



# WASHINGTON MONITOR

---

*A Weekly Review of U.S. Trade Policy Developments Affecting Japan*

December 29, 2009

Volume 13 Issue 48

## Contents

### Trade Briefs

- Democrats Propose New Trade Legislation
- *Special Supplement: Report on the Seventh WTO Ministerial Conference\**  
(attached)

### Dumping Watch

- Preliminary Results of AD Investigation regarding Prestressed Concrete Steel Wire Strand from China

### The Week Ahead

*The Washington Monitor is a product of the Japan Fair Trade Center in cooperation with the international trade practice of the U.S. law firm of Winston & Strawn LLP. All questions concerning its content should be addressed to:*

Washington Monitor  
Winston & Strawn L.L.P.  
1700 K Street, N.W.  
Washington, D.C. 20006  
[rmassony@winston.com](mailto:rmassony@winston.com)

## Trade Briefs

### Democrats Propose New Trade Legislation

A majority of Democrats in the U.S. House of Representatives, led by Rep. Michael Michaud (D-ME), have signed on to support legislation requiring a more restrictive U.S. trade policy. The legislation is unlikely to pass in its present form, but it reveals possible areas of emphasis for congressmen looking to roll back trade liberalization.

The legislation would require comprehensive reviews of existing trade agreements such as the North American Free Trade Agreement (NAFTA) and U.S. obligations under the World Trade Organization (WTO). The legislation would also lay out specific requirements for future trade deals--including provisions with strict requirements for environmental, labor, food and product safety, agriculture, trade remedy, human rights, and currency manipulation. The legislation would prohibit certain provisions, as well. For example, there could be no bans on Buy American policies. Finally, the legislation would replace the fast-track mechanism that gives the U.S. President power to negotiate and submit trade deals for ratification untouched. The new mechanism would essentially allow Congress to set the President's negotiating schedule, as the President could only win ratification of deals with partners pre-approved by Congress.

Just before Christmas, Michaud announced that the legislation was now supported by 129 Democrats, a majority of that party. Clearly, this is not a bill that will be proposed by a few idiosyncratic Democrats; there is significant support behind it. However, with contentious and time-consuming healthcare reform legislation pending, some experts believe that this legislation will not move for quite some time.

Furthermore, there is almost no support for the bill within the critical committee for trade-related issues in the House of Representatives: the Ways & Means Committee. Only one Ways & Means member, Rep. Danny Davis (D-IL) is currently committed to support the bill. Another Ways & Means Democrat, Rep. Kendrick Meek (D-FL), has withdrawn his support for the legislation. Without significant support on Ways & Means--and ideally from its Chairman, Rep. Charlie Rangel (D-NY)--the legislation probably has little hope.

Finally, there is no indication that House Speaker Nancy Pelosi (D-CA) has any interest in moving this legislation toward a vote or rounding up members to support it. An initiative such as this would require action from the leader, as it would likely be opposed by the Obama Administration.

Of course, healthcare is currently dominating the legislative landscape. After it passes or fails, there will probably be a significantly different environment on Capitol Hill. Indeed, 2010 is an election year, and it is possible that some House members will exploit populist and protectionist impulses to get votes. Whatever the case, it is difficult to make any forecasts for future legislation while healthcare is still pending.

## Dumping Watch

### Preliminary Results of AD Investigation regarding Prestressed Concrete Steel Wire Strand from China

On December 23, the Department of Commerce (DOC) gave notice of preliminary results in the antidumping (AD) investigation into prestressed concrete steel wire strand (PC strand) from China. The DOC initiated this investigation on June 23, 2009, in response to petitions from three petitioners: American Spring Wire Corp., Insteel Wire Products Company, and Sumiden Wire Products Corp. The International Trade Commission (ITC) issued an affirmative preliminary determination that there was a reasonable indication that a U.S. industry was materially injured by reason of Chinese PC strand imports. The DOC, in conducting its investigation, selected India as the surrogate country. The DOC's preliminary weighted-average dumping margins are 37.72% for WJMP; 151.44% for Xinhua Metal, Fasten Group I&E, and Jiangyin Fasten Steel Products Co., Ltd., Jiangyin Walsin Steel Cable Co., Ltd., and Jiangyin Hongyu Metal Products Co., Ltd.; and a China-wide rate of 193.55%.

### Federal Register Notices

#### *International Trade Administration*

**[A-570-896] Magnesium Metal from the People's Republic of China:** Extension of Time for the Preliminary Results of the Antidumping Duty Administrative Review *74 FR 68227–68228*, December 23, 2009.

**[A-552-801] Certain Frozen Fish Fillets From the Socialist Republic of Vietnam:** Extension of Time Limit for Final Results of the New Shipper and Fifth Antidumping Duty Administrative Reviews *74 FR 68228*, December 23, 2009.

**Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part** *74 FR 68229–68232*, December 23, 2009.

**[A-570-945] Prestressed Concrete Steel Wire Strand From the People's Republic of China:** Preliminary Determination of Sales at Less Than Fair Value *74 FR 68232–68241*, December 23, 2009.

**[C-570-955] Certain Magnesia Carbon Bricks From the People's Republic of China:** Preliminary Negative Countervailing Duty Determination *74 FR 68241–68249*, December 23, 2009.

**[A-570-863] Seventh Administrative Review of Honey from the People's Republic of China:** Preliminary Results of Antidumping Duty Administrative Review and Intent to Rescind, In Part *74 FR 68249–68253*, December 23, 2009.

**[A-570-886] Polyethylene Retail Carrier Bags From the People's Republic of China:** Rescission of Antidumping Duty Administrative Review *74 FR 68253–68254*, December 23, 2009.

**Proposed Information Collection;** Comment Request; Interim Procedures for Considering Requests Under the Commercial Availability Provision of the United States-Peru Trade Promotion Agreement (U.S.-PERU TPA) *74 FR 68035-68036*, December 22, 2009.

**[A-533-838] Carbazole Violet Pigment 23 from India:** Preliminary Results of Antidumping Duty Administrative Review *74 FR 68038-68041*, December 22, 2009.

**[A-570-901] Notice of Amended Final Results of the Antidumping Duty Administrative Review of Certain Lined Paper Products from the People's Republic of China** *74 FR 68036-68038*, December 22, 2009.

**[Application No. 97-10A03] Export Trade Certificate of Review** *74 FR 68042-68043*, December 22, 2009.

**[A-570-827] Certain Cased Pencils From the People's Republic of China:** Preliminary Results of Antidumping Duty Administrative Review *74 FR 68047-68053*, December 22, 2009.

**Application(s) for Duty-Free Entry of Scientific Instruments** *74 FR 67851*, December 21, 2009.

**Mission Statement; Agricultural Equipment and Technology Mission**, May 25-26, 2010 *74 FR 67851*, December 21, 2009.

*International Trade Commission*

**[Inv. No. 337-TA-655] In the Matter of Certain Cast Railway Wheels, Certain Processes for Manufacturing or Relating to Same and Certain Products Containing Same;** Notice of Commission Determination Not To Review a Final Initial Determination Finding a Violation of Section 337; Request for Written Submissions Regarding Remedy, Bonding, and the Public Interest *74 FR 68282-68283*, December 23, 2009.

**[Investigation No. 332-288] Ethyl Alcohol for Fuel Use: Determination of the Base Quantity of Imports** *74 FR 68282*, December 23, 2009.

**[Investigation No. 337-TA-682] Certain Collaborative System Products and Components Thereof;** Notice of Commission Determination Not To Review an Initial Determination Granting Consent Motion To Terminate the Investigation Based on a Settlement Agreement; Termination of the Investigation *74 FR 68076-68077*, December 22, 2009.

**[Inv. No. 337-TA-695] Certain Silicon Microphone Packages and Products Containing the Same;** Notice of Investigation *74 FR 68077-68078*, December 22, 2009.

**The Week Ahead**

- On December 30, the ITC will hold a vote on the final phase CVD investigation into oil country tubular goods from China.
- On January 1, the ITC will be closed for New Year's Day.