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## UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

February 2, 2010

Bill Bullard  
CEO  
R-Calf United Stockgrowers of America  
P.O. Box 30715  
Billings, MT 59107

Dear Mr. Bullard:

The purpose of this letter is to invite and encourage you to participate in a public hearing at the United States International Trade Commission to be held in the Commission's main hearing room located at 500 E Street SW, Washington, DC, beginning at 9:30 a.m., Tuesday, March 2, 2010, to address a proposed U.S.-Trans-Pacific Free Trade Agreement. We are contacting you because you were identified to us as someone who might have information relevant to a report we must prepare for the United States Trade Representative on this issue. The Commission would welcome your views, presented either through your participation in the hearing, or through the filing of a written submission, or both. The Commission findings will be reflected in its report.

The Commission is particularly interested in obtaining information relating to the impact of providing duty-free treatment to imports under the proposed Agreement on U.S. industries and consumers. A more detailed description of the investigation and other relevant information, including the deadlines for filing requests to appear at the hearing and for filing submissions, is set out in the enclosed notice of investigation and press release. These documents and other information are also available on the Commission's website at [www.usitc.gov](http://www.usitc.gov).

If you have further questions about the investigation and our procedures, please feel free to contact Doug Newman, 202-205-3328, [douglas.newman@usitc.gov](mailto:douglas.newman@usitc.gov), or Craig Thomsen, 202-205-3226, [craig.thomsen@usitc.gov](mailto:craig.thomsen@usitc.gov).

We appreciate your consideration of this invitation.

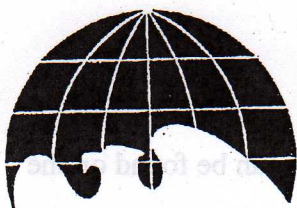
Sincerely,

A handwritten signature in dark ink, reading "Robert A. Rogowsky", is positioned above the printed name and title.

Robert A. Rogowsky  
Director of Operations

Enclosures





# NEWS

United States International Trade Commission • Office of External Relations • Washington, DC 20436

FOR IMMEDIATE RELEASE  
January 11, 2010

CONTACT: Peg O'Laughlin  
John Greer  
202-205-1819

10-002  
Inv. Nos. TA-131-034 and  
TA-2104-026

## USITC TO INVESTIGATE THE PROBABLE ECONOMIC EFFECT OF DUTY-FREE IMPORTS OF A U.S.-TRANS-PACIFIC PARTNERSHIP FREE TRADE AGREEMENT; SEEKS INPUT FROM TRADE ASSOCIATIONS, INDUSTRY OFFICIALS, AND OTHER INTERESTED PARTIES

The U.S. International Trade Commission (USITC) is seeking input for a newly initiated investigation into the probable economic effect of a potential U.S. free trade agreement with Australia, Brunei Darussalam, Chile, New Zealand, Peru, Singapore, and Vietnam – the seven countries with which the United States will engage to negotiate a Trans-Pacific Partnership (TPP) Agreement.

The Trans-Pacific Partnership is a potential platform for economic integration across the Asia-Pacific region, according to the U.S. Trade Representative (USTR). The USTR requested the investigation, *U.S.-Trans-Pacific Partnership Free Trade Agreement: Advice On Probable Economic Effect of Providing Duty-Free Treatment for Imports*, in a letter received December 15, 2009.

In his letter, the USTR noted that the United States plans to pursue a free trade agreement with TPP members. The USTR indicated that advice from the Commission will assist the USTR in its consultations with Congress and its preparations for negotiations.

As requested by the USTR, the USITC will advise the President as to the probable economic effect of providing duty-free treatment for imports of products of the TPP members on industries in the United States producing like or directly competitive articles and on consumers. In preparing its advice, the USITC will consider each article in chapters 1 through 97 of the Harmonized Tariff Schedule of the United States for which U.S. tariffs will remain after the United States fully implements its Uruguay Round tariff commitments and U.S. free trade agreements with a TPP country. The advice will be based on the 2010 Harmonized Tariff Schedule nomenclature and trade data for the year 2008. The advice will assume that any known U.S. non-tariff barrier will not be applicable to such imports, and the USITC will note in its report any instance in which the continued application of a U.S. non-tariff barrier would result in different advice with respect to the effect of the removal of the duty.

In addition, as requested by the USTR, the USITC will advise the President as to the probable economic effects of eliminating tariffs on imports of certain agricultural products of the TPP members on U.S. industries producing the product concerned and the economy as a whole. A list



of the products is attached to the USTR's request letter, which can be found on the USITC Internet site at:

[http://www.usitc.gov/research\\_and\\_analysis/ongoing/tpp\\_fta\\_request\\_letter.pdf](http://www.usitc.gov/research_and_analysis/ongoing/tpp_fta_request_letter.pdf).

The USITC expects to submit its report, which will be confidential, to the USTR by June 2, 2010.

The USITC is seeking input for this investigation from all interested parties and requests that the information focus on the issues for which the USITC is requested to provide information and advice.

The USITC will hold a public hearing in connection with the investigation on March 2, 2010. Requests to appear at the hearing (one original and 14 copies) should be filed no later than 5:15 p.m. on February 16, 2010, with the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. For further information, call 202-205-2000.

The USITC also welcomes written submissions for the record. Written submissions (one original and 14 copies) should be addressed to the Secretary of the Commission at the above address and should be submitted at the earliest practical date but no later than 5:15 p.m. on March 23, 2010. All written submissions, except for confidential business information, will be available for public inspection.

Further information on the scope of the investigation and appropriate submissions is available in the USITC's notice of investigation, dated January 11, 2010, which can be downloaded from the USITC Internet site ([www.usitc.gov](http://www.usitc.gov)) or may be obtained by contacting the Office of the Secretary at the above address or at 202-205-2000.



UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C. 20436

Investigation Nos. TA-131-034 and TA 2104-026

**U.S.-Trans-Pacific Partnership Free Trade Agreement:**

**Advice on Probable Economic Effect of Providing Duty-Free Treatment for Imports**

**AGENCY:** United States International Trade Commission.

**ACTION:** Institution of investigation and scheduling of hearing.

**SUMMARY:** Following receipt on December 15, 2009, of a request from the United States Trade Representative (USTR), the Commission instituted investigation nos. TA-131-034 and TA-2104-026, *U.S.-Trans-Pacific Partnership Free Trade Agreement: Advice on Probable Economic Effect of Providing Duty-Free Treatment for Imports*.

**DATES:**

**February 16, 2010:** Deadline for filing requests to appear at the public hearing.

**February 18, 2010:** Deadline for filing pre-hearing briefs and statements.

**March 2, 2010:** Public hearing.

**March 16, 2010:** Deadline for filing post-hearing briefs and statements.

**March 23, 2010:** Deadline for filing all other written submissions.

**June 2, 2010:** Transmittal of Commission report to the Office of the United States Trade Representative.

**ADDRESSES:** All Commission offices, including the Commission's hearing rooms, are located in the United States International Trade Commission Building, 500 E Street SW, Washington, DC. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://www.usitc.gov/secretary/edis.htm>.

**FOR FURTHER INFORMATION CONTACT:** Doug Newman, Project Leader (202-205-3328, [douglas.newman@usitc.gov](mailto:douglas.newman@usitc.gov)), or Craig Thomsen, Deputy Project Leader (202-205-3226, [craig.thomsen@usitc.gov](mailto:craig.thomsen@usitc.gov)), for information specific to this investigation. For information on the legal aspects of these investigations, contact William Gearhart of the Commission's Office of the General Counsel (202-205-3091, or [william.gearhart@usitc.gov](mailto:william.gearhart@usitc.gov)). The media should contact Margaret O'Laughlin, Office of External Relations (202-205-1819, or [margaret.olaughlin@usitc.gov](mailto:margaret.olaughlin@usitc.gov)). Hearing-impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal at 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000.

**BACKGROUND:** On December 14, 2010, the USTR notified the Congress of the President's intent to enter into negotiations for a free trade agreement with Australia, Brunei Darussalam, Chile, New Zealand, Peru, Singapore, and Vietnam, collectively known as the Trans-Pacific Partnership (TPP). Accordingly, the USTR, under authority delegated by the President and pursuant to section 131 of the Trade Act of 1974 (19 U.S.C. 2151), requested that the Commission provide a report containing its advice as to the probable economic effect of providing duty-free treatment for imports of products from



the seven TPP countries on (i) industries in the United States producing like or directly competitive products, and (ii) consumers. The USTR asked that the Commission's analysis consider each article in chapters 1 through 97 of the Harmonized Tariff Schedule of the United States (HTS) for which tariffs will remain, taking into account implementation of U.S. commitments in the World Trade Organization and under U.S. free trade agreements that the United States has with a TPP country. The USTR asked that the advice be based on the HTS in effect during 2010 and trade data for 2008. The USTR also requested that the Commission, in preparing its advice, assume that any known U.S. non-tariff barrier will not be applicable to such imports, and that the Commission note in its report any instance in which the continued application of a U.S. non-tariff barrier would result in different advice with respect to the effect of the removal of the duty.

In addition, the USTR requested that the Commission prepare an assessment, pursuant to section 2104(b)(2) of the Trade Act of 2002 (19 U.S.C. 3804(b)(2)), of the probable economic effects of eliminating tariffs on imports from the TPP countries of those agricultural products on the list attached to his letter on (i) industries in the United States producing the product concerned, and (ii) the U.S. economy as a whole.


As requested, the Commission will provide its report to the USTR by June 2, 2010. The USTR indicated that those sections of the Commission's report that relate to the advice and assessment of probable economic effects will be classified. The USTR also indicated that he considers the Commission's report to be an inter-agency memorandum that will contain pre-decisional advice and be subject to the deliberative process privilege.

**PUBLIC HEARING:** A public hearing in connection with this investigation will be held at the U.S. International Trade Commission Building, 500 E Street SW, Washington, DC, beginning at 9:30 a.m., March 2, 2010. Requests to appear at the public hearing should be filed with the Secretary not later than 5:15 p.m., February 16, 2010, in accordance with the requirements in the "Submissions" section below. All pre-hearing briefs and statements should be filed not later than 5:15 p.m., February 18, 2010; and all post-hearing briefs and statements should be filed not later than 5:15 p.m., March 16, 2010.

**WRITTEN SUBMISSIONS:** In lieu of or in addition to participating in the hearing and filing briefs and statements relating to the hearing, interested parties are invited to file written submissions concerning this investigation. All written submissions should be addressed to the Secretary, and should be received not later than 5:15 p.m., March 23, 2010. All written submissions must conform with the provisions of section 201.8 of the Commission's *Rules of Practice and Procedure* (19 C.F.R. 201.8). Section 201.8 requires that a signed original (or a copy so designated) and fourteen (14) copies of each document be filed. In the event that confidential treatment of a document is requested, at least four (4) additional copies must be filed, in which the confidential information must be deleted (see the following paragraph for further information regarding confidential business information). The Commission's rules authorize filing submissions with the Secretary by facsimile or electronic means only to the extent permitted by section 201.8 of the rules (see Handbook for Electronic Filing Procedures, [http://www.usitc.gov/secretary/fed\\_reg\\_notices/rules/documents/handbook\\_on\\_electronic\\_filing.pdf](http://www.usitc.gov/secretary/fed_reg_notices/rules/documents/handbook_on_electronic_filing.pdf)). Persons with questions regarding electronic filing should contact the Secretary (202-205-2000).

Any submissions that contain confidential business information must also conform with the requirements of section 201.6 of the *Commission's Rules of Practice and Procedure* (19 C.F.R. 201.6). Section 201.6 of the rules requires that the cover of the document and the individual pages be clearly marked as to whether they are the "confidential" or "non-confidential" version, and that the confidential business information be clearly identified by means of brackets. All written submissions, except for confidential business information, will be made available for inspection by interested parties.

By order of the Commission.



Marilyn R. Abbott  
Secretary

Issued: January 11, 2010