

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

The Honorable Irving Williamson
Chairman
U.S. International Trade Commission
500 E St., SW
Washington, D.C. 20436

APR 02 2014

DOCKET NUMBER 3007
Office of the Secretary Int'l Trade Commission

Dear Chairman Williamson:

131-039

On March 21, 2014, I notified Congress of the President's intent to enter into negotiations with a group of World Trade Organization (WTO) Members to eliminate tariffs on environmental goods. These negotiations have the potential to increase U.S. exports of environmental goods, create jobs in the United States, and help Members address a wide array of environmental challenges that they currently face.

Investigation I

Under authority delegated by the President and pursuant to section 131 of the Trade Act of 1974, I request that the U.S. International Trade Commission (Commission) provide a report containing its advice as to the probable economic effect of providing duty-free treatment for imports of environmental goods from all U.S. trading partners on: (i) industries in the United States producing like or directly competitive products; and (ii) consumers. In the absence of a universally accepted definition of an "environmental good," I request that, for purposes of its analysis, the Commission refer to the items contained in the list attached to this letter. The analysis should consider each of the environmental goods for which U.S. tariffs remain, taking into account implementation of U.S. commitments in the WTO. The advice should be provided based on the U.S. tariff nomenclature in effect during 2014 and trade data for 2013. I request that the Commission provide its report containing such advice and assessment as soon as possible, but no later than four months after receipt of this letter.

Investigation II

Under authority delegated by the President and pursuant to section 332(g) of the Tariff Act of 1930, I request that the Commission prepare a report with trade information and estimates for certain environmental goods identified in the list attached to this letter. The report should include data for items identified as subject to investigation II, taking into account, as applicable, the additional environmental product descriptions. I request that the Commission provide information, to the extent practicable, on the U.S. HTS nomenclature for these items; specific product examples for "ex-outs" that specify an end use; major U.S. producers; the estimated value of U.S. imports and exports; likely key U.S. export markets; and permanent normal trade relations/most-favored nation applied and bound tariff rates in key environmental goods markets. Information on such trade should be based on 2013 data. I request that the Commission provide its report containing such information as soon as possible, but no later than six months after receipt of this letter.



Conclusion

In accordance with USTR policy on implementing Executive Order 13526, as amended, entitled "Classified National Security Information" and published January 5, 2010, I direct you to mark or identify as "confidential" for a period of ten years, such portions of the Commission's reports for investigation I and investigation II and its working papers that deal with the assessments and analyses, as identified by USTR, in these reports. Consistent with this Executive Order, this information will be classified on the basis that it concerns economic matters relating to the national security of the United States. USTR also considers the Commission's reports to be inter-agency memoranda that will contain pre-decisional advice and be subject to the deliberative process privilege.

I also kindly request that you submit an outline of these reports as soon as possible to enable an appropriate USTR official with original classification authority to provide you with further written guidance on its classification, including the extent to which portions of the reports will require classification and for how long.

The Commission's assistance in this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael B. G. Froman", with a long horizontal flourish extending to the right.

Ambassador Michael B. G. Froman