
5	Textiles and apparel	4,075	4,162	4,419	6.2
6	Footwear	65	57	44	-23.2
7	Minerals and metals	15,764	17,766	18,918	6.5
8	Machinery	13,450	15,508	16,491	6.3
9	Transportation equipment	27,130	31,213	33,695	8.0
10	Electronic products	16,733	18,945	20,737	9.5
11	Miscellaneous manufactures	1,755	1,890	1,736	-8.1
12	Special provisions	6,126	6,596	6,878	4.3
	Total	159,910	175,159	181,690	3.7
Imports for consumption:					
1	Agricultural products	17,122	17,732	19,066	7.5
2	Forest products	1,490	1,525	1,651	8.3
3	Chemicals and related products	8,374	9,101	9,686	6.4
4	Energy-related products	44,475	39,375	34,126	-13.3
5	Textiles and apparel	5,881	5,782	5,826	0.8
6	Footwear	371	492	548	11.3
7	Minerals and metals	21,944	21,997	19,257	-12.5
8	Machinery	23,144	25,280	26,292	4.0
9	Transportation equipment	67,167	77,547	84,769	9.3
10	Electronic products	61,996	65,344	63,627	-2.6
11	Miscellaneous manufactures	3,908	4,976	5,364	7.8
12	Special provisions	6,798	7,258	7,451	2.7
	Total	262,671	276,408	277,664	0.5

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown

Table A.37 Leading U.S. domestic exports to Mexico, by Schedule B subheading, 2011–13

Schedule B subheading	Description	2011	2012	2013	% change 2012–13
2710.12	Light oils and preparations	(^a)	11,648	11,373	-2.4
2710.19	Petroleum oils and oils (not light) from bituminous minerals or preps n.e.s.o.i. 70%+ by weight from petroleum oils or bituminous minerals	5,826	8,269	7,215	-12.7
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	4,751	4,971	4,254	-14.4
8800.00	Aircraft, spacecraft, and parts thereof	1,408	2,219	2,859	28.8
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	1,940	2,009	2,347	16.9
8473.30	Parts and accessories for automatic data processing machines and units thereof, magnetic or optical readers, transcribing machines, etc., n.e.s.o.i.	858	2,165	2,266	4.6
8408.20	Compression-ignition internal combustion piston engines (diesel or semi-diesel), for the propulsion of vehicles except railway or tramway stock	1,682	1,865	2,248	20.5
2711.21	Natural gas, gaseous	1,748	1,584	2,163	36.5
3926.90	Articles of plastics, n.e.s.o.i.	1,458	1,684	1,887	12.1
8708.40	Gear boxes and parts thereof, for motor vehicles	1,421	1,645	1,860	13.1
8703.23	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,500 cc but not over 3,000 cc	1,841	2,178	1,816	-16.6
1005.90	Corn (maize), other than seed corn	2,658	2,560	1,789	-30.1
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	1,183	1,309	1,597	22.0
2603.00	Copper ores and concentrates	813	922	1,549	68.0
1201.90	Soybeans, whether or not broken, other than seed	(^b)	1,860	1,544	-17.0
8538.90	Parts for electrical apparatus for electrical circuits, boards, panels, etc., for electric control or distribution of electricity, n.e.s.o.i.	1,264	1,456	1,492	2.5
2902.43	Para-xylene (1,4-dimethylbenzene)	1,516	1,423	1,456	2.3
7326.90	Articles of iron or steel, n.e.s.o.i.	1,077	1,268	1,288	1.6
8544.49	Insulated electric conductors, for a voltage not exceeding 1000 v, not fitted with connectors	883	1,236	1,279	3.5
8536.90	Electrical apparatus for switching, protecting or making connections to or in electrical circuits, for a voltage not exceeding 1,000 v, n.e.s.o.i.	887	1,134	1,218	7.4
8409.91	Parts for use with spark-ignition internal combustion piston engines (including rotary engines), n.e.s.o.i.	798	976	1,090	11.7
2909.19	Acyclic ethers (excluding diethyl ether) and their halogenated, sulfonated, nitrated or nitrosated derivatives	792	1,219	1,060	-13.1
3901.20	Polyethylene having a specific gravity of 0.94 or more, in primary forms	845	856	954	11.4
8708.50	Drive axles with differential and non-drive axles and parts thereof, for motor vehicles	778	917	940	2.6
7606.12	Aluminum alloy rectangular (including square) plates, sheets and strip, over 0.2 mm thick	817	869	939	8.0
	Total of items shown	37,244	58,244	58,482	0.4
	All other HTS subheadings	122,666	116,916	123,208	5.4
	Total U.S. domestic exports to Mexico	159,910	175,159	181,690	3.7

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aTrade in 2011 reported under HTS tariff line 2710.11.

^bTrade in 2011 reported under HTS tariff line 1201.00.

Table A.38 Leading U.S. imports for consumption from Mexico, by HTS provision, 2011–13

HTS provision	Description	2011	2012	2013	% change 2012–13
		Million \$			
2709.00	Petroleum oils and oils from bituminous minerals, crude	40,165	36,776	31,208	-15.1
8703.23	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,500 cc but not over 3,000 cc	11,415	12,208	15,501	27.0
8471.50	Processing units other than those of 8471.41 and 8471.49, n.e.s.o.i.	10,503	11,055	11,172	1.1
8528.72	Reception apparatus for television, incorporating a screen or video display device, color	11,973	11,477	10,733	-6.5
8704.31	Motor vehicles for goods transport n.e.s.o.i., with spark-ignition internal combustion piston engine, gross vehicle weight not over 5 metric tons	7,494	9,016	9,897	9.8
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	5,234	5,958	6,545	9.9
8544.30	Insulated ignition wiring sets and other wiring sets for vehicles, aircraft and ships	4,735	5,499	5,681	3.3
9401.90	Parts of seats (except parts of medical, dentist's, barbers' and similar seats), n.e.s.o.i.	3,917	4,850	5,165	6.5
8701.20	Road tractors for semi-trailers	4,074	4,477	5,010	11.9
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	2,680	3,391	3,797	12.0
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	5,543	5,427	3,665	-32.5
8537.10	Boards, panels, consoles, etc., with electrical apparatus, for electric control or distribution of electricity, for a voltage not exceeding 1,000 v	2,328	2,846	3,438	20.8
8704.22	Motor vehicles for goods transport n.e.s.o.i., with compression-ignition internal combustion piston engine (diesel), gross vehicle weight over 5 but not over 20 metric tons	2,568	2,842	3,293	15.9
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	2,531	3,185	3,146	-1.2
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	2,680	2,682	2,784	3.8
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	2,488	3,347	2,753	-17.8
8407.34	Spark-ignition reciprocating piston engines for propulsion of vehicles except railway or tramway stock, over 1,000 cc cylinder capacity	1,775	2,051	2,743	33.8
7106.91	Silver, unwrought n.e.s.o.i. (other than powder)	3,433	3,469	2,713	-21.8
8418.10	Combined refrigerator-freezers fitted with separate external doors	2,168	2,241	2,441	8.9
8708.40	Gear boxes and parts thereof, for motor vehicles	1,907	2,089	2,309	10.5
8528.71	Reception apparatus for television, not designed to incorporate a screen or video display device	2,211	3,238	2,163	-33.2
8409.91	Parts for use with spark-ignition internal combustion piston engines (including rotary engines), n.e.s.o.i.	1,906	2,069	2,103	1.7
2203.00	Beer made from malt	1,677	1,819	1,917	5.4
8708.95	Safety airbag with inflator system and parts thereof, for motor vehicles	1,396	1,646	1,771	7.6
8704.21	Motor vehicles for goods transport n.e.s.o.i., with compression-ignition internal combustion piston engine (diesel), gross vehicle weight not over 5 metric tons	980	1,342	1,692	26.1
	Total of items shown	137,783	144,998	143,642	-0.9
	All other HTS subheadings	124,888	131,411	134,022	2.0
	Total U.S. imports for consumption from Mexico	262,671	276,408	277,664	0.5

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation "n.e.s.o.i." stands for "not elsewhere specified or included."

Table A.39 U.S. merchandise trade with Japan, by USITC digest sectors, 2011–13

Sector Grouping	Description	2011	2012	2013	% change 2012–13
		Million \$			
Domestic exports:					
1	Agricultural products	15,277	14,585	13,174	-9.7
2	Forest products	2,209	2,156	2,218	2.9
3	Chemicals and related products	11,609	12,201	10,745	-11.9
4	Energy-related products	3,494	3,547	3,199	-9.8
5	Textiles and apparel	518	549	618	12.6
6	Footwear	66	67	56	-16.2
7	Minerals and metals	3,670	3,088	3,213	4.0
8	Machinery	3,467	3,068	3,409	11.1
9	Transportation equipment	7,748	11,463	10,046	-12.4
10	Electronic products	10,631	11,264	10,419	-7.5
11	Miscellaneous manufactures	1,586	1,591	1,589	-0.1
12	Special provisions	1,133	1,020	1,002	-1.8
	Total	61,409	64,599	59,689	-7.6
Imports for consumption:					
1	Agricultural products	759	780	766	-1.8
2	Forest products	517	531	474	-10.8
3	Chemicals and related products	12,269	12,433	12,138	-2.4
4	Energy-related products	610	616	746	21.2
5	Textiles and apparel	700	739	688	-6.9
6	Footwear	2	2	5	102.6
7	Minerals and metals	6,971	8,024	7,362	-8.3
8	Machinery	19,014	20,461	18,986	-7.2
9	Transportation equipment	55,569	69,277	67,368	-2.8
10	Electronic products	26,697	26,213	24,216	-7.6
11	Miscellaneous manufactures	1,715	1,604	1,218	-24.1
12	Special provisions	3,077	3,859	3,988	3.3
	Total	127,901	144,538	137,954	-4.6

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown.

Table A.40 Leading U.S. domestic exports to Japan, by Schedule B subheading, 2011–13

Schedule B subheading	Description	Million \$			% change
		2011	2012	2013	2012–13
8800.00	Aircraft, spacecraft, and parts thereof	4,024	7,017	5,997	-14.5
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages, etc., and pharmaceutical goods), n.e.s.o.i.	2,079	2,161	1,838	-15.0
1005.90	Corn (maize), other than seed corn	3,830	2,979	1,767	-40.7
0203.19	Meat of swine, n.e.s.o.i., fresh or chilled	976	1,008	1,077	6.9
1001.99	Wheat and meslin other than durum or seed wheat	^(a)	1,073	1,028	-4.2
1201.90	Soybeans, whether or not broken, other than seed	^(b)	1,126	1,003	-10.8
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	794	935	940	0.5
2710.12	Light oils and preparations	^(c)	536	749	39.7
0203.29	Meat of swine, n.e.s.o.i., frozen	791	759	723	-4.7
0201.30	Meat of bovine animals, boneless, fresh or chilled	461	570	707	24.0
8486.20	Machines and apparatus for the manufacture of semiconductor devices or electronic integrated circuits	535	243	684	181.7
2909.19	Acyclic ethers (excluding diethyl ether) and their halogenated, sulfonated, nitrated or nitrosated derivatives	634	685	668	-2.5
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	594	627	651	3.9
2804.61	Silicon, containing by weight not less than 99.99% of silicon	690	625	642	2.7
9018.39	Medical, etc., needles n.e.s.o.i., catheters, cannulae and the like; parts and accessories thereof	785	762	624	-18.1
1214.90	Forage products, n.e.s.o.i., including rutabagas (swedes), mangolds, fodder roots, hay, clover, forage kale, vetches, etc., whether or not in pellet form	503	593	562	-5.2
2701.12	Bituminous coal, whether or not pulverized, but not agglomerated	1,199	897	559	-37.6
2711.12	Propane, liquefied	0	117	544	363.4
7113.19	Jewelry and parts thereof, of precious metal other than silver	429	425	472	11.0
4403.20	Coniferous wood in the rough, whether or not stripped of bark or sapwood or roughly squared, not treated	337	350	457	30.3
0202.30	Meat of bovine animals, boneless, frozen	276	306	456	48.7
3822.00	Composite diagnostic or laboratory reagents, other than those pharmaceuticals in heading 3002 or 3006; certified reference materials	504	476	451	-5.4
3002.10	Antisera and other blood fractions, and modified immunological products	137	448	432	-3.6
2713.11	Petroleum coke, not calcined	628	484	426	-11.9
9021.39	Artificial parts of the body (other than artificial joints) and parts and accessories thereof, n.e.s.o.i.	492	412	425	3.1
	Total of items shown	20,699	25,613	23,883	-6.8
	All other HTS subheadings	40,709	38,986	35,806	-8.2
	Total U.S. domestic exports to Japan	61,409	64,599	59,689	-7.6

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aTrade in 2011 reported under HTS tariff line 1001.90.

^bTrade in 2011 reported under HTS tariff line 1201.00.

^cTrade in 2011 reported under HTS tariff line 2710.11.

Table A.41 Leading U.S. imports for consumption from Japan, by HTS provision, 2011–13

HTS provision	Description	2011	2012	2013	% change 2012–13
		Million \$			
8703.23	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,500 cc but not over 3,000 cc	17,343	22,252	23,047	3.6
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	11,655	13,834	13,268	-4.1
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	2,553	3,226	3,811	18.1
8443.99	Parts and accessories of printing machinery, n.e.s.o.i.	4,108	3,708	3,393	-8.5
8708.40	Gear boxes and parts thereof, for motor vehicles	2,013	2,941	2,873	-2.3
8703.22	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,000 cc but not over 1,500 cc	1,941	2,715	2,499	-7.9
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	2,493	2,927	2,288	-21.8
8429.52	Mechanical shovels, excavators and shovel loaders with 360 degree revolving superstructure, self-propelled	1,571	2,697	1,865	-30.9
8486.20	Machines and apparatus for the manufacture of semiconductor devices or electronic integrated circuits	2,618	2,121	1,665	-21.5
8411.91	Parts of turbojets or turbopropellers	1,149	1,372	1,624	18.3
8525.80	Television cameras; digital cameras and video camera recorders	2,110	2,277	1,422	-37.5
2933.79	Lactams (excluding 6-hexanelactam), n.e.s.o.i.	1,102	1,112	1,278	15.0
8409.91	Parts for use with spark-ignition internal combustion piston engines (including rotary engines), n.e.s.o.i.	881	1,099	1,088	-1.0
9102.11	Wrist watches, battery powered, with cases of materials (except of or clad with precious metal) n.e.s.o.i., with mechanical display only	842	863	962	11.5
8486.90	Parts and accessories	1,000	968	884	-8.7
8408.90	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines), n.e.s.o.i.	937	1,078	858	-20.5
8481.80	Taps, cocks, valves and similar appliances for pipes, vats or the like, including thermostatically controlled valves, n.e.s.o.i.	678	798	810	1.5
8701.90	Tractors, n.e.s.o.i.	822	915	785	-14.3
9018.19	Electro-diagnostic apparatus (and apparatus for functional exploratory examination or for checking physiological parameters) n.e.s.o.i., and parts, etc.	660	726	779	7.3
8457.10	Machining centers for working metal	679	941	729	-22.5
8542.31	Processors or controllers	690	723	702	-2.9
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	596	719	675	-6.2
8504.40	Electrical static converters; power supplies for automatic data processing machines or units of 8471	494	636	673	5.7
4011.10	New pneumatic tires, of rubber, of a kind used on motor cars (including station wagons and racing cars)	917	752	657	-12.7
3818.00	Chemical elements doped for use in electronics, in the form of discs, wafers or similar forms; chemical compounds doped for use in electronics	843	738	624	-15.3
	Total of items shown	60,697	72,138	69,258	-4.0
	All other HTS subheadings	67,204	72,400	68,695	-5.1
	Total U.S. imports for consumption from Japan	127,901	144,538	137,954	-4.6

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation "n.e.s.o.i." stands for "not elsewhere specified or included."

Table A.42 U.S. merchandise trade with Korea, by USITC digest sectors, 2011–13

Sector Grouping	Description	2011	2012	2013	% change 2012–13
Million \$					
Domestic exports:					
1	Agricultural products	7,366	6,516	5,686	-12.7
2	Forest products	962	845	856	1.3
3	Chemicals and related products	6,499	6,693	6,945	3.8
4	Energy-related products	2,858	1,965	1,635	-16.8
5	Textiles and apparel	415	358	374	4.5
6	Footwear	94	101	84	-17.4
7	Minerals and metals	4,170	3,829	3,674	-4.1
8	Machinery	5,499	5,632	5,584	-0.9
9	Transportation equipment	4,807	5,578	6,180	10.8
10	Electronic products	7,158	7,172	6,714	-6.4
11	Miscellaneous manufactures	759	734	707	-3.7
12	Special provisions	724	581	569	-2.0
	Total	41,311	40,004	39,008	-2.5
Imports for consumption:					
1	Agricultural products	510	558	636	13.9
2	Forest products	523	516	539	4.5
3	Chemicals and related products	5,093	5,443	4,938	-9.3
4	Energy-related products	2,200	2,267	2,487	9.7
5	Textiles and apparel	1,260	1,331	1,301	-2.3
6	Footwear	21	26	23	-13.0
7	Minerals and metals	5,038	5,878	5,539	-5.8
8	Machinery	6,379	6,824	6,572	-3.7
9	Transportation equipment	15,542	18,899	21,368	13.1
10	Electronic products	17,953	14,543	16,560	13.9
11	Miscellaneous manufactures	605	663	827	24.8
12	Special provisions	882	925	1,190	28.7
	Total	56,006	57,874	61,979	7.1

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown.

Table A.43 Leading U.S. domestic exports to Korea, by Schedule B subheading, 2011–13

Schedule B subheading	Description	2011	2012	2013	% change 2012–13
		Million \$			
8800.00	Aircraft, spacecraft, and parts thereof	1,855	2,585	2,568	-0.6
8542.31	Processors or controllers	964	1,976	2,398	21.4
8486.20	Machines and apparatus for the manufacture of semiconductor devices or electronic integrated circuits	1,487	1,803	1,218	-32.4
7204.49	Ferrous waste and scrap, n.e.s.o.i.	1,131	951	758	-20.3
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages, etc., and pharmaceutical goods), n.e.s.o.i.	344	541	680	25.7
2701.12	Bituminous coal, whether or not pulverized, but not agglomerated	1,020	683	494	-27.6
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	338	409	466	14.0
8431.43	Parts for boring or sinking machinery, n.e.s.o.i.	368	215	464	115.7
8486.90	Parts and accessories	477	454	384	-15.4
1001.99	Wheat and meslin other than durum or seed wheat	^a	645	340	-47.3
2926.10	Acrylonitrile	424	521	324	-37.8
2707.30	Xylenes	511	397	313	-21.2
8542.39	Electronic integrated circuits, n.e.s.o.i.	314	317	310	-2.2
8703.23	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,500 cc but not over 3,000 cc	199	189	296	56.2
2902.50	Styrene (vinylbenzene; phenylethylene)	88	116	295	155.0
4101.50	Whole raw bovine or equine hides and skins, of weight exceeding 16 kg, fresh, pickled or otherwise preserved but not tanned or further prepared	180	250	293	17.5
1201.90	Soybeans, whether or not broken, other than seed	^b	395	280	-29.0
2710.12	Light oils and preparations	^c	42	275	547.6
0202.20	Meat of bovine animals, cuts with bone in (other than half or whole carcasses), frozen	213	206	265	28.7
2106.90	Food preparations n.e.s.o.i.	213	208	247	18.4
9031.41	Optical instruments for inspecting semiconductor wafers or devices or for inspecting photomasks or reticles used in manufacturing semiconductor devices	262	388	244	-37.0
7602.00	Aluminum waste and scrap	294	287	240	-16.1
1214.90	Forage products, n.e.s.o.i., including rutabagas (swedes), mangolds, fodder roots, hay, clover, forage kale, vetches, etc., whether or not in pellet form	201	234	234	-0.1
8479.89	Machines and mechanical appliances having individual functions, n.e.s.o.i.	96	94	225	137.9
0202.30	Meat of bovine animals, boneless, frozen	368	268	213	-20.3
	Total of items shown	11,347	14,174	13,826	-2.5
	All other HTS subheadings	29,964	25,829	25,182	-2.5
	Total U.S. domestic exports to Korea	41,311	40,004	39,008	-2.5

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aTrade in 2011 reported under HTS tariff line 1001.90.^bTrade in 2011 reported under HTS tariff line 1201.00.^cTrade in 2011 reported under HTS tariff line 2710.11.

Table A.44 Leading U.S. imports for consumption from Korea, by HTS provision, 2011–13

HTS provision	Description	2011	2012	2013	% change 2012–13
		Million \$			
8703.23	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,500 cc but not over 3,000 cc	7,617	9,079	8,665	-4.6
8517.12	Telephones for cellular networks or for other wireless networks	7,617	4,501	5,970	32.7
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	1,375	1,621	2,289	41.3
2710.19	Petroleum oils and oils (not light) from bituminous minerals or preps n.e.s.o.i. 70%+ by weight from petroleum oils or bituminous minerals	1,584	1,953	1,947	-0.3
8542.39	Electronic integrated circuits, n.e.s.o.i.	1,990	1,817	1,692	-6.8
8473.30	Parts and accessories for automatic data processing machines and units thereof, magnetic or optical readers, transcribing machines, etc., n.e.s.o.i.	1,522	1,136	1,524	34.2
8703.22	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 1,000 cc but not over 1,500 cc	3	188	1,157	517.0
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	915	968	1,051	8.6
8418.10	Combined refrigerator-freezers fitted with separate external doors	948	979	1,029	5.1
4011.10	New pneumatic tires, of rubber, of a kind used on motor cars (including station wagons and racing cars)	1,180	1,299	1,010	-22.2
8542.32	Memories	538	542	877	61.8
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	544	782	836	6.9
8905.20	Floating or submersible drilling or production platforms	110	0	830	^(a)
7306.29	Seamed steel casing or tubing of kind used in drilling oil/gas, with external diameter 406.4mm or less or other than circular cross-section	676	831	790	-4.9
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	283	460	662	44.0
8708.40	Gear boxes and parts thereof, for motor vehicles	148	442	614	38.9
8451.29	Drying machines (except centrifugal type) for textile yarns, fabrics or made-up textile articles, with a dry linen capacity exceeding 10 kg	540	477	597	25.0
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	360	409	478	16.9
8429.52	Mechanical shovels, excavators and shovel loaders with 360 degree revolving superstructure, self-propelled	282	652	456	-30.0
7306.19	Seamed (other than welded stainless steel) pipe, with external diameter 406.4mm or less or other than circular cross-section, line pipe of a kind used for oil and gas pipelines	417	514	428	-16.7
8471.30	Portable automatic data processing machines, weight not more than 10 kg, consisting of at least a central processing unit, keyboard and display	543	566	425	-24.9
8542.31	Processors or controllers	459	340	423	24.5
8523.51	Solid state non-volatile storage devices	329	326	417	28.1
8708.94	Steering wheels, steering columns and steering boxes and parts thereof, for motor vehicles	288	378	411	8.7
8517.70	Parts of telecommunications apparatus	384	359	385	7.1
	Total of items shown	30,653	30,615	34,964	14.2
	All other HTS subheadings	25,353	27,259	27,015	-0.9
	Total U.S. imports for consumption from Korea	56,006	57,874	61,979	7.1

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation "n.e.s.o.i." stands for "not elsewhere specified or included."

^aUndefined.

Table A.45 U.S. merchandise trade with Brazil, by USITC digest sectors, 2011–13

Sector Grouping	Description	2011	2012	2013	% change 2012–13
		Million \$			
Domestic exports:					
1	Agricultural products	1,892	695	1,952	180.8
2	Forest products	481	418	388	-7.2
3	Chemicals and related products	8,875	8,987	9,818	9.2
4	Energy-related products	6,501	7,382	6,712	-9.1
5	Textiles and apparel	271	284	254	-10.4
6	Footwear	4	2	2	-30.1
7	Minerals and metals	1,177	1,257	1,330	5.8
8	Machinery	3,516	3,794	3,961	4.4
9	Transportation equipment	9,140	8,997	8,132	-9.6
10	Electronic products	4,320	4,382	4,079	-6.9
11	Miscellaneous manufactures	291	263	227	-13.7
12	Special provisions	807	790	773	-2.2
	Total	37,275	37,252	37,627	1.0
Imports for consumption:					
1	Agricultural products	4,643	4,924	4,675	-5.1
2	Forest products	1,793	1,802	2,159	19.8
3	Chemicals and related products	3,191	3,157	2,514	-20.4
4	Energy-related products	8,918	8,631	4,869	-43.6
5	Textiles and apparel	117	111	117	5.1
6	Footwear	253	210	200	-4.8
7	Minerals and metals	5,554	5,603	5,214	-6.9
8	Machinery	1,231	1,279	1,081	-15.5
9	Transportation equipment	2,949	3,325	3,325	0.0
10	Electronic products	288	323	254	-21.2
11	Miscellaneous manufactures	381	418	454	8.6
12	Special provisions	1,049	1,937	1,999	3.2
	Total	30,368	31,720	26,861	-15.3

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown.

Table A.46 Leading U.S. domestic exports to Brazil, by Schedule B subheading, 2011–13

Schedule B subheading	Description	2011	2012	2013	% change 2012–13
8800.00	Aircraft, spacecraft, and parts thereof	4,822	4,742	4,313	-9.0
2710.19	Petroleum oils and oils (not light) from bituminous minerals or preps n.e.s.o.i. 70%+ by weight from petroleum oils or bituminous minerals	2,440	3,876	3,711	-4.3
1001.99	Wheat and meslin other than durum or seed wheat	^(a)	13	1,245	9,206.6
2701.12	Bituminous coal, whether or not pulverized, but not agglomerated	1,713	1,237	986	-20.3
2710.12	Light oils and preparations	^(b)	1,284	787	-38.7
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages, etc., and pharmaceutical goods), n.e.s.o.i.	615	707	736	4.0
2711.12	Propane, liquefied	269	239	676	182.9
3808.91	Insecticides	187	267	419	56.9
2902.50	Styrene (vinylbenzene; phenylethylene)	222	242	305	25.8
2815.12	Sodium hydroxide (caustic soda), in aqueous solution (soda lye or liquid soda)	342	379	304	-19.8
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	300	314	289	-8.1
8431.43	Parts for boring or sinking machinery, n.e.s.o.i.	624	403	272	-32.5
3907.20	Polyethers n.e.s.o.i., in primary forms	192	221	262	18.5
3105.30	Diammonium hydrogenorthophosphate (diammonium phosphate)	181	242	253	4.4
2930.90	Organo-sulfur compounds, n.e.s.o.i.	206	197	222	12.7
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	211	188	218	15.8
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	199	204	214	4.7
8431.49	Parts and attachments, n.e.s.o.i., for derricks, cranes, self-propelled bulldozers, graders, etc., and other grading, scraping, etc., machinery	274	226	211	-6.8
3105.59	Mineral or chemical fertilizers containing the two fertilizing elements nitrogen and phosphorus, n.e.s.o.i.	0	25	207	720.5
8502.31	Generating sets, electric, wind-powered	100	134	199	48.2
3901.20	Polyethylene having a specific gravity of 0.94 or more, in primary forms	152	158	198	25.3
3901.90	Polymers of ethylene n.e.s.o.i., in primary forms	139	137	198	43.9
3105.40	Ammonium dihydrogenorthophosphate (monoammonium phosphate) and mixtures thereof with diammonium hydrogenorthophosphate (diammonium phosphate)	491	306	192	-37.3
3808.93	Herbicides, anti-sprouting products and plant-growth regulators	124	157	190	20.7
3906.90	Acrylic polymers n.e.s.o.i., in primary forms	189	182	186	2.2
	Total of items shown	13,992	16,083	16,790	4.4
	All other HTS subheadings	23,282	21,170	20,837	-1.6
	Total U.S. domestic exports to Brazil	37,275	37,252	37,627	1.0

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aTrade in 2011 reported under HTS tariff line 1001.90.

^bTrade in 2011 reported under HTS tariff line 2710.11.

Table A.47 Leading U.S. imports for consumption from Brazil, by HTS provision, 2011–13

HTS provision	Description	2011	2012	2013	% change
		Million \$			2012–13
2709.00	Petroleum oils and oils from bituminous minerals, crude	6,498	5,374	2,659	-50.5
7207.12	Semifinished products of iron or nonalloy steel, under 0.25% (weight) carbon, rectangular cross-section, width not less than twice the thickness	1,702	1,890	1,487	-21.4
2710.19	Petroleum oils and oils (not light) from bituminous minerals or preps n.e.s.o.i. 70%+ by weight from petroleum oils or bituminous minerals	1,319	1,816	1,372	-24.5
2207.10	Ethyl alcohol, undenatured, of an alcoholic strength by volume of 80% vol. or higher	568	1,463	1,199	-18.1
8802.40	Airplanes and other aircraft n.e.s.o.i., of an unladen weight exceeding 15,000 kg	365	395	1,135	187.0
4703.29	Chemical woodpulp, soda or sulfate, other than dissolving grades, semibleached or bleached, nonconiferous	911	820	1,032	25.8
0901.11	Coffee, not roasted, not decaffeinated	1,865	1,242	1,007	-18.9
7201.10	Nonalloy pig iron containing 0.5% (weight) or less phosphorus, in primary forms	1,130	882	688	-22.0
6802.93	Worked monumental or building stone n.e.s.o.i., of granite	447	477	609	27.7
8802.30	Airplanes and other aircraft n.e.s.o.i., of an unladen weight exceeding 2,000 kg but not exceeding 15,000 kg	429	458	448	-2.2
2401.20	Tobacco, partly or wholly stemmed/stripped	271	299	376	26.1
8409.99	Parts for use with compression-ignition internal combustion piston engines, n.e.s.o.i.	472	416	325	-21.9
2902.20	Benzene	192	271	302	11.4
2713.11	Petroleum coke, not calcined	395	694	300	-56.7
1005.90	Corn (maize), other than seed corn	3	215	296	37.6
4409.10	Wood continuously shaped (tongued, grooved, rebated, v-jointed, beaded, molded, etc.) along any of its edges or faces, planed, etc. or not, coniferous	162	217	278	28.2
7224.90	Semifinished products of alloy steel (other than stainless) n.e.s.o.i.	(^a)	9	265	2,813.3
1602.50	Meat or meat offal of bovine animals, prepared or preserved, n.e.s.o.i.	146	193	228	17.8
2710.12	Light oils and preparations	0	72	210	193.4
7202.93	Ferroniobium	244	269	205	-23.9
2009.11	Orange juice, frozen, whether or not sweetened	158	91	202	123.0
4802.56	Paper/paperboard for writing/printing/other graphic purpose, weight 40g/m ² -150g/m ² , not over 10% fiber by mechanical/chemical process, sized sheets	142	137	186	36.1
8412.90	Parts for engines and motors, n.e.s.o.i.	175	438	183	-58.2
4011.10	New pneumatic tires, of rubber, of a kind used on motor cars (including station wagons and racing cars)	278	256	183	-28.4
1201.90	Soybeans, whether or not broken, other than seed	(^b)	0	183	(^c)
	Total of items shown	17,873	18,395	15,359	-16.5
	All other HTS subheadings	12,495	13,325	11,502	-13.7
	Total U.S. imports for consumption from Brazil	30,368	31,720	26,861	-15.3

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aLess than \$500,000.

^bTrade in 2011 reported under HTS tariff line 1201.00.

^cUndefined.

Table A.48 U.S. merchandise trade with Taiwan, by USITC digest sectors, 2011–13

Sector Grouping	Description	2011	2012	2013	% change 2012–13
		Million \$			
Domestic exports:					
1	Agricultural products	3,706	3,291	3,191	-3.0
2	Forest products	495	469	532	13.5
3	Chemicals and related products	4,714	4,416	4,266	-3.4
4	Energy-related products	314	653	1,336	104.7
5	Textiles and apparel	95	99	96	-3.2
6	Footwear	5	5	4	-13.0
7	Minerals and metals	2,867	2,547	2,128	-16.4
8	Machinery	4,529	4,602	4,691	1.9
9	Transportation equipment	1,315	1,309	2,286	74.7
10	Electronic products	4,929	3,735	3,520	-5.8
11	Miscellaneous manufactures	331	297	818	175.3
12	Special provisions	476	411	401	-2.3
	Total	23,775	21,832	23,270	6.6
Imports for consumption:					
1	Agricultural products	453	467	474	1.5
2	Forest products	193	208	215	3.5
3	Chemicals and related products	2,933	3,119	3,194	2.4
4	Energy-related products	140	278	26	-90.7
5	Textiles and apparel	1,154	1,156	1,139	-1.5
6	Footwear	56	52	50	-3.0
7	Minerals and metals	4,793	5,163	5,081	-1.6
8	Machinery	3,487	3,908	3,942	0.9
9	Transportation equipment	2,797	3,074	3,155	2.6
10	Electronic products	20,990	17,214	16,130	-6.3
11	Miscellaneous manufactures	2,646	2,899	2,819	-2.8
12	Special provisions	1,572	1,185	1,315	11.0
	Total	41,213	38,722	37,539	-3.1

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown.

Table A.49 Leading U.S. domestic exports to Taiwan, by Schedule B subheading, 2011–13

Schedule B subheading	Description	2011	2012	2013	% change 2012–13
Million \$					
8486.20	Machines and apparatus for the manufacture of semiconductor devices or electronic integrated circuits	1,371	1,935	2,345	21.2
7204.49	Ferrous waste and scrap, n.e.s.o.i.	1,339	1,235	971	-21.4
8800.00	Aircraft, spacecraft, and parts thereof	600	641	904	41.0
2710.12	Light oils and preparations	^(a)	352	894	154.0
1201.90	Soybeans, whether or not broken, other than seed	^(b)	763	582	-23.8
9306.90	Bombs, grenades, torpedoes, mines, missiles and similar munitions of war and parts thereof; other ammunition and projectiles and parts thereof, n.e.s.o.i.	33	21	564	2,640.8
8542.32	Memories	1,344	678	469	-30.8
8486.90	Parts and accessories	422	406	456	12.3
8542.31	Processors or controllers	412	347	425	22.5
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	161	159	401	151.6
8542.39	Electronic integrated circuits, n.e.s.o.i.	569	406	389	-4.0
1001.99	Wheat and meslin other than durum or seed wheat	^(c)	357	364	1.9
8802.12	Helicopters of an unladen weight exceeding 2,000 kg	0	0	346	^(d)
3824.90	Chemical products and preparations of the chemical or allied industries, n.e.s.o.i.; residual products of the chemical or allied industries, n.e.s.o.i.	203	202	281	39.2
9031.41	Optical instruments for inspecting semiconductor wafers or devices or for inspecting photomasks or reticles used in manufacturing semiconductor devices	443	466	272	-41.7
2707.30	Xylenes	54	16	246	1,394.3
2933.71	6-hexanelactam (epsilon-caprolactam)	231	153	234	53.0
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages, etc., and pharmaceutical goods), n.e.s.o.i.	142	168	206	22.8
1005.90	Corn (maize), other than seed corn	807	310	181	-41.6
7204.21	Stainless steel waste and scrap	268	227	171	-24.8
3908.10	Polyamide-6,-11,-12,-6,6,-6,9,-6,10 or -6,12 (nylon type), in primary forms	223	145	157	8.0
2804.61	Silicon, containing by weight not less than 99.99% of silicon	197	159	156	-1.6
0207.14	Chicken cuts and edible offal (including livers), frozen	109	160	156	-2.5
2106.90	Food preparations n.e.s.o.i.	112	130	152	17.2
8401.30	Fuel elements (cartridges), non-irradiated, for nuclear reactors, and parts thereof	131	66	143	116.3
	Total of items shown	9,168	9,503	11,465	20.7
	All other HTS subheadings	14,606	12,329	11,804	-4.3
	Total U.S. domestic exports to Taiwan	23,775	21,832	23,270	6.6

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aTrade in 2011 reported under HTS tariff line 2710.11.

^bTrade in 2011 reported under HTS tariff line 1201.00.

^cTrade in 2011 reported under HTS tariff line 1001.90.

^dUndefined.

Table A.50 Leading U.S. imports for consumption from Taiwan, by HTS provision, 2011–13

HTS provision	Description	2011	2012	2013	% change 2012–13
8517.12	Telephones for cellular networks or for other wireless networks	6,609	2,410	1,797	-25.4
8542.32	Memories	1,072	1,060	1,399	32.0
8473.30	Parts and accessories for automatic data processing machines and units thereof, magnetic or optical readers, transcribing machines, etc., n.e.s.o.i.	1,426	1,301	1,397	7.4
8542.39	Electronic integrated circuits, n.e.s.o.i.	1,139	1,134	1,197	5.6
8542.31	Processors or controllers	956	889	882	-0.8
8526.91	Radio navigational aid apparatus	978	1,377	807	-41.4
8541.40	Photosensitive semiconductor devices, including photovoltaic cells; light-emitting diodes	256	478	635	32.9
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	391	544	623	14.6
8525.80	Television cameras; digital cameras and video camera recorders	401	546	600	9.8
8523.51	Solid state non-volatile storage devices	579	514	553	7.6
8528.71	Reception apparatus for television, not designed to incorporate a screen or video display device	874	950	531	-44.1
8512.20	Electrical lighting or visual signaling equipment, for use on cycles or motor vehicles, except for use on bicycles	426	446	490	9.9
7318.15	Threaded screws and bolts n.e.s.o.i., with or without their nuts or washers, of iron or steel	513	510	490	-3.8
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	399	437	454	4.0
8712.00	Bicycles and other cycles (including delivery tricycles), not motorized	411	427	435	2.0
7318.14	Self-tapping screws, threaded, of iron or steel	388	427	428	0.2
8471.30	Portable automatic data processing machines, weight not more than 10 kg, consisting of at least a central processing unit, keyboard and display	773	436	366	-16.2
8534.00	Printed circuits	353	351	363	3.5
8471.70	Automatic data processing storage units, n.e.s.o.i.	269	324	352	8.8
7318.16	Nuts, threaded, of iron or steel	311	310	324	4.4
8481.80	Taps, cocks, valves and similar appliances for pipes, vats or the like, including thermostatically controlled valves, n.e.s.o.i.	302	321	318	-0.8
8504.40	Electrical static converters; power supplies for automatic data processing machines or units of 8471	355	308	304	-1.5
9506.91	Articles and equipment for general physical exercise, gymnastics or athletics, n.e.s.o.i.; parts and accessories thereof	312	288	301	4.6
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	247	268	268	0.0
8471.50	Processing units other than those of 8471.41 and 8471.49, n.e.s.o.i.	184	225	261	16.1
	Total of items shown	19,926	16,281	15,578	-4.3
	All other HTS subheadings	21,287	22,441	21,960	-2.1
	Total U.S. imports for consumption from Taiwan	41,213	38,722	37,539	-3.1

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

Table A.51 U.S. merchandise trade with India, by USITC digest sectors, 2011–13

Sector Grouping	Description	2011	2012	2013	% change 2012–13
		Million \$			
Domestic exports:					
1	Agricultural products	732	865	873	1.0
2	Forest products	836	745	740	-0.7
3	Chemicals and related products	4,533	3,624	3,222	-11.1
4	Energy-related products	1,912	1,786	1,329	-25.6
5	Textiles and apparel	162	168	166	-0.8
6	Footwear	4	4	3	-20.8
7	Minerals and metals	2,835	4,645	2,640	-43.2
8	Machinery	1,727	1,778	1,488	-16.3
9	Transportation equipment	2,089	2,449	3,760	53.5
10	Electronic products	2,304	2,306	2,145	-7.0
11	Miscellaneous manufactures	172	212	224	5.8
12	Special provisions	363	392	320	-18.4
	Total	17,670	18,972	16,911	-10.9
Imports for consumption:					
1	Agricultural products	3,105	5,790	4,444	-23.2
2	Forest products	160	158	177	12.4
3	Chemicals and related products	6,674	8,021	8,267	3.1
4	Energy-related products	3,138	2,976	3,703	24.4
5	Textiles and apparel	6,447	6,397	6,865	7.3
6	Footwear	196	264	290	9.7
7	Minerals and metals	9,149	8,668	10,286	18.7
8	Machinery	1,653	2,003	1,801	-10.1
9	Transportation equipment	1,471	1,743	1,436	-17.6
10	Electronic products	1,393	1,287	1,197	-7.0
11	Miscellaneous manufactures	2,201	2,260	2,477	9.6
12	Special provisions	418	538	515	-4.2
	Total	36,003	40,105	41,459	3.4

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown.

Table A.52 Leading U.S. domestic exports to India, by Schedule B subheading, 2011–13

Schedule B subheading	Description	2011	2012	2013	% change 2012–13
		Million \$			
8800.00	Aircraft, spacecraft, and parts thereof	620	1,215	1,607	32.4
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	769	2,903	1,389	-52.2
8802.40	Airplanes and other aircraft n.e.s.o.i., of an unladen weight exceeding 15,000 kg	0	0	1,152	^(a)
2707.99	Oils and products of the distillation of high temperature coal tar, n.e.s.o.i.; similar products which have a predominate (weight) aromatic constituent, n.e.s.o.i.	537	485	426	-12.3
2701.12	Bituminous coal, whether or not pulverized, but not agglomerated	917	856	400	-53.3
0802.11	Almonds, fresh or dried, in shell	256	279	324	16.2
3105.30	Diammonium hydrogenorthophosphate (diammonium phosphate)	1,237	557	315	-43.4
2713.11	Petroleum coke, not calcined	107	196	229	16.8
2809.20	Phosphoric acid and polyphosphoric acids	272	221	191	-13.6
2710.19	Petroleum oils and oils (not light) from bituminous minerals or preps n.e.s.o.i. 70%+ by weight from petroleum oils or bituminous minerals	94	90	190	110.7
7102.39	Diamonds, nonindustrial, worked, including polished or drilled	577	262	163	-37.7
4707.10	Waste and scrap of unbleached kraft paper or paperboard or of corrugated paper or paperboard	150	145	150	3.7
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	178	171	146	-14.4
7204.49	Ferrous waste and scrap, n.e.s.o.i.	416	379	142	-62.5
4801.00	Newsprint, in rolls or sheets	186	128	120	-6.5
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	109	100	117	17.5
3824.90	Chemical products and preparations of the chemical or allied industries, n.e.s.o.i.; residual products of the chemical or allied industries, n.e.s.o.i.	85	109	111	2.4
8409.99	Parts for use with compression-ignition internal combustion piston engines, n.e.s.o.i.	112	118	103	-13.1
3822.00	Composite diagnostic or laboratory reagents, other than those pharmaceuticals in heading 3002 or 3006; certified reference materials	91	88	95	7.9
5201.00	Cotton, not carded or combed	93	73	90	23.7
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	50	62	89	43.0
7113.19	Jewelry and parts thereof, of precious metal other than silver	77	87	85	-2.3
7602.00	Aluminum waste and scrap	82	90	83	-7.3
8431.43	Parts for boring or sinking machinery, n.e.s.o.i.	74	66	77	16.3
7204.21	Stainless steel waste and scrap	38	74	73	-0.2
	Total of items shown	7,129	8,755	7,869	-10.1
	All other HTS subheadings	10,541	10,218	9,043	-11.5
	Total U.S. domestic exports to India	17,670	18,972	16,911	-10.9

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation “n.e.s.o.i.” stands for “not elsewhere specified or included.”

^aUndefined.

Table A.53 Leading U.S. imports for consumption from India, by HTS provision, 2011–13

HTS provision	Description	2011	2012	2013	% change
		Million \$			2012–13
7102.39	Diamonds, nonindustrial, worked, including polished or drilled	6,263	5,398	7,353	36.2
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages, etc., and pharmaceutical goods), n.e.s.o.i.	2,465	3,500	3,654	4.4
2710.12	Light oils and preparations	^(a)	2,405	2,825	17.4
1302.32	Mucilages and thickeners, whether or not modified, derived from locust beans, locust bean seeds or guar seeds	914	3,373	1,615	-52.1
7113.19	Jewelry and parts thereof, of precious metal other than silver	1,127	1,103	1,191	7.9
0306.17	Other shrimps and prawns, cooked in shell or uncooked, dried, salted or in brine, frozen	^(b)	531	967	82.0
2710.19	Petroleum oils and oils (not light) from bituminous minerals or preps n.e.s.o.i. 70%+ by weight from petroleum oils or bituminous minerals	425	552	859	55.6
6302.31	Bed linen (other than printed) of cotton, not knitted or crocheted	635	764	848	10.9
6302.60	Toilet and kitchen linen of cotton terry toweling or similar cotton terry fabrics	532	575	583	1.3
3004.20	Medicaments, in measured doses, etc., containing antibiotics, n.e.s.o.i.	361	378	424	12.2
6110.20	Sweaters, pullovers, sweatshirts, vests and similar articles of cotton, knitted or crocheted	399	341	398	16.7
7113.11	Jewelry and parts thereof, of silver	343	335	366	9.4
8528.71	Reception apparatus for television, not designed to incorporate a screen or video display device	282	200	274	37.0
0801.32	Cashew nuts, fresh or dried, shelled	307	264	265	0.2
6206.30	Women's or girls' blouses, shirts and shirt-blouses of cotton, not knitted or crocheted	241	208	247	18.7
6205.20	Men's or boys' shirts of cotton, not knitted or crocheted	250	207	220	6.4
7210.49	Flat-rolled iron or nonalloy steel products, not corrugated, 600 mm or more wide, plated or coated with zinc other than electrolytically	151	197	219	11.4
2902.20	Benzene	163	210	213	1.2
8701.90	Tractors, n.e.s.o.i.	199	221	193	-12.7
8481.90	Parts for taps, cocks, valves and similar appliances for pipes, vats or the like, including pressure-reducing and thermostatically controlled valves	170	188	188	0.3
6109.10	T-shirts, singlets, tank tops and similar garments of cotton, knitted or crocheted	233	191	172	-10.0
6105.10	Men's or boys' shirts of cotton, knitted or crocheted	214	165	170	3.4
6802.93	Worked monumental or building stone n.e.s.o.i., of granite	150	157	166	5.8
8708.30	Brakes and servo-brakes and parts thereof n.e.s.o.i., for motor vehicles	155	175	159	-8.8
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	237	192	159	-17.5
	Total of items shown	16,216	21,830	23,728	8.7
	All other HTS subheadings	19,788	18,275	17,731	-3.0
	Total U.S. imports for consumption from India	36,003	40,105	41,459	3.4

Source: Official trade statistics of the USDOC as maintained by the USITC.

Note: Because of rounding, figures may not add to totals shown. The abbreviation "n.e.s.o.i." stands for "not elsewhere specified or included."

^aTrade in 2011 reported under HTS tariff line 2710.11.

^bTrade in 2011 reported under HTS tariff line 0306.13.