

ENFORCEMENT

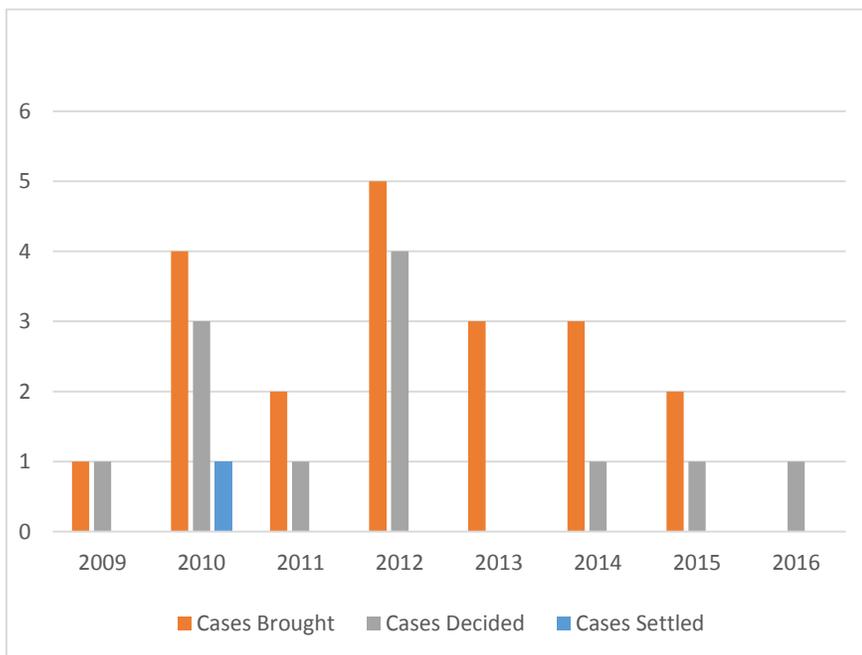
A Top Priority for U.S. Trade Policy—Creating and Sustaining Jobs and Economic Opportunities

HIGHLIGHTS

President Obama has made trade enforcement a top priority for U.S. trade policy. The Administration has worked to hold trading partners to account for trade agreement obligations and has vigorously enforced the rules-based trading system to stand up for American workers, families, farmers and businesses.

- **20 WTO Complaints** since 2009
- **Nearly Doubled Rate of Cases Against China** – Nearly 2 per year compared to 1
- **First-ever Labor Rights case**
- **Focus on Opening Large, Strategic Markets** – China, India, Indonesia, Argentina, EU
- **Winning, Leveling the Playing Field in Key Sectors** – Aircraft; Rare Earths; Wind, Solar, Green technologies; Services; SPS and Agricultural Barriers
- **Billions of Dollars of Opportunity for U.S. exporters** – Seek to open/preserve major export markets – China autos (China dropped AD/CVDs on \$5+ billion in exports), India solar (\$1 billion), China poultry (\$1 billion, industry est.), or end unfair trade practices, such as billions of dollars in subsidies to U.S. competitors (\$18 billion (Airbus), \$1 billion (auto export bases)) and unfair import restrictions (Argentina (licensing on nearly \$11 billion in annual exports), India Poultry / AI (\$300 million annual exports, industry est.), Indonesia horticultural products (\$150 million annual export affected) and beef (\$30 million)
- **Strong Defense of U.S. Trade Remedy Cases**
- **First-ever WTO victory defending a U.S. safeguard** upholding President Obama’s decision to impose tariffs on Chinese tires under section 421

The Record

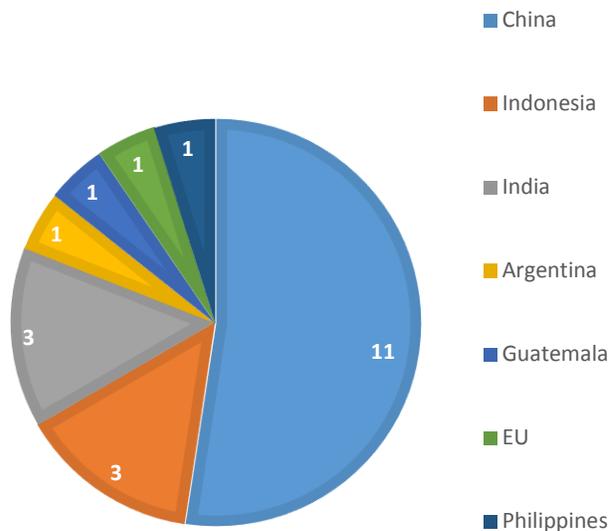


WTO Cases brought by the USA year by year

▪ **20 WTO Complaints** since 2009. Of those, we **prevailed in every case decided so far—12 complaints through litigation and 1 complaint settled favorably.**

• **Nearly Doubled Rate of Cases Against China.** In a time of scarce resources, the Administration in the first term alone nearly doubled the rate of cases brought against China, winning all of those decided to date: *Export Restraints on Raw Materials; GOES AD/CVD; Electronic Payment Services (EPS); Broiler Products (Poultry) AD/CVD; Autos AD/CVD; Export Restraints on Rare Earths;* plus settling one successfully: *Wind Power Prohibited Subsidies.*

• **First-ever Labor Rights Cases.** Filed the first labor rights case against Guatemala under CAFTA.



Countries Against Whom the USA has brought Cases Under WTO and CAFTA

• **Cases Involve Large, Strategic Markets to U.S. Exporters.** Since 2009, U.S. has focused on key, strategic markets: China (9 complaints); India and Indonesia (3 complaints each); and the EU; Argentina; and the Philippines (1 each).

- The Obama Administration focuses heavily in areas important to **small and medium sized businesses**:
 - China auto parts and China autos and auto parts exports bases disputes;
 - Setting up ITEC to perform research and support for case development;
 - Tackling SPS and TBT barriers often especially hard for SMEs to surmount, with the SPS and TBT focus in annual reports, and targeted negotiations and litigation over matters such as discriminatory medical device regulations in China, avian influenza ban on poultry products in India, import licensing restrictions in Argentina and Indonesia, and other matters.

- **US leverages resources** by collaborating in a substantial number of cases with co-complainants such as the EU (China-Raw Materials, China-Rare Earths, Argentina-Import Licensing), Japan (China-Rare Earths, Argentina-Import Licensing), and New Zealand (Indonesia-Import Licensing).
- **Lumber.** The U.S. has also ensured implementation of 2 lumber cases under the U.S.-Canada Softwood Lumber Agreement and pursued a third on British Columbia’s pricing practices.

20 Offensive WTO Complaints, by Name:

11 China Complaints (including compliance)	9 Other Complaints (including compliance)
China – Value Added Tax (2015)	Indonesia – Import Licensing III (2014)
China – Demonstration Base / CSP Export Subsidies (2015)	
China – GOES AD/CVD compliance (2014)	India – Solar Local Content II (2014)
China – Export Bases for Automobile and Automobile Parts (2012)	Indonesia – Import Licensing II (2013)
China – Autos AD / CVD Determinations (2012)	India – Solar Local Content (2013)
China – Export Restraints on Raw Materials II (“Rare Earths”) (2012)	Indonesia – Import Licensing I (2013)
China – Broiler Products AD / CVD Determinations (2011)	Argentina – Import Licensing (2012)
China – Wind Power Equipment Prohibited Subsidies (2010)	India – Poultry SPS (Avian Influenza) (2012)
China – GOES AD / CVD Determinations (2010)	EU – Large Civil Aircraft (“Airbus”) compliance (2011)
China – Electronic Payment Services (2010)	Philippines – Taxes on Distilled Spirits (2010)
China – Export Restraints on Raw Materials (2009)	