Russ Kick
PO Box 36914
Tucson AZ 85740-6914

RE: USTR FOIA Request No. 17-12

Mr. Kick,

After a search of our files, we have located 1 responsive document totaling 40 pages, which is being released to you in its entirety.

This is the final response of the Office of the United States Trade Representative (USTR) to the Freedom of Information Act (FOIA) (FOIA No. 17-12) submitted on November 13, 2016 requesting "all 'briefing materials and information relating to the Presidential transition' prepared by the USTR for the Trump administration's Agency Review Teams and incoming political appointees."

If you have any questions, please contact me or USTR’s FOIA Public Liaison Ms. Jacqueline Caldwell by email at FOIA@ustr.eop.gov or 202-395-3419.

Thank you,

Monique

Monique T. Ricker
Attorney-Advisor
EOP/USTR

Enclosure
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Organizational Structure

USTR has offices in Washington, D.C. and in Geneva, Switzerland, and staff in Beijing and Brussels. The agency’s budget request for FY2017 is $59.4 million, and its staffing level is a requested 248 FTEs.

This document provides a comprehensive overview of USTR as well as overviews of USTR’s 21 policy, legal, administrative, analytical, and administrative offices, including transition points of contact, office mission and responsibilities, key decisions and dates for the incoming administration, notable long-term projects, budget status, and key external contacts.
EXECUTIVE SUMMARY

Mission
The Office of the U.S. Trade Representative (USTR) develops and coordinates U.S. international trade, commodity, and direct investment policy, and has lead responsibility for international trade negotiations. The head of USTR is the U.S. Trade Representative, a Cabinet member and Ambassador Plenipotentiary who serves as the President’s principal trade advisor, negotiator, and spokesperson on trade issues. The USTR serves as vice chairman of the Overseas Private Investment Corporation (OPIC), is on the Board of Directors of the Millennium Challenge Corporation, is a non-voting member of the Export-Import Bank Board of Directors, and is a member of the National Advisory Council on International Monetary and Financial Policies. As an agency, USTR is part of the Executive Office of the President.

Expertise
USTR provides trade policy leadership and negotiating expertise in: bilateral, regional and multilateral trade and investment issues; expansion of market access for American goods and services; international commodity agreements; negotiations affecting U.S. import policies; oversight of the Generalized System of Preferences (GSP) and other trade preference programs; Section 301 complaints against foreign unfair trade practices; trade, commodity, and direct investment matters managed by international institutions such as the Organization for Economic Cooperation and Development (OECD) and the United Nations Conference on Trade and Development (UNCTAD); trade-related intellectual property protection issues; and World Trade Organization (WTO) issues.

Working with Other Agencies, Congress and Outside Advisors
USTR consults with other agencies on trade policy matters through the Trade Policy Staff Committee (TPSC) and the Trade Policy Review Group (TPRG). These groups, administered and chaired by USTR and comprising 21 Federal agencies and offices, make up the staff and sub-Cabinet level mechanism for developing and coordinating U.S. Government positions on international trade and trade-related investment issues.

USTR consults frequently with Members and staff of the House Committee on Ways and Means, Senate Committee on Finance (the two Committees with principal responsibility for international trade issues), and by providing detailed briefings for other committees, Congressional leadership offices, caucuses, and individual Members of Congress. In addition, five Members from each Chamber are formally appointed under statute as official Congressional advisors on trade policy and additional Members may be appointed as advisors on particular issues or negotiations.

The advisory committee system was established by Congress in 1974 to ensure that U.S. trade policy and trade negotiation objectives adequately reflect U.S. commercial and economic interests. It consists of 26 advisory committees with a total membership of approximately 700 advisors. The system is arranged in three tiers: the President’s Advisory Committee for Trade Policy and Negotiations (ACTPN); five policy advisory committees on agriculture, labor, environment, intergovernmental affairs, and Africa; and 22 technical and sectoral advisory committees.
• Designated the Trade Representative as the principal advisor to the President on trade policy and on the impact of other U.S. Government policies on international trade;

• Authorized USTR to set U.S. policy on key trade issues, such as the General Agreement on Tariffs and Trade and "the assertion and protection of the rights of the United States under all bilateral and multilateral international trade and commodity agreements" (USTR shares with the Department of Commerce responsibility for monitoring foreign government compliance with United States trade agreements);

• Made the Trade Representative the vice chairman of the Overseas Private Investment Corporation, a non-voting member of the Export-Import Bank Board of Directors, and a member of the National Advisory Committee on International Monetary and Financial Policies; and

• Made the USTR the chief U.S. representative in bilateral negotiations over barriers to investment.

The Trade and Tariff Act of 1984 gave USTR the further responsibility of developing and coordinating implementation of U.S. policies concerning trade in services.

USTR's authority was further enhanced under the Omnibus Trade and Competitiveness Act of 1988. Section 1601 of the 1988 legislation codified and expanded USTR's responsibilities; in so doing, it reinforced the Congressional-Executive partnership for the conduct of U.S. trade policy. Among USTR's additional responsibilities as enumerated in the 1988 Act are:

• To coordinate trade policy with other agencies;

• To act as the principal international trade policy spokesperson of the President;

• To report and be responsible to the President and Congress on the administration of the trade agreements program, and to advise them on non-tariff barriers, international commodity agreements, and other matters relating to the trade agreements program; and

• To chair the interagency committee that advises the President in developing and implementing trade policy.

The 1988 legislation also included a "Sense of the Congress" statement that the USTR should be the senior representative on any body that the President establishes to advise him on overall economic policies in which international trade matters predominate, and that the USTR should be included in all economic summits and other international meetings in which international trade is a major topic. Finally, this legislation further elevated the importance of USTR in trade matters by shifting to USTR the Presidential responsibility for implementing actions under Section 301 of the Trade Act of 1974 (enforcement of U.S. rights under trade agreements), subject to specific direction, if any, from the President.

The Uruguay Round Agreements Act, enacted in 1994, specifies that USTR has lead responsibility for all negotiations under the auspices of the WTO. The conclusion of such major comprehensive trade agreements as the North American Free Trade Agreement (NAFTA) and the WTO Agreement vastly expanded the scope and task of USTR's efforts to implement and enforce U.S. trade agreements.

The Trade and Development Act of 2000 created two new posts in USTR: the Chief Agricultural Negotiator and Assistant United States Trade Representative (AUSTR) for African Affairs. The
USTR Overview

Mission
The Office of the U.S. Trade Representative (USTR) is responsible for developing and coordinating U.S. international trade, commodity, and direct investment policy, and has lead responsibility for international trade negotiations. The head of USTR is the U.S. Trade Representative, a Cabinet member and Ambassador Plenipotentiary who serves as the President’s principal trade advisor, negotiator, and spokesperson on trade issues.

USTR is part of the Executive Office of the President. Through an interagency structure, USTR coordinates trade policy, resolves disagreements, and frames issues for Presidential decision. The USTR also serves as vice chairman of the Board of Directors of the Overseas Private Investment Corporation (OPIC), is on the Board of Directors of the Millennium Challenge Corporation, is a non-voting member of the Export-Import Bank Board of Directors, and is a member of the National Advisory Council on International Monetary and Financial Policies.

History
Until the early 1960s, the Department of State was responsible for conducting U.S. trade and investment diplomacy and administering the President's trade agreement program. In the Trade Expansion Act of 1962, Congress called for the President to appoint a Special Representative for Trade Negotiations to conduct U.S. trade negotiations. The Act provided for the Special Trade Representative to serve as chair of a new interagency trade organization established to make recommendations to the President on his trade agreement program; this reflected Congressional interest in achieving a better balance between competing domestic and international interests in formulating and implementing U.S. trade policy.

In 1963, pursuant to the Act, President Kennedy created a new Office of the Special Trade Representative (STR) in the Executive Office of the President and designated two Deputies: one in Washington, D.C., and the other in Geneva, Switzerland. Through the mid-1960's, STR had the chief responsibility for U.S. participation in the Kennedy Round of multilateral trade negotiations held under the auspices of the General Agreement on Tariffs and Trade (GATT).

In the 1970s, Congress substantially expanded STR's responsibilities. Section 141 of the Trade Act of 1974 provided a legislative charter for STR as part of the Executive Office of the President, making it responsible for the trade agreement programs under the Tariff Act of 1930, the Trade Expansion Act of 1962, and the 1974 Act. The Act also made STR directly accountable to both the President and Congress for these and other trade responsibilities and elevated the Special Trade Representative to Cabinet level.

Reorganization Plan No. 3 of 1979 consolidated and further broadened STR's responsibilities. The 1979 reorganization and Executive Order 12188 (1980) renamed STR the Office of the United States Trade Representative, centralized U.S. Government policy-making and negotiating functions for international trade, and greatly expanded the office. These changes:

- Assigned lead responsibility to USTR for developing and coordinating U.S. trade policy and for conducting international trade and trade-related investment negotiations;
Expertise

USTR provides trade policy leadership and negotiating expertise in its major areas of responsibility, including:

- Bilateral, regional and multilateral trade and investment issues;
- Expansion of market access for American goods and services;
- International commodity agreements;
- Negotiations affecting U.S. import policies;
- Oversight of the Generalized System of Preferences (GSP) and other trade preference programs;
- Section 301 complaints against foreign unfair trade practices, as well as Section 1377, Section 337 and import relief cases under Section 201;
- Trade, commodity, and direct investment matters managed by international institutions such as the Organization for Economic Cooperation and Development (OECD) and the United Nations Conference on Trade and Development (UNCTAD);
- Trade-related intellectual property protection issues; and
- World Trade Organization (WTO) issues, including dispute litigation and resolution, multilateral, plurilateral and sectoral negotiations, and WTO accession negotiations.

Working with Other Agencies

USTR consults with other government agencies on trade policy matters through the Trade Policy Review Group (TPRG) and the Trade Policy Staff Committee (TPSC). These groups, administered and chaired by USTR and comprising 21 Federal agencies and offices, make up the sub-Cabinet level mechanism for developing and coordinating U.S. Government positions on international trade and trade-related investment issues.

The TPSC is the primary operating group, with representation at the senior civil service level. Supporting the TPSC are 106 subcommittees responsible for specialized areas and several task forces that work on particular issues. If agreement is not reached in the TPSC, or if significant policy questions are being considered, then issues are taken up by the TPRG (Deputy USTR / Under Secretary level).
principal function of the Chief Agricultural Negotiator is to conduct trade negotiations and enforce trade agreements relating to United States agricultural interests and products. The AUSTR for African Affairs serves as the chief advisor to the U.S. Trade Representative on issues of trade and investment with Africa, and serves as coordinator and point of contact within the Administration on such issues.

The Trade Facilitation and Trade Enforcement Act of 2015 created the post of Chief Innovation and Intellectual Property Negotiator, charged with conducting trade negotiations and enforcing trade agreements relating to U.S. intellectual property, and addressing acts, policies, and practices by foreign governments that have a significant adverse impact on the value of U.S. innovation.

The Bipartisan Congressional Trade Priorities and Accountability Act of 2015 created the post of Chief Transparency Officer in charge of consulting Congress on transparency policy, coordinating transparency in trade negotiations, and advising the USTR on transparency policy. The position has been held by the General Counsel.
The President appoints up to 45 ACTPN members for two-year terms. The 1974 Trade Act requires that membership broadly represent key economic sectors affected by trade. The Committee considers trade policy issues in the context of the overall national interest. USTR administers the ACTPN.

The policy advisory committees are appointed by the USTR alone or in conjunction with other Cabinet officers. USTR solely manages the Intergovernmental Policy Advisory Committee (IGPAC) and the Trade Advisory Committee on Africa (TACA). Those policy advisory committees managed jointly with the Departments of Agriculture, Labor, and the Environmental Protection Agency are, respectively, the Agricultural Policy Advisory Committee (APAC), Labor Advisory Committee (LAC), and Trade and Environment Policy Advisory Committee (TEPAC). Each committee provides advice based upon the perspective of its specific area.

The 22 sectoral, and technical advisory committees are organized in two areas: industry and agriculture. Representatives are appointed jointly by the USTR and the Secretaries of Commerce and Agriculture, respectively. Each sectoral or technical committee represents a specific sector or commodity group and provides specific technical advice concerning the effect that trade policy decisions may have on its sector. The industry committees include: Aerospace Equipment; Automotive Equipment and Capital Goods; Chemicals, Pharmaceuticals, Health Science Products and Services; Consumer Goods; Distribution Services; Energy and Energy Services; Forest Products; Information and Communications Technologies, Services, and Electronic Commerce; Building Materials, Construction, and Nonferrous Metals; Services and Finance Industries; Small and Minority Business; Steel; Textiles and Clothing; Customs Matters and Trade Facilitation; Intellectual Property Rights; and Standards and Technical Trade Barriers. The agriculture committees include Animals and Animal Products; Fruits and Vegetables; Grains, Feeds, Oilseeds and Planting Seeds; Processed Foods; Sweeteners and Sweetener Products; and Tobacco, Cotton, and Peanuts.

USTR's Office of Intergovernmental Affairs & Public Engagement (IAPE) manages the Advisory Committee, in cooperation with other agencies, including the Departments of Agriculture, Commerce, and Labor, and the Environmental Protection Agency. IAPE is also designated as the state coordinator for the World Trade Organization and the North American Free Trade Agreement and provides outreach to official state points of contact, governors, legislatures, and associations on all trade issues of interest to states.

IAPE frequently engages with outside groups in order to develop and build support for a robust trade agenda.

**Advisory Committees**

- Advisory Committee for Trade Policy and Negotiations (ACTPN)
- Agricultural Policy Advisory Committee (APAC)
- Agricultural Technical Advisory Committee for Trade (ATAC)
- Industry Trade Advisory Committees (ITAC)
- Intergovernmental Policy Advisory Committee (IGPAC)
- Labor Advisory Committee (LAC)
- Trade Advisory Committee on Africa (TACA)
- Trade and Environment Policy Advisory Committee (TEPAC)
Executive Branch Agencies on the TPSC and TPRG

- Council of Economic Advisors
- Council on Environmental Quality
- Department of Agriculture
- Department of Commerce
- Department of Defense
- Department of Energy
- Department of Health and Human Services
- Department of Homeland Security
- Department of Interior
- Department of Justice
- Department of Labor
- Department of State
- Department of Transportation
- Department of Treasury
- Environmental Protection Agency
- Agency for International Development
- National Economic Council
- National Security Council
- Office of Management and Budget
- Small Business Administration
- U.S. International Trade Commission (Non-Voting)

The final tier of the interagency trade policy mechanism is the National Economic Council (NEC), chaired by the President. The NEC Deputies' committee considers memoranda from the TPRG as well as important or controversial trade-related issues.

Outside Advisors

The U.S. Congress established the private sector advisory committee system in 1974 to ensure that U.S. trade policy and trade negotiation objectives adequately reflect U.S. commercial and economic interests. Congress expanded and enhanced the role of this system in subsequent trade acts, most recently the Trade Act of 2002.

The advisory committees provide information and advice with respect to U.S. negotiating objectives and bargaining positions before entering into trade agreements, on the operation of any trade agreement once entered, and on other matters arising in connection with the development, implementation, and administration of U.S. trade policy.

The trade policy advisory committee system consists of 26 advisory committees with a total membership of approximately 700 advisors. Recommendations for candidates for committee membership are collected from several sources, including Members of Congress, associations and organizations, publications, and other individuals who have demonstrated an interest or expertise in U.S. trade policy. Membership selection is based on qualifications, geography, and the needs of the specific committee. Members pay for their own travel and other related expenses and must obtain a security clearance.

Under the Trade Act of 2002, each advisory committee is required to prepare a report on proposed trade agreements for the Administration and Congress. These reports are made public on USTR's website.

The system is arranged in three tiers: the President's Advisory Committee for Trade Policy and Negotiations (ACTPN); five Policy Advisory Committees of Intergovernmental Affairs, Agriculture, Labor, Environment, and Trade with Africa; and 22 technical and sectoral advisory committees.
Organizational Structure

USTR has offices in Washington, D.C. and in Geneva, Switzerland. In addition to the U.S. Trade Representative, USTR is led by 5 Senate-confirmed appointees: 2 Deputy U.S. Trade Representatives based in Washington, 1 Geneva-based Deputy U.S. Trade Representative, 1 Chief Agricultural Negotiator, and 1 Chief IP Negotiator (recently created position, never filled). USTR is organized as follows:

Regional Offices
- African Affairs
- Americas
- Central and South Asian Affairs
- China Affairs
- Europe and the Middle East
- Japan, Korea, and APEC Affairs
- Southeast Asia and the Pacific

Functional Offices
- Administration
- Agricultural Affairs
- Environment and Natural Resources
- Innovation and Intellectual Property
- Labor
- Services and Investment
- Small Business, Market Access and Industrial Competitiveness
- Textiles
- Trade Policy and Economics
- World Trade Organization and Multilateral Affairs

Legal Affairs
- General Counsel
- Interagency Trade Enforcement Center

External Affairs Offices
- Congressional Affairs
- Intergovernmental Affairs and Public Engagement
- Private Sector Engagement
- Public and Media Affairs

USTR's Geneva Office represents the agency and the broader U.S. Government at the World Trade Organization. The office is headed by a Deputy USTR with the rank of Ambassador. Geneva staff represent the United States' interests in WTO trade negotiations, regular committee and monitoring work, and (in conjunction with attorneys in the Washington, D.C., office) the litigation of trade disputes in which the United States is a party or takes an active interest. Working with Geneva-based officials of the State Department, USTR Geneva staff also engages on trade-related issues in other international organizations, such as the World Health Organization and the World Intellectual Property Organization.
Working with Congress

Since its creation, USTR has worked hand-in-hand with Congress through frequent consultations with Members and staff of the House Committee on Ways and Means and the Senate Committee on Finance (the two Committees with principal responsibility for international trade issues), and by providing detailed briefings for other committees, Congressional leadership offices, caucuses, and individual Members of Congress, and staff. For example, USTR provides detailed briefings for Members and staff of the House and Senate Committees on Agriculture, Banking and Financial Services, and Judiciary. USTR will continue to provide briefings and information to all committees, caucuses, and Congressional offices that express an interest in trade issues.

In addition to this consultation and briefing process, five Members from each Chamber are formally appointed under statute as official Congressional advisors on trade policy, and additional Members may be appointed as advisors on particular issues or negotiations. In short, interaction between USTR and Congress is extensive. USTR officials and staff participate in hundreds of congressional conversations each year on subjects ranging from tariffs and transparency to insurance and investment. This work with Congress is coordinated by the Office of Congressional Affairs.

The following Committees are the groups in Congress with which the Office of Congressional Affairs consults most frequently to create trade policy.

<table>
<thead>
<tr>
<th>Jurisdictional Entities</th>
<th>Other Senate Committees</th>
<th>Other House Committees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senate Finance Committee</td>
<td>Committee on Appropriations</td>
<td>Committee on Appropriations</td>
</tr>
<tr>
<td>House Ways and Means Committee</td>
<td>Committee on Agriculture, Nutrition and Forestry</td>
<td>Committee on Agriculture</td>
</tr>
<tr>
<td>Leadership Offices of the Senate</td>
<td>Committee on Banking, Housing and Urban Affairs</td>
<td>Committee on Energy and Commerce</td>
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<tr>
<td>Leadership Offices of the House</td>
<td>Committee on Commerce, Science and Transportation</td>
<td>Committee on Financial Services</td>
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<td>Committee on Foreign Relations</td>
<td>Committee on Foreign Affairs</td>
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<td>Committee on Judiciary</td>
<td>Committee on the Judiciary</td>
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<td>Committee on Small Business and Entrepreneurship</td>
<td>Committee on Small Business</td>
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<td>Committee on Science, Space, and Technology</td>
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## CALENDAR OF UPCOMING EVENTS

<table>
<thead>
<tr>
<th>Month</th>
<th>Event</th>
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<tbody>
<tr>
<td>February</td>
<td>• 17th – First report to Congress on the implementation of the Nepal Preference Program, and trade and investment policy in Nepal</td>
</tr>
<tr>
<td>March</td>
<td>• 1st – Statutory deadline for publication of President’s Trade Agenda</td>
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<td></td>
<td>• 31st – Statutory deadline for publication of National Trade Estimate report</td>
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<td>• 31st – Statutory deadline for publication of the Section 1377 Review of U.S. telecommunications trade agreements</td>
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<tr>
<td>April</td>
<td>• 15th – Administration report to USITC on miscellaneous tariff bills</td>
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<td>• 30th – Special 301 determinations and publication</td>
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<td>• APEC Ministers Responsible for Trade meeting</td>
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<tr>
<td>June</td>
<td>• 20th – HOPE II Annual Report on the Implementation of the Technical Assistance Improvement and Compliance Needs Assessment and Remediation (TAICNAR) Program and Assessment of Producer Eligibility</td>
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<td>• North America Leaders’ Summit</td>
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<td>• GSP product designations</td>
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<td></td>
<td>• Report to trade Committees on WTO enforcement actions regarding Russia</td>
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<tr>
<td>August</td>
<td>• ASEAN Trade Ministers, with EAS / ASEAN trade ministers and Leaders meetings (Philippines)</td>
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<tr>
<td>October</td>
<td>• Decision on AGOA annual country eligibility</td>
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<td>November</td>
<td>• APEC economic ministers and Leaders meetings</td>
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<tr>
<td>December</td>
<td>• WTO Ministerial / Argentina</td>
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<td>• 11th – China WTO Compliance report</td>
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<tr>
<td></td>
<td>• 31st – Expiration of GSP system 31st – Deadline for publication of CBERA Report</td>
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<tr>
<td></td>
<td>• 31st – Notorious Markets report</td>
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</tbody>
</table>
USTR’s Beijing office was established at the end of fiscal year 2007 as an extension of the Office of China Affairs in Washington, D.C. The senior USTR member in Beijing holds the rank of Minister Counselor in the State Department. USTR also has a staff representative in Brussels.

Space Requirements
USTR offices in Washington, DC completely occupy the Winder Building and 75 percent of 1724 F Street NW. USTR staff in Geneva, Brussels and Beijing are located, respectively, in the U.S. Missions to Geneva, Brussels, and China.
Private Sector Engagement

The Office of Private Sector Engagement leads liaison and facilitates consultation with the U.S. private sector, including manufacturers, services providers, agricultural groups, tech industry, transport, retailers, trade associations, and other private-sector actors, as a means of ensuring that development of trade policy benefits from full understanding and consultation with the private sector.
Leadership and Front Office

USTR is led by the U.S. Trade Representative. The “Front Office” consists of the U.S. Trade Representative and his or her personal staff, including the agency’s Chief of Staff, Deputy Chief of Staff, Executive Secretary, Director of Scheduling and Advance, and other aides. The Executive Secretariat serves as the liaison on policy issues between USTR staff and the U.S. Trade Representative. It works with various offices in drafting and clearing written materials for the U.S. Trade Representative, and manages the agency’s correspondence process. It also handles USTR’s relations with the White House, National Security Council, and other Cabinet agencies. The Director for Scheduling and Advance is responsible for managing the USTR’s schedule and planning and executing on events and domestic and international travel. The agency has three Deputy U.S. Trade Representatives (two based in Washington, D.C. and one in Geneva), and an Ambassador-level Chief Agricultural Negotiator and Chief Innovation and Intellectual Property Negotiator. The U.S. Trade Representative, Deputy USTRs, Chief Agricultural Negotiator and Chief Innovation and Intellectual Property Negotiator require Senate confirmation.

Public and Media Affairs

The Office of Public and Media Affairs ensures policies, decisions, actions, negotiations and other activities of USTR are communicated to the press and information media. It provides consultation to other USTR offices regarding contact with the media and specialized publics concerning USTR’s programs and activities. Other responsibilities include preparation of special reports and analyses, as well as coordination of speeches and preparation of congressional testimony for the USTR, Deputies, and senior staff.

Congressional Affairs

The Office of Congressional Affairs manages relations with Congress for USTR, acting as a primary point of contact for staff and members of Congress to ensure that our trade policy is appropriately communicated to them, responding to their inquiries, ensuring that USTR is aware of their priorities, and that the agency is ultimately responsive to their needs and interests and those of their constituents.

Intergovernmental Affairs and Public Engagement

The Office of Intergovernmental Affairs and Public Engagement (IAPE) administers the statutory advisory committee system created by Congress, and facilitates consultation with the business and agricultural communities, state and local governments, labor, environment, think tanks, NGOs and other domestic groups on trade policy issues. IAPE is focused on improving the public's understanding of U.S. trade policies, initiatives and goals through continuous engagement with American businesses and consumers. IAPE also provides assistance to USTR functional and regional offices to build support for trade policy priorities.
Environment & Natural Resources

The Office of Environment and Natural Resources (ENR) leads, coordinates, develops, negotiates and implements trade and environment policy for USTR, including work related to free trade agreements (FTAs), trade and environment issues in the World Trade Organization (WTO), and trade-related activities under multilateral environmental agreements (MEAs). ENR also works to promote green growth through open trade and investment policies and to ensure that domestic environmental rules and regulations are consistent with our international trade obligations and policies.

ENR works closely to build and maintain relationships with stakeholders in the environment, business, and academic communities in order to support USTR’s work. The office works closely with the Intergovernmental Affairs and Public Engagement office to manage USTR’s Trade and Environment Policy Advisory Committee (TEPAC), and works closely with TEPAC in developing trade and environment policies and positions across USTR’s initiatives.

ENR monitors implementation of our existing FTA Environment Chapters; manages the WTO Environmental Goods Agreement (EGA) and the newly launched WTO fisheries subsidies plurilateral agreement; and conducts environmental reviews of these and other U.S. trade agreements.
Agricultural Affairs and Commodity Policy

The Office of Agricultural Affairs and Commodity Policy has overall responsibility for negotiations, policy development and coordination, and monitoring and enforcement work regarding trade in food and agriculture. Specific key responsibilities include free trade agreement and World Trade Organization negotiations on agriculture and sanitary and phytosanitary (SPS) measures; operation of FTA and WTO committees on agriculture and SPS measures; agricultural regulatory issues (SPS and technical barriers to trade (TBT), e.g., bilateral, plurilateral, and multilateral issues involving biotechnology, organic, animal health, plant health, food safety, and food labeling).

The office is also responsible for customs issues affecting agriculture; monitoring and enforcement of WTO and FTA commitments for agriculture (including SPS and TBT issues); and WTO accession negotiations on agriculture market access, domestic support, export competition, and SPS matters. The office has responsibility for reviewing draft proposed and final SPS regulations, and monitors U.S. implementation of U.S. Farm Bill programs to ensure consistency with U.S. international trade obligations and also is responsible for policy coordination of U.S. activities in agriculture committees of the Organization for Economic Co-operation and Development and international commodity organizations.

Agricultural Affairs maintains ongoing contact with FDA, EPA, USDA and private sector members of the agricultural advisory committees appointed by the USTR and the Secretary of Agriculture.
Labor Affairs

The Office of Labor Affairs negotiates and implements the labor provisions of bilateral, regional, and multilateral trade agreements, and evaluates adherence to worker rights provisions of trade preference programs, (Generalized System of Preferences (GSP), the African Growth and Opportunity Act (AGOA), the Haiti HOPE program, and the Caribbean Basin Initiative (CBI)). With respect to these initiatives, the Office develops, negotiates and monitors the implementation of labor action plans to address shortcomings and concerns in trade partner countries related to compliance with fundamental labor rights.

The Office also develops positions and builds international consensus on trade and labor issues in regional and multilateral fora, including the International Labor Organization (ILO), World Trade Organization (WTO), Asia Pacific Economic Cooperation (APEC), Organization for Economic Cooperation and Development (OECD), and Summit of the Americas process. The Labor office leads USTR’s interagency efforts to develop capacity building initiatives to support labor law compliance by trading partners.
**Innovation and Intellectual Property (IIP)**

The Office of Innovation and Intellectual Property uses a wide range of bilateral and multilateral trade tools to promote innovation, robust intellectual property (IP) laws, and effective IP enforcement worldwide, reflecting the importance of intellectual property and innovation to the future growth of the U.S. economy.

The IIP team deals with sensitive policy issues that arise at the intersection of international IP and public health policy, as well as challenges related to IP and new technologies (e.g., internet, standards, 3D printing). New international IP policy challenges are emerging in such areas as food security and clean energy technologies.

Key areas of work include the negotiation, implementation, and monitoring of intellectual property and innovation provisions of trade agreements; bilateral and regional engagement through such vehicles as the annual “Special 301” review and numerous IP dialogues with trading partners; and plurilateral and multilateral engagement on IP issues through the WTO, the World Health Organization, and other organizations, such as APEC and the World Intellectual Property Organization.

In addition, the IIP team implements trade policy in support of U.S. innovations, including those in the pharmaceutical and medical technology industries. The IIP team works closely with other agencies, drawing upon their expertise and also providing interagency trade policy leadership.
Services & Investment

The primary mission of the Office of Services and Investment is to keep services trade and investment flows open and a continuing source of benefit to U.S. firms, U.S. workers, and the U.S. economy. This mission is accomplished by pressing for the removal of barriers to U.S. services and investment through free trade agreement negotiations and other forms of bilateral and multilateral negotiations and engagement. Specifically, the office is responsible for the development and implementation of U.S. services, investment, and digital trade policy, including the negotiation, monitoring and enforcement of bilateral, regional and multilateral trade and investment agreements; briefing relevant Congressional committees; chairing interagency trade policy committees; engaging with private sector advisors directly and through the Industry Trade Advisory Committees (ITACs); outreach to state and local government officials; and staffing USTR’s participation on the Committee on Foreign Investment (CFIUS) and the Board of Directors of the Overseas Private Investment Corporation (OPIC).

In addition to representing U.S. interests in the WTO on services and investment issues, this office plays a significant role in all multi-sectoral negotiations involving USTR – which, due to limited negotiating opportunities in Geneva, have been focused on bilateral and plurilateral initiatives. With respect to FTAs, members of this office serve as lead negotiators for specific chapters covering Services, Telecommunications, Financial Services, Electronic Commerce and Investment. This office also leads negotiations in the first services-only negotiation, the Trade in Services Agreement (comprising two dozen economies). This office also takes the lead (in coordination with the Department of State) on negotiating bilateral investment treaties (BITs), the most significant of which is the current ongoing BIT negotiation with China; and co-leads with Treasury on an insurance agreement being negotiated with the EU.

The office has a specific enforcement role in the telecommunications sector, in conducting an annual review of telecommunications-specific trade commitments under Section 1377 of the 1988 Trade Act; and participates regularly in review mechanisms built into bilateral FTAs, in areas of the office’s expertise.

With respect to CFIUS, where USTR is a statutorily-designated member, this office takes the lead in considering potential national security implications of foreign investment, through case reviews and work on implementation of CFIUS reform legislation and revised regulations.

OPIC is an independent U.S. government agency that seeks to mobilize U.S. private capital and skills in less developed countries and countries in transition through products such as political risk insurance, direct loans, and loan guaranties. The OPIC statute (22 U.S.C. § 2193(b)) names the USTR as an OPIC Board Director and provides that the USTR may designate a Deputy USTR to serve in his or her place; the USTR has typically delegated these responsibilities. This office staffs the USTR or Deputy USTR for OPIC Board responsibilities. Quarterly Board meetings take place in March, June, September and December.
Small Business, Market Access & Industrial Competitiveness

The Office of Small Business, Market Access and Industrial Competitiveness develops, negotiates, and implements trade policy related to industrial goods market access for American manufacturers and helps ensure that USTR’s trade policy efforts address the challenges facing smaller U.S. businesses.

With respect to industrial goods market access, the Office leads negotiations in free trade agreements, WTO negotiations, and bilateral negotiations to expand market access for U.S. manufacturers through the elimination of tariffs and reduction of industrial non-tariff barriers. The Office also addresses specific trade barriers with a range of trade partners and leads USTR participation in a number of industrial sector policy initiatives, such as relating to steel, autos, semiconductors, and chemicals.

With regard to small business, the Office advances USTR’s agenda to better integrate SME issues and priorities into USG trade policy activities, increase our agency outreach to small businesses, and improve coordination across U.S. trade policy and promotion activities relating to SMEs.
Regional Office Overviews

African Affairs

The Office of African Affairs develops and coordinates U.S.-sub-Saharan African trade and investment policy. The office supports and enhances U.S.-sub-Saharan African trade and investment by negotiating, concluding, and effectively implementing initiatives, trade agreements, and treaties that further Administration economic and development policies in sub-Saharan Africa. The office is tasked with supporting African regional trade as well as enhancing two-way trade by opening sub-Saharan African markets for U.S. goods, services and investment, reducing African barriers to U.S. trade and investment, growing African trade capacity to take advantage of U.S. preference programs such as the Generalized System of Preferences (GSP) and the African Growth and Opportunity Act (AGOA), and engaging with Africans and other stakeholders to improve the African trade and investment policy environment. The office consults and communicates with other agencies, Congress and other stakeholders on African trade policy initiatives to ensure outcomes that are consistent with the U.S. trade policy agenda. The office administers the African Growth and Opportunity Act (AGOA), co-chairs the interagency process on the Trade Africa initiative, and leads engagement with a number of regional economic communities and countries under trade and investment framework agreements, or TIFAs.
Textiles

The Textiles Office is responsible for international trade negotiations regarding textile and apparel products, at the multilateral, regional, and bilateral levels, with a special emphasis on opening foreign markets to U.S. domestic producers. The Textiles Office is responsible for ongoing liaison and contact with Congress and domestic stakeholders – including brands, retailers, and domestic producers – on trade policy decisions and trade negotiations affecting textile and apparel products.

The Office works closely with our trading partners to implement trade agreements and preference programs and to work on ways to maximize our industry’s use of existing agreements and programs. The Office also monitors developments in trading partner markets to ensure compliance with our trade agreements and preference programs with respect to textiles. The Office provides technical and policy advice to other USTR offices and other Administration agencies on trade policy issues affecting the textile sector. The AUSTR for Textiles represents USTR on the Committee for the Implementation of Textile Agreements (CITA), an interagency group chaired by the Department of Commerce that has statutory responsibilities for implementing some aspects of trade agreements involving textiles.
Europe and the Middle East (EME)

The Office of Europe and the Middle East coordinates and drives trade and investment initiatives in three inter-related geographic pillars: Europe, including the European Union; Middle East and North Africa; and Russia/Eurasia.

Prominent current responsibilities include: advancing U.S.-EU trade relations, primarily through the ongoing Transatlantic Trade and Investment Partnership (T-TIP) negotiations, to promote shared interests globally while addressing chronic and emerging EU barriers to U.S. exports; developing stronger trade relations in the Middle East/North Africa (MENA) region to advance broader U.S. strategic and commercial policy objectives, including through implementation of existing Free Trade Agreements with certain MENA partners (Bahrain, Israel, Jordan, Morocco and Oman); and working with Russia (and the Eurasian Economic Union), Ukraine, Moldova and the Caucasus countries to resolve trade irritants and foster commercial policies that are grounded in the rule of law.

The Office coordinates extensively with USTR functional offices responsible for agriculture, intellectual property rights, industry, labor, environment, multilateral affairs and trade agreement enforcement.
China Affairs

USTR's Office of China Affairs leads development, coordination & implementation of trade and investment policy to access markets in the People's Republic of China, Hong Kong, Macau, Taiwan and Mongolia.

The Office engages China bilaterally through the U.S.-China Joint Commission on Commerce and Trade (JCCT), the Strategic and Economic Dialogue (S&ED), and other dialogues and working groups. Currently, a top bilateral priority is negotiation and conclusion of a Bilateral Investment Treaty (BIT). Multilateral fora such as the World Trade Organization and other international organizations provide venues for discussion of macroeconomic concerns, international trade agreements, and specific trade cases.

Trade and Investment Framework Agreements (TIFAs) provide opportunities for trade policy discussions and dispute resolution with Taiwan and Mongolia.
South & Central Asian Affairs

The Office of South and Central Asian Affairs oversees development and implementation of U.S. trade policy and negotiation strategies for South Asia (Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka) and Central Asian states (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan). The office also oversees U.S. trade policy for Iraq.

Responsibilities include managing the U.S. – India Trade Policy Forum (TPF) Cabinet-level bilateral trade dialogue, including coordinating the TPFs work streams on intellectual property, manufacturing, trade in services and trade in goods, and agriculture, and associated private sector engagement related to this work.

Other areas of emphasis include leading the Trade and Investment Council Meetings under the U.S. Trade and Investment Framework Agreements (TIFAs) with Afghanistan, Bangladesh, Iraq, Maldives, Nepal, Pakistan, Sri Lanka, and the Central Asian states. The office also oversees the U.S. trade preference program for Nepal.
Japan, Korea & APEC Affairs

The Office of Japan, Korea and APEC Affairs develops, negotiates, and implements trade and investment policy related to Japan, Korea, and the Asia Pacific Economic Cooperation Forum (APEC).

With respect to Japan, the Office leads engagement with Japan on a broad array of trade and trade-related issues with the goal of eliminating unnecessary barriers to trade and expanding access to Japan’s market – the third largest economy in the world. In the Trans-Pacific Partnership (TPP) negotiations, the Office led the negotiations with Japan on autos and auto parts in addition to parallel negotiations on numerous non-tariff measures. The Office also addresses specific bilateral trade irritant issues with Japan, monitors and enforces Japan’s compliance with its international and bilateral trade agreements, and coordinates with Japan to address mutual concerns in the Asia Pacific region and beyond.

With respect to Korea, the Office leads our engagement with stakeholders, Korean government counterparts, and the interagency to ensure full implementation of the comprehensive U.S.-Korea FTA through mechanisms established under the agreement, which include 21 Committees and Working Groups. The Office also addresses specific bilateral trade issues with Korea, monitors and enforces Korea’s compliance with its international and bilateral trade obligations, and coordinates with Korea on regional and global trade issues.

On APEC, the Office advances U.S. trade policy regionally through APEC, comprising 21 economies representing approximately 50% of global trade. The Office plays a leading role in working with the other APEC economies to advance initiatives to strengthen regional economic integration in the Asia Pacific through free and open trade and investment, primarily leading the U.S. delegation for APEC’s Committee on Trade and Investment (CTI). USTR serves as the lead Senior Trade Official alongside the overall APEC Senior Official headed by the State Department. The key trade issues of focus include: digital trade/economy issues, services competitiveness, supply chain connectivity and trade facilitation, environment, and agricultural trade issues. In addition, USTR advocates for domestic reform and capacity building projects that help APEC economies prepare to implement or participate in high standard and comprehensive free trade agreements.
Western Hemisphere

The Office of the Western Hemisphere develops trade and investment policy related to the region and negotiates and implements trade and investment agreements with Western Hemisphere countries, both bilaterally and on a regional basis.

The United States currently has six Free Trade Agreements (FTAs) in force with 12 countries: Canada under the CUSFTA (1989), both Canada and Mexico under NAFTA (1994), Chile (2004), Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and the Dominican Republic under CAFTA-DR (2006-2009), Peru (2009), Colombia (2012) and Panama (2012). This Office leads oversight regarding implementation, enforcement and operation of the six agreements. Four of these FTA partners are also signatories to the Trans-Pacific Partnership (TPP): Chile, Peru, Mexico and Canada. Staff in this Office coordinated efforts to reach final agreement with these four countries during the negotiations, and are taking on a lead role in the process that will certify each country before entry into force of the agreement.

The Office also manages a regional trade preference program, known as the Caribbean Basin Initiative (CBI). The core benefits of the program are now permanent, but certain enhanced benefits under the Caribbean Basin Trade Partnership Act – primarily for apparel – are currently set to expire on September 30, 2020.

The Office also leads and coordinates active bilateral and regional dialogues with much of the region, including dialogues held pursuant to trade and investment framework agreements, several of which were signed or revised over the last eight years. This includes Argentina (signed 2016), CARICOM (2013) and Brazil (2011), as well as older agreements with Uruguay and Paraguay.

In addition, the Office of the Western Hemisphere co-leads or supports other bilateral or regional fora, such as the U.S. – Mexico High Level Economic Dialogue (HLED), U.S.-Canada Regulatory Cooperation Council (RCC), U.S.-Canada Beyond the Border Initiative, and the U.S. Strategy for Engagement in Central America. This office leads the Trade and Investment working group under the newly created U.S.-Cuba Economic Dialogue. This office is also the agency lead in the Summit of the Americas process, a tri-annual meeting of democratically-elected Heads of State from across the Western Hemisphere. The next Summit of the Americas will take place in Peru in 2018.
Southeast Asia and the Pacific

The Southeast Asia and Pacific office develops, negotiates, and implements trade and investment policy related to Southeast Asia and the Pacific, and also is the lead office on the Trans-Pacific Partnership (TPP).

On Southeast Asia and the Pacific, the SEAP Office advances U.S. trade and investment policy with the 10 countries of Southeast Asia, a region in which the United States has significant commercial and strategic interest, and that together are the United States’ fourth largest export market. The office plays the lead role in advancing U.S. trade and investment objectives with Southeast Asian countries collectively, including through the Association of Southeast Asian Nations (ASEAN)-U.S. Trade and Investment Framework Arrangement dialogue and other initiatives with the ASEAN, and uses ASEAN and other regional fora to advance U.S. regional and global economic objectives.

The Southeast Asian and Pacific office also is responsible for working bilaterally with ASEAN countries, as well as Australia, New Zealand, and the Pacific islands to build trade and investment relations, address bilateral trade issues that emerge, monitor and enforce their compliance with WTO and bilateral trade agreements, including our Free Trade Agreements with Singapore and Australia, and cooperate on regional and multilateral initiatives. The office also helps coordinate trade capacity building efforts for the developing countries in the region.
and supplies); a constant challenge with two historic GSA-owned buildings, the Winder Building (1848) and 1724 F Street (1911). Winder is the oldest federal government office building in DC.

Security

Physical Security, Information Security and Personal Security (Executive Protection and transportation) for the USTR. This includes management and oversight of the Security Guard Force (Federal Protective Services contractor) for the Winder and 1724 F Street buildings, Continuity of Operations (COOP), National Continuity Exercises, and emergency preparedness (fire, shelter-in-place and safe-haven drills).

Administrative Program Services

Generalized services to carry out the mission of USTR, including passport and visa processing, records management, and meeting support and event scheduling.
GENERAL AND MULTILATERAL OFFICE OVERVIEWS

Administration

The Office of Administration provides six critical support functions for USTR. The full range of support services is provided in conjunction with USTR’s parent agency, the Executive Office of the President (EOP), in particular the Office of Administration (OA) and other White House entities. These services are delivered via a shared-services model where the back-office core components are performed or operated by other components of EOP. USTR staff performs the front-office functions to ensure effective delivery and integration of these services to USTR’s employees and enable mission performance. USTR staff are often the first point of contact for employees who need assistance.

Human Resources

Hiring, retention, and separation of USTR employees, including initiation of security background checks, employee compensation and leave, job classification, staff career development, performance management, and employee recognition and discipline. OA operates automated payroll and personnel servicing systems, maintains the official personnel files for USTR employees, and arranges for security background investigations of prospective and current USTR staff. In addition, payroll processing for Geneva Office employees is done via the State Department.

Budget and Finance

Budgeting, reporting, and analysis, and responsibility for accounting and operational needs of the Agency. Staff provide services within USTR and work with other Federal government agencies and the outside business community. The office engages in four functions: budgeting and reporting, travel administration, procurement, and invoice processing. USTR has offices in Geneva and Beijing which operationally are supported by State Department functions (accounting, HR, etc.). USTR is responsible for payment of the salaries, benefits and expenses of these offices handled through interagency agreements / payment mechanisms.

Information Technology (IT) and Communications

Computer, telecommunication, and audio-visual services. This includes laptops and desktop computers, printers, copiers, scanners, faxes, phones (cellular and VoIP desk), audio conferencing, videoconferencing, web operations, travel support equipment (laptops, blackberries, Apple phones), and staffing support for negotiation and meeting control rooms. Both classified and unclassified capability is available.

Facilities

Long-term renovation and day-to-day maintenance and operation of USTR facilities and maintenance and improvement of employees’ working environment and office support (furniture
Geneva Office (U.S. Mission to the WTO)

The Geneva office represents U.S. policy positions and manages dispute settlement work at the World Trade Organization's (WTO) Geneva headquarters. USTR's Geneva staff (supplemented by colleagues from the Foreign Agricultural Service, the Department of Commerce, and the Patent and Trademark Office) engage with representatives of 163 other WTO Members to advance U.S. interests in the WTO's ongoing committee work, active trade negotiations, the review and monitoring of WTO members' trade policies, and the litigation of trade disputes. The office also oversees the U.S. Government's institutional relationship with the 650-member staff of the WTO Secretariat, and ensures effective stewardship related to U.S. contributions to the WTO's budget (approximately $23 million annually).

In all of these functions, the Geneva staff collaborates extensively with Washington-based offices, which develop the policy guidance and instructions that are the basis for engagement by Geneva-based staff. The Office of WTO and Multilateral Affairs (WAMA) and the Office of General Council are engaged on a daily basis with members of the Geneva office, and there is extensive interaction with USTR offices responsible for agriculture, market access, intellectual property, administration, and other areas.

USTR Geneva office staff are increasingly engaged beyond the scope of the WTO as trade issues become more directly implicated in the work of other Geneva-based international organizations, including the World Health Organization, the World Intellectual Property Organization, and the UN Conference on Trade and Development. The Geneva office serves as a mechanism to ensure that USTR policy equities are adequately represented in these organizations.

USTR's Geneva office is co-located with the U.S. mission to the UN Organizations in Geneva, and USTR staff work extensively with diplomats assigned to Geneva from the State Department and other USG agencies.

During 2016, the Geneva office was focused extensively (with WAMA guidance) in efforts to turn the WTO towards new and more productive modes of negotiations, following the de facto end of the Doha Round negotiations at the WTO's 10th Ministerial Conference in December 2015. This has involved efforts to revitalize the work of the WTO's system of regular committees, as well as exploring the launch of plurilateral negotiations in new areas.
General Counsel

The Office of the General Counsel provides legal advice to the USTR, Deputies, and all other offices with respect to U.S. international trade obligations and rights, and compliance with U.S. trade laws. The office is notionally divided into two sections, the Negotiations, Legislation, and Administrative Law (NLA) section headed by the Deputy General Counsel, and the Monitoring and Enforcement (M&E) unit headed by the Austr for Monitoring and Enforcement. Staff attorneys have responsibilities under both sections.

On the NLA side, office attorneys have chief responsibility for drafting and finalizing U.S. trade agreements and other instruments, drafting implementing legislation for trade agreements subject to Trade Promotion Authority, reviewing and providing legal advice regarding other trade legislation, and drafting trade-related Proclamations and Executive Orders. They advise regional and functional offices on legal changes FTA partners may need to make prior to the USTR being able to recommend to the President that a free trade agreement can enter into force and work with those offices to monitor compliance by trading partners of their obligations under trade agreements. In addition, office attorneys provide legal analysis with respect to certain trade remedy actions (e.g., Section 337 and safeguards). Specialized office attorneys also provide advice on administrative law and ethics, and manage requests under the Freedom of Information Act. Office attorneys also work with the Department of Justice in defending any suits brought against USTR in federal court.

On the M&E side, office attorneys enforce U.S. rights under the WTO and other trade and investment agreements. They provide legal analysis and advice on compliance with U.S. trade and investment agreements and provide legal arguments and advice to client offices on effective strategies, including negotiations and litigation, for addressing foreign barriers or for defending U.S. legislation, regulations, or other actions. They represent the United States in offensive and defensive dispute settlement proceedings under the WTO and other trade agreements. They provide the General Counsel and the USTR with legal analysis to determine whether to initiate dispute settlement proceedings against another country. They prepare all written and oral submissions in disputes initiated pursuant to U.S. trade agreements and appear before panels, the WTO Appellate Body, and other arbitrators. Office attorneys work with the Department of State in defending investor-State arbitration proceedings against the United States. Office attorneys seek to resolve disputes successfully, including by entering into mutually agreed solutions, ensuring that appropriate implementation action is taken (including by the United States), and monitoring implementation actions by foreign trading partners. Office attorneys chair the Section 301 committee and the Compliance Taskforce of the Trade Policy Staff Committee.
responsibilities expanding beyond ITEC to monitoring other countries’ implementation of trade agreements with the United States.

The functional transition from ITEC to ICTIME will occur as FY2017 funding for ICTIME is received by USTR, after which the Center’s permanent staff will be hired directly by USTR. The Trade Facilitation and Trade Enforcement Act, in contrast to the Executive Order, does not specify a role for Commerce in receiving or managing funds for ICTIME. In the interim, USTR and Commerce will continue to coordinate staffing and other resources as the budget and appropriations processes unfold in order to support numerous ongoing priority projects as ITEC transitions to ICTIME.

In the President’s proposed budget for FY2017, a request for $3.1 million was included to fund USTR’s operation of ICTIME. This essentially represents a shift of funds for nine FTE (from detailers to permanent USTR employees) and other associated operational costs from the Department of Commerce’s International Trade Administration (ITA) to USTR. Under a CR, likely no funds will be appropriated to USTR to specifically undertake this additional responsibility for ICTIME. USTR funding for the change depends on what is finally enacted in a full year appropriation. It is reasonable to expect that USTR will not receive such appropriations until FY 2018.

A Trade Enforcement Trust Fund was included in the authorization that would provide for up to $15 million for USTR to use for enforcing provisions of and commitments and obligations under WTO Agreements and free trade agreements and other associated functions. Other federal agencies are also authorized to use these funds for trade capacity building efforts. Clarification will be required as to how this fund would work. Anticipate dialog with USTR authorization and appropriation staffs and other agencies of the TPSC.
Interagency Trade Enforcement Center (ITEC)

The Interagency Trade Enforcement Center (ITEC) was established by Executive Order in February 2012 to “strengthen our capacity to monitor and enforce U.S. trade rights [under international trade agreements such as the WTO] . . . and thereby enhance market access for U.S. exporters.”

ITEC bolsters USTR’s monitoring and enforcement of international trade agreements by providing the highest quality investigative and analytical research. Relying substantially on detailees from a variety of government agencies, ITEC enhances the effectiveness of USTR’s enforcement and engagement functions by providing a complete suite of language and subject matter expertise through interdisciplinary and interagency collaboration. Specifically, ITEC (a) monitors trade developments affecting other countries’ adherence to international trade obligations; (b) researches issues to inform USTR’s assessment of potential trade cases; (c) provides research that furthers USTR’s ability to obtain adherence to existing trade rules; (d) supports ongoing litigation, both offensive and defensive, through research and analysis; (e) researches and evaluates post-dispute compliance actions by other countries; and (f) provides translation of relevant foreign laws and other measures.

USTR has historically provided to ITEC three staff (Director, Research Director, and Senior China Policy Analyst), office space, and basic administrative support including information technology, while the Department of Commerce received specific appropriations for ITEC activities. These appropriations included the provision of the largest contingent of detailees in addition to a Deputy Director, as well as translation funding and access to electronic databases, services that have been critical to ITEC’s monitoring and enforcement activities.

Current ITEC staff have language capability in Mandarin Chinese, Spanish, Portuguese, Bahasa (spoken in Malaysia, Indonesia, and Brunei) and Vietnamese as well as expertise in subsidies analysis and animal and plant health.

Transition from ITEC to ICTIME

In February 2016, the Trade Facilitation and Trade Enforcement Act of 2015 established within USTR the Interagency Center on Trade Implementation, Monitoring, and Enforcement (ICTIME or the Center) at USTR, in effect creating a statutory successor to the previously established ITEC.¹ The Presidential signing statement provides that: “The Act permanently establishes the Interagency Center on Trade Implementation, Monitoring, and Enforcement at the Office of the United States Trade Representative, codifying the successor to the Interagency Trade Enforcement Center (ITEC) that was created by Executive Order in 2012.” The statute envisages

¹ The Act provides in relevant part: “The Center shall support the activities of the United States Trade Representative in—
(A) investigating potential disputes under the auspices of the World Trade Organization; (B) investigating potential disputes pursuant to bilateral and regional trade agreements to which the United States is a party; (C) carrying out the functions of the United States Trade Representative under this section with respect to the monitoring and enforcement of trade agreements to which the United States is a party; and (D) monitoring measures taken by parties to implement provisions of trade agreements to which the United States is a party.”
WTO & Multilateral Affairs

The Office of WTO and Multilateral Affairs (WAMA) is a functional office with wide-ranging responsibilities. While focused on implementation and negotiation of WTO agreements in these functional areas, WAMA’s team of negotiators, in areas such as government procurement, technical barriers to trade, customs and trade facilitation, trade remedies, subsidies, and rules of origin, have implementation and negotiating responsibilities in regional initiatives, such as TPP and T-TIP. A rough estimate is that WAMA’s concentration of work is at least 50 percent non-WTO.

With respect to the WTO, WAMA coordinates U.S. representation and policy development with other functional offices, such as the Agriculture, Services and Investment, and IPR. WAMA also has lead USTR responsibility for most of the WTO’s standing committees and for preparing for biannual Ministerial Conferences, such as those held in Nairobi in December 2015 and Bali in December 2013, where the groundbreaking WTO Trade Facilitation Agreement (TFA) was concluded. Since the Nairobi Ministerial, which resulted in the de facto end of the Doha Round negotiations, WAMA has worked with other offices, particularly the Agriculture Office, to assess how to address pending Doha issues in new ways, freed from the constraints of the Doha architecture, which made it difficult to seek new commitments from large emerging developing countries, such as China and India. WAMA, in conjunction with USTR’s Geneva mission, has also focused on opportunities to launch WTO plurilateral initiatives in new areas and to reinvigorate the WTO’s committee system, particularly to address implementation issues and to explore how they might be utilized to update the WTO’s rulebook.

WAMA also has lead trade responsibilities in other international organizations including the OECD and the UN and UN specialized agencies.

In the OECD’s Trade Committee, WAMA supports the OECD’s strong analytical work in emerging areas of trade, such as digital trade and global value chains, and engages in efforts to identify potential future areas of work for the WTO.
Trade Policy and Economics

The Office of Trade Policy and Economics is a 9-person office with three core functions: overseeing USTR economic analysis and use of data; chairing the interagency policy coordination process; and managing the Generalized System of Preferences and staffing USTR’s Board membership in the Millennium Challenge Corporation. Key responsibilities include:

Economics

Responsible for all statistical and economic analysis, critical review of outside materials, economic analytical support for policy development, and data requests by senior leadership, Public Affairs, Congressional, outreach, speechwriting, and policy offices. Lead explanation and defense of the economics of U.S. trade policy at WTO Trade Policy Reviews, and provide economic analysis for USTR arguments in Panel, Appeal and Compliance phases of WTO disputes and FTA enforcement/defense actions. Liaison to U.S. International Trade Commission, Council of Economic Advisors, academic community, and think-tanks. Chief Economist chairs Section 301 subcommittee on damage assessments, and co-chairs with Commerce the U.S.-China Joint Committee on Commerce and Trade (JCCT) Working Group on statistics and the TPCC working group on statistics.

Policy Coordination

Manages the statutory interagency process by which USTR receives advice, input, and clearance from other Executive Branch agencies on U.S. negotiating positions, enforcement actions, and other trade policy decisions. Chairs the Trade Policy Staff Committee (TPSC, composed of 21 agencies of the Executive Branch with trade responsibilities, all represented at senior career level), oversees a network of 106 standing TPSC subcommittees, and acts as Executive Secretary to the Deputies-level interagency Trade Policy Review Group. Solicits stakeholders’ input on policy through public hearings and Federal Register Notices. Oversees compilation and publication of the agency’s two annual statutory reports to Congress, the President’s Trade Agenda and the National Trade Estimate on Foreign Trade Barriers. Point of contact for Government Accountability Office (GAO) investigations. Coordinates clearance on all pending legislation and testimony tasked to USTR by Office of Management and Budget (OMB).

GSP/MCC

Leads on implementation of the Generalized System of Preferences (GSP), the largest and oldest U.S. trade preference program, which promotes economic development by eliminating duties on up to 5,000 types of products (out of 10,700 products defined in the Harmonized Tariff Schedule, including 3,000 permanently duty-free) when imported from the 122 designated beneficiary countries and territories. Leads interagency processes to determine whether countries should be added to or removed from the list of eligible countries, and whether to add or remove specific products. Staff the representative to the Millennium Challenge Commission, where USTR is a Board Member with voting power on approval of all major decisions related to MCC programming, including selection of countries for compacts and threshold programs.
The FY 2017 Congressional budget markups were quite different between USTR’s appropriation committees. The Senate supported the President’s request for $59.4 million. The House’s markup for USTR was $50 million with $15 million for the Trade Enforcement Trust Fund. The latter is highly problematic as it would significantly reduce our base budget and thereby create potential funding issues for maintaining our current cadre of trade professionals, critical support services and mission-driven international travel.
Overview

USTR’s budget is essentially composed of people and travel. Seventy-eight percent of USTR’s fiscal year (FY) 2016 spend plan is personnel costs and about 10 percent is travel. Sustained funding will be necessary to fill remaining gaps and aggressively implement TPP, finalize T-TIP, and monitor and enforce U.S. trading rights that were vigorously pursued and achieved under trade agreements.

For FY 2017, the estimated funding requirement for USTR is $59,376,000 and a full-time equivalent (FTE) level of 248. This request is $4,876,000 (or 8.9 percent) above the FY 2016 enacted appropriation of $54,500,000. The proposed staffing level for FY 2017 of 248 is 8 above the FY 2016 enacted level.

The increased request is primarily driven by two factors. First, USTR will have significant costs associated with implementing, monitoring and enforcing (M&E) new trade agreements made since FY 2012 for 14 countries (Panama, Colombia and South Korea and the 11 countries of the TPP) and advancing trade initiatives with China, East Asia, Southeast Asia, sub-Saharan Africa, the Middle East and Northern Africa, South and Central Asia, European Union and India. Second, it reflects the anticipated authorization for the Interagency Trade Enforcement Center (ITEC) functions and provision for a new source of resources available to USTR to monitor and enforce trade agreements.

FY 2017 Continuing Resolution

Congress did not reach an agreement on a full year FY 2017 budget appropriations prior to the end of the fiscal year ending September 30, 2016. USTR’s budget appropriation is included as part of the Commerce, Justice and Science (CJS) Appropriation Committee, one of 12 such appropriation committees. The last time the Office of the U.S. Trade Representative (USTR) received an appropriation prior to the end of the fiscal year was 2011. The current continuing resolution (CR) extends through December 9, 2016, where either another CR will be proposed or actual appropriation bills may be introduced and enacted.

USTR intends to manage its resources during this interim period as if it were operating with the same level of funding as was appropriated in FY 2016. The CR will apply a prorated budget to each agency based on its FY 2016’s enacted appropriation, which in USTR’s case was $54.5 million. USTR will be able to manage within this constraint if its current mission remains as it currently exists. There will be some payroll savings opportunity from the normal turnover that takes place between changes of Administrations. We estimate that vacancy period to be about two months for the 25 political appointees that will depart by the end of the Obama Administration.

Historically, USTR’s annual budget provides for Single Year funding and $1 million in “available until expended” budget appropriation not tied to any specific fiscal year. This has provided USTR with some flexibility to manage its funding requirements during CR periods. Funding resources have been managed to maintain adequate available fund balances to cover what have been some high beginning of fiscal year outlays resulting from the timing of major negotiations and other requirements.