

**United States
International
Trade
Commission
Annual
Report**

Fiscal Year 1994

The U.S. International Trade Commission is an independent, nonpartisan, quasi-judicial federal agency that provides trade expertise to both the legislative and executive branches of government, determines the impact of imports on U.S. industries, and directs actions against certain unfair trade practices, such as patent, trademark, and copyright infringement. ITC analysts and economists investigate and publish reports on U.S. industries and the global trends that affect them. The agency also maintains the National Library of International Trade, a specialized library open to the public.

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MESSAGE FROM THE CHAIRMAN

This past year was characterized by greater concern in the public and private sectors regarding the challenges of international trade and by a corresponding increase in the demands placed on the resources of the U.S. International Trade Commission (ITC).

As the government's "think tank" on international trade, we played a major part in the international trade community by providing counsel, technical assistance, and analysis to Congress and the executive branch on a wide variety of issues. In addition, our statutory investigations took on added dimensions as trade patterns continued to become more complex. In our research and adjudicative capacities, we were mindful of our responsibility to maintain the expertise necessary to keep pace with the dynamic world economy.

This past year saw significant changes in the world market—in particular, the signing of the Uruguay Round Agreements and the implementation of the North American Free Trade Agreement

(NAFTA)—along with growing interest in the economic effects on U.S. industry of the globalization of markets. The breadth of ITC studies completed and undertaken during the year reflects this heightened interest and showcases the wide-ranging expertise of ITC staff. In this regard, the Commission undertook efforts to expand its modeling capabilities by adding a global model to its in-house U.S. model. These models allow the Commission to assess the potential economic effects of various trade policy options.

The ITC carried a considerable investigative caseload during the past year. Title VII filings during the year nearly doubled from FY 1993 levels, with the majority of them concerning allegations of dumping. Section 337 investigations during the year covered a wide range of complex products and processes, including microelectronic devices, microwave filters for satellites, and recombinant DNA technology. The Commission also adopted new rules of practice and procedure that will

govern all section 337 investigations instituted after August 31, 1994.

The Commission's involvement in the work of the Customs Cooperation Council (now informally called the World Customs Organization or WCO) to update the Harmonized Tariff System continues. By April 1994, the system had been adopted by 75 countries, including the United States. The use of this tariff classification system facilitates the preparation of international trade documentation, the comparison of foreign trade statistics, and the negotiation of international trade agreements. The Commission staff has contributed to further improvement of the system through the development and representation of proposals which reflect the needs of the U.S. business community.

As 1994 ends, we welcome the opportunity to meet new challenges and we look forward to continuing to play a major part in the international trade community. We expect to perform our responsibilities with



a continued sense of dedication and commitment to the highest professional standards. For the Commission, problems and challenges have always been opportunities to broaden our expertise, sharpen our skills, and increase our efficiency. We look forward to more of the same in 1995.

A handwritten signature in cursive script that reads "Peter S. Watson".

Peter S. Watson
Chairman



THE COMMISSION

The ITC is an independent, nonpartisan, quasi-judicial federal agency established by Congress with a wide range of trade-related mandates. Under its factfinding authority, the ITC exercises broad investigative powers on matters of trade. In its adjudicative role, the ITC makes determinations with respect to unfair trade practices. As the government's think tank on international trade, the ITC is a national resource where trade data are gathered and analyzed. Information and analysis are provided to the President and the Congress to assist them in developing U.S. trade policy.

ITC activities include —

- determining whether U.S. industries are materially injured by reason of imports that benefit from pricing at less than fair value or from subsidization;
- directing actions, subject to Presidential disapproval, against unfair trade practices such as patent infringement;
- making recommendations to the President regarding relief for industries seriously injured by increasing imports;

- advising the President whether agricultural imports interfere with price-support programs of the U.S. Department of Agriculture;
- providing objective analyses of other major trade issues, including estimating the probable economic effects of trade agreements;
- analyzing the competitiveness of specific industries, seeking to identify economic factors within the industry as well as external factors that affect the industry's competitiveness; and
- participating in the development of uniform statistical data on imports, exports, and domestic production and in the establishment of an international harmonized commodity code.

The six Commissioners are appointed by the President and confirmed by the Senate for terms of nine years, unless appointed to fill an unexpired term. The terms are set by statute and are staggered so that a different term expires every 18 months. A Commissioner who has served for more than five

years is ineligible for reappointment. No more than three Commissioners may be members of the same political party. The Chairman and the Vice Chairman are designated by the President and serve for a statutory

two-year term. The Chairman may not be of the same political party as the preceding Chairman, nor may the President designate two Commissioners of the same political party as the Chairman and Vice Chairman.

Summary of Investigations Completed, Fiscal Year 1994

Tariff Act of 1930:

Section 332—general factfinding investigations	8
Section 337—investigations of alleged unfair practices in the import and sale of imported products	16
Antidumping and countervailing duty investigations (83 antidumping investigations—60 preliminary and 23 final; 13 countervailing duty investigations—10 preliminary and 3 final; Section 303 countervailing duty investigations—2 preliminary and 0 final)	98
Section 751—review investigations	1

Trade Act of 1974:

Section 406—market disruption investigations	1
Sections 131 and 503—advice on possible trade agreements ...	1

Omnibus Trade and Competitiveness Act of 1988:

Section 1205—modifications to the Harmonized Tariff Schedule	2
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Agricultural Adjustment Act of 1933:

Section 22—import interference with agricultural programs ...	2
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Total	129
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Investigations completed during fiscal year 1994 and investigations pending on September 30, 1994, are shown in appendix A.

INTRODUCTION

International trade issues were prominent in the nation's headlines and on the government's agenda during fiscal year 1993, a fact reflected by a challenging and successful year at the U.S. International Trade Commission.

As the President, the United States Trade Representative (USTR), and Congress worked toward completion of the North American Free-Trade Agreement (NAFTA) and the General Agreement on Tariffs and Trade (GATT) Uruguay Round negotiations, they often turned to the ITC for objective analysis of the potential impact of various policy options on U.S. industries, imports, and exports. Through the year, numerous ITC staff members assisted the USTR with NAFTA- and GATT-related matters. The ITC also generated several studies of interest to policymakers as well as the public and media, including its report *Potential Impact on the U.S. Economy and Selected Industries of the North American Free-Trade Agreement*, which was the first comprehensive study to include a rigorous economic analysis of individual U.S. sectors based on the specific provisions of the

proposed agreement.

The ITC responded to hundreds of congressional requests for trade-related information and received more than 300 requests for bill reports, which analyze proposed miscellaneous tariff legislation, from Members of Congress. At the request of Congress and the USTR, the ITC completed 16 general factfinding investigations during the year, including an important review of the implications for U.S. policy of increasing integration among the nations of East Asia (*Economic Integration in East Asia: Implications for the United States*).

Additional factfinding investigations underway during FY 1993 but due for completion in FY 1994 included a proposed reorganization and simplification of U.S. trade relief laws and a study of the economic effects on the U.S. economy of significant U.S. import restraints. A larger study of the impact of U.S. antidumping and countervailing duty orders and the effect on the U.S. economy of the practices those orders address was launched at the request of the USTR; it is scheduled for completion in FY 1995. The agency also continued to investi-

gate the global competitiveness of key U.S. high-technology manufacturing industries for the Senate Committee on Finance during the year, completing studies on cellular communications and large civil aircraft and starting one on the computer industry that was due for completion in December 1993.

During FY 1993, the ITC completed one of the largest title VII antidumping/countervailing duty cases ever conducted, making determinations in 72 investigations involving imports of four different flat-rolled carbon steel products from 20 countries. High-technology matters continued to highlight the intellectual property right infringement investigations undertaken by the ITC during FY 1993, with a number of cases involving the computer and pharmaceutical industries.

In addition to its investigative workload and assistance to the USTR, the ITC implemented a number of internal organizational changes during FY 1993. The Commission took steps to comply voluntarily with aspects of the President's "Reinventing Government" initiative. The agency began an extensive review of its practices and

procedures to identify ways to streamline functions, reduce expenditures, and increase efficiencies without sacrificing the quality of its workproduct or jeopardizing its ability to meet statutory deadlines and requirements. These efforts will continue during FY 1994.

Another internal change during the year related to improvements in the area of Equal Employment Opportunity (EEO). The position of EEO Director was elevated from a collateral duty to a permanent full-time career position and expanded to include employee development initiatives.

Throughout FY 1993, the ITC continued its longstanding tradition of thoroughly and independently investigating the impact on U.S. industry of unfair trade practices and of providing independent, unbiased analysis and expertise to U.S. policymakers as they chart the course of U.S. trade policy. As the nation prepares for new challenges in the global trade arena of the 21st century, the Commission and ITC staff remain committed to the agency's unique mission and role in the U.S. international trade community.

PART I. HIGHLIGHTS

INVESTIGATIONS UNDER TITLE VII OF THE TARIFF ACT OF 1930

Under the Tariff Act of 1930, U.S. industries may petition the government for relief from imports that are sold in the United States at less than fair value ("dumped") or which benefit from subsidies provided through foreign government programs. Under the law, the U.S. Department of Commerce determines whether the dumping or subsidizing exists and, if so, the margin of dumping or amount of the subsidy. The ITC determines whether the dumped or subsidized imports materially injure or threaten to materially injure the U.S. industry. A more detailed explanation of anti-dumping/countervailing duty laws is included in appendix B.

Flat-rolled carbon steel led the list of commodities investigated by the ITC under title VII during FY 1993. The Commission's 72 anti-dumping/countervailing duty flat-rolled carbon steel investigations, involving imports valued at \$3.8 billion from 20 countries, generated intense interest among Congress,

the industry, the public, and the national and international news media. The four specific product groups covered in the investigations were cut-to-length plate, hot-rolled products, cold-rolled products, and corrosion resistant products. (For details, see tables 5a and 6a in appendix A). All 72 investigations were coordinated by one investigative team; the volume of data processed by the staff in these investigations was extraordinary, with the final published Commission opinion and staff report comprising two volumes. In connection with these cases, the Commission held a two-day hearing in June 1993, taking more than 24 hours of testimony from 211 witnesses, including seven Members of Congress.

Other title VII investigations during FY 1993 involved a wide variety of products, including: pads for woodwind instrument keys, stainless steel wire rod, stainless steel flanges, ferrosilicon, defrost timers, stainless steel pipes, calcium aluminate cement, steel wire rod, nitromethane, silicon carbide, aramid fiber, sebacic acid, stainless steel pipe fittings, electrical steel, photographic paper, sulfanilic acid, uranium,



sulfur dyes, several types of steel bars, dynamic random access memories (DRAMs), steel rails, professional power tools, ductile iron pipe fittings, and lockwashers. (See appendix A for a complete list of investigations and accompanying details.)

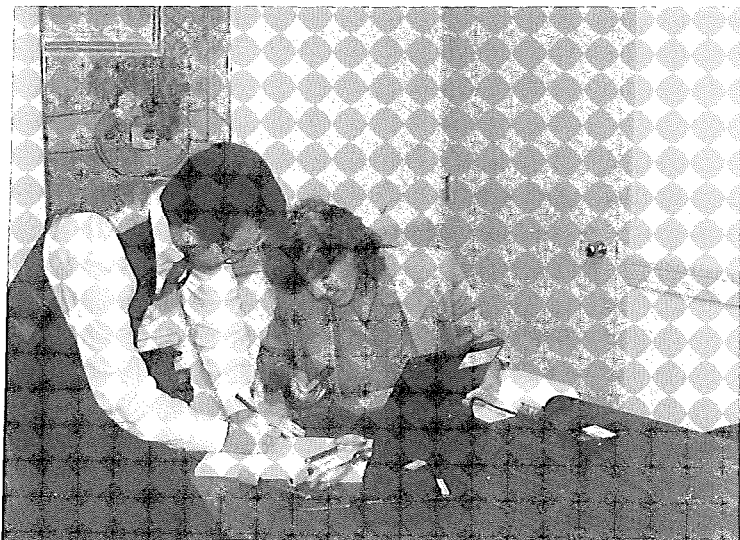
INVESTIGATIONS UNDER SECTION 337 OF THE TARIFF ACT OF 1930

Under section 337 of the Tariff Act of 1930, the ITC

conducts investigations into certain alleged unfair practices in import trade. Most complaints filed under this provision involved allegations of patent infringement, trademark infringement, or misappropriation of trade secrets. A more detailed explanation of section 337 is included in appendix B.

In FY 1993, as in previous years, the ITC's section 337 caseload was highlighted by investigations involving several high-technology products. Significant among these were computer-related investigations concerning semiconductor

Members of the Congressional Steel Caucus (left to right, Rep. Helen Delich Bentley, Rep. Ralph Regula, and Rep. Peter Visclosky) testify at the June 1993 hearing in the 72 antidumping and countervailing duty investigations on flat-rolled carbon steel products.



devices (including random-access memories), micro-processor memory controllers, and integrated circuit telecommunication dialer chips, and investigations involving pharmaceuticals, including a widely used cardiovascular medication and recombinantly produced human growth hormones.

During FY 1993, six pending investigations involved allegations that complainants' patented processes were being employed abroad, without authorization, to produce products that respondents imported

into the United States. These patented processes included the manufacture of high-capacity memory chips, the manufacture of corrosion-resistant semiconductor components, and the manufacture of carbon-coated disks for computer disk drives, as well as the manufacture of pharmaceuticals and certain of the computer-related products listed above. Two of the Commission's section 337 investigations were based on allegations that respondents' products infringed U.S. patents covering the overall appearance or design of a product. Additional patent-

based section 337 investigations focused on products such as condensers used in automobile air conditioners, automobile alarm systems, circuit board testers, commercial food portions, sports sandals, and in-line roller skates.

Three section 337 investigations involved allegations that respondents had misappropriated the complainant's trade secrets and were using the alleged trade secrets in manufacturing operations abroad to make products subsequently imported into the United States. These products included industrial mixing devices, mechanical gear couplings, and removable hard disk cartridges for computers. Two of these trade secrets investigations also included allegations that respondents' products infringed complainant's registered trademarks.

Also in FY 1993, the Commission instituted the first section 603 investigation relating to a section 337 complaint since 1984. This preliminary investigation was instituted to determine whether there was a sufficient basis to institute a section 337 investigation regarding certain recombinantly pro-

duced human growth hormones. In September 1993, the section 603 investigation was terminated and a section 337 investigation regarding this matter was instituted.

INVESTIGATIONS UNDER THE TRADE ACT OF 1974

Under section 201 of the Trade Act of 1974, domestic industries seriously injured by increased imports may petition the ITC for import relief. Section 201 does not require a finding of an unfair trade practices, as do the antidumping/countervailing duty laws and section 337 of the Tariff Act of 1930. If the Commission makes an affirmative determination in a section 201 investigation, it recommends to the President relief that would remedy the injury and facilitate industry adjustment to import competition. The President makes the final decision whether to provide relief and the amount of relief.

Under section 406 of the Trade Act of 1974, the Commission determines whether imports from a Communist country are causing market disruption in the

United States. If the Commission finds market disruption, it makes a remedy recommendation to the President, who makes the final decision with respect to remedy.

More detailed descriptions of section 201 and section 406 are included in appendix B.

The ITC instituted no escape clause (section 201) or market disruption (section 406) investigations during the year; however, one escape clause investigation concerning extruded rubber thread, which had been filed in FY 1992, was completed.

INVESTIGATIONS UNDER THE AGRICULTURAL ADJUSTMENT ACT OF 1933

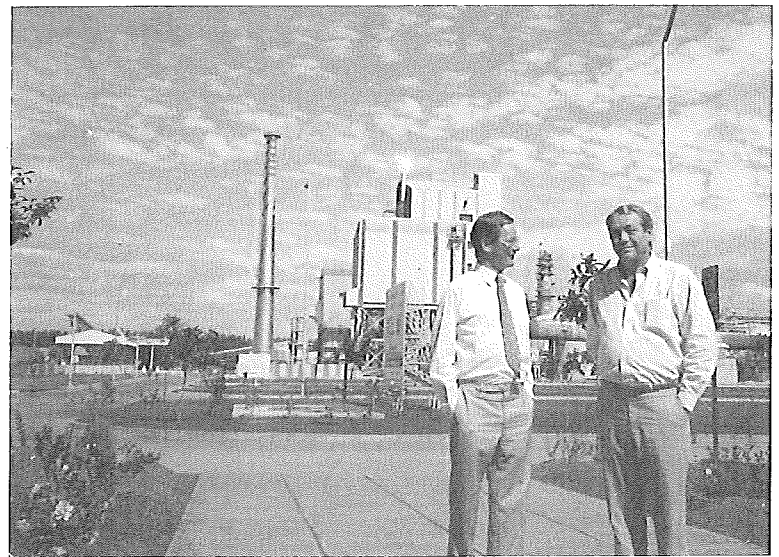
Under section 22 of the Agricultural Adjustment Act, the ITC investigates, at the direction of the President, whether imports interfere with programs of the U.S. Department of Agriculture. The Commission makes findings and recommendations to the President, who may impose an import fee or quota

on the imports in question. A more detailed description of section 22 is included in appendix B.

During FY 1993, the ITC conducted one section 22 investigation, concerning certain dairy products.

INVESTIGATIONS UNDER SECTION 332 OF THE TARIFF ACT OF 1930

Under section 332 of the Tariff Act of 1930, the ITC conducts general investigations on any matter involving tariffs and international trade. Some of the most significant analytical section 332 studies completed during the year are highlighted below. In addition to these studies, the ITC produced recurring industry surveys under section 332 on synthetic organic chemicals, production sharing under chapter 98 of the Harmonized Tariff Schedule of the United States, steel, automobiles, rum, nonrubber footwear, and ethyl alcohol; it also issued its annual analysis of significant U.S. trade shifts in selected commodity areas.



Studies Analyzing Various Aspects of U.S. Free-Trade Agreements and Other Special Trade Programs

Potential Impact on the U.S. Economy and Selected Industries of the North American Free-Trade Agreement (332-337)

In September 1992, the House Committee on Ways and Means and the Senate Committee on Finance requested the ITC to analyze the short- and long-term costs and benefits of

the NAFTA for the U.S. economy, focusing on specific important industrial, energy, agricultural, and service sectors. The ITC report, published in January 1993, examined the overall impact of the NAFTA on the U.S., Mexican, and Canadian economies; key NAFTA provisions and related legal changes that may significantly affect 37 individual sectors; and the likely impact of the NAFTA in these sectors on U.S. investment, trade, production, and employment and on U.S. global competitiveness. The report also



marized recent economic developments in Mexico that, in conjunction with the NAFTA, likely to affect the potential U.S. investment and market access in Mexico.

Enterprise for the Americas Initiative: Regional Economic Trends and Summary of Policy Effects of a Hemispheric Free Trade Zone (332-340)

On January 13, 1993, the United States Trade Representative (USTR) requested the ITC provide information on recent economic developments in

30 countries that have concluded framework agreements with the United States under the Enterprise for the Americas Initiative (EAI); trade and investment trends in the hemisphere; industries in the EAI region that complement or compete with domestic industries; the likely effects of a hemispheric free-trade zone (HFTZ) on the U.S. economy and its relationship with Canada and Mexico; and the likely effects of an HFTZ on trade and investment for eight industrial sectors, including agriculture and services. The final report providing confiden-

tial information was delivered to the USTR on April 23, 1993.

Studies Analyzing the Competitiveness of U.S. Industry

Global Competitiveness of U.S. Advanced Technology Industries: Cellular Communications (332-329)

On June 11, 1992, the Senate Committee on Finance requested the ITC to investigate the global competitiveness of the U.S. cellular communications industry. The ITC report, submitted in June 1993, provided an assessment of the global competitive position of U.S. providers of cellular communication service and manufacturers of cellular network equipment and cellular phones. The report also discussed the effects of key government policies in the United States, Japan, and Europe on competition in the industry.

Global Competitiveness of U.S. Advanced Technology Manufacturing Industries: Large Civil Aircraft (332-332)

On June 11, 1992, the Senate Committee on Finance

requested the ITC to investigate the global competitiveness of the U.S. large civil aircraft industry. The ITC report, submitted in August 1993, provided an assessment of the global competitiveness of U.S. producers of large civil aircraft. This assessment discussed factors such as government policies, research and development expenditures and financing, and issues of competition from Airbus Industrie, G.I.E., the West European Airbus consortium.

Studies on Special Areas of Congressional or USTR Interest

Economic Integration in East Asia: Implications for the United States (332-326)

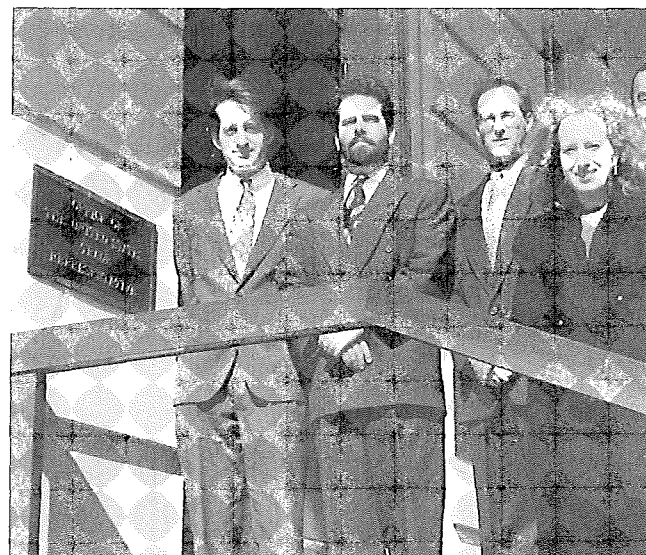
On May 4, 1992, the House Committee on Ways and Means requested the ITC to investigate the causes of and implications for the United States of increasing economic integration in East Asia. The ITC report, published in May 1993, discussed the nature and extent of economic integration in the East Asian region, including the roles of the United States and Japan as two of the largest traders and investors in the region. The

report examined overall trends in and conditions for trade, investment, and economic integration in East Asia. It also assessed host-country policies and factors influencing those trends and conditions and external factors affecting business activities, such as exchange rate changes, labor shortages and costs, foreign government programs, energy needs and resources, environmental conditions, and current and proposed regional institutional arrangements.

*Trade and Investment
Patterns in the Crude
Petroleum and Natural
Gas Sectors of the Energy
Producing States of the
Former Soviet Union
(332-338)*

On October 26, 1992, the Senate Committee on Finance requested the ITC to provide a baseline analysis of existing trade and investment patterns in the crude petroleum and natural gas sectors of the energy-producing Newly Independent States (NIS) of the former Soviet Union. The ITC report, submitted in June 1993, summarized the crude petroleum and

natural gas reserves, production, and trade in the United States and the NIS; examined current and potential impediments affecting the production, distribution, transportation, and storage of these commodities; and discussed the investment situation in the NIS, with particular attention to joint ventures, equity sharing, and pricing policies. The future markets for increased NIS production of these commodities also were assessed.



PART II. ORGANIZATIONAL ACTIVITIES

OFFICE OF OPERATIONS

The ITC's core of investigative, industry, economic, nomenclature, and technical expertise is found within the Office of Operations. Under the supervision of the Director, staff in the component offices of Operations complete all statutory investigations, studies, and special work projects assigned by the Commission. The work includes completing the investigations within statutory deadlines and with a level of accuracy and detail suitable for subsequent review by the courts. The office is also responsible for informational resources and statistical services.

Office of Investigations

The Office of Investigations conducts the ITC's countervailing duty, antidumping, and review investigations under title VII of the Tariff Act of 1930; escape clause and market disruption investigations under the Trade Act of 1974; and investigations under section 22 of the Agricultural Adjustment Act.

The primary responsibility of the Office of Investigations is to prepare an objective and comprehensive report in each investigation that will enable the Commission to determine, on the basis of the facts of the investigation, whether a U.S. industry has been injured or is threatened with injury by reason of unfair imports of products like those it produces. The key investigations conducted by Investigations during FY 1993 are discussed in the Highlights section of this report.

In each investigation, an investigative team (made up of a supervisory investigator, an investigator, and an accountant/auditor from Investigations as well as an economist, a commodity-industry analyst, and an attorney) develops a thorough understanding of the conditions of competition within the domestic market of the industry under investigation. Largely through industry-specific questionnaires, telephone interviews, plant visits, and consultations with technical and marketing specialists, the team collects and analyzes the extensive data that constitute the report to the Commission. Data presented in



the staff's report include, but are not limited to: the industry's productive capacity, actual production, capacity utilization, domestic and export shipments, inventories, imports, domestic market shares held by U.S. and foreign suppliers, employment, hours worked, productivity, wages and total compensation paid, unit labor costs, pricing, distribution channels, and full financial data on the U.S. companies producing the product under investigation. Somewhat more limited information about the foreign industry producing

the product under investigation is also collected and analyzed.

Investigations staff members work closely with officials at the U.S. Department of Commerce, the U.S. Customs Service, parties to the investigations and their attorneys, and company officials for both U.S. producers and importers of the product. Investigators also assist the USTR following Commission recommendations to the President in escape clause, market disruption, and section 22 cases.

Supervisory Investigator Vera Libeau of the Office of Investigations collects industry information by telephone, working with Investigator Douglas Corkran.



Office of Industries analyst Amy Harney observes a flue-cured tobacco auction in North Carolina.

Office of Industries

The Office of Industries maintains technical expertise related to the performance and global competitiveness of U.S. industries and the impact of international trade on those industries. International trade analysts in the office produce studies on a range of issues each year. Studies generally are conducted under section 332 of the Tariff Act of 1930 at the request of the President or specific committees of Congress or on the ITC's own motion. Industries staff includes more than 90 international trade

analysts who monitor the import, export, production, and sale of more than 8,000 agricultural products, raw materials, and manufactured products as well as a number of U.S. service industries. Industries staff are organized into divisions composed of major industrial sectors.

Upon request, Industries analysts provide information and assistance related to international trade negotiations to the USTR. In addition to conducting factfinding investigations, Industries analysts contribute substantially to congressional

bill reports, which analyze proposed tariff-related legislation. They also assist the Office of Investigations in title VII investigations. The office also publishes the *Industry, Trade, and Technology Review*, a quarterly collection of timely analytical articles developed by Industries analysts in the course of their research.

During FY 1993, the Office of Industries conducted 25 investigations under section 332, including both one-time factfinding studies and continuing industry surveys. In addition to the studies detailed in the Highlights section of this report, section 332 studies released during the year covered tuna, macadamia nuts, live cattle and beef, mackerel, dry peas and lentils, the Generalized System of Preferences, duty eliminations under the U.S.-Canada Free-Trade Agreement, and extending a tariff rate quota under the U.S.-Canada Free-Trade Agreement. The office also completed recurring studies and monitoring reports requested by the President, Congress, and the Commission. These reports covered synthetic organic chemicals, rum, nonrubber footwear, automobiles, ethyl alcohol, steel, the

multifiber arrangement, and production sharing under chapter 98 of the Harmonized Tariff Schedule. The office also published its annual analysis of significant trade shifts in selected commodity areas.

Since the 1920s, the ITC periodically has issued a series of detailed reports on thousands of products imported into and exported from the United States. Each report, known today as an Industry and Trade Summary, addresses one or more industry sectors and contains information on product uses, customs treatment, and trends affecting consumption, production, and trade of the commodities or services covered. The Office of Industries launched its most recent series of summaries in FY 1991; during FY 1993, 27 summaries were published, bringing the total number of summaries published in this series to 48.

Office of Economics

The Office of Economics provides expert economic analysis for ITC investigations and reports. The office consists of three divisions. The Research Division and Trade Reports Division contribute economic

and trade policy analysis to section 332 investigations on a variety of international trade issues. The Applied Economics Division provides economic analysis and support for countervailing duty and antidumping, escape clause, market disruption, and section 22 investigations as well as for section 332 investigations.

Research Division economists specialize in quantitative analysis of trade and economic issues. They review all ITC section 332 studies to ensure that the studies are based on generally accepted economic principles, and they provide modeling and other economic support for a broad array of ITC investigations. The Research Division monitors relevant technical developments in the economics field to ensure that the ITC provides state-of-the-art analysis of trade policy issues.

Research Division economists maintain and expand the ITC's computable general equilibrium (CGE) modeling capabilities, which enable the agency to estimate the effects of removing any specific trade restraint or of removing multiple restraints simultaneously. CGE

modeling was applied during FY 1993 in numerous section 332 studies. The two most notable were an updated assessment for the USTR of the economic costs of various existing U.S. import restraints (scheduled for completion in early FY 1994) and the agency's evaluation for the House Committee on Ways and Means and the Senate Committee on Finance of the effect of the NAFTA on U.S. industries. The Research Division responded to a USTR request for a report on the factors that determine economic growth and the effects of trade policy on those factors. It also provided technical assistance on studies analyzing the global competitiveness of the U.S. large civil aircraft industry and the impact on the U.S. of increased economic integration within the European Community. (Key reports are detailed in the Highlights section of this report.)

In addition, in FY 1993, Research Division economists assisted the Applied Economics Division in reviewing and assessing arguments contained in briefs related to the 72 flat-rolled carbon steel antidumping



and countervailing duty investigations.

Economists within the Trade Reports Division contribute country-specific economic expertise to ITC investigations and maintain up-to-date data concerning global economic, investment, and trade developments by region. The division complements and works closely with the ITC Office of Industries to provide U.S. trade policymakers with information about specific industries and countries.

Trade Reports Division economists prepare recurring reports, briefing materials, and

background information on monitored countries. They also monitor and report a broad array of data and information on regional organizations and global trade initiatives. These economists provide substantial technical assistance and information on current policy questions to members of Congress, other government agencies; the news media, and the public; additionally, they frequently participate in ITC meetings and seminars with foreign visitors as well as in interagency meetings, conferences, and seminars on bilateral, regional, and multilateral trade topics.

Major Trading Nations Branch Chief Kim Frankena and International Economist James Stamps of the Office of Economics review the most recent annual report on developments under the Caribbean Basin Economic Recovery Act.



During FY 1993, Trade Reports Division economists were involved in numerous section 332 investigations, including a study for the House Committee on Ways and Means on the trade, investment, and foreign aid trends within the rapidly growing economies of East Asia and the implications for U.S. policy interests stemming from the area's growing regional integration. They also produced the fifth in a series of analytical studies on the so-called "EC 92" initiative of the European Union and contributed significantly to other studies

involving the former Soviet Union, Latin America, and Mexico.

The Trade Reports Division produces a number of annual trade monitoring reports, including an annual reference guide on bilateral and multilateral trade developments (*The Year In Trade*). During FY 1993, the division explored new ways to distribute ITC studies, including placement on the U.S. Department of Commerce's National Trade Data Bank (an electronic data base) and sales through the Government Printing Office. The division also continued to

publish the *International Economic Review (IER)*, a monthly journal of current articles written by division economists analyzing economic and international trade policy developments. In March 1993, it published the annual *IER Chartbook*, which presented, through graphs and statistical tables, a five-year perspective on U.S. trade by major commodity and country groupings.

The Applied Economics Division primarily is responsible for providing technical economic expertise in the ITC's antidumping and countervailing duty investigations as well as in escape clause, market-disruption, and section 22 investigations. Division economists serve on investigative teams, where they analyze pricing, demand, supply, and other market-related information for the staff report to the Commission. They also model the economic impact of unfairly priced imports on the U.S. industry producing competing articles.

During FY 1993, Applied Economics Division economists participated in all antidumping/countervailing duty investigations. In addition, they made

substantial contributions to a number of section 332 investigations, assisting in economic modeling and providing general economic analysis.

Office of Tariff Affairs and Trade Agreements

The Office of Tariff Affairs and Trade Agreements (TATA) carries out the ITC's responsibilities with respect to the Harmonized Tariff Schedule of the United States (HTS) and the international Harmonized System (HS). The HTS provides the applicable tariff rates and statistical categories for all merchandise imported into the United States; it is based on the HS, the global classification system that governs most world trade in goods.

TATA updates and publishes the HTS annually. In November 1992, the office published the 1993 edition of the HTS, which became effective in January 1993. One supplement was issued in August 1993.

The lawyers, analysts, and economists who comprise the TATA staff also provide expert HTS-related information upon

request to the business community and the public. The office maintains an electronic data base that tracks the history of all changes (legal and statistical) to the HTS since its inception.

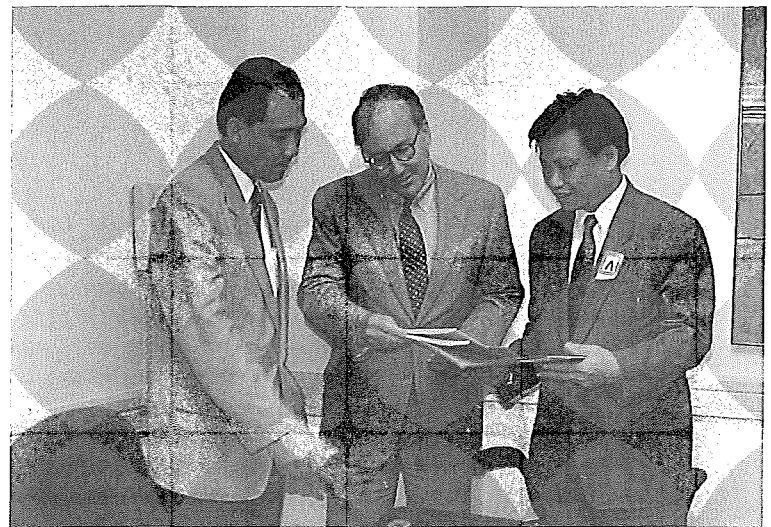
TATA staff members also work with the Office of Industries to prepare bill reports requested by Congress; during FY 1993, the office completed more than 200 such reports (see appendix C). The office also provides technical advice and assistance to the USTR on bilateral and multilateral trade programs, participating in Trade Policy Staff Committee activities, preparing Presidential proclamations, developing trade data tailored for use by negotiators, and, when requested, directly assisting negotiating teams. TATA staff provided substantial assistance to the USTR in the NAFTA and GATT Uruguay Round negotiations during FY 1993.

The office conducts investigations under section 1205 of the Omnibus Trade and Competitiveness Act of 1988, which provides an administrative means for updating the HTS to reflect modifications to the HS.

During FY 1993, TATA completed its third and most complex section 1205 investigation, involving hundreds of changes in HS nomenclature that affected more than three-fourths of the chapters of the HTS.

The office participates in the Customs Cooperation Council (CCC), an international organization headquartered in Brussels, Belgium. The CCC oversees the continuous development and maintenance of the global HS. TATA represents the ITC on the central committee for nomenclature and classification matters (the Harmonized System Committee) as well as two advisory subcommittees (the Review Subcommittee and the Scientific Subcommittee). TATA participated in meetings for all three committees during FY 1993, and the acting deputy director of the office was elected to a two-year term as vice chairman of the Scientific Subcommittee in January 1993.

TATA's Director chairs the Committee for Statistical Annotation of the Tariff Schedule, which also includes representatives of the U.S. Customs Service and the Census Bureau. The committee analyzes and



evaluates petitions requesting changes in HTS statistical subheadings; it received 62 such petitions during FY 1993. Through the committee, TATA participated during FY 1993 in two bilateral meetings with the Canadian government in connection with a U.S.-Canada Memorandum of Understanding, under which the two countries exchange monthly import statistics that reflect each country's exports to the other. The arrangement eliminates the need to prepare and compile over one million export documents annually.

Office of Unfair Import Investigations

The Office of Unfair Import Investigations (OUII) participates as a full party representing the public interest in adjudicatory investigations conducted under section 337 of the Tariff Act of 1930. These investigations most frequently involve allegations of patent or trademark infringement. Allegations of copyright infringement, misappropriation of trade secrets, passing off, false advertising, and antitrust violations also can be litigated in these

investigations. If the Commission finds a violation of section 337, it may issue exclusion orders and cease and desist orders as a remedy.

Investigative attorneys from OUII actively participate throughout the investigation along with counsel for the private parties. However, the investigative staff represents the public interest rather than the private interests of a complainant or respondent. Representation of the public interest is important because the remedies available in section 337 investigations may affect nonparties and U.S. consumers. OUII offers an independent perspective on the many issues presented in section 337 investigations.

OUII attorneys review section 337 complaints prior to institution of an investigation and advise the Commission whether complaints are legally sufficient for purposes of institution. Upon request, OUII also provides information to prospective complainants regarding procedures for filing complaints under section 337 and reviews draft complaints on a confidential basis. Once an investigation

is instituted, OUII attorneys seek to ensure that a sufficient evidentiary record is developed. OUII attorneys participate at hearings before the Administrative Law Judges (ALJs) and submit legal briefs to the ALJs and the Commission.

After a hearing, the ALJ issues an initial determination on all issues related to the alleged violation of section 337. The ALJ's initial determination is subject to review and modification by the Commission. If the Commission does not modify the initial determination, it becomes the Commission's final determination and takes effect unless the President disapproves it for policy reasons within 60 days. (A more complete description of section 337 is included in appendix B.)

OUII also assists the parties with settlements. OUII attorneys review proposed consent orders (orders of the Commission agreed to by the parties that prohibit specific activities related to the importation and/or sale of the products at issue) and settlement agreements (private agreements between the parties). OUII then submits responses to the ALJ regarding public interest

concerns and compliance with ITC rules.

During FY 1993, there were 27 active section 337 investigations, 18 of which were instituted in FY 1993. (Key investigations are detailed in the Highlights section of this report, and a complete list of investigations with outcomes appears in appendix A.) The Commission terminated six investigations as a result of settlement agreements or consent orders entered into by the parties prior to an evidentiary hearing. Settlement agreements or consent orders were also entered in four other investigations. Three investigations were terminated based upon the withdrawal of the complaints. Temporary relief, which was sought in two investigations, was denied in one investigation following an evidentiary hearing; a hearing on the remaining motion for temporary relief is scheduled for FY 1994. The Commission found a violation of section 337 in two investigations and issued limited exclusion orders in both of those investigations. In one of those investigations, cease and desist orders also were issued.

The ITC may conduct enforcement proceedings to determine whether the importation of a specific product violates an existing Commission order. Also, the Commission may issue advisory opinions regarding whether certain anticipated conduct would violate an outstanding Commission order. During 1993, OUII attorneys were involved in one proceeding to modify an existing Commission remedial order and one ancillary candor proceeding (involving issues of disclosure stemming from a prior section 337 investigation).

Trade Remedy Assistance Office

The Trade Remedy Assistance Office (TRAO) assists the public and small businesses seeking benefits or relief under U.S. trade laws.

TRAO offers general information to all who inquire concerning remedies and benefits available under the trade laws of the United States, and it provides technical and legal assistance and advice to eligible small businesses seeking those remedies and benefits.

TRAO provides information on six trade statutes, four of which are administered by the ITC. When an inquiry involves a trade matter under ITC jurisdiction, TRAO supplies appropriate written material. When an inquiry results in a formal complaint or petition at the ITC, TRAO also provides information on the applicable procedures. In other cases, TRAO refers the inquiry to the appropriate government agency.

A business seeking TRAO assistance must qualify as a small business under the standards established by the Small Business Administration. Once that eligibility has been determined, TRAO may provide technical and legal assistance and advice. The office will review draft complaints or petitions of eligible small businesses for substance and compliance with the ITC's Rules of Practice and Procedure so that (1) TRAO and the small business can determine whether there is a reasonable case of violation of a trade law and (2) the small business can present its case as fully and persuasively as possible under ITC rules. TRAO advises and assists the small

business throughout the entire proceeding to ensure that the small business is aware of the various phases of each investigation, including the business' obligations at each phase and the deadlines involved.

In FY 1993, TRAO responded to 440 inquiries. In addition to inquiries from small businesses, the office received inquiries from Congress, government agencies, law firms, trade associations, the news media, and academia. TRAO certified nine entities as small businesses during FY 1993, and it provided technical assistance and legal advice to four eligible small businesses pursuing antidumping, countervailing, and patent infringement investigations.

The House Appropriations Committee in April 1992 asked the ITC to develop an outreach program to familiarize small businesses with TRAO's operations. The resulting program, implemented during FY 1993, involved distributing over 300 information packets to local trade associations, key Congressional offices, and appropriate government agencies. TRAO also provided information packets to business groups,

including the U.S. Chamber of Commerce. TRAO subsequently met with various government agencies in Washington, DC, to furnish additional information about the ITC and TRAO; the office also made a presentation to the Trade Advisory Center and the Trade Information Center at the Department of Commerce.

Office of Information Resources Management

The Office of Information Resources Management (IRM) manages the ITC information systems program. Its staff includes network administration and technical support specialists, applications programmers, and telecommunications and records management personnel.

During FY 1993, IRM completed several major initiatives to upgrade information technology within the ITC. The Automation Support Division installed 486-class personal computers throughout most of the agency.

Division staff also completed a cost analysis and market evaluation leading up to a competitive procurement of new



high-capacity file servers during FY 1993. The new servers will more than double the storage capacity on the ITC network.

During FY 1993, IRM implemented all of the recommendations contained in the Inspector General's (IG) report *Review of USITC LAN Administration and Controls*. As part of this effort, a central dial-in facility for remote access to the agency's local area network (LAN) was established, a program for maintaining an inventory of software used on the network was developed, and a



Jacqueline Waters, Director of Equal Employment Opportunity and Employee Development Program Manager (center), meets with representatives of the Federal Women's Program to plan upcoming projects.

new LAN Users Guide was published and issued to all ITC employees. IRM also participated in the IG's review of communications services during FY 1993 and began to implement the recommendations contained in the final report.

The Systems Development and Integration Division (SDID) worked with several ITC offices to convert and downsize applications for processing data and information on the network or on standalone PCs. For example, the ITC Activity Reporting System is being converted from the National Institutes of Health

mainframe computer (which the ITC utilizes) to an in-house network-based system. SDID staff are helping rewrite a variety of Statistical Application System routines for more versatile and efficient processing of questionnaires submitted to the agency in response to title VII investigations.

In March 1993, IRM was transferred to the Office of Operations from the Office of Administration. As part of that transfer, the telecommunications and records management functions previously managed by the Office of Management Services were incorporated into IRM. Efforts now are underway to

establish a consolidated telecommunications services program plan and an updated records management program to conform to recent government-wide changes.

Library Services

The Library Services staff manages the ITC's National Library of International Trade, a specialized technical library that serves as the agency's information and research center. The library, open to the public during agency hours, houses over 100,000 volumes and approximately 2,000 periodical titles related to U.S. industry and international trade laws and practices as well as several CD-ROM and on-line information data bases.

During FY 1993, Library Services was transferred to the Office of Operations from the Office of Administration. Library Services supports the Commissioners and ITC staff by acquiring, organizing, and disseminating information in all media. The library is now fully automated, enabling staff to request and receive information from the library entirely through the ITC LAN. During FY 1993,

the Library continued to upgrade its electronic resources by adding several CD-ROM databases, and it improved efficiencies by streamlining staff request procedures and internal materials tracking capabilities.

The National Library of International Trade is open throughout the workday to public researchers, scholars, and university students. During FY 1993, the number of public visitors to the library increased by 30 percent from FY 1992 levels.

OFFICE OF ADMINISTRATION

The Office of Administration oversees the administration of the ITC's budget, manages all personnel matters and agency-wide programs and activities, directs procurement and publishing activities, conducts the agency information security program, and coordinates the day-to-day operation of the building that houses the agency. Administration also provides backup clerical support services for the Commissioners' and Directors' offices.

In FY 1993, the Commission established a full-time Director of Equal Employment Opportunity and Employee Development Program Manager. The new position is part of the Office of Administration; however, the EEO Director reports directly to the Chairman on EEO matters. Previously, EEO matters were handled as a collateral duty to an unrelated full-time position.

During FY 1993, Administration and its component offices took final action on several Inspector General audit recommendations pending from the previous year (an EEO audit, a review of property management, a procurement audit, and a budget development and execution review). Administration also responded to intra-agency needs by completing the ITC's first emergency recovery contingency plan and by upgrading the agency's personnel security program.

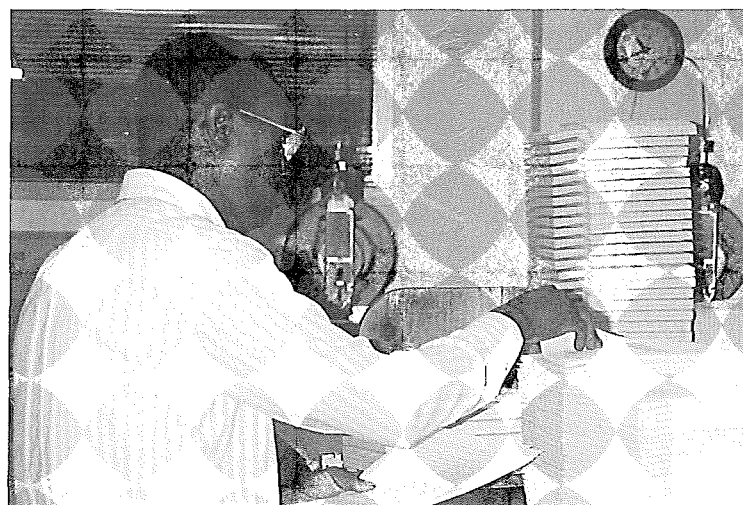
During FY 1993, Administration coordinated the first year of the ITC's "partnership-in-education" program. More than 30 ITC employees volunteered as tutors and mentors for stu-

dents at Syphax Elementary School in the District of Columbia school system during the 1992-93 school year. Though Syphax was closed in June 1993, the ITC formed a partnership with another neighborhood school, Amidon Elementary, for the 1993-94 school year.

Office of Finance and Budget

The Office of Finance and Budget develops, monitors, and administers the ITC budget and expenditures, ensuring proper financial management of agency activities. The Budget Division formulates, justifies, and executes the ITC budget; the Finance Division maintains the ITC financial information system and the agency payroll and travel functions. The office is also the Commission's representative on budget and finance matters with other federal agencies, the Office of Management and Budget, and congressional committees.

Finance and Budget staff manage travel, payroll, and other financial services; help ITC offices develop their annual



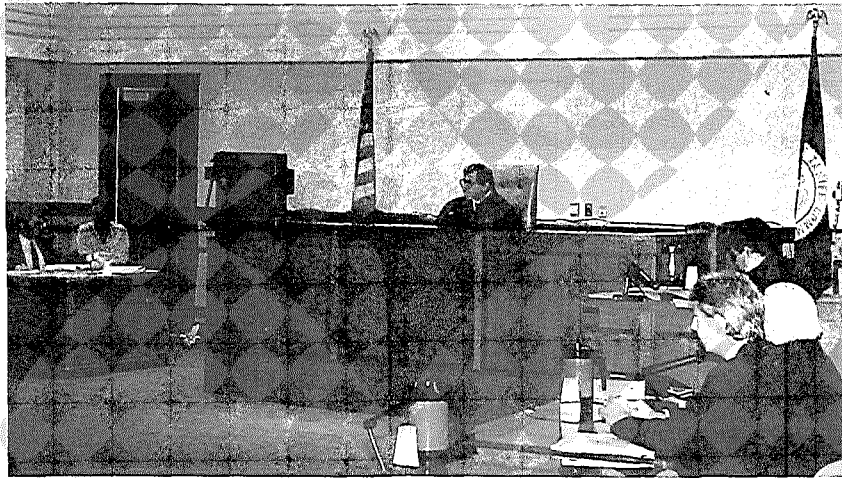
budget requests; develop the overall annual agency appropriation and authorization requests; and prepare monthly accounting, activity, and financial projection reports.

During FY 1993, the office participated in an audit of payroll and personnel management functions as well as audits of FY 1991 and FY 1992 financial statements. All audits were conducted by an independent audit firm. The FY 1991 and FY 1992 financial statement audits found that the statements represented a fair presentation of the ITC's financial position.

Office of Management Services

The Office of Management Services (OMS) manages the ITC's publishing, procurement, and facilities management activities.

During FY 1993, the divisions within the office helped upgrade agency information technologies, acquired new and more efficient publishing equipment, and participated in discussions surrounding efforts to reduce publication distribution costs. In addition, the office took final action on several IG audit



ITC investigations under section 337 generally involve claims of patent infringement, trademark infringement, or misappropriation of trade secrets by imported products. These investigations are quasi-judicial and are directed by an Administrative Law Judge. Here, Judge Sidney Harris listens to testimony during a hearing. OUII attorneys Spence Chubb and John Whealan (far right) represent the public interest in the investigation.

recommendations resulting from a review of property management and a procurement audit.

The Procurement Division managed negotiations for several large contracts, including the contract that effected the agency-wide personal computer upgrade. The Publishing Division acquired and installed a computerized publishing system intended to streamline publication composition and printing processes and consequently reduce costs associated with publishing agency reports. Among its responsibilities, the Facilities Management Division coordinates arrangements for

outside groups who hold meetings and other events at the ITC; during FY 1993, 36 such events were held.

Office of Personnel

The Office of Personnel manages the ITC's recruitment, training, and personnel management operations and serves as a resource for managers and staff on employee relations, employee development, and benefits matters.

Recruitment was limited during FY 1993 due to fiscal constraints, and the agency experienced a net reduction in

staff. Nonetheless, Personnel staff processed more than 2,000 applications for the few vacancies announced during the year. In addition, the office administered extensive on-site training through contracted instructors in word processing and advanced personal computer software applications; developed and implemented new policies and procedures to improve the agency's administration of workers' compensation claims; and completed negotiations and signed a new three-year contract with the Graphic Communications International Union. The Director also participated in the Chairman's Minority Outreach Panel, which was created to research and expand methods of attracting mid- and senior-level minority and female applicants to the ITC.

OFFICE OF THE ADMINISTRATIVE LAW JUDGES

The ITC's Administrative Law Judges (ALJs) hold hearings and make initial determinations in investigations under section 337 of the Tariff Act of 1930.

After the Commission has instituted an investigation, the matter is referred to the Office of the Administrative Law Judges. The Chief Judge assigns the investigation to one of the judges, who directs the litigation, which includes scheduling and holding a hearing. The judge considers the evidentiary record and the arguments of the parties and makes an initial determination, including findings of fact and conclusions of law. Temporary relief may be granted in certain cases. (A more detailed description of section 337 is included in appendix B.)

The judge's initial determination is subject to review by the Commission. The final determination issued by the Commission is the final ITC action in a section 337 investigation. ITC remedial orders in section 337 investigations become effective unless disapproved for policy reasons by the President within 60 days of issuance.

During FY 1993, the Office of the Administrative Law Judges held five evidentiary hearings in section 337 cases under the Administrative Procedure Act. The judges disposed of

nine cases without an evidentiary hearing by settlement, by summary determination, or by a finding of default. (See the Highlights section of this report for details on key section 337 investigations during FY 1993 and appendix A for a complete list of investigations.)

OFFICE OF CONGRESSIONAL LIAISON

The Office of Congressional Liaison is the primary point of contact between the ITC and Congress. The office works with congressional staff to clarify congressional intent in section 332 investigation requests, responds to inquiries from Members of Congress, and keeps the Commission apprised of legislative initiatives that would affect ITC operations. The office also provides technical assistance to Members of Congress and their staff on various trade-related matters.

During FY 1993, the House Committee on Ways and Means requested two factfinding studies under section 332 of the Tariff Act of 1930. The first asked the ITC to suggest legislative pro-

posals for consolidating and simplifying the organization of U.S. international trade relief laws. The second requested a baseline analysis of the U.S. metallurgical coke industry and report on the effects of increasing imports. The Senate Committee on Finance requested no section 332 investigations during FY 1993.

The ITC received 153 letters from Members of Congress and 309 miscellaneous tariff bill report requests in FY 1993. The bill reports provide statistical, technical industry analysis for use by the House Committee on Ways and Means and the Senate Committee on Finance during consideration of tariff-related legislation.

The Office of Congressional Liaison coordinated five appearances by ITC Commissioners and staff at congressional hearings, including appearances by Chairman Don Newquist, Vice Chairman Peter Watson, and Commissioner Janet Nuzum before the agency's oversight committees concerning the FY 1994 ITC budget authorization and appropriation. As the congressional NAFTA debate intensified in September 1993,

the Director of Operations testified before the House Ways and Means Subcommittee on Trade concerning the ITC's study *Potential Impact on the U.S. Economy and Selected Industries of the North American Free-Trade Agreement*. ITC staff experts also presented the study to congressional staff at two briefings during the year.

Twelve Members of Congress testified at Commission hearings during FY 1993. In January 1993, Congressman Curt Weldon (R-PA) and Congressman Greg Laughlin (D-TX) testified in connection with a section 332 investigation on trade and investment patterns in the crude petroleum and natural gas sectors of the former Soviet Union. Congressman John P. Murtha (D-PA) testified at a February 1993 hearing in the antidumping/countervailing duty investigations on hot-rolled lead and bismuth carbon steel products from four countries. Congressman Thomas M. Barrett (D-WI) delivered testimony at a May 1993 hearing in the antidumping investigations on certain helical spring lockwashers from China and Taiwan. In June 1993, Congressman Ronald K. Machtley (R-RI) testified

concerning proposed modifications to the Harmonized Tariff Schedule of the United States.

Seven Members of Congress testified at the ITC's June 1993 hearing in connection with the 72 antidumping/countervailing duty flat-rolled carbon steel investigations. They were Senator Orrin G. Hatch (R-UT), Senator John D. Rockefeller IV (D-WV), Congressman George Miller (D-CA), Congressman Bill Baker (R-CA), and three members who hold leadership positions in the Congressional Steel Caucus: Congressman Ralph Regula (R-OH), Vice Chairman; Congressman Peter J. Visclosky (D-IN), Chair of the Executive Committee; and Congresswoman Helen Delich Bentley (R-MD), Vice-Chair of the Executive Committee.

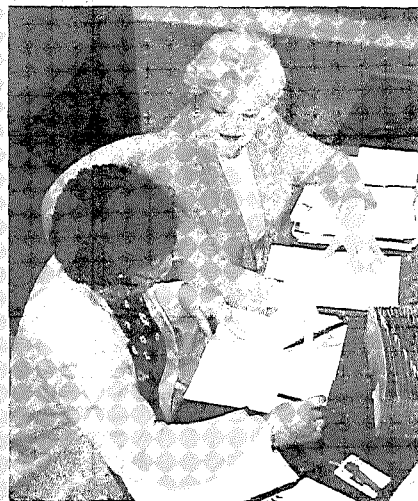
OFFICE OF INSPECTOR GENERAL

The Inspector General (IG) conducts all audits and investigations related to ITC programs and operations and recommends and comments on proposed legislation, regulations, and procedures that affect

Inspector General Jane Altenhofen confers with Auditor Chris Gamble during an investigation.



ITC Secretary Donna Koehnke and Staff Assistant Karen Swindell review the agenda before a Commission meeting.



the agency's efficiency and effectiveness. The accomplishments of the IG are detailed in semiannual reports submitted to Congress in May and November.

The Office of Inspector General reviews all proposed ITC directives and regulations as a means of preventing or detecting fraud, waste, or abuse. As required by the Inspector General Act, the office also has a process for commenting on existing and proposed legislation and regulations relating to programs and operations of the ITC.

During FY 1993, the IG reviewed a range of ITC programs and operations, including recurring reports, communications, personnel-payroll activities and functions, and the agency's FY 1991 and FY 1992 financial statements. Inspections included compliance with the Federal Managers' Financial Integrity Act of 1982; Public Law 101-121 on lobbying activities; advisory and assistance services; travel expenses; imprest fund cash counts; financial data reports; and procurement areas.

The Inspector General is an active member of the Executive Council on Integrity and Efficiency.

OFFICE OF THE SECRETARY

The Office of the Secretary compiles and maintains the ITC's official records, including petitions, briefs, and other legal documents. In FY 1993, a total of 11,256 documents were filed with the office.

Under the direction of the Secretary, the office issues ITC notices, reports, and orders, and it schedules and participates in all Commission meetings (35 in FY 1993) and hearings (36 days of hearings in FY 1993). The office makes determinations on requests for confidential treatment of information, requests for information to be released under protective order, and requests under the Freedom of Information Act (FOIA). The following table shows the number of these requests in FY 1992 and FY 1993:

Type of request	FY 1992	FY 1993
Requests for confidential treatment	411	444
Requests for release of confidential business information under protective order	301	351
FOIA requests:		
Received	78	55
Granted in whole or in part	59	35

The Office of the Secretary receives surety bonds or other collateral posted by parties in connection with the temporary exclusion orders issued in section 337 investigations. The Secretary is also authorized to issue seizure letters authorizing the U.S. Customs Service to hold certain merchandise when a prohibited importation is attempted. In addition, the Secre-

tary issues administrative protective orders in cases filed before binational panels under the auspices of the U.S.-Canada Free-Trade Agreement. The Secretary monitors alleged breaches of ITC administrative protection orders.

The Office of the Secretary manages distribution of ITC reports and studies through its Publications Branch, responding to an average of 1,500 requests monthly. In addition, each month an average of 200 visitors as well as ITC staff use the office's public files for research purposes. Research facilities are available in the Office of the Secretary (room 112) and in the ITC National Library of International Trade and the ITC Law Library. Inquiries should be directed to the specific organizational unit or to the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436. Publications may be ordered 24 hours a day, seven days a week, by calling 202-205-1809. Recorded information on the latest petitions and complaints filed with the ITC can be obtained by calling 202-205-2196.

OFFICE OF EXECUTIVE AND INTERNATIONAL LIAISON

The Office of Executive and International Liaison manages the technical assistance that the ITC provides to the USTR and other executive branch agencies in the operation of the trade agreements program and in the execution of U.S. trade policy.

The Director is the ITC's representative on the inter-agency Trade Policy Staff Committee (TPSC) and an advisor to the Trade Policy Review Group (TPRG). The TPSC and TPRG, which are chaired by the USTR, are the principal subcabinet interagency trade policy coordination groups. The office provides assistance to the agencies responsible for trade policy formulation and keeps Commissioners and senior ITC staff informed of developing trade issues that might affect the agency's mission.

The office serves as liaison with the USTR in coordinating Presidential requests for advice and information on trade issues.



In FY 1993, the ITC completed six investigations that had been requested by the USTR under section 332 of the Tariff Act of 1930 and one investigation under section 22 of the Agricultural Adjustment Act. The ITC also instituted a section 332 investigation on the economic effects of antidumping and countervailing duty orders and suspension agreements. The Office of Executive and International Liaison also oversees the preparation of Presidential proclamations that implement U.S. trade policy decisions.

The office also manages interactions between the Com-

mission and the international-trade community, coordinating requests for assistance from U.S. embassies abroad in connection with the Commission's investigations and studies as well as arranging and participating in meetings with representatives of foreign governments and international organizations.

During FY 1993, the office assisted the USTR in NAFTA-related negotiations, including the preparation of the U.S. schedule of staged tariff reductions, review of draft implementing legislation, and preparation of the draft Presidential proclamation

Dockets Section Chief Ruby Dionne receives the post-hearing briefs in the investigations on flat-rolled carbon steel products, assisted by Legal Documents Clerks (left to right) Deborah Daniels, Sheri Scott, and Terry Hite. The Office of the Secretary processes thousands of pages of legal documents each year.



Officials from the GATT Secretariat's Trade Policy Review office visited the ITC to discuss ITC's role in implementing U.S. trade law. Among the ITC staff members who met with them (starting third from left) were Daniel Leahy, William Hart, Vera Libeau, Keith Hall, Lyn Schlitt, and Edwin Madaj.

concerning NAFTA tariff modifications. The office continued to support the USTR in the ongoing talks under the GATT Uruguay Round trade negotiations; it also assisted the USTR in negotiations to accelerate the removal of duties under the U.S.-Canada Free-Trade Agreement, including the preparation of the Presidential proclamation implementing the agreed-upon tariff reductions.

OFFICE OF THE GENERAL COUNSEL

The General Counsel serves as the ITC's chief legal advisor.

The General Counsel and the 25 attorneys in the office provide legal advice and support to the Commissioners and ITC staff on statutory investigations, prepare briefs and represent the ITC in court and before binational panels and administrative tribunals, and provide assistance and advice on general administrative matters, including ethics, personnel and labor relations, and contracts. Appendix D of this report details the litigation matters completed or terminated during FY 1993 or pending at year-end. The office also provides assistance and support in the drafting of new ITC rules of practice and procedure.

General Counsel attorneys serve as members of investigative teams assigned to antidumping and countervailing duty investigations and investigations under other statutory authorities.

Early in the fiscal year, attorneys in the office prepared substantial portions of the ITC's section 332 report *Potential Impact on the U.S. Economy and Selected Industries of the North American Free-Trade Agreement*, requested by the House Committee on Ways and Means and the Senate Committee on Finance. Attorneys in the office also prepared a draft reorganization of the U.S. international trade relief laws at the request of the House Committee on Ways and Means; a draft was made available for public comment in August 1993, with the final report scheduled to be submitted to the committee by January 1, 1994. Attorneys in the office were the principal authors of chapters on intellectual property, company law, taxation, transportation, social dimension, and implementation in the ITC's fifth follow-up report *The Effects of Greater Economic Integration Within the European Community on the United States*.

When requested, the office provides technical assistance to the Congress and the executive branch on tariff and trade matters. During FY 1993, the office was called upon to provide technical assistance and support to several of the U.S. NAFTA delegations as well as to the U.S. delegation to the GATT Uruguay Round trade negotiations in Geneva. Most such assistance and support is with regard to U.S. laws that are administered by the ITC but based on provisions in the GATT and GATT Codes. Office attorneys also provided technical assistance to USTR staff in defending challenges to ITC antidumping and countervailing duty determinations brought under the GATT Antidumping and Subsidies Codes.

OFFICE OF PUBLIC AFFAIRS

The Office of Public Affairs is the ITC's primary liaison with the public and the news media. The office develops and implements information programs to educate a variety of audiences about the ITC, its mission, and its role in U.S. international trade matters.

Through its Director, the office serves as spokesperson for the ITC. It maintains an active relationship with the national and international news media, responding to inquiries, issuing news releases concerning Commission determinations, publicizing ITC studies and publications, and arranging interviews with Commissioners and staff experts. The office prepares and disseminates brochures, pamphlets, and other materials to enhance public understanding of the ITC. It also advises the Commission and agency staff on public affairs issues and practices.

Public Affairs also directs the ITC visitors program. During FY 1993, the office arranged ITC visits for 273 individuals from 66 countries; including government officials, journalists, businessmen, economists, bankers, attorneys, professors, and students.



Director of Operations Robert Rogowsky describes the ITC and its work to a group of multinational visitors as part of a program arranged by the Office of Public Affairs.

PART III. MANAGEMENT AND FINANCE

The ITC maintains an expert staff of professional international trade and nomenclature analysts, investigators, attorneys, economists, computer specialists, and administrative support personnel. All ITC personnel are located at 500 E Street, SW., Washington, DC 20436.

At the end of FY 1993, a total of 443 permanent employees were employed by the ITC, 18 fewer than at the end of the previous fiscal year.

A breakdown of staff, by organization, is shown at right:

Organizational unit	Number as of September 30, 1993
Commissioners	6
Offices of the Commissioners	21
Office of the Administrative Law Judges	10
Office of the Secretary	16
Office of Public Affairs	2
Office of Executive and International Liaison	5
Office of Congressional Liaison	3
Office of the General Counsel	43
Office of Inspector General	4
Office of the Director of Operations	12
Office of Economics	38
Office of Industries	121
Office of Investigations	34
Office of International Competitiveness	2
Office of Tariff Affairs and Trade Agreements	18
Office of Unfair Import Investigations	13
Office of Information Resources Management	24
Trade Remedy Assistance Office	1
Library Services	9
Office of the Director of Administration	7
Office of Finance and Budget	10
Office of Management Services	36
Office of Personnel	8
Total	443

The ITC submits its budget to the President for transmittal to Congress. Because of the unique role of the ITC as a quasi-judicial, nonpartisan, independent agency designed to provide trade expertise to the legislative and executive branches of government, Congress provided in section 175 of the Trade Act of 1974 (19 U.S.C. 2232) that the ITC budget would not be subject to control by the Office of Management and Budget, but would instead be submitted directly to Congress.

During FY 1993, appropriated funds made available to the ITC amounted to \$44,852,000. Obligations for FY 1992 and FY 1993 (in thousands of dollars) are shown at right:

Item	FY 1992	FY 1993
Salaries and personnel benefits	28,441	29,431
Travel and transportation	594	567
Rental and communication services	8,414	8,764
Other services	2,392	2,421
Printing and reproduction	203	186
Equipment, supplies, and material	2,184	2,110
Total	42,228	43,479

**FIGURE 1
ITC ORGANIZATION**

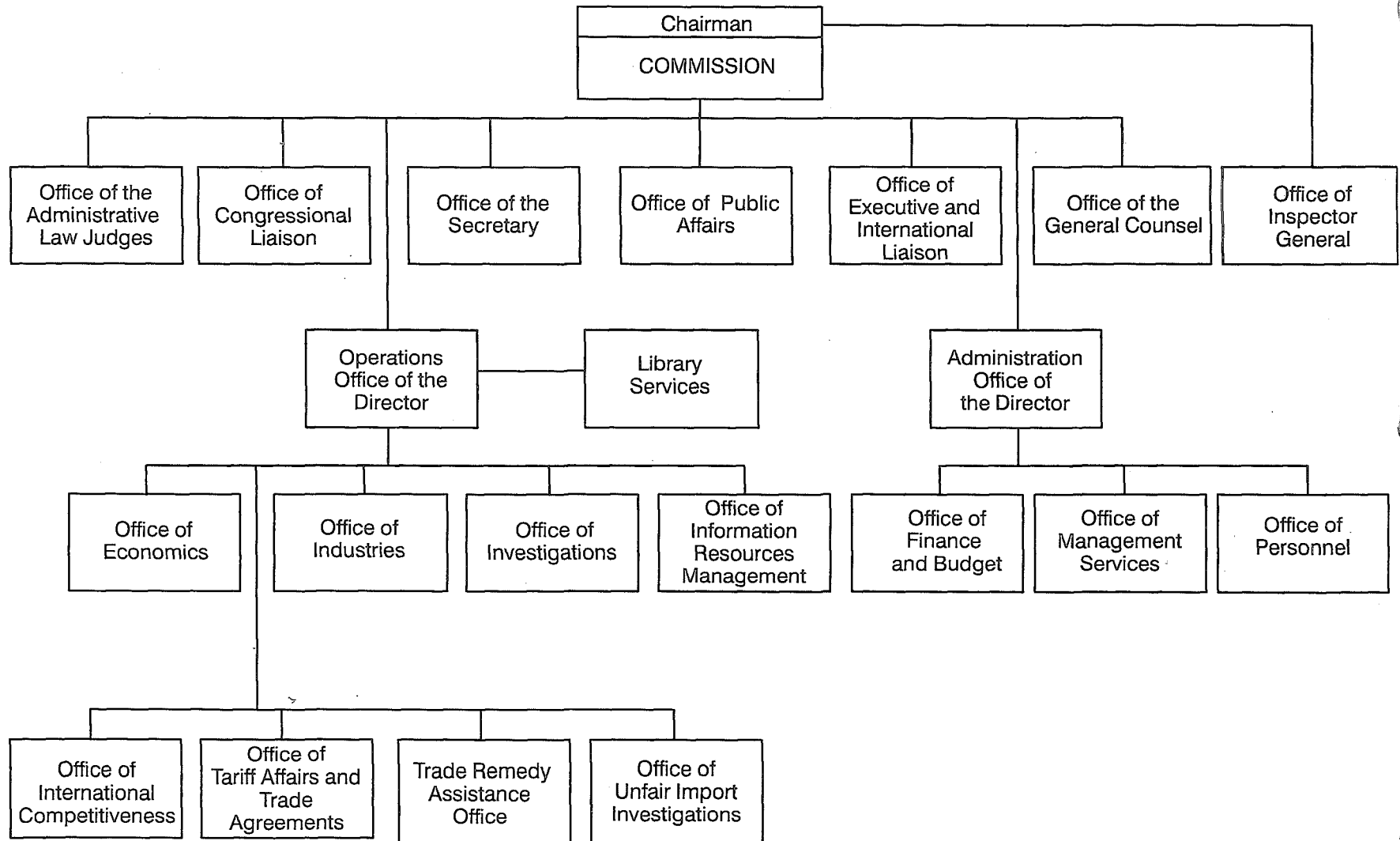


FIGURE 2 SUMMARY OF PRINCIPAL ACTIVITIES, FISCAL YEAR 1993

The chart below shows the percentage of ITC activities in terms of personnel compensation based on the activity records compiled by the Office of Finance and Budget.

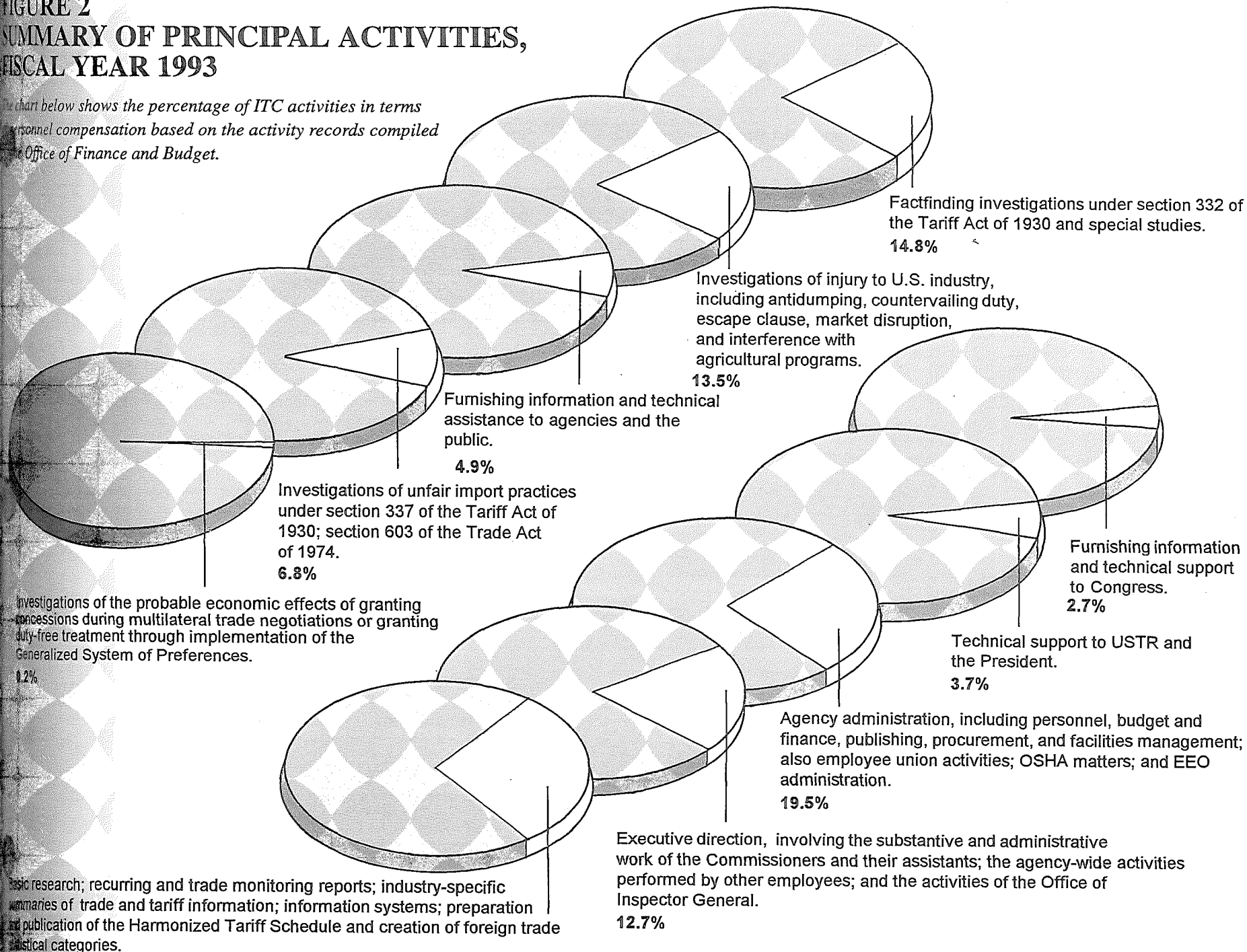
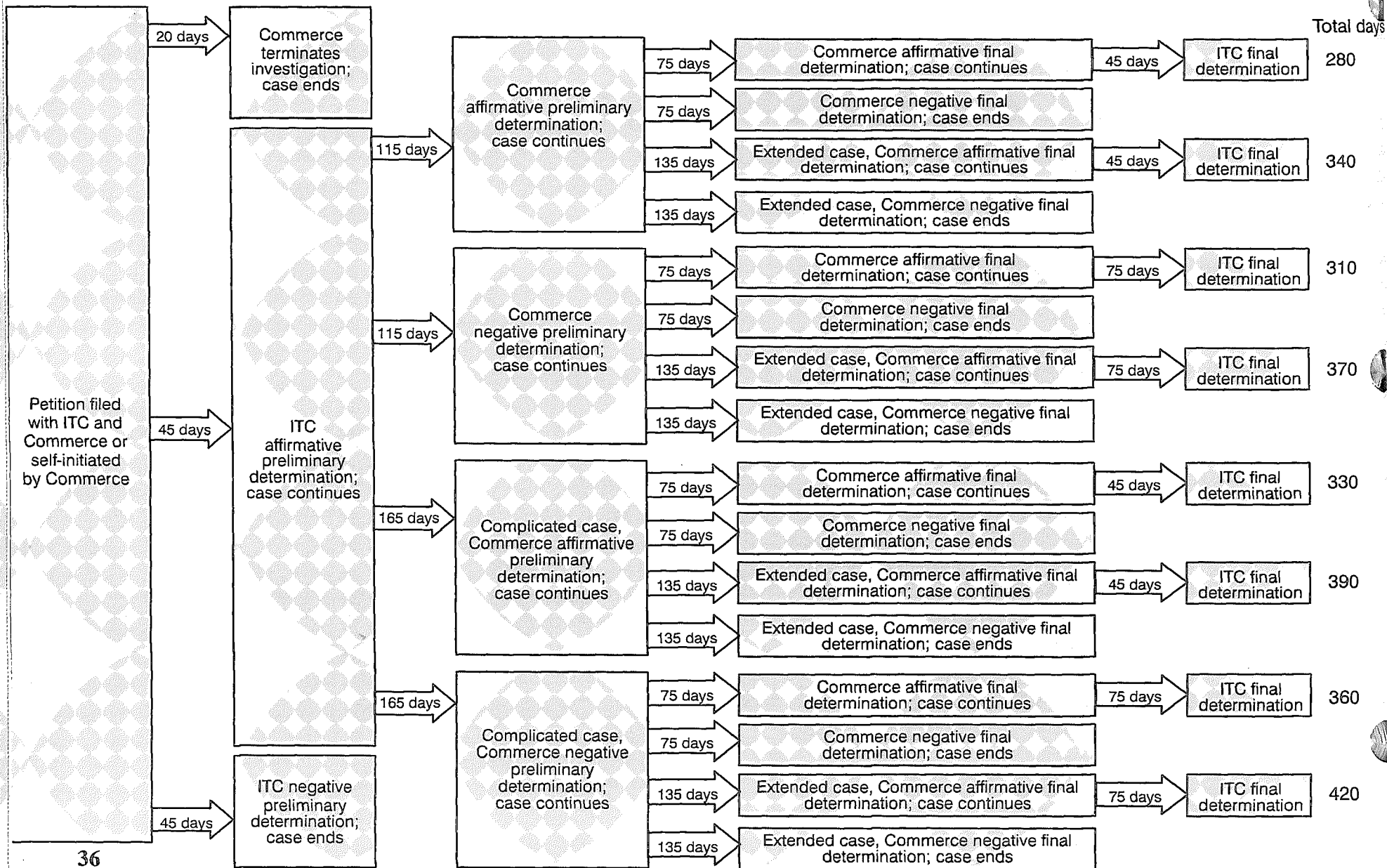
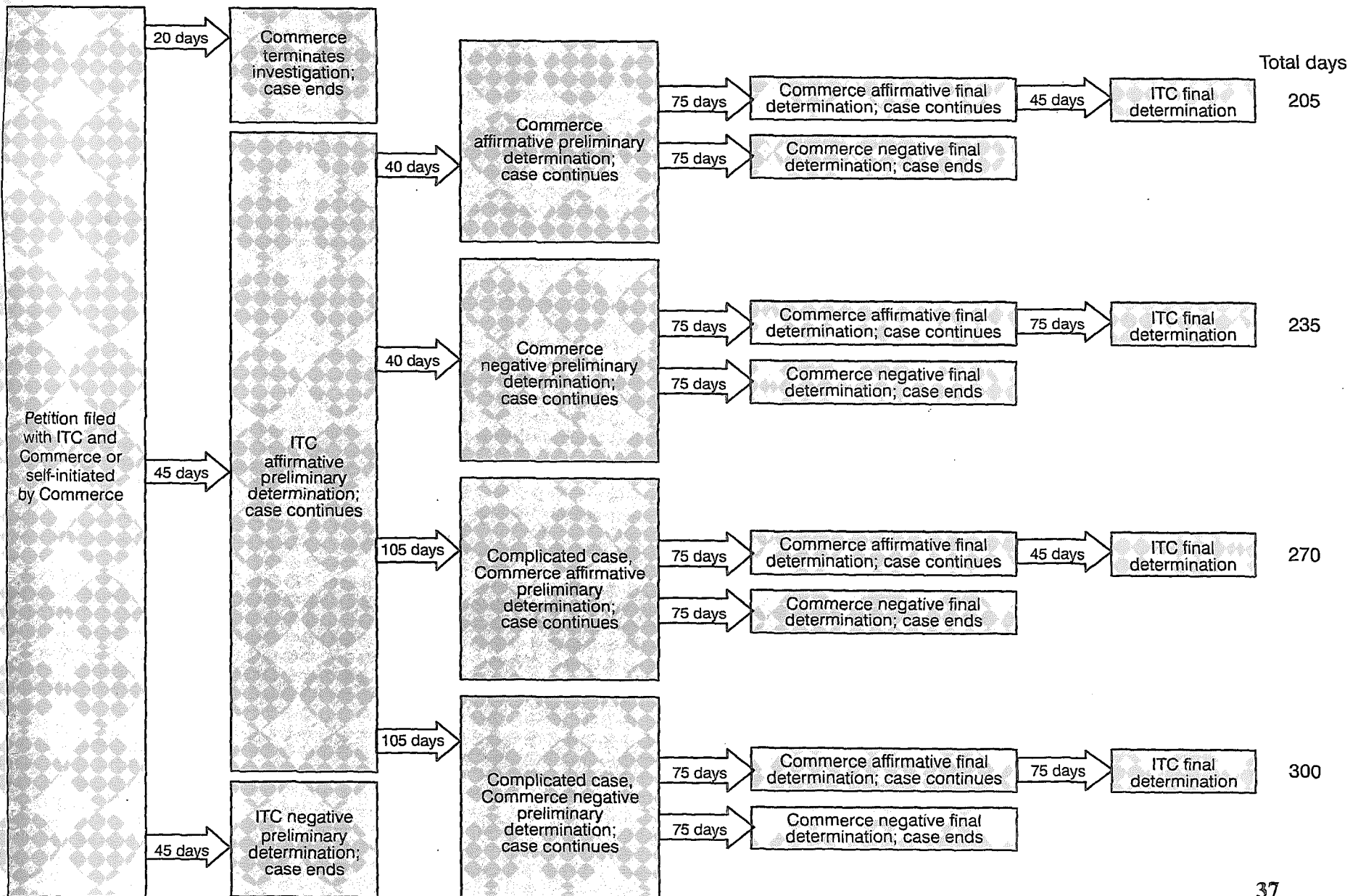


FIGURE 3 STATUTORY TIMETABLES FOR ANTIDUMPING AND COUNTERVAILING DUTY INVESTIGATIONS

Statutory time table for antidumping investigations (in days)



Statutory time table for countervailing duty investigations (in days)



APPENDIXES

APPENDIX A

**SUMMARY OF INVESTIGATIONS COMPLETED
DURING FISCAL YEAR 1993 AND PENDING ON
SEPTEMBER 30, 1993**

Table 1

General investigations of trade and tariff matters completed under secs. 332, 503 and 131 of the Tariff Act of 1930, and sec. 1205 of the Omnibus Trade and Competitiveness Act of 1988, fiscal year 1993

Investigation No. and title	Origin	USITC publication—	
		No.	Date
332-315 <i>Uranium and Uranium Enrichment Services: The Impact on the Domestic Industry of Imports Into the United States From Nonmarket Economy Countries</i> (terminated 12-11-92)	Request from the Committee on Finance, U.S. Senate	(1)	(1)
332-320 <i>Macadamia Nuts: Economic and Competitive Factors Affecting the U.S. Industry</i>	Request from the Committee on Finance, U.S. Senate	2573	November 1992
332-324 <i>The Dynamic Effects of Trade Liberalization: A Survey</i>	Request from the United States Trade Representative	2608	February 1993
332-326 <i>Economic Integration in East Asia: Implications for the United States</i>	Request from the Committee on Ways and Means, U.S. House of Representatives	2621	May 1993
332-328 <i>Live Cattle and Beef: U.S. and Canadian Industry Profiles, Trade, and Factors of Competition</i>	Request from the Committee on Ways and Means, U.S. House of Representatives	2591	January 1993
332-329 <i>Global Competitiveness of U.S. Advanced-Technology Industries: Cellular Communications</i>	Request from the Committee on Finance, U.S. Senate	2646	June 1993
332-330 <i>Sulfanilic Acid: Probable Economic Effect of Removal From the List of Eligible Articles Under the U.S. Generalized System of Preferences</i>	Request from the United States Trade Representative	2562	October 1992
TA-131-19, 503(a)-24, and 332-331 <i>President's List of Articles Which May Be Designated or Modified as Eligible Articles for Purposes of the U.S. Generalized System of Preferences</i>	Request from the United States Trade Representative	2582	December 1992

Table 1—Continued

General investigations of trade and tariff matters completed under secs. 332, 503 and 131 of the Tariff Act of 1930, and sec. 1205 of the Omnibus Trade and Competitiveness Act of 1988, fiscal year 1993

Investigation No. and title	Origin	USITC publication—	
		No.	Date
332-332 <i>Global Competitiveness of U.S. Advanced-Technology Manufacturing Industries: Large Civil Aircraft</i>	Request from the Committee on Finance, U.S. Senate	2667	August 1993
332-333 <i>Mackerel: Competitiveness of the U.S. Industry in Domestic and Foreign Markets</i>	Request from the Committee on Finance, U.S. Senate	2649	June 1993
332-334 <i>United States-Canada Free-Trade Agreement: Probable Economic Effect on U.S. Industries and Consumers of Immediate Elimination of U.S. Tariffs on Certain Articles From Canada</i>	Request from the United States Trade Representative	Confidential	November 1992
332-335 <i>Dry Peas and Lentils: Conditions of Competition Between the United States and Canada in Third-Country Markets</i>	Request from the Committee on Ways and Means, U.S. House of Representatives	2627	April 1993
332-336 <i>Probable Economic Effect of Extending a Tariff Rate Quota Under the United States-Canada Free-Trade Agreement</i>	Request from the United States Trade Representative	Confidential	October 1993
332-337 <i>Potential Impact on the U.S. Economy and Selected Industries of the North American Free-Trade Agreement</i>	Request from the Committee on Ways and Means, U.S. House of Representatives, and the Committee on Finance, U.S. Senate	2596 and 2597 ²	January 1993
332-338 <i>Trade and Investment Patterns in the Crude Petroleum and Natural Gas Sectors of the Energy-Producing States of the Former Soviet Union</i>	Request from the Committee on Finance, U.S. Senate	2656	June 1993
332-340 <i>Enterprise for the Americas Initiative: Regional Economic Trends and Summary of Likely Effects of a Hemispheric Free Trade Zone</i>	Request from the United States Trade Representative	Confidential	April 1993

Table 1—Continued

General investigations of trade and tariff matters completed under secs. 332, 503 and 131 of the Tariff Act of 1930, and sec. 1205 of the Omnibus Trade and Competitiveness Act of 1988, fiscal year 1993

Investigation No. and title	Origin	USITC publication—	
		No.	Date
1205-3 <i>Proposed Modifications to the Harmonized Tariff Schedule of the United States</i>	Instituted by the Commission on its own motion	2673	August 1993

¹ Not applicable.

² USITC publication 2597 is a separately
published executive summary.

Table 2
General investigations of trade and tariff matters under secs. 332, 503, and 131 of the Tariff Act of 1930 pending on
Sept. 30, 1993

Investigation No. and title	Origin	USITC publication—	
		No.	Date
332-135 <i>Synthetic Organic Chemical Reports</i>	Request from the Committee on Ways and Means, U.S. House of Representatives	2607	February 1993
332-175 <i>Rum: Annual Report</i> <i>Selected Economic Indicators</i>	Request from the Committee on Finance, U.S. Senate	2645	June 1993
332-191 <i>Nonrubber Footwear</i> <i>Quarterly Statistical Report</i>	Request from the Committee on Finance, U.S. Senate	2584 2614 2654 2683	December 1992 March 1993 June 1993 September 1993
332-200 <i>Competitive Position of</i> <i>U.S. Producers of Semiconductors</i>	Instituted by the Commission on its own motion	(1)	(1)
332-207 <i>Monthly Reports Providing Information</i> <i>on the U.S. Auto Industry</i>	Request from the Committee on Ways and Means, U.S. House of Representatives	2566 2581 2586 2593 2604 2618 2632 2643 2660 2666 2680 2685	October 1992 November 1992 December 1992 January 1993 February 1993 March 1993 April 1993 May 1993 June 1993 July 1993 August 1993 September 1993
332-227 <i>Annual Report on the Impact of</i> <i>the Caribbean Basin Economic Recovery</i> <i>Act on U.S. Industries and Consumers</i>	Required by Sec. 215(a), Caribbean Basin Economic Recovery Act	2675	September 1993
332-237 <i>Production Sharing: U.S. Imports</i> <i>Under Harmonized Tariff Schedule Subheadings</i> <i>9802.00.60 and 9802.00.80, 1988-1991</i>	Instituted by the Commission on its own motion	2592	January 1993
332-267 <i>The Effects of Greater Economic Integration</i> <i>Within the European Community on the</i> <i>United States</i>	Request from the Committee on Ways and Means, U.S. House of Representatives, and the Committee on Finance, U.S. Senate	2628	April 1993

Table 2—Continued

General investigations of trade and tariff matters under secs. 332, 503, and 131 of the Tariff Act of 1930 pending on Sept. 30, 1993

Investigation No. and title	Origin	USITC publication—	
		No.	Date
332-288 <i>Ethyl Alcohol for Fuel Use: Determination of the Base Quantity of Imports</i>	Required by the Steel Trade Liberalization Program Implementation Act	(1)	(1)
332-327 <i>Steel: Semiannual Monitoring Report</i>	Request from the Committee on Ways and Means, U.S. House of Representatives	2655 2682	June 1993 September 1993
332-339 <i>Global Competitiveness of U.S. Advanced-Technology Industries: Computers</i>	Request from the Committee on Finance, U.S. Senate	(2)	(1)
332-341 <i>Proposed Reorganization of U.S. International Trade Relief Laws</i>	Request from the Committee on Ways and Means, U.S. House of Representatives	(2)	(1)
332-342 <i>Metallurgical Coke: Baseline Analysis of the U.S. Industry and Imports</i>	Request from the Committee on Ways and Means, U.S. House of Representatives	(2)	(1)
332-343 <i>Annual Report: U.S. Imports of Textiles and Apparel Under the Multifiber Arrangement</i>	Instituted by the Commission on its own motion	(2)	(1)
332-344 <i>The Economic Effects of Antidumping and Countervailing Duty Orders and Suspension Agreements</i>	Request from the United States Trade Representative	(2)	(1)
332-345 <i>Annual Reports on U.S. Trade Shifts in Selected Commodity Areas</i>	Instituted by the Commission on its own motion	(2)	(1)

¹ Not applicable.

² In progress at end of FY 1993.

Table 3
Investigations completed under sec. 337 of the Tariff Act of 1930, fiscal year 1993

Investigation No. and title	Complainant	Complaint filed	Federal Register notice date	Public hearing	Finding and remedy of Commission	Date orders issued	USITC publication No.
337-TA-317 <i>Certain Internal Mixing Devices and Components Thereof</i>	Farrel Corp.; Ansonia, CT	7-24-90; 8-8-90 (amendment); 8-9-90 and 8-10-90 (supplements)	8-29-90	(¹)	Terminated ²	2-11-93	(¹)
337-TA-323 <i>Certain Monoclonal Antibodies Used for Therapeutically Treating Humans Having Gram Negative Bacterial Infections</i>	Xoma Corp.; Berkley, CA	12-20-90; 1-9-91 (amendment); 1-14-91 (supplement)	1-30-91	(¹)	Terminated ²	12-17-92	(¹)
337-TA-331 <i>Certain Microcomputer Memory Controllers, Components Thereof, and Products Containing Same</i>	Chips & Technologies, Inc.; San Jose, CA	9-12-91; 9-27-91 and 10-2-91 (amendments)	10-17-91	12-17-92	Terminated ³	12-17-92	(¹)
337-TA-333 <i>Certain Woodworking Accessories</i>	Cantlin Inc.; Lincoln, MA	11-25-91; 12-16-91 and 12-19-91 (supplements)	1-6-92	(¹)	Violation ⁴	1-4-93	(¹)
337-TA-334 <i>Certain Condensers, Parts Thereof and Products Containing Same, Including Air Conditioners For Automobiles</i>	Modine Manufacturing Co.; Racine, WI	12-12-91; 12-23-91 (supplement)	1-23-92	12-17-92	Terminated; no violation	6-25-93	(¹)
337-TA-337 <i>Certain Integrated Circuit Telecommunication Chips And Products Containing Same, Including Dialing Apparatus</i>	SGS-Thomson Microelectronics, Inc.; Carrollton, TX	3-5-92; 3-18-92 (supplement); 3-19-92 (amendment)	4-8-92	(¹)	Violation ⁵	6-22-93	2670

See footnotes at end of table.

Table 3—Continued
Investigations completed under sec. 337 of the Tariff Act of 1930, fiscal year 1993

Investigation No. and title	Complainant	Complaint filed	Federal Register notice date	Public hearing	Finding and remedy of Commission	Date orders issued	USITC publication No.
337-TA-338 <i>Certain Bulk Bags and Process for Making Same</i>	Super Sack Manufacturing Corp.; Dallas, TX Better Agricultural Goals Corp.; Dallas, TX	5-21-92; 6-5-92 (amendment); 6-10-92 and 6-12-92 (supplements)	6-24-92	(¹)	Terminated ²	2-23-93 ²	(¹)
337-TA-339 <i>Certain Commercial Food Portions, Components Thereof, Including Software, and Process Thereof</i>	Design Systems, Inc.; Redmond, WA	6-15-92; 6-25-92, 6-26-92, and 7-1-92 (supplements)	7-22-92	(¹)	Terminated ²	6-25-93	(¹)
337-TA-340 <i>Certain Specimen Container Systems and Components Including Alignment Indicator Labels, and Method of Use</i>	Sage Products, Inc.; Crystal Lake, IL	7-6-92; 7-20-92 (supplement)	8-12-92	(¹)	Terminated ⁶	3-29-93	(¹)
337-TA-341 <i>Certain Static Random Access Memories, Components Thereof, and Products Containing Same</i>	SGS-Thomson Microelectronics Inc.; Carrolton, TX	8-27-92; 9-1-92, 9-4-92, 9-15-92, and 9-16-92 (supplements)	10-1-92	(¹)	Terminated ⁷	9-30-93	(¹)
337-TA-343 <i>Certain Mechanical Gear Couplings and Components Thereof</i>	Kop-Flex, Inc.; Baltimore, MD	10-14-92; 11-2-92 (amendment); 11-5-92 (supplement)	11-18-92	(¹)	Terminated ⁶	9-2-93	(¹)
337-TA-346 <i>Certain Magnetic Switches for Coaxial Transmission Lines and Products Containing the Same</i>	Sector Microwave Industries, Inc., and Victor Nelson; Deer Park, NY	12-15-92	1-21-93	(¹)	Terminated ³	9-22-93	(¹)

¹ Not applicable.

² Settlement agreement.

³ Terminated with prejudice.

⁴ Limited exclusion order. President took no

action; became final 3-6-93.

⁵ Limited exclusion order and cease-and-desist orders. President took no action; became final 8-23-93.

⁶ Consent order.

⁷ Terminated on settlement agreement and complaint withdrawn.

Table 4

Investigations under sec. 337 of the Tariff Act of 1930 pending on Sept. 30, 1993

Investigation No. and title	Complainant	Complaint filed	Federal Register notice date
337-TA-342 <i>Certain Circuit Board Testers</i>	Integri-Test Corp.; Commack, NY	9-25-92; 10-14-92 (supplement)	11-2-92
337-TA-344 <i>Certain Cutting Tools for Flexible Plastic Conduit and Components Thereof</i>	Dawn Industries, Inc.; Dextel Inc.; Duane Robertson; Denver, CO	10-30-92; 11-12-92, and 11-16-92 (supplements)	12-2-92
337-TA-345 <i>Certain Anisotropically Etched One Megabit and Greater Drams, Components Thereof, and Products Containing Such Drams</i>	Micron Semiconductor Inc.; Boise, ID	11-13-92; 12-3-92 (supplement)	12-18-92
337-TA-347 <i>Certain Anti-Theft Deactivatable Resonant Tags and Components Thereof</i>	Checkpoint Systems, Inc.; Thorofare, NJ	2-2-93; 2-23-93 (amendment)	3-10-93
337-TA-348 <i>Certain In-Line Roller Skates With Ventilated Boots and In-Line Roller Skates With Axle Aperture Plugs and Component Parts Thereof</i>	Rollerblade, Inc.; Minnetonka, MN	2-18-93; 3-11-93 (amendment)	3-25-93
337-TA-349 <i>Certain Diltiazem Hydrochloride and Diltiazem Preparations</i>	Tanabe Seiyaku Co., Ltd.; Osaka, Japan Marion Merrell Dow, Inc.; Kansas City, MO	2-25-93; 3-23-93 (amendment)	3-31-93
337-TA-350 <i>Certain Sputtered Carbon Coated Computer Disks and Products Containing Same, Including Disk Drives</i>	Harry E. Aine; Sumrall, MI	3-26-93; 4-16-93 4-20-93 (supplements)	5-5-93
337-TA-351 <i>Certain Removable Hard Disk Cartridges and Products Containing Same</i>	Syquest Technology, Inc.; Fremont, CA	4-16-93; 5-12-93 (amendment); 5-13-93 (supplement)	5-27-93
337-TA-352 <i>Certain Personal Computers With Memory Management Information Stored in External Memory and Related Materials</i>	Intel Corp.; Santa Clara, CA	5-7-93	6-16-93
337-TA-353 <i>Certain Lens Panels for Lighting Fixtures, Kits Containing Same, and Fixtures Containing Same</i>	Alan-Tracy, Inc.; North Miami Beach, FL	6-3-93; 6-25-93 (amendment)	7-9-93

Table 4—Continued
Investigations under sec. 337 of the Tariff Act of 1930 pending on Sept. 30, 1993

Investigation No. and title	Complainant	Complaint filed	Federal Register notice date
337-TA-354 <i>Certain Tape Dispensers</i>	Minnesota Mining & Manufacturing Co.; St. Paul, MN	6-14-93	7-21-93
337-TA-355 <i>Certain Vehicle Security Systems and Components Thereof</i>	Code-Alarm, Inc.; Madison Heights, MI	7-16-93; 8-5-93 (supplement)	8-25-93
337-TA-356 <i>Certain Integrated Circuit Devices, Processes for Making Same, Components Thereof, and Products Containing Same</i>	National Semiconductor Corp.; Santa Clara, CA Fairchild Semiconductor Corp.; Santa Clara, CA	7-26-93; 8-11-93 (supplement)	9-1-93
337-TA-357 <i>Certain Sports Sandals and Components Thereof</i>	Deckers Corporation; Carpinteria, CA	8-9-93; 8-23-93 (supplement)	9-9-93
337-TA-358 <i>Certain Recombinantly Produced Human Growth Hormones</i>	Genentech, Inc.; South San Francisco, CA	3-16-93; 3-30-93, 3-31-93, 4-5-93, 4-6-93, 4-9-93, 4-12-93, and 4-22-93 (supplements); 8-18-93 (amendment)	9-29-93

Table 5
Countervailing duty investigations completed under sec. 701 of the Tariff Act of 1930, fiscal year 1993

Investigation No. and title	Preliminary investigation					Final investigation				
	(a) Request received (b) Conference (c) Report to Secretary of Commerce	Finding that "there is a reasonable indication [of injury]" (Commerce continues its investigation)	Finding that "there is no reasonable indication [of injury]" (Commerce terminates its investigation)	Not participating	USITC publication No.	(a) Advice received from Commerce (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	Not participating	USITC publication No.
701-TA-302 (court remand) <i>Fresh and Chilled Atlantic Salmon From Norway</i>	(1)	(1)	(1)	(1)	(1)	(a) 10-23-92 (b) (1) (c) 12-22-92 ²	Newquist Rohr Nuzum	Watson Brunsdale Crawford	(1)	2589
701-TA-314-317 <i>Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From Brazil, France, Germany and the United Kingdom</i>	(1)	(1)	(1)	(1)	(1)	(a) 9-17-92 (b) 2-2-93 (c) 3-5-93	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	(1)	2611
701-TA-318 <i>Sulfanilic Acid From India</i>	(1)	(1)	(1)	(1)	(1)	(a) 8-18-92 (b) 1-5-93 (c) 2-18-93	Newquist Watson Rohr Nuzum	Brunsdale Crawford	(1)	2603
701-TA-319-332, 334, 336-342, 344, and 347-353 (final) <i>Certain Flat-Rolled Carbon Steel Products From Australia, Austria, Belgium, Brazil, Canada, Finland, France, Germany, Italy, Japan, Korea, Mexico, the Netherlands, New Zealand, Poland, Romania, Spain, Sweden, and the United Kingdom</i>	(1)	(1)	(1)	(1)	(1)	(a) 12-7-92 (b) 6-29-93; 6-30-93 (c) 8-9-93				2664

Because of the large number of products and countries involved in these cases, votes are broken down in table 5a.

¹ Not applicable.

² This investigation was remanded to the ITC

by the Court of International Trade (CIT) for further proceedings; the ITC determination on

remand was submitted, as required, to the CIT, not the Secretary of Commerce.

Table 5a

Final countervailing duty investigations completed under sec. 701 of the Tariff Act of 1930, fiscal year 1993: Certain flat-rolled carbon steel products

Country	Plate	Hot-rolled products	Cold-rolled products	Corrosion-resistant products
Affirmative				
Belgium	701-TA-319	(1)	(1)	(1)
Brazil	701-TA-320	(1)	(1)	(1)
France	(1)	(1)	(1)	701-TA-348 ²
Germany	701-TA-322 ³	(1)	701-TA-340 ⁴	701-TA-349 ⁵
Korea	(1)	(1)	701-TA-342 ⁶	701-TA-350 ⁵
Mexico	701-TA-325	(1)	(1)	(1)
Spain	701-TA-326	(1)	(1)	(1)
Sweden	701-TA-327	(1)	(1)	(1)
United Kingdom	701-TA-328 ³	(1)	(1)	(1)
Negative				
Austria	(1)	(1)	701-TA-336	(1)
Belgium	(1)	701-TA-329	701-TA-337 ⁷	(1)
Brazil	(1)	701-TA-330 ⁸	701-TA-338 ⁷	701-TA-347 ⁹
France	701-TA-321 ⁹	701-TA-331 ⁸	701-TA-339 ⁷	701-TA-348 ¹⁰
Germany	(1)	701-TA-332 ⁸	(1)	(1)
Italy	701-TA-323 ¹¹	(1)	701-TA-341 ¹²	(1)
Korea	701-TA-324	701-TA-334 ⁸	(1)	(1)
Mexico	(1)	(1)	(1)	701-TA-351 ¹³
New Zealand	(1)	(1)	(1)	701-TA-352 ⁹
Spain	(1)	(1)	701-TA-344 ⁹	(1)
Sweden	(1)	(1)	(1)	701-TA-353 ⁹

¹ Not applicable.

² With respect to imports of corrosion-resistant products other than clad plate. Chairman Newquist and Commissioner Brundsdale dissenting.

³ Chairman Newquist and Commissioners Brundsdale and Crawford dissenting.

⁴ Commissioners Brundsdale and Crawford dissenting.

⁵ Commissioner Brundsdale dissenting.

⁶ Vice Chairman Watson and Commissioners Brundsdale and Crawford dissenting.

⁷ Chairman Newquist and Commissioner Nuzum dissenting.

⁸ Chairman Newquist dissenting.

⁹ Commissioner Nuzum dissenting.

¹⁰ With respect to imports of corrosion-resistant products of clad plate.

¹¹ Vice Chairman Watson did not participate in this investigation in order to avoid the appearance of impropriety.

¹² Vice Chairman Watson did not participate in this investigation in order to avoid the appearance of impropriety. Commissioner Nuzum dissenting.

¹³ Commissioners Rohr and Nuzum dissenting.

Table 6

Antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1993

Investigation No. and title	Preliminary investigation					Final investigation					
	(a) Request received (b) Conference (c) Report to Secretary of Commerce	Finding that "there is a reasonable indication [of injury]" (Commerce continues its investigation)	Finding that "there is no reasonable indication [of injury]" (Commerce terminates its investigation)	Not participating	USITC publication No.	(a) Advice received from Commerce (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	Not participating	USITC publication No.	
731-TA-448-450 (court remand) <i>Sweaters Wholly or in Chief Weight of Manmade Fibers From Hong Kong the Republic of Korea, and Taiwan</i>	(1)	(1)	(1)	(1)	(1)	(a) 7-28-92 (b) (1) (c) 11-23-92 ²	(1)	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	2577	
731-TA-454 (court remand) <i>Fresh Chilled Atlantic Salmon From Norway</i>	(1)	(1)	(1)	(1)	(1)	(a) 10-23-92 (b) (1) (c) 12-22-92 ²	Newquist Rohr Nuzum	Watson Brunsdale Crawford	(1)	2589	
731-TA-461 (court remand) <i>Gray Portland Cement and Cement Clinker From Japan</i>	(1)	(1)	(1)	(1)	(1)	(a) 4-27-93 (b) (1) (c) 6-28-93 ²	Newquist Watson Rohr Nuzum	Brunsdale Crawford	(1)	2657	
731-TA-469 (court remand) <i>Certain High-Information Content Flat Panel Displays and Subassemblies Thereof From Japan</i>	(1)	(1)	(1)	(1)	(1)	(a) 12-29-92 (b) (1) (c) 3-8-93 ²	Newquist Rohr Nuzum ³	Watson Brunsdale Crawford Nuzum ⁴	(1)	2610	
731-TA-515 <i>Portable Electric Typewriters From Singapore</i>	(1)	(1)	(1)	(1)	(1)	(a) 2-8-93 (b) 6-25-93 (c) 9-24-93	Rohr Brunsdale Crawford Nuzum	Newquist Watson	(1)	2681	
731-TA-526 <i>Bulk Ibuprofen From India</i> (terminated 3-13-92)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	

See footnotes at end of table.

Table 6—Continued

Antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1993

Investigation No. and title	Preliminary investigation					Final investigation					
	(a) Request received (b) Conference (c) Report to Secretary of Commerce	Finding that "there is a reasonable indication [of injury]" (Commerce continues its investigation)	Finding that "there is no reasonable indication [of injury]" (Commerce terminates its investigation)	Not participating	USITC publication No.	(a) Advice received from Commerce (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	Not participating	USITC publication No.	
731-TA-532-537 <i>Certain Circular, Welded, Non-Alloy Steel Pipes and Tubes From Brazil, the Republic of Korea, Mexico, Romania, Taiwan, and Venezuela</i>	(1)	(1)	(1)	(1)	(1)	(a) 4-24-92 (b) 9-15-92 (c) 10-26-92	Newquist ⁵ Watson ⁶ Rohr ⁶ Brunsdale ⁷ Crawford ⁸ Nuzum ⁶	Newquist ⁹ Watson ¹⁰ Rohr ¹⁰ Brunsdale ¹¹ Crawford ¹² Nuzum ¹³	Crawford ¹⁴	2564	
731-TA-539-D <i>Uranium From Tajikistan</i>	(1)	(1)	(1)	(1)	(1)	(a) 5-13-93 (b) 7-1-93 (c) 8-16-93	(1)	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	2669	
731-TA-539-E <i>Uranium From Ukraine</i>	(1)	(1)	(1)	(1)	(1)	(a) 4-19-93 (b) 7-1-93 (c) 8-16-93	Newquist Rohr Watson ¹⁵ Nuzum ¹⁵	Brunsdale Crawford Watson ¹⁶ Nuzum ¹⁶	(1)	2669	
731-TA-540-541 <i>Certain Welded Stainless Steel Pipes From the Republic of Korea and Taiwan</i>	(1)	(1)	(1)	(1)	(1)	(a) 6-22-92 (b) 11-10-92 (c) 12-18-92	Newquist Watson Rohr Nuzum	Brunsdale Crawford ¹⁷	Crawford ¹⁴	2585	
731-TA-546-547 <i>Steel Wire Rope From the Republic of Korea and Mexico</i>	(1)	(1)	(1)	(1)	(1)	(a) 9-28-92 (b) 2-19-93 (c) 3-15-93	Newquist Watson Rohr	Brunsdale Crawford Nuzum	(1)	2613	

See footnotes at end of table.

Table 6—Continued

Antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1993

Investigation No. and title	Preliminary investigation					Final investigation				
	(a) Request received (b) Conference (c) Report to Secretary of Commerce	Finding that "there is a reasonable indication [of injury]" (Commerce continues its investigation)	Finding that "there is no reasonable indication [of injury]" (Commerce terminates its investigation)	Not participating	USITC publication No.	(a) Advice received from Commerce (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	Not participating	USITC publication No.
731-TA-548 and 551 <i>Sulfur Dyes From China and the United Kingdom</i>	(1)	(1)	(1)	(1)	(1)	(a) 9-21-92 (b) 1-13-93 (c) 2-18-93	Brunsdale ¹⁸	Newquist Watson Rohr Crawford Nuzum Brunsdale ¹⁹	(1)	2602
731-TA-550 <i>Sulfur Dyes From India</i>	(1)	(1)	(1)	(1)	(1)	(a) 10-23-92 (b) 1-13-93 (c) 2-18-93	Brunsdale ¹⁸	Newquist Watson Rohr Crawford Nuzum Brunsdale ¹⁹	(1)	2602
731-TA-552-555 <i>Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From Brazil, France, Germany, and the United Kingdom</i>	(1)	(1)	(1)	(1)	(1)	(a) 9-23-92 (b) 2-2-93 (c) 3-5-93	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	(1)	2611
731-TA-556 <i>Drams of One Megabit and Above From the Republic of Korea</i>	(1)	(1)	(1)	(1)	(1)	(a) 10-29-92 (b) 3-18-93 (c) 5-3-93	Newquist Rohr Nuzum	Watson Brunsdale Crawford	(1)	2629
731-TA-559 <i>New Steel Rails From the United Kingdom</i>	(1)	(1)	(1)	(1)	(1)	(a) 10-14-92 (b) 2-16-93 (c) 3-26-93	Newquist	Watson Rohr Brunsdale Crawford Nuzum	(1)	2617

See footnotes at end of table.

Table 6—Continued
Antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1993

Investigation No. and title	Preliminary investigation					Final investigation					
	(a) Request received (b) Conference (c) Report to Secretary of Commerce	Finding that "there is a reasonable indication [of injury]" (Commerce continues its investigation)	Finding that "there is no reasonable indication [of injury]" (Commerce terminates its investigation)	Not participating	USITC publication No.	(a) Advice received from Commerce (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	Not participating	USITC publication No.	
731-TA-560-561 <i>Sulfanilic Acid From Hungary and India</i>	(1)	(1)	(1)	(1)	(1)	(a) 10-22-92 (b) 1-5-93 (c) 2-18-93	Newquist Watson ²⁰ Rohr ²⁰ Nuzum	Watson ²¹ Rohr ²¹ Brunsdale Crawford	(1)	2603	
731-TA-563 <i>Certain Stainless Steel Butt-Weld Pipe Fittings From Korea</i>	(1)	(1)	(1)	(1)	(1)	(a) 10-19-92 (b) 1-14-93 (c) 2-16-93	Newquist Watson Rohr Brunsdale Nuzum	(1)	Crawford ²²	2601	
731-TA-564 <i>Certain Stainless Steel Butt-Weld Pipe Fittings From Taiwan</i>	(1)	(1)	(1)	(1)	(1)	(a) 12-16-92 (b) 1-14-93 (c) 6-3-93	Newquist Watson Rohr Brunsdale Nuzum	(1)	Crawford ¹⁴	2641	
731-TA-566 and 569 <i>Ferrosilicon From Kazakhstan and Ukraine</i>	(1)	(1)	(1)	(1)	(1)	(a) 12-22-92 (b) 1-22-93 (c) 3-23-93	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	(1)	2616	
731-TA-567 <i>Ferrosilicon From the People's Republic of China</i>	(1)	(1)	(1)	(1)	(1)	(a) 11-5-92 (b) 1-22-93 (c) 3-4-93	Newquist Watson Rohr Nuzum	Brunsdale Crawford	(1)	2606	
731-TA-568 and 570 <i>Ferrosilicon From Russia and Venezuela</i>	(1)	(1)	(1)	(1)	(1)	(a) 12-22-92 (b) 1-22-93 (c) 6-16-93	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	(1)	2650	

See footnotes at end of table.

Table 6—Continued

Antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1993

Investigation No. and title	Preliminary investigation					Final investigation				
	(a) Request received (b) Conference (c) Report to Secretary of Commerce	Finding that "there is a reasonable indication [of injury]" (Commerce continues its investigation)	Finding that "there is no reasonable indication [of injury]" (Commerce terminates its investigation)	Not participating	USITC publication No.	(a) Advice received from Commerce (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	Not participating	USITC publication No.
731-TA-571 <i>Professional Electric Cutting and Sanding/Grinding Tools From Japan</i>	(1)	(1)	(1)	(1)	(1)	(a) 1-4-93 (b) 5-21-93 (c) 7-2-93	Newquist ²³ Watson ²³ Rohr ²³ Brunsdale ²³ Crawford ²³ Nuzum ²³	Newquist ²⁴ Watson ²⁴ Rohr ²⁴ Brunsdale ²⁴ Crawford ²⁴ Nuzum ²⁴	(1)	2658
731-TA-572 <i>Certain Special Quality Carbon and Alloy Hot-Rolled Steel Bars and Rods and Semifinished Products Thereof From Brazil</i>	(1)	(1)	(1)	(1)	(1)	(a) 1-11-93 (b) 6-2-93 (c) 7-9-93	(1)	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	2662
731-TA-573-579, 581-592, 594-597, 599-609, and 612-619 (final) <i>Certain Flat-Rolled Carbon Steel Products From Australia, Austria, Belgium, Brazil, Canada, Finland, France, Germany, Italy, Japan, Korea, Mexico, the Netherlands, New Zealand, Poland, Romania, Spain, Sweden, and the United Kingdom</i>	(1)	(1)	(1)	(1)	(1)	(a) 2-4-93 (b) 6-29-93; 6-30-93 (c) 8-9-93				2664

Because of the large number of products and countries involved in these cases, votes are broken down in table 6a.

See footnotes at end of table.

Table 6—Continued

Antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1993

Investigation No. and title	Preliminary investigation					Final investigation				
	(a) Request received (b) Conference (c) Report to Secretary of Commerce	Finding that "there is a reasonable indication [of injury]" (Commerce continues its investigation)	Finding that "there is no reasonable indication [of injury]" (Commerce terminates its investigation)	Not participating	USITC publication No.	(a) Advice received from Commerce (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	Not participating	USITC publication No.
731-TA-621 <i>Compact Ductile Iron Water-Works Fittings and Accessories Thereof From China</i>	(1)	(1)	(1)	(1)	(1)	(a) 2-19-93 (b) 7-8-93 (c) 8-19-93	Newquist ²⁵ Watson ²⁵ Rohr ²⁵ Nuzum ²⁵	Newquist ²⁶ Watson ²⁶ Rohr ²⁶ Nuzum ²⁶ Brunsdale Crawford	(1)	2671
731-TA-622 <i>Dry Film Photoresist From Japan</i>	(1)	(1)	(1)	(1)	(1)	(a) 12-30-92 (b) 3-11-93 (c) 4-28-93	(1)	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	2630
731-TA-624 <i>Certain Helical Spring Lockwashers From China</i>	(a) 9-8-92 (b) 9-30-92 (c) 10-23-92	Newquist Rohr Nuzum Watson Brunsdale Crawford	(1)	(1)	2565	(1)	(1)	(1)	(1)	(1)
731-TA-625 <i>Certain Helical Spring Lockwashers From Taiwan</i>	(a) 9-8-92 (b) 9-30-92 (c) 10-23-92	Newquist Rohr Nuzum Watson Brunsdale	(1)	Crawford ¹⁴	2565	(a) 2-22-93 (b) 5-13-93 (c) 6-21-93	Newquist Rohr Brunsdale	Watson Nuzum	Crawford ¹⁴	2651
731-TA-627 <i>Pads for Woodwind Instrument Keys From Italy</i>	(a) 10-21-92 (b) 11-12-92 (c) 12-7-92	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	(1)	2583	(a) 5-25-93 (b) 8-12-93 (c) 9-21-93	Newquist	Watson Rohr Brunsdale Crawford Nuzum	(1)	2679

See footnotes at end of table.

Table 6—Continued

Antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1993

Investigation No. and title	Preliminary investigation					Final investigation				
	(a) Request received (b) Conference (c) Report to Secretary of Commerce	Finding that "there is a reasonable indication [of injury]" (Commerce continues its investigation)	Finding that "there is no reasonable indication [of injury]" (Commerce terminates its investigation)	Not participating	USITC publication No.	(a) Advice received from Commerce (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	Not participating	USITC publication No.
731-TA-628-631 <i>Certain Cordage Products From Costa Rica, Korea, Mexico, and Portugal</i> (withdrawn 12-15-92)	(a) 11-25-92	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
731-TA-632-635 <i>Certain Cordage Products From Costa Rica, Korea, Mexico, and Portugal</i> (withdrawn 1-4-93)	(a) 12-15-92	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
731-TA-636-638 <i>Stainless Steel Wire Rod From Brazil, France, and India</i>	(a) 12-30-92 (b) 1-22-93 (c) 2-16-93	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	(1)	2599	(1)	(1)	(1)	(1)	(1)
731-TA-639-640 <i>Stainless Steel Flanges From India and Taiwan</i>	(a) 12-31-92 (b) 1-21-93 (c) 2-16-93	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	Crawford ¹⁴	2600	(1)	(1)	(1)	(1)	(1)
731-TA-641-642 <i>Ferrosilicon From Brazil and Egypt</i>	(a) 1-12-93 (b) 2-3-93 (c) 2-26-93	Newquist Watson ²⁷ Rohr Brunsdale ²⁷ Crawford ²⁷ Nuzum	Watson ²⁸ Brunsdale ²⁸ Crawford ²⁸	(1)	2605	(1)	(1)	(1)	(1)	(1)

See footnotes at end of table.

Table 6—Continued
 Antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1993

Investigation No. and title	Preliminary investigation					Final investigation				
	(a) Request received (b) Conference (c) Report to Secretary of Commerce	Finding that "there is a reasonable indication [of injury]" (Commerce continues its investigation)	Finding that "there is no reasonable indication [of injury]" (Commerce terminates its investigation)	Not participating	USITC publication No.	(a) Advice received from Commerce (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	Not participating	USITC publication No.
731-TA-643 <i>Defrost Timers From Japan</i>	(a) 1-19-93 (b) 2-9-93 (c) 3-5-93	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	(1)	2609	(1)	(1)	(1)	(1)	(1)
731-TA-644 <i>Welded Stainless Steel Pipe From Malaysia</i>	(a) 2-16-93 (b) 3-9-93 (c) 4-2-93	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	(1)	2620	(1)	(1)	(1)	(1)	(1)
731-TA-645 <i>Certain Calcium Aluminate Cement and Cement Clinker From France</i>	(a) 3-31-93 (b) 4-21-93 (c) 5-17-93	Watson Nuzum Rohr Crawford Brunsdale Newquist	(1)	(1)	2637	(1)	(1)	(1)	(1)	(1)
731-TA-646-649 <i>Steel Wire Rod From Brazil, Canada, Japan, and Trinidad and Tobago</i>	(a) 4-23-93 (b) 5-14-93 (c) 6-7-93	Newquist Watson ²⁹ Rohr ²⁹ Brunsdale ²⁹ Crawford ²⁹ Nuzum ²⁹	Watson ³⁰ Rohr ³⁰ Brunsdale ³⁰ Crawford ³⁰ Nuzum ³⁰	(1)	2647	(1)	(1)	(1)	(1)	(1)
731-TA-650 <i>Nitro-methane From the People's Republic of China</i>	(a) 5-24-93 (b) 6-14-93 (c) 7-8-93	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	(1)	2661	(1)	(1)	(1)	(1)	(1)

See footnotes at end of table.

Table 6—Continued
Antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1993

Investigation No. and title	Preliminary investigation					Final investigation				
	(a) Request received (b) Conference (c) Report to Secretary of Commerce	Finding that "there is a reasonable indication [of injury]" (Commerce continues its investigation)	Finding that "there is no reasonable indication [of injury]" (Commerce terminates its investigation)	Not participating	USITC publication No.	(a) Advice received from Commerce (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	Not participating	USITC publication No.
731-TA-651 <i>Silicon Carbide From The People's Republic of China</i>	(a) 6-21-93 (b) 7-12-93 (c) 8-5-93	Newquist Watson Rohr Nuzum Brunsdale ³¹ Crawford ³¹	Brunsdale ³² Crawford ³²	(1)	2668	(1)	(1)	(1)	(1)	(1)
731-TA-652 <i>Aramid Fiber Formed of Poly Para-Phenylene Terephthalamide From the Netherlands</i>	(a) 7-2-93 (b) 7-23-93 (c) 8-16-93	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	(1)	2672	(1)	(1)	(1)	(1)	(1)
731-TA-653 <i>Sebacic Acid From China</i>	(a) 7-19-93 (b) 8-9-93 (c) 9-2-93	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	(1)	2676	(1)	(1)	(1)	(1)	(1)
731-TA-654-657 <i>Certain Cordage Products From Costa Rica, Korea, Mexico, and Portugal (withdrawn 8-16-93)</i>	(a) 7-28-93	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
731-TA-658 <i>Class 150 Stainless Steel Threaded Pipe Fittings From Taiwan</i>	(a) 8-2-93 (b) 8-23-93 (c) 9-16-93	Newquist Watson Rohr Brunsdale Crawford Nuzum	(1)	(1)	2678	(1)	(1)	(1)	(1)	(1)

See footnotes at end of table.

Table 6—Continued

Antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1993

- ¹ Not applicable.
- ² This investigation was remanded to the ITC by the Court of International Trade (CIT) for further proceedings; the ITC determination on remand was submitted, as required, to the CIT, not the Secretary of Commerce.
- ³ With respect to active matrix liquid crystal high-information content displays.
- ⁴ With respect to electroluminescent high-information content displays.
- ⁵ With respect to imports of standard and structural pipes and tubes.
- ⁶ With respect to imports of standard and structural pipes and tubes from Brazil, the Republic of Korea, Mexico, Taiwan, and Venezuela.
- ⁷ With respect to imports of standard and structural pipes and tubes from Brazil, the Republic of Korea, Mexico, and Taiwan.
- ⁸ With respect to imports of standard and structural pipes and tubes from Brazil, the Republic of Korea, and Mexico.
- ⁹ With respect to imports of mechanical tubing (not-cold drawn or cold-rolled).
- ¹⁰ With respect to standard and structural pipes and tubes from Romania, mechanical tubing (not cold-drawn or cold-rolled), and finished conduit.
- ¹¹ With respect to imports of standard and structural pipes and tubes from Romania and Venezuela and mechanical tubing (not cold-drawn or cold-rolled) and finished conduit from Brazil, the Republic of Korea, Mexico, Romania, Taiwan, and Venezuela.
- ¹² With respect to imports of standard and structural pipes and tubes from Romania and Venezuela and mechanical tubing (not cold-drawn or cold-rolled) and finished conduit from Brazil, the Republic of Korea, and Mexico, Romania, and Venezuela.
- ¹³ With respect to imports of standard and structural pipes and tubes from Romania, mechanical tubing (not cold-drawn or cold-rolled), and finished conduit.
- ¹⁴ Commissioner Crawford recused herself from the investigation on imports from Taiwan in order to avoid the appearance of a conflict of interest.
- ¹⁵ With respect to uranium (other than highly enriched uranium).
- ¹⁶ With respect to highly enriched uranium.
- ¹⁷ With respect to imports from the Republic of Korea.
- ¹⁸ With respect to intermediate dyes from China and the United Kingdom.
- ¹⁹ With respect to intermediate dyes from India and finished dyes.
- ²⁰ With respect to imports from India.
- ²¹ With respect to imports from Hungary.
- ²² Commissioner Crawford recused herself in order to avoid the appearance of a conflict of interest.
- ²³ With respect to imports of professional electric cutting tools.
- ²⁴ With respect to imports of professional electric sanding/grinding tools.
- ²⁵ With respect to imports of all waterworks fittings and all iron glands.
- ²⁶ With respect to imports of all accessory packs.
- ²⁷ With respect to imports from Brazil.
- ²⁸ With respect to imports from Egypt.
- ²⁹ With respect to imports from Brazil, Canada, and Japan.
- ³⁰ With respect to imports from Trinidad and Tobago.
- ³¹ With respect to imports of crude silicon carbide.
- ³² With respect to imports of refined silicon carbide.

Table 6a

Final antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1993: Certain flat-rolled carbon steel products

Country	Plate	Hot-rolled products	Cold-rolled products	Corrosion-resistant products
Affirmative				
Australia	(1)	(1)	(1)	731-TA-612 ²
Belgium	731-TA-573	(1)	(1)	(1)
Brazil	731-TA-574	(1)	(1)	(1)
Canada	731-TA-575	(1)	(1)	731-TA-614 ²
Finland	731-TA-576	(1)	(1)	(1)
France	(1)	(1)	(1)	731-TA-615 ³
Germany	731-TA-578 ⁴	(1)	731-TA-604 ⁵	731-TA-616 ²
Japan	(1)	(1)	(1)	731-TA-617 ⁶
Korea	(1)	(1)	731-TA-607 ⁷	731-TA-618 ²
Mexico	731-TA-582	(1)	(1)	(1)
Netherlands	(1)	(1)	731-TA-608 ⁷	(1)
Poland	731-TA-583 ⁴	(1)	(1)	(1)
Romania	731-TA-584 ⁴	(1)	(1)	(1)
Spain	731-TA-585	(1)	(1)	(1)
Sweden	731-TA-586	(1)	(1)	(1)
United Kingdom	731-TA-587 ⁴	(1)	(1)	(1)
Negative				
Argentina	(1)	(1)	731-TA-597	(1)
Austria	(1)	(1)	731-TA-599	(1)
Belgium	(1)	731-TA-588	731-TA-600 ⁸	(1)
Brazil	(1)	731-TA-589 ⁹	731-TA-601 ⁸	731-TA-613 ¹⁰
Canada	(1)	731-TA-590 ¹¹	731-TA-602 ¹¹	(1)
France	731-TA-577 ¹⁰	731-TA-591 ⁹	731-TA-603 ⁸	731-TA-615 ¹²
Germany	(1)	731-TA-592 ⁹	(1)	(1)
Italy	731-TA-579 ¹³	(1)	731-TA-605 ¹⁴	(1)
Japan	(1)	731-TA-594 ⁹	731-TA-606 ⁹	731-TA-617 ¹⁵
Korea	731-A-581	731-TA-595 ⁹	(1)	(1)
Mexico	(1)	(1)	(1)	731-TA-619 ¹⁶
Netherlands	(1)	731-TA-596 ¹¹	(1)	(1)
Spain	(1)	(1)	731-TA-609 ¹⁰	(1)

¹ Not applicable.

² Commissioner Brunsdale dissenting.

³ With respect to imports of corrosion-resistant products other than clad plate. Chairman Newquist and Commissioner Brunsdale dissenting.

⁴ Chairman Newquist and Commissioners Brunsdale and Crawford dissenting.

⁵ Commissioners Brunsdale and Crawford dissenting.

⁶ With respect to imports of corrosion-resistant products other than clad plate. Commissioner

Brunsdale dissenting.

⁷ Vice Chairman Watson and Commissioners Brunsdale and Crawford dissenting.

⁸ Chairman Newquist and Commissioner Nuzum dissenting.

⁹ Chairman Newquist dissenting.

¹⁰ Commissioner Nuzum dissenting.

¹¹ Chairman Newquist and Commissioner Rohr dissenting.

¹² With respect to imports of corrosion-resistant products of clad plate.

¹³ Vice Chairman Watson did not participate in this investigation in order to avoid the appearance of impropriety.

¹⁴ Vice Chairman Watson did not participate in this investigation in order to avoid the appearance of impropriety. Commissioner Nuzum dissenting.

¹⁵ With respect to imports of corrosion-resistant products of clad plate. Chairman Newquist dissenting.

¹⁶ Commissioners Rohr and Nuzum dissenting.

Table 7

Countervailing duty investigations completed under sec. 303 of the Tariff Act of 1930, fiscal year 1993

Investigation No. and title	Preliminary investigation					Final investigation				
	(a) Request received	Finding that "there is a reasonable indication [of injury]" (Commerce continues its investigation)	Finding that "there is no reasonable indication [of injury]" (Commerce terminates its investigation)	Not participating	USITC publication No.	(a) Advice received from Commerce	Affirmative	Negative	Not participating	USITC publication No.
303-TA-23 <i>Ferrosilicon</i> <i>From Venezuela</i>	(¹)	(¹)	(¹)	(¹)	(¹)	(a) 5-22-92 (b) 1-22-93 (c) 6-16-93	Newquist Watson Rohr Brunsdale Crawford Nuzum	(¹)	(¹)	2650

¹ Not applicable.

Table 8
Antidumping and countervailing duty investigations pending on Sept. 30, 1993

Investigation No. and title	Effective date
731-TA-661 and 662 (preliminary) <i>Color Negative Photographic Paper and Certain Chemical Components From Japan and the Netherlands</i>	8-31-93
731-TA-374 (final) (suspended) <i>Potassium Chloride From Canada</i>	8-25-87
731-TA-464 (final) <i>Sparklers From the People's Republic of China</i>	9-10-93
731-TA-519 (final) (suspended) <i>Gray Portland Cement and Cement Clinker From Venezuela</i>	11-4-91
731-TA-539-A, B, C, and F (final) (suspended) <i>Uranium From Kazakhstan, Kyrgystan, Russia, Uzbekistan</i>	6-2-92
731-TA-624 (final) <i>Certain Helical Spring Lockwashers From China</i>	4-27-93
731-TA-636-638 (final) <i>Stainless Steel Wire Rod From Brazil, France, and India</i>	8-2-93
731-TA-639-640 (final) <i>Stainless Steel Flanges From India and Taiwan</i>	8-2-93
731-TA-641 (final) <i>Ferrosilicon From Brazil</i>	8-12-93
731-TA-642 (final) <i>Ferrosilicon From Egypt</i>	6-25-93
731-TA-643 (final) <i>Defrost Timers From Japan</i>	8-24-93
731-TA-644 (final) <i>Welded Stainless Steel Pipe From Malaysia</i>	9-1-93
731-TA-659 and 660 (preliminary) <i>Grain-Oriented Silicon Electrical Steel From Italy and Japan</i>	8-26-93
701-TA-355 (preliminary) <i>Grain-Oriented Silicon Electrical Steel From Italy and Japan</i>	8-26-93
701-TA-312 (final) (remand) <i>Softwood Lumber From Canada</i>	9-22-93
303-TA-21 (final) (suspended) <i>Gray Portland Cement and Cement Clinker From Venezuela</i>	8-19-91

Table 9
Investigations under sec. 22 of the Agricultural Adjustment Act, fiscal year 1993

Investigation No. and title	Request received	Date investigation instituted	Public hearing	Finding and recommendations	Date report was—		USITC publication No.
					Submitted to President	Released by President	
22-48 <i>Certain Articles Containing Sugar</i>	3-22-85	4-24-85	7-17-85	(1)	10-10-85	4-12-93	2626
22-53 <i>Certain Dairy Products</i>	1-19-93	3-10-93	4-29-93	(2)	7-7-93	7-7-93	2659

¹ On March 22, 1985, the President requested the Commission to conduct an investigation, pursuant to section 22 of the Agricultural Adjustment Act of 1933, concerning certain articles containing sugar. In October 1985, the Commission submitted its findings and recommendations in this investigation to the President, in confidence. The Commission's report was not released to the public at that time, consistent with instructions from the U.S. Trade Representative. It is the Commission's practice, when responding to a request from the President for information or findings which are not required by law to be released to the public, to defer to the President or his representative, the U.S. Trade Representative, on whether or when such information or findings are to be made available to the public. In this investigation, the U.S. Trade Representative directed the Commission to release the report to the public on April 12, 1993. At the time of this investigation, the Commission consisted of Chairwoman Stern, Vice Chairman Liebeler, and Commissioners Eckes, Lodwick, and Rohr. On the basis of the information developed during this investigation, Chairwoman Stern and Commissioners Lodwick and Rohr found that imports of certain powdered iced tea mixes, lemonade mixes, cocktail mixes, beverage bases, and retail packaged sugar/dextrose blends, provided for in TSUS item 183.05, containing over 10 percent by dry weight of sugar derived from sugarcane or sugar beets, were being, or were practically certain to be, imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, the price-support program of the U.S. Department of Agriculture for sugarcane and sugar beets. They

found that all other articles which were the subject of the investigation were not being, and were not practically certain to be, imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, the USDA price-support program for sugarcane and sugar beets. Vice Chairman Liebeler found that imports of sweetened cocoa (TSUS item 156.45), confectionery (TSUS item 157.10), edible preparations of gelatin (TSUS item 182.90), pancake and other flour mixes (TSUS item 183.01), and edible preparations of gelatin (TSUS item 182.90), pancake and other flours mixes (TSUS item 183.01), and edible preparations n.s.p.f. (TSUS item 183.05), were practically certain to be imported into the United States under such conditions and in such quantities as to materially interfere with USDA's price-support program for sugarcane and sugar beets. Vice Chairman Liebeler found in the negative with respect to imports of edible preparations containing over 5.5 percent butterfat (TSUS item 182.92), certain animal feeds (TSUS item 184.7070), and edible molasses (TSUS item 155.35). Commissioner Eckes found that the following were practically certain to be imported into the United States under such conditions and in such quantities as to materially interfere with the price-support program for sugarcane and sugar beets of the U.S. Department of Agriculture: (1) sweetened cocoa containing over 10 percent by dry weight of sugar, provided for in TSUS item 156.45; (2) certain pancake flour and other flour mixes containing over 10 percent by dry weight of sugar, provided for in TSUS item 183.01, except those not principally of crystalline structure or not in dry amorphous form, that are

prepared for marketing to the retail consumers in identical form and package in which imported; (3) certain edible preparations containing over 10 percent by dry weight of sugar, provided for in TSUS item 183.05, except— (a) cake decorations and similar products to be used in the same condition as imported without any further processing other than the direct application to individual pastries or confections; or (b) finely ground or masticated coconut meat or juice mixed with sugar; or (c) articles within the scope of item 183.0505, minced seafood preparations, and containing 20 percent or less by dry weight of sugar; (4) certain confectioners' coatings containing over 10 percent by dry weight of sugar provided for in TSUS item 156.47; and (5) certain edible preparations of gelatin containing over 10 percent by dry weight of sugar, provided for in TSUS item 182.90.

Recommendations Chairwoman Stern and Commissioners Lodwick and Rohr recommended that the President impose an annual quota of 50,000 short tons on imports which were the subject of their affirmative finding. Vice Chairman Liebeler recommended that imports of certain of these articles be made subject to fees. Commissioner Eckes recommended that quotas be imposed on imports which were the subject of his affirmative finding at a level equal to the quantity of such imports which entered during calendar year 1982.

² The Commission unanimously found and recommended, with respect to each of the articles described below, that changed circumstances existed, and that the following actions could be taken without resulting in an article being, or

Table 9—Footnotes Continued
Investigations under sec. 22 of the Agricultural Adjustment Act, fiscal year 1993

²—Continued

practically certain to be, imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, a program or operation of the U.S. Department of Agriculture—(1) exclude cajeta not made from cow's milk, provided for in subheading 1901.90.30 of the HTS, from the quota on malted milk and

articles of milk or cream; (2) exclude inedible dried milk powders used for calibrating infrared milk analyzers, provided for in subheading 0404.90.20 of the HTS, from the quota on malted milk and articles of milk or cream; (3) place margarine cheese from Sweden, provided for in subheading 1901.90.30 of the HTS, under the quota for low-fat cheese; (4) eliminate the import licensing requirement for dried cream and malted

milk and articles of milk or cream; and (5) technically modify U.S. note (3)(a)(iii) of subch. IV of ch. 99 of the HTS so as to enable unused country quotas for a particular dairy product to be reallocated among all countries having quota allocations for that product, including countries falling in the "other" category (unless it is specified that no quantity of such product may be entered from "other" (nonspecified) countries).

Table 10

Escape clause investigation completed under sec. 201 of the Trade Act of 1974, fiscal year 1993

Investigation No. and title	Petitioner or requestor	Petition or request filed	Public hearing	Finding of Commission	Commissioner's vote		Commission's report	
					Affirmative	Negative	Submitted to President	USTIC publication No.
TA-201-63 <i>Extruded Rubber Thread</i>	North American Rubber Thread Co., Inc.	6-23-92	9-11-92	(1)	Newquist Rohr Nuzum	Watson Brunsdale Crawford	12-21-92	2563

¹ Chairman Newquist and Commissioners Rohr and Nuzum recommended that the President impose a tariff-rate quota on imports of extruded rubber thread to remedy the serious injury to the domestic industry. Vice Chairman Watson and Commissioners Brunsdale and Crawford recommended that the President impose no remedy in the investigation.

Table 11
Preliminary investigations completed under sec. 603 of the Trade Act 1974, fiscal year 1993

Investigation No. and title	Date and basis for initiation	Hearing	Commission finding	USITC publication No.
603-TA-11 <i>Certain Recombinantly Produced Human Growth Hormones</i>	On 4-26-93, the Commission voted to institute the investigation. The basis for initiation was to investigate the alleged existence of unfair methods of competition and unfair acts in the importation of certain recombinantly produced human growth hormones.	(1)	(2)	(1)

¹ Not applicable.

² The Commission's determination to institute investigation No. 337-TA-358 after conducting a sec. 603 preliminary investigation is not to be interpreted as a Commission determination on any issue in the sec. 337 investigation.

Table 12

Review investigations under sec. 751 of the Tariff Act of 1930 pending on Sept. 30, 1993

Investigation No. and title	Self initiated by the Commission
751-TA-15 <i>Stainless Steel Plate From Sweden</i> (suspended 8-16-93)	6-30-93

APPENDIX B STATUTES INVOLVING THE U.S. INTERNATIONAL TRADE COMMISSION

Key Statutes

Section 201, Trade Act of 1974 (Escape Clause Investigations), Import Relief for Domestic Industries

Under section 201, domestic industries seriously injured or threatened with serious injury by increased imports may petition the ITC for import relief. The ITC determines whether an article is being imported in such increased quantities that it is a substantial cause of serious injury, or threat thereof, to the U.S. industry producing an article like or directly competitive with the imported article. If the Commission makes an affirmative determination, it recommends to the President relief that would remedy the injury and facilitate industry adjustment to import competition. The President makes the final decision whether to provide relief and the amount of relief.

Section 201 does not require a finding of an unfair trade practice, as do the anti-dumping and countervailing duty laws and section 337 of the Tariff Act of 1930. However, the injury test under section 201 is considered to be more difficult than those of the unfair trade statutes. Section 201 requires that the injury or threatened injury be "serious" and that the increased imports must be a "substantial cause" (not less than any other cause) of the serious injury or threat of serious injury.

Criteria for import relief under section 201 are based on those in article XIX of the GATT. Article XIX of the GATT is referred to as the escape clause because it permits a country to "escape" temporarily from its obligations under the GATT with respect to a particular product when increased imports of that product are causing or are threatening to cause serious

injury to domestic producers. Section 201 provides the legal framework under U.S. law for the President to invoke U.S. rights under article XIX.

When: The ITC conducts an investigation under section 201 upon receipt of a petition from a trade association, firm, certified or recognized union, or group of workers which is representative of a domestic industry; upon receipt of a request from the President or the USTR; upon receipt of a resolution of the House Committee on Ways and Means or Senate Committee on Finance; or upon its own motion.

Duration: The ITC generally must make its injury finding within 120 days of receipt of the petition, request, resolution, or institution on its own motion and must transmit its report to the President, together with any relief recommendations, within 60 days thereafter.

Finding: If the ITC finding is affirmative, it must recommend a remedy to the President, who determines what relief, if any, will be imposed. Such relief may be in the form of a tariff increase, quantitative restrictions, or orderly marketing agreements.

Followup: If import relief is provided, the ITC periodically reports on developments within the industry during the period of relief. Upon request, the ITC advises the President of the probable economic effect on the industry of the reduction, modification, or termination of the relief in effect. At the conclusion of any relief period, the ITC is required to report to the President and Congress on the effectiveness of the relief action in facilitating the positive adjustment of the domestic industry to import competition. (For further information, see section 201 of the Trade Act of 1974, 19 U.S.C. 2251.)

Section 337, Tariff Act of 1930, Investigations of Unfair Practices in Import Trade

Under section 337, the ITC determines whether, as defined by U.S. statutory and common law, there is unfair competition in the importation of products into, or their sale in, the United States. Section 337 declares unlawful unfair methods of competition and unfair acts in the import and sale of products in the United States, the threat or effect of which is to destroy or substantially injure a domestic industry, prevent the establishment of such an industry, or restrain or monopolize trade and commerce in the United States. Section 337 also declares as unlawful *per se* infringement of a valid and enforceable U.S. patent, copyright, registered trademark, or mask work; no resulting injury need be found.

Section 337 investigations require formal evidentiary

hearings in accordance with the Administrative Procedure Act (5 U.S.C. 551 et seq.). The hearings are held before an administrative law judge. Parties to these investigations include complainants, respondents, and the ITC attorney representing the public interest. Following a hearing, the ALJ issues an initial determination on all issues related to violations of section 337. The Commission may review and may modify the ALJ decision. If the Commission does not review the initial determination, it becomes the Commission's decision. In addition to the long-term relief requested, complainants also may request temporary relief pending final resolution of the case.

When: After receipt of a complaint under oath from an interested party or upon its own motion, the ITC conducts an investigation to determine whether unfair methods of competition or unfair acts are occurring in the importation of articles into, or their sale in, the United States.

Duration: The ITC investigation must be completed within one year or, in a case which has been desig-

nated more complicated, 18 months after the notice of investigation is published in the *Federal Register*.

Finding: In general, if the ITC finds that the importation of such articles substantially injures or threatens to substantially injure an industry, prevents the establishment of such an industry, or restrains or monopolizes trade and commerce in the United States, it may issue orders excluding the products from entry, directing the violating parties to cease and desist from certain actions, or both. However, if the imports infringe a U.S. patent, copyright, registered trademark, or mask work, the ITC may issue an exclusion and/or cease and desist order without finding injury. ITC orders become effective within 60 days of issuance unless disapproved by the President for policy reasons. Appeals of ITC determinations may be taken to the U.S. Court of Appeals for the Federal Circuit. Violators of ITC section 337 orders are liable for civil penalties of up to \$100,000 a day or twice the value of the imported articles. (For further information, see

section 337 of the Tariff Act of 1930, 19 U.S.C. 1337.)

Countervailing Duty and Antidumping Duty Laws Under the Tariff Act of 1930

Under the Tariff Act of 1930, U.S. industries may petition the government for relief from imports that are sold in the United States at less than fair value ("dumped") or which benefit from subsidies provided through foreign government programs. Under the law, the U.S. Department of Commerce determines whether the dumping or subsidizing exists and, if so, the margin of dumping or amount of the subsidy; the ITC determines whether the dumped or subsidized imports materially injure or threaten to materially injure the U.S. industry.

Countervailing duty and antidumping investigations are conducted under title VII of the law. The ITC conducts preliminary and final injury investigations. (For ease of reference, preliminary and final ITC countervailing duty investigations are referred to as "701" investigations, and

preliminary and final ITC antidumping investigations are referred to as "731" investigations, after the respective initial sections in the Tariff Act of 1930 for the countervailing duty and antidumping laws.)

Preliminary Countervailing Duty Investigations (Subsidized Imports) and Preliminary Antidumping Investigations (Imports Sold at Less Than Fair Value)

When: After the simultaneous filing of a petition with the ITC and the U.S. Department of Commerce, the ITC conducts a preliminary injury investigation.

Duration: The investigation must be completed within 45 days of the receipt of the petition.

Finding: The ITC determines, on the basis of the best information available to it at the time of the determination, (1) whether there is a "reasonable indication" that an industry is materially injured or is threatened with material injury, or (2) whether the establishment of an industry is materially retarded, by reason of imports under investigation

by the Department of Commerce that are allegedly subsidized or sold at less than fair value in the United States.

If the ITC determination is affirmative, Commerce continues its investigation. If the ITC determination is negative, the investigation is terminated.

Final Countervailing Duty Investigations (Subsidized Imports) and Final Antidumping Investigations (Imports Sold at Less Than Fair Value)

When: After a preliminary affirmative determination by the Secretary of Commerce (or after a final affirmative determination if the preliminary determination was negative) that imported products are subsidized or are being, or are likely to be, sold at less than fair value, the ITC conducts a final injury investigation.

Duration: The ITC final injury investigation usually must be completed within 120 days after an affirmative preliminary determination by the Secretary of Commerce or within 45 days after an affirmative final determination by the Secretary of Commerce,

whichever is later. However, in cases in which the Commerce preliminary determination is negative but the Commerce final determination is affirmative, then the ITC final injury determination must be made within 75 days.

Finding: The ITC determines (1) whether an industry in the United States is materially injured or threatened with material injury, or (2) whether the establishment of an industry in the United States is materially retarded, by reason of imports that the Department of Commerce has determined to be subsidized or sold in the United States at less than fair value.

If the ITC determination is affirmative, the Secretary of Commerce issues a countervailing duty order (in a subsidy investigation) or an antidumping order (in a dumping investigation), which is enforced by the U.S. Customs Service. ITC determinations may be appealed to the Court of International Trade in New York City, or, in cases involving Canada, to a binational panel under the auspices of the U.S.-Canada Free-Trade Agreement. (The North Amer-

ican Free-Trade Agreement became effective on January 1, 1994. For matters involving the United States and Canada, its provisions replaced the U.S.-Canada Free-Trade Agreement. Under the NAFTA, ITC antidumping and countervailing duty determinations involving Canada or Mexico are subject to appeal to similar binational panels.) (For further information on countervailing duty investigations, see section 701 et seq. of the Tariff Act of 1930, 19 U.S.C. 1671 et seq. For further information on antidumping investigations, see section 731 et seq. of the Tariff Act of 1930, 19 U.S.C. 1673 et seq.)

Section 303, Tariff Act of 1930 (Countervailing Duty Investigations), Subsidized Imports

Certain countervailing duty investigations involve articles that enter the United States from countries that are not covered by section 701 of the Tariff Act of 1930 because the countries are not signatories of the GATT Agreement on Subsidies and Countervailing Measures. If those articles

enter the United States free of duty, and under certain other circumstances, then under section 303 of the Tariff Act of 1930, the ITC determines, with respect to any article that the Secretary of Commerce has determined is subsidized, whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry is materially retarded, by reason of the article's import. (For further information, see section 303, Tariff Act of 1930, 19 U.S.C. 1303.)

Section 332, Tariff Act of 1930, General Factfinding Investigations

Under section 332, the ITC investigates a wide variety of trade matters.

When: Upon request from the President, Congress, or the USTR, or upon its own motion, the ITC initiates a factfinding investigation on any matter involving tariffs or international trade, including conditions of competition between U.S. and foreign industries.

Duration: Unless otherwise directed, the ITC establishes an administrative deadline. Deadlines for investigations requested by the President, the USTR, or Congress are usually set by mutual agreement.

Finding: Unless the President or Congress directs otherwise, ITC final reports are made available to all interested parties, the general public, the President and executive departments, and Congress. Reports on matters relating to pending trade negotiations are often classified documents not subject to public view. (For further information, see section 332 of the Tariff Act of 1930, 19 U.S.C. 1332.)

Section 22, Agricultural Adjustment Act, Import Interference With Agricultural Programs

Under section 22, the ITC conducts investigations at the direction of the President to determine whether products are being (or are practically certain to be) imported into the United States under such conditions and in such quantities that they render or tend to render ineffective or

materially interfere with any program of the Department of Agriculture.

The ITC makes findings and recommendations to the President. The President may impose a fee or quota on the imports in question. (For further information, see section 22 of the Agricultural Adjustment Act, 7 U.S.C. 624.)

Section 406, Trade Act of 1974, Trade With Communist Countries

Under section 406 of the Trade Act of 1974, the Commission determines whether imports from a Communist country are causing market disruption in the United States. Section 406 investigations are similar procedurally to Commission investigations under section 201 of the Trade Act of 1974. If the Commission finds market disruption, it then makes a remedy recommendation to the President. The President makes the final decision with respect to remedy. (For further information, see section 406, Trade Act of 1974, 19 U.S.C. 2436.)

Section 603, Trade Act of 1974 (Preliminary Investigations), Expedition of Preliminary Investigations

Section 603 of the Trade Act of 1974 authorizes the ITC to conduct preliminary investigations in order to expedite the performance of its functions under the Act. In recent years, the ITC has used this provision on several occasions in conjunction with section 337 of the Tariff Act of 1930 (which was amended by the Trade Act of 1974) to investigate allegations that may, with the gathering of additional information, provide a basis for an investigation under section 337. (For further information, see section 603, Trade Act of 1974, 19 U.S.C. 2482.)

Other Areas of Involvement Required by Statute

Caribbean Basin Economic Recovery Act

The ITC submits annual reports to Congress and the President on the economic impact on U.S. industries and consumers of the Caribbean

Basin Economic Recovery Program. (For further information, see 19 U.S.C. 2704.)

Uniform Statistical Data

The ITC, in cooperation with the Secretary of the Treasury and the Secretary of Commerce, establishes for statistical purposes an enumeration of articles imported into the United States and exported from the United States and seeks to establish comparability of such statistics with statistical programs for domestic production. (For further information, see section 484(e), Tariff Act of 1930, 19 U.S.C. 1484(e).)

Harmonized Tariff Schedule of the United States

The ITC issues a publication containing the HTS and related material and considers questions concerning the arrangement of the HTS and the classification of articles. (For further information, see section 1207 of the Omnibus Trade and Competitiveness Act of 1988, 19 U.S.C. 3007 and sections 332(A) and 484(e) of the Tariff Act of 1930, 19 U.S.C. 1484(e).)

Harmonized System Convention

The ITC has responsibility, along with the Department of the Treasury and the Department of Commerce, to represent the U.S. Government concerning the activities of the Customs Cooperation Council relating to the Harmonized System Convention and to formulate U.S. Government positions on technical and procedural issues relating to the Convention. (For further information, see section 1210 of the Omnibus Trade and Competitiveness Act of 1988, 19 U.S.C. 3010.)

In addition, the ITC is responsible for reviewing the HTS and for recommending to the President such modifications as it considers necessary or appropriate to conform the HTS with amendments to the Harmonized System Convention, to ensure that the HTS is kept up to date, and to alleviate unnecessary administrative burdens. (For further information, see section 1205 of the Omnibus Trade and Competitiveness Act of 1988, 19 U.S.C. 3005.)

Annual Report on the U.S. Trade Agreements Program

The ITC annually prepares for Congress and the interested public a factual report on the operation of the trade agreements program. The report contains information on U.S. participation in multilateral and bilateral trade negotiations and agreements, as well as related material on foreign economic and trade developments and the administration of U.S. trade laws. (For further information, see section 163(b), Trade Act of 1974, 19 U.S.C. 2213.)

Advice Concerning Trade Negotiations

The ITC advises the President as to the probable economic effect on domestic industries and consumers of modification of duties and other barriers to trade that may be considered for inclusion in any proposed trade agreement with foreign countries. (For further information, see section 131, Trade Act of 1974, 19 U.S.C. 2151.)

Generalized System of Preferences

With respect to articles that may be considered for duty-free treatment when imported from designated developing countries, the ITC advises the President as to the probable economic effect on the domestic industry and on consumers of the removal of duty. (For further information, see sections 131 and 503, Trade Act of 1974, 19 U.S.C. 2151, 2163.)

East-West Trade Monitoring System

The ITC monitors imports into the United States from nonmarket economy countries and prepares a report at least once each calendar quarter on the effect of such imports on the production of like or directly competitive articles in the United States and on employment within the industry. (For further information, see section 410, Trade Act of 1974, 19 U.S.C. 2440.)

APPENDIX C

REPORTS SUBMITTED TO CONGRESS ON PROPOSED LEGISLATION, FISCAL YEAR 1993¹

Reports Submitted to the House on Proposed Legislation

1. **H.R. 217**
Mr. Jacobs
To extend until January 1, 1996, the existing suspension of duty on (6R,7R)-7-[(R)-2-Amino-2-phenylacetamido]-3-methyl-8-oxo-5-thia-1-azabicyclo-[4.2.0]oct-2-ene-2-carboxylic acid disolvate. September 23, 1993. (See also S.1221.)
2. **H.R. 218**
Mr. Jacobs
To extend until January 1, 1996, the existing suspension of duty on chemical intermediate. August 26, 1993. (See also S.1219.)
3. **H.R. 221**
Mr. Jacobs
To suspend until January 1, 1996, the duty on exomethylene cep v sulfoxide ester. September 20, 1993. (See also S.1220.)
4. **H.R. 452**
Mr. de la Garza
To extend the temporary suspension of duty on fresh cantaloupes imported between January 1 and May 15 of each year. July 8, 1993. (See also S.280.)
5. **H.R. 466**
Mr. Moakley
To extend until January 1, 1996, the existing suspension of duty on tamoxifen citrate. July 21, 1993. (See also S. 446.)
6. **H.R. 724**
Mr. Lipinski
To amend the Harmonized Tariff Schedule of the United States to restore the duty rate that prevailed under the Tariff Schedules of the United States for certain twine, cordage, ropes, and cables. July 22, 1993. (See also S. 758.)
7. **H.R. 758**
Mr. Ballenger
To amend the Harmonized Tariff Schedule of the United States to provide duty-free status for hosiery knitting machines and parts thereof, and for hosiery knitting needles. July 8, 1993. (See also S. 398.)
8. **H.R. 797**
Mr. Shaw
To extend the existing suspension of duty on metal oxide varistors. June 9, 1993. (See also S. 390.)
9. **H.R. 879**
Mr. Valentine
Relating to the tariff treatment of pharmaceutical grade phospholipids and soybean oil. July 2, 1993. (See also S. 607.)
10. **H.R. 932**
Mr. Manzullo
To extend until January 1, 1997, the existing suspension of duty on certain monochrome glass envelopes. July 29, 1993.
11. **H.R. 939**
Mr. Bilbray
To extend the suspension of duty on three-dimensional cameras. August 25, 1993. (See also S. 607.)
12. **H.R. 956**
Mr. Archer
To amend the Harmonized Tariff Schedule of the United States to clarify the classification of linear alkylbenzene sulfonates and linear alkylbenzene sulfonic acid. July 29, 1993.
13. **H.R. 997**
Mr. Payne
To amend General Note 3(a)(iv) of the Harmonized Tariff Schedule of the United States to deny special tariff treatment to goods of the Commonwealth of the Northern Mariana Islands unless certain conditions are met, to require the Secretary of Labor to assign a full-time resident compliance officer to the Commonwealth of Northern Mariana Islands, and for other purposes. May 18, 1993.
14. **H.R. 1037**
Mr. Borski
To amend the Harmonized Tariff Schedule of the United States to correct the rate of duty on certain mixtures of caseinate. July 8, 1993. (See also S. 406.)
15. **H.R. 1061**
Mr. Rose
To extend until January 1, 1995, the existing suspension of duty on thiothiamine hydrochloride, and for other purposes. September 20, 1993.
16. **H.R. 1070**
Mr. Torricelli
To suspend until January 1, 1995, the duty on certain chemicals. July 2, 1993. (See also S. 1435.)

¹ Date shown for each bill is that on which the bill report was submitted to Congress.

- 17. H.R. 1071**
Mr. Torricelli
To extend until January 1, 1995, the suspension of duties on certain chemicals.
July 2, 1993.
(See also S. 1436.)
- 18. H.R. 1074**
Mr. Walker
To suspend until January 1, 1997, the duty on mounted closed circuit television lenses.
September 14, 1993.
- 19. H.R. 1117**
Mr. Payne
To reduce until January 1, 1995, the duty on succinic anhydride.
September 20, 1993.
- 20. H.R. 1118**
Mr. Peterson
To extend until January 1, 1995, the existing suspension of duty on certain piston engines.
July 8, 1993.
(See also S. 392.)
- 21. H.R. 1119**
Mr. Quillen
To correct the tariff rate inversion on certain iron and steel pipe and tube products.
August 6, 1993.
(See also S. 757, H.R. 1236, and H.R. 1366.)
- 22. H.R. 1147**
Mr. Moakley
To extend until January 1, 1999, the existing suspension of duty on certain unimproved wools.
July 2, 1993.
(See also S. 624.)
- 23. H.R. 1160**
Mr. Tauzin
To make permanent the temporary exemption from duty of the cost of certain foreign repairs made to United States vessels.
August 25, 1993.
(See also S. 428.)
- 24. H.R. 1236**
Mr. Regula
To correct the tariff rate inversion on certain iron steel pipe and tube products.
August 6, 1993.
(See also S. 757, H.R. 1119, and H.R. 1366.)
- 25. H.R. 1266**
Mr. Ravenel
To provide permanent duty-free treatment for certain menthol feedstocks.
August 25, 1993.
(See also S. 907.)
- 26. H.R. 1274**
Mr. Andrews
To extend until January 1, 1995, the existing suspension of duty on certain wicker products.
July 29, 1993.
- 27. H.R. 1287**
Mr. Holden
To suspend until January 1, 1996, the duty on certain chemicals.
August 6, 1993.
- 28. H.R. 1288**
Mr. Holden
To extend until January 1, 1995, the existing suspension of duty on certain chemicals.
August 25, 1993.
- 29. H.R. 1326**
Mr. Richardson
To suspend temporarily the duty on rifabutin (dosage form).
July 2, 1993.
(See also S. 312.)
- 30. H.R. 1366**
Mr. Regula
To correct the tariff rate inversion on certain iron and steel pipe and tube products.
August 6, 1993.
(See also S. 757 and H.R. 1236.)
- 31. H.R. 1371**
Mr. Smith
To provide for additional extension periods, not exceeding 2 years in the aggregate, in the time allowed for re-exportation of certain goods admitted temporarily free of duty under bond.
June 21, 1993.
- 32. H.R. 1372**
Mr. Smith
To reduce the duty on ceramic statues, statuettes, and handmade flowers until January 1, 1995.
August 6, 1993.
- 33. H.R. 1387**
Mr. Sensenbrenner
To correct the tariff classification of timing apparatus with optoelectronic display only.
August 6, 1993.
- 34. H.R. 1427**
Mr. Spratt
To extend the existing suspension of duty on tetraamino biphenyl.
August 26, 1993.
(See also S. 1392.)
- 35. H.R. 1473**
Mrs. Slaughter
To correct the Harmonized Tariff Schedule of the United States as it applies to electric toothbrushes and parts thereof.
September 23, 1993.
(See also S. 1307.)
- 36. H.R. 1536**
Mr. Neal
To suspend until January 1, 1997, the duty on 2,2-Bis-[4-aminophenoxy]phenyl]-propane.
September 23, 1993.
- 37. H.R. 1537**
Mr. Payne
To extend until January 1, 1996, the existing suspension of duty on machines designed for heatset, stretch texturing of continuous man-made fibers.
August 25, 1993.
(See also S. 820.)
- 38. H.R. 1556**
Mr. Gilman
To extend until December 31, 1998, the temporary suspension of duties on 7-Acetyl-1,1,3,4,4,6-hexamethyltetrahydronaphthalene.
July 21, 1993.
- 39. H.R. 1557**
Mr. Gilman
To suspend until December 31, 1998, the duty on pectin.
July 8, 1993.
(See also S. 750.)
- 40. H.R. 1558**
Mr. Gilman
To suspend until December 31, 1998, the duty on 6-Acetyl-1,1,2,3,3,5-hexamethylindan.
August 12, 1993.
(See also S. 751.)
- 41. H.R. 1590**
Mr. Archer
To suspend temporarily the duty on 5-(N,N-dibenzylglycyl)-salicylamide; 2-[N-benzyl-N-tert-butylamino]-4'-

- hydroxy-3'-hydroxy-methylacetophenone hydrochloride; Flutamide; and Loratadine. August 25, 1993. (See also S. 1433.)
42. **H.R. 1591**
Mr. Archer
Relating to the tariff treatment of 1,6-hexamethylene diisocyanate. September 14, 1993.
43. **H.R. 1592**
Mr. Bliley
To extend until January 1, 1995, the existing suspension of duty on 1-(3-Sulfopropyl) pyridinium hydroxide. September 20, 1993.
44. **H.R. 1626**
Ms. Kaptur
To extend until January 1, 1995, the existing temporary suspension of duty on umbrella frames. August 26, 1993. (See also S. 1321.)
45. **H.R. 1643**
Mr. Sabo
To suspend until January 1, 1996, the duty on certain internally lighted ceramic and porcelain miniatures of cottages, houses churches, and other building, and associated accessories and figurines. July 2, 1993. (See also S. 370.)
46. **H.R. 1646**
Mr. Tauzin
To suspend temporarily the duty on disperse red 279. July 12, 1993. (See also S. 706.)
47. **H.R. 1647**
Mr. Tauzin
To suspend temporarily the duty on fastusol C blue 76L. July 14, 1993.
48. **H.R. 1648**
Mr. Tauzin
To suspend temporarily the duty on 2-Hydroxy-4-Methoxy Benzophenone Sulfonic Acid. July 12, 1993.
49. **H.R. 1649**
Mr. Tauzin
To suspend temporarily the duty on a-Isopropyl-a [(N-methyl-N-homoveratryl)-g-aminopropyl]-3, 4-Dimethoxy-phenylacetone-nitril-hydrochloride. July 23, 1993.
50. **H.R. 1650**
Mr. Tauzin
To suspend temporarily the duty on 3,7,11,15 tetramethyl-1-hecaden-3-01. July 23, 1993.
51. **H.R. 1651**
Mr. Tauzin
To suspend temporarily the duty on 2,3,5-Trime-thylhydroquinone. July 23, 1993.
52. **H.R. 1652**
Mr. Tauzin
To suspend temporarily the duty on riboflavin. July 23, 1993. (See also S. 711.)
53. **H.R. 1653**
Mr. Tauzin
To suspend temporarily the duty on certain chemicals. July 23, 1993.
54. **H.R. 1654**
Mr. Tauzin
To suspend temporarily the duty on diamino imid sp. July 23, 1993. (See also S. 696.)
55. **H.R. 1655**
Mr. Tauzin
To suspend temporarily the duty on 2-(4-amino-phenyl)-6-methylbenzo-thiazole-7-sulfonic acid. July 29, 1993.
56. **H.R. 1656**
Mr. Tauzin
To suspend temporarily the duty on sethoxydim. August 12, 1993. (See also S. 698.)
57. **H.R. 1657**
Mr. Tauzin
To suspend temporarily the duty on 3-ethylami-no-p-cresol. August 6, 1993.
58. **H.R. 1658**
Mr. Tauzin
To suspend temporarily the duty on 6-amino-1-naphthol-3-sulfonic acid. July 29, 1993.
59. **H.R. 1659**
Mr. Tauzin
To suspend temporarily the duty on B-naphthol. August 6, 1993. (See also S. 692.)
60. **H.R. 1660**
Mr. Tauzin
To suspend temporarily the duty on rosachloride lumps. August 6, 1993. (See also S. 694.)
61. **H.R. 1661**
Mr. Tauzin
To suspend temporarily the duty on C.I. Pigment Yellow 138. August 6, 1993. (See also S. 709.)
62. **H.R. 1662**
Mr. Tauzin
To suspend temporarily the duty on C.I. Pigment Yellow 183. August 12, 1993. (See also S. 695.)
63. **H.R. 1663**
Mr. Tauzin
To suspend temporarily the duty on Pigment Blue 60. August 25, 1993. (See also S. 693.)
64. **H.R. 1664**
Mr. Tauzin
To suspend temporarily the duty on Pigment Blue 16. August 24, 1993.
65. **H.R. 1692**
Mr. Andrews
To renew until January 1, 1997, the previous suspension of duty on certain chemicals. September 23, 1993.
66. **H.R. 1693**
Mr. Andrews
To reduce until January 1, 1997, the duty on certain chemicals. August 26, 1993.
67. **H.R. 1694**
Mr. Andrews
To suspend until January 1, 1997, the duty on certain chemicals. September 14, 1993.
68. **H.R. 1704**
Mr. Gingrich
To suspend until January 1, 1995, the duty on 1,8 Dichloroanthra-quinone and 1,8 Diamino-naphthalene. August 26, 1993. (See also H.R. 1777.)

- 69. H.R. 1717**
Mr. Skaggs
To amend the Harmonized Tariff Schedule of the United States to extend the temporary suspension of the duties on certain infant nursery intercoms and monitors.
September 23, 1993.
(See also S. 1306.)
- 70. H.R. 1728**
Mr. Coyne
To revive the suspension of duty on 1,5-naphthalene diisocyanate.
August 25, 1993.
(See also S. 755.)
- 71. H.R. 1741**
Mr. McDermott
To extend until January 1, 1998, the previously existing suspension of duty on crude feathers and down.
September 14, 1993.
- 72. H.R. 1745**
Mrs. Roukema
To suspend until January 1, 1996, the duty on certain chemicals.
September 28, 1993.
- 73. H.R. 1746**
Mrs. Roukema
To suspend temporarily the duty on 2,3,6-Trimethylphenol (TMP).
August 25, 1993.
(See also S. 724.)
- 74. H.R. 1751**
Mr. Zimmer
To extend until January 1, 1997, the existing suspension of duty on graphite.
July 29, 1993.
- 75. H.R. 1777**
Mr. Coble
To suspend until January 1, 1995, the duty on 1,8-Dichloroanthraquinone.
August 25, 1993.
(See also H.R. 1704.)
- 76. H.R. 1839**
Mr. Roth
To extend until January 1, 1995, the existing suspension of duty on power-driven weaving machines for weaving fabrics more than 4.9 meters in width.
September 29, 1993.
(See also S. 1223.)
- 77. H.R. 1849**
Mr. Crane
To renew the previously existing suspension of duty on parts of aircraft generators.
September 29, 1993.
- 78. H.R. 1851**
Mr. Hefley
To extend until January 1, 1995, the suspension of duties on certain glass fibers.
August 6, 1993.
(See also S. 1211.)
- 79. H.R. 1866**
Mr. de Lugo
To amend the Harmonized Tariff Schedule of the United States to make permanent certain provisions relating to verification of wages and issuance of duty refund certificates to insular producers in the United States Virgin Islands, Guam, and American Samoa.
September 23, 1993.
- 80. H.R. 1869**
Mrs. Kennelly
Relating to the tariff treatment of paintings imported for the use of any public library, any other public institution established for educational, scientific, literary, or philosophical purposes, or for the encouragement of the fine arts.
August 25, 1993.
- 81. H.R. 1895**
Mr. Jacobs
To suspend until January 1, 1996, the duty on ioxilan, and to extend until January 1, 1996, the existing suspensions of duty on iohexol, iopamidol, and ioxaglic acid.
September 14, 1993.
- 82. H.R. 1896**
Mr. Jacobs
To suspend until January 1, 1998, the duty on certain composite diagnostic or laboratory reagents.
August 25, 1993.
(See also S. 688.)
- 83. H.R. 1920**
Mr. McMillan
To extend until January 1, 1997, the existing suspension of duty on trifluoromethylaniline.
August 25, 1993.
(See also S. 819.)
- 84. H.R. 1932**
Mr. Levy
To extend the suspension of duty on certain small toys, toy jewelry, and novelty goods, and for other purposes.
September 17, 1993.
(See also S. 961.)
- 85. H.R. 1940**
Mr. Ramstad
To extend until January 1, 1997, the previously existing suspension of duty on cyclosporine.
August 6, 1993.
(See also S. 582.)
- 86. H.R. 1941**
Mr. Ramstad
To suspend temporarily the duty on photoreceptors and assemblies containing photoreceptors.
August 6, 1993.
(See also S. 583.)
- 87. H.R. 1959**
Mr. Hefley
To reduce until January 1, 1997, the duty on woven polypropylene cloth.
August 25, 1993.
- 88. H.R. 1962**
Mr. Kleczka
To extend until January 1, 1996, the existing suspension of duty on 6-Hydroxy-2-naphthalensulfonic acid, and its sodium, potassium, and ammonium salts.
August 25, 1993.
(See also S. 1089.)
- 89. H.R. 1963**
Mr. Kleczka
To suspend until January 1, 1996, the duty on DMAS.
August 25, 1993.
- 90. H.R. 1979**
Mr. Borski
To amend the Harmonized Tariff Schedule of the United States to correct the rate of duty on certain mixtures of caseinate.
September 16, 1993.
(See also S. 406 and H.R. 1032.)
- 91. H.R. 2005**
Mr. Ballenger
To suspend until January 1, 1995, the duty on p-Acetanisidide.
September 20, 1993.
(See also S. 1394.)

H.R. 2006*Mr. Ballenger*

To suspend until January 1, 1995, the duty on diazo-2,1,4-sulfonic acid and its salts. September 23, 1993.

H.R. 2007*Mr. Ballenger*

To suspend until January 1, 1995, the duty on 4,4'-(hexafluoroisopropylidene)bis(phthalic anhydride). August 25, 1993. (See also S. 1388.)

H.R. 2045*Mr. Wheat*

To suspend until January 1, 1997, the duty on O,O-dimethyl-s-((4-oxo-1,2,3-benzotriazin-3(4h)-yl)methyl]phosphorodithioate. October 29, 1993. (See also S. 958.)

H.R. 2046*Mr. Wheat*

To suspend until January 1, 1997, the duty on 4-Fluoro-3-Phenoxy Benzaldehyde. September 17, 1993. (See also S. 959.)

H.R. 2066*Mrs. Kennelly*

To extend until January 1, 1999, the existing suspension of duty on certain parts and accessories of indirect process electrostatic

photocopying machines. August 26, 1993.

97. H.R. 2068*Mr. Machtley*

To revive, and extend until January 1, 1999, the suspension of duty on certain narrow fabric weaving machines. September 29, 1993. (See also S. 1403.)

98. H.R. 2069*Mr. Machtley*

To revive, and extend until January 1, 1999, the suspension of duty on decorative lace-braiding machines. September 29, 1993.

99. H.R. 2083*Mr. Machtley*

To revive, and extend until January 1, 1999, the suspension of duty on certain carding and spinning machines. September 29, 1993.

100. H.R. 2085*Mrs. Johnson*

To temporarily suspend the duty on N-[[[(4-chlorophenyl)amino]carbonyl]-2-difluorobenzamide, and for other purposes. September 20, 1993. (See also S. 803.)

101. H.R. 2086*Mrs. Johnson*

To extend the temporary suspension of duty on 2,6-Dichlorobenzonitrile.

August 25, 1993.

(See also S. 804.)

102. H.R. 2087*Mrs. Johnson*

To extend the temporary suspension of duty on 1-[1-((4-Chloro-2-(trifluoromethyl)-phenyl)imino)-2-propoxyethyl]-1-H-imidazole, and for other purposes. August 25, 1993. (See also S. 805.)

103. H.R. 2097*Mr. Kennedy*

To suspend until January 1, 1997, the duty on certain chemicals. September 29, 1993.

104. H.R. 2098*Mr. Kennedy*

To suspend until January 1, 1997, the duty on certain instant print cameras. September 23, 1993.

105. H.R. 2101*Mr. Lewis*

To temporarily suspend the duty on certain piston engines entered on or before December 31, 1998. September 29, 1993. (See also S. 392 and H.R. 1118.)

106. H.R. 2123*Mr. Hoekstra*

To suspend temporarily the duty on N,N-dimethyl-N'-(3-(methylamino)carbonyl)

oxy)phenyl)methanimidamide monohydrochloride. September 23, 1993. (See also S. 509.)

107. H.R. 2156*Mr. Bunning*

To amend the Harmonized Tariff Schedule of the United States to restore the rate of duty applicable to man-made fiber felt fabric for technical uses that was in effect under the Tariff Schedules of the United States. September 14, 1993.

108. H.R. 2162*Mr. Grandy*

To suspend until January 1, 1997, the duty on Diquat Dibromide. September 28, 1993.

109. H.R. 2164*Mr. Grandy*

To suspend until January 1, 1997, the duty on lambda-cyhalothrin. September 28, 1993.

110. H.R. 2167*Mr. Grandy*

To suspend until January 1, 1997, the duty on Fomesafen. September 28, 1993. (See also S. 595.)

111. H.R. 2179*Mr. Ravenel*

To extend until January 1, 1996, the previously existing suspension of duty on

anthraquinone. September 23, 1993.

112. H.R. 2180*Mr. Ravenel*

To extend until January 1, 1996, the previously existing suspension of duty on Paramine Acid. September 28, 1993.

113. H.R. 2181*Mr. Ravenel*

To extend until January 1, 1996, the previously existing suspension of duty on Trimethyl Base. September 28, 1993. (See also S. 902.)

114. H.R. 2182*Mr. Ravenel*

To extend until January 1, 1996, the previously existing suspension of duty on certain chemicals. September 28, 1993.

115. H.R. 2183*Mr. Ravenel*

To extend until January 1, 1996, the previously existing suspension of duty on naphthalic acid anhydride. September 28, 1993.

116. H.R. 2184*Mr. Ravenel*

To suspend until January 1, 1995, the duty on chromotropic acid. September 28, 1993. (See also S. 904.)

117. H.R. 2247

Mr. Ballenger
To suspend until January 1, 1995, the duty on 4,4' biphenol. September 28, 1993. (See also S. 1386.)

118. H.R. 2280

Mr. Reed
To extend until January 1, 1995, the previously existing suspensions of duty on certain chemicals. September 28, 1993. (See also S. 1238, S. 1239 and S. 1240.)

119. H.R. 2282

Mr. Reed
To extend until January 1, 1995, the previously existing suspension of duty on N-acetylsulfanyl chloride. September 28, 1993. (See also S. 1241.)

120. H.R. 2283

Mr. Reed
To extend until January 1, 1995, the previously existing suspension of duty on nitro sulfon B. September 14, 1993. (See also S. 1245.)

121. H.R. 2298

Mr. Castle
To suspend until January 1, 1995, the duty on Pigment Red 254. August 26, 1993. (See also S. 747.)

122. H.R. 2299

Mr. Castle
To suspend until January 1, 1995, the duty on Pigment Blue 60. September 28, 1993. (See also S. 749.)

123. H.R. 2302

Mr. Castle
To extend until January 1, 1995, the duty on o-Benzyl-p-chlorophenol. September 28, 1993. (See also S. 506.)

124. H.R. 2313

Mr. Hastert
To suspend until January 1, 1995, the duty on anthraquinone. September 23, 1993. (See also S. 903 and H.R. 2383.)

125. H.R. 2314

Mr. Hastert
To suspend temporarily the duty on 3,4,4'-trichlorocarbanilide. September 28, 1993. (See also S. 1012.)

126. H.R. 2324

Mr. Spratt
To suspend for a 3-year period the duty on omega-dodecalactam. September 17, 1993. (See also S. 912.)

127. H.R. 2362

Mr. Neal
To make a technical correction with respect to

the temporary duty suspension for clomiphene citrate. September 28, 1993.

128. H.R. 2371

Mr. Crane
To extend until January 1, 1995, the previously existing suspension of duty on fresh, chilled, or frozen brussels sprouts. September 14, 1993.

129. H.R. 2372

Mr. Crane
To extend until January 1, 1995, the previously existing suspend on duty on 4-Chloro-3-methylphenol. September 28, 1993.

130. H.R. 2383

Mr. Payne
To extend until January 1, 1997, the previously existing suspension of duty on anthraquinone. September 23, 1993. (See also S. 903 and H.R. 2313.)

131. H.R. 2422

Mr. Reed
To extend until January 1, 1995, the previously existing suspension of duty on certain chemicals. September 28, 1993. (See also S. 1384.)

Reports Submitted to the Senate on Proposed Legislation

1. S. 272

Mr. DeConcini
To extend the temporary suspension of import duties on cantaloupes. April 27, 1993. (See also H.R. 452 and S. 280.)

2. S. 280

Mr. Gramm
To extend the temporary suspension of duty on fresh cantaloupes imported between January 1 and May 15 of each year. July 8, 1993. (See also H.R. 452 and S. 272.)

3. S. 312

Mr. Domenici
To suspend temporarily the duty on rifabutin (dosage form). April 27, 1993. (See also H.R. 1326.)

4. S. 369

Mr. Durenberger
To suspend until January 1, 1995, the duty on certain ceramic ferrules and sleeves. April 27, 1993.

5. S. 370

Mr. Durenberger
To suspend until January 1, 1995, the

duty on certain internally lighted ceramic and porcelain miniatures of cottages, houses, churches, and other buildings and associated accessories and figurines. April 27, 1993. (See also H.R. 1643.)

6. S. 372

Mr. DeConcini
To extend the existing duty free treatment with respect to articles provided by the Max Planck Institute for Radioastronomy to the Steward Observatory. April 27, 1993.

7. S. 390

Mr. Mack
To extend the existing suspension of duty on metal oxide varistors. June 9, 1993. (See also H.R. 797.)

8. S. 392

Mr. Durenberger
To extend until January 1, 1995, the existing suspension of duty on certain piston engines. June 9, 1993. (See also H.R. 1118.)

9. S. 397

Mr. Grassley
To amend the Harmonized Tariff Schedule of the United States to temporarily suspend the duty on mercuric oxide. June 9, 1993. (See also H.R. 2252.)

S. 398

Mr. Grassley
To amend the Harmonized Tariff Schedule of the United States to provide duty-free status for hosiery knitting machines and parts thereof, and for hosiery knitting needles.
July 8, 1993.
(See also H.R. 758.)

S. 406

Mr. Wofford
To amend the Harmonized Tariff Schedule of the United States to correct the rate of duty on certain mixtures of caseinate.
July 1, 1993.
(See also H.R. 1037.)

S. 428

Mr. Breaux
To make permanent the temporary exemption from duty of the cost of certain foreign repairs made to United States vessels.
July 2, 1993.
(See also H.R. 1160.)

S. 446

Mr. Roth
To extend until January 1, 1996, the existing suspension of duty on tamoxifen citrate.
July 21, 1993.
(See also H.R. 466.)

14. S. 454

Mr. Bryan
To extend the suspension of duty on three-dimensional cameras.
July 8, 1993.
(See also H.R. 939.)

15. S. 506

Mr. Roth
To continue until January 1, 1995, the suspension of duty on o-Benzyl-p-chlorophenol.
July 8, 1993.
(See also H.R. 2302.)

16. S. 507

Mr. Roth
To extend the existing temporary suspension of duty on fusilade.
June 15, 1993.
(See also H.R. 2251 and S. 593.)

17. S. 508

Mr. Roth
To suspend temporarily the duty on 3-dimethylaminomethyleneimino-phenol hydrochloride.
June 21, 1993.

18. S. 509

Mr. Roth
To suspend temporarily the duty on N,N-dimethyl-N'-(3-((methylamino)carbonyl)oxy)phenyl)methanimidamide monohydrochloride.
July 8, 1993.

19. S. 510

Mr. Roth
To temporarily suspend the duty on Bendiocarb.
July 2, 1993.

20. S. 511

Mr. Roth
To suspend temporarily the duty on PCMX.
June 21, 1993.
(See also H.R. 2301.)

21. S. 530

Mr. Mitchell
To amend the Harmonized Tariff Schedule of the United States to clarify that certain footwear assembled in beneficiary countries is excluded from duty-free treatment.
August 25, 1993.

22. S. 582

Mr. Durenberger
To extend until January 1, 1997, the temporary suspension of duty on cyclosporine.
May 28, 1993.

23. S. 583

Mr. Durenberger
To suspend temporarily the duty on photoreceptors and assemblies containing photoreceptors.
August 6, 1993.

24. S. 593

Mr. Grassley
To extend the temporary suspension of duty on fluazifop-p-butyl.
June 15, 1993.

(See also H.R. 2251 and S. 507.)

25. S. 594

Mr. Grassley
To suspend temporarily the duty on tefluthrin.
May 28, 1993.
(See also H.R. 2165.)

26. S. 595

Mr. Grassley
To suspend temporarily the duty on Fomesafen.
June 3, 1993.
(See also H.R. 2167.)

27. S. 607

Mr. Helms
To amend the Harmonized Tariff Schedule of the United States with respect to the tariff treatment of pharmaceutical grade phospholipids and soybean oil.
June 3, 1993.
(See also H.R. 879.)

28. S. 624

Mr. Durenberger
To extend until January 1, 1999, the existing suspension of duty on certain unimproved wools.
June 9, 1993.
(See also H.R. 1147.)

29. S. 637

Mr. Bradley
To suspend temporarily the duty on pentostatin.
June 21, 1993.

30. S. 638

Mr. Bradley
To extend the temporary

suspension of duty on jacquard cards and other cards used as jacquard cards.
June 3, 1993.

31. S. 641

Mr. Bradley
To provide for additional extension periods for re-exportation of certain articles admitted temporarily free of duty under bond.
June 21, 1993.

32. S. 642

Mr. Bradley
To extend the existing suspension of duty on methyl and ethyl parathion and dimethoate.
July 8, 1993.

33. S. 688

Mr. Lugar
A bill to temporarily suspend duties on certain composite diagnostic or laboratory reagents.
August 25, 1993.

34. S. 692

Mr. Johnston
To suspend temporarily the duty on B-naphthol.
August 8, 1993.
(See also H.R. 1659.)

35. S. 693

Mr. Johnston
To suspend temporarily the duty on Pigment Blue 60.
August 25, 1993.
(See also H.R. 1663.)

- 36. S. 694**
Mr. Johnston
To suspend temporarily the duty on rosachloride lumps.
August 6, 1993.
(See also H.R. 1660.)
- 37. S. 695**
Mr. Johnston
To suspend temporarily the duty on C.I. Pigment Yellow 183.
August 12, 1993.
(See also H.R. 1662.)
- 38. S. 696**
Mr. Johnston
To suspend temporarily the duty on diamino imid sp.
July 23, 1993.
(See also H.R. 1654.)
- 39. S. 697**
Mr. Johnston
To suspend temporarily the duty on 2-(4-amino-phenyl)-6-methylbenzothiazole-7-sulfonic acid.
July 29, 1993.
(See also H.R. 1655 and S. 910.)
- 40. S. 698**
Mr. Johnston
To suspend temporarily the duty on sethoxydim.
August 12, 1993.
(See also H.R. 1656.)
- 41. S. 700**
Mr. Johnston
To extend the temporary reduction of duty on
- caffeine.
August 6, 1993.
- 42. S. 701**
Mr. Johnston
To suspend temporarily the duty on 6-amino-1-naphthol-3-sulfonic acid.
July 29, 1993.
(See also H.R. 1658.)
- 43. S. 702**
Mr. Johnston
To suspend temporarily the duty on 3-ethyl-amino-p-cresol.
August 6, 1993.
(See also H.R. 1657.)
- 44. S. 703**
Mr. Johnston
To suspend temporarily the duty on Pigment Blue 16.
August 25, 1993.
(See also H.R. 1664.)
- 45. S. 704**
Mr. Johnston
To suspend temporarily the duty on 3,7,11,15-tetramethyl-1-hexadecen-3-01.
July 23, 1993.
(See also H.R. 1650.)
- 46. S. 705**
Mr. Johnston
To suspend temporarily the duty on a-Isopropyl-a [(N-methyl-N-homoveratryl)-g-aminopropyl]-3, 4-Dimethoxyphenylacetone nitril-hydrochloride.
July 23, 1993.
(See also H.R. 1649.)
- 47. S. 706**
Mr. Johnston
To suspend temporarily the duty on disperse red 279.
July 12, 1993.
(See also H.R. 1646.)
- 48. S. 707**
Mr. Johnston
To suspend temporarily the duty on 2-Hydroxy-4-Methoxy Benzo-phenone Sulfonic Acid.
July 12, 1993.
(See also H.R. 1648.)
- 49. S. 708**
Mr. Johnston
To suspend temporarily the duty on fastusol C blue 76L.
July 14, 1993.
(See also H.R. 1647.)
- 50. S. 709**
Mr. Johnston
To suspend temporarily the duty on C.I. Pigment Yellow 138.
August 6, 1993.
(See also H.R. 1661.)
- 51. S. 710**
Mr. Johnston
To suspend temporarily the duty on certain chemicals.
July 23, 1993.
(See also H.R. 1653.)
- 52. S. 711**
Mr. Johnston
To suspend temporarily the duty on riboflavin.
July 23, 1993.
(See also H.R. 1652.)
- 53. S. 712**
Mr. Johnston
To suspend temporarily the duty on 2,3,5-Trimethylhydroquinone.
July 23, 1993.
(See also H.R. 1651.)
- 54. S. 724**
Mr. Lautenberg
To extend the temporary suspension of duty on 2,3,6-Trimethylphenol (TMP).
August 25, 1993.
(See also H.R. 1746.)
- 55. S. 747**
Mr. Roth
To suspend temporarily the duty on Pigment Red 254.
August 26, 1993.
(See also H.R. 2298.)
- 56. S. 748**
Mr. Roth
To extend the temporary suspension of duty on 7-Acetyl-1,1,3,4,4,6-hexamethyltetrahydronaphthalene.
July 21, 1993.
(See also H.R. 1556.)
- 57. S. 749**
Mr. Roth
To suspend temporarily the duty on Pigment Blue 60.
July 29, 1993.
(See also H.R. 1663.)
- 58. S. 750**
Mr. Roth
To suspend temporarily the duty on Pectin.
July 8, 1993.
(See also H.R. 1557.)
- 59. S. 751**
Mr. Roth
To suspend temporarily the duty on 6-Acetyl-1,1,2,3,3,5-hexamethyl Indan.
August 12, 1993.
(See also H.R. 1558.)
- 60. S. 753**
Mr. Rockefeller
To extend the temporary suspension of duty on certain carbodiimides.
September 16, 1993.
- 61. S. 754**
Mr. Rockefeller
To extend the temporary suspension of duty on octadecyl isocyanate.
August 26, 1993.
- 62. S. 755**
Mr. Rockefeller
To extend the temporary suspension of duty on 1,5-naphthalene diisocyanate.
August 25, 1993.
(See also H.R. 1728.)
- 63. S. 756**
Mr. Rockefeller
To suspend temporarily the duty on certain carbodiimide masterbatches.
September 16, 1993.

64. **S. 757**
Mr. Rockefeller
To correct the tariff rate inversion on certain iron and steel pipe and tube products.
August 6, 1993.
(See also H.R. 1119.)
65. **S. 758**
Mr. Simon
To amend the Harmonized Tariff Schedule of the United States to restore the duty rate that prevailed under the Tariff Schedules of the United States for certain twine, cordage, ropes, and cables.
July 23, 1993.
(See also H.R. 724.)
66. **S. 803**
Mr. Helms
To temporarily suspend the duty on N-[[[(4-chlorophenyl)amino]carbonyl]-2-difluorobenzamid, and for other purposes.
September 20, 1993.
67. **S. 804**
Mr. Helms
To extend the temporary suspension of duty on 2,6-Dichlorobenzonitrile.
August 25, 1993.
68. **S. 805**
Mr. Helms
To extend the temporary suspension of duty on 1-[1-((4-Chloro-2-(trifluoromethyl)-phenyl)imino)-2-propoxythyl]-1-H-imidazole, and for other purposes.
August 25, 1993.
69. **S. 807**
Mr. Wofford
To amend the Harmonized Tariff Schedule of the United States to correct the rate of duty on certain mixtures of caseinate.
September 16, 1993.
70. **S. 813**
Mr. Durenberger
To suspend temporarily the duty on Bisphenol AF.
August 25, 1993.
71. **S. 814**
Mr. Durenberger
To suspend temporarily the duty on capillary membrane material.
August 25, 1993.
72. **S. 819**
Mr. Helms
To extend the temporary suspension of duty on Trifluoromethylaniline.
August 25, 1993.
73. **S. 820**
Mr. Helms
To extend the existing suspension of duty on machines designed for heat-set, stretch texturing of continuous man-made fibers.
August 25, 1993.
(See also H.R. 1537.)
74. **S. 838**
Mr. Kohl
To amend the Harmonized Tariff Schedule of the United States to correct the rate of duty on certain agglomerated cork products.
September 23, 1993.
75. **S. 902**
Mr. Thurmond
To extend the temporary suspension of duty on Trimethyl Base.
September 28, 1993.
(See also H.R. 2181.)
76. **S. 903**
Mr. Thurmond
To extend the temporary suspension of duty on Anthraquinone.
September 23, 1993.
(See also H.R. 2383 and S. 1000.)
77. **S. 904**
Mr. Thurmond
To suspend temporarily the duty on 1,8-Dihydroxynaphthalene-3, 6-disulfonic acid.
September 28, 1993.
(See also H.R. 2184.)
78. **S. 905**
Mr. Thurmond
To suspend temporarily the duty on C.I. Reactive Blue 224.
September 23, 1993.
79. **S. 907**
Mr. Thurmond
To make the temporary suspension of duty on menthol feedstocks permanent.
August 25, 1993.
(See also H.R. 1266.)
80. **S. 910**
Mr. Thurmond
To temporarily suspend the duty on 2-(4-Amino-phenyl)-6-methyl-benzothiazole-7-sulfonic acid.
August 25, 1993.
(See also H.R. 1655 and S. 697.)
81. **S. 912**
Mr. Thurmond
To temporarily suspend the duty on lauryllactam.
September 17, 1993.
82. **S. 931**
Mr. Hatch
To amend the Harmonized Tariff Schedule of the United States to clarify the treatment of certain sports clothing.
August 25, 1993.
(See also H.R. 2324.)
83. **S. 956**
Mr. Danforth
To suspend temporarily the duty on difenzoquat methyl sulfate.
September 20, 1993.
84. **S. 957**
Mr. Danforth
To suspend temporarily the duty on oxalacetic acid diethyl ester sodium salt.
September 23, 1993.
85. **S. 959**
Mr. Danforth
To extend the temporary suspension of duty on 4-fluoro-3-phenoxy benzaldehyde.
September 17, 1993.
(See also H.R. 2046.)
86. **S. 960**
Mr. Danforth
To extend the temporary duty reduction on certain unwrought lead.
September 16, 1993.
87. **S. 961**
Mr. Danforth
To extend the suspension of duty certain small toys, toy jewelry, and novelty goods, and for other purposes.
September 17, 1993.
(See also H.R. 1932.)
88. **S. 962**
Mr. Danforth
To extend the suspension of duty on triallate.
September 28, 1993.
89. **S. 975**
Mr. Helms
To suspend temporarily the duty on 1,8-Dichloro-anthraquinone.
August 11, 1993.
(See also H.R. 1704.)
90. **S. 1000**
Mr. Rockefeller
To extend the temporary suspension of duty on anthraquinone.
September 23, 1993.
(See also H.R. 2313 and S. 903.)

91. S. 1089

Mr. Danforth

To extend the existing suspension of duty on 6-Hydroxy-2-naphthalenesulfonic acid, and its sodium, potassium, and ammonium salts. August 25, 1993. (See also H.R. 1962.)

92. S. 1103

Mr. Roth

To suspend temporarily the duty on 4-Picolylchloride HCl, 2H-indole-2-one, 1,3-dihydro-1-phenyl-3-(4-pyridinylmethylene), Linopirdine (active), 3,3-bis(4-pyridinylmethyl)-1,3-dihydro-1-phenyl-2H-indole-2-one, and AVIVA (tablet formulation). September 28, 1993.

93. S. 1220

Mr. Coats

To suspend temporarily the duty on exomethylene cepv sulfoxide ester. September 20, 1993. (See also H.R. 221.)

94. S. 1221

Mr. Coats

To extend the existing suspension of duty (6R, 7R)-7-[(R)-2-Amino-2-phenylacetamido]-3-methyl-8-oxo-5-thia-1-aza-bicyclo[4.2.0]oct-2-ene-2-carboxylic acid disolvate.

September 23, 1993.

(See also H.R. 217.)

95. S. 1223

Mr. Breaux

To extend the existing suspension of duty on power-driven weaving machines for weaving fabrics more than 4.9 meters in width. September 29, 1993. (See also H.R. 1839.)

96. S. 1306

Mr. D'Amato

To extend until January 1, 1997, the previous suspension of duty on certain infant nursery intercoms and monitors. September 23, 1993. (See also H.R. 1717.)

97. S. 1307

Mr. D'Amato

To correct the Harmonized Tariff Schedule of the United States as it applies to certain electric toothbrushes and parts thereof. September 23, 1993. (See also H.R. 1473.)

98. S. 1384

Mr. Thurmond

To extend the temporary suspension of duty on certain chemicals. September 28, 1993. (See also H.R. 2422.)

99. S. 1386

Mr. Thurmond

To suspend temporarily the duty on 4,4' biphenol. September 28, 1993. (See also H.R. 2247.)

100. S. 1403

Mr. Lautenberg

To extend the suspension of duty on certain narrow fabric weaving machines. September 29, 1993. (See also H.R. 2068.)

APPENDIX D

LITIGATION IN FISCAL YEAR 1993

Litigation Completed

Appeals Arising From Antidumping and Countervailing Duty Investigations

Associacao dos Industrialis de Cordoraria e Redes and Cordage Importers' Association of America v. United States, Court No. 92-12-00843 (Court of International Trade)

This action arose from repeated filing and withdrawal by the Cordage Institute of petitions concerning *Certain Cordage Products From Costa Rica, Korea, Mexico and Portugal*, investigations Nos. 731-TA-628-631, 731-TA-632-635, and 731-TA-654-657 (preliminary). Plaintiff sought to enjoin the Commerce Department and the ITC from entertaining further filing of an antidumping petition by domestic producers and their counsel that had previously filed and withdrawn petitions, and also sought tort liability

against the private parties. The Court of International Trade (CIT) dismissed the case against all parties. As to the ITC, the CIT held that no jurisdiction existed under 19 U.S.C. § 1581(i) because the Commission does not make sufficiency determinations concerning petitions.

Camargo Correa Metais, S.A. v. United States, Court No. 91-09-00641 (Court of International Trade)

The CIT affirmed the Commission's final affirmative determination in *Silicon Metal From Brazil*, investigation No. 731-TA-471 (final), [see USITC publication 2404 (July 1991)]. The CIT held that voluntary withdrawal of some segments of the domestic industry from the market did not preclude the Commission from finding material injury by reason of imports. It also held that allegations that some Commissioners were not present for all of the hearing in the investigation did not rebut

the presumption that they had considered all of the evidence.

Cemex v. United States of America, Appeal No. 92-1343 (Court of Appeals for the Federal Circuit)

The Federal Circuit affirmed the Court of International Trade's decision upholding the Commission's final affirmative determination in *Gray Portland Cement and Cement Clinker From Mexico*, investigation No. 731-TA-451 (final), [see USITC publication 2305 (Aug. 1990)]. The court of appeals adopted the reasoning of the lower court, which had held that the Commission is not required to conduct a company-by-company analysis in determining injury to a regional industry, or to find that a specific proportion of producers are injured by reason of subject imports.

Encon Industries, Inc. v. USITC, Court No. 92-01-00026 (Court of International Trade)

The CIT affirmed the Commission's final affirmative determination of material injury to the United States ceiling fan industry in *Certain Electric Fans From the People's Republic of China*, investigation No. 731-TA-473 (final), [see USITC publication 2461 (Dec. 1991)]. The CIT affirmed the Commission's first determining whether the industry is injured, and then whether the imports are a cause of injury. The CIT stated that the Commission is not bound by law to determine if a majority of producers in the industry is materially injured by reason of less than fair value imports. The CIT refused to order the Commission to compare the margins of underselling to the margins of dumping. Finally, the CIT concluded that there was not evidence to indicate that causes other than unfairly traded imports were the sole cause of material injury.

Feldspar Corporation v. United States, Court No. 92-07-00425-S (Court of International Trade)

The CIT affirmed the Commission's final negative determination in *Nepheline Syenite From Canada*, investigation No. 731-TA-525 (final), [see USITC publication 2502 (April 1992)]. Holding "that the ITC followed the statutory requirements of 19 U.S.C. § 1677(4)(C)," the CIT rejected plaintiff's contention that four of the Commissioners violated the statute by not making a separate injury determination apart from their ultimate conclusion that there was no material injury by reason of less than fair value imports. The CIT upheld the Commission's conclusions regarding pricing despite the Commission's finding price information to be of limited value, affirming also the finding that glass-grade nepheline syenite, glass-grade feldspar and aplite were not readi-

ly substitutable and that minor price differences did not create a strong incentive to shift alumina sources.

General Motors Corp. v. United States, Court No. 92-08-00537 (Court of International Trade)

The CIT affirmed the Commission's negative final determination in *Minivans From Japan*, investigation No. 731-TA-522 (final), [see USITC publication 2529 (July 1992)]. The CIT upheld the Commission's decision on a number of points, including (1) the Commission's refusal to consider the impact of less than fair value imports on sales of Canadian minivans produced by Chrysler, (2) the Commission's refusal to consider the impact of lost minivan sales on other automotive operations through lost corporate average fuel economy benefits or through future lost sales of other vehicles due to brand loyalty considerations, (3) the Commission's refusal to give much reliance to incomplete 1992 interim data, (4) the Commission plurality's decision to give somewhat greater weight to one company's consumer survey data, and (5) the decision to find no significant volume or price effects due to limited substitut-

ability or competition between the subject minivans and the domestic like product. The CIT upheld the Commission's authority to reject late filings, based on the Commission's prerogative to set and enforce reasonable time limits for the submission of data.

The Committee of Domestic Steel Wire Rope and Specialty Cable Manufacturers v. United States, Court No. 91-09-00685 (Court of International Trade)

The CIT affirmed the Commission's final negative determination holding that a domestic industry producing steel wire rope was not materially injured by reason of subject imports in *Steel Wire Rope From Argentina and Mexico*, investigations Nos. 731-TA-476 and 731-TA-479 (final) [see USITC publication 2410 (Aug. 1991)], and *Steel Wire Rope From India, the People's Republic of China, Taiwan, and Thailand*, investigations Nos. 701-TA-305, 731-TA-478, and 731-TA-480-82 (final), [see USITC publication 2442 (Oct. 1991)]. The CIT upheld as supported by substantial evidence the Commission's decision to define the domestic like product to include

stainless as well as carbon steel wire rope, although Commerce defined the scope of the investigations to exclude stainless steel wire rope. The CIT found erroneous plaintiff's claim that the Commission should not have included open market sales of products that had been acquired from the inventory of other companies that had ceased operations, holding that these sales represented sales made by the domestic industry. The CIT noted that it is the "significance of the quantity of imports, and not the absolute volume alone, that must guide [the] Commission's analysis" and that particular volumes of imports may be significant for one industry but not for others. The decision upholds the determination that the volume of imports did not harm the domestic industry in view of the industry's increasing net sales, gross profits, and operating income.

Tianjin Machinery Import & Export Corp. v. United States, Court No. 91-03-00222 (Court of International Trade)

The CIT affirmed after remand the Commission's affirmative determination in *Heavy Forged Handtools From the People's Republic of*

China, investigation No. 731-TA-457 (final), [see USITC publication 2357 (Feb. 1991) and (Remand), [see USITC publication 2697 (Nov. 1993)]. The CIT affirmed the Commission's factual findings in its original decision, and remanded for explanation of why the agency did not determine whether petitioner had standing to proceed on behalf of the domestic industry. After remand, the CIT affirmed the Commission's result and held the Commission's determination to be reasonable and permissible, particularly when plaintiffs point to no evidence that the Department of Commerce could not have fully addressed their standing challenges.

Torrington Co. v. United States, Appeals Nos. 92-1383, 92-1392 (Court of Appeals for the Federal Circuit)

The Federal Circuit affirmed the CIT's opinion upholding the Commission's negative preliminary determination in *Ball Bearings, Mounted and Unmounted, and Parts Thereof, From Argentina, Austria, Brazil, Canada, Hong Kong, Hungary, Mexico, the People's Republic of China, Poland, the Republic of Korea, Spain, Taiwan, Turkey*

and Yugoslavia, investigations Nos. 701-TA-307, 731-TA-498-511 (preliminary), [see USITC publication 2374 (April 1991)]. The Federal Circuit held that the Commission's reliance on questionnaire data was not arbitrary and capricious in view of the comprehensive nature of the data and substantial — albeit less than 100 percent — industry coverage. Moreover, the Federal Circuit found that the Census and industry data on which plaintiff contended the Commission should have relied was "deficient," because it was less timely, less complete, and less reliable than the Commission's questionnaire data. Finally, the Federal Circuit held that the Commission's weighing of evidence in making its preliminary negative determinations was not arbitrary and capricious.

Trent Tube Div., Crucible Materials Corp. v. Advik Sandvik Tube AB, Appeal No. 91-1173 (Court of Appeals for the Federal Circuit)

The Federal Circuit held that the CIT properly remanded the determination of one of the Commissioners in the original negative determination in *Welded Stainless Steel Pipes and Tubes From Sweden*,

investigation No. 731-TA-354 (final), [see USITC publication 2033 (Nov. 1987) and (Remand), [see USITC publication 2304 (Aug. 1990)], for failure to undertake the minimum analysis required by 19 U.S.C. § 1677(7)(B)(iii) and (C)(iii). The Federal Circuit affirmed the affirmative determination reached on remand, holding that Commissioners supporting that determination adequately addressed the statutory factors and that their views were not bound by the CIT's original opinion affirming the negative opinions of other Commissioners.

Appeals Arising From Investigations Under Section 337 of the Tariff Act of 1930

Texas Instruments Incorporated v. United States International Trade Commission, and Cypress Semiconductor Corp., et al. v. United States International Trade Commission, Appeals Nos. 92-1168, -1218, -1282, -1288, -1319, -1320 (Court of Appeals for the Federal Circuit)

Consolidating for decision appeals by both petitioner and respondents, the Federal Circuit affirmed the CIT's deci-

sion of the Commission's determination in *Certain Plastic Encapsulated Integrated Circuits*, investigation No. 337-TA-315, [see USITC publication 2574 (Nov. 1992)]. The Federal Circuit affirmed the Commission's determination that those of respondents' integrated circuits that were encapsulated by a process using "same-side" or "top" gating did not infringe the asserted claims of the patent either literally or under the doctrine of equivalents. In so holding, the Federal Circuit affirmed the Commission's determination that the patentee was estopped under the doctrine of prosecution history estoppel from asserting that a same-side gating process is the equivalent of the claimed process, since it unambiguously surrendered same-side gating during prosecution of the patent. The Federal Circuit upheld the Commission's determination that other claims were not invalid and were infringed literally or under the doctrine of equivalents, holding *inter alia* that respondents had waived arguments based on the reverse doctrine of equivalents before the agency. The Federal Circuit affirmed both the Commission's decision to issue remedial orders against a partial licensee in order to

prevent importation and sale of products that exceed the amount of sales permitted by the license. Finally, the decision upholds the Commission's interpretation of the statute, that membership in the domestic industry does not shield an importer from the purview of section 337.

Pomini Farrel S.p.A. and Pomini, Inc., v. Farrel Corporation and United States International Trade Commission, Court No. 91-1501 (Supreme Court)

On November 22, 1991, the Federal Circuit reversed and remanded the Commission's decision in *Certain Internal Mixing Devices and Components Thereof*, investigation No. 337-TA-317, [see USITC publication 2414 (Aug. 1991)], concluding that because the governing statute, 19 U.S.C. § 1337(c), does not authorize the termination of ongoing investigations except in certain specified circumstances, the Commission's termination of the investigation in light of an arbitration agreement was contrary to law. The Supreme Court denied intervenors' petition for a writ of certiorari, which the Commission did not support.

Litigation Terminated

In addition to the cases discussed above, a number of cases were terminated during FY 1993 without final substantive decisions on the merits, including by court dismissal, voluntary dismissal by the plaintiff, or failure by the plaintiff to file a complaint after the service of a summons. Those cases are listed below:

Bun Tai Enterprise Co. v. United States International Trade Commission, Appeal No. 93-1107 (Court of Appeals for the Federal Circuit)(voluntary dismissal).

This was one of two appeals from the Commission's affirmative determination in *Certain Acid-Washed Denim Garments and Accessories*, investigation No. 337-TA-324, [see USITC publication 2576 (Nov. 1992)].

Cemiko Industrial Co., Ltd., Spring Lake Enterprise Co., Ltd., Siquar Hardware Industry Co., Ltd., Likunog Industrial Co., Ltd., and the Taiwan Industrial Fastener Institute v. United States and the United States International Trade Commission, Court

No. 93-08-00436 (Court of International Trade)(voluntary dismissal).

This action challenged the Commission's final affirmative determination in *Certain Helical Spring Lockwashers From Taiwan*, investigation No. 731-TA-625 (final), [see USITC publication 2651 (June 1993)].

Chun Kee Steel and Wire Rope Co., Ltd., Dong Il Steel Manufacturing Company, Ltd., Manhoe Rope Manufacturing Company, Ltd. v. United States, Court No. 93-05-00248 (Court of International Trade)(voluntary dismissal).

This action challenged the Commission's final affirmative determination in *Steel Wire Rope From Korea and Mexico*, investigations Nos. 731-TA-546-547 (final), [see USITC publication 2613 (Mar. 1993)].

Heveafil Sdn. Bhd., et al. v. The United States, Court No. 92-07-00468 (Court of International Trade)(voluntary dismissal following filing of motion to dismiss for lack of jurisdiction).

This was an action brought under the CIT's residual jurisdiction provision, 19 U.S.C. § 1581(i)(4),

challenging the Commission's discontinuation of the final injury investigation in *Extruded Rubber Thread From Malaysia*, investigation No. 303-TA-22 (final), [see USITC publication 2441 (Oct. 1991)].

Hyundai Pipe Co., Ltd.; Korea Steel Pipe Co., Ltd.; Pusan Steel Pipe Co., Ltd.; Dongbu Steel Co., Ltd.; Union Steel Manufacturing Co., Ltd. v. United States; Court No. 92-12-00786 (Court of International Trade)(voluntary dismissal).

This appeal challenged the Commission's final affirmative injury determination in *Certain Circular, Welded, Non-Alloy Steel Pipes and Tubes From the Republic of Korea, Mexico, Romania, Taiwan, and Venezuela*, investigations Nos. 731-TA-532-537 (final), [see USITC publication 2564 (Oct. 1992)].

Rio Sportswear, Inc. v. U.S. International Trade Commission, Appeal No. 93-1109 (Court of Appeals for the Federal Circuit)(voluntary dismissal).

This appeal challenged the Commission's affirmative determination in *Certain Acid-Washed Denim Garments*

and Accessories, investigation No. 337-TA-324, [see USITC publication 2576 (Nov. 1992)].

Sinochem (USA), Inc., et al. v. The United States, Court No. 92-09-0000 (Court of International Trade) (voluntary dismissal).

This action contested the Commission's final affirmative determination in *Sulfanilic Acid From the People's Republic of China*, investigation No. 731-TA-538 (final), [see USITC publication 2542 (Aug. 1992)].

Sammi Metal Products Co., Ltd., and Pusan Steel Pipe Co. Ltd. v. The United States, Court No. 93-02-00069 (Court of International Trade)(voluntary dismissal).

This action contested the Commission's final affirmative determination in *Certain Welded Stainless Steel Pipes From the Republic of Korea and Taiwan*, investigations Nos. 731-TA-540-541 (final), [see USITC publication 2585 (Dec. 1992)].

United States International Trade Commission v. Fitwell Knitting Mill, Inc., Misc. No. 92-432 (District Court for the District of Columbia) (subpoena enforce-

ment action terminated after voluntary compliance).

This action was a subpoena enforcement proceeding for the Commission's remand investigation in investigations Nos. 731-TA-448-450 (final), *Sweaters Wholly or in Chief Weight of Manmade Fibers From Hong Kong, the Republic of Korea and Taiwan* (Remand) [see USITC publication 2577 (Nov. 1992)] pursuant to the CIT's remand in *Chung Ling Co., Ltd., et al. v. United States*, Court No. 90-10-00528.

United States International Trade Commission v. Tech Knits, Inc., Misc. No. 92-433 (District Court for the District of Columbia) (subpoena enforcement action terminated after voluntary compliance).

This action was a subpoena enforcement proceeding for the Commission's remand investigation in investigations Nos. 731-TA-448-450 (final), *Sweaters Wholly or in Chief Weight of Manmade Fibers From Hong Kong, the Republic of Korea and Taiwan* (Remand), [see USITC publication 2577 (Nov. 1992)] pursuant to the CIT's remand in *Chung Ling Co., Ltd., et al. v. United States*, Court No. 90-10-00528.

United States International Trade Commission v. Lam Knitting Mills, Misc. No. 92-436 (District Court for the District of Columbia) (subpoena enforcement action terminated after voluntary compliance).

This action was a subpoena enforcement proceeding for the Commission's remand investigation in investigations Nos. 731-TA-448-450 (final), *Sweaters Wholly or in Chief Weight of Manmade Fibers From Hong Kong, the Republic of Korea and Taiwan* (Remand), [see USITC publication 2577 (Nov. 1992)] pursuant to the CIT's remand in *Chung Ling Co., Ltd., et al. v. United States*, Court No. 90-10-00528.

United States International Trade Commission v. Made-moiselle Knitwear, Misc. No. 92-437 (District Court for the District of Columbia) (subpoena enforcement action terminated after voluntary compliance).

This action was a subpoena enforcement proceeding for the Commission's remand investigation in investigations Nos. 731-TA-448-450 (final), *Sweaters Wholly or in Chief Weight of Manmade Fibers From Hong Kong, the Republic of Korea and Taiwan* (Re-

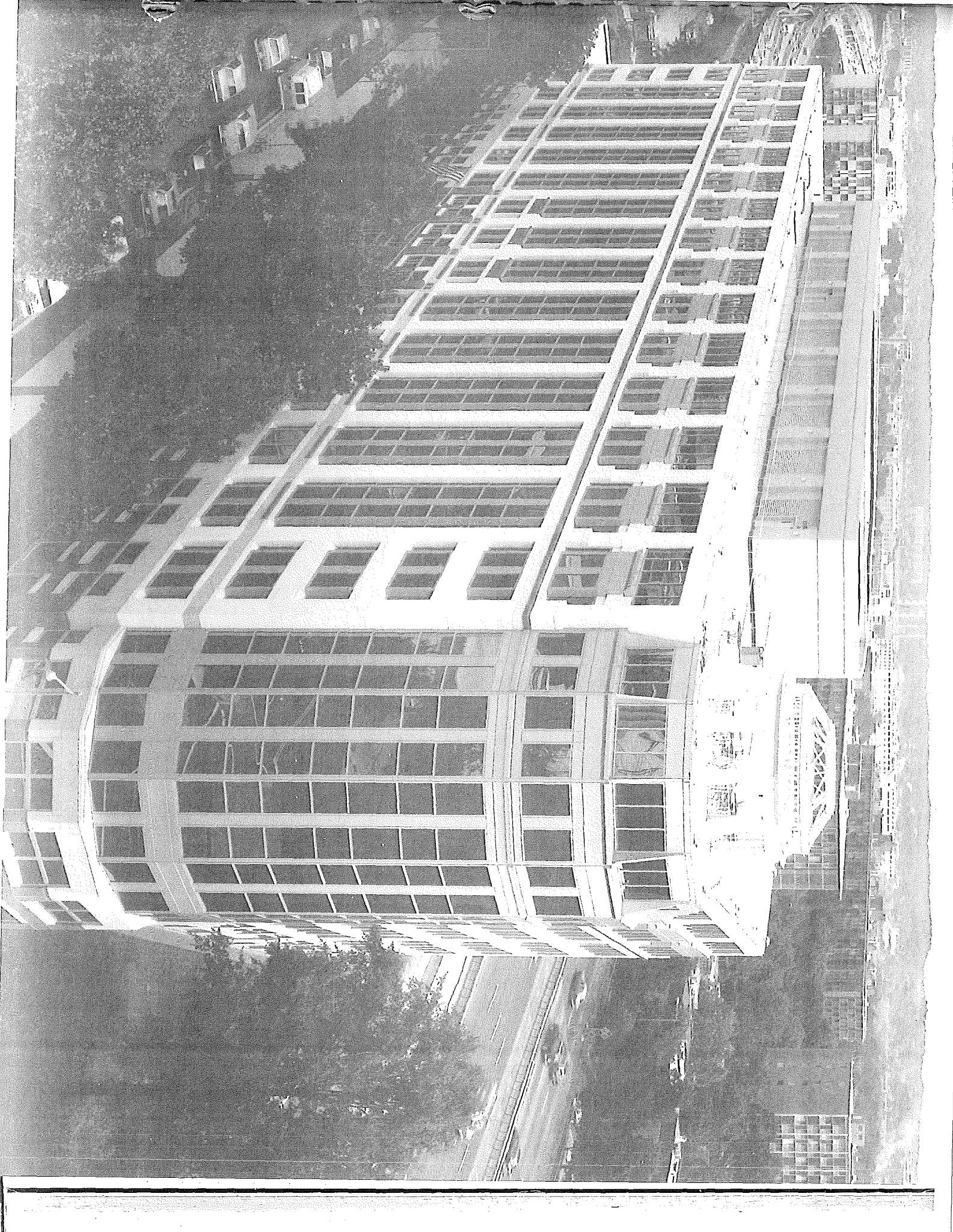
mand), [see USITC publication 2577 (Nov. 1992)] pursuant to the CIT's remand in *Chung Ling Co., Ltd., et al. v. United States*, Court No. 90-10-00528.

Litigation Pending At The End Of Fiscal Year 1993

Cases arising from antidumping and countervailing duty investigations ¹	47
Cases arising from section 337 determinations	3
Other litigation	3
Total	53

¹ All cases filed by different parties that have been consolidated by the court are counted only as a single piece of litigation. Thus, the actual number of complaints filed is greater than the number given above.

By comparison, at the end of fiscal year 1992, there were 24 pending cases arising from antidumping and countervailing duty investigations, three arising from section 337 determinations, and eight arising from other subjects, for a total of 35.



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