



United States
International Trade Commission

The Year in Trade 2016

Operation of the Trade Agreements
Program

68th Report

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United States International Trade Commission

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Preface

This report is the 68th 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) 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 2016. 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 by congressional legislation.

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Abbreviations and Acronyms

Acronyms	Term
AB	Appellate Body (WTO)
AD	antidumping
AGOA	African Growth and Opportunity Act
APEC	Asia-Pacific Economic Cooperation
ASEAN	Association of Southeast Asian Nations
ATPDEA	Andean Trade Promotion and Drug Eradication Act
ATAP	U.S.-Israel Agreement on Trade in Agricultural Products
ATEC	Agreement on Trade and Economic Cooperation
BEA	Bureau of Economic Analysis (USDOC)
BIS	Bureau of Industry and Security (USDOC)
BNA	Bureau of National Affairs
Brexit	Britain's vote to leave the European Union
BSE	bovine spongiform encephalopathy
CAB	Conciliation and Arbitration Board
CACR	Cuban Assets Control Regulations
CAFTA-DR	Dominican Republic-Central America-United States Free Trade Agreement
CAR	Central African Republic
CARICOM	Caribbean Community and Common Market
CBERA	Caribbean Basin Economic Recovery Act
CBTPA	Caribbean Basin Trade Partnership Act
cc	cubic centimeter
CEC	Commission for Environmental Cooperation (NAFTA)
CLC	Commission for Labor Cooperation (NAFTA)
CNL	competitive need limitation
COMESA	Common Market for Eastern and Southern Africa
COP21	Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change, session 21
CRS	Congressional Research Service
CSI	Coalition of Services Industries
CTI	Committee on Trade and Investment (APEC)
CTPA	U.S.-Colombia Trade Promotion Agreement
CVD	countervailing duty
DDA	Doha Development Agenda (WTO)
DFAT	Department of Foreign Affairs and Trade (Australia)
DSB	Dispute Settlement Body (WTO)
DSU	Dispute Settlement Understanding (WTO)
EAC	East African Community
EAR	Export Administration Regulations
EC	European Commission
ECOWAS	Economic Community of West African States
EDA	Economic Development Administration (USDOC)
EGA	Environmental Goods Agreement
EIA	U.S. Energy Information Administration
EIAP	Earned Import Allowance Program
EIU	Economist Intelligence Unit
ETA	Employment and Training Administration (USDOL)
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
FAS	Foreign Agricultural Service (USDA)
Fed. Reg.	<i>Federal Register</i>
FMCSA	Federal Motor Carrier Safety Administration
FSIS	Food Safety and Inspection Service (USDA)
FTA	free trade agreement
FTAAP	Free Trade Area of the Asia-Pacific
FTZ	Foreign Trade Zone
FTC	Free Trade Commission
FY	fiscal year
FYROM	Former Yugoslav Republic of Macedonia
G20	Group of 20
GAIN	Global Agricultural Information Network
GAO	U.S. Government Accountability Office

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Acronyms	Term
GATS	General Agreement on Trade in Services (WTO)
GATT	General Agreement on Tariffs and Trade
GC	General Council of the WTO
GCC	Cooperation Council for the Arab States of the Gulf (Gulf Cooperation Council)
GDP	gross domestic product
GE	genetically engineered
GPA	Agreement on Government Procurement (WTO)
GSP	Generalized System of Preferences
GTA	Global Trade Atlas database (IHS Markit)
GVC	global value chain
HELP	Haiti Economic Lift Program
HLED	High-Level Economic Dialogue (U.S.-Mexico)
HOPE	Haitian Hemispheric Opportunity through Partnership Encouragement Act
HS	Harmonized Commodity Description and Coding System (international)
HTS	Harmonized Tariff Schedule of the United States
IATA	International Air Transport Association
IBRD	International Bank for Reconstruction and Development (part of the World Bank)
ICSID	International Centre for the Settlement of Investment Disputes
ICTSD	International Centre for Trade and Sustainable Development
ICT	information and communications technology
IIP	international investment position
ILAB	Bureau of International Labor Affairs (USDOL)
IMF	International Monetary Fund
IMPS	Institutional Meat Purchase Specifications (USDA)
IP	intellectual property
IPO	initial public offering
IPRs	intellectual property rights
IT	information technology
ITA	Information Technology Agreement (WTO)
ITA	International Trade Administration (USDOC)
JCCT	Joint Commission on Commerce and Trade
KORUS	U.S.-Korea Free Trade Agreement
LDBC	lesser-developed beneficiary countries
LDBDC	least-developed beneficiary developing country
LTFV	less than fair value
MAFF	Ministry of Agriculture, Forestry, and Fisheries (Japan)
MFAT	Ministry of Foreign Affairs and Trade (New Zealand)
MFN	most favored nation
MOU	memorandum of understanding
MSMEs	micro, small, and medium-sized enterprises
MRL	maximum residue limit
mt	metric tons
n.d.	not dated
NAAEC	North American Agreement on Environmental Cooperation (NAFTA)
NAALC	North American Agreement on Labor Cooperation (NAFTA)
NADB	North American Development Bank (NAFTA)
NAFTA	North American Free Trade Agreement
NAO	National Administrative Office (NAFTA)
n.e.s.o.i.	not elsewhere specified or included
NGFA	National Grain and Feed Association (U.S.)
NGO	nongovernmental organization
n.i.e.	not included elsewhere
NTM	nontariff measure
NTR	normal trade relations
OECD	Organisation for Economic Co-operation and Development
OFAC	Office of Foreign Assets Control (U.S. Department of the Treasury)
OIE	World Organisation for Animal Health (Office International des Epizooties)
OMA	ordinary minimum access (tenders)
OOS	out-of-service (commercial motor vehicle)
OTEXA	Office of Textiles and Apparel (USDOC)
OTLA	Office of Trade and Labor Affairs (NAFTA)
PPD	public-private dialogue
PTPA	U.S.-Peru Trade Promotion Agreement
Pub. L.	Public Law

Acronyms	Term
RCC	Regulatory Cooperation Council
RTA	regional trade agreement
S&ED	Strategic and Economic Dialogue (U.S.-China)
SBS	simultaneous buy-sell (Japan)
SCM	Subsidies and Countervailing Measures (Agreement)
SEM	Submissions on Environmental Measures (NAFTA)
SLA	Softwood Lumber Agreement
SMEs	small and medium-sized enterprises
SOM	Senior Officials Meeting
SPS	sanitary and phytosanitary (standards)
SSA	sub-Saharan Africa
STPS	Secretaría del Trabajo y Previsión Social [Mexican Secretariat of Labor and Social Welfare]
STRI	Services Trade Restrictiveness Index (OECD)
TAA	Trade Adjustment Assistance
TAAcs	Trade Adjustment Assistance Centers
TAD	Trade and Agriculture Directorate (OECD)
TAAF	Trade Adjustment Assistance for Firms
TAAEA	Trade Adjustment Assistance Extension Act
TAARA	Trade Adjustment Assistance Reauthorization Act of 2015
TBTs	technical barriers to trade
TC	Trade Committee (OECD)
TCWP	Working Party of the Trade Committee (OECD)
TEC	Transatlantic Economic Council
TFA	Agreement on Trade Facilitation
TFDA	Taiwan Food and Drug Administration
TICA	Trade and Investment Cooperation Agreement
TICF	Trade and Investment Cooperation Forum
TICFA	Trade and Investment Cooperation Forum Agreement
TIFA	Trade and Investment Framework Agreement
TISA	Trade in Services Agreement
TiVA	Trade in Value Added (OECD–WTO initiative)
TPA	trade promotion agreement
TPEA	Trade Preferences Extension Act
TPF	U.S.-India Trade Policy Forum
TPP	Trans-Pacific Partnership
TPLs	tariff preference levels
TRIG	Trade Reports International Group
TRIPS	Trade-Related Aspects of Intellectual Property Rights (WTO)
TRQ	tariff-rate quota
TTIP	Transatlantic Trade and Investment Partnership (U.S.-EU)
UK	United Kingdom
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
URAA	Uruguay Round Agreements Act (U.S.)
USAID	U.S. Agency for International Development
U.S.C.	U.S. Code
USCBP	U.S. Customs and Border Protection
USCC	U.S.-China Economic and Security Review Commission
USDA	U.S. Department of Agriculture
USDHS	U.S. Department of Homeland Security
USDOC	U.S. Department of Commerce
USDOL	U.S. Department of Labor
USDOS	U.S. Department of State
USDOT	U.S. Department of Transportation
USEIA	U.S. Energy Information Administration
USITC	U.S. International Trade Commission
USPTO	U.S. Patent and Trademark Office
USTR	U.S. Trade Representative
WAEMU	West African Economic and Monetary Union
WHO	World Health Organization (UN)
WIPO	World Intellectual Property Organization
WTO	World Trade Organization

Executive Summary

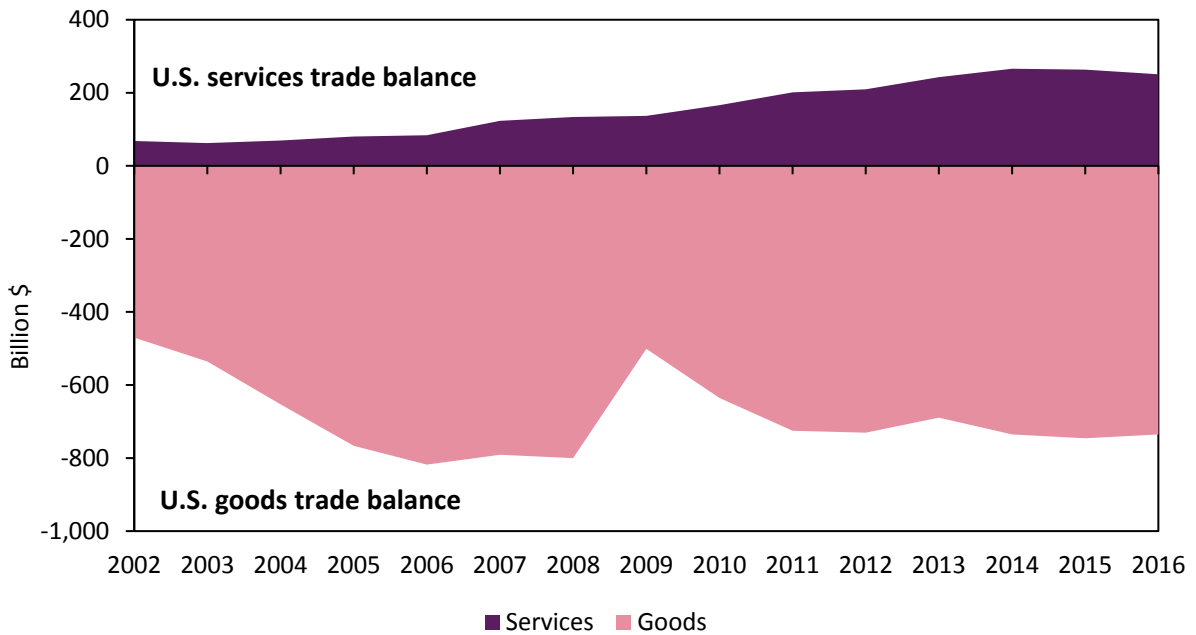
Global economic growth slowed in 2016, falling from 3.4 percent in 2015 to 3.1 percent in 2016. Economic growth in the United States also slowed in 2016: U.S. real gross domestic product (GDP) increased 1.6 percent in 2016, compared to an increase of 2.6 percent in 2015. The economies of most major U.S. trading partners—e.g., the European Union (EU), Canada, Mexico, and Japan—underperformed the world average of 3.1 percent; the outstanding exceptions were China and India.

In 2016, the U.S. dollar appreciated 1.1 percent against a broad trade-weighted index of major foreign currencies, including against some major emerging-market currencies, such as the Mexican peso and the Chinese yuan. By yearend 2016, the dollar had appreciated 18.8 percent against the Mexican peso and 6.3 percent against the Chinese yuan. The dollar depreciated, however, against the Canadian dollar (by 4.0 percent), the Japanese yen (by 1.8 percent), and the euro (by 1.8 percent).

Both U.S. exports and imports of goods declined in 2016. The value of U.S. merchandise exports totaled \$1,453.7 billion in 2016, down 3.3 percent (\$48.9 billion) from \$1,502.6 billion in 2015. U.S. merchandise imports totaled \$2,189.2 billion in 2016, down 2.6 percent (\$59.0 billion) from \$2,248.2 billion in 2015. The drop in petroleum prices in 2016 contributed to the decline in the value of U.S. merchandise exports and imports in 2016, although the quantity of U.S. exports and imports of crude petroleum both increased. Since U.S. imports declined more than U.S. exports in terms of value, the U.S. merchandise trade deficit fell from \$745.7 billion in 2015 to \$735.5 billion in 2016 (figure ES.1). Agricultural products was the only goods sector to experience a trade surplus in 2016, with \$9.3 billion more in exports than imports.

U.S. two-way, or bilateral, private services trade increased 1.4 percent to \$1,214.5 billion in 2016. U.S. exports of private services were virtually unchanged from the previous year at \$732.6 billion, while U.S. imports of private services grew 3.2 percent to reach \$482.0 billion in 2016. As a result, the U.S. surplus in private services fell from \$263.4 billion in 2015 to \$250.6 billion in 2016.

Figure ES.1 U.S. trade balance in goods and services, 2002–16



Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 17, 2017); USDOC, BEA, U.S. International Transactions, Services, & IIP, International Transactions data, table 1.2, March 21, 2017.
 Note: Underlying data can be found in appendix table B.1.

Key Trade Developments in 2016

Administration of U.S. Trade Laws and Regulations

Safeguard actions: The U.S. International Trade Commission (the Commission) conducted no new safeguard investigations during 2016, and no U.S. safeguard measures under these provisions were in effect during any part of 2016. One petition was filed during 2016, with regard to imports of primary unwrought aluminum, but the petition was withdrawn and no investigation was conducted.

Section 301: There was one ongoing investigation in 2016 under section 301 of the Trade Act of 1974. This investigation was instituted in 1987 and concerned various meat hormone directives of the EU, which prohibit the use of certain hormones that promote growth in farm animals. Following a successful challenge at the World Trade Organization (WTO), the United States imposed additional duties on certain imports from the EU in 1999. In 2012, the United States and the EU signed a provisional settlement, and the United States lifted the additional duties. In December 2016, representatives of the U.S. beef industry filed a request with the Office of the U.S. Trade Representative (USTR) asking that the additional duties be reinstated, and USTR initiated a process to consider whether to reinstate the additional duties.

Special 301: The special 301 law was enacted as part of the Trade Act of 1974, as amended. In the *2016 Special 301 Report*, USTR examined the adequacy and effectiveness of intellectual property rights (IPR) protection in 73 countries. The *2016 Special 301 Report* listed 11 countries on the priority watch list (Algeria, Argentina, Chile, China, India, Indonesia, Kuwait, Russia, Thailand, Ukraine, and Venezuela) and

23 countries on the watch list. In December 2016, USTR issued the *2016 Out-of-Cycle Review of Notorious Markets Report*, which highlighted over 20 Internet-based markets and 10 countries with physical marketplaces (e.g., shops) that reportedly engage in or facilitate substantial copyright piracy and trademark counterfeiting.

Antidumping duty investigations: The Commission instituted 36 new preliminary antidumping investigations, and made 35 preliminary determinations and 41 final determinations during 2016. Antidumping duty orders were issued by the U.S. Department of Commerce (USDOC) in 32 of the final investigations on 8 products from 16 countries.

Countervailing duty investigations: The Commission instituted 16 new preliminary countervailing duty investigations, and made 14 preliminary determinations and 25 final determinations during 2016. Countervailing duty orders were issued by the USDOC in 16 of the final investigations on 7 products from 7 countries.

Sunset reviews: During 2016, the Commission instituted 53 sunset reviews of existing antidumping duty and countervailing duty orders and suspension agreements. The Commission completed 53 reviews, resulting in 47 antidumping duty and countervailing duty orders being continued for up to five additional years.

Section 129 investigations: Section 129 of the U.S. Uruguay Round Agreements Act established a procedure by which the Administration may respond to certain adverse WTO panel or Appellate Body reports. On March 7, 2016, the Commission issued a section 129 consistency determination rendering its findings with respect to injury in the underlying countervailing duty proceeding on hot-rolled steel from India consistent with the recommendations and rulings of the WTO Dispute Settlement Body (DSB) in *United States—Countervailing Measures on Certain Hot-Rolled Carbon Steel Flat Products from India* (DS436). On April 14, 2016, USDOC issued a section 129 compliance determination with respect to subsidization and the calculation of countervailing duty rates consistent with the DSB's recommendations and rulings in DS436.

In addition, on March 31, 2016, April 26, 2016, and May 19, 2016, USDOC issued its final section 129 determinations to comply with the DSB's recommendations and rulings in another case: *United States—Countervailing Duty Measures on Certain Products from China* (DS437). Finally, on July 18, 2016, USDOC issued its final section 129 determination to implement certain findings of the WTO dispute settlement panel in *United States—Anti-Dumping Measures on Certain Frozen Warmwater Shrimp from Viet Nam* (DS429).

Section 337 investigations: During 2016, there were 122 active investigations and ancillary proceedings under section 337 of the Tariff Act of 1930, 80 of which were instituted that year. Of these 80 new proceedings, 54 were new section 337 investigations and 26 were new ancillary proceedings relating to previously concluded investigations. The Commission completed a total of 66 investigations and ancillary proceedings under section 337 in 2016, and issued 3 general exclusion orders, 9 limited exclusion orders, and 11 cease and desist orders. At the close of 2016, 56 section 337 investigations and related proceedings were pending at the Commission.

Commission investigations involved a wide variety of products in 2016. As in prior years, technology products were the single largest category, with about 30 percent of the active proceedings involving computer and telecommunications equipment and another 7 percent involving consumer electronics. In addition, 14 percent of active proceedings involved small consumer items; 11 percent involved

automotive, transportation, and manufacturing products; and 11 percent involved pharmaceuticals and medical devices.

Trade Adjustment Assistance (TAA): In fiscal year (FY) 2016, the U.S. Department of Labor (USDOL) received 1,453 petitions for TAA, up 35.4 percent from the 1,073 petitions in FY 2015. The USDOL certified 1,192 petitions covering 126,844 workers as eligible for TAA, and denied 569 petitions covering 60,871 workers. In FY 2016, USDOC certified 67 petitions as eligible for assistance under the TAA for Firms program, and approved 78 adjustment proposals. The numbers are both lower than in FY 2015, when USDOC certified 113 petitions and approved 120 adjustment proposals.

Trade Preference Programs

Generalized System of Preferences (GSP): U.S. imports under GSP increased 5.6 percent (\$990.4 million) from \$17.7 billion in 2015 to \$18.7 billion in 2016, which accounted for 9.3 percent of total U.S. imports from GSP beneficiary countries and 0.9 percent of total U.S. imports. The top five beneficiary countries (India, Thailand, Brazil, Indonesia, and the Philippines) accounted for 75 percent of GSP imports.

Based on the 2015/2016 GSP Annual Review directed by USTR, new duty-free status under the GSP program was extended to 27 travel goods (including luggage, backpacks, handbags, and wallets) for least-developed beneficiary developing countries and for African Growth and Opportunity Act (AGOA) countries. Also, on November 13, 2016, Burma's eligibility for GSP benefits was reinstated after the conclusion of a review of its compliance with the eligibility criteria under the GSP statute. The United States had suspended Burma's GSP benefits in 1989 due to worker rights concerns.

African Growth and Opportunity Act (AGOA): In 2016, 38 sub-Saharan African countries were eligible for AGOA benefits. Of these countries, 28 were eligible for AGOA textile and apparel benefits for all or part of 2016. In 2015, the President terminated the designation of Burundi as an AGOA beneficiary, effective January 1, 2016, due primarily to concerns about human rights, governance, and rule of law. In addition, the annual review conducted in 2016 resulted in the reinstatement of AGOA eligibility for the Central African Republic, effective January 1, 2017, as a result of steps the country's government has taken to address rule-of-law issues. Finally, Seychelles was graduated from eligibility for AGOA (as well as GSP) benefits effective January 1, 2017, because it was determined to be a "high-income" country.

In 2016, imports entering the United States exclusively under AGOA (excluding GSP) were valued at \$9.4 billion, a 17.8 percent increase from 2015. This increase mainly reflected an increase in the value and quantity of imports of crude petroleum. The top two major petroleum-producing AGOA beneficiary countries, Nigeria and Angola, both experienced increases in the value and quantity of their exports of crude petroleum to the United States under AGOA despite a decline in the international price of crude petroleum in 2016. Nigeria experienced a particularly large increase, primarily because of a narrower price spread between the U.S. domestic crude petroleum price and the corresponding international price, which makes foreign crude more competitive; decreasing U.S. domestic crude production; and the similarities between the crude produced in Nigeria and that produced in the United States.

Caribbean Basin Economic Recovery Act (CBERA): At yearend 2016, 17 countries and dependent territories were eligible for CBERA preferences, and 8 of those countries were designated eligible for Caribbean Basin Trade Partnership Act (CBTPA) preferences. In 2016, U.S. imports under CBERA (including CBTPA) fell 43.2 percent to \$876 million, mainly reflecting a decline in U.S. imports of methanol, apparel, and crude petroleum, which are major imports from CBERA countries. Trinidad and

Tobago continued to be the leading supplier of U.S. imports under CBERA in 2016, accounting for 43.8 percent of the total value. Haiti and Jamaica were also leading suppliers, accounting for 36.3 and 8.6 percent of the total, respectively.

Haiti initiatives: The value of U.S. imports of apparel from Haiti fell 5.2 percent, from \$895.5 million in 2015 to \$848.5 million in 2016. The decline reflected reduced demand for apparel from some major U.S. retailers experiencing bankruptcies and closures. Despite the overall decline, the value of U.S. imports of apparel from Haiti entering under the HOPE Acts continued to grow, rising 7.5 percent from \$497.6 million in 2015 to \$535.0 million in 2016. These imports represented almost two-thirds of total U.S. apparel imports that entered free of duty from Haiti.

World Trade Organization (WTO)

WTO developments: Following the December 2015 WTO Ministerial Meeting in Nairobi, Kenya, ministers concluded that no consensus seemed to exist for continuing negotiations under the current structure of the 2001 Doha Development Agenda. As a consequence, in 2016, WTO members began to explore various ways to move forward with unresolved trade issues under frameworks other than the Doha agenda. In 2016, an initial group of 13 members exchanged views on how the subject of fishery subsidies, which contribute to overfishing and overcapacity, might be advanced through negotiation of a plurilateral agreement, much as negotiations toward an agreement on trade in services have advanced in recent years among a group of WTO members. New trade issues also attracted attention, in particular the needs of micro, small, and medium-sized enterprises; the trade-related aspects of electronic commerce; and services trade facilitation.

Two countries acceded to the WTO in 2016: Liberia joined on July 14 and Afghanistan on July 29, increasing WTO membership to 164 members.

In other WTO developments, the WTO Agreement on Trade Facilitation (TFA) entered into force in February 2017 after 110 of the 164 WTO members deposited their formal legal documents accepting the agreement. The TFA is designed to streamline the customs and related measures of WTO members in order to lower trade costs and increase world trade. In addition, by yearend 2016, negotiations over a WTO Environmental Goods Agreement reached a stage where the chair for negotiations considered there was a likely consensus on roughly 250 of the 300 environmental products under discussion for reduced tariffs. Lastly, the 24 participants that concluded negotiations in December 2015 on expanded coverage under the Information Technology Agreement began to implement their commitments in 2016, with a majority of participants implementing their initial commitments to reduce or eliminate tariffs on the newly covered information and communication technology products by the end of 2016.

WTO dispute settlement: During 2016, WTO members filed 17 requests for WTO dispute settlement consultations in new disputes, compared with 13 in 2015. The United States was the complainant in 3 of the 17 requests filed during 2016, and the named respondent in 5. The 3 new requests filed by the United States during 2016 all concerned Chinese measures, including (1) China's export duties on certain raw materials; (2) measures that appear to provide domestic support for agricultural producers; and (3) tariff-rate quotas for certain agricultural products. The United States was the named respondent in 5 new disputes—2 filed by India, and 1 each filed by Canada, Brazil, and China.

Eight new dispute settlement panels were established during 2016. The United States was the complaining party in one of these panel proceedings, and the responding party in one.

OECD, APEC, TiSA, and TIFAs

Organisation for Economic Co-operation and Development (OECD): In 2016, OECD membership rose to 35 countries with the accession of Latvia. OECD members held their ministerial council meeting in June 2016, in Paris, France, where ministers focused on how to enhance productivity through policies that support jobs and skills. Ministers highlighted trade initiatives outside the OECD—such as the WTO TFA and the expansion of the Information Technology Agreement—and agreed to continue work on Trade Facilitation Indicators, the Services Trade Restrictiveness Index, and the joint OECD-WTO Trade in Value Added database. In its meetings during the year, the Trade Committee focused on topics including how to overcome barriers to trade in services and how to promote trade in environmental goods and services so as to support the United Nations Sustainable Development Goals.

APEC developments: Under Peru’s leadership in 2016, cooperation among APEC member economies focused on “quality growth and human development” by pursuing the following four priorities: “investing in human capital development; modernizing micro, small, and medium-sized enterprises; fostering the regional food system; and advancing the regional economic integration and growth agenda.”

APEC highlights in 2016 included the completion of the *Collective Strategic Study on Issues Related to the Realization of the Free Trade Area of the Asia-Pacific*; the second-term review of progress toward the Bogor Goals, a set of targeted goals for creating a free and open trade and investment area in the Asia-Pacific; and substantial work in APEC global value chain (GVC) development and cooperation. In the GVC area, work was performed on “APEC GVCs and Trade in Value Added (TiVA) measurement,” with the aim of developing an APEC TiVA database by 2018.

Trade in Services Agreement (TiSA): In 2016, the 23 participants aimed at concluding negotiations by yearend, but were unable to finalize an agreement. Although no new rounds were scheduled, the parties agreed to take stock of areas in need of further technical work in 2017, and the negotiations continue to evolve. Areas under discussion include delivery services, direct selling services, domestic regulation, electronic commerce, energy-related services, environmental services, export subsidies, facilitation of patient mobility, financial services, government procurement, localization requirements, movement of natural persons, professional services, state-owned enterprises, telecommunications, transparency, and transport services (air, maritime, and road).

Trade and Investment Framework Agreements (TIFAs): TIFAs provide a framework to expand trade and investment and a forum to resolve trade and investment issues between the United States and various trading partners. By the end of 2016, the United States had entered into 55 TIFAs, including new TIFAs with Argentina and Laos that year. A number of TIFA Council meetings also took place in 2016, including those with Argentina, the Association of Southeast Asian Nations, Central Asia, the Common Market for Eastern and Southern Africa, the East African Community, the Economic Community of West African States, Indonesia, Mozambique, Nepal, Pakistan, the Philippines, Sri Lanka, Taiwan, Tunisia, Ukraine, and Uruguay.

U.S. Free Trade Agreements

U.S. free trade agreements (FTAs) in force in 2016: The United States was party to 14 FTAs involving a total of 20 countries as of December 31, 2016. Starting with the most recent agreement, the FTAs in

force during 2016 were the U.S.-Panama Trade Promotion Agreement (TPA) (entered into force in 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 2006–2007) 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); the North American Free Trade Agreement (NAFTA), with Canada and Mexico (1994); and the U.S.-Israel FTA (1985).

FTA merchandise trade flows with FTA partners: In 2016, total two-way (exports and imports) merchandise trade between the United States and its 20 FTA partners was \$1.4 trillion, which accounted for 39.1 percent of total U.S. merchandise trade with the world. U.S. trade with NAFTA countries (Canada and Mexico) continued to contribute the most to all U.S. trade with FTA partners, accounting for \$1.1 trillion, or 75.0 percent. U.S. exports to NAFTA countries fell 3.8 percent (\$19.4 billion) to \$496.9 billion. U.S. imports from NAFTA countries fell 3.4 percent (\$20.3 billion) to \$572.2 billion from 2015 to 2016. As a result, the U.S. merchandise trade deficit with its NAFTA partners fell 1.2 percent to \$75.3 billion in 2016.

U.S. trade with non-NAFTA FTA partners was valued at \$356.2 billion in 2016, down 5.2 percent from 2015. U.S. exports to these partners decreased 7.4 percent (\$14.3 billion), from \$193.9 billion in 2015 to \$179.7 billion in 2016, while U.S. imports decreased 2.9 percent (\$5.2 billion) from \$181.8 billion in 2015 to \$176.6 billion in 2016. As a result, the U.S. merchandise trade surplus with non-NAFTA FTA partners fell 74.4 percent to \$3.1 billion.

The value of U.S. imports entered under FTAs and subject to FTA duty reductions and eliminations totaled \$374.2 billion in 2016, up \$1.3 billion, or 0.3 percent from 2015. Imports under FTAs accounted for half (50.0 percent) of total imports from FTA partners in 2016 and 17.1 percent of total U.S. imports from the world. (The majority of U.S. imports from FTA partners that do not enter under an FTA generally enter free of duty under normal trade relations rates, although some also face duties.) Imports under the FTA with South Korea, which grew \$17.0 billion (95.3 percent), represented the largest increase. Imports under FTAs from Oman and Panama also increased, by 35.8 percent (\$215 million) and 31.9 percent (\$13 million), respectively.

FTA negotiations: In 2016, the United States continued to participate in either negotiations or preparations for two regional FTAs—the Trans-Pacific Partnership (TPP) with 11 Pacific Rim partners, and the Transatlantic Trade and Investment Partnership (TTIP) with the EU.

Following the conclusion of negotiations in October 2015, the United States and 11 partner countries signed the TPP on February 4, 2016. Over the course of 2016, the U.S. administration worked to prepare the agreement for Congressional consideration; however, both of the leading Presidential candidates expressed opposition to the TPP as drafted, and the implementing legislation was not submitted to Congress by yearend 2016. In January 2017, President Trump instructed USTR to formally withdraw from TPP discussions.

The United States and EU held four rounds of TTIP negotiations in 2016, with the goal of completing an agreement by the end of the year. However, the two sides issued a joint report in January 2017 on the status of the negotiations as of yearend 2016, which stated that significant work was still needed in a

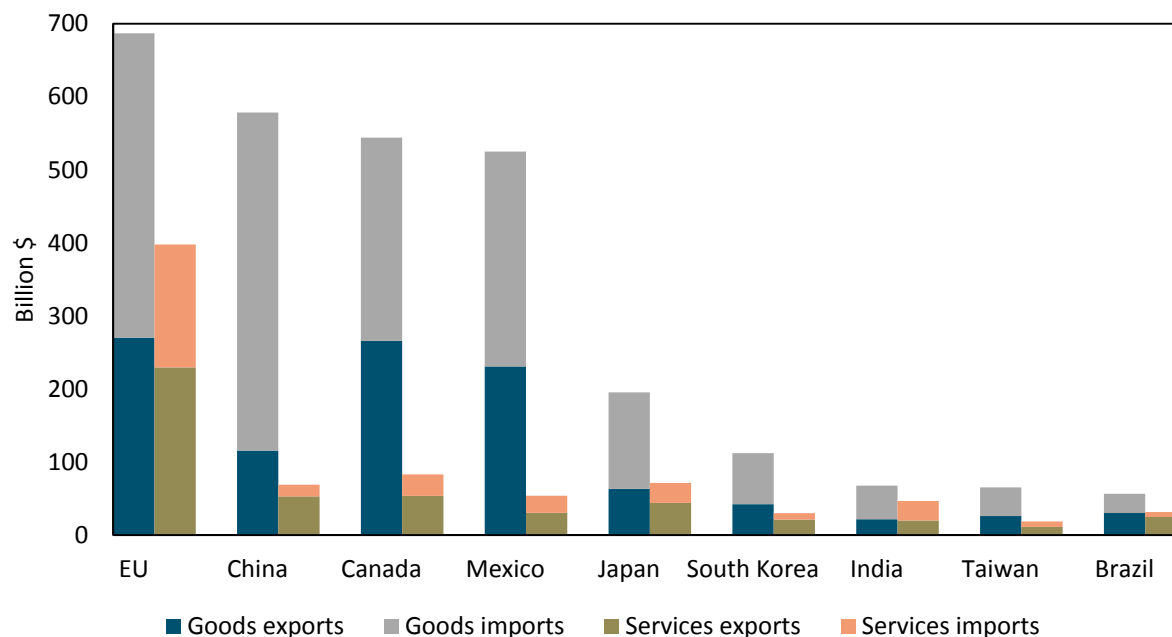
variety of areas including sensitive tariff lines, market access in services, standards, government procurement, investor protection, and IPRs.

NAFTA developments: All of NAFTA's provisions were implemented by the United States, Canada, and Mexico as of January 1, 2008, with the exception of the NAFTA cross-border trucking provisions, which were implemented in 2015 following the completion of a pilot program. At the end of 2016, three complaints remained active under Articles 14 and 15 of the North American Agreement on Environmental Cooperation, two of which were submitted in 2016. In 2016, one complaint was submitted under the North American Agreement on Labor Cooperation against the United States.

NAFTA dispute settlement: In 2016, there were five active Chapter 11 (investor-state disputes) filed against the United States, four of them filed by Canadian investors and one filed by Mexican investors; one filed against Canada by U.S. investors; and one filed against Mexico by U.S. investors. At the end of 2016, the NAFTA Secretariat listed six binational panels active under Chapter 19 (Review and Dispute Settlement in Anti-dumping and Countervailing Duty Matters); these are reviews of final determinations made by national authorities in antidumping and countervailing duty cases. Four of the six active cases challenged the Mexican agency's determinations on products from the United States, and two challenged U.S. agencies' determinations on products from Canada and Mexico.

Trade Activities with Selected Trading Partners

This report reviews U.S. bilateral trade relations with 10 selected trading partners. Among these are some of the United States' major trading partners in 2016, as well as others that are notable as a result of recent changes to U.S. bilateral trade relations. This year, the report covers the following trading partners: the European Union (EU), China, Canada, Mexico, Japan, South Korea, Taiwan, India, Brazil, and Cuba (ordered by the value of their two-way merchandise trade). For each trading partner, the chapter summarizes U.S. bilateral trade, including two-way merchandise and private services trade (figure ES.2). That description is followed by summaries of the major bilateral trade-related developments during 2016.

Figure ES.2 U.S. goods and services trade with selected major bilateral trade partners, 2016

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017); USDOC, BEA, Interactive data, International Transactions, Services, & IIP, International Transactions, Tables 1.2 and 1.3, March 21, 2017.

Note: Underlying data can be found in appendix table B.2.

European Union

The EU as a single entity continued to be the United States' largest merchandise trading partner in 2016. Two-way (exports plus imports) merchandise trade with the EU fell 1.8 percent to \$687.0 billion in 2016, accounting for 18.9 percent of total U.S. merchandise trade. U.S. exports to the EU were \$270.3 billion in 2016, ranking the EU as the top U.S. export market, surpassing Canada, which had ranked as the largest export market in 2015. U.S. merchandise imports from the EU were \$416.7 billion, second to those from China. Both U.S. exports and imports with the EU declined in 2016, but U.S. imports declined more, reducing the U.S. merchandise trade deficit with the EU from \$155.6 billion in 2015 to \$146.3 billion in 2016. Leading U.S. exports to the EU included civilian aircraft, engines, and parts; medicaments (medicines); blood fractions (e.g., antiserum); refined petroleum products; and hand-executed paintings, drawings, and pastels. Leading U.S. imports were passenger motor vehicles, medicaments, blood fractions, refined petroleum products, and parts of turbojets or turbopropellers.

The EU was also the United States' largest trading partner in terms of private services in 2016, accounting for 32.8 percent of total U.S. trade in private services. U.S. services exports increased more than U.S. services imports, resulting in an increase in the U.S. trade surplus in services with the EU from \$60.5 billion in 2015 to \$61.4 billion in 2016.

The major focus of the U.S.-EU trade relationship in 2016 was negotiations to advance the TTIP agreement. Other notable developments during the year included progress on regulatory cooperation in the Transatlantic Economic Council, a U.S.-EU agreement on the privacy shield, negotiations on an

agreement on insurance and reinsurance, and the United Kingdom's vote to leave the European Union ("Brexit").

China

In 2016, for the second year in a row China remained the United States' largest single-country trading partner based on two-way merchandise trade, accounting for 15.9 percent of total U.S. merchandise trade. U.S. two-way merchandise trade with China amounted to \$578.6 billion in 2016, a decrease of 3.5 percent from the \$599.3 billion recorded in 2015. U.S. merchandise exports to China were \$115.8 billion in 2016, and U.S. imports were \$462.8 billion, resulting in a trade deficit of \$347.0 billion in 2016. Although the U.S. merchandise trade deficit with China decreased \$20.1 billion in 2016, it remained higher than that with any other trading partner. Leading U.S. exports to China in 2016 were civilian aircraft, engines, and parts; soybeans; passenger motor vehicles; processors and controllers; and machines for semiconductor or integrated circuit manufacturing. Leading U.S. imports from China were cellphones; portable computers and tablets; telecommunications equipment; tricycles, scooters, and related toys; and computer parts and accessories.

In 2016, China was the United States' fourth-largest single-country trading partner based on two-way services trade of \$69.0 billion. U.S. services trade with China continued to increase in 2016, with particularly strong growth in U.S. exports, which resulted in a \$4.2 billion increase (to \$37.0 billion) in the U.S. services trade surplus with China.

China's compliance with its WTO commitments remained a central focus of U.S.-China trade relations in 2016. In that year, top trade issues between the two countries included China's protection and enforcement of IPRs; overcapacity in China's steel industry; and policies that have restricted market access of U.S. exports, including information and communications technology products and services.

Canada

In 2016, Canada was the United States' second-largest single-country trading partner after China for the second consecutive year. The value of U.S. merchandise trade with Canada fell 5.7 percent to \$544.0 billion in 2016, which accounted for 14.9 percent of total U.S. merchandise trade with the world. U.S. exports to Canada were \$266.0 billion in 2016, while U.S. merchandise imports from Canada were \$278.1 billion. Declines in U.S. exports and imports with Canada in energy-related products, particularly imports, contributed to the drop in bilateral trade and the narrowing of the U.S. merchandise trade deficit with Canada to \$3.4 billion in 2016. Leading U.S. exports to Canada in 2016 included passenger motor vehicles; motor vehicles for goods transport; civilian aircraft, engines, and parts; and light petroleum oils. Top U.S. imports from Canada included crude petroleum, passenger motor vehicles, natural gas, and coniferous sawn wood.

Canada remained the second-largest single-country U.S. trading partner for services in 2016, after the United Kingdom. Two-way services trade with Canada fell in 2016 to \$83.0 billion, while the U.S. surplus in services narrowed to \$24.4 billion, down 10.9 percent from \$27.4 billion the year before.

The October 2015 expiration of the U.S.-Canada Softwood Lumber Agreement continued to be a source of friction for U.S.-Canada trade relations, although talks continued between the two governments on how to address differences in 2016. A one-year grace period from litigation on softwood lumber, written into the agreement that expired, ended in October 2016. In the following month, November 2016, the

U.S. lumber industry initiated antidumping and countervailing duty proceedings concerning imports of softwood lumber products from Canada.

Mexico

In 2016, Mexico was the United States' third-largest single-country two-way merchandise trading partner. Total two-way merchandise trade declined 1.3 percent to \$525.1 billion in 2016, which accounted for 14.4 percent of U.S. trade with the world. U.S. merchandise exports to Mexico totaled \$231.0 billion in 2016, and U.S. merchandise imports from Mexico amounted to \$294.2 billion, resulting in a merchandise trade deficit of \$63.2 billion, which was up \$2.5 billion from 2015. In 2016, leading U.S. exports to Mexico were computer parts and accessories; refined petroleum products; parts and accessories for motor vehicles; telecommunications equipment; civilian aircraft, engines, and parts; and corn. Leading U.S. imports from Mexico included passenger motor vehicles; motor vehicles for goods transport; computers; telecommunications equipment; color TV reception apparatus; and crude petroleum.

Mexico was the United States' sixth-largest trading partner in services after Germany. U.S. services exports to Mexico declined in 2016, while U.S. imports increased, resulting in a narrowing of the U.S. services trade surplus with Mexico from \$9.3 billion in 2015 to \$7.2 billion in 2016.

U.S.-Mexico trade relations are governed in large part by NAFTA as well as by the High-Level Economic Dialogue (HLED) established in 2013. In 2016, U.S. and Mexican officials held the third cabinet-level meeting of the HLED and agreed to continue work on energy, modern borders, workforce development, regulatory cooperation, partnering in regional and global leadership, and stakeholder engagement. In addition, the inaugural meeting of the U.S.-Mexico Energy Business Council was held to discuss ways to strengthen U.S.-Mexico trade, investment, and competitiveness in the energy sector. Joint efforts to modernize the border also continued in 2016 to facilitate trade flows. After the successful conclusion of a pilot program to address cross-border trucking between the United States and Mexico and to meet its obligations under NAFTA, the Federal Motor Carrier Safety Administration (FMCSA) started accepting applications from Mexico-domiciled motor carriers interested in conducting long-haul operations beyond the U.S. commercial zones. In 2016, reports from the FMCSA showed that Mexican-owned or Mexico-domiciled motor carriers operated relatively safely compared to U.S. carriers.

Japan

In 2016, Japan remained the United States' fourth-largest single-country trading partner in terms of two-way merchandise trade, accounting for 5.4 percent of total U.S. merchandise trade. U.S. merchandise trade with Japan increased 0.9 percent to \$195.5 billion in 2016. U.S. exports to Japan amounted to \$63.2 billion in 2016 and U.S. imports were \$132.2 billion, resulting in a trade deficit of \$68.9 billion, up \$16.1 billion from 2015. Leading U.S. exports to Japan were civilian aircraft, engines, and parts; corn; medicaments; liquefied propane; and medical instruments and appliances. Leading U.S. imports from Japan were passenger motor vehicles, parts for airplanes or helicopters, motor vehicle gearboxes, and parts for printers.

Japan was also the United States' third-largest single-country trading partner based on two-way services trade. In 2016, the U.S. surplus in services trade with Japan narrowed to \$16.7 billion, from \$17.5 billion the year before, as the growth in U.S. services imports outpaced the increase in U.S. exports.

Economic dialogue between the United States and Japan in 2016 focused on a variety of topics, including agricultural trade issues; transparency in pricing and regulation in Japan’s medical device and pharmaceutical sectors; and market access issues in Japan’s insurance market. In addition, the United States and Japan worked on a number of other trade issues of interest, including WTO dispute settlement matters; expansion of the WTO Information Technology Agreement; the plurilateral Trade in Services Agreement; an “Intellectual Property and Innovation Education and Diffusion” initiative with the WTO’s Trade-Related Aspects of Intellectual Property Rights (TRIPS) Council; environmental goods tariff reductions; and next-generation trade and competitiveness issues, such as digital trade and regulation.

Republic of Korea

The Republic of Korea (South Korea) was the United States’ sixth-largest single-country merchandise trading partner in 2016 accounting for 3.1 percent of U.S. trade with the world. Two-way merchandise trade was valued at \$112.2 billion in 2016, declining from \$115.2 billion in 2015. U.S. merchandise exports to South Korea were valued at \$42.3 billion in 2016, while U.S. merchandise imports totaled \$69.9 billion, resulting in a \$27.7 billion merchandise trade deficit, down 2.3 percent from 2015. Leading U.S. exports to South Korea were civilian aircraft, engines, and parts; processors or controllers; machines for the manufacture of semiconductor devices or electronic integrated circuits; helicopters; and corn. Leading U.S. imports from South Korea included passenger motor vehicles, cellphones, blood fractions (e.g., antiserum), refined petroleum products, and photosensitive semiconductor devices.

In 2016, U.S. exports of services to South Korea increased 5.1 percent, reaching a five-year high of \$21.3 billion. At the same time, U.S. imports of services from South Korea remained relatively stable, resulting in a 9.1 percent increase in the U.S. trade surplus in services with South Korea to \$12.5 billion in 2016.

In 2016, U.S. trade relations with South Korea occurred within the framework of the U.S.-Korea FTA, which entered into force on March 15, 2012. Both countries also worked to support the growth of the digital economy and of the information and communication technology industry in both countries, while also recognizing the importance of privacy and data protection.

India

In 2016, India became the United States’ 9th-largest single-country trading partner based on two-way merchandise trade, rising from 10th largest in 2015. U.S. trade with India grew 2.2 percent to \$67.7 billion in 2016, which accounted for 1.9 percent of U.S. trade with the world. U.S. merchandise exports to India were \$21.7 billion in 2016 while U.S. merchandise imports from India were \$46.0 billion, resulting in a U.S. merchandise trade deficit with India of \$24.3 billion in 2016, up slightly from \$23.3 billion in 2015. Top U.S. exports to India in 2016 were nonindustrial diamonds; nonmonetary gold; civilian aircraft, engines, and parts; almonds; and petroleum coke. Leading U.S. imports from India in 2016 were nonindustrial diamonds, medicaments, jewelry, light oils, and frozen shrimp.

India was the United States’ seventh-largest single-country partner for services and continued to be the only top U.S. trading partner with which the United States had a services trade deficit in 2016. The services trade deficit with India dropped 1.6 percent to \$6.8 billion in 2016, as the increase in U.S. exports to \$19.9 billion outpaced the increase in U.S. imports to \$26.8 billion.

In 2016, the U.S. Trade Representative and the Minister of Commerce and Industry of India met for the 10th meeting of the India and the United States Trade Policy Forum. IPR protection remained one of the top bilateral trade issues between the two countries.

Taiwan

In 2016, Taiwan was the United States' 10th-largest single-economy trading partner, accounting for 1.8 percent of total U.S. trade with the world. U.S. two-way merchandise trade with Taiwan amounted to \$65.4 billion in 2016, a decrease of 2.1 percent from \$66.8 billion in 2015. U.S. merchandise exports to Taiwan increased 0.7 percent to \$26.0 billion in 2016, and U.S. merchandise imports declined 3.9 percent to \$39.3 billion. As a result, the U.S. merchandise trade deficit with Taiwan was \$13.3 billion in 2016, down from \$15.0 billion in 2015. U.S. trade flows with Taiwan remained heavily dependent upon consumer electronics—most notably computer components. Leading U.S. exports to Taiwan were civilian aircraft, engines, and parts; machines for semiconductor or integrated circuit manufacturing; processors and controllers; memories; and microchips. Leading U.S. imports were microchips, telecommunications equipment, computer parts and accessories, processors and controllers, and semiconductor storage devices.

Also in 2016, the U.S. services trade surplus with Taiwan dropped \$763 million to \$3.5 billion, as U.S. services exports to Taiwan declined while U.S. services imports increased.

The U.S.-Taiwan Trade and Investment Framework Agreement (TIFA) has served as a key mechanism for U.S.-Taiwan dialogue on trade issues in the absence of official diplomatic ties. In 2016, U.S.-Taiwan trade relations focused on IPR-related issues, access to Taiwan's agricultural market, certain technical barriers to trade, and issues associated with Taiwan's investment review procedures.

Brazil

Brazil was the United States' 14th-largest single country merchandise trading partner in 2016, down from the 12th largest in 2015 and the 9th largest in 2014. Merchandise trade between the United States and Brazil decreased 4.5 percent to \$56.5 billion in 2016, representing 1.6 percent of total U.S. merchandise trade with the world. A recession in Brazil, political uncertainty, and low international crude oil prices dampened trade in both directions. In 2016, U.S. exports to Brazil were \$30.3 billion, while U.S. imports from Brazil were \$26.2 billion. As a result, the United States recorded a merchandise trade surplus with Brazil of \$4.1 billion, slightly less than in 2015. Leading U.S. exports to Brazil were civilian aircraft, engines, and parts; refined petroleum products; light oils; medicaments; and bituminous coal. Leading U.S. imports from Brazil included airplanes and other aircraft, crude petroleum, unroasted coffee, chemicals, and semifinished iron or non-alloy steel products.

In 2016, the U.S. trade surplus in services with Brazil declined 10.7 percent, from \$20.2 billion in 2015 to \$18.0 billion in 2016, as U.S. services exports declined more than U.S. services imports.

In 2016, the United States and Brazil held the first ministerial-level meeting under the United States-Brazil Agreement on Trade and Cooperation and the 14th meeting of the U.S.-Brazil Commercial Dialogue. At these meetings, officials discussed issues such as economic cooperation, trade facilitation, and standards and conformity assessment. Also, in August 2016 Brazil lifted a ban on imports of U.S. beef and beef products, which had been imposed in 2003 because of concerns about bovine spongiform encephalopathy.

Cuba

Cuba continues to be a small export market for the United States, with total exports reaching \$247.2 million in 2016. Before a 2014 policy change, exports to Cuba were limited to medicine and medical goods and those products allowed under the Cuban Democracy Act of 1992 and the Trade Sanctions Reform and Export Enhancement Act of 2000, the vast majority of which were agricultural commodities. As a result of amendments to U.S. regulations, exports of some manufactured goods have increased. While U.S. exports to Cuba had declined consistently during 2012–15, they increased 37.2 percent in 2016, although they still remained below 2014 levels. A significant portion (nearly 90 percent) of U.S. exports to Cuba consisted of agricultural products, with much of the remaining U.S. exports consisting of crop protection chemicals and medical supplies. As in recent years, frozen chicken was the top U.S. export to Cuba, accounting for 42.9 percent of all U.S. exports to Cuba in 2016, followed by corn, soybean oilcake, soybeans, and soybean oil.

Amendments were made to the Cuban Assets Control Regulations and the Export Administration Regulations in both 2015 and 2016. As a result, the first U.S. cruise ship docked in Cuba in May 2016, a U.S.-branded hotel opened in Havana in June 2016, and commercial air travel from the United States to Cuba resumed for the first time in over 50 years in August 2016.

Chapter 1

Introduction and 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 2016. Section 163(c) of the Trade Act of 1974 (19 U.S.C. 2213(c)) 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.” Section 1 of Executive Order 11846 defines the trade agreements program to include “all activities consisting of, or related to, the negotiation or administration of international agreements which primarily concern trade,”¹ and section 163(a) of the Trade Act of 1974 sets out the types of information that the President is to include in his annual report to the Congress on the operation of the trade agreements program.² This report seeks to provide information on the activities identified in the Executive Order and, to the extent appropriate and to the extent that there were developments to report and information was publicly available, the elements set out in section 163(a).

Organization of the Report

This first chapter gives an overview of the international economic and trade environment within which U.S. trade policy was conducted in 2016. It also provides a timeline of selected key trade activities. Chapter 2 covers the administration of U.S. trade laws and regulations in 2016, including tariff preference programs such as the Generalized System of Preferences. Chapter 3 focuses on U.S. participation in the World Trade Organization (WTO), including developments in major WTO dispute settlement cases during 2016. Chapter 4 covers 2016 developments at the Organisation for Economic Co-operation and Development (OECD) and Asian-Pacific Economic Cooperation, as well as negotiations on an agreement on trade in services and developments with trade and investment framework

¹ Executive Order 11846 of Mar. 27, 1975, Administration of the Trade Agreements Program, 40 FR 14291, 3 CFR, 1971–1975 Comp., 971.

² Section 163(a)(2) of that act states that the President’s report is to include the following: “(A) new trade negotiations; (B) changes made in duties and nontariff barriers and other distortions of trade of the United States; (C) reciprocal concessions obtained; (D) changes in trade agreements (including the incorporation therein of actions taken for import relief and compensation provided therefor); (E) the extension or withdrawal of nondiscriminatory treatment by the United States with respect to the products of foreign countries; (F) the extension, modification, withdrawal, suspension, or limitation of preferential treatment to exports of developing countries; (G) the results of actions to obtain the removal of foreign trade restrictions (including discriminatory restrictions) against United States exports and the removal of foreign practices which discriminate against United States service industries (including transportation and tourism) and investment; (H) the measures being taken to seek the removal of other significant foreign import restrictions; (I) each of the referrals made under section 2171(d)(1)(B) of this title and any action taken with respect to such referral; and (J) other information relating to the trade agreements program and to the agreements entered into thereunder.”

agreements. Chapter 5 describes U.S. negotiation of and participation in free trade agreements (FTAs), and chapter 6 covers trade data and trade relations in 2016 with selected U.S. trading partners.

Sources

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, *Federal Register* notices, and news releases, including publications and news releases by the U.S. International Trade Commission (USITC or the Commission) and the Office of the United States Trade Representative (USTR). Other primary sources of information include publications of international institutions, such as the International Monetary Fund, World Bank, OECD, WTO, United Nations, and foreign governments. When primary source information is unavailable, the report draws on professional journals, trade publications, and news reports for supplemental factual information.

Like past reports, *The Year in Trade 2016* relies on data from the U.S. Census Bureau (U.S. Census) of the U.S. Department of Commerce (USDOC or Commerce) for the U.S. merchandise trade statistics presented throughout the report. Most tables in the report present U.S. merchandise trade statistics using “total exports” and “general imports” as measures, except for data on U.S. imports entered with a claim of eligibility under trade preference programs and free trade agreements. Such data require an analysis of U.S. “imports for consumption”—goods that have been cleared by U.S. Customs and Border Protection to enter the customs territory of the United States with required duties paid.³ Also, much of the trade data used in the report, including U.S. services and merchandise trade data, are revised over time, so earlier years’ trade statistics in this report may not match the data presented in previous reports. Most of the merchandise trade data used in this report can be accessed using the USITC’s DataWeb database (<https://dataweb.usitc.gov/>).

Chapters 1 and 6 also offer data on services trade. The information on services trade is based on data for cross-border trade in private services, which exclude government sales and purchases of services. The source of these data is the Bureau of Economic Analysis (BEA) of the USDOC.

Overview of the U.S. and Global Economies in 2016

U.S. Economic Trends in 2016

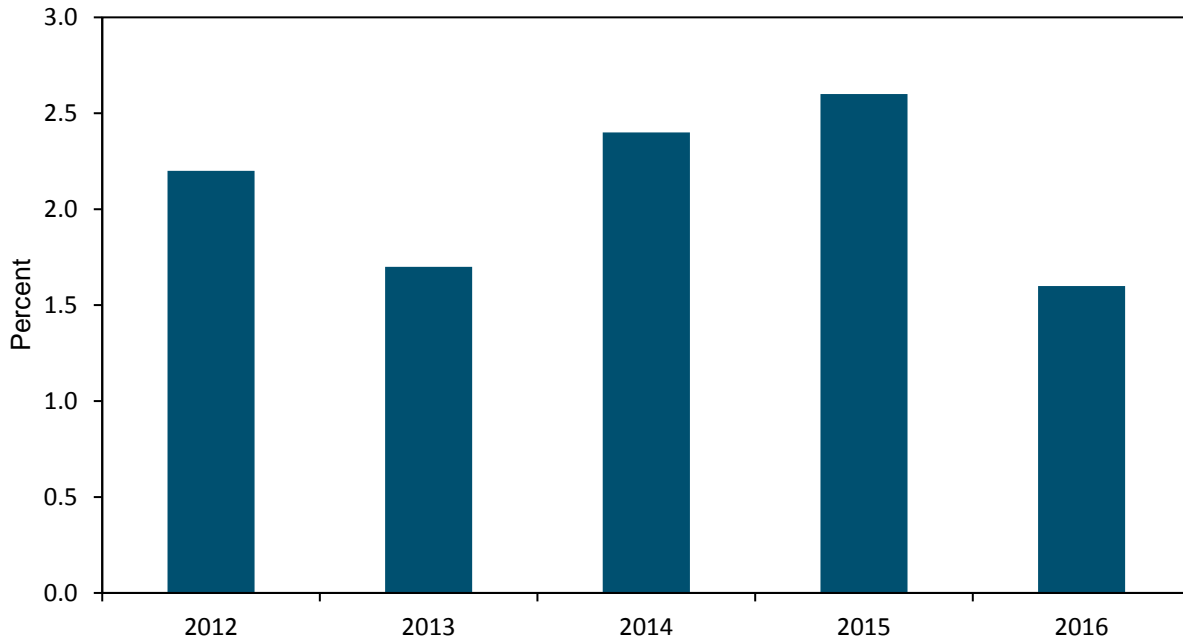
The level of U.S. imports and exports of goods and services depends on the strength of the U.S. and global economies. The United States had an \$18.6 trillion economy in 2016, of which the services sector accounted for 73.1 percent.⁴ The growth of the U.S. economy slowed in 2016 relative to 2015: U.S. real gross domestic product (GDP) increased 1.6 percent in 2016, compared to an increase of 2.6 percent in

³ For more information about measures of U.S. merchandise exports and imports, see the “Trade Measure Definitions” section of USITC, *Shifts in U.S. Merchandise Trade, 2015*, September 2016.

⁴ USDOC, BEA, “Value Added by Industry,” April 21, 2017.

2015 (figure 1.1).⁵ The deceleration in real GDP growth from 2015 to 2016 largely reflected a downturn in private domestic investment and slowing expenditures on personal consumption.⁶

Figure 1.1 U.S. real gross domestic product, percentage change, 2012–16



Source: USDOC, BEA, National Data, “Table 1.1.1 Percent Change from Preceding Period in Real Gross Domestic Product,” April 28, 2017.
Note: Underlying data can be found in appendix table B.3.

Global Economic Trends in 2016

Global economic growth slowed from 2015 to 2016, declining to 3.1 percent in 2016 from 3.4 percent in 2015 (figure 1.2).⁷ Many factors affected global economic growth during 2016, most notably lower world prices for crude petroleum, natural gas, and some other commodities, such as aluminum and copper. Also important was a gradual slowdown and rebalancing of China’s economy away from investment and export-oriented manufacturing toward domestic consumption and services.⁸

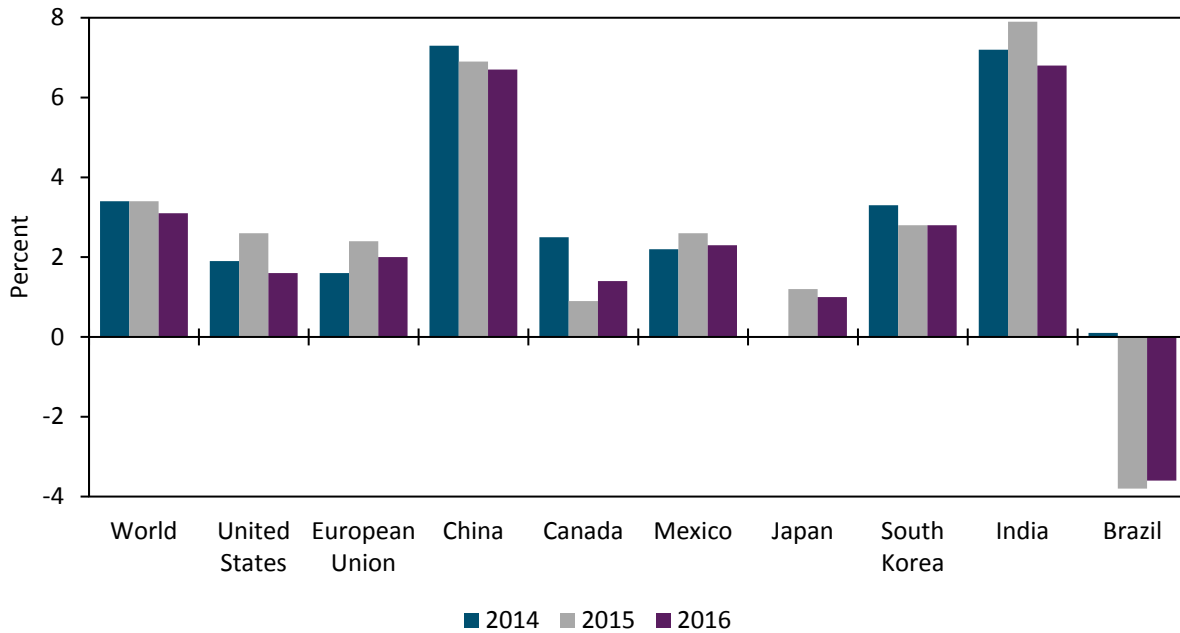
⁵ Real GDP is a measure of the value of the goods and services produced by the nation’s economy less the value of the goods and services used up in production, adjusted for price changes. USDOC, BEA, “Gross Domestic Product: Fourth Quarter and Annual 2016 (Third Estimate),” March 30, 2017, table 1.

⁶ USDOC, BEA, “Gross Domestic Product: Fourth Quarter and Annual 2016 (Third Estimate),” March 30, 2017.

⁷ IMF, *World Economic Outlook*, April 2017, 3.

⁸ World Bank, “World Bank Commodities Price Data,” updated April 3, 2017; EcoNote, “China: Assessing the Global Impact of a Chinese Slowdown,” July 2016; OECD, *Global Interim Economic Outlook*, March 2017.

Figure 1.2 Economic growth trends in the world, the United States, and selected economies, 2014–16



Source: IMF, *World Economic Outlook*, April 2017, 3; IMF, *World Economic Outlook*, October 2016, 3; EIU, “Country Report: South Korea,” April 2017.

Note: Japan had no growth in 2014. Underlying data can be found in appendix table B.4.

Growth performance by specific major U.S. trading partners diverged widely during 2014–16, affecting both their bilateral trade with the United States and their exchange rates against the U.S. dollar. For instance, Canada and Mexico—both energy exporters with economies heavily linked to that of the United States—experienced differing growth trends during 2015–16. Canada’s growth rebounded somewhat from 2015 to 2016, with the real GDP growth rate increasing from 0.9 percent in 2015 to 1.4 percent in 2016.⁹ This growth was primarily due to increased consumer spending.¹⁰ Mexico, by contrast, experienced a small decline in its rate of real GDP growth in 2016, down from 2.6 percent in 2015 to 2.3 percent in 2016.¹¹ The lower growth rate was partly due to the decline in oil prices as well as the negative impact on investment resulting from the uncertainty caused by both the UK vote to leave the European Union (EU) and the U.S. presidential election.¹²

Several other important U.S. trading partners, including Brazil, Japan, South Korea, and the EU, experienced economic growth at or below the world average during 2014–16. Brazil’s economy continued to contract in 2016, mainly due to the economic repercussions of a lengthy domestic political and fiscal crisis, which continued in 2016, and the ensuing declining investment, weak domestic consumption, and rising unemployment.¹³ Japan remained in a protracted period of low economic growth, with real GDP growth of 1.0 percent in 2016. The low growth rate was mainly due to longstanding economic problems, such as an aging population and the resulting labor shortages; low

⁹ IMF, *World Economic Outlook*, April 2017, 2.

¹⁰ EIU, *Country Report: Canada*, April 2017, 7.

¹¹ OECD, “Country Statistical Profile: Mexico, 2017,” n.d. (accessed April 11, 2017); EIU, *Country Report: Mexico*, April 2017, 7.

¹² EIU, *Country Report: Mexico*, April 2017, 30.

¹³ EIU, *Country Report: Brazil*, April 2017, 7.

labor productivity compared to other OECD countries; weak domestic demand; and the government's shortage of fiscal and monetary policy tools to boost economic growth.¹⁴ While there were differences in economic performance among EU countries, slow growth in the EU as a whole in 2016 was the result of structural economic problems in several countries, such as high levels of public and private debt and high unemployment.¹⁵ Although economic forecasts suggested that the UK's economy would weaken following the Brexit vote, the UK's economy was "resilient," posting an average quarterly 0.6 percent real GDP growth in the second half of 2016, compared to an average 0.4 percent in the first half.¹⁶ South Korea's economic growth largely tracked the world average, reflecting that country's reliance on export-oriented manufacturing and foreign demand to power its growth.¹⁷ Meanwhile, the burden of private debt repayment on households in South Korea continued to limit the country's private consumption growth.¹⁸

Economic growth in China and India continued to significantly outperform the world average in 2016, but the growth rates in both countries slowed in 2016 compared to 2015. China's economic growth slowed slightly from 6.9 percent in 2015 to 6.7 percent in 2016, as the country continued to rebalance its economy away from export-oriented manufacturing and investment to a more domestic consumption and service-based economy.¹⁹ In addition, outstanding domestic credit, which stood at the equivalent of around 210 percent of GDP by the end of 2016, has caused mounting strains in China's banking system.²⁰ Given China's extensive linkages to international supply chains, the effects of China's economic slowdown were transmitted globally. For example, China accounts for 54 percent of global aluminum demand, and roughly 50 percent of world nickel and copper demand.²¹ Hence, export-oriented economies in Asia and commodity-exporting countries were the most affected by the Chinese slowdown through reduced two-way trade, as well as lower commodity prices.²²

India's economic growth also slowed, decreasing from 7.9 percent in 2015 to 6.8 percent in 2016.²³ Although it still had one of the highest growth rates in the world in 2016, India has notably fewer linkages to the global economy than China does. India's services sector accounts for the majority of its growth, and it has a relatively small manufacturing sector and a per capita income of \$6,590 in 2016. As a result, India's economy does not spur strong demand for imports.²⁴

Weak economic growth, particularly in Europe and China, as well as a trend toward more local sourcing in global supply chains and slow trade liberalization initiatives worldwide, has led to sluggish growth in world trade during 2012–16.²⁵ From 1990 until the economic crisis in 2007–08, the average annual rate of growth in the volume of trade was 6.9 percent. This was roughly double the 3.7 percent annual growth of global real GDP over the same period. However, following an 11 percent decline in the volume

¹⁴ EIU, *Country Report: Japan*, April, 2017, 6–7; OECD, "OECD Economic Surveys: Japan," April 13, 2017.

¹⁵ OECD, *Global Interim Economic Outlook*, March 2017.

¹⁶ EIU, *Country Report: United Kingdom*, May 2017, 8.

¹⁷ EIU, *Country Report: South Korea*, April 2017, 7.

¹⁸ Ibid.

¹⁹ EIU, *Country Report: China*, April 2017, 2, 7; Zhang, "Rebalancing in China—Progress and Prospects," September 2016.

²⁰ EIU, *Country Report: China*, April, 2017, 6.

²¹ EcoNote, *China: Assessing the Global Impact of a Chinese Slowdown*, July 2016.

²² Ibid.

²³ IMF, *World Economic Outlook*, April 2017, 3.

²⁴ EIU, *Country Report: India*, April 2017, 7, 10.

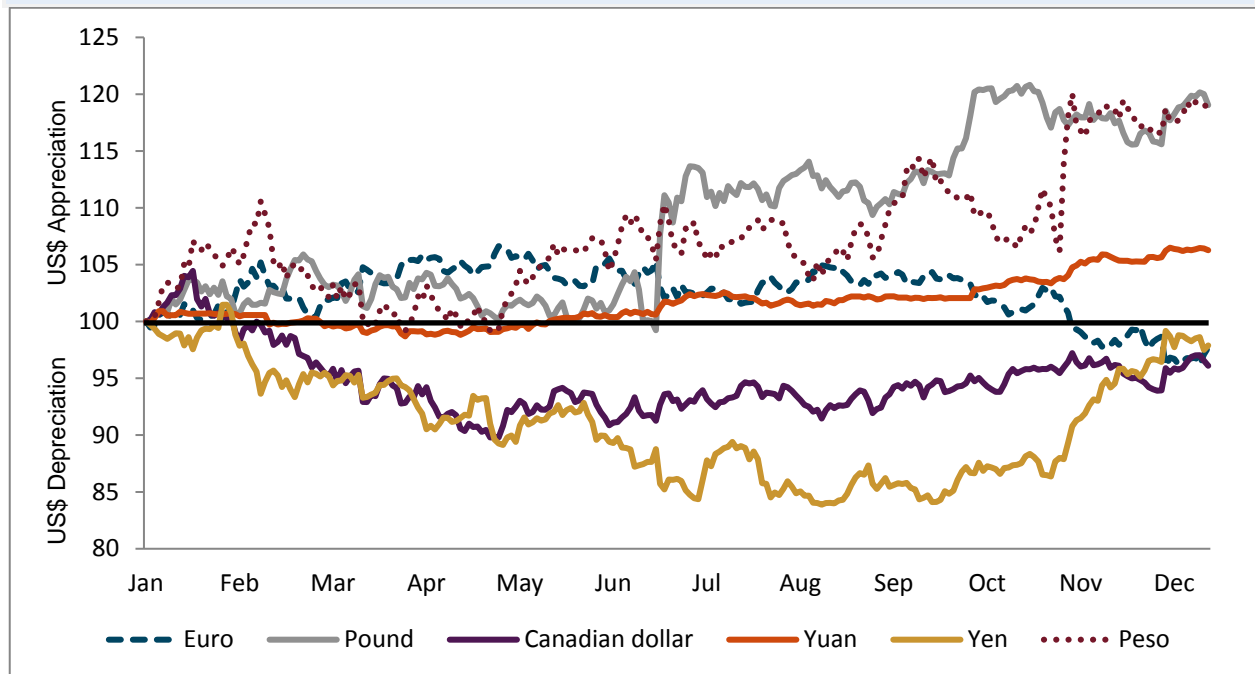
²⁵ Wickramarachi, "The Slowdown in Global Trade in Goods and Services, 2012–2015," March 2017.

of world trade that occurred after the global financial crisis in 2008 and subsequent recession in 2009, global trade growth modestly rebounded to only 2.2 percent in 2016, averaging only 3 percent during the period 2012–16. This pace is slower than world GDP growth, which averaged 3.4 percent over the same period.²⁶

Exchange Rate Trends

In 2016, the U.S. dollar appreciated against the broad dollar index, rising 1.1 percent from January 4, 2016, to December 30, 2016.²⁷ The appreciation is mainly driven by the U.S. dollar’s appreciation against some major emerging market currencies, including the Chinese yuan and the Mexican peso. By yearend 2016, the dollar had appreciated 18.8 percent against the Mexican peso and 6.3 percent against the Chinese yuan (figure 1.3). The dollar also appreciated 19.0 percent against the UK pound.

Figure 1.3 Indexes of U.S. dollar exchange rates for selected major foreign currencies, daily, 2016^a



Source: U.S. Federal Reserve Board, “Foreign Exchange Rates,” n.d. <https://www.federalreserve.gov/datadownload/Choose.aspx?rel=H10> (accessed April 11, 2017).

^a Units 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.

The U.S. dollar’s appreciation against the Chinese yuan was mainly due to China’s economic slowdown and accompanying large capital outflows in 2016. It is estimated that China’s capital outflows totaled more than \$900 billion in 2016, despite new restrictions in China on capital movements.²⁸ The large

²⁶ IMF, *World Economic Outlook Database*, April 2017 Edition (accessed May 15, 2017).

²⁷ The broad dollar index is a weighted average of the foreign exchange values of the U.S. dollar against the currencies of a large group of major U.S. trading partners. In this study, dollar appreciation is measured as the increase in the broad dollar index from January 4, 2016, to December 30, 2016. U.S. Federal Reserve, “Foreign Exchange Rates,” n.d. (accessed April 12, 2017).

²⁸ Balding, “Why China Can’t Stop Capital Outflows,” December 5, 2016.

capital outflow put persistent downward pressure on the yuan against the dollar.²⁹ At the same time, however, the People’s Bank of China is widely believed to have sold Chinese foreign reserves in 2016 in order to keep the yuan from depreciating further against the dollar.³⁰ The value of Chinese foreign reserves declined from \$3.2 trillion in January 2016 to \$3.0 trillion in December 2016.³¹

Concerns about trade policy appear to have been major factors in the two other major currency depreciations against the dollar. Given Mexico’s strong economic ties to the United States, the U.S. dollar’s appreciation against the peso in the last half of 2016 was mainly due to the uncertainty of the new U.S. administration’s trade policy towards Mexico, including the possibility of terminating or renegotiating the North American Free Trade Agreement (NAFTA).³² The U.S. dollar’s appreciation against the UK pound, which happened chiefly in the second half of 2016, was primarily due to Britain’s vote to leave the EU (a process known as Brexit) and ensuing investor concerns that trade barriers would likely rise between Britain and its major trading partners in the EU.³³

On the other hand, by yearend 2016 the U.S. dollar had depreciated slightly against the Canadian dollar (by 4.0 percent), Japanese yen (by 1.8 percent), and the euro (by 1.8 percent). The dollar depreciated against both the Canadian dollar and the yen in the first three quarters of 2016 before gradually appreciating against them in the last quarter (figure 1.3). The U.S. dollar’s appreciation against these two currencies in the last quarter of 2016 was primarily due to the growing expectations that the U.S. Federal Reserve would raise interest rates in December 2016. Another factor was a market expectation that the new U.S. administration would boost infrastructure spending, which would stimulate economic growth and make the dollar stronger.³⁴

U.S. Trade in Goods in 2016

The value of U.S. merchandise exports totaled \$1,453.7 billion in 2016, down 3.3 percent (\$48.9 billion) from \$1,502.6 billion in 2015 (figure 1.4 and appendix table A.1).³⁵ U.S. merchandise imports totaled \$2,189.2 billion in 2016, down 2.6 percent (\$59.0 billion) from \$2,248.2 billion in 2015 (figure 1.4 and appendix table A.2). While the decline in imports was concentrated in energy-related products, the decline in exports was more evenly distributed across sectors. Since U.S. imports declined more than U.S. exports in terms of value, the U.S. merchandise trade deficit fell to \$735.5 billion in 2016 from \$745.7 billion in 2015. Agricultural products was the only sector to experience a trade surplus in 2016, with \$9.3 billion more in exports than imports.

²⁹ Reuters, “China’s Foreign Reserves Just Plunged,” November 7, 2016.

³⁰ Ibid.

³¹ Chinese State Administration of Foreign Reserve, “Monthly data on the value of Chinese foreign reserves, January 2016 to December 2016,” May 7, 2017.

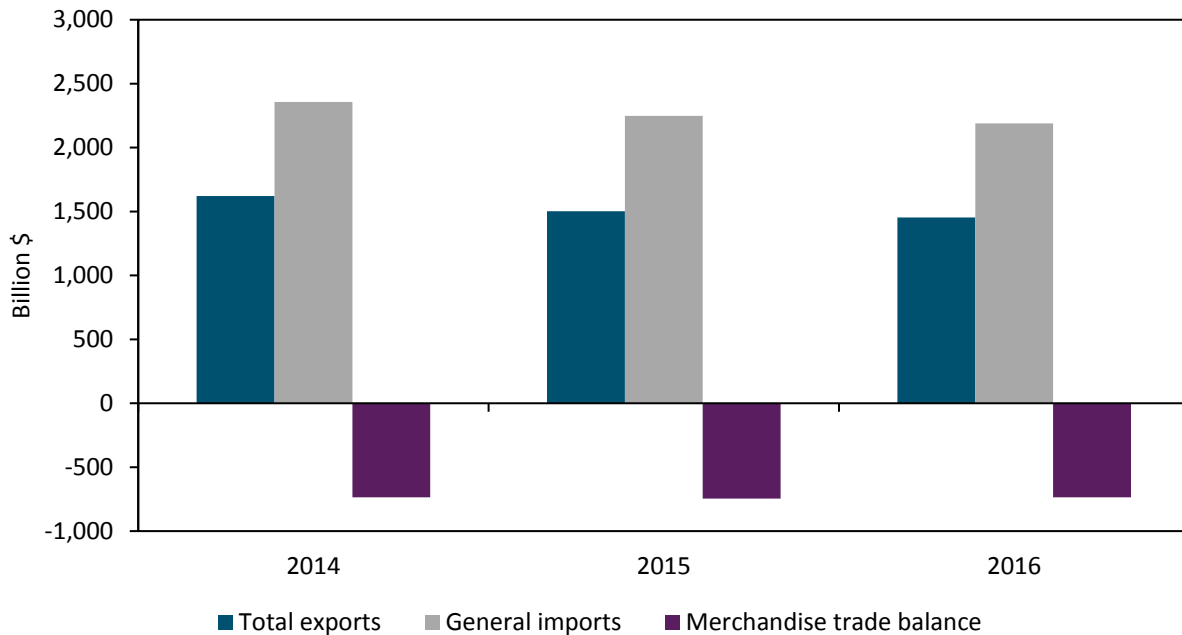
³² E.g., Cheng, “Mexican Peso Plunges More than 12%,” November 9, 2016.

³³ E.g., Ward and Mnyanda, “Brexit Pains: The Pound Takes a Serious Pounding,” October 28, 2016.

³⁴ Reuters, “China’s Foreign Reserves Just Plunged,” November 7, 2016; *Fortune*, “U.S. Dollar Soars on Bets That Donald Trump Could Spur Inflation,” November 14, 2016.

³⁵ The U.S. merchandise trade data in this report use total exports and general imports as reported by U.S. Census, except for imports entered under FTA and trade preference program provisions, which use U.S. imports for consumption. For further information about the terms “total exports,” “general imports,” and “imports for consumption,” see “Trade Measure Definitions” section of USITC, *Shifts in U.S. Merchandise Trade, 2015*, September 2016; USDOC, ITA, “Trade Data Basics” (accessed April 12, 2017).

Figure 1.4 U.S. merchandise trade with the world, 2014–16



Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).
 Note: Underlying data can be found in appendix table B.5.

U.S. imports of crude petroleum and exports of refined petroleum products have traditionally been some of the highest-value components of U.S. trade. However, international price benchmarks for crude petroleum and refined petroleum products fell significantly in 2015 and declined further in 2016.³⁶ At the same time, several factors increased the volume of U.S. imports and exports of crude petroleum. U.S. annual production of crude petroleum fell 5.5 percent from 2015–16, after seven consecutive years of growth.³⁷ Also, the U.S. government lifted a ban on most exports of U.S. crude to countries other than Canada in December 2015.³⁸ These shifts prompted a 7.3 percent increase in import volumes and a 12.1 percent increase in export volumes of crude petroleum from 2015 to 2016, but the expanded volumes were more than offset in value terms by the drop in prices.³⁹ These developments in the energy sector were reflected in overall U.S. trade with certain trading partners, such as U.S. trade with Canada, as well as imports under certain trade preference programs—for example, U.S. imports under the Caribbean Basin Economic Recovery Act (CBERA).

³⁶ The Brent benchmark fell from an average of \$52 per barrel in 2015 to an average of about \$43 per barrel in the U.S. Energy Information Administration (EIA) 2016 Spot Prices database, https://www.eia.gov/dnav/pet/pet_pri_spt_s1_a.htm.

³⁷ EIA, Crude Oil Production database (accessed May 11, 2017). U.S. production of crude petroleum decreased from 3.437 billion barrels in 2015 to 3.248 billion barrels in 2016.

³⁸ U.S. crude oil exports to Canada for consumption in Canada have been authorized since the 1980s.

³⁹ EIA, U.S. Imports by Country of Origin database (accessed May 11, 2017); EIA, U.S. Exports database (accessed May 11, 2017). U.S. crude imports increased from 2.687 billion barrels in 2015 to 2.883 billion barrels in 2016; U.S. exports, from 169.7 to 190.3 million barrels.

U.S. Merchandise Trade by Product Category

Exports

As in 2015, the largest U.S. export sectors in 2016 were transportation equipment (22.0 percent of total U.S. exports), electronic products (17.9 percent of exports), and chemicals and related products (15.0 percent of exports) (table 1.1 and appendix table A.1). The top export products were civilian aircraft, engines, and parts; refined petroleum products; soybeans; and passenger motor vehicles (table 1.1 and appendix table A.3).

Table 1.1 U.S. merchandise trade with the world, by USITC digest sector, 2015–16 (million dollars)

Sector	Exports				Imports			
	2015	2016	change 2015–16	% change 2015–16	2015	2016	change 2015–16	% change 2015–16
Agricultural products	146,630	148,772	2,142	1.5	136,959	139,465	2,506	1.8
Forest products	39,061	37,962	-1,099	-2.8	42,378	43,147	769	1.8
Chemicals and related products	227,882	218,143	-9,739	-4.3	260,278	259,908	-370	-0.1
Energy-related products	109,703	99,414	-10,289	-9.4	194,068	158,045	-36,023	-18.6
Textiles and apparel	23,274	21,615	-1,659	-7.1	126,548	120,312	-6,236	-4.9
Footwear	1,464	1,366	-98	-6.7	27,650	25,634	-2,016	-7.3
Minerals and metals	135,659	128,621	-7,038	-5.2	189,255	183,618	-5,637	-3.0
Machinery	138,719	128,005	-10,714	-7.7	185,858	179,627	-6,231	-3.4
Transportation equipment	327,286	319,379	-7,907	-2.4	426,207	418,355	-7,852	-1.8
Electronic products	264,079	260,535	-3,544	-1.3	449,865	450,110	245	0.1
Miscellaneous manufactures	47,377	47,760	383	0.8	124,842	125,058	216	0.2
Special provisions	41,439	42,149	710	1.7	84,326	85,904	1,578	1.9
Total	1,502,572	1,453,721	-48,851	-3.3	2,248,232	2,189,183	-59,049	-2.6

Source: Compiled from official trade statistics of the U.S. Department of Commerce (accessed April 17, 2017).

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

Exports in all but 2 of the 11 merchandise sectors declined in 2016.⁴⁰ The largest declines, by value, occurred in the machinery sector (down \$10.7 billion to \$128.0 billion), energy-related products (down \$10.3 billion to \$99.4 billion), and chemicals and related products (down \$9.7 billion to \$218.1 billion). At the product level, exports of some refined petroleum products experienced the biggest drops in value, declining \$8.6 billion in 2016. Other notable declines included medicaments, which fell \$2.1 billion to \$18.8 billion; nonmonetary gold, which fell \$1.6 billion to \$17.5 billion; and parts and accessories for motor vehicles, which fell \$1.3 billion to \$10.5 billion. Although certain types of passenger motor vehicles experienced large declines in export value, overall passenger vehicle exports fell by a smaller amount, \$485.5 million.⁴¹

The only sector that experienced a significant increase in exports was agricultural products, which grew \$2.1 billion in 2016 to reach \$148.8 billion. Exports of miscellaneous manufactures also increased \$383 million to reach \$47.8 billion in 2016. At the product level, U.S. exports of soybeans increased \$4.0 billion in 2016 to \$22.9 billion, while exports of corn increased \$1.7 billion to \$10.0 billion. Other notable

⁴⁰ These merchandise sectors are defined by the Commission. “Special provisions” is not considered a merchandise sector. Each USITC digest sector encompasses a number of 8-digit subheadings in the *Harmonized Tariff Schedule of the United States* (HTS), which classifies tradable goods. The sectors are listed and defined in USITC, “Frequently Asked Questions,” *Shifts in U.S. Merchandise Trade, 2015*, September 2016.

https://www.usitc.gov/sites/default/files/research_and_analysis/tradeshifts/2015/d3/digest_hts8_dir_final.pdf.

⁴¹ USDOC, DataWeb (accessed April 12, 2017). “Passenger motor vehicles” includes the following 10 HTS 6-digit lines: 8703.21, 8703.22, 8703.23, 8703.24, 8703.31, 8703.32, 8703.33, 8703.90, 8704.21, and 8704.31.

increases in exports included blood fractions (e.g., antiserum),⁴² which increased \$2.8 billion to \$16.1 billion; liquefied propane, which increased \$1.9 billion to \$7.5 billion; and processors and controllers for electronic integrated circuits, which increased \$1.7 billion to \$19.9 billion.

Imports

Electronic products and transportation equipment remained the top import sectors in 2016, accounting for 20.5 percent and 19.1 percent, respectively, of total U.S. imports in 2016 (table 1.1 and appendix table A.2). Passenger motor vehicles were the top U.S. import product, followed by crude petroleum, medicaments, cellphones, and telecommunications equipment (table 1.1 and appendix table A.4).

The value of U.S. imports in the majority of sectors (7 of 11) declined in 2016 (appendix table A.2). Much of the overall decline was the result of a decline in the value of imports of energy-related products, which fell \$36.0 billion from \$194.1 billion in 2015 to \$158.0 billion in 2016, reflecting primarily a \$24.2 billion decline in imports of crude petroleum. This change in value is a result of declines in the price of imported crude petroleum, as the quantity of crude oil imports increased 0.2 billion barrels to reach 2.8 billion barrels in 2016.⁴³ Imports of refined petroleum products also declined, but did so both by value and by quantity. As a result of these declines, imports of energy-related products accounted for 7.2 percent of the value of merchandise imports in 2016, down from 8.6 percent in 2015. Imports of transportation equipment also declined in value, falling \$7.9 billion to \$418.4 billion in 2016. Other notable decreases by value included imports of textiles and apparel (down \$6.2 billion to \$120.3 billion), machinery (down \$6.2 billion to \$179.6 billion), and minerals and metals (down \$5.6 billion to \$183.6 billion).

The value of imports increased in 4 of the 11 merchandise sectors in 2016. Agricultural products were the only sector with a notable increase in value, growing \$2.5 billion to \$139.5 billion in 2016. Products with notable increases by value included passenger motor vehicles, which increased \$6.6 billion from 2015 to \$189.1 billion, telecommunications equipment (up \$5.2 billion to \$45.3 billion), nonmonetary gold (up \$5.1 billion to \$15.2 billion), and antisera (up \$4.5 billion to \$13.5 billion).⁴⁴

U.S. Merchandise Trade with Selected Leading Partners

Table 1.2 shows U.S. trade with selected major trading partners, ranked by total trade (exports plus imports) in 2016. In 2016, the EU remained the United States' top trading partner in terms of two-way merchandise trade, followed by China, Canada, and Mexico. The EU was also the leading market for U.S. exports that year, with \$270.3 billion or 19.0 percent of total exports, surpassing Canada, which had previously ranked as the largest export market for the United States. China was again the leading source of U.S. imports, accounting for \$462.8 billion, or 21.1 percent of the value of general U.S. imports. (For U.S. trade with the top 15 single-country U.S. trading partners, including the EU member states listed separately, see appendix tables A.5–A.7.)

⁴² Antiserum is a blood serum that is injected to give passive immunity to certain diseases.

⁴³ USDOC, DataWeb (accessed April 9, 2017).

⁴⁴ USDOC, DataWeb (accessed April 12, 2017). "Passenger motor vehicles" includes the following 10 HTS 6-digit lines: 8703.21, 8703.22, 8703.23, 8703.24, 8703.31, 8703.32, 8703.33, 8703.90, 8704.21, and 8704.31.

Table 1.2 U.S. merchandise trade with selected major trading partners and the world, 2016 (million dollars)

Trading partner	U.S. total exports	U.S. general imports	Trade balance	Two-way trade	
				(exports plus imports)	
EU	270,325	416,665	-146,340	686,991	
China	115,775	462,813	-347,038	578,588	
Canada	265,961	278,067	-12,106	544,027	
Mexico	230,959	294,151	-63,192	525,110	
Japan	63,264	132,202	-68,938	195,466	
South Korea	42,266	69,932	-27,666	112,199	
India	21,689	45,998	-24,309	67,687	
Taiwan	26,045	39,313	-13,268	65,358	
Brazil	30,297	26,176	4,121	56,473	
All others	387,139	423,866	-36,727	811,004	
Total	1,453,721	2,189,183	-735,462	3,642,904	

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

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

U.S. merchandise exports with most of the selected leading trading partners fell in 2016 from 2015 (table 1.3). Among the largest declines in value were a \$14.6 billion decline in exports to Canada (down 5.2 percent), a \$1.7 billion decline in exports to the EU (down 0.6 percent), and a \$1.4 billion decline in exports to Brazil (down 4.3 percent). The EU, Canada, and Mexico remained the largest markets in 2016, accounting for 18.6 percent, 18.3 percent, and 15.9 percent of U.S. exports, respectively (figure 1.5).

Table 1.3 U.S. merchandise trade with selected major trading partners and the world, 2015–16 (million dollars)

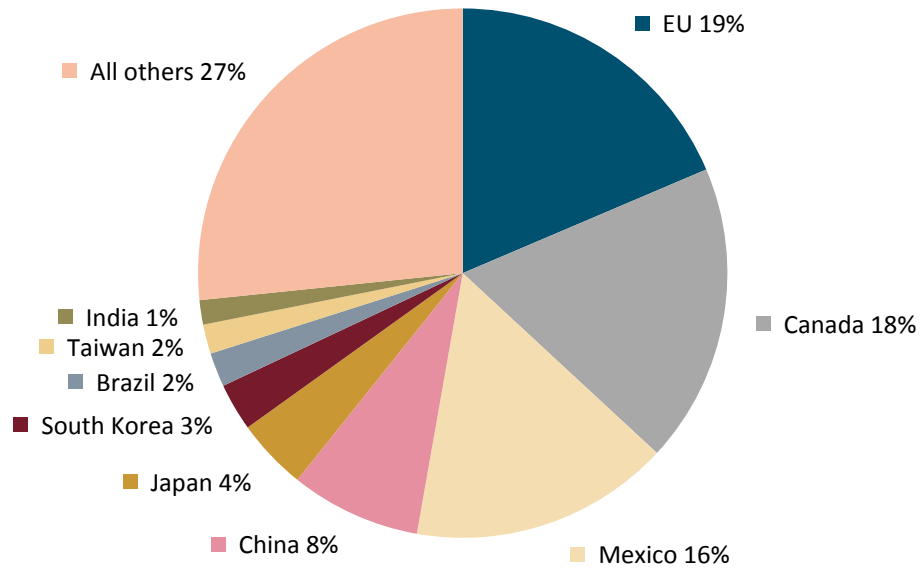
Major trading partner	Exports				Imports			
	2015	2016	change 2015–16	% change 2015–16	2015	2016	change 2015–16	% change 2015–16
EU	271,988	270,325	-1,663	-0.6	427,562	416,665	-10,896	-2.5
China	116,072	115,775	-297	-0.3	483,245	462,813	-20,432	-4.2
Canada	280,609	265,961	-14,648	-5.2	296,156	278,067	-18,089	-6.1
Mexico	235,745	230,959	-4,786	-2.0	296,408	294,151	-2,257	-0.8
Japan	62,443	63,264	822	1.3	131,364	132,202	838	0.6
South Korea	43,446	42,266	-1,179	-2.7	71,759	69,932	-1,826	-2.5
India	21,452	21,689	237	1.1	44,792	45,998	1,207	2.7
Taiwan	25,860	26,045	185	0.7	40,908	39,313	-1,595	-3.9
Brazil	31,651	30,297	-1,354	-4.3	27,468	26,176	-1,293	-4.7
All others	413,307	387,139	-26,168	-6.3	428,572	423,866	-4,707	-1.1
Total	1,502,572	1,453,721	-48,852	-3.3	2,248,232	2,189,183	-59,050	-2.6

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

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

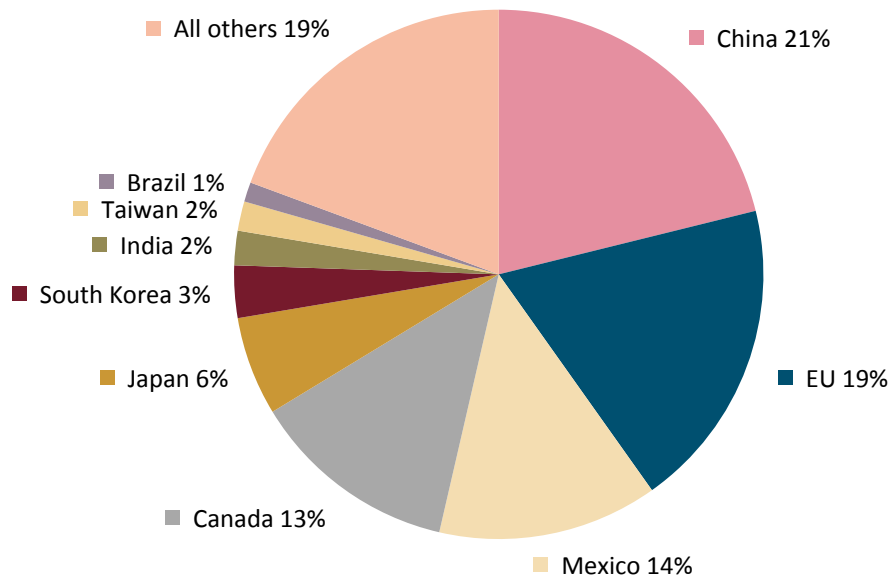
U.S. merchandise imports from most of the selected leading partners also fell in 2016. Among the largest declines in value were a \$20.4 billion decline in imports from China (down 4.2 percent), an \$18.1 billion decline in imports from Canada (down 6.1 percent), and a \$10.9 billion decline in imports from the EU (down 2.5 percent). India and Japan were the only two major sources of U.S. imports that grew, with imports increasing in value 2.7 percent and 0.6 percent, respectively. China and the EU remained the largest sources of imports in 2016, accounting for 21.1 percent and 19.0 percent of U.S. general imports, respectively. Mexico and Canada accounted in 2016 for 13.4 percent and 12.7 percent of U.S. imports, respectively (figure 1.6).

Figure 1.5 Leading U.S. merchandise export markets, by share, 2016



Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed April 12, 2017).
 Note: Underlying data can be found in appendix table B.6.

Figure 1.6 Leading U.S. merchandise import sources, by share, 2016



Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed April 12, 2017).
 Note: Underlying data can be found in appendix table B.6.

U.S. Trade with Free Trade Agreement Partners

In 2016, two-way total merchandise trade (total exports plus general imports) between the United States and its 20 FTA partners amounted to \$1,425.4 billion, accounting for 39.1 percent of total U.S. merchandise trade with the world.⁴⁵ This was slightly lower than in 2015, when two-way merchandise trade between the United States and its FTA partners totaled \$1,484.6 billion, or 39.6 percent of total U.S. merchandise trade.

U.S. imports entered under FTAs increased 0.3 percent to \$374.2 billion in 2016, accounting for 50.0 percent of total imports from FTA partners in 2016 and 17.1 percent of total U.S. imports from the world.

U.S. Imports under Trade Preference Programs

The value of U.S. imports for which eligibility was claimed under trade preference programs with developing countries was much smaller than that for U.S. imports claiming eligibility under FTAs. U.S. imports under trade preference programs increased from \$27.7 billion in 2015 to \$29.5 billion in 2016; they accounted for 1.3 percent of total U.S. imports during 2016, whereas in 2015 they accounted for 1.2 percent of imports. Imports that claimed eligibility under the U.S. Generalized System of Preferences (GSP) program totaled \$18.7 billion in 2016; imports under AGOA totaled \$9.4 billion; imports under CBERA and the Caribbean Basin Trade Partnership Act totaled \$0.9 billion; and imports under the Haiti initiatives totaled \$0.5 billion.⁴⁶

U.S. Trade in Services in 2016⁴⁷

The U.S. surplus in cross-border trade of private services (hereafter “services”) decreased 4.9 percent in 2016 to \$250.6 billion (figure 1.7).⁴⁸ U.S. exports of services increased slightly from \$730.6 billion in 2015 to \$732.6 billion in 2016, while U.S. imports grew 3.2 percent (\$14.8 billion) to reach \$482.0 billion.⁴⁹ Five of the top 10 services export categories grew in 2016, with the largest growth in professional and management consulting services (13.9 percent, or \$9.1 billion) and maintenance and repair services (10.2 percent, or \$2.4 billion).⁵⁰ Other export categories that grew included research and development services (4.7 percent) and insurance services (3.5 percent). U.S. imports of services grew in 8 of the top 10 categories, with declines in sea transport (which decreased 5.9 percent, or \$2.2 billion) and technical,

⁴⁵ U.S. trade with its FTA partners is discussed in chapter 5.

⁴⁶ U.S. imports under preferential trade programs are discussed in chapter 2.

⁴⁷ This section uses BEA data on U.S. cross-border trade in private services. It excludes BEA data on imports and exports of government goods and services.

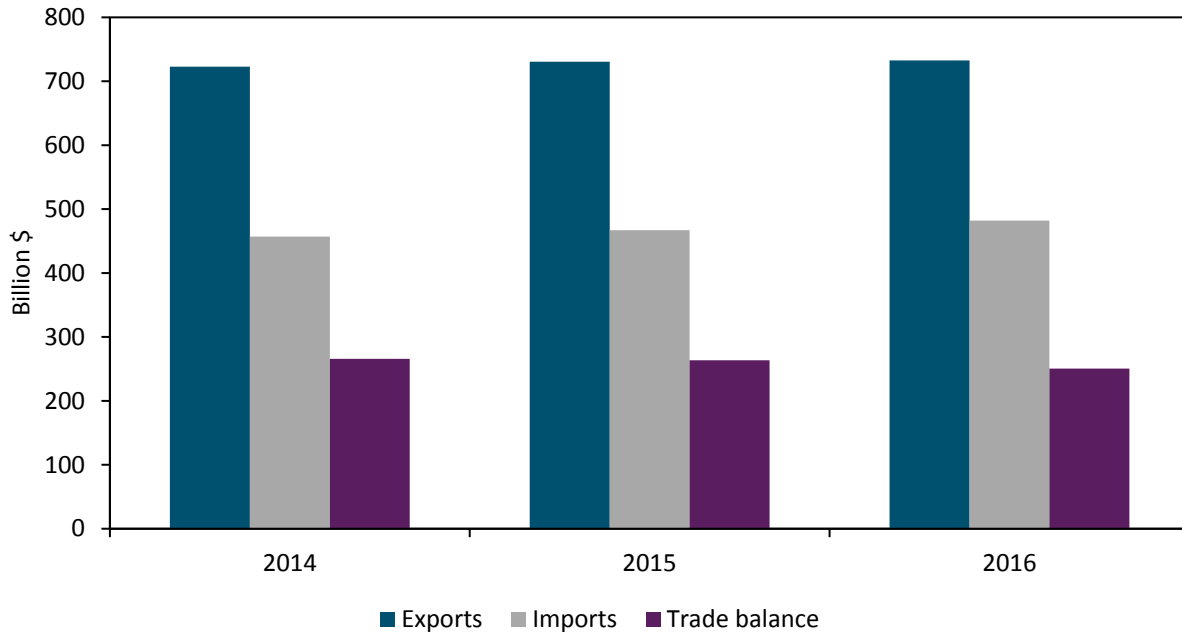
⁴⁸ In July 2016, the trade surplus in services for 2013, 2014, and 2015 was revised upwards, primarily due to revisions in source data, which include the 2014 Benchmark Survey of Financial Services Transactions between U.S. Financial Services Providers and Foreign Persons, changes in methodology for estimating the average expenditures of foreign travels, and newly available and revised data on travel services and air passenger transport. USDOC, BEA, “Annual Revision of the U.S. International Transactions Accounts,” July 2016.

⁴⁹ USDOC, BEA, International Transactions data, “Table 3.1. U.S. International Trade in Services,” March 21, 2017.

⁵⁰ The top ten export categories were travel; charges for the use of intellectual property not included elsewhere (n.i.e.); financial services; professional and management consulting services; air passenger fares; research and development services; technical, trade-related, and other business services; maintenance and repair services, n.i.e.; air transport; and sea transport.

trade-related, and other business services (which decreased 9.0 percent, or \$2.4 billion).⁵¹ Appendix tables A.8 and A.9 provide data on U.S. trade in private services by product category.

Figure 1.7 U.S. private cross-border services trade with the world, 2014–16^a



Source: USDOC, BEA, Interactive data, International Transactions, Services, & IIP, International Transactions, “Table 1.2: U.S. International Trade in Services,” March 17, 2016.

Note: Underlying data can be found in appendix table B.7.

^aData for 2016 are preliminary.

U.S. Services Trade by Product Category

Exports

Travel services exports, valued at \$206.8 billion in 2016, were the largest share of services exports in 2016, accounting for 28.2 percent of total U.S. exports of services (appendix table A.8).⁵² Other major categories of services exports included charges for the use of intellectual property n.i.e. (\$122.2 billion, or 16.7 percent of total exports) and financial services (\$96.8 billion, or 13.2 percent of total exports).⁵³

⁵¹ The top 10 import categories were travel; insurance services; charges for the use of intellectual property n.i.e.; professional and management consulting services; air passenger fares; sea transport; research and development services; computer services; financial services; and technical, trade-related, and other business services. Technical, trade-related, and other business services include construction, architectural and engineering services, waste treatment, operational leasing, trade-related, and other business services.

⁵² Travel services comprise purchases of goods and services made 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.

⁵³ U.S. exports of charges for the use of intellectual property n.i.e., which the BEA previously labeled as “royalties and license fees,” include payments by foreigners to U.S. owners of intellectual property, such as trademarks and franchise fees, computer software, industrial processes, and audiovisual products.

Although overall services exports experienced slow growth in 2016, individual segments of services exports grew at higher rates than in the previous year, including maintenance and repair services (10.2 percent in 2016, compared to 8.6 percent in 2015). The fastest-growing category of services exports was professional and management consulting services, which grew 13.9 percent in 2016, compared to 8.9 percent growth in 2015. Insurance services experienced negative export growth in 2015, but increased exports in 2016 by 3.5 percent. In contrast, some segments that had seen declining exports in 2015 continued to decrease in 2016, including air passenger fares (down 6.1 percent in 2016, compared to a decline of 5.4 percent in 2015); financial services (down 5.6 percent in 2016, compared to a decline of 4.9 percent in 2015); and technical, trade-related, and other business services (down 13.4 percent in 2016, compared to a decline of 2.9 percent in 2015). The decline in air passenger fares is mostly driven by a decrease in the price of air fares, rather than a decrease in the number of air passengers in 2016.⁵⁴

Imports

Travel services (25.2 percent), insurance services (10.0 percent), and charges for the use of intellectual property not included elsewhere (n.i.e.) (8.9 percent) represented the three largest segments of cross-border services imports in 2016 (appendix table A.9). Research and development services was the fastest-growing segment of services imports at a rate of 9.2 percent. Charges for use of intellectual property n.i.e., travel services, and computer services also had high growth rates (8.2 percent, 7.7 percent, and 6.9 percent, respectively). Two of the top 10 categories returned to positive growth in 2016, including insurance services imports (up 1.3 percent in 2016, following a decline of 7.8 percent in 2015) and charges for the use of intellectual property (up 8.2 percent, following a decline of 6.4 percent in 2015). U.S. imports of sea transport services fell 5.9 percent after increasing 2.9 percent in 2015.

U.S. Services Trade with Leading Partners

The EU was the largest export market for U.S. services in 2016, as well as the largest foreign supplier of services (table 1.4).⁵⁵ The EU accounted for \$229.6 billion (31.3 percent) of total exports and \$168.2 billion (34.9 percent) of total imports in 2016 (figures 1.8 and 1.9). As in previous years, Canada and Japan were the second- and third-largest U.S. services trading partners, respectively, in 2016. After the EU, Canada, China, and Japan were the main destinations for exports, while Canada, Japan, and India were the main sources of imports. The United States maintained a surplus in trade in services with every major services trading partner except for India, where the trade deficit was \$6.8 billion, largely due to imports of computer services. In 2015, the United States exported \$18.1 billion of services to India in total, while computer services imports from India alone were \$13.2 billion in the same year.⁵⁶

⁵⁴ IATA, "Air Passenger Market Analysis," January 2017, 2.

⁵⁵ The United Kingdom (an EU member for all of 2016) was the largest single-country market for both services exports and imports in 2016.

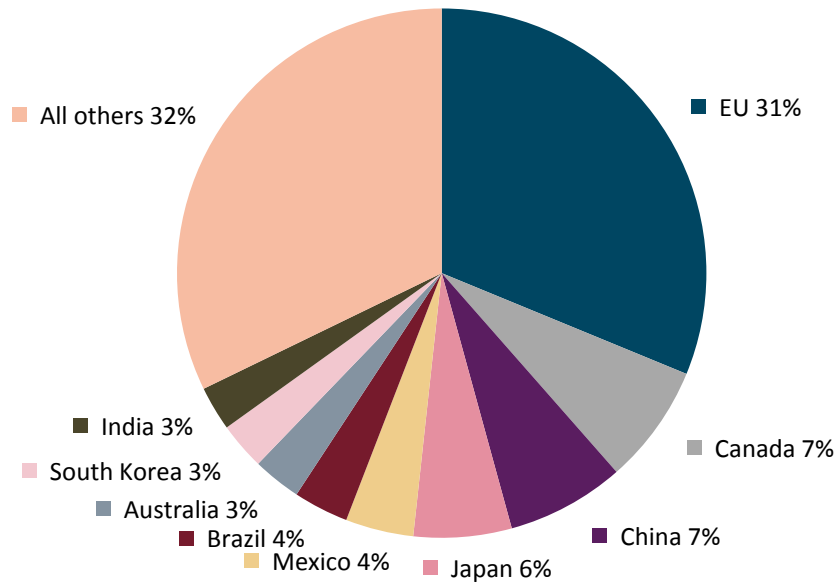
⁵⁶ USDOC, BEA, International Services Data, "Table 2.3, U.S. Trade In Services, by Country or Affiliation and by Type of Service, India," December 19, 2016.

Table 1.4 U.S. private services trade with major trading partners and the world, 2016 (million dollars)

Major trading partner	U.S. exports	U.S. imports	Trade balance	Two-way trade (exports plus imports)
EU	229,573	168,182	61,391	397,755
Canada	53,726	29,320	24,406	83,046
Japan	44,023	27,357	16,666	71,380
China	53,044	16,000	37,044	69,044
Mexico	30,567	23,347	7,220	53,914
India	19,949	26,776	-6,827	46,725
Brazil	24,760	6,742	18,018	31,502
South Korea	21,261	8,768	12,493	30,029
Australia	21,756	7,398	14,358	29,154
Singapore	16,440	6,891	9,549	23,331
Taiwan	11,136	7,601	3,535	18,737
All others	206,317	153,569	52,748	359,886
Total	732,552	481,951	250,601	1,214,503

Source: USDOC, BEA, Interactive data, International Transactions, Services, & IIP, International Transactions, Tables 1.2 and 1.3, March 21, 2017.

Figure 1.8 Leading U.S. export markets for private services, by share, 2016^a

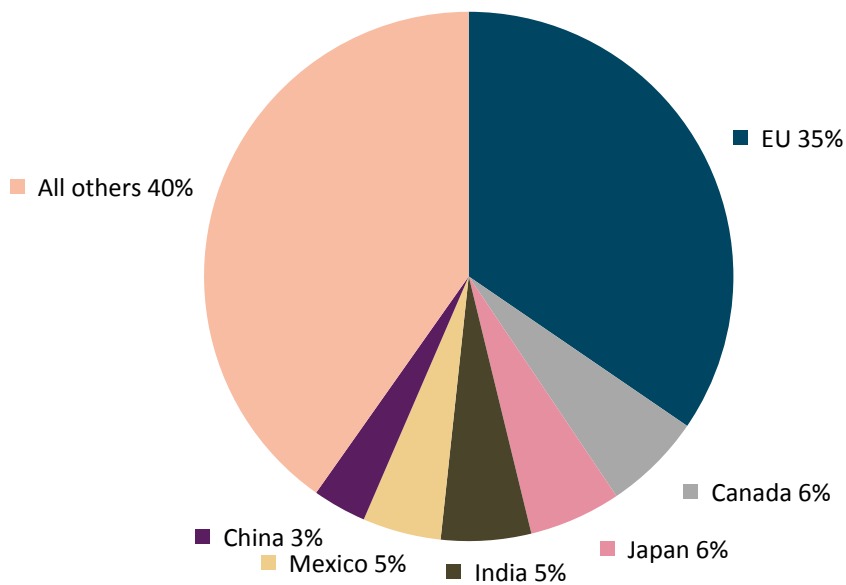


Source: USDOC, BEA, Interactive data, International Transactions, Services, & IIP, International Transactions, tables 1.2 and 1.3, U.S. International Trade in Services, March 21, 2017.

Note: Underlying data can be found in appendix table B.8.

^aData are preliminary.

Figure 1.9 Leading U.S. import sources for private services, by share, 2016^a



Source: USDOC, BEA, Interactive data, International Transactions, Services, & IIP, International Transactions, tables 1.2 and 1.3, U.S. International Trade in Services, March 21, 2017.

Note: Underlying data can be found in appendix table B.8.

^aData are preliminary.

Timeline of Selected Key Trade Activities

A timeline of selected key trade activities in the United States and its trading partners follows. Some of these activities are discussed further in chapters 2 through 6.

January

11: The President announces the suspension of duty-free treatment for South African agricultural products in an effort to lift restrictions on U.S. poultry exports. The suspension is effective March 15.

12: A second cargo pre-inspection pilot project was inaugurated at the Mesa de Otay port of entry, Baja California. Under the program, certain cargo is to be pre-inspected in Mexico before crossing the border into the United States. The program is designed to improve the flow of trade by reducing the number of inspections, shorten wait times, and lower transaction costs.

20–23: The World Economic Forum annual meeting is held in Davos, Switzerland. U.S. and EU officials discuss updating the Safe Harbor framework, which addresses how EU personal data flows to the United States are handled.

22: The USTR hosts an informal meeting among Trade in Services Agreement (TiSA) participants in Davos, Switzerland.

25: USTR Froman travels to Warsaw, Poland, for TTIP meetings with the Polish president, deputy prime minister, and minister of development.

26: The United States and Colombia agree to reduce burdensome certification requirements on U.S. exports of beef and beef products to Colombia.

27: The U.S. Department of the Treasury (Treasury Department) and the USDOC amend the Cuban Assets Control Regulations and Export Administration Regulations to remove restrictions on payment and financing for authorized exports and re-exports to Cuba of

items other than agricultural items or commodities, and authorize additional exports.

28: USTR convenes a public hearing on policy recommendations for deepening the U.S.-Africa trade and investment relationship. It draws representatives from think tanks, private industry, and academia as well as officials from the U.S. Departments of State, Agriculture, Commerce, Treasury, and Labor; the Overseas Private Investment Corporation; and U.S. Agency for International Development (USAID).

31–Feb. 5: The 16th round of TiSA negotiations is held in Geneva, Switzerland.

February

4: The Trans-Pacific Partnership (TPP) is signed in Auckland, New Zealand, by ministers representing the 12 TPP partners: Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, United States, and Vietnam.

4: U.S. and Mexican government officials open the Tornillo-Guadalupe Port of entry and International Bridge in Tornillo, Texas. The Tornillo-Guadalupe project is intended to improve international trade and environmental conditions, as well as to reduce congestion in the El Paso-Ciudad Juárez metropolitan area.

4: The WTO Dispute Settlement Body (DSB) composes the dispute settlement panel established in September 2015 in response to the complaint by Indonesia regarding U.S. antidumping and countervailing measures on coated paper from Indonesia (DS491).

8: Officials from the United States and the Common Market for Eastern and Southern Africa (COMESA) meet in Lusaka, Zambia, under

the Trade and Investment Framework Agreement (TIFA) to discuss issues including trade and investment under AGOA, agricultural productivity, and investment policies.

15–16: USTR Froman, Secretary of Commerce Pritzker, and President Obama meet with leaders from Association of Southeast Asian Nations (ASEAN) in Palm Springs, California, to discuss the strengthening of trade and commercial relationships, among other issues.

17: U.S. and ASEAN officials meet in San Francisco under the TIFA to discuss investment, the environment, and trade facilitation, among other topics.

17: The United States and Laos sign a bilateral TIFA, creating a forum for engagement on intellectual property, labor, environment, capacity-building, and multilateral and regional trade issues.

24: President Obama signs the Trade Facilitation and Trade Enforcement Act into law, which boosts enforcement mechanisms to detect and address evasion of duty and trade laws and regulations, and improves and modernizes customs processes.

24: The WTO DSB circulates the dispute panel report in the complaint brought by the United States on India's localization rules regarding imported solar cells (DS456).

25: U.S. and Mexican officials hold the third cabinet-level meeting of the High Level Economic Dialogue in Mexico City, where they agree to continue work in the areas of energy, modern borders, workforce development, regulatory cooperation, partnering in regional and global leadership, and stakeholder engagement.

22–26: The 12th round of U.S.-EU negotiations on the Transatlantic Trade and Investment Partnership (TTIP) takes place in Brussels, Belgium.

March

2: Honduras commits to strengthen implementation of its CAFTA-DR commitments relating to protecting and enforcing intellectual property rights.

2–4: The 12th round of negotiations on the Environmental Goods Agreement (EGA) takes place in Geneva, Switzerland, with officials from Australia, Canada, the EU, Japan, Korea, New Zealand, and the United States, among others, in attendance.

3: India requests WTO dispute settlement consultations with the United States regarding U.S. measures concerning non-immigrant visas for persons supplying cross-border services (DS503).

7: USTR announces reallocation of unused WTO tariff-rate quota volume for raw cane sugar for fiscal year (FY) 2016.

10: U.S. and Canadian leaders meet in Washington, DC, and discuss a new softwood lumber agreement as part of a state visit.

11: The WTO DSB circulates the dispute settlement panel report in the complaint by South Korea concerning U.S. antidumping and countervailing measures relating to large residential washers from South Korea (DS464).

14: The United States and Peru agree to remove certain certification requirements on U.S. exports of beef and beef products to Peru.

16: The U.S. Treasury Department and the USDOC amend the Cuban Assets Control Regulations and Export Administration Regulations to ease restrictions for exports to the Cuban private sector, people-to-people educational travel, payments through the U.S. financial system, and U.S. entities permitted to have a "business presence" in Cuba.

18: Representatives of the United States and the Philippines meet in Washington, DC, under

the TIFA to discuss issues including investment, customs, intellectual property rights, and agricultural trade issues.

20–22: President Obama visits Cuba, becoming the first sitting U.S. president to do so since 1928.

22: The U.S.-Tunisia TIFA Council holds its sixth session in Washington, DC, to discuss how to increase bilateral trade and investment.

23: The United States and Argentina sign a TIFA to provide a platform for discussing a range of economic issues, including market access, intellectual property rights protection, and cooperation in multilateral forums.

30: The United States and Brazil hold the third meeting of the Commission on Economic and Trade Relations established under the U.S.-Brazil Agreement on Trade and Economic Cooperation in Washington, DC.

30: Canada requests WTO dispute settlement consultations with the United States concerning certain U.S. countervailing measures regarding supercalendared paper from Canada (DS505).

April

5: The 10th anniversary council meeting of the U.S.-Central Asia TIFA is held in Bishkek, Kyrgyzstan, with senior trade officials from the United States, Kyrgyzstan, Kazakhstan, Tajikistan, Turkmenistan, and Uzbekistan attending.

10–15: The 17th round of TiSA negotiations takes place in Geneva, Switzerland.

11: Following a change in U.S. regulation, the United States requests a WTO DSB compliance panel in the case brought by Mexico regarding U.S. measures concerning the importation, marketing, and sale of tuna and tuna products from Mexico (DS381).

11–12: The United States and Indonesia meet in Yogyakarta, Indonesia, under the bilateral TIFA to discuss investment, intellectual property, and environmental issues.

14: The United States and China reach a mutually agreed-on settlement in the case brought by the United States concerning China's export subsidies to certain Chinese enterprises in various industries under the "Demonstration Bases-Common Service Platform" program (DS489).

18–22: The 13th round of EGA negotiations takes place in Geneva, Switzerland, with discussions focusing on final product lists and tariff phaseouts.

20: The United States and Thailand meet in Washington, DC, under the bilateral TIFA to discuss issues involving intellectual property, customs, agriculture, labor, the environment, and financial services.

25: USTR Froman and EU Trade Commissioner Malmström meet in Hannover, Germany, to discuss progress on TTIP negotiations.

25–29: The 13th round of U.S.-EU negotiations on TTIP takes place in New York, NY.

27: USTR releases its *2016 Special 301 Report* on the global state of intellectual property rights protection and enforcement. This year's report places 11 countries on USTR's "Priority Watch List," signifying countries USTR deems most problematic with respect to protection and enforcement of intellectual property rights. These countries are Algeria, Argentina, Chile, China, India, Indonesia, Kuwait, Russia, Thailand, Ukraine, and Venezuela.

28: The 12th annual U.S.-Sri Lanka TIFA Council meeting is held in Washington, DC, with both sides adopting a Joint Action Plan to boost trade and investment.

May

3: The U.S.-Australia FTA Joint Committee convenes in Washington, DC, to review implementation of the agreement.

6: USTR announces allocation of the FY 2017 WTO tariff-rate quota volume for raw cane sugar, refined specialty sugar, and sugar-containing products.

13: Mexico requests establishment of a compliance panel in the case brought by Mexico regarding U.S. measures concerning the importation, marketing, and sale of tuna and tuna products from Mexico (DS381).

11: The seventh Trade and Investment Council meeting under the U.S.-Uruguay TIFA is held in Montevideo, Uruguay.

11–14: USTR Froman travels to Kigali, Rwanda, for the World Economic Forum Africa to discuss U.S. trade priorities in the African market.

17: TPP ministers meet on the margins of the meeting of the Asia-Pacific Economic Cooperation (APEC) Ministers Responsible for Trade in Arequipa, Peru, to review progress on their respective internal processes to approve the TPP agreement.

18: USTR announces a revised allocation of the FY 2016 WTO tariff-rate quota volume for raw cane sugar.

23: The United States blocks the reappointment of South Korean Appellate Body member Seung Wha Chang to the WTO Appellate Body.

26–June 3: The 18th round of TiSA negotiations takes place in Geneva, Switzerland.

June

1–2: The Ministerial Council Meeting of the Organisation for Economic Co-operation and Development (OECD) is held in Paris, France.

6–7: U.S. Treasury Secretary Lew and Chinese Vice Premier Yang lead the eighth meeting of the U.S.-China Strategic and Economic Dialogue in Beijing, China, announcing measures to support global growth, promote open trade and investment, and foster financial market stability.

10: The second meeting of the U.S.-Nepal TIFA Council is convened in Washington, DC, to discuss intellectual property rights, standards and conformity assessment, technical cooperation, labor, manufacturing, phytosanitary measures, and capacity-building issues.

17: USTR releases its annual report on the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2008, which gives preferential treatment for imports of apparel, textiles, and other goods from Haiti.

20–24: The 14th round of EGA negotiations takes place in Geneva, Switzerland.

22: The WTO DSB establishes the compliance panel requested by the United States regarding China's antidumping and countervailing duty measures on broiler (chicken) products from the United States, which the DSB refers to the original panel (DS427).

23: The United Kingdom votes to leave the EU in "Brexit" referendum vote.

28: USTR Froman and Secretary of Agriculture Vilsack announce reopening of the Saudi Arabian market to U.S. beef exports following a four-year ban.

29: U.S. and Brazilian officials attend the 14th plenary meeting of the U.S.-Brazil Commercial Dialogue in Washington, DC; this meeting marked the 10th anniversary of the U.S.-Brazil Commercial Dialogue.

29: USTR releases a report to Congress on the impact of U.S. trade preference programs on poverty and hunger. Programs addressed include the Generalized System of Preferences (GSP), the African Growth and Opportunity Act (AGOA), and the Caribbean Basin Economic Recovery Act (CBERA).

29: USTR releases its biennial report to Congress on AGOA implementation.

30: USTR announces new duty-free status for travel goods for least-developed beneficiary developing countries (LDBDCs) and AGOA countries as part of the Annual Product Review under the GSP program.

July

1: Latvia accedes to the OECD, becoming its 35th member.

8–18: The 19th round of TiSA negotiations takes place in Geneva, Switzerland.

9–10: The G20 Trade Ministers meet in Shanghai, China, to discuss ongoing WTO negotiations and global excess capacity in key sectors.

11–15: The 14th round of U.S.-EU negotiations on TTIP takes place in Brussels, Belgium.

12: The European Commission adopts adequacy determination on the EU-U.S. Privacy Shield, an agreement that ensures protections of EU personal data by U.S. companies in keeping with EU laws and regulations.

13: The United States requests WTO dispute settlement consultations with China concerning China's export duties on various forms of antimony, cobalt, copper, graphite, lead, magnesia, talc, tantalum, and tin (DS508).

14: Liberia accedes to the WTO, becoming the 163rd member.

18: The United States and Vietnam reach a mutually agreed settlement in two WTO dispute cases brought by Vietnam concerning U.S. antidumping measures on certain frozen warmwater shrimp from Vietnam (DS404, DS429).

19: The United States requests supplementary WTO dispute settlement consultations with China regarding China's alleged restrictions on the export of various forms of antimony, chromium, indium, magnesia, talc, and tin (DS508).

21: WTO DSB establishes a dispute settlement panel requested by Canada to examine U.S. countervailing measures on imports of Canadian supercalendared paper (DS505).

22: The President issues Executive Order 13733 requiring the Treasury Department to seek views of USTR and the Department of State before undertaking analysis or bilateral engagements with countries engaged in currency manipulation under the Trade Facilitation and Trade Enforcement Act of 2015.

24–29: The 15th round of EGA negotiations takes place in Geneva, Switzerland.

25–26: The United States and EU meet in Brussels, Belgium, to discuss agreement involving access of U.S. insurance and reinsurance industries to EU markets under the EU's Solvency II prudential regulations.

29: Afghanistan accedes to the WTO, becoming the 164th member.

30: The President issues Presidential Proclamation 9466, implementing decisions regarding GSP product eligibility issues arising out of the 2015/2016 Annual GSP Review.

August

4: The ASEAN Economic Ministers-U.S. Trade Representative Consultation is held in Vientiane, Laos, reaffirming member country commitments to transparency, good regulatory practices, and support for international investment.

30: The Chambers of Commerce of the United States, South Korea, and Japan hold the first meeting of the Trilateral Digital Economy Steering Committee in Washington, DC. Led by the private sector, the committee works to build on existing global efforts focusing on the digital economy.

30–31: The second U.S.-India Strategic and Commercial Dialogue is held in New Delhi, India.

31: The first U.S. commercial flight to Cuba in 55 years lands in Santa Clara.

31–Sep. 4: USTR Froman travels to Beijing and Hangzhou, China, for official meetings before President Obama's visit to Hangzhou on September 4 for the G20 Summit.

September

4–5: The G20 Summit takes place in Hangzhou, China. President Obama and Chinese President Xi Jinping attend to discuss excess capacity in steel and other industries, currency policy, the environmental goods agreement, international cooperation on taxation and corruption, and promoting innovation and the digital economy.

9: India requests WTO dispute settlement consultations with the United States regarding domestic content requirements and subsidies to the energy sector instituted by the U.S. state governments of Washington, California, Montana, Massachusetts, Connecticut, Michigan, Delaware, and Minnesota (DS510).

12: The first Economic Bilateral Dialogue takes place between Cuban and U.S. officials in Washington, DC.

13: The United States requests WTO dispute settlement consultations with China regarding the Chinese government's market-price support for the production of wheat, indica rice, japonica rice, and corn (DS511).

14: USTR Froman and Canadian Minister of International Trade Freeland meet in Washington, DC, to discuss softwood lumber agreement negotiations.

19–23: The 16th round of EGA negotiations takes place in Geneva, Switzerland.

19–25: The 20th round of TISA negotiations takes place in Geneva, Switzerland.

22: The WTO DSB circulates the report of the Compliance Panel established in April 2012 at the request of the United States in its complaint regarding the EU and certain member states' measures affecting trade in large civil aircraft (DS316).

26: USTR Froman participates in the AGOA Ministerial in Washington, DC, presenting findings from the report *Beyond AGOA: Looking to the Future of U.S.-Africa Trade and Investment*, released September 21, 2016.

26: The United States holds the 15th AGOA Forum in Washington, DC, with government officials, civil society leaders, and business representatives in attendance.

26: The WTO DSB adopts the Appellate Body report and the panel report in the complaint by South Korea regarding U.S. antidumping and countervailing measures on large residential washers from South Korea (DS464).

27: U.S. and East African Community (EAC) officials hold a meeting of the U.S.-EAC TIFA, focusing on strategies to increase bilateral trade and investment.

27: Officials from the United States and the Economic Community of West African States (ECOWAS) meet in Washington, DC, for the second meeting of the U.S.-ECOWAS TIFA council.

30: USTR issues the 2016/2017 GSP Annual Review.

October

3–7: The 15th round of U.S.-EU negotiations on TTIP takes place in New York, NY.

4: The 10th meeting of the U.S.-Taiwan TIFA council is held in Washington, DC, to discuss intellectual property protection, technical barriers to trade, and transparency in trade and investment.

5: USTR Froman attends the sixth meeting of U.S.-Ukraine Trade and Investment Council in Washington, DC, discussing intellectual property rights and Ukraine's export potential.

5–8: USTR Froman travels to Havana, Cuba, for bilateral meetings with the Cuban Ministers of Foreign Affairs and of Foreign Trade and Investment.

12: A one-year moratorium on litigation related to U.S.-Canada softwood lumber trade expires.

14: The WTO DSB adopts the Appellate Body and dispute settlement panel reports in the complaint brought by the United States regarding India's measures relating to solar cells and solar modules (DS456).

16–20: The 17th round of EGA negotiations takes place in Geneva, Switzerland.

17: The U.S. Treasury Department and the USDOC further amend the Cuban Assets Control Regulations and Export Administration Regulations to ease restrictions on the export and import of certain goods to and from Cuba, as well as on the entry of foreign vessels to U.S. ports after calling at a Cuban port, and to

remove monetary limitations on travelers' imports from Cuba.

18: USTR Froman travels to Islamabad, Pakistan, for the eighth U.S.-Pakistan TIFA Council meeting.

19: The WTO DSB panel circulates its report in the complaint by China regarding the U.S. use of certain methodologies in antidumping investigations involving Chinese products (DS471).

20: USTR Froman participates in the 10th U.S.-India Trade Policy Forum in Delhi, India, discussing possibilities for bilateral engagement in the areas of agriculture, trade in goods and services, intellectual property, and investment in manufacturing.

November

2–10: The 21st round of TiSA negotiations takes place in Geneva, Switzerland.

4: The United States and Peru convene the sixth meeting of the Environmental Affairs Council and the Environmental Cooperation Commission, along with the eighth meeting of the Sub-Committee on Forest Sector Governance, in Lima, Peru.

7: USTR Froman travels to Buenos Aires, Argentina, for the inaugural U.S.-Argentina TIFA Council Meeting and other bilateral meetings.

8: The WTO DSB establishes a panel to review the U.S. challenge to China's export restrictions on various forms of antimony, chromium, cobalt, copper, graphite, indium, lead, magnesia, talc, tantalum, and tin (DS508).

8: The United States and Mozambique hold the fifth meeting of the U.S.-Mozambique TIFA in Maputo, Mozambique.

11: Brazil requests WTO dispute settlement consultations with the United States regarding U.S. countervailing measures imposed on cold-

and hot-rolled steel products from Brazil (DS514).

13: The United States reinstates Burma's trade preference benefits under the GSP program as a result of Burma's compliance with eligibility criteria.

18: China notifies the WTO DSB of its appeal of certain legal interpretations in the panel report regarding the United States' use of certain methodologies in U.S. antidumping investigations involving Chinese products (DS471).

19: President Obama holds bilateral meetings with Chinese President Xi in Lima, Peru, to discuss reform of China's state-owned enterprises and its overcapacity in steel and aluminum.

19–20: The APEC leaders' and ministerial meetings convene in Lima, Peru, with discussions focusing on strengthening economic integration and best practices for trade secret protection.

21–23: USTR and the U.S. Secretary of Commerce host the Chinese delegation for the 27th session of the U.S.-China Joint Commission on Commerce and Trade in Washington, DC, announcing outcomes on intellectual property protection, pharmaceutical and medical devices, and information security policies.

22: The second meeting of the U.S.-Panama Free Trade Commission is convened in Washington, DC.

26–Dec. 2: The 18th round of EGA negotiations takes place in Geneva, Switzerland.

28: The WTO DSB circulates the panel report in the complaint by the EU regarding the United States' conditional tax incentives for large civil aircraft (DS487).

December

3–4: USTR Froman participates in the EGA Ministerial Meeting in Geneva, Switzerland.

6–8: The 22nd round of TiSA negotiations takes place in Geneva, Switzerland.

12: China requests WTO dispute settlement consultations with the United States regarding U.S. measures related to certain price comparison methodologies used to determine "normal value" for imports from nonmarket economies (DS515).

15: The United States requests WTO dispute settlement consultations with China regarding Chinese administration of tariff-rate quotas for agricultural products including wheat, short- and medium-grain rice, long-grain rice, and corn (DS517).

16: The United States notifies the WTO DSB of its appeal of certain legal interpretations in the panel report regarding the complaint by the EU against the United States' conditional tax incentives for large civil aircraft (DS487).

17: USTR Froman and U.S. Secretary of Commerce Pritzker attend the launch of the Global Forum on Excess Steel Capacity in Berlin, Germany.

21: The EU notifies the WTO DSB of its appeal of certain legal interpretations in the compliance panel report regarding the complaint by the United States against the EU concerning certain EU measures affecting trade in large civil aircraft (DS316).

22: The WTO DSB circulates the dispute settlement panel report in the complaint brought by the United States concerning certain measures Indonesia imposes on the importation of U.S. horticultural products, animals, and animal products (DS478).

22: USTR schedules a public hearing and seeks comments on the EU ban on most U.S. beef products, exploring the possibility of reinstating industry-supported tariffs on EU products.

Source: Compiled from official and private sources, including the U.S. Department of Commerce, U.S. Department of State, U.S. Department of Transportation, U.S. Department of Treasury, U.S. Trade Representative, White House, *Federal Register*, Regulations.gov, Asia-Pacific Economic Cooperation, World Trade Organization, European Commission, Global Affairs Canada, and *Inside U.S. Trade*.

Chapter 2

Administration of U.S. Trade Laws and Regulations

This chapter surveys activities related to the administration of U.S. trade laws during 2016, covering import relief laws, laws against unfair trade practices, trade adjustment assistance programs, and tariff preference programs. Tariff preference programs encompass the U.S. Generalized System of Preferences, the African Growth and Opportunity Act, and the Caribbean Basin Economic Recovery Act, including initiatives aiding Haiti.⁵⁷

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, and the safeguards provided for in various bilateral free trade agreements (FTAs) involving the United States.

The Commission conducted no new safeguard investigations during 2016, and no U.S. safeguard measures under these provisions were in effect during any part of 2016. One petition was filed during 2016, with regard to imports of primary unwrought aluminum, but the petition was withdrawn and no investigation was conducted or determination made.

Laws against Unfair Trade Practices

Section 301

Section 301 of the Trade Act of 1974 is the principal U.S. statute for addressing unfair foreign practices affecting U.S. exports of goods or services.⁵⁸ Section 301 may be used to enforce U.S. rights under bilateral and multilateral trade agreements and to respond to unjustifiable, unreasonable, or discriminatory foreign government practices that burden or restrict U.S. commerce. Interested persons may petition the Office of the United States Trade Representative (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

⁵⁷ The President's authority to provide preferential treatment under the Andean Trade Preference Act, as amended by the Andean Trade Promotion and Drug Eradication Act, expired in 2013 and had not been renewed as of May 2017.

⁵⁸ Section 301 refers to sections 301–310 of the Trade Act of 1974, as amended (19 U.S.C. §§ 2411–2420).

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.⁵⁹ 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.⁶⁰ The time period for making these determinations varies according to the type of practices alleged.

Section 301 Investigations

USTR received no petitions under section 301 during 2016 and had only one ongoing investigation during the year, relating to European Union (EU) measures concerning meat and meat products.⁶¹ The 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 had successfully challenged the EU measures at the World Trade Organization (WTO), and in 1999, imposed additional ad valorem duties⁶² of 100 percent on about \$117 million in imports from the EU in retaliation.⁶³

After a series of consultations aimed at resolving the dispute, on May 13, 2009, the United States and the EU signed a memorandum of understanding (MOU).⁶⁴ Under the MOU, the EU agreed to open a tariff-rate quota (TRQ)⁶⁵ with an in-quota tariff rate of zero for beef produced without growth-promoting hormones (i.e., “high-quality beef”)⁶⁶ in the amount of 20,000 metric tons (mt),⁶⁷ and the United States agreed to reduce the scope of the retaliation list.⁶⁸

The MOU further provided that the parties could enter a second phase under which the EU would increase the TRQ to 45,000 mt beginning in August 2012, and the United States would lift the remaining additional duties.⁶⁹ 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 mt.⁷⁰ 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

⁵⁹ Section 301(a) of the Trade Act of 1974, as amended (19 U.S.C. § 2411(a)).

⁶⁰ Section 301(b) of the Trade Act of 1974, as amended (19 U.S.C. § 2411(b)).

⁶¹ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 175.

⁶² Ad valorem duties or tariffs are taxes that are levied as a fraction of the value of the imported goods.

⁶³ 64 Fed. Reg. 40638 (July 27, 1999); WTO, *European Communities—Measures Concerning Meat and Meat Products (DS26, DS48)* (accessed March 6, 2017).

⁶⁴ *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.

⁶⁵ A TRQ is a trade restriction that imposes a relatively low “in-quota” tariff on imports until the quota level (sometimes an annual allocation) is met. Any imports beyond the quota level are subject to a higher over-quota tariff.

⁶⁶ Article VI of the U.S.-EU Beef MOU defines “high-quality beef.”

⁶⁷ U.S.-EU Beef MOU, Art. II(1).

⁶⁸ U.S.-EU Beef MOU, Art. II(3); 74 Fed. Reg. 40864 (August 13, 2009).

⁶⁹ 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*, July 2012, 2-2 to 2-3.

⁷⁰ Regulation (EU) No. 464/2012 of the European Parliament and of the Council, *OJ L 149*, June 8, 2012, 1.

maintaining the TRQ for high-quality beef at 45,000 mt.⁷¹ Although the second phase of the MOU ended in August 2015, the EU has maintained the 45,000 mt TRQ for high-quality beef.⁷²

In February 2016, Congress amended the 301 statute that authorized USTR to reinstate any additional duties that had been previously imposed under section 301 and then subsequently terminated.⁷³ The 2016 amendment provides that USTR may reinstate a 301 action following a written request from a petitioner or any representative of the domestic industry. Following the receipt of such a request, USTR must consult with the petitioner and representatives of the domestic industry and provide an opportunity for public comments. In addition, USTR must review the effectiveness of the reimposition of additional duties. This amendment would allow USTR to suspend concessions in the meat hormone dispute with the EU.

On December 9, 2016, representatives of the U.S. beef industry filed a request with USTR asking that the additional duties be reinstated.⁷⁴ On December 28, 2016, USTR issued a public notice of the request and announced a public hearing and an opportunity for public comment.⁷⁵

Special 301

The Special 301 law⁷⁶ requires that the USTR annually identify and issue a list of foreign countries that deny adequate and effective protection of intellectual property rights (IPRs), or deny fair and equitable market access to U.S. persons who rely on IPR protection.⁷⁷ 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.”⁷⁸

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

⁷¹ USTR, “U.S. Trade Representative Froman, Secretary of Agriculture Vilsack Announce,” August 1, 2013.

⁷² 81 Fed. Reg. 95724 (December 28, 2016).

⁷³ Section 602 of the Trade Facilitation and Trade Enforcement Act of 2015 (Pub. L. 114-125) (19 U.S.C. 2416(c), as amended).

⁷⁴ Letter to the Honorable Michael Froman, Ambassador, Office of the U.S. Trade Representative, from Kendal Frazier, CEO, National Cattlemen’s Beef Association; Barry Carpenter, CEO, North American Meat Institute; and Philip M. Seng, President and CEO, U.S. Meat Export Federation, dated Dec. 9, 2016 (accessed at www.regulations.gov, Docket Number USTR-2016-0025, on March 6, 2016).

⁷⁵ 81 Fed. Reg. 95724 (December 28, 2016). The public hearing was held on February 15–16, 2017, in Washington, DC.

⁷⁶ The Special 301 law is set forth in section 182 of the Trade Act of 1974, as amended (19 U.S.C. § 2242).

⁷⁷ “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)).

⁷⁸ 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.”

constitute discriminatory nontariff trade barriers.⁷⁹ 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).⁸⁰

In addition, the Special 301 law directs the USTR to identify and list so-called “priority foreign countries.”⁸¹ 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.⁸² Such countries must be designated as priority foreign countries unless they are entering into good-faith negotiations, or they are making significant progress in bilateral or multilateral negotiations to provide adequate and effective IPR protection.⁸³ The identification of a country as a priority foreign country triggers a section 301 investigation,⁸⁴ unless the USTR determines that the investigation would be detrimental to U.S. economic interests.⁸⁵

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 listing the countries as priority foreign countries.⁸⁶ 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 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 February 2016, Congress enacted amendments to the special 301 statute that provided that USTR should develop an action plan for each country that has been identified as a priority watch list country and that has remained on the priority watch list for at least one year.⁸⁷ The action plan should contain benchmarks designed to assist the country to achieve, or make significant progress toward achieving, adequate and effective protection of IPRs and fair and equitable market access for U.S. persons that rely on IPR protection.

In the 2016 Special 301 review, the USTR examined the adequacy and effectiveness of IPR protection in 73 countries.⁸⁸ In conducting the review, the USTR focused on a wide range of issues and policy objectives, including:

- The deterioration in IPR protection and enforcement in a number of trading partners;
- Reported inadequate trade secret protection in China, India, and elsewhere;

⁷⁹ Section 182(d)(3) of the Trade Act of 1974, as amended (19 U.S.C. § 2242(d)(3)).

⁸⁰ Section 182(d)(4) of the Trade Act of 1974, as amended (19 U.S.C. § 2242(d)(4)).

⁸¹ Section 182(a)(2) of the Trade Act of 1974, as amended (19 U.S.C. § 2242(a)(2)).

⁸² Section 182(b)(1) of the Trade Act of 1974, as amended (19 U.S.C. § 2242(b)(1)).

⁸³ *Ibid.*

⁸⁴ Section 182(f)(2) of the Trade Act of 1974, as amended (19 U.S.C. § 2242(f)(2)).

⁸⁵ Section 302(b)(2)(B) of the Trade Act of 1974, as amended (19 U.S.C. § 2412(b)(2)(B)).

⁸⁶ USTR, *2016 Special 301 Report*, April 2016, Annex 1.

⁸⁷ Section 610(b) of the Trade Facilitation and Trade Enforcement Act of 2015 (P.L. 114-125) (19 U.S.C. 2442(g)), as amended).

⁸⁸ USTR, *2016 Special 301 Report*, April 2016, 1, 7, 12, 18, 19, 21, 22, 23, 25, 45; USTR, “USTR Releases Special 301 Report,” April 27, 2016.

- Troubling “indigenous innovation” policies that may unfairly disadvantage U.S. rights holders in markets abroad;
- Compulsory technology licensing and transfer;
- Online copyright piracy;
- Market access barriers that appear to impede access for U.S. entities that rely on IPR protection, including the pharmaceutical and medical device industries;
- The unauthorized use of unlicensed software by foreign governments;
- Digital, Internet, and broadcast piracy;
- Counterfeiting, trademark counterfeiting, and trademark rights; and
- Geographical indications’ impact on trademark protection.⁸⁹

No country was identified as a priority foreign country in the *2016 Special 301 Report*. The report identified 11 countries on the priority watch list: Algeria, Argentina, Chile, China, India, Indonesia, Kuwait, Russia, Thailand, Ukraine, and Venezuela.⁹⁰ In addition, the report identified 23 countries on the watch list.⁹¹

In keeping China on the priority watch list, the report highlighted longstanding concerns relating to trade secret theft, market access barriers for information and communications technology products, piracy and counterfeiting online and in physical markets, and compulsory technology transfer and licensing requirements.⁹² India remained on the priority watch list in 2016 due to a lack of measurable improvement to its IPR regime.⁹³

As part of the annual Special 301 process, USTR also issues a separate report on so-called notorious markets. The report, entitled *2016 Out-of-Cycle Review of Notorious Markets*, was issued in December 2016. USTR defines notorious markets as online or physical marketplaces that are reported to engage in or facilitate commercial-scale copyright piracy and trademark counterfeiting. The report highlights those markets where the scale of this activity is such that it can cause significant harm to U.S. intellectual property rights holders.⁹⁴ The 2016 report listed over 20 online markets and over 20 physical markets in 10 countries, including markets in China and India that reportedly engage in or facilitate commercial-scale trademark counterfeiting and copyright piracy.

⁸⁹ USTR, *2016 Special 301 Report*, April 2016; USTR, “USTR Releases Special 301 Report,” April 27, 2016.

⁹⁰ USTR, *2016 Special 301 Report*, April 2016, 3.

⁹¹ The countries on the 2016 watch list are Barbados, Bolivia, Brazil, Bulgaria, Canada, Colombia, Costa Rica, the Dominican Republic, Ecuador, Egypt, Greece, Guatemala, Jamaica, Lebanon, Mexico, Pakistan, Peru, Romania, Switzerland, Turkey, Turkmenistan, Uzbekistan, and Vietnam. USTR, *2016 Special 301 Report*, April 2016, 3.

⁹² USTR, *2016 Special 301 Report*, April 2016, 29–36.

⁹³ *Ibid.*, 38–45. For more information on IPR in China and India, see chapter 6.

⁹⁴ USTR, *2016 Out-of-Cycle Review of Notorious Markets*, December 2016, 1.

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.⁹⁵ This law offers relief to U.S. industries that are materially injured by imports that are dumped, or sold at “less than fair value” (LTFV). The U.S. government provides a remedy by imposing a special additional duty on LTFV imports.

Antidumping duties are imposed when (1) the U.S. Department of Commerce (USDOC) 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.”) Investigations are generally initiated 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 make preliminary determinations and, if the Commission’s preliminary determination is affirmative, then each agency will make final determinations during the investigation process.

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.⁹⁶ Generally, normal value is the price the foreign firm charges for a comparable product sold in its home market.⁹⁷ 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,” and its profit. Under the law, this latter basis for comparison is known as “constructed value.”⁹⁸ Finally, where the producer is located in a nonmarket economy, 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).⁹⁹ A nonmarket economy country means any foreign country that the administering authority determines does not operate on market principles of cost or pricing structures, so that sales of merchandise in such country do not reflect the fair value of the merchandise.¹⁰⁰

In all three instances, the amount by which the 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.¹⁰¹ This rate of duty (in addition to any ordinary customs duty owed) will be applied to subsequent imports

⁹⁵ 19 U.S.C. § 1673 et seq.

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

⁹⁷ 19 U.S.C. § 1677b.

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

⁹⁹ 19 U.S.C. § 1677b(c).

¹⁰⁰ 19 U.S.C. § 1677(18)(A).

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

from the specified producers/exporters in the subject country, but it may be adjusted if the USDOC receives a request for an annual review.¹⁰²

The Commission instituted 36 new antidumping investigations, and made 35 preliminary determinations and 41 final determinations in 2016.¹⁰³ As a result of affirmative final USDOC and Commission determinations, in 2016, the USDOC issued 32 antidumping duty orders on 8 products from 16 countries (table 2.1). The status of all antidumping investigations active at the Commission during 2016—including, if applicable, the date of final action—is presented in appendix table A.10. A list of all antidumping duty orders and suspension agreements (agreements to suspend investigations)¹⁰⁴ in effect as of the end of 2016 appears in appendix table A.11.

¹⁰² 19 U.S.C. § 1675(a).

¹⁰³ 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.

¹⁰⁴ 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 resumed, assuming it was not continued after the suspension agreement was issued, 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 2016 ^a

Trade partner	Product	Range of dumping margins (percent)
Australia	Hot-rolled carbon steel flat products	29.58
Australia	Uncoated paper	138.87–222.46
Brazil	Cold-rolled steel flat products	19.58–35.43
Brazil	Hot-rolled carbon steel flat products	33.14–34.28
Brazil	Uncoated paper	22.37–41.39
Canada	Polyethylene terephthalate resin	13.6
China	Cold-rolled steel flat products	265.79
China	Corrosion-resistant steel products	209.97
China	Hydrofluorocarbon blends	101.82–216.37
China	Polyethylene terephthalate resin	104.98–126.58
China	Uncoated paper	84.05–149.00
India	Cold-rolled steel flat products	7.6
India	Corrosion-resistant steel products	3.05–4.44
India	Polyethylene terephthalate resin	8.03–19.41
India	Welded stainless pressure pipe	12.66
Indonesia	Uncoated paper	2.10–17.46
Italy	Corrosion-resistant steel products	12.63–92.12
Japan	Cold-rolled steel flat products	71.35
Japan	Hot-rolled carbon steel flat products	4.99–7.51
Mexico	Heavy-walled rectangular welded carbon steel pipes and tubes	3.83–5.21
Netherlands	Hot-rolled carbon steel flat products	3.73
Oman	Polyethylene terephthalate resin	7.62
Portugal	Uncoated paper	7.8
South Korea	Cold-rolled steel flat products	6.32–34.33
South Korea	Corrosion-resistant steel products	8.75–47.80
South Korea	Heavy-walled rectangular welded carbon steel pipes and tubes	2.34–3.82
South Korea	Hot-rolled carbon steel flat products	4.61–9.49
Taiwan	Corrosion-resistant steel products	3.77
Turkey	Heavy-walled rectangular welded carbon steel pipes and tubes	17.83–35.66
Turkey	Hot-rolled carbon steel flat products	4.15–6.77
U.K.	Cold-rolled steel flat products	5.40–25.17
U.K.	Hot-rolled carbon steel flat products	33.06

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

^a Antidumping 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.¹⁰⁵ 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, because of the subsidized imports.

¹⁰⁵ A subsidy is defined as a financial benefit given by an authority (a government of a country or any public entity within the territory of the country) to a person, in which the authority either (1) provides a financial contribution, (2) provides any form of income or price support within the meaning of Article XVI of the General Agreement on Tariffs and Trade 1994, or (3) 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. See 19 U.S.C. § 1677(5)(B).

The Commission instituted 16 new countervailing duty investigations, and made 14 preliminary determinations and 25 final determinations during 2016. USDOC issued 16 countervailing duty orders on 7 products from 7 countries in 2016 as a result of affirmative USDOC and Commission determinations (table 2.2). The status of all countervailing duty investigations active at the Commission during 2016, and, if applicable, the date of final action, is presented in appendix table A.12. A list of all countervailing duty orders and suspension agreements¹⁰⁶ in effect at the end of 2016 appears in appendix table A.13.

Table 2.2 Countervailing duty orders that became effective during 2016^a

Trade partner	Product	Range of countervailable subsidy rates (percent)
Brazil	Cold-rolled steel flat products	11.09–11.31
Brazil	Hot-rolled carbon steel flat products	11.09–11.30
China	Cold-rolled steel flat products	254.44
China	Corrosion-resistant steel products	39.05–241.07
China	Polyethylene terephthalate resin	7.53–47.56
China	Uncoated paper	7.23–176.75
India	Cold-rolled steel flat products	10
India	Corrosion-resistant steel products	8.00–29.49
India	Polyethylene terephthalate resin	5.12–153.80
India	Welded stainless pressure pipe	3.13–6.22
Indonesia	Uncoated paper	21.21–109.14
Italy	Corrosion-resistant steel products	0.07–38.51
South Korea	Cold-rolled steel flat products	3.89–59.72
South Korea	Corrosion-resistant steel products	0.72–1.19
South Korea	Hot-rolled carbon steel flat products	3.89–58.68
Turkey	Heavy-walled rectangular welded carbon steel pipes and tubes	9.87–15.08

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

^a Countervailing 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 compliance with suspension agreements.¹⁰⁷ 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.¹⁰⁸ Where a changed-circumstances review is directed to the Commission, the party that is asking to have an antidumping duty order or countervailing duty order revoked or a suspended investigation terminated has the burden of persuading the Commission that circumstances have changed enough to warrant revocation.¹⁰⁹ On the basis of either the USDOC's or the Commission's

¹⁰⁶ 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 in question to the United States. A suspended investigation is resumed, assuming it had not previously been continued after issuance of the suspension agreement, if USDOC determines that the suspension agreement has been violated. See 19 U.S.C. § 1671c.

¹⁰⁷ 19 U.S.C. § 1675(a).

¹⁰⁸ 19 U.S.C. § 1675(b).

¹⁰⁹ 19 U.S.C. § 1675(b)(3).

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 by the Commission during 2016.

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. These reviews are intended to determine whether revoking an order or terminating a suspension agreement would be likely to lead to the continuation or recurrence of dumping or a countervailable subsidy and to material injury.¹¹⁰ If either the USDOC or the Commission reach negative determinations, the order will be revoked or the suspension agreement terminated. During 2016, the USDOC and the Commission instituted 53 sunset reviews of existing antidumping and countervailing duty orders or suspended investigations,¹¹¹ and the Commission completed 53 reviews. As a result of affirmative determinations by the USDOC and the Commission, 47 antidumping duty and countervailing duty orders were continued. Appendix table A.14 lists, by date and action, the reviews of antidumping duty and countervailing duty orders and suspended investigations completed in 2016.¹¹²

Section 129 Investigations

Section 129 of the U.S. Uruguay Round Agreements Act sets out a procedure by which the Administration may respond to an adverse WTO panel or Appellate Body report concerning U.S. obligations under the WTO agreements on safeguards, antidumping, or subsidies and countervailing measures. Specifically, section 129 establishes a mechanism permitting the USTR to request that the agencies concerned—the USDOC and the Commission—issue a consistency or compliance determination, where such action is appropriate, to respond to the recommendations in a WTO panel or Appellate Body report.¹¹³

Hot-Rolled Carbon Steel Flat Products from India. On December 8, 2014, the WTO Appellate Body issued its report on the dispute entitled *United States—Countervailing Measures on Certain Hot-Rolled Carbon Steel Flat Products from India* (DS436), and on December 19, 2014, the WTO Dispute Settlement Body (DSB) adopted that report. At the request of USTR, on September 23, 2015, USDOC commenced section 129 proceedings to comply with the recommendations and rulings of the DSB in DS436¹¹⁴ and on November 6, 2015, the Commission instituted a section 129 proceeding to issue a consistency determination under section 129(a)(4) of the Uruguay Round Agreements Act that would render the Commission’s countervailing duty determination regarding subject imports from India in investigation number 701-TA-405 not inconsistent with the recommendations and rulings of the DSB.¹¹⁵

¹¹⁰ 19 U.S.C. § 1675(c).

¹¹¹ Four of these instituted reviews (granular polytetrafluoroethylene resin from Italy, ammonium nitrate from Russia, solid urea from Russia, and solid urea from Ukraine) were subsequently terminated and the outstanding antidumping duty order revoked because a domestic industry did not request that it be continued. The other revoked antidumping duty orders were stainless steel wire rod from Italy and stainless steel wire rod from Spain.

¹¹² For detailed information on reviews instituted, as well as Commission action in all reviews, see the Commission’s website section “Sunset Review Database” at <https://pubapps2.usitc.gov/sunset/>.

¹¹³ 19 U.S.C. § 3538; see also Statement of Administrative Action submitted to the Congress in connection with the Uruguay Round Agreements Act, 353.

¹¹⁴ 80 Fed. Reg. 57336 (September 23, 2015).

¹¹⁵ 80 Fed. Reg. 75132 (December 1, 2015).

On March 7, 2016, the Commission issued a section 129 Consistency Determination rendering its findings with respect to injury in the underlying countervailing duty proceeding on hot-rolled steel from India consistent with the DSB's recommendations and rulings in DS436.¹¹⁶ On April 14, 2016, USDOC issued a section 129 compliance determination with respect to subsidization and the calculation of countervailing duty rates consistent with the DSB's recommendations and rulings in DS436.¹¹⁷

Certain Products from China. On December 18, 2014, the WTO Appellate Body issued its report on another dispute entitled *United States—Countervailing Duty Measures on Certain Products from China* (DS437), and on January 16, 2015, the WTO DSB adopted that report. At the request of USTR, on April 27, 2015, USDOC commenced section 129 proceedings to comply with the DSB's recommendations and rulings in DS437.¹¹⁸ On March 31, 2016, April 26, 2016, and May 19, 2016, USDOC issued its final section 129 determinations to comply with the DSB's recommendations and rulings in DS437.¹¹⁹

Warmwater Shrimp from Viet Nam. On November 17, 2014, the WTO dispute settlement panel issued its report on the dispute entitled *United States—Anti-Dumping Measures on Certain Frozen Warmwater Shrimp from Viet Nam* (DS429). At the request of USTR, on May 20, 2016, USDOC commenced section 129 proceedings to implement certain findings of the WTO dispute settlement panel in DS429.¹²⁰ On July 18, 2016, USDOC issued its final section 129 determination to implement certain findings in the DS429 panel report.¹²¹

Section 337 Investigations

Section 337 of the Tariff Act of 1930, as amended,¹²² prohibits certain unfair practices in the import trade. The unfair practice most frequently investigated by the Commission is patent infringement. In this context, section 337 prohibits the importation into the United States, the sale for importation, and the sale within the United States after importation of articles that infringe a valid and enforceable United States patent, provided that an industry in the United States, relating to articles protected by the patent concerned, exists or is in the process of being established.¹²³ Similar requirements govern investigations involving infringement of registered trademarks, registered copyrights, registered mask works, and registered vessel hull designs. In addition, the Commission has general 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

¹¹⁶ USITC, *Hot-Rolled Steel Products from India*, March 2016.

¹¹⁷ 81 Fed. Reg. 27412 (May 6, 2016).

¹¹⁸ 80 Fed. Reg. 23254 (April 27, 2015).

¹¹⁹ 81 Fed. Reg. 37180 (June 9, 2016). DS437 involved 15 CVD investigations. Given the number of investigations and the complexity of the issues involved, USDOC addressed the issues and conclusions of the panel and Appellate Body in a series of final determinations.

¹²⁰ 81 Fed. Reg. 47756 (July 22, 2016).

¹²¹ *Ibid.*

¹²² 19 U.S.C. § 1337.

¹²³ Section 337 also covers articles that are made, produced, processed, or mined under, or by means of, a process covered by the claims of a valid and enforceable United States patent. 19 U.S.C. § 1337(a)(1)(B)(ii).

restrain or monopolize trade and commerce in the United States.¹²⁴ The Commission may institute an investigation on the basis of a complaint or on its own initiative.¹²⁵

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, and it can hand down cease and desist orders that direct the violating parties to stop engaging in the unlawful practices. The orders enter into force unless disapproved for policy reasons by the USTR¹²⁶ within 60 days of issuance.¹²⁷

During calendar year 2016, there were 122 active section 337 investigations and ancillary proceedings, 80 of which were instituted that year. Of these 80 new proceedings, 54 were new section 337 investigations and 26 were new ancillary (secondary) proceedings relating to previously concluded investigations. In 46 of the new section 337 investigations instituted in 2016, patent infringement was the only type of unfair act alleged. Of the remaining 8 investigations, 2 involved allegations of patent infringement and trademark infringement; 2 involved allegations of trademark infringement; 1 involved allegations of patent infringement, copyright infringement, trademark infringement, and trade dress infringement; 1 involved allegations of false advertising and unfair competition; 1 involved allegations of trademark infringement and dilution; and 1 involved allegations of price-fixing, trade secret misappropriation, and false designation of origin.

The Commission completed a total of 66 investigations and ancillary proceedings under section 337 in 2016, including 1 remand proceeding, 1 remand enforcement proceeding, 1 modification proceeding, 2 advisory opinion proceedings, 1 bond forfeiture proceeding, 1 sanctions proceeding, and 12 rescission (cancellation) proceedings. In addition, 3 general exclusion orders, 9 limited exclusion orders, and 11 cease and desist orders were issued during 2016. The Commission terminated 31 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. Commission activities involving section 337 proceedings in 2016 are presented in appendix table A.15.

The section 337 investigations active in 2016 continued to involve a broad spectrum of products. As in prior years, technology products were the single largest category, with approximately 30 percent of the active proceedings involving computer and telecommunications equipment and another 7 percent involving consumer electronics. In addition, small consumer items, including lip balm, resealable plastic bags, coffee pods, and mobile device holders, were at issue in approximately 14 percent of the active proceedings; automotive, transportation, and manufacturing products were at issue in about 11 percent

¹²⁴ 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.

¹²⁵ 19 U.S.C. § 1337(b)(1).

¹²⁶ 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).

¹²⁷ 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.

of the active proceedings; and pharmaceuticals and medical devices were also at issue in about 11 percent of the proceedings. The remaining 27 percent of active proceedings involved a wide variety of other types of articles, including air mattresses, hospital beds, quartz slabs, bathtub assemblies, hand dryers, aerogel insulation, athletic footwear, and coatings for optical fibers.

At the close of 2016, 56 section 337 investigations and related proceedings were pending at the Commission. As of December 31, 2016, there were 101 exclusion orders based on violations of section 337 in effect. Appendix table A.16 lists the investigations in which these exclusion orders were issued. For additional detailed information about 337 investigations instituted since October 1, 2008, see the Commission's 337Info database, found at <https://pubapps2.usitc.gov/337external>.

Trade Adjustment Assistance

The United States provides trade adjustment assistance (TAA) to aid U.S. workers and firms adversely affected by import competition.¹²⁸ On June 29, 2015, President Barack Obama signed into law the Trade Preferences Extension Act (TPEA). Title IV of the TPEA—the Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015)—amended and reauthorized TAA for six years, until June 30, 2021.¹²⁹ The main TAA programs in effect in fiscal year (FY) 2016 were TAA for Workers, administered by the U.S. Department of Labor (USDOL), and TAA for Firms, administered by the U.S. Department of Commerce (USDOC). A third program, TAA for Farmers, administered by the U.S. Department of Agriculture (USDA), was reauthorized by Congress through the TPEA of 2015.¹³⁰ However, the U.S. Congress did not appropriate funding for new participants in this program for FY 2016. As a result, USDA did not accept any new petitions or applications for benefits in FY 2016.¹³¹

Selected developments in the TAA programs for workers and firms during FY 2016 are summarized below.¹³²

Assistance for Workers

The TAA for Workers program gives federal assistance to eligible workers who have been adversely affected by import competition. The TAA program offers a variety of benefits and services to eligible workers, including training, assistance with healthcare premium costs, trade readjustment allowances, reemployment trade adjustment assistance, and employment and case management services.¹³³

¹²⁸ TAA was first established by the Trade Expansion Act of 1962 (Pub. L. 87-793) and subsequently expanded and reauthorized numerous times. In 2011, the Trade Adjustment Assistance Extension Act (TAAEA) of 2011 (Pub. L. 112-40), which was signed into law on October 21, 2011, extended most TAA provisions through December 31, 2013. CRS, *Trade Adjustment Assistance (TAA) and Its Role*, 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.” The TAA program was operated under sunset provisions throughout calendar year 2014. USDOL, “TAA Program Benefits and Services under the 2015 Amendments” (accessed March 1, 2017).

¹²⁹ Pub. L. 114-27, sect. 403.

¹³⁰ The TPEA of 2015 reauthorized the TAA for Farmers Program for fiscal years 2015 through 2021.

¹³¹ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 183.

¹³² FY 2016 ran from October 1, 2015, to September 30, 2016.

¹³³ Trade Readjustment Allowances (TRAs) provide income support to eligible workers who participate in training. Reemployment TAA provides a wage supplement to eligible workers age 50 or older when they accept new

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, <https://www.doleta.gov/tradeact/>.

For petitioning workers to be eligible to apply for TAA, the Secretary of Labor must determine that they meet certain criteria relating to the reasons they were separated from their firm, including declining sales or production at their firm and increased imports of like or directly competitive articles.¹³⁴ (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.¹³⁵

TAARA 2015, which was in effect throughout FY 2016, has the same worker group eligibility provisions and program benefits and services as the 2011 program.¹³⁶ The differences between the TAARA 2015 program and the Trade Adjustment Assistance Extension Act (TAAEA) 2011 program are in the funding level for "training and other activities," and in performance and reporting requirements.¹³⁷ The cap on training funds (funds given to states to pay for TAA training and other activities) was reduced from \$575 million in the TAAEA 2011 program to \$450 million in the TAARA 2015 program.¹³⁸

In FY 2016, \$626.8 million was allocated to state governments to fund the TAA for Workers program. This funding included \$391.5 million for "training and other activities," which includes funds for training, job search allowances, relocation allowances, employment and case management services, and related state administration; \$209.4 million for trade readjustment allowance benefits; and \$26.0 million for reemployment trade adjustment assistance benefits.¹³⁹

Groups of workers submitted 1,453 petitions for TAA in FY 2016, up 35.4 percent from the 1,073 petitions filed in FY 2015 (table 2.3).¹⁴⁰ The increase was likely due to the fact that certain service sector workers, and worker groups whose jobs are adversely affected by trade from countries that are not parties to FTAs with the United States (such as China and India), became eligible for TAA under the TAARA 2015 program, and therefore filed their applications in FY 2016. The USDOL certified 1,192 petitions covering 126,844 workers as eligible for TAA, and denied 569 petitions covering 60,871 workers.¹⁴¹ The largest number of petitions certified in FY 2016 was in the Midwest census region,

employment at a lower wage. USDOL, "TAA Program Benefits and Services under the 2015 Amendments" (accessed March 1, 2017).

¹³⁴ See 19 U.S.C. § 2272.

¹³⁵ Ibid.

¹³⁶ The Trade Adjustment Assistance Extension Act (TAAEA) 2011 was in effect before the current 2015 program, except for a short period when it expired and "Reversion 2014" was in effect. For major differences between the TAARA 2015 program and the Reversion 2014 program, see USITC, *The Year in Trade 2015*, 74–75.

¹³⁷ USDOL, ETA, *Trade Adjustment Assistance for Workers Program—Fiscal Year 2015*, 9 (accessed March 15, 2017).

¹³⁸ Ibid.

¹³⁹ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 182.

¹⁴⁰ In ETA's TAA for Workers Program FY 2015 report, the number of petitions submitted in FY 2015 was 1,024. USDOL, ETA, *Trade Adjustment Assistance for Workers Program—Fiscal Year 2015*, 14. The reason for the discrepancy here is that the number of petitions filed is calculated based on the number of worker groups covered, which changes during the investigation. After FY 2015 numbers were generated, some petitions were deemed to cover more than one worker group either at the time of determination or through a subsequent amendment. As a result, the number of petitions for FY 2015 increased to 1,073 petitions overall, which is the adjusted number. USDOL, ETA, email message to USITC staff, March 15, 2017.

¹⁴¹ 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

followed by the South, the Northeast, and the West.¹⁴² By state, California had the most workers certified (11,455 workers), followed by Pennsylvania (10,667 workers), Texas (9,908 workers), Illinois (7,266 workers), and Indiana (6,981 workers).

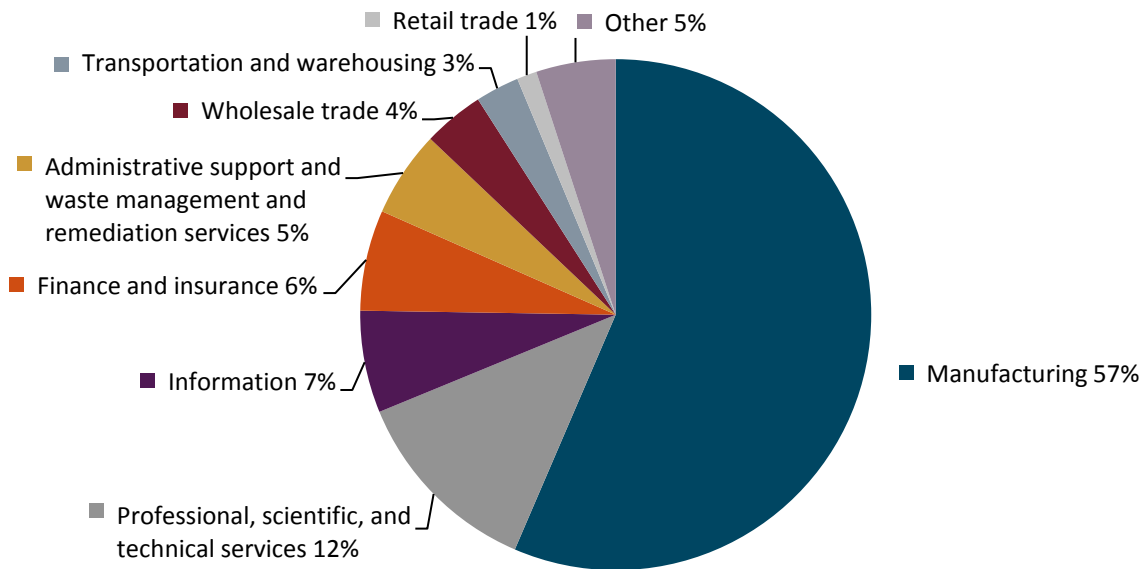
Table 2.3 TAA certifications, by region, FY 2016

Census region	No. of petitions certified	No. of workers covered
Midwest	342	38,923
South	311	35,567
Northeast	269	23,015
West	266	28,887
Other	4	452

Source: USDOL, ETA, email message to USITC staff, February 28, 2017.

The majority (56.5 percent, 673 petitions) of the TAA petitions certified during FY 2016 were in the manufacturing sector, covering 83,664 workers, followed by the professional, scientific, and technical services sector (12.3 percent, 147 petitions) and the information sector (6.5 percent, 77 petitions) (figure 2.1). The share of TAA petitions certified during FY 2016 for the professional, scientific, and technical services, as well as for the information sector, are both higher than those during FY 2015, which is likely due to the fact that the TAARA 2015 program reinstated the eligibility of service sector workers to apply for TAA benefits.

Figure 2.1 Share of TAA petitions certified by industry sector in FY 2016



Source: USDOL, ETA, email message to USITC staff, February 28, 2017.

Note: "Other" includes all industry sectors where less than 15 petitions were certified in FY 2016. Underlying data can be found in appendix table B.9.

in any fiscal year may not equal the total number of petitions filed in that year. USDOL, ETA, *Trade Adjustment Assistance for Workers Program—Fiscal Year 2015*, 14 (accessed March 15, 2017).

¹⁴² The regional classification is based on definitions from the U.S. Census Bureau. See U.S. Census website, http://www2.census.gov/geo/pdfs/maps-data/maps/reference/us_regdiv.pdf (accessed March 15, 2017).

Assistance for Firms

The TAA for Firms program provides technical assistance to help U.S. firms experiencing a decline in sales and employment to become more competitive in the global marketplace.¹⁴³ The program provides cost-sharing technical assistance to help eligible businesses create and implement targeted business recovery plans called Adjustment Proposals. The program pays up to 75 percent of the costs of developing the recovery plans, and firms also contribute a share of the cost of creating and implementing their recovery plans.¹⁴⁴ TAARA 2015 authorizes this program through FY 2021.¹⁴⁵ 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 the program, a firm must show that an increase in imports of like or directly competitive articles “contributed importantly” to the decline in sales or production and to the separation or threat of separation of a significant portion of the firm’s workers.¹⁴⁶ The program supports a nationwide network of 11 nonprofit or university-affiliated Trade Adjustment Assistance Centers to help U.S. manufacturing, production, and service firms.¹⁴⁷ Firms work with these centers in a public-private framework to apply for certification of eligibility for assistance from the TAA for Firms program, and to prepare and carry out strategies to guide their economic recovery.¹⁴⁸ In particular, technical assistance in the form of matching funds is provided through the centers to help U.S. firms develop recovery strategies.¹⁴⁹ Matching funds can be applied toward the cost of hiring third-party consultants to help firms and toward the cost of developing and carrying out adjustment proposals to improve a firm’s market position and competitiveness.¹⁵⁰ Firms generally have up to five years to implement an approved adjustment proposal.¹⁵¹

In FY 2016, the TAA for Firms program budget authorization from Congress was \$16 million, while FY 2016 actual funding appropriated for the program was \$13 million.¹⁵² During FY 2016, EDA certified 67

¹⁴³ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 183.

¹⁴⁴ USDOC, EDA, “Trade Adjustment Assistance for Firms,” n.d. (accessed March 2, 2017).

¹⁴⁵ Pub. L. 114-27, sect. 403. If Congress does not reauthorize the TAA for Firms program, on July 1, 2021, the program will revert to the more limited program as in 2011, under which services firms will no longer be eligible for the program. The entire program will expire on June 30, 2022. CRS, *Trade Adjustment Assistance for Firms*, September 1, 2016, 3.

¹⁴⁶ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 183.

¹⁴⁷ USDOC, EDA, *Fiscal Year 2015 Annual Report to Congress: Trade Adjustment Assistance for Firms Program*, n.d. (accessed March 13, 2017).

¹⁴⁸ Ibid.

¹⁴⁹ USDOC, EDA, “Trade Adjustment Assistance for Firms,” n.d. (accessed March 13, 2017).

¹⁵⁰ Ibid.

¹⁵¹ Ibid.

¹⁵² CRS, *Trade Adjustment Assistance for Firms*, September 1, 2016, 4. In March 16, a bipartisan group of 40 members of the U.S. House of Representatives sent a letter to the House Appropriations Committee leadership supporting “at least sustained funding for the [TAA for Firms] program in FY 2017.” CRS, *Trade Adjustment Assistance for Firms*, September 1, 2016, 4.

petitions for eligibility and approved 78 adjustment proposals.¹⁵³ The numbers are both lower than in FY 2015, when EDA certified 113 petitions and approved 120 adjustment proposals.¹⁵⁴

Tariff Preference Programs

Three major U.S. programs that offer tariff preferences to developing countries were operative during 2016: the U.S. Generalized System of Preferences (GSP); the African Growth and Opportunity Act (AGOA); and the Caribbean Basin Economic Recovery Act (CBERA), as amended by the Caribbean Basin Trade Partnership Act (CBTPA), the Haitian Hemisphere Opportunity through Partnership Encouragement Acts of 2006 and of 2008 (the HOPE Acts), and the Haitian Economic Lift Program of 2010 (HELP Act).¹⁵⁵ The value of U.S. imports for which eligibility was claimed under these trade preference programs increased 6.5 percent from \$27.7 billion in 2015 to \$29.5 billion in 2016, accounting for 1.3 percent of total U.S. imports in 2016.¹⁵⁶

Generalized System of Preferences

The U.S. GSP program authorizes the President to grant duty-free access to the U.S. market for certain products that are imported from designated developing countries and territories.¹⁵⁷ Certain additional products are allowed duty-free treatment only when imported from countries designated as least-developed beneficiary developing countries (LDBDCs). Although the President's authority to provide duty-free treatment under the GSP program expired on July 31, 2013, President Obama signed into law a bill on June 29, 2015, that reauthorized GSP retroactively to its date of expiration (July 31, 2013) and extended coverage through December 31, 2017.¹⁵⁸

The goal of the GSP program is to accelerate economic growth in developing countries by offering unilateral tariff preferences for imports into the U.S. market. An underlying principle of the GSP program is that the creation of trade opportunities for developing countries encourages broader-based economic development and creates momentum for economic reform and liberalization. The GSP program also allows U.S. companies access to products from beneficiary countries on generally the same terms that are available to competitors in other developed countries that grant similar trade preferences.¹⁵⁹

¹⁵³ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 183.

¹⁵⁴ Petitions are certified on a rolling basis throughout the year. USDOC, EDA, *Fiscal Year 2015 Annual Report to Congress: Trade Adjustment Assistance for Firms Program*, n.d., 5, 14 (accessed March 13, 2017).

¹⁵⁵ This report does not analyze 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). See USITC, *Harmonized Tariff Schedule of the United States 2017*, February 2017, gen. note 3a(iv) and gen. note 10. U.S. insular possessions are defined in 19 C.F.R. § 7.2(a).

¹⁵⁶ See tables 2.4, 2.5, 2.6, and 2.7. If U.S. importers do not claim this status or some other special status, then duties are charged on their goods using the rates found in the "general rates of duty" column of the Harmonized Tariff Schedule of the United States (HTS).

¹⁵⁷ The program is authorized by Title V of the Trade Act of 1974, as amended, 19 U.S.C. § 2461 et seq. The list of current GSP beneficiaries can be found on the USTR's website at <https://ustr.gov/issue-areas/trade-development/preference-programs/generalized-system-preference-gsp/gsp-program-inf>.

¹⁵⁸ Pub. L. 114-27, Trade Preferences Extension Act of 2015. Retroactivity did not apply to those countries that were not covered as of the date of renewal (Russia and Bangladesh).

¹⁵⁹ USTR, *2015 Trade Policy Agenda and 2014 Annual Report*, March 2015, 44.

Countries are designated as “beneficiary developing countries” under the GSP program by the President, although they can lose this designation based on findings of country practices that violate the provisions of the GSP statute, including inadequate protection of IPR or internationally recognized worker rights.¹⁶⁰ Country practice allegations are usually brought to the attention of the interagency GSP subcommittee by a petition process. Some beneficiary developing countries are also designated LDBDCs, and, as such, are eligible for GSP benefits for an additional list of about 1,500 products.

The President also designates the articles that are eligible for duty-free treatment, but may not designate articles that he determines to be “import-sensitive” in the context of the GSP. Certain goods (e.g., 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 that countries “graduate” from the program when they become “high income,” as defined by the World Bank’s per capita income tables.¹⁶¹ The statute also allows for ending the eligibility of certain imports, or imports from specific 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.¹⁶² 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. Two different measures for CNLs may apply to U.S. imports of a particular product from a beneficiary developing country during any calendar year. One CNL measure applies to imports from a beneficiary developing country that account for 50 percent or more of the value of total U.S. imports of that product. The other applies to imports that exceed a certain dollar value (\$175 million in 2016).¹⁶³ The legislation to reauthorize the GSP program in 2006 provided that a CNL waiver in effect on a product for five or more years should be revoked if total U.S. imports from a beneficiary developing country exceed certain “super-competitive” value thresholds.¹⁶⁴

The following developments with respect to the U.S. GSP program occurred in 2016:¹⁶⁵

- Based on the 2015/2016 GSP Annual Review process conducted under USTR’s direction, new duty-free status under the GSP program was extended to 27 travel goods (including luggage, backpacks, handbags, and wallets) for LDBDCs and AGOA countries. A decision to extend GSP eligibility for these products for all GSP beneficiaries was deferred.
- Additional results of the 2015/2016 GSP Annual Review included denial of one petition to add a product (effervescent wine) to GSP eligibility for all countries, and deferral of action on petitions

¹⁶⁰ There were 11 active GSP country practice reviews in the GSP 2015/2016 annual review. See <https://ustr.gov/issue-areas/preference-programs/generalized-system-preferences-gsp/current-reviews/gsp-20152016>.

¹⁶¹ Venezuela, Uruguay, and Seychelles were determined to be “high income” countries and were graduated from eligibility for GSP trade benefits effective January 1, 2017. Presidential Proclamation 9333 (September 30, 2015).

¹⁶² CNLs do not apply to LDBDCs or to developing countries that are beneficiaries of the African Growth and Opportunity Act.

¹⁶³ USTR, *U.S. Generalized System of Preferences (GSP) Guidebook*, September 2016, 12.

¹⁶⁴ 19 U.S.C. § 2463(d)(4)(B)(ii).

¹⁶⁵ A complete list of actions taken in this review may be found at <https://ustr.gov/issue-areas/preference-programs/generalized-system-preferences-gsp/current-reviews/gsp-20152016>.

involving two other products (essential oils of lemon and ferromanganese); granting of CNL waivers for three products, each from a specific country as requested by petition (pitted dates from Tunisia, single-cell micro-organisms from Brazil, and certain non-alcoholic beverages from Thailand); and denial of one such petition (certain motor vehicle parts from India). Three products were newly excluded for exceeding CNL thresholds (a fortified fruit juice product from Philippines, certain iron/steel products, and certain motor vehicle parts, both from India); brightening agents and polyethylene terephthalate (PET) resins were removed from GSP for India; de minimis CNL waivers were granted for 111 eligible products;¹⁶⁶ and a decision was made not to redesignate any products that had been excluded during prior GSP reviews, but for which import levels had dropped below the threshold amounts set for the current review.

- On November 13, 2016, Burma's eligibility for GSP benefits was reinstated after the conclusion of a review of its compliance with the eligibility criteria under the GSP statute. The United States suspended Burma's GSP benefits in 1989 due to worker rights concerns. Burma requested reinstatement in 2013. The Office of the United States Trade Representative led an extensive review of Burma's compliance with all of the GSP eligibility criteria, and in particular of Burma's recent record of labor reforms and strengthened worker protections. Since the new democratically elected government took office in March 2016, senior Burmese government officials have engaged closely with the United States on labor issues to demonstrate Burma's eligibility under the GSP criteria. Designation of eligibility for GSP acknowledges the progress made to date by Burma and encourages additional progress, which the United States will continue to monitor closely, in order to address the labor concerns and challenges that remain.¹⁶⁷

U.S. imports under GSP preferences increased 5.6 percent (\$990.4 million) from \$17.7 billion in 2015 to \$18.7 billion in 2016, which accounted for 9.3 percent of total U.S. imports from GSP beneficiary countries and 0.9 percent of total U.S. imports (tables 2.4 and A.2). India was the leading source of imports entered under the GSP program in 2016, followed by Thailand and Brazil, continuing a pattern established in 2011 (appendix table A.17). These three countries together accounted for 57.7 percent of all U.S. imports under GSP, while the top five countries (including Indonesia and the Philippines) accounted for 75.0 percent of GSP imports. All five countries saw an increase in the value of their 2016 GSP imports over the previous year.

In 2016, the chemicals sector accounted for the largest increase in imports claiming eligibility under GSP (up \$422.0 million), making it the top import sector. The minerals and metals sector ranked second in 2016, declining \$192.6 million from 2015, when it was the top sector. Agricultural products made up the third-largest sector and also saw imports claiming eligibility increase \$241.5 million over 2015. Energy-related products accounted for less than 1 percent of GSP eligible claims in 2015 and 2016, down from 4.5 percent in 2014. Crude petroleum, formerly the top U.S. import under GSP, dropped from substantial levels in previous years to zero in 2015 and 2016.¹⁶⁸

¹⁶⁶ As defined by the GSP statute, a waiver may be provided when total U.S. imports from all countries of a product are "de minimis." Like the dollar-value CNLs, the de minimis level is adjusted each year, in increments of \$500,000. The de minimis level in 2016 was \$23 million.

¹⁶⁷ USTR, "United States Reinstates Trade Preference Benefits for Burma," September 14, 2016.

¹⁶⁸ Such imports are eligible for GSP benefits only when received from LDBDCs, and historically these imports have been primarily from countries that were also AGOA beneficiaries. Thus, U.S. imports of crude petroleum could

Table 2.4 U.S. imports for consumption from GSP beneficiaries, 2014–16

Item	2014	2015	2016
Total imports from GSP beneficiaries (million \$)	261,123	206,579	201,705
Total imports under GSP (million \$)	18,799	17,694	18,684
Imports under LDBDC provisions (million \$) ^a	871	25	55
Imports under non-LDBDC provisions (million \$) ^b	17,929	17,669	18,629
Imports under GSP (as share of all imports from GSP countries)	7.2	8.6	9.3

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed March 25, 2017).

Note: LDBDC = least-developed beneficiary developing country. The President's authority to provide duty-free treatment under the GSP program expired on July 31, 2013, but was renewed retroactively effective July 29, 2015.

^a LDBDC-eligible products are those for which the 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.

^b Non-LDBDC-eligible products are those for which a rate of duty of "free" appears in the special rate column of the 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 listed in the designated provision.

On a product basis, gold jewelry was the top GSP import in 2016, sourced primarily from Turkey, Indonesia, South Africa, Bolivia, and Pakistan. These countries accounted for 84.6 percent of U.S. imports of gold jewelry under GSP. The second-largest GSP import was certain nonalcoholic beverages (with over 90 percent of imports sourced from Thailand, the Philippines, and Brazil), followed by ferrochromium (primarily from South Africa and Turkey), parts of air conditioning machines (primarily from Thailand), and rubber gloves (primarily from Thailand and Indonesia). Among the top 25 U.S. imports under GSP, almost all increased in 2016. These included gold jewelry (up \$216 million, or 64.1 percent, from 2015 levels, with Turkey accounting for the majority of the increase), compression-ignition internal combustion piston engines for vehicles other than rail and trams (up \$117 million, or 358.5 percent, with Thailand primarily responsible for the increase), and polyethylene terephthalate (PET) in primary forms (up \$100 million, or 112.8 percent, with Brazil responsible for the increase). Appendix tables A.18 and A.19 show the overall sectoral distribution of GSP benefits, and appendix table A.20 shows the top 25 products imported under the GSP in 2016.

African Growth and Opportunity Act

The African Growth and Opportunity Act (AGOA or Act) was enacted by the U.S. Congress in 2000 to promote stable and sustainable economic growth and development in sub-Saharan Africa (SSA). 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," "reducing tariff and nontariff barriers and other obstacles to sub-Saharan African and United States trade," and "expanding United States assistance to sub-Saharan Africa's regional integration efforts."¹⁶⁹ By providing unilateral preferential trade benefits to eligible beneficiary SSA countries, AGOA aims to promote political and economic reform in SSA, encourage regional economic integration, strengthen private sectors, and enhance commercial and political ties between the United States and SSA, as well as facilitate the development of civil society, rule of law, and political freedom in SSA countries.¹⁷⁰ On June 29, 2015,

have been switched to entering under AGOA rather than GSP. For more information on the trend in U.S. petroleum imports in 2016, see chapter 1.

¹⁶⁹ Trade and Development Act of 2000, 19 U.S.C. § 3701, Title I, sec. 103 (Pub. L. 106-200), 19 U.S.C. § 3702; USDOC, ITA, "Trade and Development Act of 2000," n.d. (accessed March 21, 2017).

¹⁷⁰ Ibid.

President Obama signed into law the Trade Preferences Extension Act of 2015 (TPEA), which extended AGOA for 10 years through September 30, 2025.¹⁷¹

AGOA expands on the U.S. GSP program by offering duty-free access to the U.S. market for all GSP-eligible products¹⁷² and for qualifying tariff line-item products from designated SSA countries beyond those eligible under the GSP program.¹⁷³ In addition, AGOA authorizes duty-free treatment for certain textile and apparel articles made in qualifying beneficiary SSA countries.¹⁷⁴ In 2016, approximately 5,098 tariff lines were designated as covering products eligible for duty-free treatment under AGOA.¹⁷⁵

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.¹⁷⁶ The Act also requires the President to review annually whether SSA countries are, or remain, eligible for AGOA benefits based on the eligibility criteria.¹⁷⁷ Moreover, compared to the Act, the 2015 TPEA offers additional tools for the President to use to promote compliance with AGOA eligibility criteria. One of the most notable changes is that TPEA expands the annual review process and authorizes the President to initiate an “out-of-cycle review” process at any time concerning an SSA country’s AGOA eligibility.¹⁷⁸

In 2016, 38 SSA countries out of a total 48 SSA countries were eligible for AGOA benefits.¹⁷⁹ Of these countries, 28 were eligible for AGOA textile and apparel benefits for all or part of 2016.¹⁸⁰ Of the countries in the latter group, all but one (South Africa) were also eligible for additional textile and apparel benefits for lesser-developed beneficiary countries (LDBCs) for all or part of 2016.¹⁸¹ Notable

¹⁷¹ Trade Preferences Extension Act of 2015, 19 U.S.C. § 3721(g), sec. 103; U.S. Government Publishing Office, “Trade Preferences Extension Act of 2015,” n.d. (accessed March 21, 2017).

¹⁷² The eligibility criteria for GSP and AGOA designation substantially overlap, and countries must be GSP eligible in order to receive AGOA’s trade benefits. Although GSP eligibility does not imply AGOA eligibility, 47 of the 48 SSA countries are currently GSP eligible. USDOC, ITA, “AGOA: General Country Eligibility Provisions,” n.d. (accessed March 21, 2017). Countries are designated separately for the two programs (see HTS, general notes 4 and 16).

¹⁷³ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 187.

¹⁷⁴ This benefit is also extended through September 30, 2025, by the Trade Preferences Extension Act of 2015.

¹⁷⁵ In 2017, approximately 5,241 tariff lines were designated as covering products eligible for duty-free treatment under AGOA. This number, however, only includes tariff lines that (1) are not MFN [or Normal Trade Relations (NTR)/] duty free; (2) that are marked “D”; and (3) are in chapters 01–97 in the HTS. AGOA beneficiaries receive additional eligibility on tariff lines in chapters 61 and 62 (apparel) if they meet the rule of origin requirements. The rule of origin places additional requirements on the fabric and upstream materials used. Those tariff lines are not marked “D” in the HTS.

¹⁷⁶ 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. Thirty-one of these are LDBCs under the GSP. See general note 4(b) to the HTS.

¹⁷⁷ 19 U.S.C. § 2466a(a)(2).

¹⁷⁸ See section 105(c) of Pub. L. 114-27, Trade Preferences Extension Act of 2015, amending section 506A of the Trade Act of 1974 (19 U.S.C. § 2466a). For more information about TPEA, see USITC, *The Year in Trade 2015*, 2016, 82.

¹⁷⁹ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 187.

¹⁸⁰ Twenty-eight countries were listed in the HTS as eligible to receive AGOA apparel benefits as of January 1, 2016. They included Benin, Botswana, Burkina Faso, Cabo Verde, Cameroon, Chad, Côte d’Ivoire, Ethiopia, Ghana, Guinea, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, South Africa, Tanzania, Uganda, and Zambia. USITC, *HTS 2016*, January 2016, chapter 98, subchapter XIX, U.S. note 1.

¹⁸¹ USDOC, ITA, “AGOA Preferences: Country Eligibility,” December 20, 2016.

among these extra benefits is the third-country fabric provision for LDBC, which allows beneficiary countries to use non-U.S., non-AGOA fabrics in apparel exports under AGOA.¹⁸²

In 2015, the President terminated the designation of Burundi as an AGOA beneficiary, effective January 1, 2016, due primarily to concerns related to human rights, governance, and rule of law.¹⁸³ In addition, the annual review conducted in 2016 resulted in the reinstatement of the Central African Republic’s AGOA eligibility, effective January 1, 2017, as a result of steps the government of that country has taken to address rule of law issues.¹⁸⁴ Finally, Seychelles was graduated from eligibility for AGOA (as well as GSP) benefits effective January 1, 2017, because it was determined to be a “high-income” country.¹⁸⁵

In July 2015, an out-of-cycle review of South Africa’s AGOA eligibility was initiated.¹⁸⁶ On November 5, 2015, the President determined that South Africa had not made continual progress toward the elimination of several longstanding barriers to U.S. trade and investment, including barriers to U.S. poultry, pork, and beef exports to South Africa.¹⁸⁷ On January 11, 2016, the President issued a proclamation announcing that the United States would suspend the application of duty-free treatment for all AGOA-eligible goods in the agricultural sector from South Africa.¹⁸⁸ The effective date for the suspension was set at March 15, 2016, to allow South Africa time to implement actions to resolve the outstanding barriers to U.S. trade.¹⁸⁹ South Africa subsequently came into compliance with the relevant AGOA criteria, leading to a revocation on March 14, 2016, of the earlier proclamation.¹⁹⁰

In 2016, the value of U.S. imports that entered free of duty from beneficiary countries under AGOA (including GSP) was \$10.6 billion, a 14.1 percent increase from 2015. These imports accounted for 52.7 percent of total imports from AGOA countries in 2016. In 2016, imports entering the United States exclusively under AGOA (excluding GSP) were valued at \$9.4 billion, accounting for 46.9 percent of U.S. imports from AGOA countries (table 2.5).

Table 2.5 U.S. imports for consumption from AGOA beneficiaries, 2014–16

Item	2014	2015	2016
Total imports from AGOA countries (million \$)	25,487	19,131	20,060
Imports under AGOA, including GSP (million \$) ^a	14,245	9,267	10,577
Imports under AGOA, excluding GSP (million \$)	11,874	7,984	9,404
Imports under AGOA (as a share of all imports from AGOA countries)	55.9	48.4	52.7

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed March 25, 2017)

^a AGOA-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 for AGOA-eligible goods by U.S. importers under GSP, for HTS rate lines with special duty symbols “A” or “A+.”

¹⁸² USITC, *HTS 2016*, January 2016, chapter 98, subchapter XIX, U.S. note 2(a) through 2(e).

¹⁸³ USTR, *2016 Trade Policy Agenda and 2015 Annual Report*, March 2016, 193–94; Proclamation No. 9383 (December 21, 2015).

¹⁸⁴ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 187.

¹⁸⁵ Proclamation No. 9333 (September 30, 2015). “High income” is defined based on the World Bank’s definition of a “high-income” country in its per capita income tables. 19 U.S.C. § 2462(e).

¹⁸⁶ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 187.

¹⁸⁷ *Ibid.*

¹⁸⁸ Proclamation No. 9388 (January 14, 2016).

¹⁸⁹ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 187.

¹⁹⁰ *Ibid.*; Proclamation No. 9406 (March 14, 2016).

The increase in U.S. imports under AGOA in 2016 compared to 2015 mainly reflected an increase in the value and quantity of imports of crude petroleum.¹⁹¹ The value of U.S. crude petroleum imports under AGOA increased 27.9 percent (\$1.3 billion) from 2015 to 2016, and the quantity increased 67.2 percent (57.3 million barrels) over the same period.¹⁹² The top two petroleum-producing countries in SSA, Nigeria and Angola, both experienced significant increases in the value and quantity of their exports of crude petroleum to the United States under AGOA (appendix tables A.21 and A.22).¹⁹³

The major suppliers of duty-free U.S. imports under AGOA in 2016 were Nigeria (37.0 percent of total AGOA imports), Angola (20.8 percent), South Africa (19.8 percent), Chad (8.2 percent), Kenya (4.1 percent), and Lesotho (3.1 percent). These six countries accounted for 93.1 percent of total imports by value under AGOA, an increase of 3.3 percentage points from 2015, mainly driven by a rapid increase of U.S. imports under AGOA from Nigeria (appendix table A.21).

Crude petroleum continued to be the leading import under AGOA. It accounted for 65.5 percent of the total value of AGOA imports in 2016, a 5.2 percentage point increase from 60.3 percent in 2015. The value of U.S. imports of crude petroleum under AGOA increased 27.9 percent, from \$4.8 billion in 2015 to \$6.2 billion in 2016 (appendix table A.22). The increase of almost 28 percent from 2015 to 2016 was mainly due to the increase of U.S. imports of such products from Nigeria, and was driven primarily by (1) a narrower price spread between the U.S. domestic crude petroleum price and the corresponding international price, which makes foreign crude more competitive;¹⁹⁴ (2) decreasing U.S. domestic production;¹⁹⁵ and (3) the similarities between the types of crude petroleum (sweet and light crude) produced in Nigeria and the United States' own crude petroleum produced from North Dakota's Bakken formation and Eagle Ford in Texas.¹⁹⁶

Passenger motor vehicles and textile and apparel products were two other major U.S. imports under AGOA. They accounted for 15.9 percent and 9.0 percent of the value of total AGOA imports in 2016, respectively (appendix table A.22). U.S. passenger motor vehicle imports under AGOA came exclusively from South Africa, and they increased in value from \$1.3 billion in 2015 to \$1.5 billion in 2016.

Section 105 of AGOA required the President to establish the U.S.-SSA Trade and Economic Cooperation Forum (also known as the AGOA Forum) to discuss trade, investment, and development at an annual ministerial-level meeting with AGOA-eligible countries.¹⁹⁷ The 15th AGOA Forum was held in September 2016 in Washington, DC.¹⁹⁸ Before the meeting, the Office of the USTR had issued a report entitled

¹⁹¹ Crude petroleum refers to products classified under HTS 2709.00.

¹⁹² USITC DataWeb/USDOC (accessed April 6, 2017).

¹⁹³ The quantity of U.S. imports under AGOA of crude petroleum increased from 85.3 million barrels in 2015 to 142.5 million barrels in 2016. Crude imports under AGOA from Nigeria increased from 20.2 million barrels in 2015 to 70.0 million barrels in 2016, and from Angola increased from 32.2 million barrels in 2015 to 47.9 million barrels in 2016. USITC DataWeb/USDOC (accessed April 6, 2017).

¹⁹⁴ For more information on the trends of crude petroleum prices, please refer to Chapter 1 of the report.

Meanwhile, though the value of total U.S. imports of crude petroleum from the world declined from 2015 to 2016, the quantity of U.S. imports of crude petroleum from the world increased from 2.7 billion barrels in 2015 to 2.8 billion barrels in 2016.

¹⁹⁵ EIA, "Despite Growth Late in the Year," March 20, 2017.

¹⁹⁶ Since light, sweet crude petroleum produced in Nigeria is the most similar to U.S. domestic production, imports of this type of crude petroleum were the first to replace declines in U.S. domestic production, as the two are easily substitutable with each other. Foreso, Yuan, and Yang, "Africa's Crude Petroleum Exports Declined," July 2015.

¹⁹⁷ 19 U.S.C. § 3704.

¹⁹⁸ U.S. Department of State, "AGOA Forum 2016," n.d. (accessed March 31, 2017).

“Beyond AGOA—Looking to the Future of U.S.-Africa Trade and Investment.” The report presented the case for deepening the U.S.-Africa trade and investment relationship beyond AGOA.¹⁹⁹ At the forum, USTR Michael Froman and officials from other U.S. government agencies pursued these goals by meeting with African trade ministers, leaders of African regional economic organizations, and representatives of the American and African countries’ private sectors and civil society to discuss issues and strategies for advancing trade, investment, and economic development in Africa, as well as ways to increase two-way U.S.-African trade.²⁰⁰

Caribbean Basin Economic Recovery Act

The Caribbean Basin Economic Recovery Act (CBERA) was enacted in 1983 as part of the Caribbean Basin Initiative. Its goal was to encourage economic growth and development in the Caribbean Basin countries by using duty preferences to promote increased production and exports of nontraditional products.²⁰¹ 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.²⁰² The CBTPA also extended “NAFTA-equivalent treatment”—that is, rates of duty equivalent to those accorded to goods complying with 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 normal trade relations (NTR) rates of duty; and certain handbags, luggage, flat goods, work gloves, and leather wearing apparel.²⁰³ 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 tariff-rate quotas (primarily sugar, beef, and dairy products). CBTPA preferential treatment provisions were extended in 2010 through September 30, 2020, while the original CBERA has no expiration date.²⁰⁴ In the section that follows, the term CBERA refers to CBERA as amended by the CBTPA.

¹⁹⁹ USTR, “Beyond AGOA—Looking to the Future of U.S.-Africa Trade and Investment,” September 2016; USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 187–88.

²⁰⁰ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 187.

²⁰¹ For a more detailed description of CBERA, including country and product eligibility, see USITC, *Caribbean Basin Economic Recovery Act, 22nd Report*, September 2015.

²⁰² Textiles and apparel that were not subject to textile agreements in 1983 are eligible for duty-free entry under the original CBERA provisions, which do not have an expiration date. This category includes only textiles and apparel of silk or non-cotton vegetable fibers, mainly linen and ramie. Textile and apparel goods of cotton, wool, or manmade fibers (“original MFA goods”) are not eligible under the original CBERA. “MFA” stands for the now-expired Multifibre Arrangement.

²⁰³ Normal trade relations (NTR) rates of duty, known as most-favored-nation rates outside the United States, are accorded to countries having NTR status in the United States and are non-discriminatory between trading partners.

²⁰⁴ Certain preferential treatment provisions have been extended to September 30, 2020. These provisions relate to import-sensitive textile and apparel articles from CBERA countries and to textile and apparel articles imported under special rules for Haiti (see section on Haiti below). The extension occurred on May 24, 2010, when the President signed the Haiti Economic Lift Program Act of 2010, Pub. L. 111-171, § 3.

At the end of 2016, 17 countries and dependent territories were designated eligible for CBERA preferences²⁰⁵ and 8 of those countries were designated eligible for CBTPA preferences.²⁰⁶ Several countries have asked to be designated as eligible for benefits under CBERA, CBTPA, or both, including Turks and Caicos Islands, which requested eligibility under CBERA; Aruba, The Bahamas, Dominica, Grenada, Montserrat, St. Kitts and Nevis, and St. Vincent and the Grenadines, under CBTPA;²⁰⁷ and Sint Maarten and Suriname, under both CBERA and CBTPA.²⁰⁸

In 2016, the value of U.S. imports under CBERA fell 43.2 percent, from \$1.5 billion in 2015 to \$876 million in 2016 (table 2.6). The top five imports under CBERA in 2016—methanol, T-shirts, crude petroleum, sweaters, and polystyrene—comprised over 80 percent of imports under the program and accounted for the vast majority of the total decline in 2016 (appendix table A.23). The largest decline in the value of U.S. imports under CBERA was in methanol, which fell 60.4 percent (\$393 million) because both price and quantity declined 31.3 percent and 41.8 percent, respectively. Imports of crude petroleum declined mostly because of a decline in the price. In addition, the decline in U.S. imports of apparel products under CBERA, primarily from Haiti, can be attributed to a shift from such imports entering under CBTPA provisions to entering under the HOPE Acts, the Hemisphere Opportunity through Partnership Encouragement Act of 2006 (HOPE) and of 2008 (HOPE II Act).²⁰⁹

Table 2.6 U.S. imports for consumption from CBERA/CBTPA beneficiaries, 2014–16

Item	2014	2015	2016
Total imports from CBERA/CBTPA countries (million \$)	8,496	7,061	5,342
Total imports under CBERA (million \$)	1,973	1,542	876
Imports under CBTPA (million \$) ^a	589	564	392
Imports under CBERA excluding CBTPA (million \$) ^b	1,384	978	484
Imports under CBERA (as a share of all imports from CBERA countries)	23.2	21.8	16.4

Source: Official trade statistics of the U.S. Department of Commerce, accessible via USITC DataWeb (accessed February 23, 2017).

^a CBTPA-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 former CBTPA beneficiaries—El Salvador, Guatemala, Honduras, Nicaragua, Dominican Republic, Costa Rica, and Panama).

^b CBERA (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, under general note 7(d) of the HTS, are not eligible for special duty treatment with respect to any article listed in the designated provision.

The top five products accounted for most CBERA imports in 2016. However, a large number of agricultural products were also imported under CBERA, including yams, guavas, orange juice, papayas, spices, and various vegetable and fruit preparations, although these imports were small.

U.S. imports under CBERA accounted for 16.4 percent of all U.S. imports from CBERA countries in 2016. Trinidad and Tobago continued to be the leading supplier of U.S. imports under CBERA in 2016, accounting for 43.8 percent of the total value. Haiti and Jamaica were also leading suppliers, accounting for 36.3 and 8.6 percent of the total, respectively (appendix table A.24).

²⁰⁵ 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.

²⁰⁶ Barbados, Belize, Curaçao, Guyana, Haiti, Jamaica, St. Lucia, and Trinidad and Tobago.

²⁰⁷ 77 Fed. Reg. 61816 (October 11, 2012).

²⁰⁸ Ibid. 75 Fed. Reg. 17198 (April 5, 2010). Until 2010, Curaçao and Sint Maarten were members of the now-dissolved Netherlands Antilles.

²⁰⁹ For more information, see the section on Haiti initiatives later in this chapter.

Haiti Initiatives

Since 2006, CBERA has been amended several times to expand and enhance trade benefits for Haiti and to give Haitian apparel producers more flexibility in sourcing yarns and fabrics.²¹⁰ The HOPE Act of 2006²¹¹ and of 2008 (HOPE II Act)²¹² (collectively referred to as HOPE or the HOPE Acts) 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.²¹³ The HOPE Acts also provided additional trade preferences to attract new jobs to Haiti while offering incentives to encourage the use of U.S. inputs.²¹⁴ The Haitian Economic Lift Program of 2010 (HELP Act) expanded existing U.S. trade preferences (especially duty-free treatment for certain qualifying apparel regardless of the origin of inputs) for Haiti that were established under the CBTPA and HOPE Acts and extended them through September 30, 2020.²¹⁵ On June 29, 2015, President Barack Obama signed the Trade Preferences Extension Act of 2015 into law, extending the HOPE Acts trade preferences through September 30, 2025.²¹⁶

The extension of trade preferences for Haiti under the HOPE Acts, Haiti's inexpensive labor costs, and its proximity to the United States have all motivated U.S. apparel firms to increase their sourcing of apparel from Haiti in recent years.²¹⁷ During 2011–15, U.S. imports of apparel from Haiti rose steadily, and such imports were expected to surpass the billion dollar mark in 2016.²¹⁸ Instead, however, U.S. imports of apparel fell 5.2 percent, from \$895.5 million in 2015 to \$848.5 million in 2016 (table 2.7). This decline reportedly reflected reduced demand for apparel from major U.S. retailers such as the Limited, American Apparel, Macy's, and the Gap, which experienced bankruptcies, store closures, or job losses in 2016.²¹⁹

²¹⁰ Apparel manufacturing continues to provide a leading source of exports and employment for Haiti's economy—accounting for 90 percent of Haiti's total exports and 40,000 jobs in 2016. USDOS, WHA, "U.S. Relations with Haiti," March 23, 2017.

²¹¹ Pub. L. 109-432, sect. 5001 et seq., the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006. 19 U.S.C. sect. 2703a.

²¹² Pub. L. 110-234, sect. 15401 et seq., the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2008.

²¹³ There were no U.S. imports of wire harness automotive components from Haiti during 2007–16.

²¹⁴ 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.

²¹⁵ Pub. L. 111-171, sect. 2, Haiti Economic Lift Program Act of 2010. For more information on this program, see USITC, *The Year in Trade 2011*, July 2012, 2-22 to 2-23, and *The Year in Trade 2010*, July 2011, 2-21 to 2-22.

²¹⁶ Pub. L. 114-27, sect. 301, Extension of Preferential Duty Treatment Program for Haiti.

²¹⁷ Although the government of Haiti announced a 25 percent increase in Haiti's minimum wage rates in June 2016, a devaluation of the Haitian gourde in 2016 reportedly offset the rise in wages so that Haiti's wages remained competitive. U.S. and Haitian apparel industry representatives, email messages to USITC staff, January 18, 2017, and March 6, 2017.

²¹⁸ U.S. apparel industry representative, email message to USITC staff, March 1, 2017; U.S. apparel industry consultant, email message to USITC staff, March 1, 2017; Castano Freeman, "Bright Outlook for Haiti's Apparel Industry in 2016," February 16, 2016.

²¹⁹ U.S. apparel industry consultant, email message to USITC staff, March 1, 2017, and U.S. government representative, telephone interview with USITC staff, March 7, 2017. Although Hurricane Matthew inflicted much damage on Haiti in October 2016, it did not significantly impact or disrupt Haiti's apparel production. U.S. apparel industry consultant, email message to USITC staff, March 1, 2017; Castano Freeman, "Haiti Garment Exports Set to Rise despite Hurricane," October 13, 2016; Castano Freeman, "Hong Kong's Winds Group to Open Haiti Factory."

Table 2.7 U.S. imports of apparel from Haiti, 2014–16^a

Item	2014	2015	2016
Total apparel imports from Haiti (million \$)	854.3	895.5	848.5
Apparel imports under a trade preference program (million \$)	850.5	892.5	842.9
CBERA/CBTPA (million \$)	397.1	394.9	307.9
HOPE and HELP Acts (million \$)	453.4	497.6	535.0
Share of total apparel imports from Haiti:	(Percent)		
Apparel imports under a trade preference program	99.6	99.7	99.3
CBERA/CBTPA	46.7	44.3	36.6
HOPE and HELP Acts	53.3	55.8	63.5

Source: Official trade statistics of the Office of Textiles and Apparel, U.S. Department of Commerce.

^a These data reflect detailed U.S. general import data under trade preference programs sorted by category and published by the Office of Textiles and Apparel at the U.S. Department of Commerce (accessed February 15 and March 9, 2017).

Haitian apparel production has been concentrated in high-volume, commodity cotton garments that have relatively predictable consumer demand and few styling changes. In 2016, cotton knit shirts and blouses, cotton trousers and pants, and cotton underwear continued to dominate U.S. imports of apparel from Haiti, accounting for 42.0 percent, 12.8 percent, and 9.4 percent, respectively, of the total value of U.S. apparel imports from Haiti.²²⁰ However, the total value and respective shares of U.S. imports of these cotton products from Haiti fell from 2015 levels as the total value of U.S. imports of manmade-fiber garments (largely knit shirts and blouses and trousers and slacks) from Haiti rose 25 percent in 2016 compared with 2015. As a result, the share of U.S. imports of manmade-fiber apparel of total U.S. imports of apparel from Haiti also rose, growing from 26 percent in 2015 to 34 percent in 2016. The growth in U.S. imports of manmade-fiber apparel from Haiti reflects a general shift in demand toward these manmade-fiber products by U.S. retailers and U.S. apparel customers, such as Under Armour, Levi's, the Gap, and Polo Ralph Lauren.²²¹

The decline in U.S. apparel imports from Haiti in 2016 is not expected to continue. Although economic difficulties prompted some major U.S. retailers and brands to reduce their apparel orders from Haiti in 2016, other U.S. apparel firms continued to increase their orders.²²² Moreover, in 2016, investors from Sri Lanka, Hong Kong, Taiwan, South Korea, and Bangladesh introduced or began implementing plans to expand apparel manufacturing in Haiti.²²³ In June 2016, MAS Holdings, a major Sri Lankan conglomerate and intimate apparel manufacturer, announced the opening of a new plant in the Caracol Industrial Park.²²⁴ In October 2016, Hong Kong athletic-wear supplier Winds Group stated it would open a new, 80,000 square-foot activewear factory in northwest Haiti to produce garments for U.S. apparel brands and take advantage of the HOPE/HELP trade preferences.²²⁵ The planned expansion of Haiti's apparel manufacturing by foreign investors is expected to add 5,000 new jobs in the next few years and encourage additional investments in the future.²²⁶

²²⁰ Calculations were made from import data published by USDOC, OTEXA, "U.S. General Imports by Country: Major Shippers Report" (accessed March 6, 2017).

²²¹ U.S. apparel industry consultant, email message to USITC staff, March 1, 2017; Haitian apparel industry representative, email message to USITC staff, February 15, 2017; and Castano Freeman, "Haiti Garment Exports Set to Rise despite Hurricane," October 13, 2016.

²²² U.S. apparel industry representative, email message to USITC staff, January 19, 2017.

²²³ Haitian apparel industry representative, email message to USITC staff, February 15, 2017.

²²⁴ Sonapi Parc Industriel de Caracol, *2016 Year End Report*, 6 (accessed March 2, 2017).

²²⁵ Castano Freeman, "Hong Kong's Winds Group to Open Haiti Factory," October 26, 2017.

²²⁶ Haitian apparel industry representative, email message to USITC staff, February 15, 2017, and U.S. apparel industry consultant, email message to USITC staff, March 1, 2017.

Virtually all (99.3 percent) of U.S. imports of apparel from Haiti entered duty free under trade preference programs in 2016. These programs offer unlimited duty-free treatment for certain apparel products and limited duty-free treatment for other apparel products made from non-originating fabrics up to certain quotas, known as tariff preference levels (TPLs). These programs have helped to revitalize and expand Haiti's apparel industry, as evidenced by continued job growth in the sector (1,887 jobs were added in the Caracol Industrial Park alone in 2016).²²⁷

In 2016, Haiti accounted for nearly all (99.9 percent) of U.S. imports of apparel entering under the CBTPA. Over a third (36.6 percent) of total U.S. imports of apparel from Haiti (\$307.9 million) entered under CBTPA provisions in 2016. This share was down, however, from previous years, reflecting a continued shift of U.S. apparel imports from Haiti from entering under CBTPA provisions to entering under the HOPE Acts because of the additional trade preferences that the HOPE Acts offer. The value of U.S. imports of apparel entering under the HOPE Acts rose 7.5 percent, from \$497.6 million in 2015 to \$535.0 million in 2016, and represented almost two-thirds (63.5 percent) of total U.S. apparel imports that entered free of duty from Haiti, up from 55.8 percent in 2015. Of the apparel imported from Haiti under the HOPE Acts in 2016, \$475.7 million, or 88.9 percent, entered under TPLs.²²⁸ Almost 30 percent (\$140.4 million) of these U.S. imports of apparel from Haiti entered under the woven apparel TPL in 2016 and 70 percent (\$335.2 million) entered under the knit apparel and value-added TPLs the same year.²²⁹

Most of the remaining U.S. imports (\$59.1 million) under the HOPE Acts in 2016 entered under the Earned Import Allowance Program, a special trade program created under HOPE II in 2008 that allows the duty-free entry into the United States of certain apparel manufactured in Haiti.²³⁰ In 2016, U.S. imports of apparel from Haiti under the program rose 3.0 percent to \$59.1 million, up from \$57.4 million in 2015. As in previous years, no U.S. imports of apparel entered under HTS 9820.61.45 in 2016, one of the HELP provisions added in 2010 that allows for unlimited duty-free imports of certain knit apparel. However, for the first time since 2010, when HTS 9820.63.05, a provision for home goods was also added under HELP, a small amount (\$5,000) of U.S. imports of home goods from Haiti entered under the HELP Act in 2016.

²²⁷ The Caracol Industrial Park is a major manufacturing hub (primarily of apparel) in northern Haiti, established in the years following Haiti's devastating earthquake of 2010. Sonapi Parc Industriel de Caracol, *2016 Year End Report*, 6 (accessed March 2, 2017).

²²⁸ The TPLs allow set quantities of 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.

²²⁹ The fill rates for the TPLs for woven apparel (HTS subheading 9820.62.05), knit apparel (HTS subheading 9820.61.35), and value-added apparel (HTS subheadings 9820.61.25 and 9820.61.30) were 45.3 percent, 30.9 percent, and 7.7 percent, respectively, for the preferential period October 1, 2015 to September 30, 2016. USDOC, Office of Textiles and Apparel, Haitian Hemispheric Opportunity through Partnership for Encouragement Act (Haiti HOPE), Preferential Period October 1, 2015–September 30, 2016.

²³⁰ The Earned Import Allowance Program seeks to encourage the purchase of qualifying fabric (defined as fabric formed in the United States from U.S.-formed yarns) for use in Haitian apparel manufacturing. The program originally provided that for every 3 square meters equivalent of qualifying fabric bought or manufactured by a producer for apparel production in Haiti, a 1-unit credit would be received. The credit could be used toward the duty-free importation of Haitian apparel into the United States that was produced using non-qualifying fabric. However, no apparel from Haiti was exported to the United States under the original 3-for-1 program. In 2010, the HELP Act reduced the exchange ratio from 3-for-1 to 2-for-1 in an effort to encourage the program's use.

Chapter 3

The World Trade Organization

This chapter covers developments in 2016 in the World Trade Organization (WTO). These include work programs and related items under the WTO General Council, as well as plurilateral agreements hosted under the WTO's auspices.²³¹ The chapter also summarizes developments in major WTO dispute settlement cases during the year.

WTO

During 2016, members of the WTO continued efforts to move forward with the multilateral trade negotiations that started in 2001 under the Doha Development Agenda (DDA), but made little progress. A number of delegates suggested moving to subjects not directly covered under the DDA, such as fisheries and fishery subsidies.²³² In his informal consultations with delegates during the year, the WTO Director-General Roberto Azevêdo, chairman of the DDA Trade Negotiating Committee, found that certain issues seemed to be gaining members' attention. These included agricultural topics such as programs to hold food security stocks ("public stockholding") and domestic support measures, as well as domestic regulation of services. During these consultations, the Director-General also found other subjects attracting members' interest, including small and medium-sized enterprises, electronic commerce, and services trade facilitation.²³³

General Council

The WTO General Council held five meetings in 2016.²³⁴ At the yearend council meeting on December 7, 2016, members agreed that the 11th WTO Ministerial Conference would be held in Buenos Aires, Argentina, December 11–14, 2017.²³⁵

²³¹ The WTO is based on a "multilateral" agreement whose rules and commitments apply to all its members. WTO members may also negotiate smaller "plurilateral" agreements whose rules and commitments apply only to the members that have signed it.

²³² WTO, "Ministerial Conferences—Ministers Support Call for Increased Efforts to Find Possible Areas of Agreement for MC11," June 2, 2016; *Inside U.S. Trade*, "WTO Members Stalled over Future Negotiations," May 20, 2016.

²³³ WTO, GC, "Minutes of the Meeting—Held in the Centre William Rappard on 3 October 2016: Annex 2—The Director-General's Report at the Informal Heads of Delegation Meeting Held on 30 September 2016," November 10, 2016; WTO, General Council, "Agenda Items 2—Report by the Chairman of the Trade Negotiations Committee—Monday, 27 February 2017—Director-General's Report at the Informal Heads of Delegation Meeting on 23 February 2017," March 1, 2017, 2–4.

²³⁴ February 24, May 12, July 27, October 3, and December 7, 2016.

²³⁵ WTO, "Ministerial Conferences—Dates Fixed for 2017 Ministerial Conference in Buenos Aires," December 8, 2016. In addition, WTO members agreed on February 28, 2017, to appoint the current Director-General, Roberto Azevêdo, to a second term of four years, to begin on September 1, 2017. WTO, "Roberto Azevêdo Reappointed WTO Director-General," February 28, 2017.

Work Programs, Decisions, Waivers, and Reviews

In 2016, the General Council continued discussions on items under the DDA Work Program regarding small economies, least-developed developing countries, the development assistance aspects of cotton, and electronic commerce. During the year, the General Council adopted decisions on nomenclature changes in WTO tariff schedules for the 2002, 2007, and 2012 versions of the global Harmonized Commodity Description and Coding System (HS). The Council also reviewed waivers agreed on previously, including the U.S. waivers related to the Caribbean Basin Economic Recovery Act (CBERA) and trade preferences for the Pacific Islands and Nepal.²³⁶

Accessions

WTO membership rose to 164 members in 2016: Liberia joined on July 14, 2016, and Afghanistan joined on July 29, 2016 (table 3.1). Another 21 countries were in various stages of applying for membership in 2016.²³⁷ There were 22 country observers to the WTO at yearend 2016 (table 3.2).²³⁸ In addition, the following 8 international organizations attend WTO General Council meetings as observers: the Food and Agriculture Organization of the United Nations, International Monetary Fund, International Trade Centre, Organisation for Economic Co-operation and Development, United Nations, United Nations Conference on Trade and Development, World Bank, and the World Intellectual Property Organization.

²³⁶ WTO, GC, *World Trade Organization Annual Report 2016*, December 21, 2016; USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 1, 2017, 14.

²³⁷ WTO, "Accessions: DG Azevêdo Welcomes Liberia as 163rd WTO Member," July 14, 2016; WTO, "Accessions: DG Azevêdo Welcomes Afghanistan as 164th WTO Member," July 29, 2016.

²³⁸ Countries negotiating membership are WTO "observers" with the exception of the Holy See (the Vatican).

Table 3.1 WTO members in 2016

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

Source: WTO, "Understanding the WTO: The Organization; Members and Observers," July 29, 2016.

^aIn the WTO, Burma is known as Myanmar.

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

^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 2016

Country		
Algeria	Equatorial Guinea	Somalia
Andorra	Ethiopia	Sudan
Azerbaijan	Iran	Syria
Bahamas	Iraq	Timor-Leste
Belarus	Lebanon	Uzbekistan
Bhutan	Libya	Vatican (The Holy See)
Bosnia and Herzegovina	São Tomé and Príncipe	
Comoros	Serbia	

Source: WTO, "Understanding the WTO: The Organization; Members and Observers," July 29, 2016.

Expansion of the Information Technology Agreement

The Information Technology Agreement (ITA),²³⁹ concluded in December 1996, is aimed at the elimination of import duties on information and communications technology (ICT) products such as computers, telecommunications equipment, semiconductors and their manufacturing and testing equipment, software, and scientific instruments, as well as parts and accessories for such products.²⁴⁰ Eighty-two WTO members are currently participants in the ITA.²⁴¹

From 2012 to 2015, a subset of 24 ITA participants²⁴² held additional negotiations to expand the products covered under the ITA. On July 24, 2015, nearly all of these participants agreed to eliminate tariffs on goods from the newly agreed-on list.²⁴³ The parties to this expansion (often called “the ITA Expansion”) agreed to phase out tariffs on an additional 201 ICT products, such as advanced semiconductors, software media, high-tech medical devices, global positioning systems, and high-tech testing instruments.²⁴⁴ Because the most-favored-nation principle applies to WTO agreements, all WTO members will benefit from duty-free access to the markets of the parties to the ITA Expansion.²⁴⁵

In 2016, the parties to the ITA Expansion agreement began to implement the agreement’s expanded provisions. By yearend, a majority of participants had implemented their initial tariff commitments, with full implementation on track according to the agreement’s schedule.²⁴⁶

Agreement on Trade Facilitation

In December 2013, at the Ninth WTO Ministerial Conference in Bali, Indonesia, WTO members concluded an Agreement on Trade Facilitation (TFA). The TFA seeks to expedite the movement, release, and clearance of traded goods across national borders to help increase trade flows through the multilateral trade system. In large measure the TFA works to attain these goals by making rules and their implementation more transparent—for example, via electronic publication of information about port procedures, fees, penalties, prohibitions, tariff quotas, and customs rules.²⁴⁷

²³⁹ Formally, the WTO Ministerial Declaration on Trade in Information Technology Products (WT/MIN(96)/16).

²⁴⁰ WTO, “Information Technology” (accessed March 14, 2017).

²⁴¹ Ibid.

²⁴² The participants in the expansion are Albania, Australia, Canada, China, Colombia, Costa Rica, the European Union, Guatemala, Hong Kong, Iceland, Israel, Japan, Malaysia, Mauritius, Montenegro, New Zealand, Norway, the Philippines, Singapore, South Korea, Switzerland (on behalf of the customs union of Switzerland and Liechtenstein), Taiwan, Thailand, and the United States. WTO, “Briefing Note: The Expansion of Trade in Information Technology Products (ITA Expansion),” December 16, 2015. Macao, China, joined in 2016.

²⁴³ Formally, the Declaration on the Expansion of Trade in Information Technology Products. WTO, General Council, “Declaration on the Expansion of Trade in Information Technology Products—Communication from the European Union,” July 28, 2015.

²⁴⁴ For more information on the ITA Expansion, see USITC, *The Year in Trade 2015*, July 2016, 95–97.

²⁴⁵ WTO, “WTO Members Conclude Landmark \$1.3 Trillion IT Trade Deal,” December 16, 2015.

²⁴⁶ WTO, “Information Technology Agreement—Majority of Participants,” November 1, 2016; USTR, *Trade Policy Agenda*, March 2017, 111.

²⁴⁷ WTO, “Information Technology” (accessed March 14, 2017).

In 2013, members agreed to several decisions to help implement the so-called Bali Package of outcomes from the ninth ministerial conference, one of which included a decision to implement the TFA.²⁴⁸ By November 2014, members had adopted the legal protocol required to amend the WTO Agreement to include the TFA, once two-thirds of WTO members (110 out of 164) had formally accepted the TFA.²⁴⁹ The WTO Preparatory Committee on Trade Facilitation was established to help bring about the TFA's entry into force. During 2016, members reported to the committee on their national experiences with domestic reform efforts and the acceptance procedures ultimately needed to implement their TFA commitments. Despite these efforts, the agreement had not been adopted by yearend 2016.²⁵⁰

Negotiations on an Environmental Goods Agreement

Negotiations toward an Environmental Goods Agreement (EGA) began July 8, 2014. This agreement aims at reducing customs duties on products used to treat and benefit the environment, including goods that generate clean and renewable energy; improve energy and resource efficiency; reduce air, water, and ground pollution; manage solid and hazardous wastes; monitor environmental quality; and help to abate noise.²⁵¹ The 18 EGA participants are Australia, Canada, China, Costa Rica, the European Union (EU), Hong Kong, Iceland, Israel, Japan, Liechtenstein, New Zealand, Norway, Singapore, South Korea, Switzerland, Taiwan, Turkey, and the United States.²⁵²

Participants held their first formal round of 2016 on March 2–4, discussing several circulated proposals on tariff “staging,” that is, the phasing out of tariffs over time.²⁵³ At their 13th round of negotiations on April 18–22, 2016, participants continued discussions on proposals for tariff cuts and phaseouts, and began to focus on products identified as sensitive by various participants.²⁵⁴ The next discussions, on June 20–24 and July 24–29, were held among small or bilateral groupings. These discussions sought to overcome sensitivities about tariff elimination or phaseouts for certain goods.²⁵⁵

In the September 19–23 round, participants sought to narrow the types of environmental products that would be included on the final list, which was pared to some 300 tariff lines nominated by EGA participants.²⁵⁶ A number of participants also endorsed the goal of a yearend target for reaching a final

²⁴⁸ WTO, “Ministerial Conference, Ninth Session, Bali, 3–6 December 2013. Agreement on Trade Facilitation—Ministerial Decision of 7 December 2013,” WT/MIN(13)/36, WT/L/911, December 11, 2013.

²⁴⁹ WTO, GC, “Protocol Amending the Marrakesh Agreement Establishing the World Trade Organization—Decision of 27 November 2014,” WT/L/940, November 28, 2014.

²⁵⁰ On February 22, 2017, the Agreement on Trade Facilitation entered into force after 110 (two-thirds) of the 164 WTO members deposited their formal legal documents accepting the agreement, making it the first multilateral agreement completed under WTO auspices in over 20 years. WTO, “Trade Facilitation—WTO’s Trade Facilitation Agreement Enters into Force,” February 22, 2017.

²⁵¹ WTO, “Progress Made on Environmental Goods Agreement, Setting Stage,” December 4, 2016.

²⁵² The EU negotiates as a single participant on behalf of its 28 member states.

²⁵³ Government of Canada, GAC, “WTO Environmental Goods Agreement (EGA),” modified December 14, 2016; ICTSD, “Environmental Goods Agreement Negotiators Eye Next Steps,” March 10, 2016.

²⁵⁴ ICTSD, “Environmental Goods Agreement Negotiators Discuss Tariff Cut Offers,” April 28, 2016.

²⁵⁵ ICTSD, “Environmental Goods Agreement Negotiators Bargain on Coverage,” June 30, 2016.

²⁵⁶ ICTSD, “Environmental Goods Agreement Participants Prepare Final Push,” September 29, 2016.

agreement.²⁵⁷ During the October 16–20 negotiating round, EGA participants held further small-group discussions focused on product categories considered contentious by the chairman of EGA talks.²⁵⁸

The 18th round of EGA negotiations was held November 26–December 2, and a concluding ministerial meeting was scheduled for December 3–4.²⁵⁹ Whereas progress was reported at the talks that began in November, participants were unable to overcome remaining differences in time to conclude negotiations by the scheduled ministerial meeting.

At yearend 2016, the EGA chair leading the negotiations noted that participants seemed likely to find consensus over an “A list” of more than 250 out of roughly 300 tariff lines under discussion; the remaining “B list” items were considered more sensitive to some participants and likely to require political-level decisions.²⁶⁰ As a consequence, further work was considered necessary in 2017 before the participants could resolve their remaining points of disagreement.²⁶¹

Discussions on Fisheries Subsidies

As part of the 2001 WTO Ministerial Conference in Doha, Qatar, WTO members agreed to open negotiations to clarify and improve WTO rules and disciplines on fisheries subsidies to address overcapacity and overfishing.²⁶² Work on fisheries subsidies advanced in the WTO Negotiating Group on Rules (NGR), and following the 2011 pause in the overall Doha Round negotiations, resumed in the lead-up to the 2015 WTO Ministerial Conference in Nairobi, Kenya.²⁶³ With members’ views sharply divided on the subject, however, no consensus was reached, although all parties agreed that work on fisheries subsidies should continue in 2016.²⁶⁴

In June 2016, NGR members expressed strong interest in developing new international rules on fisheries subsidies, but continued to disagree on how to do so.²⁶⁵ On September 14, 2016, a group of 13 “like-minded” WTO members issued a joint statement on beginning preparations for new negotiations for an “ambitious, high-standard” plurilateral WTO agreement to prohibit harmful fisheries subsidies, while at the same time working in parallel with all WTO members toward a wider multilateral agreement.²⁶⁶ The 13 members of this coalition are Argentina, Australia, Canada, Chile, Colombia, New Zealand, Norway,

²⁵⁷ ICTSD, “Environmental Goods Agreement Negotiators Prepare for December Deadline,” October 27, 2016.

²⁵⁸ *Ibid.*; Government of Canada, GAC, “WTO Environmental Goods Agreement (EGA),” modified December 14, 2016.

²⁵⁹ WTO, “Environmental Goods Agreement (EGA)” (accessed March 16, 2017); Trade Reports International Group, “EGA Negotiators Miss Mark,” December 5, 2016, 1.

²⁶⁰ WTO, “Environmental Goods Agreement (EGA)” (accessed March 16, 2017); ICTSD, “Ministerial Talks to Clinch Environmental Goods Agreement,” December 8, 2016; Trade Reports International Group, “EGA Negotiators Miss Mark,” December 5, 2016; Baschuk, “Environment—Environmental Trade Talks Collapse,” December 6, 2016, 1.

²⁶¹ WTO, “Environmental Goods Agreement (EGA)” (accessed March 16, 2017); Government of Canada, GAC, “WTO Environmental Goods Agreement (EGA),” modified December 14, 2016.

²⁶² WTO, “Briefing Note: Negotiations on Rules—Anti-dumping and Subsidy Disciplines (including Fisheries Subsidies) and Regional Trade Agreements,” updated March 2016.

²⁶³ *Ibid.*

²⁶⁴ *Ibid.*

²⁶⁵ WTO, “WTO Members Affirm Interest,” June 29, 2016.

²⁶⁶ USTR, “Joint Statement Regarding Fisheries Subsidies,” September 14, 2016; USTR, “Obama Administration Undertaking Global Initiative,” September 14, 2016.

Papua New Guinea, Peru, Singapore, Switzerland, United States, and Uruguay.²⁶⁷ By yearend, three other WTO members—Brazil, Iceland, and Panama—had joined this initiative.²⁶⁸

In December 2016, at the yearend meeting of the NGR, WTO members discussed several new proposals to strengthen disciplines on fisheries subsidies with an aim of reaching an outcome at the next ministerial conference, scheduled for December 2017 in Buenos Aires, Argentina. Also at this meeting of the NGR, Canada reported that the separate group of coalition members who were participating in the plurilateral initiative would hold their first substantive meeting in early 2017, and that any NGR member wishing to take part could join. Canada said that 16 members had signaled their interest by yearend 2016.²⁶⁹

Selected Plurilateral Agreements Already in Force

Agreement on Trade in Civil Aircraft

The plurilateral WTO Agreement on Trade in Civil Aircraft was signed in 1980, and commits only those WTO members that have accepted its disciplines to eliminate tariffs on civil aircraft and other obligations related to civil aircraft. There were 32 signatories to the agreement in 2016, with 20 of them EU member states.²⁷⁰ With the addition of Tajikistan (see below), there were 25 country observers to the committee, as well as several international organizations with observer status.²⁷¹

The Committee on Trade in Civil Aircraft held one regular meeting during the year, on November 3, 2016. During the meeting, the committee granted observer status to Tajikistan. The committee chair also suggested opening proposed work on revising the agreement’s Product Coverage Annex through informal consultations. Such revision would aim to bring the annex into conformity with the 2012 HS. Neither the regular committee nor the technical subcommittee under the Committee on Trade in Civil Aircraft met during 2016.²⁷²

Agreement on Government Procurement

At the end of 2016, there were 19 parties to the 1994 WTO Agreement on Government Procurement (GPA).²⁷³ In 2012, the parties to the GPA 1994 formally adopted a revised agreement that expanded

²⁶⁷ Ibid.

²⁶⁸ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 150.

²⁶⁹ WTO, “WTO Members Engage on New Fisheries Subsidies Proposals,” December 9, 2016.

²⁷⁰ The 32 signatories to the agreement are Albania, Canada, Egypt, the EU, Georgia, Japan, Macao, Montenegro, Norway, Switzerland, Taiwan, and the United States, along with 20 EU member states that are signatories in their own right: Austria, Belgium, Bulgaria, Denmark, Estonia, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Romania, Spain, Sweden, and the UK. WTO, “Report (2016) of the Committee on Trade in Civil Aircraft (Adopted 3 November 2016),” November 7, 2016.

²⁷¹ The 25 WTO members with observer status in the Committee on Trade in Civil Aircraft are Argentina, Australia, Bangladesh, Brazil, Cameroon, China, Colombia, Gabon, Ghana, India, Indonesia, Israel, Mauritius, Nigeria, Oman, Russia, Saudi Arabia, Singapore, South Korea, Sri Lanka, Tajikistan, Trinidad and Tobago, Tunisia, Turkey, and Ukraine.

²⁷² WTO, “Report (2016) of the Committee on Trade in Civil Aircraft (Adopted 3 November 2016),” November 7, 2016.

²⁷³ The 19 parties to the GPA were Armenia, Canada, Hong Kong, Iceland, Israel, Japan, Liechtenstein, Moldova, Montenegro, the Netherlands with respect to Aruba, New Zealand, Norway, Singapore, South Korea, Switzerland,

access to government procurement markets. The revised agreement entered into force in April 2014. In 2016, Ukraine and Moldova became full parties to the GPA 1994 on April 18 and July 14, respectively, when each deposited its formal instrument of acceptance of the agreement. Also in 2016, three parties—Ukraine, Moldova, and South Korea—became full parties to the revised agreement. As of yearend 2016, all parties to the GPA 1994 except Switzerland were also parties to the revised agreement.²⁷⁴

Kazakhstan was approved during the year to become an observer in the Committee on Government Procurement, which oversees operation of both the original and the revised Agreement on Government Procurement. This addition brought the number of country observers in the committee to 29, in addition to a number of international organizations. In 2016, Russia asked to open accession negotiations to the GPA, bringing the number of accessions in progress to nine countries.²⁷⁵

The WTO Committee on Government Procurement held four meetings in 2016: February 17, June 22, October 18, and November 28. In June, the committee agreed to the Decision of Arbitration Procedures for the revised GPA, which provides a tool to resolve disputes when parties are in the process of modifying or clarifying coverage under the revised agreement.²⁷⁶ The committee also continued with its various work programs, notably those dealing with access to government procurement activities for small and medium-sized enterprises, the collection and reporting of statistical data on government procurement, the promotion of environmental sustainability in the parties' procurement processes, and restrictions and exclusions in parties' annexes to the agreement.²⁷⁷

Dispute Settlement Body

This section offers several pieces of information about the Dispute Settlement Body (DSB). It provides (1) a tally of new requests for consultations filed by WTO members during calendar year 2016 under the WTO Dispute Settlement Understanding (DSU); (2) a table that lists the new panels established during calendar year 2016 (involving all WTO members) to review matters raised in complaints under the DSU; and (3) short summaries of the procedural and substantive issues in disputes involving the United States that moved to the panel stage during 2016, along with summaries of panel and Appellate Body reports involving the United States that were issued or adopted during 2016.

Box 3.1 provides an overview of the WTO dispute settlement process, and table 3.3 lists the disputes (involving all WTO members) that moved from the consultation stage to the more formal panel litigation stage during 2016. 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 2016.

Taiwan, Ukraine, the United States, and the EU. Counting the 28 EU member states as signatories, there are 47 separate signatories to the agreement. WTO, *Report (2016) of the Committee on Government Procurement*, November 29, 2016.

²⁷⁴ WTO, "Agreement on Government Procurement: Parties, Observers and Accessions" (accessed April 13, 2017).

²⁷⁵ WTO, "Report (2016) of the Committee on Government Procurement," November 29, 2016. The nine countries that were in the process of accession to the GPA in 2016 are Albania, Australia, China, Georgia, Jordan, Kyrgyzstan, Oman, Russia, and Tajikistan.

²⁷⁶ Ibid.

²⁷⁷ Ibid.

Box 3.1 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 Dispute Settlement Body (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 that 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 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.

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

^b WTO DSU, Article 4.

^c WTO DSU, Article 6.

^d WTO DSU, Article 17.6.

^e WTO DSU, Article 21.3.

^f WTO DSU, Article 22.

Table 3.3 WTO dispute settlement panels established during 2016

Case no.	Complainant	Respondent	Case name	Panel established
DS493	Russian Federation	Ukraine	Ukraine—Anti-Dumping Measures on Ammonium Nitrate from Russia	April 22, 2016
DS494	Russian Federation	European Union	European Union—Cost Adjustment Methodologies and Certain Anti-Dumping Measures on Imports from Russia (Second complaint)	December 16, 2016
DS499	Ukraine	Russian Federation	Russia—Measures Affecting the Importation of Railway Equipment and Parts Thereof	December 16, 2016
DS502	European Union	Colombia	Colombia—Measures Concerning Imported Spirits	September 26, 2016
DS504	Japan	South Korea	Korea—Anti-Dumping Duties on Pneumatic Valves from Japan	July 4, 2016
DS505	Canada	United States	United States—Countervailing Measures on Supercalendered Paper from Canada	July 21, 2016
DS508	United States	China	China—Export Duties on Certain Raw Materials	November 8, 2016
DS509	European Union	China	China—Duties and Other Measures concerning the Exportation of Certain Raw Materials	November 23, 2016

Source: Derived from WTO, "Dispute Settlement: The Disputes—Chronological List of Disputes" (accessed May 19, 2017).

The summaries of issues in dispute in this section of the report are based entirely on information in publicly available documents, including summaries published online by the WTO, summaries included in USTR's *2017 Trade Policy Agenda and 2016 Annual Report*, and summaries included in USTR press releases. They should not be regarded as comprehensive or as reflecting a U.S. government or Commission interpretation of the issues raised or addressed in the disputes or in panel or Appellate Body reports. A table showing procedural developments during 2016 in disputes in which the United States was the complainant or respondent appears in appendix table A.25.

This section focuses on developments during 2016. Several disputes in which panels had been established in 2015 were active during 2016, with decisions expected in 2017; the panel decisions in these cases will be summarized in the Commission's 2018 report.²⁷⁸ Two disputes were resolved through additional consultations. In dispute DS489, *China—Measures Related to Demonstration Bases and Common Service Platforms Programmes*, the United States and China held additional consultations following the establishment of a panel in 2015 and reached agreement in April 2016 on a memorandum of understanding. Under the memorandum, China agreed to terminate the export subsidies it had provided through the Demonstration Bases-Common Service Platform program.²⁷⁹ Dispute DS501, *China—Tax Measures Concerning Certain Domestically Produced Aircraft*, was resolved following consultations between the United States and China on January 29, 2016, when China rescinded discriminatory tax exemptions on certain domestically produced aircraft.²⁸⁰ Two other disputes dating back to 2010 and 2012 and involving U.S. antidumping measures on certain shrimp from Vietnam were resolved in 2016, after panel and Appellate Body recommendations and rulings, when Vietnam and the United States reached a mutually agreed solution.²⁸¹

This section also generally focuses only on developments through the panel and Appellate Body stage and does not include matters that arise after the Dispute Settlement Body (DSB) adopts panel or Appellate Body reports in the original dispute. As indicated in box 3.1, dispute litigation often continues

²⁷⁸ For example, the panel in DS488 was established in March 2015 and composed in July 2015. The panel met with the parties on July 20–21, 2016, and November 1–2, 2016. WTO, "Dispute Settlement: DS488; United States—Anti-Dumping Measures on Oil Tubular Goods from Korea" (accessed May 29, 2017); and USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 92. The panel in DS491 was established in September 2015 and composed on February 4, 2016. The panel held its first substantive meeting on December 6–7, 2016. WTO, "Dispute Settlement: DS491; United States—Anti-Dumping and Countervailing Measures on Certain Coated Paper from Indonesia" (accessed May 29, 2017); USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 92–93.

²⁷⁹ WTO, "Dispute Settlement: DS489; China—Measures Related to Demonstration Bases and Common Service Platforms Programmes" (accessed May 28, 2017); USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 59.

²⁸⁰ The United States had requested consultations with China on December 8, 2015. In its complaint, the United States said that it appears that China was exempting the sale of certain domestically produced aircraft from China's value-added tax (VAT) while subjecting imported aircraft to the VAT. The United States also alleged that China had failed to publish the measures that establish these exemptions. The United States stated that these measures appear to be inconsistent with Articles III:2 and III:4 of the GATT 1994, and that China also appeared to have acted inconsistently with its obligations under Article X:1 of the GATT 1994 and a number of commitments in its WTO accession agreement. USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 59.

²⁸¹ The United States and Vietnam notified the DSB of their mutually agreed solution on July 18, 2016. See WTO, "Dispute Settlement: DS404; United States—Anti-dumping Measures on Certain Shrimp from Viet Nam" (accessed May 28, 2017); WTO, "Dispute Settlement: DS429; United States—Anti-Dumping Measures on Certain Shrimp from Viet Nam" (accessed May 28, 2017). See also USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 82–83.

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 that party to comply with the findings and recommendations, and possible compensation and retaliation. Matters may be referred to the original panel or to a new panel for further findings and recommendations on compliance and other matters, and when appropriate, the parties may seek the help of an arbitrator to resolve matters.

Appendix table A.25 sets out a timeline for procedural actions in most of the active WTO dispute settlement cases, including procedural actions at the implementation, compliance, and compensation/retaliation stages. A number of disputes were still active during 2016 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,²⁸² respectively, against each other’s large civilian aircraft measures.²⁸³ Several other proceedings of note were underway during 2016 after adoption of panel and Appellate Body reports. These involved a dispute with respect to U.S. measures relating to the importation, marketing, and sale of tuna and tuna products;²⁸⁴ a dispute relating to measures imposed

²⁸² In this report’s WTO dispute settlement section, the term “European Communities” is used rather than “EU” if the source document—the WTO online summary—uses “European Communities.”

²⁸³ Compliance proceedings began in 2012 in both disputes and remained underway throughout 2016 in DS353 (brought by the EU against the United States). In DS316 (brought by the United States against the EU), the report of the compliance panel was circulated on September 22, 2016. The panel found that the EU breached Articles 5(c) and 6.3(a), (b), and (c) of the SCM agreement, and that the EU and certain member states failed to comply with the DSB recommendations under Article 7.8 of the SCM Agreement to “take appropriate steps to remove the adverse effects or...withdraw the subsidy.” In particular, the compliance panel found the following: (1) 34 out of 36 alleged compliance “steps” notified by the EU did not amount to “actions” with respect to the subsidies provided to Airbus or the adverse effects that those subsidies were to have caused in the original proceeding; (2) as a result, the EU failed to withdraw the subsidies, as recommended by the DSB; and (3) those subsidies were a genuine and substantial cause of lost sales to U.S. aircraft, and displacement and impedance of exports of U.S. aircraft. On October 13, 2016, the EU notified the DSB of its decision to appeal certain issues developed by the compliance panel. See WTO, “Dispute Settlement: DS316; European Communities—Measures Affecting Trade in Large Civil Aircraft” (accessed May 28, 2017); WTO, “Dispute Settlement: DS353; United States—Measures Affecting Trade in Large Civil Aircraft—Second Complaint” (accessed May 18, 2017); USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 63.

²⁸⁴ WTO, “Dispute Settlement: DS381; United States—Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products” (accessed May 28, 2017). The dispute concerned U.S. dolphin-safe labeling provisions for tuna and tuna products and whether they were consistent with U.S. obligations under the GATT 1994 and the Agreement on Technical Barriers to Trade (TBT Agreement). 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 stated that it had brought its requirements into conformity with the DSB recommendations and rulings. Compliance proceedings began in 2013. On December 3, 2015, the DSB adopted the Appellate Body report and panel report as modified. On March 22, 2016, the U.S. National Oceanic and Atmospheric Administration issued a new rule modifying the dolphin-safe labeling measure, and on April 22, 2016, the United States requested the establishment of a compliance panel to determine if the new rule is consistent with U.S. WTO obligations. On June 9, 2016, Mexico requested the establishment of a second compliance panel because it considered that the United States’ new rule had not brought the dolphin-safe labeling provisions into WTO compliance. The compliance panel expects to issue its final report in mid-2017. On March 10, 2016, Mexico requested authorization of the DSB to suspend concessions or other obligations. On March 23, 2016, it was agreed at the DSB meeting that the matter be referred to arbitration under Article 22.6 of the DSU. On April 25, 2017, the arbitrator circulated its decision. The arbitrator determined that the level of nullification or impairment suffered by Mexico as a result of the 2013 tuna measure is \$163.23 million per annum. See also USTR,

by India on certain agricultural products from the United States;²⁸⁵ and a dispute relating to China's antidumping and countervailing measures on broiler products from the United States.²⁸⁶

New Requests for Consultations and New Panels Established

During 2016, WTO members filed 17 requests for WTO dispute settlement consultations in new disputes, which represented an increase from the 13 new requests filed in 2015 and 14 filed in 2014.²⁸⁷ Of the 17 new requests filed during 2016, the United States was involved in 8 (as complainant in 3 and respondent in 5), as compared with 3 of the 13 requests in 2015 (as complainant in 2 and as respondent in 1) and 3 of the 14 requests filed in 2014 (as complainant in 1 and respondent in 2).²⁸⁸ During 2016,

"U.S. Announces Compliance," July 12, 2013; USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 77–78.

²⁸⁵ WTO, "Dispute Settlement: DS430; India—Measures Concerning the Importation of Certain Agricultural Products from the United States" (accessed May 28, 2017). In this dispute the United States requested consultations on March 6, 2012, regarding India's import prohibitions on various agricultural products from the United States. India asserted that these prohibitions were necessary to prevent the entry of avian influenza into India. However, the United States had not had an outbreak of highly pathogenic avian influenza since 2004. After consultations failed to resolve the dispute, the United States requested establishment of a panel. The panel issued its report on October 14, 2014, and found in favor of the United States. India appealed, and on June 4, 2015, the Appellate Body issued a report upholding the panel's findings. India informed the DSB that it would implement the DSB's recommendations and rulings, and the United States and India agreed that a reasonable period of time for doing so would be 12 months, ending on June 19, 2016. On July 7, 2016, the United States requested the authorization of the DSB to suspend concessions or other obligations pursuant to Article 22.2 of the DSU. India objected to the request, and referred the matter to arbitration. USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 65–66.

²⁸⁶ WTO, "Dispute Settlement: DS427; China—Anti-Dumping and Countervailing Duty Measures on Broiler Products from the United States" (accessed May 28, 2017). In response to the panel report, China initiated a reinvestigation of U.S. producers and released re-determinations on July 8, 2014, which continued the imposition of antidumping and countervailing duties on U.S. broiler products. The United States considered that China failed to bring its measures into WTO compliance and on May 27, 2016, the United States requested establishment of a compliance panel. The panel was composed on July 18, 2016. On October 18, 2016, the Chairperson of the panel informed the DSB that the panel expected to issue its report before the end of 2017. See USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 58; WTO, "Dispute Settlement: DS427; China—Anti-Dumping and Countervailing Duty Measures on Broiler Products from the United States" (accessed May 28, 2017).

²⁸⁷ The number of requests for WTO dispute settlement consultations referred to in this section includes only requests made in connection with new disputes and does not include requests for consultations filed in connection with compliance proceedings after the DSB's adoption of panel and/or Appellate Body reports. In its *2017 Trade Policy Agenda and 2016 Annual Report*, USTR reports a generally declining number of annual filings of requests for consultations during the DSB's first 21 years of operation—25 in 1995, 42 in 1996, 46 in 1997, 44 in 1998, 31 in 1999, 30 in 2000, 27 in 2001, 37 in 2002, 26 in 2003, 19 in 2004, 11 in 2005, 20 in 2006, 14 in 2007, 19 in 2008, 14 in 2009, 17 in 2010, 8 in 2011, 27 in 2012, 17 in 2013, 14 in 2014, and 13 in 2015. Thus in the first 10 years of the DSB's operation 327 requests for consultation were filed, versus 174 in the following 11 years. USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 50. The number of requests shown in the USTR report and in Commission reports may vary based on whether the number is for a calendar year or a fiscal year or due to other factors.

²⁸⁸ The United States filed two new disputes in early 2017: DS519, China—Subsidies to Producers of Primary Aluminum (consultations were requested on January 12, 2017), and DS520, Canada—Measures Governing the Sale of Wine in Grocery Stores (consultations were requested on January 18, 2017). As of early April 2017, both

the United States and China were the two WTO members most often named in new disputes, either as the complaining or responding party—the United States was the complaining or responding party in 8 disputes and China in 6. In terms of new disputes filed during 2016, the United States and Brazil each filed 3, while China, the EU, India, and Japan each filed 2, and Canada, Morocco, and Turkey each filed 1. The countries named as the respondents in those disputes were the United States (in 5 disputes), China (in 4), and Colombia, the EU, India, Indonesia, Morocco, Russia, South Korea, and Thailand in 1 each.²⁸⁹

Eight new dispute settlement panels were established during 2016 (table 3.3). The United States was the complaining party in one of these panel proceedings, and the responding party in one. The 8 new panels established in 2016 represent a decrease from the 16 panels established in 2015, the 13 panels established in 2014, and the 12 panels established in 2013.

Requests for Consultations Filed during 2016 in Which the United States Was the Complaining Party or the Responding Party

Requests in Which the United States Was the Complaining Party

All three new disputes filed by the United States during 2016 concerned measures taken by China. As of the end of 2016, a panel had been established to consider one of the disputes and the other two disputes were still in consultations. In the first dispute (DS508), filed on July 13, 2016, the United States requested consultations with China regarding China's export duties on various forms of antimony, cobalt, copper, graphite, lead, magnesia, talc, tantalum, and tin. On July 19, 2016, the United States requested supplementary consultations on additional related issues. On October 13, 2016, the United States requested establishment of a panel, and the DSB established a panel on November 8, 2016. As of the end of 2016, the panel had not been composed. The issues raised in this dispute are summarized in the next section.²⁹⁰

In the second dispute (DS511), filed on September 13, 2016, the United States requested consultations with China regarding certain measures through which China appears to provide domestic support in favor of agricultural producers, in particular those producing wheat, indica rice, japonica rice, and corn. The United States claimed that the measures appear to be inconsistent with Articles 3.2, 6.3, and 7.2(b) of the Agreement on Agriculture. As of the end of 2016, the matter was in consultations.²⁹¹

In the third dispute (DS517), filed on December 15, 2016, the United States requested consultations with China concerning China's administration of its tariff-rate quotas, including those for wheat, short- and medium-grain rice, and corn. The United States claimed that the measures appear to be inconsistent with Articles X:3(a), XI:1, and XIII:3(b) of the General Agreement on Tariffs and Trade (GATT)

disputes were still in consultations. The issues raised and status of the dispute will be summarized in the next report.

²⁸⁹ Statistics derived from the WTO's "Chronological List of Disputes Cases."

²⁹⁰ WTO, "Dispute Settlement: DS508; China—Export Duties on Certain Raw Materials" (accessed April 30, 2017).

²⁹¹ After consultations failed to resolve the dispute, the United States, on December 5, 2016, requested establishment of a panel. The DSB established a panel at its meeting on January 17, 2017. WTO, "Dispute Settlement: DS511; China—Domestic Support for Agricultural Producers" (accessed April 30, 2017).

1994, and Paragraph 1.2 of Part I of China's Protocol of Accession. As of the end of 2016, the matter was in consultations.²⁹²

Requests in Which the United States Was the Responding Party

The United States was the named respondent in five new disputes filed during 2016. As of the end of 2016, a panel had been established and composed to consider one of the disputes, and the remaining four were still in consultations. In the first dispute (DS503), filed on March 3, 2016, India requested consultations with the United States regarding certain measures (1) allegedly imposing increased fees on certain applicants for L-1 and H-1B categories of non-immigrant visas, and (2) relating to a numerical commitment for H-1B visas. India claimed that the measures are inconsistent with certain articles of the GATS and paragraphs 3 and 4 of the GATS Annex on Movement of Natural Persons Supplying Services. As of the end of 2016, the matter was in consultations.²⁹³

In the second dispute (DS505), filed on March 30, 2016, Canada requested consultations with the United States regarding countervailing duties adopted by the United States on supercalendered paper and the investigation underlying the imposition of those duties. When consultations did not resolve the dispute, Canada requested the establishment of a panel. The DSB established a panel on July 21, 2016, and a panel was composed (by the Director-General) on August 31, 2016.²⁹⁴ The issues raised in this dispute are summarized in more detail in the next section.

In the third dispute (DS510), filed on September 9, 2016, India requested consultations with the United States concerning certain measures in the energy sector relating to domestic-content requirements and subsidies instituted by the governments of the states of Washington, California, Montana, Massachusetts, Connecticut, Michigan, Delaware, and Minnesota. India claimed that the measures appear to be inconsistent with Articles III:4, XVI:1 and XVI:4 of the GATT 1994, Article 2.1 of the Agreement on Trade-Related Investment Measures (TRIMS Agreement), and Articles 3.1(b), 3.2, 5(a), 5(c), 6.3(c), and 25 of the Agreement on Subsidies and Countervailing Measures (SCM Agreement). At the end of 2016, the dispute was in consultations.²⁹⁵

In the fourth dispute (DS514), filed on November 11, 2016, Brazil requested consultations with the United States concerning the imposition of certain countervailing measures with respect to cold- and hot-rolled steel flat products from Brazil, and certain aspects of the investigations underlying those measures. Brazil claimed that the measure appears to be inconsistent with certain articles and annexes of the SCM Agreement and Article VI of the GATT 1994. As of the end of 2016, the matter was in consultations.²⁹⁶

²⁹² WTO, "Dispute Settlement: DS517; China—Tariff Rate Quotas for Certain Agricultural Products" (accessed April 30, 2017).

²⁹³ WTO, "Dispute Settlement: DS503; United States—Measures Concerning Non-Immigrant Visas" (accessed April 30, 2017).

²⁹⁴ WTO, "Dispute Settlement: DS505; United States—Countervailing Measures on Supercalendered Paper from Canada" (accessed April 30, 2017).

²⁹⁵ On January 17, 2017, India requested establishment of a panel. The DSB established a panel on March 21, 2017. WTO, "Dispute Settlement: DS510; United States—Certain Measures Relating to the Renewable Energy Sector" (accessed April 30, 2017).

²⁹⁶ WTO, "Dispute Settlement: DS514; United States—Countervailing Measures on Cold- and Hot-Rolled Steel Flat Products from Brazil" (accessed April 30, 2017).

In the fifth dispute (DS515), filed on December 12, 2016, China requested consultations with the United States concerning certain provisions of U.S. law relating to the determination of normal value for nonmarket economy countries in antidumping proceedings involving products from China. China claimed that the measures appear to be inconsistent with Articles 2.1, 2.2, 9.2, 18.1, and 18.4 of the Antidumping Agreement, Articles I:1, VI:1, and VI:2 of the GATT 1994, and Article XVI:4 of the Marrakesh Agreement. As of the end of 2016, the matter was in consultations.²⁹⁷

Panels Established during 2016 at the Request of the United States

As shown in table 3.3, the DSB established one new panel in 2016 at the request of the United States. This panel concerned China's export restraints on certain raw materials (DS508). As of the end of 2016, the panel had not been composed. The issues raised and procedural history of the dispute are summarized below.

China—Export Duties on Certain Raw Materials (DS508)

The United States filed this dispute on July 13, 2016. The United States requested consultations with China regarding China's export restraints on the exportation of antimony, cobalt, copper, graphite, lead, magnesia, talc, tantalum, and tin. The export restraints include export quotas, export duties, and additional requirements that impose restrictions on the trading rights of enterprises seeking to export various forms of the materials, such as prior export performance requirements.²⁹⁸

The United States claimed that the measures appear to be inconsistent with Paragraph 11.3 of Part I of China's Accession Protocol. The United States also considered that the measures appear to nullify or impair the benefits accruing to the United States directly or indirectly under China's Accession Protocol. On July 19, 2016, the United States requested supplementary consultations concerning alleged restrictions on the export of various forms of antimony, chromium, indium, magnesia, talc, and tin. The United States claimed that the alleged restrictions appear to be inconsistent with Paragraphs 2(A)(2), 5.1, and 11.3 of Part I of China's Accession Protocol as well as paragraph 1.2 of the Accession Protocol (to the extent that it incorporates paragraphs 83, 84, 162, and 165 of the Report of the Working Party on the Accession of China), and Articles X:3(a) and XI:1 of the GATT 1994. The United States also considered that the alleged restrictions appear to nullify or impair the benefits accruing to the United States directly or indirectly under the cited agreements. On October 13, 2016, the United States requested the establishment of a panel, and the DSB established a panel at its meeting on November 8, 2016. As of end of 2016, the panel had not been composed.²⁹⁹

²⁹⁷ WTO, "Dispute Settlement: DS515; United States—Measures Related to Price Comparison Methodologies" (accessed May 3, 2017). On the same day, China filed a similar dispute relating to EU price comparison methodologies. On March 9, 2017, China requested establishment of a panel in the EU dispute, and the DSB established a panel on April 3, 2017. See WTO, "Dispute Settlement: DS516; European Union—Measures Related to Price Comparison Methodologies" (accessed May 3, 2017).

²⁹⁸ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 59.

²⁹⁹ WTO, "Dispute Settlement: DS508; China—Export Duties on Certain Raw Materials" (accessed April 30, 2017). The EU filed a similar complaint against China on July 19, 2016, regarding China's duties and other alleged restrictions on the export of various forms of antimony, chromium, cobalt, copper, graphite, indium, lead, magnesia, talc, tantalum, and tin. WTO, "Dispute Settlement: DS509; China—Duties and other Measures concerning the Exportation of Certain Raw Materials" (accessed May 3, 2017). The EU requested establishment of

Panels Established during 2016 in Which the United States Was the Named Respondent

The DSB established one panel during 2016 in which the United States was the named respondent. This panel, established at the request of Canada, concerned U.S. countervailing duties on supercalendered paper from Canada (DS505). As of the end of 2016, the panel had been composed. The issues raised and the procedural history of the dispute are summarized below.

United States—Countervailing Measures on Supercalendered Paper from Canada (DS505)

In this dispute, Canada challenged countervailing duties adopted by the United States on supercalendered paper and the investigation underlying the imposition of those duties. Canada's request for consultations also concerned alleged ongoing conduct regarding the application of adverse facts available to "discovered" information during the course of a countervailing duty investigation. Canada claimed that the measures are inconsistent with certain articles of the SCM Agreement³⁰⁰ and Article VI:3 of the GATT 1994. On June 9, 2016, Canada requested the establishment of a panel. The DSB established a panel on July 21, 2016, and a panel was composed (by the Director-General) on August 31, 2016.³⁰¹

Panel and Appellate Body Reports Issued and/or Adopted during 2016 That Involve the United States

During 2016, the DSB adopted panel and/or Appellate Body reports addressing original disputes³⁰² in five cases in which the United States was the complainant or a respondent (table 3.4). The reports in those disputes are summarized below.

a panel in that dispute and the DSB established a panel on November 23, 2016. As of the end of 2016, the panel had not been composed.

³⁰⁰ Articles 1.1(a)(1), 1.1(b), 2, 10, 11.1, 11.2, 11.3, 11.6, 12.1, 12.2, 12.3, 12.7, 12.8, 14, 14(d), 19.1, 19.3, 19.4, 22.3, 22.5, and 32.1 of the SCM Agreement.

³⁰¹ WTO, "Dispute Settlement: DS505; United States—Countervailing Measures on Supercalendered Paper from Canada" (accessed April 30, 2017).

³⁰² 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 2016 in which the United States was a party

Case no.	Complainant	Respondent	Case name	Date of report circulation or adoption
DS456	United States	India	India—Certain Measures Relating to Solar Cells and Solar Modules	AB report circulated (Sept. 16, 2016), adopted (Oct. 14, 2016)
DS464	South Korea	United States	United States—Anti-dumping and Countervailing Measures on Large Residential Washers from Korea	AB report circulated (Sept. 7, 2016), adopted (Sept. 26, 2016)
DS471	China	United States	United States—Certain Methodologies and their Application to Anti-Dumping Proceedings Involving China	Panel report circulated (Oct. 19, 2016), appealed to AB
DS478	United States	Indonesia	Indonesia—Importation of Horticultural Products, Animals, and Animal Products	Panel report circulated (Dec. 22, 2016)
DS487	European Union	United States	United States—Conditional Tax Incentives for Large Civil Aircraft	Panel report circulated (Nov. 28, 2016), appealed to AB

Derived from WTO, “Dispute Settlement: The Disputes—Chronological List of Disputes” (accessed May 19, 2017).

Reports in Which the United States Was the Complainant

India—Certain Measures Relating to Solar Cells and Solar Modules (DS456)

In its request for consultations in this dispute filed on February 6, 2013, the United States challenged certain measures of India relating to domestic-content requirements under the Jawaharlal Nehru National Solar Mission (NSM) for solar cells and solar modules. The United States claimed that the measures appear to be inconsistent with Article III:4 of the GATT 1994, Article 2.1 of the TRIMs Agreement, and Articles 3.1(b), 3.2, 5(c), and 25 of the SCM Agreement. The United States also claimed that the measures appear to nullify or impair the benefits accruing to the United States directly or indirectly under the cited agreements. On February 10, 2014, the United States requested supplementary consultations concerning certain measures of India relating to domestic-content requirements under Phase II of the NSM for solar cells and solar modules. After consultations failed to resolve the dispute, on April 14, 2014, the United States requested that a panel be established. The DSB established a panel on May 23, 2014, and the panel was composed on September 24, 2014.³⁰³

The panel issued its final public report was on February 24, 2016, finding in favor of the United States on all claims. The panel found that India’s domestic-content requirements under the NSM are inconsistent with India’s national treatment obligations under Article III:4 of the GATT 1994, and Article 2.1 of the TRIMs Agreement. It found India’s requirements to accord “less favorable” treatment to imported solar cells and modules than accorded to like products of Indian origin because Indian solar power developers were permitted to bid for and maintain certain power generation contracts only by using domestic produced equipment, and not using imported equipment. India appealed the decision to the WTO Appellate Body on April 20, 2016. The Appellate Body issued its report on September 16, 2016. The Appellate Body affirmed the panel’s finding that India’s domestic-content requirements under the NSM are inconsistent with India’s national treatment obligations under Article III:4 of the GATT 1994 and Article 2.1 of the TRIMs Agreement. It also affirmed the panel’s rejection of India’s defensive claims under Articles III:8(a), XX(j), and XX(d) of the GATT 1994.³⁰⁴

³⁰³ WTO, “Dispute Settlement: DS456; India—Certain Measures Relating to Solar Cells and Solar Modules” (accessed May 3, 2017).

³⁰⁴ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 66–67.

On October 14, 2016, the DSB adopted the Appellate Body report and the panel report, as modified by the Appellate Body report. On November 8, 2016, India informed the DSB that it intended to implement the DSB's recommendations and rulings in the dispute. On December 1, 2016, the United States and India informed the DSB that in order to allow enough time for them to discuss a mutually agreed period, they had agreed on deadlines for arbitration under Article 21.3(c) of the DSU.³⁰⁵

Indonesia—Importation of Horticultural Products, Animals, and Animal Products (DS478)

The United States, joined by New Zealand, challenged certain measures imposed by Indonesia relating to the importation of horticultural products, animals, and animal products. The United States claimed that the measures are inconsistent with Articles III:4 and XI:1 of the GATT 1994; Article 4.2 of the Agreement on Agriculture; Articles 1.2, 1.5, 1.6, 2.2, 3.2, 3.3, 5.1, and 5.2 of the Import Licensing Agreement; and Articles 2.2 and 2.15 of the Agreement on Preshipment Inspection.³⁰⁶

The United States requested consultations with Indonesia on May 8, 2014. When consultations failed to resolve the dispute, on March 18, 2015, the United States and New Zealand requested the WTO to establish a panel. On May 20, 2015, the DSB established a single panel to examine this dispute and DS477, which had been brought by New Zealand and involved similar claims. On October 8, 2015, the Director-General composed the panel.³⁰⁷

The panel circulated its report on December 22, 2016, and found all of Indonesia's import-restricting measures for horticultural products and animal products are inconsistent with Article XI:1 of the GATT 1994. The panel also found that Indonesia has failed to demonstrate that the challenged measures are justified under any general exception available under the GATT 1994.³⁰⁸

Reports in Which the United States Was the Respondent

United States—Anti-dumping and Countervailing Measures on Large Residential Washers from Korea (DS464)

In this dispute South Korea claimed the imposition of antidumping and countervailing duties by the United States on large residential washers from South Korea, as well as certain methodologies used by the U.S. Department of Commerce (USDOC), are inconsistent with Articles 1, 2.1, 2.4, 2.4.2, 5.8, 9.3, 9.4, 9.5, 11, and 18.4 of the Antidumping Agreement; Articles 1.1, 1.2, 2.1, 2.2, 10, 14, and 19.4 of the SCM Agreement; Articles VI, VI:1, VI:2, and VI:3 of the GATT 1994; and Article XVI:4 of the WTO Agreement. South Korea requested consultations with the United States on August 29, 2013, and after consultations

³⁰⁵ WTO, "Dispute Settlement: DS456; India—Certain Measures Relating to Solar Cells and Solar Modules" (accessed May 3, 2017).

³⁰⁶ WTO, "Dispute Settlement: DS478; Indonesia—Importation of Horticultural Products, Animals and Animal Products" (accessed May 29, 2017).

³⁰⁷ Ibid. See also WTO, "Dispute Settlement: DS477; Indonesia—Importation of Horticultural Products, Animals and Animal Products" (accessed May 29, 2017); and USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 68.

³⁰⁸ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 68. On February 17, 2017, Indonesia notified the DSB of its intention to appeal certain issues of law and interpretations in the panel report. WTO, "Dispute Settlement: DS477; Indonesia—Importation of Horticultural Products, Animals and Animal Products" (accessed May 29, 2017).

failed to resolve the dispute, on December 5, 2013, South Korea requested establishment of a panel. The DSB established a panel on January 22, 2014, and the Director-General composed the panel on June 20, 2014.³⁰⁹

The panel circulated its report on March 11, 2016. The panel found that aspects of USDOC's antidumping determination were inconsistent with the second sentence of Article 2.4.2 of the Antidumping Agreement. These included the USDOC's determination to apply an alternative, average-to-transaction comparison methodology, and the application of that methodology to all transactions rather than just to so-called pattern transactions. The panel rejected other claims asserted by South Korea, including South Korea's argument that USDOC acted inconsistently with Article 2.4.2 by determining the existence of a pattern exclusively on the basis of quantitative criteria. The panel found, however, that aspects of USDOC's differential pricing methodology are inconsistent "as such" with the second sentence of Article 2.4.2 of the Antidumping Agreement. The panel also found that the United States' use of zeroing when applying the average-to-transaction comparison methodology is inconsistent with the second sentence of Article 2.4.2 and Article 2.4, both "as such" and as applied in the washers antidumping investigation. In addition, the panel made several findings on the countervailing-duty issues raised by South Korea. The panel found that USDOC's disproportionality analysis, in its original and remand determinations, was inconsistent with Article 2.1(c) of the SCM Agreement. But the panel rejected South Korea's remaining claims, i.e., its claim that USDOC's regional specificity determination was inconsistent with Article 2.2 of the SCM Agreement, and its claims concerning the proper quantification of subsidy ratios.³¹⁰

On April 19, 2016, the United States appealed certain of the panel's findings, and on April 25, 2016, South Korea also filed an appeal. The Appellate Body circulated its report on September 7, 2016. It upheld several of the panel's findings under the Antidumping Agreement, including the panel's finding that the average-to-transaction comparison methodology should be applied only to so-called pattern transactions, the panel's finding that the use of zeroing is inconsistent with the second sentence of Article 2.4.2 and Article 2.4, both "as such" and as applied, and the panel's finding that the differential pricing methodology is inconsistent "as such" with the second sentence of Article 2.4.2 of the Antidumping Agreement. The Appellate Body reversed other findings made by the panel. For instance, the Appellate Body found that an investigating authority must assess the price differences at issue on both a quantitative and qualitative basis, and it mooted the panel's finding concerning systemic disregarding, finding instead that the combined application of comparison methodologies is impermissible. With respect to the countervailing duty issues, the Appellate Body upheld the panel's rejection of South Korea's regional specificity claim, but found that certain aspects of USDOC's calculation of subsidy rates were inconsistent with Article 19.4 of the SCM Agreement and Article VI:3 of the GATT 1994.³¹¹

The DSB adopted the panel and Appellate Body reports on September 26, 2016. On October 26, 2016, the United States stated its intention to implement the DSB's recommendations and rulings, and said it

³⁰⁹ WTO, "Dispute Settlement: DS464; United States—Anti-dumping and Countervailing Measures on Large Residential Washers from Korea" (accessed May 9, 2017); USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 89.

³¹⁰ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 89–90.

³¹¹ WTO, "Dispute Settlement: DS464; United States—Anti-dumping and Countervailing Measures on Large Residential Washers from Korea" (accessed May 29, 2017); USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 89–90.

would need a reasonable period of time to do so. On December 9, 2016, South Korea requested the reasonable period of time be determined by binding arbitration.³¹²

United States—Certain Methodologies and Their Application to Anti-Dumping Proceedings Involving China (DS471)

In this dispute China claimed the U.S. use of certain methodologies in antidumping investigations regarding a number of products from China is inconsistent with Articles 2.4.2, 6.1, 6.8, 6.10, 9.2, 9.3, 9.4, and Annex II of the Antidumping Agreement and Article VI:2 of the GATT 1994. The Chinese products covered by these investigations included certain coated paper suitable for high-quality print graphics using sheet-fed presses; certain oil country tubular goods; high-pressure steel cylinders; polyethylene terephthalate film, sheet, and strip; aluminum extrusions; certain frozen and canned warmwater shrimp; certain new pneumatic off-the-road tires; crystalline silicon photovoltaic cells, whether or not assembled into modules; diamond sawblades and parts thereof; multilayered wood flooring; narrow woven ribbons with woven selvedge; polyethylene retail carrier bags; and wooden bedroom furniture. China requested consultations with the United States on December 3, 2013, and after consultations failed to resolve the dispute, on February 13, 2014, China requested the establishment of a panel. The DSB established a panel on March 26, 2014, and the Director-General composed the panel on August 28, 2014.³¹³

The panel circulated its report on October 19, 2016. The panel found that a number of aspects of the “targeted dumping methodology” applied by USDOC in three challenged investigations were not inconsistent with the requirements of the AD Agreement, including certain quantitative aspects of Commerce’s methodology. However, the panel found fault with other aspects of USDOC’s methodology and with USDOC’s explanation of why resort to the alternative methodology was necessary. The panel also found that USDOC’s application of the alternative methodology to all sales, rather than only to so-called pattern sales, and USDOC’s use of “zeroing” in connection with the alternative methodology were inconsistent with the second sentence of Article 2.4.2 of the AD Agreement.

In addition, the panel found that USDOC’s use of a rebuttable presumption that all producers and exporters in China comprise a single entity under common government control—the China-government entity—to which a single antidumping margin is assigned, both as used in specific proceedings and generally, is inconsistent with certain obligations in the AD Agreement concerning when exporters and producers are entitled to a unique antidumping margin or rate. Finally, the panel agreed with the United States that China had not established that USDOC has a general norm whereby it uses adverse inferences to pick information that is adverse to the interests of the China-government entity in calculating its antidumping margin or rate. The panel also decided to exercise judicial economy with respect to the information USDOC used in particular proceedings. On November 18, 2016, China notified

³¹² On January 12, 2017, the Director-General appointed an arbitrator, and on April 13, 2017, the Arbitrator determined the reasonable period of time to be 15 months, expiring on December 26, 2017. WTO, “Dispute Settlement: DS464; United States—Anti-dumping and Countervailing Measures on Large Residential Washers from Korea” (accessed May 29, 2017).

³¹³ WTO, “Dispute Settlement: DS471; United States— Certain Methodologies and Their Application to Anti-dumping Proceedings Involving China” (accessed May 9, 2017); USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 91.

the DSB of its decision to appeal certain issues of law and legal interpretations developed by the panel.³¹⁴

United States—Conditional Tax Incentives for Large Civil Aircraft (DS487)

In this dispute the EU alleged that conditional tax incentives established by the state of Washington in relation to the development, manufacture, and sale of large civil aircraft constitute specific subsidies within the meaning of Articles 1 and 2 of the SCM Agreement and prohibited subsidies that are inconsistent with Articles 3.1(b) and 3.2 of the SCM Agreement. The EU requested consultations with the United States on December 19, 2014. After consultations failed to resolve the matter, on February 12, 2015, the EU requested establishment of a panel. The DSB established a panel on February 23, 2015, and the Director-General composed the panel on April 22, 2015.³¹⁵

The panel circulated its report on November 28, 2016. The panel found that all seven Washington state aerospace tax incentives at issue are subsidies, but only the business and occupation (B&O) tax incentive is a prohibited subsidy. In particular, the panel report found the EU failed to demonstrate that (1) the aerospace tax measures are de jure contingent upon the use of domestic over imported goods with respect to the First Siting Provision in Washington state’s Engrossed Substitute Senate Bill (ESSB 5952) considered separately; (2) the reduced B&O tax rate for the manufacture and sale of commercial airplanes is de jure contingent upon the use of domestic over imported goods with respect to the Second Siting Provision in ESSB 5952 considered separately; and (3) the aerospace tax measures are de jure contingent upon the use of domestic over imported goods with respect to the First Siting Provision and the Second Siting Provision considered jointly. The panel report also found that (1) the seven aerospace tax measures at issue constitute a subsidy within the meaning of Article 1 of the SCM Agreement; (2) the Washington state B&O tax rate for the manufacturing or sale of commercial airplanes under the 777X program is inconsistent with Article 3.1(b) of the SCM Agreement; and (3) the United States acted inconsistently with Article 3.2 of the SCM Agreement. On December 16, 2016, the United States appealed certain issues of law and legal interpretations in the panel report.³¹⁶

³¹⁴ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 91.

³¹⁵ WTO, “Dispute Settlement: DS487; United States—Conditional Tax Incentives for Large Civil Aircraft” (accessed May 28, 2017).

³¹⁶ *Ibid.*; USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 91–92. On January 17, 2017, the EU notified the DSB of its decision to cross-appeal.

Chapter 4

Selected Regional and Bilateral Trade Activities

This chapter summarizes trade-related activities during 2016 in two major multilateral organizations—the Organisation for Economic Co-operation and Development (OECD) and the Asia-Pacific Economic Cooperation (APEC) forum. It also covers developments during the year in the negotiation of a Trade in Services Agreement (TiSA), as well as activities conducted under trade and investment framework agreements (TIFAs).

Organisation for Economic Co-operation and Development

The OECD provides a forum for member governments to review and discuss economic, social, and other policy experiences affecting their market economies, as well as engage with other major nonmember economies to address issues facing the global economy. On July 1, 2016, Latvia became the 35th member of the OECD.³¹⁷

Ministerial Council Meeting

The OECD held its 2016 Ministerial Council Meeting on June 1–2, 2016, in Paris, France.³¹⁸ The meeting focused on the theme of enhancing productivity and inclusive growth, including policies that support skills and jobs and that leverage the benefits accruing from innovation by firms and the increased digitization of information. As part of the effort to boost productivity and growth, the ministers highlighted recent trade initiatives, such as the expanded Information Technology Agreement and the Trade Facilitation Agreement, both under the World Trade Organization (WTO). They also called for the conclusion of negotiations toward an Environmental Goods Agreement and a Trade in Services Agreement (TiSA).³¹⁹ In addition, they encouraged continued OECD work on trade in value added (TiVA), Trade Facilitation Indicators, and the Services Trade Restrictiveness Index to help understand more fully how open trade can increase productivity and growth. To help raise productivity, the ministers agreed that investments are needed in education and skills that promote quality jobs as a response to rapid

³¹⁷ At the end of 2016, there were 35 OECD members—Australia, Austria, Belgium, Canada, Chile, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Poland, Portugal, Slovak Republic, Slovenia, South Korea, Spain, Sweden, Switzerland, Turkey, the United Kingdom, and the United States. OECD, “Members and Partners,” n.d. (accessed January 17, 2017).

³¹⁸ OECD, “Enhancing Productivity for Inclusive Growth,” n.d. (accessed January 17, 2017).

³¹⁹ OECD, Council, “2016 Ministerial Council Statement—Enhancing Productivity for Inclusive Growth. Meeting of the Council at Ministerial Level, 1–2 June 2016,” C/MIN(2016)8/FINAL, June 2, 2016.

technological changes, such as digitization. At the same time, they noted that the risks of job losses from automation are relatively modest.³²⁰

Trade Committee

The OECD Trade Committee met twice in 2016, at its 168th session on April 21–22 and at its 169th session on November 3–4.³²¹ At the April meeting, the committee discussed its draft work program for 2017–2018 and prepared for the OECD Ministerial Council Meeting in June 2016, as well as other upcoming events. The Trade Committee also continued discussions with several countries—Colombia, Costa Rica, and Lithuania—in various stages of accession to the OECD.³²² In May 2016, the Trade Committee formally presented its draft work program for 2017–2018, as agreed upon at the April 2016 meeting. The work program will have four primary areas of focus over the next two years: (1) trade liberalization, (2) trade in services, (3) trade and domestic policies, and (4) the OECD Arrangement on Export Credits.³²³

At its November 2016 meeting, the Trade Committee met with representatives from the world’s 20 major economies, known as the Group of 20 (G20).³²⁴ Major topics of discussion included how to strengthen agricultural trade policies, how best to structure reforms concerning trade policy and trade flows, and how to overcome barriers to trade in services. Members also discussed how trade in environmental goods and services can support the United Nations Sustainable Development Goals as well as the UN Framework Convention on Climate Change (UNFCCC) and its annual Conference of Parties (COP). It was noted that during its 21st session in Paris in 2015 (COP21 or the 2015 Paris Climate Conference) the COP had reviewed the Convention implementation.³²⁵ Other discourse touched on OECD work on digitization, as well as the trade costs of regulatory divergence.³²⁶

³²⁰ OECD, Council, “Chair’s Summary—Enhancing Productivity for Inclusive Growth,” C/MIN(2016)9, June 7, 2016, 3, par. 12.

³²¹ OECD, TAD, TC, “Draft Summary Record: Trade Committee—Plenary Session,” TAD/TC/M(2016)1, September 26, 2016; OECD, TAD, TC, “Draft Summary Record: Trade Committee—Confidential Session,” TAD/TC/M(2016)1/ANN, September 26, 2016; OECD, TAD, TC, “Draft Agenda: Trade Committee—3–4 November 2016—OECD Conference Centre, Paris, France,” TAD/TC/A(2016)2, October 14, 2016; OECD, TAD, TC, “Draft Agenda: Trade Committee—Confidential Session—4 November 2016—OECD Conference Centre, Paris, France,” TAD/TC/A(2016)2/ANN, October 14, 2016.

³²² OECD, TAD, TC, “Draft Summary Record: Trade Committee—Plenary Session,” TAD/TC/M(2016)1, September 26, 2016.

³²³ OECD, TAD, TC, “Draft Programme of Work and Budget (PWB) 2017–18 of the Trade Committee,” TAD/TC(2016)1/REV2, May 31, 2016.

³²⁴ The Group of Twenty (G20) comprises the European Union and 19 countries—Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Korea, Mexico, Russia, Saudi Arabia, South Africa, Turkey, the United Kingdom, and the United States. G20 Web site, “Members and Participants,” n.d. (accessed January 19, 2017).

³²⁵ OECD, TAD, TC, “Reforming Trade In Services—Insights From New OECD Analysis—OECD Conference Centre—3–4 November 2016,” TAD/TC(2016)10, October 13, 2016. More formally, the reference is to the Conference of Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC), session 21 (COP21 or the 2015 Paris Climate Conference).

³²⁶ OECD, TAD, TC, “Draft Agenda: Trade Committee—3–4 November 2016—OECD Conference Centre, Paris, France,” TAD/TC/A(2016)2, October 14, 2016.

Working Party of the Trade Committee

The Working Party of the Trade Committee (TCWP) reported at the April 2016 meeting on its activities since the Trade Committee last met in November 2015.³²⁷ The chair of the working party updated progress made in the technical work on the value-creating role of trade in services, among other things, under the Trade Committee’s 2015–2016 work program.

In November 2016, the TCWP reported that it had finalized several documents under its work program. One document develops a framework for international regulatory cooperation, while another includes regional and country studies that address global value chains in various locations (Latin America, the Association of Southeast Asian Nations, and Chile). Also, two country studies analyze services trade and policy in Brazil and India, respectively, using the OECD Services Trade Restrictiveness Index (STRI).³²⁸ The TCWP also reported on approaches to studying the cost of services trade restrictions using the STRI, a priority previously expressed by members of the Trade Committee. The working party reported on the four elements for this project, set out in papers already underway: “The Trade Effects of Regulatory Differences”; “The Trade Effect of Services Trade Restrictions”; “STRI: Services Trade Restrictiveness, Mark-ups and Competition”; and “Trade Cost in Services: Estimation with Firm-level Data.”³²⁹

The TCWP met again on December 13–14, 2016.³³⁰ At this meeting, the TCWP discussed trade in services, including the cost of services trade restrictions to firms and their foreign affiliates; services in global value chains in the context of the increased bundling of goods and services in international trade; how to value services commitments currently found in trade agreements; and subjects involving the OECD Services Trade Restrictiveness Index. The working party also touched on how state-owned enterprises might better regulate international trade and investment, restrictive measures concerning government procurement, applications of the OECD Trade Facilitation Indicators, digital trade, and local-content policies in the context of mineral-exporting countries.³³¹

Asia-Pacific Economic Cooperation

Background

Established in 1989 and composed of 21 member economies, the Asia-Pacific Economic Cooperation (APEC) is a regional economic forum.³³² Since its inception, APEC has aimed to increase prosperity in the

³²⁷ OECD, TAD, TC, “Report from the Chair of the Working Party of the Trade Committee,” TAD/TC/RD(2016)2, April 20, 2016.

³²⁸ OECD, TAD, TC, “Report from the Chair of the Working Party of the Trade Committee,” TAD/TC/RD(2016)1, November 2, 2016, 2.

³²⁹ Ibid.

³³⁰ OECD, TAD, TC, “Draft Agenda: Working Party of the Trade Committee—13–14 December 2016, Paris, France,” TAD/TC/WP/A(2016)4, December 9, 2016.

³³¹ Ibid.

³³² In 2016, the 21 APEC member economies were Australia; Brunei Darussalam (Brunei); Canada; Chile; China; Hong Kong, China; Indonesia; Japan; Malaysia; Mexico; New Zealand; Papua New Guinea; Peru; the Philippines; Russia; Singapore; South Korea; Taiwan (Chinese Taipei); Thailand; the United States; and Vietnam. For further details, see APEC, “About APEC” (accessed January 23, 2017).

region by supporting regional economic integration and by promoting inclusive and sustainable growth.³³³ APEC decisions are made by consensus, and commitments are undertaken voluntarily.³³⁴

The operational structure of APEC is divided into the policy level and the working level. At the policy level, the annual APEC Economic Leaders' Meeting sets overarching policy direction, while the annual APEC ministerial meeting, sectoral ministerial meetings, senior officials meetings, and APEC Business Advisory Council meetings provide strategic policy recommendations.³³⁵ At the working level, four core committees, including the Committee on Trade and Investment, carry out activities and projects.³³⁶ The APEC Secretariat is based in Singapore.³³⁷

Adopted by APEC member economies in 1994 in Bogor, Indonesia, the Bogor Goals are a set of targeted goals for creating a free and open trade and investment area in the Asia-Pacific region.³³⁸ APEC works in three key areas toward the Bogor Goals: (1) trade and investment liberalization that reduces and eventually eliminates tariff and nontariff barriers to trade and investment; (2) business facilitation, which focuses on reducing business transaction costs and improving market access and efficiency; and (3) economic and technical cooperation that provides training in all APEC member economies to build their capacities to promote trade, investment, and sustainable, inclusive economic growth.³³⁹

At the core of APEC work is the Regional Economic Integration agenda. Initiatives under this program include pursuing the Free Trade Area of the Asia-Pacific (FTAAP), a comprehensive free trade agreement among APEC member economies; improving the ease of doing business; streamlining customs procedures; and carrying out structural reforms in APEC member economies.³⁴⁰

2016 APEC Developments

In 2016, Peru served as the APEC chair and hosted major APEC meetings.³⁴¹ Under its leadership, APEC focused on “quality growth and human development” and sought to pursue four priorities: “investing in human capital development; modernizing micro, small, and medium-sized enterprises (MSMEs); fostering the regional food system; and advancing the regional economic integration and growth agenda.”³⁴²

In 2016, various APEC meetings and workshops were organized, carrying out discussions and/or training on a wide range of topics. Examples included human resource development; MSMEs' entry into global and regional markets; food trade and regional food security; barriers to trade, investment, and

³³³ APEC, *APEC at a Glance*, 2015, 2.

³³⁴ *Ibid.*, 4.

³³⁵ APEC, “How APEC Operates” (accessed March 21, 2017); APEC, “How APEC Operates: Policy Level” (accessed March 21, 2017).

³³⁶ APEC, “How APEC Operates: Working Level” (accessed on March 21, 2017).

³³⁷ APEC, *APEC at a Glance*, 2015, 4.

³³⁸ APEC, “Bogor Goals” (accessed January 23, 2017).

³³⁹ APEC, “Scope of Work” (accessed April 3, 2017).

³⁴⁰ APEC, “Regional Economic Integration Agenda” (accessed March 22, 2017).

³⁴¹ Peru hosted major APEC meetings in 2016, including the Economic Leaders' Meeting, ministerial meetings, three Senior Officials Meetings (SOM1, SOM2, and SOM3), and other related meetings. APEC, “Events Calendar” (accessed April 6, 2017).

³⁴² APEC Peru 2016, “APEC 2016: Quality Growth and Human Development”; APEC, “Peru's Priorities for 2016” (both accessed January 20, 2017).

competition; digital trade and the Internet economy; climate change and energy security; and green growth, among others.³⁴³ At the Economic Leaders' Meeting on November 19–20, 2016, APEC leaders and ministers agreed to a number of outcomes from 2016, including preventing trade barriers, creating more transparent and open regulatory cultures, and reducing trade costs by improving the efficiency of supply chains.³⁴⁴

The Committee on Trade and Investment (CTI) reported good progress in advancing APEC's objectives in 2016, highlighting (1) the implementation of the Investment Facilitation Action Plan, especially in the priority areas of transparency, investor risk reduction, and business regulation simplification; (2) the launch of the APEC Virtual Knowledge Center on Services, an interactive hub for stakeholders; (3) progress made by member economies in carrying out tariff reduction commitments for the APEC list of environmental goods; (4) the survey of regulatory measures in environmental services; and (5) projects implemented to facilitate the use of intellectual property rights by MSMEs.³⁴⁵ The Second-Term Review of the Bogor Goals, as well as progress on the creation of the FTAAP and global value chain (GVC) cooperation in 2016, are described separately in the sections below.

The Second-Term Review of the Bogor Goals³⁴⁶

In 2016, APEC conducted the Second-Term Review of the Bogor Goals.³⁴⁷ This review assessed progress on trade and investment liberalization and facilitation, while identifying the weak areas where APEC economies can focus their efforts in upcoming years.

The review highlighted the following findings:³⁴⁸

- Trade and investment flows by APEC economies have increased significantly since the 1990s, though trade slowed down after the 2008 global financial crisis.
- The overall most-favored-nation (MFN) tariff in the APEC region fell from an average of 11.0 percent in 1996 to 5.5 percent in 2014, while the share of zero-tariff product lines among all product lines in APEC tariff schedules rose from 27.3 percent in 1996 to 45.4 percent in 2014. However, tariff rates remained relatively high in sectors related to agriculture (e.g., dairy products, beverages and tobacco, and cereals and preparations).
- APEC economies have increasingly applied nontariff measures that affect trade.

³⁴³ APEC, Events, <http://www.apec.org/Events-Calendar.aspx?year=2016>; APEC, news releases in 2016, <http://www.apec.org/Press/News-Releases.aspx?year=2016&topic=All> (both accessed January 20, 2017). For more information on green growth, see USITC, *The Year in Trade in 2015*, July 2016, 119–22.

³⁴⁴ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017.

³⁴⁵ APEC, *2016 Committee on Trade and Investment Annual Report to Ministers*, November 2016, 2–4.

³⁴⁶ For more information on the Bogor Goals, see USITC, *The Year in Trade 2014*, July 2015, 117–18.

³⁴⁷ APEC conducted a major review of the Bogor goals in 2010 and in May 2011. APEC senior officials established guidelines to review progress by member economies every two years beginning in 2012, as well as to conduct a second-term review in 2016 and a final review in 2020. APEC, *Second-Term Review of APEC's Progress towards the Bogor Goals: APEC Region*, November 2016, x.

³⁴⁸ APEC, *Second-Term Review of APEC's Progress towards the Bogor Goals: APEC Region*, November 2016.

- The regulations governing services sectors in the APEC region have become less restrictive and more competition friendly, but the level of openness varies across sectors as well as among APEC economies.
- Foreign investors' perceptions of investment restrictions remain negative, as they continue to face obstacles that increase the costs of investment, despite APEC governments' efforts to implement measures that facilitate investment and improve the investment climate.
- Efforts on trade facilitation in the APEC region have led to improved logistics, and in general, trade across borders has become faster and cheaper.
- Employment levels have not fully recovered since the 2008 global financial crisis, even though progress on economic growth and social development has reduced poverty and improved living standards.
- APEC economies have mixed performances in achieving economic growth that is environmentally sustainable.

Free Trade Area of the Asia-Pacific (FTAAP)

In 2006, APEC economies agreed to “examine the long-term prospects of a FTAAP.”³⁴⁹ At the 2014 APEC Economic Leaders' Meeting, APEC leaders endorsed *Annex A—The Beijing Roadmap for APEC's Contribution to the Realization of the FTAAP* (Beijing Roadmap). This document listed the actions needed to create the FTAAP, including launching a *Collective Strategic Study on Issues Related to the Realization of the FTAAP* (Study).³⁵⁰

In 2016, APEC reported the completion of the Study. The Study reviews the APEC region's economies; touches upon the next-generation trade and investment issues (discussed below) that should be considered in an eventual FTAAP; describes the various tariff and nontariff measures (NTMs) in the APEC region that affect trade and investment; evaluates the level of coverage of existing regional trade agreements (RTAs) and FTAs, as well as other ongoing regional undertakings (e.g., the Trans-Pacific Partnership and the Regional Comprehensive Economic Partnership);³⁵¹ and analyzes the challenges and opportunities involved in realizing the FTAAP.³⁵²

Among the next-generation trade and investment issues highlighted in the Study are “facilitating global supply chains; enhancing SME [small and medium-sized enterprises] participation in global production chains; promoting effective, non-discriminatory, and market-driven innovation policy; transparency in RTAs/FTAs; and manufacturing-related services in supply chains and value chains.”³⁵³

³⁴⁹ APEC, “Pathways to FTAAP,” November 14, 2010.

³⁵⁰ APEC, “2014 Leaders' Declaration: Annex A: The Beijing Roadmap for APEC's Contribution,” November 11, 2014. For details on the steps to be taken, see USITC, *The Year in Trade 2014*, July 2015, 121.

³⁵¹ The Regional Comprehensive Economic Partnership (RCEP) is a proposed free trade agreement between the 10 member states of the Association of Southeast Asian Nations (ASEAN) and the 6 states with which ASEAN has existing free trade agreements (Australia, China, India, Japan, New Zealand, and South Korea).

³⁵² APEC, *2016 Committee on Trade and Investment Annual Report to Ministers, Appendix 6*, November 2016, 3.

³⁵³ *Ibid.*, 37.

The NTMs identified by the Study that affect trade and investment include sanitary and phytosanitary measures; technical barriers to trade; import licenses; quantitative restrictions; and regulatory measures that restrict market entry or foreign participation, or impede cross-border services delivery, investment protection, and investment dispute settlement.³⁵⁴

The Study recommends advancing regional economic integration through capacity-building projects, technical assistance, and policy-based solutions.³⁵⁵

In November 2016, APEC leaders endorsed the Study and its executive summary. They then issued the *Lima Declaration on FTAAP*, instructing officials to consider next steps towards the eventual realization of the FTAAP.³⁵⁶

Global Value Chain Development and Cooperation

In 2013, APEC economic leaders agreed to promote global value chain (GVC) development and cooperation in the APEC region on the basis of previous work on connectivity.³⁵⁷ In 2014, APEC member economies endorsed *the APEC Strategic Blueprint for Promoting Global Value Chains Development and Cooperation* (Blueprint) as the mechanism they would use to strengthen economic cooperation within the global and regional value chain network.³⁵⁸ Under the Blueprint, nine work streams have been set up.³⁵⁹ The United States leads two GVC work streams, one on “addressing trade and investment issues that impact GVCs,” and the other on “APEC GVCs and Trade in Value Added (TiVA) measurement.”³⁶⁰

The CTI noted substantial progress made in 2016 on the work stream on “APEC GVCs and TiVA Measurement,” including convening the Third Technical Group meeting in February 2016 in Lima, Peru, and holding the second capacity-building workshop and the Fourth Technical Group meeting in October 2016 in Bangkok, Thailand. At these meetings and the workshop, the group discussed technical issues and identified technical assistance needs related to data sources and compilation methodologies that will be used to construct the APEC TiVA database.³⁶¹

The CTI also noted progress in other areas of GVC cooperation in 2016. Highlights included a public-private dialogue in August 2016 on enhancing the integration of regional value chains in Asia with those in Latin America and the Caribbean; three subregional, public-private dialogues on improving the

³⁵⁴ Ibid., 51–105.

³⁵⁵ Ibid., 181.

³⁵⁶ APEC, *2016 Leaders’ Declaration*, “Annex A: Lima Declaration on FTAAP,” November 20, 2016.

³⁵⁷ APEC, *2014 Leaders’ Declaration*, “Annex B: APEC Strategic Blueprint,” November 11, 2014.

³⁵⁸ The term global value chains (GVCs) refers to a growing phenomenon in which different stages of production processes are located in different countries. For more information, see OECD, “Global Value Chains,” n.d. (accessed April 3, 2017).

³⁵⁹ For additional information on these nine work streams, see USITC, *The Year in Trade 2015, 67th Report*, July 2016, 120.

³⁶⁰ The United States co-leads Work Stream 2, “APEC GVCs and TiVA Measurement,” with China. The objective of this work stream is to establish an APEC TiVA database by 2018. Upon USTR’s request, in the capacity of technical support, USITC staff members served as the U.S. co-chair of the Technical Group in 2016, and have been co-leading the project with Chinese counterparts since 2014.

³⁶¹ APEC, *2016 Committee on Trade and Investment Annual Report to Ministers*, November 2016, 13–14.

investment climate for GVC development; and a draft report on how to improve APEC developing economies' participation in GVCs.³⁶²

Negotiations on a Trade in Services Agreement

In July 2012, a number of WTO members released a joint statement expressing their intent to open negotiations toward a plurilateral Trade in Services Agreement (TiSA), in part as a response to the slow pace of services negotiations under the multilateral framework of the Doha Development Agenda (DDA).³⁶³ Initially numbering 20 participants in 2013 when negotiations were launched, there were 23 participants by yearend 2016.³⁶⁴

TiSA participants conducted 21 negotiating rounds during 2013–16, and aimed at finishing negotiations by December 2016.³⁶⁵ However, the parties were unable to conclude by yearend and agreed to reconvene in 2017 to take stock of areas in need of ongoing technical work, although no new rounds were scheduled.³⁶⁶

While the structure of the agreement and sectors to be covered under the TiSA are evolving, the agreement is thought to be structured in four basic parts: (I) the core text; (II) market access and national treatment commitments; (III) sectoral annexes; and (IV) institutional matters.³⁶⁷ The core text builds on provisions in the WTO General Agreement on Trade in Services (GATS) and includes horizontal provisions that apply to all parts of the agreement. The market access and national treatment commitments will contain an individual party's schedules and any listed exceptions or nonconforming measures. The sectoral annexes set out disciplines for particular services sectors and issues. The institutional provisions lay out the basic rules for how the TiSA functions, addressing dispute settlement, amendments to the agreement, new membership, and possible future multilateralization, among other things.

³⁶² Ibid., 14, 16.

³⁶³ The WTO Director-General has explained that the TiSA negotiations do not take place within the WTO, but that the participants have provided updates on their discussions to the WTO Council on Trade in Services. WTO, Trade Policy Review Body, "Overview of Developments in the International Trading Environment," January 31, 2014, 58, par. 3.127. TiSA participants have said during these updates that they saw no contradiction between the TiSA talks and the services negotiations under the Doha Round, saying that the TiSA was developed to be compatible with the GATS and could be multilateralized in the future. WTO, "Annual Report of the Council for Trade in Services," November 28, 2014, 4, par. 6.2.

³⁶⁴ The 23 economies participating in the TiSA negotiations in 2016 were Australia, Canada, Chile, Colombia, Costa Rica, the European Union, Hong Kong, Iceland, Israel, Japan, Liechtenstein, Mauritius, Mexico, New Zealand, Norway, Pakistan, Panama, Peru, South Korea, Switzerland, Taiwan, Turkey, and the United States. USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 1, 2017, 166.

³⁶⁵ CRS, *Trade in Services Agreement (TiSA) Negotiations: Overview*, January 3, 2017, 1; USDOS, Secretary of State, "19th Round of TiSA Negotiations (State 84866)," July 28, 2016, par. 6; Coalition of Services Industries (CSI), "The Trade In Services Agreement (TiSA)," n.d. (accessed March 13, 2017).

³⁶⁶ Government of Australia, Department of Foreign Affairs and Trade (DFAT), "Trade in Services Agreement—News," n.d. (accessed March 23, 2017); CRS, *Trade in Services Agreement (TiSA) Negotiations: Overview*, January 3, 2017, i.

³⁶⁷ CRS, *Trade in Services Agreement (TiSA) Negotiations: Overview*, January 3, 2017, 5.

Although still a work in progress, by yearend 2016 approximately 19 sectoral annexes had been proposed according to several governments.³⁶⁸ These include annexes on (1) delivery services, (2) direct-selling services, (3) domestic regulation, (4) electronic commerce, (5) energy-related services, (6) environmental services, (7) export subsidies, (8) facilitation of patient mobility, (9) financial services, (10) government procurement, (11) localization, (12) movement of natural persons, (13) professional services, (14) state-owned enterprises, (15) telecommunications, (16) transparency, (17) transport services—air, (18) transport services—maritime, and (19) transport services—road.³⁶⁹

Trade and Investment Framework Agreements

By yearend 2016, the United States had entered into 55 trade and investment framework agreements (TIFAs) (table 4.1). TIFAs provide a framework to expand trade and investment and a forum to resolve trade and investment issues between the United States and various trading partners. These TIFAs cover a range of matters, including market access, labor, the environment, protection of intellectual property rights, and capacity building. TIFA councils meet to discuss these issues on a regular basis.³⁷⁰ In 2016, two new TIFAs (with Argentina and Laos) were signed and various TIFA councils met.

³⁶⁸ Government of New Zealand, MFAT, “Trade in Services Agreement (TiSA),” n.d. (accessed March 24, 2017); Government of Colombia, Ministerio de Comercio, Industria y Turismo [Ministry of Commerce, Industry, and Tourism], “Rondas de Negociación e Informes del Acuerdo sobre el Comercio de Servicios (TiSA),” [Negotiating rounds and reports on the Trade in Services Agreement (TiSA)] (last modified March 17, 2017); compilation from Government of Australia, DFAT, “Trade in Services Agreement—News,” n.d. (accessed March 23, 2017); European Parliament, “The Trade in Services Agreement (TiSA): An End to Negotiations in Sight?” October 12, 2015, 18.

³⁶⁹ The exact number of annexes can often vary depending on how different sectors are combined or broken out, e.g., whether electronic commerce and telecommunications are combined as a single proposed annex, or each is in a separate sectoral annex.

³⁷⁰ USTR, “Trade and Investment Framework Agreements,” n.d. (accessed March 15, 2017).

Table 4.1 U.S. trade and investment framework agreements in 2016

Type and name	Date signed
Bilateral	
U.S.-Afghanistan TIFA	September 21, 2004
U.S.-Algeria TIFA	July 13, 2001
U.S.-Angola TIFA	May, 2009
U.S.-Argentina TIFA	March 23, 2016
U.S.-Armenia TIFA	May 7, 2015
U.S.-Bahrain TIFA ^a	June 18, 2002
U.S.-Bangladesh TICFA	November 25, 2013
U.S.-Brunei TIFA	December 16, 2002
U.S.-Burma TIFA	May 21, 2013
U.S.-Cambodia TIFA	July 14, 2006
U.S.-Egypt TIFA	July 1, 1999
U.S.-Georgia TIFA	June 20, 2007
U.S.-Ghana TIFA	February 26, 1999
U.S.-Iceland TICF	January 15, 2009
U.S.-Indonesia TIFA	July 16, 1996
U.S.-Iraq TIFA	July 11, 2005
U.S.-Kuwait TIFA	February 6, 2004
U.S.-Laos TIFA	February 25, 2016
U.S.-Lebanon TIFA	November 30, 2006
U.S.-Liberia TIFA	February 15, 2007
U.S.-Libya TIFA	May 20, 2010
U.S.-Malaysia TIFA	May 10, 2004
U.S.-Maldives TIFA	October 17, 2009
U.S.-Mauritius TIFA	September 18, 2006
U.S.-Mongolia TIFA	July 15, 2004
U.S.-Mozambique TIFA	June 21, 2005
U.S.-Nepal TIFA	April 15, 2011
U.S.-New Zealand TIFA	October 2, 1992
U.S.-Nigeria TIFA	February 16, 2000
U.S.-Oman TIFA ^a	July 7, 2004
U.S.-Pakistan TIFA	June 25, 2003
U.S.-Philippines TIFA	November 9, 1989
U.S.-Qatar TIFA	March 19, 2004
U.S.-Rwanda TIFA	June 7, 2006
U.S.-Saudi Arabia TIFA	July 31, 2003
U.S.-South Africa TIFA	June 18, 2012 ^b
U.S.-Sri Lanka TIFA	July 25, 2002
U.S.-Switzerland TICF	May 25, 2006
U.S.-Taiwan TIFA	September 19, 1994
U.S.-Thailand TIFA	October 23, 2002
U.S.-Tunisia TIFA	October 2, 2002
U.S.-Turkey TIFA	September 29, 1999
U.S.-Ukraine TICA	April 1, 2008
U.S.-United Arab Emirates TIFA	March 15, 2004
U.S.-Uruguay TIFA ^c	January 25, 2007
U.S.-Vietnam TIFA	June 21, 2007
U.S.-Yemen TIFA	February 6, 2004
Regional	
U.S.-Association of Southeast Asian Nations (ASEAN) TIFA ^d	August 25, 2006
U.S.-Caribbean Community (CARICOM) TIFA ^e	May 28, 2013
U.S.-Central Asian TIFA (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan)	June 1, 2004
U.S.-Common Market for Eastern and Southern Africa (COMESA) TIFA ^f	October 29, 2001
U.S.-East African Community TIFA (Burundi, Kenya, Rwanda, Tanzania, and Uganda)	July 16, 2008
U.S.-Economic Community of West African States (ECOWAS) ^g	August 5, 2014
U.S.-Gulf Cooperation Council (GCC) Framework Agreement for Trade, Economic, Investment, and Technical Cooperation (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates)	September 25, 2012
U.S.-West African Economic and Monetary Union (WAEMU) TIFA ^h	April 24, 2002

Source: USTR, "Trade and Investment Framework Agreements," n.d. (accessed March 15, 2017).

Note: TICF stands for Trade and Investment Cooperation Forum, TICA stands for Trade and Investment Cooperation Agreement, and TICFA stands for Trade and Investment Cooperation Forum Agreement. All are considered TIFAs by USTR. For more information, see USTR, "Trade and Investment Framework Agreements" (accessed March 15, 2017).

^a Bahrain and Oman have both FTAs and TIFAs in effect with the United States.

^b The United States-South Africa TIFA was amended on June 18, 2012, and replaces the original TIFA, signed on February 18, 1999.

^c On October 2, 2008, the United States and Uruguay signed a TIFA protocol on trade and environment and a TIFA protocol on trade facilitation.

^d The 10 countries of ASEAN are Brunei Darussalam (Brunei), Burma, Cambodia, Indonesia, Laos, Malaysia, the Philippines, Singapore, Thailand, and Vietnam.

^e The 15 members of CARICOM are Antigua and Barbuda, The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, St. Lucia, St. Kitts and Nevis, St. Vincent and the Grenadines, Suriname, and Trinidad and Tobago. It also has 5 associate members: Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, and the Turks and Caicos Islands.

^f The 19 members of COMESA are Burundi, Comoros, the Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Sudan, Swaziland, Uganda, Zambia, and Zimbabwe.

^g The 15 members of ECOWAS are Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, The Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, and Togo.

^h The 8 members of WAEMU are Benin, Burkina Faso, Côte d'Ivoire, Guinea-Bissau, Mali, Niger, Senegal, and Togo.

Developments in TIFA Negotiations during 2016

On March 23, 2016, U.S. and Argentine officials signed a TIFA. The agreement establishes a U.S.-Argentina Council on Trade and Investment to discuss bilateral trade and investment and related issues, with the goal of facilitating dialogue on a range of issues, including intellectual property rights, market access, and agriculture.³⁷¹ In 2016, U.S. exports to Argentina totaled \$8.6 billion and imports from Argentina were valued at \$4.7 billion. The top three U.S. exports to Argentina by value were petroleum oils and oils from bituminous minerals (\$1.2 billion); civilian aircraft, engines, and parts (\$646.3 million); and medicaments (\$263.2 million). These three exports comprised 24.5 percent of all U.S. exports to Argentina in 2016.³⁷² The top three imports were biodiesel (\$1.2 billion), wine (\$305.5 million), and crude petroleum (\$206.4 million). These three imports made up 37.3 percent of all U.S. imports from Argentina in 2016.³⁷³

On November 7, 2016, the U.S.-Argentina TIFA council met for the first time in Buenos Aires, Argentina.³⁷⁴ The two sides discussed several topics, including WTO dispute settlement, trade facilitation, and reducing excess steel capacity, and agreed to establish an Innovation and Creativity Forum for Economic Development. This forum will focus on several topics of mutual interest, including geographical indications, industrial designs, and protection of intellectual property rights; it held its first meeting on December 6, 2016.³⁷⁵ Argentina had requested that the United States reconsider redesignating Argentina as a beneficiary country under the Generalized System of Preferences (GSP). In response, the USTR announced at the meeting that they would initiate a public review process to determine whether Argentina meets GSP eligibility criteria.³⁷⁶

On February 25, 2016, officials from the United States and Laos signed a TIFA. The agreement establishes a forum for dialogue between the United States and Laos on trade and investment issues, including intellectual property, labor, environment, capacity building, and issues pertaining to Laos's membership in the Association of Southeast Asian Nations (ASEAN).³⁷⁷ Further, U.S. officials worked with Laos to support its implementation of its WTO accession commitments, as well as commitments

³⁷¹ USTR, "United States and Argentina Sign," March 23, 2016; White House, "Fact Sheet: United States-Argentina Relationship," March 23, 2016.

³⁷² USITC DataWeb/USDOC (accessed March 3, 2015).

³⁷³ Ibid.

³⁷⁴ USTR, "United States and Argentina Hold Ministerial-Level Meeting," November 7, 2016.

³⁷⁵ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 134.

³⁷⁶ USTR, "United States and Argentina Hold Ministerial-Level Meeting," November 7, 2016; USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 186.

³⁷⁷ USTR, "United States and Laos Sign," February 25, 2016.

under the U.S.-Laos Bilateral Trade Agreement, which extends normal trade relations status to products of Laos.³⁷⁸

In 2016, U.S. exports to Laos totaled \$30.9 million and imports from Laos were valued at \$55.0 million. The top three U.S. exports to Laos by value were synthetic woven fabrics (\$11.2 million), nonindustrial diamonds (\$4.8 million), and construction machinery parts and attachments (\$1.3 million). These top three exports represented 55.9 percent of all U.S. exports to Laos in 2016.³⁷⁹ The top three U.S. imports from Laos by value were telephone sets (\$10.7 million), nonindustrial diamonds (\$9.3 million), and silicon (\$6.6 million). These imports represented 48.4 percent of total U.S. imports from Laos in 2016.³⁸⁰

Developments in Existing TIFAs during 2016

During 2016, the following TIFA councils met:

Association of Southeast Asian Nations (ASEAN)

On February 17, 2016, U.S. and ASEAN officials met in San Francisco, California, to attend the U.S.-ASEAN TIFA council meeting. The parties focused on the environment, investment, transparency, information and communications technology, SME development, trade facilitation, and technical barriers to trade and regulatory barriers.³⁸¹

Central Asia

On April 5, 2016, officials of the governments of Kyrgyzstan, Kazakhstan, Tajikistan, Turkmenistan, Uzbekistan, and the United States convened in Bishkek, Kyrgyzstan, for the 10th anniversary of the Council Meeting of the U.S.-Central Asia TIFA. The parties discussed trade, transit, and investment issues among the Central Asian countries, as well as expanding exports from the region under the U.S. GSP. Working group proposals included the creation of a regional International Laboratory Accreditation Cooperation group to implement customs reforms and a Women's Economic Empowerment Working Group to promote women's entrepreneurship.³⁸²

Common Market for Eastern and Southern Africa (COMESA)

On February 8, 2016, U.S. and COMESA officials met in Lusaka, Zambia, to hold the eighth meeting of the U.S.-COMESA TIFA. Topics of discussion included the U.S.-COMESA trade and investment relationship under the African Growth and Opportunity Act (AGOA), agricultural productivity and trade, deepening bilateral trade, and business and investment policies in the region.³⁸³

East African Community (EAC)

On September 27, 2016, United States and EAC officials held a meeting of the U.S.-EAC TIFA. The meeting focused on the implementation of the EAC-U.S. "Cooperation Agreement on Trade Facilitation,

³⁷⁸ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 143.

³⁷⁹ USITC DataWeb/USDOC (accessed March 3, 2015).

³⁸⁰ Ibid.

³⁸¹ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 143.

³⁸² USTR, "Joint Statement on the Results of the Council Meeting," April 5, 2016.

³⁸³ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 145.

Sanitary and Phytosanitary Measures, and Technical Barriers to Trade,” which was signed in February 2015. Officials also discussed efforts to increase bilateral trade through AGOA and strategic ways to deepen the U.S.-EAC Trade and Investment Partnership.³⁸⁴

Economic Community of West African States (ECOWAS)

On September 27, 2016, U.S. and ECOWAS officials met in Washington, DC, for the second meeting of the U.S.-ECOWAS TIFA council. A range of topics were discussed, including activities in support of trade and investment objectives, the long-term U.S.-ECOWAS trade relationship, and expanding the trade and investment relationship.³⁸⁵

Indonesia

On April 12, 2016, the United States and Indonesia met in Yogyakarta, Indonesia, under the U.S.-Indonesia TIFA. The parties discussed Indonesia’s economic reforms and liberalization agenda, TPP outcomes, investment issues, intellectual property, localization requirements for the high-tech sector, agricultural import requirements, and cooperation on environmental issues.³⁸⁶

Mozambique

On November 8, 2016, the United States and Mozambique held the fifth meeting of the U.S.-Mozambique TIFA in Maputo, Mozambique. The parties discussed the U.S.-Mozambique Trade Africa partnership, as well as ways to improve Mozambique’s business and investment climate and to increase bilateral trade and investment.³⁸⁷

Nepal

On June 10, 2016, the United States and Nepal held the second TIFA council meeting in Washington, DC. The two sides discussed strengthening bilateral trade and investment ties, trade facilitation, intellectual property, global value chains, and capacity building. Nepal also requested technical assistance to assist with integration into global value chains, address capacity constraints, and maximize its use of U.S. trade preferences.³⁸⁸

Pakistan

On October 18, 2016, the United States and Pakistan convened the eighth meeting of the U.S.-Pakistan TIFA Council in Islamabad, Pakistan. The parties discussed market access for U.S. beef products, tax predictability for U.S. businesses, and the electronic filing of customs documents.³⁸⁹

Philippines

On March 18, 2016, officials from the United States and the Philippines met in Washington, DC, to hold a meeting of the U.S.-Philippines TIFA. The parties focused on several issues, including investment,

³⁸⁴ Ibid., 144.

³⁸⁵ Ibid., 145.

³⁸⁶ USTR, “United States and Indonesia Explore Initiatives to Increase Trade and Investment,” April 12, 2016.

³⁸⁷ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 145.

³⁸⁸ USTR, “Joint Statement on the 2nd Joint U.S.-Nepal Trade and Investment,” June 10, 2016.

³⁸⁹ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 146.

intellectual property, customs, and agriculture. Officials also discussed ways to deepen cooperation on issues pertaining to WTO, APEC, and ASEAN.³⁹⁰

Sri Lanka

On April 28, 2016, the 12th U.S.-Sri Lanka TIFA council meeting was held in Washington, DC. To facilitate two-way trade and investment, the two sides adopted a U.S.-Sri Lanka Joint Action Plan to Boost Trade and Investment. The plan's five-year objectives include reforming Sri Lanka's trade and investment regime; improving the competitiveness of Sri Lanka's exports; promoting interaction between U.S. and Sri Lankan business communities; strengthening workers' rights and environmentally sustainable manufacturing practices; reforming the educational sector to be responsive to the needs of business; and increasing the participation of women in business and trade.³⁹¹

Taiwan

On October 4, 2016, U.S. and Taiwan officials met in Washington, DC, to convene the 10th TIFA council meeting. The parties discussed a range of trade and investment issues, including intellectual property protection and enforcement, transparency, technical barriers to trade, and agricultural issues, such as the removal of barriers on U.S. beef and pork.³⁹²

Tunisia

On March 22, 2016, the United States and Tunisia held the sixth meeting of the U.S.-Tunisia TIFA council in Washington, DC. The council focused on several topics to facilitate bilateral trade and investment, including branding strategies for Tunisian firms, female entrepreneurship, and the development of Tunisia's intellectual property rights protection regime. The Tunisian delegation also stated their intent to ratify the WTO Trade Facilitation Agreement and become an observer to the WTO Government Procurement Agreement.³⁹³

Ukraine

On October 5, 2016, the United States and Ukraine held the sixth meeting of the U.S.-Ukraine Trade and Investment Council in Washington, DC. The parties discussed several issues regarding the enhancement of bilateral trade and investment, including the enforcement and protection of intellectual property rights, Ukraine's regulatory regime, and expanding Ukraine's use of the United States GSP. Officials also discussed reforms to Ukraine's business climate, specifically regarding Ukraine's efforts to increase transparency and predictability for both foreign and domestic businesses.³⁹⁴

Uruguay

On May 11, 2016, the United States and Uruguay held the seventh Trade and Investment Council meeting in Montevideo, Uruguay. The parties addressed a range of issues, including trade facilitation,

³⁹⁰ USTR, "United States and Philippines Strengthen Engagement on Trade," March 18, 2016.

³⁹¹ USTR, "Joint Statement on the 12th Joint U.S.-Sri Lanka Trade and Investment," April 28, 2016.

³⁹² USTR, "United States and Taiwan Hold Dialogue," October 4, 2016. For more information on the TIFA with Taiwan, see the chapter 6 section on Taiwan.

³⁹³ USTR, "Joint Statement of the U.S.-Tunisia Council on Trade and Investment," March 22, 2016.

³⁹⁴ USTR, "Joint Statement on the United States-Ukraine Trade and Investment Council," October 5, 2016.

the digital economy, opportunities for small and medium-sized businesses, market access, and ongoing trade initiatives.³⁹⁵

³⁹⁵ USTR, “United States and Uruguay Hold Meeting,” May 11, 2016.

Chapter 5

U.S. Free Trade Agreements

This chapter summarizes developments related to U.S. free trade agreements (FTAs) during 2016. It describes trends in U.S. merchandise trade with FTA partners, features highlights of the status of U.S. FTA negotiations during the year, and summarizes major activities and dispute settlement developments involving the North American Free Trade Agreement (NAFTA) and other U.S. FTAs in force during 2016.

U.S. Trade with FTA Partners in 2016

The United States was party to 14 FTAs involving a total of 20 countries as of December 31, 2016. Starting with the most recent, the FTAs in force during 2016 were the U.S.-Panama Trade Promotion Agreement (TPA) (entered into force in 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 2006–2007) 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).

U.S. Total Merchandise Trade with FTA Partners

Total two-way merchandise trade between the United States and its 20 FTA partners was \$1.4 trillion in 2016, which accounted for 39.1 percent of total U.S. merchandise trade with the world. The value of U.S. exports to FTA partners totaled \$676.6 billion, a 4.7 percent decline from \$710.3 billion in 2015, which reflected the 3.3 percent decline in total U.S. exports to the world in 2016. U.S. exports to most FTA partners declined in 2016; the exceptions were exports to Jordan, Morocco, the Dominican Republic, Guatemala, and Nicaragua (and to CAFTA-DR combined). U.S. imports from FTA partners were valued at \$748.8 billion, a 3.3 percent decline from \$774.3 billion in 2015. The U.S. merchandise trade deficit with all FTA partners increased 12.9 percent to \$66.7 billion in 2016 (tables 5.1–5.3).

U.S. trade with the two NAFTA countries (Canada and Mexico) continued to contribute the most to all U.S. trade with FTA partners. In 2016, these countries accounted for \$1.1 trillion, or 75.0 percent, of total U.S. trade with its FTA partners. From 2015 to 2016, the value of U.S. exports to NAFTA countries fell 3.8 percent (\$19.4 billion) to \$496.9 billion. U.S. imports from NAFTA countries fell 3.4 percent (\$20.3 billion), to \$572.2 billion from 2015 to 2016. The U.S. merchandise trade deficit with its NAFTA partners fell 1.2 percent to \$75.3 billion in 2016 because U.S. imports decreased more than U.S. exports to its NAFTA partners (tables 5.1–5.3).

U.S. trade with non-NAFTA FTA partners was valued at \$356.2 billion in 2016, which was a 5.2 percent decrease from 2015. U.S. exports to these FTA partners decreased 7.4 percent (\$14.3 billion), from \$193.9 billion in 2015 to \$179.7 billion in 2016. U.S. imports from these partners decreased 2.9 percent (\$5.2 billion) from \$181.8 billion in 2015 to \$176.6 billion in 2016. U.S. exports decreased more than imports, which caused the U.S. merchandise trade surplus with its non-NAFTA FTA partners to decline 74.4 percent to \$3.1 billion.

Table 5.1 Total U.S. exports to FTA partners, by FTA partner, 2014–16

FTA partner	2014	2015	2016	% change 2015–16
Million \$				
NAFTA	553,148	516,354	496,920	-3.8
Canada	312,817	280,609	265,961	-5.2
Mexico	240,331	235,745	230,959	-2.0
Non-NAFTA	211,935	193,946	179,683	-7.4
Israel	15,065	13,539	13,197	-2.5
Jordan	2,050	1,359	1,495	10.0
Chile	16,542	15,445	12,941	-16.2
Singapore	30,072	28,472	26,868	-5.6
Australia	26,682	25,036	22,225	-11.2
Morocco	2,102	1,625	1,866	14.8
Bahrain	1,060	1,271	902	-29.0
CAFTA-DR	31,128	28,722	28,866	0.5
Oman	2,015	2,355	1,784	-24.3
Peru	10,056	8,726	8,029	-8.0
South Korea	44,625	43,446	42,266	-2.7
Colombia	20,068	16,287	13,099	-19.6
Panama	10,470	7,664	6,144	-19.8
FTA partner total	765,083	710,300	676,603	-4.7
World total	1,621,172	1,502,572	1,453,721	-3.3
FTA partner share of world (%)	47.2	47.3	46.5	

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Table 5.2 Total U.S. imports from FTA partners, by FTA partner, 2014–16

FTA partner	2014	2015	2016	% change 2015–16
Million \$				
NAFTA	645,017	592,564	572,218	-3.4
Canada	349,278	296,156	278,067	-6.1
Mexico	295,739	296,408	294,151	-0.8
Non-NAFTA	186,943	181,769	176,566	-2.9
Israel	23,007	24,477	22,206	-9.3
Jordan	1,401	1,492	1,557	4.4
Chile	9,479	8,772	8,799	0.3
Singapore	16,502	18,267	17,801	-2.6
Australia	10,697	10,894	9,534	-12.5
Morocco	995	1,012	1,022	1.0
Bahrain	965	902	768	-14.9
CAFTA-DR	28,412	23,750	23,384	-1.5
Oman	978	907	1,109	22.2
Peru	6,079	5,053	6,249	23.7
South Korea	69,680	71,759	69,932	-2.5
Colombia	18,316	14,075	13,796	-2.0
Panama	432	408	408	-0.1
FTA partner total	831,961	774,332	748,784	-3.3
World total	2,356,366	2,248,232	2,189,183	-2.6
FTA partner share of world (%)	35.3	34.4	34.2	

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Table 5.3 U.S. merchandise trade balance with FTA partners, by FTA partner, 2014–16

FTA partner	2014	2015	2016	% change 2015–16
	Million \$			
NAFTA	-91,869	-76,209	-75,298	1.2
Canada	-36,461	-15,547	-12,106	22.1
Mexico	-55,408	-60,663	-63,192	-4.2
Non-NAFTA	24,992	12,177	3,117	-74.4
Israel	-7,942	-10,938	-9,009	17.6
Jordan	649	-133	-62	53.0
Chile	7,062	6,673	4,141	-37.9
Singapore	13,571	10,205	9,068	-11.1
Australia	15,985	14,142	12,690	-10.3
Morocco	1,107	613	844	37.6
Bahrain	95	368	134	-63.7
CAFTA-DR	2,716	4,973	5,482	10.2
Oman	1,037	1,448	675	-53.4
Peru	3,976	3,672	1,780	-51.5
South Korea	-25,055	-28,313	-27,666	2.3
Colombia	1,752	2,212	-696	(^a)
Panama	10,039	7,255	5,736	-20.9
FTA partner total	-66,877	-64,032	-72,181	-12.7
World total	-735,194	-745,660	-735,462	1.4

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

^aNot meaningful.

U.S. Imports Entered under FTAs

The value of U.S. imports entered under FTAs totaled \$374.2 billion in 2016, which accounted for half (50.0 percent) of total U.S. imports from FTA partners and 17.1 percent of U.S. imports from the world (tables 5.4–5.5).

Table 5.4 U.S. imports for consumption entered under FTAs, by FTA partner, 2014–16

FTA partner	2014	2015	2016	% change 2015–16
	Million \$			
NAFTA	356,958	316,160	301,946	-4.5
Canada	174,737	140,727	131,152	-6.8
Mexico	182,220	175,432	170,794	-2.6
Non-NAFTA	58,792	56,802	72,296	27.3
Israel	2,952	2,907	2,741	-5.7
Jordan	1,217	1,349	1,357	0.6
Chile	4,940	4,861	4,694	-3.4
Singapore	1,565	1,654	1,833	10.8
Australia	4,701	5,123	3,630	-29.2
Morocco	242	256	189	-26.3
Bahrain	540	527	498	-5.3
CAFTA-DR	12,854	13,518	13,658	1.0
Oman	611	599	814	35.8
Peru	3,414	2,732	2,659	-2.6
South Korea	17,110	17,831	34,823	95.3
Colombia	8,614	5,405	5,345	-1.1
Panama	32	41	54	31.9
FTA partner total	415,750	372,962	374,242	0.3

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Table 5.5 Ratio of U.S. imports for consumption under FTAs to U.S. general imports, by partner, 2014–16

FTA partner	2014	2015	2016
	Percent		
NAFTA	55.3	53.4	52.8
Canada	50.0	47.5	47.2
Mexico	61.6	59.2	58.1
Non-NAFTA	31.4	31.2	40.9
Israel	12.8	11.9	12.3
Jordan	86.8	90.4	87.1
Chile	52.1	55.4	53.3
Singapore	9.5	9.1	10.3
Australia	43.9	47.0	38.1
Morocco	24.3	25.3	18.5
Bahrain	56.0	58.4	64.9
CAFTA-DR	45.2	56.9	58.4
Oman	62.4	66.1	73.4
Peru	56.2	54.1	42.6
South Korea	24.6	24.8	49.8
Colombia	47.0	38.4	38.7
Panama	7.4	10.0	13.3
FTA partner total	50.0	48.2	50.0

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

The value of U.S. imports entered under FTAs in 2016 increased \$1.3 billion (0.3 percent), up from \$373.0 billion in 2015. FTA imports from South Korea grew \$17.0 billion (95.3 percent), which represented the largest increase. The growth was primarily driven by a large increase in motor vehicle imports, which became duty free under the FTA on January 1, 2016. Imports under FTAs from Oman and Panama also increased, by 35.8 percent (\$215 million) and 31.9 percent (\$13 million), respectively; however, they changed from much smaller baselines. Combined imports from NAFTA partners decreased 4.5 percent (\$14.2 billion), which was mostly due to a decrease in energy-related imports from both Canada and Mexico, and road tractor imports from Mexico.

Jordan remained the partner with the highest ratio of imports entered under an FTA to total imports, with a ratio of 87.1 percent (table 5.5). Other countries with notably high ratios include Oman (73.4 percent), Bahrain (64.9 percent), and Mexico (58.1 percent). CAFTA-DR countries as a whole also had a high ratio, at 58.4 percent. Each CAFTA-DR partner also had large shares, except for Costa Rica, for which the ratio was just 33.1 percent. The partners with the smallest shares of imports entered under an FTA to total imports continued to be Singapore (10.3 percent), Israel (12.3 percent), and Panama (13.3 percent). The imports from these countries often entered the United States free of duty under normal trade relations rates.

Developments in FTA Negotiations during 2016

Trans-Pacific Partnership (TPP)

On February 4, 2016, the United States and 11 other countries party to the agreement signed the Trans-Pacific Partnership (TPP) following the conclusion of negotiations in 2015.³⁹⁶ Over the course of 2016, the U.S. administration worked to prepare the agreement for congressional consideration; however, both of the leading presidential candidates expressed opposition to the TPP as drafted, and the implementing legislation was not submitted to Congress by yearend 2016.³⁹⁷ In January 2017, President Donald Trump instructed the U.S. Trade Representative (USTR) to formally withdraw from TPP discussions.³⁹⁸

Transatlantic Trade and Investment Partnership (TTIP) Agreement

Launched in 2013, the United States and the European Union (EU) continued negotiations in 2016 towards a Transatlantic Trade and Investment Partnership (TTIP) agreement. Four rounds of negotiations were held in 2016 (table 5.6), with the goal of completing “an ambitious, comprehensive and high-standard agreement this year.”³⁹⁹ Meetings between USTR Michael Froman and EU Trade Minister Cecilia Malmström intensified in 2016, but certain areas of the agreement still needed “significant work” at yearend.⁴⁰⁰ All of the rounds, except the 15th round in October 2016, included meetings with stakeholders, including representatives from academia, business, labor, and environmental and consumer groups.

Table 5.6 Timetable of major TTIP negotiations, 2016

Date	Negotiating round
February 22–26	12th round, Brussels, Belgium
April 25–29	13th round, New York, NY
July 11–15	14th round, Brussels, Belgium
October 3–7	15th round, New York, NY

Source: USTR, “Transatlantic Trade and Investment Partnership,” <https://ustr.gov/ttip> (accessed March 22, 2017).

During the year, the two parties made progress in all areas of the negotiations, including market access, regulatory issues, and rules. In the area of market access, negotiators entered the year with an agreement to eliminate duties on 97 percent of tariff lines.⁴⁰¹ During 2016, negotiations centered on reducing or eliminating transition periods on those tariff lines for which duties were not immediately

³⁹⁶ The 11 other countries under the agreement are Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, and Vietnam.

³⁹⁷ See, for example, *Inside U.S. Trade*, “TPP’s Fate in Lame-Duck Uncertain,” September 29, 2016.

³⁹⁸ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 143.

³⁹⁹ White House, “Remarks by President Obama at Hannover Messe Trade Show Opening,” April 24, 2016.

⁴⁰⁰ USTR, “U.S.-EU Joint Report on TTIP Progress to Date,” January 17, 2017; EC, “Fourteenth Round of Negotiations,” July 15, 2016.

⁴⁰¹ USTR, “U.S. Press Statement at the Close of the T-TIP Round,” February 26, 2016.

eliminated at entry into force of the agreement.⁴⁰² In July, the EU made its first market access offer in financial services,⁴⁰³ which had been delayed by the EU until the United States agreed to include financial services regulatory cooperation in TTIP.⁴⁰⁴ Although an agreement was not reached, a related bilateral forum separate from TTIP, in which financial sector regulatory issues have been discussed since 2002, was enhanced, renamed, and had its first meeting in July.⁴⁰⁵ In the area of government procurement, both sides presented first offers in February.⁴⁰⁶ The U.S. chief TTIP negotiator said it was the most ambitious offer the United States had made in any trade agreement, including the TPP.⁴⁰⁷ But the EU said it was seeking more market access,⁴⁰⁸ including procurement opportunities at the Federal Aviation Administration and in rail transportation.⁴⁰⁹

Both sides indicated that progress has been made in the regulatory area.⁴¹⁰ Discussions advanced in 2016 on regulatory cooperation and on good regulatory practices, which aim to set out principles and rules that the United States and EU can apply in developing regulations.⁴¹¹ For example, progress was made on developing a framework for regulatory cooperation that would facilitate greater compatibility in future regulations and on strengthening transparent rulemaking by ensuring opportunities for public input.⁴¹² Discussions moved forward on technical barriers to trade, including progress on reducing duplicative product testing and certification requirements, as well as on devising ways to increase participation by stakeholders in the development of each other's product standards.⁴¹³ Both sides continued to discuss how to organize a regulatory cooperation forum.⁴¹⁴

Talks also addressed regulatory compatibility in nine sectors, including motor vehicles, pharmaceuticals, chemicals, medical devices, cosmetics, textiles, engineering services, information and communication technologies, and pesticides. During the final negotiating round of 2016, the U.S. chief negotiator noted that good progress had been made in resolving conceptual and language differences in the auto, pharmaceutical, and medical device sectors.⁴¹⁵ Also, the two sides made progress in 2016 on updating a mutual recognition agreement from 1998 on good manufacturing practices for drug inspections.⁴¹⁶

⁴⁰² Ibid.; USTR, "Opening Remarks by U.S. and EU Chief Negotiators from the New York Round," April 29, 2016;

USTR, "Statement by Assistant USTR Dan Mullaney," July 15, 2016.

⁴⁰³ USTR, "Statement by Assistant USTR Dan Mullaney," July 15, 2016.

⁴⁰⁴ EC, "Report of the 14th Round of Negotiations," July 2016.

⁴⁰⁵ U.S. Treasury, "Joint U.S.-EU Financial Regulatory Forum Joint Statement," July 25, 2016; U.S. Treasury, "Improvements in EU-U.S. Regulatory Cooperation," July 19, 2016.

⁴⁰⁶ USTR, "U.S. Press Statement at the Close of the T-TIP Round," February 26, 2016.

⁴⁰⁷ USTR, "Statement by Assistant USTR Dan Mullaney," July 15, 2016.

⁴⁰⁸ EC, "TTIP: The Finish Line and How to Get There," June 29, 2016.

⁴⁰⁹ European Parliament, "EU-US Negotiations on TTIP: A Survey," July 2016, 21.

⁴¹⁰ USTR, "U.S.-EU Joint Report on TTIP Progress to Date," January 17, 2017.

⁴¹¹ USTR, "U.S. Press Statement at the Close of the T-TIP Round," February 26, 2016; USTR, "Opening Remarks by U.S. and EU Chief Negotiators from the New York Round," April 29, 2016.

⁴¹² USTR, "Opening Remarks by U.S. and EU Chief Negotiators from the New York Round," April 29, 2016.

⁴¹³ USTR, "U.S.-EU Joint Report on TTIP Progress to Date," January 17, 2017.

⁴¹⁴ EurActiv, "EU, US Negotiators Officially Drop Aim of Concluding TTIP in 2016," Oct. 10, 2016; EC, "Report of the 15th Round of Negotiations," October 2016, 7.

⁴¹⁵ USTR, "Opening Remarks by U.S. and EU Chief Negotiators for the Transatlantic Trade and Investment Partnership," October 7, 2016.

⁴¹⁶ USTR, "U.S.-EU Joint Report on TTIP Progress to Date," January 17, 2017; Corrigan, "Remarks to the Food and Drug Law," March 16, 2016. On March 1, 2017, the updated revised agreement entered into force. *Decision No 1/2017 of 1 March 2017 of the Joint Committee established under Article 14 of the Agreement on Mutual*

Negotiations also progressed during the year on labor; the environment; customs and trade facilitation; small and medium-sized enterprises (SMEs); energy; intellectual property rights, including geographical indications; competition; state-owned enterprises; investor protection; and state-to-state dispute settlement.⁴¹⁷ In the 12th round in February, the EU presented its approach on investment protection and dispute resolution, and views were exchanged for the first time.⁴¹⁸ During the 13th round, the U.S. chief negotiator said that customs and trade facilitation, competition, and SMEs were at a “very advanced state of negotiation.”⁴¹⁹

In a joint report on the status of negotiations as of the end of 2016, the United States and EU said that the following areas still required “significant work”: (1) the most sensitive tariff lines (the final 3 percent of tariff lines); (2) market access in service sectors; (3) sanitary and phytosanitary measures; (4) mutual recognition of professional qualifications; (5) government procurement; (6) standards and conformity assessment procedures; (7) investor protection; (8) labor and environmental protection; (9) electronic commerce; (10) energy; and (11) trademarks, generic names, and geographical indications.⁴²⁰

Developments in the North American Free Trade Agreement (NAFTA)⁴²¹

The North American Free Trade Agreement (NAFTA) among the United States, Canada, and Mexico entered into force on January 1, 1994. All of the agreement’s provisions were implemented, as scheduled, by the three parties by January 1, 2008, with the exception of the NAFTA cross-border trucking provisions.⁴²²

NAFTA’s central oversight body is the Free Trade Commission, which is responsible for overseeing NAFTA’s implementation and elaboration, as well as activities under its dispute settlement provisions. The commission has not met since 2012. However, officials of the three member countries have met regularly to expand and deepen trade and investment opportunities in North America.⁴²³

The following sections describe the major activities of NAFTA’s Commission for Labor Cooperation (CLC) and Commission for Environmental Cooperation (CEC) during 2016, as well as dispute settlement activities under NAFTA Chapters 11 and 19 for the year.

Recognition between the European Community and the United States of America, amending the Sectoral Annex for Pharmaceutical Good Manufacturing Practices (GMPs) [2017/382], 2017 O.J. (L 58/36), March 4, 2017.

⁴¹⁷ USTR, “Opening Remarks by U.S. and EU Chief Negotiators for the Transatlantic Trade and Investment Partnership,” October 7, 2016.

⁴¹⁸ EC, “The Twelfth Round of Negotiations for the Transatlantic Trade and Investment Partnership (TTIP),” March 2016, 19.

⁴¹⁹ USTR, “Opening Remarks by U.S. and EU Chief Negotiators from the New York Round,” April 29, 2016; EC, “The Transatlantic Trade and Investment Partnership (TTIP)—State of Play,” April 27, 2016.

⁴²⁰ USTR, “U.S.-EU Joint Report on TTIP Progress,” January 17, 2017.

⁴²¹ U.S. bilateral trade relations with Canada and Mexico are described in chapter 6 of this report.

⁴²² The section on Mexico in chapter 6 provides an update on recent developments in NAFTA’s cross-border trucking provisions; more information appears in USITC, *The Year in Trade 2008*, 2009, 5–16. All product categories offer duty-free entry to originating goods from Mexico, and all shipments of goods from Canada are likewise eligible except those exceeding a TRQ.

⁴²³ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 128.

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 a national administrative office (NAO) within its labor ministry to act as the contact point with the other parties, the secretariat, other government agencies, and the public. The United States' NAO is the Office of Trade and Labor Affairs in the U.S. Department of Labor (USDOL).⁴²⁴ 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.⁴²⁵

In 2016, the USDOL and the Mexican Secretariat of Labor and Social Welfare (STPS) published a joint report on the educational and outreach activities completed in 2015 about the rights of workers under H-2A and H-2B visas.⁴²⁶ In the United States, the USDOL held 29 outreach events reaching more than 2,300 workers and 1,000 employers. In Mexico, STPS held 11 events reaching almost 1,600 individuals.⁴²⁷

In July 2016, the Mexican NAO received a submission from two former H-2 workers, the Centro de los Derechos del Migrante (Center for Migrant Rights), and 27 other organizations, alleging gender discrimination in the U.S. H-2 system. The Mexican NAO accepted the submission for review in August of the same year.⁴²⁸

Also in 2016, the U.S. NAO published its *Public Report of Review of U.S. Submission 2015-04 (Mexico)* concerning Mexico's obligations regarding workers' rights under the NAALC.⁴²⁹ In 2015, the USDOL received a submission from four groups: the United Food and Commercial Workers Local 770, the Frente Auténtico del Trabajo (Authentic Workers' Front), the Los Angeles Alliance for a New Economy, and the Project on Organizing, Development, Education, and Research. The USDOL accepted the submission for review on January 11, 2016.

The report, published in July 2016, indicates that there was too little evidence to support specific conclusions about complaints that the Mexican government failed to effectively enforce certain aspects of its labor laws at the chain of stores referenced in the submission. However, the report notes that USDOL has had longstanding concerns about protection contracts and the factors that facilitate them, such as structural bias in the Conciliation and Arbitration Boards that administer labor justice in Mexico. The report also indicated that recent steps taken by the government of Mexico and reforms that had been proposed would address the factors underlying these concerns, if they were effectively

⁴²⁴ USDOL, ILAB, OTLA, "Division of Monitoring and Enforcement of Trade Agreements" (accessed March 15, 2017).

⁴²⁵ USDOL, ILAB, OTLA, "North American Agreement on Labor Cooperation: A Guide" (accessed March 15, 2017).

⁴²⁶ USDOL, ILAB, OTLA, *Public Report on Outreach Events, 2016* (accessed March 30, 2017); USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 128.

⁴²⁷ *Ibid.*

⁴²⁸ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 128.

⁴²⁹ *Ibid.*, 129.

implemented.⁴³⁰ Mexico’s Congress approved one of those proposed reforms—the constitutional reform that abolishes the Conciliation and Arbitration Boards and creates a system of labor courts—in November 2016.⁴³¹ The report recommends expeditious passage and implementation of the reform.

The U.S. NAO will continue to monitor and engage with the Mexican government on these and other issues mentioned in the submission. Other issues include pregnancy discrimination and the misuse of government-sponsored volunteer programs in retail stores.⁴³²

Commission for Environmental Cooperation

The CEC was established under article 8 of the North American Agreement on Environmental Cooperation. This supplemental agreement, which came into force at the same time as NAFTA, is designed to support the environmental goals of NAFTA, which are to protect and improve the environment, support sustainable development, and increase cooperation in reaching these goals.⁴³³ The CEC was established to support cooperation among the parties to reach these goals.⁴³⁴

Articles 14 and 15 of the supplemental agreement provide citizens and nongovernmental organizations with a mechanism to help enforce environmental laws in the NAFTA countries. Article 14 governs alleged violations submitted for review by the CEC. It sets out guidelines about criteria for submissions and parties that can file complaints. Article 15 outlines the CEC Secretariat’s obligations in considering the submissions and publishing findings in the factual record.⁴³⁵ At the end of 2016, three complaint files remained active under Articles 14 and 15, two of which were submitted in 2016. All three active files involved Mexico (table 5.7).

Table 5.7 Active files as of yearend 2016 under Articles 14 and 15 of the North American Agreement on Environmental Cooperation

Case title	Case number	First filed	Country ^a	Status
La Primavera Forest	SEM-15-001	July 20, 2015	Mexico	The Secretariat informed the CEC Council that the Secretariat considers that the submission warrants development of a factual record.
Agricultural Waste Burning in Sonora	SEM-16-001	Jan. 22, 2016	Mexico	The Secretariat informed the CEC Council that the Secretariat considers that the submission warrants development of a factual record.
Monterrey VI Aqueduct	SEM-16-002	July 11, 2016	Mexico	The Secretariat received a response from the concerned government party and began considering whether to recommend a factual record.

Source: CEC, “Submission on Enforcement Matters: Active Submissions” (accessed March 15, 2017).

^aRefers to the country against which an allegation was filed.

At the 23rd regular session of the CEC Council on September 9, 2016, in Mérida, Yucatán, Mexico, the Council focused on “Sustainable Communities and Ecosystems” as well as on “Youth and the

⁴³⁰ USDOL, ILAB, OTLA, *Public Report of Review of U.S. Submission 2015-04 (Mexico)*, July 8, 2016, ii–iii; and USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 129.

⁴³¹ As of January 2017, a majority of Mexico’s state legislatures had approved the constitutional reforms, as required by law for ratification, and the reforms are expected to be implemented by early 2018. Additional legislative reforms to address protection contracts and union representation challenges are pending in Mexico’s Congress.

⁴³² USDOL, ILAB, OTLA, *Public Report of Review of U.S. Submission 2015-04 (Mexico)*, July 8, 2016, i–iv.

⁴³³ CEC, “North American Agreement on Environmental Cooperation” (accessed March 17, 2017).

⁴³⁴ CEC, “About the CEC” (accessed March 17, 2017).

⁴³⁵ CEC, “About Submissions on Enforcement Matters” (accessed March 15, 2017).

Environment in North America.” The CEC’s Joint Public Advisory Committee also hosted a public forum on biodiversity and climate change.⁴³⁶ The CEC Ministerial Statement noted that several significant milestones for the three countries occurred in 2016, including the signing of the Paris Agreement on climate change as well as the North American Leaders Summit. The summit was held in Ottawa, Canada, on June 29, 2016, and the North American leaders launched an Action Plan on Climate, Clean Energy, and Environmental Partnership there. The 24th session will be held in 2017 in Charlottetown, Prince Edward Island, Canada.⁴³⁷

The Border Environment Cooperation Commission and the North American Development Bank were created in 1993 to address environmental issues in the U.S.-Mexico border region.⁴³⁸ As of December 31, 2016, the bank had contracted a total of nearly \$2.8 billion in loans and grants, of which 96 percent has been disbursed for use in 216 environmental infrastructure projects.⁴³⁹

Dispute Settlement

The dispute settlement provisions of NAFTA Chapters 11 (Investment) and 19 (Review and Dispute Settlement in Antidumping/Countervailing Duty Matters) cover a variety of areas.⁴⁴⁰ The sections below describe developments during 2016 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 2016.

Chapter 11 Dispute Settlement Developments

Chapter 11 of NAFTA includes provisions designed to protect cross-border investors and to make it easier to settle 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.⁴⁴¹ A key feature of the Chapter 11 arbitral provisions is the enforceability in domestic courts of final awards made by arbitration tribunals.⁴⁴² In 2016, there were five active Chapter 11 cases filed against the United States, four of them filed by Canadian investors and one filed by Mexican

⁴³⁶ CEC, “CEC Ministerial Statement—2016: Twenty-third Regular Session” (accessed March 15, 2017).

⁴³⁷ CEC, “CEC Ministerial Statement—2016: Twenty-third Regular Session” (accessed March 15, 2017).

⁴³⁸ NADB, “About Us: Origins,” <http://www.nadbank.org/about/origins.asp> (accessed March 17, 2017).

⁴³⁹ NADB, “Summary of Project Implementation Activities: Active Projects,” December 31, 2016.

⁴⁴⁰ NAFTA Secretariat, “Overview of the Dispute Settlement Provisions” (accessed March 15, 2017).

⁴⁴¹ 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. NAFTA Secretariat, “Overview of the Dispute Settlement Provisions” (accessed March 15, 2017).

⁴⁴² Ibid.

investors;⁴⁴³ one filed by U.S. investors against Canada;⁴⁴⁴ and one filed by U.S. investors against Mexico.⁴⁴⁵

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.⁴⁴⁶ 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.⁴⁴⁷ At the end of 2016, the NAFTA Secretariat listed six binational panels active under Chapter 19 (table 5.8). Four of the six active cases challenged the Mexican agency's determinations on products from the United States, and two challenged U.S. agencies' determinations on products from Canada and Mexico.⁴⁴⁸

Table 5.8 NAFTA Chapter 19 binational panels, active reviews through 2016

Country	Filed by	Case number	National agencies' final determination ^a	Case title
Mexico	United States	MEX-USA-2012-1904-01	SE Antidumping Administrative Review	Chicken Thighs and Legs
	United States	MEX-USA-2012-1904-02	SE Antidumping Administrative Review	Ethylene Glycol Monobutyl Ether
	United States	MEX-USA-2015-1904-01	SE Antidumping Administrative Review	Ammonium Sulphate
	United States	MEX-USA-2016-1904-01	SE Antidumping Administrative Review	Ethylene Glycol Monobutyl Ether
United States	Canada	USA-CDA-2015-1904-01	USDOC Antidumping Administrative Review	Supercalendered Paper
	Mexico	USA-MEX-2014-1904-02	USITC Injury Determination	Steel Concrete Reinforcing Bar

Source: NAFTA Secretariat, "Status Report of Panel Proceedings—Chapter 19 Active Cases" (accessed March 15, 2017).

^a In 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 the Economy. 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 15, 2017).

Developments in Other FTAs Already in Force during 2016

In 2016, U.S. officials met with FTA partners for discussions on a variety of matters, including dispute settlement, labor issues, enhancing trade and investment, and environmental issues. Highlights of these consultations are presented in this section.

⁴⁴³ USDOS, "NAFTA Investor-State Arbitrations: Cases Filed against the United States" (accessed March 15, 2017).

⁴⁴⁴ USDOS, "NAFTA Investor-State Arbitrations: Cases Filed against the Government of Canada" (accessed March 15, 2017).

⁴⁴⁵ USDOS, "NAFTA Investor-State Arbitrations: Cases Filed against the United Mexican States" (accessed March 15, 2017).

⁴⁴⁶ The binational panel is made up of representatives of the two nationalities that are involved in the dispute.

⁴⁴⁷ NAFTA Secretariat, "Overview of the Dispute Settlement Provisions" (accessed March 15, 2017). Such reviews involve the parties and designated agencies, rather than individuals or firms.

⁴⁴⁸ NAFTA Secretariat, "Status Report of Panel Proceedings—Chapter 19 Active Cases" (accessed March 15, 2017).

Twelve of the 14 U.S. FTAs have investment provisions designed to protect foreign investors and their investments and to facilitate the settlement of investment disputes.⁴⁴⁹ According to the U.S. Department of State, among the U.S. FTAs that provide for investor-state dispute settlements, there are ongoing investor disputes under NAFTA (as discussed above), the U.S.-Chile FTA, CAFTA-DR, the U.S.-Peru TPA, and the U.S.-Oman FTA.⁴⁵⁰

Thirteen of the 14 U.S. FTAs have labor provisions to protect worker rights and facilitate cooperation on labor issues.⁴⁵¹ By yearend 2016, USDOL and other agencies had acted on labor complaints made by interested parties in seven FTA partners: Bahrain, Colombia, the Dominican Republic, Guatemala, Honduras, Mexico, and Peru. In 2016, USDOL received one submission, under the labor chapter of the U.S.-Colombia Trade Promotion Agreement. USDOL also released two review reports, one on the submission filed against Mexico under the NAALC, the other on the submission filed against Peru under the labor chapter of the U.S.-Peru Trade Promotion Agreement.⁴⁵² For more detailed information regarding these developments, see the section on each respective FTA in this chapter.

U.S.-Australia FTA

On May 3, 2016, officials from the U.S.-Australia Free Trade Agreement Joint Committee held a meeting to review implementation of the U.S.-Australia FTA, including issues related to goods and services, investment, and intellectual property.⁴⁵³

CAFTA-DR

The central oversight body for the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) is the Free Trade Commission, comprising the U.S. Trade Representative and the trade ministers of the other CAFTA-DR parties or their designees.⁴⁵⁴ In August 2016, technical-level staff of the parties met in Managua, Nicaragua, to follow up on agreements made during the previous Free Trade Commission meeting in 2015 to advance technical and administrative implementation issues.⁴⁵⁵

Labor

In October 2016, USDOL issued its fifth periodic review on implementation of the recommendations in its 2013 report. The original report found evidence of apparent and potential violations of labor law in

⁴⁴⁹ CRS, *U.S. International Investment Agreements: Issues for Congress*, April 29, 2013, 14. The U.S. FTAs with Bahrain and Jordan do not have investment provisions. The U.S.-Israel FTA has limited treatment of investment in the context of trade-related performance requirements. The U.S.-Australia FTA has investment provisions but does not include investor-state arbitration provisions.

⁴⁵⁰ For more information, see USDOS, "International Claims and Investment Disputes (L/CID)," n.d. (accessed March 9, 2017).

⁴⁵¹ Only the 1985 U.S.-Israel has no such provisions. For more information, see USDOL, ILAB, "Submissions under the Labor Provisions of Free Trade Agreements," n.d. (accessed March 9, 2017).

⁴⁵² For more information on NAALC and Mexico, see the previous section on NAFTA in this chapter.

⁴⁵³ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 116.

⁴⁵⁴ *Ibid.*

⁴⁵⁵ *Ibid.*

the Dominican sugar sector, while the 2016 review noted positive steps taken by the Dominican Republic and the sugar industry to address these concerns.⁴⁵⁶

Environment

Officials responsible for trade and environment under CAFTA-DR held several meetings in 2016 to discuss environmental cooperation funding, the monitoring and implementation of environmental obligations under the agreement, and preparation for senior-level meetings of the Environmental Affairs Council. The council met in July 2016 in San Salvador, El Salvador, to mark the 10-year anniversary of CAFTA-DR.⁴⁵⁷

U.S.-Chile FTA

The central oversight body for the U.S.-Chile FTA is the U.S.-Chile Free Trade Commission, composed of the U.S. Trade Representative and Chile's Director General of International Economic Affairs or their designees. This commission held its 11th meeting in December 2016. The commission recognized the value of discussions about the implementation of Chapter 17 (IPR) and further reviewed implementation of the FTA, including the need to update product-specific rules of origin to reflect the 2017 changes to the global Harmonized Commodity Description and Coding System (Harmonized System) used to classify traded goods. It reaffirmed the parties' goal of resolving concerns about sanitary and phytosanitary standards (SPS) and continued cooperation on these matters.⁴⁵⁸

Labor

The FTA Labor Chapter establishes a Labor Cooperation Mechanism for the United States and Chile to work together to improve labor standards and advance common commitments. In June 2016, a delegation from the Chilean Ministry of Labor visited Washington, DC. Their agenda included a working-group meeting of the Inter-American Conference of Ministers of Labor and a visit to the Job Corps center of the U.S. Department of Labor. Chile has enacted several pieces of labor legislation over the past decade that are relevant to the FTA Labor Chapter, including guaranteeing the rights of workers to collective bargaining in 2016. Effective April 2017, this law limits employers' power to replace striking workers, expands collective bargaining rights to some temporary workers and apprentices, and removes obstacles that previously inhibited bargaining beyond the individual enterprise level. The USDOL, in its annual report on child labor, found that Chile has made significant progress in the areas of law enforcement, policy, legislative efforts, and social programs.⁴⁵⁹

U.S.-Colombia TPA

The central oversight body for the U.S.-Colombia Trade Promotion Agreement is the U.S.-Colombia Free Trade Commission, composed of the U.S. Trade Representative and the Colombian Minister of Trade, Industry, and Tourism or their designees. In 2016, the United States and Colombia continued to work together to carry out initiatives launched at the commission's 2012 meeting, including the elimination of

⁴⁵⁶ USDOL, ILAB, "Fifth Periodic Review of Implementation of Recommendations," October 5, 2016.

⁴⁵⁷ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 152.

⁴⁵⁸ *Ibid.*, 121.

⁴⁵⁹ *Ibid.*, 122.

tariffs for certain goods, the establishment of certain elements related to the dispute settlement mechanism, and updating the agreement's rules of origin.⁴⁶⁰

Labor

The agreement's entry into force was accompanied by the Action Plan Related to Labor Rights (Action Plan) for Colombia, developed jointly by the parties and launched in 2011. The year 2016 marked the five-year anniversary of the Action Plan. In 2016, the Colombian government continued implementing the plan, including issuing a presidential decree to crack down on illegal forms of subcontracting. Ongoing engagement between U.S. and Colombian officials in 2016 included videoconferences with Colombia's Minister of Labor, a July meeting in Washington, DC, with the Minister of Labor, and a November mission to Colombia by USTR and USDOL officials.⁴⁶¹

In May 2016, labor unions and nongovernmental organizations in the United States and Colombia filed a public submission with USDOL, alleging that the government of Colombia had failed to effectively enforce labor laws and had not adopted laws to protect labor rights. The USDOL accepted this submission and began the detailed review process in July 2016. The review considers all information provided by the submitters, the government of Colombia, and others with knowledge of the issue.⁴⁶²

U.S.-Israel FTA

The central oversight body for the U.S.-Israel FTA is the U.S.-Israel Joint Committee. The Joint Committee met in February 2016 to discuss potential efforts to increase bilateral trade and investment. The parties also discussed specific impediments to bilateral trade related to standards and customs practices. In addition, Israel proposed resuming negotiations on a permanent U.S.-Israel Agreement on Trade in Agricultural Products (ATAP). Initially negotiated in 1996, ATAP allowed U.S. products preferential market access to Israel, but did not conform to the U.S.-Israel FTA's objective of free trade in agricultural products. ATAP was renegotiated in 2004 to include additional market access opportunities in agricultural products and was to remain in effect until December 2008. ATAP has been extended on an annual basis since 2008 after Israel and the United States were unable to conclude a successor agreement. In July, the United States revised modalities for a new permanent ATAP agreement. These proposals are being reviewed by both sides.⁴⁶³

U.S.-Jordan FTA

The U.S.-Jordan Joint Committee met in May 2016 to discuss labor issues, technical barriers to agricultural trade, acceptance of the World Trade Organization (WTO) Trade Facilitation Agreement, and Jordan's accession to the WTO Government Procurement Agreement. After the meetings concluded, the

⁴⁶⁰ Ibid., 122.

⁴⁶¹ Ibid., 123.

⁴⁶² USDOL issued a public report regarding this submission on January 11, 2017. The report raises concerns about the labor law inspection and enforcement system in place to protect rights to freedom of association and collective bargaining. USDOL, "Submission under U.S.-Colombia TPA," n.d. (accessed March 14, 2017).

⁴⁶³ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 123–24.

issue of licensing imports of poultry from the United States was resolved, allowing U.S. poultry to be imported into Jordan.⁴⁶⁴

U.S.-Korea FTA (KORUS)

The Joint Committee is the central oversight committee under the U.S.-Korea FTA. It is responsible for supervising the agreement’s implementation, coordinating the work of other committees, and resolving issues that may arise.⁴⁶⁵ In 2016, nine committees and working groups established under KORUS met to discuss issues related to the agreement. Highlights of these meetings are detailed below:

The Committee on Trade in Goods discussed the South Korean Customs Service’s interpretation of the FTA’s rules of origin and verification procedures, resulting in the closure of two outstanding customs reviews of U.S. manufacturers. The committee also discussed U.S. concerns about new customs clearance procedures for express delivery packages at Incheon airport.

The Medicines and Medical Devices Committee discussed South Korea’s import pricing system, South Korea’s patent linkage system, and updates on draft regulations related to pharmaceutical drugs in South Korea.

The Professional Services Working Group focused on potential efforts to enhance trade in professional services.

The Committee on Sanitary and Phytosanitary Matters discussed South Korea’s process for reviewing and approving new biotechnology events,⁴⁶⁶ outstanding plant and animal market access issues, and issues pertaining to maximum residue limits in pesticides.⁴⁶⁷

In November 2016, U.S. and South Korean officials held technical-level conversations related to the KORUS labor chapter. The parties also discussed cooperative efforts to facilitate corporate compliance with international labor standards in global supply chains.⁴⁶⁸

U.S.-Morocco FTA

In October 2016, U.S. and Moroccan officials held an Agriculture and Sanitary and Phytosanitary FTA Subcommittee meeting in Washington, DC. The meeting covered a variety of issues, including exports of bovine genetics and pet food from the United States to Morocco.⁴⁶⁹

Labor

In 2016, the government of Morocco passed a domestic worker law that addresses an issue of concern that was raised by the United States during a 2014 meeting of the FTA Subcommittee on Labor. This law,

⁴⁶⁴ Ibid., 124.

⁴⁶⁵ USTR, “Statement on Meeting of the U.S.-Korea Free Trade Agreement,” December 15, 2014.

⁴⁶⁶ An event is the insertion of a particular transgene into a specific location on a chromosome. The term “event” is often used to differentiate genetically engineered crop varieties.

⁴⁶⁷ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 126.

⁴⁶⁸ Ibid.

⁴⁶⁹ Ibid., 127.

which takes effect in August 2017, extends protections and benefits to workers by setting a minimum wage, limiting weekly hours of work, providing a day of rest, and establishing a minimum age of employment.⁴⁷⁰

U.S.-Panama TPA

In November 2016, the Free Trade Commission, the central oversight body of the U.S.-Panama TPA, held a meeting to review progress on implementing the TPA. The committee also discussed next steps on outstanding intellectual property commitments and concerns related to bilateral trade in agricultural products. In December 2016, the parties agreed to update the TPA's rules of origin to correspond to changes in the system of product names (nomenclature) used in the international Harmonized System. During the year, the two sides also made progress on establishing the dispute settlement infrastructure under the agreement.⁴⁷¹

Labor

The TPA includes a labor chapter requiring both countries to adopt and maintain fundamental labor rights, to enforce their labor laws, and to avoid waiving or deviating from these laws in a way that would affect trade or investment. In February 2016, U.S. and Panamanian officials met in Washington, DC, to discuss labor law enforcement issues and best practices in the areas of child labor, wage-and-hour protections, and occupational safety and health.⁴⁷²

Environment

The November 2016 meeting of the Free Trade Commission also included discussions on the next steps in staffing an independent secretariat. The secretariat mechanism is responsible for encouraging the public to take part in identifying environmental enforcement issues and is to consider public submissions about the enforcement of environmental laws.⁴⁷³

U.S.-Peru TPA

The main oversight body of the U.S.-Peru TPA is the U.S.-Peru Free Trade Commission. In 2016, the commission continued work on sanitary and phytosanitary measures and technical barriers to trade, with much of the work centering on logging issues under the Annex on Forest Sector Governance. In March 2016, following technical-level exchanges and engagements between Peruvian officials and USTR and USDA, an official letter was finalized with Peru that resulted in the removal of trade restrictions related to bovine spongiform encephalopathy.⁴⁷⁴

⁴⁷⁰ Ibid.

⁴⁷¹ Ibid., 130–31.

⁴⁷² Ibid., 131.

⁴⁷³ Ibid., 154.

⁴⁷⁴ Ibid., 132. This ailment is also known as mad cow disease.

Labor

In March 2016, USDOL issued a report in response to the public submission filed under the Labor chapter of the TPA by the International Labor Rights Forum and seven Peruvian workers' organizations. The submission alleged that the government of Peru had failed to adopt and maintain laws that protect labor rights and to enforce existing labor laws. USDOL's report raised concerns regarding freedom of association as well as questions about labor law enforcement.⁴⁷⁵

Environment

In 2016, the two countries held several meetings to discuss and monitor issues in implementing the TPA's environment chapter and its Annex on Forest Sector Governance.⁴⁷⁶

In February 2016, the USTR requested that the government of Peru verify that certain wood products exported to the United States in 2015 adhered to applicable Peruvian laws and regulations. Peru's subsequent investigation showed that a significant portion of these timber shipments did not comply with Peruvian laws on trade in timber products. In August 2016, the Timber Committee issued a set of recommendations to address this violation, and in November 2016 the USTR reached an agreement with Peru on a concrete set of actions.⁴⁷⁷

In November 2016, officials from the United States and Peru conducted several meetings in Lima, Peru, under the Environmental Affairs Council, the Subcommittee on Forest Sector Governance, and the Environmental Cooperation Commission.⁴⁷⁸

⁴⁷⁵ USDOL, ILAB, "2015 Submission under U.S.-Peru TPA," March 18, 2016.

⁴⁷⁶ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 154.

⁴⁷⁷ *Ibid.*, 155.

⁴⁷⁸ *Ibid.*

Chapter 6

U.S. Trade Relations with Selected Trading Partners

This chapter reviews U.S. bilateral trade relations with 10 selected trading partners. Among these are some of the United States' major trading partners in 2016, as well as others that are notable as a result of recent changes to U.S. bilateral trade relations. This year, the report covers the following trading partners: the European Union (EU), China, Canada, Mexico, Japan, South Korea, Taiwan, India, Brazil, and Cuba (ordered by the value of their two-way merchandise trade). For each trading partner, the chapter summarizes U.S. bilateral trade, including two-way merchandise and private services trade, the U.S. trade balance, U.S. merchandise exports, and U.S. merchandise imports. That description is followed by summaries of the major bilateral trade-related developments during 2016.

European Union

U.S.-EU Trade

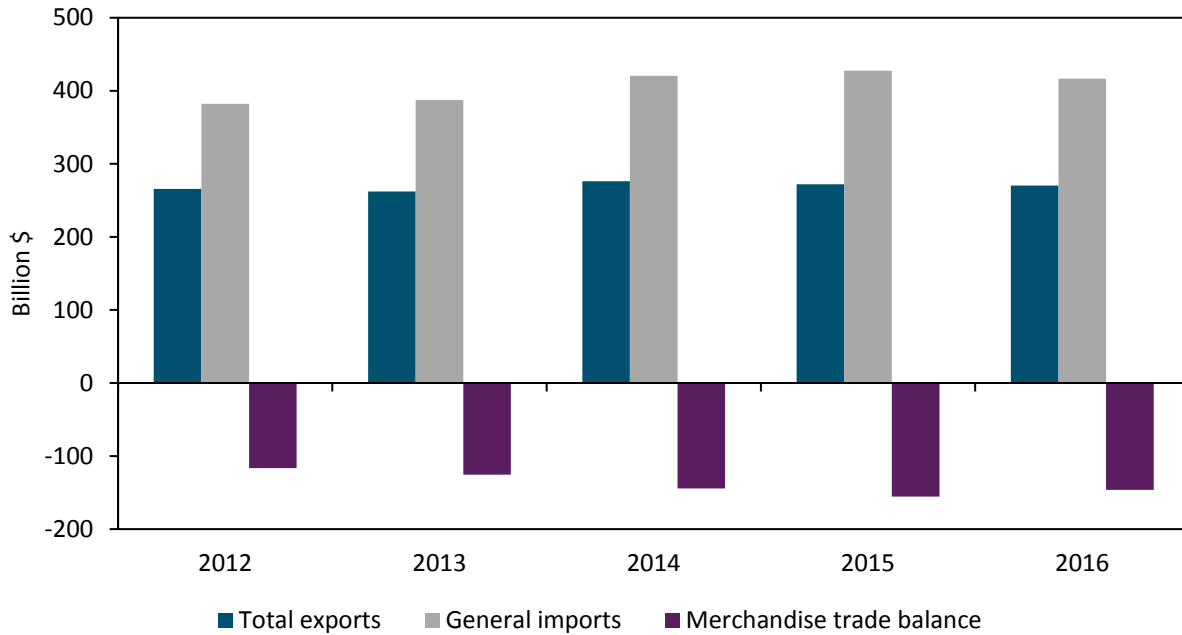
The EU as a single entity is the United States' largest two-way (exports plus imports) trading partner in terms of both goods and services. The value of U.S. merchandise trade with the 28 member states of the EU declined 1.8 percent, from \$699.6 billion in 2015 to \$687.0 billion in 2016. However, the EU share of U.S. trade increased for the third year in a row, from 18.7 percent in 2015 to 18.9 percent in 2016, as total U.S. trade with the world declined by more than U.S. trade with the EU. The U.S. trade deficit with the EU fell \$9.2 billion from \$155.6 billion in 2015 to \$146.3 billion in 2016 as U.S. imports from the EU dropped more than U.S. exports to the EU (figure 6.1). At the same time, the United States continued to register a trade surplus in services with the EU, increasing \$0.9 billion in 2016 to \$61.4 billion (figure 6.2). The EU accounted for 32.8 percent (\$397.8 billion) of U.S. two-way trade in services in 2016. The United Kingdom was the EU's largest services trader with the United States, with 29.2 percent of the EU total, followed by Germany and France.⁴⁷⁹

The EU became the largest market for U.S. merchandise exports in 2016, surpassing Canada, which had ranked as the largest export market in 2015. U.S. exports to the EU were stable, falling just 0.6 percent to \$270.3 billion in 2016. Leading U.S. exports to the EU included civilian aircraft, engines, and parts; medicaments (medicines); blood fractions (e.g., antiserum); refined petroleum products; and hand-executed paintings, drawings, and pastels.

The EU was the second-largest source of U.S. imports, following China. U.S. imports from the EU decreased 2.5 percent, from \$427.6 billion in 2015 to \$416.7 billion in 2016. Leading U.S. imports were passenger motor vehicles, medicaments, blood fractions, refined petroleum products, and parts of turbojets and turbopropellers. U.S.-EU merchandise trade data are shown in appendix tables A.27 through A.30.

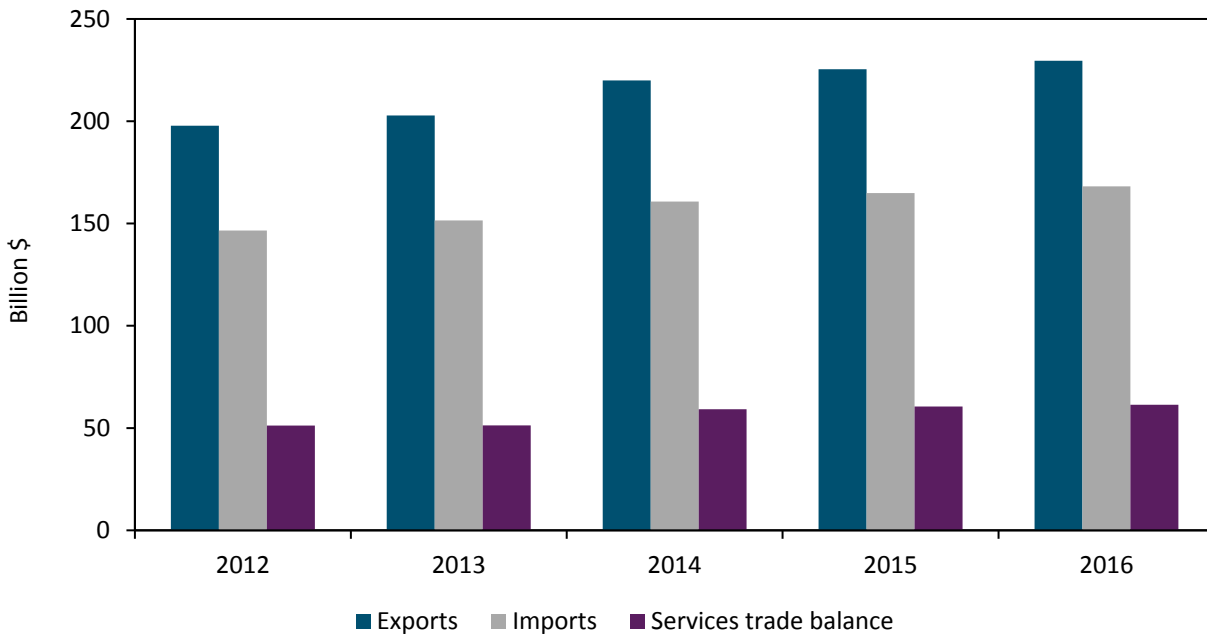
⁴⁷⁹ The services trade data by country reported in this chapter are based on trade in private services, which exclude government sales and purchases of services.

Figure 6.1 U.S. merchandise trade with the EU, 2012–16



Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).
 Note: Underlying data can be found in appendix table B.5.

Figure 6.2 U.S. private services trade with the EU, 2012–16^a



Source: USDOC, BEA, U.S. International Transactions, Services, & IIP, International Transactions data, tables 1.2 and 1.3, March 21, 2017.
 Note: Underlying data can be found in appendix table B.7.
^aData for 2016 are preliminary.

Trade Developments

The major focus of the U.S.-EU trade relationship in 2016 was negotiations to conclude the Transatlantic Trade and Investment Partnership (TTIP) agreement. TTIP trade negotiators aimed to complete the negotiations in 2016, but issues remained at yearend.⁴⁸⁰ The Transatlantic Economic Council continued its work in parallel to TTIP, focusing primarily on long-term regulatory cooperation. Other notable developments in 2016 included a U.S.-EU agreement on the Privacy Shield, a framework that allows U.S.-based companies to transfer personal data from the EU to the United States consistent with EU law, and negotiations to conclude an agreement on insurance and reinsurance. These are described below.⁴⁸¹

In December 2016, the United States took initial steps toward reinstating trade action against the EU in a World Trade Organization (WTO) dispute that began in 1996 over the EU's ban on meat treated with certain growth-promoting hormones (DS26).⁴⁸² Although a bilateral memorandum of understanding (MOU) was signed in 2009 in an effort to resolve the disagreement, the United States claims that its beef industry has been prevented from gaining the intended benefits from the MOU.⁴⁸³ There were also developments in other WTO dispute settlement cases involving the United States and the EU in 2016. A compliance panel report was circulated in September 2016 that addressed the long-running complaint by the United States about EU measures affecting trade in large civil aircraft (DS316). Also, a panel report was circulated in November 2016 in the complaint by the EU regarding conditional tax incentives, established by Washington state, for large civil aircraft (DS487). For more information about WTO dispute settlement cases, see chapter 3 and appendix table A.25.

Transatlantic Economic Council (TEC)

The Transatlantic Economic Council (TEC) was launched in 2007 to promote bilateral cooperation aimed at lowering transatlantic barriers to trade and investment in order to strengthen integration and growth.⁴⁸⁴ The TEC's efforts tend to be long term and focus on aligning "transatlantic standards and regulation to enable the growth of innovative, export-oriented industries in the United States and the EU."⁴⁸⁵ On November 30, 2016, U.S. and EU officials met for the first time since November 2015 to review progress and discuss new opportunities for collaboration to support innovation and growth.⁴⁸⁶

A report of the meeting noted progress in 2016 on the following:⁴⁸⁷

- **Electric vehicles:** Work continued on developing common standards, test procedures, and tools to promote universal compatibility and interoperability between electric vehicles, supply

⁴⁸⁰ For more information on TTIP, see chapter 5 of this report.

⁴⁸¹ In addition, in June 2016, the UK voted to leave the European Union ("Brexit"), but the UK's actual break from the EU is not expected to be completed for several years.

⁴⁸² 81 Fed. Reg. 95724 (December 28, 2016); USTR, "Obama Administration Takes Action to Address European Union's Unfair Trade Practices against U.S. Beef Industry," December 22, 2016.

⁴⁸³ USTR, "Obama Administration Takes Action," December 22, 2016. For more information on this issue, see discussion of Section 301 cases in chapter 2.

⁴⁸⁴ USDOS, EUR, "Framework for Advancing Transatlantic Economic Integration," April 30, 2007.

⁴⁸⁵ USDOS, EUR, "Transatlantic Economic Council, Facilitators' Report," November 30, 2016.

⁴⁸⁶ Ibid.

⁴⁸⁷ Ibid.

equipment, and electric power supply infrastructure. In 2016, the two sides agreed to cooperate on battery testing, energy efficiency of electric and hybrid vehicles, interoperability of smart grids (upgraded “intelligent” electricity networks), electromagnetic compatibility, and wider standardization work.⁴⁸⁸

- **E-health:** To encourage the more effective use of information and communications technology for delivery of health services, work continued in two areas: (1) developing and promoting the use of internationally recognized standards to enable the exchange of patient summary records globally, and (2) developing common curricula to train health workers on health-related information and communications technology to build skilled e-health workforces in the United States and EU. In July 2016, the two sides updated the e-health roadmap, which lays out the vision, challenges, and action plans, including specific deliverables, of the work on standards and workforce development, as well as newer work to encourage innovation in the e-health industry.⁴⁸⁹
- **Small and medium-sized enterprises (SMEs):** Work continued on enhancing cooperation to promote trade and investment opportunities for U.S. and EU SMEs. The seventh U.S.-EU SME workshop was held in June 2016, in Tallinn, Estonia, to exchange best practices and discuss topics including access to finance, intellectual property rights (IPRs), access to standards, and entrepreneurship. U.S. and EU negotiators of the SME chapter in TTIP also met with SME representatives at the workshop to discuss their needs and expectations of TTIP. In addition, the United States and EU worked together to support SME events at several international fairs and at a cluster matchmaking event to help SMEs find strategic partners in thematic areas of mutual interest.⁴⁹⁰
- **The bio-based economy:** Work continued on developing guidance on the nature of bio-based products, data collection, and benchmarking, as well as on aligning international standards in this sector.
- **Nanotechnology:** Regular meetings continued in 2016 to exchange information on regulatory and scientific developments to help inform decision-making in the United States and the EU.
- **Raw materials:** TEC participants continued to share best practices and develop approaches to ensure fair access to and responsible use of critical raw materials, in part to avoid future trade disruptions.⁴⁹¹

TEC officials also agreed at the annual meeting to add one new area for cooperation. The two sides agreed to explore opportunities for cooperating on ocean research projects to help support sustainable economic activities in the Atlantic.⁴⁹²

⁴⁸⁸ Ibid.; EC, “Interoperability and E-Mobility,” n.d., <https://ec.europa.eu/jrc/en/research-topic/interoperability-and-e-mobility> (accessed February 23, 2017).

⁴⁸⁹ USDOS, EUR, “Transatlantic Economic Council, Facilitators’ Report,” November 30, 2016; USDOS, “Transatlantic eHealth/Health IT Cooperation Roadmap,” July 28, 2016; USDOS, “Transatlantic eHealth/Health IT Cooperation Roadmap: Annex—Actions and Deliverables,” July 28, 2016.

⁴⁹⁰ USDOS, EUR, “Transatlantic Economic Council, Facilitators’ Report,” November 30, 2016; USDOS, EUR, “Joint Statement on the 7th U.S.-EU SME Best Practices Workshop,” June 2, 2016.

⁴⁹¹ USDOS, EUR, “Transatlantic Economic Council, Facilitators’ Report,” November 30, 2016; EC, “Transatlantic Economic Council: Cooperation on Innovation for Growth,” November 30, 2016.

U.S.-EU Privacy Shield

EU data protection regulations allow the transmission of EU personal data to third countries only if the country is deemed to provide an adequate level of protection by reason of domestic law or international commitments.⁴⁹³ In February 2016, the United States and EU announced a new method for companies to transfer personal data from the EU to the United States that is consistent with EU law. The new framework—the U.S.-EU Privacy Shield—replaces the Safe Harbor agreement that was invalidated by the European Court of Justice in October 2015.⁴⁹⁴ On July 12, 2016, the Privacy Shield entered into force when the European Commission deemed the Privacy Shield framework adequate to enable data transfers under EU law.⁴⁹⁵

Company participation in the Privacy Shield is voluntary. To participate, a company must certify that it will comply with the data-handling requirements of the Privacy Shield. The U.S. Department of Commerce began accepting certifications to the Privacy Shield from U.S. companies on August 1, 2016.⁴⁹⁶

The Privacy Shield framework consists of four broad areas, including:⁴⁹⁷

1. The Privacy Shield principles, which are a code of conduct or set of obligations on U.S.-based companies regarding the handling of data transferred from the EU to the United States. To become a Privacy Shield participant, a company must commit to comply with these principles so that the commitment becomes enforceable under U.S. law. For example, a participant must ensure accountability for data transferred to third parties, and must provide free and accessible dispute resolution.
2. Oversight and enforcement of the program by the U.S. government. For example, the U.S. government will verify that companies have met self-certification requirements before the certification is finalized, and will proactively monitor participating companies.
3. A new ombudsperson, located at the U.S. Department of State. This new mechanism aims to facilitate the processing of requests relating to national security access to data transmitted to the United States from the EU.
4. Safeguards and limitations on U.S. government access to data in the areas of national security and law enforcement.⁴⁹⁸

⁴⁹² USDOS, EUR, “Transatlantic Economic Council, Facilitators’ Report,” November 30, 2016; EC, “Transatlantic Economic Council,” November 30, 2016.

⁴⁹³ Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the Protection of Individuals with Regard to the Processing of Personal Data and on the Free Movement of Such Data, 1995 O.J. (L 281/31). http://ec.europa.eu/justice/policies/privacy/docs/95-46-ce/dir1995-46_part1_en.pdf.

⁴⁹⁴ For more background, see USITC, *The Year in Trade 2015*, July 2016, 164–65.

⁴⁹⁵ CRS, “Digital Trade and U.S. Policy,” January 2017, 20; USDOC, “Privacy Shield Overview” (accessed February 23, 2017).

⁴⁹⁶ USDOC, “Fact Sheet: Overview of the EU-U.S. Privacy Shield Framework,” July 12, 2016.

⁴⁹⁷ USDOC, “The EU-U.S. Privacy Shield Framework FAQs” (accessed February 23, 2017).

⁴⁹⁸ USDOC, “EU-U.S. Privacy Shield Framework Principles,” February 29, 2016; USDOC, “The EU-U.S. Privacy Shield Framework FAQs” (accessed February 23, 2017); USDOC, “Key New Requirements” (accessed February 23, 2017); CRS, “Digital Trade and U.S. Policy,” January 2017, 20.

The Privacy Shield framework also provides for an annual review of the program by U.S. and EU officials.

Agreement on Insurance and Reinsurance

In 2016, U.S. and EU officials met five times to negotiate an agreement on insurance and reinsurance, although a final agreement was not concluded by yearend.⁴⁹⁹ The aim of the United States was to ensure that a new agreement would “level the regulatory playing field for U.S.-based insurers and reinsurers operating [in the EU]” following the January 1, 2016, implementation of a new insurance regulatory regime in the EU, known as Solvency II.⁵⁰⁰ Solvency II⁵⁰¹ requires that U.S. insurers and reinsurers be deemed equivalent to EU providers in order to ensure continued access to the EU market.⁵⁰² Three major areas of prudential insurance supervision were the subject of negotiations: group supervision, exchange of information between supervisory authorities on both sides, and reinsurance supervision, including collateral.⁵⁰³

China

U.S.-China Trade

In 2016, China remained the United States’ largest single-country trading partner based on two-way merchandise trade, accounting for 15.9 percent of total U.S. merchandise trade. U.S. two-way merchandise trade with China amounted to \$578.6 billion in 2016, a decrease of 3.5 percent over the \$599.3 billion recorded in 2015. The U.S. merchandise trade deficit with China, which fell \$20.1 billion to \$347.0 billion in 2016, remained higher than the U.S. trade deficit with any other trading partner. The contraction of this deficit was attributable to a \$20.4 billion decrease in U.S. merchandise imports from China, while U.S. merchandise exports to China decreased by much less, \$297 million (figure 6.3). In 2016, China continued to be the United States’ fourth-largest single-country trading partner based on two-way services trade of \$69.0 billion. U.S. services trade with China has been increasing in recent years; it amounted to 5.7 percent of total U.S. services trade in 2016, compared to 5.3 percent in 2015 and 4.9 percent in 2014. The U.S. services trade surplus with China increased \$4.2 billion in 2016 to \$37.0 billion, as a result of growing U.S. exports. In 2016, U.S. services exports to China grew \$5.2 billion, or 10.8 percent, while U.S. services imports from China grew \$995 million, or 6.6 percent, relative to the year before (figure 6.4).

⁴⁹⁹ On January 13, 2017, U.S. and EU officials announced the conclusion of an agreement, which was sent to Congress the same day. In general, the agreement provides that U.S. insurance groups operating in the EU will not have to meet EU worldwide group capital, reporting, or governance requirements, and will be supervised at the worldwide group level only by relevant U.S. insurance supervisors. It also encourages U.S. and EU insurance supervisory authorities to share information on insurers and reinsurers that operate in the U.S. and EU markets. Finally, it eliminates collateral and local presence requirements for U.S. reinsurers operating in the EU insurance market, subject to certain conditions. U.S. Department of the Treasury, “Bilateral Agreement between the European Union and the United States of America on Prudential,” January 18, 2017.

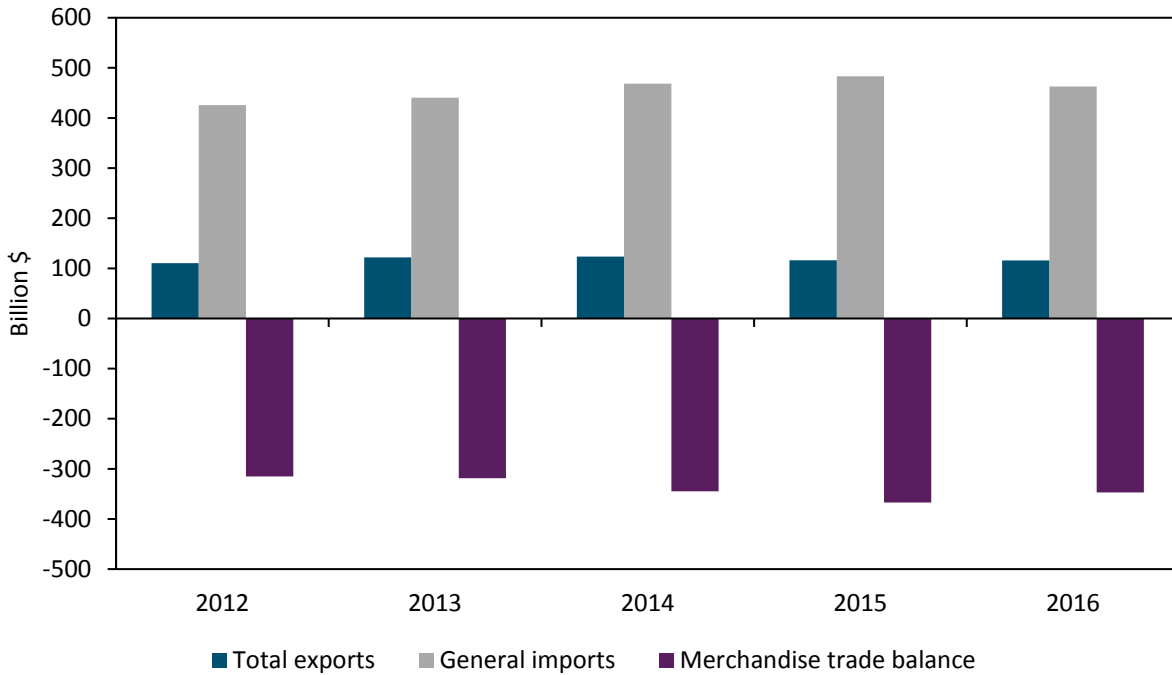
⁵⁰⁰ Wall and Harney, letter to Richard Shelby et al., November 20, 2015.

⁵⁰¹ Directive 2009/138/EC (Solvency II), as amended by Directive 2014/51/EU, replaces 14 existing directives commonly known as Solvency I.

⁵⁰² Wall and Harney, letter to Richard Shelby et al., November 20, 2015; Trans-Atlantic Business Council, “TABC Welcomes U.S.-EU Agreement,” January 13, 2016.

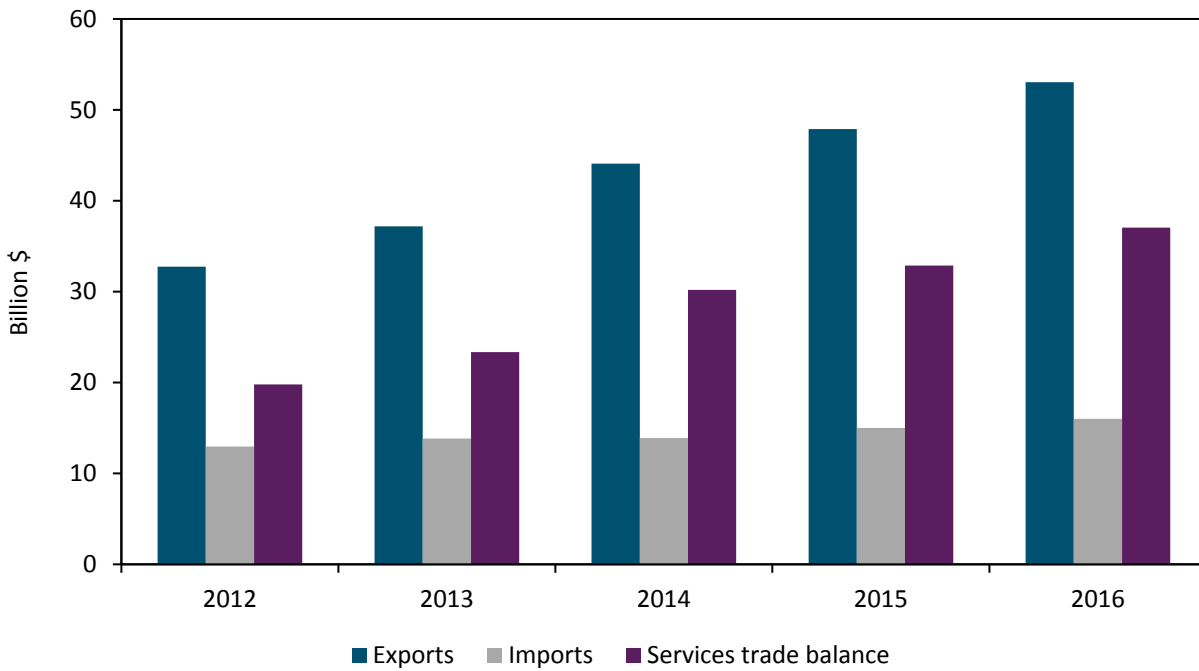
⁵⁰³ USTR, “Joint Statement on U.S.-EU Negotiations,” December 12, 2016.

Figure 6.3 U.S. merchandise trade with China, 2012–16



Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).
 Note: Underlying data can be found in appendix table B.5.

Figure 6.4 U.S. private services trade with China, 2012–16^a



Source: USDOC, BEA, U.S. International Transactions, Services, & IIP, International Transactions data, tables 1.2 and 1.3, March 21, 2017.

Note: Underlying data can be found in appendix table B.7.

^aData for 2016 are preliminary.

China was the third-largest single-country destination for U.S. merchandise exports in 2016, behind Canada and Mexico. U.S. merchandise exports to China amounted to \$115.8 billion in 2016, decreasing 0.3 percent, or \$297 million, relative to 2015. The slight drop in U.S. exports to China in 2016 was broadly reflective of shrinking demand from China, given that its imports from all countries in the world decreased 5.1 percent relative to 2015.⁵⁰⁴ Leading U.S. exports to China in 2016 were civilian aircraft, engines, and parts (12.6 percent of total U.S. exports to China) and soybeans (12.3 percent). Other leading U.S. exports to China included processors and controllers, machines for semiconductor or integrated circuit manufacturing, and cellphones. Exports of passenger motor vehicles, when combined, constitute the third largest U.S. export product to China at \$8.9 billion.⁵⁰⁵

In 2016, U.S. merchandise imports from China amounted to \$462.8 billion, representing 21.1 percent of all U.S. goods imports in that year. While this was more than imports from any other country, U.S. merchandise imports from China fell 4.2 percent relative to the year before. Leading 2016 U.S. imports from China were cellphones; portable computers and tablets; telecommunications equipment; tricycles, scooters, and related toys; and computer parts and accessories. U.S.-China merchandise trade data are shown in appendix tables A.31 through A.34.

Trade Developments

Among the prominent trade developments that unfolded in 2016 between the United States and China were certain dispute settlement cases between the two countries. Since China's accession to the WTO in 2001, the United States has filed 21 of the 39 complaints against China under the WTO dispute settlement mechanism, and China has filed 10 such complaints against the United States.⁵⁰⁶ In 2016, the United States filed 3 new complaints against China. On July 13, 2016, the United States requested consultations with China regarding China's export duties on certain raw materials, including antimony, cobalt, copper, graphite, lead, magnesia, talc, tantalum, and tin.⁵⁰⁷ On September 13, 2016, the United States requested consultations with China regarding certain measures through which China appears to provide domestic support in favor of agricultural producers producing wheat, indica rice, japonica rice, and corn.⁵⁰⁸ Finally, on December 15, 2016, the United States requested consultations with China regarding China's administration of its tariff-rate quotas, including those on wheat, short- and medium-grain rice, long-grain rice, and corn.⁵⁰⁹ On December 12, 2016, China requested consultations with the United States concerning certain provisions of U.S. law pertaining to the determination of normal value for "nonmarket economy" countries in antidumping proceedings involving products from China.⁵¹⁰ Developments in these and other WTO dispute settlement proceedings during 2016 are described in more detail in chapter 3 and appendix table A.25.

⁵⁰⁴ IHS Markit, GTA database (accessed February 27, 2017).

⁵⁰⁵ USITC DataWeb/USDOC (accessed March 21, 2017). Passenger motor vehicles include the following HTS 6-digit lines: 8703.21, 8703.22, 8703.23, 8703.24, 8703.31, 8703.32, 8703.33, 8703.90, 8704.21, and 8704.31.

⁵⁰⁶ WTO, "Chronological List of Dispute Settlement Cases" (accessed March 5, 2017).

⁵⁰⁷ WTO, "Dispute Settlement: DS508; China—Export Duties on Certain Raw Materials" (accessed March 5, 2017).

⁵⁰⁸ WTO, "Dispute Settlement: DS511; China—Domestic Support for Agricultural Producers" (accessed March 5, 2017).

⁵⁰⁹ WTO, "Dispute Settlement: DS517; China—Tariff Rate Quotas for Certain Agricultural Products" (accessed March 5, 2017). On January 12, 2017, the United States also requested consultations with China at the WTO concerning subsidies that China is alleged to provide to its producers of aluminum (DS519). For more information on the aluminum industry, see USITC, *Aluminum: Competitive Conditions Affecting the U.S. Industry*, June 2017.

⁵¹⁰ WTO, "Dispute Settlement: DS515; United States—Measures Related to Price Comparison Methodologies" (accessed March 5, 2017).

In 2016, the most prominent U.S.-China bilateral trade issues were discussed during three key meetings: at the annual U.S.-China Strategic and Economic Dialogue (S&ED) held in June 2016; on the sidelines of the G20 Summit in September 2016; and at the annual Joint Commission on Commerce and Trade (JCCT) held in November 2016. 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 and global political, strategic, security, and economic issues. The JCCT, established in 1983, is a forum for the highest-level dialogue on bilateral trade issues and is broadly considered a vehicle for promoting commercial relations. In 2016, major topics addressed by U.S. and Chinese officials in these and other discussions included China's protection and enforcement of IPRs; overcapacity in China's steel industry; and policies that have restricted market access of U.S. exports, including information and communications technology products and services.

Intellectual Property Rights Enforcement

The United States and China have long held consultations on IPR issues, particularly since China's WTO accession and its acceptance of the WTO Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement.⁵¹¹ As a result, China has undertaken substantial legal and judicial reforms, although U.S. companies continue to report problems, most notably on issues related to the enforcement of pre-existing IPR laws and on the protection of trade secrets.⁵¹²

In its *2016 Special 301 Report*, the Office of the U.S. Trade Representative (USTR) described recent IPR-related policy developments in China, as well as ongoing IPR-related problems.⁵¹³ The report notes that in its continuing efforts to update its laws and regulations on copyrights, patents, trade secrets, drug review and approvals, and IP components of its 2008 Anti-Monopoly Law, the Chinese government introduced new measures in draft legislation. Those measures offer domestic Chinese industry officials and entrepreneurs a means of participating in the policy development process.⁵¹⁴ They also include the use of market mechanisms to help guide policy makers' research and development initiatives.⁵¹⁵ In addition, China initiated a capacity-building three-year pilot study on the merits of specialized intellectual property courts, including those in Beijing, Shanghai, and Guangzhou. Moreover, at the November 2016 JCCT meeting, China made a series of IPR-related commitments. These included commitments to end bad-faith trademark filings, joint efforts with U.S. government agencies to train U.S. and Chinese SMEs on IPR protection in e-commerce, implementation measures to end illegal online broadcasting of sporting events, and initiatives to decrease the likelihood of trade secret misappropriation (e.g., lowering judicial requirements for information that may contain trade secrets, and increased protection of information when sensitive company data is required for judicial review).⁵¹⁶

Despite these developments, U.S. companies continued to report ineffective protection of IPRs in all forms, including patents, copyrights, trademarks, trade secrets, and protection of pharmaceutical test data. Consequently, USTR's *2016 Special 301 Report* again placed China on its "Priority Watch List," noting particular concerns with trade secret theft, measures that favor domestically owned intellectual property in the name of promoting innovation, online copyright piracy, trade of counterfeit goods, and

⁵¹¹ For more information on the effect of China's IPR infringement, see USITC, *China: Intellectual Property Infringement*, November 2010, and USITC, *China: Effects of Intellectual Property Infringement*, May 2011.

⁵¹² USTR, *2016 Report to Congress on China's WTO Compliance*, January 2017, 4.

⁵¹³ USTR, *2016 Special 301 Report*, April 2016, 3.

⁵¹⁴ *Ibid.*, 7–8, 29–36.

⁵¹⁵ *Ibid.*

⁵¹⁶ USTR, "U.S.-China Joint Fact Sheet on the 27th U.S.-China Joint Commission," November 2016.

technology transfer requirements.⁵¹⁷ In addition, USTR again named Chinese online and physical marketplaces that reportedly engage in and facilitate substantial copyright piracy and trademark counterfeiting in its *2016 Out-of-Cycle Review of Notorious Markets*.⁵¹⁸

China's Excess Capacity in Steel

The United States and China intensified their focus on China's excess production of steel and other metals in 2016 through a series of bilateral discussions. Efforts included a September 2016 meeting between President Barack Obama and President Xi Jinping, a December 2016 Global Forum on Steel Excess Capacity at the G20, and high-level discussions at the 2016 JCCT and U.S.-China S&ED.⁵¹⁹ Both countries agreed to promote the establishment of the Global Forum on Steel Excess Capacity and to actively participate in and strengthen information sharing.⁵²⁰ Such a forum is intended to create a venue for identifying market-distorting policies, developing best practices, and encouraging countries to realign industrial production with market trends.⁵²¹ By December 2016, the United States and China had also agreed to hold an informal U.S.-China JCCT Steel Dialogue in 2017. Such a specialized component of the JCCT is intended to allow both countries to share information on global steel capacity, production, and trade gathered since the 2016 JCCT Steel Dialogue.⁵²²

China's steelmaking capacity exhibited robust growth in the past 10 years, and since the early 2000s, it has accounted for the majority of the world's total steel capacity growth.⁵²³ This growth in steel capacity was led by strong demand in China, which increased from an estimated 612.1 million metric tons (mt) to 740.4 million mt between 2010 and 2014.⁵²⁴ However, by 2014, amid the slowdown in China's real estate market, China's demand for steel started to decline for the first time since 1995.⁵²⁵ This loss in demand motivated many steel producers in China to increase their steel exports.⁵²⁶ According to USTR, three key factors dramatically decreased the relative competitiveness of U.S. steel producers and exporters in 2016: the doubling of Chinese-led global excess capacity in the steel industry between 2000 and 2014, the rise in China's steel exports on global markets, and the precipitous drop in steel prices associated with subsidization in China and other countries.⁵²⁷

Information and Communications Technology (ICT) Security Policy

According to USTR, a series of new Chinese policies may impose major restrictions on a wide range of foreign ICT products and services.⁵²⁸ Given that these Chinese government measures called for the

⁵¹⁷ USTR, *2016 Special 301 Report*, April 2016, 3, 7–8.

⁵¹⁸ USTR, *2016 Out-of-Cycle Review of Notorious Markets*, December 2016.

⁵¹⁹ USTR, "U.S. Fact Sheet on the 27th U.S.-China Joint Commission," November 2016.

⁵²⁰ *Ibid.*

⁵²¹ White House, "Global Economic Growth and Steel Excess Capacity," September 2016.

⁵²² USTR, "U.S. Fact Sheet on the 27th U.S.-China Joint Commission on Commerce and Trade," November 2016.

⁵²³ OECD, "Capacity Developments in the World Steel Industry," April 2016, 14, 21.

⁵²⁴ *Ibid.*, 16.

⁵²⁵ *Ibid.*, 21.

⁵²⁶ USTR, "2016 USTR Report to Congress on China's WTO Compliance," January 2017, 13.

⁵²⁷ USTR, "Addressing Steel Excess Capacity and Its Impacts," April 2016; USDOC and USTR, "Statement by U.S. Secretary of Commerce Penny Pritzker and U.S. Trade Representative Michael Froman," December 2016; White House, "Global Economic Growth and Steel Excess Capacity," September 2016.

⁵²⁸ USTR, *2016 USTR Report to Congress on China's WTO Compliance*, January 2017, 11.

adoption of “secure and controllable” ICT products and services, USTR was concerned that such initiatives would add significant costs to foreign companies operating in China, and that China’s long-term goal would be eventually to replace its imports of such products and services.⁵²⁹

In 2016, the United States and China made progress in addressing these concerns in their highest-level bilateral discussions. During the November JCCT meeting, for example, China stated that its “secure and controllable” policies were not aimed at limiting or preventing commercial sales opportunities for foreign ICT suppliers. China also stated that such policies were not intended to impose nationality-based conditions and restrictions on commercial ICT purchases, sales, or users. In 2016, China also agreed to notify the WTO Committee on Technical Barriers to Trade about relevant technical regulations of its policy measures, in accordance with their WTO obligations.⁵³⁰

Cybersecurity Law

In November 2016, the Standing Committee of the National People’s Congress of China enacted a new Cybersecurity Law aimed at tightening government control over information flows and technology products.⁵³¹ The enactment of this law, together with the National Security Law of 2015, raised concerns among U.S. technology companies that businesses would be compelled to provide their source codes and trade secrets to the Chinese government.⁵³² U.S. technology firms were also concerned that such measures may help the Chinese government favor domestic technology firms over foreign businesses.⁵³³ USTR considered these to be measures that would affect broader Chinese industrial and economic policy, and stated that the new Cybersecurity Law would impose far-reaching and onerous trade restrictions on imported ICT products and services in China.⁵³⁴

At the conclusion of the U.S.-China S&ED meeting in June 2016, China committed to keeping its Cybersecurity Law consistent with WTO agreements. It also affirmed that this law was nondiscriminatory in nature and ensured that it would not impose nationality-based conditions or restrictions on the purchase, sale, or use of ICT products by commercial enterprises.⁵³⁵ Both the United States and China committed to keeping their cybersecurity measures generally applicable to their commercial sector and not to limit or prevent commercial sales opportunities for foreign suppliers of ICT products or services.⁵³⁶

⁵²⁹ Ibid.

⁵³⁰ USTR, “U.S. Fact Sheet on the 27th U.S.-China Joint Commission,” November 2016; USTR, *2016 USTR Report to Congress on China’s WTO Compliance*, January 2017, 11.

⁵³¹ USCC, *Economics and Trade Bulletin*, December 6, 2016.

⁵³² Ibid.

⁵³³ Ibid.

⁵³⁴ USTR, *2016 USTR Report to Congress on China’s WTO Compliance*, January 2017, 11.

⁵³⁵ Ibid.

⁵³⁶ Ibid.

Canada

U.S.-Canada Trade

Canada was the second-largest U.S. single-country trading partner in 2016 after China, having fallen, in 2015, from the top position it held for a number of years. The value of U.S. merchandise trade with Canada fell 5.7 percent in 2016 to \$544.0 billion, accounting for 14.9 percent of total U.S. merchandise trade in 2016, compared to 15.4 percent in 2015. Both U.S. exports and imports with Canada continued to decline in 2016, but U.S. imports decreased more than exports, resulting in the narrowing of the bilateral trade deficit in 2016 to \$12.1 billion (figure 6.5). The 22.1 percent decrease (\$3.4 billion) in the U.S. trade deficit with Canada between 2015 and 2016 largely resulted from the steep decline in energy-related imports.

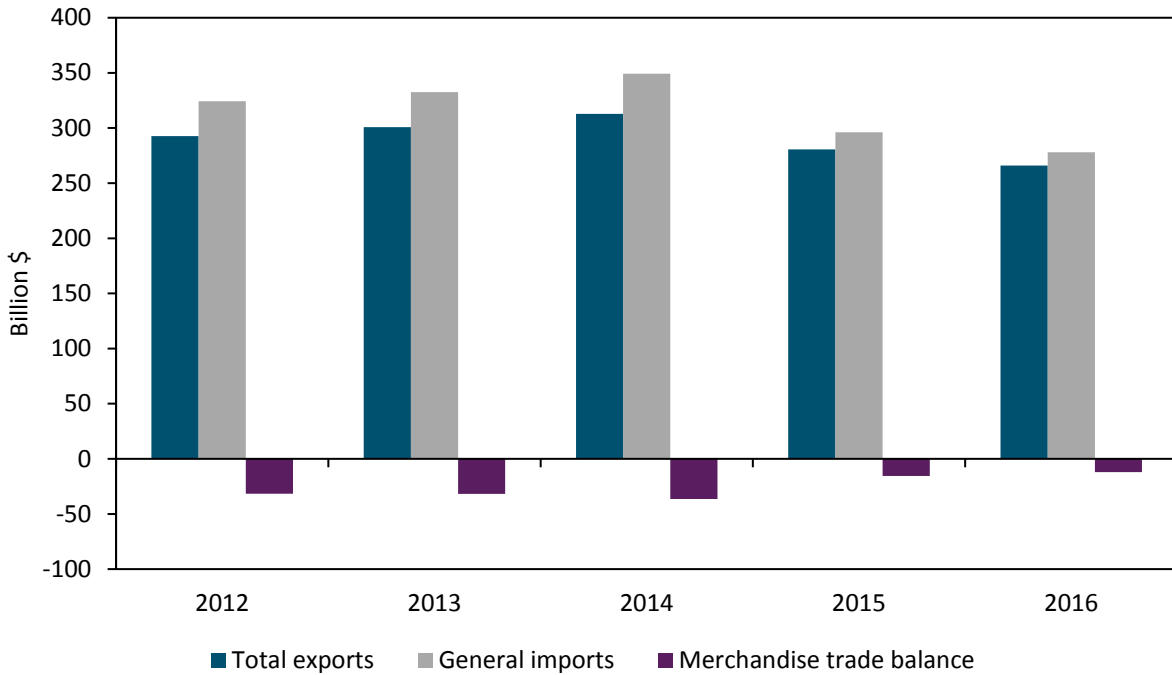
Canada remained the second-largest single-country U.S. trading partner in services in 2016, after the UK. Canada's two-way services trade with the United States fell \$1.7 billion in 2016 to \$83.0 billion, representing 6.8 percent of all U.S. services trade with the world. Nonetheless, it still ranked ahead of that of Japan (\$71.4 billion), China (\$69.0 billion), and Mexico (\$53.9 billion). U.S. exports of services to Canada continued to fall from their peak of \$62.5 billion in 2013 to \$53.7 billion in 2016, a decline of 4.2 percent from 2015. At the same time, U.S. imports of services from Canada rose slightly, by 2.1 percent, to \$29.3 billion in 2016 (figure 6.6). As a result, the U.S. surplus in services with Canada narrowed further in 2016 to \$24.4 billion, a decrease of 10.9 percent from 2015.

In 2016, Canada became the United States' second-largest export market for goods after the EU, losing its long-time position as the largest U.S. export market. U.S. exports of goods to Canada declined 5.2 percent (\$14.6 billion), from \$280.6 billion in 2015 to \$266.0 billion in 2016. The top U.S. exports to Canada in 2016 included passenger motor vehicles; motor vehicles for goods transport; civilian aircraft, engines, and parts; and light oils. U.S. exports to Canada declined in nearly all sectors in 2016, but the drop in U.S. exports of energy products to Canada was especially significant; these fell \$5.9 billion (26.7 percent).⁵³⁷ Declines in exports of crude oil, refined petroleum products, and natural gas accounted for most of this decline.

In 2016, Canada became the United States' third-largest single-country import source, behind China and Mexico, falling from second in previous years. The top U.S. imports from Canada included crude petroleum, passenger motor vehicles, natural gas, and coniferous sawn wood. U.S. imports from Canada were \$278.1 billion, down 6.1 percent (\$18.1 billion) from the previous year. This decline was largely a result of a \$15.7 billion decline in the value of U.S. imports of energy-related products from Canada. Crude petroleum—the top U.S. import from Canada—declined by \$10.8 billion in 2016, refined petroleum products by \$2.4 billion, light oils by nearly \$1.0 billion, and natural gas by \$0.9 billion. U.S.-Canada merchandise trade data are shown in appendix tables A.35 through A.38.

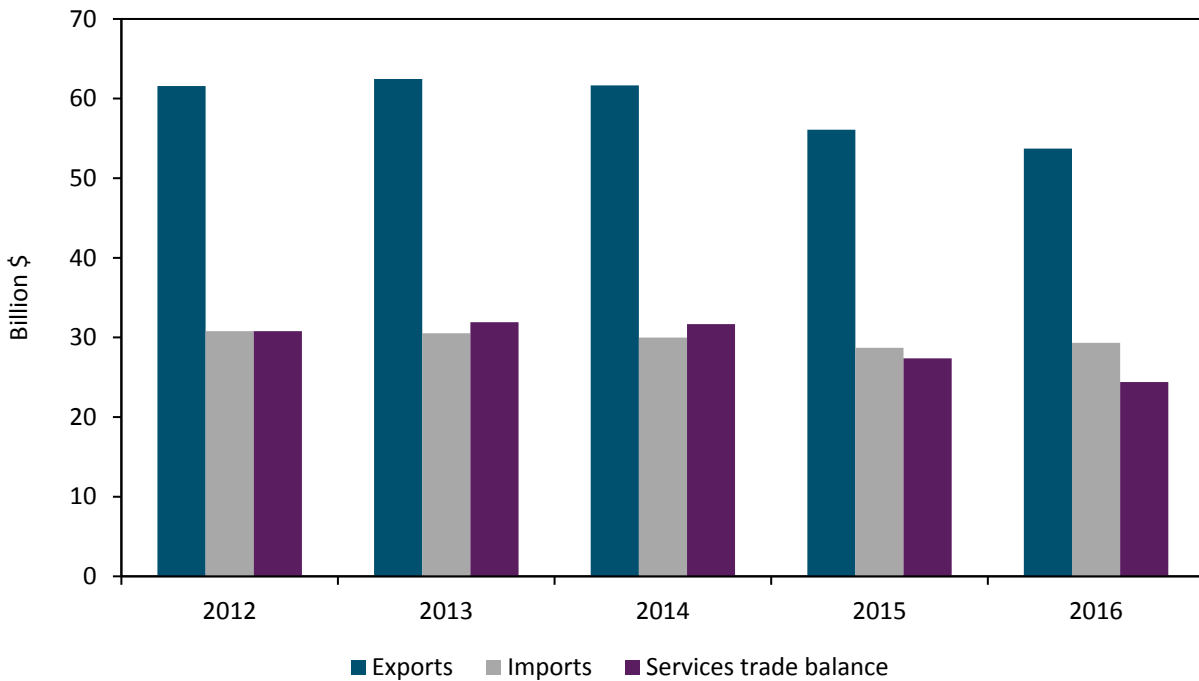
⁵³⁷ While U.S. exports of crude petroleum to Canada declined by value and by quantity in 2016, total U.S. exports of crude petroleum to all other markets increased as a result of the removal of restrictions on U.S. exports of crude petroleum to countries other than Canada in December 2015. EIA, "Petroleum and Other Liquids, Exports by Destination," March 20, 2017.

Figure 6.5 U.S. merchandise trade with Canada, 2012–16



Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).
 Note: Underlying data can be found in appendix table B.5.

Figure 6.6 U.S. private services trade with Canada, 2012–16^a



Source: USDOC, BEA, U.S. International Transactions, Services, & IIP, International Transactions data, tables 1.2 and 1.3, March 21, 2017.
 Note: Underlying data can be found in appendix table B.7.

^aData for 2016 are preliminary.

Trade Developments

In 2016, the United States and Canada continued to explore renewal of the Canada-United States Softwood Lumber Agreement, which had expired in October 2015. Also, the Canada-United States Regulatory Cooperation Council met to review progress in various sectors. These topics are discussed in more detail below. Finally, U.S. dairy producers expressed concern about the implementation of a new price class of milk (class 6) in Ontario and Manitoba in 2016. These pricing regulations might affect U.S. exports of ultra-filtered milk.⁵³⁸

Softwood Lumber

The 2006 U.S.-Canada Softwood Lumber Agreement (SLA) officially expired on October 12, 2015, following a two-year extension agreed on January 23, 2012.⁵³⁹ The agreement contained a one-year grace period for renegotiation (“standstill”), during which U.S. lumber interests could not file any trade litigation.

On March 10, 2016, the President of the United States and the Prime Minister of Canada instructed their trade agencies to explore options for addressing the issue of the softwood lumber industry in both countries and to report on their discussions.⁵⁴⁰ On June 29, 2016, the President and Prime Minister released a joint statement saying that both governments would continue to work together to reach a durable new agreement on softwood lumber that would address the differences between the two sides, bearing in mind the expiration of the legal standstill after October 12, 2016.⁵⁴¹

Absent a new agreement, the U.S. lumber industry petitioned the U.S. Department of Commerce (USDOC) and the USITC on November 25, 2016,⁵⁴² to initiate antidumping and countervailing duty investigations concerning imports of certain softwood lumber products from Canada.⁵⁴³

Canada and the United States held talks about bilateral trade in softwood lumber on the margins of the December 3–4, 2016, WTO ministerial meeting, but reached no conclusion.⁵⁴⁴

⁵³⁸ In the first half of 2017, this pricing was extended beyond the two provinces when the Canadian government added a new class of milk nationwide (class 7). EY, *Trade Watch*, June 2016, 8; Agri-Food Economic Systems, “Understanding the Dynamics of Milk Pricing and Revenue,” May 2016; USTR, 2016 *National Trade Estimate*, 70.

⁵³⁹ “Agreement between the Government of the United States of America and the Government of Canada Extending the Softwood Lumber Agreement between the Government of the United States of America and the Government of Canada, as Amended. Article 1—Extension of the SLA 2006,” January 23, 2012.

⁵⁴⁰ White House, “Fact Sheet: United States—Canada Relationship,” March 10, 2016.

⁵⁴¹ White House, “Joint Statement by the Prime Minister of Canada and the President,” June 29, 2016.

⁵⁴² The petitions were lodged by the Committee Overseeing Action for Lumber International Trade Investigations or Negotiations (the “Coalition”). The Coalition is an ad hoc association whose members are the U.S. Lumber Coalition, Inc.; Collum’s Lumber Products, L.L.C.; Hankins, Inc.; Potlatch Corp.; Rex Lumber Company; Seneca Sawmill Company; Sierra Pacific Industries; Stimson Lumber Company; Swanson Group; Weyerhaeuser Company; Carpenters Industrial Council; Giustina Land and Timber Company; and Sullivan Forestry Consultants, Inc. USITC, *Softwood Lumber Products from Canada*, January 2017, 2.

⁵⁴³ See 81 Fed. Reg. 87069 (December 2, 2016); 81 Fed. Reg. 93892 (December 22, 2016); 81 Fed. Reg. 93897 (December 22, 2016). On January 6, 2017, the USITC found a reasonable indication of material injury to U.S. industry by reason of imports of softwood lumber products from Canada; 82 Fed. Reg. 4418 (January 13, 2017).

⁵⁴⁴ Menyasz, “Bilateral Agreements—U.S., Canadian Trade Officials to Talk,” November 29, 2016, 3.

Canada-United States Regulatory Cooperation Council

In February 2011, the Canada-United States Regulatory Cooperation Council (RCC) was formed to identify regulatory issues that hinder cross-border trade and investment but that might be mitigated by technical collaboration between the two governments. The RCC engages business and consumer groups to help find areas where regulatory cooperation between the two countries can help improve health and safety in the process of promoting economic growth.⁵⁴⁵

On May 4–5, 2016, the United States and Canada held the annual RCC stakeholder event in Washington, DC. U.S. departments and agencies—including the U.S. Departments of Agriculture, Energy, and Transportation; the Environmental Protection Agency; the National Oceanic and Atmospheric Administration; and the Occupational Safety and Health Administration—met with their Canadian counterparts to explore the regulatory situation in over 20 areas. These sectors included crop protection, workplace chemicals, food safety, energy efficiency, transport of dangerous goods, aquaculture, pharmaceuticals and medical devices, and “connected” vehicles (vehicles with electronic links for safety purposes).⁵⁴⁶ Such RCC meetings help identify opportunities for regulatory streamlining and cooperation that can be developed as part of these agencies’ annual work plans.⁵⁴⁷ In addition, the RCC and U.S.-Canada Consultative Committee on Agriculture held various technical workshops as part of the work plan development in the agricultural area.

Mexico

U.S.-Mexico Trade

In 2016, Mexico was the United States’ third-largest single-country merchandise trading partner, following China and Canada. Merchandise trade between the two countries slipped 1.3 percent to \$525.1 billion in 2016, accounting for 14.4 percent of U.S. trade with the world. While both imports and exports declined in 2016, the U.S. merchandise trade deficit with Mexico rose \$2.5 billion to \$63.2 billion, since U.S. exports to Mexico declined more than U.S. imports did (figure 6.7). At the same time, the U.S. trade surplus in services with Mexico shrank 22.3 percent to \$7.2 billion in 2016 (figure 6.8), largely a result of increasing U.S. services imports from Mexico. Mexico continued to be the United States’ sixth-largest single-country trading partner for services in 2016, after the UK, Canada, Japan, China, and Germany.

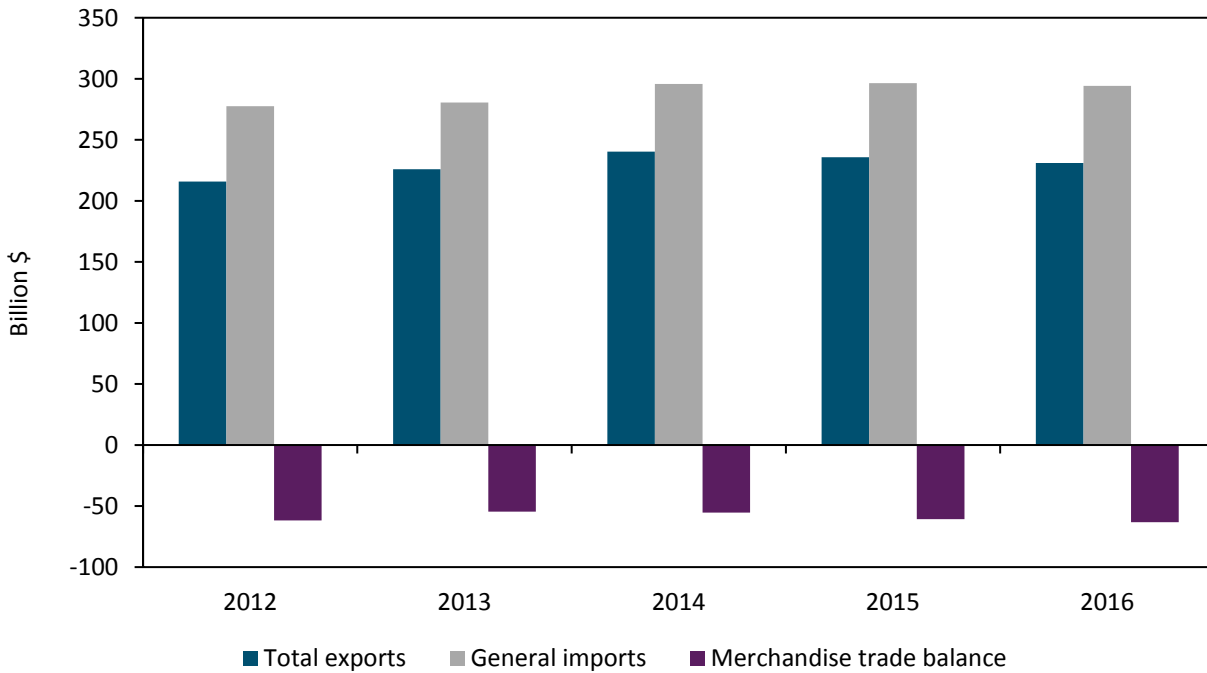
Mexico remained the United States’ second-largest single-country export market in 2016, accounting for 15.9 percent of total U.S. exports to the world. U.S. merchandise exports to Mexico totaled \$231.0 billion, a decrease of 2.0 percent from 2015. In 2016, the leading U.S. exports to Mexico were computer parts and accessories; refined petroleum products; parts and accessories for motor vehicles; telecommunications equipment; civilian aircraft, engines, and parts; and corn.

⁵⁴⁵ USDOS, EB, “2012 Investment Climate Statement,” June 2012.

⁵⁴⁶ USDOC, ITA, “U.S.-Canada Regulatory Cooperation Council: United States and Canada Announce” (accessed March 20, 2017). Using connected-vehicle technology, which is similar to radar and camera equipment already used in vehicles, short-range radio signals communicate with each other so that vehicles that are near to each other can be aware of one another. USDOT, OST-R, “Connected Vehicle Basics” (accessed April 5, 2017).

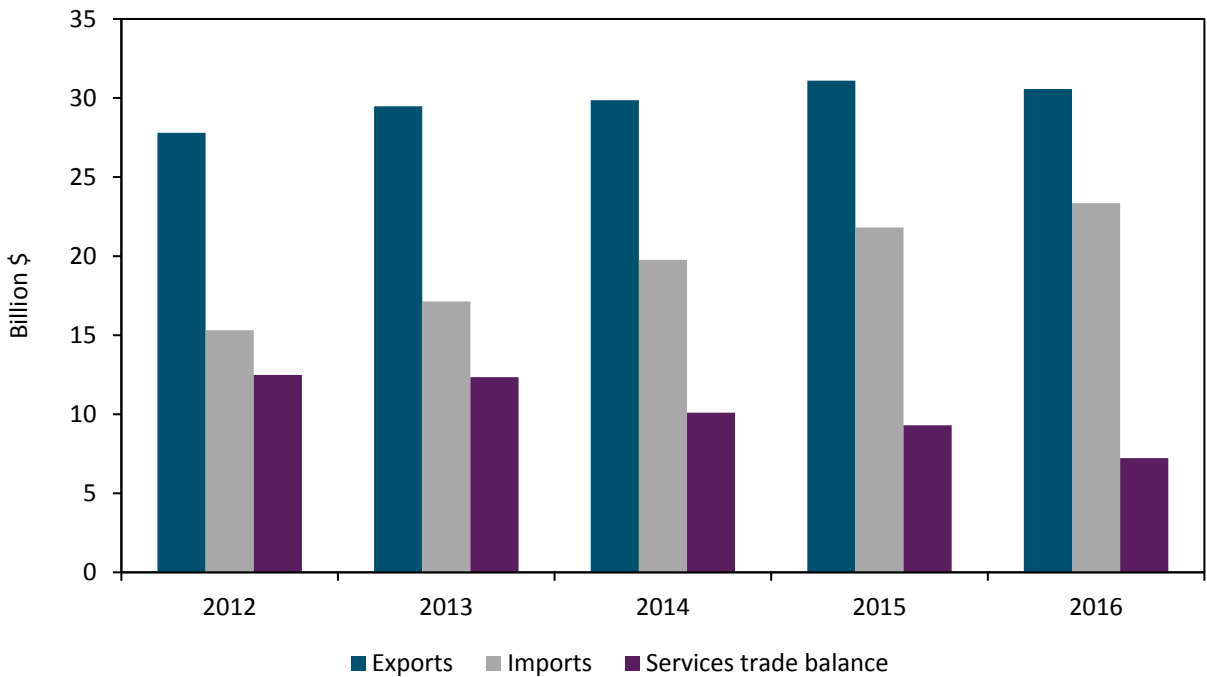
⁵⁴⁷ Government of Canada, “Canada-United States Regulatory Cooperation Council E-Newsletter,” March 2016 (modified April 15, 2016).

Figure 6.7 U.S. merchandise trade with Mexico, 2012–16



Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).
 Note: Underlying data can be found in appendix table B.5.

Figure 6.8 U.S. private services trade with Mexico, 2012–16^a



Source: USDOC, BEA, U.S. International Transactions, Services, & IIP, International Transactions data, tables 1.2 and 1.3, March 21, 2017.
 Note: Underlying data can be found in appendix table B.7.
^aData for 2016 are preliminary.

Mexico was the United States' second-largest single-country import source in 2016 and accounted for 13.4 percent of U.S. total imports. In 2016, U.S. merchandise imports from Mexico fell 0.8 percent to \$294.2 billion, driven by a large decrease in the value of U.S. imports of energy-related products. Leading U.S. imports from Mexico included passenger motor vehicles; motor vehicles for goods transport; computers; telecommunications equipment; color TV reception apparatus; and crude petroleum. U.S.-Mexico merchandise trade data are shown in appendix tables A.39 through A.42.

Trade Developments

To strengthen the U.S.-Mexico commercial and economic relationship, a new High-Level Economic Dialogue (HLED) was established in 2013. Developments in 2016 regarding the HLED and NAFTA's cross-border trucking provisions are described below.

High-Level Economic Dialogue

On September 20, 2013, U.S. and Mexican officials launched the High-Level Economic Dialogue, a cabinet-level group that meets annually. The HLED is a forum for bilateral economic cooperation to promote economic growth, job creation, and global competitiveness for both Mexico and the United States.⁵⁴⁸ The HLED work plan has three pillars: promoting competitiveness and connectivity; fostering economic growth, productivity, entrepreneurship, and innovation; and partnering for regional and global leadership.⁵⁴⁹ According to the USDOC, the HLED has been a valuable mechanism to advance both countries' strategic economic and trade priorities, serving as an instrument of cooperation on regional priorities.⁵⁵⁰

On February 25, 2016, U.S. and Mexican officials held the third cabinet-level meeting of the HLED in Mexico City to review their accomplishments and set new priorities for 2016.⁵⁵¹ At the meeting, the U.S. and Mexican governments agreed to continue work in the areas of energy, modern borders, workforce development, regulatory cooperation, partnering in regional and global leadership, and stakeholder engagement.⁵⁵²

Energy

In 2016, the United States and Mexico formally founded the U.S.-Mexico Energy Business Council and held its inaugural meeting in December.⁵⁵³ The council's objective is to bring together U.S. and Mexican energy industry representatives to discuss issues of mutual interest and ways to strengthen the U.S.-Mexico relationship on trade, investment, and competitiveness in the energy sector.⁵⁵⁴

⁵⁴⁸ White House, "Joint Statement: 2016 U.S.-Mexico High-Level Economic Dialogue," February 25, 2016.

⁵⁴⁹ White House, "Fact Sheet: U.S.-Mexico High Level Economic Dialogue," September 20, 2013.

⁵⁵⁰ USDOC, "Fact Sheet: High Level Economic Dialogue: Three Years of Achievements," December 8, 2016.

⁵⁵¹ White House, "Joint Statement: 2016 U.S.-Mexico High-Level Economic Dialogue," February 25, 2016.

⁵⁵² Ibid.

⁵⁵³ USDOC, "Fact Sheet: High-Level Economic Dialogue: Three Years," December 8, 2016.

⁵⁵⁴ 81 Fed. Reg. 8907 (February 23, 2016).

Modern Borders

The United States and Mexico continued to make progress on border infrastructure projects. In 2016, U.S. and Mexican government officials inaugurated the Tornillo-Guadalupe Port of Entry and International Bridge in Tornillo, Texas. The port of entry, for which ground was broken in July 2011, connects Tornillo, Texas, and Guadalupe, Mexico, replacing the Fabens-Caseta Port of Entry completed in 1938.⁵⁵⁵ The Tornillo-Guadalupe project is intended to improve international trade and environmental conditions, as well as relieve congestion in the El Paso-Ciudad Juárez metropolitan area. It will increase capacity and lanes both on the bridge and at the port of entry. Moreover, it will now allow commercial traffic to use the bridge to cross between the United States and Mexico, as pedestrians and personal vehicles already do.⁵⁵⁶ This project adds to the border infrastructure projects of previous years, such as the West Rail Bypass Bridge connecting Brownsville, Texas, and Matamoros, Tamaulipas, which opened in August 2015. The West Rail Bypass Bridge was the first new international rail bridge constructed between the two nations in 100 years.⁵⁵⁷

Also in 2016, a second cargo pre-inspection pilot project was inaugurated at the Mesa de Otay Port of Entry, Baja California. Under the program, certain cargo is to be pre-inspected in Mexico before crossing the border into the United States. The programs are designed to improve the flow of trade by reducing the number of inspections, shortening wait times, and lowering transaction costs.⁵⁵⁸ The first Cargo Pre-Inspection Program pilot was established at the Laredo International Airport, Texas, and began operations on October 15, 2015.⁵⁵⁹

Cross-Border Trucking between the United States and Mexico

Under the cross-border trucking commitments in Chapter 12 of NAFTA, Mexican trucks were allowed to provide cross-border truck services throughout the United States beginning in 2000. However, the implementation of these provisions was delayed because of U.S. safety concerns.⁵⁶⁰ To address these concerns, the U.S. Department of Transportation and the Federal Motor Carrier Safety Administration (FMCSA) launched the U.S.-Mexico Cross-Border Long-Haul Trucking Pilot Program on October 14, 2011.⁵⁶¹ The program concluded on October 10, 2014.⁵⁶²

On January 9, 2015, the U.S. Department of Transportation submitted a report on the pilot program to Congress showing that the Mexican companies' violations, driver violations, and vehicle out-of-service rates reflected the same level of safety as U.S. and Canadian-headquartered motor carriers.⁵⁶³ As a

⁵⁵⁵ USDOC, "U.S. Secretary of Commerce Penny Pritzker Delivers Remarks at Inauguration," February 4, 2016.

⁵⁵⁶ USDOC, "U.S. and Mexican Officials Celebrate the Inauguration," February 4, 2016; USDOC, "U.S. Departments of Commerce and Energy Appoint Inaugural U.S. Section," June 30, 2016.

⁵⁵⁷ Infrastructure at the border is further discussed in USITC, *The Year in Trade 2015*, July 2016, 181.

⁵⁵⁸ USDHS, "CBP Commissioner Inaugurates Cargo Pre-Inspection Program," January 12, 2016.

⁵⁵⁹ Ibid.

⁵⁶⁰ Developments in cross-border truck services between the United States and Mexico are reported in USITC, *The Year in Trade 2008*, July 2009, 5-16; USITC, *The Year in Trade 2009*, July 2010, 5-16; USITC, *The Year in Trade 2010*, July 2011, 5-12; USITC, *The Year in Trade 2011*, July 2012, 5-14; USITC, *The Year in Trade 2012*, July 2013, 5-13; USITC, *The Year in Trade 2013*, 2014, 149; USITC, *The Year in Trade 2014*, July 2015, 177.

⁵⁶¹ 76 Fed. Reg. 20807 (April 13, 2011).

⁵⁶² USDOT, FMCSA, *United States-Mexico Cross-Border Long-Haul Trucking*, January 2015.

⁵⁶³ USDOT, FMCSA, "United States to Expand Trade Opportunities with Mexico," January 9, 2015.

result, as of January 15, 2015, the FMCSA began accepting applications from Mexico-domiciled motor carriers interested in conducting long-haul operations beyond the U.S. commercial zones.⁵⁶⁴

In 2016, reports from the FMCSA indicated that Mexican-owned or Mexico-domiciled motor carriers were operating more safely than U.S. carriers on U.S. roads. For instance, FMCSA data from 2016 showed that roadside inspections of Mexican-owned or Mexico-domiciled carriers resulted in driver out-of-service rates—that is, rates of violations serious enough to halt drivers’ trips immediately⁵⁶⁵—of 0.86 percent, compared with a rate of 4.9 percent for all motor carriers on U.S. highways.⁵⁶⁶

Japan

U.S.-Japan Trade

In 2016, Japan remained the United States’ fourth-largest single-country trading partner in terms of two-way merchandise trade, accounting for 5.4 percent of total U.S. merchandise trade. U.S. merchandise trade with Japan increased 0.9 percent, from \$193.8 billion in 2015 to \$195.5 billion in 2016. The increase in total bilateral merchandise trade was attributable to an \$821.6 million increase in U.S. exports to Japan and a corresponding \$837.7 million increase in U.S. imports from Japan. As a result of these changes, in 2016 the U.S. merchandise trade deficit with Japan grew slightly (\$16.1 million) to \$68.9 billion (figure 6.9). In 2016, Japan was once again the United States’ third-largest single-country trading partner based on two-way services trade. U.S. services exports to Japan increased \$195 million, or 0.4 percent, to \$44.0 billion in 2016, while U.S. services imports from Japan also increased, growing \$1.0 billion, or 3.9 percent, to \$27.4 billion. As a result, the U.S. surplus in services trade with Japan narrowed to \$16.7 billion from \$17.5 billion the year before (figure 6.10).

Japan remained the fourth-largest destination for U.S. merchandise exports in 2016, accounting for 4.4 percent of global U.S. exports. Between 2015 and 2016, U.S. exports to Japan increased 1.3 percent, from \$62.4 billion in 2015 to \$63.2 billion in 2016. Leading U.S. exports to Japan were civilian aircraft, engines, and parts; corn; medicaments; liquefied propane; and medical instruments and appliances.

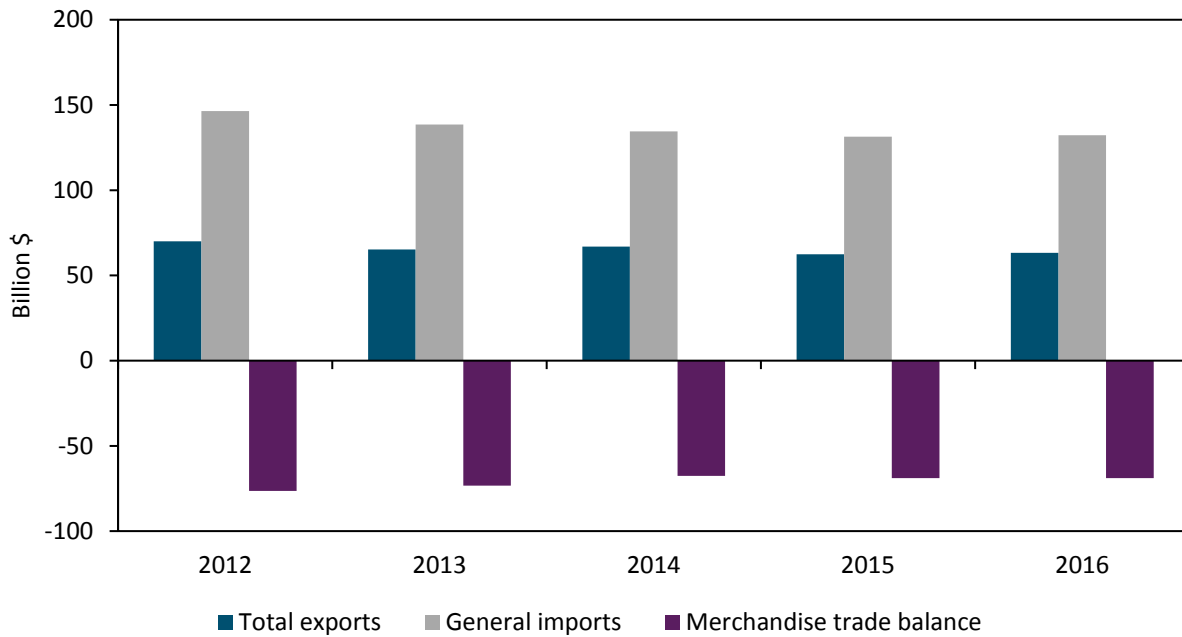
Japan remained the fourth-largest source of U.S. merchandise imports in 2016, accounting for 6.0 percent of global U.S. imports. The value of U.S. imports from Japan increased 0.6 percent in 2016, from \$131.4 billion in 2015 to \$132.2 billion in 2016. Leading U.S. imports from Japan were passenger motor vehicles, parts for airplanes or helicopters, motor vehicle gearboxes, and parts for printers. U.S.-Japan merchandise trade data are shown in appendix tables A.43–A.46.

⁵⁶⁴ 80 Fed. Reg. 2179 (January 10, 2015). The U.S. commercial zones refer to the 25-mile commercial zones along the southern U.S. border.

⁵⁶⁵ USDOT, FMCSA, “Out-of-Service (OOS) Rates (Mexican-Owned or Mexico-Domiciled Carriers),” March 24, 2017.

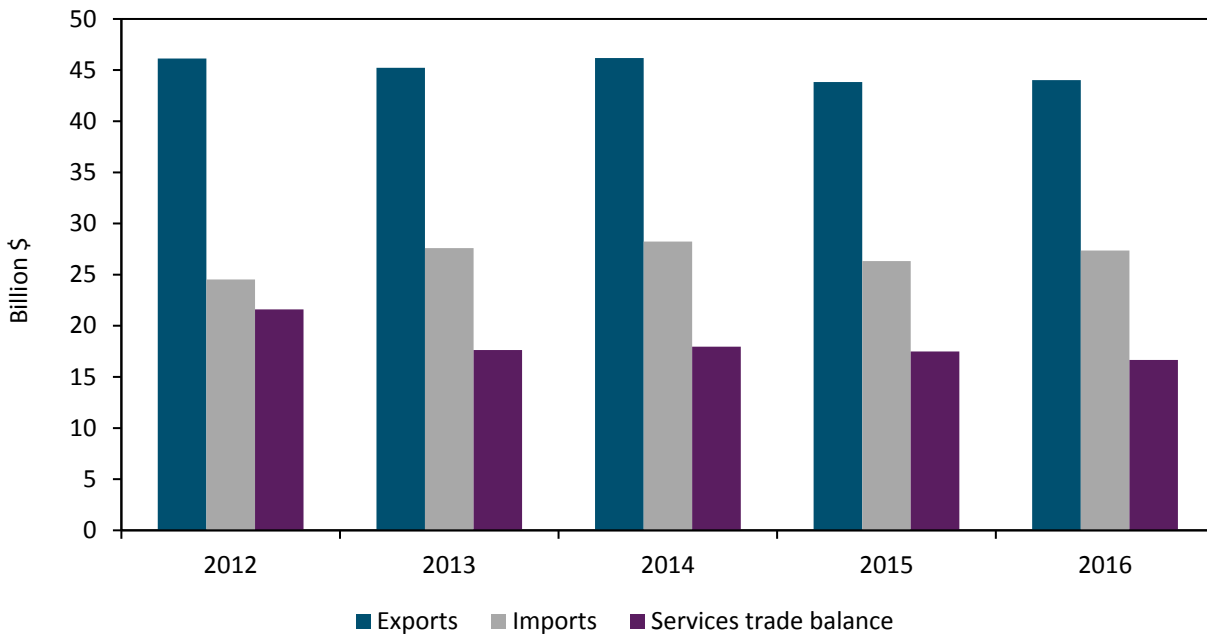
⁵⁶⁶ USDOT, FMCSA, “Roadside Inspection Out-of-Service (OOS) Rates,” March 24, 2017.

Figure 6.9 U.S. merchandise trade with Japan, 2012–16



Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).
 Note: Underlying data can be found in appendix table B.5.

Figure 6.10 U.S. private services trade with Japan, 2012–16^a



Source: USDOC, BEA, U.S. International Transactions, Services, & IIP, International Transactions data, tables 1.2 and 1.3, March 21, 2017.
 Note: Underlying data can be found in appendix table B.7.
^aData for 2016 are preliminary.

Trade Developments

Economic dialogue between the United States and Japan in 2016 focused on a variety of topics, including agricultural trade issues; transparency in pricing and regulation in Japan’s medical device and pharmaceutical sectors; and market access issues in Japan’s insurance market. These topics are discussed in more detail below. In addition, the United States and Japan worked on other trade issues of interest at the Asian-Pacific Economic Cooperation (APEC) forum. These included WTO dispute settlement matters; expansion of the WTO Information Technology Agreement; the plurilateral Trade in Services Agreement; an “Intellectual Property and Innovation Education and Diffusion” initiative with the WTO TRIPS Council; and environmental goods tariff reductions, as well as next-generation issues such as digital trade.⁵⁶⁷

Agricultural Products

Japan remained an important market for U.S. agricultural exports in 2016. In that year, U.S. agricultural exports to Japan amounted to \$12.1 billion, and related negotiations focused on market access issues associated with rice, pork, fish, and seafood (see appendix table A.45).

In 2016, U.S. officials noted a variety of issues associated with Japan’s rice market. Despite the fact that Japan is the United States’ second-largest export market for rice, Japan’s importation and distribution systems are considered highly regulated and nontransparent by USTR.⁵⁶⁸ Japan’s established 682,000 mt tariff-rate quota (TRQ) on imported rice is managed by its Ministry of Agriculture, Forestry, and Fisheries through two types of tenders—ordinary minimum access (OMA) tenders and simultaneous-buy-sell (SBS) tenders.⁵⁶⁹ Most imported rice is purchased through OMA tenders for government-held stocks and is used for industrial food processing, livestock feed, or food aid.⁵⁷⁰ Meanwhile, the SBS tenders, which provide important access to Japan’s more highly valued table rice market,⁵⁷¹ were suspended temporarily from October to December 2016.⁵⁷² USTR is monitoring Japan’s rice import system in light of the market access issues U.S. rice exporters face and Japan’s WTO import commitments.⁵⁷³ In 2016, the United States’ 246,740 metric tons of rice exports to Japan were valued at \$236 million.⁵⁷⁴

Japan’s fluctuating and unpredictable tariffs on U.S. pork meat were also a subject of U.S. concern in 2016.⁵⁷⁵ Japan’s tariff on pork is established by a “gate price” system that applies an ad valorem tariff (of 4.3 percent) when the import value is greater than or equal to an established reference price, and an

⁵⁶⁷ USTR, *2016 Special 301 Report*, April 2016, 13; USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 160.

⁵⁶⁸ USTR, *2017 National Trade Estimate Report*, March 2017, 245.

⁵⁶⁹ USDA, ERS, “Japan—Trade,” updated October 11, 2016; USTR, *2017 National Trade Estimate Report*, March 2017, 245.

⁵⁷⁰ USTR, *2017 National Trade Estimate Report*, March 2017, 245.

⁵⁷¹ Rice is imported through SBS tenders for end users such as the food service sector. USA Rice, “Japan Resumes Rice Tenders,” December 16, 2016.

⁵⁷² Japan suspended SBS tender trading from October to December 2016 to investigate allegations of price manipulation by importers and wholesalers. New rules resulting from the investigation prohibited importers and wholesalers from directly exchanging money. USTR, *2017 National Trade Estimate Report*, March 2017, 245; USA Rice Federation, “Japan Resumes Rice Tenders,” December 16, 2016 (accessed May 5, 2017).

⁵⁷³ USTR, *2017 National Trade Estimate Report*, March 2017, 245.

⁵⁷⁴ *Ibid.*; USITC DataWeb/USDOC (accessed April 11, 2017). Rice exports included those under HTS 1006.

⁵⁷⁵ USTR, *2017 National Trade Estimate Report*, March 2017, 246.

additional tariff when the value of the pork meat imports falls below a given reference price. Japan is the largest export market for U.S. pork and pork products on a value basis and is a market that has shown increased demand. In 2016, U.S. exports of fresh or frozen pork meat to Japan amounted to nearly \$1.5 billion and accounted for about 35 percent of all U.S. exports of this commodity.⁵⁷⁶

High Japanese tariffs on several fish and seafood products remained a recurring topic in bilateral trade negotiations in 2016. In 2016, U.S. exports of fish and seafood amounted to nearly \$666 million to Japan alone.⁵⁷⁷ Moreover, Japan is the third-largest market for these U.S. exports, after Canada and China.⁵⁷⁸ In addition to high tariffs on these products, U.S. exporters also face import quotas on Alaska pollock, cod, Pacific whiting, mackerel, sardines, squid, and Pacific herring, as well as on products such as pollock roe, cod roe, and surimi. Although Japan has reduced tariffs, increased import quota volumes, and lowered associated administrative burdens, the import quotas continued to be reported to be a barrier to U.S. exporters in 2016.⁵⁷⁹ Furthermore, while Japan's Ministry of Health, Labour, and Welfare revised existing standards and specifications for food, which includes seafood, in February 2016, the effects of these changes on U.S. exports are yet to be determined.⁵⁸⁰

Medical Devices and Pharmaceuticals

In 2016, the United States and Japan continued to address longstanding barriers to U.S. medical device and pharmaceutical exports to Japan. Although there have been improvements in Japan's regulatory review process for medical devices and pharmaceuticals in recent years, U.S. concerns continue over broader transparency issues as they relate to pricing and regulation.⁵⁸¹ For example, the Pricing for Market Expansion scheme that was introduced in April 2016 dramatically cut the prices of drugs on the Japanese market if the drug achieved higher sales than anticipated.⁵⁸² The ad hoc nature of the price reductions in both 2015 and 2016, and the unusually short stakeholder consultation period beforehand, led the U.S. government in 2016 to request that the Japanese government follow a more transparent process and provide stakeholders with enough time to provide meaningful input.⁵⁸³

In 2016, U.S. medical device exports to Japan amounted to \$4.1 billion, or 10.4 percent of U.S. medical device exports worldwide. In 2016, Japan was the United States' second-largest market for medical devices.⁵⁸⁴ The United States also exported \$3.8 billion of pharmaceutical products to Japan in 2016, representing 8.2 percent of total U.S. pharmaceutical exports in that year.⁵⁸⁵ In 2016, Japan was the third-largest market for U.S. pharmaceutical exports after Belgium and the Netherlands.⁵⁸⁶

⁵⁷⁶ USDA, FAS, *Japan—Livestock and Products Annual 2016 Market Situation Update*, September 9, 2016, 7–8; USITC DataWeb/USDOC (accessed April 11, 2017). Pork exports included those under HTS 0203.

⁵⁷⁷ USITC DataWeb/USDOC (accessed April 11, 2017). Fish and seafood exports included those exports under HTS 03.

⁵⁷⁸ *Ibid.* Fish and seafood exports included those exports under HTS 03.

⁵⁷⁹ USTR, *2017 National Trade Estimate Report*, March 2017, 246.

⁵⁸⁰ USDA, FAS, *Japan Issues New Safety Standards for Agricultural Food*, January 25, 2016, 1.

⁵⁸¹ USTR, *2017 National Trade Estimate Report*, March 2017, 256.

⁵⁸² *Ibid.*

⁵⁸³ *Ibid.*

⁵⁸⁴ USITC DataWeb/USDOC (accessed May 11, 2017). Medical device exports included those under HTS 9018, 9021, and 9022.

⁵⁸⁵ *Ibid.* Pharmaceutical exports included those under HTS 30.

⁵⁸⁶ *Ibid.* Pharmaceutical exports included those under HTS 30.

Insurance Market

The United States and Japan continued to hold high-level discussions on market access issues related to Japan's insurance market in 2016. Despite important legal changes, Japan's postal life insurance system, run by Japan Post Holdings, has continued to dominate Japan's insurance market.⁵⁸⁷ However, the United States and Japan have been regularly discussing ways of allowing greater international competition within Japan's insurance market. In 2016, Japan Post imposed a limit on the amount of insurance they could provide and a cap on the types of financial activities and products they could offer.⁵⁸⁸ Such market measures have historically limited the extent to which Japan Post dominated its country's local insurance market.⁵⁸⁹ However, as of April 2016, the Japanese government allowed Japan Post to raise the per-customer deposit cap from 10 million yen to 13 million yen (about \$92,000 to \$120,000) and to raise the per-policyholder insurance coverage cap from 13 million yen to 20 million yen (about \$120,000 to \$184,000).⁵⁹⁰

Other developments have also had the potential to impact the position of Japan Post Holdings. Under the TPP, U.S. insurance companies would have been granted open access to the Japan Post Insurance distribution network, allowing them to compete under equivalent conditions.⁵⁹¹ Outside the TPP framework, Japan Post Holdings began a process of wide-scale privatization in late 2015, which influenced market dynamics in this segment of Japan's economy.⁵⁹² Japan Post Holdings' sale of its shares is expected to take place in July 2017.⁵⁹³

Republic of Korea

U.S.-Korea Trade

The Republic of Korea (South Korea) was the United States' sixth-largest single-country merchandise trading partner in 2016. Two-way merchandise trade was valued at \$112.2 billion in 2016, falling from \$115.2 billion in 2015. In spite of this decline, the share of U.S. trade with South Korea remained unchanged from 2015 and accounted for 3.1 percent of U.S. trade with the world. The United States recorded a \$27.7 billion merchandise trade deficit with South Korea in 2016, a 2.3 percent decrease from \$28.3 billion in 2015 as U.S. imports from South Korea declined more than U.S. exports to South Korea (figure 6.11). In 2016, South Korea continued to be the tenth-largest single-country services trading partner based on two-way trade. U.S. exports of services to South Korea increased 5.1 percent in 2016, reaching a five-year high of \$21.3 billion. At the same time, U.S. imports of services from South Korea remained relatively stable, declining 0.1 percent to \$8.8 billion. As a result of these two trends, the U.S. trade surplus in services with South Korea rose from \$11.4 billion in 2015 to \$12.5 billion in 2016, an increase of 9.1 percent (figure 6.12).

⁵⁸⁷ USTR, *2017 National Trade Estimate Report*, March 2017, 248.

⁵⁸⁸ *Ibid.*

⁵⁸⁹ *Ibid.*

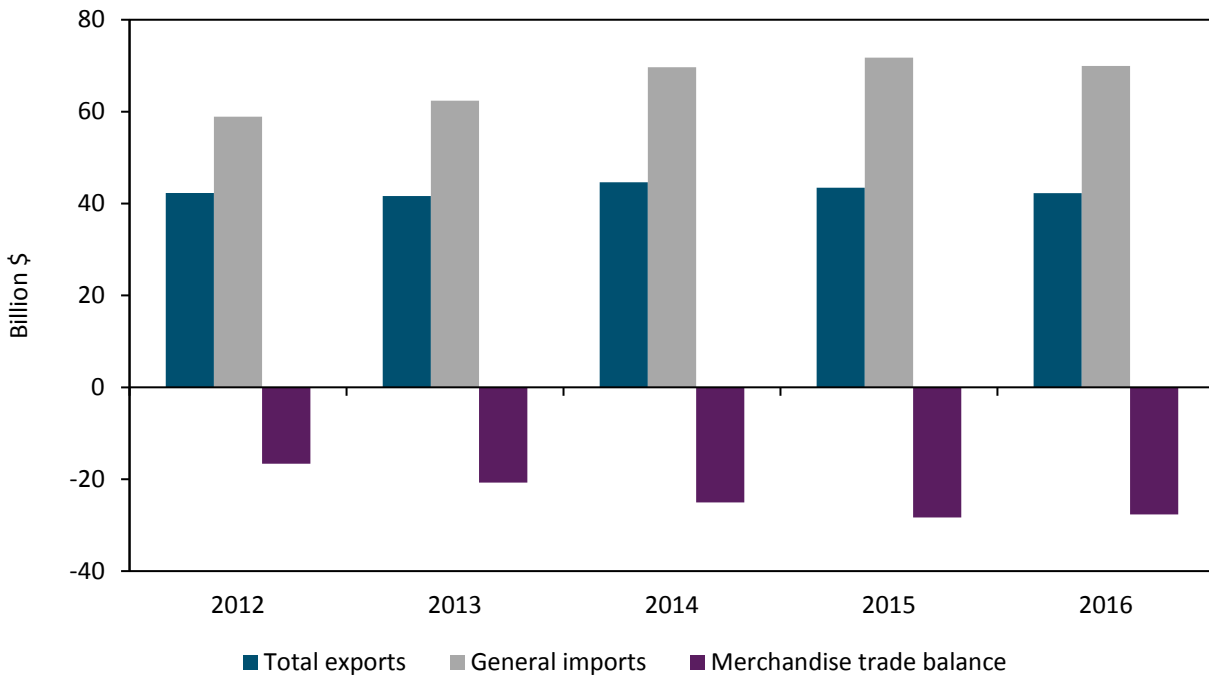
⁵⁹⁰ *Ibid.*

⁵⁹¹ USITC, *Trans-Pacific Partnership Agreement: Likely Impact*, May 2016, 362.

⁵⁹² USDOC, ITA, "Japan—Openness to and Restriction on Foreign Investment," January 24, 2017.

⁵⁹³ Bloomberg, "Japanese Government Seeks to Privatize Japan Post" January 16, 2017.

Figure 6.11 U.S. merchandise trade with South Korea, 2012–16



Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).
 Note: Underlying data can be found in appendix table B.5.

Figure 6.12 U.S. private services trade with South Korea, 2012–16^a



Source: USDOC, BEA, U.S. International Transactions, Services, & IIP, International Transactions data, tables 1.2 and 1.3, March 21, 2017.
 Note: Underlying data can be found in appendix table B.7.
^aData for 2016 are preliminary.

U.S. merchandise exports to South Korea were valued at \$42.3 billion in 2016, declining 2.7 percent (\$1.2 billion) from 2015. Because South Korean imports from all sources declined, the share of United States' exports in total South Korean imports rose from 10.1 percent to 10.6 percent in 2016.⁵⁹⁴ Among the leading U.S. exports to South Korea were civilian aircraft, engines, and parts; processors or controllers; machines for the manufacture of semiconductor devices or electronic integrated circuits; helicopters; and corn. Exports of passenger motor vehicles, when combined, were valued at \$1.6 billion in 2016, increasing 23.1 percent from \$1.3 billion.⁵⁹⁵

U.S. merchandise imports from South Korea totaled \$69.9 billion in 2016, a decrease of 2.5 percent (\$1.8 billion) from 2015. Leading U.S. imports from South Korea included passenger vehicles, cellphones, blood fractions (e.g., antiserum), refined petroleum products, and photosensitive semiconductor devices. U.S.-South Korea merchandise trade data are shown in appendix tables A.47 through A.50.

Trade Developments

In 2016, U.S. trade relations with South Korea occurred within the framework of the U.S.-Korea Free Trade Agreement (FTA), as discussed below and in chapter 5. Additional dialogue focused on supporting the growth of the digital economy and the information and communications technology industry in both countries while also recognizing the importance of privacy and data protection. Other trade developments included the WTO dispute regarding U.S. antidumping and countervailing duty measures on large residential washers from South Korea; the panel report for this dispute was circulated on March 11, 2016, and the Appellate Body report was circulated on September 7, 2016.⁵⁹⁶

U.S.-Korea FTA

The U.S.-Korea FTA, commonly referred to as KORUS, entered into force on March 15, 2012. In terms of value of trade covered, it is the second-largest U.S. FTA after NAFTA.⁵⁹⁷ As of January 1, 2017, six rounds of tariff cuts have taken place under the agreement, with tariffs eliminated on approximately 95 percent of consumer and industrial products.⁵⁹⁸ As of January 1, 2016, imports of passenger vehicles from the United States enter South Korea duty free.⁵⁹⁹ See chapter 5 for more information on the U.S.-Korea FTA.

Information Technology and Digital Trade

In August 2016, the U.S. Chamber of Commerce, U.S.-Korea Business Council, and U.S.-Japan Business Council had their first Trilateral Digital Economy Steering Committee meeting. This initiative aims to

⁵⁹⁴ IHS Markit, GTA (accessed April 11, 2017).

⁵⁹⁵ USITC DataWeb/USDOC (accessed March 21, 2017). Passenger motor vehicles includes the following HTS 6-digit lines: 8703.21, 8703.22, 8703.23, 8703.24, 8703.31, 8703.32, 8703.33, 8703.90, 8704.21, and 8704.31.

⁵⁹⁶ WTO, "Dispute Settlement: DS464; United States—Anti-dumping and Countervailing Measures on Large Residential Washers from Korea" (accessed March 28, 2016). For more information, see chapter 3.

⁵⁹⁷ See tables 5.1 and 5.2 for complete data.

⁵⁹⁸ USTR, *2017 National Trade Estimate*, March 2017, 275; USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 125; USTR, "U.S.-Korea Free Trade Agreement," n.d. (accessed April 4, 2017). The six rounds of tariff cuts and eliminations took place on the date of the agreement's entry into force (March 15, 2012) and on January 1, 2013; January 1, 2014; January 1, 2015; January 1, 2016; and January 1, 2017.

⁵⁹⁹ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 125.

bring together government and nongovernment efforts revolving around the digital economy.⁶⁰⁰ For example, the group aims to develop initiatives that promote an open Internet and seamless data flows.

In September 2016, representatives of the U.S. and South Korean governments, industry, and nongovernmental organizations attended the third bilateral Information and Communication Technology (ICT) Policy Forum. The two-day forum's objective was to provide an opportunity to discuss issues such as supporting the growth of the digital economy as well as the ICT industry in both countries. Both sides affirmed support for policies that promote innovation, trade, investment, and growth, while also emphasizing the importance of privacy and data protection.⁶⁰¹

India

U.S.-India Trade

In 2016, India became the United States' 9th-largest single-country trading partner (based on two-way merchandise trade), rising from 10th-largest in 2015. U.S. two-way merchandise trade with India increased 2.2 percent to \$67.7 billion in 2016. In addition, India's share of total U.S. merchandise trade with the world rose to 1.9 percent, up from 1.8 percent in 2015, continuing a slow but steady increase in India's share of U.S. merchandise trade with the world over recent years. Although U.S. exports to India went up slightly in 2016, the U.S. merchandise trade deficit with India rose 4.2 percent to \$24.3 billion in 2016 as imports grew even more than exports (figure 6.13). Although India was again the United States' seventh-largest single-country services trading partner, based on two-way trade, it continued to be the only top trading partner with which the United States has a services trade deficit; however, this trade deficit has slowly decreased since 2014. In 2016, U.S. exports again rose slightly more than U.S. imports of services, which resulted in a 1.6 percent decline in the U.S. services trade deficit to \$6.8 billion (figure 6.14). Total U.S. services trade with India grew 10.3 percent to \$46.7 billion in 2016.

U.S. merchandise exports to India increased 1.1 percent from \$21.5 billion in 2015 to \$21.7 billion in 2016. Leading U.S. exports to India in 2016 were nonindustrial diamonds; nonmonetary gold; civilian aircraft, engines, and parts; almonds; and petroleum coke.

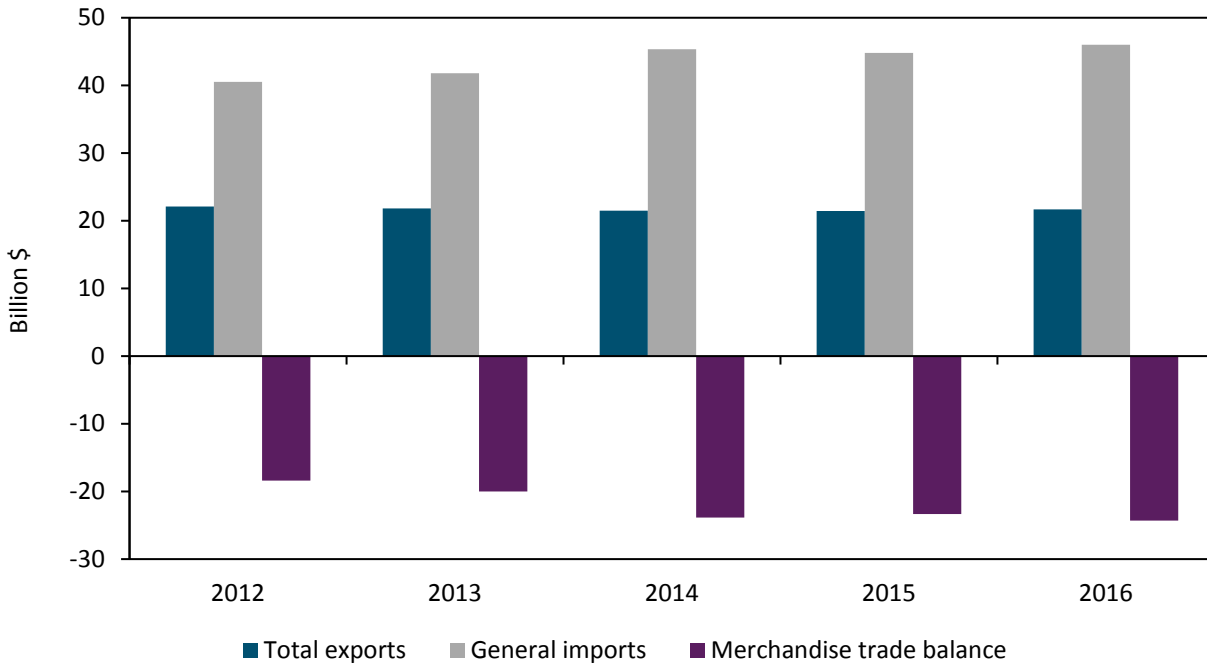
U.S. merchandise imports from India increased 2.7 percent in 2016 to \$46.0 billion. Leading U.S. imports from India in 2016 were nonindustrial diamonds, medicaments, gold jewelry, light oils, and frozen shrimp.⁶⁰² U.S. merchandise trade data are shown in appendix tables A.51 through A.54.

⁶⁰⁰ U.S. Chamber of Commerce, "U.S. Chamber Launches Trilateral Digital Economy Steering Committee," August 30, 2016.

⁶⁰¹ USDOS, "Joint Statement on the 3rd U.S.-Republic of Korea ICT Policy Forum," September 12, 2016.

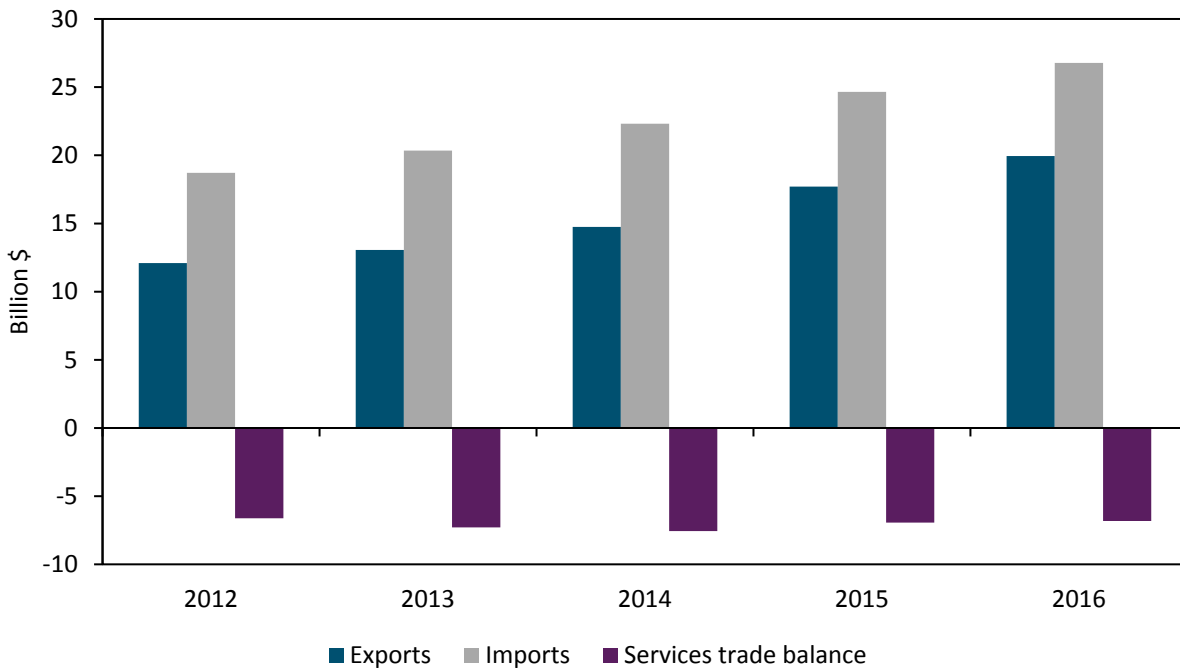
⁶⁰² Because the United States and India are both major centers for global trade of cut or faceted diamonds, diamonds lead U.S.-India trade in terms of both imports and exports.

Figure 6.13 U.S. merchandise trade with India, 2012–16



Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).
 Note: Underlying data can be found in appendix table B.5.

Figure 6.14 U.S. private services trade with India, 2012–16^a



Source: USDOC, BEA, U.S. International Transactions, Services, & IIP, International Transactions data, tables 1.2 and 1.3, March 21, 2017.
 Note: Underlying data can be found in appendix table B.7.
^aData for 2016 are preliminary.

Trade Developments

There were several active WTO dispute settlement proceedings involving the United States and India in 2016. In March, India requested consultations with the United States about measures concerning non-immigrant temporary work visas.⁶⁰³ In July, the United States requested arbitration regarding a dispute with India concerning the importation of certain agricultural products on the basis that India failed to bring its measures into compliance within the agreed reasonable period of time.⁶⁰⁴ In September, India requested consultations with the United States regarding alleged domestic-content requirements in the renewable energy sector provided by several U.S. states.⁶⁰⁵ Finally, in October 2016, the Dispute Settlement Body adopted the Appellate Body report and the panel report, as modified by the Appellate Body report, regarding India's purchase power agreements with solar firms and domestic-content requirements.⁶⁰⁶ For more information on WTO dispute settlement cases, see chapter 3.

In 2016, the United States and India continued dialogue on improving bilateral trade and investment, including IPR protection. In June 2016, President Obama and Prime Minister Narendra Modi met in Washington, DC, for their third major bilateral summit. The second U.S.-India Strategic and Commercial Dialogue was held in New Delhi, India, in August 2016 and was co-chaired by U.S. Secretary of State John Kerry, U.S. Secretary of Commerce Penny Pritzker, External Affairs Minister of India Sushma Swaraj, and Minister of State for Commerce and Industry of India Nirmala Sitharaman. A number of topics were discussed, including trade and investment, improving the ease of doing business, and standards cooperation. The Trade Policy Forum and IPR protection, two important areas of bilateral dialogue in 2016, are discussed in detail below.

India and United States Trade Policy Forum

On October 20, 2016, U.S. Trade Representative Michael Froman and India's Minister of Commerce and Industry Nirmala Sitharaman met in Delhi for the 10th ministerial-level meeting of the India and United States Trade Policy Forum. This meeting covered several topics that are the focus of established inter-ministerial working groups, including agriculture, trade in goods and services, promoting investment, manufacturing, and IPRs.⁶⁰⁷

Agriculture

The United States and India noted the need to establish science- and risk-based regulations that are grounded in international standards and guidelines and also agreed to share best practices between their sanitary and phytosanitary authorities. Minister Sitharaman and Ambassador Froman recognized each other's requests, agreeing to explore the possibility of enhanced market access for specific agricultural products, such as the export of grapes from India and the export of cherries and alfalfa hay

⁶⁰³ WTO, "Dispute Settlement: DS503; United States—Measures Concerning Non-Immigrant Visas" (accessed March 15, 2017).

⁶⁰⁴ WTO, "Dispute Settlement: DS430; India—Measures Concerning the Importation of Certain Agricultural Products" (accessed March 31, 2017).

⁶⁰⁵ WTO, "Dispute Settlement: DS510; United States—Certain Measures Relating to the Renewable Energy Sector" (accessed March 15, 2017).

⁶⁰⁶ WTO, "Dispute Settlement: DS456; India—Certain Measures Relating to Solar Cells and Solar Modules" (accessed March 6, 2017).

⁶⁰⁷ USTR, "India and United States Joint Statement on the Trade Policy Forum," October 20, 2016.

from the United States. The two sides also discussed regulations relating to the import and export of boric acid, as well as U.S. concerns regarding market access for dairy products.⁶⁰⁸

Services

The United States and India recognized the role of the services sector in the United States and India and discussed efforts to promote foreign investment in key service sectors. The United States called upon India to relax local-sourcing requirements in single-brand retail trade. Both parties agreed to address market access and trade costs for pharmaceutical products and medical devices through technical discussions, and also agreed to continue their work on visa issues to facilitate the movement of professionals and experts. The two sides agreed to promote the digital economy through an open Internet and to explore the adoption of joint principles that ensure an open Internet. They also agreed to further the digital agenda that was adopted at the India-U.S. Information Communication and Technology Working Group.⁶⁰⁹

Manufacturing

The United States and India committed to exchange information on standards, conformity assessment procedures, and the Common Criteria Recognition Arrangement in the electronics sector, a mutual-recognition arrangement for information technology security evaluations. Both parties highlighted the importance of predictability and transparency in the creation of new rules and agreed to continue to share best practices and information on public stakeholder consultations before framing laws or policy. In addition, both parties noted their desire to take appropriate action on the recommendations of the U.S.-India CEO Forum.⁶¹⁰

Intellectual Property

India has been on USTR's Priority Watch List or has been designated a priority foreign country since 1989. India remained on the Priority Watch List in the *2016 Special 301 Report* due to concerns about weak protection and enforcement of IPR. Of concern are inadequate trade secret protection; the production, domestic distribution, and export of counterfeit pharmaceuticals; and online piracy. The High-Level Working Group on Intellectual Property under the Trade Policy Forum (discussed above) held several meetings in 2016 focusing on creating stronger IPR protection and enforcement in India. In 2016, workshops were also held on copyright and trade secrets.⁶¹¹

Similarly, USTR notes in its *2016 Out-of-Cycle Review of Notorious Markets* report that "numerous markets in India have appeared in past lists, with no identified meaningful, effective response by the Indian government."⁶¹² Several markets were highlighted for counterfeit apparel, pirated media, and counterfeit auto parts.⁶¹³

⁶⁰⁸ Ibid.

⁶⁰⁹ Ibid.

⁶¹⁰ Ibid.

⁶¹¹ USTR, *2016 Special 301 Report to Congress*, April 2016, 38–45.

⁶¹² USTR, *2016 Out-of-Cycle Review of Notorious Markets*, December 2016, 20.

⁶¹³ Ibid.

Taiwan

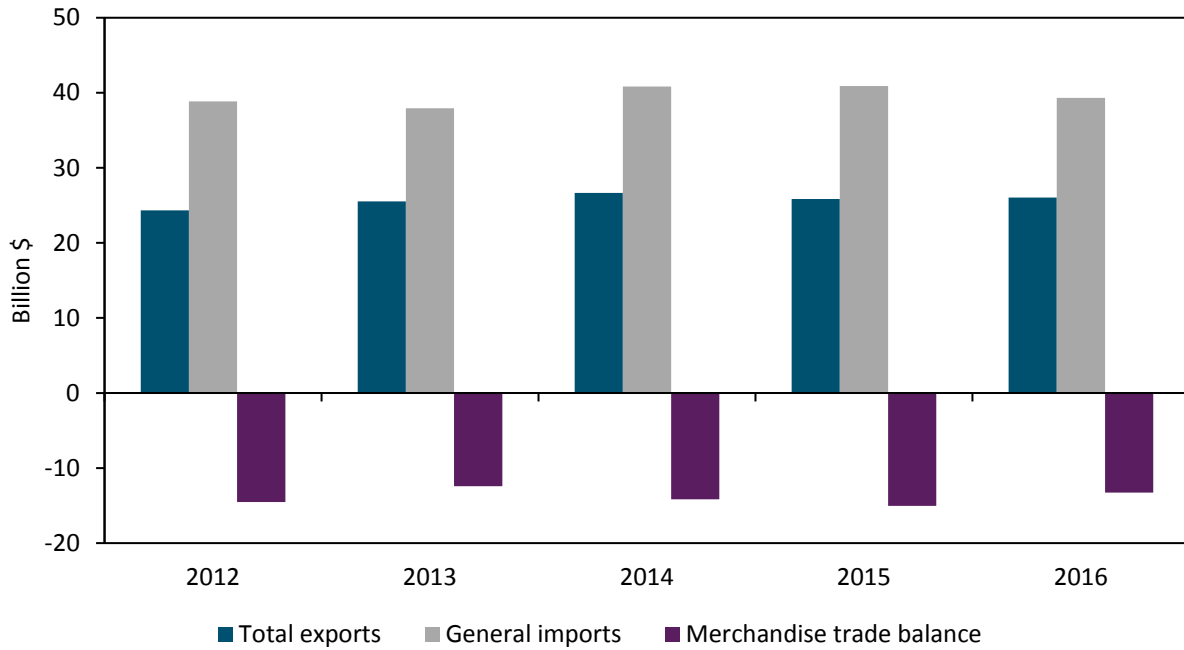
U.S.-Taiwan Trade

In 2016, Taiwan was the United States' 10th-largest single-economy trading partner, dropping from the 9th position that it held in 2015. U.S. trade with Taiwan accounted for 1.8 percent of total U.S. trade with the world. U.S. two-way merchandise trade with Taiwan amounted to \$65.4 billion in 2016, a decrease of 2.1 percent from \$66.8 billion in 2015. The U.S. merchandise trade deficit with Taiwan fell \$1.8 billion, from \$15.0 billion in 2015 to \$13.3 billion in 2016 (figure 6.15). As described below, U.S. trade flows with Taiwan remained heavily dependent upon consumer electronics—most notably computer components. Also in 2016, the U.S. services trade surplus with Taiwan fell \$763 million relative to the year before, from \$4.3 billion in 2015 to \$3.5 billion in 2016. The decline in the services trade surplus was attributable to a \$739 million (6.2 percent) decline in U.S. services exports to Taiwan and a \$24 million (0.3 percent) increase in U.S. services imports from Taiwan in 2016 (figure 6.16).

In 2016, U.S. merchandise exports to Taiwan amounted to \$26.0 billion, a 0.7 percent increase from \$25.9 billion in 2015. Leading U.S. exports to Taiwan were civilian aircraft, engines, and parts; machines for semiconductor or integrated circuit manufacturing; processors and controllers; memories; and microchips.

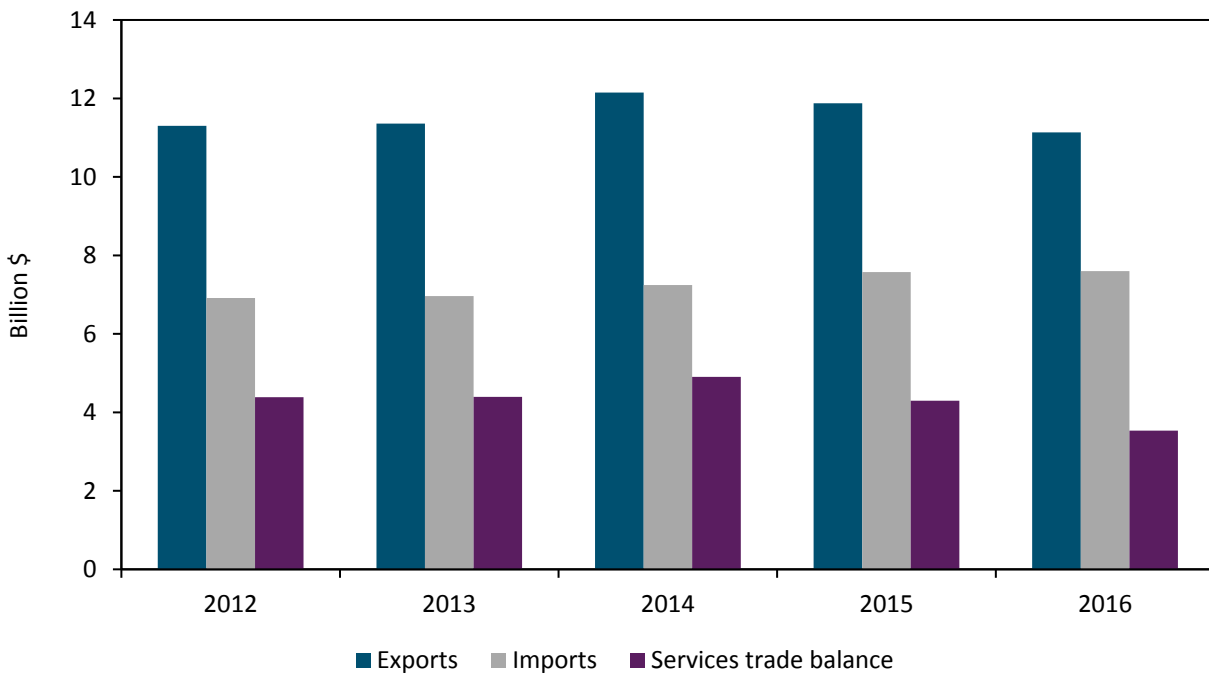
In 2016, U.S. merchandise imports from Taiwan amounted to \$39.3 billion, a 3.9 percent decrease from \$40.9 billion in 2015. Leading U.S. imports were microchips, telecommunications equipment, computer parts and accessories, processors and controllers, and semiconductor storage devices. U.S.-Taiwan merchandise trade data are shown in appendix tables A.55 through A.58.

Figure 6.15 U.S. merchandise trade with Taiwan, 2012–16



Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).
 Note: Underlying data can be found in appendix table B.5.

Figure 6.16 U.S. private services trade with Taiwan, 2012–16^a



Source: USDOC, BEA, U.S. International Transactions, Services, & IIP, International Transactions data, tables 1.2 and 1.3, March 21, 2017.
 Note: Underlying data can be found in appendix table B.7.
^aData for 2016 are preliminary.

Trade Developments

As described below, the U.S.-Taiwan Trade and Investment Framework Agreement (TIFA) has served as a key mechanism for U.S.-Taiwan dialogue on trade issues in the absence of official diplomatic ties. In 2016, U.S.-Taiwan trade relations focused on IPR-related issues; access to Taiwan's agricultural market; certain technical barriers to trade; and issues associated with Taiwan's investment review procedures.

U.S.-Taiwan Trade and Investment Framework Agreement

The U.S.-Taiwan TIFA, signed in 1994, has served as the main forum for discussing bilateral trade and investment issues and strengthening commercial ties.⁶¹⁴ The 10th annual TIFA Council meeting, which continues to be held under the auspices of the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States, was on October 4, 2016, in Washington, DC.⁶¹⁵ Discussions in that forum, and in the working groups leading up to that forum, focused on IPR-related issues and market access for U.S. agricultural, biotech, and medical device exports.⁶¹⁶ Other prominent points raised during the 2016 TIFA meetings included certain technical barriers in Taiwan's agricultural and cosmetics industry and certain investment approval procedures, both described in greater detail below.

Intellectual Property Rights

At the 2016 TIFA meeting, the United States recognized progress that was made with respect to Taiwan's pharmaceutical IPR protection and its commitment to strengthen engagement on IPR legislation.⁶¹⁷ The United States also recognized Taiwan's enhanced promotion of intellectual property-related educational material, and its enhanced enforcement cooperation with the United States.⁶¹⁸ In September 2016, Taiwan also extended the mandatory notice and comment period for new trade, investment, and IPR-related regulations and laws from 14 to 60 days, especially helpful to foreign firms.⁶¹⁹ With regard to transparency, both the United States and Taiwan agreed to continue exchanging views on pending revisions to Taiwan's Copyright Act.⁶²⁰

Agricultural Barriers

At the 2016 TIFA meeting, the United States and Taiwan also agreed that more progress was needed on a broad range of agricultural trade issues. The United States was mostly concerned about the degree to which biotechnology played a role in Taiwan's agricultural trade policies, and expressed strong interest that Taiwan remove bans on U.S. pork and certain beef products produced using ractopamine.⁶²¹ During

⁶¹⁴ USTR, "United States and Taiwan Deepen Dialogue on Trade and Investment Priorities," October 2016.

⁶¹⁵ *Ibid.*; American Institute in Taiwan, "United States and Taiwan Trade and Investment Framework Agreements Council Meeting," September 2016.

⁶¹⁶ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 141.

⁶¹⁷ *Ibid.*

⁶¹⁸ *Ibid.*

⁶¹⁹ *Ibid.*, 413.

⁶²⁰ USTR, *2017 Trade Policy Agenda and 2016 Annual Report*, March 2017, 141.

⁶²¹ *Ibid.*

the 2016 discussions, the U.S. trade negotiators also expressed continued concerns over barriers U.S. beef offal exporters have experienced in Taiwan.⁶²² A resolution to these issues is still pending.

Technical Barriers to Trade

Technical barriers to trade have been one of the most pronounced U.S.-Taiwan bilateral trade issues in recent years. During the 2016 TIFA Council meeting, discussions of these technical barriers largely revolved around the labeling of agricultural goods, the regulation of cosmetic products, and procedures for registering new chemicals.⁶²³

With respect to the first issue, discussion at the 2016 TIFA Council meeting addressed the transparency and rationale for Taiwan's newly implemented biotechnology labeling requirements for prepackaged foods, food additives, and unpackaged foods.⁶²⁴ The new rules require corn syrup, for example, to be labeled "genetically engineered," as it is made from biotechnology corn, yet beverages made using corn syrup are exempt from such labeling. While the rationale for this difference in labeling is based on a 3 percent biotechnology content threshold, the United States sought clarity in its bilateral dialogues with Taiwan regarding the justification for regulatory measures that have been implemented.⁶²⁵

On September 9, 2016, Taiwan's Cabinet imposed new regulatory requirements for Taiwan's cosmetic industry by amending the Statute for Control of Cosmetic Hygiene (recently renamed the Cosmetic Hygiene Control Act). While such measures still require legislative approval, the Taiwan Food and Drug Administration drafted guidelines in 2016 on the new approval processes. These guidelines require additional product information files, product notifications, and good manufacturing practices, while also affecting product claims, advertisements, and confidential business information.

U.S. stakeholders have been concerned about short transition times associated with the changes, and that such additional requirements would place a large burden on the industry by requiring them to provide additional pre-market documentation. After consultations with the Taiwan Food and Drug Administration, U.S. stakeholders were assured that both pre-market approval and the documentation associated with post-market surveillance would not be needed during the transition to the new system. Since those consultations, USTR has been advocating for appropriate transition periods for related products, such as toothpaste, breath fresheners, and sunscreen. These were not previously covered under the Statute for Control of Cosmetic Hygiene, and their manufacturers would need time to adapt to the new regulatory system. In 2016, USTR also raised concerns about the proportionality of punishment for infractions in advertising for related products.⁶²⁶

Investment Barriers

During the October 2016 TIFA meeting, U.S. and Taiwanese trade officials discussed issues related to Taiwan's investment review practices. Specifically, USTR was concerned about transparency and consistency in Taiwan's practices for reviewing proposed foreign investments, given that proposed amendments to eliminate approval requirements for foreign investments that were less than \$1 million

⁶²² USTR, *2017 National Trade Estimate Report*, March 2017, 414.

⁶²³ *Ibid.*, 413.

⁶²⁴ *Ibid.*

⁶²⁵ *Ibid.*

⁶²⁶ *Ibid.*, 414.

did not pass Taiwan's legislative branch.⁶²⁷ Following those bilateral consultations in 2016, Taiwan's Ministry of Economic Affairs proposed a new set of related amendments, whose outcomes are not yet known.

In 2016, USTR expressed concerns about the predictability of Taiwan's investment approval procedures and openness to foreign investment in areas deemed sensitive (e.g., in the media industry and for transactions involving private equity).⁶²⁸ In that year, authorities in Taiwan closely scrutinized several foreign investment applications, which contributed to ongoing concerns by U.S. stakeholders. According to USTR, investment applications can be subject to long review periods, repetitive requests for documentation, and ad hoc interventions from elected officials who are not part of the normal regulatory review process.⁶²⁹

Brazil

U.S.-Brazil Trade

In 2016, Brazil was the United States' largest South American trading partner. Two-way merchandise trade between the United States and Brazil decreased 4.5 percent to \$56.5 billion from \$59.1 billion in 2015, and although Brazil's share of total U.S. merchandise trade remained at 1.6 percent, its position dropped from the 12th-largest single-country merchandise trading partner in 2015 to the 14th-largest in 2016. This downward trend in bilateral merchandise trade was primarily caused by a decrease in U.S. exports to Brazil in recent years, in part due to an overall economic downturn, political uncertainty highlighted by the impeachment of President Dilma Rousseff, and low international crude oil prices.⁶³⁰ Nonetheless, the United States recorded a merchandise trade surplus with Brazil of \$4.1 billion in 2016, slightly less than the 2015 surplus of \$4.2 billion (figure 6.17). In terms of services trade, U.S. exports of services to Brazil fell for a second year, declining \$3.2 billion (11.4 percent) to \$24.8 billion. U.S. services imports from Brazil declined by a larger share (13.4 percent), but less by value (\$1.0 billion), to reach \$6.7 billion in 2016 (figure 6.18). As a result of the larger decline in exports, the services trade surplus dropped 10.7 percent, from \$20.2 billion in 2015 to \$18.0 billion in 2016, and Brazil became the United States' ninth-largest single-country trading partner in services, falling from eighth in 2015.

In 2016, U.S. merchandise exports to Brazil fell 4.3 percent, from \$31.7 billion in 2015 to \$30.3 billion in 2016. U.S. exports to Brazil in most sectors declined in 2016, but exports of energy-related products and agricultural products increased in 2016, though they did not reach 2014 levels. As in previous years, the top U.S. exports to Brazil were civilian aircraft, engines, and parts (14.6 percent of total U.S. merchandise exports to Brazil) and refined petroleum products (9.8 percent of total U.S. exports). Other leading U.S. exports included light oils, medicaments, and bituminous coal.

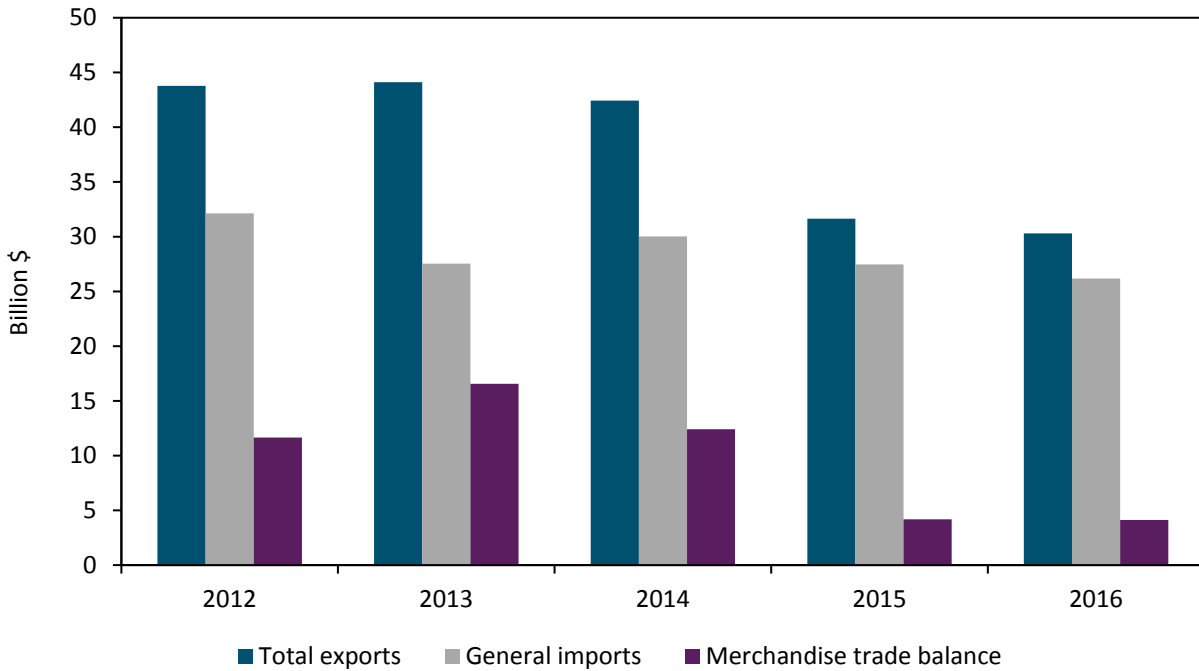
⁶²⁷ Ibid., 419.

⁶²⁸ Ibid.

⁶²⁹ Ibid.

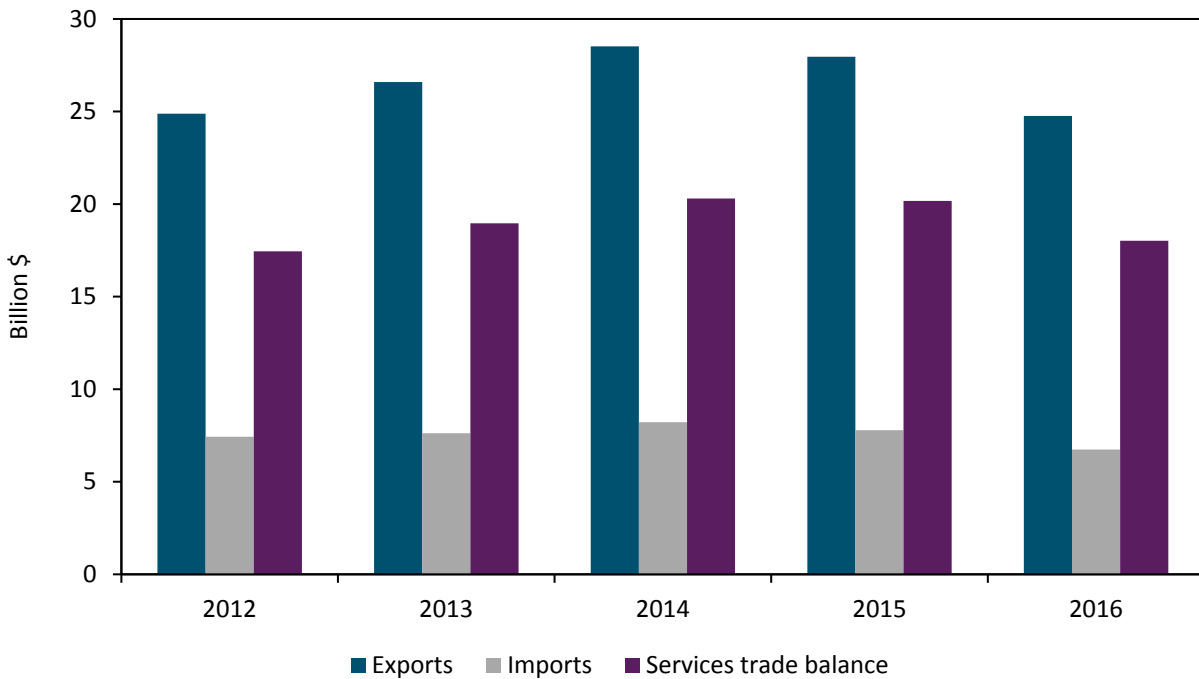
⁶³⁰ IMF, *Brazil*, IMF Country Report No. 16/348, November 2016, 3–10; EIA, "Spot Prices for Crude Oil" (accessed March 15, 2017).

Figure 6.17 U.S. merchandise trade with Brazil, 2012–16



Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).
 Note: Underlying data can be found in appendix table B.5.

Figure 6.18 U.S. private services trade with Brazil, 2012–16^a



Source: USDOC, BEA, U.S. International Transactions, Services, & IIP, International Transactions data, tables 1.2 and 1.3, March 21, 2017.
 Note: Underlying data can be found in appendix table B.7.
^aData for 2016 are preliminary.

U.S. merchandise imports from Brazil dropped 4.7 percent, from \$27.5 billion in 2015 to \$26.2 billion in 2016, largely driven by declines in U.S. imports of energy-related products and of minerals and metals. Leading U.S. imports from Brazil included airplanes and other aircraft; crude petroleum; unroasted coffee; chemical wood pulp, soda, or sulfate; and semifinished iron or non-alloy steel products. U.S.-Brazil merchandise trade data are shown in appendix tables A.59 through A.62.

Trade Developments

In 2016, the United States and Brazil continued to advance their bilateral trade relationship via the third meeting of the United States-Brazil Agreement on Trade and Economic Cooperation (first ministerial meeting) and via the U.S.-Brazil Commercial Dialogue. In these official meetings, participants discussed topics including economic cooperation, trade facilitation, and standards and conformity assessment. Also, after years of talks, Brazil's barriers to U.S. exports of beef and beef products were removed. These topics are described in more detail below. Additionally, on November 11, Brazil requested consultations at the WTO with the United States over U.S. countervailing duty measures on hot- and cold-rolled steel products from Brazil.⁶³¹

U.S.-Brazil Agreement on Trade and Economic Cooperation—Third Meeting

The Agreement on Trade and Economic Cooperation between the United States and Brazil, which was signed in March 2011, was designed to expand the trade and investment relationship between the two countries on a broad range of key issues, including trade facilitation, IPRs, and technical barriers to trade.⁶³² To achieve the Agreement's goals, the two countries have held three formal meetings. The March 30, 2016, meeting, held in Washington, DC, was the third meeting of the United States-Brazil Commission on Economic and Trade Relations and the first ministerial-level meeting. Preceding the official meeting, officials held technical-level discussions focused on trade and investment issues such as market access; the Generalized System of Preferences (GSP), of which Brazil is a beneficiary; tax and labor issues; and greater cooperation on WTO issues and agricultural trade.⁶³³

At the ministerial meeting, topics discussed included national trade agendas, bilateral and multilateral trade, WTO issues, and the challenges of global excess steel capacity. Ministers also highlighted several developments, such as the signing and delivery of Brazil's letter of acceptance of the Trade Facilitation Agreement to the WTO and the work of the United States-Brazil Commercial Dialogue. Additionally, ministers discussed the implementation of the Memorandum of Understanding on Cotton (which concluded a WTO dispute on cotton);⁶³⁴ reducing restrictions on the participation of U.S. insurance firms

⁶³¹ WTO, "Dispute Settlement: DS514; United States—Countervailing Measures on Cold- and Hot-Rolled Steel Flat Products from Brazil" (accessed April 4, 2017). In November 2016, Brazil requested consultations at the WTO with the United States over two countervailing duty cases on hot- and cold-rolled steel. For more information, see the section on WTO dispute settlement in Chapter 3.

⁶³² USDOC, ITA, "Joint Statement of the 14th Edition of the Brazil-U.S. Commercial Dialogue," June 29, 2016.

⁶³³ USTR, "United States and Brazil Hold Third Meeting of the Commission on Economic and Trade Relations under the United States-Brazil Agreement on Trade and Economic Cooperation," March 2016; USTR, "GSP in Use-Country Specific Information" (April 5, 2017).

⁶³⁴ WTO, "Dispute Settlement: DS267; United States—Subsidies on Upland Cotton" (accessed March 2, 2017). On October 16, 2014, the United States and Brazil mutually agreed to end this dispute. Currently it is being implemented; for more information, refer to USITC's *The Year in Trade 2014*, chapter 6.

in the Brazilian market; cooperation on standards and conformity assessment; and the development and passing of a Patent Prosecution Highway pilot program by U.S. and Brazilian intellectual property agencies that would accelerate review of patent applications and facilitate information sharing between the two offices to speed the patenting process.⁶³⁵ Brazil is expected to host the next meeting of the Agreement on Trade and Economic Cooperation in 2017.⁶³⁶

U.S.-Brazil Commercial Dialogue

On June 28–29, 2016, U.S. and Brazilian officials met in Washington, DC, for the 14th meeting and 10th anniversary of the U.S.-Brazil Commercial Dialogue. The U.S.-Brazil Commercial Dialogue encourages the exchange of ideas on a number of subjects assigned to the following five working groups: Trade Partnership, Industry and Investments, Services, Standards, and Innovation and Intellectual Property Rights.⁶³⁷

In this meeting, officials continued to discuss ways to strengthen the U.S.-Brazil bilateral trade relationship. Officials stated that working groups have helped expedite trade procedures by encouraging the use of electronic signatures and fostering greater collaboration on measurement sciences to standardize trade administrative procedures. Other topics discussed were advances in trade facilitation; support for SMEs; retail and e-commerce; concerns on express delivery; greater interaction in professional services; cooperation in business intelligence to provide services trade data; and regulatory cooperation.⁶³⁸ Moreover, officials announced plans to continue advancing discussions by encouraging greater collaboration across working groups, incorporating other relevant government stakeholders, and increasing private sector participation. Finally, officials also participated in a roundtable briefing hosted by the Brazil-U.S. Business Council.⁶³⁹

Bilateral Trade of Beef and Beef Products

On August 1, 2016, the United States Department of Agriculture (USDA) announced that the USDA and Brazil's Ministry of Agriculture, Livestock, and Food Supply had agreed to allow access for U.S. beef and beef products in the Brazilian market for the first time since 2003. Although beef and beef products from the United States have been classified as a negligible risk for bovine spongiform encephalopathy by the World Organization for Animal Health (OIE), U.S. beef and beef products had been banned from the Brazilian market due to concerns about the disease. Given this decision to allow U.S. beef products to enter the Brazilian market, the USDA also stated that both Brazil and the United States would update their administrative procedures to immediately start trade.⁶⁴⁰

In a separate decision, after completing a multiyear review on U.S. food safety regulations for countries that export meat, poultry, and egg products to the United States, USDA's Food Safety and Inspection Service concluded that Brazil's food safety standards for meat products such as beef are equivalent to those of the United States. As a result, the United States can import fresh, chilled, or frozen beef from

⁶³⁵ USTR, "United States and Brazil Hold Third Meeting of the Commission," March 2016; USDOC, USPTO, "Memorandum of Understanding on a Patent Prosecution," November 24, 2015.

⁶³⁶ USTR, "United States and Brazil Hold Third Meeting of the Commission," March 2016.

⁶³⁷ USDOC, ITA, "Joint Statement of the 14th Edition of the Brazil-U.S. Commercial Dialogue," June 29, 2016.

⁶³⁸ Ibid.

⁶³⁹ USDOC, ITA, "United States and Brazil Celebrate the 10th Anniversary," June 29, 2016.

⁶⁴⁰ USDA, "USDA Announces Reopening of Brazilian Market," August 1, 2016.

Brazil.⁶⁴¹ As of September 2016, five plants were considered eligible to export fresh beef to the United States, and expectations for increasing trade were high.⁶⁴²

Cuba

U.S.-Cuba Trade

Although U.S. restrictions have limited bilateral trade, the U.S.-Cuba bilateral trade relationship has changed markedly since President Obama's December 2014 statement announcing a shift in U.S. policy toward Cuba.⁶⁴³ Since then, government officials from both countries have held a number of meetings and U.S. policies were amended to allow increased trade. In 2015, at the request of the U.S. Senate Committee on Finance, the Commission examined the effects of U.S. restrictions on U.S. exports to Cuba, as well as potential barriers to trade and investment in Cuba, in *Overview of Cuban Imports of Goods and Services and Effects of U.S. Restrictions*. This report was the third report on Cuba trade published by the Commission.⁶⁴⁴

Cuba continues to be a small export market for the United States, with total exports reaching \$247.2 million in 2016 (figure 6.19). Before the 2014 policy change, exports to Cuba were limited to medicine and medical goods as well as products allowed under the Cuban Democracy Act of 1992 and the Trade Sanctions Reform and Export Enhancement Act of 2000; the vast majority of these were agricultural commodities.⁶⁴⁵ The 2015 and 2016 amendments to U.S. regulations (see below) removed certain financing restrictions on non-agricultural goods and allowed an expanded range of U.S. exports of manufactured goods to Cuba, including telecommunications equipment. U.S. exports to Cuba had declined consistently from 2012 to 2015, but increased 37.2 percent in 2016 from 2015 levels, although they are still below 2014 levels.

While U.S. exports of manufactured goods to Cuba have increased since 2014, a significant portion (nearly 90 percent) of U.S. exports continues to be agricultural products, with much of the remaining U.S. exports consisting largely of crop protection chemicals and medical supplies. As in recent years, frozen chicken was the top U.S. export to Cuba in 2016, valued at \$106 million and accounting for 42.9 percent of all U.S. exports to Cuba. Other major U.S. exports to Cuba included corn (\$39 million, or 15.8 percent of U.S. exports to Cuba) and soybean oilcake (\$36 million, or 14.6 percent of U.S. exports). These, plus soybeans and soybean oil, make up the top five U.S. exports to Cuba, and together accounted for over 85 percent of U.S. exports to Cuba in 2016. Data on U.S. merchandise exports to Cuba are shown in appendix tables A.63 through A.64.

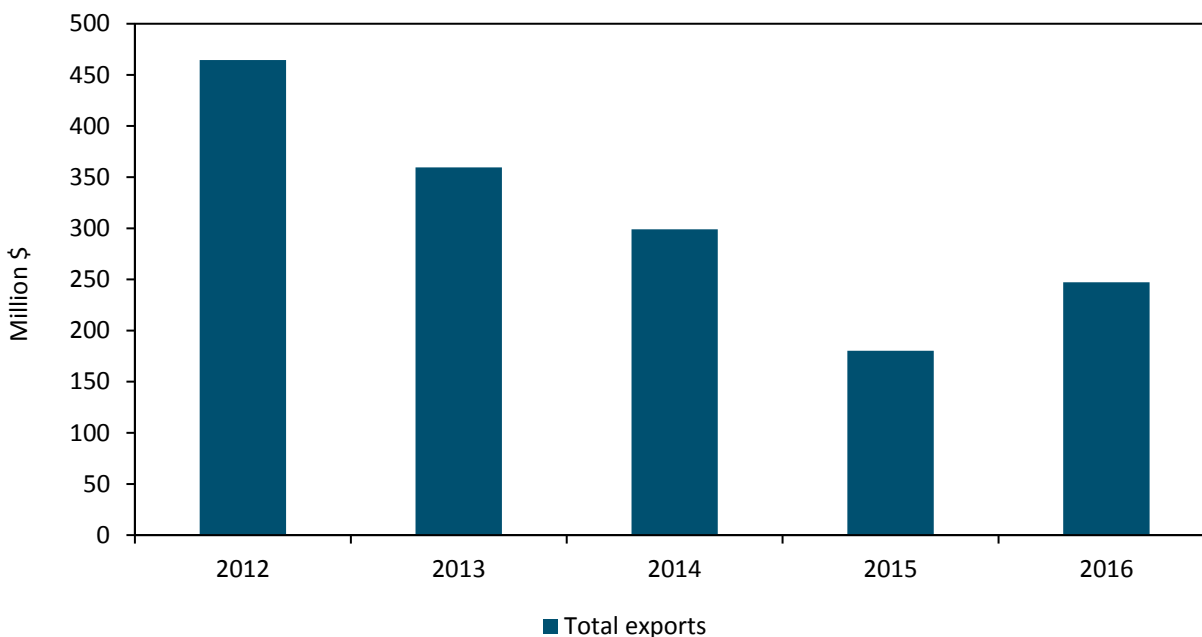
⁶⁴¹ USDA, "USDA Announces Reopening of Brazilian Market," August 1, 2016.

⁶⁴² USDA, FAS, *Brazil: Livestock and Products Annual*, September 8, 2016, 4. As of March 2017, due to investigations of a corruption scandal in Brazil's beef processing plants, USDA's Food Safety and Inspection Service instituted additional pathogen testing of all shipments of Brazilian beef products and increased testing at ports of entry across the United States. USDA, "USDA on Tainted Brazilian Meat: None Has Entered U.S.," March 22, 2017.

⁶⁴³ White House, "Statement by the President on Cuba Policy Changes," December 17, 2014.

⁶⁴⁴ USITC, *Overview of Cuban Imports of Goods and Services*, March 2016. The two earlier reports on Cuba published by the USITC were *The Economic Impact of U.S. Sanctions with Respect to Cuba*, February 2001, and *U.S. Agricultural Sales to Cuba*, July 2007.

⁶⁴⁵ For more information, see chapter 3, "Current U.S. Restrictions," in USITC, *Overview of Cuban Imports of Goods and Services*, March 2016.

Figure 6.19 U.S. merchandise trade with Cuba, 2012–16

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).
 Note: Underlying data can be found in appendix table B.5.

Due to U.S. restrictions dating from the 1960s, there were no direct U.S. imports from Cuba in 2016.⁶⁴⁶ However, as a result of changes in U.S. policy that allowed the importation of certain goods produced by independent Cuban entrepreneurs, some coffee produced in Cuba was imported, indirectly, into the United States that year.⁶⁴⁷ Nespresso USA secured licensing from the U.S. Department of Treasury to ship coffee, grown in Cuba and processed and packaged in Europe, to the United States.⁶⁴⁸ The first shipments of the Nespresso coffee product went on sale in the United States in August 2016.⁶⁴⁹

Trade Developments

Commercial travel to Cuba, which had been previously restricted, resumed in 2016. In June, six U.S. airlines were approved to begin scheduled flights to Cuba, and the first commercial flight in 55 years between the two countries occurred on August 31, 2016, with a JetBlue Airways flight from Fort Lauderdale to Santa Clara, Cuba.⁶⁵⁰ The *Adonia*, owned by Carnival Corporation, became the first cruise ship to travel between the United States and Cuba on May 2, 2016.⁶⁵¹ As a result of the amendments to

⁶⁴⁶ The first direct U.S. import of goods from Cuba in over 50 years occurred in January 2017, with the importation of 40 tons of Cuban charcoal made from marabu. Marsh, “Charcoal Becomes First Cuban Export to United States,” January 5, 2017.

⁶⁴⁷ USDOS, “The State Department’s Section 515.582 List,” April 22, 2016.

⁶⁴⁸ Baertlein and Nicholson, “Cuban Coffee Returning to U.S.,” June 20, 2016.

⁶⁴⁹ Sesin, “Nestle’s Nespresso Now Selling Cuban Coffee for U.S. Market,” August 19, 2016.

⁶⁵⁰ USDOT, “U.S. Transportation Secretary Foxx Approves U.S. Airlines to Begin Scheduled Service to Cuba,” June 10, 2016; USDOT, “U.S. Transportation Secretary Foxx Arrives in Cuba on First Scheduled Flight in Over 50 Years,” August 31, 2016.

⁶⁵¹ Herrera, “Carnival’s *Adonia*, the Ship That Took Americans to Cuba,” November 23, 2016.

the Cuban Assets Control Regulations (CACR) and the Export Administration Regulations (EAR) since January 2015, described below, other U.S. firms have entered the Cuban market. In March 2016, Starwood Hotels signed three new hotel deals in Cuba, taking over and renovating three existing hotels in Havana.⁶⁵² The first of those hotels reopened in July 2016.⁶⁵³ In December 2016, Google signed a deal with the Cuban government to allow the company to install servers in Cuba that will store some of the company's most popular content, increasing the speed of Google websites on the island.⁶⁵⁴

Amendments to the CACR and EAR

The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) and the Department of Commerce's Bureau of Industry and Security (BIS) announced three sets of amendments to the CACR and EAR in 2016. The amendments that went into effect on January 27 authorized additional U.S. exports to Cuba, including telecommunications equipment and additional agricultural products; removed restrictions on payment and credit financing terms for the authorized export of non-agricultural goods; and facilitated travel to Cuba for authorized purposes.⁶⁵⁵

In March 2016, OFAC and BIS further amended the CACR and EAR, easing restrictions on exports to the Cuban private sector and authorizing individual people-to-people educational travel. The amendments also authorized fund transfers from banks outside of the United States that pass through U.S. financial institutions before being transferred to banks outside the United States (known as "U-turn transactions") in which Cuba or Cuban nationals have an interest. Additionally, U.S. banking institutions were authorized to process U.S. dollar-denominated transactions presented indirectly by Cuban banks, and U.S. banks were authorized to open bank accounts for Cuban nationals. The amendments also expanded the definition of an authorized "business presence" in Cuba to include exporters of goods that are authorized for export or re-export to Cuba, and the mail, shipping, and parcel services that facilitate these transactions.⁶⁵⁶

In October 2016, OFAC and BIS further amended the CACR and EAR. These amendments authorized, among other things, trade in more products, including consumer goods for personal use; removed limits on the value of Cuban-origin products brought back by U.S. travelers; clarified that only authorized "agricultural commodities" are subject to the payment and finance limitations of the Trade Sanctions Reform and Export Enhancement Act; authorized joint medical research projects with Cuban nationals; and allowed the importation of Cuban-origin pharmaceuticals approved by the U.S. Food and Drug Administration into the United States.⁶⁵⁷

⁶⁵² Starwood, "Starwood Hotels & Resorts Announces Groundbreaking Expansion," April 4, 2016.

⁶⁵³ Starwood, "Starwood Hotels & Resorts Makes Historic Debut," July 7, 2016.

⁶⁵⁴ Frank, "Google Signs Internet Deal with Cuba's Telecommunications Monopoly," December 12, 2016.

⁶⁵⁵ U.S. Treasury, "Treasury and Commerce Announce Further Amendments," January 27, 2016.

⁶⁵⁶ U.S. Treasury, "Treasury and Commerce Announce Significant Amendments," March 15, 2016.

⁶⁵⁷ U.S. Treasury, "Treasury and Commerce Announce Further Amendments to the Cuba Sanctions Regulations," October 14, 2016.

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Appendix A

Data Tables

Table A.1 U.S. total exports to the world, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	164,420	146,630	148,772	1.5
2	Forest products	41,169	39,061	37,962	-2.8
3	Chemicals and related products	234,954	227,882	218,143	-4.3
4	Energy-related products	161,165	109,703	99,414	-9.4
5	Textiles and apparel	23,985	23,274	21,615	-7.1
6	Footwear	1,456	1,464	1,366	-6.7
7	Minerals and metals	152,914	135,659	128,621	-5.2
8	Machinery	145,881	138,719	128,005	-7.7
9	Transportation equipment	336,495	327,286	319,379	-2.4
10	Electronic products	267,833	264,079	260,535	-1.3
11	Miscellaneous manufactures	47,636	47,377	47,760	0.8
12	Special provisions	43,263	41,439	42,149	1.7
Total		1,621,172	1,502,572	1,453,721	-3.3

Source: Compiled from official trade statistics of the U.S. Department of Commerce accessible via the USITC DataWeb (accessed May 3, 2017).

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

Table A.2 U.S. general imports from the world, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	136,333	136,959	139,465	1.8
2	Forest products	42,212	42,378	43,147	1.8
3	Chemicals and related products	251,542	260,278	259,908	-0.1
4	Energy-related products	351,626	194,068	158,045	-18.6
5	Textiles and apparel	121,687	126,548	120,312	-4.9
6	Footwear	26,017	27,650	25,634	-7.3
7	Minerals and metals	205,502	189,255	183,618	-3.0
8	Machinery	185,530	185,858	179,627	-3.4
9	Transportation equipment	404,024	426,207	418,355	-1.8
10	Electronic products	439,079	449,865	450,110	0.1
11	Miscellaneous manufactures	114,426	124,842	125,058	0.2
12	Special provisions	78,388	84,326	85,904	1.9
Total		2,356,366	2,248,232	2,189,183	-2.6

Source: Compiled from official trade statistics of the U.S. Department of Commerce accessible via the USITC DataWeb (accessed May 3, 2017).

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

Table A.3 Leading U.S. total exports to the world, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		Million \$			
8800.00	Civilian aircraft, engines, and parts	113,130	119,453	120,784	1.1
2710.19	Petroleum oils, oils from bituminous minerals (other than crude) and products containing by weight 70 percent or more of petroleum oils, not biodiesel or waste	73,324	47,367	38,561	-18.6
2710.12	Light oils and preparations containing by weight 70 percent or more of petroleum oils or oils from bituminous minerals, not containing biodiesel, not waste oils	37,087	25,277	25,453	0.7
1201.90	Soybeans, other than seed	23,871	18,883	22,869	21.1
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	25,412	21,754	21,941	0.9
8542.31	Processors and controllers, electronic integrated circuits	17,461	18,151	19,851	9.4
7102.39	Diamonds, nonindustrial, worked, including polished or drilled	20,929	18,323	18,846	2.9
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	17,232	18,504	18,844	1.8
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages etc., and pharmaceutical goods), n.e.s.o.i.	20,824	20,870	18,816	-9.8
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	22,418	20,674	18,546	-10.3
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	20,779	19,077	17,522	-8.2
3002.10	Antisera, other blood fractions and immunological products	11,080	13,241	16,060	21.3
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.	15,856	15,699	15,510	-1.2
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	11,685	11,863	12,313	3.8
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	10,630	11,770	10,462	-11.1
1005.90	Corn (maize), other than seed corn	10,704	8,380	10,049	19.9
8517.12	Telephones for cellular networks or for other wireless networks	11,208	10,494	9,917	-5.5
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	9,432	9,091	9,350	2.9
8542.39	Electronic integrated circuits, n.e.s.o.i.	9,135	8,771	9,289	5.9
7113.19	Jewelry and parts thereof, of precious metal other than silver	9,742	9,110	9,005	-1.1
8486.20	Machines and apparatus for the manufacture of semiconductor devices or of electronic integrates circuits	7,468	8,237	8,841	7.3
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	8,215	7,641	8,679	13.6
2709.00	Petroleum oils and oils from bituminous minerals, crude	12,184	8,769	8,251	-5.9
9701.10	Paintings, drawings and pastels, hand-executed works of art, framed or not framed	7,374	7,866	8,114	3.2
2711.12	Propane, liquefied	7,716	5,553	7,472	34.5
Total of items shown		534,897	484,816	485,344	0.1
All other products		1,086,274	1,017,757	968,377	-4.9
Total of all commodities		1,621,172	1,502,572	1,453,721	-3.3

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included; gvw = gross vehicle weight.

Table A.4 Leading U.S. general imports from the world, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		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	83,891	97,426	106,378	9.2
2709.00	Petroleum oils and oils from bituminous minerals, crude	246,969	126,064	101,848	-19.2
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages etc., and pharmaceutical goods), n.e.s.o.i.	39,526	47,882	51,063	6.6
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	60,202	57,659	50,111	-13.1
8517.12	Telephones for cellular networks or for other wireless networks	53,026	52,706	49,797	-5.5
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	33,532	40,067	45,289	13.0
8471.30	Portable automatic data processing machines, weight not more than 10 kg, consisting of at least a central processing unit, keyboard and a display	42,111	39,243	35,858	-8.6
7102.39	Diamonds, nonindustrial, worked, including polished or drilled	24,054	23,086	23,025	-0.3
2710.19	Petroleum oils, oils from bituminous minerals (other than crude) and products containing by weight 70 percent or more of these oils, not biodiesel or waste	48,793	29,320	21,785	-25.7
8542.31	Processors and controllers, electronic integrated circuits	17,762	18,171	20,887	14.9
8471.50	Digital processing units other than those of 8471.41 and 8471.49, n.e.s.o.i.	14,749	17,838	19,633	10.1
2710.12	Light oils and preparations containing by weight 70 percent or more of petroleum oils or oils from bituminous minerals, not containing biodiesel, not waste oils	27,631	19,685	17,271	-12.3
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	12,685	13,516	15,889	17.6
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.	17,188	16,617	15,203	-8.5
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	12,819	10,131	15,193	50.0
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	15,185	14,467	14,406	-0.4
9503.00	Tricycles, scooters, pedal cars and similar wheeled toys; dolls' carriages; dolls; other toys; etc.	12,157	13,519	13,914	2.9
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	12,617	13,662	13,846	1.3
3002.10	Antisera, other blood fractions and immunological products	7,096	9,027	13,493	49.5
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	13,567	13,611	13,356	-1.9
8528.72	Reception apparatus for television, color, n.e.s.o.i.	15,508	15,877	12,600	-20.6
8411.91	Parts of turbojets or turbopropellers	12,069	12,303	11,829	-3.9
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	5,592	7,016	10,962	56.2
8541.40	Photosensitive semiconductor devices, including photovoltaic cells; light-emitting diodes	6,381	8,424	10,737	27.5
8544.30	Insulated ignition wiring sets and other wiring sets for vehicles, aircraft and ships	10,103	10,741	10,475	-2.5
	Total of items shown	845,212	728,059	714,847	-1.8
	All other products	1,511,153	1,520,174	1,474,336	-3.0
	Total of all commodities	2,356,366	2,248,232	2,189,183	-2.6

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included; gvw = gross vehicle weight.

Table A.5 U.S. merchandise trade with top 15 single-country trading partners, 2016

Rank	Country	Total Exports	General Imports	Total	% of total trade
Million \$					
1	China	115,775	462,813	578,588	15.9
2	Canada	265,961	278,067	544,027	14.9
3	Mexico	230,959	294,151	525,110	14.4
4	Japan	63,264	132,202	195,466	5.4
5	Germany	49,362	114,227	163,589	4.5
6	South Korea	42,266	69,932	112,199	3.1
7	United Kingdom	55,396	54,326	109,722	3.0
8	France	30,941	46,765	77,706	2.1
9	India	21,689	45,998	67,687	1.9
10	Taiwan	26,045	39,313	65,358	1.8
11	Italy	16,754	45,210	61,964	1.7
12	Switzerland	22,701	36,374	59,075	1.6
13	Netherlands	40,377	16,152	56,529	1.6
14	Brazil	30,297	26,176	56,473	1.6
15	Ireland	9,556	45,504	55,060	1.5
	Top countries	1,021,343	1,707,209	2,728,553	74.9
	All others	432,377	481,973	914,351	25.1
	Total	1,453,721	2,189,183	3,642,904	100.0

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

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

Table A.6 Top 15 U.S. single-country merchandise export markets, 2016

Rank	Country	Million \$	% of total exports
1	Canada	265,961	18.3
2	Mexico	230,959	15.9
3	China	115,775	8.0
4	Japan	63,264	4.4
5	United Kingdom	55,396	3.8
6	Germany	49,362	3.4
7	South Korea	42,266	2.9
8	Netherlands	40,377	2.8
9	Hong Kong, China	34,908	2.4
10	Belgium	32,271	2.2
11	France	30,941	2.1
12	Brazil	30,297	2.1
13	Singapore	26,868	1.8
14	Taiwan	26,045	1.8
15	Switzerland	22,701	1.6
	Top 15 countries	1,067,393	73.4
	All others	386,328	26.6
	Total	1,453,721	100.0

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Because of rounding, figures may not add up to totals shown. Exports here are measured in total exports.

Table A.7 Top 15 U.S. single-country merchandise import sources, 2016

Rank	Country	Million \$	% of total imports
1	China	462,813	21.1
2	Mexico	294,151	13.4
3	Canada	278,067	12.7
4	Japan	132,202	6.0
5	Germany	114,227	5.2
6	South Korea	69,932	3.2
7	United Kingdom	54,326	2.5
8	France	46,765	2.1
9	India	45,998	2.1
10	Ireland	45,504	2.1
11	Italy	45,210	2.1
12	Vietnam	42,109	1.9
13	Taiwan	39,313	1.8
14	Malaysia	36,687	1.7
15	Switzerland	36,374	1.7
	Top 15 countries	1,743,678	79.6
	All others	445,504	20.4
	Total	2,189,183	100.0

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Because of rounding, figures may not add up to totals shown. Imports here are measured in general imports.

Table A.8 U.S. private services exports to the world, by category, 2014–16 (million dollars)

Service industry	2014	2015	2016	% change, 2015–16
Travel	191,325	204,523	206,836	1.1
Charges for the use of intellectual property n.i.e.	129,890	124,664	122,227	-2.0
Financial services	107,712	102,461	96,752	-5.6
Professional and management consulting services	59,623	64,912	73,964	13.9
Air passenger fares	44,071	41,704	39,148	-6.1
Research and development services	32,946	34,526	36,155	4.7
Technical, trade-related, and other business services	36,248	35,210	30,495	-13.4
Maintenance and repair services, n.i.e.	22,132	24,036	26,484	10.2
Air transport ^a	23,982	22,968	22,783	-0.8
Sea transport ^b	18,161	18,044	18,141	0.5
Insurance services	17,312	17,142	17,743	3.5
Other	39,530	40,400	41,824	3.5
Total	722,932	730,590	732,552	0.3

Source: USDOC, BEA, Interactive data, International Transactions, Services, &IIP, International Transactions Data, "Table 3.1 U.S. International Trade in Services," March 21, 2017.

Note: Data for 2016 are preliminary. N.i.e. = not indicated elsewhere.

^aAir transport includes airport and air freight services.

^bSea transport includes sea port and sea freight services.

Table A.9 U.S. private services imports from the world, by category, 2014–16 (million dollars)

Service industry	2014	2015	2016	% change, 2015–16
Travel	105,529	112,873	121,526	7.7
Insurance services	51,824	47,772	48,400	1.3
Charges for the use of intellectual property n.i.e.	42,208	39,495	42,744	8.2
Professional and management consulting services	38,937	40,436	41,186	1.9
Air passenger fares	34,890	35,494	37,387	5.3
Sea transport ^a	36,254	37,295	35,085	-5.9
Research and development services	30,902	32,022	34,983	9.2
Computer services	27,093	27,785	29,689	6.9
Financial services	24,906	25,162	25,231	0.3
Technical, trade-related, and other business services	24,730	26,896	24,485	-9.0
Other	39,755	41,912	41,235	-20.6
Total	457,028	467,142	481,951	3.2

Source: USDOC, BEA, Interactive data, International Transactions, Services, &IIP, International Transactions Data, "Table 3.1 U.S. International Trade in Services," March 21, 2017.

Note: Data for 2016 are preliminary. N.i.e. = not indicated elsewhere.

^aSea transport includes sea port and sea freight services.

Table A.10 Antidumping cases active in 2016, 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-1264	Uncoated paper	Australia	1/21/2015	A	A	A	A	2/22/2016
731-TA-1265	Uncoated paper	Brazil	1/21/2015	A	A	A	A	2/22/2016
731-TA-1266	Uncoated paper	China	1/21/2015	A	A	A	A	2/22/2016
731-TA-1267	Uncoated paper	Indonesia	1/21/2015	A	A	A	A	2/22/2016
731-TA-1268	Uncoated paper	Portugal	1/21/2015	A	A	A	A	2/22/2016
731-TA-1269	Silicomanganese	Australia	2/19/2015	A	A	A	N	4/6/2016
731-TA-1270	Polyethylene terephthalate resin	Canada	3/10/2015	A	A	A	A	4/28/2016
731-TA-1271	Polyethylene terephthalate resin	China	3/10/2015	A	A	A	A	4/28/2016
731-TA-1272	Polyethylene terephthalate resin	India	3/10/2015	A	A	A	A	4/28/2016
731-TA-1273	Polyethylene terephthalate resin	Oman	3/10/2015	A	A	A	A	4/28/2016
731-TA-1274	Corrosion-resistant steel products	China	3/10/2015	A	A	A	A	7/15/2016
731-TA-1275	Corrosion-resistant steel products	India	3/10/2015	A	A	A	A	7/15/2016
731-TA-1276	Corrosion-resistant steel products	Italy	3/10/2015	A	A	A	A	7/15/2016
731-TA-1277	Corrosion-resistant steel products	Korea	3/10/2015	A	A	A	A	7/15/2016
731-TA-1278	Corrosion-resistant steel products	Taiwan	3/10/2015	A	A	A	A	7/15/2016
731-TA-1279	Hydrofluorocarbon blends	China	6/25/2015	A	A	A	A	8/5/2016
731-TA-1280	Heavy walled rectangular welded carbon steel pipes and tubes	Korea	7/21/2015	A	A	A	A	9/6/2016
731-TA-1281	Heavy walled rectangular welded carbon steel pipes and tubes	Mexico	7/21/2015	A	A	A	A	9/6/2016
731-TA-1282	Heavy walled rectangular welded carbon steel pipes and tubes	Turkey	7/21/2015	A	A	A	A	9/6/2016
731-TA-1283	Cold-rolled steel flat products	Brazil	7/28/2015	A	A	A	A	9/12/2016
731-TA-1284	Cold-rolled steel flat products	China	7/28/2015	A	A	A	A	7/7/2016
731-TA-1285	Cold-rolled steel flat products	India	7/28/2015	A	A	A	A	9/12/2016
731-TA-1286	Cold-rolled steel flat products	Japan	7/28/2015	A	A	A	A	7/7/2016
731-TA-1287	Cold-rolled steel flat products	Korea	7/28/2015	A	A	A	A	9/12/2016
731-TA-1289	Cold-rolled steel flat products	Russia	7/28/2015	A	A	A	N	9/12/2016
731-TA-1290	Cold-rolled steel flat products	U.K.	7/28/2015	A	A	A	A	9/12/2016
731-TA-1291	Hot-rolled carbon steel flat products	Australia	8/11/2015	A	A	A	A	9/26/2016
731-TA-1292	Hot-rolled carbon steel flat products	Brazil	8/11/2015	A	A	A	A	9/26/2016
731-TA-1293	Hot-rolled carbon steel flat products	Japan	8/11/2015	A	A	A	A	9/26/2016
731-TA-1294	Hot-rolled carbon steel flat products	Korea	8/11/2015	A	A	A	A	9/26/2016
731-TA-1295	Hot-rolled carbon steel flat products	Netherlands	8/11/2015	A	A	A	A	9/26/2016
731-TA-1296	Hot-rolled carbon steel flat products	Turkey	8/11/2015	A	A	A	A	9/26/2016
731-TA-1297	Hot-rolled carbon steel flat products	U.K.	8/11/2015	A	A	A	A	9/26/2016
731-TA-1298	Welded stainless pressure pipe	India	9/30/2015	A	A	A	A	11/9/2016
731-TA-1299	Circular welded carbon-quality steel pipe	Oman	10/28/2015	A	A	A	A	12/12/2016
731-TA-1300	Circular welded carbon-quality steel pipe	Pakistan	10/28/2015	A	A	A	A	12/12/2016
731-TA-1302	Circular welded carbon-quality steel pipe	United Arab Emirates	10/28/2015	A	A	A	A	12/12/2016
731-TA-1303	Circular welded carbon-quality steel pipe	Vietnam	10/28/2015	A	A	A	N	12/12/2016
731-TA-1304	Iron mechanical transfer drive components	Canada	10/28/2015	A	A	A	N	12/12/2016
731-TA-1305	Iron mechanical transfer drive components	China	10/28/2015	A	A	A	N	12/12/2016
731-TA-1306	Large residential washers	China	12/16/2015	A	A	(^c)	(^c)	(^c)

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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-1307	Pneumatic off-the-road (OTR) tires	China	1/8/2016	N	(^c)	(^c)	(^c)	3/2/2016
731-TA-1308	Pneumatic off-the-road (OTR) tires	India	1/8/2016	N	A	(^c)	(^c)	(^c)
731-TA-1309	Biaxial integral geogrid products	China	1/13/2016	A	A	(^c)	(^c)	(^c)
731-TA-1310	Amorphous silica fabric	China	1/20/2016	A	A	(^c)	(^c)	(^c)
731-TA-1311	Truck and bus tires	China	1/29/2016	A	A	(^c)	(^c)	(^c)
731-TA-1312	Stainless steel sheet and strip	China	2/12/2016	A	A	(^c)	(^c)	(^c)
731-TA-1313	1,1,1,2-Tetrafluoroethane (R-134a)	China	3/3/2016	A	A	(^c)	(^c)	(^c)
731-TA-1314	Phosphor copper	Korea	3/9/2016	A	A	(^c)	(^c)	(^c)
731-TA-1315	Ferrovandium	Korea	3/28/2016	A	A	(^c)	(^c)	(^c)
731-TA-1316	1-hydroxyethylidene-1, 1-diphosphonic acid (HEDP)	China	3/31/2016	A	A	(^c)	(^c)	(^c)
731-TA-1317	Carbon and alloy steel cut-to-length plate	Austria	4/8/2016	A	A	(^c)	(^c)	(^c)
731-TA-1318	Carbon and alloy steel cut-to-length plate	Belgium	4/8/2016	A	A	(^c)	(^c)	(^c)
731-TA-1319	Carbon and alloy steel cut-to-length plate	Brazil	4/8/2016	A	A	(^c)	(^c)	(^c)
731-TA-1320	Carbon and alloy steel cut-to-length plate	China	4/8/2016	A	A	(^c)	(^c)	(^c)
731-TA-1321	Carbon and alloy steel cut-to-length plate	France	4/8/2016	A	A	(^c)	(^c)	(^c)
731-TA-1322	Carbon and alloy steel cut-to-length plate	Germany	4/8/2016	A	A	(^c)	(^c)	(^c)
731-TA-1323	Carbon and alloy steel cut-to-length plate	Italy	4/8/2016	A	A	(^c)	(^c)	(^c)
731-TA-1324	Carbon and alloy steel cut-to-length plate	Japan	4/8/2016	A	A	(^c)	(^c)	(^c)
731-TA-1325	Carbon and alloy steel cut-to-length plate	Korea	4/8/2016	A	A	(^c)	(^c)	(^c)
731-TA-1326	Carbon and alloy steel cut-to-length plate	South Africa	4/8/2016	A	A	(^c)	(^c)	(^c)
731-TA-1327	Carbon and alloy steel cut-to-length plate	Taiwan	4/8/2016	A	A	(^c)	(^c)	(^c)
731-TA-1328	Carbon and alloy steel cut-to-length plate	Turkey	4/8/2016	A	A	(^c)	(^c)	(^c)
731-TA-1329	Ammonium sulfate	China	5/25/2016	A	A	(^c)	(^c)	(^c)
731-TA-1330	Diocetyl terephthalate (DOTP)	Korea	6/30/2016	A	A	(^c)	(^c)	(^c)
731-TA-1331	Finished carbon steel flanges	India	6/30/2016	A	A	(^c)	(^c)	(^c)
731-TA-1332	Finished carbon steel flanges	Italy	6/30/2016	A	A	(^c)	(^c)	(^c)
731-TA-1333	Finished carbon steel flanges	Spain	6/30/2016	A	A	(^c)	(^c)	(^c)
731-TA-1334	Emulsion styrene-butadiene rubber	Brazil	7/21/2016	A	A	(^c)	(^c)	(^c)
731-TA-1335	Emulsion styrene-butadiene rubber	Korea	7/21/2016	A	A	(^c)	(^c)	(^c)
731-TA-1336	Emulsion styrene-butadiene rubber	Mexico	7/21/2016	A	A	(^c)	(^c)	(^c)
731-TA-1337	Emulsion styrene-butadiene rubber	Poland	7/21/2016	A	A	(^c)	(^c)	(^c)
731-TA-1338	Steel concrete reinforcing bar (rebar)	Japan	9/20/2016	A	A	(^c)	(^c)	(^c)
731-TA-1339	Steel concrete reinforcing bar (rebar)	Taiwan	9/20/2016	A	A	(^c)	(^c)	(^c)
731-TA-1340	Steel concrete reinforcing bar (rebar)	Turkey	9/20/2016	A	A	(^c)	(^c)	(^c)
731-TA-1341	Hardwood plywood	China	11/18/2016	A	A	(^c)	(^c)	(^c)
731-TA-1342	Softwood lumber	Canada	11/25/2016	(^c)	(^c)	(^c)	(^c)	(^c)

Source: U.S. International Trade Commission.

Note: "Korea" refers to the "Republic of Korea (South Korea)."

^a "ITA" is the International Trade Administration of the U.S. Department of Commerce (USDOC).

^b For 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.

^c Pending or not applicable as of December 31, 2016.

Table A.11 Antidumping duty orders and suspension agreements in effect as of December 31, 2016

Country	Commodity	Effective date of original action
Argentina	Lemon juice (suspended)	September 10, 2007
Australia	Uncoated paper	March 5, 2016
	Hot-rolled carbon steel flat products	October 3, 2016
Belarus	Steel concrete reinforcing bar	September 7, 2001
Belgium	Stainless steel plate in coils	May 21, 1999
Brazil	Iron construction castings	May 9, 1986
	Carbon steel butt-weld pipe fittings	December 17, 1986
	Circular welded nonalloy steel pipe	November 2, 1992
	Stainless steel bar	February 21, 1995
	Carbon steel wire rod	October 29, 2002
	Prestressed concrete steel wire strand	January 28, 2004
	Frozen warm-water shrimp and prawns	February 1, 2005
	Uncoated paper	March 5, 2016
	Cold-rolled steel flat products	September 20, 2016
	Hot-rolled carbon steel flat products	October 3, 2016
Canada	Iron construction castings	March 5, 1986
	Citric acid and certain citrate	May 29, 2009
	Polyethylene terephthalate resin	May 6, 2016
Chile	Preserved mushrooms	December 2, 1998
China	Potassium permanganate	January 31, 1984
	Chloropicrin	March 22, 1984
	Barium chloride	October 17, 1984
	Iron construction castings	May 9, 1986
	Petroleum wax candles	August 28, 1986
	Porcelain-on-steel cooking ware	December 2, 1986
	Tapered roller bearings	June 15, 1987
	Heavy forged hand tools - axes & adzes	February 19, 1991
	Heavy forged hand tools - bars & wedges	February 19, 1991
	Heavy forged hand tools - hammers & sledges	February 19, 1991
	Heavy forged hand tools - picks & mattocks	February 19, 1991
	Silicon metal	June 10, 1991
	Carbon steel butt-weld pipe fittings	July 6, 1992
	Sulfanilic acid	August 19, 1992
	Helical spring lock washers	October 19, 1993
	Fresh garlic	November 16, 1994
	Paper clips	November 25, 1994
	Silicomanganese	December 22, 1994
	Cased pencils	December 28, 1994
	Glycine	March 29, 1995
	Pure magnesium (ingot)	May 12, 1995
	Furfuryl alcohol	June 21, 1995
	Persulfates	July 7, 1997
	Crawfish tail meat	September 15, 1997
	Carbon steel plate	October 24, 1997
	Preserved mushrooms	February 19, 1999
	Steel concrete reinforcing bar	September 7, 2001
	Foundry coke	September 17, 2001
	Pure magnesium (granular)	November 19, 2001
	Hot-rolled carbon steel flat products	November 29, 2001
	Honey	December 10, 2001
	Folding gift boxes	January 8, 2002
	Ferrovandium	January 28, 2003
	Non-malleable cast iron pipe fittings	April 7, 2003
	Polyvinyl alcohol	October 1, 2003
	Barium carbonate	October 1, 2003
	Refined brown aluminum oxide	November 19, 2003
	Malleable iron pipe fittings	December 12, 2003
	Tetrahydrofurfuryl alcohol	August 6, 2004
	Ironing tables	August 6, 2004
	Polyethylene retail carrier bags	August 9, 2004
	Hand trucks	December 2, 2004
	Carbazole violet pigment 23	December 29, 2004

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Country	Commodity	Effective date of original action
	Wooden bedroom furniture	January 4, 2005
	Crepe paper	January 25, 2005
	Frozen warm-water shrimp and prawns	February 1, 2005
	Tissue paper	March 30, 2005
	Magnesium	April 15, 2005
	Chlorinated isocyanurates	June 24, 2005
	Certain artist canvas	June 1, 2006
	Certain lined paper	September 28, 2006
	Certain activated carbon	April 27, 2007
	Certain polyester staple fiber	June 1, 2007
	Sodium hexametaphosphate	March 19, 2008
	Circular welded carbon quality steel pipe	July 22, 2008
	Steel nails	August 1, 2008
	Light-walled rectangular pipe and tube	August 5, 2008
	Laminated woven sacks	August 7, 2008
	Sodium nitrite	August 27, 2008
	New pneumatic off-the-road tires	September 4, 2008
	Raw flexible magnets	September 17, 2008
	Steel wire garment hangers	October 6, 2008
	Electrolytic manganese dioxide	October 7, 2008
	Polyethylene terephthalate film, sheet, and strip	November 10, 2008
	Lightweight thermal paper	November 24, 2008
	Uncovered innerspring units	February 19, 2009
	Small diameter graphite electrodes	February 26, 2009
	Circular welded austenitic stainless pressure pipe	March 17, 2009
	Steel threaded rod	April 14, 2009
	Circular welded carbon quality steel line pipe	May 13, 2009
	Citric acid and certain citrate	May 29, 2009
	Tow behind lawn groomer	August 3, 2009
	Kitchen appliance shelving and racks	September 14, 2009
	Oil country tubular goods	May 21, 2010
	Prestressed concrete steel wire strand	June 29, 2010
	Potassium phosphate salts	July 22, 2010
	Steel grating	July 23, 2010
	Narrow woven ribbons with woven selvage	September 1, 2010
	Magnesia carbon bricks	September 20, 2010
	Seamless carbon and alloy steel standard, line, and pressure pipe	November 10, 2010
	Coated paper suitable for high-quality print graphics using sheet-fed presses	November 17, 2010
	Seamless refined copper pipe and tube	November 22, 2010
	Aluminum extrusions	May 26, 2011
	Multilayered wood flooring	December 8, 2011
	Stilbenic optical brightening agent	May 10, 2012
	High pressure steel cylinders	June 21, 2012
	Crystalline silicon photovoltaic cells	December 7, 2012
	Utility scale wind towers	February 15, 2013
	Drawn stainless steel sinks	April 11, 2013
	Xanthan gum	July 19, 2013
	Prestressed concrete steel rail tie wire	June 24, 2014
	Monosodium glutamate	November 26, 2014
	Non-oriented electrical steel	December 3, 2014
	Carbon and certain alloy steel wire	January 8, 2015
	Calcium hypochlorite	January 30, 2015
	Crystalline silicon photovoltaic products	February 18, 2015
	Passenger vehicle and light truck tires	August 10, 2015
	Boltless steel shelving units prepackaged for sale	October 21, 2015
	Melamine	December 28, 2015
	Uncoated paper	March 5, 2016
	Polyethylene terephthalate resin	May 6, 2016
	Cold-rolled steel flat products	July 14, 2016
	Corrosion-resistant steel products	July 25, 2016
	Hydrofluorocarbon blends	August 19, 2016
France	Brass sheet & strip	March 6, 1987
	Low enriched uranium	February 13, 2002

Country	Commodity	Effective date of original action	
Germany	Brass sheet & strip	March 6, 1987	
	Seamless pipe	August 3, 1995	
	Sodium nitrite	August 27, 2008	
	Non-oriented electrical steel	December 3, 2014	
India	Welded carbon steel pipe	May 12, 1986	
	Sulfanilic acid	March 2, 1993	
	Stainless steel wire rod	December 1, 1993	
	Stainless steel bar	February 21, 1995	
	Preserved mushrooms	February 19, 1999	
	Carbon steel plate	February 10, 2000	
	Hot-rolled carbon steel flat products	December 3, 2001	
	Silicomanganese	May 23, 2002	
	Polyethylene terephthalate (PET) film	July 1, 2002	
	Prestressed concrete steel wire strand	January 28, 2004	
	Carbazole violet pigment 23	December 29, 2004	
	Frozen warm-water shrimp and prawns	February 1, 2005	
	Certain lined paper	September 28, 2006	
	Commodity matchbooks	December 11, 2009	
	Oil country tubular goods	September 10, 2014	
	Polyethylene terephthalate resin	May 6, 2016	
	Corrosion-resistant steel products	July 25, 2016	
	Cold-rolled steel flat products	September 20, 2016	
	Welded stainless pressure pipe	November 17, 2016	
	Indonesia	Preserved mushrooms	February 19, 1999
Carbon steel plate		February 10, 2000	
Steel concrete reinforcing bar		September 7, 2001	
Hot-rolled carbon steel flat products		December 3, 2001	
Carbon steel wire rod		October 29, 2002	
Polyethylene retail carrier bags		May 4, 2010	
Coated paper suitable for high-quality print graphics using sheet-fed presses		November 17, 2010	
Iran	Monosodium glutamate	November 26, 2014	
	Uncoated paper	March 5, 2016	
Iran	Raw in-shell pistachios	July 17, 1986	
Italy	Pressure sensitive plastic tape	October 21, 1977	
	Brass sheet & strip	March 6, 1987	
	Granular polytetrafluoroethylene resin	August 30, 1988	
	Pasta	July 24, 1996	
	Stainless steel butt-weld pipe fittings	February 23, 2001	
	Corrosion-resistant steel products	July 25, 2016	
	Japan	Prestressed concrete steel wire strand	December 8, 1978
		Carbon steel butt-weld pipe fittings	February 10, 1987
		Brass sheet & strip	August 12, 1988
		Gray portland cement & clinker	May 10, 1991
Stainless steel bar		February 21, 1995	
Clad steel plate		July 2, 1996	
Stainless steel wire rod		September 15, 1998	
Stainless steel sheet & strip		July 27, 1999	
Large diameter seamless pipe		June 26, 2000	
Small diameter seamless pipe		June 26, 2000	
Tin mill products		August 28, 2000	
Welded large diameter line pipe		December 6, 2001	
Polyvinyl alcohol		July 2, 2003	
Japan	Diffusion-annealed, nickel-plated flat-rolled steel products	May 29, 2014	
	Non-oriented electrical steel	December 3, 2014	
	Cold-rolled steel flat products	July 14, 2016	
	Hot-rolled carbon steel flat products	October 3, 2016	
	Kazakhstan	Silicomanganese	May 23, 2002
	Korea	Circular welded nonalloy steel pipe	November 2, 1992
		Welded ASTM A-312 stainless steel pipe	December 30, 1992
Stainless steel wire rod		September 15, 1998	
Stainless steel sheet & strip		July 27, 1999	
Carbon steel plate		February 10, 2000	
Polyester staple fiber		May 25, 2000	

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Country	Commodity	Effective date of original action
	Prestressed concrete steel wire strand	January 28, 2004
	Light-walled rectangular pipe and tube	August 5, 2008
	Large power transformers	August 31, 2012
	Large residential washers	February 15, 2013
	Oil country tubular goods	September 10, 2014
	Non-oriented electrical steel	December 3, 2014
	Steel nails	July 13, 2015
	Welded line pipe	December 1, 2015
	Corrosion-resistant steel products	July 25, 2016
	Heavy walled rectangular welded carbon steel pipes and tubes	September 13, 2016
	Cold-rolled steel flat products	September 20, 2016
	Hot-rolled carbon steel flat products	October 3, 2016
Latvia	Steel concrete reinforcing bar	September 7, 2001
Malaysia	Stainless steel butt-weld pipe fittings	February 23, 2001
	Polyethylene retail carrier bags	August 9, 2004
	Welded stainless pressure pipe	July 21, 2014
	Steel Nails	July 13, 2015
Mexico	Circular welded nonalloy steel pipe	November 2, 1992
	Fresh tomatoes (Suspended)	November 1, 1996
	Carbon steel wire rod	October 29, 2002
	Prestressed concrete steel wire strand	January 28, 2004
	Light-walled rectangular pipe and tube	August 5, 2008
	Magnesia carbon bricks	September 20, 2010
	Seamless refined copper pipe and tube	November 22, 2010
	Large residential washers	February 15, 2013
	Prestressed concrete steel rail tie wire	June 24, 2014
	Steel concrete reinforcing bar	November 6, 2014
	Heavy walled rectangular welded carbon steel pipes and tubes	September 13, 2016
Moldova	Steel concrete reinforcing bar	September 7, 2001
	Carbon steel wire rod	October 29, 2002
Netherlands	Hot-rolled carbon steel flat products	October 3, 2016
Oman	Steel nails	July 13, 2015
	Polyethylene terephthalate resin	May 6, 2016
Philippines	Stainless steel butt-weld pipe fittings	February 23, 2001
Poland	Steel concrete reinforcing bar	September 7, 2001
Portugal	Uncoated paper	March 5, 2016
Romania	Small diameter seamless pipe	August 10, 2000
Russia	Uranium (suspended)	October 16, 1992
	Carbon steel plate (suspended)	October 24, 1997
	Hot-rolled carbon steel flat products	July 12, 1999
	Silicon metal	March 26, 2003
South Africa	Stainless steel plate in coils	May 21, 1999
	Ferrovandium	January 28, 2003
	Uncovered innerspring units	December 11, 2008
Spain	Stainless steel bar	March 2, 1995
	Chlorinated isocyanurates	June 24, 2005
Sweden	Non-oriented electrical steel	December 3, 2014
Taiwan	Small diameter carbon steel pipe	May 7, 1984
	Carbon steel butt-weld pipe fittings	December 17, 1986
	Light-walled rectangular tube	March 27, 1989
	Circular welded nonalloy steel pipe	November 2, 1992
	Welded ASTM A-312 stainless steel pipe	December 30, 1992
	Helical spring lock washers	June 28, 1993
	Stainless steel wire rod	September 15, 1998
	Stainless steel plate in coils	May 21, 1999
	Stainless steel sheet & strip	July 27, 1999
	Polyester staple fiber	May 25, 2000
	Hot-rolled carbon steel flat products	November 29, 2001
	Polyethylene terephthalate (PET) film	July 1, 2002
	Raw flexible magnets	September 17, 2008
	Polyethylene retail carrier bags	May 4, 2010
	Narrow woven ribbons with woven selvage	September 1, 2010
	Stilbenic optical brightening agent	May 10, 2012

Country	Commodity	Effective date of original action
	Steel wire garment hangers	December 10, 2012
	Oil country tubular goods	September 10, 2014
	Non-oriented electrical steel	December 3, 2014
	Crystalline silicon photovoltaic products	February 18, 2015
	Steel nails	July 13, 2015
	Corrosion-resistant steel products	July 25, 2016
Thailand	Welded carbon steel pipe	March 11, 1986
	Carbon steel butt-weld pipe fittings	July 6, 1992
	Hot-rolled carbon steel flat products	November 29, 2001
	Prestressed concrete steel wire strand	January 28, 2004
	Polyethylene retail carrier bags	August 9, 2004
	Frozen warm-water shrimp and prawns	February 1, 2005
	Welded stainless pressure pipe	July 21, 2014
Trinidad & Tobago	Carbon steel wire rod	October 29, 2002
Turkey	Welded carbon steel pipe	May 15, 1986
	Pasta	July 24, 1996
	Light-walled rectangular pipe and tube	May 30, 2008
	Oil country tubular goods	September 10, 2014
	Welded line pipe	December 1, 2015
	Heavy walled rectangular welded carbon steel pipes and tubes	September 13, 2016
	Hot-rolled carbon steel flat products	October 3, 2016
United Kingdom	Cold-rolled steel flat products	September 20, 2016
	Hot-rolled carbon steel flat products	October 3, 2016
Ukraine	Carbon steel plate (suspended)	October 24, 1997
	Steel concrete reinforcing bar	September 7, 2001
	Ammonium nitrate	September 12, 2001
	Hot-rolled carbon steel flat products	November 29, 2001
	Silicomanganese	September 17, 2001
United Arab Emirates	Polyethylene terephthalate film, sheet, and strip	November 10, 2008
	Steel nails	May 10, 2012
Venezuela	Silicomanganese	May 23, 2002
Vietnam	Frozen fish fillets	August 12, 2003
	Frozen warm-water shrimp and prawns	February 1, 2005
	Uncovered innerspring units	December 11, 2008
	Polyethylene retail carrier bags	May 4, 2010
	Steel wire garment hangers	February 5, 2013
	Utility scale wind towers	February 15, 2013
	Welded stainless pressure pipe	July 21, 2014
	Oil country tubular goods	September 10, 2014
	Steel nails	July 13, 2015

Source: U.S. International Trade Commission.

Note: "Korea" refers to the "Republic of Korea (South Korea)."

Table A.12 Countervailing duty cases active in 2016, by USITC investigation number

USITC investigation no.	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-528	Uncoated paper	China	1/21/2015	A	A	A	A	2/22/2016
701-TA-529	Uncoated paper	Indonesia	1/21/2015	A	A	A	A	2/22/2016
701-TA-531	Polyethylene terephthalate resin	China	3/10/2015	A	A	A	A	4/28/2016
701-TA-532	Polyethylene terephthalate resin	India	3/10/2015	A	A	A	A	4/28/2016
701-TA-533	Polyethylene terephthalate resin	Oman	3/10/2015	A	N	N	(^c)	3/14/2016
701-TA-534	Corrosion-resistant steel products	China	6/3/2015	A	A	A	A	7/15/2016
701-TA-535	Corrosion-resistant steel products	India	6/3/2015	A	A	A	A	7/15/2016
701-TA-536	Corrosion-resistant steel products	Italy	6/3/2015	A	A	A	A	7/15/2016
701-TA-537	Corrosion-resistant steel products	Korea	6/3/2015	A	A	A	A	7/15/2016
701-TA-538	Corrosion-resistant steel products	Taiwan	6/3/2015	A	A	N	(^c)	6/2/2016
701-TA-539	Heavy walled rectangular welded carbon steel pipes and tubes	Turkey	7/21/2015	A	A	A	A	9/6/2016
701-TA-540	Cold-rolled steel flat products	Brazil	7/28/2015	A	A	A	A	9/12/2016
701-TA-541	Cold-rolled steel flat products	China	7/28/2015	A	A	A	A	7/7/2016
701-TA-542	Cold-rolled steel flat products	India	7/28/2015	A	A	A	A	9/12/2016
701-TA-543	Cold-rolled steel flat products	Korea	7/28/2015	A	N	A	A	9/12/2016
701-TA-545	Hot-rolled carbon steel flat products	Brazil	8/11/2015	A	A	A	A	9/26/2016
701-TA-546	Hot-rolled carbon steel flat products	Korea	8/11/2015	A	A	A	A	9/26/2016
701-TA-547	Hot-rolled carbon steel flat products	Turkey	8/11/2015	A	A	A	N	9/26/2016
701-TA-548	Welded stainless pressure pipe	India	9/30/2015	A	A	A	A	11/9/2016
701-TA-549	Circular welded carbon-quality steel pipe	Pakistan	10/28/2015	A	A	A	N	12/12/2016
701-TA-550	Iron mechanical transfer drive components	China	10/28/2015	A	A	A	N	12/12/2016
701-TA-551	Pneumatic off-the-road (OTR) tires	China	1/8/2016	N	(^c)	(^c)	(^c)	3/2/2016
701-TA-552	Pneumatic off-the-road (OTR) tires	India	1/8/2016	A	A	(^c)	(^c)	(^c)
701-TA-553	Pneumatic off-the-road (OTR) tires	Sri Lanka	1/8/2016	A	A	(^c)	(^c)	(^c)
701-TA-554	Biaxial integral geogrid products	China	1/13/2016	A	A	(^c)	(^c)	(^c)
701-TA-555	Amorphous silica fabric	China	1/20/2016	A	A	(^c)	(^c)	(^c)
701-TA-556	Truck and bus tires	China	1/29/2016	A	A	(^c)	(^c)	(^c)
701-TA-557	Stainless steel sheet and strip	China	2/12/2016	A	A	(^c)	(^c)	(^c)
701-TA-558	1-hydroxyethylidene-1, 1-diphosphonic acid (HEDP)	China	3/31/2016	A	A	(^c)	(^c)	(^c)
701-TA-559	Carbon and alloy steel cut-to-length plate	Brazil	4/8/2016	N	(^c)	(^c)	(^c)	5/31/2016
701-TA-560	Carbon and alloy steel cut-to-length plate	China	4/8/2016	A	A	(^c)	(^c)	(^c)
701-TA-561	Carbon and alloy steel cut-to-length plate	Korea	4/8/2016	A	A	(^c)	(^c)	(^c)
701-TA-562	Ammonium sulfate	China	5/25/2016	A	A	(^c)	(^c)	(^c)
701-TA-563	Finished carbon steel flanges	India	6/30/2016	A	A	(^c)	(^c)	(^c)
701-TA-564	Steel concrete reinforcing bar (rebar)	Turkey	9/20/2016	A	A	(^c)	(^c)	(^c)
701-TA-565	Hardwood plywood	China	11/18/2016	A	A	(^c)	(^c)	(^c)
701-TA-566	Softwood lumber	Canada	11/25/2016	(^c)	(^c)	(^c)	(^c)	(^c)

Source: U.S. International Trade Commission.

Note: "Korea" refers to the "Republic of Korea (South Korea)."

^a"ITA" is the International Trade Administration of the USDOC.

^b For 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.

^c Pending or not applicable as of December 31, 2016.

Table A.13 Countervailing duty orders and suspension agreements in effect as of December 31, 2016

Country	Commodity	Effective date of original action	
Brazil	Heavy iron construction castings	May 15, 1986	
	Carbon steel wire rod	October 22, 2002	
	Cold-rolled steel flat products	September 20, 2016	
	Hot-rolled carbon steel flat products	October 3, 2016	
Canada	Supercalendered paper	December 10, 2015	
China	Heavy forged hand tools - hammers & sledges	February 19, 1991	
	Circular welded carbon quality steel pipe	July 22, 2008	
	Light-walled rectangular pipe and tube	August 5, 2008	
	Laminated woven sacks	August 7, 2008	
	Sodium nitrite	August 27, 2008	
	New pneumatic off-the-road tires	September 4, 2008	
	Raw flexible magnets	September 17, 2008	
	Lightweight thermal paper	November 24, 2008	
	Circular welded carbon quality steel line pipe	January 23, 2009	
	Circular welded austenitic stainless pressure pipe	March 19, 2009	
	Citric acid and certain citrate	May 29, 2009	
	Kitchen appliance shelving and racks	September 14, 2009	
	Oil country tubular goods	January 20, 2010	
	Prestressed concrete steel wire strand	July 7, 2010	
	Potassium phosphate salts	July 22, 2010	
	Steel grating	July 23, 2010	
	Narrow woven ribbons with woven selvedge	September 1, 2010	
	Magnesia carbon bricks	September 21, 2010	
	Seamless carbon and alloy steel standard, line, and pressure pipe	November 10, 2010	
	Coated paper suitable for high-quality print graphics using sheet-fed presses	November 17, 2010	
	Aluminum extrusions	May 26, 2011	
	Multilayered wood flooring	December 8, 2011	
	High pressure steel cylinders	June 21, 2012	
	Crystalline silicon photovoltaic cells	December 7, 2012	
	Utility scale wind towers	February 15, 2013	
	Drawn stainless steel sinks	April 11, 2013	
	Chlorinated isocyanurates	November 13, 2014	
	Non-oriented electrical steel	December 3, 2014	
	Carbon and certain alloy steel wire	January 8, 2015	
	Calcium hypochlorite	January 30, 2015	
	Crystalline silicon photovoltaic products	February 18, 2015	
	Passenger vehicle and light truck tires	August 10, 2015	
	Boltless steel shelving units prepackaged for sale	October 21, 2015	
Melamine	December 28, 2015		
Uncoated paper	March 5, 2016		
Polyethylene terephthalate resin	May 6, 2016		
Cold-rolled steel flat products	July 14, 2016		
Corrosion-resistant steel products	July 25, 2016		
India	Sulfanilic acid	March 2, 1993	
	Carbon steel plate	February 10, 2000	
	Hot-rolled carbon steel flat products	December 3, 2001	
	Polyethylene terephthalate (PET) film	July 1, 2002	
	Prestressed concrete steel wire strand	February 4, 2004	
	Carbazole violet pigment 23	December 29, 2004	
	Commodity matchbooks	December 11, 2009	
	Oil country tubular goods	September 10, 2014	
	Polyethylene terephthalate resin	May 6, 2016	
	Corrosion-resistant steel products	July 25, 2016	
	Cold-rolled steel flat products	September 20, 2016	
	Welded stainless pressure pipe	November 17, 2016	
	Certain lined paper	September 28, 2006	
	Indonesia	Carbon steel plate	February 10, 2000
		Hot-rolled carbon steel flat products	December 3, 2001
Coated paper suitable for high-quality print graphics using sheet-fed presses		November 17, 2010	
	Uncoated paper	March 5, 2016	
Iran	Raw in-shell pistachios	March 11, 1986	
	Roasted in-shell pistachios	October 7, 1986	

Country	Commodity	Effective date of original action
Italy	Pasta	July 24, 1996
	Corrosion-resistant steel products	July 25, 2016
Korea	Stainless steel sheet & strip	August 6, 1999
	Carbon steel plate	February 10, 2000
	Large residential washers	February 15, 2013
	Corrosion-resistant steel products	July 25, 2016
	Cold-rolled steel flat products	September 20, 2016
	Hot-rolled carbon steel flat products	October 3, 2016
Russia	Uranium (suspended)	October 16, 1992
South Africa	Stainless steel plate in coils	May 11, 1999
Taiwan	Non-oriented electrical steel	December 3, 2014
Thailand	Hot-rolled carbon steel flat products	December 3, 2001
Turkey	Welded carbon steel pipe	March 7, 1986
	Pasta	July 24, 1996
	Oil country tubular goods	September 10, 2014
	Steel concrete reinforcing bar	November 6, 2014
	Welded line pipe	December 1, 2015
	Heavy walled rectangular welded carbon steel pipes and tubes	September 13, 2016
Vietnam	Polyethylene retail carrier bags	May 4, 2010
	Steel wire garment hangers	February 5, 2013
	Steel nails	July 14, 2015

Source: U.S. International Trade Commission.

Note: "Korea" refers to the "Republic of Korea (South Korea)."

Table A.14 Reviews of existing antidumping and countervailing duty orders and suspended investigations completed in 2016, by date of completion^a

USITC investigation number		Product	Country of origin	Action	Completion date ^a
701-TA-468		Magnesia carbon bricks	China	Continued	1/15/2016
731-TA-1166		Magnesia carbon bricks	China	Continued	1/15/2016
731-TA-1167		Magnesia carbon bricks	Mexico	Continued	1/15/2016
731-TA-125		Potassium permanganate	China	Continued	2/2/2016
701-TA-469		Seamless carbon and alloy steel standard, line, and pressure pipe	China	Continued	3/2/2016
731-TA-1168		Seamless carbon and alloy steel standard, line, and pressure pipe	China	Continued	3/2/2016
731-TA-167		Pressure sensitive plastic tape	Italy	Continued	4/4/2016
701-TA-462		Polyethylene retail carrier bags	Vietnam	Continued	4/18/2016
731-TA-1043		Polyethylene retail carrier bags	China	Continued	4/18/2016
731-TA-1044		Polyethylene retail carrier bags	Malaysia	Continued	4/18/2016
731-TA-1045		Polyethylene retail carrier bags	Thailand	Continued	4/18/2016
731-TA-1156		Polyethylene retail carrier bags	Indonesia	Continued	4/18/2016
731-TA-1157		Polyethylene retail carrier bags	Taiwan	Continued	4/18/2016
731-TA-1158		Polyethylene retail carrier bags	Vietnam	Continued	4/18/2016
731-TA-282		Petroleum wax candles	China	Continued	5/10/2016
731-TA-1070-B		Tissue paper	China	Continued	6/23/2016
731-TA-1071		Magnesium	China	Continued	6/30/2016
731-TA-298		Porcelain-on-steel cooking ware	China	Continued	7/22/2016
731-TA-770		Stainless steel wire rod	Italy	Revoked	7/25/2016
731-TA-771		Stainless steel wire rod	Japan	Continued	7/25/2016
731-TA-772		Stainless steel wire rod	Korea	Continued	7/25/2016
731-TA-773		Stainless steel wire rod	Spain	Revoked	7/25/2016
731-TA-775		Stainless steel wire rod	Taiwan	Continued	7/25/2016
731-TA-308		Carbon steel butt-weld pipe fittings	Brazil	Continued	8/3/2016
731-TA-309		Carbon steel butt-weld pipe fittings	Japan	Continued	8/3/2016
731-TA-310		Carbon steel butt-weld pipe fittings	Taiwan	Continued	8/3/2016
731-TA-520		Carbon steel butt-weld pipe fittings	China	Continued	8/3/2016
731-TA-521		Carbon steel butt-weld pipe fittings	Thailand	Continued	8/3/2016
731-TA-856		Ammonium nitrate	Russia	Revoked	8/20/2016
701-TA-467		Narrow woven ribbons with woven selvedge	China	Continued	9/9/2016
731-TA-1164		Narrow woven ribbons with woven selvedge	China	Continued	9/9/2016
731-TA-1165		Narrow woven ribbons with woven selvedge	Taiwan	Continued	9/9/2016
731-TA-TA-385		Granular polytetrafluoroethylene resin	Italy	Revoked	9/18/2016
731-TA-808		Hot-rolled carbon steel flat products	Russia	Continued	9/29/2016
731-TA-1082		Chlorinated isocyanurates	China	Continued	11/16/2016
731-TA-1083		Chlorinated isocyanurates	Spain	Continued	11/16/2016
731-TA-1174		Seamless refined copper pipe and tube	China	Continued	12/2/2016
731-TA-1175		Seamless refined copper pipe and tube	Mexico	Continued	12/2/2016
731-TA-457-A-D		Heavy forged hand tools	China	Continued	12/15/2016
731-TA-TA-340-E		Solid urea	Russia	Revoked	12/20/2016
731-TA-TA-340-H		Solid urea	Ukraine	Revoked	12/20/2016
701-TA-249		Iron construction castings	Brazil	Continued	12/21/2016
731-TA-262		Iron construction castings	Brazil	Continued	12/21/2016
731-TA-263		Iron construction castings	Canada	Continued	12/21/2016
731-TA-265		Iron construction castings	China	Continued	12/21/2016
701-TA-379		Stainless steel plate in coils	South Africa	Continued	12/22/2016
701-TA-470		Coated paper suitable for high-quality print graphics using sheet-fed presses	China	Continued	12/22/2016
701-TA-471		Coated paper suitable for high-quality print graphics using sheet-fed presses	Indonesia	Continued	12/22/2016
731-TA-1169		Coated paper suitable for high-quality print graphics using sheet-fed presses	China	Continued	12/22/2016
731-TA-1170		Coated paper suitable for high-quality print graphics using sheet-fed presses	Indonesia	Continued	12/22/2016
731-TA-788		Stainless steel plate in coils	Belgium	Continued	12/22/2016
731-TA-792		Stainless steel plate in coils	South Africa	Continued	12/22/2016
731-TA-793		Stainless steel plate in coils	Taiwan	Continued	12/22/2016

Source: U.S. International Trade Commission.

Note: "Korea" refers to the "Republic of Korea (South Korea)."

^a The completion date shown is the date of the USITC notification of USDOC, except in the case of a revocation where the date shown is the date of ITA's *Federal Register* notice.

Table A.15 Section 337 investigations and related proceedings completed by the Commission during 2016 and those pending on December 31, 2016

Status of investigation	Article	Country^a	Commission determination^b
Completed			
337-TA-567	Certain Foam Footwear	Canada	One related (ancillary) advisory opinion proceeding; advisory opinion issued.
337-TA-698	Certain DC-DC Controllers and Products Containing the Same	Hong Kong, Taiwan	One related (ancillary) remand enforcement proceeding; terminated based on a settlement agreement.
337-TA-823	Certain Kinesiotherapy Devices and Components Thereof	China, Sweden, Netherlands	Eleven related (ancillary) rescission proceedings; remedial orders rescinded.
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	One related (ancillary) remand proceeding; remedial orders rescinded.
337-TA-921	Certain Marine Sonar Imaging Devices, Including Downscan and Sidescan Devices, Products Containing the Same, and Components Thereof	Taiwan	One related (ancillary) modification proceeding; remedial orders modified.
337-TA-926	Certain Marine Sonar Imaging Systems, Products Containing the Same, and Components Thereof	Taiwan	One related (ancillary) modification proceeding and one related (ancillary) rescission proceeding; modification denied; remedial orders rescinded.
337-TA-929	Certain Beverage Brewing Capsules, Components Thereof, and Products Containing the Same	China, Hong Kong	Issued limited exclusion order and cease and desist orders.
337-TA-930	Certain Laser Abraded Denim Garments	Canada, Italy, Sweden	Terminated based on a settlement agreement and withdrawal of the complaint.
337-TA-933	Certain Stainless Steel Products, Certain Processes for Manufacturing or Relating to Same and Certain Products Containing Same	India, Germany, Taiwan	Issued limited exclusion order and cease and desist order.
337-TA-933	Certain Stainless Steel Products, Certain Processes for Manufacturing or Relating to Same and Certain Products Containing Same	India, Germany, Taiwan	One related (ancillary) advisory opinion proceeding and one related (ancillary) bond forfeiture proceeding; request for advisory opinion denied and request for forfeiture denied.
337-TA-934	Certain Dental Implants	Brazil	Issued limited exclusion order.
337-TA-935	Certain Personal Transporters, Components Thereof, and Manuals Therefor	China	Issued general exclusion order, limited exclusion order, and cease and desist order.
337-TA-936	Certain Footwear Products	Canada, Italy, Australia, Japan, China	Issued general exclusion order.
337-TA-937	Certain Windshield Wipers and Components Thereof	Mexico	Terminated based on a settlement agreement.
337-TA-939	Certain Three-Dimensional Cinema Systems and Components Thereof	Korea	Issued limited exclusion order and cease and desist orders.
337-TA-941	Certain Graphics Processing Chips, Systems on a Chip, and Products Containing the Same	Taiwan, Hong Kong	Terminated based on a settlement agreement.
337-TA-943	Certain Wireless Headsets	Japan, Germany, Australia, Singapore, Ireland, Denmark	Terminated based on a finding of no violation.
337-TA-944	Certain Network Devices, Related Software and Components Thereof (I)	No foreign respondents	Issued limited exclusion order and cease and desist order.
337-TA-946	Certain Ink Cartridges and Components Thereof	China, Hong Kong	Issued general exclusion order and cease and desist orders.
337-TA-949	Certain Audio Processing Hardware and Software and Products Containing Same	Taiwan, China, Japan	Terminated based on withdrawal of the complaint.
337-TA-951	Certain Lithium Metal Oxide Cathode Materials, Lithium-Ion Batteries for Power Tool Products Containing Same, and Power Tools Products With Lithium-Ion Batteries Containing Same	Belgium, Japan	Issued limited exclusion order.
337-TA-952	Certain Electronic Devices, Including Wireless Communication Devices, Computers, Tablet Computers, Digital Media Players, and Cameras	No foreign respondents	Terminated based on a settlement agreement.

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Status of investigation	Article	Country^a	Commission determination^b
337-TA-953	Certain Wireless Standard Compliant Electronic Devices, Including Communication Devices and Tablet Computers	No foreign respondents	Terminated based on a settlement agreement.
337-TA-954	Certain Variable Valve Actuation Devices and Automobiles Containing the Same	Mexico, Italy, Serbia, United Kingdom	Terminated based on withdrawal of the complaint.
337-TA-956	Certain Recombinant Factor VIII Products	Denmark	Terminated based on a settlement agreement.
337-TA-957	Certain Touchscreen Controllers and Products Containing the Same	China	Terminated based on a settlement agreement.
337-TA-958	Certain Automated Teller Machines and Point of Sale Devices and Associated Software Thereof	Canada	Terminated based on withdrawal of the complaint.
337-TA-962	Certain Resealable Packages with Slider Devices	No foreign respondents	Terminated based on a finding of no violation.
337-TA-963	Certain Activity Tracking Devices, Systems, and Components Thereof	Mauritius	Terminated based on a finding of no violation.
337-TA-964	Certain Windscreen Wipers and Components Thereof	Mexico	Terminated based on a settlement agreement.
337-TA-966	Certain Silicon-on-Insulator Wafers	France	Terminated based on withdrawal of the complaint.
337-TA-966	Certain Silicon-on-Insulator Wafers	France	One related (ancillary) sanctions proceeding; sanctions denied.
337-TA-967	Certain Document Cameras and Software for Use Therewith	No foreign respondents	Issued limited exclusion order and cease and desist order.
337-TA-969	Certain Blood Cholesterol Test Strips and Associated Systems Containing Same	Korea	Terminated based on a settlement agreement.
337-TA-970	Certain Height-Adjustable Desk Platforms and Components Thereof	No foreign respondents	Terminated based on a settlement agreement.
337-TA-974	Certain Aquarium Fittings and Parts Thereof	China	Terminated based on a consent order.
337-TA-975	Certain Computer Cables, Chargers, Adapters, Peripheral Devices and Packaging Containing the Same	China	Issued limited exclusion order.
337-TA-978	Certain Chassis Parts Incorporating Movable Sockets and Components Thereof	Canada	Terminated based on a settlement agreement.
337-TA-980	Certain Rack Mountable Power Distribution Units	France	Terminated based on a settlement agreement.
337-TA-981	Certain Electronic Devices Containing Strengthened Glass and Packaging Thereof	No foreign respondents	Terminated based on withdrawal of the complaint.
337-TA-983	Certain Laser-Driven Light Sources, Subsystems Containing Laser-Driven Light Sources, and Products Containing Same	Netherlands, Germany	Terminated based on a settlement agreement.
337-TA-984	Certain Computing or Graphics Systems, Components Thereof, and Vehicles Containing Same	Germany, Japan	Terminated based on a settlement agreement.
337-TA-985	Certain Surgical Stapler Devices and Components Thereof	China	Terminated based on a consent order.
337-TA-986	Certain Diaper Disposal Systems and Components Thereof, Including Diaper Refill Cassettes	China, Canada	Terminated based on withdrawal of the complaint.
337-TA-987	Certain Hospital Beds and Components Thereof	Canada	Terminated based on a settlement agreement.
337-TA-991	Certain Nanopores and Products Containing Same	United Kingdom	Terminated based on a consent order.
337-TA-992	Certain Height-Adjustable Desk Platforms and Components Thereof	No foreign respondents	Terminated based on a settlement agreement.
337-TA-993	Certain Overflow and Drain Assemblies for Bathtubs and Components Thereof	Taiwan	Terminated based on a consent order.
337-TA-994	Certain Portable Electronic Devices and Components Thereof	Canada, Taiwan, Korea, China, Sweden, Japan	Terminated based on a finding of no violation.
337-TA-996	Certain Quartz Slabs and Portions Thereof	No foreign respondents	Terminated based on withdrawal of the complaint.
337-TA-999	Certain Air Mattress Bed Systems and Components Thereof	No foreign respondents	Terminated based on a consent order, a settlement agreement, and withdrawal of the complaint.
337-TA-1009	Certain Inflatable Products and Processes for Making the Same	Hong Kong, China	Terminated based on a consent order.
337-TA-1011	Certain Inkjet Printers, Printheads, and Ink Cartridges, Components Thereof, and Products Containing Same	Ireland, Australia	Terminated based on a settlement agreement.

Status of investigation	Article	Country^a	Commission determination^b
337-TA-1017	Certain Quartz Slabs and Portions Thereof (II)	China, Vietnam	Terminated based on withdrawal of the complaint.
Pending			
337-TA-698	Certain DC-DC Controllers and Products Containing the Same	Hong Kong, Taiwan	One related (ancillary) rescission proceeding; pending before the Commission
337-TA-854	Certain Two-Way Global Satellite Communication Devices, Systems and Components Thereof	No foreign respondents	One related (ancillary) rescission proceeding; pending before the Commission
337-TA-890	Certain Sleep-Disordered Breathing Treatment Systems and Components Thereof	China	One related (ancillary) remand proceeding; pending before the Commission.
337-TA-921	Certain Marine Sonar Imaging Devices, Including Downscan and Sidescan Devices, Products Containing the Same, and Components Thereof	No foreign respondents	One related (ancillary) enforcement proceeding; pending before the ALJ.
337-TA-929	Certain Beverage Brewing Capsules, Components Thereof, and Products Containing the Same	No foreign respondents	One related (ancillary) enforcement proceeding and one related (ancillary) rescission proceeding; pending before the ALJ.
337-TA-944	Certain Network Devices, Related Software and Components Thereof (I)	No foreign respondents	One related (ancillary) enforcement proceeding; pending before the ALJ.
337-TA-945	Certain Network Devices, Related Software and Components Thereof (II)	No foreign respondents	Pending before the Commission.
337-TA-947	Certain Light-Emitting Diode Products and Components Thereof	China, Taiwan	Pending before the Commission.
337-TA-959	Certain Electric Skin Care Devices, Brushes and Chargers Thereof, and Kits Containing Same	China, Korea, United Kingdom, Canada, Israel	Pending before the Commission.
337-TA-965	Certain Table Saws Incorporating Active Injury Mitigation Technology and Components Thereof	Germany	Pending before the Commission.
337-TA-967	Certain Document Cameras and Software for Use Therewith	No foreign respondents	One related (ancillary) rescission proceeding; pending before the Commission
337-TA-968	Certain Radiotherapy Systems and Treatment Planning Software, and Components Thereof	Sweden, United Kingdom, Germany, China	Pending before the Commission.
337-TA-971	Certain Air Mattress Systems, Components Thereof, and Methods of Using the Same	No foreign respondents	Pending before the Commission.
337-TA-972	Certain Automated Teller Machines, ATM Modules, Components Thereof, and Products Containing the Same	Korea	Pending before the Commission.
337-TA-973	Certain Wearable Activity Tracking Devices, Systems, and Components Thereof	No foreign respondents	Pending before the ALJ.
337-TA-976	Certain Woven Textile Fabrics and Products Containing Same	India	Pending before the Commission.
337-TA-977	Certain Arrowheads With Deploying Blades and Components Thereof and Packaging Therefor	China	Pending before the Commission.
337-TA-979	Certain Radio Frequency Identification ("RFID") Products and Components Thereof	Canada, Thailand, Hong Kong	Pending before the ALJ.
337-TA-982	Certain RF Capable Integrated Circuits and Products Containing the Same	Korea	Pending before the ALJ.
337-TA-988	Certain Pumping Bras	China	Pending before the Commission.
337-TA-989	Certain Automated Teller Machines, ATM Modules, Components Thereof, and Products Containing the Same	No foreign respondents	Pending before the ALJ.
337-TA-990	Certain Mobile Electronic Devices Incorporating Haptics (Including Smartphones and Smartwatches) and Components Thereof	No foreign respondents	Pending before the ALJ.
337-TA-995	Certain Electrical Conductor Composite Cores and Components Thereof	China	Pending before the Commission.
337-TA-997	Certain Sleep-Disordered Breathing Treatment Systems and Components Thereof	China	Pending before the ALJ.
337-TA-998	Certain Hybrid Electric Vehicles and Components Thereof	Germany	Pending before the ALJ.
337-TA-1000	Certain Motorized Self-Balancing Vehicles	China, Hong Kong	Pending before the ALJ.

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Status of investigation	Article	Country ^a	Commission determination ^b
337-TA-1001	Certain Digital Video Receivers and Hardware and Software Components Thereof	United Kingdom, France	Pending before the ALJ.
337-TA-1002	Certain Carbon and Alloy Steel Products	China	Pending before the ALJ.
337-TA-1003	Certain Composite Aerogel Insulation Materials and Methods for Manufacturing the Same	China	Pending before the ALJ.
337-TA-1004	Certain Mobile and Portable Electronic Devices Incorporating Haptics (Including Smartphones and Laptops) and Components Thereof	No foreign respondents	Pending before the ALJ.
337-TA-1005	Certain L-Tryptophan, L-Tryptophan Products, and Their Methods of Production	Korea, Indonesia	Pending before the ALJ.
337-TA-1006	Certain Passenger Vehicle Automotive Wheels	No foreign respondents	Pending before the ALJ.
337-TA-1007	Certain Personal Transporters, Components Thereof, and Packaging and Manuals Therefor	No foreign respondents	Pending before the ALJ.
337-TA-1008	Certain Carbon Spine Board, Cervical Collar and Various Medical Training Manikin Devices, and Trademarks, Copyrights of Product Catalogues, Product Inserts, and Components Thereof	China	Pending before the Commission.
337-TA-1010	Certain Semiconductor Devices, Semiconductor Device Packages, and Products Containing Same	Taiwan, Singapore, United Kingdom, France	Pending before the ALJ.
337-TA-1012	Certain Magnetic Data Storage Tapes and Cartridges Containing the Same	Japan	Pending before the ALJ.
337-TA-1013	Certain Potassium Chloride Powder Products	Canada	Pending before the Commission.
337-TA-1014	Certain Composite Intermediate Bulk Containers	China	Pending before the ALJ.
337-TA-1015	Certain Hand Dryers and Housings for Hand Dryers	United Kingdom, China	Pending before the ALJ.
337-TA-1016	Certain Access Control Systems and Components Thereof	China, Hong Kong	Pending before the ALJ.
337-TA-1018	Certain Athletic Footwear	No foreign respondents	Pending before the Commission.
337-TA-1019	Certain Krill Oil Products and Krill Meal for Production of Krill Oil Products	Canada, Norway, New Zealand	Pending before the ALJ.
337-TA-1020	Certain Industrial Control System Software, Systems Using Same, and Components Thereof	Germany, Taiwan	Pending before the Commission.
337-TA-1021	Certain Personal Transporters and Components Thereof	Netherlands, China, Turkey	Pending before the ALJ.
337-TA-1022	Certain Sleep-Disordered Breathing Treatment Mask Systems and Components Thereof	New Zealand	Pending before the ALJ.
337-TA-1023	Certain Memory Modules and Components Thereof, and Products Containing Same	Korea	Pending before the ALJ.
337-TA-1024	Certain Integrated Circuits with Voltage Regulators and Products Containing Same	China, Ireland, Vietnam, Israel, Malaysia	Pending before the ALJ.
337-TA-1025	Certain Silicon-on-Insulator Wafers	France	Pending before the ALJ.
337-TA-1026	Certain Audio Processing Hardware, Software, and Products Containing the Same	Korea	Pending before the ALJ.
337-TA-1027	Certain Food Supplements and Vitamins, Including Ocular Antioxidants and Components Thereof and Products Containing the Same	India	Pending before the Commission.
337-TA-1028	Certain Mobile Device Holders and Components Thereof	China, Hong Kong	Pending before the ALJ.
337-TA-1029	Certain Mobile Electronic Devices	China	Pending before the ALJ.
337-TA-1030	Certain High-Potency Sweeteners, Processes for Making Same, and Products Containing Same	China	Pending before the ALJ.
337-TA-1031	Certain UV Curable Coatings for Optical Fibers, Coated Optical Fibers, and Products Containing Same	China	Pending before the ALJ.
337-TA-1032	Certain Single-Molecule Nucleic Acid Sequencing Systems and Reagents, Consumables, and Software for Use with Same	United Kingdom	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"; "Macau" refers to "Macau, China"; and "Korea" refers to the "Republic of Korea (South Korea)."

^bALJ = administrative law judge.

Table A.16 Outstanding section 337 exclusion orders as of December 31, 2016

Investigation no.	Article	Country^a	Date patent expires^b
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	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, Korea	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	Philippines, 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, Malaysia	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-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-424	Certain Cigarettes and Packaging Thereof	No foreign respondents	Nonpatent
337-TA-440	Certain 4-Androstenediol	China	July 13, 2018
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-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
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	Aug. 25, 2017
337-TA-512	Certain Light-Emitting Diodes and Products Containing Same	Malaysia	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-522	Certain Ink Markers and Packaging Thereof	China, India, Korea, Hong Kong	Nonpatent
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, China, Malaysia	June 10, 2017 June 10, 2017 Sept. 26, 2017

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Investigation no.	Article	Country^a	Date patent expires^b
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 Therefor	China	Feb. 4, 2017 Nonpatent
337-TA-565	Certain Ink Cartridges and Components Thereof	Hong Kong, China, Germany, Korea	May 18, 2019 May 18, 2019 Apr. 3, 2022 Aug. 17, 2023 Aug. 26, 2023
337-TA-567	Certain Foam Footwear	Canada	Mar. 28, 2020 Oct. 3, 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
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	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-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 Same	India, Italy	Aug. 27, 2017
337-TA-650 ^d	Certain Coaxial Cable Connectors and Components Thereof and Products Containing Same	Taiwan, China	Aug. 2, 2017 Jan. 24, 2020
337-TA-655	Certain Cast Steel Railway Wheels, 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-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 Thereof	China	Jan. 3, 2020
337-TA-723	Certain Inkjet Ink Cartridges with Printheads and Components Thereof	Taiwan, China, Hong Kong	Aug. 30, 2019 July 24, 2020 July 24, 2020 Oct. 30, 2020 Oct. 30, 2020
337-TA-725	Certain Caskets	Mexico	Sept. 13, 2020

Investigation no.	Article	Country ^a	Date patent expires ^b
337-TA-730	Certain Inkjet Ink Supplies and Components Thereof	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, Macau	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-754	Certain Handbags, Luggage, Accessories, and Packaging Thereof	China	Nonpatent
337-TA-763	Certain Radio Control Hobby Transmitters and Receivers and Products Containing Same	China	Oct. 18, 2025 Nonpatent
337-TA-780	Certain Protective Cases and Components Thereof	China, Hong Kong	Sept. 29, 2023 May 11, 2024 June 15, 2024 June 15, 2024 Mar. 22, 2025 Apr. 19, 2025 Jan. 25, 2029 Nonpatent 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 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-832	Certain Ink Application Devices and Components Thereof and Methods of Using the Same	Canada, China	Feb. 28, 2020 Sept. 2, 2020
337-TA-849	Certain Rubber Resins and Processes for Manufacturing Same	China, Hong Kong, Canada	Nonpatent
337-TA-861/867	Certain Cases for Portable Electronic Devices; and Certain Cases for Portable Electronic Devices	Taiwan, Hong Kong, China	Feb. 6, 2029
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
337-TA-883	Certain Opaque Polymers	Turkey, Netherlands	Nonpatent
337-TA-887	Certain Crawler Cranes and Components Thereof	China	May 12, 2027 Nonpatent
337-TA-890	Certain Sleep-Disordered Breathing Treatment Systems and Components Thereof	China	May 11, 2017 Feb. 16, 2018 March 19, 2023 March 19, 2023 July 20, 2027
337-TA-894	Certain Tires and Products Containing Same	China, Thailand	June 4, 2016 March 9, 2018 Jan. 19, 2024 March 2, 2024 March 2, 2024
337-TA-895	Certain Multiple Mode Outdoor Grills and Parts Thereof	China, Hong Kong	May 4, 2027

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Investigation no.	Article	Country^a	Date patent expires^b
337-TA-918	Certain Toner Cartridges and Components Thereof	China, Hong Kong, Macau	Dec. 26, 2027 Dec. 26, 2027 Dec. 26, 2027 Dec. 26, 2027 March 24, 2028
337-TA-919	Certain Archery Products and Related Marketing Materials	China	March 30, 2018 Jan. 15, 2023 Nonpatent
337-TA-921	Certain Marine Sonar Imaging Devices, Including Downscan and Sidescan Devices, Products Containing Same, and Components Thereof	Taiwan	July 14, 2029 July 14, 2029
337-TA-923	Certain Loom Kits for Creating Linked Articles	China	Dec. 15, 2031
337-TA-929	Certain Beverage Brewing Capsules, Components Thereof and Products Containing the Same	Hong Kong, China	July 13, 2027
337-TA-933	Certain Stainless Steel Products, Certain Processes for Manufacturing or Relating to Same and Certain Products Containing Same	India, Germany, Taiwan	Nonpatent
337-TA-934	Certain Dental Implants	Brazil	May 23, 2024 Nov. 26, 2026
337-TA-935 ^e	Certain Personal Transporters, Components Thereof and Manuals Therefor	China	June 4, 2019 June 4, 2019 Oct. 13, 2020 Sept. 25, 2021 Sept. 25, 2021 Nonpatent
337-TA-936	Certain Footwear Products	Canada, Italy, China, Australia, Japan	Nonpatent
337-TA-939	Certain Three-Dimensional Cinema Systems and Components Thereof	Korea	Oct. 18, 2026 Sept. 28, 2027 Nov. 17, 2028
337-TA-944	Certain Network Devices, Related Software and Components Thereof (I)	No foreign respondents	Jan. 6, 2020 May 22, 2020 May 22, 2020
337-TA-946	Certain Ink Cartridges and Components Thereof	Hong Kong, China	Dec. 15, 2026 Dec. 15, 2026 Dec. 15, 2026 Dec. 15, 2026 Sept. 4, 2029
337-TA-951	Lithium Metal Oxide Cathode Materials, Lithium-Ion Batteries for Power Tool Products Containing Same, and Power Tool Products with Lithium-Ion Batteries Containing Same	Belgium, Japan	Oct. 19, 2021 Nov. 2, 2021
337-TA-967	Certain Document Cameras and Software for Use Therewith	No foreign respondents	Jan. 28, 2030
337-TA-975	Certain Computer Cables, Chargers, Adapters, Peripheral Devices and Packaging Containing the Same	China	Nonpatent

Source: U.S. International Trade Commission.

^a This column lists the countries of the foreign respondents named in the notice of investigation. "Hong Kong" refers to "Hong Kong, China"; "Macau" refers to "Macau, China"; and "Korea" refers to the "Republic of Korea."

^b Multiple dates indicate the expiration dates of separate patents within the investigation.

^c There are three outstanding exclusion orders in inv. no. 337-TA-487.

^d There are two outstanding exclusion orders in inv. no. 337-TA-650.

^e There are two outstanding exclusion orders in Inv. no. 337-TA-935.

Table A.17 U.S. imports for consumption claiming eligibility under GSP, by source, 2014–16

Source	2014	2015	2016	% change
				2015–16
Thousand \$				
India	4,472,886	4,602,068	4,655,881	1.2
Thailand	3,499,151	3,593,352	3,961,033	10.2
Brazil	1,904,893	1,930,605	2,155,839	11.7
Indonesia	1,689,219	1,678,214	1,775,895	5.8
Philippines	1,334,269	1,375,669	1,465,384	6.5
Turkey	1,150,426	1,220,606	1,411,691	15.7
South Africa	1,365,643	1,128,093	981,769	-13.0
Ecuador	291,243	317,065	390,348	23.1
Pakistan	160,906	180,443	246,891	36.8
Sri Lanka	179,794	177,767	172,589	-2.9
Cambodia	57,092	77,101	163,997	112.7
Bolivia	101,006	100,823	114,807	13.9
Tunisia	81,011	216,965	113,689	-47.6
Uruguay	76,636	86,733	94,258	8.7
Venezuela	91,009	94,382	92,137	-2.4
Kazakhstan	213,705	104,649	89,354	-14.6
Congo, Democratic Republic of the	96,618	111,010	78,941	-28.9
Egypt	67,194	69,947	75,482	7.9
Serbia	39,065	49,834	71,553	43.6
Paraguay	60,533	66,317	68,345	3.1
Côte d'Ivoire	76,371	58,324	67,857	16.3
Lebanon	40,215	43,110	65,064	50.9
Georgia	165,657	88,733	57,887	-34.8
Ukraine	26,421	40,860	46,057	12.7
Ghana	23,285	24,716	36,527	47.8
Subtotal, top 25 GSP beneficiaries in 2016	17,264,246	17,437,387	18,453,275	5.8
All other beneficiaries	1,534,941	256,625	231,170	-9.9
Total U.S. imports for consumption under GSP	18,799,187	17,694,012	18,684,445	5.6

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

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

Table A.18 Value of U.S. imports for consumption claiming eligibility under GSP, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
Million \$					
1	Agricultural products	2,658	2,951	3,193	8.2
2	Forest products	643	681	571	-16.2
3	Chemicals and related products	3,534	3,367	3,789	12.5
4	Energy-related products	846	0	2	797.3
5	Textiles and apparel	527	584	625	7.1
6	Footwear	10	7	11	47.7
7	Minerals and metals	4,208	3,511	3,319	-5.5
8	Machinery	2,296	2,086	2,120	1.7
9	Transportation equipment	1,808	2,161	2,305	6.7
10	Electronic products	1,078	1,062	1,115	4.9
11	Miscellaneous manufactures	1,192	1,283	1,634	27.4
Total U.S. imports for consumption under GSP		18,799	17,694	18,684	5.6

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

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

Table A.19 Share of U.S. imports for consumption claiming eligibility under GSP, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016
		Percent of eligible imports		
1	Agricultural products	14.1	16.7	17.1
2	Forest products	3.4	3.8	3.1
3	Chemicals and related products	18.8	19.0	20.3
4	Energy-related products	4.5	0.0	0.0
5	Textiles and apparel	2.8	3.3	3.3
6	Footwear	0.1	0.0	0.1
7	Minerals and metals	22.4	19.8	17.8
8	Machinery	12.2	11.8	11.3
9	Transportation equipment	9.6	12.2	12.3
10	Electronic products	5.7	6.0	6.0
11	Miscellaneous manufactures	6.3	7.3	8.7
Total U.S. imports for consumption under GSP		100.0	100.0	100.0

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (February 23, 2017).

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

Table A.20 Leading U.S. imports for consumption claiming eligibility under GSP, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		Million \$			
7113.19	Jewelry and parts thereof, of precious metal other than silver	267	338	554	64.1
2202.90	Nonalcoholic beverages, n.e.s.o.i. (including milk-based drinks and nonalcoholic beer)	228	274	359	30.9
7202.41	Ferrochromium, containing more than 4% (wt.) carbon	458	259	263	1.6
8415.90	Parts, n.e.s.o.i., of air conditioning machines	381	262	261	-0.3
4015.19	Gloves, except surgical and medical gloves, of vulcanized rubber, n.e.s.o.i.	209	249	239	-4.0
6802.99	Worked monumental or building stone n.e.s.o.i., of stone n.e.s.o.i.	181	187	232	24.1
7606.12	Aluminum alloy rectangular (including square) plates, sheets and strip, over 0.2 mm thick	274	222	224	0.8
2106.90	Food preparations n.e.s.o.i.	204	199	204	2.7
8481.80	Taps, cocks, valves and similar appliances for pipes, vats or the like, including thermostatically controlled valves, n.e.s.o.i.	191	166	204	23.3
8708.94	Steering wheels, steering columns and steering boxes for motor vehicles	157	212	203	-4.4
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	206	209	200	-4.3
4011.10	New pneumatic tires, of rubber, of a kind used on motor cars (including station wagons and racing cars)	186	163	197	21.1
3907.60	Polyethylene terephthalate, in primary forms	86	89	189	112.8
6802.91	Worked monumental or building stone n.e.s.o.i., of marble, travertine and alabaster	135	175	189	8.3
4011.20	New pneumatic tires, of rubber, of a kind used on buses or trucks	53	88	180	105.7
8708.70	Road wheels and parts and accessories thereof for motor vehicles	113	147	177	20.5
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.	165	164	176	7.3
1701.14	Cane sugar in solid form, raw, not containing added flavoring or coloring matter, n.e.s.o.i.	129	100	170	70.0
7323.93	Table, kitchen or other household articles and parts thereof, of stainless steel	140	164	167	1.9
8544.30	Insulated ignition wiring sets and other wiring sets for vehicles, aircraft and ships	73	70	162	129.8
8501.10	Electric motors of an output not exceeding 37.5 w	109	143	160	12.0
1704.90	Sugar confectionary (including white chocolate), not containing cocoa, n.e.s.o.i.	127	123	159	29.5
2934.99	Nucleic acids and their salts, whether or not chemically defined; other heterocyclic compounds, n.e.s.o.i.	57	81	158	95.3
8408.20	Compression-ignition internal combustion piston engines (diesel or semi-diesel), for the propulsion of vehicles except railway or tramway stock	14	33	150	358.5
3923.21	Sacks and bags (including cones), of polymers of ethylene	112	123	137	11.7
	Total of items shown	4,255	4,239	5,316	25.4
	All other HTS products	14,544	13,455	13,369	-0.6
	Total of all commodities	18,799	17,694	18,684	5.6

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017). Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

Table A.21 U.S. imports for consumption claiming eligibility under AGOA, by source, 2014–16

Source	2014	2015	2016	% change 2015–16
	Thousand \$			
Nigeria	2,798,015	1,403,195	3,474,962	147.6
Angola	3,539,542	1,830,054	1,954,781	6.8
South Africa	1,750,421	1,730,110	1,864,038	7.7
Chad	1,632,682	1,478,697	775,178	-47.6
Kenya	417,148	428,224	389,992	-8.9
Lesotho	288,892	299,314	295,426	-1.3
Mauritius	218,173	207,083	188,032	-9.2
Madagascar	42	39,831	93,419	134.5
Congo, Republic of	360,168	254,572	61,681	-75.8
Ethiopia	35,675	40,897	61,564	50.5
Gabon	607,486	167,003	60,050	-64.0
Mauritania	0	0	47,711	^(a)
Malawi	57,386	40,952	44,882	9.6
Tanzania	17,486	28,166	36,952	31.2
Ghana	57,055	9,626	29,691	208.4
Cameroon	23,005	53	16,758	31,473.6
Botswana	9,458	8,251	4,766	-42.2
Mozambique	802	284	1,470	418.0
Rwanda	187	435	1,220	180.7
Cape Verde	333	523	586	12.1
Sierra Leone	0	0	523	^(a)
Uganda	59	144	288	99.8
Burkina Faso	10	3	167	6,323.4
Côte d'Ivoire	555	530	120	-77.3
Senegal	24	15,544	87	-99.4
Seychelles	0	0	34	^(a)
Zambia	36	265	32	-87.9
Togo	3	11	20	80.0
Liberia	0	0	17	^(a)
Benin	0	0	15	^(a)
Mali	6	14	13	-7.7
Djibouti	411	464	11	-97.6
Guinea	0	4	7	60.5
Niger	2	0	3	^(a)
Swaziland	59,076	^(b)	^(b)	^(a)
Guinea-Bissau	0	0	0	^(a)
Namibia	0	0	0	^(a)
São Tomé and Príncipe	0	0	0	^(a)
Total U.S. imports for consumption under AGOA	11,874,139	7,984,250	9,404,497	17.8

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

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

^a Undefined.

^b Swaziland was not AGOA eligible in 2015 and 2016.

Table A.22 Leading U.S. imports for consumption claiming eligibility under AGOA, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change 2015–16
					Million \$
2709.00	Petroleum oils and oils from bituminous minerals, crude	7,919	4,814	6,159	27.9
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	1,298	1,349	1,498	11.1
2710.12	Light oils and preparations containing by weight 70 percent or more of petroleum oils or oils from bituminous minerals, not containing biodiesel, not waste oils	580	278	225	-19.1
6203.42	Men's or boys' trousers, bib and brace overalls, breeches and shorts of cotton, not knitted or crocheted	166	179	193	7.6
6205.20	Men's or boys' shirts of cotton, not knitted or crocheted	148	148	143	-3.7
6110.30	Sweaters, pullovers, sweatshirts, vests and similar articles of manmade fibers, knitted or crocheted	98	102	109	6.9
6204.62	Women's or girls' trousers, bib and brace overalls, breeches and shorts of cotton, not knitted or crocheted	95	88	98	10.8
6104.63	Women's or girls' trousers, bib and brace overalls, breeches and shorts of synthetic fibers, knitted or crocheted	84	98	92	-6.4
0802.62	Macadamia nuts, shelled, fresh or dried	71	103	85	-17.3
6105.20	Men's or boys' shirts of manmade fibers, knitted or crocheted	53	60	78	28.7
6109.90	T-shirts, singlets, tank tops and similar garments, of textile materials n.e.s.o.i., knitted or crocheted	53	47	52	11.5
3823.70	Industrial fatty alcohols	46	42	47	12.3
0805.10	Oranges, fresh	41	46	38	-18.8
7202.11	Ferromanganese, containing more than 2% (wt.) carbon	183	87	33	-61.4
2401.20	Tobacco, partly or wholly stemmed/stripped	48	26	32	24.5
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	33	35	31	-10.6
6103.43	Men's or boys' trousers, bib and brace overalls, breeches and shorts of synthetic fibers, knitted or crocheted	32	31	30	-1.8
2710.19	Petroleum oils, oils from bituminous minerals (other than crude) and products containing by weight 70 percent or more of petroleum oils, not biodiesel or waste	514	55	29	-47.6
6204.63	Women's or girls' trousers, bib and brace overalls, breeches and shorts of synthetic fibers, not knitted or crocheted	36	32	28	-13.2
7606.12	Aluminum alloy rectangular (including square) plates, sheets and strip, over 0.2 mm thick	0	0	23	^(a)
6203.43	Men's or boys' trousers, bib and brace overalls, breeches and shorts of synthetic fibers, not knitted or crocheted	15	19	23	16.8
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	16	15	19	23.0
6104.62	Women's or girls' trousers, bib and brace overalls, breeches and shorts of cotton, knitted or crocheted	19	21	15	-30.0
0805.20	Mandarins (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids, fresh or dried	9	12	14	15.2
8111.00	Manganese and articles thereof, including waste and scrap	25	19	12	-33.5
	Total of items shown	11,582	7,706	9,105	18.1
	All other HTS products	293	278	299	7.8
	Total of all commodities	11,874	7,984	9,404	17.8

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

^a Undefined.

Table A.23 Leading U.S. imports for consumption claiming eligibility under CBERA, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		Million \$			
2905.11	Methanol (methyl alcohol)	1,024	651	258	-60.4
6109.10	T-shirts, singlets, tank tops and similar garments of cotton, knitted or crocheted	247	272	207	-23.9
2709.00	Petroleum oils and oils from bituminous minerals, crude	192	145	86	-40.5
6110.20	Sweaters, pullovers, sweatshirts, vests and similar articles of cotton, knitted or crocheted	121	121	84	-30.3
3903.11	Polystyrene, expandable, in primary forms	156	87	67	-23.3
0714.30	Yams (<i>dioscorea</i> spp.), fresh, chilled, frozen or dried	18	20	21	3.5
2106.90	Food preparations n.e.s.o.i.	10	13	16	18.2
2933.61	Melamine	17	4	12	185.8
6109.90	T-shirts, singlets, tank tops and similar garments, of textile materials n.e.s.o.i., knitted or crocheted	13	18	12	-32.4
2103.90	Sauces and preparations therefor, n.e.s.o.i.; mixed condiments and mixed seasonings	14	13	11	-11.1
0804.50	Guavas, mangoes and mangosteens, fresh or dried	13	14	8	-39.0
2009.19	Orange juice, other than frozen, whether or not sweetened	7	8	6	-18.2
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.	5	5	6	14.4
2005.99	Vegetables and mixtures of vegetables prepared or preserved otherwise than by vinegar, acetic acid or sugar, not frozen	4	4	5	29.5
2009.11	Orange juice, frozen, whether or not sweetened	9	6	5	-19.6
8504.31	Electrical transformers n.e.s.o.i., having a power handling capacity not exceeding 1 kva	(^a)	3	4	21.8
2208.40	Rum and tafia	3	3	3	17.8
0807.20	Papayas (papaws), fresh	8	8	3	-61.6
2202.90	Nonalcoholic beverages, n.e.s.o.i. (including milk-based drinks and nonalcoholic beer)	4	4	3	-27.5
0406.30	Cheese, processed, not grated or powdered	3	4	3	-31.3
2202.10	Waters, including mineral waters and aerated waters, sweetened or flavored	5	3	3	-9.8
2104.10	Soups and broths and preparations therefor	2	2	2	24.4
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	2	2	-8.8
0910.99	Spices, n.e.s.o.i.	1	2	2	5.8
0812.90	Fruit, n.e.s.o.i., and nuts, provisionally preserved, but unsuitable in that state for immediate consumption	1	2	2	5.9
Total of items shown		1,879	1,414	832	-41.1
All other HTS products		94	128	43	-66.1
Total of all commodities		1,973	1,542	876	-43.2

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included; kva = kilovolt-amperes.

^a Less than \$500,000.

Table A.24 U.S. imports for consumption claiming eligibility under CBERA, by source, 2014–16

Source	2014	2015	2016	% change 2015–16
	Thousand \$			
Trinidad and Tobago	1,234,474	830,265	383,460	-53.8
Haiti	405,395	433,411	317,860	-26.7
Jamaica	71,779	81,563	75,189	-7.8
Bahamas	158,191	88,389	68,403	-22.6
Belize	60,582	36,881	17,136	-53.5
St. Kitts and Nevis	18,341	10,481	7,304	-30.3
Barbados	5,295	22,570	2,254	-90.0
Grenada	443	1,728	1,809	4.7
Guyana	11,857	34,912	1,552	-95.6
St. Lucia	1,162	1,301	561	-56.8
Curaçao	5,365	3	85	3,168.9
St. Vincent and the Grenadines	182	16	45	186.6
Antigua Barbuda	19	82	37	-54.1
Dominica	66	77	22	-71.0
Aruba	75	93	15	-84.1
British Virgin Islands	50	9	9	2.5
Montserrat	0	0	0	(^a)
Total U.S. imports for consumption under CBERA	1,973,277	1,541,778	875,744	-43.2

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

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

^a Undefined.

Table A.25 WTO dispute settlement cases to which the United States was a party, developments in 2016

Case no.	Title	Complainant	Action (month/day/year)
DS217	United States—Continued Dumping and Subsidy Offset Act of 2000 (CDSOA or Byrd Amendment)	Australia, Brazil, Chile, European Communities (EC), India, Indonesia, Japan, South Korea, Thailand	<p>Complaining parties request consultations (12/21/00). Panel is established (08/23/01) and composed (10/25/01). Panel report is circulated (09/16/02). U.S. notifies Dispute Settlement Body (DSB) it will appeal panel decision (10/18/02). Appellate Body report is circulated (01/16/03). Arbitrator finds that U.S. has failed to implement the DSB recommendations and rulings (01/15/04). Arbitrator circulates decisions relating to a level of suspension of concessions to offset disbursements under the CDSOA (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, before the entry into force of a level of suspension of concessions (2006–14). Japan notifies DSB that, because the level of authorization was marginal, no suspension of concessions would be applied for the 10th year starting September 1, 2014 (08/18/14). Japan notifies DSB that it will continue its non-application of the suspension of concessions because the authorized level continues to be marginal (09/18/15). Japan notifies DSB that it will continue its non-application of the suspension of concessions because the authorized level continues to be marginal (08/22/16).</p>
DS316	European Communities—Measures Affecting Trade in Large Civil Aircraft	United States	<p>U.S. requests consultations with EC (10/06/04). Panel is established (07/20/05) and composed (10/17/05). Panel report is circulated (06/30/10). European Union (EU) notifies DSB it will appeal decision to Appellate Body (07/21/10); U.S. does the same (08/19/10). Appellate Body report is circulated (05/18/11). DSB adopts Appellate Body and panel reports (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). U.S. requests establishment of an Article 21.5 panel (03/30/12); panel established (04/13/12). Panel report issued (09/22/16). EU notifies the Appellate Body of its decision to appeal certain issues of law and interpretation in the panel report (10/13/16). U.S. notifies the Appellate Body of its decision to appeal certain issues of law and interpretation in the panel report (11/10/16).</p>

Case no.	Title	Complainant	Action (month/day/year)
DS322	United States—Measures Relating to Zeroing and Sunset Reviews	Japan	<p>Japan requests consultations (11/24/04). Panel is established (02/28/05) and composed (04/15/05). Panel report is circulated (09/20/06). Japan informs DSB it will appeal the decision (10/11 /06); U.S. informs DSB it will also appeal (10/23/06). Appellate Body report is circulated (01/9/07). DSB adopts Appellate Body and panel reports (01/23/07). Implementation of adopted reports. Japan asks that a reasonable period of time for implementation be determined by binding arbitration pursuant to Article 21.3(c) of the Dispute Settlement Understanding (DSU) (03/29/07); DSB appoints arbitrator ((04/27/07). U.S. and Japan inform DSB they have agreed on a reasonable period of time, expiring December 24, 2007, and no longer seek to have the reasonable period of time determined through binding arbitration (05/04/07). Compliance proceedings. Japan requests establishment of a compliance panel (04/07/08), and DSB refers to the original panel (04/18/08). Article 21.5 compliance panel report is circulated (04/24/09). U.S. notifies DSB it will appeal compliance panel decision to the Appellate Body (05/20/09). Article 21.5 Appellate Body report is circulated (08/18/09), and DSB adopts Appellate Body and compliance panel reports (08/31/09). Proceedings under Article 22 of the DSU (remedies). Japan seeks authorization to suspend concessions pursuant to Article 22.2 of the DSU (01/10/08). U.S. objects to the level of suspension and requests the matter be referred to arbitration under Article 22.6 of the DSU (01/18/08). DSB agrees to refer to arbitration (01/21/08). U.S. and Japan ask arbitrator to suspend work (06/06/08); Japan asks arbitrator to resume (04/23/10); U.S. and Japan ask arbitrator to suspend work (12/15/10); and U.S. and Japan inform DSB of a 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 DSB in February 2012 (08/03/12). Following receipt of a request from Japan and U.S., arbitrator informs DSB that no award is necessary, that it is not necessary to issue a decision, and that work is considered completed (08/14/12).</p>
DS350	United States—Continued Existence and Application of Zeroing Methodology	European Communities	<p>EC requests consultations (10/02/06). Panel is established (06/04/07) and composed (07/06/07). Panel report is circulated (10/01/08). EC (11/06/08) and U.S. (11/18/08) notify DSB of decision to appeal. Appellate Body report is circulated (02/04/09); DSB adopts Appellate Body and panel reports (02/19/09). U.S. and EC agree that a reasonable period for U.S. to implement DSB's recommendations and rulings is by December 19, 2009 (06/02/09). EU and U.S. notify DSB of agreed procedures under Articles 21 and 22 (01/04/10). EU and U.S. inform DSB of a memorandum between the U.S. and the 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). Panel is established (02/17/06) and composed (11/22/06). 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). Panel report is circulated (03/31/11). EU notifies DSB that it will appeal the decision to the Appellate Body (04/01/11); U.S. also notifies its decision to appeal (04/28/11). Appellate Body report is circulated (03/12/12); DSB adopts Appellate Body and panel reports (03/23/12). U.S. informs DSB it intends to implement DSB recommendations and rulings (04/13/12). EU and U.S. inform DSB of agreed procedures under Articles 21 and 22 of DSU and Article 7 of Agreement on Subsidies and Countervailing Measures (SCM Agreement) (04/24/12). U.S. notifies DSB of withdrawal of subsidies and removal of adverse effects in this dispute, and that it fully complies with DSB recommendations and rulings (09/23/12). Compliance proceedings: EU requests consultations under Article 21.5 (09/25/12), and then requests establishment of a compliance panel (10/11/12). A compliance panel is composed (10/30/12). The chair initially informs DSB that, due to the scale and complexity of the dispute, the panel expects to circulate its report within the first half of 2014 (01/15/13). The chair later informs DSB that the panel does not expect to complete its work before mid-2015 (05/27/14); still later, that it will not complete it before mid-2016 (06/27/16). Countermeasures: EU requests authority to take countermeasures under Article 22 of the DSU (remedies) and Articles 4, 10, and 7.9 of the SCM Agreement (09/27/12). U.S. objects to the level of suspension of concessions and other obligations, and refers the matter to arbitration under Article 22.6 of the DSU (10/22/12). At DSB meeting the two parties agree to refer the matter to arbitration (10/23/10). U.S. and EU later ask the arbitrator to suspend arbitration proceedings (11/27/12), and the arbitrator suspends proceedings (11/28/12).</p>
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 is established (11/27/07) and composed (03/27/08). Panel report is circulated (08/12/09). China (09/22/09) and U.S. (10/05/09) notify DSB of their respective decisions to appeal the panel decision to the Appellate Body. Appellate Body report is circulated (12/21/09). DSB adopts Appellate Body and panel reports (01/19/10). China and U.S. inform DSB that they have agreed that a reasonable period for China to implement DSB recommendations and rulings is by March 14, 2011 (07/12/10). China reports to DSB that it has made efforts to implement DSB recommendations and rulings, but 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 DSB it has completed amendments to most measures and has signed a memorandum of understanding with 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 U.S. inform DSB of key elements relating to theatrical release as set forth in the memorandum of understanding noted at the February 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 the memorandum of understanding (MOU) represented significant progress but not a final resolution (05/24/12).</p>

Case no.	Title	Complainant	Action (month/day/year)
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 is established (01/20/09) and composed (03/04/09). Panel report is circulated (10/22/10). China notifies DSB it will appeal the panel's decision to the Appellate Body (12/01/10). Appellate Body report is circulated (03/11/11). DSB adopts Appellate Body and panel reports (03/25/11). China and U.S. inform DSB that they have agreed that a reasonable time for U.S. to implement DSB's recommendations and rulings is by February 25, 2012 (07/05/11). China and U.S. inform 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 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); however, China says that it does not agree with U.S. claim to that effect (09/28/12).</p>
DS381	United States—Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products	Mexico	<p>Mexico requests consultations with U.S. (10/24/08). Panel is established (04/20/09) and composed (12/14/09). Panel chairman informs DSB that the 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 is circulated (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 (05/16/12); DSB adopts the Appellate Body and panel reports (06/13/12). U.S. states that it intends to implement DSB recommendations and rulings (06/25/12), and U.S. and Mexico inform DSB that they have agreed that a reasonable period of 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 labeling requirements for tuna and tuna products, bringing its requirements into compliance (07/23/13). Mexico and U.S. inform DSB of agreed procedures under Articles 21 and 22 of the DSU (08/02/13). Compliance proceedings. Mexico requests establishment of a compliance panel (11/14/13); DSB agrees to refer to the original panel (01/22/14); panel is composed (01/27/14). Compliance panel report circulated to members (04/14/15). U.S. notifies DSB of its decision to appeal certain issues of law covered in the compliance panel report (06/05/15); Mexico files an appeal in the same dispute (06/10/15). Appellate Body report is circulated to members (11/20/15). DSB adopts Article 21.5 Appellate Body reports and panel reports, as modified by Appellate Body reports (12/03/15). Mexico requests Article 22.2 authorization to suspend concessions (03/10/16). U.S. requests Article 22.6 arbitration of Mexico's request to suspend concessions (03/22/16) and requests establishment of an Article 21.5 panel to resolve disagreement over U.S. compliance measures (04/11/16). Panels established and composed (04/22/16, 05/27/16). Mexico requests Article 21.5 (second recourse) consultations with U.S. (05/13/16); consultations held (06/02/16). Mexico requests establishment of an Article 21.5 panel to resolve disagreement over the U.S. final rule as amended in 2016. Article 21.5 panel established and composed, as requested by Mexico (07/11/16). Due to the complexity of the case and ongoing arbitration proceedings, both U.S. and Mexican Article 21.5 panels inform DSB they expect to submit their reports by mid-May 2017 (11/18/16).</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 U.S. (12/01/08). Single panel is established to examine this dispute and DS386 (11/19/09); panel composed (05/10/10). Panel report is circulated (11/18/11).</p> <p>U.S. notifies DSB that it will appeal the decision to the Appellate Body (03/23/12), and Canada notifies DSB it will do the same (03/28/12). Appellate Body report is circulated (06/29/12); DSB adopts the Appellate Body and panel reports (07/23/12).</p> <p>Reasonable period of time, arbitration. U.S. informs DSB it intends to implement DSB recommendations and rulings and will need a reasonable period of time to do so (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 the U.S. Department of Agriculture (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 U.S. and Canada inform DSB of agreed procedures under Articles 21 and 22 of DSU (06/10/13).</p> <p>Compliance proceedings. Canada requests establishment of a compliance panel (08/19/13); DSB refers to original panel if possible (09/25/13); compliance panel composed (09/27/13) to review matters in DS384 and DS386. Compliance panel issues report finding violation in this dispute and DS386 (10/20/14). U.S. notifies DSB it will appeal decision to the Appellate Body (11/28/14). Canada files appeal (12/12/14).</p> <p>Compliance Appellate Body report is circulated to members (05/18/15). DSB adopts Article 21.5 Appellate Body reports and panel reports, as modified by Appellate Body reports (05/29/15).</p> <p>Canada requests authorization from DSB, pursuant to Article 22.2 of the DSU, to suspend application of certain tariff concessions and related obligations to U.S. under the General Agreement on Tariffs and Trade (GATT) 1994 (06/04/15).</p> <p>U.S. objects to level of suspension of concessions and obligations proposed by Canada (06/16/15).</p> <p>DSB takes note that the matter has been referred to arbitration as required under Article 22.6 of the DSU ((06/17/15).</p> <p>Decision of arbitrator is circulated to members (12/07/15).</p> <p>Canada requests authorization from DSB to suspend application of certain tariff concessions and related obligations to U.S. under GATT 1994 in the amount of CAD \$1,054,729 on an annual basis (12/07/15).</p> <p>DSB authorizes Canada to suspend application to U.S. of concessions or other obligations (12/21/15).</p>

Case no.	Title	Complainant	Action (month/day/year)
DS386	United States—Certain Country of Origin Labelling Requirements	Mexico	<p>Mexico requests consultations with U.S. (12/17/08). Single panel is established to examine this dispute and DS384 (11/19/09); panel composed (05/10/10). Panel report is circulated (11/18/11).</p> <p>U.S. notifies DSB that it will appeal decision to the Appellate Body (03/23/12), and Mexico notifies DSB it will do the same (03/28/12). Appellate Body report is circulated (06/29/12); Appellate Body and panel reports are adopted (07/23/12).</p> <p>Reasonable period of time, arbitration. 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. labeling requirements into compliance (05/24/13). Mexico disagrees that changes bring U.S. requirements into compliance, and U.S. and Mexico inform DSB of agreed procedures under Articles 21 and 22 of DSU (06/10/13). Compliance proceedings. Mexico requests establishment of a compliance panel (08/19/13); DSB refers to original panel if possible (09/25/13); compliance panel composed (09/27/13) to review matters in DS384 and DS386. Compliance panel issues report finding violation in this dispute and DS384 (10/20/14).</p> <p>U.S. notifies DSB it will appeal decision to the Appellate Body (11/28/14). Mexico files appeal (12/12/14).</p> <p>Compliance Appellate Body report is circulated (05/18/15). DSB adopts the Article 21.5 Appellate Body reports and panel reports, as modified by the Appellate Body reports (05/29/15).</p> <p>Mexico requests authorization from DSB, pursuant to Article 22.2 of the DSU, to suspend application of certain tariff concessions and related obligations to U.S. under GATT 1994 (06/04/15).</p> <p>Mexico submits corrigendum concerning requested amount of suspension of concessions (06/12/15).</p> <p>Mexico resubmits its request for DSB authorization to suspend concessions to U.S. under GATT 1994 (06/17/15).</p> <p>U.S. objects to level of suspension of concessions or other obligations proposed by Mexico; parties agree that the matter has been referred to arbitration (06/22/15).</p> <p>Decision of arbitrator circulated to members (12/07/15).</p> <p>Mexico requests authorization from DSB to suspend application to U.S. of tariff concessions and other related obligations in the goods sector under GATT 1994 in an amount of US\$227,758, 000 annually (12/07/15).</p> <p>DSB authorizes Mexico to suspend application to U.S. of concessions or other obligations (12/21/15).</p>
DS387	China—Grants, Loans and Other Incentives	United States	U.S. requests consultations (12/19/08).
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).
DS403	Philippines—Taxes on Distilled Spirits	United States	<p>U.S. requests consultations (01/14/10). Single panel established to consider DS403 and DS396 (complaint by EU) (04/20/10); panel composed (07/05/10). Panel report circulated to members (08/15/11).</p> <p>Philippines notifies DSB of its decision to appeal to the Appellate Body (09/23/11), as does EU (09/28/11). Appellate Body report is circulated (12/21/11), and DSB adopts the Appellate Body and panel reports (01/20/12).</p> <p>Philippines states that it intends to implement DSB's recommendations and rulings and will require a reasonable period of time to do so (02/22/12), and Philippines and U.S. inform DSB that they have agreed that the reasonable period of time is by March 8, 2013 (04/20/12).</p> <p>Philippines reports enactment of legislation that completes implementation of DSB's recommendations and rulings (01/28/13).</p>

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Case no.	Title	Complainant	Action (month/day/year)
DS404	United States—Anti-dumping Measures on Certain Shrimp from Viet Nam	Vietnam	<p>Vietnam requests consultations (02/01/10). Panel is established (05/18/10) and composed (07/26/10). Panel report is circulated (07/11/11); and DSB adopts the panel report (09/02/11). Vietnam and U.S. inform DSB they have agreed that a reasonable period of time for U.S. to implement DSB recommendations is by July 2, 2012 (10/31/11). Vietnam and U.S. inform DSB they have reached a mutually agreed solution (07/22/16).</p>
DS406	United States—Measures Affecting the Production and Sale of Clove Cigarettes	Indonesia	<p>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 in a manner that protects public health and respects its WTO obligations, and states that it will need a reasonable period of time to do so (05/24/12). Indonesia and U.S. inform DSB that the reasonable period of time is by July 24, 2013 (06/14/12). Proceedings under Article 22 of the DSU (remedies). 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). U.S. and Indonesia request arbitrator to suspend circulation of arbitrator's award (06/23/14), and arbitrator does so (06/24/14). U.S. and Indonesia notify DSB they have reached a mutually agreed solution, and that Indonesia is withdrawing its request to suspend concessions or other obligations (10/03/14). Chair of arbitrator notifies DSB it is not necessary to issue a decision, and that the arbitrator has completed its work (10/08/14).</p>
DS413	China—Certain Measures Affecting Electronic Payment Services	United States	<p>U.S. requests consultations (09/15/10). Panel is established (03/25/11) and composed (07/04/11). Panel report is circulated to members (07/16/12) and adopted by DSB (08/31/12). China states that it intends to implement DSB's recommendations and rulings and will need a reasonable period 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 DSB's recommendations and rulings; U.S. states that it does not agree, and that it will monitor and review China's actions (07/23/13). China and U.S. inform DSB of agreed procedures under Articles 21 and 22 of the DSU (08/19/13).</p>

Case no.	Title	Complainant	Action (month/day/year)
DS414	China—Countervailing and Anti-dumping Duties on Grain Oriented Flat-rolled Electrical Steel from the United States	United States	<p>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). Reasonable period of time; arbitrator’s determination. China states that it intends to implement DSB’s recommendations and rulings and will need a reasonable period 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 by 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). China and U.S. inform DSB of agreed procedures under Articles 21 and 22 of DSU (08/19/13). Compliance proceedings. 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); the panel is composed (03/17/14). Compliance panel report circulated to members (07/31/15). DSB adopts compliance panel report (08/31/15). China informs DSB that the antidumping and countervailing duty measures on imports of grain-oriented flat-rolled electrical steel (GOES) from the U.S. expired on April 10, 2015 (08/31/15).</p>
DS419	China—Measures Concerning Wind Power Equipment	United States	<p>U.S. requests consultations (12/22/10). EU and Japan request to join consultations (01/12/11 and 01/17/11, respectively).</p>
DS420	United States—Anti-dumping Measures on Corrosion-Resistant Carbon Steel Flat Products from Korea	South Korea	<p>South Korea requests consultations (01/31/11). South Korea requests establishment of a panel (09/15/11). South Korea withdraws request for panel (09/27/11). South Korea requests establishment of a panel (02/09/12). South Korea informs DSB of agreement on procedures between U.S. and South Korea (02/14/12). Panel is established (02/22/12). Before the panel is composed, South Korea requests that panel proceedings be suspended in accordance with Article 12.12 of the DSU until further notification (06/12/12).</p>
DS422	United States—Anti-dumping Measures on Shrimp and Diamond Sawblades from China	China	<p>China requests consultations (02/28/11). Panel is established (10/25/11) and composed (12/21/11). Panel report is circulated (06/08/12), and DSB adopts panel report (07/23/12). China and U.S. inform DSB that they have agreed that the reasonable period of time for 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).</p>
DS424	United States—Anti-dumping Measures on Imports of Stainless Steel Sheet and Strip in Coils from Italy	European Union	<p>EU requests consultations (04/01/11). Japan requests to join the consultations (04/18/11).</p>

Case no.	Title	Complainant	Action (month/day/year)
DS427	China—Anti-dumping and Countervailing Duty Measures on Broiler Products from the United States	United States	<p>U.S. requests consultations (09/20/11). Panel established (01/20/12) and composed (05/24/12). Panel report circulated (08/02/13) and is 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). China informs DSB that it has fully implemented DSB recommendations and rulings, but U.S. disagrees that China has fully complied (07/22/14). China and U.S. inform DSB of agreed procedures under Articles 21 and 22 of the DSU (07/15/14). U.S. requests Article 21.5 consultations for China's failure to comply with DSB recommendations (05/10/16).</p>
DS429	United States—Anti-Dumping Measures on Certain Shrimp from Viet Nam	Vietnam	<p>Vietnam requests consultations (02/20/12). Panel is established (02/27/13) and composed (07/12/13). Panel report is circulated (11/17/14). Vietnam notifies DSB it will appeal decision to the Appellate Body (01/06/15). Appellate Body report is circulated to members (04/07/15). DSB adopts Appellate Body report and panel report, as upheld by the Appellate Body report (04/22/15). U.S. informs DSB that it intends to implement DSB's recommendations and ruling, and will need a reasonable period of time to do so (05/20/15). Vietnam requests that the reasonable period of time be determined through binding arbitration pursuant to Article 21.3(c) of the DSU (09/17/15). Award of the arbitrator is circulated; arbitrator determines the reasonable period of time is 15 months, to expire on July 22, 2016 (12/15/15).</p>
DS430	India—Measures Concerning the Importation of Certain Agricultural Products from the United States	United States	<p>U.S. requests consultations (03/06/12). Panel is established (06/25/12) and composed (02/18/13). Panel report is circulated (10/14/14). India and U.S. request DSB to extend period for filing an appeal by 60 days (11/06/14), and DSB agrees (11/18/14). India notifies DSB it will appeal the decision to the Appellate Body (01/26/15). Appellate Body issues its report (06/04/15). DSB adopts the Appellate Body report and the panel report, as modified by the Appellate Body report (06/19/15). India informs DSB it intends to implement DSB's recommendations and rulings and will need a reasonable period of time to do so (07/13/15). India and U.S. inform DSB that they have agreed that the reasonable period of time is 12 months, to expire on June 19, 2016 (12/08/15). U.S. requests authorization to suspend concessions for India's failure to comply with DSB recommendations (07/07/16). India requests Article 22.6 arbitration of U.S. request to suspend concessions (07/18/16).</p>

Case no.	Title	Complainant	Action (month/day/year)
DS431	China—Measures Related to the Exportation of Rare Earths, Tungsten and Molybdenum	United States	<p>U.S. requests consultations (03/13/12). Single panel is established to examine DS431 (as well as DS432 and DS433, brought by EU and Japan) (07/23/12); panel is composed (09/24/12). Panel report is circulated (03/26/14).</p> <p>U.S. notifies DSB that it will appeal the decision to the Appellate Body (04/08/14); China notifies DSB it will appeal the decision in this dispute (04/17/14) and the other two disputes (04/25/14). Appellate Body issues three reports in one document (08/07/14); DSB adopts Appellate Body and panel reports (08/29/14). China informs DSB that it intends to implement DSB's recommendations and rulings, and will need a reasonable period of time to do so (09/26/14). China and U.S. inform DSB they have agreed that the reasonable period of time will expire on May 2, 2015 (12/08/14). China informs DSB that the export duties and export quotas and restrictions on trading rights of exporting enterprises that were found to be inconsistent with WTO rules have been removed and that China has fully implemented DSB's recommendations and rulings; U.S. indicates it does not share China's assessment that China has fully complied (05/20/15). China and U.S. inform DSB of agreed procedures under Articles 21 and 22 of the DSU (05/21/15).</p>
DS436	United States—Countervailing Measures on Certain Hot-Rolled Carbon Steel Flat Products from India	India	<p>India requests consultations (04/12/12). Panel is established (08/31/12) and composed (02/18/13). Panel report is circulated (07/14/14). India notifies DSB that it will appeal the decision (08/08/14); U.S. files an appeal (08/13/14). Appellate Body issues its report (12/08/14); and DSB adopts the Appellate Body and panel reports (12/19/14). U.S. informs DSB that it intends to implement DSB's recommendations and rulings and will need a reasonable period of time to do so (01/16/15). India and U.S. inform DSB of agreed procedures under DSU Articles 21 and 22 for a reasonable period of time (05/06/16).</p>
DS437	United States—Countervailing Duty Measures on Certain Products from China	China	<p>China requests consultations (05/25/12). Panel is established (09/28/12) and composed (11/26/12). Panel report is circulated (07/14/14). China appeals the panel decision to the Appellate Body (08/22/14); U.S. files a cross-appeal of a preliminary determination by the panel (08/27/14). Appellate Body issues its report (12/18/14); DSB adopts Appellate Body and panel reports (01/16/15). U.S. informs DSB that it intends to implement DSB's recommendations and rulings and that it will need a reasonable period of time to do so (02/13/15). China requests that the reasonable period of time be determined through binding arbitration pursuant to Article 21.3(c) of the DSU (06/26/15). China requests the Director-General to appoint the arbitrator (07/09/15); the Director-General appoints the arbitrator (07/17/15). Award of the arbitrator is circulated to members. The arbitrator determines that the reasonable period of time expires on April 1, 2016 (10/09/15). China and U.S. inform DSB of agreed procedures under Articles 21 and 22 of the DSU (04/15/16). China requests DSU Article 21.5 consultations (05/13/16) and subsequently establishment of an Article 21.5 panel (07/08/16). Article 21.5 Panel is established (07/21/16) and composed (10/05/16).</p>
DS440	China—Anti-dumping and Countervailing Duties on Certain Automobiles from the United States	United States	<p>U.S. requests consultations (07/05/12). Panel is established (10/23/12) and composed (02/11/13). Panel report is circulated (05/23/14) and adopted by DSB (06/18/14).</p>

Case no.	Title	Complainant	Action (month/day/year)
DS444	Argentina—Measures Affecting the Importation of Goods	United States	U.S. requests consultations (08/21/12). Single panel is established to examine DS438, DS44, and DS445 (01/28/13); the panel is composed (05/27/13). Panel report is circulated (08/22/14). Argentina notifies DSB of its decision to appeal (09/26/14). Appellate Body issues its reports in DS438, DS444, and DS445 (01/15/15); DSB adopts the Appellate Body and panel reports (01/26/15). Argentina informs DSB that it intends to implement DSB's recommendations and rulings and that it will need a reasonable period of time to do so (02/23/15). Argentina and U.S. inform DSB that they have agreed that the reasonable period of time will expire on December 31, 2015 (07/02/15). U.S. and Argentina inform DSB of agreed procedures under Articles 21 and 22 of the DSU (01/18/16).
DS447	United States—Measures Affecting the Importation of Animals, Meat and Other Animal Products from Argentina	Argentina	Argentina requests consultations (08/30/12). Panel is established (01/28/13) and composed (08/08/13). Panel report is circulated to members (07/24/15). DSB adopts the panel report (08/31/15).
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 is deferred (12/17/12).
DS449	United States—Countervailing and Anti-dumping Measures on Certain Products from China	China	China requests consultations (09/17/12). Panel is established (12/17/12) and composed (03/04/13). Panel report is circulated (03/27/14). China notifies DSB it will appeal the decision to the Appellate Body (04/08/14); U.S. notifies DSB of its decision to appeal (04/17/14). Appellate Body issues its report (07/07/14), and DSB adopts the Appellate Body and panel reports (07/22/14); U.S. informs DSB it intends to implement DSB recommendations and rulings and will need a reasonable period of time to do so (08/21/14). China and U.S. inform DSB that they have agreed that the reasonable period of time would expire on July 22, 2015 (02/20/15). China and U.S. inform DSB that they have mutually agreed to modify the reasonable period time to expire on August 5, 2015 (07/23/15). China and U.S. inform DSB of agreed procedures under Articles 21 and 22 of the DSU (08/21/15).
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 is 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). Panel is established (05/23/14) and composed (09/24/14). Panel report is circulated to members (02/24/16). Panel chair informs DSB that it issued the final report to the parties on August 28, 2015, and that public circulation was originally scheduled for late December 2015; due to several requests from the parties, circulation has been delayed because of continuing discussions relating to the dispute (02/25/16). India notifies DSB of its decision to appeal to the Appellate Body certain issues of law and legal interpretation in the panel report (04/20/16). Appellate Body report circulated (09/16/16). DSB adopts the panel and Appellate Body reports (10/26/16).
DS464	United States—Anti-dumping and Countervailing Measures on Large Residential Washers from Korea	South Korea	South Korea requests consultations (08/29/13). Panel is established (01/22/14) and composed (06/20/14). Panel report is circulated to members (03/11/16). U.S. notifies DSB of its decision to appeal to the Appellate Body certain issues of law and legal interpretation in the panel report (04/19/16). Appellate Body report circulated (09/07/16). Appellate Body and panel reports adopted (09/26/16). South Korea requests arbitration of the reasonable period of time for implementation (12/09/16).

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 is established (03/26/14) and composed (08/28/14). Chair of panel informs DSB that the start of proceedings has been deferred due to unavailability of Secretariat lawyers, and that in light of amount and complexity of work involved, the panel expects to issue its final report in June 2016 (02/23/15). Panel report is circulated (10/19/16). China notifies DSB of its decision to appeal certain issues of law and legal interpretation in the panel report (11/18/16).
DS478	Indonesia—Importation of Horticultural Products, Animals and Animal Products	United States	U.S. requests consultations (05/08/14). U.S. requests establishment of a panel (03/18/15); panel established (05/20/15); panel composed (10/08/15). Panel report is circulated (12/22/16).
DS487	United States—Conditional Tax Incentives for Large Civil Aircraft	European Union	EU requests consultations (12/19/14). EU requests establishment of a panel (02/12/15); panel established (02/23/15); panel composed (04/13/15). Panel report is circulated (11/28/16). U.S. notifies DSB of its decision to appeal certain issues of law and legal interpretation in the panel report (12/16/16).
DS488	United States—Anti-dumping Measures on Certain Oil Country Tubular Goods from Korea	South Korea	South Korea requests consultations (12/22/14). South Korea requests establishment of a panel (02/23/15). DSB establishes panel (03/25/15). Parties agree on composition of the panel (07/13/15).
DS489	China—Measures Related to Demonstration Bases and Common Service Platforms Programmes	United States	U.S. requests consultations (02/11/15). U.S. requests establishment of a panel (04/09/15). DSB establishes a panel (04/22/15). China and U.S. inform DSB that they have reached an agreement in relation to the dispute in the form of a memorandum of understanding (04/14/16).
DS491	United States—Anti-dumping Measures and Countervailing Measures on Certain Coated Paper from Indonesia	Indonesia	Indonesia requests consultations (03/13/15). Indonesia requests establishment of a panel (07/09/15). DSB establishes a panel (09/28/15). Indonesia requests the Director-General to compose the panel (01/25/16); panel composed (02/04/16).
DS501	China—Tax Measures Concerning Certain Domestically Produced Aircraft	United States	U.S. requests consultations (12/08/15).
DS503	United States—Measures Concerning Non-Immigrant Visas	India	India requests consultations (03/03/16).
DS505	United States—Countervailing Measures on Supercalendered Paper from Canada	Canada	Canada requests consultations (03/30/16). Canada requests establishment of a panel (06/09/16). DSB establishes a panel (07/21/16).
DS508	China—Export Duties on Certain Raw Materials	United States	U.S. requests consultations (07/13/16). DSB establishes a panel (11/08/16).
DS510	U.S.—Certain Measures Relating to the Renewable Energy Sector	India	India requests consultations (09/09/16).
DS511	China—Domestic Support for Agricultural Producers	United States	U.S. requests consultations (09/13/16).
DS514	United States—Countervailing Measures on Cold- and Hot-Rolled Steel Flat Products from Brazil	Brazil	Brazil requests consultations (11/11/16).
DS515	United States—Measures Related to Price Comparison Methodologies	China	China requests consultations (12/12/16).
DS517	China—Tariff Rate Quotas for Certain Agricultural Products	United States	U.S. requests consultations (12/15/16).

Source: WTO, "Chronological List of Dispute Cases," https://www.wto.org/english/tratop_e/dispu_e/dispu_status_e.htm.

Table A.26 NAFTA Chapter 19 substantive challenges to original and five-year review determinations of USITC and USDOC, developments in 2016

File no.	Dispute	Action (month/day/year)
MEX-USA-2012-1904-01	Chicken Thighs and Legs from the United States (AD) (Investigating authority: Secretaría de Economía)	Request for panel review (09/03/12). Oral argument hearing date (08/25/15). Decision date (04/21/17). Status: Active.
MEX-USA-2012-1904-02	Ethylene Glycol Monobutyl Ether (AD) (Investigating authority: Secretaría de Economía)	Request for panel review (10/09/12). Oral argument hearing date (03/10/15). Decision date (11/26/15). Status: Active.
MEX-USA-2015-1904-01	Ammonium Sulfate from U.S. and China (AD) (investigating authority: Secretaría de Economía)	Request for panel review (11/06/15). Status: Active.
MEX-USA-2016-1904-01	Ethylene Glycol Monobutyl Ether (AD) (Investigating authority: Secretaría de Economía)	Request for panel review (06/24/2016). Status: Active.
USA-CDA-2015-1904-01	Supercalendered Paper from Canada (AD) (Investigating authority: International Trade Administration)	Request for panel review (11/18/15). Oral argument hearing date (10/25/16); Decision date (04/13/17). Status: Active.
USA-CDA-2015-1904-02	Supercalendered Paper from Canada (AD) (Investigating authority: U.S. International Trade Commission)	Request for panel review (12/30/15); request withdrawn (01/13/16). Status: Terminated.
USA-CDA-2016-1904-01	Polyethylene Terephthalate Resin from Canada (Investigating authority: U.S. International Trade Commission)	Request for panel review (06/06/16). Decision: complaint not filed in a timely manner (07/07/16). Status: Terminated.
USA-MEX-2014-1904-02	Steel Concrete Reinforcing Bar from Mexico and Turkey (AD) (Investigating authority: U.S. International Trade Commission)	Request for panel review (12/01/14). Oral argument hearing date (03/16/16). Decision date (02/02/17). Status: Completed.

Source: NAFTA Secretariat, "Status Report: NAFTA and FTA Dispute Settlement Proceedings," <http://www.nafta-sec-alena.org/en/StatusReport.aspx> (accessed June 6, 2017).

Note: This list includes active cases during 2016, including those in which little if any formal action occurred during 2016. AD stands for antidumping duty.

Table A.27 U.S. total exports to the EU, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
Million \$					
1	Agricultural products	14,828	14,142	13,329	-5.8
2	Forest products	5,274	5,339	5,119	-4.1
3	Chemicals and related products	59,105	62,915	60,634	-3.6
4	Energy-related products	23,938	16,753	14,544	-13.2
5	Textiles and apparel	2,600	2,612	2,563	-1.9
6	Footwear	105	89	88	-1.4
7	Minerals and metals	24,460	22,405	21,973	-1.9
8	Machinery	21,126	20,777	20,035	-3.6
9	Transportation equipment	56,791	59,713	63,880	7.0
10	Electronic products	49,449	48,382	47,854	-1.1
11	Miscellaneous manufactures	10,511	10,445	12,043	15.3
12	Special provisions	8,022	8,417	8,264	-1.8
Total		276,208	271,988	270,325	-0.6

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

Table A.28 U.S. general imports from the EU, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
Million \$					
1	Agricultural products	22,799	23,523	24,785	5.4
2	Forest products	4,974	5,121	5,337	4.2
3	Chemicals and related products	96,207	105,936	106,653	0.7
4	Energy-related products	22,336	14,271	12,067	-15.4
5	Textiles and apparel	6,229	6,068	5,687	-6.3
6	Footwear	2,092	2,054	2,054	0.0
7	Minerals and metals	32,715	30,020	27,204	-9.4
8	Machinery	47,764	46,092	44,147	-4.2
9	Transportation equipment	100,170	105,942	95,782	-9.6
10	Electronic products	45,290	44,970	48,570	8.0
11	Miscellaneous manufactures	17,890	19,262	18,787	-2.5
12	Special provisions	22,126	24,303	25,592	5.3
Total		420,591	427,562	416,665	-2.5

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

Table A.29 Leading U.S. total exports to the EU, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		Million \$			
8800.00	Civilian aircraft, engines, and parts	30,794	32,876	36,556	11.2
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages etc., and pharmaceutical goods), n.e.s.o.i.	10,485	11,319	10,039	-11.3
3002.10	Antisera, other blood fractions and immunological products	6,904	8,351	10,010	19.9
2710.19	Petroleum oils, oils from bituminous minerals (other than crude) and products containing by weight 70 percent or more of petroleum oils, not biodiesel or waste	15,440	10,499	7,595	-27.7
9701.10	Paintings, drawings and pastels, hand-executed works of art, framed or not framed	3,839	3,593	4,908	36.6
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	4,382	4,393	4,373	-0.5
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	3,293	3,670	3,983	8.5
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	3,554	3,692	3,961	7.3
8703.33	Passenger motor vehicles with compression-ignition internal combustion piston engine (diesel), cylinder capacity over 2,500 cc	3,754	3,855	3,870	0.4
7102.39	Diamonds, nonindustrial, worked, including polished or drilled	4,355	3,535	3,692	4.4
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	2,338	2,528	2,978	17.8
9018.39	Medical, etc. needles n.e.s.o.i., catheters, cannulae and the like; parts and accessories thereof	2,902	2,870	2,899	1.0
3822.00	Composite diagnostic or laboratory reagents, other than pharmaceutical preparations of heading 3002 or 3006	2,625	2,729	2,860	4.8
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	1,974	1,748	2,317	32.6
1201.90	Soybeans, other than seed	1,860	1,898	1,877	-1.1
2701.12	Bituminous coal, whether or not pulverized, but not agglomerated	3,818	2,464	1,683	-31.7
7113.19	Jewelry and parts thereof, of precious metal other than silver	1,597	1,541	1,642	6.6
0802.12	Almonds, fresh or dried, shelled	1,675	1,792	1,515	-15.4
8411.99	Parts of gas turbines, n.e.s.o.i. (other than parts for turbojets or turbopropellers)	1,300	1,186	1,497	26.2
2709.00	Petroleum oils and oils from bituminous minerals, crude	193	302	1,466	386.4
3002.20	Vaccines for human medicine	1,411	2,216	1,416	-36.1
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	992	1,230	1,402	14.0
9021.39	Artificial joints and parts and accessories thereof, n.e.s.o.i.	1,451	1,443	1,390	-3.7
8471.50	Digital processing units other than those of 8471.41 and 8471.49, n.e.s.o.i.	1,488	1,602	1,351	-15.7
9018.19	Electro-diagnostic apparatus (and apparatus for functional exploratory examination or for checking physiological parameters) n.e.s.o.i., and parts, etc.	1,481	1,381	1,319	-4.5
Total of items shown		113,902	112,712	116,599	3.4
All other products		162,306	159,276	153,727	-3.5
Total of all commodities		276,208	271,988	270,325	-0.6

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

Table A.30 Leading U.S. general imports from the EU, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		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	18,462	24,216	26,718	10.3
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages etc., and pharmaceutical goods), n.e.s.o.i.	18,759	23,433	25,121	7.2
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	18,371	17,934	13,518	-24.6
3002.10	Antisera, other blood fractions and immunological products	5,009	6,499	8,303	27.7
2710.12	Light oils and preparations containing by weight 70 percent or more of petroleum oils or oils from bituminous minerals, not containing biodiesel, not waste oils	12,981	9,023	7,641	-15.3
8411.91	Parts of turbojets or turbopropellers	7,323	7,561	6,949	-8.1
8802.40	Airplanes and other aircraft n.e.s.o.i., of an unladen weight exceeding 15,000 kg	6,642	7,259	5,476	-24.6
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.	3,738	4,535	5,370	18.4
9701.10	Paintings, drawings and pastels, hand-executed works of art, framed or not framed	4,931	6,759	5,236	-22.5
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	4,775	4,343	4,549	4.7
2934.99	Nucleic acids and their salts, whether or not chemically defined; other heterocyclic compounds, n.e.s.o.i.	4,852	7,245	4,343	-40.1
7102.39	Diamonds, nonindustrial, worked, including polished or drilled	4,107	4,062	3,672	-9.6
3002.20	Vaccines for human medicine	3,065	4,988	3,615	-27.5
3004.31	Medicaments, in measured doses, etc., containing insulin but not containing antibiotics	4,926	4,055	3,361	-17.1
8542.31	Processors and controllers, electronic integrated circuits	572	508	2,937	478.5
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	2,891	2,828	2,885	2.0
2935.00	Sulfonamides	2,038	2,609	2,885	10.6
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	2,544	2,447	2,878	17.6
2933.99	Heterocyclic compounds with nitrogen hetero-atom(s) only, n.e.s.o.i.	1,955	2,331	2,867	23.0
8411.12	Turbojets of a thrust exceeding 25 kN	4,169	3,598	2,602	-27.7
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	2,450	2,309	2,536	9.9
9021.39	Artificial joints and parts and accessories thereof, n.e.s.o.i.	2,428	2,469	2,479	0.4
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.	2,609	2,357	2,371	0.6
8407.34	Spark-ignition reciprocating piston engines for propulsion of vehicles except railway or tramway stock, over 1,000 cc cylinder capacity	3,001	2,976	2,343	-21.3
3302.10	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of these substances used in the food or drink industries	2,125	2,404	2,259	-6.0
Total of items shown		144,722	158,746	152,913	-3.7
All other products		275,869	268,815	263,752	-1.9
Total of all commodities		420,591	427,562	416,665	-2.5

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included; kN = kilonewtons.

Table A.31 U.S. total exports to China, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	25,735	21,687	22,923	5.7
2	Forest products	7,020	6,431	6,904	7.4
3	Chemicals and related products	14,727	14,360	14,437	0.5
4	Energy-related products	2,048	2,628	3,062	16.5
5	Textiles and apparel	1,274	1,010	892	-11.7
6	Footwear	56	81	90	10.5
7	Minerals and metals	10,931	8,002	7,347	-8.2
8	Machinery	10,104	10,024	9,621	-4.0
9	Transportation equipment	29,994	28,767	27,643	-3.9
10	Electronic products	19,882	21,171	20,958	-1.0
11	Miscellaneous manufactures	858	956	875	-8.4
12	Special provisions	992	955	1,023	7.1
Total		123,621	116,072	115,775	-0.3

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

Table A.32 U.S. general imports from China, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	7,008	6,801	6,724	-1.1
2	Forest products	8,875	9,512	9,568	0.6
3	Chemicals and related products	31,895	31,005	29,839	-3.8
4	Energy-related products	635	538	711	32.3
5	Textiles and apparel	47,220	48,892	45,221	-7.5
6	Footwear	17,065	17,276	14,820	-14.2
7	Minerals and metals	31,038	32,065	30,270	-5.6
8	Machinery	48,138	50,523	48,450	-4.1
9	Transportation equipment	21,560	23,929	24,255	1.4
10	Electronic products	186,700	189,254	180,413	-4.7
11	Miscellaneous manufactures	62,896	67,893	67,079	-1.2
12	Special provisions	5,454	5,558	5,462	-1.7
Total		468,484	483,245	462,813	-4.2

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

Table A.33 Leading U.S. total exports to China, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		Million \$			
8800.00	Civilian aircraft, engines, and parts	13,927	15,440	14,576	-5.6
1201.90	Soybeans, other than seed	14,476	10,523	14,204	35.0
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	7,237	6,606	6,959	5.3
8542.31	Processors and controllers, electronic integrated circuits	2,749	3,474	3,848	10.7
8486.20	Machines and apparatus for the manufacture of semiconductor devices or of electronic integrates circuits	1,136	1,423	1,764	24.0
8517.12	Telephones for cellular networks or for other wireless networks	1,094	1,317	1,558	18.3
7404.00	Copper waste and scrap	2,114	1,681	1,362	-19.0
4703.21	Chemical woodpulp, soda or sulfate, other than dissolving grades, semibleached or bleached, coniferous	830	850	1,062	24.9
8703.90	Passenger motor vehicles, n.e.s.o.i.	678	399	1,026	157.3
4707.10	Waste and scrap of unbleached kraft paper or paperboard or of corrugated paper or paperboard	1,024	1,091	1,023	-6.2
1007.90	Grain sorghum, other than seed	1,467	2,116	1,023	-51.6
7602.00	Aluminum waste and scrap	1,761	1,309	916	-30.0
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	840	720	878	21.9
4101.50	Whole hides and skins, of a weight exceeding 16 kg, or bovine/equine animals, whether or not dehaired or split	1,125	917	823	-10.3
2711.12	Propane, liquefied	285	912	821	-9.9
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	2,991	1,966	795	-59.5
8542.39	Electronic integrated circuits, n.e.s.o.i.	764	737	763	3.5
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	520	586	753	28.4
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages etc., and pharmaceutical goods), n.e.s.o.i.	713	835	722	-13.5
3002.10	Antisera, other blood fractions and immunological products	328	553	671	21.3
4403.20	Coniferous wood in the rough, whether or not stripped of bark or sapwood or roughly squared, not treated	866	523	616	17.8
9018.39	Medical, etc. needles n.e.s.o.i., catheters, cannulae and the like; parts and accessories thereof	379	469	586	25.0
4407.91	Oak wood, sawn or chipped lengthwise, sliced or peeled, whether or not planed etc., over 6 mm (.236 in.) thick	514	457	576	25.9
3822.00	Composite diagnostic or laboratory reagents, other than pharmaceutical preparations of heading 3002 or 3006	446	455	565	24.1
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.	520	529	563	6.5
	Total of items shown	58,785	55,886	58,452	4.6
	All other products	64,836	60,186	57,323	-4.8
	Total of all commodities	123,621	116,072	115,775	-0.3

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

Table A.34 Leading U.S. general imports from China, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		Million \$			
8517.12	Telephones for cellular networks or for other wireless networks	41,915	40,409	37,052	-8.3
8471.30	Portable automatic data processing machines, weight not more than 10 kg, consisting of at least a central processing unit, keyboard and a display	38,705	36,663	33,608	-8.3
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	13,288	16,862	18,892	12.0
9503.00	Tricycles, scooters, pedal cars and similar wheeled toys; dolls' carriages; dolls; other toys; etc.	10,319	11,533	12,006	4.1
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.	10,631	10,819	10,205	-5.7
8504.40	Electrical static converters; power supplies for adp machines or units of 8471	4,479	4,717	4,423	-6.2
9504.50	Video game consoles and machines, other than those of subheading 9504.30	4,537	4,690	3,546	-24.4
9401.61	Seats with wooden frames, upholstered, n.e.s.o.i.	2,953	3,355	3,452	2.9
8528.72	Reception apparatus for television, color, n.e.s.o.i.	4,190	4,362	3,359	-23.0
8528.59	Monitors, not incorporating television reception apparatus, n.e.s.o.i.	2,037	2,427	3,307	36.3
8471.50	Digital processing units other than those of 8471.41 and 8471.49, n.e.s.o.i.	2,901	3,230	3,256	0.8
8543.70	Electrical machines and apparatus, having individual functions, n.e.s.o.i.	2,373	2,938	3,236	10.1
8443.99	Parts and accessories of printers, copying machines and facsimile machines, n.e.s.o.i.	3,918	3,544	3,219	-9.2
9403.20	Metal furniture, n.e.s.o.i.	2,843	3,111	3,193	2.6
8523.51	Solid-state non-volatile semiconductor storage devices	2,083	2,702	3,003	11.1
9405.40	Electric lamps and lighting fittings, n.e.s.o.i.	2,466	2,616	2,949	12.7
4202.92	Container bags, boxes, cases and satchels n.e.s.o.i., with outer surface of sheeting of plastics or of textile materials	3,058	3,159	2,918	-7.7
6404.19	Footwear, with outer soles of rubber or plastics and uppers of textile materials, n.e.s.o.i.	2,525	2,870	2,781	-3.1
6402.99	Footwear, with outer soles and uppers of rubber or plastics n.e.s.o.i., not covering the ankle	3,494	3,365	2,777	-17.5
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	3,868	3,528	2,773	-21.4
6307.90	Made-up textile articles, n.e.s.o.i.	2,348	2,606	2,697	3.5
8471.70	Automatic data processing storage units, n.e.s.o.i.	3,598	3,167	2,632	-16.9
9403.60	Wooden furniture, n.e.s.o.i.	2,517	2,672	2,578	-3.5
8544.42	Electric conductors, for a voltage not exceeding 1000 v, fitted with connectors, n.e.s.o.i.	2,449	2,601	2,499	-3.9
8443.31	Machines which perform two or more of the functions of printing, copying or fax transmission, capable of connecting to an ADP machine or to a network	3,188	2,828	2,466	-12.8
	Total of items shown	176,683	180,775	172,827	-4.4
	All other products	291,801	302,470	289,986	-4.1
	Total of all commodities	468,484	483,245	462,813	-4.2

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included; adp = automatic data processing.

Table A.35 U.S. total exports to Canada, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	27,373	26,133	25,779	-1.4
2	Forest products	10,788	10,200	9,676	-5.1
3	Chemicals and related products	41,283	38,209	36,376	-4.8
4	Energy-related products	34,040	22,119	16,213	-26.7
5	Textiles and apparel	5,531	5,208	5,033	-3.4
6	Footwear	497	501	507	1.3
7	Minerals and metals	30,597	26,455	24,791	-6.3
8	Machinery	32,107	29,160	26,079	-10.6
9	Transportation equipment	78,094	74,233	72,846	-1.9
10	Electronic products	35,172	32,438	31,214	-3.8
11	Miscellaneous manufactures	9,903	8,853	8,415	-4.9
12	Special provisions	7,431	7,100	9,031	27.2
Total		312,817	280,609	265,961	-5.2

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

Table A.36 U.S. general imports from Canada, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	26,437	25,290	25,292	(^a)
2	Forest products	18,968	18,068	18,711	3.6
3	Chemicals and related products	33,518	32,211	29,694	-7.8
4	Energy-related products	117,928	70,772	55,053	-22.2
5	Textiles and apparel	2,303	2,243	2,184	-2.6
6	Footwear	59	73	50	-31.7
7	Minerals and metals	33,324	29,770	28,785	-3.3
8	Machinery	13,694	12,914	12,161	-5.8
9	Transportation equipment	74,538	73,888	73,607	-0.4
10	Electronic products	9,114	8,935	8,924	-0.1
11	Miscellaneous manufactures	4,528	5,251	5,538	5.5
12	Special provisions	14,866	16,741	18,068	7.9
Total		349,278	296,156	278,067	-6.1

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

^a Less than 0.05 percent.

Table A.37 Leading U.S. total exports to Canada, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		Million \$			
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	6,442	6,652	7,380	10.9
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	6,882	6,243	7,370	18.1
8800.00	Civilian aircraft, engines, and parts	7,478	8,285	7,352	-11.3
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	6,802	6,273	5,649	-10.0
2710.12	Light oils and preparations containing by weight 70 percent or more of petroleum oils or oils from bituminous minerals, not containing biodiesel, not waste oils	8,613	4,956	5,147	3.9
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	5,073	4,752	5,112	7.6
2709.00	Petroleum oils and oils from bituminous minerals, crude	11,543	8,104	4,631	-42.9
8407.34	Spark-ignition reciprocating piston engines for propulsion of vehicles except railway or tramway stock, over 1,000 cc cylinder capacity	3,047	3,005	3,893	29.5
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	2,825	2,758	2,803	1.6
2710.19	Petroleum oils, oils from bituminous minerals (other than crude) and products containing by weight 70 percent or more of petroleum oils, not biodiesel or waste	5,575	4,039	2,758	-31.7
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages etc., and pharmaceutical goods), n.e.s.o.i.	2,383	2,184	2,038	-6.7
8471.30	Portable automatic data processing machines, weight not more than 10 kg, consisting of at least a central processing unit, keyboard and a display	2,177	2,053	2,033	-1.0
8708.40	Gear boxes for motor vehicles	2,379	1,928	2,011	4.3
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	2,208	1,970	1,943	-1.4
8708.30	Brakes and servo-brakes; parts thereof	1,380	1,469	1,489	1.4
2711.21	Natural gas, gaseous	4,447	2,229	1,471	-34.0
8481.80	Taps, cocks, valves and similar appliances for pipes, vats or the like, including thermostatically controlled valves, n.e.s.o.i.	1,696	1,585	1,398	-11.8
8471.50	Digital processing units other than those of 8471.41 and 8471.49, n.e.s.o.i.	1,619	1,394	1,347	-3.4
8701.20	Road tractors for semi-trailers	2,048	1,969	1,269	-35.5
8708.94	Steering wheels, steering columns and steering boxes for motor vehicles	1,151	1,250	1,262	0.9
8517.12	Telephones for cellular networks or for other wireless networks	997	1,480	1,243	-16.0
8708.80	Suspension shock absorbers for motor vehicles	1,271	1,239	1,211	-2.3
8537.10	Boards, panels, consoles, etc. with electrical apparatus, for electric control or distribution of electricity, for a voltage not exceeding 1,000 v	1,326	1,206	1,196	-0.9
7606.12	Aluminum alloy rectangular (including square) plates, sheets and strip, over 0.2 mm thick	1,252	1,253	1,180	-5.8
9401.90	Parts of seats (except parts of medical, dentists', barbers' and similar seats), n.e.s.o.i.	1,089	1,148	1,159	0.9
Total of items shown		91,701	79,425	74,343	-6.4
All other products		221,116	201,184	191,617	-4.8
Total of all commodities		312,817	280,609	265,961	-5.2

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included; gvw = gross vehicle weight.

Table A.38 Leading U.S. general imports from Canada, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		Million \$			
2709.00	Petroleum oils and oils from bituminous minerals, crude	83,155	46,972	36,190	-23.0
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	23,964	21,072	21,848	3.7
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	18,628	21,044	21,518	2.3
2711.21	Natural gas, gaseous	12,615	6,834	5,942	-13.1
4407.10	Coniferous wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, etc., over 6 mm (.236 in.) thick	4,810	4,425	5,551	25.5
2710.12	Light oils and preparations containing by weight 70 percent or more of petroleum oils or oils from bituminous minerals, not containing biodiesel, not waste oils	5,729	4,749	3,755	-20.9
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	3,611	3,703	3,452	-6.8
2710.19	Petroleum oils, oils from bituminous minerals (other than crude) and products containing by weight 70 percent or more of petroleum oils, not biodiesel or waste	7,842	5,863	3,439	-41.3
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages etc., and pharmaceutical goods), n.e.s.o.i.	3,165	3,722	3,431	-7.8
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	3,266	2,618	3,057	16.8
8407.34	Spark-ignition reciprocating piston engines for propulsion of vehicles except railway or tramway stock, over 1,000 cc cylinder capacity	2,458	2,402	2,436	1.4
7601.10	Aluminum, not alloyed, unwrought	2,083	2,141	2,321	8.4
2716.00	Electrical energy	2,670	2,462	2,211	-10.2
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	2,203	1,988	2,029	2.1
7601.20	Aluminum alloys, unwrought	2,661	2,484	1,904	-23.3
3104.20	Potassium chloride	2,483	2,764	1,779	-35.6
3901.90	Polymers of ethylene n.e.s.o.i., in primary forms	2,150	1,884	1,766	-6.3
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	1,072	1,859	1,717	-7.6
8802.40	Airplanes and other aircraft n.e.s.o.i., of an unladen weight exceeding 15,000 kg	3,331	3,139	1,592	-49.3
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 confectionary	1,016	1,191	1,372	15.2
3901.20	Polyethylene having a specific gravity of 0.94 or more, in primary forms	1,445	1,404	1,345	-4.2
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	(^a)	90	1,317	1,368.6
4703.21	Chemical woodpulp, soda or sulfate, other than dissolving grades, semibleached or bleached, coniferous	1,518	1,396	1,239	-11.2
7118.90	Coin, n.e.s.o.i.	1,004	1,102	1,219	10.6
1514.19	Rapeseed or colza oil and their fractions, low erucic acid, not chemically modified, n.e.s.o.i.	1,040	1,050	1,208	15.1
	Total of items shown	193,920	148,357	133,639	-9.9
	All other products	155,358	147,799	144,428	-2.3
	Total of all commodities	349,278	296,156	278,067	-6.1

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

^a Less than \$500,000.

Table A.39 U.S. total exports to Mexico, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	20,087	18,298	18,520	1.2
2	Forest products	5,839	5,858	5,757	-1.7
3	Chemicals and related products	35,755	34,114	32,996	-3.3
4	Energy-related products	24,113	18,501	20,615	11.4
5	Textiles and apparel	5,732	5,997	5,442	-9.2
6	Footwear	120	134	97	-28.0
7	Minerals and metals	23,062	22,750	20,994	-7.7
8	Machinery	23,207	23,472	23,133	-1.4
9	Transportation equipment	41,359	42,259	39,954	-5.5
10	Electronic products	50,645	54,149	53,648	-0.9
11	Miscellaneous manufactures	3,018	3,080	3,042	-1.2
12	Special provisions	7,394	7,134	6,762	-5.2
	Total	240,331	235,745	230,959	-2.0

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

Table A.40 U.S. general imports from Mexico, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	21,218	23,008	24,896	8.2
2	Forest products	1,817	1,951	1,911	-2.1
3	Chemicals and related products	10,657	10,759	10,616	-1.3
4	Energy-related products	30,282	13,674	8,727	-36.2
5	Textiles and apparel	5,976	5,902	5,806	-1.6
6	Footwear	499	494	413	-16.3
7	Minerals and metals	19,505	18,108	18,107	(^a)
8	Machinery	29,062	30,101	29,923	-0.6
9	Transportation equipment	96,660	104,406	105,200	0.8
10	Electronic products	65,059	72,477	73,566	1.5
11	Miscellaneous manufactures	6,114	6,547	6,785	3.6
12	Special provisions	8,891	8,982	8,200	-8.7
	Total	295,739	296,408	294,151	-0.8

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

^a Less than 0.05 percent.

Table A.41 Leading U.S. total exports to Mexico, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		Million \$			
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.	10,453	10,661	10,867	1.9
2710.12	Light oils and preparations containing by weight 70 percent or more of petroleum oils or oils from bituminous minerals, not containing biodiesel, not waste oils	10,682	8,660	10,282	18.7
2710.19	Petroleum oils, oils from bituminous minerals (other than crude) and products containing by weight 70 percent or more of petroleum oils, not biodiesel or waste	7,803	5,674	5,977	5.3
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	3,538	4,992	3,671	-26.5
8542.31	Processors and controllers, electronic integrated circuits	2,360	2,771	3,311	19.5
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	3,246	3,237	3,120	-3.6
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	2,649	3,457	3,047	-11.9
8471.70	Automatic data processing storage units, n.e.s.o.i.	2,253	2,306	2,814	22.0
8800.00	Civilian aircraft, engines, and parts	2,821	3,125	2,670	-14.5
1005.90	Corn (maize), other than seed corn	2,282	2,325	2,603	12.0
8708.40	Gear boxes for motor vehicles	2,275	2,371	2,546	7.4
8408.20	Compression-ignition internal combustion piston engines (diesel or semi-diesel), for the propulsion of vehicles except railway or tramway stock	3,802	2,666	2,506	-6.0
8538.90	Parts for electrical apparatus for electrical circuits, boards, panels etc. For electric control or distribution of electricity, n.e.s.o.i.	2,322	2,431	2,468	1.5
3926.90	Articles of plastics, n.e.s.o.i.	2,389	2,405	2,378	-1.1
8542.39	Electronic integrated circuits, n.e.s.o.i.	2,004	1,828	2,106	15.2
2711.21	Natural gas, gaseous	2,875	2,173	2,036	-6.3
8528.71	Reception apparatus for television, not designed to incorporate a video display or screen	916	1,588	1,788	12.6
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.	1,804	1,810	1,787	-1.3
2603.00	Copper ores and concentrates	2,178	2,502	1,726	-31.0
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	1,920	1,628	1,704	4.7
8409.91	Parts for use with spark-ignition internal combustion piston engines (including rotary engines), n.e.s.o.i.	1,512	1,570	1,682	7.1
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	1,596	1,355	1,594	17.7
7326.90	Articles of iron or steel, n.e.s.o.i.	1,535	1,507	1,575	4.5
1201.90	Soybeans, other than seed	1,821	1,432	1,463	2.1
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	1,088	1,179	1,416	20.1
	Total of items shown	78,123	75,652	77,136	2.0
	All other products	162,208	160,093	153,823	-3.9
	Total of all commodities	240,331	235,745	230,959	-2.0

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

Table A.42 Leading U.S. general imports from Mexico, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		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	14,851	16,388	17,970	9.7
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	11,904	12,816	15,400	20.2
8471.50	Digital processing units other than those of 8471.41 and 8471.49, n.e.s.o.i.	10,604	13,445	15,166	12.8
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	7,280	10,178	11,067	8.7
8528.72	Reception apparatus for television, color, n.e.s.o.i.	10,801	11,053	8,720	-21.1
2709.00	Petroleum oils and oils from bituminous minerals, crude	27,740	12,487	7,583	-39.3
8544.30	Insulated ignition wiring sets and other wiring sets for vehicles, aircraft and ships	6,756	7,244	7,064	-2.5
9401.90	Parts of seats (except parts of medical, dentists', barbers' and similar seats), n.e.s.o.i.	5,785	6,388	6,613	3.5
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	4,378	4,747	4,992	5.2
8701.20	Road tractors for semi-trailers	6,810	7,997	4,756	-40.5
8537.10	Boards, panels, consoles, etc. with electrical apparatus, for electric control or distribution of electricity, for a voltage not exceeding 1,000 v	3,726	3,875	4,096	5.7
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	3,693	3,790	3,847	1.5
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	2,089	2,264	3,613	59.6
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	3,039	3,159	3,407	7.9
8407.34	Spark-ignition reciprocating piston engines for propulsion of vehicles except railway or tramway stock, over 1,000 cc cylinder capacity	2,785	2,702	3,306	22.3
8708.40	Gear boxes for motor vehicles	2,436	2,974	3,224	8.4
2203.00	Beer made from malt	2,458	2,729	3,103	13.7
8704.22	Motor vehicles for goods transport n.e.s.o.i., with compression-ignition internal combustion piston engine (diesel), gvw over 5 but not over 20 metric tons	4,019	3,394	3,070	-9.5
8418.10	Combined refrigerator-freezers fitted with separate external doors	2,527	2,823	2,968	5.2
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	2,778	2,672	2,921	9.3
8409.91	Parts for use with spark-ignition internal combustion piston engines (including rotary engines), n.e.s.o.i.	2,248	2,428	2,504	3.1
8708.95	Safety airbags with inflator system; parts thereof	1,972	2,312	2,406	4.1
8704.21	Motor vehicles for goods transport n.e.s.o.i., with compression-ignition internal combustion piston engine (diesel), gvw not over 5 metric tons	2,092	2,243	2,397	6.9
8708.94	Steering wheels, steering columns and steering boxes for motor vehicles	1,720	1,948	2,090	7.3
8415.90	Parts, n.e.s.o.i., of air conditioning machines	2,247	1,950	1,984	1.7
Total of items shown		146,735	144,007	144,267	0.2
All other products		149,004	152,401	149,884	-1.7
Total of all commodities		295,739	296,408	294,151	-0.8

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included; gvw = gross vehicle weight.

Table A.43 U.S. total exports to Japan, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	14,372	12,417	12,131	-2.3
2	Forest products	2,189	2,000	1,894	-5.3
3	Chemicals and related products	11,755	11,197	11,547	3.1
4	Energy-related products	2,965	2,022	2,629	30.0
5	Textiles and apparel	660	569	522	-8.3
6	Footwear	77	75	56	-24.3
7	Minerals and metals	3,861	3,587	3,399	-5.2
8	Machinery	4,341	4,795	4,315	-10.0
9	Transportation equipment	10,411	10,408	11,119	6.8
10	Electronic products	13,077	12,379	12,324	-0.4
11	Miscellaneous manufactures	1,946	1,839	2,172	18.1
12	Special provisions	1,223	1,155	1,156	^a
Total		66,876	62,443	63,264	1.3

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

^a Less than 0.05 percent.

Table A.44 U.S. general imports from Japan, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	782	828	917	10.8
2	Forest products	453	460	447	-2.9
3	Chemicals and related products	12,644	11,710	11,525	-1.6
4	Energy-related products	572	656	506	-22.9
5	Textiles and apparel	744	767	736	-4.0
6	Footwear	2	5	9	70.7
7	Minerals and metals	7,402	6,744	6,240	-7.5
8	Machinery	18,827	17,376	17,379	^a
9	Transportation equipment	65,209	66,103	68,656	3.9
10	Electronic products	22,906	21,676	21,255	-1.9
11	Miscellaneous manufactures	1,149	1,261	1,201	-4.8
12	Special provisions	3,815	3,776	3,331	-11.8
Total		134,505	131,364	132,202	0.6

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

^a Less than 0.05 percent.

Table A.45 Leading U.S. total exports to Japan, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014			2015			2016			% change 2015–16
		Million \$									
8800.00	Civilian aircraft, engines, and parts	6,503	6,385	6,879						7.7	
1005.90	Corn (maize), other than seed corn	2,696	2,034	2,110						3.7	
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages etc., and pharmaceutical goods), n.e.s.o.i.	2,243	2,017	2,038						1.0	
2711.12	Propane, liquefied	918	616	1,317						113.7	
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	1,205	1,169	1,227						5.0	
3002.10	Antisera, other blood fractions and immunological products	514	789	1,101						39.6	
1201.90	Soybeans, other than seed	1,004	1,048	1,001						-4.5	
0203.19	Meat of swine, n.e.s.o.i., fresh or chilled	996	898	974						8.4	
2804.61	Silicon, containing by weight not less than 99.99% of silicon	747	557	950						70.6	
2909.19	Acyclic ethers (excluding diethyl ether) and their halogenated, sulfonated, nitrated or nitrosated derivatives	855	720	912						26.6	
8486.20	Machines and apparatus for the manufacture of semiconductor devices or of electronic integrates circuits	779	1,204	847						-29.7	
0201.30	Meat of bovine animals, boneless, fresh or chilled	753	599	794						32.7	
7113.19	Jewelry and parts thereof, of precious metal other than silver	615	605	705						16.6	
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	746	677	692						2.2	
9018.39	Medical, etc. needles n.e.s.o.i., catheters, cannulae and the like; parts and accessories thereof	738	681	673						-1.2	
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	602	529	654						23.7	
1001.99	Wheat and meslin, not durum wheat, other than seed	915	747	609						-18.4	
0203.29	Meat of swine, n.e.s.o.i., frozen	840	575	483						-16.0	
8411.99	Parts of gas turbines, n.e.s.o.i. (other than parts for turbojets or turbopropellers)	245	344	451						31.1	
9021.39	Artificial joints and parts and accessories thereof, n.e.s.o.i.	531	535	435						-18.5	
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	502	476	435						-8.6	
3822.00	Composite diagnostic or laboratory reagents, other than pharmaceutical preparations of heading 3002 or 3006	450	397	414						4.3	
2701.12	Bituminous coal, whether or not pulverized, but not agglomerated	446	334	390						16.7	
8486.90	Machines and apparatus of a kind used for the manufacture of semiconductor boules or wafers, etc., parts and accessories	297	349	362						3.6	
4403.20	Coniferous wood in the rough, whether or not stripped of bark or sapwood or roughly squared, not treated	424	361	360						-0.4	
	Total of items shown	26,564	24,645	26,813						8.8	
	All other products	40,312	37,798	36,451						-3.6	
	Total of all commodities	66,876	62,443	63,264						1.3	

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

Table A.46 Leading U.S. general imports from Japan, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		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	20,474	22,457	26,340	17.3
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	12,145	11,912	10,555	-11.4
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	4,851	4,737	4,471	-5.6
8708.40	Gear boxes for motor vehicles	3,088	2,294	2,689	17.2
8443.99	Parts and accessories of printers, copying machines and facsimile machines, n.e.s.o.i.	2,988	2,877	2,598	-9.7
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	1,186	1,375	2,312	68.2
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	2,196	2,171	2,092	-3.7
8429.52	Mechanical shovels, excavators and shovel loaders with 360 degree revolving superstructure, self-propelled	2,055	2,032	1,942	-4.4
8411.91	Parts of turbojets or turbopropellers	1,870	1,912	1,815	-5.1
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages etc., and pharmaceutical goods), n.e.s.o.i.	408	926	1,391	50.3
8409.91	Parts for use with spark-ignition internal combustion piston engines (including rotary engines), n.e.s.o.i.	1,330	1,222	1,288	5.4
8486.20	Machines and apparatus for the manufacture of semiconductor devices or of electronic integrates circuits	1,520	898	1,195	33.1
8525.80	Television cameras, digital cameras and video camera recorders	1,066	1,033	1,031	-0.2
8486.90	Machines and apparatus of a kind used for the manufacture of semiconductor boules or wafers, etc., parts and accessories	902	837	887	5.9
9018.19	Electro-diagnostic apparatus (and apparatus for functional exploratory examination or for checking physiological parameters) n.e.s.o.i., and parts, etc.	878	940	871	-7.4
8429.51	Mechanical front-end shovel loaders, self-propelled	526	509	803	57.7
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	984	924	782	-15.3
8408.90	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines), n.e.s.o.i.	953	862	752	-12.8
8407.21	Outboard engines for marine propulsion	702	706	748	6.0
8479.89	Machines and mechanical appliances having individual functions, n.e.s.o.i.	587	506	741	46.5
8481.80	Taps, cocks, valves and similar appliances for pipes, vats or the like, including thermostatically controlled valves, n.e.s.o.i.	804	771	728	-5.6
8541.40	Photosensitive semiconductor devices, including photovoltaic cells; light-emitting diodes	596	663	696	4.9
8701.90	Tractors, n.e.s.o.i.	774	866	677	-21.7
8542.31	Processors and controllers, electronic integrated circuits	700	617	653	5.9
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	545	576	642	11.5
	Total of items shown	64,126	64,621	68,697	6.3
	All other products	70,379	66,743	63,505	-4.9
	Total of all commodities	134,505	131,364	132,202	0.6

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

Table A.47 U.S. total exports to South Korea, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	7,510	6,736	6,859	1.8
2	Forest products	890	828	792	-4.3
3	Chemicals and related products	7,419	6,892	6,491	-5.8
4	Energy-related products	2,144	1,379	1,726	25.2
5	Textiles and apparel	391	380	316	-16.9
6	Footwear	88	74	53	-28.0
7	Minerals and metals	3,696	3,214	2,554	-20.5
8	Machinery	6,817	6,231	5,611	-10.0
9	Transportation equipment	6,151	7,847	8,591	9.5
10	Electronic products	8,021	8,385	7,649	-8.8
11	Miscellaneous manufactures	811	823	988	20.0
12	Special provisions	686	657	638	-3.0
Total		44,625	43,446	42,266	-2.7

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

Table A.48 U.S. general imports from South Korea, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	673	739	810	9.6
2	Forest products	616	578	544	-6.0
3	Chemicals and related products	5,858	6,225	8,511	36.7
4	Energy-related products	3,067	2,922	2,266	-22.5
5	Textiles and apparel	1,331	1,326	1,272	-4.0
6	Footwear	18	22	27	24.0
7	Minerals and metals	7,717	6,910	5,309	-23.2
8	Machinery	7,111	7,579	7,082	-6.6
9	Transportation equipment	23,960	27,015	25,330	-6.2
10	Electronic products	17,379	16,167	16,568	2.5
11	Miscellaneous manufactures	821	895	968	8.1
12	Special provisions	1,128	1,380	1,244	-9.8
Total		69,680	71,759	69,932	-2.5

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

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

Table A.49 Leading U.S. total exports to South Korea, by HTS 6-digit subheading, 2014–16

HTS 6	Description	Million \$			% change 2015–16
		2014	2015	2016	
8800.00	Civilian aircraft, engines, and parts	1,999	3,946	3,506	-11.1
8542.31	Processors and controllers, electronic integrated circuits	2,579	2,750	2,094	-23.9
8486.20	Machines and apparatus for the manufacture of semiconductor devices or of electronic integrates circuits	2,181	1,928	1,911	-0.9
8802.12	Helicopters of an unladen weight exceeding 2,000 kg	0	0	1,084	(^a)
1005.90	Corn (maize), other than seed corn	1,056	655	870	32.8
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	401	602	741	23.2
8486.90	Machines and apparatus of a kind used for the manufacture of semiconductor boules or wafers, etc., parts and accessories	459	578	667	15.5
2711.12	Propane, liquefied	114	219	549	150.7
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	417	342	504	47.5
0202.30	Meat of bovine animals, boneless, frozen	335	325	418	28.8
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	175	247	374	51.5
0202.20	Meat of bovine animals, cuts with bone in (other than half or whole carcasses), frozen	365	290	368	26.8
2902.50	Styrene (vinylbenzene; phenylethylene)	275	135	365	170.2
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.	169	176	359	103.5
2106.90	Food preparations n.e.s.o.i.	255	290	356	22.9
8542.39	Electronic integrated circuits, n.e.s.o.i.	346	313	356	13.6
8703.33	Passenger motor vehicles with compression-ignition internal combustion piston engine (diesel), cylinder capacity over 2,500 cc	277	228	326	42.9
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages etc., and pharmaceutical goods), n.e.s.o.i.	700	481	302	-37.1
0203.29	Meat of swine, n.e.s.o.i., frozen	345	389	299	-23.4
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	248	259	290	12.0
2701.12	Bituminous coal, whether or not pulverized, but not agglomerated	376	238	287	20.8
2711.13	Butanes, liquefied	105	228	277	21.3
8411.91	Parts of turbojets or turbopropellers	223	299	257	-14.2
1001.99	Wheat and meslin, not durum wheat, other than seed	416	309	250	-19.0
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	156	158	248	56.8
	Total of items shown	13,969	15,387	17,061	10.9
	All other products	30,656	28,059	25,206	-10.2
	Total of all commodities	44,625	43,446	42,266	-2.7

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

^a Undefined.

Table A.50 Leading U.S. general imports from South Korea, by HTS 6-digit subheading, 2014–16

HTS 6	Description				% change
		2014	2015	2016	2015–16
		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	10,159	11,552	10,808	-6.4
8517.12	Telephones for cellular networks or for other wireless networks	6,524	6,394	6,287	-1.7
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	2,794	3,517	2,647	-24.7
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	1,527	2,077	2,443	17.6
3002.10	Antisera, other blood fractions and immunological products	37	197	2,353	1,093.7
2710.19	Petroleum oils, oils from bituminous minerals (other than crude) and products containing by weight 70 percent or more of petroleum oils, not biodiesel or waste	2,782	2,606	2,073	-20.5
8541.40	Photosensitive semiconductor devices, including photovoltaic cells; light-emitting diodes	304	641	1,358	111.9
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.	1,817	1,846	1,334	-27.7
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	1,273	1,296	1,302	0.5
8542.39	Electronic integrated circuits, n.e.s.o.i.	1,518	1,305	1,278	-2.1
4011.10	New pneumatic tires, of rubber, of a kind used on motor cars (including station wagons and racing cars)	939	1,109	1,069	-3.6
8418.10	Combined refrigerator-freezers fitted with separate external doors	993	1,031	1,045	1.3
8523.51	Solid-state non-volatile semiconductor storage devices	632	692	1,037	49.9
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	878	897	939	4.6
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	592	659	578	-12.3
2902.20	Benzene	816	612	563	-8.0
8708.40	Gear boxes for motor vehicles	402	503	496	-1.4
8708.94	Steering wheels, steering columns and steering boxes for motor vehicles	451	459	443	-3.6
8451.29	Drying machines (except centrifugal type) for textile yarns, fabrics or made up textile articles, with a dry linen capacity exceeding 10 kg	441	466	424	-8.9
8409.91	Parts for use with spark-ignition internal combustion piston engines (including rotary engines), n.e.s.o.i.	395	402	421	4.7
8542.31	Processors and controllers, electronic integrated circuits	396	372	372	-0.1
8701.90	Tractors, n.e.s.o.i.	284	363	361	-0.4
8517.62	Machines for the reception, conversion and transmission or regeneration of the voice, images or other data, including switching and routing apparatus	702	267	351	31.3
8517.70	Parts of telephone sets and other apparatus for the transmission or reception of voice, images or other data	584	281	342	21.8
4011.20	New pneumatic tires, of rubber, of a kind used on buses or trucks	292	283	333	17.6
Total of items shown		37,536	39,827	40,655	2.1
All other products		32,144	31,932	29,277	-8.3
Total of all commodities		69,680	71,759	69,932	-2.5

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

Table A.51 U.S. total exports to India, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	1,128	1,271	1,451	14.1
2	Forest products	902	713	706	-1.0
3	Chemicals and related products	3,142	3,304	3,352	1.4
4	Energy-related products	1,303	1,158	1,284	10.9
5	Textiles and apparel	178	183	206	12.9
6	Footwear	3	3	2	-52.3
7	Minerals and metals	6,129	7,610	7,844	3.1
8	Machinery	1,527	1,496	1,276	-14.7
9	Transportation equipment	3,735	2,152	1,997	-7.2
10	Electronic products	2,731	2,766	2,645	-4.4
11	Miscellaneous manufactures	398	414	554	33.8
12	Special provisions	326	382	373	-2.2
Total		21,501	21,452	21,689	1.1

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

Table A.52 U.S. general imports from India, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	4,444	3,849	3,515	-8.7
2	Forest products	206	223	251	12.8
3	Chemicals and related products	8,875	9,715	11,159	14.9
4	Energy-related products	4,622	2,672	2,370	-11.3
5	Textiles and apparel	7,383	7,951	7,952	^(a)
6	Footwear	349	468	503	7.5
7	Minerals and metals	11,084	10,857	11,431	5.3
8	Machinery	2,199	2,421	2,064	-14.8
9	Transportation equipment	1,899	2,032	1,883	-7.3
10	Electronic products	1,225	1,166	1,210	3.8
11	Miscellaneous manufactures	2,568	2,828	3,041	7.5
12	Special provisions	500	610	620	1.7
Total		45,355	44,792	45,998	2.7

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

^a Less than 0.05 percent.

Table A.53 Leading U.S. total exports to India, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		Million \$			
7102.39	Diamonds, nonindustrial, worked, including polished or drilled	3,724	3,745	4,802	28.2
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	1,104	2,294	1,726	-24.8
8800.00	Civilian aircraft, engines, and parts	1,424	773	965	24.9
0802.11	Almonds, fresh or dried, in shell	405	446	447	0.3
2713.11	Petroleum coke, not calcined	314	273	368	35.0
2701.12	Bituminous coal, whether or not pulverized, but not agglomerated	411	455	329	-27.6
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	376	371	287	-22.5
7113.19	Jewelry and parts thereof, of precious metal other than silver	237	250	286	14.4
5201.00	Cotton, not carded or combed	89	115	250	117.7
7204.49	Ferrous waste and scrap, n.e.s.o.i.	179	264	238	-9.6
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages etc., and pharmaceutical goods), n.e.s.o.i.	100	193	236	22.2
2707.99	Oils and products of the distillation of high temperature coal tar, n.e.s.o.i.; similar products which have a predominate (wt.) aromatic constituent, n.e.s.o.i.	328	208	216	3.9
3105.30	Diammonium hydrogenorthophosphate (diammonium phosphate)	278	287	182	-36.7
2207.10	Ethyl alcohol, undenatured, of an alcoholic strength by volume of 80% vol. or higher	78	73	173	137.5
4707.10	Waste and scrap of unbleached kraft paper or paperboard or of corrugated paper or paperboard	159	134	153	14.1
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	130	134	147	9.7
2809.20	Phosphoric acid and polyphosphoric acids	143	99	124	24.6
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.	30	12	123	888.0
8409.99	Parts for use with compression-ignition internal combustion piston engines, n.e.s.o.i.	99	140	113	-19.1
4703.21	Chemical woodpulp, soda or sulfate, other than dissolving grades, semibleached or bleached, coniferous	80	94	109	16.3
2711.11	Natural gas, liquefied	0	0	108	^(a)
8471.50	Digital processing units other than those of 8471.41 and 8471.49, n.e.s.o.i.	90	85	92	8.0
3822.00	Composite diagnostic or laboratory reagents, other than pharmaceutical preparations of heading 3002 or 3006	81	85	92	8.4
0713.10	Peas (<i>pisum sativum</i>), dried shelled, including seed	122	68	90	32.0
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.	104	78	88	13.3
Total of items shown		10,085	10,675	11,745	10.0
All other products		11,416	10,777	9,944	-7.7
Total of all commodities		21,501	21,452	21,689	1.1

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

^a Undefined.

Table A.54 Leading U.S. general imports from India, by HTS 6-digit subheading, 2014–16

HTS 6	Description	Million \$			% change 2015–16
		2014	2015	2016	
7102.39	Diamonds, nonindustrial, worked, including polished or drilled	7,590	7,370	8,620	17.0
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages etc., and pharmaceutical goods), n.e.s.o.i.	3,895	4,915	6,388	30.0
7113.19	Jewelry and parts thereof, of precious metal other than silver	1,196	1,310	1,508	15.1
2710.12	Light oils and preparations containing by weight 70 percent or more of petroleum oils or oils from bituminous minerals, not containing biodiesel, not waste oils	2,697	1,646	1,469	-10.7
0306.17	Shrimps and prawns, frozen, other than cold-water	1,272	1,189	1,394	17.2
2710.19	Petroleum oils, oils from bituminous minerals (other than crude) and products containing by weight 70 percent or more of petroleum oils, not biodiesel or waste	1,895	994	885	-11.0
6302.31	Bed linen (other than printed) of cotton, not knitted or crocheted	796	791	788	-0.4
6302.60	Toilet and kitchen linen of cotton terry toweling or similar cotton terry fabrics	628	694	699	0.8
3004.20	Medicaments, in measured doses, etc., containing antibiotics, n.e.s.o.i.	442	484	420	-13.3
6110.20	Sweaters, pullovers, sweatshirts, vests and similar articles of cotton, knitted or crocheted	403	414	406	-1.8
7113.11	Jewelry and parts thereof, of silver	351	345	321	-6.9
6206.30	Women's or girls' blouses, shirts and shirt-blouses of cotton, not knitted or crocheted	259	284	264	-7.2
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	188	244	244	0.1
6205.20	Men's or boys' shirts of cotton, not knitted or crocheted	218	239	237	-0.8
8701.90	Tractors, n.e.s.o.i.	210	325	235	-27.5
6206.40	Women's or girls' blouses, shirts and shirt-blouses of manmade fibers, not knitted or crocheted	166	210	235	11.9
3004.40	Medicaments, in measured doses, etc., containing alkaloids or derivatives thereof but not containing hormones and similar steroids or antibiotics	143	146	229	57.1
2934.99	Nucleic acids and their salts, whether or not chemically defined; other heterocyclic compounds, n.e.s.o.i.	141	171	218	27.3
6109.10	T-shirts, singlets, tank tops and similar garments of cotton, knitted or crocheted	188	229	205	-10.8
8708.30	Brakes and servo-brakes; parts thereof	230	227	202	-10.8
6105.10	Men's or boys' shirts of cotton, knitted or crocheted	178	186	191	2.5
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	184	208	191	-8.6
1302.32	Mucilages and thickeners, whether or not modified, derived from locust beans, locust bean seeds or guar seeds	1,190	583	178	-69.4
9403.60	Wooden furniture, n.e.s.o.i.	128	153	178	16.5
9404.90	Articles of bedding and similar furnishings (except mattresses and sleeping bags), fitted or stuffed etc., including quilts, pillows and cushions	129	153	178	16.1
	Total of items shown	24,717	23,510	25,881	10.1
	All other products	20,638	21,282	20,117	-5.5
	Total of all commodities	45,355	44,792	45,998	2.7

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

Table A.55 U.S. total exports to Taiwan, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
Million \$					
1	Agricultural products	3,617	3,278	3,330	1.6
2	Forest products	511	426	425	-0.3
3	Chemicals and related products	4,368	3,680	3,546	-3.7
4	Energy-related products	990	268	134	-49.9
5	Textiles and apparel	118	103	101	-1.9
6	Footwear	10	10	8	-19.1
7	Minerals and metals	1,970	1,287	1,281	-0.5
8	Machinery	4,540	5,101	5,527	8.3
9	Transportation equipment	3,506	3,501	3,744	6.9
10	Electronic products	5,687	5,962	6,605	10.8
11	Miscellaneous manufactures	849	1,821	866	-52.4
12	Special provisions	500	422	478	13.1
Total		26,667	25,860	26,045	0.7

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

Table A.56 U.S. general imports from Taiwan, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
Million \$					
1	Agricultural products	500	516	532	3.2
2	Forest products	216	242	243	0.7
3	Chemicals and related products	3,571	3,675	3,548	-3.4
4	Energy-related products	55	237	96	-59.8
5	Textiles and apparel	1,186	1,188	1,038	-12.6
6	Footwear	51	87	85	-2.6
7	Minerals and metals	5,762	5,823	5,138	-11.8
8	Machinery	4,389	4,435	4,153	-6.4
9	Transportation equipment	3,372	3,589	3,395	-5.4
10	Electronic products	17,342	16,331	16,452	0.7
11	Miscellaneous manufactures	2,911	3,253	3,069	-5.7
12	Special provisions	1,484	1,533	1,564	2.0
Total		40,839	40,908	39,313	-3.9

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

Table A.57 Leading U.S. total exports to Taiwan, by HTS 6-digit subheading, 2014–16

HTS 6	Description	Million \$			% change
		2014	2015	2016	2015–16
8800.00	Civilian aircraft, engines, and parts	1,922	2,552	2,937	15.1
8486.20	Machines and apparatus for the manufacture of semiconductor devices or of electronic integrates circuits	2,136	2,500	2,744	9.8
8542.31	Processors and controllers, electronic integrated circuits	599	843	1,557	84.7
8542.32	Memories, electronic integrated circuits	1,247	1,251	1,047	-16.3
8542.39	Electronic integrated circuits, n.e.s.o.i.	710	594	658	10.6
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.	528	1,519	635	-58.2
8486.90	Machines and apparatus of a kind used for the manufacture of semiconductor boules or wafers, etc., parts and accessories	542	611	621	1.6
1201.90	Soybeans, other than seed	722	577	586	1.4
1005.90	Corn (maize), other than seed corn	395	345	463	34.3
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	270	250	433	73.1
7204.49	Ferrous waste and scrap, n.e.s.o.i.	799	325	294	-9.7
8541.40	Photosensitive semiconductor devices, including photovoltaic cells; light-emitting diodes	28	270	264	-2.2
1001.99	Wheat and meslin, not durum wheat, other than seed	348	283	256	-9.4
2804.61	Silicon, containing by weight not less than 99.99% of silicon	178	154	254	65.3
8401.30	Fuel elements (cartridges), non-irradiated, for nuclear reactors, and parts thereof	63	68	244	258.6
9030.82	Instruments and apparatus w/a recording device designed to check or measure semiconductor wafers and devices(such as probe testers, resistivity checkers, logic analyzers)	110	160	219	36.9
0201.30	Meat of bovine animals, boneless, fresh or chilled	132	165	185	12.1
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.	161	107	183	71.2
8803.30	Parts of airplanes or helicopters, n.e.s.o.i.	493	170	171	0.7
0202.30	Meat of bovine animals, boneless, frozen	149	141	169	20.1
9030.90	Parts and accessories of instruments and apparatus for measuring, checking or detecting electrical quantities, or ionizing radiations, n.e.s.o.i.	164	156	169	8.4
9031.41	Optical instruments for inspecting semiconductor wafers or devices or for inspecting photomasks or reticles used in manufacturing semiconductor devices	284	257	159	-38.0
2106.90	Food preparations n.e.s.o.i.	148	156	157	0.8
8475.90	Parts of machines for assembling electric or electronic lamps, tubes, etc. in glass envelopes and for manufacturing or hot working glass or glassware	116	214	157	-26.5
8703.24	Passenger motor vehicles with spark-ignition internal combustion reciprocating piston engine, cylinder capacity over 3,000 cc	161	117	149	27.8
	Total of items shown	12,405	13,784	14,711	6.7
	All other products	14,263	12,076	11,334	-6.1
	Total of all commodities	26,667	25,860	26,045	0.7

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

Table A.58 Leading U.S. general imports from Taiwan, by HTS 6-digit subheading, 2014–16

HTS 6	Description	Million \$			% change 2015–16
		2014	2015	2016	
8542.39	Electronic integrated circuits, n.e.s.o.i.	1,383	1,389	1,480	6.5
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	1,000	1,114	1,455	30.7
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.	1,422	1,196	1,248	4.3
8542.31	Processors and controllers, electronic integrated circuits	993	1,001	1,206	20.5
8523.51	Solid-state non-volatile semiconductor storage devices	691	981	1,127	14.8
8517.12	Telephones for cellular networks or for other wireless networks	1,626	1,143	754	-34.0
8525.60	Transmission apparatus incorporating reception apparatus, for radio-broadcasting or television	60	692	720	4.2
8542.32	Memories, electronic integrated circuits	1,511	1,221	689	-43.6
8471.30	Portable automatic data processing machines, weight not more than 10 kg, consisting of at least a central processing unit, keyboard and a display	446	334	679	103.4
8525.80	Television cameras, digital cameras and video camera recorders	480	563	609	8.1
8512.20	Electrical lighting or visual signaling equipment, for use on cycles or motor vehicles, except for use on bicycles	557	616	587	-4.7
8526.91	Radio navigational aid apparatus	812	655	563	-14.1
7318.14	Self-tapping screws, threaded, of iron or steel	481	545	504	-7.5
8708.29	Parts and accessories of bodies (including cabs) for motor vehicles, n.e.s.o.i.	458	461	462	0.2
7318.15	Threaded screws and bolts n.e.s.o.i., with or without their nuts or washers, of iron or steel	516	531	445	-16.3
8712.00	Bicycles and other cycles (including delivery tricycles), not motorized	402	536	395	-26.3
9506.91	Articles and equipment for general physical exercise, gymnastics or athletics; n.e.s.o.i.; parts and accessories thereof	319	366	391	6.9
8541.40	Photosensitive semiconductor devices, including photovoltaic cells; light-emitting diodes	818	422	363	-14.0
8534.00	Printed circuits	372	372	359	-3.3
7318.16	Nuts, threaded, of iron or steel	361	374	330	-11.8
8481.80	Taps, cocks, valves and similar appliances for pipes, vats or the like, including thermostatically controlled valves, n.e.s.o.i.	369	365	308	-15.7
8504.40	Electrical static converters; power supplies for adp machines or units of 8471	298	316	299	-5.4
8708.10	Bumpers and parts thereof for motor vehicles	251	264	279	5.9
4011.10	New pneumatic tires, of rubber, of a kind used on motor cars (including station wagons and racing cars)	237	303	273	-10.1
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	284	296	262	-11.4
	Total of items shown	16,149	16,057	15,789	-1.7
	All other products	24,691	24,851	23,524	-5.3
	Total of all commodities	40,839	40,908	39,313	-3.9

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included; adp = automatic data processing.

Table A.59 U.S. total exports to Brazil, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	1,640	857	1,302	51.8
2	Forest products	403	361	339	-6.2
3	Chemicals and related products	10,340	8,530	7,370	-13.6
4	Energy-related products	7,579	3,955	5,099	28.9
5	Textiles and apparel	302	248	191	-23.1
6	Footwear	5	2	5	151.5
7	Minerals and metals	1,250	873	922	5.5
8	Machinery	3,956	2,875	2,125	-26.1
9	Transportation equipment	8,534	7,512	6,470	-13.9
10	Electronic products	7,254	5,553	5,540	-0.2
11	Miscellaneous manufactures	392	269	369	37.4
12	Special provisions	779	615	566	-8
Total		42,434	31,651	30,297	-4.3

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

Table A.60 U.S. general imports from Brazil, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	4,406	3,982	3,729	-6.3
2	Forest products	2,166	2,207	2,180	-1.2
3	Chemicals and related products	2,339	2,039	2,250	10.3
4	Energy-related products	6,367	4,546	2,718	-40.2
5	Textiles and apparel	131	142	131	-7.4
6	Footwear	208	203	235	16.2
7	Minerals and metals	6,235	5,295	4,601	-13.1
8	Machinery	998	783	814	3.9
9	Transportation equipment	4,254	4,781	5,063	5.9
10	Electronic products	275	318	337	5.8
11	Miscellaneous manufactures	384	482	499	3.7
12	Special provisions	2,257	2,691	3,617	34.4
Total		30,021	27,468	26,176	-4.7

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

Table A.61 U.S. total exports to Brazil, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		Million \$			
8800.00	Civilian aircraft, engines, and parts	4,730	4,581	4,433	-3.2
2710.19	Petroleum oils, oils from bituminous minerals (other than crude) and products containing by weight 70 percent or more of petroleum oils, not biodiesel or waste	4,298	1,912	2,964	55.0
2710.12	Light oils and preparations containing by weight 70 percent or more of petroleum oils or oils from bituminous minerals, not containing biodiesel, not waste oils	974	653	799	22.4
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages etc., and pharmaceutical goods), n.e.s.o.i.	845	636	618	-2.8
2701.12	Bituminous coal, whether or not pulverized, but not agglomerated	790	548	575	4.9
8517.62	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus	832	601	572	-4.8
8542.31	Processors and controllers, electronic integrated circuits	769	553	567	2.4
2207.10	Ethyl alcohol, undenatured, of an alcoholic strength by volume of 80% vol. or higher	263	236	426	80.7
2711.12	Propane, liquefied	929	403	392	-2.7
8802.60	Spacecraft (including satellites) and suborbital and spacecraft launch vehicles	0	0	331	^(a)
8708.99	Parts and accessories for motor vehicles, n.e.s.o.i.	231	298	326	9.2
1001.99	Wheat and meslin, not durum wheat, other than seed	745	108	316	193.6
3105.40	Ammonium dihydrogenorthophosphate (monoammonium phosphate) and mixtures thereof with diammonium hydrogenorthophosphate (diammonium phosphate)	281	303	310	2.3
3808.91	Insecticides, excluding those specified in subheading note 1 to chapter 38	534	357	290	-18.7
2815.12	Sodium hydroxide (caustic soda), in aqueous solution (soda lye or liquid soda)	277	259	280	7.9
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	324	323	251	-22.2
7318.15	Threaded screws and bolts n.e.s.o.i., with or without their nuts or washers, of iron or steel	45	53	245	363.3
3105.59	Mineral or chemical fertilizers containing the two fertilizing elements nitrogen and phosphorus, n.e.s.o.i.	181	188	242	28.5
8471.70	Automatic data processing storage units, n.e.s.o.i.	300	202	236	16.5
3901.90	Polymers of ethylene n.e.s.o.i., in primary forms	247	270	213	-20.9
2836.20	Disodium carbonate	169	214	205	-4.0
8471.50	Digital processing units other than those of 8471.41 and 8471.49, n.e.s.o.i.	186	154	200	29.7
9018.39	Medical, etc. needles n.e.s.o.i., catheters, cannulae and the like; parts and accessories thereof	217	196	183	-6.7
8537.10	Boards, panels, consoles, etc. with electrical apparatus, for electric control or distribution of electricity, for a voltage not exceeding 1,000 v	188	172	163	-5.0
3822.00	Composite diagnostic or laboratory reagents, other than pharmaceutical preparations of heading 3002 or 3006	183	183	156	-14.9
	Total of items shown	18,537	13,403	15,294	14.1
	All other products	23,898	18,248	15,003	-17.8
	Total of all commodities	42,434	31,651	30,297	-4.3

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

^a Undefined.

Table A.62 Leading U.S. general imports from Brazil, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014	2015	2016	% change
					2015–16
		Million \$			
8802.40	Airplanes and other aircraft n.e.s.o.i., of an unladen weight exceeding 15,000 kg	1,756	2,348	2,578	9.8
2709.00	Petroleum oils and oils from bituminous minerals, crude	5,152	3,698	2,191	-40.8
0901.11	Coffee, not roasted, not decaffeinated	1,265	1,267	1,007	-20.5
4703.29	Chemical woodpulp, soda or sulfate, other than dissolving grades, semibleached or bleached, nonconiferous	932	976	925	-5.2
7207.12	Semifinished products of iron or nonalloy steel, under 0.25% (wt.) Carbon, rectangular cross section, width not less than twice the thickness	1,553	1,089	702	-35.6
7108.12	Gold, nonmonetary, unwrought n.e.s.o.i. (other than powder)	168	153	599	292.1
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	308	482	556	15.3
6802.93	Worked monumental or building stone n.e.s.o.i., of granite	639	628	500	-20.4
7224.90	Semifinished products of alloy steel (other than stainless) n.e.s.o.i.	463	368	435	18.5
2207.10	Ethyl alcohol, undenatured, of an alcoholic strength by volume of 80% vol. or higher	492	487	418	-14.1
1602.50	Meat or meat offal of bovine animals, prepared or preserved, n.e.s.o.i.	218	306	287	-6.2
2401.20	Tobacco, partly or wholly stemmed/stripped	251	243	280	15.3
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	296	291	276	-5.1
2710.19	Petroleum oils, oils from bituminous minerals (other than crude) and products containing by weight 70 percent or more of petroleum oils, not biodiesel or waste	1,022	571	266	-53.4
8409.99	Parts for use with compression-ignition internal combustion piston engines, n.e.s.o.i.	333	349	238	-31.8
2710.12	Light oils and preparations containing by weight 70 percent or more of petroleum oils or oils from bituminous minerals, not containing biodiesel, not waste oils	100	198	218	9.7
7210.49	Flat-rolled iron or nonalloy steel products, not corrugated, 600 mm or more wide, plated or coated with zinc other than electrolytically	23	129	194	50.6
2009.11	Orange juice, frozen, whether or not sweetened	255	183	177	-2.9
7202.93	Ferroniobium	288	226	177	-21.7
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	3	171	6,062.2
7201.10	Nonalloy pig iron containing 0.5% (wt.) or less phosphorus, in primary forms	644	449	166	-62.9
8412.90	Parts for engines and motors, n.e.s.o.i.	196	173	159	-8.0
2804.69	Silicon, containing by weight less than 99.99% of silicon	214	137	156	13.9
8429.20	Graders and levelers, self-propelled	190	182	156	-14.2
6802.99	Worked monumental or building stone n.e.s.o.i., of stone n.e.s.o.i.	110	121	152	26.1
	Total of items shown	16,870	15,056	12,985	-13.8
	All other products	13,151	12,412	13,191	6.3
	Total of all commodities	30,021	27,468	26,176	-4.7

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

Table A.63 U.S. total exports to Cuba, by USITC digest sector, 2014–16

Sector	Description	2014	2015	2016	% change
					2015–16
		Million \$			
1	Agricultural products	285	148	221	48.7
2	Forest products	(^a)	(^a)	(^a)	-44.4
3	Chemicals and related products	7	22	14	-36.2
5	Textiles and apparel	(^a)	0	(^a)	(^b)
7	Minerals and metals	(^a)	0	(^a)	(^b)
8	Machinery	(^a)	(^a)	1	20,213.3
9	Transportation equipment	(^a)	(^a)	2	827.8
10	Electronic products	1	5	4	-16.6
11	Miscellaneous manufactures	(^a)	(^a)	(^a)	4,954.2
12	Special provisions	7	4	5	11.6
Total		299	180	247	37.2

Source: Compiled from official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 3, 2017).

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

^a Less than \$500,000.

^b Undefined.

Table A.64 U.S. total exports to Cuba, by HTS 6-digit subheading, 2014–16

HTS 6	Description	2014			2015			2016			% change 2015–16
		Million \$									
0207.14	Chicken cuts and edible offal (including livers) frozen	148	78	106						36.0	
1005.90	Corn (maize), other than seed corn	28	5	39						692.7	
2304.00	Soybean oilcake and other solid residues resulting from the extraction of soy bean oil, whether or not ground or in the form of pellets	67	44	36						-19.1	
1201.90	Soybeans, other than seed	31	10	19						82.9	
1507.90	Soybean oil, and its fractions, refined but not chemically modified	0	0	12						^(a)	
2835.26	Phosphates of calcium, except calcium hydrogenorthophosphate (dicalcium phosphate), n.e.s.o.i.	0	9	6						-36.9	
3808.93	Herbicides, antisprouting products and plant-growth regulators, excluding those specified in subheading note 1 to chapter 38	6	13	5						-56.6	
1905.31	Cookies (sweet biscuits)	0	0	4						^(a)	
1806.31	Chocolate and other cocoa preparations in blocks, slabs or bars, weighing 2 kg or less, filled	0	0	2						^(a)	
8800.00	Civilian aircraft, engines, and parts	0	^(b)	1						13,284.7	
3004.31	Medicaments, in measured doses, etc., containing insulin but not containing antibiotics	0	0	1						^(a)	
0207.12	Meat and edible offal of chickens, not cut in pieces, frozen	0	0	1						^(a)	
1806.90	Cocoa preparations, not in bulk form, n.e.s.o.i.	0	0	1						^(a)	
3004.90	Medicaments, in measured doses, etc. (excluding vaccines, etc., coated bandages etc., and pharmaceutical goods), n.e.s.o.i.	0	^(b)	1						663.0	
9018.12	Ultrasonic scanning apparatus	0	4	1						-79.6	
9018.19	Electro-diagnostic apparatus (and apparatus for functional exploratory examination or for checking physiological parameters) n.e.s.o.i., and parts, etc.	^(b)	^(b)	1						242.3	
9018.39	Medical, etc. needles n.e.s.o.i., catheters, cannulae and the like; parts and accessories thereof	^(b)	^(b)	1						228.4	
8512.10	Electrical lighting or visual signaling equipment for use on bicycles	0	0	1						^(a)	
2203.00	Beer made from malt	0	0	1						^(a)	
9018.90	Instruments and appliances for medical, surgical or veterinary sciences, n.e.s.o.i., and parts and accessories thereof	^(b)	^(b)	^(b)						13,045.3	
8537.10	Boards, panels, consoles, etc. with electrical apparatus, for electric control or distribution of electricity, for a voltage not exceeding 1,000 v	0	0	^(b)						^(a)	
3306.10	Dentifrices	0	0	^(b)						^(a)	
8414.80	Air pumps and air or other gas compressors, n.e.s.o.i.; ventilating or recycling hoods incorporating a fan, n.e.s.o.i.	0	0	^(b)						^(a)	
9402.90	Medical, surgical, dental or veterinary furniture (except dentists' chairs) and parts thereof	0	0	^(b)						^(a)	
2106.90	Food preparations n.e.s.o.i.	0	0	^(b)						^(a)	
	Total of items shown	280	163	240						47.2	
	All other products	19	17	7						-58.8	
	Total of all commodities	299	180	247						37.2	

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Excludes HTS chapters 98 and 99. Because of rounding, figures may not add up to totals shown. N.e.s.o.i. = not elsewhere specified or included.

^a Undefined.

^b Less than \$500,000.

Appendix B

Additional Tables Corresponding to Figures in the Report

Table B.1 U.S. trade balance in goods and services, 2002–16 (million dollars)

Year	Services	Goods
2002	67,991	-470,291
2003	62,339	-535,652
2004	69,194	-653,125
2005	80,430	-766,560
2006	83,704	-817,976
2007	123,160	-790,990
2008	133,561	-800,005
2009	136,843	-500,944
2010	166,196	-635,362
2011	201,122	-725,446
2012	209,424	-730,446
2013	242,893	-689,469
2014	265,904	-735,193
2015	263,448	-745,660
2016	250,601	-735,462

Source: USDOC, BEA, International Transactions, "Table 1.2: U.S. International Transactions, Expanded Detail," March 21, 2017, <http://www.bea.gov/international/>; official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed May 17, 2017).

Note: Corresponds to figure ES.1. Merchandise trade data are on a balance-of-payments basis.

Table B.2 U.S. goods and services trade with selected major bilateral trade partners, 2016

	Goods			Services		
	Exports	Imports	Total	Exports	Imports	Total
European Union	270,325	416,666	686,991	229,573	168,182	397,755
China	115,775	462,813	578,588	53,044	16,000	69,044
Canada	265,961	278,067	544,027	53,726	29,320	83,046
Mexico	230,959	294,151	525,110	30,567	23,347	53,914
Japan	63,264	132,202	195,466	44,023	27,357	71,380
South Korea	42,266	69,932	112,199	21,261	8,768	30,029
India	21,689	45,998	67,687	19,949	26,776	46,725
Taiwan	26,045	39,313	65,358	11,136	7,601	18,737
Brazil	30,297	26,176	56,473	24,760	6,742	31,502

Source: Official trade statistics of the U.S. Department of Commerce, accessible via the USITC DataWeb (accessed February 23, 2017); USDOC, BEA, Interactive data, International Transactions, Services, & IIP, International Transactions, Tables 1.2 and 1.3, March 21, 2017.

Note: Corresponds to figure ES.2.

Table B.3 U.S. real gross domestic product, percent change, 2012–16

Year	Real GDP % change
2012	2.2
2013	1.7
2014	2.4
2015	2.6
2016	1.6

Source: USDOC, BEA, National Data, "Table 1.1.1 Percent Change from Preceding Period in Real Gross Domestic Product" April 28, 2017.

Note: Corresponds to figure 1.1.

Table B.4 Economic growth trends in the world, the United States, and selected economies, 2014–16
(percent)

Countries	2014	2015	2016
World	3.4	3.4	3.1
United States	1.9	2.6	1.6
European Union	1.6	2.4	2.0
China	7.3	6.9	6.7
Canada	2.5	0.9	1.4
Mexico	2.2	2.6	2.3
Japan	0.0	1.2	1.0
South Korea	3.3	2.8	2.8
India	7.2	7.9	6.8
Brazil	0.1	-3.8	-3.6

Source: IMF, *World Economic Outlook*, April 2017, 3; IMF, *World Economic Outlook*, October 2016, 3; EIU, "Country Report: South Korea," May 2017, 7.

Note: Corresponds to figure 1.2.

Table B.5 U.S. merchandise trade with selected major trading partners and the world, 2012–16

Country/region	Trade flow	2012	2013	2014	2015	2016
Billion \$						
European Union						
	Total exports	265.7	262.1	276.2	272.0	270.3
	General imports	382.2	387.5	420.6	427.6	416.7
	Merchandise trade balance	-116.5	-125.4	-144.4	-155.6	-146.3
China						
	Total exports	110.5	121.7	123.6	116.1	115.8
	General imports	425.6	440.4	468.5	483.2	462.8
	Merchandise trade balance	-315.1	-318.7	-344.9	-367.2	-347.0
Canada						
	Total exports	292.7	300.8	312.8	280.6	266.0
	General imports	324.3	332.5	349.3	296.2	278.1
	Merchandise trade balance	-31.6	-31.7	-36.5	-15.5	-12.1
Mexico						
	Total exports	215.9	226.0	240.3	235.7	231.0
	General imports	277.6	280.6	295.7	296.4	294.2
	Merchandise trade balance	-61.7	-54.6	-55.4	-60.7	-63.2
Japan						
	Total exports	70.0	65.2	66.9	62.4	63.3
	General imports	146.4	138.6	134.5	131.4	132.2
	Merchandise trade balance	-76.5	-73.3	-67.6	-68.9	-68.9
South Korea						
	Total exports	42.3	41.6	44.6	43.4	42.3
	General imports	58.9	62.4	69.7	71.8	69.9
	Merchandise trade balance	-16.6	-20.7	-25.1	-28.3	-27.7
India						
	Total exports	22.1	21.8	21.5	21.5	21.7
	General imports	40.5	41.8	45.4	44.8	46.0
	Merchandise trade balance	-18.4	-20.0	-23.9	-23.3	-24.3
Taiwan						
	Total exports	24.3	25.5	26.7	25.9	26.0
	General imports	38.9	37.9	40.8	40.9	39.3
	Merchandise trade balance	-14.5	-12.4	-14.2	-15.0	-13.3
Brazil						
	Total exports	43.8	44.1	42.4	31.7	30.3
	General imports	32.1	27.5	30.0	27.5	26.2
	Merchandise trade balance	11.6	16.6	12.4	4.2	4.1
Cuba						
	Total exports	464.5	359.6	299.1	180.2	247.2
	General imports	0.1	0.0	0.0	0.0	0.0
	Merchandise trade balance	464.4	359.6	299.1	180.2	247.2
World						
	Total exports	1,545.8	1,578.5	1,621.2	1,502.6	1,453.7
	General imports	2,276.3	2,268.0	2,356.4	2,248.2	2,189.2
	Merchandise trade balance	-730.4	-689.5	-735.2	-745.7	-735.5

Source: Official trade statistics of the U.S. Department of Commerce (USDOC), accessible via the USITC DataWeb (accessed February 23, 2017).

Note: Corresponds to figures 1.4, 6.1, 6.3, 6.5, 6.7, 6.9, 6.11, 6.13, 6.15, 6.17, and 6.19.

Table B.6 U.S. merchandise trade with selected major trading partners and the world, 2016

Major trading partner	U.S. total	U.S. general	Share of total	Share of total
	exports	imports	exports	imports
	Million \$		Percent	
European Union	270,325	416,665	18.6	19.0
China	115,775	462,813	8.0	21.1
Canada	265,961	278,067	18.3	12.7
Mexico	230,959	294,151	15.9	13.4
Japan	63,264	132,202	4.4	6.0
South Korea	42,266	69,932	2.9	3.2
India	21,689	45,998	1.5	2.1
Taiwan	26,045	39,313	1.8	1.8
Brazil	30,297	26,176	2.1	1.2
All others	432,377	481,973	29.7	22.0
World	1,453,721	2,189,183		

Source: Official trade statistics of the U.S. Department of Commerce (USDOC), accessible via the USITC DataWeb (accessed April 12, 2017).

Note: Because of rounding, figures may not add up to 100 percent. Corresponds to figures 1.5 and 1.6.

Table B.7 U.S. private cross-border services trade with selected major trading partners and the world, 2012–16

Country/region	Trade flow	2012	2013	2014	2015	2016
		Billion \$				
European Union						
	Exports	197.8	202.8	220.0	225.4	229.6
	Imports	146.5	151.5	160.7	164.9	168.2
	Trade balance	51.3	51.3	59.2	60.5	61.4
China						
	Exports	32.8	37.2	44.1	47.9	53.0
	Imports	13.0	13.8	13.9	15.0	16.0
	Trade balance	19.8	23.3	30.2	32.9	37.0
Canada						
	Exports	61.6	62.5	61.7	56.1	53.7
	Imports	30.8	30.5	30.0	28.7	29.3
	Trade balance	30.8	31.9	31.7	27.4	24.4
Mexico						
	Exports	27.8	29.5	29.9	31.1	30.6
	Imports	15.3	17.1	19.8	21.8	23.3
	Trade balance	12.5	12.3	10.1	9.3	7.2
Japan						
	Exports	46.1	45.2	46.2	43.8	44.0
	Imports	24.5	27.6	28.2	26.3	27.4
	Trade balance	21.6	17.6	18.0	17.5	16.7
South Korea						
	Exports	17.9	20.7	20.0	20.2	21.3
	Imports	8.1	8.1	8.2	8.8	8.8
	Trade balance	9.8	12.5	11.8	11.4	12.5
India						
	Exports	12.1	13.1	14.7	17.7	19.9
	Imports	18.7	20.3	22.3	24.7	26.8
	Trade balance	-6.6	-7.3	-7.6	-6.9	-6.8
Taiwan						
	Exports	11.3	11.4	12.2	11.9	11.1
	Imports	6.9	7.0	7.2	7.6	7.6
	Trade balance	4.4	4.4	4.9	4.3	3.5
Brazil						
	Exports	24.9	26.6	28.5	28.0	24.8
	Imports	7.4	7.6	8.2	7.8	6.7
	Trade balance	17.4	19.0	20.3	20.2	18.0
World						
	Exports	633.6	678.6	722.9	730.6	732.6
	Imports	424.2	435.7	457.0	467.1	482.0
	Trade balance	209.4	242.9	265.9	263.4	250.6

Source: USDOC, BEA, Interactive data, International Transactions, Services, & IIP, International Transactions, "Table 1.2 U.S. International Trade in Services," March 21, 2017.

Note: Data for 2016 are preliminary. Corresponds to figures 1.7, 6.2, 6.4, 6.6, 6.8, 6.10, 6.12, 6.14, 6.16, and 6.18.

Table B.8 U.S. private services trade with major trading partners and the world, 2016

Major trading partners	U.S. exports	U.S. imports	Share of U.S.	Share of U.S.
			exports	imports
	Million \$		Percent	
European Union	229,573	168,182	31.3	34.9
Canada	53,726	29,320	7.3	6.1
Japan	44,023	27,357	6.0	5.7
China	53,044	16,000	7.2	3.3
Mexico	30,567	23,347	4.2	4.8
India	19,949	26,776	2.7	5.6
Brazil	24,760	6,742	3.4	1.4
South Korea	21,261	8,768	2.9	1.8
Australia	21,756	7,398	3.0	1.5
All others	233,893	168,061	31.9	34.9
World	732,552	481,951		

Source: USDOC, BEA, Interactive data, International Transactions, Services, & IIP, International Transactions, "Tables 1.2 and 1.3, U.S. International Trade in Services," March 21, 2017.

Note: Because of rounding, figures may not add to 100 percent. 2016 data are preliminary. Corresponds to figures 1.8 and 1.9.

Table B.9 TAA petitions certified, by industry sector, FY 2016

Industry sectors	Petitions	Share of petitions (%)
Manufacturing	673	56.5
Professional, scientific, and technical services	147	12.3
Information	77	6.5
Finance and insurance	76	6.4
Administrative support and waste management and remediation services	65	5.5
Wholesale trade	46	3.9
Transportation and warehousing	33	2.8
Retail Trade	15	1.3
Other	60	5.0

Source: USDOL, ETA, email message to USITC staff, February 28, 2017.

Note: Other includes all industry sectors where fewer than 15 petitions were certified in FY 2016. Corresponds to figure 2.1.