

# **Executive Office of the President**



## ***Office of the United States Trade Representative***

**Fiscal Year 2023 Budget**

**Executive Office of the President**  
**Office of the United States Trade Representative**

**Salaries and Expenses**

**Resource Estimates Fiscal Year 2023**

**Congressional Budget Justification**

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# FY 2023 BUDGET JUSTIFICATION SUMMARY

## Mission Statement and Background

The Office of the United States Trade Representative (USTR) is responsible for developing and coordinating United States (U.S.) policies with regard to international trade, commodities, and direct investment to the extent it involves international trade. The agency also oversees all trade negotiations with other countries and monitors and enforces U.S. rights under our trade agreements. The head of USTR has Cabinet-rank status and serves as the President's principal trade advisor, negotiator, and spokesperson on trade issues.

## Overview

For Fiscal Year (FY) 2023, the funding requirement for the Office of the United States Trade Representative is **\$76.54** million, supporting a full-time equivalent (FTE) level of 283. This topline includes **\$61.54** million available directly to USTR and \$15.0 million allocated through the Trade Enforcement Trust Fund (TETF). This request is **\$6.54** million above the **FY 2022 Annualized CR level**. The proposed staffing level for FY 2023 of 283 is an increase of **nine (9)** FTEs above the **FY 2022 Annualized CR estimate of 274 FTE**.

USTR's appropriation must enable USTR to harness U.S. trade relationships to help the Administration revitalize the economy. Trade is a critical pillar of our ability to build back better and carry out our Foreign Policy for the Middle Class. President Biden's approach to trade includes investing in American workers to make them more competitive, ensuring that labor and environmental interests are represented in new trade negotiations, and rebuilding frayed trade and security relationships with allies. U.S. workers are at the center of the Administration's trade policy that will strive to get results for American families. Two main trade concerns for President Biden are confronting China and ensuring the U.S.-Mexico-Canada Agreement lives up to its promising potential.

The power of our trade relationships will be employed to help communities lift themselves out of the current crisis. Trade is a means to create more hope and opportunity for people. It only succeeds when the humanity and dignity of every American -- and of all people -- lie at the heart of the President's approach to trade policy. Effective trade policy requires a keen understanding of the threats of climate change to trade as well as the need to address the climate crisis with urgency. New trade negotiations will be used to boost partners' climate commitments. Close working relationships with Congress and labor interests guide the approach to trade enforcement and leveling the playing field for American workers.

USTR conducted extensive public engagement, including outreach to historically overlooked and underrepresented communities, in developing and implementing a worker-centered trade policy that advances the interests of all Americans. USTR worked to ensure that the concerns and perspectives of underrepresented communities, small businesses, and the employment and purchasing power interests of low-income Americans were reflected in proposed policies, including through improved engagement, innovative data collection, and outreach and engagement with community-based stakeholders.

The President's trade agenda is strategic in how we trade and that makes us all stronger. As such, the Administration is focusing on trade agreements that benefit all Americans, enforcing the nation's trade laws to ensure its trading partners play by the rules, and updating the World Trade Organization to work for all nations. The United States is negotiating with allies to set global trading rules to counter China's growing influence of unfair trading practices, instead of having China and others dictating outcomes. Key issues being addressed include overcapacity, subsidization, disciplines on China's state-owned enterprises, and cyber theft.

“Trade policy sits at the intersection of domestic and foreign policy, so the policies we develop must be calibrated with our broader agenda. But we have seen over time that trade policy becomes unsustainably fragile whenever it becomes detached from the issues facing ordinary working people. At USTR, we are putting workers at the center of our trade policy – and thinking about how our work will impact their day-to-day lives. And second, we are creating durable trade policies that work in concert with our domestic economic and foreign policies. This is key to building broad-based support for our work among all of our stakeholders – and creates the foundation required for steadfast U.S. leadership in the global economy.”<sup>1</sup>

USMCA was facilitated by robust stakeholder engagement in partnership with Congress and the business, labor and civil society communities. The challenge is to ensure a continual focus on this agreement, to nurture what is working and to correct course when parties alter and stray from their commitments.

The Administration will continue to aggressively enforce U.S. trade laws to protect the interests of American businesses and workers. USTR will take strong actions to ensure our trading partners compliance with the terms of our trade agreements, including the WTO agreements. The United States and China economic and trade agreement provides the United States with a process for ensuring that China honors its commitments and for imposing proportionate measures if it fails to do so. USTR is closely monitoring China’s compliance with the agreement’s provisions and will investigate complaints from American businesses, farmers, and others about China’s conduct. Likewise, the United States-Mexico-Canada Agreement (USMCA) contains a detailed process for enforcing commitments, and USTR is zealously pursuing violations of the agreement. USTR has established working groups focused in particular on potential violations of the labor and environmental provisions of USMCA and is working closely with other agencies to ensure that any potential noncompliance is investigated and, where necessary, acted upon. USTR initiated two requests for review under the USMCA's Facility-Specific Rapid Response Labor Mechanism (RRM), both of which delivered favorable outcomes for workers at the factory level. As necessary, USTR will pursue formal challenges to acts, policies, or practices of foreign governments that are inconsistent with WTO rules under the dispute settlement system of the WTO and will vigorously defend U.S. actions when challenged by foreign governments.

Noteworthy are USTR’s successful efforts to rebuild the United States’ trade relationship with the European Union and other transatlantic partners in the first year of the Biden-Harris Administration. In particular, this includes United States’ interim agreements with the EU and the UK to resolve the large civil aircraft disputes; the historic arrangement with the EU on steel and aluminum trade; the agreements with Austria, France, Italy, and Spain on Digital Services Taxes; and the creation of the U.S.-EU Trade and Technology Council.

The United States will lead the effort on World Trade Organization (WTO) reform. In addition to addressing the Appellate Body, seeking a new fisheries agreement, pursuing a digital commerce agreement, enforcing notifications obligations, and seeking reform of “special and differential treatment” for “developing” countries, the Administration will advocate for other changes at the WTO that will have the WTO working for its Members.

The Biden Administration is fully committed to positive, constructive, and active engagement with all Members to find paths forward to achieve necessary reform of the WTO.

“I am optimistic that we can and will take advantage of this moment of reflection. In reading over the Marrakesh Agreement’s opening lines, I was struck by the founding Members’ resolve to develop “a more viable and durable multilateral trading system.” These words are just as relevant today as they were then. We still need to work together to achieve a more viable and durable multilateral trading system. It is easy to get distracted by the areas where we may not see eye to eye. But in conversations with my counterparts, I hear many more areas of agreement than disagreement. We all recognize the importance of the WTO, and we all want it to succeed.”<sup>2</sup>

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<sup>1</sup> Ambassador Katherine Tai, remarks on Digital Trade at the Georgetown University Law Center Virtual Conference, November 3, 2021

<sup>2</sup> Ambassador Katherine Tai’s remarks to the World Trade Organization, October 14, 2021

Critical to this reform effort is the new Director General. The pandemic recovery and negotiations on curbing harmful fisheries subsidies are two areas in which the U.S. would like to see movement. USTR will seek meaningful and high ambition outcomes for the upcoming ministerial. There is no topic more important than recovery from COVID-19. The Biden Administration will engage with WTO Members on how the WTO can promote recovery from the COVID-19 crisis, in conjunction with other multilateral initiatives to amplify the international public health and humanitarian response. For the fisheries negotiations, the U.S. will look to disciplining the harmful subsidies that counteract any progress in achieving sustainable fisheries. The negotiations must produce a meaningful and effective agreement that will constrain the largest subsidizers and improve the status quo. The Administration will seek to reform the WTO to equip the institution to address pressing challenges confronting all nations, including global overcapacity in multiple industries that unfairly cost workers their jobs.

In summary, President Biden is steadfast in changing the way we trade, and pursuing trade policies that support and benefit American workers, combatting the threat of climate change, fueling American innovation, and increasing America's competitiveness.

“We want to make trade a force for good that encourages a race to the top. The first step to achieving this goal is creating a more inclusive process. In order to understand how trade affects workers, we want to come meet with, listen to, and learn from them. By bringing workers from all backgrounds and experiences to the table, we will create inclusive trade policy that advances economic security and racial and gender equity. We want to lift up women, communities of color, and rural America – people that have been systematically excluded or overlooked...Our goal is to improve worker representation in trade policy in the United States and in multilateral organizations. The WTO, for example, doesn't adequately hear from workers, and we want to change that...We know that when workers have a seat at the table in their workplace, wages go up, retirement benefits go up, workplaces are safer, and discrimination and harassment get addressed. We want trade to deliver the same results.”<sup>3</sup>

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<sup>3</sup> Ambassador Katherine Tai, remarks outlining the Biden-Harris Administration's "Worker-Centered Trade Policy," June 10, 2021

## ORGANIZATION SUMMARY

USTR is responsible for developing and coordinating America's trade policy, leading trade negotiations with other nations, and enforcing compliance with our trade agreements and U.S. trade laws. USTR also coordinates with other Federal agencies in developing trade policy and advising the President on trade matters. "USTR" refers both to the office and its head, the U.S. Trade Representative, who is a member of the President's cabinet. USTR is the principal trade advisor and negotiator for the President. USTR operates in four locations: Washington, DC, Geneva, Switzerland, Beijing, China, and Mexico City, Mexico. USTR also has a representative in Brussels serving as the USTR delegate to the European Commission's Directorate-General for Trade.

USTR provides trade policy leadership and negotiating expertise in its major areas of responsibility. Among these are the following: industrial, textile, agricultural, and services trade policy; bilateral, regional, and multilateral trade and investment issues; trade-related intellectual property protection, labor and environmental issues; all matters within the WTO, and direct investment matters dealt with by international institutions such as the Organization for Economic Cooperation and Development (OECD) and the United Nations Conference on Trade Development (UNCTAD). USTR is organized to accommodate sectoral, regional, and functional policy perspectives, which are integrated into the decision-making process and coordinated externally with the Congress, other government agencies, the private sector, and foreign entities.

Interagency coordination is accomplished through the Trade Policy Committee (TPC). The TPC is the senior U.S. Government interagency trade committee established to provide broad guidance on trade issues. It is chaired by the U.S. Trade Representative (USTR) and is composed of other cabinet officers. The Trade Policy Review Group (TPRG) and the Trade Policy Staff Committee (TPSC), administered and chaired by USTR and composed of twenty (20) Federal agencies and departments, make up the sub-cabinet mechanism for developing and coordinating positions on international trade issues. The United States International Trade Commission (ITC) is a non-voting member of the TPSC and an observer of TPRG meetings.

The TPSC is the first line operating group, with representation at the senior civil servant level. The TPSC is supported by eighty (80) subcommittees, each of which is chaired by a USTR staff member. If agreement is not reached in the TPSC, or if particularly significant policy questions are being considered, issues are taken up to the TPRG or the Deputy Group of the National Economic Council, two sub-cabinet-level groups. The final tier of the interagency trade policy mechanism is the Trade Policy Committee, or TPC, chaired by the USTR.

USTR also is a non-voting member of the Export-Import Bank, is a member of the National Advisory Committee (NAC) on International Monetary and Financial Policies, and on the Board of the Millennium Challenge Corporation (MCC).

USTR also has administrative responsibility for the GSP program, the AGOA preference program, and Section 301 complaints against foreign unfair trade practices, as well as coordinating recommendations to the President on ITC determinations under Section 337 and import relief cases under Section 201. The Omnibus Trade and Competitiveness Act of 1988 (Trade Act of 1988) transferred authority to the USTR to take action under Section 301, subject to the direction of the President.

USTR's private sector advisory committees provide information and advice on U.S. negotiating objectives and bargaining positions before entering into trade agreements, on the operation of any trade agreement once entered into, and on other matters arising in connection with the development, implementation, and administration of U.S. trade policy.

The private sector advisory committee system consists of 28 advisory committees, with a significant number of advisors. The system is arranged in three tiers: the President's Advisory Committee for Trade Policy and Negotiations (ACTPN); five policy advisory committees; and 22 technical, sectoral, and functional advisory committees. The President appoints up to 45 ACTPN members for two-year terms. The 1974 Trade Act requires that ACTPN membership broadly represents key economic sectors affected by trade, and that the Committee consider trade policy issues in the context of the overall national interest.

Members of the five policy advisory committees are appointed by USTR or in conjunction with other Cabinet members. The Intergovernmental Policy Advisory Committee (IGPAC), the Trade and Environment Policy Advisory Committee (TEPAC), and the Trade Advisory Committee for Africa (TACA) are appointed and managed by USTR. The Agricultural Policy Advisory Committee (APAC) is managed jointly with the Department of Agriculture and the Labor Advisory Committee for Trade Negotiations and Trade Policy (LAC) is managed jointly with the Department of Labor. Each committee provides advice based upon the perspectives of its specific sector or area.

The 22 sector-specific, functional, and technical advisory committees are organized in two areas: industry and agriculture. The USTR and the Secretaries of Commerce and Agriculture jointly appoint representatives, respectively. Each sectoral or technical committee represents a specific sector or commodity group (such as sewn products or dairy products) and provides specific technical advice concerning the effect that a trade policy decision may have on its sector. The four functional advisory committees provide cross-sectoral advice on customs, standards, e-commerce, and intellectual property issues.

In the Trade Act of 1974, Congress broadened and codified USTR's trade policymaking and negotiating functions and established close congressional relationships with the office. As a matter of comity, five members from each House serve as congressional advisors on trade policy, and additional Members may serve as advisors on particular issues or negotiations. The Washington, DC office has a range of operations: Bilateral and Regional activities: (China Affairs; Western Hemisphere; Europe and the Middle East; African Affairs; Central & South Asian Affairs; Southeast Asia & the Pacific; Japan, Korea & APEC Affairs); WTO and Multilateral Affairs; Sectoral Activities (Agriculture; Labor; Environment and Natural Resources; Textiles; Small Business, Market Access & Industrial Competitiveness; Services and Investment; and Intellectual Property & Innovation); and General Support (General Counsel, including Monitoring and Enforcement; the Interagency Center on Trade Implementation, Monitoring, and Enforcement (ICTIME); Congressional Affairs; Administration; Public and Media Affairs; Intergovernmental Affairs and Public Liaison; and Trade Policy and Economics).

The Geneva Office is organized to cover general WTO Affairs, Tariff and non-Tariff Agreements and Agricultural Policy and Commodity Policy. The Geneva Deputy USTR is the U.S. Ambassador to the WTO and to the United Nations Conference on Trade and Development (UNCTAD) on specific trade related issues. The office also works with Other International Organizations in Geneva to address trade issues that come up in the other international organizations headquartered in Geneva.

The Beijing office is headed by a Minister Counsellor who has one Deputy Trade Attaché and two Foreign Service Nationals (FSN) on staff. USTR's local presence in China is important to USTR's effectiveness in a country with a large number of trade-related issues.

The Mexico City office is organized to monitor and enforce the commitments made by Mexico in the USMCA. The office is led by the Senior Trade Representative to Mexico with detailees from NOAA, EPA and FWS as trade attachés.

**OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**  
**SALARIES AND EXPENSES**

***Fiscal Year 2023 Appropriations Language***

*For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, \$61,540,000 of which \$1,000,000 shall remain available until expended: Provided, That not to exceed \$124,000 shall be available for official reception and representation expenses.*

*For activities of the United States Trade Representative authorized by section 611 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4405), including transfers, \$15,000,000, to be derived from the Trade Enforcement Trust Fund: Provided, That any transfer pursuant to subsection (d)(1) of such section shall be treated as a reprogramming under section 5005 of this Act; and any unused funds shall be kept in the Trade Enforcement Trust Fund.*

**SUMMARY OF FY 2023 BUDGET REQUEST**

(in thousands of dollars)

	FY 2021 Enacted	FY 2022 Annualized CR	FY 2023 Request	FY22/FY23 Difference
USTR Direct Appropriation	55,000	<b>55,000</b>	<b>61,540</b>	<b>6,540</b>
Trade Enforcement Trust Fund (TETF)	15,000	15,000	15,000	-

**FTE Levels by Fiscal Year**

	FY 2021 Actual	FY 2022 Estimate	FY 2023 Request	FY22/FY23 Difference
FTE	247	274	<b>283</b>	<b>9</b>

# SUMMARY OF RESOURCE REQUIREMENTS

## OBLIGATIONS BY OBJECT CLASSIFICATION

(Combined USTR expenses and trade enforcement trust fund in thousands of dollars)

	FY 2021	FY 2022	FY 2023	FY22/FY23
	Actual	Annualized CR	Request	Difference
Personnel Compensation & Benefits	50,463	<b>54,768</b>	<b>59,238</b>	<b>4,470</b>
Travel and Transportation of Persons	286	<b>2,197</b>	<b>3,794</b>	<b>1,597</b>
Transportation of Things	0	0	0	0
Comm., Utilities, & Misc. Charges	1,297	<b>1,132</b>	<b>1,174</b>	<b>42</b>
Printing and Reproduction	99	<b>364</b>	<b>213</b>	<b>-151</b>
Other Contractual Services	15,980	<b>10,974</b>	<b>11,468</b>	<b>494</b>
Supplies and Materials	472	<b>276</b>	<b>471</b>	<b>195</b>
Official Reception and Representation	13	<b>124</b>	<b>124</b>	<b>0</b>
Equipment	202	<b>165</b>	<b>58</b>	<b>-107</b>
Totals	68,799	<b>70,000</b>	<b>76,540</b>	<b>6,540</b>

## ***Personnel Compensation and Benefits***

(in thousands of dollars)

FY 2021 Actual	FY 2022 Annualized CR	FY 2023 Request	FY22/FY23 Difference
50,463	<b>54,768</b>	<b>59,238</b>	<b>4,470</b>

USTR is charting a new course on trade policy that helps President Biden achieve his Build Back Better Agenda. A Build Back Better trade policy must put workers at the center and must help the Biden-Harris Administration further its climate goals – two new objectives that will require the agency to achieve things it has not achieved before. Hence, an increase in staffing is critical to USTR's ability to execute this agenda. The U.S. must restore U.S. global leadership on critical matters like combatting forced labor and exploitative labor conditions, corruption, and discrimination against women and minorities around the world. Through engagement, the Biden Administration will seek to build consensus on how trade policies may address the climate crisis, bolster sustainable renewable energy supply chains, end unfair trade practices, discourage regulatory arbitrage, and foster innovation and creativity. Faced with unfilled positions from the previous Administration and a completely new and unprecedented trade agenda, USTR conducted a comprehensive office-by-office staffing review. This request includes additional staff to implement initiatives within the areas of China economic and trade agreement enforcement, 301 tariff exclusion process, rebuilding the Executive Protection Detail, Indo-Pacific economic engagement strategy, and DEIA initiatives per a number of Executive Orders.

## ***Travel and Transportation of Persons***

FY 2021 Actual	FY 2022 Annualized CR	FY 2023 Request	FY22/FY23 Difference
286	<b>2,197</b>	<b>3,794</b>	<b>1,597</b>

Travel costs continued to be substantially depressed in FY 2021 due to the pandemic, but not likely to extend into FY 2022. In addition to crafting unprecedented policy, USTR must embark on a new, comprehensive engagement strategy that ensures we consult with stakeholders that have not been part of the conversation before and that effectively communicates the Biden-Harris trade agenda to address the general mistrust Americans have with trade policy. The FY 2023 request, consistent with executing the Administration's trade policy and enforcement agenda, reflects a return to a more normal international engagement program as the world emerges from the pandemic. USTR anticipates continuing those engagements through remote negotiations where advantageous. USTR will pursue opening markets and reducing trade barriers that are fundamental to its trade agenda. This will be a priority for the Biden Administration, particularly since export-oriented producers, manufacturers, and businesses enjoy greater than average productivity and wages.

## ***Communications, Utilities, and Miscellaneous Charges***

(in thousands of dollars)

FY 2021 Actual	FY 2022 Annualized CR	FY 2023 Request	FY22/FY23 Difference)
1,297	<b>1,132</b>	<b>1,174</b>	<b>42</b>

Communications, Utilities and Miscellaneous charges consist of those costs incurred for supporting USTR hosted trade engagements, Geneva and Beijing offices, rental of our Ambassador’s residence in Geneva, and overtime utilities in our Washington office. Restoring U.S. global leadership will require the necessary meetings with foreign governments and a substantially increased array of domestic stakeholders, important components to the success of the President's trade agenda. U.S. hosted meetings have logistical requirements and the funding support for those with foreign governments is reported here.

### ***Printing and Reproduction***

(in thousands of dollars)

FY 2021 Actual	FY 2022 Annualized CR	FY 2023 Request	FY22/FY23 Difference
99	<b>364</b>	<b>213</b>	<b>-151</b>

USTR has recurring annual printing costs related to the publication of the National Trade Estimates and the USTR Annual Report and other necessary reports to Congress. As part of public announcements, we will continue to publish Federal Register notices as necessary. During the normal course of business, there are ad hoc printing requests that occur regularly as well.

### ***Other Contractual Services***

(in thousands of dollars)

FY 2021 Actual	FY 2022 Annualized CR	FY 2023 Request	FY22/FY23 Difference
15,980	<b>10,974</b>	<b>11,468</b>	<b>494</b>

Other Contractual Services include a wide range of commercial and government services such as the Department of State’s assessments for International Cooperative Administrative Support Services (ICASS) and Capital Security Costs (CSC) for global embassy funding, language services, security, office equipment maintenance, training and professional service contracts. The latter include the two staffing contracts and Salesforce application support that USTR is using to operate the 301-tariff exclusion process and are anticipated to support trade agreement enforcement. This anticipates that the 301-tariff exclusion process effort will reflect the increase FY 2022. U.S. hosted trade engagements during FY 2023 will mean contract security support is required to ensure the safety of negotiators and safeguarding of sensitive and confidential talks at the hotel/conference centers where the meetings are held.

## ***Supplies and Materials***

(in thousands of dollars)

FY 2021 Actual	FY 2022 Annualized CR	FY 2023 Request	FY22/FY23 Difference
472	276	471	195

Proprietary databases, subscriptions and diverse supplies. Corresponds to the support requirements for trade engagements and additional requirements for trade research.

## ***Official Reception and Representation***

(in thousands of dollars)

FY 2021 Actual	FY 2022 Estimate	FY 2023 Request	FY22/FY23 Difference
13	124	124	0

Representation funds are used for extending relations with foreign governments in conducting our trade missions.

## ***Equipment***

(in thousands of dollars)

FY 2021 Actual	FY 2022 Annualized CR	FY 2023 Request	FY22/FY1923 Difference
202	165	58	-107

Major costs for this category in years previous to FY 2021 are the office and facility investment projects to renovate and outfit the 1800 G Street space.

## FISCAL YEAR 2023 GOALS and OBJECTIVES

### *Placing Workers at the Center of Trade Policy*

The Office of the U.S. Trade Representative (USTR) has primary responsibility for developing and coordinating U.S. international trade, commodity and direct investment policy, and overseeing trade negotiations with other countries. The head of USTR is the U.S. Trade Representative, a member of the Cabinet who serves as the President's principal trade advisor, negotiator, and spokesperson on trade issues. USTR has its headquarters in Washington, DC and overseas offices in Beijing, China, Brussels, Belgium, and Geneva, Switzerland. The Geneva Office represents the United States at the World Trade Organization (WTO).

USTR is part of the Executive Office of the President. The USTR is a member of the Millennium Challenge Corporation (MCC) Board of Directors, a non-voting member of the Export-Import Bank, a member of the Committee on Foreign Investment in the United States (CFIUS), and a member of the National Advisory Council on International Monetary and Financial Policies.

In the Trade Expansion Act of 1962, the U.S. Congress established an interagency trade policy mechanism to assist USTR with the implementation of its major areas of responsibility. USTR provides trade policy leadership and negotiating expertise in its major areas of responsibility. USTR consults with other government agencies on trade policy matters, including through the Trade Policy Review Group (TPRG) and the Trade Policy Staff Committee (TPSC). These groups, administered and chaired by USTR and composed of 20 Federal agencies and offices, make up the sub-cabinet level mechanism for developing and coordinating U.S. Government positions on international trade and trade-related investment issues. The TPSC is the first-line operating group, which regularly seeks input from the public on policy decisions and negotiations through *Federal Register* notices and public hearings. In cases where the TPSC does not reach consensus on a topic, or if the issue under consideration involves particularly significant policy questions, the issue may be referred to the TPRG.

In the Trade Act of 1974, the U.S. Congress established a private sector advisory committee system to ensure that U.S. trade policy and trade negotiation objectives adequately reflect U.S. commercial and economic interests. The advisory committees provide information and advice with respect to U.S. negotiating objectives and bargaining positions for trade negotiations, the operation of any trade agreement once entered into, and on other matters arising in connection with the development, implementation, and administration of U.S. trade policy.

Since its creation, USTR has maintained close consultation with Congress. Liaison activities between the agency and Congress are extensive. The principal oversight Committees are the House Ways and Means and Senate Finance Committees. Other committees routinely are briefed within areas of their jurisdiction where USTR plays a role.

As the United States addresses 21st century domestic priorities, worker-centered trade policy is integral to the United States' economic recovery, resiliency, and competitiveness. Trade policy should support and empower workers, drive wage-driven growth, create new trade opportunities

for U.S. farmers, ranchers, manufacturers, service providers, fishers, and small and medium-sized enterprises (SMEs), including women and minority owned businesses, raise living standards and purchasing power for low-income families, and lead to better economic outcomes for all Americans.

Advancing a worker-centered trade policy will require extensive engagement with unions, worker advocates, and underserved communities to ensure that workers' perspectives and values play an integral and respected role in the development and implementation of U.S. trade policy. The policy will focus on eliminating trading partners' ability to gain a competitive advantage by violating workers' rights and pursuing unfair trade practices. Likewise, USTR will strive to negotiate, implement, and enforce strong environmental commitments, to raise the standards and levels of protection of our trading partners, and ensure our partners meet environmental obligations under existing trade agreements.

By adopting a comprehensive, proactive strategic framework, USTR will help restore U.S. leadership and strengthen America's strategic alliances and partnerships. This framework will simultaneously help restore American competitiveness by expanding market access for American farm goods, services, and manufactured products, and so helping large and small businesses, workers, and agricultural producers raise incomes, expand employment, and help communities prosper.

In ensuring that U.S. trade strategy and policy reflect the perspectives of all Americans, USTR will use trade tools, data assessments, and innovative engagement strategies to advance racial equity, consider the distributional effects of trade, and support underserved communities as part of the mission of all federal government agencies and offices. In complying with Executive Order (EO 13985) on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, USTR will pursue a trade agenda which supports domestic initiatives aimed at eliminating social and economic structural barriers to equality and economic opportunity and pursue complementary objectives in negotiations with our trading partners.

### ***Goal 1: Open Foreign Markets and Combat Unfair Trade***

To advance the goals of supporting and sustaining well-paying American jobs and farm incomes, broadening the benefits of trade through more inclusive trade policies and outreach reflecting the interests of a diverse nation, supporting value-added production and innovation in the United States, and promoting equitable economic growth in the United States and worldwide, USTR will pursue principles of fair competition, open foreign markets, combat unfair trading practices, reduce trade distortions, and encourage broader participation in international trade by negotiating and implementing agreements consistent with U.S. interests and values. Informed by diverse, sustained, engagement, USTR will stand up for American farmers, ranchers, manufacturers, service providers, fishers, and SMEs by pursuing smart trade policies that are inclusive and work for all producers.

#### **Objectives:**

- Negotiate and implement agreements that sustain well-paid American jobs, advance the overall trade and economic interests of the United States, and further the objectives of U.S. trade policies by opening foreign markets to U.S. manufactured goods, agricultural products, and services. Support the broader

economic recovery by helping companies, including small businesses, women and minority entrepreneurs, put Americans to work by building world-class products for export to foreign markets.

- Effectively utilize USTR and leverage other U.S. government resources to break down foreign trade barriers and promote fair trade.
- Expand global market access opportunities for American farmers, ranchers, food manufacturers, and fishers and defend U.S. producers by enforcing global agricultural trade rules and promoting the adoption of science and risk-based sanitary and phytosanitary measures.
- Use all available tools to take on the range of unfair trade practices that continue to harm U.S. workers and businesses.
- Work with trading partners to ensure that trade policy works in concert with initiatives to advance global health security and humanitarian response to save lives, promote economic recovery, and develop resilience against future global pandemics or crises.
- Ensure that trade agreements consider the needs and reflect the interests of underserved communities and America's racially, ethnically, and geographically diverse population.
- Review past trade policies for their impacts on and unintended consequences for U.S. workers, and assess existing trade preference programs to evaluate their contribution to equitable economic development, improved labor standards, and opportunities for developing country workers to move from informal and unregulated sectors to wage-paying work.
- Effectively represent U.S. interests in the World Trade Organization and other international bodies to achieve the Administration's international trade policy goals. Work to implement necessary reforms to the WTO's substantive rules and procedures to address the challenges facing the global trading system, including growing inequality, digital transformation, and impediments to small and medium-sized enterprises, including women and minority-owned businesses. In this respect, seek the development of WTO rules that combat non-market policies and practices that inhibit the ability of U.S. workers and businesses to compete in the global market.
- Work with allies and like-minded trading partners to establish high-standard global rules to govern the digital economy, in line with our shared democratic values.
- Negotiate and implement strong environmental commitments in trade-related areas that contribute to a decarbonized and net-zero economy; promote conservation of natural resources, such as through sustainable fisheries and forest management, and combatting wildlife trafficking; and prevent illegally harvested timber, fish, or wildlife from entering U.S. supply chains.
- Pursue strengthened enforcement to ensure that China lives up to its existing trade obligations; address gaps that exist in international trade rules, including through enhanced cooperation with our partners and allies, and address widespread human rights abuses of the Chinese Government's forced labor program in the Xinjiang Uyghur Autonomous Region and elsewhere.
- Address and contest the harms resulting from exploitative labor practices and labor violations, including forced labor, by using various trade policy tools.

- Engage with U.S. government partners to encourage robust technical assistance and trade capacity building with trading partners to ensure workers and small and medium-sized enterprises, including women and minority-owned businesses around the world, benefit from U.S. trade policy.

**Measurements:**

- Monitor Canada's and Mexico's implementation and compliance with the United States-Mexico-Canada Agreement (USMCA).
- Work with Mexico and Canada to implement State Owned Enterprise (SOE) obligations in USMCA. Negotiate the extension of SOE obligations to sub-Federal level SOEs with Mexico and Canada.
- Continue to work with Mexico to ensure effective implementation of labor justice reforms, including the creation of new labor courts and other administrative institutions, to protect worker representation in collective bargaining, as required by the USMCA labor provisions and the USMCA's Annex on Worker Representation and Collective Bargaining in Mexico, as well as the USMCA implementing legislation.
- Continue to work with Mexico to ensure secure, efficient, and legal crossing of goods across our shared border.
- In the Western Hemisphere, maximize engagement through Trade and Investment Framework Agreements, including through the negotiation of high-standard disciplines on trade rules and transparency. Leverage the Summit of the Americas process to promote good regulatory practices throughout the hemisphere.
- Work to achieve fundamental changes to China's trade regime by taking actions against state-led policies and practices such as industrial planning and targeting, market-distorting subsidies and other support measures, excess capacity, state-sponsored cybertheft, technology transfer, inadequate intellectual property protection and enforcement, labor practices, data restrictions, agricultural market access restrictions, and services sector market access restrictions.
- Utilize a full range of trade tools to ensure that China treats U.S. companies and U.S. exports fairly and that inward and outward foreign investment promotes U.S. interests.
- Continue and enhance engagement with like-minded trading partners, such as Japan, the EU, the UK, Canada and Australia, to jointly address problematic Chinese trade policies and practices, including non-market policies and practices.
- Seek fundamental changes to China's state-led and non-market trade regime in line with Administration objectives.
- Continue to push Chinese regulators to adopt international best practices, such as with regard to the regulation of innovative pharmaceutical products, active pharmaceutical ingredients, and medical devices.
- Advance the President's initiative for a new Economic Framework in the Indo-Pacific region.

- With all free trade agreement (FTA) partners, identify and work to address priority trade issues of U.S. stakeholders, including the elimination of barriers to U.S. exports.
- Continue to engage in dialogue with Taiwan on continued areas of concern in our trade relationship, including removal of remaining barriers for U.S. beef and pork exports, intellectual property protection and enforcement, including with respect to digital piracy, and issues related to pharmaceutical and medical devices, and explore opportunities for deepening our cooperation, including with respect to combatting forced labor in global supply chains.
- Negotiate with the European Union (EU) to address non-tariff barriers and to achieve fairer, more balanced trade, through the U.S.-EU Trade and Technology Council and other engagements.
- Engage with the United Kingdom (UK) to deepen bilateral trade, potentially through an FTA or other means, including to address both tariff and non-tariff barriers and to achieve fairer, more equitable, worker-centric trade with the UK.
- Continue to engage to ensure that U.S. exporters retain previously established market access into the UK and EU post-Brexit.
- Engage with Kenya to deepen bilateral trade, potentially through an FTA or other means, to spur Kenyan development and promote more equitable, worker-centric trade with Kenya.
- Monitor implementation of improvements to the U.S.-Korea Free Trade Agreement (KORUS).
- Continue engaging with key trading partners in the Asia-Pacific region, Europe, sub-Saharan Africa, the Middle East and North Africa, and the Western Hemisphere, to lay the groundwork for outcomes that create jobs, ensure fairness, and provide new export opportunities for U.S. agriculture and industry. This engagement is also aimed at promoting U.S. services and investment objectives, strengthening protections and enforcement of intellectual property rights and promoting innovation and creativity, protecting worker rights, and enhancing environmental protection in participating countries, thereby helping to level the playing field for American workers and businesses.
- Develop and implement initiatives to promote U.S. trade objectives and respond to tariff differentiation, trade restrictive regulatory measures, and other potential impacts to U.S. exporters resulting from other countries' trade policies and practices.
- Engage in negotiations to resolve specific agricultural bilateral trade concerns in key U.S. export markets to ensure U.S. exporters are treated fairly.
- Secure expanded access for U.S. food, agricultural and manufactured goods exports to key markets through resolution of trade-restrictive sanitary and phytosanitary and technical barriers.
- Monitor and participate in international negotiations led by other agencies on topics affecting trade in food and agricultural products, food regulations, and food and health policy.

- Negotiate equivalency agreements with countries that are key markets for U.S. organic exports, promoting increased exports of U.S. organic food and agricultural products.
- Provide leadership in international fora on science-based regulatory approaches to promote trade in products derived from agricultural biotechnology.
- Advance U.S. interests in the development and adoption of standards in the Codex Alimentarius Commission that facilitate trade in U.S. food and agricultural products.
- Provide leadership in international fora to ensure that resolutions, commitments, and other international initiatives support and protect the interests of U.S. food and agricultural producers and exporters.
- Advance the protection and enforcement of intellectual property rights, and related innovation issues, through bilateral engagements and the negotiation and implementation of trade agreements.
- Monitor, provide input, and participate in international negotiations led by other agencies on any topics (*e.g.*, climate, biodiversity, traditional knowledge, pharmaceuticals, and health) in which the proposed inclusion of intellectual property language may have implications for trade policy.
- Monitor international negotiations and bilateral dialogues led by other agencies in which services and investment issues may arise.
- Negotiate and implement mutual recognition agreements (MRAs) with select countries to facilitate U.S. exports of telecommunications equipment and pharmaceuticals.
- Work with trading partners and relevant U.S. agencies to maintain or expand acceptance of U.S. automotive safety standards in overseas markets.
- Continue to engage key trade partners and stakeholders on ways to improve labor standards abroad.
- Develop and continue initiatives to combat timber and wildlife trafficking and related corruption and to stem illegal trade in timber and wildlife and related products, including through full implementation of existing trade agreement obligations and pursuing new commitments in other trade fora.
- Develop and continue initiatives to combat illegal, unreported, and unregulated (IUU) fishing and seafood fraud, including working closely with the National Oceanic and Atmospheric Administration (NOAA) on implementation of relevant fisheries statutes, rules, and conventions.
- Highlight the key role of trade in supporting more resource efficient and circular economies in discussions with key trade partners, as well as in relevant international fora. Ensure that trade considerations are taken into account in negotiations that include references to circular economy.
- Partner with the Department of State, the Environmental Protection Agency, and other U.S. government agencies to ensure outcomes under multilateral and other environmental agreements and negotiations are consistent with U.S. trade policy.

- Provide policy guidance and support for international negotiations or initiatives affecting the textile and apparel sector to ensure that the interests of U.S. industry and workers are taken into account and, where possible, to provide new or enhanced export opportunities for U.S. industry.
- Conduct reviews of commercial availability petitions regarding textile and apparel products and negotiate corresponding FTA rules of origin changes, where appropriate, in a manner that takes into account market conditions while preserving export opportunities for U.S. producers and employment opportunities for U.S. workers.
- Engage relevant trade partners to address regulatory issues potentially affecting the U.S. textile and apparel industry's market access opportunities.
- In partnership with other agencies, such as the Small Business Administration and the Department of Commerce, encourage small and medium sized enterprises (SMEs) to expand trade through new and existing trade policy initiatives.
- Use the U.S.-EU Trade and Technology Council to build a competitive transatlantic market that reflects U.S. and EU values, including with respect to labor rights, and that addresses common challenges with respect to non-market economies.
- Advance work under the U.S.-Japan Partnership on Trade (launched November 2021) to address common concerns in areas such as labor rights, environmental sustainability, trade facilitation, and the digital ecosystem while addressing bilateral trade irritants.
- Expand cooperation with Korea under the U.S.-Korea Free Trade Agreement (KORUS FTA), in addition to advancing traditional implementation and compliance goals, to broaden our cooperation with Korea in new areas.
- Advance bilateral discussions with Israel on expanded access for U.S. food and agricultural exports.
- Utilize the U.S.-Turkey TIFA and other mechanisms, as appropriate, to promote U.S.-Turkey trade and investment.
- Continue engagement on key issues with Mongolia through our TIFA, and continue to monitor Mongolia's compliance with the United States-Mongolia Transparency Agreement.
- Support the reform efforts of the governments of Ukraine, Moldova, Georgia, and Armenia through enhanced bilateral engagement to strengthen their economies and open their markets to U.S. exports.
- Continue to use Working Groups established under the United States-Ukraine Trade and Investment Council to pursue legislative and regulatory reforms to foster a transparent and predictable business environment that opens opportunities to diverse portions of the population and is based on the rule of law.
- Continue to engage with India, including through the bilateral Trade Policy Forum (TPF), focusing on key priorities in intellectual property rights and market access for agriculture, non-agricultural goods, and services, to achieve strong concrete outcomes to eliminate barriers in the Indian market and advance U.S. trade and investment interests.

- Continue to deepen engagement with Brazil under the Agreement on Trade and Economic Cooperation (ATEC), including by monitoring Brazil's compliance with the Protocol Related to Trade Rules and Transparency and negotiating additional protocols under the ATEC.
- Deepen trade and investment engagement with Argentina through the Trade and Investment Framework Agreement and its subsidiary Innovation and Creativity Forum.
- Advance implementation of environment commitments by trade agreement partners, including through environmental cooperation work programs designed to enhance implementation of FTA environment commitments. In particular, continue cooperative efforts with trading partners as they respectively implement legislative and administrative reforms and other changes to their environmental regimes to raise levels of environmental protection.
- Continue to engage with Peru as it implements reforms to combat illegal logging under the Peru Trade Promotion Agreement (PTPA).
- Advance implementation of labor commitments by trade agreement partners, including through trade engagement, labor cooperation mechanisms, and capacity building initiatives designed to support their efforts. In particular, continue cooperative efforts with Mexico, Colombia, Peru, Guatemala, Honduras, the Dominican Republic, Bahrain, and Korea as they implement legislative and administrative reforms and other changes to their labor regimes.
- Continue to engage with our Dominican Republic-Central America Free Trade Agreement (CAFTA-DR) partners through bilateral interactions and through CAFTA-DR mechanisms to strengthen implementation and ensure adherence to CAFTA-DR and international commitments to maximize U.S. export opportunities, promote American jobs, and protect and enforce U.S. intellectual property rights.
- Continue to engage under CAFTA-DR working groups and committees to optimize inclusive economic opportunities; strengthen the agreement and address non-tariff trade impediments; provide capacity building in textile and apparel trade-related regulation and practice on customs, border and market access issues, including agriculture and sanitary and phytosanitary regulation, to avoid barriers to trade.
- Continue to engage CAFTA-DR partners and stakeholders to identify and develop means to increase two-way trade in textiles and apparel and strengthen the North American supply chain to enhance formal job creation.
- Deepen engagement with Ecuador under the U.S.-Ecuador Trade and Investment Council and its working groups on Agriculture, Intellectual Property, Environment, Labor, and others. Pursue legislative and regulatory reforms that continue to open the Ecuadorian market to U.S. goods and services.
- Deepen engagement with Bolivia under the U.S.-Bolivia Trade and Investment Council Agreement.
- Deepen trade and investment engagement with the Caribbean community (CARICOM) through the Trade and Investment Council Agreement.

- Engage key trade partners, including non-FTA partners such as Brazil, China, Ecuador, India, Malaysia, and Vietnam, and stakeholders on ways to improve environmental protection, labor rights and working conditions, and intellectual property rights protection and enforcement in order to ensure a level playing field for U.S. workers.
- Through the U.S. offer to host APEC in 2023, lead and achieve concrete and meaningful outcomes to raise standards in APEC economies that address key trade and investment barriers, as well as unfair trade practices, affecting U.S. goods and services exports across the Asia-Pacific region, as well as to advance the Administration's priorities in areas including labor rights, environmental sustainability, and trade inclusion.
- Promote through APEC's Committee on Trade and Investment key U.S. trade interests in areas such as digital economy, services, agriculture, labor, environment, and intellectual property.
- Advance work in APEC to identify and address non-tariff barriers that distort trade and investment in all sectors, including environmental goods and services, manufactured goods, and agricultural products.
- Advance work in the APEC Experts Group on Illegal Logging and Associated Trade to identify cooperative actions and activities to combat illegal forest products trade that harms legitimate U.S. businesses.
- Develop work in APEC to document and address barriers to U.S. agricultural exports.
- Through APEC, promote adoption of international sanitary and phytosanitary (SPS) standards as well as science-based regulatory systems for agricultural biotechnology and address common challenges.
- In APEC, promote high standards for intellectual property protection and enforcement.
- Utilize APEC to promote the application of good regulatory practices in order to avoid barriers to trade.
- Through APEC, promote the full implementation of the WTO Trade Facilitation Agreement by APEC economies.
- Continue to engage with Southeast Asian countries to encourage them to pursue trade policy reforms that will benefit the United States.
- Develop new initiatives with countries in East and Southeast Asia to break down barriers to U.S. exports in key sectors through negotiations, dispute settlement, and other actions as appropriate.
- Continue to develop initiatives and promote policy reforms under our TIFA with ASEAN and our bilateral TIFAs with ASEAN members to expand U.S. exports to this fast-growing region.
- Develop and implement new initiatives under our TIFAs with Southeast Asian countries, including Vietnam, Malaysia, Indonesia, the Philippines, and Thailand, to address and resolve U.S. concerns and remove barriers to U.S. exports and improve intellectual property protection and enforcement.

- Explore ways to deepen trade and investment relationships with key Pacific Island partners, including by developing and implementing new initiatives under our TIFA with Fiji.
- Continue to develop cutting-edge trade commitments to advance the digital trade and digital services agenda in bilateral trade relations, including among countries in the Middle East and North Africa, and among ASEAN countries.
- Pursue negotiations and other efforts, through existing FTAs, TIFAs or other mechanisms, as appropriate, to advance with countries of the Middle East and North Africa U.S. initiatives involving services, investment, intellectual property, information and communication technology, trade facilitation, agriculture, and other areas.
- Explore opportunities to increase U.S. market access in countries in the Middle East and North Africa, as well as in the Caucasus, particularly as the EU and other trading partners gain market access to these regions for their products.
- Use TIFAs with sub-Saharan African countries and regional economic communities to address trade barriers in a timely manner, promote transparency, and to advance U.S.-Africa trade and investment cooperation.
- Explore opportunities to increase U.S. market access in important sub-Saharan African markets, particularly as the EU and other trading partners gain market access to African markets for their products.
- Continue to develop and implement initiatives that promote the U.S. trade agenda in Africa, including potential trade agreements, promotion of U.S. exports and investment, and encouragement of trade and economic reforms that are consistent with U.S. trade priorities.
- Support the negotiation and implementation of the African Continental Free Trade Area (AfCFTA) through engagement with institutions and stakeholders at the country, regional, and continental levels. Promoting African economic integration has long been a priority of the U.S. Government.
- Use TIFAs with South and Central Asian countries to address persistent barriers to U.S. exports and promote practices that ensure a level playing field for U.S. exporters, strengthen protection and enforcement of intellectual property and promote worker rights. Additionally, encourage TIFA partners to initiate and follow through on key ease-of-doing-business reforms.
- Develop and intensify initiatives associated with implementation of TIFAs with South and Central Asia partners that expand opportunities for U.S. exports, including through working groups on areas such as customs, standards, women's economic empowerment and digital trade. Identify areas in which regional efforts to increase connectivity can contribute to increased U.S. exports to the region.
- Continue outreach efforts in low capacity developing countries in South and Central Asia, such as Afghanistan, Nepal, and Sri Lanka to explain U.S. preference programs.

- Provide policy guidance and support for the ongoing committee work at the WTO and other international trade organizations to represent U.S. interests effectively and resolve trade barriers negatively affecting U.S. suppliers.
- Provide leadership in the World Trade Organization and other international forums to address technical barriers to trade and to promote good regulatory practices in a manner that promotes U.S. exports.
- Intensify leadership of efforts to address key WTO institutional shortcomings, notably with regard to differentiation among self-declared developing countries, notifications and transparency, approaches to development, and dispute settlement.
- As feasible, identify negotiating objectives within the WTO that are achievable and can promote freer and fairer trade benefitting U.S. stakeholders.
- Negotiate and conclude WTO accession agreements with candidates that undertake trade-liberalizing and market-oriented reforms and commitments that meet Administration priorities and are supported by Congress.
- In cooperation with other relevant agencies, as appropriate, work to ensure that the WTO's work on Aid for Trade and other activities for assisting developing countries is aimed at integrating trade into the development plans of these countries and supports their effective participation in the international trading system while not exceeding the institutional mandate of the WTO as a trade organization.
- Work with U.S. Government agencies that provide trade capacity building assistance to ensure that their assistance programs help developing countries to implement international trade obligations in a transparent manner that opens export markets and promotes fair and reciprocal trade. Further, in cooperation with other relevant agencies, work with other donor countries and international institutions to make the most coherent and effective use of scarce capacity building resources, prioritizing assistance to those countries that have demonstrated a commitment to implementing pro-trade domestic reforms.
- Engage with WTO Members to implement any meaningful WTO agreement on harmful fisheries subsidies, including subsidies that contribute to IUU fishing, overfishing and overcapacity, to ensure the agreement protects the sustainability of our fisheries resources and positively impacts our fishers and workers.
- Work with like-minded WTO Members to develop new rules that tackle industrial subsidies and other trade distorting actions of non-market economies and their state enterprises.
- Work with WTO Members to achieve full implementation of the WTO Trade Facilitation Agreement.
- Develop and implement strategic engagement at the WTO on resetting agriculture negotiations on domestic support, export competition, and market access through enhanced transparency and analysis of current problems facing agricultural trade.
- Building on U.S. leadership to promote transparent and science-based decision making for crop protection tools, construct coalitions with other countries to advance understanding and adoption of

science-based regulations for pesticide maximum residue levels.

- Promote cooperation with other countries to enhance trade in wine through active participation in the World Wine Trade Group.
- Work with U.S. Government agencies that have the lead on certain international organizations (WIPO, WFP, UNCTAD, OECD, G7, G20, WHO, FAO, PAHO, OAS, UN, HRC, WCO, ILO, and IDB) to ensure that these organizations operate within their defined scope and mandate with respect to trade-related issues and that their trade-related deliverables promote U.S. policies and objectives. Ensure that in these organizations, resolutions and outcomes are consistent with U.S. trade policy and do not promote trade-restrictive barriers.
- Utilize the OECD Trade Committee to produce economic analysis that supports open markets and to build coalitions of like-minded economies that can advance U.S. trade policy goals in multilateral institutions. Ensure OECD accessions, if any, support U.S. interests.

## ***Goal 2: Fully Enforce U.S. Trade Laws, Monitor Compliance with Agreements, and Use All Available Tools to Hold Other Countries Accountable***

USTR will make the rules count by fully enforcing U.S. trade laws, closely monitoring foreign countries' compliance with trade obligations, and vigorously enforcing U.S. rights. In addition, USTR will ensure that American workers, farmers, ranchers, fishers, manufacturers, innovators, creators, service providers, consumers, and investors receive fair treatment in trade, compete in global markets on a level playing field, and win the full benefit of the economic opportunities the United States has negotiated.

### **Objectives:**

- Fully enforce U.S. trade laws and efficiently and effectively respond to unfair trade practices.
- Use all available tools to take on unfair trade practices in non-market economies, pursue strengthened enforcement to ensure that our trading partners live up to existing trade obligations; address gaps that exist in international trade rules on subsidies, state enterprise competition, and other matters, including through enhanced cooperation with U.S. partners and allies.
- Vigorously deploy all available tools, including dispute settlement mechanisms, to enforce U.S. rights under trade agreements, to ensure that they meet their potential to create and sustain well-paying American jobs. Utilize the WTO standing committees to address specific trade concerns before they become final; resolve unwarranted sanitary and phytosanitary barriers; promote the acceptance of international standards developed in the United States and acceptance of the results of U.S. conformity assessment bodies.
- Comprehensively enforce labor and environmental obligations of existing trade agreements. Engage allies to ensure that products that are produced by forced labor or under exploitative labor conditions are not imported into the United States
- Ensure adequate and effective protection and enforcement of U.S. intellectual property rights.

- Defend U.S. interests in digital trade and digitally delivered services.
- Oppose attempts by foreign countries to artificially manipulate currency values to gain unfair advantage over American workers; work with the Departments of the Treasury and Commerce to put effective pressure on countries that are intervening in the foreign exchange market to gain a trade advantage.
- Collaborate with allies and like-minded countries to address global market distortions created by industrial overcapacity in sectors ranging from steel and aluminum to fiber optics, solar, and other.
- Monitor beneficiary country compliance with statutory criteria in trade preference programs and ensure that beneficiaries meet these criteria, including in the Generalized System of Preferences (GSP), the African Growth and Opportunity Act (AGOA), the Caribbean Basin Initiative (CBI), and the Nepal Trade Preference Program.
- Effectively utilize USTR and leverage other U.S. government resources to monitor unfair foreign trade barriers and practices, as well as compliance by trading partners with U.S. and multilateral trade agreements.
- Expand and sustain engagement with diverse, inclusive stakeholders to collaborate with USTR on enforcement issues.

#### **Measurements:**

- Utilize Section 301 of the Trade Act of 1974 to take action against unfair trade practices that harm American workers, farmers, ranchers, services providers, and other businesses and to encourage foreign countries to adopt more market-friendly policies.
- Coordinate USTR resources, and those of partner agencies, to identify priority foreign trade barriers and practices, analyze their consistency with international trade agreements, and devise effective strategies to bring about or maintain compliance with those agreements.
- Where positive outcomes have been achieved in offensive disputes, closely monitor trading partners' actions to ensure full implementation, and where trading partners have not complied, use all appropriate tools to obtain compliance.
- Vigorously pursue existing offensive trade disputes to ensure timely resolution. Through prudent management of personnel and disputes, use existing USTR resources and leverage other U.S. government resources effectively to maximize the likelihood of positive outcomes vindicating U.S. rights.
- Consult regularly with other agencies, Congress, stakeholders, and foreign officials to obtain information on new barriers to trade with bilateral and regional partners.
- Continue to coordinate within USTR and with partner agencies on incorporating and using the best analytical tools and providing the best analysis to measure damage from foreign trade partners' violations as well as defending U.S. laws and practices from any foreign trade partner's complaints.

- Continue to build a strong Interagency Center on Trade Implementation, Monitoring and Enforcement (ICTIME) organization to carry out ICTIME's statutory directives, including by obtaining additional staff with necessary regional, linguistic, and quantitative expertise in a variety of trade disciplines.
- Expand interagency contacts and coordination, identify appropriate interagency expertise for ICTIME regarding enforcement matters, and create mechanisms to simplify sharing of interagency expertise.
- Review implementation of trade agreements, particularly through the preparation of the *Annual Report of the President on the Trade Agreements Program*, and the *National Trade Estimate Report on Foreign Trade Barriers*, and identify strategies for resolving implementation problems.
- Continue robust monitoring of existing FTAs through annual Free Trade Commission and Joint Committee meetings.
- Employ trade agreement committees and bilateral engagements as appropriate to resolve identified breaches of U.S. trade agreements.
- Monitor China's implementation and compliance with the United States-China economic and trade agreement.
- Implement responsive actions, as appropriate, in connection with the Section 301 investigation of China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation.
- In the Section 301 investigation of China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation, maintain as appropriate, a fair and efficient system for considering requests for exclusions from trade actions taken in the investigation.
- Monitor and ensure China's full compliance with the Memorandum of Understanding addressing the importation and distribution of films for theatrical release in China and secure further meaningful compensation for the United States.
- Continue to press China to address its excess capacity in industrial sectors, particularly steel and aluminum, through fora such as the OECD Steel Committee and the North American Steel Trade Committee.
- Hold China fully accountable for strict adherence to its WTO obligations using WTO committees and council meetings and other WTO mechanisms, including dispute settlement as appropriate, to raise concerns about Russia's compliance and to highlight Russia's protectionist policies.
- Hold Russia accountable for full compliance with its WTO obligations by using WTO committees to raise concerns about Russia's compliance and to highlight Russia's protectionist policies. In particular, focus on Russia's increasing reliance on local content requirements and import substitution policies. Continue to use the full panoply of tools at USTR's disposal to keep Russia's market open to U.S. exports.
- Monitor and review Vietnam's implementation of the agreement reached to address U.S. concerns in the Vietnam Timber Section 301 investigation, including Vietnam's commitments to improve its

Timber Legality Assurance System; keep confiscated timber (i.e., timber seized for violating domestic or international law) out of the commercial supply chain; verify the legality of domestically harvested timber regardless of export destination; and work with high-risk source countries to improve customs enforcement at the border and law enforcement collaboration.

- Continue to pursue strong intellectual property protection and enforcement and improve market access for Americans who rely on intellectual property protection, with U.S. trading partners including in markets identified in the Special 301 Report and those with major pending intellectual property legislation or regulations.
- Use all appropriate tools to deliver the full benefit of intellectual property provisions of existing FTAs and other trade agreements to stakeholders. Priorities include the United States-Mexico-Canada Agreement, the China economic and trade agreement, and agreements with Korea, Australia, Colombia, Panama, CAFTA-DR countries, and Chile (including obligations with transition periods) as well as progress on outstanding implementation issues with other FTA partners and issue-specific agreements (e.g. China films, etc.).
- Issue a timely, high-quality report to Congress, backed by year-round engagement with trading partners, on the adequacy and effectiveness of intellectual property protection and enforcement and market access for Americans who rely on intellectual property protection. Continue improvements to the Special 301 and Notorious Markets List processes (e.g., hearings and action plans for Priority Watch List countries). Use the Notorious Markets List to encourage reform by state and non-state actors to effectively combat piracy and counterfeiting.
- Conduct comprehensive annual Section 1377 review of telecommunications barriers and utilize this review to facilitate progress in removal of major foreign barriers impeding market access of U.S. telecommunications goods and services suppliers. Maintain efforts to eliminate trade-restrictive barriers to the Internet and Internet-enabled services, including unjustified website blocking and discriminatory or unreasonable digital services taxes.
- Identify disputes to be pursued, including barriers to U.S. exports due to trade-distorting subsidization, use of border measures, localization measures discriminating against imported goods, and trade-restrictive SPS and TBT barriers.
- Vigorously defend the United States in defensive trade disputes and, as necessary, devise appropriate implementation strategies to maintain effectiveness of U.S. measures, including trade remedy measures.
- Work with existing FTA partners, including Australia, Bahrain, Canada, Chile, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Israel, Jordan, Korea, Mexico, Morocco, Nicaragua, Oman, Panama, Peru, and Singapore, to ensure that agreements are fully and properly implemented, and address non-compliance issues that are identified.
- Work with industry, Congress, and Customs and Border Protection to address industry concerns about the effectiveness of Customs enforcement of U.S. trade agreements, in order to ensure the integrity of agreement commitments.

- Continue to coordinate with other U.S. agencies, particularly the Departments of State and Labor, to prioritize opportunities to engage with FTA partner countries to improve respect for labor rights, including by advancing efforts to reform labor laws, improve labor institutional capacity, and monitor working conditions.
- Chair the USMCA Interagency Labor Committee for Monitoring and Enforcement, and ensure that the Committee actively monitors Mexico's commitments under the USMCA, including with respect to its labor reform, and fulfills all enforcement-related mandates under U.S. law.
- Utilize the USMCA Rapid Response Labor Mechanism when appropriate to address any identified denials of rights in covered facilities in Mexico.
- Convene environmental affairs councils and related fora under existing FTAs to monitor and review implementation of FTA partners' environmental commitments, and engage with FTA partners at senior levels on specific environmental implementation issues.
- Continue to lead a robust interagency process and use all appropriate tools for monitoring implementation of FTA environment obligations across all existing FTA partners, including by identifying and prioritizing environmental and conservation issues that can disadvantage U.S. manufacturers and exporters.
- Chair the Interagency Committee on Trade in Timber Products from Peru, and ensure that the Committee continues to actively monitor Peru's implementation of its obligations under the PTPA, as well as the actions that Peru committed to take to address the Committee's timber verification findings and recommendations.
- Chair the Interagency Environment Committee for Monitoring and Enforcement (IECME) to monitor Canada and Mexico's implementation of USMCA environment obligations, periodically carry out assessments of their respective environmental laws, and request enforcement actions as appropriate and as provided under statutory requirements.
- Continue to leverage USMCA environment supplemental appropriations to strengthen monitoring and enforcement of USMCA environmental obligations.
- In the Western Hemisphere, ensure that the secretariats that have been established under the U.S.-Mexico-Canada Environmental Cooperation Agreement, CAFTA-DR, Colombia, Panama, and Peru FTAs to receive submissions from the public alleging that a Party is failing to enforce its environmental laws function fully and effectively.
- Continue to participate in meetings, as appropriate, of regional fisheries management organizations (RMFOs), such as the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR), in order to monitor implementation of trading partners' efforts to combat illegal fishing and promote fisheries management.
- Continue to research, monitor, and analyze WTO Members fisheries subsidies programs, in order to ensure that any WTO agreement on fisheries subsidies is effective in curbing harmful subsidies, and that Members comply with their commitments under any such agreement.

- Closely collaborate with industry and other offices and Departments to monitor trade actions taken by partner countries on textiles and apparel to ensure that such actions are consistent with trade agreement obligations and do not impede U.S. export opportunities.
- Research and monitor policy support measures for the textile sector, in particular in China, India, and other large textile producing and exporting countries, to ensure compliance with international agreements.
- As a member of the interagency Committee on Foreign Investment in the United States (CFIUS), continue to ensure that CFIUS decisions effectively protect the national security consistent with applicable laws and regulations and the United States' overall investment policy.
- Consider and address enforcement concerns that affect small and medium-sized enterprises, and identify ways to engage small and medium-sized enterprises regarding trade, including small businesses owned by women and minorities, and agricultural sector and rural SMEs.
- Utilize existing USTR resources and leverage other U.S. government resources to effectively pursue the timely resolution of specific trade concerns addressed in the WTO standing committees.
- Effectively utilize the WTO standing committees to oversee the implementation of the WTO agreements, working with affected U.S. suppliers and with like-minded WTO Members to press countries that may be contravening WTO rules to address specific trade concerns. Utilize the Trade Facilitation Committee to continue to promote the full implementation of the WTO Trade Facilitation Agreement.
- Conduct the annual report to Congress on the Implementation and Enforcement of Russia's WTO Commitments.
- Review and assess China's trade policies and practices and prepare the annual Report to Congress on China's WTO Compliance.
- Monitor Brazil's implementation and compliance with the Protocol on Trade Rules and Transparency.
- Monitor Ecuador's implementation and compliance with the Protocol on Trade Rules and Transparency.
- Continue to work closely with inter-agency partners to monitor the performance of the Caribbean Basin Initiative, including ongoing monitoring of beneficiary countries' compliance with eligibility criteria, promoting awareness of opportunities under the program, and enhancing the capacity of beneficiary countries to achieve development goals through the program.
- Working with the Department of Commerce, develop and submit the annual Subsidies Enforcement Report to Congress.
- Ensure greater market access for U.S. companies in South and Central Asia, focusing on the elimination of localization requirements, and other non-tariff barriers, and seek improved compliance with WTO obligations.

- Continue vigorous U.S. participation in the WTO Committee on Trade-Related Investment Measures as well as bilateral efforts to promote elimination of distortive local content measures, including in Nigeria, Indonesia, Brazil, China, and India.
- Continue to make regular use of bilateral and multilateral fora, including WTO committees, to challenge India's localization requirements and other technical barriers to trade.
- Seek implementation of India's obligation to eliminate all export subsidies, including the export subsidy programs recommended for elimination in the WTO dispute settlement panel report.
- Take pro-active measures to ensure that Generalized System of Preferences (GSP) beneficiary countries comply with the statutory eligibility criteria, including by facilitating prompt responses to GSP petitions, continuing to advance efforts on worker rights and intellectual property in countries of special concern, self-initiating reviews of eligibility when appropriate; actively engaging on open country practice reviews, and removing GSP benefits when engagement fails to address concerns.
- Work closely with our inter-agency partners, including the Departments of State and Labor, to monitor, prioritize, and engage GSP beneficiary countries with respect to the worker rights, market access, intellectual property, and other criteria of our trade preference programs.
- Continue to work closely with other agencies and relevant stakeholders to promote the capacity of African nations to take advantage of AGOA and to foster the adoption of sound trade and investment policies, including through regular reviews of compliance with eligibility criteria.
- Continue to work with the U.S. textile and apparel industry to promote exports and other opportunities under our free trade agreements and preference programs, by actively engaging with stakeholders and industry associations and participating, as appropriate, in industry trade shows.

### ***Goal 3: Develop and Implement Innovative Policies to Advance President's Trade Agenda***

USTR will develop and implement a comprehensive trade policy to help the country and world recover from the Covid-19 pandemic and its economic effects; improve labor standards; strengthen environmental standards and support the Administration's work to address the crisis of climate change; support public health improvements; and eliminate social and economic barriers to ensure economic opportunity and benefits for underserved and marginalized communities.

#### **Objectives:**

- Address the effects of the pandemic and unforeseen national and global emergencies through policies that strengthen long-term supply chain resiliency for equipment and supplies critical to delivering public health services in the United States; help companies, including small businesses and women and minority entrepreneurs, strengthen production of essential medical equipment; collaborate with trading partners to advance global health security and humanitarian response to save lives, promote global economic recovery, and develop resilience against future global pandemics or crises.

- Craft a worker-centered trade policy to promote equitable economic growth and contribute to the creation of good-paying future U.S. jobs through the inclusion in trade agreements of strong, enforceable labor standards that protect workers' rights and increase economic security; engage allies to achieve commitments to fight forced labor and exploitative labor conditions, and increase transparency and accountability in global supply chains, and lead to the economic empowerment of women and underrepresented communities by promoting a race to the top through fair competition, including core labor standards and environmental rules,
- Leverage our strong bilateral and multilateral trade relationships to raise global climate ambition. Work with allies as they develop their own approaches and ensure that trading partners meet their environmental obligations under existing trade agreements. Support the goal of reducing greenhouse gas emissions and achieving net-zero global emissions by 2050, or before. Explore and develop market approaches to address greenhouse gas emissions in the global trading system. As appropriate, and consistent with domestic approaches to reduce U.S. greenhouse gas emissions, this includes consideration of carbon border adjustments.
- Negotiate and implement strong environmental commitments in trade-related areas that contribute to a decarbonized and net-zero economy; promote conservation of natural resources, such as through sustainable fisheries and forest management, and combatting wildlife trafficking; and prevent illegally harvested timber, fish, or wildlife from entering U.S. supply chains.
- Seek to better understand the projected impact of proposed trade policies on underserved and marginalized communities and to ensure those impacts are considered before pursuing such policies.

#### **Measurements:**

- Work through multilateral and bilateral trade contexts to ensure that policies supporting global pandemic recovery account for the important role of workers in that recovery, including by prioritizing occupational safety and health, addressing high-risk contexts like forced labor, and emphasizing the role of workers' rights and labor protections.
- Conduct outreach and work with trading partners to raise global climate ambition to achieve a net-zero global economy by 2050, including encouraging decarbonization through trade mechanisms.
- Consult and coordinate with allies and like-minded trading partners as they develop trade-related approaches to climate change, including carbon pricing or other measures.
- Take proactive measures to explore and develop market approaches to address climate change, including at the WTO, the OECD, and in other venues as appropriate.
- Continue to engage proactively at the WTO in the Committee on Trade and Environment and informal WTO dialogues as appropriate to advance trade and climate change initiatives at the WTO.
- Continue to engage in domestic processes and international fora aimed at combatting IUU fishing and enhancing seafood traceability.
- Continue to engage in relevant international fora to develop effective strategies to combat wildlife trafficking and to prevent the spread of zoonotic disease through wildlife trade.

- Continue to explore ways to advance trade facilitation for reverse supply chain products and intermediaries, including recyclable materials, in APEC, the WTO and other relevant fora. Emphasize the key role that trade plays in building more circular economies.
- Maintain close collaboration with the Trade and Environment Policy Advisory Committee (TEPAC), and other stakeholders in developing U.S. negotiating positions on trade and climate matters, including in bilateral trade negotiations, regional and WTO initiatives, and the implementation of environmental obligations in existing FTAs.
- Implement strong environmental obligations that also contribute to a decarbonized and net-zero economy, including considerations of trade in low-carbon goods and promotion of environmental technologies.
- Advance U.S. climate priorities through our leadership of APEC's Committee on Trade and Investment (CTI) and in other relevant committees. Support regional decarbonization efforts through promotion of clean and renewable energy technologies, including environmental goods and services.

#### ***Goal 4: Develop Equitable Trade Policy Through Inclusive Processes***

Consistent with Executive Order 13985 on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, Executive Order 13988 on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation, and the National Strategy on Gender Equity and Equality, USTR will develop inclusive, worker-centered trade policy through extensive consultations with the Congress, stakeholders, and its trade Advisory Committees. USTR will also use digital means and expanded domestic engagement to ensure broad opportunities for the public to contribute to policy formulation, provide comments on policy, and access public hearings and documents. USTR will lead interagency trade policy coordination to obtain broad-ranging input, involve disadvantaged and underserved communities in policymaking, provide accountability, and develop sound, strategic U.S. trade policies.

USTR's transparency principles establish the foundation for a high transparency standard for the day-to-day operations of USTR. These transparency principles reflect the Administration's commitment to comprehensive public engagement, including outreach to historically overlooked and underrepresented communities, as it develops and implements a trade policy that advances the interests of all Americans.

#### **Objectives:**

- Work with Congress, interested stakeholders, unions, Tribal Nations, state and local governments, and the public to inform and strengthen the U.S. trade agenda, develop Administration trade policies and initiatives, and advance key trade legislation.
- Conduct outreach to underserved and disadvantaged communities, in policy development, negotiations, and implementation and enforcement of agreements and legislation.
- Ensure that the concerns and perspectives of underrepresented communities, small businesses, and the employment and purchasing power interests of low-income Americans are reflected in proposed

policies, including through improved engagement, innovative data collection, and outreach and engagement with community-based stakeholders, such as minority-owned businesses, business incubators, Historically Black Colleges and Universities (HBCUs), Tribal Colleges and Universities (TCUs), Hispanic Serving Institutions (HSIs), other minority serving institutions (MSIs), and local and national civil and human rights organizations.

- Incorporate policies and proposals that foster Tribal Nations' participation in international trade; ensure Tribal Nations are timely informed about trade policies and actions that may have Tribal implications.
- Provide timely and appropriate information to the public on ongoing trade negotiations and trade policy issues of general interest, consistent with laws and regulations governing engagement with the public as well as the protection of confidential information.
- Provide inclusive opportunities for the public to participate in the development of trade policy and trade initiatives, including changes in policy that affect existing trade programs; seek public input with respect to new major trade initiatives when feasible, even when not required by law.
- Facilitate participation in trade policy development by a broad range of stakeholders. In order to foster more inclusive and broader representation in terms of both geography and demographics, as well as stakeholder perspective, seek input using innovative and adaptable forms of communication, including virtual hearings and outreach, in addition to traditional means such as Federal Register notices.
- Foster a robust Advisory Committee system by appointing, consulting, and engaging with an active group of advisors; ensure that the membership includes a wide variety of expert interests, reflective of the diverse stakeholder perspectives and encourage cleared advisors to consider equity in trade policy outcomes when providing advice.
- Facilitate opportunities for the public, especially from historically underserved and marginalized communities, to share perspectives and ideas on developing equitable trade policy.
- Identify and explore opportunities for trade policy and practices, especially in emerging sectors where the United States has the potential to be competitive, to contribute towards increasing equity, reducing income inequality, and expanding micro, small, and medium-sized enterprises and their potential to create good U.S.-based jobs through trade.
- Expand data analysis and reports to measure equity and analyze the effect of trade policy on underserved and marginalized communities, including assessments based on race, ethnicity, gender, disability, income, veteran status, or other key demographic variables.
- Educate the public on the Advisory Committee system and its role in trade policy.
- Adhere to the Guidelines for Consultation and Engagement adopted in October 2015.
- Coordinate trade policy effectively through the Trade Policy Staff Committee (TPSC) and the Trade Policy Review Group (TPRG).

**Measurements:**

- Consult closely with Congress and stakeholders on developments regarding all agreements, including their consideration by Congress, entry into force, and the potential addition of new agreement partners.
- Consult broadly and intensively with Congressional committees of jurisdiction, other committees as appropriate, leadership offices, and Congressional advisors on pending trade policy issues and initiatives. Keep Committees and Congressional leaders abreast of key issues, opportunities, and constraints in trade negotiations. Keep Committees updated on the positions of our negotiating partners.
- Build support for Administration trade policy through existing Congressional coalitions and caucuses.
- Consult with Congress and key stakeholders on new initiatives to promote policy reforms that expand trade and investment with key trading partners in ways that increase U.S. employment and production.
- Work with Congress on legislative initiatives, in particular the approval of trade agreements, and provide advice on trade aspects of proposed legislation to help ensure consistency with U.S. international obligations.
- Consult broadly with Congress and other stakeholders to develop a U.S.-sub-Saharan Africa trade partnership beyond African Growth and Opportunity Act (AGOA) preferences, including exploring possible new models for engagement and trade agreements with key African trading partners.
- Work with Congress on GSP reauthorization (as necessary) and enforcement efforts.
- Take the lead in providing policy advice and assistance in support of any Congressional initiatives to reform or re-examine preference programs that have an impact on the textile and apparel sector.
- Ensure that the *National Trade Estimate on Foreign Trade Barriers* report, the Special 301 Report, and other reports required by statute are developed in a transparent manner, with opportunity for input from the public at large as well as stakeholders and Members of Congress, and review the issues they address fully and accurately.
- Provide public access to U.S. submissions to WTO adjudicatory bodies so that stakeholders and interested members of the public may provide relevant input.
- Solicit public comment on WTO or FTA dispute settlement proceedings to ensure that USTR officials can develop U.S. positions and arguments based on all relevant available information.
- Ensure that meetings of environmental affairs councils and related fora under our existing FTAs include sessions open to the public, and provide for public input on the agendas for these meetings, consistent with legal and regulatory requirements.
- Ensure timely re-chartering of committees and appointment of members and ensure that committees meet statutory reporting requirements.
- Convene regular Advisory Committee meetings and briefings as needed in coordination with other relevant agencies.

- Ensure that the Advisory Committee system meets the needs of the 21st century economy and the U.S. national economic interest, by seeking advisory input on an ongoing basis as issues arise and posting documents for comment to the Secured Advisory Committee Website.
- Provide regular updates to USTR's advisory committee website with relevant information and membership.
- Consult regularly with the Advisory Committee for Trade Policy and Negotiations (ACTPN) to provide relevant advice to the USTR on matters arising in connection with the development, implementation, and administration of trade policy.
- Continue working closely with the Trade Advisory Committee on Africa (TACA) to provide relevant advice to the USTR on strengthening the U.S.-Africa trade and investment relationship.
- Consult with the Industry Trade Advisory Committees (ITACs) to identify industry barriers and to provide input on economic opportunities and other trade policy matters.
- Consult with the Agricultural Policy Advisory Committee (APAC) and the Agricultural Technical Advisory Committees (ATACs) on the development and implementation of agricultural trade policy priorities.
- Maintain regular consultation with the Labor Advisory Committee for Trade Negotiations and Trade Policy (LAC), and other stakeholders on issues related to implementation of labor rights obligations under FTAs and worker rights criteria of trade preference programs.
- Maintain regular consultation with the Intergovernmental Policy Advisory Committee on Trade (IGPAC), and other stakeholders on issues involving trade and development that have a significant relationship to the affairs of U.S. state and local governments.
- Maintain close collaboration with the Trade and Environment Policy Advisory Committee (TEPAC), and other stakeholders in developing U.S. negotiating positions on trade and environment matters, including in bilateral trade negotiations, regional and WTO initiatives, and the implementation of environmental obligations in existing FTAs.
- Seek to ensure that all trade advisory committees represent a diverse, equitable, inclusive, and balanced group of stakeholder interests.
- Ensure smooth functioning of interagency policy development and review, including through providing all TPSC member agencies time, informed by TPSC guidelines, for review and approval of TPSC papers and other material.
- Make robust and effective use of TPSC subcommittees to frame issues and develop proposals for trade policy issues to ensure that all agencies with trade responsibilities are kept abreast of emerging issues, new initiatives, negotiations, enforcement, and other policy implementation.

- Seek to resolve inter-agency trade policy issues at the TPSC level whenever possible, and in a timely manner, reserving only complex or sensitive decisions, or issues on which agencies are unable to reach consensus through TPSC deliberation, for resolution in the TPRG (Deputy USTR/Under Secretary level) or among Cabinet officers.
- Use the National Security Council processes effectively to ensure USTR leadership on key Administration trade policy goals and initiatives.
- Promote North American Competitiveness and Workforce Development. Partner with NGOs, private industry, and Community Colleges and Universities on two conferences focused on North American workforce development under the USMCA Competitiveness Committee. Participants will share goals with respect to creating opportunities for creation of a skilled workforce and will feature direct participation by diverse groups of graduates of successful workforce training programs to discuss their experiences.
- Enhance Opportunities for SMEs under the USMCA. Implement the USMCA commitment to convene a trilateral USMCA SME Dialogue, including SMEs owned by diverse and under-represented groups, NGOs, academic experts, and other stakeholders, so that SMEs may provide views on the implementation of the USMCA.
- Enhance opportunities for SMEs under the U.S.-Ecuador Protocol on Trade Rules and Transparency. Implement the Protocol commitment to convene a bilateral SME dialogue that includes SMEs owned by diverse and under-represented groups.
- Work with U.S. development agencies and other government agencies so that appropriate assistance programs are in place when necessary to support implementation of trade agreements and key trade legislation.

### ***Goal 5: Effectively Communicate the President's Trade Agenda***

To ensure the advancement of the President's trade policy agenda, USTR will communicate the benefits of this agenda to domestic and foreign audiences, thereby building public understanding of its positive impact on economic growth, and support for enforcing U.S. rights and opening markets around the world to U.S. goods, services, and agricultural products.

#### **Objectives:**

- Create and implement a USTR-wide, proactive communications strategy to explain the job-supporting, economy-enhancing benefits of the President's trade policy agenda to domestic constituencies and stakeholders.
- Ensure the USTR website contains up-to-date information on current trade initiatives and programs. Press releases and other materials related to agency programs, initiatives, and negotiations will contain sufficient information to adequately inform the public and will link to available background information on the USTR website.

- Inform private sector and non-profit stakeholders, media, Tribal Nations, and state and local governments of USTR's efforts to monitor and address unfair foreign trade barriers and practices and enforce U.S. rights, as well as compliance by trading partners with U.S. agreements.
- Enhance outreach to and build sustained engagement with underserved and disadvantaged communities on the benefits of the President's trade agenda and ensure methods and means of communication are useful and accessible.
- Work with the White House and with agency partners to implement a consistent, Federal government message on trade policy.
- Use language and means of communication that are accessible, inclusive, and reflect the concerns, priorities, and perspectives of stakeholders.
- Communicate, in consultation with other agencies, the Congress, and interested stakeholders, the Administration's unified message to foreign countries and their citizens explaining the benefits of trade with the United States, in order to build support for U.S. trade policies and initiatives.
- Communicate success to stakeholders, including Tribal Leaders, and state and local elected officials.

#### **Measurements:**

- Survey external research to gauge baseline of current public perceptions of U.S. trade policy and practices in order to adjust USTR's messaging strategy and develop trade education materials.
- Develop talking points, fact sheets, press releases, electronic newsletters, and internet strategy to explain Administration trade policy goals and achievements.
- Coordinate press statements with interested agencies and the White House in order to present coherent and mutually reinforcing trade information to the public.
- Organize press events around high-profile trade achievements in negotiations, enforcement, and legislation.
- Prepare press statements and press events to respond to criticism of U.S. trade policy.
- Work with other trade agencies, congressional trade committees, and interested stakeholders to communicate the benefits of trade agreements and enforcement to the Congress, interested stakeholders, state and local governments, and the public.
- Work with the House Committee on Ways and Means and the Senate Committee on Finance, Congressional leadership, and other Committees as appropriate, to develop a strategy focusing on communicating the benefits of fair and reciprocal trade.
- Plan and organize press events hosted by USTR officials and Members of Congress during trade negotiations in the United States and abroad.

- Conduct outreach to U.S. industry stakeholders, congressional delegations, and state-level governments planning official visits and trade missions.
- Build a network of private and non-governmental organizations, state-level and local officials to coordinate messaging on the benefits of fair and reciprocal trade.
- Develop and distribute educational materials based on available state and local trade export data to interested stakeholders, state representatives, and local networks.
- Continue to conduct outreach to the public and to expand interagency coordination of enforcement efforts.
- Use speeches and other public events to make the case that U.S. trade agreements and initiatives can and should address urgent trade-related environmental challenges, and help to level the playing field for American workers and businesses.
- Through cooperation with agencies at the U.S. Export Assistance Centers (USEACs), other key agencies and stakeholders, work to advance the goals of the President to support more U.S. companies in exporting to more overseas markets, including through efforts to educate U.S. businesses – especially SMEs – about global trade opportunities.
- Continue outreach to key AGOA stakeholders as part of an interagency initiative to enhance trade and investment in sub-Saharan Africa, broaden outreach to the private sector (especially SMEs), diaspora organizations and businesses, and others to ensure that they are well informed about a range of initiatives impacting U.S. trade with sub-Saharan Africa, and the growing opportunities for mutually beneficial U.S.-Africa ventures.
- Use domestic and foreign travel by senior leadership to highlight the strategic importance of key African and Southeast Asian partners as well as to deepen our trade and investment policy engagement with them.
- Strategically select cities and organizations for trade speeches to demonstrate the importance of free and fair trade to the local economy.
- Establish a stronger state-level network of interested stakeholders and work with this network to offer opportunities for information exchange and trade education through USTR participation in conferences and external speaking engagements.
- Present and discuss evolving U.S. trade and investment policies at business conferences and widely attended meetings of key private sector stakeholder organizations and relevant embassies.
- Through cooperation with U.S. regulatory and health agencies, ensure that the Administration-wide message on trade policy is reflected in U.S. positions and delivered in meetings of international organizations where issues that impact trade are discussed (e.g. WIPO, WFP, UNCTAD, OECD, G7, G20, WHO, UN, HRC, PAHO, Codex).

- Work with USTR’s public affairs counterparts in foreign governments to coordinate a communications strategy to advance trade negotiations and to explain trade disputes.
- Build relationships with foreign media and place press statements and attend press events that build support for fair and reciprocal trade in key foreign countries.
- Identify foreign constituencies that may be receptive to information regarding the benefits, including environmental and social benefits, of free and fair trade.
- Respond appropriately and timely to all statutory requests, such as Freedom of Information Act (FOIA) inquiries and Government Accountability Office (GAO) engagements.

### ***Goal 6: Achieve Organizational Excellence as a Model Employer***

USTR will make advancing diversity, equity, inclusion, and accessibility a priority component of the agency’s management agenda and strategic policy planning and review. This includes increasing employee engagement and developing and strengthening a diverse and inclusive adaptive workforce in line with Executive Order 14035 on Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce, and the National Security Memorandum on Revitalizing America’s Foreign Policy and National Security Workforce, Institutions, and Partnerships. The agency will strengthen the development and promotion of a workplace that supports diversity, equity, inclusion, accessibility, creativity, and productivity through human capital initiatives that focus on effective recruitment strategies, fair hiring practices, and continuous learning programs. The agency will also provide effective business operations and service delivery through administrative processes, physical and information security, finance and procurement, information technology, and infrastructure that will strengthen its ability to perform core functions at the highest level of excellence.

#### **Objectives:**

- Implement agency actions in E.O. 14035 Executive Order on Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce.
- Expand opportunities to recruit, retain, develop, and promote a diverse and inclusive workforce.
- Collect and analyze data on USTR’s workforce composition, senior workforce composition, employment applications, hiring decisions and applicant flow, promotions, wages, pay and compensation, professional development programs, and attrition rates.
- Support, coordinate, and encourage research, evaluation, and other efforts by the Federal Government to identify best practices, and other promising practices, for broadening participation in Federal employment, and to identify the benefits of diversity, equity, inclusion, and accessibility on Federal performance and operations.
- Assess in a consistent and proactive manner whether USTR’s recruitment, hiring, promotion, retention, professional development, pay equity, reasonable accommodations access, and training policies and practices are fair, impartial, and effective, to meet the goal of promoting a diverse and inclusive workforce.

- Review the status and outcomes of existing diversity, equity, inclusion, and accessibility initiatives or programs, and review the level of institutional resources available to advance human resources activities that advance the Federal government’s objectives of being a model employer for diversity, equity, inclusion, and accessibility.
- Develop innovative programs, initiatives, budgeting, personnel, and resource proposals based on quarterly assessments of USTR’s review of its progress in being a model employer for diversity, equity, inclusion, and accessibility.
- Support efforts of USTR’s Diversity, Equity, Inclusion and Accessibility (DEIA) Council to expand awareness within the agency of DEIA principles and their application, and to provide advice to the agency’s leadership and administrative and human resources professionals.
- Provide human capital services that maximize employee performance and engagement, affirmatively advance diversity, equity, inclusion and accessibility; use a systematic approach to embedding fairness in processes and practices that will recognize and work to redress inequities in current policies and processes that may serve as barriers to equal opportunity.
- Manage a security program that provides appropriate levels of protection for USTR personnel, facilities and sensitive information in all situations.
- Coordinate crisis management capabilities that ensure USTR can support its Primary Mission Essential Functions (PMEFs) and Mission Essential Functions (MEFs) with minimal disruption under different Continuity of Government Readiness Conditions.
- Manage resources to maximize USTR’s current and future capabilities; formulate the agency’s budget and execute appropriations ensuring financial accountability with best financial management practices.
- Manage USTR more efficiently and effectively and identify, monitor and mitigate operational risks.
- Provide effective facilities management processes that enable USTR staff productivity.
- Deliver information technology resources and systems that increase USTR’s productivity, communicate trade benefits, and safeguard resources.

**Measurements:**

- Develop an Agency DEIA Strategic Plan that addresses how USTR plans to advance DEIA within the workforce and address any potential barriers to equal employment opportunities as directed by the Government-wide Strategic Plan to Advance Diversity, Equity, Inclusion, and Accessibility (DEIA) in the Federal Workforce.
- Operationalize the DEIA Strategic Plan by creating annual goals and taking actionable steps to achieve those goals; develop standards of success to assess progress; conduct an internal quarterly review to assess progress toward achieving USTR goals.
- Implement a comprehensive information security program that meets E.O. 13526 and ISOO Directive One.

- Implement a physical security program that meets HSPD-12 and otherwise complies with applicable laws and regulations.
- Develop procedures to protect USTR personnel in high threat situations and environments and provide appropriate level of protection for the USTR office complex.
- Develop budget plan that will improve USTR's mission effectiveness; manage spending plan to maximize USTR's productivity and efficiency.
- Adopt administrative services procedures that provide responsive and timely support to USTR staff.
- Foster a high-performing Office of Administrative staff that provides efficient and effective support to USTR offices and employees.
- Manage USTR space utilization and allocation to provide the quality and quantity of office and meeting facilities appropriate for USTR's mission requirements.
- Implement building maintenance strategies that facilitate mission accomplishment and promote employee health and well-being by providing clean and well-functioning facilities.
- Acquire and install information technology (IT) and communications equipment and services that facilitate mission accomplishment.
- Ensure that IT and communications systems for Geneva and Mexico City provide robust connectivity and continuity of operations.
- Employ just-in-time training, instructional seminars, and job aids to ensure highest possible use of IT capabilities.
- Develop strategies that ensure human capital is well managed and employee engagement is strengthened; work closely with the Executive Resources Board (ERB) to capitalize on their insight and guidance.
- Perform operational responsibilities to ensure high quality administrative and human resources support.
- Collaborate with the Executive Office of the President (EOP) to encourage employee participation in EOP activities related to health and wellness.
- Work with the United States International Trade Commission (ITC) to launch a two-part investigation of the distributional effects of goods and services trade and trade policy on workers and underserved communities.
- Work with the employee Diversity, Equity, Inclusion and Accessibility (DEIA) Council by way of four workstreams (External Outreach and Recruitment; Hiring, Promotion and Retention; Training, Workshops and Events; Employee Engagement) to provide ongoing advice to USTR Administration and agency leadership on agency policies and practices related to DEIA principles.
- Employ mentorship as a key factor in employee engagement and inclusion within USTR.

# ANNUAL PERFORMANCE REPORT FOR FISCAL YEAR 2021

## *Introduction*

The Annual Performance Report for the Office of the United States Trade Representative (USTR) complies with USTR's obligations under the Government Performance and Results Act (GPRA), and helps the agency measure its performance for FY 2021.

USTR will be publishing its Mission Statement and Strategic Goals in the FY2022-FY2026 Strategic Plan, developed in accordance with revisions made by Congress to the GPRA by the GPRA Modernization Act of 2010 and is available at <http://www.ustr.gov>.

In FY2021, the Office of the United States Trade Representative (USTR) advanced the President's economic agenda, using trade policy in order to support domestic jobs and economic growth. The Administration built on record-breaking exports, engagement with trading partners, and trade enforcement to win strong results for American workers, manufacturers, farmers, ranchers, services providers, innovators, investors, consumers, and small businesses. This report summarizes the goals set at the beginning of the year, and the accomplishments recorded by year's end.

### ***Goal 1: Open Foreign Markets and Combat Unfair Trade***

To advance the goals of supporting and sustaining well-paying American jobs and farm incomes, broadening the benefits of trade through more inclusive trade policies and outreach reflecting the interests of a diverse nation, supporting value-added production and innovation in the United States, and promoting equitable economic growth in the United States and worldwide, USTR will open foreign markets, combat unfair trading practices, enforce U.S. trade laws, reduce trade distortions, and encourage broader participation in international trade by negotiating and implementing agreements consistent with U.S. interests and values. Informed by diverse, sustained, engagement, USTR will stand up for American farmers, ranchers, manufacturers, service providers, fishers, and SMEs by pursuing smart trade policies that are inclusive and work for all producers.

#### **Objectives:**

1.1: Negotiate and implement agreements that sustain well-paid American jobs, advance the overall trade and economic interests of the United States, and further the objectives of U.S. trade policies by opening foreign markets to U.S. manufactured goods, agricultural products, and services. Support the broader economic recovery by helping companies, including small businesses, women and minority entrepreneurs, put Americans to work by building world-class products for export to foreign markets.

1.2: Effectively utilize USTR and leverage other U.S. government resources to break down foreign trade barriers and promote fair trade.

1.3: Expand global market access opportunities for American farmers, ranchers, food manufacturers, and fishers and defend U.S. producers by enforcing global agricultural trade rules and promoting the adoption of science and risk-based sanitary and phytosanitary measures.

1.4: Use all available tools to take on the range of unfair trade practices that continue to harm U.S. workers and businesses.

1.5: Work with trading partners to ensure that trade policy works in concert with initiatives to advance global health security and humanitarian response to save lives, promote economic recovery, and develop resilience against future global pandemics or crises.

1.6: Ensure that trade agreements consider the needs and reflect the interests of underserved communities and America's racially, ethnically, and geographically diverse population.

1.7: Review past trade policies for their impacts on and unintended consequences for U.S. workers, and assess existing trade preference programs to evaluate their contribution to equitable economic development, improved labor standards, and opportunities for developing country workers to move from informal and unregulated sectors to wage-paying work.

1.8: Effectively represent U.S. interests in the World Trade Organization and other international bodies to achieve the Administration's international trade policy goals. Work to implement necessary reforms to the WTO's substantive rules and procedures to address the challenges facing the global trading system, including growing inequality, digital transformation, and impediments to small and medium-sized enterprises, including women and minority-owned businesses. In this respect, seek the development of WTO rules that combat non-market policies and practices that inhibit the ability of U.S. workers and businesses to compete in the global market.

1.9: Work with allies and like-minded trading partners to establish high-standard global rules to govern the digital economy, in line with our shared democratic values.

1.10: Negotiate and implement strong environmental commitments in trade-related areas that contribute to a sustainable climate pathway; promote conservation of natural resources, such as through sustainable fisheries and forest management, and prevent unlawful environmental practices, such as illegal logging, illegal fishing, and wildlife trafficking.

1.11: Contest the harms resulting from forced labor as an unfair cost advantage for those industries, businesses, and producers who exploit this practice.

1.12: Engage with U.S. government partners to encourage robust technical assistance and trade capacity building with trading partners to ensure workers and small and medium-sized enterprises, including women and minority-owned businesses around the world benefit from U.S. trade policy.

### **Accomplishments:**

USTR's trade policy, negotiations, and enforcement actions have been critical to building and opening foreign markets, combating unfair trading practices, reducing trade distortions, and encouraging broader participation in international trade by negotiating and implementing agreements consistent with U.S. interests and values. USTR's actions have promoted diverse, sustained engagement, and supported high wage jobs for American farmers, ranchers, manufacturers, service providers, fishers, and SMEs.

Highlights of USTR's accomplishments in FY2021 include:

- ***Continued Implementation of the United States-Mexico-Canada Agreement (USMCA).*** Full implementation of the USMCA, which entered into force on July 1, 2020, was a key USTR priority throughout FY 2021. The United States hosted a virtual meeting of the USMCA Free Trade

Commission on May 18, 2021, a key first step for USTR's efforts to build an inclusive trade policy for North America, advance USMCA implementation, and enhance coordination with Canada and Mexico. During 2021, USTR convened meetings of 15 of the USMCA's committees, including the Committees on Origin and Origin Procedures, Textiles and Apparel Trade Matters, Trade Facilitation, Sanitary and Phytosanitary Measures, Technical Barriers to Trade, Transportation Services, Financial Services, Intellectual Property Rights, State-Owned Enterprises and Designated Monopolies, Small and Medium-Sized Enterprises (SMEs) Issues, Competitiveness, Good Regulatory Practices, Agricultural Trade, Environment, and the Labor Council. Lastly, USTR launched the organization of a conference on North American workforce development under the USMCA Competitiveness Committee to be held in December 2021.

- ***Facilitated Implementation of USMCA textile provisions.*** USTR engaged with Canada and Mexico to ensure proper implementation of the USMCA textile provisions, including administration of tariff preference levels and entry-into-force of new rules of origin involving certain textile inputs.
- ***U.S.-China Trade Engagement.*** USTR closely monitored the efforts of China to implement its commitments under the economic and trade agreement signed by the United States and China in January 2020 and regularly engaged China to insist on its full implementation of the agreement.
- ***Worked with Like-Minded Trading Partners.*** Undertook and enhanced engagement with like-minded trading partners, such as Japan, the EU, the UK, Canada and Australia, on strategies to address problematic Chinese trade policies and practices, including non-market policies and practices.
- ***Launched the U.S.-EU Trade and Technology Council.*** During their June 15 summit meeting in Brussels, President Biden and EU leaders announced the establishment of the U.S.-EU Trade and Technology Council (TTC). In their summit joint statement, the leaders affirmed the shared goals of strengthening the U.S.-EU trade and investment relationship in ways that would promote mutual competitiveness and prosperity; help mitigate the adverse impact of climate change, protect the environment, promote workers' rights, and expand resilient and sustainable supply chains; protect U.S. and EU businesses and workers from the unfair trade practices of non-market economies; and promote the deployment of new technologies based on shared democratic values. In collaboration with the National Security Council and the Departments of State and Commerce, USTR played a lead role in implementing the leaders' summit mandate, preparing the ground for the successful inaugural meeting of the TTC co-chairs, including Ambassador Tai, on September 29. The TTC's work will be carried forward in ten working groups, one of which, on Global Trade Challenges, that will be led on the U.S. side by USTR, and another, on Climate and Clean Technologies, that will be co-led by USTR and other agencies. The Global Trade Challenges Working Group will aim to achieve more effective autonomous, coordinated, and joint action in at least three main areas: responding to harmful policies and practices of non-market economies, avoiding the imposition of unnecessary barriers to trade in products and services derived from emerging technologies, and promoting protection for labor rights in global supply chains. Other areas, such as trade-related climate and environment issues, may be added as a result of what USTR intends to be a vigorous and inclusive stakeholder consultation.
- ***Advanced Efforts to Combat Forced Labor in Global Supply Chains.*** During FY 2021, USTR engaged and worked with allies and trade partners to promote a fair, rules-based international trading system that respects the rights of workers and affirms that there is no place for forced labor, including state-sponsored forced labor. On May 18, at the first meeting of the USMCA Free Trade Commission, the United States, Mexico, and Canada reiterated their agreement to ban imports on goods made with forced labor. On May 26, USTR submitted a proposal on behalf of the United States to the World Trade Organization to bring attention to the critical issue of forced labor on fishing vessels. On July 13, USTR

joined five federal agencies to issue an advisory for businesses whose supply chains include components in Xinjiang, where Uyghurs and other minority groups are subject to forced labor. On May 28, Ambassador Tai participated in the G7 Trade Track meetings with her international counterparts. The inclusion of forced labor in the Ministers' Communique paved the way for the June G7 Leaders' Statement and the October Trade Ministers' Forced Labor Statement that included historic commitments to work together to protect individuals from forced labor and mitigate the risks of forced labor in global supply chains. USTR also continued to proactively and collaboratively work with the Forced Labor Enforcement Task Force and the Forced Labor Interagency Working Group to set up operational processes, provide input to Congressionally-mandated reports, and monitor the prohibition of goods produced by forced labor in support of trade enforcement pursuant to Section 307 of the Tariff Act of 1930.

- ***Advanced Environment-Related Trade Negotiations and Initiatives.*** Throughout FY2021, USTR continued to prioritize monitoring and implementation of FTAs in force, as well as advanced additional initiatives. USTR organized several meetings with the Government of Mexico to discuss challenges and opportunities for cooperation related to Mexico's fisheries enforcement capacity. USTR also continued to advance implementation of the USMCA's environment provisions through convening quarterly meetings throughout FY2021 of the Interagency Environment Committee for Monitoring and Enforcement, established by Executive Order 13907 to coordinate United States' efforts to monitor and enforce environmental obligations with respect to USMCA Parties. USTR also continued to actively monitor and enforce the United States-Peru Trade Promotion Agreement (PTPA) and its unique Forest Annex. On October 1, 2020, the United States instructed the Secretariat for Submissions on Environmental Enforcement to prepare a factual record in response to a public submission alleging a failure by Peru to effectively enforce environmental laws. The United States and Peru also held discussions on the implementation of obligations under the PTPA's environment chapter, including to initiate the process to select a new Executive Director of the Secretariat. USTR also participated in several U.S. initiatives to combat IUU fishing, including through working groups established under the Maritime Security and Fisheries Enforcement Act on global IUU fishing, illegal fishing in the Gulf of Mexico, and fisheries and forced labor.
- ***Enhanced Efforts to Address SME Trade-Related Issues.*** USTR enhanced efforts to address trade priorities and challenges of American small businesses in the development and implementation of trade policy. USTR worked extensively with the interagency Trade Policy Staff Committee (TPSC), Congress, trade partners, and other stakeholders to develop and implement trade policy activities reflecting issues of concern to U.S. small businesses. Under the USMCA SME Chapter, the USMCA SME Committee organized a trilateral webinar, on the topic of Accessing USMCA Markets with E-Commerce: Tools for SMEs to increase their online international sales. Over 600 SMEs attended from the US, Canada and Mexico to hear strategies and tips for success from women-owned SMEs from the three Parties who are successfully selling into North American markets; tools for ecommerce from small business development centers and SME counselors; and government resources from the three Parties. Additionally, the U.S.-EU Trade and Technology Council launched in 2021 includes an SME Working Group on Promoting Small- and Medium-sized Enterprises (SME) Access to and Use of Digital Tools. In addition, USTR, together with interagency partners at the Department of Commerce and the Small Business Administration laid the groundwork for SME dialogues with both the European Union and the United Kingdom in 2022.
- ***U.S.-United Kingdom Trade Engagement.*** Ambassador Tai has held multiple conversations with UK's Trade Ministers concerning how best to advance our trade and investment relationship, including the resolution of the Large Civil Aircraft dispute and the Section 301 Digital Services Tax investigation.

- ***U.S.-Kenya Trade Engagement.*** Ambassador Tai has held multiple conversations with Cabinet Secretary Maina to identify ways to deepen our trade and investment relationship.
- ***Strengthened U.S. Engagement with the African Union on the African Continental Free Trade Area (AfCFTA).*** In December 2020, USTR coordinated with the Department of State and the Department of Commerce to host a high-level virtual event with experts from the AfCFTA Secretariat and the African Union Commission to prepare U.S. stakeholders for the start of trading under the AfCFTA. The United States has conducted workshops during the review period to bring together stakeholders from the United States and Africa to discuss opportunities and approaches related to digital trade.
- ***Ongoing Engagement with the Middle East/North Africa (MENA).*** The United States continued to monitor and enforce existing U.S. FTAs with Bahrain, Israel, Jordan, Morocco, and Oman and to consult where appropriate under bilateral TIFAs with partners in the MENA region on key issues impeding trade and investment. In 2021, Jordan and Egypt abolished consularization practices, reducing the costs of exporting to these countries for U.S. business. The United States continued to pursue dialogues with several countries, particularly in the Gulf region, to promote science-based food safety certification requirements.
- ***Completed Negotiations with Brazil on ATEC Protocol on Trade Rules and Transparency.*** In October 2020, the United States and Brazil concluded negotiations on and signed the Protocol on Trade Rules and Transparency, which updated the Agreement on Trade and Economic Cooperation with state-of-the-art annexes on Trade Facilitation, Good Regulatory Practices, and Anti-Corruption. USTR continues to engage with Brazil for implementation of the Protocol, which was approved by the Brazilian Congress on November 17, 2021.
- ***Launched Negotiation of a Protocol on Trade Rules and Transparency with Uruguay.*** In August 2021, the United States and Uruguay announced their intent to update the U.S. – Uruguay Trade and Investment Framework Agreement with a Protocol on Trade Rules and Transparency, including high-standard provisions on anti-corruption and good regulatory practices, as well as an update to the existing 2008 protocol on trade facilitation.
- ***Negotiated and Entered into Force a Protocol on Trade Rules and Transparency with Ecuador.*** In December 2020, the United States and Ecuador signed an update to the Trade and Investment Committee Agreement, in the form of a Protocol on Trade Rules and Transparency, which entered into force on August 5, 2021. The Protocol contains state-of-the-art annexes on Trade Facilitation, Good Regulatory Practices, Anti-corruption, and SMEs.
- ***Developed and Led a Five-Part Webinar on Good Regulatory Practices in the Western Hemisphere.*** Good regulatory practices strengthen governance, support economic growth, and facilitate trade. Between June and August 2021, USTR lead a series of 5 virtual webinars that brought together more than 200 officials from over 25 governments in the Western Hemisphere, as well as officials from the OECD, World Bank, and the WTO, to exchange best practices and share experiences related to the implementation of good regulatory practices. The USMCA was the first U.S. trade agreement to include a chapter on good regulatory practices, and these high-standard provisions are a fundamental part of the Protocols on Trade Rules and Transparency with Brazil and with Ecuador.
- ***USMCA Implementation Leads to ASTM Agreement with Mexican Government.*** ASTM signed a Memorandum of Understanding with Mexico’s General Directorate for Standards and Norms (DGN) allowing DGN to use and distribute ASTM standards in Mexico. This was made possible by USTR’s negotiation of Article 11.4 of the USMCA, which requires Mexico to consider international standards

that use WTO agreed principles, as the basis for national voluntary standards or in technical regulations and conformity assessment procedures.

- ***Concluded GATT Article XXVIII Negotiations with the EU and UK on Brexit TRQ Agreements.*** USTR concluded bilateral negotiations with the EU and UK on tariff rate quota commitments to account for the withdrawal of the UK from the EU customs union. The agreements apportion between the EU and UK the pre-Brexit TRQ quantities that were in the EU's tariff schedule. The outcome will provide certainty to U.S. exporters regarding access to the EU and UK markets and secured favorable U.S. market access outcomes for products such as pork, beef, rice, wheat, corn and grape juice.
- ***Reinforced Economic Relations with Chile.*** The United States continued to address priority issues, including agriculture market access, environmental protection for endangered species, and intellectual property commitments through ongoing discussions with the Government of Chile. USTR worked with interagency colleagues and Chilean counterparts to negotiate a new work program for environmental cooperation under the U.S.-Chile FTA for the period of 2021-2024. The new work program includes commitments to advance environmental justice and enhance climate change ambition.
- ***Strengthened the CAFTA-DR Textile and Apparel Supply Chain.*** In support of the Administration's strategy to address the root causes of migration from the Northern Triangle countries, USTR engaged with CAFTA-DR partners and stakeholders to identify and develop means to increase two-way trade in textiles and apparel and strengthen the North American supply chain to enhance job creation.
- ***Advanced Fair Trade in the Asia-Pacific Region through APEC.*** Throughout 2021, the United States made progress in advancing important initiatives to expand opportunities for U.S. exports and businesses in the Asia-Pacific, including in the areas of trade facilitation, environmental goods and services, digital issues, transparency and good regulatory practices, standards, customs and customs procedures, trade in services, remanufacturing, sustainable materials, labor, and capacity building projects to assist in implementing trade facilitation measures, among others.
- ***Promoted Food Security in APEC.*** The APEC Sixth Ministerial Meeting on Food Security finalized and adopted its 2030 Roadmap on Food Security, which outlines the overarching objectives for all APEC bodies engaging on agriculture and food security. The document recognizes the critical role that trade plays in food security for APEC economies and outlines high-level objectives for negotiations in future APEC meetings—while also respecting the role and responsibilities of the World Trade Organization in multilateral trade negotiations. The agreed text of the 2030 Roadmap will allow the U.S. government to pursue strategic initiatives on agricultural policy issues to achieve greater food security in APEC economies and globally.
- ***Deepened Cooperation with the Ten Association of Southeast Asian Nations (ASEAN) Countries.*** In FY2021, the United States deepened cooperation with ASEAN in the areas of labor, environment and SMEs under the U.S.-ASEAN TIFA, and held a new dialogue on trade and labor with senior ASEAN officials in February 2021.
- ***Promoted Trade and Investment Ties with ASEAN.*** Throughout FY2021, the United States engaged ASEAN partners on regional trade and investment issues through bilateral and regional Trade and Investment Framework Agreements (TIFAs). As a result of engagement through the TIFA dialogues, the United States was able to ensure market access for U.S. automotive exports to Laos and Cambodia through the continued recognition of U.S. automotive standards. Additionally, in the context of a review of Indonesia's Generalized System of Preferences (GSP) eligibility, the United States

successfully pressed Indonesia to undertake reforms that will help ensure improved market access for U.S. agricultural, digital, and financial services exports to Indonesia.

- ***Deepened Trade and Investment Ties with Fiji.*** During FY2021, the United States worked with the Government of Fiji to enhance trade and investment ties. The United States finalized a Trade and Investment Framework Agreement (TIFA) with Fiji, and held its first TIFA meeting. The TIFA establishes a regular trade dialogue between the United States and Fiji, and will help to shape the development of regional trade policies that are supportive of U.S. interests.
- ***Supported the U.S.-Ukraine Strategic Relationship through Trade and Investment.*** Notwithstanding the restrictions required by the COVID-19 pandemic in 2021, USTR focused its efforts on building bilateral trade and encouraging direct investment. The TBT, SPS and IP Working Groups, established under the United States-Ukraine Trade and Investment Council (Council), worked to develop actionable plans to reduce regulatory barriers and improve the protection and enforcement of intellectual property. USTR and the Ukrainian Ministry of Economy agreed to establish a Labor Working Group under the Council. USTR recognized Ukraine's improved WTO notifications of its draft regulations, steps to complete accreditation of collective management organizations and legislation to remove barriers to exports of U.S. crop protection products. USTR continued to encourage Ukraine to address judicial reform and strengthen anti-corruption efforts to create a more attractive investment environment.
- ***Strengthened Trade, Investment, and Economic Cooperation with Armenia.*** The United States and the Republic of Armenia discussed bilateral trade and investment and related issues to strengthen the bilateral economic relationship under the United States-Armenia Trade and Investment Framework Agreement (TIFA).
- ***Supported Moldova's Efforts Toward Economic Reform and Open Markets.*** Notwithstanding the continued challenges presented by the COVID-19 pandemic in 2021, USTR worked to facilitate U.S. agriculture exports to Moldova and to improve the business environment to encourage foreign investment.
- ***Revival of the U.S.-India Trade Policy Forum (TPF).*** USTR took steps in FY2021 to revitalize the U.S.-India Trade Policy Forum, which had been inactive for four years. USTR intends to utilize the TPF to intensify engagement with India towards the resolution of longstanding barriers to access in the Indian market, including with respect to U.S. exports of agricultural products, medical devices, electronic payment services, high tariffs, and certain other priorities. USTR will also use the TPF mechanism to engage India in important emerging areas such as digital trade, labor, environment, and regulatory practices. As of the conclusion of the fiscal year, preparations were underway to re-launch the TPF in November 2021.
- ***Strengthened Ties with Bangladesh.*** Following a March 2020 meeting of the U.S.-Bangladesh Trade and Investment Cooperation Framework Agreement (TICFA) council, USTR engaged regularly, via virtual meetings, with Bangladeshi counterparts. The TICFA provides a mechanism for both governments to address a wide range of issues including expanding bilateral trade and investment, addressing U.S. market access, labor rights and workplace safety, intellectual property rights, and concerns with the business climate in Bangladesh.
- ***Promoted Trade, Investment, and Regional Cooperation in Central Asia.*** During FY2021, the United States engaged with Kazakhstan, Kyrgyzstan, Turkmenistan, Tajikistan, Uzbekistan, and Afghanistan on regional trade and investment issues under the U.S.-Central Asia TIFA. A virtual meeting of the

TIFA Council was held in March; Pakistan and Afghanistan again participated as observers, which was a welcome step to promoting trade facilitation in the region. The Council is the key vehicle for trade and investment discussions between the United States and the countries of Central Asia, and focuses on issues including economic cooperation, digital trade, customs, investment, standards, sanitary and phytosanitary measures, worker rights, intellectual property rights, and women's economic empowerment.

- ***Reinforced Economic Relations with Pakistan.*** The United States and Pakistan continued engagement under the U.S.-Pakistan TIFA. USTR advocated for increased market access for U.S. beef products, soybeans, pulses, and distiller dried grains to the Pakistani market, protection and enforcement of intellectual property rights, including a dialogue regarding the latest drafts of the Patent, Trademark, and Copyright Ordinances and government use of unlicensed software, emerging legislation governing digital data, and tax predictability for U.S. companies.
- ***Engaged Strategically with Key Trade Partners on Intellectual Property.*** USTR contributed significantly to the Administration's priority of protecting trade secrets against theft and misappropriation, including through pursuing disciplines in bilateral (e.g., China and Taiwan) and plurilateral engagements (e.g., USMCA).
- ***Promoted a Transparent Special 301 Process.*** USTR continued to promote high levels of transparency surrounding the Special 301 and Notorious Markets processes. USTR developed and published the annual Special 301 Report, which catalogues intellectual property-related barriers in foreign markets, and informs U.S. Government efforts to resolve those barriers. USTR conducted a public hearing and solicited public comments as part of its Special 301 Report review, and those comments drove specific bilateral engagements to resolve issues even outside of the Report itself. USTR developed and published the annual Notorious Markets List, which identifies and motivates public-private actions to address online and physical marketplaces that contribute to the spread of trademark counterfeiting and copyright piracy globally.
- ***Advanced Work Toward the 12<sup>th</sup> WTO Ministerial Conference (MC12).*** USTR was actively engaged across all issue areas under discussion for possible outcomes for the Ministerial Conference, planned for December 2021. To highlight the important contribution the WTO Trade Facilitation Agreement can play in addressing bottlenecks and promoting resiliency during the pandemic, the United States advanced a statement supporting accelerated implementation of key provisions of the Agreement with the support of a wide range of WTO Members. The United States also continued to pursue Ministerial outcomes to improve compliance with, and technical assistance for, WTO transparency obligations. A third proposal seeks to establish a work program in the SPS Committee designed to help Members take advantage of new opportunities and address emerging pressures for the international trade in food.
- ***Continued to Advance Progress on the WTO Fisheries Subsidies Negotiations.*** The United States continued to play a leadership role to advance negotiations on an agreement to prohibit harmful fisheries subsidies, such as those that contribute to overfishing and overcapacity or which support illegal fishing activities, and advocated for enhanced transparency and reporting regarding existing fisheries support programs. The United States continued pressing for disciplines on harmful fisheries subsidies that would apply to all Members regardless of development status, in particular those that are the largest producers, exporters, and subsidizers of marine wild capture fisheries. In May 2021, the United States submitted a proposal to ensure an outcome in the negotiations can contribute to Members' efforts to highlight and address the use of forced labor on fishing vessels. The proposal calls for (1) the inclusion of effective disciplines on harmful subsidies to fishing activities that may be associated

with the use of forced labor; (2) the explicit recognition of the problem and the need to eliminate it; and (3) transparency with respect to vessels or operators engaged in the use of forced labor.

- ***Utilized Trade Agreements to Promote Marine and Terrestrial Conservation and Ocean Sustainability.*** USTR worked with interagency partners and the Government of Mexico on actions to combat illegal fishing and conserve and protect endangered species, such as the porpoise species vaquita. USTR also utilized its FTA-related monitoring and implementation work to advance ongoing whole-of-government initiatives on combatting wildlife trafficking and illegal fishing and ensured that such initiatives are consistent with our international trade obligations.
- ***Concluded Negotiation of the WTO Joint Statement Initiative on Services Domestic Regulations (DR JSI).*** After providing technical support for several years, the United States energized these negotiations by its July 2021 announcement of full participation and support for conclusion by MC12. The DR JSI strengthens the procedural transparency and due process rules for services licensing. The United States worked to ensure that rules adopted through the DR JSI parallel the strong rules negotiated in USMCA. The conclusion of the DR JSI negotiations ensure U.S. views on the importance of regulatory transparency and fairness in services are reflected in an agreement that will be applied by Members around the world reflecting the vast majority of services trade. The new rules also seek to bar discrimination between men and women rules governing services licenses; this is the first time a WTO rule addressed the negative impact such practices have on economic opportunity. Finally, as the first joint statement initiative to be concluded, the DR JSI paves the way for other WTO issues to be taken up on a plurilateral basis by interested Members.
- ***Advanced Negotiations on E-commerce and Digital Trade at the WTO.*** The United States continued to engage in productive negotiations on digital trade at the WTO in 2021. The United States aims to continue to advance these negotiations towards an ambitious, high-standard agreement that creates strong, market-oriented rules in the area of digital trade and reduces barriers around the world that threaten to undermine growth of the digital economy, including restrictions on cross-border data flows and data localization requirements. During 2021, significant progress was made on a number of provisions in the negotiations.
- ***Promoted U.S. Negotiating Positions in the WTO Committee on Agriculture (COA) Special Session.*** The United States continued to engage in active negotiations on agricultural trade, with a view to promoting and protecting the interests of the U.S. agricultural industry, in 2021. In July 2021, the United States led an effort with other WTO Member co-sponsors to table a proposal for enhanced transparency in agricultural trade policies. In addition to promoting elements of this proposal as part of an outcome for MC12, the United States has remained actively engaged in all aspects of the agricultural trade negotiations to ensure the best outcome for U.S. farmers, ranchers, and food manufacturers and processors.
- ***Participated in WTO Trade Policy Reviews.*** USTR prepared questions and reviewed materials for 18 trade policy reviews, including China, Vietnam, South Korea, India, Russia, Saudi Arabia, Oman, Bahrain, Argentina, Nicaragua, Mauritius, and Mongolia. These reviews provided updated information on these Members' trade regimes and gave other Members an opportunity to ask questions about various trade concerns.
- ***Promoted Transparency and Accountability in WTO Trade Capacity Building.*** The United States advocated for trade capacity building activities that examine how trade rules such as those outlined in the WTO Trade Facilitation Agreement, and rules promoting free flows of data, enable countries to develop their domestic economies and trade regimes and, ultimately, support world trade. In line with

a rigorous monitoring and evaluation process of technical assistance performance, the United States also used the Committee on Trade and Development, and the Aid-for-Trade program, as a platform to reinforce accountability and transparency of U.S. assistance to the WTO in developing and delivering high-impact training courses to support the establishment of open markets and rules-based trading systems around the world. The U.S. message has been to reinforce the importance of linking trade capacity building to specific costs and expenditure information so that Members can get a better sense of the distribution and proportionality of how resources are distributed across the variety of assistance-related activities. In the Committee for Trade and Development, the United States advocated for prior consultation with national stakeholders on technical assistance needs to implement reforms arising from Members' TPR review processes.

- ***Advanced U.S. Interests in the Organization for Economic Cooperation and Development (OECD).*** Through the OECD Trade Committee, USTR advanced the release of a report on government support provided by non-market economies through the financial system, either in the form of below-market borrowings or below market-equity that could lead to overcapacity and distortions in international markets. This report, combined with previous OECD Trade Committee work on measuring distortions in international markets, is underpinning efforts to develop new trade rules to tackle market distorting trade practices. USTR also advanced the release of a report on 3D printing providing fact-based evidence on the status of 3D printing today and level of uncertainty regarding the technology's relationship to trade. The report will help policy makers to better understand the technology and anticipate potential trade-related challenges and opportunities especially in the context of ongoing discussions on the WTO Moratorium on customs duties on electronic transmissions.
- ***Advanced Efforts to Address Overcapacity in the Global Steel Sector.*** Through the Global Forum on Steel Excess Capacity and OECD Steel Committee, USTR led efforts to bring greater transparency and discipline to market-distorting subsidies and other foreign government support measures that contribute to massive and persistent excess capacity in the global steel sector. USTR worked with like-minded international partners to continue the work of the Global Forum in 2021 and beyond, despite China's withdrawal from the Forum's work.
- ***Ensured Continued Access for U.S. Organic Products in Mexico.*** In June 2021, after interventions from USTR and USDA, Mexico delayed the implementation of its organic regulations until 2022. The regulations will require certain raw and bulk products to be fully certified to Mexico's Organic Products Law and the delay in implementation will allow U.S. producers and exporters the time needed to obtain certification for exports. In the first six months of 2021, U.S. organic food and agriculture exports to Mexico totaled \$110 million.
- ***Continued Active U.S.-Korea Free Trade Agreement (KORUS) Committee Work.*** Active work to address implementation and other issues continued throughout FY2021. For example, SPS and Agriculture committee meetings addressed a number of issues, including acceptable levels of certain residues on imports of U.S. meat and poultry into Korea, the registration of pesticides, and Korea's approval procedures for products of agricultural biotechnologies. The United States also stressed the importance of preserving access to common, generic names for agricultural products as Korea considers EU requests to establish geographical indications under the EU-Korea Free Trade Agreement. Meetings of the Automotive Working Group, the Services and Investment Committee, the TBT Committee, among others, were also held during FY2021. Progress was achieved in areas including automotive standards, package recycling, and data flow requirements on reinsurance businesses.
- ***India Accepted "Non-Genetically Modified" Certificate to Maintain U.S. Apple Access.*** Following significant engagement by USTR, USDA, and the U.S. Embassy in New Delhi, in March 2021 the Food

Safety and Standards Authority of India (FSSAI) adjusted the format of a “non-genetically modified” certificate, allowing the Washington State Department of Agriculture to issue these certificates to accompany shipments of Washington State apples to India. FSSAI’s acceptance of this certificate allows exports of Washington State apples to India to continue despite FSSAI’s non-science-based Order requiring the certificate for imports of 24 listed food crops. In 2020, the United States exported over \$34 million worth of apples to India, most of which originated in Washington State, making India the fifth largest export market for U.S. apples.

- ***South Korea Recognized Eligibility of U.S. Beef Establishments for Export to Korea.*** On July 5, 2021 Korea agreed to recognize two beef establishments as eligible for export to Korea. The eligibility of the two establishments – JBS Tolleson Inc., in Tolleson, Arizona, and One World Beef Packers LLC, in Brawley, California – had been suspended due to residue violations detected on exported beef products in November 2019 and September 2020, respectively. The JBS establishment claims that the suspension has cost it approximately \$1 million per week since then in lost sales to customers in Korea, while Korea was the sole export destination for the One World establishment. USTR and USDA worked with the establishments to identify corrective actions to address the residue detections, and pressed Korean authorities to recognize the renewed export eligibility of these establishments based on these corrective actions, pursuant to authorities granted to U.S. regulators under a partially-implemented 2008 beef market access agreement between the United States and Korea.
- ***Advocacy for Science-Based Policies in South Korea Related to Agricultural Biotechnology.*** Following engagement with USTR, in August of 2020 Korea confirmed with the United States that it scaled back data requirements necessary to secure agricultural biotechnology approvals with the Korean Ministry of Food and Drug Safety (MFDS). Over the last twenty years, the value of animal feeding studies in assessing the safety of biotech products has been brought into question, in part due to the very low predictive value of animal studies for effects in humans. Feeding studies that are not aligned with Codex requirements remain a significant barrier to approvals in major export markets. After repeated technical engagement by USTR with Korean officials under the KORUS SPS Committee through 2020 and 2021, and based on U.S. comments on a measure notified by MFDS to the WTO SPS Committee in May 2021, MFDS confirmed that it scaled back the number of feeding studies required to secure a Korean food safety approval.
- ***Taiwan Expanded Access for U.S. Beef and Beef Products.*** On January 1, 2021, Taiwan lifted the ban on imports of U.S. beef and beef products derived from cattle 30 months of age and older after over a decade of USTR and USDA engagement.
- ***Expanded Access to Philippine Market for U.S. Pork.*** Market access for U.S. pork was discussed during the TIFA Agriculture Working Group meetings in December 2020. Following consultation and engagement with U.S. industry, Philippine importers, and the U.S. government, in April 2021, the Philippines issued an executive order lowering Most Favored Nation tariff rates on imported fresh, chilled, and frozen pork and increasing quota volumes for imports of such products for one year. U.S. pork exporters expect these policies will enable significant increases in U.S. pork exports to the Philippines.
- ***Ensured Continuity of Market Access for U.S. Poultry.*** In January 2021, following engagement from USTR, the Philippines extended temporary duty reductions on mechanically deboned meat of chicken and turkey through 2022. U.S. exports of poultry to the Philippines are forecast to rise significantly in 2021. The Philippines is currently the seventh largest market for U.S. poultry.
- ***Vietnam Approved Two Biotech Products.*** In June 2021, after extensive engagement from USDA

and USTR, Vietnam's Ministry of Agriculture and Rural Development (MARD) announced that MARD had approved two biotech events important for U.S. farmers, one corn and one soybean. MARD approved the final two outstanding applications, both for corn, in late August.

- ***Ensured Continuity of Market Access in Vietnam for Imports of U.S. Animal Feed and Feed Ingredients.*** Following sustained engagement with the U.S. government, on June 30, 2021 Vietnam issued circular 05/2021 amending requirements in National Technical Regulation (NTR) 190 for the Maximum Level of Undesirable Substances in Feed and Feed Agreements. The amendment, which took effect on July 1, 2021, repeals the zero tolerance for salmonella and revises maximum levels of heavy metals for feeds of plant origin, taking on board all of the United States suggestions. NTR 190 was expected to negatively impact up to \$1 billion per year in U.S. exports to Vietnam.
- ***Revocation of Certificate of Free Sale Requirement for U.S. Bulk Feeds to Vietnam.*** In March 2021, following USTR interventions maintaining that export certificates issued by U.S. regulators should be sufficient to meet Vietnam's requirement to ensure the safety of U.S. feed and feed ingredients of plant origin, Vietnam confirmed that it would eliminate its requirement for additional certificates of free sale for bulk commodities and traditional feeds. Approximately 30 percent of U.S. agricultural exports to Vietnam would have been affected by this requirement.
- ***Elimination of Burdensome Requirements for U.S. Beer, Wine and Spirits to Thailand:*** In August 2021, Thailand approved the U.S. request to accept the APEC Model Wine Export Certificate for wine, and the standard Alcohol and Tobacco Tax and Trade Bureau (TTB) Certificate of Sanitation for beer and spirits, with certain attestations. No other additional testing or certificate of analysis will be required, removing a costly and onerous burden for U.S. exporters.
- ***Convened U.S.-Colombia Trade Promotion Agreement SPS and Agriculture Committees in December 2020.*** The United States succeeded in addressing Colombian sanitary inspections of U.S. meat and poultry imports that were hindering access, and clarified requirements for imports of U.S. processed meat products. The Agriculture Committee also initiated discussions on Colombia's origin investigations of U.S. corn imports, leading to a subsequent resolution via an exchange of letters that clarified origin requirements, thereby preserving access to the fourth largest export destination for U.S. corn.
- ***European Commission Approved Additional Biotechnology Products.*** In August 2021, the EU announced its latest batch of agricultural biotechnology product approvals, bringing the FY2021 number of approvals and renewals to 18. As part of the agreement reached under the WTO Dispute Settlement Process related to case DS-291, USTR leads bilateral consultations semi-annually to address delays in the EU biotech approval process. Following the two consultations in FY 2021, the EU returned to scheduling regular meetings of the Standing Committee responsible for issuing biotech approvals.
- ***EU Extended the Deadline for Animal Product Certificates.*** In August 2021, the EU extended the transition period allowing the use of existing animal health certificates issued prior to January 15, 2022 to accompany consignments entering the EU by March 15, 2022. The extension allows the United States time to update certificate templates and U.S. export verification programs for animal origin products intended for export to the EU. Nearly \$500 million in U.S. products are subject to the new certification requirements.
- ***Egypt Adopted Veterinary Drug Standards.*** In November 2020, EAgypt's National Food Safety Authority (NFSA) set new maximum residue levels (MRLs) for veterinary drugs, including

ractopamine. For each of the new MRLs, NFSA followed guidelines of the Codex Alimentarius Commission or performed a risk assessment. Egypt's use of science-based MRLs will reduce barriers to U.S. beef exports. U.S. exports of beef and beef products to Egypt were valued at approximately \$57 million in 2020.

- ***Sanitary and Phytosanitary (SPS) Advisor to the African Continent.*** In September 2021, after consultations with USTR, the U.S. government approved the funding of an SPS advisor to work with interested African partners on the development of strong SPS policy frameworks that utilize science and risk-based policies for the production and trade of food and agricultural products. This work will help improve agricultural trade between the United States and Africa to the benefit of both U.S. and African farmers and food producers.
- ***Angola Reduced Restrictions on Imports of U.S. Poultry.*** In the first quarter of 2021, Angola reduced restrictions on U.S. poultry imports. For the time period ending July 2021, Angola has imported nearly \$53 million in U.S. poultry and is the third largest market globally for U.S. chicken leg quarters by value. Angola reduced its import restrictions as a result of interventions by USTR and USDA bilaterally and at the WTO.
- ***Maintained Nigeria's Market for Critical Agricultural Imports.*** In April 2021, Nigeria announced that wheat would be added to its list of products for which no foreign exchange will be issued. USTR and USDA engaged with Nigeria bilaterally and at the WTO on this issue and as a result, preserved Nigeria's market for U.S. wheat that contributes to Nigeria's food security. U.S. wheat exports to Nigeria in 2020 were \$311 million; wheat exports for the first half of 2021 were \$288 million.
- ***South Africa Increased the Size of Its TRQ for U.S. Poultry Imports.*** In the spring of 2021, South Africa increased the quota for U.S. exports of bone-in poultry meat for the 2021/22 quota year to 71,290 metric tons. In the previous quota year, South Africa filled 94 percent of the total quota levels of 69,972 metric tons, despite unprecedented circumstances including challenges due to COVID-19. The poultry exports are a result of work by USTR and USDA with South Africa to clarify and improve its guidelines for the utilization of TRQ allocations for U.S. bone-in chicken imports.
- ***Monitored EAC Policies on Used Clothing.*** USTR coordinated with stakeholders and interagency colleagues to monitor and engage with East African trading partners on prospective tariff and non-tariff barriers potentially affecting U.S. exports of used clothing to the region.
- ***Convened U.S.-Taiwan Trade and Investment Framework Agreement (TIFA) Council Meeting in June 2021.*** In a TIFA Council meeting held under the auspices of the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office, the United States and Taiwan discussed a range of trade and investment issues and recognized upcoming changes to Taiwan's medical device approval process. The two sides committed to intensify engagement aimed at addressing outstanding trade concerns, including with regard to market access barriers facing U.S. beef and pork producers, as well as concerns raised by the United States in areas such as copyright legislation, digital piracy, financial services, and investment and regulatory transparency. The two sides agreed to convene meetings of several TIFA working groups and also agreed to the formation of a new Labor Working Group, which would focus on worker-centered trade policies and cooperation on combating forced labor in global supply chains.

## ***Goal 2: Fully Enforce U.S. Trade Laws, Monitor Compliance with Agreements, and Use All Available Tools to Hold Other Countries Accountable***

USTR will make the rules count by fully enforcing U.S. trade laws, closely monitoring foreign countries' compliance with trade obligations, and vigorously enforcing U.S. rights. In addition, USTR will ensure that American workers, farmers, ranchers, fishers, manufacturers, innovators, creators, service providers, consumers, and investors receive fair treatment in trade, compete in global markets on a level playing field, and win the full benefit of the economic opportunities the United States has negotiated.

### **Objectives:**

2.1: Fully enforce U.S. trade laws and efficiently and effectively respond to unfair trade practices.

2.2: Use all available tools to take on unfair trade practices in non-market economies, pursue strengthened enforcement to ensure that our trading partners live up to existing trade obligations; address gaps that exist in international trade rules on subsidies, state enterprise competition, and other matters, including through enhanced cooperation with U.S. partners and allies.

2.3: Vigorously deploy all available tools, including dispute settlement mechanisms, to enforce U.S. rights under trade agreements, to ensure that they meet their potential to create and sustain well-paying American jobs. Utilize the WTO standing committees to address specific trade concerns before they become final; resolve unwarranted sanitary and phytosanitary barriers; promote the acceptance of international standards developed in the United States and acceptance of the results of U.S. conformity assessment bodies.

2.4: Comprehensively enforce labor and environmental obligations of existing trade agreements. Engage allies to achieve commitments to fight forced labor and exploitative labor conditions, and increase transparency and accountability in global supply chains; ensure that products that are produced by forced labor or under exploitative labor conditions are not imported into the United States; and contribute to efforts to mitigate income inequality.

2.5: Pursue strengthened enforcement to ensure that China lives up to its existing trade obligations; address gaps that exist in international trade rules, including through enhanced cooperation with our partners and allies, and address widespread human rights abuses of the Chinese Government's forced labor program in the Xinjiang Uyghur Autonomous Region and elsewhere.

2.6: Ensure adequate and effective protection and enforcement of U.S. intellectual property rights.

2.7: Defend U.S. interests in digital trade and digitally delivered services.

2.8: Oppose attempts by foreign countries to artificially manipulate currency values to gain unfair advantage over American workers; work with the Departments of the Treasury and Commerce to put effective pressure on countries that are intervening in the foreign exchange market to gain a trade advantage.

2.9: Collaborate with allies and like-minded countries to address global market distortions created by industrial overcapacity in sectors ranging from steel and aluminum to fiber optics, solar, and other.

2.10: Monitor beneficiary country compliance with statutory criteria in trade preference programs and ensure that beneficiaries meet these criteria, including in the Generalized System of Preferences (GSP), the African Growth and Opportunity Act (AGOA), the Caribbean Basin Initiative (CBI), and the Nepal Trade Preference Program.

2.11: Effectively utilize USTR and leverage other U.S. government resources to monitor unfair foreign trade barriers and practices, as well as compliance by trading partners with U.S. and multilateral trade agreements.

2.12: Expand inclusive engagement with diverse stakeholders to collaborate with USTR on enforcement issues.

### **Accomplishments:**

USTR vigorously enforces U.S. rights under our trade agreements, ensuring that more Americans realize the benefits promised by those pacts. The Administration's robust enforcement efforts are ensuring American workers, farmers, ranchers, fishers, manufacturers, innovators, creators, service providers, consumers, and investors receive fair treatment in trade, compete in global markets on a level playing field, and win the full benefit of the economic opportunities the United States has negotiated. The President's comprehensive trade enforcement strategy also promotes and protects innovation critical to U.S. exports and high-wage 21<sup>st</sup> century jobs, and upholds key commitments to protect labor rights and the environment.

Highlights of USTR's accomplishments in FY2021 include:

- ***Strengthened Enforcement of U.S. Trade Rights.*** Throughout the year, the Administration fought for U.S. workers and businesses through aggressive enforcement actions. USTR used new, strengthened USMCA enforcement procedures to launch 3 USMCA proceedings, including two proceedings addressed to labor rights under the Rapid Response Mechanism, and adopted new trade enforcement actions in six Section 301 investigations.
- ***Leveraged the Victory in the WTO EU Aircraft Dispute and Related Section 301 Trade Actions to reach a Cooperative Framework with the EU to Address U.S. concerns with subsidies provided by the EU and other Trading Partners.*** On June 15, 2021, the United States and the EU announced a cooperative framework to address U.S. concerns in the large civil aircraft dispute. On June 17, 2021, the United States reached a similar understanding with the United Kingdom (UK). The understandings with the EU and the UK make significant progress towards a long-term solution to these disputes that boosts the ability of the United States to compete and innovate in a key sector that is one of the most important sources of high-paying manufacturing jobs. The framework understandings require that any future government financing for the production or development of large civil aircraft to be on market terms. Moreover, the United States agreed to work together with the EU and the UK to challenge and counter China's non-market practices in the aircraft sector, including collaboration on inward and outbound investment and tech transfer.
- ***Prevailed in Key WTO Disputes, Vindicating U.S. Rights or Preventing Other WTO Members from Applying Countermeasures.*** In FY21, USTR monitored China's implementation of the Panel findings in two WTO disputes relating to agriculture. The first of these was a challenge to China's excessive domestic support for corn, wheat, and rice; the second, a challenge to China's unfair and non-transparent administration of tariff-rate quotas for those same products. USTR is working to secure China's full compliance in both disputes. USTR also prevailed in a WTO dispute relating to the U.S. safeguard action against Chinese solar panels, securing the first ever victory at the WTO defending a safeguard measure.

- Maintained and Expanded Access to China’s Market for U.S. Agricultural Products in the Phase One Agreement.*** In FY21, USTR held China accountable to its commitments by ensuring key structural changes required by the agreement remain in place. These commitments include: streamlining facility registration procedures to allow more than twice the number of U.S. food and agricultural production facilities to export to China; removing unjustified restrictions on U.S. beef and poultry exports; signing the Highly Pathogenic Avian Influenza regionalization protocol; and negotiating access for new U.S. products including fresh potatoes, California nectarines and Hass avocados, blueberries, feed and malting barley, alfalfa pellets and cubes, almond meal pellets and cubes, timothy hay, and a variety of new dairy products.
- Pursued WTO Challenge to China’s Discriminatory Licensing Regime.*** Based on the findings of the Section 301 investigation, in March 2018, USTR initiated a WTO dispute against China’s regime of technology regulations, which forced U.S. companies seeking to license technologies to Chinese entities to do so on non-market based terms that favor Chinese recipients. In March 2019, China revised the measures that the United States had challenged. In June 2020, the WTO panel informed the Dispute Settlement Body that it had accepted a request from the parties to suspend the dispute, in light of ongoing consultations between the parties. The United States considered that China’s actions had sufficiently addressed U.S. concerns, and after 12 months, the authority of the panel expired on June 8, 2021.
- Utilized Section 301 to Address Unilateral Digital Services Taxes (DSTs).*** On June 2, 2020, USTR initiated investigations of DSTs that have been adopted or are being considered by Austria, Brazil, the Czech Republic, the European Union, India, Indonesia, Italy, Spain, Turkey, and the United Kingdom. Following comprehensive investigations, USTR issued reports on three jurisdictions’ DSTs on January 6, 2021 (India, Italy and Turkey) and three additional jurisdictions’ DSTs on January 14, 2021 (Austria, Spain and the United Kingdom). Based on the analysis in the reports, the U.S. Trade Representative determined that the DSTs in Austria, India, Italy, Spain, Turkey and the United Kingdom were actionable under Sections 301(b) and 304(a) of the Trade Act of 1974, as amended. In January 2021, the U.S. Trade Representative indefinitely suspended the France DST section to promote coordination among the section 301 investigations of DSTs. On June 2, 2021, the U.S. Trade Representative determined to take actions in the investigations, in the form of additional duties on certain products of Austria, India, Italy, Spain, Turkey and the United Kingdom, respectively, and to immediately suspend those actions for 180-days to allow additional time for multilateral and bilateral discussions that could lead to a satisfactory resolution of these matters. On October 8, 2021, Austria, France, Italy, Spain, and the United Kingdom joined the United States and 130 other jurisdictions in reaching a political agreement on a two-pillar solution to address tax challenges arising from the digitalization of the world economy. Under Pillar 1, countries will remove their DSTs. On October 21, 2021, the U.S. Department of the Treasury issued a joint statement with Austria, France, Italy, Spain, and the United Kingdom announcing a political agreement on a transitional approach to those countries’ DSTs prior to entry into force of Pillar 1. Under the transitional agreement, DST liability that U.S. digital services companies accrue during the transitional period prior to implementation of Pillar 1 will be creditable in defined circumstances against future income taxes due under Pillar 1. In return, the United States commits to terminating the existing Section 301 trade actions on goods of Austria, France, Italy, Spain, and the United Kingdom, and not to impose further trade actions against Austria, France, Italy, Spain, and the United Kingdom with respect to their existing DSTs until the earlier of the date the Pillar 1 multilateral convention comes into force or December 31, 2023. In coordination with Treasury, USTR will monitor implementation of the Transitional Agreement and the removal of these countries’ DSTs as provided for under Pillar 1.

- Utilized Section 301 to Investigate Vietnam’s Acts, Policies, or Practices Related to Use of Illegally Harvested or Traded Timber.*** On October 2, 2020, USTR initiated an investigation under Section 301 of the Trade Act of 1974, as amended, into Vietnam’s acts, policies, and practices related to the import and use of timber that is illegally harvested or traded. This was the first Section 301 investigation to address environmental concerns. On the same date, USTR requested consultations with Vietnam, which were held on January 7, 2021. The Section 301 Committee solicited comments and held a public hearing on December 28, 2020. The notice of initiation indicated the investigation would initially focus on certain timber imports that may be inconsistent with Vietnam’s domestic laws, the laws of exporting countries, or international rules, the adequacy of Vietnam’s enforcement measures at the border with respect to imported timber, and other acts, policies and practices of Vietnam relating to the import and use of illegally harvested or traded timber. Finally, on October 1, 2021, USTR announced an agreement that addresses U.S. concerns in the Section 301 investigation. The agreement contains a number of commitments by Vietnam that will help keep illegally harvested or traded timber out of the supply chain. It contains multiple commitments on issues related to illegal timber, including commitments to improve its Timber Legality Assurance System; keep confiscated timber (i.e., timber seized for violating domestic or international law) out of the commercial supply chain; verify the legality of domestically harvested timber regardless of export destination; and work with high-risk source countries to improve customs enforcement at the border and law enforcement collaboration.
- Utilized Section 301 to Address Vietnam’s Acts, Policies, or Practices Related to Valuation of Its Currency.*** On October 2, 2020, USTR initiated an investigation under Section 301 of the Trade Act of 1974, as amended, into Vietnam’s acts, policies, and practices that may contribute to the undervaluation of its currency. This is the first time that USTR has utilized Section 301 to examine trade issues related to currency valuation. On January 15, 2020, in consultation with the Department of the Treasury, and taking account of public comments and the advice of the Section 301 Committee and Advisory Committees, USTR determined that Vietnam’s acts, policies, and practices related to currency valuation, including excessive foreign exchange market interventions and other related actions, taken in their totality, are unreasonable and burden or restrict U.S. commerce, and are thus actionable under Section 301(b) of the Trade Act. Following enhanced bilateral engagement between Treasury and the State Bank of Vietnam under the Trade Facilitation and Trade Enforcement Act of 2015, on July 19, 2021, Treasury and the SBV issued a joint statement announcing they had reached an agreement to address U.S. concerns about Vietnam’s currency practices. As highlighted in the joint statement, Vietnam will continue to increase its exchange rate flexibility over time, and the SBV committed to continue providing information to Treasury with full transparency so it can conduct thorough analysis and reporting on the SBV’s activities in the foreign exchange market. On July 23, 2021, USTR determined that the Treasury-SBV agreement provided a satisfactory resolution of the matter subject to the Section 301 investigation, and accordingly that no trade action was warranted at that time. USTR, in coordination with Treasury, is monitoring Vietnam’s implementation of the Treasury-SBV agreement going forward.
- Strengthened Compliance Monitoring Efforts.*** Utilizing all available resources including additional regional, linguistic, and quantitative expertise at ICTIME, USTR enhanced its monitoring of WTO Members’ compliance with WTO rulings and recommendations.
- Pursued WTO Challenges to Unwarranted Tariff Increases on U.S. goods.*** USTR continued to pursue separate WTO disputes to challenge additional duties imposed by the EU, China, Turkey, Russia, and India on U.S. goods. These Members imposed additional duties on U.S. goods ostensibly in response to U.S. actions in connection with the section 232 investigation of steel and aluminum, but had no right under the WTO agreement to do so. On May 17, 2021, USTR and Commerce announced the start of discussions with the EU to address global steel and aluminum excess capacity and agreed to chart a

path that ends the WTO disputes following the U.S. application of tariffs on imports from the EU under section 232. In the following months, USTR entered into discussions on the mutual resolution of concerns in this area, culminating in a joint arrangement announced in late 2021 to address steel and aluminum excess capacity and cooperated on shared challenges.

- ***Pursued USMCA Challenge to Canada's Dairy TRQ allocation measures:*** On May 25, 2021, the United States requested and established a dispute settlement panel under the USMCA to review Canada's dairy TRQ allocation measures, specifically Canada's setting aside of and reserving access to in-quota quantities exclusively for processors. This action is intended to ensure U.S. dairy producers receive the full market access to which they are entitled under USMCA.
- ***Held Russia to Account for its WTO Commitments.*** In 2021, USTR continued to have very limited direct bilateral engagement with Russia as a result of Russia's attempted annexation of Crimea and support for separatists in eastern Ukraine. Nevertheless, USTR continued to raise concerns about Russia's compliance with its WTO commitments at every opportunity in Geneva. USTR highlighted Russia's adoption of a wide variety of import substitution policies, implemented through local content requirements and domestic preferences. USTR also pressed Russia to meet its transparency obligations by notifying draft measures in a timely manner to allow interested parties to comment and to respond to questions posed by WTO Members.
- ***Monitored and Implemented FTA Environment Chapters.*** USTR also continued to prioritize implementation of environmental obligations under existing free trade agreements (FTAs), including through virtual meetings of the TPSC Subcommittee on FTA Environment Chapter Monitoring and Implementation. In addition, USTR continued regular as well as informal bilateral and regional meetings to conduct FTA environment oversight, including through frequent virtual engagements with FTA partners when travel was restricted due to COVID-19.
- ***Established USTR Office in Mexico City to Monitor Implementation of the USMCA.*** In January 2021, USTR established a new office at the U.S. Embassy in Mexico City to support the implementation of the USMCA, and general trade relations with Mexico, the United States' largest trading partner in 2021. The USTR office is led by a senior official who monitors compliance with the agreement's provisions, particularly those related to labor rights, environmental protections, and new requirements for rules of origin in the automotive sector, and reports to the Assistant USTR for the Western Hemisphere in Washington, DC. The office also includes three USMCA Environment Attachés, that were provided for in the USMCA implementing legislation and were detailed to USTR during the fiscal year through interagency agreements with EPA, NOAA and the U.S. Fish and Wildlife Service. The Senior USTR oversees the day to day activities of the attachés, who are supervised by the Assistant USTR for Environment and Natural Resources. USTR's Mexico City office is the fourth overseas office for the agency, adding to operations in Geneva, Brussels, and Beijing.
- ***Reviewed USMCA Environment Implementation in its First Year Since Entry into Force.*** On July 1, 2021, USTR submitted, pursuant to Subtitle A, section 816 of the USMCA Implementation Act, the inaugural annual report to Congress that included a description of efforts of the USMCA countries to implement their environmental obligations. USTR also organized with its Mexican and Canadian counterparts the inaugural trilateral Environment Committee meeting in June 2021 to review implementation of the USMCA environment chapter.
- ***Strengthened Monitoring and Enforcement Capacity for USMCA Environment Implementation.*** USTR leveraged its USMCA supplemental appropriations for environment monitoring and enforcement to strengthen relevant USG agencies' ability to deliver on their respective monitoring and

enforcement mandates, to include providing additional resources that enhance U.S. intelligence and enforcement capacity that better target high-risk shipments and entities, improve strategic interdictions, and increase prosecutions for illegal trade in flora and fauna. USTR also continued to lead and coordinate United States' efforts to monitor and enforce environmental obligations with respect to USMCA Parties through convening quarterly meetings throughout FY2021 of the Interagency Environment Committee for Monitoring and Enforcement, established by Executive Order 13907.

- ***Successfully Resolved Labor Rights Concerns Using the USMCA's novel Rapid Response Labor Mechanism.*** USTR initiated two requests for review under the USMCA's Facility-Specific Rapid Response Labor Mechanism (RRM), both of which delivered favorable outcomes for workers at the factory level. The first ever request for review under the RRM was a self-initiated request concerning a General Motors facility in Silao, Mexico. Following Mexico's review, USTR and the Government of Mexico agreed upon a course of remediation. In accordance with the course of remediation, workers at the facility in August were able to have a free and fair vote on whether to approve their existing collective bargaining agreement, and the workers voted not to approve the CBA. In September, the United States marked the successful conclusion of this first RRM course of remediation. The second request for review, which was the first resulting from a petition to the Interagency Labor Committee, concerned the Tridonex auto parts facility in Matamoros. In that matter, USTR negotiated an extensive set of commitments from Tridonex, securing, among other things, significant payments to a large number of former Tridonex workers. This marked the second time that USTR successfully used the RRM to benefit workers.
- ***Strengthened Monitoring of USMCA Labor Implementation.*** USTR placed a Senior U.S. Trade Representative at Embassy Mexico City in FY2021 to assist with on-the-ground monitoring of Mexico's implementation of the USMCA labor obligations. In addition, the Department of Labor posted three Labor Attachés to Mexico during the year, notably increasing the U.S. government's ability to monitor and collect labor-related data in real-time. USTR and DOL continued to work together to ensure full implementation of the USMCA's labor obligations, including by monitoring the USMCA tip hotline, reviewing petitions received, and engaging stakeholders. USTR worked closely with Mexican government officials in 2021 to monitor the continued implementation of landmark constitutional and labor law reforms that mandate the creation of new labor courts and a new national institution that will register trade unions and collective bargaining agreements, in a complete overhaul of Mexico's system of labor justice administration. These reforms aim to prevent non-representative unions from negotiating and registering collective bargaining agreements without worker support. USTR serves, along with the U.S. Department of Labor, as co-chair of the Interagency Labor Committee for Monitoring and Enforcement, which plays a key role in this monitoring effort. Per the USMCA implementing legislation, the committee has several oversight duties with regard to USMCA labor issues, including the consideration of petitions from the public regarding alleged violations of the Labor Chapter, and making recommendations to the USTR about potential dispute settlement actions.
- ***Addressing Korea's Implementation of KORUS.*** USTR successfully advocated for improvements and actions by Korea to address outstanding concerns across a range of issues involving Korea's implementation of the U.S.-Korea Free Trade Agreement (KORUS). These included facilitating cross-border data flows for the reinsurance sector; addressing specific SPS barriers and related issues; and resolving specific non-tariff barrier issues to improve opportunities for U.S. auto manufacturers.
- ***Reviewing Korea Proposals to modify Textile and Apparel Provisions of KORUS.*** USTR held a Textile Committee meeting to discuss with Korea its proposals to modify certain textile and apparel provisions under KORUS. USTR is coordinating with interagency colleagues to respond to the proposals.

- ***Utilized the WTO Committee on Agriculture (COA).*** The COA held three hybrid-virtual formal meetings in March, June, and September 2021 to review progress on the implementation of commitments of the WTO Agreement on Agriculture (AoA). In total, 339 notifications were subject to review during 2021, and the United States asked 128 questions (or sets of questions) to other Members, the most of any Member at the COA in 2021. The United States participated actively in the review process and raised issues concerning the operation of Members' agricultural policies. Notably, the United States and a half dozen other WTO Members co-sponsored questions for India that aimed to increase pressure on India to provide information in greater detail. The questions centered on the lack of information in India's notifications and pushed to gain more insight into India's domestic support measures and data submitted under the transparency provisions of the Bali Public Stockholding for Food Security Decision. Other U.S. questions focused on the European Union and the United Kingdom's tariff-rate quota policies following Brexit, Russia and other Members' export restrictions, and China's export subsidy policies, among other topics. During 2021, the COA addressed several other issues related to the implementation of the WTO AoA, including convening the eighth annual discussion on export competition as follow-up to the Bali and Nairobi Ministerial Decisions. In addition, the United States answered numerous questions regarding expenditures and trade impacts of its trade mitigation measures (e.g., the Market Facilitation Programs) and the Coronavirus Food Assistance Program and other pandemic-response programs. The United States participated actively in the ongoing review of the operation of the Bali Decision on Tariff Rate Quota Administration.
- ***Addressed SPS Trade Barriers in the WTO.*** In 2021, the United States raised concerns in the WTO SPS Committee regarding the adverse impact on U.S. food and agricultural exports of unjustified SPS measures of other WTO Members. The United States continued to lead a broad coalition of countries against the EU's hazard-based pesticide policies, including the unjustified withdrawal of several pesticide maximum residue levels (MRLs) critical to international agricultural trade. The United States also raised concerns regarding EU measures related to veterinary medicines, China's measures related to COVID-19 and facility registrations, and India's non-GM certificate requirements, among others.
- ***Support for Modern Agricultural Technologies in the WTO.*** The proposal for adoption of an SPS Declaration at the MC12 in 2021 gained significant momentum in 2021. Originally proposed by Brazil, Canada, and the United States, the proposal now boasts 29 cosponsors from diverse economic and geographic perspectives. Through it, countries will identify opportunities to increase productivity, enhance sustainability and facilitate trade, and identify concerns that could adversely affect our ability to meet the critical SPS challenges ahead for agriculture and trade.
- ***Support for Science-Based Maximum Residue Levels (MRLs) for Pesticides.*** In response to a request by USTR, the U.S. International Trade Commission released a second volume of its report on the global economic impact of missing and low MRLs. The report cites extensive economic research, which finds that divergent national approaches to pesticide policy leads to elevated costs throughout the agricultural supply chain. The report's findings support bilateral engagement and work in multilateral forums to deter regulatory actions that limit producer access to important tools and technologies and result in decreased yield, increased production costs, and lower farmer income.
- ***Addressed Technical Barriers to Trade in the WTO.*** In 2021, the United States pursued an aggressive agenda in the WTO Technical Barriers to Trade Committee. The United States raised 57 Specific Trade Concerns (STCs) in the WTO TBT Committee, 9 of which were new concerns in 2021.<sup>4</sup> Several STCs were raised continuously across the three meetings of the year. Many other specific concerns were raised bilaterally. The countries tallying the most formal U.S. concerns were the India, China and the EU. Among these specific trade concerns were China's cybersecurity and encryption policies,

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<sup>4</sup> According to the TBT Information Systems Database (TBT IMS)

cosmetics supervision and administration regulation, and registration of overseas producers of imported foods. For the EU, the majority of concerns focused on the hazard-based approach of EU chemical and pesticide regulations. The U.S. also expressed concerns regarding the EU restrictions on traditional terms for wine, and the lack of notified bodies to test medical devices, and questioned Mexico's and conformity assessment requirements for cheese. For India, the concerns centered on in-country testing for information technology, telecom equipment, toys, cosmetics and its new chemical policies and quality control order. We also raised concerns about India's genetically modified (GM) free certificate. The Ninth Triennial Review of the WTO Agreement on Technical Barriers was concluded in November 2021. In 2022, the committee will discuss in thematic session, accreditation, digital solutions for conformity assessment (COVID-19 response), domestic coordination of TBT obligations with regulators, improved use of HS codes in notifications, participation in Codex Alimentarius, and Good Regulatory Practices. Several transparency improvements will be made in 2022 for the TBT Committee, including a new, voluntary notification system for National Quality Infrastructure Laws and improved on-line electronic tool interaction between ePing, the TBT Information Management System (TBT IMS) and the National Notification System (NSS).

- ***Ensured Compliance with the WTO Trade Facilitation Agreement (TFA) Notifications Requirements and Implementation.*** USTR has led in the TF Committee on ensuring that developing countries are utilizing the flexibilities in the TFA in accordance with Section II of the Agreement, while equally ensuring that implementation of the Agreement proceeds in line with those self-determined timelines. As of October 2021, over 92% of developing countries had successfully submitted the required notification, and more than 50% of LDCs are on track with notifications as per the Agreement. The United States has also successfully rallied a number of countries to come into line with their delinquent self-designated Category A commitments. These efforts support the U.S.' commitment to be an active participant in the WTO and its Committees to ensure the benefits of the WTO agreements for U.S. exporters.
- ***Provided U.S. Guidance on Implementation of the TFA.*** USTR notified two Communications to the WTO Trade Facilitation Committee in 2021. The first was experience sharing on implementing Article 5, Testing Procedures. The second was an updated notification of U.S. technical assistance required by Article 22 of the Agreement. The United States also made a number of proposals as part of the TFA's Four-Year Review. These proposals included, updating the Committee's agenda, prohibiting the use of consular transactions, private-sector participation, and the best practices in National Trade Facilitation Committees. The United States also co-sponsored a proposal with the EU on engaging with LDC Members on their Category C needs.
- ***Participated in Regional Fisheries Management Organizations (RMFOs) and Other Global Oceans Meetings to Promote Marine Conservation.*** USTR participated in meetings of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), in order to monitor trading partners obligations and promote trade-related solutions to marine conservation.
- ***Utilized Customs Cooperation Tools to Enhance Environmental Enforcement Efforts.*** USTR utilized the bilateral Environment Cooperation and Customs Verification Agreement (CVA) to request cooperation from Mexico regarding the potential import into the United States via transshipment through Mexico, of timber illegally harvested in Colombia. This new type of cooperation between the United States and Mexico, enabled by USTR's request under the CVA, has resulted in an expedited exchange of trade information that is proving useful for the United States, in this case, to assess potential timber legality issues concerning imports from Mexico.

- ***Addressed Key Telecommunications Trade Barriers.*** In March, USTR conducted its annual Section 1377 Review, which identifies major barriers faced by U.S. telecommunications service and equipment suppliers in the global economy. The National Trade Estimate (NTE) Report, which includes the Review's results, also illustrates the specific telecommunications-related issues on which USTR will allocate monitoring and enforcement efforts over the current and coming fiscal years to protect the high-quality jobs telecommunications trade supports. Since the 2021 NTE Report, USTR has achieved progress on issues affecting telecommunications trade, but continues to monitor new challenges that face American telecommunications exporters, including barriers in the Chinese market.
- ***Monitored Intellectual Property Protections and Obligations through the Special 301 Report.*** In April, USTR released its annual "Special 301" Report on the adequacy and effectiveness of U.S. trading partners' protection and enforcement of intellectual property rights. USTR maintained China, India, and Russia's status, among others, on the Priority Watch List, noting continuing concerns about IP protection and enforcement.
- ***Addressed Longstanding Intellectual Property Issues in the United Arab Emirates.*** The United Arab Emirates (UAE) was removed from the Watch List in the 2021 Special 301 Report after engagement from USTR that resulted in the Ministry of Health and Prevention resolving concerns with IP protection of pharmaceutical products by issuing Decree 321 that, among other things, provides protection against unfair commercial use, as well as unauthorized disclosure, of test or other data generated to obtain marketing approval. The UAE also made progress on long-standing IP enforcement concerns, particularly with Dubai Customs which was a major cause of industry complaints given its role in the global movement of goods, including counterfeit goods. The UAE increased transparency this past year as many authorities published their IP enforcement procedures and Federal Customs began publishing annual IP enforcement statistics. Recently, the Ajman Department of Economic Development cleared the Ajman China Mall, a notorious market for the past several years, of a substantial number of counterfeit goods and are monitoring the Mall to ensure continued compliance.
- ***Colombia Signed Exchange of Letters Securing U.S. Corn Market Access.*** In July of 2021 the United States and Colombia finalized an exchange of letters under the U.S. Colombia Trade Promotion Agreement (TPA) that clarifies requirements on Colombia's certificates of origin accompanying U.S. corn exports to Colombia. The exchange of letters eliminates bureaucratic requirements for U.S. exporters to list out the names of U.S. farmers on export certificates and allowed Colombia to close open investigations into the origin of U.S. corn. The exchange of letters secured the fourth largest U.S. corn export market, valued at over \$800 million annually.
- ***Promoted and Monitored Environmental Protection in Central America and the Dominican Republic.*** The United States and other Parties to the CAFTA-DR Agreement continued efforts to strengthen environmental protection, and implement the commitments of the CAFTA-DR Environment Chapter. The Points of Contact met virtually at regular intervals to continue engagement and discuss challenges and progress in implementing the Environment Chapter obligations. On January 15, 2021, the United States instructed the Secretariat on Enforcement Matters to prepare a factual record in response to a public submission alleging a failure by the Dominican Republic to effectively enforce environmental laws.
- ***Enforced FTA Environment Provisions in Peru.*** USTR continued robust monitoring and enforcement of the United States-Peru Trade Promotion Agreement (PTPA) and its unique Forest Annex. The United States continues to block timber imports from two Peruvian exporters, based on illegally harvested timber found in its supply chain pursuant to an earlier USTR verification request. The denial of entry order for one of the exporters was set to lapse in October 2020. However, the United States

took action to continue to block future imports from that exporter because Peru had not demonstrated to the satisfaction of the Timber Committee that the exporter was compliant with the necessary requirements for the harvest and trade in timber products.

- ***Promoted Labor Rights in Honduras.*** USTR and the Department of Labor continued to work closely with the Government of Honduras in FY2021 to implement a detailed Monitoring and Action Plan signed in 2015, with specific commitments to improve protection of labor rights and enforcement of labor laws.
- ***Engaged with Trade Partners and Closely Monitored Labor Rights.*** USTR engaged in FY 2021 with trading partners around the world on labor rights through the formal mechanisms of trade agreements and trade preference programs, as well as through country-specific initiatives. This included elevating labor rights concerns and opportunities for labor-focused collaboration in the Cambodia TIFA Labor Working Group, the U.S.-Central Asia TIFA, the Ecuador TIC, and the Taiwan TIFA.
- ***Enforced Eligibility Criteria for the Generalized System of Preferences.*** Since 2017, USTR has led a TPSC GSP Subcommittee monitoring effort to ensure beneficiary countries are meeting the GSP eligibility criteria. The process involves a triennial assessment of each GSP beneficiary country's compliance with the 15 statutory eligibility criteria. USTR self-initiated GSP worker rights reviews of Zimbabwe and Eritrea following the GSP Subcommittee's assessment of the 54 GSP beneficiary countries in the Middle East, North Africa, and sub-Saharan Africa. In addition to the triennial assessment, USTR used on-going GSP eligibility reviews to press GSP beneficiary country governments to make improvements related to a number of GSP eligibility criteria.
- ***Successful Conclusion of GSP Review of Uzbekistan on Worker Rights.*** In October 2020, after years of sustained engagement, USTR closed the GSP worker rights review based on significant steps by Uzbekistan to combat forced labor practices during its annual cotton harvest. The ILO monitoring program found no systematic use of child labor in the cotton harvest and a continued decline in forced adult labor for the fifth year in a row. Uzbekistan has criminalized the use of forced adult labor and abolished cotton production quotas. Uzbekistan has also significantly raised the wage rate for cotton pickers, thereby greatly increasing the pool of voluntary labor. During FY 2021 USTR continued to engage with the Government of Uzbekistan to press for elimination of forced labor in the cotton harvest.
- ***Successful Conclusion of GSP Review of Georgia on Worker Rights.*** In October 2020, after sustained engagement, USTR closed the worker rights review of Georgia based on significant improvements in the protection of worker rights. In September 2020, Georgia passed legislation that grants labor officials the authority to conduct unannounced inspections and enforce internationally recognized worker rights in all sectors of the economy. The new, expanded enforcement authority builds on other significant legal protections for workers enacted during the course of the review. During FY 2021 USTR continued to engage with the Government of Georgia to promote effective implementation of the new authorities.
- ***Successful Conclusion of GSP Review of Indonesia on Market Access for U.S. Goods and Services.*** In October 2020, after sustained engagement since USTR self-initiated the review in 2018, USTR closed the market access review of Indonesia after Indonesia took significant positive steps to address a range of trade and investment issues. These positive steps addressed several key U.S. concerns related to market access for U.S. goods, services, and agricultural products, and include specific reforms to Indonesia's digital trade, insurance and reinsurance, and agricultural import policies. Indonesia agreed to continue to work with the United States to ensure the successful implementation of these policies for the benefit of both countries.

- ***Withdrawal of GSP Benefits from Thailand for Market Access for U.S. Goods.*** After extensive engagement with Thailand failed to provide the United States with equitable and reasonable market access for pork products, President Trump withdrew \$817 million in GSP benefits from Thailand, effective on December 30, 2020.
- ***Continued Monitoring and Engagement of On-going GSP Country Practice Reviews.*** In FY 2021, USTR continued to monitor developments related to the on-going GSP country practice reviews and engage with foreign governments and stakeholders. USTR led numerous technical and high-level discussions on worker rights reviews, including virtual meetings with the Government of Kazakhstan to determine the impact of the implementation of amendments to its trade union law and the Government of Zimbabwe on concerns related to repression of labor activists. USTR continued to engage with the Government of South Africa on the issues raised in the intellectual property rights review, in particular through two technical dialogues to discuss draft copyright legislation. USTR also continued to monitor and engage the Government of Indonesia on the issues raised in the intellectual property rights review.
- ***Advanced Policy Reforms in sub-Saharan Africa.*** USTR used the annual AGOA eligibility review process to advance needed policy reforms in sub-Saharan African countries, and to further open African markets to U.S. trade and investment. USTR led and coordinated a TPSC Subcommittee review of 49 sub-Saharan African countries to monitor progress on the AGOA eligibility criteria, including whether countries are making continual progress toward establishing, among other criteria, market-based economies, elimination of barriers to U.S. trade and investment, protection of intellectual property, efforts to combat corruption, policies to reduce poverty, and protection of human rights and worker rights. Based on that review, USTR made recommendations to the President on AGOA country eligibility for 2021 and reinstated the eligibility status of the Democratic Republic of the Congo. USTR also monitored bilateral commercial trade and investment disputes for a number of African countries and used the leverage of AGOA benchmarks and the eligibility review process to raise those issues.
- ***Pushed for Resolution of Key Market Access Challenges in Sub-Saharan Africa.*** USTR met with senior government counterparts from key trade partners on the continent, including South Africa, Kenya, Angola, and Rwanda, to discuss trade barriers and impediments to doing business. Barriers include adopted or proposed local content requirements, new import restrictions, obstacles to U.S. agricultural goods, bans on imports of used clothing, and problematic intellectual property protection policies and legislation.

### ***Goal 3: Develop and Implement Innovative Policies to Advance President's Trade Agenda***

USTR will develop and implement a comprehensive trade policy to help the country and world recover from the Covid-19 pandemic and its economic effects; improve labor standards; strengthen environmental standards and support the Administration's work to address the crisis of climate change; support public health improvements; and eliminate social and economic barriers to ensure economic opportunity and benefits for underserved and marginalized communities.

#### **Objectives:**

- 3.1: Address the effects of the pandemic and unforeseen national and global emergencies through policies that strengthen long-term supply chain resiliency for equipment and supplies critical to

delivering public health services in the United States; help companies, including small businesses and women and minority entrepreneurs, strengthen production of essential medical equipment; collaborate with trading partners to advance global health security and humanitarian response to save lives, promote global economic recovery, and develop resilience against future global pandemics or crises.

3.2: Leverage our strong bilateral and multilateral trade relationships to raise global climate ambition. Work with allies as they develop their own approaches and ensure that trading partners meet their environmental obligations under existing trade agreements. Support the goal of reducing greenhouse gas emissions and achieving net-zero global emissions by 2050, or before. Explore and develop market approaches to address greenhouse gas emissions in the global trading system. As appropriate, and consistent with domestic approaches to reduce U.S. greenhouse gas emissions, this includes consideration of carbon border adjustments.

3.3: Negotiate and implement strong environmental obligations that also contribute to a sustainable climate pathway; promote sustainable stewardship of natural resources, such as sustainable fisheries management, and prevent unlawful environmental practices, such as illegal logging, illegal fishing, and wildlife trafficking.

3.4: Seek to better understand the projected impact of proposed trade policies on underserved and marginalized communities and to ensure those impacts are considered before pursuing such policies. Craft new trade policies to promote equitable economic growth and contribute to the creation of good-paying future U.S. jobs through the inclusion in trade agreements of strong, enforceable labor standards that protect workers' rights and increase economic security; engage allies to achieve commitments to fight forced labor and exploitative labor conditions, and increase transparency and accountability in global supply chains, and lead to the economic empowerment of women and underrepresented communities.

## **Accomplishments:**

Highlights of USTR's accomplishments in FY2021 include:

- ***Leveraged our strong bilateral trade relationships to raise global climate ambition.*** USTR conducted virtual bilateral and regional meetings with trading partners to discuss trade-related approaches to tackle the climate crisis and raise climate ambition. Conversations on trade and climate change included bilateral consultations with the EU on its carbon border adjustment mechanism. USTR advocated for the recognition of regulatory approaches to decarbonization as equivalent to price-based approaches. USTR also engaged with other bilateral trading partners, including Australia, Canada, Israel, Japan, and Korea, to discuss the benefits and drawbacks of border carbon adjustments to address carbon leakage and approaches to decarbonization.
- ***Utilized WTO Committees and informal bodies to discuss trade and climate change.*** USTR also participated in formal and informal meetings of the WTO Committee on Trade and Environment in which Members explored various market approaches to reducing greenhouse gas emissions, including through a carbon border adjustment mechanism.
- ***Supported the goal of reducing greenhouse gas emissions and achieving net-zero global emissions by 2050, or before.*** USTR worked with interagency partners to build a robust agenda and increase climate ambition to decarbonize the domestic and global economy. USTR held bilateral consultations with trading partners to discuss trade in environmental goods and services and low-carbon goods and services.

- ***Extensive internal economic analytical discussions on trade impact on underserved and marginalized communities.*** Discussions focused on data access and identifying data gaps and culminated in the Administration’s first Section 332 request to the ITC on the above subject. The request focusses on the distribution effects of trade and trade policy on the marginalized, underserved, and disadvantaged communities in the United States.

#### ***Goal 4: Develop Equitable Trade Policy Through Inclusive Processes***

USTR will develop worker-centered trade policy through extensive consultations with the Congress, stakeholders, and its trade Advisory Committees. USTR will also use digital means and expanded domestic engagement to ensure broad opportunities for the public to contribute to policy formulation, provide comments on policy, and access public hearings and documents. USTR will lead interagency trade policy coordination to obtain broad-ranging input, involve disadvantaged and underserved communities in policymaking, provide accountability, and develop sound, strategic U.S. trade policies.

USTR’s transparency principles establish the foundation for a high transparency standard for the day-to-day operations of USTR. These transparency principles reflect the Administration’s commitment to comprehensive public engagement, including outreach to historically overlooked and underrepresented communities, as it develops and implements a trade policy that advances the interests of all Americans.

#### **Objectives:**

- 4.1: Work with Congress, interested stakeholders, unions, state and local governments, and the public to inform and strengthen the U.S. trade agenda, develop Administration trade policies and initiatives, and advance key trade legislation.
- 4.2: Conduct outreach to underserved and disadvantaged communities, in policy development, negotiations, and implementation and enforcement of agreements and legislation.
- 4.3: Ensure that the concerns and perspectives of underrepresented communities, small businesses, and the employment and purchasing power interests of low-income Americans are reflected in proposed policies, including through improved engagement, innovative data collection, and outreach and engagement with community-based stakeholders, such as minority-owned businesses, business incubators, Historically Black Colleges and Universities (HBCUs), Hispanic Serving Institutions (HSIs), other minority serving institutions (MSIs), and local and national civil rights organizations.
- 4.4: Incorporate policies and proposals that foster Tribal Nations’ participation in international trade; ensure Tribal Nations are timely informed about trade policies and actions that may have Tribal implications.
- 4.5: Provide timely and appropriate information to the public on ongoing trade negotiations and trade policy issues of general interest, consistent with laws and regulations governing engagement with the public as well as the protection of confidential information.
- 4.6: Provide inclusive opportunities for the public to participate in the development of trade policy and trade initiatives, including changes in policy that affect existing trade programs; seek public input with respect to new major trade initiatives when feasible, even when not required by law.
- 4.7: Facilitate participation in trade policy development by a broad range of stakeholders. In order to foster more inclusive and broader representation in terms of both geography and demographics, as well

as stakeholder perspective, seek input using innovative and adaptable forms of communication, including virtual hearings and outreach, in addition to traditional means such as Federal Register notices.

4.8: Foster a robust Advisory Committee system by appointing, consulting, and engaging with an active group of advisors; ensure that the membership includes a wide variety of expert interests, reflective of the diverse stakeholder perspectives.

4.9: Facilitate opportunities for the public, especially from underserved communities, to share perspectives and ideas on developing equitable trade policy.

4.10: Identify and explore opportunities for trade policy and practices, especially in emerging sectors where the United States has the potential to be competitive, to contribute towards increasing equity, reducing income inequality, and expanding micro, small, and medium-sized enterprises and their potential to create good U.S.-based jobs through trade.

4.11: Expand data analysis and reports to measure equity and analyze the effect of trade policy on underserved communities, including assessments based on race, ethnicity, gender, disability, income, veteran status, or other key demographic variables.

4.12: Educate the public on the Advisory Committee system and its role in trade policy.

4.13: Adhere to the Guidelines for Consultation and Engagement adopted in October 2015.

4.14: Coordinate trade policy effectively through the Trade Policy Staff Committee (TPSC) and the Trade Policy Review Group (TPRG).

### **Accomplishments:**

Highlights of USTR's accomplishments in FY2021 include:

- ***Extensive Meetings and Briefings with Congress on Key USTR Initiatives.*** Ambassador Tai and USTR staff held numerous meetings, hearings, and briefings with Members of Congress and their staffs on a range of trade issues, including the US-UK Cooperative Framework for Large Civil Aircraft, the arrangement with the EU on steel and aluminum tariffs, agricultural trade, China Phase 1 commitments, the India Trade Policy Forum, enforcement activities, the Indo-Pacific Economic Framework, and other initiatives. Ambassador Tai and USTR staff also engaged with Members of Congress in their districts, travelling to Massachusetts, North and South Carolina, Michigan, Wisconsin, Illinois, and Washington state, meeting with constituents, stakeholders, farmers, and workers. These engagements, which amounted to over a thousand hours, kept the Congress constantly abreast of USTR activities and ensured they had continuous opportunities to shape U.S. trade policy.
- ***Coordinated Trade Policy Effectively Through the Trade Policy Staff Committee (TPSC).*** USTR efficiently and effectively coordinated trade policy with the other 21 federal agencies in support of the USTR's trade policy agenda with respect to trade negotiations, policy developments, and monitoring and enforcement activities, including Sections 337, 201, and 301 of U.S. trade law. Throughout FY2021, USTR as Chair of the TPSC, regularly sought advice from the public on policy decisions and negotiations through *Federal Register* notices and public hearings. This included seven TPSC public hearings: Proposed Actions on Digital Services Taxes (Australia, India, Spain and Turkey) in May 2021; Special 301 Review in January to March 2021; the annual African Growth and Opportunity Act

country eligibility review in May 2021; China's Compliance with its WTO Commitments in September to October 2021; and Russia's Implementation of its WTO Commitments in September to October 2021. Due to the COVID-19 pandemic, hearings were held in virtual or written form, and stakeholders were afforded the opportunity to participate virtually or in written form and exchanges with TPSC agencies in electronic form. All testimony and questions are posted on regulations.gov to ensure transparency.

- ***Developed Policies to Ensure Consultation with an Inclusive and Rounded Group of Trade Advisory Experts.*** The trade advisory committee system consists of 26 advisory committees. USTR independently administers four committees: 1) the Advisory Committee on Trade Policy Negotiations (ACTPN); 2) the Intergovernmental Policy Advisory Committee (IGPAC); 3) the Trade Advisory Committee on Africa (TACA); and 4) the Trade and Environment Policy Advisory Committee (TEPAC). The remaining 22 committees are jointly managed by USTR and the Departments of Commerce, Labor, or Agriculture, as appropriate. Advisory Committees were asked to provide recommendations on how to advance equity principles within their respective charters, increase the diversity of views and representation on their committee, and how trade policy can be modified to ensure that the benefits of trade are more equitably distributed. As each Advisory Committee's charter comes up for renewal, specific language is being added to highlight and seek greater equitable and inclusive representation in committee membership. TEPAC is the first Advisory Committee to include the new language in its charter renewal.
- ***Outreach to and Consultations with Food and Agriculture Stakeholders.*** USTR engaged extensively with stakeholders interested in food and agricultural trade matters to build a robust trade agenda, including matters such as USMCA implementation and enforcement, WTO agriculture and SPS initiatives, the China Phase One Agreement, Codex Alimentarius Commission, trade related aspects of agriculture innovation, and a full range of matters affecting U.S. agricultural exports to countries and regions around the world.
- ***Outreach to and Consultations with Stakeholders on Trade and Environment Issues.*** USTR engaged in considerable outreach on a range of trade and environment issues and policy areas with a broad range of stakeholders including Members of the Trade and Environment Policy Advisory Committee (TEPAC), the broader environmental community, other government agencies, Congress, and the private sector. This included engagement and outreach on a number of topics including USMCA implementation, illegal, unreported, and unregulated fishing, fisheries subsidies, illegal logging and timber trade, and outreach under existing FTAs with Central America and the Dominican Republic, Peru, Colombia, Korea, and Singapore. USTR also engaged with environmental NGOs on the sidelines of bilateral environmental meetings.
- ***Outreach to and Consultations with U.S. Labor and Business Stakeholders.*** Communication with stakeholders provided a wide range of positions considered in developing labor policy positions, and built cooperative relationships with key stakeholders in the labor and business communities on difficult and sensitive issues. USTR personnel at all levels participated in numerous stakeholder meetings to discuss and promote USTR trade-related labor policies, including with the International Labor Organization, the International Finance Corporation, the U.S. Council for International Business, American Apparel and Footwear Association, the Responsible Business Alliance, and the Fair Labor Association. USTR established relationships and engaged in regular meetings with key labor and human rights organizations, including the AFL-CIO, the International Brotherhood of Teamsters, the United Automobile Workers, the United Steelworkers, the Solidarity Center, Human Rights Watch, Humanity United, Global Labor Justice – International Labor Rights Forum, and Open Society Foundations. USTR also engaged U.S. and foreign employers, including the U.S. Chamber of

Commerce, Nike, Levi Strauss, Gap, Walmart, VF Corporation, Li & Fung, and Target, which resulted in strengthened relationships and consulting mechanisms on trade-related labor matters. USTR also engaged in regular meetings with key Hill staff, in particular Ways and Means, Finance, and the House Trade Working Group, resulting in broadening support for USTR trade policy, particularly with regard to the USMCA and worker rights implementation under GSP and FTAs. USTR worked with labor advisors to strengthen the trade union advisory process, resulting in finding common ground on trade-related labor matters and leading to unprecedented collaboration.

- ***Outreach to and Consultations with Stakeholders on Digital Trade issues.*** USTR consulted widely on developing an inclusive trade policy related to digital trade issues, including outreach to labor interests. The aim is to develop and implement a worker-centered digital trade policy that advances areas of interest for all stakeholders.
- ***Outreach to and Consultations with Underrepresented Communities.*** USTR conducted extensive public engagement, including outreach to historically overlooked and underrepresented communities, in developing and implementing a worker-centered trade policy that advances the interests of all Americans. USTR worked to ensure that the concerns and perspectives of underrepresented communities, small businesses, and the employment and purchasing power interests of low-income Americans were reflected in proposed policies, including through improved engagement, innovative data collection, and outreach and engagement with community-based stakeholders. This included minority-owned businesses, business incubators, Historically Black Colleges and Universities (HBCUs), Hispanic Serving Institutions (HSIs), other minority serving institutions (MSIs), and local and national civil rights organizations. USTR hosted for the first time in its history, two formal Tribal Consultation sessions on how USTR can engage in regular, meaningful, and robust consultation in the development of trade policies.
- ***Outreach to and Consultations with Congress, Industry, Civil Society, and Other Stakeholders on IP Issues.*** Throughout FY2021, USTR developed, tabled, and successfully concluded significant intellectual property proposals in a range of negotiations and enforcement actions. Policy reviews in these areas involved careful deliberation, research, and consultation. USTR engaged stakeholders with often competing views on an almost daily basis to address concerns and build support for the U.S. IP trade agenda and maintained important relationships with stakeholder communities holding diverse views on trade and IP issues.
- ***Extensive Consultations with Congress, Industry and Other Stakeholders on SME Issues.*** On SME issues, USTR worked extensively with the TPSC agencies, Congress, industry, trade partners, and other stakeholders to identify issues of most concern to small business, and develop trade policies to address those concerns (e.g., leveraging existing FTAs and other policy initiatives). Ongoing efforts are yielding measurable outcomes including improved TPSC agency coordination, more frequent consultations with stakeholders to inform the U.S. agenda, and more effective use of USTR policy tools to address SME issues. For example, under the USMCA SME Chapter, the SME Committee launched a pilot network of small business development center (SBDC)/SME counselors among the United States, Mexico, and Canada to share best practices and help SME clients prepare for new trade opportunities under the USMCA. Pilot founding members from the U.S. SBDC network supported by SBA include Women's Business Centers, Historically Black University Small Business Centers, Minority Business Development Agency offices, Veterans Business Outreach Centers and Native American Technical Assistance centers.

- ***Continued Outreach to Key Stakeholders on the TFA.*** USTR staff frequently participated in outreach events and speaking engagements on ratification and implementation of the Trade Facilitation Agreement (TFA) focused on the potential to engage a broader set of stakeholders for TFA implementation. USTR conducted extensive consultations with stakeholders, including the National Association of Manufacturers, the U.S. Chamber of Commerce, the U.S. Council for International Business, and the National Foreign Trade Council.
- ***Extensive Consultations with Stakeholders on Mexico's Express Courier Procedures.*** USTR developed a robust working group of industry stakeholders to address problematic express courier regulations in Mexico's General Rules on Foreign Trade. Working with an extensive interagency team, USTR met with the industry working group on a regular basis, providing updates and seeking input to coordinate strategy. The cooperation resulted in greater access to Mexican decision-makers and positive changes that give express delivery couriers more certainty in the Mexican market.
- ***Extensive Internal Consultations on Trade and Distributional Effects.*** In 2021, USTR had internal economic analytical discussions on the distributional effects of trade and trade policy on U.S. workers by skill, wage and salary level, gender, race/ethnicity, age, and income level, especially as they affect underrepresented and underserved communities. These discussions culminated in the Administration's first Section 332 request to the USITC on the Distributional Effects of Trade and Trade Policy on U.S. Workers.
- ***Enhanced and Revitalized the Trade Policy Review Group (TPRG) and Trade Policy Staff Committee (TPSC) Process.*** In 2021 USTR as chair of the TPRG and the TPSC regularly met with the other 21 federal agencies to discuss and obtain their views and input on the President's trade policy agenda and trade agreements program.

## ***Goal 5: Effectively Communicate the President's Trade Agenda***

To ensure the advancement of the President's trade policy agenda, USTR will communicate the benefits of this agenda to domestic and foreign audiences, thereby building public understanding of its positive impact on economic growth, and support for enforcing U.S. rights and opening markets around the world to U.S. goods, services, and agricultural products.

### **Objectives:**

5.1: Create and implement a USTR-wide, proactive communications strategy to explain the job-supporting, economy-enhancing benefits of the President's trade policy agenda to domestic constituencies and stakeholders.

5.2: Ensure the USTR website contains up-to-date information on current trade initiatives and programs. Press releases and other materials related to agency programs, initiatives, and negotiations will contain sufficient information to adequately inform the public and will link to available background information on the USTR website.

5.3: Inform private sector and non-profit stakeholders, media, and state and local governments of USTR's efforts to monitor and address unfair foreign trade barriers and practices and enforce U.S. rights, as well as compliance by trading partners with U.S. agreements.

5.4: Enhance outreach to and build sustained engagement with underserved and disadvantaged communities on the benefits of the President's trade agenda and ensure methods and means of communication are useful and accessible.

5.5: Work with the White House and with agency partners to implement a consistent, Federal government message on trade policy.

5.6: Use language and means of communication that are accessible, inclusive, and reflect the concerns, priorities, and perspectives of stakeholders.

5.7: Communicate, in consultation with other agencies, the Congress, and interested stakeholders, the Administration's unified message to foreign countries and their citizens explaining the benefits of trade with the United States, in order to build support for U.S. trade policies and initiatives.

5.8: Communicate success to stakeholders, including state and local elected officials.

### **Accomplishments:**

In 2021, USTR's ongoing and serious dialogue with the American people about trade and jobs produced real results across a wide range of issues and initiatives.

- ***Showcased the Benefits of Fair and Reciprocal Trade to the U.S. Economy.*** USTR developed talking points, press statements, and social media content to explain the Administration's trade policy goals and achievements to the public. USTR published the President's 2021 Trade Agenda on March 1. USTR also coordinated press statements with interested agencies and the White House in order to present coherent and mutually reinforcing trade information to the public. USTR strategically selected organizations for trade speeches, including the AFL-CIO, the Center for American Progress, and the Graduate Institute's Geneva Trade Platform to demonstrate the importance of free and fair trade to the United States.
- ***Enhanced Outreach to the Congress and Other Key Stakeholders.*** USTR consulted with Congress and key stakeholders on new initiatives to promote trade policy reforms that place American interests first. USTR also worked with the House Committee on Ways and Means and the Senate Committee on Finance, Congressional leadership, and other relevant Committees, to coordinate messaging on aspects of the Administration's trade agenda. USTR transmitted to Congress the President's 2021 Trade Agenda on March 1.
- ***Conducted Outreach and Informed US Industry and State-Level Governments.*** USTR conducted outreach to U.S. industry stakeholders, congressional delegations, and state-level governments planning official visits and trade missions. USTR established a strong state-level network of interested stakeholders and worked with this network to offer opportunities for information exchange and trade education through USTR participation in conferences and external speaking engagements.
- ***Communicated the Harm to U.S. Workers and Businesses of Appellate Body Overreaching.*** In February 2020, USTR published a report detailing U.S. concerns with the Appellate Body and assessing the repeated failures of the Appellate Body to properly apply the rules agreed to by Members. The Report explains how the Appellate Body has altered Members' rights and obligations through erroneous interpretations of WTO agreements, several of which have directly harmed the ability of the United States to counteract economic distortions caused by non-market practices of countries like China that hurt our citizens, workers, and businesses. The Report explains how the conduct of the Appellate Body

has converted the WTO from a forum for discussion and negotiation into a forum for litigation, undermining U.S. interests in the WTO. Through numerous formal WTO meetings and informal bilateral meetings, USTR has actively sought engagement with Members on issues that are fundamental to Appellate Body reform, including the need for fundamental reform of dispute settlement.

- ***Communicated the Intellectual Property Rights Benefits of Trade Initiatives and Agreements.*** USTR responded expeditiously to frequent and often in-depth inquiries from stakeholders and Members of Congress. USTR personnel participated in press calls to explain Administration positions with respect to intellectual property protection and enforcement as well as Special 301 matters.
- ***Outreach and Consultations with the U.S. Textile Industry.*** USTR staff actively reached out to stakeholders across the spectrum of textile and apparel industry interests, participating in conferences and meetings organized by the National Council of Textile Organizations, the American Apparel and Footwear Association, and the U.S. Fashion Industry Association.
- ***Outreach and Consultations with the U.S. Agriculture Industry, Consumer Groups and Labor Unions.*** Ambassador Tai and staff at all levels of USTR met with U.S. agriculture stakeholders on the Administration's trade agenda, including the National Chicken Council and the American Farm Bureau Federation, as well as participated in dozens of virtual and in-person agriculture stakeholder meetings to enhance the understanding of the benefits of trade to U.S. food and agriculture farmers, ranchers, workers, and businesses. USTR also held numerous meetings with consumer groups, environmental groups, the fishing industry, and labor unions to promote and explain the Administration's agriculture and SPS trade agenda.
- ***Communicated the Environmental Benefits of Administration Trade Initiatives.*** Through joint statements, press releases, social media, speeches and other public events, USTR continued to communicate how U.S. trade agreements and initiatives help to level the playing field for American workers and businesses and can address urgent trade-related environmental challenges.
- ***Communicated the Benefits of Trade to Foreign Trade Partners.*** In consultation with other agencies, the Congress, and key stakeholders, USTR communicated to foreign countries the benefits of fair and reciprocal trade with the United States. Through cooperation with U.S. regulatory and health agencies, we ensured that the Administration-wide message on trade policy was reflected in U.S. positions and delivered in meetings of international, multilateral trade organizations, including the OECD, G7, G20, WTO, and others.
- ***Outreach and Consultation with Key Stakeholders on EU and MENA Trade Issues.*** USTR staff presented and discussed evolving U.S. trade and investment policies in the EU and the MENA (Middle East and North Africa) region at business conferences and widely attended meetings of key private sector stakeholder organizations and relevant embassies.
- ***Communicated with a Range of Stakeholders on the Administration's Africa Trade Agenda.*** USTR continued outreach with African governments, the U.S. and African business community, and civil society groups to highlight the Administration's worker centered trade agenda with respect to the continent. In July 2021 Ambassador Tai addressed the virtual U.S.-Africa Business Summit organized by the Corporate Council on Africa. In August 2021 Ambassador Tai met with the Trade Advisory Council on Africa (TACA) to discuss the Biden-Harris Administration's trade policy toward the region. USTR staff participated in additional events held throughout the year, including the AGOA Civil Society Spring Conference, the U.S. Chamber of Commerce's U.S.-Ghana Business Forum, and a Southern Africa Agribusiness Workshop.

- ***Communicated the Benefits of Administration’s Efforts to Eliminate Significant Trade Barriers.***  
USTR published the National Trade Estimate Report identifying the benefits of eliminating significant trade barriers and potentially increasing trade with 65 of our trading partners.

## ***Goal 6: Achieve Organizational Excellence as a Model Employer***

USTR will make advancing diversity, equity, inclusion, and accessibility a priority component of the agency’s management agenda and agency strategic planning. This includes increasing employee engagement and developing and strengthening a diverse and inclusive adaptive workforce in line with Executive Order 14035 on Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce, Executive Order 13985 on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, Executive Order 13988 on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation, and the National Security Memorandum on Revitalizing America’s Foreign Policy and National Security Workforce, Institutions, and Partnerships. The agency will strengthen the development and promotion of a workplace that supports diversity, equity, inclusion, accessibility, creativity, and productivity through human capital initiatives that focus on effective recruitment strategies, fair hiring practices, and continuous learning programs. The agency will also provide effective business operations and service delivery through administrative processes, physical and information security, finance and procurement, information technology, and infrastructure that will strengthen its ability to perform core functions at the highest level of excellence.

### **Objectives:**

- 6.1: Implement agency actions in E.O. 14035 Executive Order on Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce.
- 6.2: Expand opportunities to recruit, retain, develop, and promote a diverse and inclusive workforce.
- 6.3: Collect and analyze data on USTR’s workforce composition, senior workforce composition, employment applications, hiring decisions and applicant flow, promotions, wages, pay and compensation, professional development programs, and attrition rates.
- 6.4: Support, coordinate, and encourage research, evaluation, and other efforts by the Federal Government to identify best practices, and other promising practices, for broadening participation in Federal employment, and to identify the benefits of diversity, equity, inclusion, and accessibility on Federal performance and operations.
- 6.5: Assess in a consistent and proactive manner whether USTR’s recruitment, hiring, promotion, retention, professional development, pay equity, reasonable accommodations access, and training policies and practices are fair, impartial, and effective, to meet the goal of promoting a diverse and inclusive workforce.
- 6.6: Review the status and outcomes of existing diversity, equity, inclusion, and accessibility initiatives or programs, and review the level of institutional resources available to advance human resources activities that advance the Federal government’s objectives of being a model employer for diversity, equity, inclusion, and accessibility.

6.7: Develop innovative programs, initiatives, budgeting, personnel, and resource proposals based on quarterly assessments of USTR's review of its progress in being a model employer for diversity, equity, inclusion, and accessibility.

6.8: Support efforts of USTR's Diversity, Equity, Inclusion and Accessibility (DEIA) Council to expand awareness within the agency of DEIA principles and their application, and to provide advice to the agency's leadership and administrative and human resources professionals.

6.9: Provide human capital services that maximize employee performance and engagement, affirmatively advance diversity, equity, inclusion and accessibility; use a systematic approach to embedding fairness in processes and practices that will recognize and work to redress inequities in current policies and processes that may serve as barriers to equal opportunity.

6.10: Manage a security program that provides appropriate levels of protection for USTR personnel, facilities and sensitive information in all situations.

6.11: Coordinate crisis management capabilities that ensure USTR can support its Primary Mission Essential Functions (PMEFs) and Mission Essential Functions (MEFs) with minimal disruption under different Continuity of Government Readiness Conditions.

6.12: Manage resources to maximize USTR's current and future capabilities; formulate the agency's budget and execute appropriations ensuring financial accountability with best financial management practices.

6.13: Manage USTR more efficiently and effectively and identify, monitor and mitigate operational risks.

6.14: Provide effective facilities management processes that enable USTR staff productivity.

6.15: Deliver information technology resources and systems that increase USTR's productivity, communicate trade benefits, and safeguard resources.

### **Accomplishments:**

Effective communication and efficient implementation of the goals presented in the Strategic Plan require a workforce that is technically proficient and highly motivated. It also requires a supportive work environment for USTR's employees, its most valuable asset. USTR, through its annual performance goals, is implementing multi-year objectives in human capital planning, including succession planning, career and leadership development, space modernization and expansion, continuity of operations and establishing comprehensive security programs, training and information technology improvements. The Employee Viewpoint Survey informs USTR's efforts to focus on those areas of greatest need.

Highlights of USTR's accomplishments in FY2021 include:

- ***Security Management & Emergency Preparedness.*** Substantially upgraded the expertise and professionalism of the Security Office; included overhauling 100% of PSO post orders, redeveloping the Intranet page, assessing the overall security of USTR areas (three separate facilities) identifying vulnerabilities, security gaps and implementing approved security measures, and reducing costs from two separate agreements with DHS/FPS. Rebuilding from the bottom up a law enforcement compliant Executive Protective Detail team; entailed coordinating the completion of the Personal Security

Assessment for incoming Ambassador justifying the need to establish the team, developing new compliant PDs that met with OA/GC & HRD approval, followed by extensive recruitment and hiring actions, and achieving UUUUU.S. Marshall Service Special Deputations with new credentials. Brought onboard a Security Specialist to establish, implement and maintain multiple security programs to effectively manage all standards and policies governing physical, personnel, information, communications, and security awareness training. Security staff certified as Contracting Officer Representative (COR) for over five separate contracts. Collaborated with EOP to ensure over 95% of CERT members assigned to USTR's COOP Program were trained, issued GETS card, and completed required documentation to access the COOP site when necessary.

- ***Resource Management.*** Managed the FY 2021 spend plan to ensure the most effective and efficient use of USTR's spending authority and best position USTR to minimize impact of potential reductions and unexpected changes in priorities; included employment of the Trade Enforcement Trust Fund, planning and use of the USMCA supplemental appropriations, and the expanded USTR space, outfit and staffing to support the 301-tariff exclusion process. FY 2021 full-year spend plan and all quarterly expenditure reports provided to appropriations staffs as required; managed FY 2021 year-end close-out; all established targets completed. Delivered FY 2022 Congressional Budget Submission and provided supporting briefs/information to Congressional staff inquiries that fully justified USTR resource needs. Provided to the Transition Team and new Front Office appointees expert analysis and explanation of the entire USTR Budget; expert recommendations provided to Agency leadership ranging from contracts - to FTE ceilings – to bandwidth for IT investments, including unique and specific strategies for overall budget execution within multiple appropriations and program areas. Detailed planning, analysis and budget execution provided for special assignments in support of 301 Exclusions, USMCA and Trade Enforcement efforts. OA CFO's FY 2021 purchase card file review was exemplary with two very minor issues, neither of which could be anticipated at the time of the purchases, a substantial improvement over prior years. The two Blank Purchase Agreement (BPA) staffing contracts supported the 301 exclusions process with tariffs experts and two levels of business analysts; extraordinarily effective in bringing on board critical expertise and capabilities to process thousands of requests; successful at preserving the staffing support from OA's paralegal contract through incorporation into one of the BPAs; modified these contracts to include USMCA support capabilities.
- ***General Administration and Management.*** Worked closely with agency leadership and individual lead negotiating offices and proactively addressed all special conferencing needs; consistently provided conference planning support for all meetings as soon as they are determined and often at the last moment (refreshments, flags, audiovisual, dinners). Coordinated with USTR's NARA Archivist to complete the USTR Electronic Records Schedule; developed and implemented the CAPSTONE approach, enabling an expedited email management transition from the previous Administration; created and launched USTR's first agency-wide records management fundamentals training course that meets NARA's annual records management training requirement; completed the required 2021 Records Management Self-Assessment in March 2021. Responded to GAO's Report on Executive Agencies' handling of the FY19 Government Shutdown, which included five recommendations for action by USTR, providing initial information efficiently and effectively closing out one of the five recommendations during FY21; draft detailed plans and procedures per the GAO's recommendations were instrumental in preparing for the potential shutdown at the end of FY 2021. Kept workforce up-to-date on potentially impactful major issues, e.g. shutdown, COVID-19 pandemic; inclement weather, GSA projects; sought means to mitigate impact of any potential workforce disruptions, such as

encouraging use of workplace flexibilities, e.g. max telework. Prepared facilities for pandemic response, including developing and implementing protocols, acquiring PPE, enabling video teleconferencing, max telework, Beijing office staff displacement support. Continued USTR Intranet revisions to substantially improve the access to USTR and EOP policies and procedures.

- ***Facilities Management.*** Provided complete office arrangements and outfit support for all incoming staff. Procured adequate PPE for USTR facilities and coordinated closely with GSA to ensure spaces were maintained to CDC guidelines; various changes/upgrades accomplished to restrooms. Worked closely with GSA and contractors on numerous major projects, including Winder SCIF noise issue and A/C upgrade planning. Provided oversight of GSA to ensure all special projects are completed expeditiously and with minimal impact on occupants; working closely with GSA completing a critical ADA compliance study that will result in including the proper disability accommodations for 1724 F Street. Coordinated with GSA and building management on 1800 G Street; renovated and outfitted second suite for expanding staffing; designed layout of space, procured office outfit, launched IT network installation. Maximized the daily sanitation and disinfection of facilities through the new custodial contract. Previously acquired 1800 G space targeted to improve the habitability of USTR employees; commenced process that will eventually relocate offices from Winder and enable inclusion of Secret-level controlled access spaces for SIPRNet.
- ***Information Technology and Communications Management.*** Provided virtually 24x7 support as agency went to max telework posture overnight in March of 2020; agency mission performance continued uninterrupted; more than 2000 VTCs supported since the pandemic began. Completed the upgrade of USTR's internet connectivity from 10 mb to 1 gig; providing substantial enhancements to video teleconferencing and physical access control system responsiveness. Coordinated with WHIT to continue necessary technology upgrades to Geneva office; Geneva IT capabilities substantially improved. Major enhancements developed for USTR Intranet, making all content more readily accessible; included the redrafting of all policies and procedures. Upgraded Winder conference room 203 to the latest Polycom System capabilities; provides for integration with all other VTC technology. USTR staff now have substantially increased ability to host both traditional VTC calls and web-based conference. Coordinated with WHIT to install the network for the renovated 1800 G Street office space and support for USMCA staffing offices Mexico City.
- ***Human Capital Management.*** Extremely challenging year with pandemic restrictions (max telework), change in Administrations (with reduced transition time), and tackling a major backlog in hiring. Expedited staffing of political appointees including the review of position descriptions, promotions and pay adjustments and appointment of three Ambassadors. Completed transfer of the first USTR staff to Mexico in response to the USMCA supplemental appropriations. Continuous HR communications ensured USTR employee engagement at all levels. Continued moving ahead with USMCA enforcement supplemental appropriations under pandemic restrictions – hired additional environment/labor trade policy analysts and attorneys to support effort; completed onboarding three environmental detailees to serve in Mexico City; further efforts ongoing with MX Embassy to house USTR staff and planning for housing USTR's office in the new embassy. Provided guidance and instructions on performance management, including provision of one-on-one assistance for SES performance management process. Ensured SES Performance Plans were compliant with OPM's governmentwide SES Performance Management System, and that each plan was structured to assess SES members' achievements as related to USTR goals/objectives. Achieved recertification of the SES performance management system. For Non-SES, met completion goals and ensured timely payout of

performance awards. Made a significant number of training opportunities available to staff during the pandemic. Director, OHCS (Chief Diversity Officer) worked closely with the USTR Equity Team and DEIA Council, contributing to Agency initiatives in response to multiple Executive Orders. Prepared agency assessments of diversity, equity, inclusion, and accessibility (DEIA) and consulted with DEIA Council and senior leadership to initiate the Agency's program. Provided proactive HR technical support and expertise to managers and employees in handling employee relations, performance, and conduct issues; ensured laws and policies were being observed. Extensively revised work hours and telework policies to fit COVID-19 environment. Effectively handled a number of highly-sensitive personnel matters, including resolving an EEO formal complaint. In support of accessibility accommodations, engaged with employees and OA accommodations staff to provide necessary office furniture and IT assets; working closely with ongoing GSA study of 1724 F Street ADA needs. Successfully managed the recruitment, hiring and onboarding of over 46 new employees, including new Biden Team political appointees, detailees, PMFs, summer interns (smooth implementation of first time paid positions), consultants and contractors. Assisted in coordination and review of ERB activities for an unprecedented number of Senior Executive Service recruitments. Completed appointment of Beijing Minister Counselor position. Considering the unprecedented hiring and scarcity of office space, managed all employee office assignments with respective AUSTRs to ensure the best use of office space and smooth on-boardings.

## GLOSSARY OF ACRONYMS

AD.....	Antidumping
AGOA.....	African Growth and Opportunity Act
APEC.....	Asia Pacific Economic Cooperation
ASEAN.....	Association of Southeast Asian Nations
ATC.....	Agreement on Textiles and Clothing
ATPA.....	Andean Trade Preference Act
ATPDEA.....	Andean Trade Promotion & Drug Eradication Act
BIA.....	Built-in Agenda
BIT.....	Bilateral Investment Treaty
BOP.....	Balance of Payments
CACM.....	Central American Common Market
CAFTA.....	Central American Free Trade Area
CAFTA-DR.....	Dominican Republic-Central America Free Trade Agreement
CARICOM.....	Caribbean Common Market
CERT.....	COOP Emergency Response Team
CBERA.....	Caribbean Basin Economic Recovery Act
CBI.....	Caribbean Basin Initiative
CFTA.....	Canada Free Trade Agreement
CFIUS.....	Committee on Foreign Investment in the United States
CITEL.....	Telecommunications division of the OAS
COMESA.....	Common Market for Eastern & Southern Africa
CSC.....	Capital Sharing Cost
COOP.....	Continuity of Operations
CTE.....	Committee on Trade and Environment
CTG.....	Council for Trade in Goods
CVD.....	Countervailing Duty
DDA.....	Doha Development Agenda
DEIA.....	Diversity, Equity, Inclusion and Accessibility
DSB.....	Dispute Settlement Body
DSU.....	Dispute Settlement Understanding
E-3.....	Expanded Economic Engagement Initiative
EAC.....	East African Community
EAI.....	Enterprise for ASEAN Initiative
EFTA.....	European Free Trade Association
EOP.....	Executive Office of the President
EPA.....	Environmental Protection Agency
ERB.....	Executive Resources Board
EU.....	European Union

FIRRMA.....	Foreign Investment Risk Review Modernization Act
FOIA.....	Freedom of Information Act
FTA.....	Free Trade Agreement
FTAA.....	Free Trade Area of the Americas
FTE.....	Full-Time Equivalent
FWS.....	Fish and Wildlife Service
GATS.....	General Agreements on Trade in Services
GATT.....	General Agreement on Tariffs and Trade
GDP.....	Gross Domestic Product
GEC.....	Global Electronic Commerce
GPA.....	Government Procurement Agreement
GSA.....	General Services Administration
GSP.....	Generalized System of Preferences
ICASS.....	International Cooperative Administrative Support Services (cost allocations by State Department for services rendered)
HLWG.....	U.S.-EU High Level Working Group on Jobs and Growth
IFI.....	International Financial Institutions
ILO.....	International Labor Organization
IPR.....	Trade in Services Agreement
TiSA.....	Trade in Service Agreement
ICTIME (the “Center”).....	Interagency Center on Trade Implementation, Monitoring, and Enforcement
ITA.....	Information Technology Agreement
ITC.....	Information and Communication Technology
ITEC.....	Interagency Trade Enforcement Center
JCCT.....	U.S.-China Joint Commission on Commerce and Trade
LDBDC.....	Least Developed Beneficiary Developing Country
MAI.....	Multilateral Agreement on Investment
MENA.....	Middle East and North Africa
MERCOSUL/MERCOSUR.....	Southern Common Market
MFA.....	Multifiber Arrangement
MFN.....	Most Favored Nation
MOSS.....	Market-Oriented, Sector-Selective
MOU.....	Memorandum of Understanding
MRA.....	Mutual Recognition Agreement
NAFTA.....	North American Free Trade Agreement
NEC.....	National Economic Council
NEL.....	National Export Initiative
NGO.....	Non-Governmental Organization
NOAA.....	National Oceanic and Atmospheric Administration
NIS.....	Newly Independent States

NSC.....	National Security Council
NTE.....	National Trade Estimates
NTR.....	Normal Trade Relations
OA/CIO.....	Office of Administration/Chief Information Officer
OA/CFO.....	Office of Administration/Chief Financial Officer
OAS.....	Organization of American States
OECD.....	Organization for Economic Cooperation and Development
OMB.....	Office of Management and Budget
OPIC.....	Overseas Private Investment Corporation
PNTR.....	Permanent Normal Trade Relations
PSD.....	Presidential Study Directive
ROU.....	Record of Understanding
S&ED.....	U.S.-China Strategic and Economic Dialogue
SACU.....	Southern African Customs Union
SADC.....	Southern African Development Community
SES.....	Senior Executive Service
SME.....	Small and Medium Size Enterprise
SPS.....	Sanitary and Phytosanitary Measures
SRM.....	Specified Risk Material
TAA.....	Trade Adjustment Assistance
TABD.....	Trans-Atlantic Business Dialogue
TACD.....	Trans-Atlantic Consumer Dialogue
TAEVD.....	Trans-Atlantic Environment Dialogue
TALD.....	Trans-Atlantic Labor Dialogue
TBT.....	Technical Barriers to Trade
TEC.....	Transatlantic Economic Council
TEP.....	Transatlantic Economic Partnership
TICFA.....	Trade and Investment Cooperation Forum Agreement
TIFA.....	Trade & Investment Framework Agreement
TIP.....	Trade and Investment Partnership
TISA.....	Trade in Services Agreement
TPA.....	Trade Promotion Authority
TPC.....	Trade Policy Committee
TPP.....	Trans-Pacific Partnership
TPRG.....	Trade Policy Review Group
TPSC.....	Trade Policy Staff Committee
TRIMS.....	Trade Related Investment Measures
TRIPS.....	Trade Related Intellectual Property Right
T-TIP.....	Transatlantic Trade and Investment Partnership
UAE.....	United Arab Emirates
UNCTAD.....	United Nations Conference on Trade & Development

UNDP .....	United Nations Development Program
URAA .....	Uruguay Round Agreements Act
USDA .....	U.S. Department of Agriculture
USITC.....	U.S. International Trade Commission
USMCA.....	U.S. Mexico Canada Agreement
USTR.....	Office of the United States Trade Representative
VRA.....	Voluntary Restraint Agreement
WAEMU.....	West African Economic & Monetary Union
WB.....	World Bank
WTO .....	World Trade Organization