

EXECUTIVE OFFICE OF THE PRESIDENT  
THE UNITED STATES TRADE REPRESENTATIVE  
WASHINGTON, D.C. 20508

The Honorable Sander Levin  
Ranking Member  
Committee on Ways and Means  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Levin:

I am pleased to transmit to you the *Report on Proposals Advanced in Negotiations on a Trans-Pacific Partnership Agreement That May Require Amendments to U.S. Trade Remedy Laws*. The Report presents the proposals that the participants in the negotiations for a Trans-Pacific Partnership (TPP) Agreement have put forward and the proposal that TPP countries are considering and that may be in the final TPP Agreement. As in prior agreements, we believe that implementation of the trade remedy provisions in the TPP Agreement will not require amendments to Title VII of the Tariff Act of 1930 or substantive amendments to chapter 1 of title II of the Trade Act of 1974, i.e., section 201.

The use of trade remedies is an essential tool to ensure fair competition in the U.S. market. Such remedies are specifically authorized under the World Trade Organization (WTO) rules, which recognize that unfair trading practices that are inconsistent with WTO rules undermine the international trading system, including through the express condemnation of injurious dumping in Article VI of the General Agreement on Tariffs and Trade.

The Obama Administration has demonstrated an unparalleled commitment to the application of trade remedies consistent with the rules of the WTO, from the application of section 421, to the overall fair, vigorous and transparent administration of the antidumping and countervailing duty laws. We have also devoted unparalleled resources and effort to the defense of U.S. trade remedy measures in the WTO, when those measures are challenged in specific cases. Further, we have taken positions supporting strong trade remedy measures in multilateral negotiating contexts, such as the Doha Round in the WTO, the forum in which trade remedy negotiations have historically been conducted. We will continue to advance these positions actively in all of these forums.

This Administration has also taken strong steps to ensure that other countries live up to their WTO commitments. In that regard, a critical ongoing challenge is ensuring that U.S. exporters facing the application of trade remedy measures by other countries are provided procedural due process and transparency, using as guideposts the strong standards of the U.S. Department of Commerce and the U.S. International Trade Commission. The United States, under both Republican and Democratic Administrations, pressed for the best possible procedural due process and transparency standards in the Uruguay Round negotiations --- with substantial success. In fact, these U.S. proposals were adopted largely as systemic improvements that inured to the benefit of all parties and not associated with the interests of one party or other.

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The Administration considers that it is in the best interests of the United States to ensure that those standards are properly reflected in the law and practices of our trading partners and that, as possible and appropriate, we work to raise those standards so that they reflect as much as possible the strong U.S. traditions in this area. It is in furtherance of these goals that we have negotiated the TPP.

As we move towards concluding the negotiations on the TPP Agreement, I look forward to continuing our close, collaborative work on this Agreement and other elements of the trade agenda.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Froman", with a long, sweeping horizontal line extending to the right.

Ambassador Michael B. G. Froman

Enclosure