

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

The Honorable Irving A. Williamson  
Chairman  
U.S. International Trade Commission  
500 E Street, S.W.  
Washington, DC 20436

DOCKET NUMBER
2903
Office of the Secretary Int'l Trade Commission

JUL 19 2012

Dear Chairman Williamson:

In a December 14, 2009 letter, I requested that the U.S. International Trade Commission (Commission) provide a report containing its advice as to the probable economic effect of providing duty-free treatment for imports of products from seven countries (Australia, Brunei Darussalam, Chile, New Zealand, Peru, Singapore, and Vietnam) with which the United States had entered into negotiations to conclude the Trans-Pacific Partnership (TPP) Agreement, a high-standard, regional free trade agreement. The Commission provided that report and advice in June 2010.

On July 9, 2012, I informed Congress of the President's intention to commence negotiations with Mexico in the context of the TPP. Similarly, on July 10, 2012, I informed Congress of the President's intention to commence negotiations with Canada in the context of the TPP.

Accordingly, under authority delegated by the President, and pursuant to section 131 of the Trade Act of 1974, I request that the Commission provide a report containing its advice as to the probable economic effect of providing duty-free treatment for imports of products from Canada, Mexico and the other eight countries currently participating in the TPP negotiations on (i) industries in the United States producing like or directly competitive products, and (ii) consumers. In its report, the Commission should, among other things, identify any changes in its advice from the earlier advice on the TPP negotiations that did not include Canada or Mexico. The Commission's analysis should consider each article in chapters 1 through 97 of the Harmonized Tariff Schedule of the United States (HTSUS) for which U.S. tariffs will remain, taking into account implementation of U.S. commitments in the World Trade Organization and under free trade agreements in force between the United States and TPP negotiating partner countries. The advice should be based on the HTSUS in effect during 2011 and trade data for 2011. In providing its advice, the Commission should update but need not repeat analysis and discussion included in the earlier reports.

The advice with respect to the removal of U.S. duties on imports from the ten countries should assume that any known U.S. non-tariff barrier will not be applicable to such imports.

The Commission is requested to note in its report any instance in which the continued application of a U.S. non-tariff barrier would result in different advice with respect to the effect of the removal of the duty.

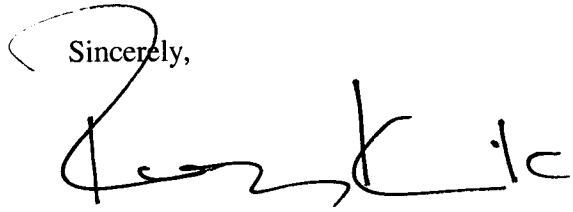
In addition, I request that the Commission prepare an assessment, as described in section 2104(b)(2) of the Trade Act of 2002, of the probable economic effects of eliminating tariffs on imports from the ten countries of those agricultural products described in the list attached to this letter on (i) industries in the United States producing the product concerned and (ii) the U.S. economy as a whole. As noted above, the Commission should identify any changes in its advice from the earlier advice that did not include Canada or Mexico. The Commission also need not repeat analysis and discussion included in the earlier reports.

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I request that the Commission provide its report containing such advice and assessment as soon as possible, but in any event no later than November 19, 2012.

In accordance with the policy of the Office of the United States Trade Representative (USTR) on implementing Executive Order 13526, as amended, entitled "Classified National Security Information" and published January 5, 2010, I direct you to mark or identify as "confidential," for a period of ten years, such portions of the Commission's report and its working papers as relate to the advice and assessment of probable economic effects. Consistent with the Executive Order, this information is being classified on the basis that it concerns economic matters relating to the national security. USTR also considers the Commission's report to be an inter-agency memorandum that will contain pre-decisional advice and be subject to the deliberative process privilege. I also request that you submit an outline of this report as soon as possible to enable USTR to provide you with further guidance on its classification, including the extent to which portions of the report will require classification and for how long. Based on this outline, an appropriate USTR official with original classification authority will provide you with written instructions. The Commission's assistance in this matter, and its continuing cooperation and support for our negotiating efforts, are greatly appreciated.

Sincerely,



Ambassador Ron Kirk