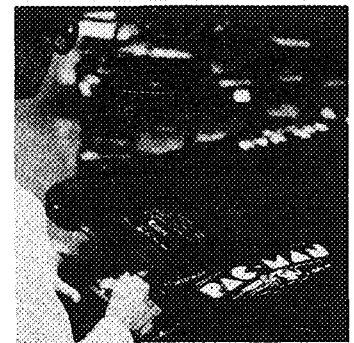
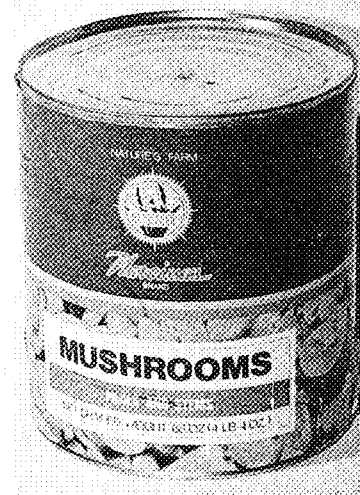
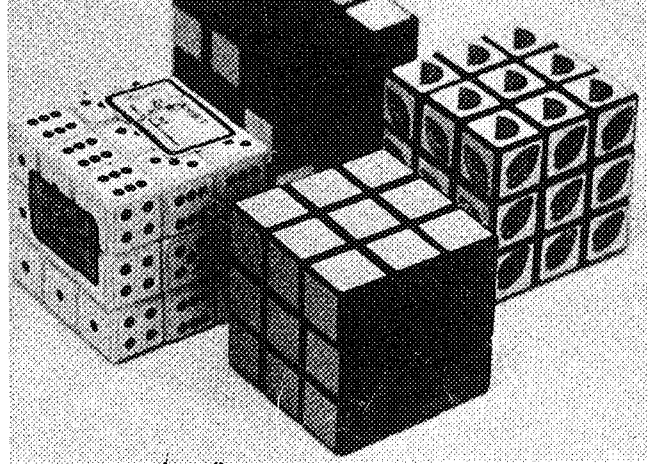
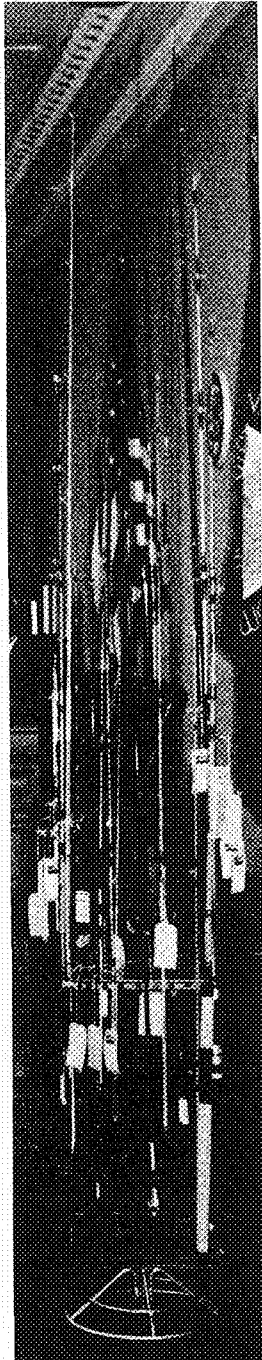


1982 Annual Report



1982
Annual Report

United States International Trade Commission



Commissioners

Alfred E. Eckes, Chairman

Paula Stern

Veronica A. Haggart

Kenneth R. Mason
Secretary to the Commission

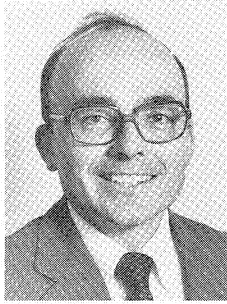
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USITC Publication 1412

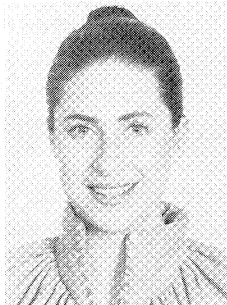
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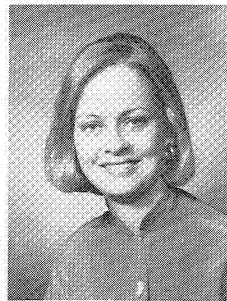
The Commission¹



Chairman Alfred E. Eckes, Republican of Virginia. Mr. Eckes entered on duty on September 21, 1981. His term expires on June 16, 1990.



Commissioner Paula Stern, Democrat of the District of Columbia. Dr. Stern entered on duty on October 16, 1978. Her term expires on June 16, 1987.



Commissioner Veronica A. Haggart, Republican of the District of Columbia. Ms. Haggart entered on duty on March 23, 1982. Her term expires on June 16, 1984.

Vacancy: The term expires on December 16, 1985.

Vacancy: The term expires on December 16, 1988.

Vacancy: The term expires on December 16, 1991.

¹Members of the United States International trade Commission on Sept. 30, 1982, were Alfred E. Eckes, Paula Stern, Eugene J. Frank, and Veronica A. Haggart. Mr. Frank resigned effective Oct. 23, 1982.

Message From the Chairman

The Commission faced an unprecedented challenge in fiscal year 1982 when on January 11, seven domestic steel companies simultaneously filed 93 countervailing duty and antidumping petitions concerning carbon steel imports from European countries. Arriving by the truckload, these petitions triggered preliminary investigations that had to be completed in the tight 45-day time frame dictated by statute. The Commission's determination never to miss a deadline called for extraordinary effort on the part of our staff, and they responded magnificently.

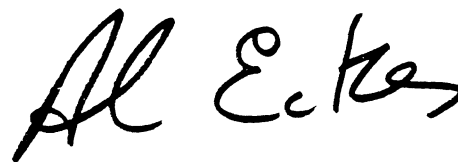
While the steel cases generated the most publicity this year, the Commission also worked on a wide variety of other investigations, completing a record 232 cases. These included two "escape clause" investigations under section 201 of the Trade Act of 1974 and four "review" investigations under section 203. The Commission also completed three market disruption investigations under section 406 of that act, involving certain imports from Communist countries, and two investigations on agricultural products—casein and sugar—under section 22 of the Agricultural Adjustment Act.

Fiscal year 1982 saw continuation of the upward trend in countervailing duty and antidumping investigations that began with enactment of the Trade Agreements Act of 1979. In addition to steel, the 117 countervailing duty investigations completed covered items ranging from subway cars and commuter aircraft to orange juice and sodium gluconate. The 60 antidumping cases included items as diverse as chemical products and frozen french-fried potatoes.

Also on the rise was the number of unfair import practice investigations the Commission conducted under section 337 of the Tariff Act of 1930. Two of these, concerning imports of the Pac-Man audiovisual game and "Rubik's Cube" puzzle, received nationwide publicity.

In addition to its quasi-judicial function, the Commission played an important role in providing information and technical advice to the President and Congress for use in trade policy formulation. The Commission also continued to assist in the negotiations on the Harmonized Commodity Description and Coding System in Brussels. It has been very active in both the development of this international classification system and preparations for conversion of the Tariff Schedules of the United States.

During 1982, a troubled economy brought recognition of the importance of international trade to our Nation's economic well-being. The Commission's expertise and trade-data-gathering capability should be of increasing value to U.S. policymakers in the years ahead.



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Summary of Activities

Investigations Completed

Other Activities

Tariff Act of 1930:		Reports prepared on proposed legislation	63
Sec. 332 investigations	15	Reports prepared on specified commodities	24
Sec. 337 investigations of alleged unfair practices in the importation and sale of imported products	16	Reports prepared on East-West trade	4
Antidumping and countervailing duty investigations (countervailing duty, 117, including 108 preliminary and 9 final investigations; antidumping, 62, including 52 preliminary, 8 final, and 2 review investigations)	179	Trade-monitoring reports	5
		Summaries of trade and tariff information	62
		Responses to requests from Members of Congress and congressional committees	163
Trade Act of 1974:		Publications issued (in addition to reports on investigations):	
Sec. 131 and sec. 503 advice on possible trade agreements	3	Synthetic organic chemicals, production and sales	13
Sec. 201 "escape clause" cases	2	Benzenoid chemicals, imports	1
Sec. 203 "review" cases	4	Library transactions:	
Sec. 406 "market disruption" investigations	3	Reference calls	8,809
Sec. 603 preliminary investigations	2		
Trade Agreements Act of 1979, sec. 104, review of countervailing duty cases	6		
Agricultural Adjustment Act, sec. 22 investigations	<u>2</u>		
Total	232		

Introduction to the USITC

The United States International Trade Commission is an independent, bipartisan, quasi-judicial agency with broad powers to investigate all factors relating to the effect of U.S. foreign trade on domestic production, employment, and consumption. Although not charged with a policymaking role, the Commission contributes substantially to the development of sound, equitable international trade policy.

gathers information and evaluates data to assist the Commission in its determinations. To get the facts and insure that all sides of an issue are heard, extensive fieldwork is undertaken, and public hearings are held in Washington, D.C., or, occasionally, in other parts of the country. The views of interested and affected parties such as labor, industry, agriculture, importers, and consumers are represented and evaluated in the Commission's work.

Commission activities include—

- Making recommendations to the President regarding relief for industries seriously injured by increasing imports;
- Determining whether U.S. industries are materially injured by imports which benefit from pricing below fair value or subsidization;
- Directing action, subject to Presidential disapproval, against unfair trade practices such as patent infringement;
- Advising the President whether agricultural imports interfere with price-support programs of the U.S. Department of Agriculture;
- Conducting studies on trade and tariff issues and monitoring import levels; and
- Participating in the development of uniform statistical data on imports, exports, and domestic production, and the establishment of an international harmonized commodity code.

By statute, the Commission may act on its own initiative, on the petition of interested parties, or at the request of the President, the United States Trade Representative, the House Ways and Means Committee, or the Senate Finance Committee. The Commission staff of over 400 men and women, including attorneys, economists, investigators, commodity-industry analysts, and data system programmers,



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Carbon steel

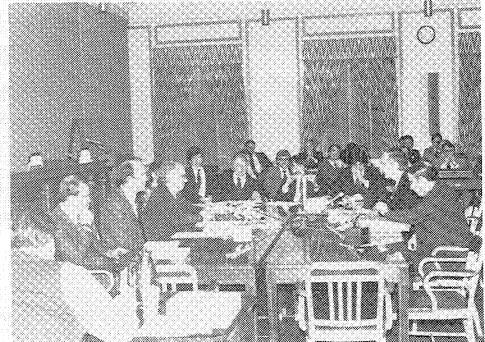
On January 11, 1982, the Commission instituted 93 preliminary countervailing duty and antidumping investigations involving 9 steel product lines from 9 countries in response to petitions filed by 7 domestic steel firms. The actions constituted a record-setting level of activity for the Commission under title VII of the Tariff Act of 1930. The petitions (1), delivered in 494 boxes, contained an estimated 3 million pages and concerned imported carbon steel products with an estimated value of more than \$1 billion.

The Commission's Director of Operations and other key staff members heard testimony from both domestic (2) and importer (3) steel interests at a public conference on February 3, 1982. Witnesses included Lionel H. Olmer (4), Under Secretary of Commerce for International Trade; and Senators John Heinz (5), Republican of Pennsylvania, and Robert Byrd (6), Democrat of West Virginia. Also testifying was Eugene L. Stewart (7), of counsel representing Armco, Inc., and Bethlehem Steel Corporation.

On February 18, 1982, the Commission (8) determined affirmatively in 20 investigations on the imports allegedly benefiting from illegal subsidies or grants and 18 investigations on alleged sales at less than fair value. (The Commission also terminated 54 investigations.) This allowed for the continued examination of 89 percent of the steel products imported into the United States in January–November 1981 which were subject to this series of Commission investigations. Thirty-eight final investigations were underway as the fiscal year ended.



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Part I. Investigative Highlights

Investigations Under Sections 201 and 203(i) of the Trade Act of 1974, the "Escape Clause"

Section 201 of the Trade Act of 1974 (19 U.S.C. 2251) provides a procedure whereby domestic industries seriously injured by increased imports can petition for import relief in the form of tariffs or quantitative restrictions (import quotas).¹ To be found eligible for relief under section 201, industries need not prove that an unfair trade practice exists, as is necessary under the antidumping and countervailing duty laws and section 337 of the Tariff Act of 1930. However, under section 201, a greater degree of injury, "serious" injury, must be found to exist. In addition, relief under section 201, although temporary, should be tailored to the needs of the injured industry.



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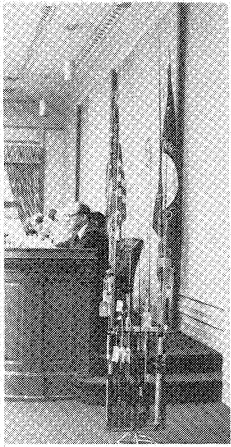


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The criteria for import relief set forth in section 201 of the Trade Act of 1974 are based on article XIX of the General Agreement on Tariffs and Trade (GATT), an international agreement to which the United States is a signatory. Article XIX of the 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 product when increased imports of that product are causing or threatening to cause serious injury to domestic producers of a like or directly competitive product. Commission investigations under section 201 provide a basis for the President to invoke article XIX.

In fiscal year 1982, the Commission completed two section 201 investigations: *Fishing Rods and Parts Thereof* (Inv. No.

¹The law requires the Commission to conduct such investigations upon receipt of a petition from an entity representative of a domestic industry, at the request of the President or the United States Trade Representative, or upon resolution of the House Committee on Ways and Means or the Senate Committee on Finance. The Commission may also conduct such investigations on its own motion. If, as a result of an investigation, the Commission finds that an article is being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry, it must recommend to the President the tariff or quota relief necessary to prevent or remedy the injury or recommend the provision of adjustment assistance. The Commission must complete its investigation and make its determination and any recommendations within 6 months of receipt of the petition, request, or resolution. If the Commission finds in the affirmative and recommends tariff or quota relief, the President has an additional 60 days in which to advise Congress of what, if any, relief he will provide. If the President decides to take action different from that recommended by the Commission or decides to take no action, Congress, by majority vote of those present and voting in each House within 90 legislative days, may direct the President to provide the relief recommended by the Commission. If the Commission's determination is negative, the section 201 proceeding is terminated.



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Fishing rods

On July 27, 1981, the Commission instituted an investigation, under section 201 of the Trade Act of 1974, at the request of 19 U.S. manufacturers, to determine whether fishing rods and parts were being imported into the United States in such increased quantities as to be a substantial cause of serious injury to the domestic industry.

(1-2) The public factfinding hearing was held on October 2, 1981, in the Hearing Room of the U.S. International Trade Commission. On November 17, 1981, the Commission determined that the domestic industry was not seriously injured as a result of the imports.

TA-201-45), and *Tubeless-Tire Valves* (Inv. No. TA-201-46). The Commission made negative determinations in both cases. In the first, the Commission concluded that the domestic industry was not seriously injured or threatened with serious injury in view of the fact that domestic production, shipments, sales, employment, and exports had increased, and the larger, more efficient domestic producers were profitable.² In the second, the Commission determined that increased imports were not a substantial cause of serious injury or threat—that is, were not both an important cause of injury and at least as important as any other cause. The Commission found that imports had barely increased and thus were not an important cause of injury, and that more important causes were the decline in consumption of replacement valves due to increased use of longer wearing radial tires and increased competition from other domestic producers.

The Commission had one investigation in progress under section 201 at the close of the fiscal year. On September 1, 1982, Harley-Davidson Motor Co., Inc., and Harley-Davidson York, Inc., petitioned the Commission for an investigation under section 201 concerning the effect of imported motorcycles on the domestic industry. On September 16, 1982, the Commission instituted *Heavyweight Motorcycles, Engines and Power Train Subassemblies* (Inv. No. TA-201-47). A public hearing on the investigation was scheduled for early fiscal year 1983.

²During the fiscal year, the Commission published public versions of nearly all the investigations discussed in this annual report. Copies may be obtained by calling 202-523-5178, or from the Office of the Secretary, United States International Trade Commission, 701 E Street NW., Washington, D.C. 20436.

The Commission conducted four "review" investigations under section 203(i) of the Trade Act of 1974 during fiscal year 1982 in connection with import relief provided as a result of earlier Commission determinations under section 201. These investigations were conducted for the purpose of advising the President as to the Commission's judgment concerning the probable economic effect of extending, reducing, or terminating the import relief in effect. In three of the investigations, *Porcelain-on-Steel Cooking Ware* (Inv. No. TA-203-10), *Clothespins* (Inv. No. TA-203-12), and *Certain Mushrooms* (Inv. No. TA-203-13), the Commission recommended that import relief be continued. In the fourth investigation, *Bolts, Nuts, and Large Screws of Iron or Steel* (Inv. No. TA-203-11), the Commission did not recommend continuing import relief.

The Commission had no investigations pending under section 203 of the Trade Act at the end of the fiscal year.

"Market Disruption" Investigations

Under section 406 of the Trade Act of 1974 (19 U.S.C. 2436), the Commission conducts investigations to determine whether imports from a Communist country are disrupting a U.S. market. Section 406 is in many respects an adjunct provision to section 201 and adopts by reference section 201 petitioning, relief, and override procedures and the section 201 industry definition and hearing requirement. However, section 406 investigations must be completed in 3 months. Market disruption exists within a domestic industry whenever imports from a Communist country are increasing rapidly, either absolutely or relatively, so as to be a significant cause of material injury, or the threat thereof, to the domestic industry. If the Commission determines

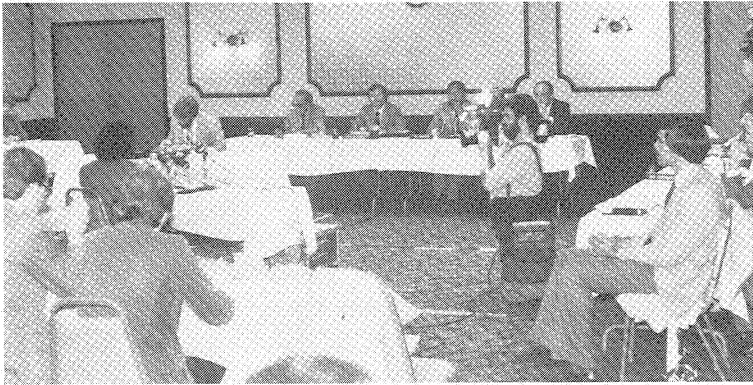
that market disruption exists, it may recommend import relief in the form of tariffs or quantitative restrictions (import quotas). The President may impose quotas or duties or negotiate orderly marketing agreements to remedy market disruption.

The Commission completed three investigations under section 406 during fiscal year 1982.³ In the following investigations, *Unrefined Montan Wax From East Germany* (Inv. No. TA-406-7) and *Certain Ceramic Kitchenware and Tableware From the People's Republic of China* (Inv. No. TA-406-8), the Commission found that market disruption did not exist. In the third investigation, *Canned Mushrooms From the People's Republic of China* (Inv. No. TA-406-9), the Commission reported to the President that it was evenly divided on the question of whether imports were disrupting the U.S. market.

Investigations Under Title VII of the Tariff Act of 1930

Under title VII of the Tariff Act of 1930 (19 U.S.C. 1671, as added by the Trade Agreements Act of 1979), the Commission conducts preliminary and final investigations to determine whether there is a reasonable indication that (in preliminary investigations) or whether (in final investigations) a U.S. industry is materially injured or threatened with material injury, or the establishment of such an industry is materially retarded, by reason of imports of merchandise which is being sold at less than

³By the end of fiscal year 1982, nine investigations had been completed under sec. 406. Four investigations were completed during fiscal year 1978, and two were completed during fiscal year 1980.



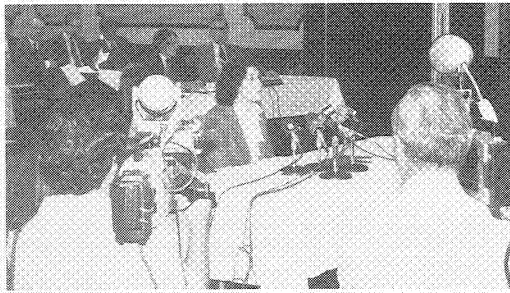
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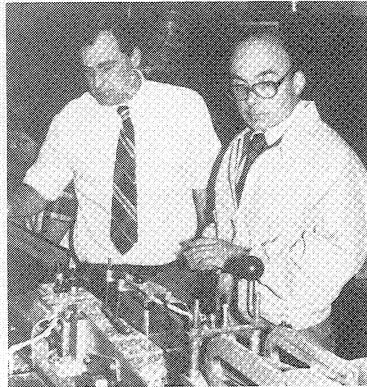
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Clothespins

On July 20, 1981, the United States International Trade Commission, on its own motion and on the basis of a petition filed by four domestic producers, instituted an investigation under section 203 of the Trade Act of 1974 for the purpose of gathering information in order to advise the President as to the probable economic effect on the industry concerned if the import relief presently in effect with respect to clothespins were extended, reduced, or terminated.

After nearly 5 months of intensive investigations, the Commission advised the President that the import relief should be extended. (1) Commissioners received sworn testimony from congressional representatives, public officials, and officials representing the domestic industry at a public hearing held in Portland, Maine, on October 5, 1981. Witnesses included (2) Senator George J. Mitchell, Democrat from Maine, and Representative David F. Emery, Republican from Maine. (4) Barbara Cattrell, director of the State Development Office, presented testimony on behalf of Maine Governor Joseph E. Brennan.

Also appearing as a witness (5) was Howard C. Twietmeyer (far right), senior buyer of clothespins and related items for K Mart Corp. (6) Commissioner Eckes (right), accompanied by plant manager E. Richard Drummond, takes time to visit Diamond International Corp., a major manufacturer of clothespins in Maine. (7) An assembly-line factory worker explains the process of packaging clothespins.

fair value (i.e., dumped) or is benefiting from foreign subsidies. The Department of Commerce determines whether dumping or subsidies exist and, if so, the margin of dumping or amount of the subsidy. The Commission finding concerns only whether there is injury by reason of that dumping or subsidy. Dumping duties equal to the margin of dumping or countervailing duties equal to the amount of the foreign subsidy are imposed if the Commission finds that such dumping or subsidies are causing the requisite injury.

Commission investigative activity under title VII increased substantially during fiscal year 1982. The Commission completed 179 investigations under title VII, compared with 49 during the previous fiscal year. This level of activity placed exceptional demands on the Commission. This was due in part to the domestic steel industries' filing petitions for 93 separate investigations under title VII on January 11, 1982. In subsequent months, steel product investigations occupied much of the Commission's attention, and all told, work was performed on 200 separate investigations under title VII involving steel products.

Antidumping Investigations

During fiscal year 1982, the Commission completed 52 preliminary and 8 final antidumping investigations, more than twice the number completed in fiscal year 1981. Of these 60 investigations, 49 involved basic carbon steel and specialty steel products and more advanced steel products such as rails, sheet piling, and wire nails. Of the remaining 11 investigations, 4 involved chemical products—chlorine, sodium nitrate, nitrocellulose, and sorbitol—and 3 involved assembled equipment—truck trailer assemblies, motorcycle batteries, and amplifier assemblies. Finally, the Commission completed antidumping investigations on a textile item, greige polyester/cotton printcloth; a processed agricultural product, frozen french-fried potatoes; and two miscellaneous

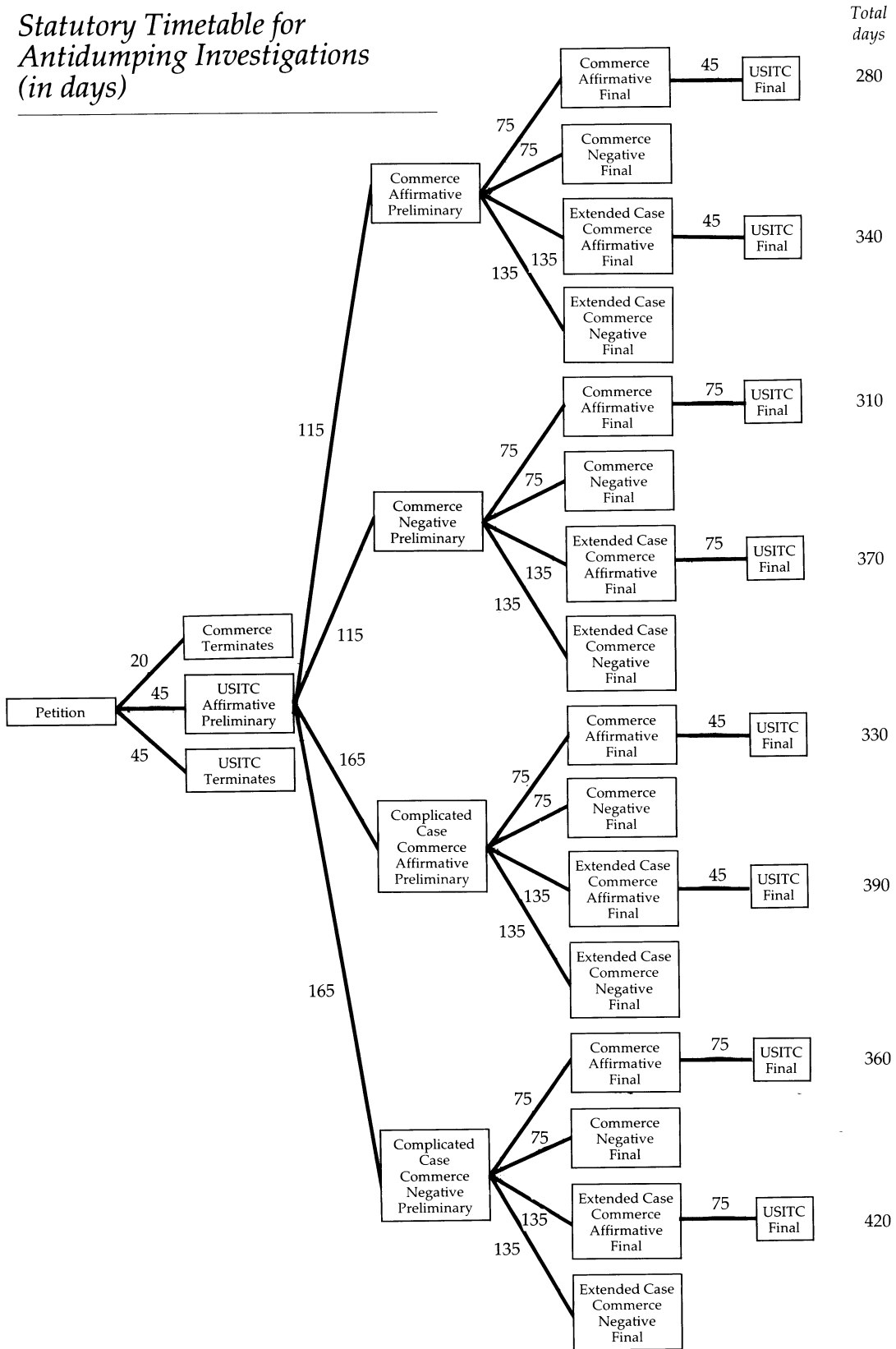


Mushrooms

On September 30, 1982, the Commission reported to the President that it was equally divided on the question of whether imports of canned mushrooms (1) from the People's Republic of China are disrupting the U.S. market. (In market disruption investigations, the President has the option of selecting either vote as the finding of the Commission.)

The investigation, conducted under section 406 of the Trade Act of 1974, was instituted on July 9, 1982, at the request of the American Mushroom Institute, Kennett Square, Pa.

*Statutory Timetable for
Antidumping Investigations
(in days)*



products, bicycle tires and tubes and fireplace mesh panels.

At the close of the fiscal year, the Commission had 10 preliminary and 17 final antidumping investigations pending, compared with 1 investigation at the close of the previous fiscal year. All 17 final antidumping investigations pending involved carbon steel products, but among the 10 preliminary antidumping investigations, only 3 involved a steel product—rails. The remaining seven covered a diverse group of articles, including cotton shop towels, melamine, portland cement, bicycles, and radio paging devices.

Countervailing Duty Investigations

The Commission conducts investigations under the countervailing duty laws only when the imports are from a country which is a signatory to the Code on Subsidies and Countervailing Duties or has undertaken similar obligations, or when the subject imports enter duty free. Most of the major free-world trading nations have signed the Code; some, such as Mexico, have not. With respect to dutiable imports from countries which have not signed the Code or undertaken similar obligations, countervailing duties are imposed under section 303 of the Tariff Act of 1930 without a Commission injury investigation.

During the fiscal year, the Commission completed 108 preliminary and 9 final countervailing duty investigations, compared with 17 in fiscal year 1981. Of the 117 investigations completed, 104, or 89 percent, involved steel products. The remaining 13 investigations covered products ranging from large capital investment items such as subway cars and commuter aircraft to agricultural commodities, including

orange juice, lamb, and herring; two chemical products (sodium gluconate and potassium permanganate); nuts and bolts; and fireplace mesh panels.

At the close of the fiscal year, the Commission had 5 preliminary and 30 final countervailing duty investigations pending. All but one of these investigations involved steel products.

Section 751 Review Investigations

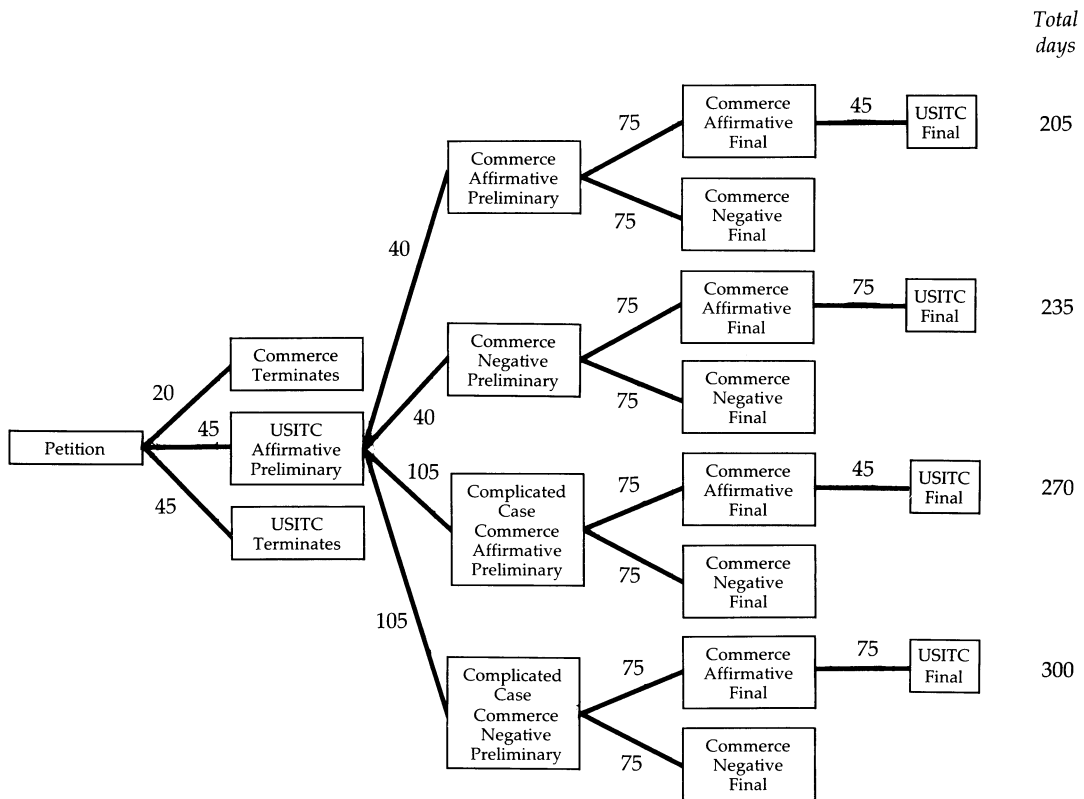
Section 751 of the Tariff Act of 1930 (19 U.S.C. 1675) sets forth a procedure for the review of outstanding antidumping and countervailing duty determinations. Under section 751, whenever the Commission receives information concerning, or a request for a review of, an outstanding countervailing duty or antidumping duty determination which shows changed circumstances sufficient to warrant such a review, the Commission conducts one. In the absence of good cause, the Commission may not conduct a review less than 24 months after publication of notice of the original determination.

During fiscal year 1982, the Commission completed two review investigations under section 751: *Salmon Gill Fish Netting From Japan* (Inv. No. 751-TA-5) and *Birch Three-Ply Door Skins From Japan* (Inv. No. 751-TA-6). At the close of the fiscal year, the Commission had no investigations pending under section 751, as was the case at the close of the previous fiscal year.

Section 104(b) Countervailing Duty Review Investigations

During fiscal year 1982, the Commission completed six investigations under section 104(b) of the Trade Agreements Act of 1979 (19 U.S.C. 1671 note). Among other things, section 104(b) requires the Commission, at the request of a foreign government

Statutory Timetable for Countervailing Duty Investigations (in days)



which has signed the Subsidies Code or exporters from that country, to determine whether a U.S. industry would be materially injured or threatened with material injury, or whether the establishment of an industry would be materially retarded, if an existing countervailing duty order were to be revoked.

Most of the countervailing duty orders in effect at the time the Trade Agreements Act became law were issued without a Commission injury finding. Therefore, there is an ongoing list of articles against which outstanding countervailing duty orders are in force and for which the Commission has received requests for an injury determination. This list is finite, as section 104(b) applies to articles against which countervailing duty orders were outstanding on January 1, 1980, the date on which the relevant provisions of the Trade Agreements Act of 1979 went into effect.

Section 104(b) investigations completed during fiscal year 1982 involved a variety of articles, including ski-lifts, barley, sugar, molasses, and radial tires. The Commission had one investigation pending under section 104(b) at the close of the fiscal year, involving certain dairy products from the European Community.

Section 22 Investigations

During the fiscal year, the Commission also directed its attention to an area of investigative activity involving agricultural products. Section 22 of the Agricultural Adjustment Act calls for the Secretary of Agriculture to alert the President when he believes agricultural commodities are being or are practically certain to be imported into the United States in such quantities as to render or tend to render ineffective, or materially interfere with, U.S. Department of Agriculture (USDA) programs, including price-support programs, or substantially reduce the amount of any product processed from a product covered by a USDA program.

If the President agrees with the Secretary of Agriculture, he directs the Commission to conduct an investigation and develop a report, including findings and recommendations, for his consideration. Following receipt of the Commission's report, the President may impose quotas or duties (not to exceed 50 percent of the imported product's value) to protect the program. In cases in which the Secretary of Agriculture determines that an emergency exists, the President may take action before a Commission investigation and report, and such emergency action continues in effect pending the Commission's eventual report and recommendation.

The Commission instituted an investigation, *Casein, Mixtures in Chief Value of Casein, and Lactalbumin* (Inv. No. 22-44), on August 24, 1982, at the request of the President, to determine whether imports of these substances were being or were practically certain to be imported in such quantities as to render or tend to render ineffective, or materially interfere with, the USDA price-support program for milk. During the period of the investigation, casein and lactalbumin were not manufactured in the United States. However, U.S. dairy interests alleged that imports of casein were displacing U.S. dairy products in the production of imitation cheese, coffee whiteners, and calf milk replacers at a time when the U.S. Government was making a significant investment in the dairy price-support program. Funding for the program reached a new alltime high of about \$2 billion during fiscal 1981.

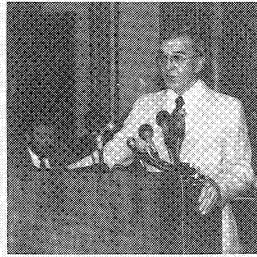
After nearly 6 months of investigation, the Commission reported on January 29, 1982, that casein mixtures in chief value of casein and lactalbumin were not being and were not practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere



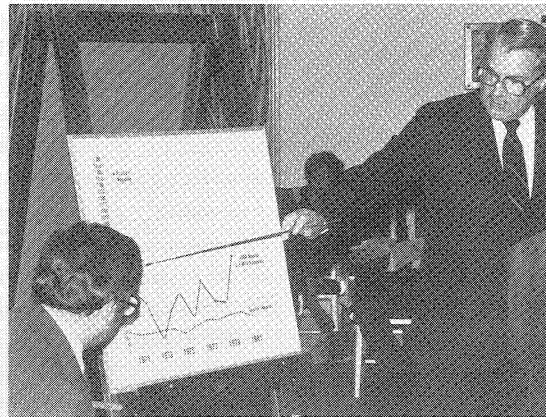
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Casein

During fiscal year 1982, the Commission instituted, at the request of the President, an intensive investigation on imports of casein mixtures to determine whether these substances were being imported in such quantities as to cause material interference with the price-support program for milk of the U.S. Department of Agriculture (USDA). (Casein is the principal protein in milk and contains all the amino acids necessary in the human diet. It is manufactured commercially from fluid milk, and is used for a number of purposes, including human foods, animal feed, glues, paper coatings, and paints.) Sessions were held in the Hearing Room of the U.S. International Trade Commission on November 9, 1981. After 6 months of investigation, the Commission reported that imports of casein mixtures were not causing material interference with the USDA's price-support program.

Congressional witnesses testifying during the casein hearings included (1) Senator Charles E. Grassley, Republican from Iowa, (2) Senator Robert W. Kasten, Jr., Republican from Wisconsin, and (3) Representative Arlan Stangeland, Republican from Minnesota. (4) Harold Stainke, vice president for economics and industry relations for Borden Foods of Columbus, Ohio, presented testimony against restricting imports of casein mixtures. (5-6) Commercially produced products containing casein.

with, the U.S. Department of Agriculture's price-support program for milk. On April 9, 1982, the President announced that the administration would take no further action regarding these imports.

The second section 22 investigation was *Sugar* (Inv. No. 22-45). It was instituted in January 1982, following a request from the President on December 29, 1981, after Congress increased the support price for domestic sugar. The President took emergency action in early May 1982, pending completion of the Commission's investigation. On June 7, 1982, the Commission reported that imports of sugars, sirups, and molasses, derived from sugar cane or sugar beets, would be materially interfering with the USDA's price-support program in the absence of the President's emergency actions and recommended that the President continue the fees and quotas set forth in his proclamations.

No investigations under section 22 were pending at the end of fiscal year 1982.

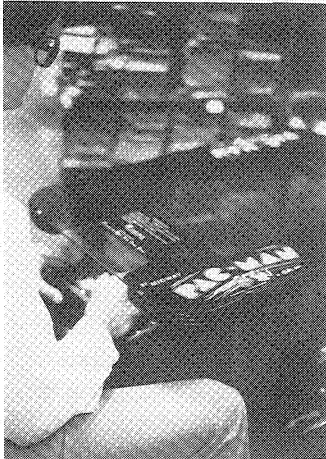
Unfair Import Practice Investigations

The Commission conducts investigations under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) to determine whether unfair methods of competition and unfair acts exist in the importation of articles into the United States, or in their sale, the effect or tendency of which is to destroy or substantially injure an industry, efficiently and economically operated, in the United States, or to restrain or monopolize trade and commerce in the United States. If the Commission finds a violation of section 337, it can issue orders excluding the violating goods from entry into the United States and cease and desist orders, unless it determines that such orders should not be issued in view of public-interest considerations. Commission orders go into effect 60 days after issuance unless disapproved by the President.

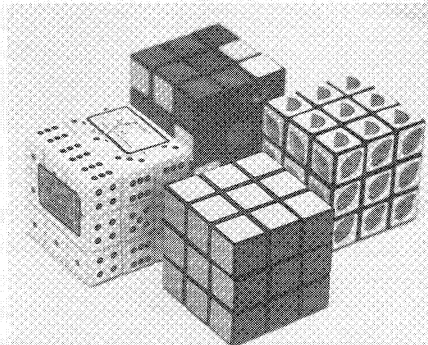
Section 337 investigations involve formal evidentiary hearings held in accord with the Administrative Procedure Act (5 U.S.C. 551 et seq.) before an administrative law judge (ALJ). The investigations generally involve allegations of patent, copyright, or trademark infringement or violation of the antitrust laws. They must be completed within 12 months of publication of notice of the investigation in the *Federal Register*, or within 18 months in more complicated cases. Complainants may seek temporary relief pending final resolution of a case. The Commission may seek civil penalties of up to \$10,000 a day for violations of section 337 orders.

The Commission completed 16 investigations during fiscal year 1982. In the past, patent-based investigations accounted for approximately 90 percent of the workload under section 337. During fiscal 1982, however, investigations involving nonpatent issues such as trademark and copyright infringement, passing off, false designation of origin, and misappropriation of trade secrets accounted for approximately one-third of the workload. The number of nonpatent cases filed with the Commission in the latter part of the fiscal year increased to the point where it is likely that, by fiscal 1983, they will account for half the Commission's section 337 investigations.

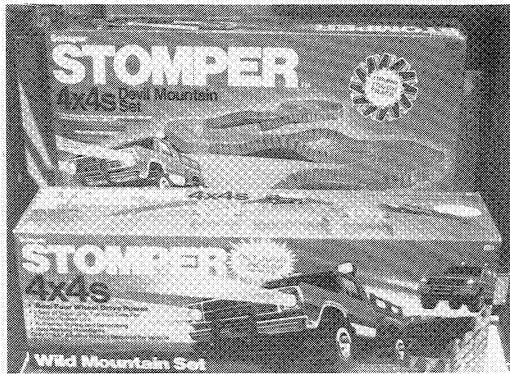
A good example of the growing interest in section 337 in nonpatent cases involved alleged unfair practices in the importation and sale of audiovisual games. That investigation, *Certain Coin-Operated Audiovisual Games and Components Thereof* (Inv. No. 337-TA-105), concerned the game Pac-Man. The Commission was faced with the novel legal question of whether the electronic circuitry which ran this game (known as ROM's in the industry) was copyrightable subject matter. The Commission was one of the first legal forums to rule that copyright protection did extend to the ROM's. The Pac-Man case was also the



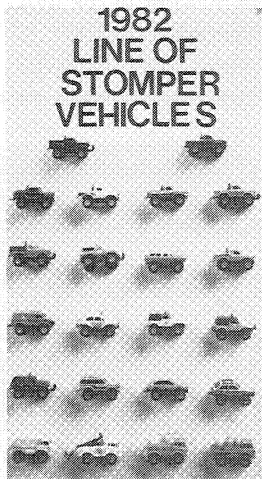
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Pac-Man Rubik's Cube Stomper Toy Vehicles

In fiscal year 1982, the Commission conducted several section 337 investigations involving nonpatent cases. On April 17, 1981, the Commission received a complaint from Midway Manufacturing Co., the producer of (1) Pac-Man games, alleging that there was a violation of section 337 in the unauthorized importation and sale of certain coin-operated audiovisual games which infringe the Pac-Man copyright and trademark. The investigation concerning the highly publicized coin-operated audiovisual game was the first nonpatent case in which the Commission issued a temporary exclusion order.

Other nonpatent cases in which the Commission conducted investigations in fiscal year 1982 included certain cube puzzles, (2) involving imported copies of Ideal Toy Co.'s "Rubik's Cube," and certain miniature, battery-operated, all-terrain, wheeled vehicles, involving imported copies of (3-5) Schaper Manufacturing Co.'s popular "Stomper" toy vehicles. In both cases, the investigations were still pending at the end of the fiscal year.

first nonpatent case in which the Commission entered a temporary exclusion order.

Other examples of the use of section 337 in nonpatent cases include *Certain Cube Puzzles* (Inv. No. 337-TA-112), involving imported copies of Ideal Toy Co.'s "Rubik's Cube," and *Certain Miniature, Battery-Operated, All-Terrain, Wheeled Vehicles* (Inv. No. 337-TA-122), involving imported copies of the popular "Stomper" toy vehicles manufactured by Schaper Manufacturing Co.

Fiscal year 1982 witnessed substantial changes in the Commission's Rules of Practice and Procedure governing investigations under section 337. On June 4, 1982, the Commission amended its rules to provide for initial determinations by the ALJ regarding violations of section 337 and discretionary review of initial determinations by the Commission. This altered earlier Commission practice, which required the ALJ to file a recommended determination that was reviewed by the Commission before it issued a final determination. Thus, there is no longer automatic review of the ALJ's determinations by the Commission; such determinations, if not reviewed by the Commission, become final determinations of the Commission. This change permits the Commission to make better use of its time and resources by allowing it to focus its attention on the most important issues coming before it in unfair import trade practice investigations. It will also diminish the amount of time required for adjudication of less complex investigations.

There were 20 investigations under section 337 pending at the end of fiscal year 1982.



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Potatoes

(1) Idaho Governor John Evans and (2) Allan Larson, representing Congressman George Hansen, Republican from Idaho, testified at the Commission hearing in Boise, Idaho, on June 24, 1982. The Commission instituted an investigation on March 15, 1982, under section 332(g) of the Tariff Act of 1930, at the request of the United States Trade Representative for the purpose of gathering and presenting information on the competitive status of major supply regions for fall-harvested fresh white or Irish potatoes in selected markets.

Part II. Organizational Activities

Office of Investigations

Fiscal year 1982 proved to be a period of extraordinarily intense activity for the Commission. All statistical measures of the Commission's workload jumped sharply during the year. The Commission completed 232 investigations, compared with 98 investigations during fiscal year 1981, representing an increase in investigative activity of 137 percent. The steeply accelerating levels of investigative activity occurred during a period of economic recession and increased awareness of the interdependence of the U.S. economy and world trade.

No single office within the Commission felt the impact of this increased workload more than the Office of Investigations, which has responsibility for gathering and analyzing data and for developing the Commission's record in almost all its statutory investigations. Investigators work with staff members of other Commission offices (Industries, Economics, and the General Counsel) as an investigative team to compile and present data to the Commission.

The principal operating units in the Office of Investigations are the Unfair Import Investigations Division, which conducts adjudicative investigations relating to unfair import practices under section 337 of the Tariff Act of 1930, and three nonadjudicative divisions, which conduct countervailing duty and antidumping investigations under the Tariff Act of 1930, escape-clause and market disruption investigations pursuant to the Trade Act of 1974, and investigations under the Agricultural Adjustment Act to determine whether imports of agricultural products are interfering with programs of the U.S. Department of Agriculture. For organizational purposes there are a supervisory investigator, five investigators, and a secretary in each of the nonadjudicative divisions. These investigative working groups do not specialize in certain types of investigations. They must be able to work with all types because the Commission is

unable to control the rate at which various types of petitions are filed.

In addition to the unusually large number of petitions for investigations on steel,¹ other developments in the pattern of Commission investigative activity took place during the fiscal year. A shift in the composition of the caseload from labor-intensive products to high-technology products such as high-power amplifiers and high-capacity radio paging devices seemed to begin during this year. Also, more investigations involved high-dollar-value capital equipment such as subway cars and commuter aircraft, products which in the past may have been less affected by imports.

Office of Industries

Investigations Under Section 332

During fiscal year 1982, the Office of Industries completed a number of investigations under section 332 of the Tariff Act of 1930 which explored areas where there is relatively little available information or investigative precedent. Such efforts include Commission studies of foreign trade by the U.S. service industries, countertrade and its use by the United States in world markets, the impact of foreign-related performance on certain sectors of the U.S. economy, and the export potential of emerging textile-exporting countries.

Analysis of Recent Trends in U.S. Countertrade (Inv. No. 332-125)

This public report examines economic conditions surrounding the use of countertrade

¹Significant work took place on 87 antidumping and 145 countervailing duty investigations during the fiscal year. Of these, 69 and 131 investigations, respectively, involved steel products.

by U.S. firms, the effects of countertrade on selected U.S. industries, the growth of imports resulting from countertrade, and the ways in which U.S. firms are preparing to handle countertrade demands. Data in the report are for the period 1974–80.

Emerging Textile-Exporting Countries
(Inv. No. 332–126)

This public study examines world trade in textiles and apparel from 1973 to 1980, with particular attention paid to certain countries which have had recent significant growth in their exports of textile products or which may have the potential for growth. Twelve developing countries were selected for study of their textile and apparel industries, trade patterns, government policies, and resources in order to analyze their potential for exports to the United States and other world markets during the next 5 years. Information is also provided on current conditions in the U.S. textile and apparel market and how they may affect the export potential of the 12 countries analyzed in the report.

The Relationship of Exports in Selected U.S. Service Industries to U.S. Merchandise Exports (Inv. No. 332–132)

This public study represents the Commission's first major effort in the services sector. The report contains information not previously available in the public or private sector on the following aspects of international service trade activities: (1) the level and type of merchandise exports associated with U.S. service activities abroad; (2) trade generated in host or third countries as a result of U.S. service industry activity abroad; (3) a quantification of the incidence of specific nontariff barriers which individual service industries believe to be significant; (4) the percentage increase and potential

dollar value increase in U.S. service revenue and merchandise exports assuming reduction or elimination of service-related trade barriers in selected markets; (5) a list of the number of competing firms in international service markets by geographic scope of operations; (6) an identification of the reasons for competitive firms' success in foreign service markets; and (7) an indication of reasons for the U.S. service industries' competitive position in key markets.

The Impact of Foreign Trade-Related Performance Requirements on U.S. Industry and Foreign Investment Abroad
(Inv. No. 332–142)

This confidential report requested by the President breaks interesting new ground for the Commission in that it provides a substantive quantitative review of the economic impact of foreign performance requirements on U.S. industry and trade, U.S. production and employment, and foreign investment patterns and income for three industries characterized by significant foreign investment. The report contains more specific data on the economic impact of performance requirements than have ever been collected by the U.S. Government or a private agency in the past.

Major factfinding studies were also done on the importation of softwood lumber, at the request of the Senate Finance Committee, and on the competitive status of certain U.S. potatoes, at the request of the President.

Conditions Relating to the Importation of Canadian Softwood Lumber Into the United States (Inv. No. 332–134)

This study reviews the composition of the softwood lumber industry in the United States and Canada and the pertinent export-import patterns, and makes a comparative analysis of the stumpage appraisal systems, industry wage rates, nature of the forest resources, forest policy, methods of taxation, and profit and risk allowances.

The Competitive Status of Major Supply Regions for Fall-Harvested Fresh White or Irish Potatoes in Selected Markets (Inv. No. 332-140)

This study examines the consumption of fresh potatoes for fresh-market and other uses by regions, production and costs of production by regions, and competitive conditions in selected Northeastern U.S. markets for fresh-market potatoes from major supply sources. It includes an examination of the relative importance of the various factors which affect the comparative position of Maine producers vis-a-vis producers in other States or marketing regions of the United States and Canada.

In addition, the Commission conducted three section 332 studies requested by the President which were related to the U.S. Generalized System of Preferences.

Trade Monitoring

During the year the Office of Industries made further advances in its new quarterly trade-monitoring report entitled *U.S. Trade Shifts in Selected Commodity Areas*. The quarterly report is a byproduct of the Office's normal trade-monitoring activities and provides brief analyses of significant foreign-trade shifts in major industrial sectors as well as trade statistics for approximately 650 commodity groups within those major sectors. Five reports have been issued to date in the series, covering the first three quarters of 1981, the full year 1981, and the first quarter of 1982.

In addition, two trade-monitoring reports based on Industries' Trade Monitoring Information Support System were prepared on the U.S. trade surpluses with Japan during 1981. The system consists of a comprehensive computerized data base designed to provide the Commission with the basic industry and trade data required in its analytical and monitoring responsibilities.

Summaries of Trade and Tariff Information

Significant progress in the current series of summaries of trade and tariff information was made during the year as the Commission published 44 summaries and 18 updates of previously published summaries. The widely used series provides the Congress, Government agencies, the public, and business institutions with information on the commodities listed in the Tariff Schedules of the United States.

This year, the summaries included 18 reports on animal and vegetable products, 5 each on forest products and chemicals and related products, 16 on metals and metal products, and 14 on miscellaneous manufactured products. The current series, which is expected to be completed during the next 2 years, provides comprehensive coverage of product uses, manufacturing processes, and commercial practices, and includes analyses of the numerous factors affecting U.S. and world trade in each commodity area.

Other Activities

The Commission is charged with compiling and publishing numerous reports by the Congress or the Executive to aid various Government agencies in monitoring both U.S. imports and domestic production of various products. During the fiscal year, Industries published the required reports covering the following commodities: synthetic organic chemicals (a series extending continuously from 1916), color television sets, watches, industrial fasteners, canned mushrooms, nonelectric steel cooking ware, brooms, and automotive trade statistics.

Some 75 commodity-industry analysts in the Office keep track of the import, export, production, and sale of more than 12,000 items of world trade, from abaca (a hemp-like fiber) to zoris (thonged rubber sandals). These specialists' expertise has been in growing demand as U.S. businesses have stepped up their complaints against imports. The White House, Congress, and the Commission often rely heavily upon their expertise to obtain an objective picture of specific imported commodities and their impact on U.S. business, industry, and agriculture. In short, the Commission's analysts are factfinders whose continuous monitoring of commodities gives the decisionmakers solid trade data on which to rely.

Office of Economics

The two principal responsibilities of the Commission—investigating the effects of imports on U.S. industries and providing factual studies and reports to the Congress and the President on issues in international trade—require analyses based on sound economic principles and methods. The Office of Economics provides this support in all areas of the Commission's work.

The Office of Economics comprises three divisions. The largest, the Investigation Support Division, works closely with the Commission's Office of Investigations on statutory investigations, examining the effects of imports on U.S. producers of competitive goods. The Trade Reports Division carries out trade-monitoring and trade-reporting functions for which the Commission has statutory responsibility; these economists also answer the Commission's questions on the economies and trade actions of major foreign countries. The Research Division works on studies of current issues in international trade requested by the Congress or the President

or initiated by the Commission. Research Division economists also participate in some of the Commission's more complex import-injury investigations and respond to economic questions that are addressed to the Commission by congressional committees or others.

During fiscal year 1982, time spent by economists on import-injury investigations increased as the number of cases brought to the Commission rose dramatically. As a result, the proportion of total Office of Economics resources spent on investigations climbed from 34 percent in fiscal 1981 to 42 percent in fiscal 1982. These resources were drawn mainly from the Research Division, which provided key economic input on a number of investigations, including a group of cases involving steel imports from the European Community and a section 22 case on sugar. Research Division economists also provided support in several antidumping cases relating to definition of regional markets in the United States, and in countervailing duty cases which required estimates of purchasers' savings resulting from the availability of officially supported export credits for sales of aircraft and subway cars in the U.S. market.

Research Division economists were also called upon during the year to participate in an increasing number of section 332 investigations conducted by the Office of Industries. Assistance was provided on studies of the economic problems of U.S. potato growers, the U.S. printed circuit board industry, and the impact of foreign trade-related performance requirements on U.S. industries.

With the extraordinary level of these demands for Research Division time, the Office was able to begin only one new research project during fiscal year 1982. This study, on transportation costs in U.S. foreign trade, *Transportation Costs of U.S. Imports* (Inv. No. 332-141), aims to measure the importance of transportation costs as a barrier to international trade, and to identify industries that have been most affected by recent changes in these costs.

However, work was completed on two studies during the fiscal year. The first estimated the effects on U.S. imports, prices, production, and employment of restraints imposed by foreign countries on their exports of steel, color television receivers, and nonrubber footwear to the United States. The second assessed how import relief affected economic adjustment in five U.S. industries injured by imports: watches, bicycles, sheet glass, stainless steel flatware, and Wilton and velvet carpets. At yearend, three other research studies were still in progress, and the Office was consulting with staffs of congressional committees and the Office of the United States Trade Representative to assess their needs for further economic and trade research.

The Office continued to develop its trade-monitoring activities, which are centered in the Trade Reports Division. The East-West Trade Monitoring staff produced four quarterly reports on trade with the nonmarket economy countries under section 410 of the Trade Act of 1974. In addition to regular reporting in detail on current trends in this trade and on significant commercial and policy developments affecting it, the Commission's quarterly East-West trade reports presented special analyses of long-term trends in U.S.-Polish trade and the trade implications of Hungarian economic reforms.

The East-West Trade Monitoring staff developed an automated system for monitoring U.S. imports from nonmarket economy countries in relation to domestic production of similar products. The results generated by this new program—part of the Commission's East-West Trade Statistics Monitoring System—were reported in September 1982 in the Commission's 31st quarterly East-West trade report.

During fiscal year 1982, the Trade Reports Division's International Trade Monitoring staff completed drafting of the Commission's 32d annual report on the operation of the U.S. trade agreements program, covering calendar year 1981. This report provides a detailed factual account

of the bilateral and multilateral trade agreements activities, negotiations, and trade administration of the United States during 1981. The report contains information on the key trading partners of the United States—the European Community, Canada, Japan, and Mexico—whose trade and trade-related policy activities are monitored by division economists. It also contains data on the administration of U.S. trade laws and the operation of the U.S. Generalized System of Preferences. The 32d annual report highlighted three special issues in U.S. trade policy during the past year: the administration's "white paper" on trade policy issues for the 1980's, the renewal of the Multifiber Arrangement, and background information on U.S. trade with the Caribbean Basin.

Fiscal year 1982 was the first full year of operation of the U.S. trade data retrieval system initiated by the Office of Economics and now maintained by the Office of Data Systems. This system has become the principal means of producing trade data tables for analysis within the Commission and the Federal Government's international trade community. By yearend, analysts were using this computer-based system on an average of 23 times each working day to retrieve and tabulate U.S. trade data for a broad spectrum of analytical and factfinding tasks.

Office of Tariff Affairs

The Commission makes several vital technical contributions to the U.S. Government's ability to monitor world trade, its efforts to reduce barriers to the international movement of goods and services, and its responsibility to the interests of U.S. industries. The attorneys, nomenclature analysts, and other staff members who constitute the Office of Tariff Affairs assist the Commission in meeting its responsibilities in these areas.

One of the most significant activities for Tariff Affairs during fiscal year 1982 concerned the Harmonized Commodity Description and Coding System, an international classification system intended for the purposes of statistical enumeration of merchandise trade and assessing customs tariffs. The Harmonized System is being developed jointly by many nations and international organizations under the auspices of the Customs Cooperation Council, headquartered in Brussels, Belgium. Designed to be implemented and interpreted uniformly by the nations adopting it, this new nomenclature should facilitate trade by providing common descriptions for each article in international commerce.

During the fiscal year, Tariff Affairs' work in connection with the Harmonized System proceeded on two fronts. When the Trade Act of 1974 went into effect in January 1975, the Commission assumed a continuing responsibility to assure the recognition of the needs of the U.S. business community in the development of such a system. To this end, the Commission has prepared comments on all chapters of the Harmonized System delineating U.S. classification needs in order to assure the development of a fair and workable structure. Moreover, Commission representatives from the Office of Tariff Affairs participated as members of the U.S. delegation to the Harmonized System Committee during three of its sessions during fiscal year 1982. Commission representatives also participated in technical bilateral consultations with European Community (EC) representatives with a view to developing compromise proposals with the EC on several classification issues. These consultations have enabled the United States to gain acceptance of its proposals in the Harmonized System Committee meetings and have been instrumental in enabling the Committee to adhere to its schedule for completion of the Harmonized System.

On a second front, President Reagan requested in August 1981 that the Commission initiate an investigation to serve as the basis for the conversion of the Tariff Schedules of the United States (TSUS) into the nomenclature structure of the Harmonized System. During fiscal year 1982, much of the energy of Tariff Affairs was directed toward meeting this goal. The Office published 56 of 96 chapters of the Harmonized System conversion for public comment; the Commission held hearings on 24 of these chapters in March 1982 and scheduled hearings on another 32 chapters for November 1982. Further hearings were scheduled for the spring of 1983, and the Commission expects to complete its work on the draft conversion during the summer of 1983. Should the President choose to continue the process of conversion of the Tariff Schedules of the United States, the converted schedules would then be presented to Congress in the form of legislation for approval.

The possible conversion of the Tariff Schedules of the United States Annotated (TSUSA) to the Harmonized System lies in the future. For the present, the TSUSA has a tremendous influence on what is known about the United States' expanding role in international business. Although the duties collected on imports into the United States have had a declining significance as a source of Government revenue in this century, the tariff schedules have become important in new ways, especially since World War II. The spirit of internationalism of the postwar era led to a continuing effort in the General Agreement on Tariffs and Trade (GATT) to facilitate free trade through the reduction of tariff barriers. Meanwhile, the concurrent development of computerized data processing technology, especially during the past 15 years, has made sophisticated statistical data on trade flows available with astounding rapidity. Obviously, the organization and content of the TSUSA tend to define the limits of such data collection.

The TSUSA is organized into approximately 7,000 legal classifications describing

every product in international trade. For the purpose of collecting duties, each classification is assigned a five-digit number which identifies the kind of product or products therein. For statistical purposes, many are broken into subclassifications, each of which adds two additional digits to the identifying number, so that data may be gathered about trade flows in specified articles. There are now almost 14,000 such classifications.

Tariff Affairs chairs an interagency group known as the Committee for Statistical Annotation of Tariff Schedules. Other members of the Committee include representatives of the Department of Commerce's Bureau of the Census and the Department of the Treasury's Customs Service. The Committee considers petitions from firms, business and industry groups, and Government agencies for establishing new statistical subcategories in the TSUSA. During fiscal year 1982, the Committee considered 35 requests for statistical annotations to the TSUSA and 14 requests for modifications to Schedule B in order to improve the comparability of U.S. import and export data and for other reasons. As a result of these requests, the Committee created 105 new TSUSA items and provided 65 new Schedule B items.

The Commission publishes new editions of the TSUSA periodically. At appropriate intervals it is updated to reflect the effects of legislation, Presidential proclamations and Executive orders, and other modifications. During fiscal year 1982, the Commission published the 13th (1982) edition of the TSUSA, reflecting the third stage of tariff reductions negotiated during the Multilateral Trade Negotiations under the GATT. Two supplements to the 1982 edition were also issued during the fiscal year.

In a final major area of activity during the fiscal year, the Office of Tariff Affairs prepared 63 reports on pending tariff legislation for the House Committee on Ways

and Means and the Senate Committee on Finance, and technical drafts for nine Presidential proclamations and Executive orders for the Office of the United States Trade Representative.

Office of Executive Liaison and Special Adviser for Trade Agreements

As an independent, factfinding agency with some quasi-judicial responsibilities, the Commission does not define or implement trade policy or programs. However, it does contribute to the development of U.S. international trade policy by providing technical assistance and advice to the Congress, the President, and the United States Trade Representative (USTR),² and to the Departments of State, Commerce, Labor, and Agriculture.

Generalized System of Preferences

The Commission's Office of Executive Liaison and Special Adviser for Trade Agreements functions as a focal point in arranging Commission assistance and guid-

²Within the executive branch, the Office of the United States Trade Representative has had significant responsibilities for U.S. trade policy since its inception in 1963. The USTR has primary responsibility for the development, coordination, and implementation of U.S. international trade policy, including negotiation of international commodity agreements and—to the extent they are related to international trade policy—direct investment matters. The USTR serves as chief representative of the United States in all activities under the auspices of the General Agreement on Tariffs and Trade and has represented the United States in numerous other international organizations considering trade and commodity issues.

ance on technical matters to the USTR and other executive departments. During fiscal year 1982, the Office's staff provided assistance to executive branch offices and agencies in numerous areas. Among them was the Generalized System of Preferences (GSP) program. Along with many other developed, industrialized nations, the United States has established a system for providing duty-free treatment for eligible imports originating in beneficiary developing countries. Approximately 140 such countries benefit from the program, which allows for the importation into the United States of approximately 3,000 articles on a duty-free basis. The GSP is a flexible program—both beneficiary countries and eligible articles may be added to or removed from the system. The United States views GSP as a means to offer new industries in beneficiary developing countries a temporary advantage in the U.S. marketplace, and thus to help them become competitive.

Periodically, the USTR provides the Commission with a list of items which may be designated as eligible for GSP treatment. It then becomes the business of the Commission to investigate and advise the executive branch on the probable economic effect of the elimination of U.S. import duties under GSP on U.S. industries producing like or directly competitive articles and on consumers. Within the Commission several offices may participate in this work. Usually, the bulk of such work is the result of a cooperative effort between the Office of Executive Liaison and the Office of Industries. During fiscal 1982, the Commission provided advice on 91 articles regarding the effect of GSP treatment on imports, the U.S. industry producing such articles, and U.S. consumers in connection with investigation Nos. TA-503(a)-9 and 332-130. A public hearing was held on November 3 and 4, 1981; the Commission reported its findings to the President in December 1981 and published a nonconfidential version of its report for use by the public in January 1982.

At the close of the fiscal year, the Commission was engaged in another investigation to provide GSP-related advice on a second group of 75 articles. As part of this investigation (Inv. Nos. TA-503(a)-10 and 332-146), the Commission will advise the President on the probable economic effect of (1) eliminating import duties under GSP on 60 articles, (2) continued designation of GSP duty-free status for 5 articles, and (3) continued designation of GSP duty-free status for 8 articles, the products of a particular country. For two articles, the Commission will also make a determination of whether a like or directly competitive article was produced in the United States on January 3, 1975.

The Office of Executive Liaison contributed to another GSP-related investigation, of a more specific nature, completed during fiscal year 1982. This investigation (Inv. No. 332-139) concerned the question of whether certain straw hats should remain eligible for duty-free treatment under GSP. The Commission reported the results of this investigation to the President in September 1982 and made a public version of its report available in November 1982.

The Harmonized System

Another major area of activity for the Office of Executive Liaison during fiscal year 1982 concerned preparations for negotiations under article XXVIII of the GATT. This work relates to the translation of the Tariff Schedules of the United States into the nomenclature of the Harmonized System.

Nominally, the translation process affects nomenclature standards which classify imports for the purpose of assessing duties, and not the rates of duties in themselves. However, due to the real-world complexity of the task of converting the TSUS to the nomenclature of the Harmonized System, rates of duties applied to some imports will be affected, occasionally by as much as several percentage points. Some of the items affected in this way are those on

which the United States has already made concessions under the international effort to reduce tariff barriers which takes place in the GATT. Article XXVIII of the GATT recognizes the problem, and provides for international notification, consultation, and negotiation to resolve such inconsistencies. The Commission, and more specifically the Office of Executive Liaison, provides support to the USTR by ascertaining specific U.S. obligations in connection with article XXVIII and developing the technical documentation upon which subsequent negotiations depend.

Other Activities

The Office of Executive Liaison also contributes technical support to the USTR in connection with negotiations which take place under article XIX of the GATT. Article XIX calls for signatory countries, including the United States, to make compensatory tariff concessions when those countries have taken actions to provide their domestic industries with import relief. The USTR assists the President in developing a schedule of tariff concessions falling within terms of U.S. trade law, chiefly section 123 of the Trade Act of 1974. The Commission, in turn, assists the USTR in this work through its Office of Executive Liaison, and a representative of the Office attends trade policy subcommittee meetings addressing concessionary issues.

During fiscal year 1982, the Office of Executive Liaison, in cooperation with the Office of Industries, completed a report for the President concerning 61 TSUS items being considered for possible duty reduction as compensation to Japan and Spain for temporary increases in duty on porcelain-on-steel cooking ware (Inv. No. TA-131(b)-7). In October 1981 the Commission submitted its advice to the President on the probable economic effect of the duty reductions on domestic industries producing like or directly competitive products and on consumers. In September 1982, the USTR

requested the Commission to provide advice on an additional 19 items. The Commission initiated an investigation (Inv. No. TA-131(b)-8), scheduled a public hearing, and planned to submit its advice to the President early in fiscal year 1983.

A final area of activity proved to be the most time consuming for the Office of Executive Liaison during fiscal year 1982. In the summer of 1980 the GATT Council approved a proposal to establish a looseleaf system as a means of keeping an up-to-date version of each country's schedule of tariff concessions under the GATT. The Office of Executive Liaison is coordinating the U.S. contribution to this international effort and is doing much of the technical work in connection with the project. Because the United States is one of the international business community's major participants, trading in a wealth of different merchandise items and commodities, translating U.S. concessions into an internationally standardized format is a very complex task. The Commission expects to complete its work on the project early in fiscal 1983.

Office of Congressional Liaison

During fiscal year 1982, the Office of Congressional Liaison continued to coordinate Commission services to Congress. The Commission provided technical assistance on 85 bills, and staff specialists participated at a number of congressional committee hearings. Responding to congressional inquiries remained a major activity of the Office, as it arranged for replies to an average of 28 written and 53 telephone inquiries each month.

Among section 332 investigations initiated in response to congressional requests in fiscal 1982 were (1) *Trends in International Trade in Printed Circuit Boards and Base Material Laminates* (Inv. No. 332-133), requested by the House Committee on Ways and Means in November 1981; (2) *The*

Economic Impact of Foreign Credit Subsidies on the U.S. Commuter Aircraft Industry (Inv. No. 332-143), requested by the Senate Committee on Finance in May 1982; and (3) *Study of the Economic Effects of Terminating the Manufacturing Clause of the Copyright Law* (Inv. No. 332-145), requested in June 1982 by the House Committee on Ways and Means. These investigations had not been completed by the end of the fiscal year.

Another section 332 investigation, initially requested in December 1980 by the Subcommittee on Trade, House Committee on Ways and Means, continued the preparation of monthly reports providing information on the U.S. automobile industry (Inv. No. 332-136) through December 1982. The Commission also continued its ongoing section 332 investigation on the formulation of an international commodity code (Inv. No. 332-73), as required by section 608(c)(1) of the Trade Act of 1974.

During the year, 16 Members of Congress appeared as witnesses at hearings before the Commission, and written testimony concerning several cases was received from additional Congressmen.

Office of the Secretary

The Secretary to the Commission is responsible for compiling and maintaining the Commission's official records. The Office of the Secretary functions as the point of entry where petitions, briefs, and other legal documents are received and as the point of issuance for the Commission's notices and orders relating to the conduct of investigations. The Secretary's position is the only one in the agency besides those of the six Commissioners established by law. The Secretary's responsibilities include the management of a large volume of paperwork and detail. During fiscal year 1982,

parties made more than 8,000 filings in connection with agency investigations. This represented a one-third increase over filings in fiscal year 1981.

The Secretary also schedules and participates in all Commission meetings and hearings. The office staff must plan and coordinate work relating to transcripts or tape recordings of the proceedings, witness lists, the timing of testimony, and the display of exhibits before the Commission. When the Commission travels to another location for a hearing, the staff makes the arrangements. The Commission held 55 meetings and 44 days of hearings in fiscal year 1982.

The past several fiscal years, and particularly 1982, have been busy ones for the Office's 15 staff members. The Commission's caseload and recordkeeping responsibilities increased with the passage of the Trade Agreements Act of 1979, and the 1982 workload jumped sharply. When 7 domestic steel producers filed petitions for 93 separate antidumping and countervailing duty investigations on January 11, 1982, the Commission was faced with 494 boxes of documentation containing an estimated 3 million pages. Sorting and maintaining this paperwork and all the documentation pertaining to the other investigations conducted by the Commission during the fiscal year was the Secretary's responsibility.

An additional function of the Office of the Secretary is, as an outgrowth of its recordkeeping responsibility, to serve as the depository for historical information relating to the Commission's development as an institution since its inception in 1916.

The Secretary is responsible for administering requests for confidential treatment of proprietary information, requests for information issued under protective orders, and requests for information under the Freedom of Information Act. The Commission's Rules of Practice and Procedure (19 CFR 201.6) describe confidential information and the Commission's rationale for

maintaining the confidentiality of proprietary business information. Examples of information the Commission considers to be eligible for confidential treatment are data relating to trade secrets, sales, shipments, profit, or employment of individual firms. The rationale for maintaining the confidentiality of such data is twofold. Disclosure would have the effect of either (1) impairing the Commission's ability to obtain information necessary to perform its statutory functions, or (2) causing substantial harm to the competitive position of the entity from which such information was obtained. The Secretary considered 307 such requests during fiscal year 1982, representing an 82-percent increase over the number in the previous fiscal year.

Under the Commission's rules (19 CFR 207.7), counsel for parties involved in legal actions at the Commission may apply for the release of confidential information under a protective order. This practice is administered by the Secretary. The Secretary considered 41 such requests during fiscal year 1982, or 193 percent more than in the previous year.

The Commission's rules (19 CFR 201.17-201.21) provide for requests for information under the Freedom of Information Act. Essentially, the act supports the public's right of access to Government records except under explicit exceptions. At the Commission, most denials of access to information involve information which is business confidential, involves personnel matters, or relates to predetermination staff advice to the Commission. Under the Commission's rules, the determination as to each request is made by the Secretary. The Secretary considered 136 such requests during fiscal year 1982, slightly more than in the previous fiscal year.

The Commission's Public Affairs Office is a branch of the Office of the Secretary. The Public Affairs Office has the dual role of administering the Commission's media relations program and aiding teachers, students, historians, foreign visitors, consum-

ers, and other interested members of the public in understanding Commission activities. In this respect, the Public Affairs staff publishes press releases, brochures, media advisories, and other materials; briefs members of the press; and answers frequent inquiries from the public. The Commission's need for a professional public affairs component has risen with the growing attention paid to economic issues by the press and the public during the past several years.

Office of Administration

The Office of Administration concentrated its efforts during fiscal year 1982 in both human resources development and management improvements. Among these activities was the participation of 14 staff members in the Commission's Executive and Managerial Development Program. This program includes special training for potential members of the Senior Executive Service and for developing management skills of Commission employees. In addition, a new incentive awards program was implemented at the agency, and a comprehensive policy on leave administration was completed. Another significant management step involving the agency's human resources development was the collective bargaining agreement concluded with the American Federation of Government Employees local by the Chairman.

Pending approval by the General Accounting Office, the Commission will install an in-house accounting system by fiscal year 1984. The new system will provide the Commission with more timely and accurate financial reporting. It will also provide an improved means of complying with internal control requirements, cash management procedures, and the Prompt Payment Act (31 U.S.C. 1801). The Commission's management services function was streamlined to provide additional administrative services support to the Commission staff.

The Commission also made further improvements in its word processing equipment and operator training following an in-depth study of additional word processing requirements. The use of word processing equipment has greatly assisted the Commission in meeting its statutory and administrative deadlines.

Part III. Management and Finance

The Commission

The six Commissioners of the United States International Trade Commission are appointed by the President and confirmed by the U.S. Senate for terms of 9 years, unless appointed to fill an unexpired term. A Commissioner who has served for more than 5 years is not eligible for reappointment. Not more than three Commissioners may be members of the same political party.

The Chairman is designated by the President and serves for a 2-year term. No Chairman may be of the same political party as the preceding Chairman, nor may the President designate two Commissioners of the same political party as Chairman and Vice Chairman.

At the close of fiscal year 1982, there were four Commissioners: Alfred E. Eckes, Chairman; Paula Stern; Eugene J. Frank; and Veronica A. Haggart. The following Commissioners served during fiscal year 1982:

Bill Alberger, Democrat of Oregon. Mr. Alberger's term expires December 16, 1985.¹

Catherine Bedell, Republican of Washington. Mrs. Bedell's term expires June 16, 1984.²

Michael J. Calhoun, Independent of the District of Columbia. Mr. Calhoun's term expires December 16, 1988.³

Alfred E. Eckes, Republican of Virginia. Mr. Eckes' term expires June 16, 1990.

Eugene J. Frank, Republican of Pennsylvania. Mr. Frank's term expires December 16, 1982.⁴

Veronica A. Haggart, Republican of the District of Columbia. Ms. Haggart's term expires June 16, 1984.

Paula Stern, Democrat of the District of Columbia. Dr. Stern's term expires June 16, 1987.

¹Mr. Alberger resigned effective June 16, 1982.

²Mrs. Bedell resigned effective Nov. 30, 1981.

³Mr. Calhoun resigned effective Sept. 10, 1982.

⁴Mr. Frank resigned effective Oct. 23, 1982.

Executive Staff

The executive staff of the Commission at the close of fiscal year 1982 was as follows:

Office of Administrative Law Judges Chief Administrative Law Judge Administrative Law Judge	Donald K. Duvall Janet D. Saxon
Office of Congressional Liaison, Director	George L. Hooper
Office of the Secretary Secretary Public and Consumer Affairs Officer	Kenneth R. Mason Harold W. Sundstrom
Office of Executive Liaison and Special Adviser for Trade Agreements, Director	William T. Hart
Office of the General Counsel General Counsel Assistant General Counsel for Litigation and Special Projects Assistant General Counsel for Antidumping and Countervailing Duty Investigations Assistant General Counsel for Section 337 Investigations Assistant General Counsel for Escape-Clause, Section 22, and Section 332 Investigations	Michael H. Stein Joel R. Junker Edward R. Easton N. Timor Yaworski William W. Gearhart
Office of Operations, Director Office of Data Systems, Director Office of Economics, Director Office of Industries, Director Chiefs of Divisions: Agriculture, Fisheries, and Forest Products Minerals and Metals Energy and Chemicals Textiles, Leather Products, and Apparel Machinery and Equipment General Manufactures Office of Investigations, Director Unfair Import Investigations Division, Chief Office of Tariff Affairs, Director	Charles W. Ervin Michael J. Olsavsky John Suomela Norris A. Lynch Edward P. Furlow Larry L. Brookhart Aimison Jonnard Reuben I. Schwartz Aaron H. Chesser Walter S. Trezevant E. William Fry David I. Wilson Eugene A. Rosengarden
Office of Administration, Director Office of Finance and Budget, Director Office of Management Services, Director Office of Personnel, Director	Lorin L. Goodrich Richard D. Arnold David E. Spencer Terry P. McGowan

The Administrative Law Judges conduct formal proceedings in section 337 investigations, exercise independent judgment according to the Administrative Procedure Act, and transmit determinations to the Commission for its consideration in rendering a final decision.

The Director, Office of Congressional Liaison, acts as a point of contact for the Commission with the Congress, nonexecutive Federal agencies, State and local agencies, and international organizations and associations involved in international trade.

The Secretary maintains the official records and documents for the Commission. The Secretary keeps the minutes of and assists in the conduct of all Commission meetings, and is responsible for the issuance of public notices and information. *The Public Affairs Officer* in the Office of the Secretary is responsible for media relations and consumer affairs.

The Director, Office of Executive Liaison and Special Adviser for Trade Agreements, coordinates Commission activities and assistance to the United States Trade Representative, other officials in the Executive Office of the President, and executive departments, and keeps the Commission informed of trade issues and policy formulation regarding bilateral and multilateral trade agreements.

The General Counsel is the Commission's chief legal officer and adviser.

The Director, Office of Operations, is responsible for the coordination, direction, and control of the investigative, analytical, and research work of the Commission. The Offices of Data Systems, Economics, Industries, Investigations, and Tariff Affairs report to the Director of Operations.

The Director, Office of Administration, is responsible for the coordination, direction, and control of the administrative and management functions and programs of the Commission, including personnel, accounting, budget, management analysis, administrative services, and publications services. The Offices of Finance and Budget, Management Services, and Personnel report to the Director of Administration.

Sources of Information

In addition to its statutory obligations to conduct public investigations, the Commission assists the legislative and executive branches of Government and responds to inquiries from the news media and the public.

As the international economic research arm of the Government, the Commission maintains a 76,000-volume library, which receives about 2,200 periodicals annually. The library, located in room 313 of the USITC Building, houses not only publications on international trade and U.S. tariff and commercial policy, but also many business and technical journals.

The Commission's Office of the General Counsel maintains a law library and a comprehensive file of documents on legislation affecting U.S. trade. The law library is located in room 213 of the USITC Building.

The Commission's Office of Data Systems maintains a comprehensive computer tape library consisting of historical trade data developed from the Department of Commerce import/export statistics, related descriptive information for a variety of commodity classification groups, and computerized files used in preparing many of the reports issued by the Commission.

Facilities for research by the public are located in the Office of the Secretary, room 156, and in the Commission libraries. Inquiries should be directed to the special organizational unit or to the Secretary, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436, phone 202-523-0161. Publications may be ordered 24 hours a day, 7 days a week, by calling 202-523-5178.

Employment and Appropriations

Since the Commission was funded during fiscal year 1982 by a continuing resolution appropriation, its staff remained at

roughly the same level throughout the year. There were 413 permanent employees on board on September 30, 1982, compared with 411 on September 30, 1981.

To do the work mandated by the Congress, the Commission maintains an expert staff of professional investigators, attorneys, economists, data system programmers, and commodity analysts. These include nationally and internationally recognized experts—a skilled grouping of men and women who constantly monitor their fields for developments that affect U.S. policy and trade interests.

In fiscal year 1982, average employment—in terms of work-years—was 2 percent below that of fiscal year 1981. The following tabulation shows the number of permanent officers and employees of the Commission by organizational units at the close of fiscal year 1982:

Organizational unit	Sept. 30, 1982
Commissioners	4
Offices of the Commissioners	20
Office of the Administrative Law Judges	7
Office of Congressional Liaison	2
Office of the Secretary	15
Office of Executive Liaison and Special Adviser for Trade Agreements	11
Office of the General Counsel	29

Organizational unit—Con. Sept. 30, 1982

Office of the Director of Operations	2
Office of Data Systems	37
Office of Economics	33
Office of Industries	130
Office of Investigations	46
Office of Tariff Affairs	18
Office of the Director of Administration	2
Office of Finance and Budget	10
Office of Management Services	34
Office of Personnel	13
Total	413

The U.S. International Trade Commission submits its budget to the President for transmittal to the Congress.⁵ During fiscal year 1982, appropriated funds made available to the Commission amounted to \$17,803,000. Reimbursements received totaled \$23,949, making available a grand total of \$17,826,949. Obligations for fiscal

⁵Because of the unique role of the Commission as a quasi-judicial, bipartisan, and independent agency designed to provide trade expertise to both legislative and executive branches of Government, Congress provided in sec. 175 of the Trade Act of 1974 that the budget of the U.S. International Trade Commission would not be subject to control by the Office of Management and Budget, but would instead be submitted directly to the Congress.

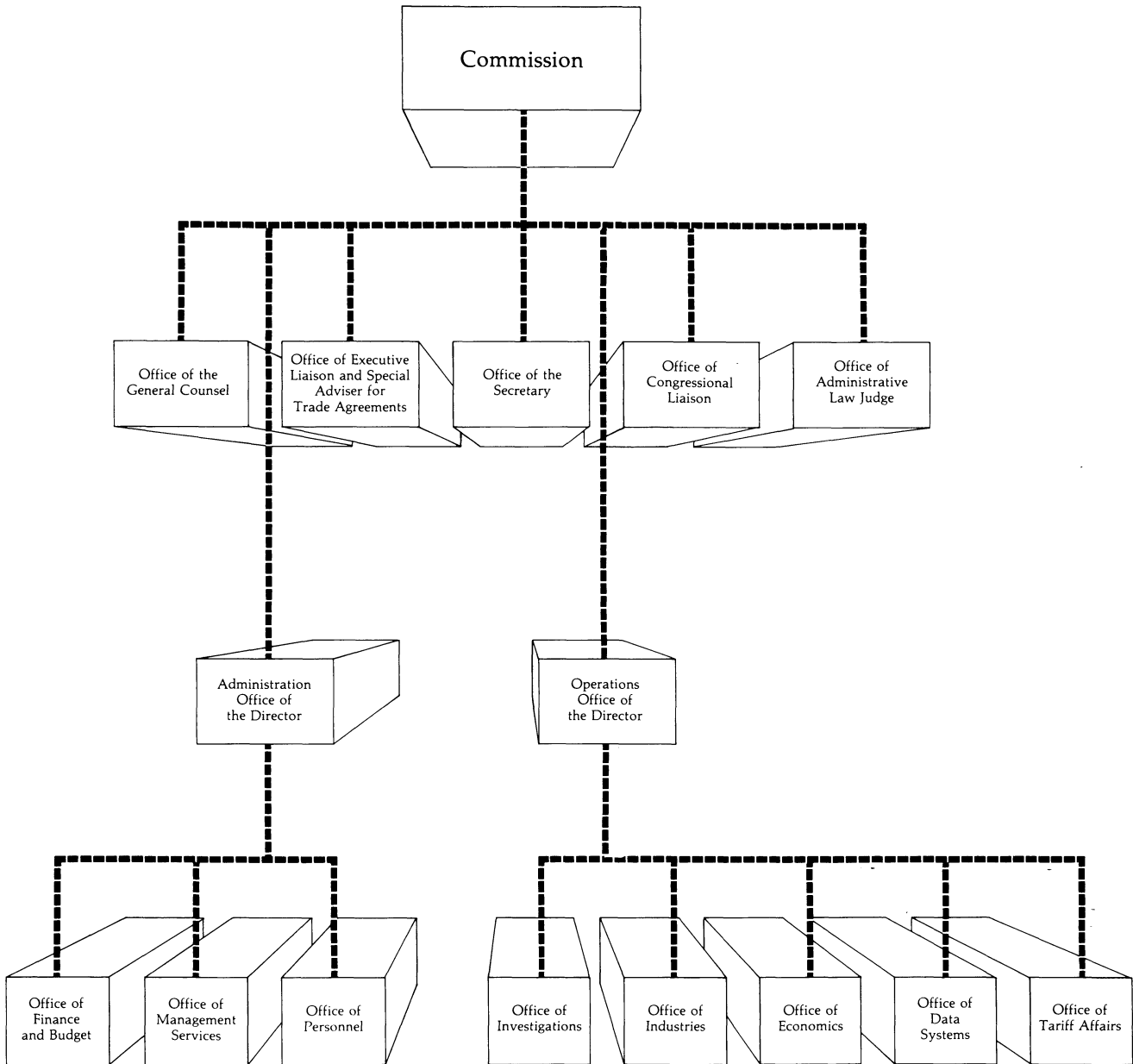
years 1981 and 1982 were as follows (in thousands of dollars):

Item	Fiscal year 1981	Fiscal year 1982
Salaries and personnel benefits	12,409	13,372
Travel and transportation	286	266
Rental and communications services	1,550	1,664
Other services	1,185	1,131
Printing and reproduction	295	295
Equipment, supplies, and material	815	913
Total	16,540	17,641

A majority of the Commission's employees are housed in the historic U.S. International Trade Commission Building, 701 E Street NW., Washington, D.C. Designed by Robert Mills (who also designed the Treasury Building and the Washington Monument), it was built from 1839 to 1869 under the supervision of Thomas U. Walter, one of the architects of the Capitol. The building was first occupied by the Commission in 1921. Through the first century of its service the building housed the Postmaster General, the General Land Office, the Bureau of Education, the National Selective Draft Board, the Panama Canal Company, and General John J. Pershing.

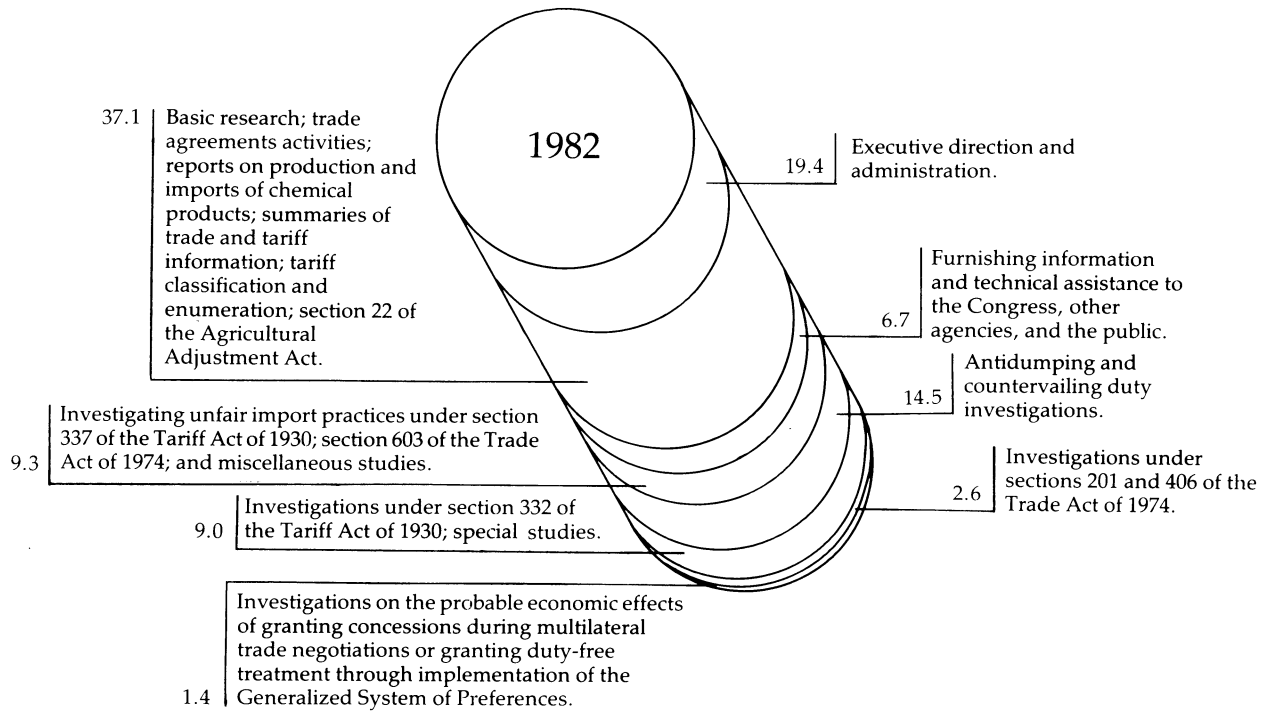
Owing to space limitations at the USITC Building, approximately 16 percent of the Commission's employees are located at the Bicentennial Building, 600 E Street NW., Washington, D.C., and the Waterfront Center, 1010 Wisconsin Avenue NW., Washington, D.C.

International Trade Commission

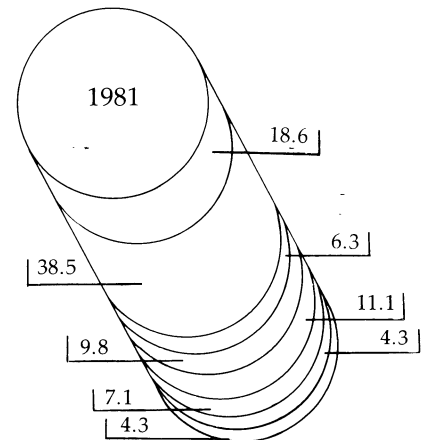
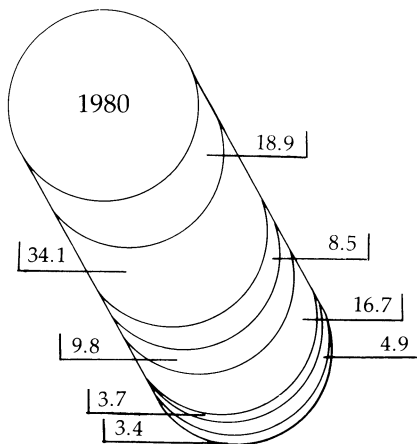
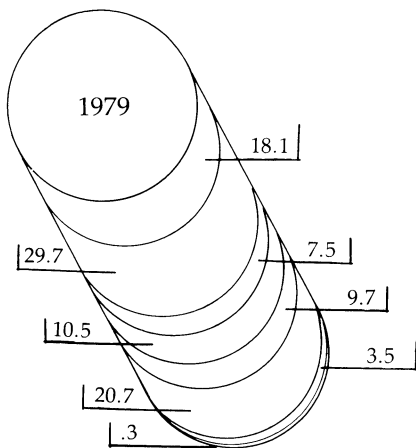


Appendix A

Summary of Principal Activities of the U.S. International Trade Commission, Fiscal Years 1979-82



Values shown are percentages.



Appendix B

Summary of Investigations Completed During Fiscal Year 1982 and Pending on September 30, 1982

Table 1

"Escape clause" investigations completed under sec. 201
of the Trade Act of 1974, fiscal year 1982

Investigation No.	Article concerned	Petitioner or requester	Petition or request filed	Public hearing	Finding of Commission	Commissioners' votes			Commission's report	
						Affirmative	Negative	Not participating	To the President	USITC Publication No.
TA-201-45	Fishing rods and parts thereof.	U.S. fishing rod and parts manufacturers.	7-13-81	10- 2-81	Negative	Frank	Alberger Calhoun Bedell Stern Eckes	—	11-17-81	1194
TA-201-46	Tubeless-tire valves	Nylo-Flex Manufacturing Co., Schrader Automotive Products Division of Scoville Manufacturing Co., and Eaton Corp.	4-16-82	7-14-82	Negative	—	Eckes Stern Haggart	Frank ¹	9-20-82	1286

¹Commissioner Frank did not participate because of illness.

Table 2

"Escape clause" investigation under sec. 201 of the Trade Act of 1974
pending on Sept. 30, 1982

Investigation No.	Article concerned	Petition or request received	Origin
TA-201-47	Heavyweight motorcycles and engines and power train sub-assemblies therefor.	9-1-82	Petition by Harley-Davidson Motor Co., Inc., and Harley-Davidson York, Inc.

Table 3

**“Review” investigations completed under sec. 203
of the Trade Act of 1974, fiscal year 1982**

Investigation No.	Article concerned	Petitioner or requester	Petition or request filed	Public hearing	Commissioners' advice			Commission's report	
					Recommendation to extend relief	Recommendation to terminate or reduce relief	Not participating	To the President	USITC Publication No.
TA-203-10	Porcelain-on-steel cooking ware	United States Trade Representative	6-16-81	9-14-81	Alberger ¹ Calhoun ¹ Bedell ¹ Stern ^{1 2} Frank ¹	—	Eckes ³	10-28-81	1190
TA-203-11	Bolts, nuts, and large screws of iron or steel	United States Fastener Manufacturing Group, United Steel Workers of America, International Association of Machinists & Aerospace Workers, United Automobile, Aerospace, & Agricultural Implement Workers of America, and Industrial Union Department of the AFL-CIO	6-30-81	9-10-81	Bedell ⁴ Frank ⁴	Alberger ⁵ Calhoun ⁵ Stern ⁵	Eckes ³	11- 9-81	1193
TA-203-12	Clothespins	Diamond International Corp., Forster Manufacturing Co., National Clothespin Co., and Penley Corp	7-10-81	10- 5-81	Alberger ⁶ Calhoun ⁶ Stern ⁶ Eckes ⁶ Frank ⁶	—	—	12- 7-81	1201
TA-203-13	Certain mushrooms	United States Trade Representative	12-21-81	3-10-82	Alberger ⁷ Calhoun ⁷ Stern ⁷ Eckes ⁷ Frank ⁷	—	Haggart ⁸	4-15-82	1239

¹Advised the President that termination or reduction of import relief presently in effect would have an adverse economic effect on the domestic industry

²Noted that modification of import relief to exclude high-priced, high-fashion cooking ware is desirable but does not appear to be feasible

³Commissioner Eckes assumed his duties on Sept. 21, 1981, and was not a Commissioner during most of the investigative period

⁴Advised the President that termination of the import relief presently in effect would have an adverse economic effect on the industry and that such relief therefore should be extended at the level presently in effect for the full 3-year period allowed

⁵Advised the President that termination of the import relief presently in effect would not have an

adverse economic effect on the industry and that such relief should not be extended

⁶Advised the President that termination or reduction of the import relief presently in effect would have an adverse economic effect on the domestic industry and that such relief therefore should be extended at the level presently in effect for the full 3-year period allowed

⁷Advised the President that the exclusion of canned and frozen mushrooms broiled in butter or in butter sauce from import relief presently in effect would have an adverse effect on the domestic mushroom industry

⁸Commissioner Haggart assumed her duties on Mar. 23, 1982, and was not a Commissioner during most of the investigative period

Table 4

“Market disruption” investigations completed under sec. 406 of the Trade Act of 1974, fiscal year 1982

Investigation No.	Article concerned	Petitioner or requester	Petition or request filed	Public hearing	Finding of Commission	Commissioners' votes		Commission's report	
						Affirmative	Negative	To the President	USITC Publication No.
TA-406-7	Unrefined montan wax from East Germany.	American Lignite Products Co.	10-13-81	12- 2-81	Negative	Frank	Alberger Calhoun Stern Eckes	1-13-82	1214
TA-406-8	Certain ceramic kitchenware and tableware from the People's Republic of China.	American Dinnerware Emergency Committee.	5-14-82	7-19-82	Negative	Frank	Eckes Stern Calhoun Haggart	8-16-82	1279
TA-406-9	Canned mushrooms from the People's Republic of China.	American Mushroom Institute.	6-30-82	8-24-82	Equally divided.	Frank ¹ Haggart ¹	Eckes ² Stern ²	9-30-82	1293

¹Recommended a 3-year quota on U.S. imports of mushrooms, prepared or pre-served, other than frozen, from the People's

Republic of China.
²Recommended that the President provide no relief.

Table 5

Antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1982

Investigation No.	Article concerned	Preliminary investigation			USITC Publication No.	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)		(a) Advice received from Commerce (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	Not participating	USITC Publication No.
731-TA-3 ^e	Sugars and sirups from Canada.	—	—	—	—	(a) 7- 8-81 ² (b) None (c) 10- 5-81	Alberger Calhoun	Stern	Bedell ³ Eckes ⁴ Frank ⁵	1189
731-TA-3 ⁶	Sugars and sirups from Canada	—	—	—	—	(a) 12-28-81 (b) None (c) 4-16-82	Alberger Calhoun Stern ⁷ Eckes	Stern ⁷	Frank ⁸ Haggart ⁹	1243
731-TA-38	Truck trailer axle-and-brake assemblies from Hungary	—	—	—	—	(a) 9-17-81 (b) 12- 9-81	—	—	—	Terminated 1-13-82
731-TA-42	Motorcycle batteries from Taiwan.	—	—	—	—	(a) 10-14-81 (b) 1-12-82 (c) 3-24-82	—	Alberger Calhoun Stern Eckes	Frank ¹⁰	1228
731-TA-44	Sorbitol from France.	—	—	—	—	(a) 11-30-81 (b) 2-24-82 (c) 3-29-82	Alberger ¹¹ Calhoun ¹¹ Stern Eckes	Alberger ¹² Calhoun ¹²	Frank ⁸ Haggart ⁹	1233
731-TA-46	Certain steel wire nails from the Republic of Korea	—	—	—	—	(a) 1-29-82 (b) 6-24-82 (c) 8- 2-82	Eckes Stern Calhoun Frank Haggart	—	—	1274
731-TA-48	Certain amplifier assemblies and parts thereof from Japan	—	—	—	—	(a) 12-12-81 (b) 1-13-82 (c) 6-28-82	Eckes Calhoun Frank Haggart	Stern	—	1266
731-TA-49	Fireplace mesh panels from Taiwan.	—	—	—	—	(a) 1-22-82 (b) 4-13-82 (c) 5-21-82	Alberger Calhoun Stern Eckes Frank Haggart	—	—	1250
731-TA-50	Stainless clad steel plate from Japan.	(a) 10- 6-81 (b) 10-29-81 (c) 11-20-81	Alberger Calhoun Bedell Stern Eckes Frank	—	1196	(a) 3-22-82 (b) 6- 3-82 (c) 7-20-82	Eckes Stern Calhoun Frank Haggart	—	—	1270
731-TA-51	Hot-rolled carbon steel plate from Romania	(a) 11-18-81 (b) 12-14-81 (c) 1- 4-82	Alberger Calhoun Stern Eckes Frank	—	1207 and 1208	—	—	—	—	—

See footnotes at end of table

Table 5—Continued

Antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1982

Investigation No.	Article concerned	Preliminary investigation			USITC Publication No.	Final investigation				USITC Publication No.
		(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)		(a) Advice received from Commerce (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	Not participating	
731-TA-52	Sheet piling from Canada.	(a) 11-24-81 (b) 12-16-81 (c) 1- 8-82	Alberger Calhoun Stern Eckes Frank	—	1212	(a) 6-28-82	—	—	—	Terminated 9-15-82.
731-TA-53 through 731-TA-60	Hot-rolled carbon steel plate from Belgium, France, Italy, Luxembourg, the Netherlands, Romania, the United Kingdom, and West Germany	(a) 1-11-82 (b) 2- 3-82 and (c) 2- 4-82 2-25-82	Alberger ¹³ Calhoun ¹³ and Eckes ¹³ Frank	Alberger ¹⁴ Calhoun ¹⁴ Stern ¹⁴ Eckes ¹⁴	1221	—	—	—	—	—
731-TA-61 through 731-TA-67	Hot-rolled carbon steel sheet and strip from Belgium, France, Italy, Luxembourg, the Netherlands, the United Kingdom, ¹⁵ and West Germany	(a) 1-11-82 (b) 2- 3-82 and (c) 2- 4-82 2-25-82	Alberger ¹⁶ Calhoun ¹⁶ Stern ¹⁶ Eckes ¹⁶ Frank	Alberger ¹⁷ Calhoun ¹⁷ Stern ¹⁷ Eckes ¹⁷	1221	—	—	—	—	—
731-TA-68 through 731-TA-74	Cold-rolled carbon steel sheet and strip from Belgium, France, Italy, Luxembourg, the Netherlands, the United Kingdom, and West Germany	(a) 1-11-82 (b) 2- 3-82 and (c) 2- 4-82 2-25-82	Alberger ¹⁸ Calhoun ¹⁶ Stern ¹⁹ Eckes ¹⁹ Frank	Alberger ²⁰ Calhoun ²¹ Stern ²⁰ Eckes ²²	1221	—	—	—	—	—
731-TA-75 through 731-TA-81	Galvanized carbon steel sheet from Belgium, France, Italy, Luxembourg, the Netherlands, the United Kingdom, and West Germany	(a) 1-11-82 (b) 2- 3-82 and (c) 2- 4-82 2-25-82	Eckes ²³ Frank	Alberger Calhoun Stern Eckes ²⁴	1221	—	—	—	—	—
731-TA-82 through 731-TA-86	Carbon steel structural shapes from Belgium, France, Luxembourg, the United Kingdom, and West Germany.	(a) 1-11-82 (b) 2- 3-82 and (c) 2- 4-82 2-25-82	Alberger Calhoun Stern Eckes Frank	—	1221	—	—	—	—	—
731-TA-87	Certain seamless steel pipes and tubes from Japan	(a) 1-20-82 (b) 2-10-82 (c) 3- 8-82	Alberger ²⁵ Calhoun ²⁶ Stern ²⁵ Eckes ²⁶ Frank	Alberger ²⁷ Calhoun ²⁸ Stern ²⁷ Eckes ²⁸	1224	—	—	—	—	—
731-TA-88	Carbon steel wire rod from Venezuela.	(a) 2- 8-82 (b) 3- 3-82 (c) 3-25-82	Alberger Stern Eckes Frank	Calhoun	1230	—	—	—	—	—

See footnotes at end of table.

Table 5—Continued

Antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1982

Investigation No.	Article concerned	Preliminary investigation			USITC Publication No.	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)		(a) Advice received from Commerce (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	Not participating	USITC Publication No.
731-TA-89	Prestressed concrete steel wire strand from the United Kingdom	(a) 3- 4-82 (b) 3-25-82 (c) 4-19-82	Alberger Calhoun Stern Eckes Haggart	Frank	1240	—	—	—	—	—
731-TA-90	Chlorine from Canada	(a) 4- 5-82 (b) 4-29-82 (c) 5-20-82	Frank	Alberger Calhoun Stern Eckes Haggart	1249	—	—	—	—	—
731-TA-91	Sodium nitrate from Chile	(a) 4-12-82 (b) 5- 4-82 (c) 5-27-82	Alberger Calhoun Stern Eckes Frank Haggart	—	1251	—	—	—	—	—
731-TA-92	Stainless steel sheet and strip from West Germany	(a) 4-26-82 (b) 5-17-82 (c) 6-10-82	Alberger Calhoun Stern Eckes Frank Haggart	—	1252	—	—	—	—	—
731-TA-93	Frozen french-fried potatoes from Canada	(a) 4-30-82 (b) 5-25-82 (c) 6-17-82	Frank	Eckes Stern Calhoun Haggart	1259	—	—	—	—	—
731-TA-94	Bicycle tires and tubes from Taiwan	(a) 4-30-82 (b) 5-27-82 (c) 6-14-82	Calhoun Stern Eckes Frank Haggart	Alberger	1258	—	—	—	—	—
731-TA-95	Stainless steel sheet and strip from France	(a) 5-10-82 (b) 6- 7-82 (c) 6-24-82	Eckes Stern Calhoun Frank Haggart	—	1264	—	—	—	—	—
731-TA-96	Nitrocellulose from France	(a) 7- 2-82 (b) 7-27-82 (c) 8-16-82	Eckes Stern Calhoun Frank Haggart	—	1280	—	—	—	—	—
731-TA-97 through 731-TA-99	Steel rails from the Federal Republic of Germany, France, and the United Kingdom	(a) 7-22-82	—	—	Terminated 8-11-82	—	—	—	—	—

See footnotes at end of table

Table 5—Continued

Antidumping investigations completed under sec. 731 of the Tariff Act of 1930, fiscal year 1982

Investigation No.	Article concerned	Preliminary investigation			USITC Publication No.	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)		(a) Advice received from Commerce (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	Not participating	USITC Publication No.
731-TA-100	Certain tool steels from the Federal Republic of Germany	(a) 7-30-82 (b) 8-23-82 (c) 9-13-82	Eckes Stern Frank Haggart	—	1288	—	—	—	—	—
731-TA-101	Greige polyester/cotton printcloth from the People's Republic of China	(a) 8-5-82 (b) 8-27-82 (c) 9-20-82	Eckes Stern Frank Haggart	—	1289	—	—	—	—	—

¹Redetermination
²Order issued on July 8, 1981 by the U.S. Court of International Trade in the case of *Atlantic Sugars, Ltd., et al v. United States*
³Commissioner Bedell did not participate in the vote in order to avoid any possibility or appearance of conflict of interest
⁴Commissioner Eckes assumed his duties on Sept. 21, 1981 and was not a Commissioner at the time of the original vote in this investigation
⁵Commissioner Frank assumed his duties on Sept. 22, 1981, and was not a Commissioner at the time of the original vote in this investigation
⁶2d remand from the U.S. Court of International Trade which wanted the Commission to determine whether Revere Sugar Corp. was materially injured as a result of the imports of Canadian sugar
⁷In response to the court decision of Dec. 28, 1981, Commissioner Stern voted affirmatively as to Revere Sugar Corp. however, she went on to reaffirm her previous determination that a regional industry does not exist, and she voted negatively for the domestic industry as a whole
⁸Commissioner Frank did not participate in the earlier determination and was not able due to time and other constraints to reach a conclusion in this case
⁹Commissioner Haggart assumed her duties on Mar. 23, 1982, and was not a Commissioner during most of the investigative period
¹⁰Commissioner Frank was not able to define or specify the domestic industry and like-product considerations; he did not participate in the preliminary determination

¹¹With respect to crystalline sorbitol
¹²With respect to liquid sorbitol
¹³With respect to imports from Belgium, Romania, the United Kingdom, and West Germany
¹⁴With respect to imports from France, Italy, Luxembourg, and the Netherlands
¹⁵Terminated Feb. 3, 1982
¹⁶With respect to imports from Belgium, France, Italy, the Netherlands, and West Germany
¹⁷With respect to imports from Luxembourg
¹⁸With respect to imports from France, the Netherlands, and West Germany
¹⁹With respect to imports from France, Italy, the Netherlands, and West Germany
²⁰With respect to imports from Belgium, Italy, Luxembourg, and the United Kingdom
²¹With respect to imports from Luxembourg and the United Kingdom
²²With respect to imports from Belgium, Luxembourg, and the United Kingdom
²³With respect to imports from France, Italy, and West Germany
²⁴With respect to imports from Belgium, Luxembourg, the Netherlands, and the United Kingdom
²⁵With respect to imports of seamless heat-resisting steel pipes and tubes
²⁶With respect to imports of seamless heat-resisting and seamless stainless steel pipes and tubes
²⁷With respect to imports of seamless stainless steel and seamless alloy steel pressure pipes and tubes
²⁸With respect to imports of seamless alloy steel pressure pipes and tubes

Table 6

Countervailing duty investigations completed under sec. 701 of the Tariff Act of 1930, fiscal year 1982

Investigation No.	Article concerned	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	USITC Publication No.
701-TA-79	Sodium gluconate from Belgium, Denmark, the Federal Republic of Germany, France, Greece, Ireland, Italy, Luxembourg, the Netherlands, and the United Kingdom	—	—	—	—	—	(a) 9-16-81	—	—	Suspended 11-30-81 by Commerce action
701-TA-80	Lamb meat from New Zealand	(a) 9-21-81 (b) 10-16-81 (c) 11- 5-81	Calhoun Bedell Eckes Frank	Alberger Stern	—	1191	(a) 11-30-81	—	—	Terminated 1- 4-82
701-TA-81	Hard-smoked herring filets from Canada	(a) 9-30-81	—	—	—	Terminated 10-22-81.	—	—	—	—
701-TA-82	Hard-smoked herring filets from Canada	(a) 11- 2-81 (b) 11-30-81 (c) 12-17-81	Frank	Alberger Calhoun Stern Eckes	—	1205	—	—	—	—
701-TA-83 and 701-TA-84	Hot-rolled carbon steel plate from Belgium and Brazil	(a) 11-18-81 (b) 12-14-81 (c) 1- 4-82	Alberger Calhoun Stern Eckes Frank	—	—	1207 and 1208	—	—	—	—
701-TA-85	Hot-rolled carbon steel sheet from France	(a) 11-18-81 (b) 12-14-81 (c) 1- 4-82	Alberger Calhoun Stern Eckes Frank	—	—	1206	—	—	—	—
701-TA-86 through 701-TA-93	Hot-rolled carbon steel plate from Belgium, Brazil, France, Italy, Luxembourg, the Netherlands, the United Kingdom, and West Germany.	(a) 1-11-82 (b) 2- 3-82 and 2- 4-82 (c) 2-25-82	Alberger ¹ Calhoun ¹ Stern ¹ Eckes ¹ Frank	Alberger ² Calhoun ² Stern ² Eckes ²	—	1221	—	—	—	—
701-TA-87	Hot-rolled carbon steel plate from Brazil.	—	—	—	—	—	(a) 6-14-82 (b) 9- 1-82	—	—	Terminated 9-14-82
701-TA-94 through 701-TA-101	Hot-rolled carbon steel sheet and strip from Belgium, Brazil, France, Italy, Luxembourg, the Netherlands, the United Kingdom, and West Germany	(a) 1-11-82 (b) 2- 3-82 and 2- 4-82 (c) 2-25-82	Alberger ³ Calhoun ³ Stern ³ Eckes ³ Frank	Alberger ⁴ Calhoun ⁴ Stern ⁴ Eckes ⁴	—	1221	—	—	—	—

See footnotes at end of table

Table 6—Continued

Countervailing duty investigations completed under sec. 701 of the Tariff Act of 1930, fiscal year 1982

Investigation No.	Article concerned	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	USITC Publication No.
701-TA-99	Hot-rolled carbon steel sheet and strip from the Netherlands.	—	—	—	—	—	(a) 6-14-82 (b) 9- 1-82	—	—	Terminated 9- 8-82
701-TA-102 through 701-TA-109	Cold-rolled carbon steel sheet and strip from Belgium, Brazil, France, Italy, Luxembourg, the Netherlands, the United Kingdom, and West Germany.	(a) 1-11-82 (b) 2- 3-82 and (c) 2- 4-82 2-25-82	Alberger ⁵ Calhoun ³ Stern ⁵ . Eckes ⁶ Frank	Alberger ⁷ Calhoun ⁴ Stern ⁷ Eckes ⁸	—	1221	—	—	—	—
701-TA-107	Cold-rolled carbon steel sheet and strip from the Netherlands.	—	—	—	—	—	(a) 6-14-82 (b) 9- 1-82	—	—	Terminated 9- 8-82
701-TA-110 through 701-TA-116	Galvanized carbon steel sheet from Belgium, France, Italy, Luxembourg, the Netherlands, the United Kingdom, and West Germany	(a) 1-11-82 (b) 2- 3-82 and (c) 2- 4-82 2-25-82	Eckes ⁹ Frank	Alberger Calhoun Stern Eckes ¹⁰	—	1221	—	—	—	—
701-TA-117 through 701-TA-124.	Carbon steel structural shapes from Belgium, Brazil, France, Italy, ¹¹ Luxembourg, the Netherlands, ¹¹ the United Kingdom, and West Germany.	(a) 1-11-82 (b) 2- 3-82 and (c) 2- 4-82 2-25-82	Alberger ¹² Calhoun ¹² Stern ¹² Eckes ¹² Frank	Alberger ¹³ Calhoun ¹³ Stern ¹³ Eckes ¹³	—	1221	—	—	—	—
701-TA-125 through 701-TA-129 ¹⁴	Hot-rolled carbon steel bar from Belgium, Brazil, France, the United Kingdom, and West Germany.	(a) 1-11-82 (b) 2- 3-82 and (c) 2- 4-82 2-25-82	Alberger ¹⁵ Calhoun ¹ Stern ¹⁵ Eckes ¹⁵ Frank	Alberger ¹⁶ Calhoun ¹⁷ Stern ¹⁶ Eckes ¹⁶	—	1221	—	—	—	—
701-TA-130 through 701-TA-133.	Hot-rolled alloy steel bar from France, Italy, the United Kingdom, and West Germany.	(a) 1-11-82 (b) 2- 3-82 and (c) 2- 4-82 2-25-82	Frank	Alberger Calhoun Stern Eckes	—	1221	—	—	—	—
701-TA-134 through 701-TA-139	Cold-formed carbon steel bar from Belgium, Brazil, France, Italy, the United Kingdom, and West Germany.	(a) 1-11-82 (b) 2- 3-82 and (c) 2- 4-82 2-25-82	Alberger ¹⁵ Calhoun ¹⁸ Stern ¹⁵ Eckes ¹⁵ Frank	Alberger ¹⁹ Calhoun ²⁰ Stern ¹⁹ Eckes ¹⁹	—	1221	—	—	—	—

See footnotes at end of table.

Table 6—Continued

Countervailing duty investigations completed under sec. 701 of the Tariff Act of 1930, fiscal year 1982

Investigation No.	Article concerned	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	USITC Publication No.
701-TA-138	Cold-formed carbon steel bar from the United Kingdom.	—	—	—	—	—	(a) 6-14-82 (b) 9- 1-82	—	—	Terminated 9- 8-82
701-TA-140 through 701-TA-144.	Cold-formed alloy steel bar from Belgium, France, Italy, the United Kingdom, and West Germany	(a) 1-11-82 (b) 2- 3-82 and (c) 2-25-82	Eckes ²¹ Frank	Alberger Calhoun Stern Eckes ²²	—	1221	—	—	—	—
701-TA-145	Certain steel wire nails from the Republic of Korea.	(a) 1-19-82 (b) 2-12-82 (c) 3- 5-82	Alberger Calhoun Stern Eckes Frank	—	—	1223	(a) 6-22-82	—	—	Terminated 9- 3-82.
701-TA-146 through 701-TA-147	Hot-rolled carbon steel bar from Italy and Luxembourg	(a) 1-11-82 (b) 2- 3-82 and (c) 2-25-82	Calhoun ²³ Frank	Alberger Calhoun ²⁴ Stern Eckes	—	1221	—	—	—	—
701-TA-148 through 701-TA-150	Carbon steel wire rod from Brazil, Belgium, and France	(a) 2- 8-82 (b) 3- 3-82 (c) 3-25-82	Alberger Calhoun Stern Eckes Frank	—	—	1230	—	—	—	—
701-TA-151	Certain nuts, bolts, and screws from Japan.	(a) 2-22-82	—	—	—	Terminated 3-18-82.	—	—	—	—
701-TA-152 and 701-TA-153	Prestressed concrete steel wire strand from Brazil and France.	(a) 3- 4-82 (b) 3-25-82 (c) 4-19-82	Alberger Calhoun Stern Eckes Haggart	Frank	—	1240	—	—	—	—
701-TA-154	Hot-rolled stainless steel bar, cold-formed stainless steel bar, and stainless steel wire rod from Spain	(a) 4-26-82 (b) 5-19-82	—	—	—	Replaced 6- 2-82	—	—	—	—
701-TA-155 through 701-TA-163	Hot-rolled carbon steel plate, hot-rolled carbon steel sheet, cold-rolled carbon steel sheet, galvanized carbon steel sheet, carbon steel structural shapes, hot-rolled carbon steel bar, hot-rolled alloy steel bar, cold-formed carbon steel bar, and cold-formed alloy steel bar from Spain.	(a) 4-26-82 (b) 5-24-82 (c) 6-10-82	Alberger ²⁵ Calhoun ²⁵ Stern ²⁵ Eckes ²⁶ Frank ²⁷ Haggart ²⁸	Alberger ²⁸ Calhoun ²⁹ Stern ²⁸ Eckes ²⁹ Frank ³⁰ Haggart ²⁹	—	1255	—	—	—	—

See footnotes at end of table

Table 6—Continued

Countervailing duty investigations completed under sec. 701 of the Tariff Act of 1930, fiscal year 1982

Investigation No.	Article concerned	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	USITC Publication No.
701-TA-164	Prestressed concrete steel wire strand from Spain.	—	—	—	—	—	(a) 4-26-82 (b) 7-12-82 (c) 8-23-82	Frank	Eckes Stern Calhoun Haggart	1281
701-TA-165 through 701-TA-169.	Welded carbon steel pipes and tubes from Brazil, France, Italy, the Republic of Korea, and West Germany.	(a) 5- 7-82 (b) 6- 2-82 (c) 6-21-82	Calhoun ³¹ Stern ³² Eckes ³³ Frank Haggart ³²	Calhoun ³⁴ Stern ³⁵ Eckes ³⁴ Haggart ³⁴	—	1262	—	—	—	—
701-TA-170 through 701-TA-173.	Hot-rolled carbon steel plate, hot-rolled carbon steel sheet, cold-rolled carbon steel sheet, and galvanized carbon steel sheet from the Republic of Korea.	(a) 5- 7-82 (b) 6- 1-82 (c) 6-21-82	Calhoun ³⁶ Stern ³⁶ Eckes ³⁷ Frank Haggart ³⁷	Calhoun ³⁸ Stern ³⁸ Eckes ³⁹ Haggart ³⁹	—	1261	—	—	—	—
701-TA-174 and 701-TA-175.	Certain commuter airplanes from France and Italy.	(a) 5-27-82 (b) 6-23-82 (c) 7-12-82	Frank	Eckes Stern Calhoun Haggart	—	1269	—	—	—	—
701-TA-176 through 701-TA-178.	Hot-rolled stainless steel bar, cold-formed stainless steel bar, and stainless steel wire rod from Spain.	(a) 4-26-82 (b) 5-19-82 (c) 6-10-82	Alberger Calhoun Stern Eckes Frank Haggart	—	—	1254	—	—	—	—
701-TA-179 through 701-TA-181.	Hot-rolled stainless steel bar, cold-formed stainless steel bar, and stainless steel wire rod from Brazil.	(a) 6-16-82 (b) 7-13-82 (c) 8- 2-82	Eckes Stern Calhoun Frank Haggart	—	—	1276	—	—	—	—
701-TA-182	Certain rail passenger cars and parts thereof from Canada.	(a) 6-24-82 (b) 7-21-82 (c) 8- 9-82	Eckes Calhoun Frank Haggart	Stern	—	1277	—	—	—	—
701-TA-183	Potassium permanganate from Spain.	—	—	—	—	—	(a) 7- 6-82	—	—	Terminated 8- 6-82.
701-TA-184	Frozen concentrated orange juice from Brazil.	(a) 7-14-82 (b) 8-10-82 (c) 8-30-82	Eckes Stern Frank	—	Calhoun ⁴⁰ Haggart ⁴¹	1283	—	—	—	—
701-TA-185	Fireplace mesh panels from Taiwan.	(a) 7-20-82 (b) 8-12-82 (c) 9- 3-82	Eckes Stern Calhoun Frank Haggart	—	—	1284	—	—	—	—

See footnotes at end of table.

Table 6—Continued

Countervailing duty investigations completed under sec. 701 of the Tariff Act of 1930, fiscal year 1982

Investigation No.	Article concerned	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	USITC Publication No.
701-TA-186	Steel rails from the European Community	(a) 7-22-82	—	—	—	Terminated 8-11-82	—	—	—	—
701-TA-187	Certain tool steels from Brazil	(a) 7-30-82 (b) 8-23-82 (c) 9-13-82	Eckes Stern Frank Haggart	—	—	1288	—	—	—	—
701-TA-188	Certain commuter airplanes from Brazil	(a) 8-13-82 (b) 9- 8-82 (c) 9-27-82	Frank	Eckes Stern Haggart	—	1291	—	—	—	—

¹With respect to imports from Belgium, Brazil, the United Kingdom, and West Germany
²With respect to imports from France, Italy, Luxembourg, and the Netherlands
³With respect to imports from Belgium, France, Italy, the Netherlands, and West Germany
⁴With respect to imports from Brazil, Luxembourg, and the United Kingdom
⁵With respect to imports from France, the Netherlands, and West Germany
⁶With respect to imports from France, Italy, the Netherlands, and West Germany
⁷With respect to imports from Belgium, Brazil, Italy, Luxembourg, and the United Kingdom
⁸With respect to imports from Belgium, Brazil, Luxembourg, and the United Kingdom
⁹With respect to imports from France, Italy, and West Germany
¹⁰With respect to imports from Belgium, Luxembourg, the Netherlands, and the United Kingdom
¹¹Terminated Feb. 3, 1982
¹²With respect to imports from Belgium, France, Luxembourg, the United Kingdom, and West Germany
¹³With respect to imports from Brazil
¹⁴See investigations Nos. 701-TA-146 and 147 (Preliminary)—hot-rolled carbon steel bar from Italy and Luxembourg
¹⁵With respect to imports from the United Kingdom
¹⁶With respect to imports from Belgium, Brazil, France, and West Germany
¹⁷With respect to imports from France
¹⁸With respect to imports from the United Kingdom and France
¹⁹With respect to imports from Belgium, Brazil, France, Italy, and West Germany
²⁰With respect to imports from Belgium, Brazil, Italy, and West Germany
²¹With respect to imports from France and Italy
²²With respect to imports from Belgium, the United Kingdom, and West Germany
²³With respect to imports from Luxembourg
²⁴With respect to imports from Italy
²⁵With respect to imports of hot-rolled carbon steel plate, cold-rolled carbon steel sheet, carbon structural shapes, hot-rolled carbon steel bar, and cold-formed carbon steel bar

²⁶With respect to imports of hot-rolled carbon steel plate, cold-rolled carbon steel sheet, galvanized carbon steel sheet, carbon steel structural shapes, hot-rolled carbon steel bar, and cold-formed carbon steel bar
²⁷With respect to imports of hot-rolled carbon steel plate, cold-rolled carbon steel sheet, galvanized carbon steel sheet, carbon steel structural shapes, hot-rolled carbon steel bar, hot-rolled alloy steel bar, cold-formed carbon steel bar, and cold-formed alloy steel bar
²⁸With respect to imports of hot-rolled carbon steel sheet, galvanized carbon steel sheet, hot-rolled alloy steel bar, and cold-formed alloy steel bar
²⁹With respect to imports of hot-rolled carbon steel sheet, hot-rolled alloy steel bar, and cold-formed alloy steel bar
³⁰With respect to imports of hot-rolled carbon steel sheet
³¹With respect to imports from Brazil, France, the Republic of Korea, and West Germany, and imports of small-diameter welded carbon steel pipes and tubes from Italy
³²With respect to imports from the Republic of Korea
³³With respect to imports from Brazil, France, the Republic of Korea, and West Germany
³⁴With respect to imports of large-diameter welded carbon steel pipes and tubes from Italy
³⁵With respect to imports from Brazil, France, Italy, and West Germany
³⁶With respect to imports of hot-rolled carbon steel plate and hot-rolled carbon steel sheet
³⁷With respect to imports of hot-rolled carbon steel plate, hot-rolled carbon steel sheet, and galvanized carbon steel sheet
³⁸With respect to imports of cold-rolled carbon steel sheet and galvanized carbon steel sheet
³⁹With respect to imports of cold-rolled carbon steel sheet
⁴⁰Commissioner Calhoun did not participate in the vote in order to avoid any possibility or appearance of conflict of interest
⁴¹Commissioner Haggart did not participate in the vote in order to avoid any possibility or appearance of conflict of interest

Table 7

Countervailing duty investigations completed under sec. 104
of the Trade Agreements Act of 1979, fiscal year 1982

Investigation No.	Article concerned	(a) Request received (b) Hearing (c) Report to Secretary of Commerce	Affirmative	Negative	USITC Publication No.
104-TAA-4	Galvanized fabricated structural steel units for electrical transmission towers from Italy.	(a) 3-27-80 and 3-28-80 (b) 10-23-81 (c) 12-16-81	Frank	Alberger Calhoun Stern Eckes	1204
104-TAA-5	Ski-lifts and parts thereof from Italy	(a) 3-28-80	—	—	Terminated 11-30-81
104-TAA-6	Barley from France	(a) 3-28-80 (b) None (c) 3-19-82	Frank	Alberger Calhoun Stern Eckes	1227
104-TAA-7	Sugar from the European Community	(a) 3-28-80 (b) 4- 5-82 (c) 5-14-82	Eckes Frank Haggart	Alberger Calhoun Stern	1247
104-TAA-8	Molasses from France	(a) 3-28-80 (b) 4- 5-82 (c) 5-14-82	—	Alberger Calhoun Stern Eckes Frank Haggart	1248
104-TAA-9	Michelin X-radial steel-belted tires from Canada.	(a) 1- 2-80	—	—	Terminated 6- 7-82

Table 8**Antidumping and countervailing duty investigations
pending on Sept. 30, 1982**

Investigation No.	Article concerned	Request received
Preliminary		
731-TA-102	Certain radio paging and alerting devices from Japan	8-19-82
731-TA-103	Shop towels of cotton from the People's Republic of China	8-24-82
731-TA-104	Steel rails from the Federal Republic of Germany	9- 3-82
731-TA-105	Steel rails from France	9- 3-82
731-TA-106	Steel rails from the United Kingdom	9- 3-82
731-TA-107	Melamine from Brazil	9-13-82
731-TA-108	Portland hydraulic cement from Australia	9-23-82
731-TA-109	Portland hydraulic cement from Japan	9-23-82
731-TA-110	Bicycles from the Republic of Korea	9-24-82
731-TA-111	Bicycles from Taiwan	9-24-82
731-TA-112	Steel wire rope from Korea	9-28-82
701-TA-189	Steel rails from the European Community	9- 3-82
701-TA-190	Nitrocellulose from France	9-14-82
701-TA-191	Steel rails from the Federal Republic of Germany	9- 3-82
701-TA-192	Steel rails from France	9- 3-82
701-TA-193	Steel rails from the United Kingdom	9- 3-82
701-TA-194	Steel rails from Luxembourg	9- 3-82
Final		
731-TA-53	Hot-rolled carbon steel plate from Belgium	8-10-82
731-TA-58	Hot-rolled carbon steel plate from Romania	8-10-82
731-TA-59	Hot-rolled carbon steel plate from the United Kingdom	8-10-82
731-TA-60	Hot-rolled carbon steel plate from West Germany	8-10-82
731-TA-61	Hot-rolled carbon steel sheet and strip from Belgium	8-10-82
731-TA-62	Hot-rolled carbon steel sheet and strip from France	8-10-82
731-TA-63	Hot-rolled carbon steel sheet and strip from Italy	8-10-82
731-TA-67	Hot-rolled carbon steel sheet and strip from West Germany	8-10-82

Table 8—Continued**Antidumping and countervailing duty investigations
pending on Sept. 30, 1982**

Investigation No.	Article concerned	Request received
731-TA-69	Cold-rolled carbon steel sheet and strip from France	8-10-82
731-TA-70	Cold-rolled carbon steel sheet and strip from Italy	8-10-82
731-TA-74	Cold-rolled carbon steel sheet and strip from West Germany	8-10-82
731-TA-82	Carbon steel structural shapes from Belgium	8-10-82
731-TA-83	Carbon steel structural shapes from France	8-10-82
731-TA-85	Carbon steel structural shapes from the United Kingdom	8-10-82
731-TA-86	Carbon steel structural shapes from West Germany	8-10-82
731-TA-87	Certain seamless steel pipes and tubes from Japan	8-25-82
731-TA-88	Carbon steel wire rod from Venezuela	7-14-82
701-TA-86	Hot-rolled carbon steel plate from Belgium	6-14-82
701-TA-92	Hot-rolled carbon steel plate from the United Kingdom	6-14-82
701-TA-93	Hot-rolled carbon steel plate from West Germany	6-14-82
701-TA-94	Hot-rolled carbon steel sheet and strip from Belgium	6-14-82
701-TA-96	Hot-rolled carbon steel sheet and strip from France	6-14-82
701-TA-97	Hot-rolled carbon steel sheet and strip from Italy	6-14-82
701-TA-101	Hot-rolled carbon steel sheet and strip from West Germany	6-14-82
701-TA-104	Cold-rolled carbon steel sheet and strip from France	6-14-82
701-TA-105	Cold-rolled carbon steel sheet and strip from Italy	6-14-82
701-TA-109	Cold-rolled carbon steel sheet and strip from West Germany	6-14-82
701-TA-117	Carbon steel structural shapes from Belgium	6-14-82
701-TA-119	Carbon steel structural shapes from France	6-14-82
701-TA-121	Carbon steel structural shapes from Luxembourg	6-14-82
701-TA-123	Carbon steel structural shapes from the United Kingdom	6-14-82
701-TA-124	Carbon steel structural shapes from West Germany	6-14-82
701-TA-128	Hot-rolled carbon steel bar from the United Kingdom	6-14-82
701-TA-148	Carbon steel wire rod from Brazil	6-14-82
701-TA-149	Carbon steel wire rod from Belgium	6-14-82

Table 8—Continued

Antidumping and countervailing duty investigations pending on Sept. 30, 1982

Investigation No.	Article concerned	Request received
701-TA-150	Carbon steel wire rod from France	6-14-82
701-TA-152	Prestressed concrete steel wire strand from Brazil	8- 5-82
701-TA-153	Prestressed concrete steel wire strand from France	8- 5-82
701-TA-155	Hot-rolled carbon steel plate from Spain	8-25-82
701-TA-157	Cold-rolled carbon steel sheet from Spain	8-25-82
701-TA-158	Galvanized carbon steel sheet from Spain	8-25-82
701-TA-159	Carbon steel angles, shapes, and sections from Spain	8-25-82
701-TA-160	Hot-rolled carbon steel bar from Spain	8-25-82
701-TA-162	Cold-formed carbon steel bar from Spain	8-25-82
701-TA-176	Hot-rolled stainless steel bar from Spain	8-25-82
701-TA-177	Cold-formed stainless steel bar from Spain	8-25-82
701-TA-178	Stainless steel wire rod from Spain	8-25-82
104-TAA-10	Certain dairy products from the European Community	6-10-82

Table 9

“Review” investigations completed under sec. 751 of the Tariff Act of 1930, fiscal year 1982

Investigation No.	Article concerned	(a) Request received (b) Hearing (c) Report to Secretary of Commerce				USITC Publication No.
			Affirmative	Negative	Not participating	
751-TA-5	Salmon gill fish netting of manmade fibers from Japan.	(a) 7-28-81 (b) 3- 2-82 (c) 3-31-82	Alberger Calhoun Stern Eckes	—	Frank ¹ Haggart ²	1234
751-TA-6	Birch three-ply door skins from Japan.	(a) 1- 8-82 (b) 6-10-82 (c) 7-12-82	Eckes Stern Calhoun Frank Haggart	—	—	1271

¹Commissioner Frank was not able to define or specify the existence of a domestic industry as such.

²Commissioner Haggart assumed her

duties on Mar. 23, 1982, and was not a Commissioner during most of the investigative period.

Table 10

Investigations completed under sec. 22 of the Agricultural Adjustment Act, fiscal year 1982

Investigation No.	Article concerned	Request received	Date investigation instituted	Public hearing	Finding and recommendations	Date report was—		USITC Publication No.
						Submitted to President	Released by President	
22-44	Casein, mixtures in chief value of casein, and lactalbumin.	8-10-81	8-24-81	11- 9-81 and 11-10-81	The Commission found that casein, mixtures in chief value of casein, and lactalbumin are not being and are 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 U.S. Department of Agriculture's price-support program for milk.	1-28-82	4- 9-82'	1217

See footnotes at end of table.

Table 10—Continued

Investigations completed under sec. 22 of the Agricultural Adjustment Act, fiscal year 1982

Investigation No.	Article concerned	Request received	Date investigation instituted	Public hearing	Finding and recommendations	Date report was—		
						Submitted to President	Released by President	USITC Publication No.
22-45	Sugar	12-29-81	1-15-82	4- 6-82	The Commission determined that sugars, sirups, and molasses, derived from sugar cane or sugar beets, provided for in items 155.20 and 155.30 of the Tariff Schedules of the United States, are being or are 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 sugar cane and sugar beets. ²	6- 7-82	—	1253
					The Commission recommended that the President— (1) Maintain the current fee system set forth in Proclamation 4940; (2) Maintain the duties set forth in Presidential Proclamation 4888; (3) Maintain the quota system set forth in Proclamation 4941 until such time as duties and fees, which are preferred to a restrictive quota, are once again adequate to protect the price-support program; and (4) Establish guidelines for the orderly transition between reliance on a quota and reliance on duties and fees.			

¹On Apr. 9, 1982, the President decided that the U.S. International Trade Commission report does not provide a basis for finding that import restrictions should be imposed under sec. 22 of the Agricultural Adjustment Act. Therefore, the administration will take no further action regarding imports of casein,

mixtures of casein, and lactalbumin.

²Vice Chairman Michael J. Calhoun found that the imports are 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.

Table 11

Investigations of unfair trade practices completed under sec. 337 of the Tariff Act of 1930, fiscal year 1982

Article concerned	Complainant	Complaint filed	Date of publication of notice in <i>Federal Register</i> and No.	Public hearing	Finding and remedy of Commission	Date orders issued	USITC Publication No.
Certain headboxes and papermaking machine forming sections for the continuous production of paper, and components thereof.	Beloit Corp., Beloit, Wis.	2-21-80 ¹	7- 1-81, 337-TA-82A	—	Violation ²	11-25-81	1197
Chlorofluorohydrocarbon drycleaning process, machines and components therefor.	Research Development Co., Minneapolis, Minn.	4-17-80	6-11-80, 337-TA-84	—	Terminated ³	11-24-81	—
Certain airless paint spray pumps and components thereof.	Wagner Spray Tech Corp., Minneapolis, Minn.	10- 8-80; 10-22-80 (amendment)	11-21-80, 337-TA-90	9-17-81	Violation ⁴	11-24-81	1199
Certain airtight wood stoves.	Energy Harvester Corp., Fitzwilliam, N.H.	10-16-80; 11-13-80 (amendment)	12-17-80, 337-TA-92	—	Terminated ⁵	10- 9-81	—
Certain universal joint kits, components thereof, and trunnion seals used therewith.	Dana Corp., Toledo, Ohio.	11- 3-80; 11-18-80 (amendment)	12-24-80, 337-TA-93	—	Terminated ³	10- 5-81	—
Certain modular pushbutton switches and components thereof.	ITT Schadow, Inc., Eden Prairie, Minn.	12-15-80	1-28-81, 337-TA-96	—	Terminated ³	1-28-82	—
Certain screw jacks and components thereof, including cold-worked pinion gears.	Auto Specialties Manufacturing Co., St. Joseph, Mich.	1- 8-81; 1-28-81 (amendment)	2-11-81, 337-TA-98	—	Terminated ³	12- 7-81	—
Certain molded-in sandwich panel inserts and methods for their installation.	Shur-Lok Corp., Irvine, Calif.	3-27-81	4-29-81, 337-TA-99	1-20-81	Violation ⁶ Violation ⁷	4-29-82 9-17-82	1246 1297
Certain thermal conductivity sensing gem testers and components thereof.	Ceres Electronics Corp., Waltham, Mass.; Adams-Smith, Inc., Hudson, Mass.; and MSB Industries, Inc., New York, N.Y.	4-13-81; 5- 6-81 (amendment)	5-20-81, 337-TA-100	—	Terminated ³	4-16-82	—

See footnotes at end of table.

Table 11—Continued

Investigations of unfair trade practices completed under sec. 337 of the Tariff Act of 1930, fiscal year 1982

Article concerned	Complainant	Complaint filed	Date of publication of notice in <i>Federal Register</i> and No.	Public hearing	Finding and remedy of Commission	Date orders issued	USITC Publication No.
Certain hot air corn poppers and components thereof.	Wear-Ever Aluminum, Inc., Chillicothe, Ohio.	4-16-81; 4-30-81 and 5-13-81 (amendments)	5-22-81, 337-TA-101	—	Terminated ⁹	5- 4-82	—
Certain wheel locks and components thereof.	McGard, Inc., Buffalo, N.Y.	4-16-81; 5- 4-81 (amendment)	5-28-81, 337-TA-102	—	Terminated ⁹	11-18-81	—
Certain stabilized hull units and components thereof and sonar units utilizing said stabilized hull units.	Western Marine Electronics, Inc., Seattle, Wash.	4-29-81; 5-20-81 (amendment)	6-10-81, 337-TA-103	12- 1-81	Terminated; no violation.	6- 9-82	1260
Certain coin-operated audio-visual games and components thereof (viz, Rally-X and Pac-Man).	Midway Manufacturing Co., Franklin Park, Ill.	4-17-81; 4-30-81, 5- 7-81, 6-15-81, and 6-17-81 (amendments)	7- 1-81, 337-TA-105	12-11-81 (on temporary exclusion order)	Violation ⁸ Violation ⁹	1-15-82 7- 1-82	1220 1267
Certain ultrafiltration membrane systems and components thereof, including ultrafiltration membranes.	Amicon Corp., Lexington, Mass.; Comex Inc., Woburn, Mass.; and Romicon, Inc., Woburn, Mass	5-19-81; 6-10-81 and 7- 1-81 (amendments)	7-15-81, 337-TA-107	—	Terminated ¹⁰	3-11-82	—
Certain multi-sequential coded radio pagers.	Motorola, Inc., Schaumburg, Ill	9-15-81; 10- 2-81 (amendment)	11- 3-81, 337-TA-109	—	Terminated ⁹	4-13-82	—
Certain methods for extruding plastic tubing.	Minigrip, Inc., Orangeburg, N.Y.	9-25-81	11-12-81, 337-TA-110	7-15-82	Violation ¹¹	9- 2-82	1287

¹Remanded to the Commission by the President.

²Exclusion order; approved by the President on Jan. 18, 1982. U.S. Letters Patent No. 3,607,625 reissued as RE 28,269, expires Sept. 21, 1988; U.S. Letters Patent No. 3,923,593 expires Dec. 2, 1992.

³By reason of settlement agreement.

⁴Exclusion order; the President took no action, and order became final on Dec. 4, 1982. U.S. Letters Patent No. 3,254,845 expires June 7, 1983; U.S. Letters Patent No. 3,367,270 expires Feb. 6, 1985; and RE 29,055 expires Nov. 30, 1993.

⁵Terminated as moot on the basis of consent orders issued in investigation No. 337-TA-106.

⁶Exclusion order and cease and desist

orders; the President denied the Commission's findings of violation for policy reasons on June 28, 1982.

⁷Exclusion order and cease and desist order; the President took no action, and orders became final on Jan. 19, 1983.

⁸Temporary cease and desist orders; the President took no action, and orders became final on Apr. 6, 1982.

⁹Exclusion order; the President took no action, and order became final on Aug. 24, 1982.

¹⁰Terminated on complainant's motion to terminate; Commission made no determination on violation.

¹¹Exclusion order; the President took no action, and order became final on Nov. 15, 1982.

Table 12
**Investigations of unfair trade practices under sec. 337
of the Tariff Act of 1930 pending on Sept. 30, 1982**

Article concerned	Complainant	Complaint filed	Date of publication of notice in <i>Federal Register</i> and No.	Public hearing
Certain steel rod treating apparatus and components thereof.	Morgan Construction Co., Worcester, Mass.	12-17-80	1-28-81, 337-TA-97 ¹	—
Certain card data imprinters and components thereof.	AM International, Inc., Los Angeles, Calif., and Bartizan Corp., Yonkers, N.Y.	5- 7-81	6-12-81, 337-TA-104 ²	—
Certain vacuum bottles and components thereof.	Union Manufacturing Co., Inc., Meriden, Conn.	9-16-81	10-29-81, 337-TA-108	9-20-82
Certain vacuum cleaner brush rollers.	The Scott & Fetzer Co., Lakewood, Ohio	10-23-81; 11- 5-81 and 12- 3-81 (amendments)	12-23-81, 337-TA-111	—
Certain cube puzzles	Ideal Toy Corp., New York, N.Y.	11-17-81	12-29-81, 337-TA-112	—
Certain log-splitting pivoted lever axes	Chopper Industries, Inc., Phillipsburg, N.J.	11-27-81; 12-11-81 (amendment)	1- 6-82, 337-TA-113	—
Certain miniature plug-in blade fuses	Littelfuse, Inc., Des Plaines, Ill.	12- 7-81	1-13-82, 337-TA-114	—
Certain power woodworking tools, their parts, accessories, and special-purpose tools.	Shopsmith, Inc., Vandalia, Ohio	12-16-81; 1- 4-82 (amendment)	1-28-82, 337-TA-115	—
Certain drill point screws for drywall construction.	Illinois Tool Works, Inc., Chicago, Ill.	1-20-82	3- 3-82, 337-TA-116	—
Certain automotive visors	Prince Corp., Holland, Mich.	12-29-81; 2-16-82 (amendment)	3- 4-82, 337-TA-117	—
Certain sneakers with fabric uppers and rubber soles.	Van Doren Rubber Co., Inc., Anaheim, Calif.	2- 3-82	3- 9-82, 337-TA-118	—
Certain high-precision solenoids and components thereof.	Ledex, Inc., Vandalia, Ohio	2- 8-82; 2-22-82 (amendment)	3-16-82, 337-TA-119	—
Certain silica-coated lead chromate pigments.	E. I. du Pont de Nemours & Co., Wilmington, Del.	3-18-82; 3-31-82 (amendment)	4-21-82, 337-TA-120	—
Certain plastic-capped decorative emblems.	D. L. Auld Co., Columbus, Ohio	4-13-82; 5- 3-82 (amendment)	5-19-82, 337-TA-121	—

See footnotes at end of table.

Table 12—Continued

**Investigations of unfair trade practices under sec. 337
of the Tariff Act of 1930 pending on Sept. 30, 1982**

Article concerned	Complainant	Complaint filed	Date of publication of notice in <i>Federal Register</i> and No.	Public hearing
Certain miniature, battery-operated, all-terrain, wheeled vehicles.	Schaper Manufacturing Co., Division of Kusan Inc., Minneapolis, Minn.; A. Eddy Goldfarb, d/b/a A. Eddy Goldfarb & Associates, Northridge, Calif.	4-23-82	5-19-82, 337-TA-122	9-15-82
Certain CT scanner and gamma camera medical diagnostic imaging apparatus.	Technicare Corp., Solon, Ohio	4-30-82	6- 3-82, 337-TA-123	—
Certain textile spinning frames and automatic doffers thereof.	Platt Saco Lowell Corp., Greenville, S.C	7- 2-82	8- 4-82, 337-TA-124	—
Certain grooved wooden handle kitchen utensils and gadgets.	Bonny Products, Inc., Hewlett, N.Y	7- 7-82	8-11-82, 337-TA-125	—
Certain handbags, luggage, and brief cases	FHL Accessories, Inc., New York, N.Y	7-12-82	8-18-82, 337-TA-126	—
Certain amino acid formulations	American Hospital Supply Corp., Evanston, Ill., and Massachusetts General Hospital, Boston, Mass	7-12-82	8-20-82, 337-TA-127	—
Certain cupric hydroxide formulated fungicides and cupric hydroxide preparations used in the formulation thereof.	Kocide Chemical Corp., Houston, Tex	7-14-82	8-23-82, 337-TA-128	—
Certain limited-charge cell culture microcarriers	Flow General, Inc., and Flow Laboratories, Inc., McLean, Va., and Massachusetts Institute of Technology, Cambridge, Mass	7-19-82; 8- 3-82 (amendment)	8-25-82, 337-TA-129	—
Certain braiding machines	New England Butt Co., Division of Wanskuk Co., Providence, R.I.	8-18-82, 9-10-82 and 9-13-82 (amendments)	9-29-82, 337-TA-130	—
Certain variable character display devices	The Staver Co., Inc., Bay Shore, N.Y	8-26-82, 9-10-82 (amendment)	9-29-82, 337-TA-131	—
Certain hand-operated, gas-operated, welding, cutting, and heating equipment and component parts thereof	Victor Equipment Co., Denton, Tex	8-31-82	10- 6-82, 337-TA-132	—

¹The Commission found violation; exclusion order issued on Dec. 10, 1981. The President took no action, and order became final on Feb. 10, 1982. The Commission issued a notice of revocation of exclusion order on Jan. 15, 1982, and suspended the

investigation pending the outcome of appeal in the Fourth Circuit Court regarding the subject patent.

²Suspended on Feb. 9, 1982, until after court action. Suspension lifted; district court ruled in civil action, Sept. 7, 1982

Table 13

General investigations of trade and tariff matters completed under sec. 332 of the Tariff Act of 1930, fiscal year 1982

Investigation No.	Subject	Origin	USITC Publication	
			No.	Date
332-103	Quarterly and annual surveys on certain bolts, nuts, and large screws of iron or steel.	Request from the President (Presidential Proclamation 4632).	1202	November 1981
332-112	Annual and quarterly statistical reports providing certain information on color television receivers and certain subassemblies thereof.	Request from the President (Presidential Proclamation 4769).	1195 1218 1235 1245	November 1981 February 1982 March 1982 May 1982
332-114	Study of production techniques and product specialization within U.S. industries.	Initiated by the Commission on its own motion	(¹)	October 1981
332-115	Study of the effectiveness of escape-clause relief in promoting adjustment to import competition.	Initiated by the Commission on its own motion	1229	March 1982
332-117	Study of the operation of export restraint agreements.	Initiated by the Commission on its own motion	1256	June 1982
332-125	Analysis of recent trends in U.S. barter and countertrade.	Initiated by the Commission on its own motion	1237	March 1982
332-126	Emerging textile-exporting countries.	Initiated by the Commission on its own motion	1273	August 1982
332-129	Monthly reports providing information on the U.S. auto industry	Request from the Subcommittee on Trade of the House Committee on Ways and Means.	— — —	October 1981 November 1981 December 1981 January 1982
332-130 and TA-503(a)-9.	President's list of articles which may be designated as eligible articles for purposes of the U.S. Generalized System of Preferences.	Request from the United States Trade Representative.	(²) 1215	December 1981 January 1982
332-132	The relationship of exports in selected U.S. service industries to U.S. merchandise exports.	Initiated by the Commission on its own motion	1290	September 1982
332-134	Conditions relating to the importation of Canadian softwood lumber into the United States.	Request from the Senate Committee on Finance and the Subcommittee on Trade of the House Committee on Ways and Means.	1241	April 1982
332-138	Competitive assessment of the U.S. metal-working machine tool industry.	Initiated by the Commission on its own motion	—	(³)
332-139	Probable economic effect of the continued designation of certain headwear of straw as articles eligible for duty-free treatment under the Generalized System of Preferences.	Request from the United States Trade Representative.	(²)	September 1982
332-140	The competitive status of major supply regions for fall-harvested fresh white or Irish potatoes in selected markets.	Request from the United States Trade Representative.	1282	August 1982
332-142	The impact of foreign trade-related performance requirements on U.S. industry and foreign investment abroad.	Request from the United States Trade Representative.	(²)	September 1982

¹Staff Research Study No. 14.
²Confidential report.

³Terminated Apr. 7, 1982.

Table 14

General investigations of trade and tariff matters under sec. 332 of the Tariff Act of 1930 pending on Sept. 30, 1982

Investigation No.	Subject	Origin	USITC Publication	
			No.	Date
332-73	Formulation of an international commodity code	Sec. 608(c)(1) of the Trade Act of 1974	—	—
332-84	Quarterly statistical reports providing certain information on canned and frozen mushrooms.	Request from the President	1198	November 1981
332-96	Report on consumption of watches and watch movements, or modules.	Public Law 89-805 and the Tariff Schedules of the United States.	—	April 1982
332-97	Report on consumption of broom corn brooms	Public Law 89-241 and Executive Order 11377	1232	April 1982
332-111	Semiannual and annual surveys on nonelectric cooking ware of steel.	Request from the President (Presidential Proclamation 4713).	(¹) (¹) (¹)	March 1982 March 1982 September 1982
332-116	Study of the effect of the enlargement of the European Community on U.S. trade.	Initiated by the Commission on its own motion	—	—
332-124	Study of floating exchange rates and U.S. competitiveness.	Initiated by the Commission on its own motion	—	—
332-131	Conversion of the Tariff Schedules of the United States into the nomenclature structure of the Harmonized System.	Request from the President	1213 1213	January 1982 August 1982
332-133	Trends in international trade in printed circuit boards and base material laminates.	Request from the Subcommittee on Trade of the House Committee on Ways and Means.	—	—
332-135	Imports of benzenoid chemicals and products, 1981.	Initiated by the Commission on its own motion	1272	July 1982
332-136	Monthly reports providing information on the U.S. auto industry.	Request from the Subcommittee on Trade of the House Committee on Ways and Means.	1219 1225 1238 1244 1257 1268 1278 1285	February 1982 March 1982 April 1982 May 1982 June 1982 July 1982 August 1982 September 1982
332-137	The probable impact on the U.S. petrochemical industry of the expanding petrochemical industries in the conventional-energy-rich nations.	Initiated by the Commission on its own motion	—	—
332-141	Study of transportation costs of U.S. imports	Initiated by the Commission on its own motion	—	—
332-143	The economic impact of foreign export credit subsidies on the U.S. commuter aircraft industry	Request from the Senate Committee on Finance	—	—
332-144	The economic impact of foreign export credit subsidies on certain U.S. industries.	Request from the United States Trade Representative.	—	—
332-145	Study of the economic effects of terminating the manufacturing clause of the copyright law.	Request from the Subcommittee on Trade of the House Committee on Ways and Means.	—	—
332-146 and TA-503(a)-10	President's list of articles which may be designated or modified as eligible articles for purposes of the U.S. Generalized System of Preferences.	Request from the United States Trade Representative.	—	—

¹Confidential report.

Table 15

Investigations completed under sec. 131 of the Trade Act of 1974,
fiscal year 1982

Investigation No.	Subject	Origin	USITC Publication	
			No.	Date
TA-131(b)-6	Probable economic effects of possible tariff reductions under section 124 of the Trade Act of 1974.	Request from the United States Trade Representative	(¹)	October 1981
TA-131(b)-7	Probable economic effects of possible tariff reductions under section 123 of the Trade Act of 1974	Request from the United States Trade Representative	(¹)	October 1981

¹Confidential report

Table 16

Preliminary investigations completed under sec. 603
of the Trade Act of 1974, fiscal year 1982

Investigation No.	Article concerned	Date and basis for initiation	Hearing	Commission finding	USITC Publication No.
603-TA-7	Airtight cast-iron stoves	1- 4-82, self-initiated	—	(¹)	—
603-TA-8	Certain stainless steel shears	2-11-82, self-initiated	—	(²)	—

¹On May 13, 1982, the Commission issued a notice terminating the investigation on the basis of consent orders issued in investigations Nos. 337-TA-69 and

337-TA-106

²On June 7, 1982, the Commission issued a notice terminating the investigation on the basis of informal consent

Appendix C

Reports Submitted to Congress on Proposed Legislation

1. **H.R. 1184** (Mr. Shannon)—To amend the Tariff Schedules of the United States regarding the rate of duty that may be proclaimed by the President with respect to sugar imports. December 22, 1981 (Finance Committee).
2. **H.R. 3649** (Mr. Hollenbeck)—To correct an anomaly in the tariff treatment of ethyl and methyl parathion. October 28, 1981.
3. **H.R. 3994** (Mr. Goodling)—To amend title 18 of the United States Code to prohibit the importation of parts of firearms if the importation of such firearms is currently prohibited. November 12, 1981.
4. **H.R. 4002** (Mr. Studds)—To amend the Tariff Schedules of the United States to provide for a lower rate of duty for certain fish netting and fish nets. October 19, 1981.
5. **H.R. 4075** (Mr. Nowak)—To suspend the duty on bulk fresh carrots. February 26, 1982.
6. **H.R. 4123** (Mr. Solomon)—To amend the Tariff Schedules of the United States to increase the duty on organo-silicon compounds. November 2, 1981.
7. **H.R. 4155** (Mr. Martin of North Carolina)—To suspend for four years the duty on double-head latch needles. October 13, 1981.
8. **H.R. 4219** (Mr. Frenzel)—Regarding the tariff treatment of caffeine. October 23, 1981.
9. **H.R. 4221** (Mr. Jenkins)—To amend the Tariff Schedules of the United States with respect to corduroy and velveteen. January 7, 1982.
10. **H.R. 4346** (Mr. Jones of Oklahoma)—To implement certain recommendations of the United States-Japan Economic Relations Group report of January 1981, to assist in continued long-range improvements in United States-Japan relations, and for other purposes. June 30, 1982.
11. **H.R. 4480** (Mr. Howard)—To extend through June 30, 1985, the suspension of import duties on synthetic rutile. November 16, 1981.
12. **H.R. 4494** (Mr. Goodling)—To apply duty-free treatment to Fourdrinier wires suitable for use in capacitor papermaking machines. November 24, 1981.
13. **H.R. 4501** (Mr. Nowak)—To temporarily suspend the duty on bulk fresh carrots from August 15 through February 15 of each year. March 17, 1982.
14. **H.R. 4566** (Mr. Gibbons)—To reduce certain duties, to suspend temporarily certain duties, to extend certain existing suspensions of duties, and for other purposes.
 - Sec. 2. Canned tuna. November 20, 1981 (Finance Committee).
 - Sec. 3. Certain ceramic insulators. November 24, 1981 (Finance Committee).
 - Sec. 4. Chipper knife steel. November 24, 1981 (Finance Committee).
 - Sec. 5. Yankee dryer cylinders. November 25, 1981 (Finance Committee).
 - Sec. 6. Certain aircraft components and materials. December 18, 1981 (Finance Committee).
 - Sec. 7. Pipe organ parts. November 24, 1981 (Finance Committee).

- Sec. 8. Toy tea sets. November 24, 1981 (Finance Committee).
- Sec. 10. Prayer shawls. November 24, 1981 (Finance Committee).
- Sec. 12. Carob flour. November 20, 1981 (Finance Committee).
- Sec. 13. Wood excelsior. November 25, 1981 (Finance Committee).
- Sec. 14. 4-chloro-3-methylphenol. November 25, 1981 (Finance Committee).
- Sec. 15. Doxorubicin hydrochloride. November 24, 1981 (Finance Committee).
- Sec. 16. Tartaric acid and certain tartaric chemicals. November 25, 1981 (Finance Committee).
- Sec. 17. Certain metal waste and scrap. December 14, 1981 (Finance Committee).
- Sec. 18. Freight containers. November 25, 1981 (Finance Committee).
15. **H.R. 4602** (Mr. Sawyer)—To suspend for 2 years the duty on certain prostheses if imported for charitable therapeutic use, or for free distribution by certain public or private nonprofit institutions. February 9, 1982.
16. **H.R. 4641** (Mr. Vander Jagt)—To provide for a three-year suspension of the duty on copper scale. January 12, 1982.
17. **H.R. 4642** (Mr. Vander Jagt)—To suspend the duty on isomeric mixtures of ethylbiphenyl. December 11, 1981.
18. **H.R. 4806** (Mr. Gejdenson)—To eliminate the duty on allyl resins. February 4, 1982.
19. **H.R. 4844** (Mr. Fuqua)—To amend the Tariff Schedules of the United States to permit the duty-free entry of materials certified by the National Aeronautics and Space Administration as intended to be launched into space or to be spare parts or necessary and uniquely associated support equipment for use in connection with such launches, and for other purposes. January 12, 1982.
20. **H.R. 4890** (Mr. Evans of Iowa)—To suspend the duty on sulfaguanadine, sulfapyridine, and sulfathiazole. May 13, 1982.
21. **H.R. 4913** (Mr. Gibbons)—To reduce the duty on the pesticide commonly known as Dicofol. February 22, 1982.
22. **H.R. 4973** (Mr. de Lugo)—To exempt certain charterboats in the United States Virgin Islands from the entry requirements of the customs laws. April 30, 1982.
23. **H.R. 5058** (Mr. Tribble)—To suspend the duty on 1,6-Hexanediol until July 1, 1985. January 27, 1982.
24. **H.R. 5080** (Mr. Ratchford)—To extend duty-free treatment to button blanks of casein. January 12, 1982.
25. **H.R. 5318** (Mr. Gunderson)—To direct the President to impose certain limitations on the importation of casein and other milk protein products into the United States. May 28, 1982.
26. **H.R. 5372** (Mr. Ottinger)—To suspend until the close of June 30, 1984, the column 1 rate of duty on unmounted gold leaf. June 2, 1982.
27. **H.R. 5386** (Mr. Derwinski)—To provide for the temporary duty-free treatment of imported hatters' fur, and for other purposes. May 7, 1982.
28. **H.R. 5498** (Mr. Schulze)—To apply duty-free treatment to p-Hydroxybenzoic acid. May 28, 1982.
29. **H.R. 5499** (Mr. Shannon)—To continue until the close of June 30, 1986, the existing suspension of duties on Bis(4-aminobenzoate)-1,3 propanediol (trimethylene glycol di-p-aminobenzoate). May 21, 1982.

49. **H.R. 6396** (Mr. Gibbons)—To provide for the duty-free treatment of certain needlecraft display models, and for other purposes. July 19, 1982.
50. **S. 11** (Mr. Mitchell)—To prohibit the Secretary of the Treasury from processing potatoes for entry into the United States until certain measures are taken. November 12, 1981.
51. **S. 1552** (Mr. Humphrey)—To lower the duty on certain imported sachet parts. October 21, 1981.
52. **S. 1565** (Mr. Mitchell)—To amend the Tariff Schedules of the United States to provide for a lower rate of duty for certain fish netting and fish nets. October 4, 1981.
53. **S. 1588** (Mr. Roth)—To provide for a temporary suspension of the duty on bulk fresh carrots. March 2, 1982.
54. **S. 1717** (Mr. Durenberger)—To provide for a temporary suspension of the duty on certain freight containers. December 28, 1981.
55. **S. 1738** (Mr. Hart)—To amend the Internal Revenue Code of 1954 to impose a tax on the importation of Libyan crude oil and refined petroleum products and to transfer the revenues from such tax to the Strategic Petroleum Reserve Trust Fund. December 15, 1981.
56. **S. 1746** (Mr. Heinz)—To reduce the duty on the pesticide commonly known as Dicofol. December 15, 1981.
57. **S. 2031** (Mr. Baucus)—To provide for a three-year suspension of the duty on copper scale. September 28, 1982.
58. **S. 2124** (Mr. Pressler)—To provide relief from honey imports. May 3, 1982.
59. **S. 2194** (Mr. Riegle)—To impose quotas on the importation of automobiles from Japan during 1982, 1983, 1984, and 1985. June 8, 1982.
60. **S. 2368** (Mr. Pressler)—To require the President to take certain actions to obtain relief from nontariff trade barriers imposed by foreign countries against agricultural goods produced in the United States. August 6, 1982.
61. **S. 2396** (Mr. Roth)—To provide for a temporary suspension of the duty on certain high alumina fiber. June 18, 1982.
62. **S. 2466** (Mr. Hatch)—To amend the Tariff Schedules of the United States to provide for rates of duty on imported roses consistent with those maintained by the European Economic Community on imports of roses from the United States and other nations. July 2, 1982.
63. **S.2539** (Mr. Danforth)—To extend for two years the Act implementing the International Sugar Agreement, 1977. July 19, 1982.
64. **S. 2540** (Mr. Danforth)—To extend the application of the International Coffee Agreement Act of 1980 for one year. July 19, 1982.
65. **S. 2544** (Mr. Cohen)—To provide access to trade remedies to small businesses, and for other purposes. August 5, 1982.
66. **S. 2558** (Mr. DeConcini)—To increase the duty on imported copper by an amount which offsets the cost incurred by copper producers in the United States in meeting domestic environmental requirements. September 27, 1982.
67. **S. 2692** (Mr. Danforth)—To suspend until January 1, 1987, the column 1 rate of duty on certain small toy and novelty items. September 2, 1982.
68. **S. 2699** (Mr. Bentsen)—To suspend the duty on 1,6-Hexanediol until July 1, 1985. September 28, 1982.

69. **S. 2705** (Mr. Long)—To suspend the duties on mixtures of mashed or macerated hot red peppers and salt until the close of June 30, 1985. September 10, 1982.
70. **S. Res. 177** (Mr. Cohen)—Relating to the importation of potatoes from Canada. November 3, 1981.
71. **S. Res. 393** (Mr. Pressler)—Expressing the sense of the Senate that the Secretary of Agriculture should promptly call for a section 22 study on honey imports. July 19, 1982.

Appendix D

Litigation in Fiscal Year 1982

Completed Litigation

Antidumping Determinations

Babcock & Wilcox v. United States (Court of International Trade Case Nos. 80-5-00772 and 82-5-01179, Consolidated No. 80-5-00772)

On April 9, 1980, the Commission determined in *Pipes and Tubes of Iron or Steel From Japan* (Inv. No. 731-TA-15 (Preliminary)) that there was no reasonable indication that an industry in the United States is materially injured or threatened with material injury, or that the establishment of an industry in the United States is materially retarded, by reason of the importation from Japan of three of the four classes of pipes and tubes of iron or steel from Japan allegedly sold at less than fair value. This determination was challenged in a complaint filed in the Customs Court by Babcock & Wilcox Co. On June 16, 1980, the Commission reopened its determination with respect to the fourth class of pipe and tube and, on June 24, 1980, determined that an industry in the United States is not injured or threatened with material injury. Babcock & Wilcox Co. thereupon filed a second complaint, alleging that the reopened determination was arbitrary, capricious, and otherwise not in accordance with the law. Plaintiff moved for consolidation of the two actions, and the Commission did not oppose the motion. Oral argument was held, and a decision was delivered on August 20, 1981, remanding the matter to the Commission for reconsideration of certain product line issues and for construction of an expanded record regarding disaggregated profit figures. The court also disallowed the Commission's revision of its original determination after erroneous data were discovered.

Subsequently, the Commission entered into an agreement with plaintiff to suspend the Court of International Trade appeal pending the filing of a new antidumping petition by Babcock & Wilcox. After the filing of a new petition, the parties were to move jointly to vacate Judge Richardson's opinion of August 20, 1981, as moot.

Sumitomo Metal Industries, Ltd., objected to this procedure. However, the Court of International Trade and subsequently the Court of Customs and Patent Appeals denied Sumitomo leave to intervene. Babcock & Wilcox filed a new petition with the Commission, which resulted in an affirmative preliminary determination on two of three product lines.

On April 13, 1982, the Department of Justice filed a motion in the Court of International Trade on behalf of the Commission to vacate the earlier opinion as moot. Plaintiff opposed the motion and moved to dismiss the action. On July 9, 1982, Judge Boe issued an order dismissing the action as moot.

SCM Corp. v. United States (Court of International Trade Case No. 77-4-00553)

This case involves an appeal of the Commission's determination in the 1975 antidumping investigation *Portable Electric Typewriters From Japan* (Inv. No. AA1921-145) that an industry in the United States is not being or likely to be injured, or prevented from being established, by reason of sales of portable electric typewriters in the United States at less than fair value. SCM Corp. appealed the Commission's interpretation of the term "injury," as it appears in the Antidumping Act, 1921. A motion to dismiss on the ground that the appeal is moot following the affirmative determination in the 1980 electric typewriters investigation was denied. The court ordered the current Commission to supply more specific and explicit reasons for certain aspects of the original Commission decision. 15 Cust. B. & Dec. No. 30 at 18 (July 29, 1981). The Commission submitted its expanded statement of reasons to the

court on September 29, 1981. On July 15, 1982, Judge Newman issued an opinion affirming the Commission's determination and its expanded statement of reasons.

Section 337 Determinations

Canadian Tarpoly Co. v. U.S. International Trade Commission (United States Court of Customs and Patent Appeals, Appeal No. 81-11)

This case is another in several appeals which have arisen from the Commission's determination in *In the Matter of Certain Multicellular Plastic Film* (Inv. No. 337-TA-54). Previously, in *Canadian Tarpoly Co. v. U.S. International Trade Commission*, 649 F.2d 855 (C.C.P.A. 1981), the Court of Customs and Patent Appeals held on February 5, 1981, that plaintiff was not entitled to a writ of mandamus directing the Commission to vacate its order excluding from the United States multicellular plastic film manufactured in a foreign country in accordance with a patented process. In *Sealed Air Corporation v. U.S. International Trade Commission*, 649 F.2d 976 (C.C.P.A. 1981), the Court of Customs and Patent Appeals held on March 12, 1981, that the Commission's exclusion order is valid.

This appeal, *Canadian Tarpoly Company v. U.S. International Trade Commission* (C.C.P.A. Appeal No. 81-11), deals with the Commission's denial on December 10, 1980, of the petition of Canadian Tarpoly, filed November 7, 1980. Tarpoly has now settled its litigation with Sealed Air Corp. and has obtained a license to import the film. The Court of Customs and Patent Appeals has granted Tarpoly's motion to withdraw its appeal, with which the Commission concurred.

Energy Harvester Corp. v. U.S. International Trade Commission (United States Court of Customs and Patent Appeals, Appeal No. 82-8)

This was an appeal of the Commission's termination of *Certain Airtight*

Wood Stoves (Inv. No. 337-TA-92) on the ground of mootness. The investigation was terminated when the Commission accepted a consent order agreement in another case which affected the stoves which were the subject of Inv. No. 337-TA-92. Appellant filed a motion to dismiss, which was granted on April 26, 1982.

Midway Mfg. Co. v. Penn Regal Vending Co. & Jay Industries (Civil Action 81-2455, E.D. Pa.)

This case involves a motion seeking to stay the Commission's proceedings until the district court decides the infringement issues. On February 4, 1982, the Commission filed its opposition to the motion of defendants Penn Regal and Jay Industries to enjoin Commission Inv. No. 337-TA-105, *In the Matter of Certain Coin-Operated Audiovisual Games and Components Thereof*. Before the court could rule on the motion, the parties agreed to a settlement of the case.

Pending Litigation

Litigation Arising From Antidumping Determinations: 14 cases.

Litigation Arising From Countervailing Duty Determinations: 4 cases.

Litigation Arising From Section 337 Determinations: 5 cases.

Litigation Arising From Section 201 Determinations: 1 case.

Litigation Arising in Connection With Section 503 of the Trade Act of 1974: 1 case.

Appendix E

Key Statutes Involving the U.S. International Trade Commission

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

When: The Commission conducts investigations upon its own motion or upon petition on behalf of a firm, a group of workers, or other entity representative of an industry to determine whether an article is being imported in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing an article like or directly competitive with the imported article.

Duration: The investigation must be completed not later than 6 months after being instituted.

Finding: If the Commission's finding is affirmative it must recommend a remedy to the President, who has discretion to take action to provide import relief, such as an increase in duties, the establishment of quantitative restrictions, the negotiation of orderly marketing agreements, or specified types of adjustment assistance to groups of workers, firms, or communities.

Followup: The Commission reports with respect to developments within an industry that has been granted import relief and advises the President of the probable economic effect of the reduction or the elimination of the tariff increase that has been granted.

Sec. 337, Tariff Act of 1930 (Investigations of Unfair Practices in Import Trade)

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

Duration: The investigation must be completed in no more than 1 year, or 18 months in a more complicated case, after the date of publication of notice of investigation in the *Federal Register*.

Finding: If the Commission determines that the importation of such articles is such that the effect or tendency is to destroy or substantially injure an efficiently and economically operated industry, or to prevent the establishment of such an industry, or to restrain or monopolize trade and commerce, it may issue orders excluding the articles from entry or issue cease and desist orders. The President may disapprove these actions within 60 days after issuance of the Commission's determination.

Sec. 703(a), Tariff Act of 1930 (Preliminary Countervailing Duty Investigations), Subsidized Imports

When: The Commission, after the simultaneous filing of a proper petition with it and the Department of Commerce, conducts investigations to determine, on the basis of the best information available to it at the time of the determination, whether there is a reasonable indication that an industry is materially injured, or is threatened with material injury, or the establishment of an industry is materially retarded, by reason of imports of the allegedly subsidized merchandise which is the subject of the investigation by Commerce.

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

Finding: If the Commission's determination is affirmative, Commerce continues its investigation.

*Sec. 705(b), Tariff Act of 1930
(Final Countervailing
Duty Investigations),
Subsidized Imports*

When: The Commission, after a preliminary determination by the Secretary of Commerce that imported articles are subsidized, conducts investigations to determine whether an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of the subsidized merchandise.

Duration: The investigation must usually be completed within 120 days after an affirmative preliminary determination by the Secretary of Commerce or 45 days after an affirmative final determination by the Secretary of Commerce that a subsidy is being provided, whichever is longer.

Finding: If the Commission's determination is affirmative, the Secretary of Commerce imposes a countervailing duty on imports of the articles in question.

*Sec. 733(a), Tariff Act of 1930
(Preliminary Antidumping
Investigations),
Imports Marketed
at Less Than Fair Value*

When: The Commission, after the simultaneous filing of a proper petition with it and the Department of Commerce, conducts investigations to determine, on the basis of the best information available to it at the time of the determination, whether

there is a reasonable indication that an industry is materially injured, or is threatened with material injury, or the establishment of an industry is materially retarded, by reason of imports of the allegedly dumped merchandise which is the subject of the investigation by Commerce.

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

Finding: If the Commission's determination is affirmative, Commerce continues its investigation.

*Sec. 735(b), Tariff Act of 1930
(Final Antidumping
Investigations),
Imports Marketed
at Less Than Fair Value*

When: The Commission, after a preliminary determination by the Secretary of Commerce that imported articles are being, or are likely to be, sold at less than fair value, conducts investigations to determine whether an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of the dumped merchandise.

Duration: The investigation must usually be completed within 120 days after an affirmative preliminary determination by the Secretary of Commerce or 45 days after an affirmative final determination by the Secretary of Commerce that the imported articles are being, or are likely to be, sold at less than fair value.

Finding: If the Commission's determination is affirmative, the Secretary of Commerce imposes a dumping duty on imports of the articles in question.

*Sec. 332, Tariff Act of 1930
(General-Purpose
Investigations)*

When: Upon official request or upon its own motion, the Commission initiates a factfinding investigation on any matter involving tariffs and international trade. This broad provision allows the Commission to investigate trade matters of immediate concern to the Government and the public.

Duration: Unless otherwise directed, the Commission establishes an administrative deadline.

Finding: Unless the President or the Congress directs otherwise, the Commission's reports are made available to all interested parties, the general public, the President and executive departments, and the Congress.

*Sec. 22, Agricultural
Adjustment Act,
Import Interference
With Agricultural Programs*

The Commission conducts investigations at the direction of the President to determine whether any articles are being or are practically certain to be imported into the United States under such conditions and in such quantities as to materially interfere with programs of the Department of Agriculture for agricultural commodities or products thereof, or to reduce substantially the amount of any product processed in the United States from such commodities or products, and makes findings and recommendations to the President. The President may restrict the imports in question by imposition of either import fees or quotas.

*Other Areas of
Involvement by Statute*

*Bestowal of Bounties
or Grants on Imports*

The Commission determines, with respect to any duty-free article on which the Secretary of the Treasury has determined that a bounty or grant is being paid, whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such article. (Sec. 303, Tariff Act of 1930; 46 Stat. 687.)

Uniform Statistical Data

The Commission, 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.

In conjunction with such activities, the Commission and the Secretary of Commerce are to identify concepts underlying the formulation of an international commodity code for reporting transactions in international trade and to report thereon to the Congress. (Sec. 484(e), Tariff Act of 1930, 19 U.S.C. 1484(e); sec. 608, Trade Act of 1974.)

