

X. ADMINISTRATION OF TRADE LAWS

FY 1999

Annual Performance Goals

- a. Administer U.S. trade laws in a manner that enforces U.S. trade agreement rights, addresses foreign trade barriers as they arise and takes into account U.S. international obligations, by:
- conducting all investigations in accordance with statutory requirements, in a timely fashion and properly coordinated from an interagency and White House standpoint;
 - use Section 301, Special 301 (including the annual review process, and “out-of-cycle” reviews), and Section 1374 and 1377 to (1) address specific foreign trade barriers, and to provide increased foreign market access for U.S. goods and services exports, including telecommunications goods and services and (2) as leverage to improve IPR laws and enforcement efforts;
 - ensuring that WTO, OECD, FTAA and APEC groups considering trade and competition policy do not adopt recommendations that could undermine the ability of the United States to use its dumping and countervailing duty laws to protect U.S. national interests;
 - expanding trade with the least developed countries under GSP to promote their economic development and to foster their compliance with trade-related disciplines that protect intellectual property, worker rights, and U.S. producer access to beneficiary markets; and
 - defending any challenge in the WTO or NAFTA to U.S. actions.

Performance Indicator

- a. For bullets one through three, we will indicate in our annual report the number of trade issues resolved through the use of these statutes and those that are pending.
- b. For bullet number four, the indicator is the absence of adverse developments in those groups.
- c. For bullet number five, we will establish a baseline in FY 1998 to measure trade with least developed countries under GSP that will allow us to measure increases in the following year. We will also review disputes pending and resolved under GSP in FY 1999 and report on them in the annual report.

Performance Verification

- a. All investigations followed statutory requirements, were timely and properly coordinated from an interagency and White House standpoint. A status report was published in the Annual Report on March 1, 1999.
- b. Under Section 301, in October 1998, Korea signed a MOU on foreign motor vehicles.
- c. Under Special 301, in September 1998, Bulgaria improved protection of intellectual property rights.
- d. Under Section 1377, in November 1998, Mexico reduced its telecommunication interconnection

rates.

- e. The consideration of trade and competition issues has not led to any developments which could undermine U.S. ability to fully enforce the trade remedy laws.
- f. USTR defended 16 WTO cases brought against U.S. trade rules and laws.
- g. Additionally, USTR defended 7 NAFTA dispute settlement cases.
- h. Disputes pending and resolved under GSP were published in the Annual Report in March 1999.
- i. The share of GSP duty- free imports from Least Developed Beneficiary Countries increased to 16.31% from a baseline of 10.7%.

FY 2000

Performance Goals

- a. Administer U.S. trade laws in a manner that enforces U.S. trade agreement rights, addresses foreign trade barriers as they arise and takes into account U.S. international obligations, by:
 - conducting all investigations in accordance with statutory requirements, in a timely fashion and properly coordinated from an interagency and White House standpoint;
 - use Section 301, Special 301 (including the annual review process, and “out-of-cycle” reviews), and Section 1374 and 1377 to (1) address specific foreign trade barriers, and to provide increased foreign market access for U.S. goods and services exports including telecommunications goods and services, and (2) leverage to improve IPR laws and enforcement efforts;
 - ensuring that WTO, OECD, FTAA and APEC groups considering trade and competition policy do not adopt recommendations that could undermine the ability of the United States to use its dumping and countervailing duty laws to protect U.S. national interests;
 - ensuring that all GSP petitions are addressed and that all eligible countries meet the statutory criteria for benefits, including compliance with trade-related disciplines that protect intellectual property, worker rights, and U.S. producer access to beneficiary markets; and
 - defending any challenge in the WTO or NAFTA to U.S. actions.

Performance Indicator

- a. For bullets one through three, we will indicate in our annual report the number of trade issues resolved through the use of these statutes and those that are pending.
- b. For bullet number four, the indicator is the absence of adverse developments in those groups.
- c. For bullet number five, we will review petitions and disputes pending and resolved under GSP in FY 2000 and report on them in the annual report.

Performance Verification

- a. We will provide verification of FY 2000 goals in the annual performance report.
- b. The results of Congressional oversight are available immediately through televised hearings and transcripts published in the Congressional Record.
- c. The President's Annual report shows pending and resolved issues. This status report includes bilateral and multilateral issues taken up within the past year and is broader based than the NTE report.
- d. The use made of U.S. trade laws is evaluated periodically by the Congress in its oversight function. We routinely convey to the Congress a list of resolved and pending actions under trade legislation.
- e. The GSP program's authorization lapsed on June 30, 1999 and was not renewed until mid-December. New petitions on intellectual property rights were accepted for review after re-authorization was obtained. The following countries are being reviewed: Armenia, the Dominican Republic, Kazakhstan, Moldova, Ukraine, and Uzbekistan. Accounts of ongoing reviews are described in the Annual Report. Notable is the passage of new labor laws in Swaziland and Thailand. Steps were taken to suspend the beneficiary status of Belarus for failure to take steps to provide internationally recognized worker rights. A worker rights petition on Bangladesh is pending.

FY 2001

Performance Goals

- a. Administer U.S. trade laws in a manner that enforces U.S. trade agreement rights, addresses foreign trade barriers as they arise and takes into account U.S. international obligations, by:
 - conducting all investigations in accordance with statutory requirements, in a timely fashion and properly coordinated from an interagency and White House standpoint;
 - use Section 301, Super 301, and Special 301 (including the annual review process, and "out-of-cycle" reviews), and Section 1377 to (1) address specific foreign trade barriers, and to provide increased foreign market access for U.S. goods and services exports including telecommunications goods and services, and (2) as leverage to improve IPR laws and enforcement efforts;
 - ensuring that WTO, OECD, FTAA and APEC groups considering trade and competition policy do not adopt recommendations that could undermine the ability of the United States to use its dumping and countervailing duty laws to protect U.S. national interests;
 - ensuring that all GSP petitions are addressed and that all eligible countries meet the statutory criteria for benefits, including compliance with trade-related disciplines that protect intellectual property, worker rights, and U.S. producer access to beneficiary markets;
 - coordinating recommendations to the President on determinations of the U.S. ITC under Section 337; and
 - organizing interagency review of affirmative ITC injury determinations under Section 201 and providing advice to the President on appropriate relief.

Performance Indicator

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- b. For bullet number four, the indicator is the absence of adverse developments in those groups.
- c. For bullet number five, we will review petitions and disputes pending and resolved under GSP in FY 2001 and report on them in the annual report.

Performance Verification

- a. The results of Congressional oversight are available immediately through televised hearings and transcripts published in the Congressional Record.
- b. The President's Annual report shows pending and resolved issues. This status report includes bilateral and multilateral issues taken up within the past year and is broader based than the NTE Report.
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