# **Executive Office of the President**



# Office of the United States Trade Representative

Fiscal Year 2019 Budget

## **Executive Office of the President**

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

**Salaries and Expenses** 

**Resource Estimates Fiscal Year 2019** 

**Congressional Budget Submission** 

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# TABLE OF CONTENTS

FY 2019 BUDGET JUSTIFICATION SUMMARY
ORGANIZATION SUMMARY
SALARIES AND EXPENSES
APPROPRIATIONS LANGUAGE
SUMMARY OF FY 2019 BUDGET REQUEST6
SUMMARY OF RESOURCE REQUIREMENTS
FISCAL YEAR 2019 GOALS AND MEASUREMENTS
Goal 1: Support U.S. Workers, Farmers, Ranchers and Businesses by Opening Foreign Markets and Combating Unfair Trade
Goal 2: Defend American Interests by Fully Enforcing U.S. Trade Laws, Monitoring Compliance with Agreements, and Using All Available Tools to Hold Other Countries Accountable
Goal 3: Develop Sound Trade Policy
Goal 4: Effectively Communicate the President's Trade Agenda
Goal 5: Achieve Organizational Excellence
ANNUAL PERFORMANCE REPORT FOR FISCAL YEAR 2017
Introduction
Goal 1: Support U.S. Workers, Farmers, Ranchers and Businesses by Opening Foreign Markets and Combating Unfair Trade
Goal 2: Defend American Interests by Strictly Enforcing U.S. Trade Laws, Monitoring Compliance with Agreements, and Using All Available Tools to Hold Other Countries Accountable for Violations
Goal 3: Develop Sound Trade Policy
Goal 4: Effectively Communicate the President's Trade Agenda53
Goal 5: Achieve Organizational Excellence
GLOSSARY OF ACRONYMS

## **FY 2019 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, commodity, 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) 2019, the funding requirement for the Office of the United States Trade Representative is \$63,000,000, supporting a full-time equivalent (FTE) level of 250. This request is \$1,421,000 (or 2.3%) above the FY 2018 estimated appropriation of \$61,579,000 provided by the annualized continuing resolution. The proposed staffing level for FY 2019 of 250 is an increase of four (4) FTEs above the FY 2018 estimated level.<sup>1</sup>

Because trade policy plays a critical part in every aspect of the economy, USTR must lead a highly aggressive trade agenda. During its first year, the Trump Administration pursued four major trade priorities: (1) defending U.S. national sovereignty over trade policy; (2) strictly enforcing U.S. trade laws; (3) using all possible sources of leverage to encourage other countries to open their markets to U.S. exports of goods and services, and protecting U.S. intellectual property rights; and (4) negotiating better trade deals with countries in key markets around the world. In its first year, the President withdrew from the Trans-Pacific Partnership, initiated a renegotiation of the North American Free Trade Agreement (NAFTA), reopened the South Korean Free Trade Agreement, initiated the first Section 301 investigation in 20 years into the unfair treatment of U.S. Intellectual Property holders by China, and taken other actions directly related to fulfilling the four priorities listed above.

President Trump is beginning his second year by continuing to put the American people first. The Trump Administration supports free trade, but insists that it must also be fair and reciprocal. When international trade is fair and reciprocal, it can grow our economy, bring jobs back to America's shores, increase wages, and support U.S. workers. In FY 2019, the Trump Administration intends to continue fighting for the American people by ensuring that trade deals serve American interests and that our trading partners provide reciprocal market access to our farmers, ranchers, workers, and businesses.

USTR, through interagency and congressional consultation, leads U.S. trade agreement negotiations with foreign trading partners and stands up for American workers against unfair trade practices. The budget request supports the President's ambitious trade and investment strategy.

<sup>&</sup>lt;sup>1</sup> A full-year 2018 appropriation was not enacted at the time the budget was prepared; therefore, the amounts included for 2018 reflect the annualized level provided by the continuing resolution. FTE numbers may vary slightly from what is presented in the President's Budget. Please see footnote 2 on page 6 for additional detail.

Increased resources will further USTR's ability to meet its statutory obligations to monitor and enforce foreign countries' compliance with their trade commitments to the United States, vigorously defend the ability of the United States to implement its trade laws and policies, and negotiate better trade deals for the benefit of U.S. workers and businesses.

## **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 three locations: Washington, DC, Geneva, Switzerland, and Beijing, China. 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 serves as Vice Chairman of the Board of Directors of the Overseas Private Investment Corporation (OPIC), 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 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 advisory 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 Geneva staff represents the United States' interests in negotiation, and other contacts on trade and trade policy in both forums.

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.

# OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE SALARIES AND EXPENSES

## 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, \$63,000,000 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.

Note.—A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Further Continuing Appropriations Act, 2018 (Division D of P.L. 115-56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution.

## SUMMARY OF FY 2019 BUDGET REQUEST<sup>2</sup>

(in thousands of dollars)				
	FY 2017 Enacted	FY 2018 Estimate	FY 2019 Estimate	FY18/FY19 Difference
Budget	62,000	61,579	63,000	1,421

#### **FTE Levels by Fiscal Year**

	FY 2017	FY 2018	FY 2019	FY18/FY19
	Enacted	Estimate	Estimate	Difference
FTE	219	246	250	4

<sup>&</sup>lt;sup>2</sup> At the time the Budget was locked in January, FTE levels for FY 2018 and FY 2019 were 232 and 240, respectively. However, with updated workforce planning assumptions, USTR has revised FTE estimates to 246 in FY 2018 and 250 in FY 2019. Accordingly, Object Classification breakdowns are also slightly different from what appears in the President's Budget.

# SUMMARY OF RESOURCE REQUIREMENTS

	(in thousands of dolla	urs)		
	FY 2017	FY 2018	FY 2019	FY18/FY19
	Actual	Estimate	Estimate	% Increase (Decrease)
Trade Coordination and Negotiation	50,494	55,599	56,940	2.4%
Geneva Trade Negotiations	5,005	4,824	4,886	1.3%
Beijing Trade Negotiations	1,175	1,156	1,174	1.5%
Total Direct Program	56,674	61,579	63,000	2.3%

## SUMMARY OF OBLIGATIONS BY OBJECT CLASSIFICATION<sup>3</sup>

(in thousands of dollars)

	`	,		
	FY 2017	FY 2018	FY 2019	FY18/FY19
	Actual	Estimate	Estimate	Incr. (Decr.)
Personnel Compensation & Benefits	41,189	46,200	46,880	680
Travel and Transportation of Persons	4,157	6,100	6,400	300
Transportation of Things	2	2	2	0
Comm., Utilities, & Misc. Charges	1,242	1,890	2,284	394
Printing and Reproduction	91	149	149	0
Other Contractual Services	5,443	5,311	5,451	140
Supplies and Materials	1,360	1,301	1,551	250
Official Reception and Representation	72	124	124	0
Equipment	1,649	302	159	(143)
Land and Structures	1,469	200	0	(200)
Total	56,674	61,579	63,000	1,421
Reimbursement	568	650	650	-

<sup>3</sup> At the time the Budget was locked in January, FTE levels for FY 2018 and FY 2019 were 232 and 240, respectively. However, with updated workforce planning assumptions, USTR has revised FTE estimates to 246 in FY 2018 and 250 in FY 2019. Accordingly, Object Classification breakdowns are also slightly different from what appears in the President's Budget.

## **Personnel Compensation and Benefits**

FY 17	FY 2018	FY 2019	FY18/FY19
Actual	Estimate	Estimate	Incr. (Decr.)
41,189	46,200	46,880	680

(In thousands of dollars)

The estimated fiscal year FY 2019 funding requirement for USTR payroll is \$46,880,000, which is \$680,000 higher, reflecting the impact of an additional four FTEs from the FY 2018 level. There is no COLA assumed in this budget.

## Travel and Transportation of Persons

(In thousands of dollars)

FY 17	FY 2018	FY 2019	FY18/FY19
Actual	Estimate	Estimate	Incr. (Decr.)
4,157	6,100	6,400	300

Increased travel costs are consistent with executing the Administration's trade negotiations and enforcement agenda with greater efficiency. USTR's mission is to simultaneously negotiate various bilateral trade agreements while supporting and defending U.S. rights in international organizations. During FY 2019, USTR will continue bilateral trade negotiations that commenced during FY 2018 and may launch new bilateral negotiations in FY 2019. USTR has made progress in FY 2018 to increase its staffing to strengthen its trade enforcement capability.

<b>Transportation of Things</b> (In thousands of dollars)					
FY 17	FY 2018	FY 2019	FY18/FY19		
Actual	Estimate	Estimate	Incr. (Decr.)		
2	2	2	-		

Transportation of Things covers storage and courier costs.

## Communications, Utilities, and Miscellaneous Charges

(In thousands of dollars)

FY 17	FY 2018	FY 2019	FY18/FY19
Actual	Estimate	Estimate	Incr. (Decr.)
1,242	1,890	2,284	394

Communications, Utilities and Miscellaneous charges consist of those costs incurred for supporting USTR hosted trade negotiations, Geneva and Beijing offices, rental of our Ambassador's residence in Geneva, and overtime utilities in our Washington office. The requested funding increase is necessary to support more bilateral negotiations anticipated in FY 2019. U.S. hosted negotiations have logistical requirements including meeting room rentals at hotel/conference center venues and audio/visual needs. These incremental costs are reported here.

## Printing and Reproduction

(In thousands of dollars)

FY 17	FY 2018	FY 2019	FY18/FY19
Actual	Estimate	Estimate	Incr. (Decr.)
91	149	149	0

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 17	FY 2018	FY 2019	FY18/FY19
Actual	Estimate	Estimate	Incr. (Decr.)
5,443	5,311	5,451	140

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.

Increased trade negotiations during FY 2019 will mean more logistical support is required as the protocol of rotating hosting negotiations is continued. U.S. hosted negotiations will require that we contract outside

security to ensure the safety of negotiators and safeguarding of sensitive and confidential talks at the hotel/conference centers where the meetings are held. These costs are reported here in our forecast.

## Supplies and Materials

(In thousands of dollars)

FY 17	FY 2018	FY 2019	FY18/FY19
Actual	Estimate	Estimate	Incr. (Decr.)
1,360	1,301	1,551	250

Supplies and materials are estimated at \$1,551,000 in FY 2019. USTR's higher spending is primarily due to increased U.S. hosted negotiations, which means higher spending for food and beverages for participants of hosted negotiating rounds. This is normal protocol for all-day negotiations with our foreign government counterparts.

## **Official Reception and Representation**

(In thousands of dollars)

FY 17	FY 2018	FY 2019	FY18/FY19
Actual	Estimate	Estimate	Incr. (Decr.)
72	124	124	-

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

## Equipment

### (In thousands of dollars)

FY 17	FY 2018	FY 2019	FY18/FY19
Actual	Estimate	Estimate	Incr. (Decr.)
1,649	302	159	(143)

There is a decrease of \$143,000 in costs for this category in FY 2019 because the majority of office and facility investment projects were undertaken in FY 2017 and FY 2018.

## Land and Structures

(In thousands of dollars)

FY 17	FY 2018	FY 2019	FY18/FY19
Actual	Estimate	Estimate	Incr. (Decr.)
1,469	200	0	(200)

USTR does not anticipate expenses in office and facility related projects.

# FISCAL YEAR 2019 GOALS AND MEASUREMENTS

USTR's 2019 Annual Performance Goals and Measurements support the overarching Strategic Goals and Objectives drawn from its Strategic Plan.

# **Goal 1:** Support American Interests by Opening Foreign Markets and Combating Unfair Trade

Consistent with the President's trade policy agenda and with the primary goals of supporting and sustaining well-paying American jobs, farm incomes, value-added production, innovation, and economic growth, USTR seeks to open foreign export markets, combat unfair trading practices, enforce U.S. trade laws, and reduce trade distortions by negotiating and implementing agreements consistent with U.S. interests.

#### **Objectives:**

- Negotiate and implement agreements that sustain well-paying 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, natural resources, and services.
- Address and respond effectively to unfair trade practices, ensure adequate and effective protection and enforcement of U.S. intellectual property rights; defend U.S. interests in digital trade and digitally delivered services; and address trade-related labor and environmental issues.
- Effectively represent U.S. interests in international bodies that have been established under multilateral and other international agreements to achieve the Administration's international trade policy goals.
- Ensure that developing economies, economies in transition, and emerging economies implement international trade obligations, and take trade and investment actions that promote freer and fairer trade and encourage market efficiency.

- 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.
- Develop and implement initiatives to promote U.S. trade objectives and respond to tariff differentiation, alternative regulatory approaches, 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.

- Negotiate equivalency agreements with countries that are key markets for U.S. organic exports, promoting increased exports of U.S. organic food and agriculture 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.
- Advance the protection and enforcement of intellectual property rights, and related innovation issues, through bilateral engagements and the negotiation and implementation of trade agreements.
- Negotiate and implement mutual recognition agreements (MRAs) with select countries to facilitate U.S. exports of telecommunications equipment and pharmaceuticals.
- 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.
- Develop and continue initiatives to combat Illegal, Unreported, and Unregulated (IUU) fishing and seafood fraud, including working closely with NOAA on implementation of the seafood traceability rule.
- Partner with the Department of State, the Environmental Protection Agency, and other U.S. government agencies to ensure outcomes under 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.
- 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.
- Negotiate improvements to the U.S.-Korea (KORUS) Free Trade Agreement to increase the agreement's benefits to the United States.
- Continue the renegotiation of the North American Free Trade Agreement (NAFTA) to achieve a better deal for the United States and ensure full implementation by Canada and Mexico once negotiations are concluded.

- Continue to work with Mexico to ensure secure, efficient, and legal crossing of goods across our shared border.
- Encourage Mexico to continue pursuing ambitious reforms to its intellectual property (IP) regime that best serve U.S. interests, including a fair and transparent regime for geographic indications.
- 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 to work with Peru as it implements reforms to combat illegal logging.
- Advance implementation of labor commitments by trade agreement partners, including through labor cooperation mechanisms and capacity building initiatives designed to support their efforts. In particular, continue cooperative efforts with Mexico, Colombia, Peru, Guatemala, Honduras, and Korea as they implement legislative and administrative reforms and other changes to their labor regimes.
- Use opportunities for engagement in fora such as the OECD, in addition to using FTA-related meetings, to press Colombia to further open its market and ensure compliance with WTO and FTA obligations.
- Continue to engage with our Dominican Republic-Central America Free Trade Agreement (CAFTA-DR) partners through bilateral interactions and CAFTA-DR mechanisms to strengthen implementation and ensure adherence to CAFTA-DR 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 provide capacity building in trade-related regulation and practice on customs, border and market access issues, including agriculture and sanitary and phytosanitary regulation, to avoid barriers to trade.
- Engage key trade partners, including non-FTA partners such as China, India, Malaysia, and Vietnam, and stakeholders on ways to improve environmental protection and worker rights and working conditions in order to ensure a level playing field for U.S. workers.
- Continue engaging with potential trade agreement candidates in the Indo-Pacific region, Europe, sub-Saharan Africa, the Middle East, 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.
- Continue to engage with the European Union and its Member States, as well as other countries in Europe, to identify and address border and regulatory barriers affecting U.S. exports and investment, strengthen cooperation to expand trade and investment opportunities, and work to preserve U.S. exporter access in third countries that are negotiating trade agreements or other arrangements with the European Union.

- Engage relevant trade partners to address regulatory issues potentially affecting the U.S. textile and apparel industry's market access opportunities, especially with regard to European markets.
- Continue to engage with the United Kingdom through the U.S.-UK Trade and Investment Working Group to deepen bilateral trade and investment in advance of the UK's exit from the European Union and lay the groundwork for a potential, future FTA once the UK has left the EU.
- Further, strengthen U.S.-Japan trade initiatives and engagement, including through the U.S.-Japan Economic Dialogue.
- Advance bilateral discussions with Israel on expanded access for U.S. food and agricultural exports.
- Work to achieve fundamental changes to China's trade regime by taking actions against state-led policies and practices such as severe excess capacity, industrial policies designed to disadvantage foreign industries and companies, technology transfer, inadequate IP protection and enforcement, 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 investment promotes U.S. interests.
- Continue and enhance engagement with like-minded trading partners to jointly address problematic Chinese trade policies and practices.
- Hold China fully accountable for strict adherence to its WTO obligations using WTO committee and council meetings and other WTO mechanisms, including dispute settlement as appropriate.
- Continue to engage in dialogue with Taiwan on continued areas of concern in our trade relationship, including removal of 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.
- Hold Russia accountable for full compliance with its WTO obligations by employing the platforms of numerous WTO committees to raise concerns about Russia's compliance with its WTO commitments 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 and to address Russia's inadequate WTO compliance.
- 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.
- Strengthen U.S.-India engagement through the bilateral Trade Policy Forum (TPF), focusing on key priorities in intellectual property rights and market access, including for agriculture, non-agricultural goods, and services. Utilize annual ministerial meetings, TPF intersessional meetings, and more frequent senior level engagement to achieve strong concrete outcomes to eliminate barriers in the Indian market and advance U.S. trade and investment interests.

- Develop and implement new initiatives under the U.S.-India TPF to address and resolve trade barriers. Focus early attention on advancing implementation of the WTO Trade Facilitation Agreement and promoting regulatory reforms in India.
- Continue to promote job-supporting, two-way trade and investment with Brazil through the U.S.-Brazil Agreement on Trade and Economic Cooperation (ATEC) and its subsidiary bodies.
- Deepen trade and investment engagement with Argentina through the Trade and Investment Framework Agreement and its subsidiary Innovation and Creativity Forum.
- 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.
- Find new opportunities to improve the institutional functioning of the WTO, utilizing WTO standing committees to promote the full implementation of WTO agreements and identifying negotiating objectives that are achievable and can promote freer and fairer trade benefitting U.S. stakeholders.
- Develop and implement strategies to make systemic improvements to the WTO, including with regard to transparency and approaches to development.
- Conclude WTO accession agreements with candidates, including developing countries and least developed countries that undertake trade commitments that meet Administration priorities and are supported by the 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.
- Review the impact and potential benefits of existing and prospective international trade agreements and determine next steps, including with regard to the Information Technology Agreement (ITA) expansion, the Trade in Services Agreement (TiSA), and the Environmental Goods Agreement (EGA).
- Continue to advance negotiations in the WTO and bilateral and regional trade agreements to prohibit unfair and harmful fisheries subsidies, including those that contribute to IUU fishing, overfishing and overcapacity. Ensure that these negotiations do not result in an agreement that carves out many of the worlds' largest economies.

- 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 agriculture trade.
- Building on U.S. leadership to promote transparent and science-based decision making for crop protection tools, build 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, WHO, PAHO, OAS, UN, HRC, 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.
- Through APEC, promote the full implementation of the WTO Trade Facilitation Agreement by APEC economies.
- Achieve through the APEC forum 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.
- Promote through APEC's Committee on Trade and Investment key U.S. trade interests in areas such as digital economy, services, agriculture, and intellectual property, thereby preparing APEC economies to potentially participate in FTAs with the United States.
- 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 and enforcement.

- Utilize APEC to promote the application of good regulatory practices in order to avoid barriers to trade.
- Continue to engage with Southeast Asian countries to encourage them to pursue trade policy reforms that will serve to 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 Trade and Investment Framework Arrangement (TIFA) with ASEAN and our bilateral TIFAs 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, Philippines, and Thailand, to address and resolve U.S. concerns and remove barriers to U.S. exports.
- 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.
- Utilize the U.S.-Turkey TIFA and other mechanisms as appropriate to promote U.S.-Turkey trade and investment and to pursue U.S. trade and investment goals in the broader Middle East and North Africa (MENA) region.
- Use TIFAs and TIFA-like mechanisms with countries of North Africa and the Middle East, including in the Gulf region, as well as in the Caucasus, to remove trade and investment barriers and to create opportunities for increased exports, investment, and trade.
- 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.
- Continue engagement on key issues with Mongolia through our TIFA, and continue to monitor Mongolia's compliance with the United States-Mongolia Transparency Agreement.
- 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 promotion of U.S. exports and investment and encouragement of trade and economic reforms that are consistent with U.S. trade priorities.

- 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 and strengthen protection and enforcement of intellectual property. Additionally, encourage TIFA partners to initiate and follow through on key ease-of-doing-business reforms.
- Develop new initiatives to enhance trade and investment engagement with South and Central Asia countries and identify areas in which regional efforts to increase connectivity can contribute to increased U.S. exports to the region.
- Develop and intensify initiatives associated with implementation of TIFAs with South and Central Asia partners that expand opportunities for U.S. exports.
- 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.

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

Consistent with the President's trade policy agenda and with the primary goals of supporting and sustaining well-paying American jobs, farm incomes, value-added production, innovation, and economic growth, USTR will use all available tools to fight unfair trading practices, fully enforce U.S. trade laws, closely monitor foreign countries' compliance with trade obligations and vigorously enforce U.S. rights. This objective aims to ensure that American workers, farmers, ranchers, manufacturers, innovators, service providers, consumers, and investors receive fair treatment in trade and win the full benefit of the economic opportunities the United States has negotiated.

#### **Objectives:**

- Effectively utilize USTR and leverage other U.S. government resources to break down foreign trade barriers and promote fair and reciprocal trade.
- Fully enforce U.S. trade laws, including Section 201, Section 301, and others.
- 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.
- Monitor beneficiary country compliance with statutory criteria in trade preference programs including 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. trade agreements.
- Engage stakeholders to collaborate with USTR on enforcement issues.

- 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.
- Conduct investigation under authority of Section 301 into Chinese acts, policies, or practices that may be unreasonable or discriminatory and that may be harming American intellectual property rights, innovation, or technology development.
- 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 pursue strong IP protection and enforcement and improve market access for Americans who rely on IP protection, with U.S. trading partners including in markets identified in the Special 301 Report and those with major pending IP legislation or regulations.

- Issue a timely, high-quality report to Congress, backed by year-round engagement with trading partners, on the adequacy and effectiveness of IP protection and enforcement and market access for Americans who rely on IP protection. Continue improvements to the Special 301 process (*e.g.*, hearings, notorious markets out-of-cycle review (OCR), and action plans for Priority Watch List countries). Use the Notorious Markets OCR to encourage reform by state and non-state actors.
- 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 effort to eliminate trade-restrictive barriers to the Internet and Internet-enabled services, including unjustified website blocking.
- 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.
- 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. Where the United States is found not to have complied with trade obligations, work to resolve the matter and avoid possible countermeasures on U.S. exports, consistent with U.S. objectives.
- Vigorously pursue existing offensive trade disputes to ensure timely resolution. Through prudent management of personnel and disputes, use existing USTR and leverage other U.S. government resources effectively to maximize the likelihood of positive outcomes vindicating U.S. rights.
- 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.
- 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 language skills and appropriate expertise in a variety of trade disciplines.
- Expand interagency contacts and coordination, identify appropriate interagency expertise for ICTIME regarding various matters of interest, 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.
- Identify and negotiate resolution of trade-restrictive sanitary and phytosanitary barriers to U.S. food and agriculture exports in key export markets.
- Monitor and participate in international negotiations led by other agencies on topics affecting trade in food and agriculture, food regulations, and food and health policy.
- 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.
- Consult regularly with other agencies, Congress, stakeholders, and foreign officials to obtain information on new barriers to trade with bilateral and regional partners.
- Use all appropriate tools to deliver the full benefit of IP provisions of existing FTAs and other trade agreements to stakeholders. Priorities include the agreements with Korea, Colombia, Panama, CAFTA-DR and Chile (including obligations with transition periods) as well as progress on outstanding implementation issues with other FTA partners and issue-specific agreements (China films, etc.).
- 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.
- 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 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.
- Use all appropriate tools to closely monitor the Government of Peru's implementation of its obligations under the Peru Trade Promotion Agreement (PTPA) Environment Chapter and Forest Annex, including its efforts to combat illegal logging and associated trade.
- 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.

- In the Western Hemisphere, ensure that an independent secretariat for environmental matters is established under the Colombia Trade Promotion Agreement. Ensure that the secretariats that have been established under the CAFTA-DR, 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.
- 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.
- Monitor international negotiations and bilateral dialogues led by other agencies where services and investment issues may arise.
- Maintain a significant role in the interagency process regarding potential impacts of proposed cybersecurity-related legislation and policy on U.S. trade and investment interests.
- Monitor, provide input, and participate in international negotiations led by other agencies on any topics (e.g., biodiversity, traditional knowledge, pharmaceuticals, and health) in which the proposed inclusion of IP language may have implications for trade policy.
- Consider and address enforcement concerns that affect small and medium-sized enterprises.
- Identify ways to engage small and medium-sized enterprises regarding trade, including small businesses owned by women and minorities, and agricultural and rural SMEs.
- Utilize existing USTR 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 promote the full implementation of the WTO Trade Facilitation Agreement.
- Monitor the development and implementation of EU regulations and policies, as well as those of EU Member States and other European countries that may impact U.S. exporter access to the European Union market or European trading partners and engage EU and its member states to address concerns regarding changes in its regulatory environment that impact U.S. exports.

- Engage with the European Union to resolve concerns on access for high quality beef under the US-EU beef memorandum of understanding and ensure U.S. producers receive adequate export benefits from the tariff rate quota.
- Vigorously defend U.S. intellectual property interests against Antigua's threats to lift protections as part of a WTO settlement, and insist the settlement be reached through beneficial changes.
- 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.
- Conduct the annual report to Congress on the Implementation and Enforcement of Russia's Commitments.
- Conduct the annual Report to Congress on China's WTO Compliance.
- Continue to pressure China to address its excess capacity in industrial sectors, particularly steel and aluminum, including by working with like-minded trade partners in the Global Forum on Steel Excess Capacity, as well as through other fora such as the G7 Steel Experts Group, the OECD Steel Committee and the North American Steel Trade Committee.
- Seek fundamental changes to China's state-led 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.
- 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 remove India's localization requirements and other technical barriers to trade.
- Press for implementation of the government of India's obligation to eliminate all export subsidies for industrial goods, including textiles and apparel.
- Once reauthorized, take pro-active measures to ensure that Generalized System of Preferences (GSP) beneficiary countries comply with the statutory eligibility criteria, based on the enhanced enforcement program the Administration announced in September 2017.
- Once reauthorized, "graduate" countries from GSP promptly as they reach statutory per capita income limits for eligibility.
- Once GSP is reauthorized, work closely with our inter-agency partners, including the Departments of State and Labor, to monitor, prioritize, and engage beneficiary countries with respect to the worker rights, market access, intellectual property, and other criteria of our trade preference programs by

facilitating prompt response to GSP petitions, continuing to advance efforts on worker rights and intellectual property in countries of special concern, and self-initiating reviews of eligibility when appropriate.

- Work to ensure that least-developed countries are able to take advantage of opportunities created by 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 Sound Trade Policy

Consistent with the President's trade policy agenda, USTR will develop the Administration's trade policy through extensive consultations with the Congress, stakeholders, and its trade advisory committees. USTR will also use digital means 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, provide accountability, and develop sound, strategic U.S. trade policies.

### **Objectives:**

- Work with Congress, interested stakeholders, 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.
- 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.
- Foster a robust Advisory Committee system by appointing, consulting and engaging with an active group of advisors.
- Educate the public on the Advisory Committee system and its role in trade policy.
- Coordinate trade policy effectively through the Trade Policy Staff Committee (TPSC) and the Trade Policy Review Group (TPRG).

- Consult closely with the Congress and stakeholders on developments regarding all agreements, including their consideration by the 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 the Congress on legislative initiatives, including renewal of the Generalized System of Preferences (expired on December 31<sup>st</sup>, 2017); provide advice on trade aspects of proposed legislation to help ensure consistency with U.S. international obligations, implement our trade agreements, and advance U.S. policies as they are developed.

- Work with Congress on GSP renewal and enforcement efforts, including possible reforms or revisions to the capacity of the GSP program to take into account evolving global trade relations, including the growing competitiveness of many emerging market GSP beneficiaries.
- 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.
- 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 Annual Report of the President on the Trade Agreements Program, the National Trade Estimate on Foreign Trade Barriers report, Special 301, 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 Agriculture Trade Advisory Committees 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 obligations under FTAs and worker rights criteria of trade preference programs.
- 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, APEC and WTO initiatives, and the implementation of environmental obligations in existing FTAs.
- Seek to ensure that the TEPAC represents a diverse, balanced group of stakeholder interests.
- Working closely with the public to explain guidelines for engagement with advisory committees as required by section 104(e)(1) of the Trade Priorities Act.
- 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.
- Use Trade Policy Staff Committee process to ensure that all agencies with trade responsibilities are kept abreast of emerging issues, new initiatives, negotiations, enforcement, and other policy implementation.
- Make robust and effective use of TPSC subcommittees to frame issues and develop proposals for trade policy issues.
- 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 head of agency level).
- Use the National Security Council processes effectively to ensure USTR leadership on key Administration trade policy goals and initiatives.
- Contribute to informed policy making by means of a thorough and up-to-date understanding of the positions of other countries and entities based on direct contacts, input from U.S. diplomatic posts, and other sources.
- 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 4: 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.
- Enhance outreach to state and local governments on the benefits of the trade agenda.
- Work with the White House and with agency partners to implement an Administration-wide message on trade policy.
- 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.
- Inform private sector and non-profit stakeholders, media, and state and local elected officials 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.
- Communicate success to various stakeholders, including state and local elected officials.

- 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.
- Prepare press statements and press events to respond to criticism of U.S. trade policy.
- 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.
- 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.

- 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.
- Use domestic and foreign travel by senior leadership to highlight the strategic importance of key African partners as well as to deepen our trade and investment policy engagement with them.
- 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.
- 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.
- 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 Washington as well as at other negotiating sites in the United States and abroad.
- Conduct further outreach to U.S. industry stakeholders, congressional delegations, and state-level governments planning official visits and trade missions.
- Continue to conduct outreach to the public and to expand interagency coordination of enforcement efforts.
- 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.
- 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, WHO, UN, HRC, PAHO, Codex).
- 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.
- 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.
- Continue to update and implement USTR's Open Government Plan.
- Respond appropriately and timely to all statutory requests, such as Freedom of Information Act (FOIA) inquiries and Government Accountability Office (GAO) investigations.

## Goal 5: Achieve Organizational Excellence

Consistent with the President's goals, USTR will provide the administrative processes, physical and information security, and infrastructure that will strengthen its ability to perform core functions at the highest level of excellence. The agency continue promoting a workplace that promotes diversity, initiative, creativity and productivity through the enhancement of human capital through recruitment, promotion and retention initiatives, and professional development and training opportunities.

### **Objectives:**

- Manage a security program that provides appropriate of protection for USTR personnel, facilities and sensitive information.
- Manage resources to maximize USTR future capabilities.
- Manage USTR more efficiently and effectively.
- Provide facilities that help USTR staff become more productive.
- Install information technology and communications systems that increase USTR's productivity and communicate trade benefits.
- Implement a human capital and services program that will maximize employee performance and engagement.

- 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 multi-year budget plan that will improve USTR's effectiveness and accountability.
- Manage spending plan to maximize USTR's productivity and efficiency.
- Implement the USTR strategic human capital management and succession plans and develop strategies that ensure human capital is well managed; work closely with the ERB to capitalize on their insight and guidance.
- Perform operational responsibilities to ensure high quality administrative and human resources support.
- Adopt administrative services procedures that provide responsive and timely support to USTR staff.

- Foster a high-performing administrative staff that provides efficient and effective support to USTR offices and employees.
- Implement the long-range master plan for USTR space utilization and allocation that provides the quality and quantity of office and meeting facilities appropriate for USTR's business requirements.
- Complete USTR office complex upgrades to provide attractive, safe, and functional offices and meeting space.
- Implement building maintenance plans 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 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.
- Implement the USTR strategic human capital management and succession plans and develop strategies that ensure human capital is well managed; 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) Health and Wellness Council to encourage employee participation in EOP activities related to health and wellness.
- Continue implementation of Presidential memo on "Enhancing Workplace Flexibilities and Work-Life Programs and EOP/OMB memo "Strengthening Employee Engagement and Organizational Performance."
- Provide continued support and implement initiatives developed by USTR's Employee Viewpoint Council.
- Implement USTR's plan to maximize employee performance per OMB memo M-17-22; this will include:
  - o Review and update formal agency policies,
  - Provide transparency around the performance improvement plan process,
  - Ensure managers and supporting HR staff are appropriately trained,
  - o Ensure accountability in manager performance plans, and
  - Establish real-time manager support mechanisms.

## **ANNUAL PERFORMANCE REPORT FOR FISCAL YEAR 2017**

## 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 to help the agency measure its performance for FY 2017.

The Mission Statement and Strategic Goals were published in the Draft FY2018 – FY2022 Strategic Plan. The FY 2018 – FY 2022 Strategic Plan is 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.

Through trade policy, the Office of the United States Trade Representative (USTR) made great strides in advancing the President's economic agenda and primary goals of rebalancing American trade in order to support domestic jobs and economic growth. In 2017, the Administration built on record-breaking exports, engagement with trading partners, and trade enforcement to win strong results for American workers, manufacturers, service providers, farmers, ranchers, and small businesses. Below is a summary of the year's goals and accomplishments for American workers, farmers, ranchers, and businesses large and small.

# **Goal 1:** Support American Interests by Opening Foreign Markets and Combating Unfair Trade

Consistent with the President's trade policy agenda and with the primary goals of supporting and sustaining well-paying American jobs, farm incomes, value-added production, innovation, and economic growth, USTR seeks to open foreign export markets, combat unfair trading practices, enforce U.S. trade laws, and reduce trade distortions by negotiating and implementing agreements consistent with U.S. interests.

#### **Objectives:**

1.1: Negotiate and implement agreements that sustain well-paying 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, natural resources, and services.

1.2: Address and respond effectively to unfair trade practices, ensure adequate and effective protection and enforcement of U.S. intellectual property rights; defend U.S. interests in digital trade and digitally delivered services; and address trade-related labor and environmental issues.

1.3: Effectively represent U.S. interests in international bodies that have been established under multilateral and other international agreements to achieve the Administration's international trade policy goals.

1.4: Ensure that developing economies, economies in transition, and emerging economies implement international trade obligations, and take trade and investment actions that promote freer and fairer trade and encourage market efficiency.

#### **Accomplishments:**

USTR's trade policy, negotiations, and enforcement actions have been critical to building and opening markets for U.S. workers, farmers, ranchers, and businesses and combating injurious and unfair trading practices abroad. They have promoted freer and fairer trade, and supported and sustained well-paying jobs for Americans. Highlights of USTR's accomplishments in 2017 include:

- Launched the North American Free Trade Agreement (NAFTA) Renegotiation. In May 2017, President Trump notified the Congress of the Administration's intent to renegotiate the NAFTA with a view to modernizing and rebalancing the Agreement. Ambassador Lighthizer formally launched the renegotiations in August in Washington D.C. In November, USTR released an updated summary of NAFTA negotiating objectives.
- Negotiated and Enforced Strong Labor Provisions in U.S. Trade Agreements. In 2017, the Administration worked to renegotiate NAFTA. In support of strong labor provisions, USTR and DOL worked closely with Mexican trade and labor officials to monitor implementation of a landmark constitutional reform initiation introduced in 2016 to mandate the creation of new labor courts as part of a complete overhaul of Mexico's system of labor justice administration. The Administration will continue to work to ensure that Mexico strengthens its labor standards by monitoring the reform effort and negotiating strong labor obligations in a new NAFTA. The United States also engaged with trading partners in 2017 on labor rights through the formal mechanisms of trade agreements and trade preference programs, as well as through country specific initiatives, capacity building, and technical assistance.
- Advanced Environment-Related Trade Negotiations and Initiatives. Throughout 2017, the United States made significant progress on a range of trade and environment matters in multiple fora, including through multilateral, regional and bilateral trade initiatives. As part of the NAFTA renegotiation, the United States is seeking to bring the environmental obligations into the core of the agreement and subject them to the same dispute settlement mechanism and remedies as other chapters of the agreement. The United States is also seeking to address pressing environmental challenges through the NAFTA renegotiation, such as combatting trafficking in wildlife, timber, and fish, and establishing rules to prohibit harmful fisheries subsidies. The United States also continued to prioritize implementation of FTAs currently in force and consulted on a wide range of trade-related environmental issues such as wildlife trafficking and illegal fishing with TIFA partners, notably Malaysia and Vietnam.
- 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, Congress, trade partners and other stakeholders to develop and implement trade policy activities reflecting issues of concern to U.S. small businesses. For example, USTR is updating the NAFTA to include an SME chapter for the first time, to help ensure that small businesses have the online information tools and resources they need to navigate the Canadian and Mexican markets and to ensure that the NAFTA is working for small businesses as the Agreement is implemented.
- Engaged Strategically with Key Trade Partners on Intellectual Property Rights. USTR contributed significantly to the Administration priority of protecting trade secrets against theft and

misappropriation, including through pursuing disciplines in bilateral (*e.g.*, China, India, and Taiwan) and plurilateral engagement (*e.g.*, NAFTA and APEC) as well as in multilateral organizations (*e.g.*, OECD).

- **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 public hearings and public comment 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.
- Improving Operation and Terms of the U.S.-Korea Free Trade Agreement. In July 2017, USTR initiated bilateral negotiations to address serious concerns including significant trade deficits with Korea and asymmetric benefits the Agreement has generated. The first-ever special session of the Joint Committee was held in August in Seoul, Korea, and the second special session of the Joint Committee was held in Washington, D.C. in October. USTR called for improvements to the Agreement as well as a resolution of a number of outstanding concerns, including in the areas of customs, competition policy, autos, medical device and pharmaceutical pricing, and services. Following the October session, Korea announced it would initiate domestic procedures to allow the government to engage in negotiations with the United States on potential amendments to the Agreement.
- Strengthened Trade and Investment Relationship with Australia. Reviewed the implementation of the agreement, including specific issues related to trade in goods and in services and issues related to intellectual property and investment, during an FTA Joint Committee meeting in December 2017. Also reviewed developments under the FTA's Committee on Sanitary and Phytosanitary (SPS) Measures and its efforts to address SPS issues affecting agricultural trade.
- Strengthened our Trade Relationship with FTA partners in Central America and the Dominican Republic. In 2017, the United States, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras and Nicaragua continued to monitor agreements reached by the Free Trade Commission (FTC), and address implementation issues. The United States reached agreement, implemented January 1, 2018, on the quantities of U.S. chicken leg quarters for import into the Central American countries and the Dominican Republic for the remaining five-year phase out of the FTA tariff rate quota.
- Convened Free Trade Agreement Joint Committee Meeting with Morocco. In October 2017, USTR chaired an interagency delegation meeting in Washington D.C. with Morocco in the fifth session of the Joint Committee established under the U.S.-Morocco Free Trade Agreement to address issues related to successful implementation of the Agreement. The two delegations discussed a range of issues, including protection of intellectual property rights, market access, and export quotas. The Joint Committee heard reports of substantial progress from meetings held earlier in the week of the Agriculture/SPS FTA Sub-committees, reviewed ongoing cooperation under the FTA Labor and Environment chapters, and agreed to hold follow up discussions to address a number of issues, including geographical indications, SPS, and pharmaceutical matters.

- **Ongoing Engagement with the Middle East/North Africa.** The United States continued to monitor and enforce existing U.S. FTAs with Bahrain, Israel, Jordan, Morocco and Oman and to consult under bilateral TIFAs with Egypt, Tunisia, Saudi Arabia, and Algeria on key issues impeding trade and investment. With several of the countries, the United States pursued a dialogue to promote science based food safety certification requirements and investment.
- Led Efforts to Reinvigorate WTO Standing Committees. USTR successfully reinvigorated the WTO's standing committees, which had languished in recent years, including by organizing meetings of committee leads and encouraging them to look for new opportunities to ramp up activities in their areas of responsibility. USTR ensured that the renewed focus on WTO committee work is integrated into the public narrative on the continuing relevance of the WTO.
- Shaped a Successful 11<sup>th</sup> WTO Ministerial Conference. Despite overwhelmingly unrealistic expectations of WTO members, USTR worked with Argentina and other WTO Member partners to deliver a successful WTO Ministerial Conference in Buenos Aires, Argentina in December 2017. The U.S. message, which is that the WTO must reform in order to be more effective, has become more accepted amongst WTO Members as a result of U.S. efforts at the Ministerial.
- *Made Significant Progress on WTO Fisheries Subsidies Negotiations.* The United States worked 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. At the WTO's Ministerial Conference in December 2017, Ministers committed to deliver "comprehensive and effective" disciplines by their next meeting in 2019.
- WTO Agriculture Negotiations Reset. USTR made meaningful progress to reset negotiations in the WTO on agriculture domestic support, export competition and market access at the 11<sup>th</sup> WTO Ministerial in December 2017. Focusing on the need for enhanced transparency of members' agriculture policies, the United States called for WTO Members to focus efforts on the current real-world problems facing agricultural trade today to promote free and fair trade for agricultural products.
- **Concluded Successful WTO Trade Policy Reviews.** USTR prepared questions and review materials for 23 trade policy reviews. The final products provided invaluable information on WTO monitoring activities and implementation issues with respect to major trading partners.
- Advance U.S. Food Interests in International Organizations. USTR led efforts to enhance U.S. government engagement at the Codex Alimentarius Commission and the World Health Organization to ensure science based decision-making and ensure fair practices in food trade. USTR also worked with interagency partners to initiate work at the Asia Pacific Economic Council to create a new dialogue for export certificates for food.
- *Enhanced Cooperation on Wine*. USTR advanced cooperation with other country members of the World Wine Trade Group at two meetings in 2017 resulting in a new arrangement on information exchange, technical cooperation, and anti-counterfeiting.
- **Deepened Trade and Investment Relations with the EU.** In May 2017, the President and EU leaders asked senior officials to develop an action plan to reduce trade barriers and strengthen cooperation on

bilateral and global issues of mutual concern, with particular attention on the increasing challenges posed by China. USTR and European Commission staff met several times to pursue this plan and experts on both sides engaged on specific bilateral issues, including costly EU regulatory barriers that impede US exports. USTR and the Commission also worked together on China's WTO challenges against the United States and EU decisions not to grant China market economy status, excess industrial capacity in China, and China's "Made in China 2025" industrial plan, among other issues.

- Signed Covered Agreement on Prudential Insurance and Reinsurance Measures with EU. In 2017, USTR and the Treasury Department signed a covered agreement on prudential insurance and reinsurance measures with the EU and concurrently issued a policy statement clarifying the U.S. view on implementation of certain provisions of the Agreement. The Agreement addresses three areas of prudential insurance supervision, group supervision, reinsurance, and exchange of information between supervisory authorities, leveling the playing field and enhancing opportunities for U.S. insurers and reinsurers in the EU. The Agreement also affirms the U.S. system of insurance regulation, including state insurance regulators' role as the primary supervisors of the business of insurance in the United States.
- *Established a Trade and Investment Working Group with the UK.* In July 2017, the United States and the United Kingdom (UK) established a Trade and Investment Working Group to advance bilateral trade relations prior to Brexit; ensure existing U.S.-EU agreements are transitioned to U.S.-UK agreements prior to Brexit; lay the groundwork for a potential future FTA after the UK leaves the EU; and collaborate on global trade issues. The Group met in July and November 2017 and plans to meet quarterly going forward.
- Strengthened Economic, Trade and Investment Ties with Japan. In February 2017, during a meeting in Washington, D.C., the President and Japanese Prime Minister agreed to the U.S.-Japan Economic Dialogue to accelerate engagement on trade and expand the potential bilateral trade relationship. In April 2017, the Vice President and Japanese Deputy Prime Minister launched the U.S.-Japan Economic Dialogue in Tokyo and agreed to structure the Dialogue around three pillars, including one on trade and investment rules and issues. The Dialogue resulted in positive steps forward by Japan, including with respect to easing regulatory and non-tariff barriers on autos. The United States and Japan worked closely in various fora to address issues of common interest, including those in third-country markets.
- Strengthened Trade and Investment Relations with Taiwan. The U.S.-Taiwan TIFA serves as the key
  mechanism to resolve and make progress on a wide range of trade and investment issues important to
  the United States. In 2017, the United States and Taiwan held meetings to assess progress being made
  on TIFA commitments related to IPR, pharmaceuticals, medical devices, agricultural issues, and
  registration of chemical substances. The two sides also held the Second Medical Devices Time-toMarket Dialogue and the Transparency and Procedural Fairness Dialogue.
- Advanced Important Trade Initiatives in the Asia-Pacific Region through APEC. Throughout 2017, the United States made progress in advancing important initiatives to expand regional economic integration in the Asia-Pacific, including in the areas of digital trade, food and agricultural trade, regulatory transparency, environmental goods and services, and capacity building projects to assist in implementing trade facilitation measures, among others.

- Strengthened Trade and Investment Relationship with Southeast Asia and Pacific Region. Developed strategies for TIFAs with ASEAN, Philippines, Indonesia, Thailand, and Cambodia, as well as negotiation of a TIFA with Burma. Continued strengthening trade ties with all countries in Southeast Asia and the Pacific, including TIFA meetings with Indonesia, Philippines, Thailand, and ASEAN. Reinvigorated TIFAs with Vietnam and Malaysia, and held the first meeting of the TIFA with Laos. In preparation for these meetings, oversaw coordination with the interagency. Worked closely with U.S. Embassies, stakeholders, Congressional staff, foreign government officials, and third-country governments to identify, monitor, and gather information on trade barriers and possible breaches of trade agreements. Assessed whether the issues raised were inconsistent with U.S. rights and obligations under trade agreements and developed strategies for addressing issues. Coordinated closely with the interagency to develop proposals that best advanced overall U.S. commercial and strategic interests in the Southeast Asia/Pacific region.
- Engaged Turkey on Enhancing Bilateral Trade and Investment. In 2017, the United States revived discussions with the Turkish government under the bilateral TIFA process. Key issues of focus were openness of the digital economy, intellectual property protection, and the reduction of various market access barriers for industrial and agricultural goods and services.
- Supported Trade and Economic Cooperation with Ukraine. In October, senior representatives from the United States and Ukraine reaffirmed their mutual commitment to expanding trade and economic cooperation between their countries during the seventh meeting of the U.S.-Ukraine Trade and Investment Council (TIC) in Kyiv. Participants discussed a range of issues, including how to address market access barriers and how to improve the business and investment climate in Ukraine.
- **Bolstered the Trade and Investment Relationship with Georgia.** In 2017, the United States continued discussions with Georgia to promote strong liberal trade and investment policies through the United States-Georgia High-Level Dialogue on Trade and Investment.
- *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).
- Fostered Deeper Bilateral Trade and Investment Engagement with Moldova. In 2017, the United States and Moldova held the second meeting of the United States-Moldova Joint Commercial Commission in Chisinau, Moldova. During the meeting, both sides identified concrete steps to promote and protect bilateral market access.
- Continued Engagement with the Gulf Cooperation Council. In 2017, the United States pursued further engagement with the six Member States of the Gulf Cooperation Council through the "U.S.-GCC Framework Agreement for Trade, Economic, Investment and Technical Cooperation" to ensure that U.S. interests are fully represented as the GCC develops as a regional organization dedicated to harmonizing standards, import regulations, and conformity assessment systems among its member states.
- *Engagement on Gulf Cooperation Council Food (GCC) Initiative*. USTR led U.S. government efforts to halt efforts by the Gulf Cooperation Council on a new food import guide that would have restricted

imports of U.S. products. Because of these efforts, in June 2017, the GCC decided it would not implement the guide.

- Strengthened Ties and Promoted Growth with the African Continent. In September, President Trump hosted a working lunch in New York with African Heads of State and raised U.S. interests in promoting peace and prosperity in the region through economic partnerships with countries committed to self-reliance and to fostering opportunities for job creation in Africa and the United States. In August, Ambassador Lighthizer led a U.S. delegation to the Annual African Growth and Opportunity Act (AGOA) Ministerial Forum in Lomé, Togo and signaled support for deeper U.S.-Africa commercial ties.
- Strengthened Engagement with India through the U.S.-India Trade Policy Forum. The U.S.-India Trade Policy Forum (TPF) is the premier bilateral forum for discussion and resolution of trade and investment issues between the United States and India and provides the venue for evaluating progress in the economic relationship at the Ministerial level. To strengthen bilateral engagement, the U.S. and India held the first Intersessional TPF in September and focused the discussion on resolving key trade barriers. In October, under the TPF, the United States and India reviewed progress achieved in deepening bilateral trade and investment and agreed to restructure the engagement and concentrate efforts into two working groups that focus on intellectual property rights; and market access for agricultural goods, non-agricultural goods, and services. The two sides worked to resolve key issues, including non-science-based barriers to agricultural trade, continuing and new regulatory and technical barriers to trade that impact sales of U.S. high technology and other products, tariffs in a number of agricultural and industrial sectors, market access in services, and protection and enforcement of intellectual property rights. The United States also provided perspectives to Indian counterparts on petitions from U.S. stakeholders on trade in medical devices and dairy products related to the Generalized System of Preferences (GSP) program and on the new enforcement review for GSP beneficiary countries.
- **Reinforced Economic Relations with Pakistan.** The United States and Pakistan held an intersessional meeting of the U.S.-Pakistan Trade and Investment Framework Agreement (TIFA) Council. During the session, the two sides discussed their overall trade and investment relationship, ensuring access for U.S. pulses and distiller grains to the Pakistani market, transparency in the China-Pakistan economic corridor, and implementation of the WTO Trade Facilitation Agreement (TFA).
- *Strengthened Ties with Bangladesh.* In May, the United States and Bangladesh met in Dhaka under the United States-Bangladesh Trade and Investment Cooperation Framework Agreement (TICFA). The TICFA provides a mechanism for both governments to address a wide range of bilateral trade and investment issues, including labor rights and workplace safety under the GSP Action Plan and the Bangladesh Sustainability Compact and trends in the investment climate in Bangladesh.
- **Promoted Trade, Investment, and Regional Cooperation in Central Asia.** This year, 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. The Council is the key vehicle for trade and investment discussions between the United States and the countries of Central Asia, and focused on issues including WTO membership, customs, investment, standards and sanitary measures, and women's economic empowerment. The U.S. also proposed a new working group on intellectual property rights under this TIFA.

- **Promoted Trade and Investment with Afghanistan.** This year, U.S. and Afghan officials continued their engagement under the U.S.-Afghanistan TIFA. Signed in 2004, the TIFA has been the primary forum for bilateral trade and investment discussions between the two countries, and gave the United States an opportunity to support Afghanistan's successful efforts to accede to the WTO.
- **Promoted Trade and Investment to Foster Inclusive Economic Development in Sri Lanka.** This year, the United States and Sri Lanka continued their trade dialogue to evaluate progress under the U.S.-Sri Lanka TIFA. The officials discussed market access, labor, trade promotion efforts, the U.S. Generalized System of Preferences (GSP), intellectual property rights, agriculture, and sector-specific investment challenges. Progress on all of these trade and investment issues fosters economic growth, thus providing a strong foundation for inclusive economic development as Sri Lanka emerges from years of civil war.
- Strengthened Trade and Investment Ties with Iraq. This year, the United States and Iraq continued their work under the U.S.-Iraq Council on Trade and Investment (TIFA Council), which was established under the U.S.-Iraq Trade and Investment Framework Agreement (TIFA). Iraq signed agreements to purchase U.S rice and wheat and there was progress on access to U.S. poultry sales in the Iraqi market. The dialogue under the TIFA reaffirmed both governments' commitment to increase bilateral trade and investment.

## Goal 2: Defend American Interests by Strictly Enforcing U.S. Trade Laws, Monitoring Compliance with Agreements, and Using All Available Tools to Hold Other Countries Accountable for Violations

Consistent with the President's trade policy agenda and with the primary goals of supporting and sustaining well-paying American jobs, farm incomes, value-added production, innovation, and economic growth, USTR will use all available tools to fight unfair trading practices, fully enforce U.S. trade laws, closely monitor foreign countries' compliance with trade obligations and vigorously enforce U.S. rights. This objective aims to ensure that American workers, farmers, ranchers, manufacturers, innovators, service providers, consumers, and investors receive fair treatment in trade and win the full benefit of the economic opportunities the United States has negotiated.

#### **Objectives:**

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

2.2: Fully enforce U.S. trade laws, including Section 201, Section 301, and others.

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.

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

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

2.6: Engage stakeholders to collaborate with USTR on enforcement issues.

#### Accomplishments:

USTR vigorously enforces U.S. rights under our trade agreements, ensuring that more Americans realized the benefits promised by those pacts. The Administration's robust enforcement efforts are securing a level playing field for American workers, farmers, ranchers, manufacturers, and service providers, increasing U.S. export opportunities, and helping U.S. producers stay globally competitive in a variety of sectors and industries. The President's comprehensive trade enforcement strategy also promotes and protects innovation critical to U.S. exports and well-paying 21<sup>st</sup> century jobs, and upholds key commitments to protect labor rights and the environment.

• Strengthened Enforcement of U.S. Trade Rights. Throughout the year, the Trump Administration continued its effort to fight for our workers through aggressive enforcement actions to level the playing field for American workers and businesses. When trading partners have not been willing to negotiate

settlements, the United States has pursued WTO disputes to conclusion, prevailing in 48 cases since 1995.

- Utilized Section 301 to Address China's Policies and Practices on Intellectual Property and Technology Transfer. In August 2017, at the President's direction, USTR initiated an investigation under Section 301 of the Trade Act of 1974, as amended, focused on acts, policies and practices of the Government of China related to technology transfer, intellectual property, and innovation. This was the first self-initiated Section 301 investigation of this type by an administration in 20 years.
- 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 report also illustrates the specific telecommunications-related issues on which USTR will allocate monitoring and enforcement efforts over the coming year to protect the high quality jobs supported by telecommunications trade. Since last year's 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.
- *Strengthened Compliance Monitoring Efforts.* Utilizing all available resources including additional language and research capability at ICTIME, USTR enhanced its monitoring of WTO Members' compliance with WTO rulings and recommendations.
- Secured a Victory in Challenge to Indonesia's Import Restrictions on U.S. Agriculture. In December 2017, the United States prevailed against Indonesia's wide-ranging import restrictions on fruits and vegetables, animal products, and other agricultural products in a dispute settlement case at the WTO. The WTO Appellate Body had previously affirmed that Indonesia's prohibitions and restrictions unfairly limited opportunities for U.S. farmers and ranchers to export their world-class products. Indonesia is the fourth most populous country in the world and an increasingly important export market for many U.S. agricultural products, with exports of agricultural products affected by Indonesia's import licensing regimes totaling nearly \$200 million at the time of their imposition in 2014.
- **Resolved Barriers to U.S. Agricultural Exports.** In 2017, USTR worked to resolve unwarranted barriers to U.S. food and agricultural products, including beef and pork to Argentina, Idaho potatoes to Japan, beef to Thailand, and dried distiller grains to Vietnam. Building on previous engagement with China, the United States obtained four approvals for corn and soybean biotechnology products in July 2017 providing enhanced certainty for trade.
- Utilized the WTO To Address Harmful Fisheries Subsidies. USTR worked with WTO Members to advocate for strong disciplines on harmful fisheries subsidies, such as those that contribute to overfishing and overcapacity or that support illegal, unreported and unregulated (IUU) fishing activities. USTR also proposed stronger rules to enhance the transparency and reporting of Members' existing subsidy programs.
- Utilized the WTO Committee on Agriculture (COA). The COA held three formal meetings, in March, June, and October 2017, to review progress on the implementation of commitments of the WTO Agreement on Agriculture. The United States in total reviewed 140 notifications and raised specific issues concerning the operation of Members' agricultural policies. For example, the United States regularly raised points with respect to domestic support of many Members, including Argentina, Brazil,

Canada, Chile, Costa Rica, the European Union, India, Israel, Japan, Panama, Peru, the Russian Federation, Turkey, Zambia, and the United Arab Emirates. The United States also used the review process to question Canada's dairy and wine policies; Indonesia's dairy policies; Thailand's rice policies and feed wheat regulation; and Philippines' rice waiver. The United States raised questions with respect to tariff-rate-quota fill issues with Norway and Iceland. Finally, the United States raised questions with South Africa's food aid notification to ensure it was consistent with WTO practices, and encouraged countries including India, Thailand, and Turkey to bring their notifications up to date. The United States actively engaged during the COA's fourth annual dedicated discussion on export competition, raising concerns on export credit programs of Argentina, Australia, Brazil, Canada, China, the EU, and India, and international food aid policies of Canada and the EU to ensure that Member's polices are aligned with the Bali and Nairobi export competition outcomes.

- Addressed SPS Trade Barriers in the WTO. In 2017, the United States raised concerns on a 128 SPS measures of other WTO Members in the WTO SPS Committee regarding the adverse impact on U.S. food and agricultural exports of existing or proposed measures of other Members. These included proposed changes by China on its official certification requirements for imported food; China's restrictions on U.S. poultry exports ostensibly related to Highly Pathogenic Avian Influenza (HPAI); India's unnecessary methyl bromide fumigation requirements; France's ban on U.S. exports of cherries; and, the EU's hazard-based pesticide policies, particularly its proposal to assess, classify, and regulate chemicals classified as endocrine disruptors. In addition, the United States heightened Members' focus on trade barriers caused by the non-use of international standards on highly pathogenic avian influenza (HPAI); on the need to adopt the OIE's new chapter in its terrestrial code on porcine reproductive and respiratory syndrome (PRRS); on supporting the independent work of Codex in developing sciencebased standards; unnecessary requirements for phyto-certificates on processed plant material; and beef bans ostensibly related to bovine spongiform encephalopathy (BSE). The United States also held bilateral meetings on the margins of each WTO SPS Committee to resolve longstanding SPS concerns, including China's delays in approvals on biotechnology products and BSE and other restrictions on beef market access; Brazil's onerous trichinae testing requirements that continue to restrict U.S. pork exports; Vietnam's restrictions on veterinary drugs; and many others. In addition, the United States led a coalition of 18 WTO Members on the issuance of a joint ministerial statement at the 11<sup>th</sup> WTO Ministerial Conference. In the joint statement, these ministers stressed that farmers' access to safe tools and technologies should not be undermined by non-science based SPS measures and supported the recommendations to address missing and misaligned maximum residue levels for pesticides.
- **Pursued Enforcement Actions Against China in the WTO.** In January 2017, the United States initiated WTO dispute settlement procedures with a request to establish a dispute panel on China's domestic support for corn, wheat and rice. In August 2017, the United States also filed a request for a WTO dispute settlement panel to examine China's administration of its tariff rate quota to import certain agricultural products.
- Initiated WTO Actions on Wine Sales to Canada. USTR initiated WTO dispute settlement proceedings against Canada on retail restrictions by British Columbia on imported wine. Two sets of consultations were held on Canada's potentially discriminatory policies.
- *Initiated Review of Agreement with European Union on Beef.* In response to a request from the U.S. beef industry, USTR initiated a review of the suspension of trade retaliation against the EU in

connection with the EU beef hormone dispute. USTR held public hearings and initiated negotiations with the EU with the aim to finding a solution.

- *Monitored EU Biotechnology Approvals.* USTR held two consultations in 2017 on the EU's implementation of its commitment under the 2006 EU Biotechnology dispute to normalize trade in products of biotechnology. The Commission appears to continue to act on opinions of the European Food Safety Agency roughly within established timeframes.
- *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 and India's status on the Priority Watch list, noting continuing concerns about IPR protection and enforcement. USTR announced that it would conduct an Out-of-Cycle Review of Kuwait, Colombia and Tajikistan.
- Secured Improvements in Thailand's Intellectual Property Regime. Following agreement on a bilateral work plan in 2016, Thailand undertook a number of corrective actions in 2016 and 2017 to address U.S. IP concerns, including on enforcement, patents and pharmaceuticals, trademarks, and copyright. On the basis of these improvements, USTR moved Thailand from the Special 301 Priority Watch List to Watch List in December 2017 as part of an Out-of-Cycle Review. USTR will continue to work with Thailand to resolve remaining IP concerns.
- Strengthened Monitoring and Enforcement of U.S. Intellectual Property Rights with Key Trading Partners. USTR identified a set of outstanding trade agreement provisions where implementation was lagging, ensuring that trading partners were adhering to international best practices on IP, including the UPOV treaty protecting plant varieties. USTR also led an intra-agency team in developing a multi-pronged strategy to bring attention to the issue, pushing governments to solve the issue, and prepare for dispute settlement, when appropriate. USTR convened internal strategy sessions regarding general IP monitoring and implementation matters, including with respect to safeguarding overseas markets for U.S. producers against the EU's efforts to impose, through their trade agreements, their market-access-restricting system of geographical indications.
- Addressing Korea's Implementation of KORUS. USTR is advocating for improvements and actions by Korea to address outstanding concerns across a range of issues, including lifting restrictions limiting the ability of foreign law firms to establish a presence in the market as provided under the agreement; resolving specific non-tariff barrier issues to improve opportunities for U.S. auto manufacturers; and addressing specific origin verification cases threatening to undermine the benefits of the agreement for U.S. exporters. Initial progress was made on advancing work to resolve a range of additional, outstanding implementation issues affecting U.S. farm, factory, and service industry workers.
- *Convened Free Trade Agreement Meeting on SPS Matters with Korea.* USTR led the U.S. delegation for meetings of the Committee on Sanitary and Phytosanitary Matters under the U.S.-Korea Free Trade Agreement (KORUS). The committee provides a mechanism for discussing issues of priority interest to both countries aimed at advancing the bilateral trade relationship. In 2016, U.S. agricultural exports to Korea were nearly \$6.88 billion.

- *Monitored and Implemented FTA Environment Chapters.* USTR coordinated a whole-of-government plan for monitoring our trading partners' implementation of their FTA environment chapter obligations. The plan entails fact gathering and evaluation of environmental issues in our FTA partner countries. The plan is part of USTR's ongoing efforts to ensure that our trading partners comply with FTA obligations. USTR also chaired FTA Environmental Affairs Council meetings to monitor implementation of environmental commitments under the CAFTA-DR, Peru, and Singapore FTAs.
- **Promoted and Monitored Environmental Protection in Central America and the Dominican Republic.** The Environmental Affairs Council met to discuss the challenges and review the Parties' progress in implementing environmental commitments under the CAFTA-DR Environment Chapter, particularly focusing on environmental impact assessments and monitoring and enforcement challenges related to air quality and waste management laws. The Council also exchanged views on potential legislative, institutional, or procedural reforms that can help improve enforcement and promote high levels of environmental protection.
- **Bolstered our Trade Partnership with Chile.** Throughout 2017, the United States worked effectively with the government of Chile through the United States-Chile Free Trade Commission to address U.S. priority issues, including agriculture market access, environmental protection for endangered species, and intellectual property commitments.
- Utilized Trade Agreements to Promote Marine Conservation and Ocean Sustainability. USTR worked with interagency partners and the Governments of Colombia and Mexico on actions by those governments to combat illegal fishing. 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, in particular a seafood traceability program that entered into force on January 1, 2018.
- Convened Free Trade Agreement Meeting on Agriculture and SPS Matters with Colombia. In June 2017, USTR led a U.S. delegation for meetings of the Committee on Agricultural Trade and the Standing Committee on Sanitary and Phytosanitary Matters under the U.S.-Colombia Trade Promotion Agreement (CTPA). The committees provide a mechanism for discussing issues of priority interest to both countries aimed at advancing the bilateral trade relationship, resulting in expanded access for exports of U.S. rice and resolving a tariff classification error under the agreement that threatened continued duty free access for U.S. corn, a top export commodity. Total U.S. agricultural exports to Colombia totaled \$2.4 billion in 2016, the United States'12th largest agricultural export market.
- Advanced public participation under the United States-Panama Trade Promotion Agreement. In 2017, the United States and Panama made further progress in implementing an independent secretariat for environmental matters, by hiring an Executive Director and agreeing on an outreach plan for the Secretariat. The secretariat is intended to promote public participation in the identification and resolution of environmental enforcement issues and will receive and consider submissions from the public on matters regarding enforcement of environmental laws.
- **Reinforced our Economic Relations with Peru.** In 2017, the United States and Peru worked through the U.S.-Peru Free Trade Commission process to address U.S. priority issues, including agriculture market access, environmental and labor cooperation, and implementation of the agreement.

- Enforced FTA Environment Provisions in Peru. On October 10, 2017, USTR took unprecedented action under the United States Peru Trade Promotion Agreement by instructing the U.S. Customs and Border Protection (CBP) to deny entry of future timber shipments from the exporter Inversiones Oroza. This action was taken on behalf of the Interagency Committee on Trade in Timber Products from Peru (Timber Committee) following a 2016 verification exercise that revealed significant levels of illegality in an earlier timber shipment from Peru to the United States. The United States and Peru continued to make progress implementing the Environmental Cooperation Agreement Work Program (2015-2018).
- Convened Free Trade Agreement Meeting on Agriculture and SPS Matters with Peru. In September 2017, USTR led the U.S. delegation for meetings of the Standing Committee on Sanitary and Phytosanitary (SPS) Matters under the U.S.-Peru Trade Promotion Agreement. The committee provides a forum to discuss bilateral issues so that both countries' agricultural sectors can realize opportunities offered by the Agreement and resolve any undue barriers to trade. Among issues raised in the meeting, the U.S. delegation pressed Peru on its ten-year moratorium on the use of agricultural biotechnology, and questioned Peru's policy intentions as the moratorium nears expiration in 2021. U.S. total exports of agricultural products to Peru totaled \$1.2 billion in 2016, the United States' 23th largest agricultural export market.
- **Promoted and Monitored Environmental Protection in Singapore.** In October 2017, senior-level USTR and Singaporean officials met in Singapore to review the implementation of the Environment Chapter of the United States-Singapore FTA. Discussions focused primarily on enforcement of environmental laws and environmental cooperation efforts, particularly to combat wildlife and timber trafficking in the region. A public session with the environmental and business community was also held to exchange views related to the implementation of the Environment Chapter.
- **Promoted Labor Rights under FTAs with Bahrain, Colombia, Peru, and the Dominican Republic.** Monitored labor rights in Bahrain, Colombia, Peru, and the Dominican Republic under the United States-Bahrain FTA, the United States-Colombia TPA, the United States-Peru TPA, and CAFTA-DR, respectively. These efforts included continuation of labor consultations with Bahrain invoked under the labor chapter of that FTA, and close engagement with Colombia, Peru, and the Dominican Republic to address concerns related to public submissions filed under the Labor Chapters of trade agreements with those countries. In each case, the Department of Labor has issued a public report that includes detailed recommendations to address labor rights concerns, and USTR worked closely with DOL in 2017 to monitor and promote progress on these issues. Accomplishments in this area include hundreds of new labor inspectors and resources for inspections in both Colombia and Peru, and new inspection efforts in the Dominican Republic's sugar sector.
- *Made Progress with Bangladesh on Key Trade, Worker Safety, and Labor Issues.* Subsequent to the suspension in 2013 of GSP benefits for Bangladesh, formulated an Action Plan, which serves as a road map for restoration of GSP benefits. Worked on this directly with the Government of Bangladesh; through our association with the EU/GoB/ILO Bangladesh Sustainability Compact; through the private sector apparel buyer organizations (both the U.S. Bangladesh Alliance for Worker Safety and the EU based Bangladesh Accord on Fire and Building Safety); through U.S. unions (the AFL-CIO and their international arm Solidarity Center); the Bangladesh factory owners; foreign investors in the Bangladesh EPZs; and others. The incidence of factory fires and industrial accidents has declined dramatically, and serious casualties per incident have declined sharply.

- **Promoted Labor and Worker Rights in Honduras.** USTR and the Department of Labor worked closely with the Government of Honduras in 2017 to continue implementation of a detailed Monitoring and Action Plan, with specific commitments to improve protection of labor rights and enforcement of labor laws. The plan was signed and made public by the two Governments in 2015, and in 2017, the Government of Honduras enacted a sweeping labor law reform, which significantly increases fines for labor violations and improves labor law enforcement and inspections.
- Implemented Trade Preference Programs to Advance Worker Rights. USTR held an October 2017 hearing on several Generalized System of Preferences (GSP) country practices reviews, including Uzbekistan, Niger, Georgia, and Iraq. USTR also received a new petition from the AFL-CIO requesting a GSP review of worker rights for Kazakhstan. Protecting labor rights is a key component of U.S. trade preference programs, and USTR uses every tool at its disposal to improve labor laws and working conditions in countries with which we trade.
- Enforced Eligibility Criteria for key US Preference Programs, including AGOA and GSP. In October, the Trump Administration announced a new approach to enforcement of the GSP eligibility criteria to ensure all countries receiving trade benefits are meeting the criteria established by the Congress. GSP, which lapsed on December 31, 2017, promotes economic growth in the developing world by eliminating duties on a wide range of products from developing countries; GSP also supports U.S. jobs by helping keep American manufacturers competitive through reducing duty payment on non-import-sensitive industrial inputs. Under the new enforcement program, each of the 103 beneficiary countries will receive a regular USTR-led assessment for compliance with the program's 15 mandatory and discretionary criteria, in addition to the existing system of stakeholder and public petitions. In June, an out-of-cycle review of Rwanda, Tanzania and Uganda's AGOA eligibility was initiated in response to a petition filed by the Secondary Materials and Recycled Textiles Association (SMART) asserting the East African Community (EAC) decision to phase in a ban on imports of used clothing and footwear is in violation of AGOA's eligibility criteria to make continual progress toward eliminating barriers to US trade and investment.
- Conducted Out-of-Cycle AGOA Eligibility Review of Sub-Saharan African countries. In response to a petition filed by U.S. exporters of used clothing and footwear under AGOA procedures, USTR conducted an out-of-cycle review of Rwanda, Tanzania, and Uganda's AGOA eligibility and held a hearing. The petitioner asserted that Rwanda, Tanzania, and Uganda had increased tariffs to prohibitively high levels in an effort to ban such imports and that these actions and other nontariff barriers were negatively impacting U.S. jobs in the sector. Through both direct interactions and U.S. embassy representatives, USTR conveyed to the governments the need to address the concerns regarding their policy to avoid a potential suspension of AGOA benefits. The review was ongoing as of the end of FY 2017.
- Successfully Reversed import Ban on Certain products in Kenya. USTR persuaded the government of Kenya to reverse its decision to join fellow member states of the East African Community (EAC) in effectively banning the importation of used clothing and footwear. This averted Kenya's inclusion in an out-of-cycle AGOA eligibility review of East African Community countries.
- 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 an interagency 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, Ambassador Lighthizer made recommendations to the President on AGOA country eligibility for 2018. 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. USTR also continued discussions with the Government of South Africa to expand market access for U.S. pork and pork products and with the Governments of Kenya, Nigeria and Tanzania for U.S. poultry and poultry products.

- *Held Consultations with Sub-Saharan African Countries.* USTR conducted consultations with Kenya, Nigeria, South Africa, and other African countries to address concerns of U.S. businesses regarding adopted or proposed local content legislation; with EAC countries on a used clothing ban; and with several countries on barriers to U.S. exports of poultry products. USTR staff participated in a U.S.-Nigeria Binational Commission meeting, raising a range of Nigerian trade and investment barriers, including local content restrictions, import bans, foreign exchange restrictions, and intellectual property rights protection.
- *Enforced Textiles and Apparel Provisions of U.S. Trade Agreements.* USTR-led interagency and public reviews of rules of origin changes proposed by several trading partners, ensuring that the commercial interests of U.S. producers and workers were not negatively affected.

## Goal 3: Develop Sound Trade Policy

Consistent with the President's trade policy agenda, USTR will develop the Administration's trade policy through extensive consultations with the Congress, stakeholders, and its trade advisory committees. USTR will also use digital means 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, provide accountability, and develop sound, strategic U.S. trade policies.

#### **Objectives:**

3.1: Work with Congress, interested stakeholders, 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.

3.2: 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.

3.3: Foster a robust Advisory Committee system by appointing, consulting and engaging with an active group of advisors.

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

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

#### Accomplishments:

- *Extensive Meetings and Briefings with Congress on Key USTR Initiatives*. Ambassador Lighthizer and USTR staff held numerous meetings and briefings with Members of Congress and their staffs on a range of trade issues, including the NAFTA renegotiations, KORUS amendments and modifications, enforcement activities, and other initiatives. These discussions, which amounted to nearly 2,000 worker hours, ensured that the Congress was constantly kept abreast of the content and progress of USTR activities and had continuous opportunities to shape ongoing U.S. negotiating efforts.
- Consulted with an Inclusive and Rounded Group of Trade Advisory Experts. USTR fostered a robust and balanced advisory committee system by appointing new advisors to the Advisory Committee on Trade Policy and Negotiations (ACTPN), Industry Trade Advisory Committees (ITACs), Agriculture Policy Advisory Committee, Agriculture Technical Advisory Committees, Intergovernmental Policy Advisory Committee on Trade (IGPAC), Labor Advisory Committee for Trade Policy and Trade Negotiations (LAC), Trade and Environment Policy Advisory Committee (TEPAC), and Trade Advisory Committee on Africa (TACA). USTR meets regularly with the advisors to brief and obtain input on a range of trade issues including NAFTA, KORUS and the WTO.

- *Outreach to 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 NAFTA, KORUS, WTO agriculture and SPS initiatives, Codex Alimentarius Commission, trade related aspects of agriculture innovation, and a full range of matters impacting U.S. agricultural exports to countries around the world.
- Continued Outreach to 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 segment of stakeholders including Members of TEPAC, the broader environmental community, other government agencies, Congress, and the private sector. This included outreach under existing FTAs with Central America and the Dominican Republic, Peru, and Singapore. USTR engaged with environmental NGOs during the public sessions that took place alongside bilateral environmental meetings.
- Outreach and Consultations with U.S. Labor and Business Stakeholders. Communication with stakeholders provided a wide range of positions that were 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, International Finance Corporation, Inter-American Development Bank, U.S. Council for International Business, American Apparel and Footwear Association, Electronic Industry Citizenship Coalition, and Fair Labor Association. 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, Just Jobs, Human Rights Watch, Humanity United, and Alliance to End Slavery and Trafficking, and U.S. and foreign employers, including Nike, Levi Strauss, Gap, Walmart, VF Corporation, Disney, and Target, resulting in strengthened relationships and consulting mechanisms on trade-related labor matters. Relationships with key Hill staff, in particular Ways and Means, Finance, and the House Trade Working Group, resulted in broadening support for USTR trade policy, particularly with regard to NAFTA and labor rights implementation under GSP and FTAs. Strengthened the trade union advisory process with labor advisors, finding common ground and leading to unprecedented collaboration.
- *Held Meetings and Consultations with Congress, Industry, Civil Society, and Other Stakeholders on IP Issues.* Developed, tabled and successfully concluded proposals concerning pharmaceutical IP. 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 interagency, 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 interagency 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, USTR convened the 2017 U.S.-EU SME Workshop outside of

Washington D.C. for the first time at Wichita State University Innovation Campus in Wichita, Kansas. USTR partnered with SBA, Commerce, and the Department of Labor to engage directly with local SME stakeholders regarding trade challenges they face in the European Union, and to highlight advanced SME manufacturing in the heartland. In 2017, USTR joined by SBA and Commerce also agreed with the UK to launch the U.S.-UK SME Dialogue under the auspices of the U.S.-UK Trade and Investment Working Group, in order to advance our SME cooperation and deepen trade ties between SME stakeholders on both sides.

- 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. This included engagement with environmental and development NGOs on aspects of the TFA that could further their policy objectives, such as illegal wildlife trade, development, disease control and prevention, and anti-corruption. 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, on opportunities post-Nairobi, including future potential WTO plurilateral negotiations.
- *Held Stakeholder Events and Made Proposals to Congress for GSP Renewal and Modernization.* USTR concluded a comprehensive review of the GSP, which served as a basis for the Administration's new enforcement program. USTR initiated a regular assessment of the compliance of all 103 beneficiary countries with the program's 15 mandatory and discretionary eligibility criteria, as well as proposals to Congress on GSP renewal and modernization beyond its expiration date of December 31, 2017.

## Goal 4: 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:**

4.1: 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.

4.2: Enhance outreach to state and local governments on the benefits of the trade agenda.

4.3: Work with the White House and with agency partners to implement an Administration-wide message on trade policy.

4.4: 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.

4.5: Inform private sector and non-profit stakeholders, media, and state and local elected officials 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.

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

#### Accomplishments:

In 2017, 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 internet strategy to explain the Administration's trade policy goals and achievements to the public. 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 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 Committees as appropriate, to coordinate messaging on aspects of the Administration's trade agenda.

- 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. Established a stronger 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 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 many press calls to explain Administration positions with respect to NAFTA and 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, visiting production, distribution, and research facilities in nine states as well as participating in conferences and meetings organized by the National Council of Textile Organizations, the American Fiber Manufacturers Association, 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 Lighthizer and staff at all levels of USTR met with U.S. agriculture stakeholders on the Administration's trade agenda, as well as participated in dozens of 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, labor unions, and animal rights organizations 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, 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 with the United States 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, ensured that the Administration-wide message on trade policy was reflected in U.S. positions and delivered in meetings of international organizations where issues that affect trade are discussed (e.g. WIPO, WFP, UNCTAD, OECD, WHO, UN, HRC, PAHO, Codex).
- 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 region at business conferences and widely attended meetings of key private sector stakeholder organizations and relevant embassies.
- Continued Outreach with Key Stakeholders on AGOA and Africa Trade Issues. USTR continued outreach to key AGOA stakeholders as part of an interagency initiative to enhance U.S. trade and investment with sub-Saharan Africa, broaden our 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.

### Goal 5: Achieve Organizational Excellence

Consistent with the President's goals, USTR will provide the administrative processes, physical and information security, and infrastructure that will strengthen its ability to perform core functions at the highest level of excellence. The agency continue promoting a workplace that promotes diversity, initiative, creativity and productivity through the enhancement of human capital through recruitment, promotion and retention initiatives, and professional development and training opportunities.

#### **Objectives:**

5.1: Manage a security program that provides appropriate of protection for USTR personnel, facilities and sensitive information.

5.2: Manage resources to maximize USTR future capabilities.

5.3: Manage USTR more efficiently and effectively.

5.4: Provide facilities that help USTR staff become more productive.

5.5: Install information technology and communications systems that increase USTR's productivity and communicate trade benefits.

5.6: Implement a human capital and services program that will maximize employee performance and engagement.

#### Accomplishments:

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

- Security Management. In 2017, USTR completed multiple updates of USTR COOP plan as EOPsponsored exercises were conducted. These updates included training CERT members on procedures with new EOP COOP site and managing successful exercises at Mt. Weather. USTR also collaborated with EOP to conduct building emergency drills. Given the President's focused negotiation agenda in 2017, USTR developed security plans for future domestic negotiation rounds, implementing at each round. USTR staff also upgraded the physical access control system (PACS) for Winder and 1724 F Street.
- **Resource Management.** USTR's Office of Administration managed the FY 2017 spend plan and ensured effective and efficient use of USTR's spending authority to minimize impact of potential reductions and unexpected changes in funding levels. In FY2017, the Office of Administration worked closely with ICTIME to implement new funding requirements following the transition from

Commerce's International Trade Administration.

- Administrative Management. USTR administrative staff completed significant portion of the declassification review for records at the Washington National Records Center. Administrative staff also furthered NARA's and EOP's goals to ensure the maintenance of electronic records (Managing Government Records Directive) and completed a draft 2018 2022 Strategic Plan and Agency Reform Plan per OMB directives.
- *Facilities Management.* USTR staff assisted GSA to ensure all special projects are completed expeditiously and with minimal impact on occupants (e.g. Winder interior doors refinishing and exterior doors replacement). USTR administrative staff also completed the office space upgrade in 1724 F Street and remainder of the Winder 5<sup>th</sup> floor renovation. USTR staff managed a Winder furniture upgrade project and began replacing outdated blast curtains with ballistic film in both Winder and 1724 F Street building.
- *Information Technology Management.* USTR IT staff facilitated records transitions from the previous Administration to NARA while permitting retention of files by career staff as necessary into the current Administration. IT staff also upgraded USTR's DVC systems to enable HDMI interface available on new employee laptops and incorporated BlueJeans conferencing service capabilities to enable multipoint operation and recording of training videos. USTR IT staff also completed infrastructure upgrades in 2017 including cabling improvements, centralizing backup power, and installing building-wide Wi-Fi. In 2017, USTR also began complete deployment of the SharePoint platform to facilitate file storage and team collaboration. The deployment involved employee training. USTR IT staff also provided delegation support at negotiating rounds throughout the year.
- Human Capital Management. In 2017, USTR Human Capital Management (HCM) staff ensured SES performance Plans were compliant with OPM's new government-wide SES Performance Management System, and that each plan was structured to assess SES members' achievements as related to USTR goals/objectives. For Non-SES, employees, HCM staff facilitated timely submission of performance reviews. USTR HCM staff also reinforced the need for full participation in the 2017 Employee Viewpoint Survey. USTR continues to improve its overall standing in these results. USTR HCM staff provided the agency with training opportunities including courses on supervisory and language skills. During the year, HCM staff also counseled managers regarding performance issues, resulting in the removal of one employee. The office also expedited numerous hiring actions to fill front office high-priority vacancies, including a number of SES/SL positions. USTR HCM staff took on unprecedented hiring efforts to build the workforce in response to Congressional and Administrative priorities. This required collaboration with OA HRD to develop innovative hiring strategies such as shared certificates.

## **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	
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	
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	
ERB	Executive Resources Board	
EU	European Union	
FOIA	Freedom of Information Act	
FTA	Free Trade Agreement	
FTAA	Free Trade Area of the Americas	

FTE	Full-Time Equivalent
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.SEU 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.SChina 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
NEI	National Export Initiative
NGO	Non-Governmental Organization
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

OMB.       Office of Management and Budget         OPIC.       Overseas Private Investment Corporation         PNTR       Permanent Normal Trade Relations         PSD.       Presidential Study Directive         ROU.       Record of Understanding         USChina Strategic and Economic Dialogue       Southern African Development Community         SACC.       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 Consumer Dialogue         TACD       Trans-Atlantic Consumer Dialogue         TALD       Trans-Atlantic Conomic Ouncil         TEC       Transatlantic Economic Partnership         TICFA       Trade and Investment Partnership         TICFA       Trade and Investment Partnership         TIRA       Trade Policy Review Group         TPR       Trade Policy Review Group         TIRA       Trade Po	OECD	Organization for Economic Cooperation and Development
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USTR Office of the United States Trade Representative		
1	USITC	U.S. International Trade Commission
VRA Voluntary Restraint Agreement		Office of the United States Trade Representative
	VRA	Voluntary Restraint Agreement

WAEMU	West African Economic & Monetary Union
WB	World Bank
WTO	World Trade Organization