



**Office of the
United States Trade Representative
Open Government Plan
June 1, 2012
Version 2.0**

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I. Introduction

The Office of the U.S. Trade Representative (USTR) is responsible for developing and coordinating U.S. international trade, commodity, and direct investment policy, and overseeing negotiations with other countries. The head of USTR is the U.S. Trade Representative, a Cabinet member who serves as the President's principal trade advisor, negotiator, and spokesperson on trade issues.

USTR provides trade policy leadership and negotiating expertise promoting the Administration's trade policy to open markets throughout the world to create new opportunities and higher living standards for families, farmers, manufacturers, workers, consumers, and businesses. The nature of this mission and our trade advisory, negotiating, monitoring and enforcement and dispute litigation responsibilities requires us to work effectively with a diverse group of stakeholders. *To fully achieve our mission requires the participation of all our stakeholders – the public, non-governmental organizations, states, businesses, other government agencies, and Congress.*

President Obama has charted a course for economic recovery that will restore growth and promote broad-based prosperity. It will emphasize improvements in the living standards of American families while reorienting our economy to meet today's challenges – energy, the environment, and global competitiveness.

Pressing economic conditions require USTR to respond to immediate trade problems while staying true to our long-term goals. The President's approach is to promote adherence to the rules-based international trading system in order to promote economic stability, while introducing new concepts – *including increasing transparency and promoting broader participation in the debate* – to help revitalize economic growth and promote higher living standards at home and abroad.

The clear implication of these global challenges is that simply lowering and eliminating tariffs will not produce a successful trade policy. Managing our nation's trade policy and engagement in the world economy has become an ever more complex challenge. We must bring the same vigor and innovation to making trade policies *more transparent and accountable* that we are now applying to the process of developing and implementing our domestic economic policies.

The President's Trade Policy Agenda for 2012 outlines an ambitious scope of work to meet these goals. Across the global stage, USTR will advance market-opening negotiations with our trading partners and bolster existing ties. USTR will continue to actively enforce U.S. rights under our

trade agreements. USTR will conduct these efforts based on high standards that reflect American values on labor and on the environment, and on *public engagement and transparency*.

This plan focuses on expanding the conversation between all of our stakeholders. USTR's goal is to integrate two-way communications to enable more effective trade policies and agreements.

A. Purpose of the Plan

The Office of Management and Budget (OMB) issued the Open Government Directive (OGD) on December 9, 2009. This directive requires all federal agencies to produce an Open Government Plan describing how they will address transparency, participation, and collaboration in their activities.

This document is a major revision of USTR's first Open Government Plan released in April 2010. The plan is developed in accordance with OMB memo M-10-06, Open Government Directive:

“To create an unprecedented and sustained level of openness and accountability in every agency, senior leaders should strive to incorporate the values of transparency, participation, and collaboration into the ongoing work of their agency. Achieving a more open government will require the various professional disciplines within the Government – such as policy, legal, procurement, finance, and technology operations – to work together to define and to develop open government solutions. Integration of various disciplines facilitates organization-wide and lasting change in the way that Government works.”

Assistant United States Trade Representatives (AUSTRs) and other senior USTR officials collaborated in developing the plan as members of USTR's Open Government Steering Committee.

The plan addresses how: (1) USTR is improving transparency; (2) USTR is improving participation; (3) USTR is improving collaboration; (4) the Open Government Flagship Initiative is incorporating transparency, participation, and collaboration; and (5) USTR is using public and employee involvement to contribute to the plan.

B. Ambassador's Commitment to Open Government Principles

In a March 3, 2010 press release, United States Trade Representative Ambassador Ron Kirk commented on USTR holding hearings on intellectual property protection and enforcement:

“President Obama has committed to opening up this Administration’s policy efforts to public input. USTR continues to work hard to be inclusive, and to be attentive to the public’s views.”

At USTR’s senior staff meetings, Ambassador Kirk has described the importance of embracing the Open Government initiative at all levels at USTR. He emphasizes doing business with transparency, participation, and collaboration. He noted that from day one of this Administration USTR has developed and implemented a number of new “open government” initiatives. The agency-wide announcement of this initiative stressed the importance of formally creating and institutionalizing a culture of open government:

“Success in open government requires USTR leadership, governance, and culture change to drive transparency, participation (from the public and every employee in USTR), and collaboration.”

In that spirit, USTR established a cross-USTR Open Government Steering Committee. Core membership includes USTR’s Offices of Administration, Intergovernmental Affairs and Public Engagement, Public and Media Affairs, Trade Policy and Economics, FOIA, and General Counsel.

C. Goals and Priorities

USTR is committed to President Obama’s Open Government Initiative, helping to create a government that is transparent, participatory, and collaborative with the American people. As USTR works to create trade policy that benefits American workers and families, the Open Government initiative is a vital tool in maintaining an open dialogue with the American people.

The following are the USTR FY 2013 annual performance goals and metrics that reflect commitment to open government:

Goal: Develop Strategic and Transparent Policy

Consistent with the President's trade policy agenda, USTR will consult with the Congress, communicate with a wide range of stakeholders, including state and local government officials, and lead interagency trade and investment policy coordination on trade negotiations and initiatives to obtain broad-ranging input, provide accountability, and develop sound, strategic U.S. trade policies.

Objectives:

- Expand and broaden the existing coalition with Congress, interested stakeholders, state

and local governments, and the public to inform and strengthen the U.S. trade agenda, develop Administration trade policies and initiatives, advance key trade legislation, including Congressional approval of trade agreement implementing bills.

- Foster a robust advisory committee system by appointing and consulting an active group of advisors.
- Employ constructive, consensus-building interagency coordination in the Trade Policy Staff Committee (TPSC) and the Trade Policy Review Group (TPRG).

Actions:

- Work with other trade agencies, Congressional trade committees, and interested stakeholders to communicate the benefits of free trade and other agreements to the Congress, interested stakeholders, state and local governments, and the public.
- Work with U.S. development agencies and other government agencies so that appropriate assistance programs are in place to support trade agreements and key trade legislation.
- Consult broadly and intensively with Congressional committees of jurisdiction and the Congressional Oversight Group (COG) on pending trade policy issues and initiatives. Keep committees abreast of key issues, opportunities, and constraints in trade negotiations. Keep committees updated on the positions of our negotiating partners.
- Build support for trade agreements through existing pro-trade congressional coalitions and caucuses.
- Continue to consult regularly with interested stakeholders on trade negotiations, trade agreement implementation, and other issues.
- Strategically select cities and organizations for pro-trade speeches to demonstrate the importance of trade to the local economy.
- Engage Members interested in foreign policy generally.
- Consult broadly with Congress and other stakeholders to develop U.S.-sub-Saharan Africa trade partnership beyond African Growth and Opportunity Act (AGOA) preferences, including exploring possible new models for agreements with African regional economic communities (RECs) or with the proposed Continental Free Trade Area of Africa. In that context, work with Congress to amend and ultimately extend AGOA to enhance the U.S.-Africa economic relationship and support Africa's development in line with the Presidential Directive on Development.
- Convene regular advisory committee meetings and briefings as needed in coordination with other relevant agencies.
- Ensure timely re-chartering and appointment of committees and ensure that committees

meet statutory reporting requirements.

- Expand the membership and strengthen the effectiveness of the Trade Advisory Committee on Africa (TACA) to provide relevant advice on enhancing the U.S.-Africa trade and investment relationship.
- Ensure that the advisory committee system meets the needs of the 21st century economy and the U.S. national economic interest, by seeking advisory input on an ongoing basis as issues arise and posting documents for comment to the Secured Advisory Committee Website.
- Engage the committees to assist in supporting the trade agenda and provide them with regular informative updates on USTR issues and activities.
- Seek to resolve inter-agency trade policy issues at the TPSC level whenever possible, and in a timely manner, reserving only complex or sensitive decisions for resolution in the TPRG (deputy head of agency level).
- Contribute to informed policy making by means of a thorough and up-to-date understanding of the positions of other countries/entities based on direct contacts, input from U.S. diplomatic posts, and other sources.
- Effectively utilize the NSS Deputies and sub-Deputies process to ensure USTR leadership on key Administration trade policy goals and initiatives.

Goal: Effectively Communicate Trade's Benefits

To ensure the advancement of the President's trade policy agenda, USTR will communicate the benefits of international trade and international investment to domestic and foreign audiences, thereby building public understanding of trade's job-creating potential and support for opening markets around the world to trade and foreign investment.

Objectives:

- Create and implement a USTR-wide, proactive communications strategy to explain the job-creating, economy-enhancing benefits of trade to domestic constituencies and stakeholders.
- Enhance outreach to state and local governments on the benefits of trade, particularly those benefits that flow from Free Trade Agreements (FTAs) and membership in the WTO.
- Work with the White House and with agency partners to implement an Administration-wide message on the benefits of international trade.
- Communicate, in consultation with other agencies, the Congress and interested

stakeholders, a common message to foreign countries and their citizens explaining the benefits of trade with the United States, in order to build support for U.S. trade policies and initiatives.

Actions:

- Develop talking points, fact sheets, press releases, electronic newsletters and internet strategy to explain the advantages of trade.
- Organize press events around high profile trade liberalization achievements.
- Build network of private and non-governmental organizations and coordinate messaging on the benefits of trade.
- Survey external research to gauge baseline of current public perceptions of trade and adjust USTR's messaging strategy and develop trade education materials.
- Establish a stronger state-level network of interested stakeholders and work with this network to offer opportunities for information exchange and trade education through USTR participation in conferences and external speaking engagements.
- Develop and distribute educational materials based on available state and local trade export data to interested stakeholders, state representatives and local networks, and seek improved state-level data.
- Coordinate press statements with interested agencies and the White House in order to present coherent and mutually reinforcing trade information to the public.
- Create an informal trade communications working group that meets periodically to examine trade messaging and opportunities for interagency and White House coordination.
- Through cooperation with agencies at the U.S. Export Assistance Centers (USEACs), other key agencies and stakeholders, work to advance the goals of the National Export Initiative (NEI) to increase U.S. exports, including through efforts to educate U.S. businesses – especially SMEs – about global trade opportunities.
- Plan and organize press events hosted by USTR officials and Members of Congress during trade negotiations in Washington as well as at other negotiating sites in the United States and abroad that Congressional delegations visit.
- Work with the House Ways and Means and Senate Finance Committees to develop a strategy focusing on communicating the benefits of trade.
- Anticipate and prepare press statements and press events to counter attacks on a liberalized trade policy.
- Identify foreign constituencies that may be receptive to information regarding the benefits, including environmental and social benefits, of free and fair trade.
- Build relationships with foreign media and place press statements and attend press events

that build support for free and fair trade in key foreign countries.

- Work with USTR’s public affairs counterparts in foreign governments to coordinate a communications strategy to advance trade negotiations and to explain trade disputes.
- Continue to update and implement USTR’s Open Government Plan.
- Respond appropriately and timely to all statutory requests, such as Freedom of Information Act (FOIA) inquiries and Government Accountability Office (GAO) investigations/reports.

D. Stakeholder Engagement and Plan Development

USTR stakeholders are a broad and diverse cross-section of organizations and individuals, including the general public, non-governmental organizations, businesses, states, Congress, and other federal agencies. To supplement many of our face-to-face meetings with this large and varied group, to solicit input for greater transparency, participation, and collaboration, USTR was relying on its new website since launch in early 2009. The [Office of the United States Trade Representative \(www.ustr.gov\)](#) website was improved with a second redesign and update to better illustrate the impact of trade on communities around the country. A new, comprehensive website, [www.export.gov](#) was launched to centralize for the public all information and resources regarding the [National Export Initiative](#).

The Office of Public and Media Affairs manages the interactive website that allows USTR to create and maintain an open dialogue on trade policy. Key features on USTR.gov include an “Ask the Ambassador” section, a blog, social media (Facebook, Twitter), weekly stakeholder newsletter, and an interactive travel map. The Ambassador’s media event schedule is routinely provided weekly to USTR’s press contacts (Press Office Week Ahead), as well as posted for the public too. These initiatives let people know about key USTR events.

Using a new Open Government Feedback Form, the public is encouraged to share their ideas for how USTR’s Open Government Plan can increase transparency, participation, and collaboration. They are asked to tell USTR what information we should prioritize for publication and their thoughts on the quality of our published information. Comments received are provided to all members of the Open Government Steering Committee for discussion and further open government action planning. During the initial building of this plan, recommendations from the public centered around two issues: the Anti-Counterfeiting Trade Agreement (ACTA) negotiations and all other trade-related meetings. There was a desire to make all advisory committee, negotiating, and policy development meetings, and texts available to the public in “real time.”

USTR continues to gain experience while executing this Open Government Plan and applies resulting best practices and lessons learned to existing and future activities. USTR's Open Government Plan is a living document and USTR provides updates on a periodic basis. Notifications of any planned revisions and revised documents are available on the Agency's Open Government website <http://www.whitehouse.gov/open/around/eop/ustr>.

The public is welcome to submit ideas and feedback on ongoing efforts described in the plan, and USTR will explain how the Agency considered the input. USTR will also share how the public can follow our progress and identify opportunities for participation.

E. Organization and Governance

Leadership commitment is essential for success. In response to the Open Government Directive, USTR established an open government governance structure to guide and conduct immediate activities, to evaluate the need for changes to administrative policies, and to look for ways to institutionalize open government within the organizational structure. Deputy USTR and Assistant U.S. Trade Representative (AUSTR) leadership was tasked to provide staff resources and ideas to implement outreach initiatives.

Ambassador Kirk charged RADM Fred Ames, USCG (Ret.), Assistant U.S. Trade Representative (AUSTR) for Administration, with leading the Open Government initiative. Mr. Ames supervises USTR's Director of Information Technology and Director of Finance and as such his office manages the lifecycle of information and resources that supports USTR's mission. The Office of Administration responsibilities cut across the Agency, and the Office also supports many of the functions necessary to execute, monitor, and report progress in meeting open government principles.

USTR established a cross-agency Open Government Steering Committee made up of Senior Executive Service employees from key responsible offices within the Agency. This group is charged with setting open government policy and direction while meeting legal and intergovernmental deliberation requirements. The group also works to secure resources in support of USTR's plan and associated projects. Core membership includes the Office of Administration; Office of the General Counsel; Office of Public and Media Affairs; Office of Trade Policy and Economics; Office of Intergovernmental Affairs and Public Engagement; Office of Small Business, Market Access and Industrial Competitiveness; Office of Congressional Affairs; Office of Southeast Asia and the Pacific; and the Office of Intellectual Property and Innovation.

The Open Government Steering Committee regularly reports out to the Chief of Staff and Deputy USTR's. The Committee is supported by two teams:

- Open Government Media Team: Staff from the Office of Public and Media Affairs and the Office of Intergovernmental Affairs and Public Liaison. This team is responsible for direct interaction with the public and key stakeholders.
- Open Government Data Team: Staff from the Office of Administration and the Office of Trade Policy and Economics. This team is responsible for posting data, monitoring plan progress, and coordinating revisions to the plan.

F. Changing the Culture

In the March 2010, the President's Trade Agenda: Making Trade Work for American Families was released. In this new agenda, an explicit change in culture was embraced:

“U.S. trade policy development needs to become more transparent. Many stakeholders are frustrated with the lack of consultation involved in the development and implementation of trade policy, but we can and should expand public participation in advising U.S. trade negotiators. The methods for doing so will have to evolve but improved websites for the trade policy agencies and more public consultation venues outside the established advisory groups are important steps toward this goal.”

From the beginning of the new Administration, USTR's leadership and staff have embraced openness in a variety of ways. USTR rebranded its image to ensure that it reflects an open door message and that trade benefits for the average American are well understood. USTR began leveraging technology with the launch of a new website in early 2009 to help us meet the principles of open government—transparency, participation, and collaboration.

USTR is taking unprecedented steps towards openness in building and executing trade policy.

- The President's Trade Policy Agenda explicitly discusses commitment to greater transparency in the crafting of trade policy and pledging to engage fully with diverse stakeholders in America in developing trade agreement negotiating objectives. USTR undertook a review of the transparency policies for trade negotiations and has listened to the public's call for more disclosure.
- USTR's Flagship Initiative is the Trans-Pacific Partnership (TPP) free trade agreement negotiations. The Administration developed its negotiating objectives for the TPP Agreement consistent with its pledge to engage fully with diverse stakeholders in America. To that end, this Administration embarked upon an unprecedented scale and scope of consultative outreach related to TPP involving all 50 states and Congressional Committees of Jurisdiction and other interested committees. As the TPP negotiations

proceed, USTR continues active outreach to industry, NGOs, and other stakeholders, including outreach in an effort to ensure that stakeholders around the country understand the goals of this negotiation and can contribute to the development of a new 21st-century trade agreement that reflect U.S. priorities and values. For example, USTR formally invited interested stakeholders (unprecedented) to the second round of negotiations in San Francisco, June 2010. A room was provided to enable the stakeholders to meet with negotiators and discuss their issues and priorities. Daily briefings on developments in the negotiations from the preceding day and the agenda for the current day were provided. Inviting and briefing stakeholders has continued.

USTR uses new media tools, consistent with White House efforts, to provide supplemental outreach and interaction with the public. Web logs, video streams, Facebook, Twitter, e-newsletter, events and speeches around the country serve as avenues of dialogue regarding USTR's mission to make trade work for American families.

USTR's OpenGov website allows for the American public to ask USTR questions, review Annual Freedom of Information Act (FOIA) reports, and contact USTR officials. As USTR works to create trade policy that benefits American workers and families, the Open Government initiative is a vital tool in maintaining an open dialogue with the American people.

To further create and institutionalize a culture of open government at USTR, interested employees were solicited throughout the Agency to represent their regional and functional offices on the Open Government Steering Committee. Lines of communication have been opened to all employees for their ideas on this initiative. Draft Open Government Plan revisions are shared with all employees and incorporate their ideas for improvement. As a result, substantive improvements were made to the plan and both internal processes and the website along the way.

These actions and others under consideration not only open USTR to the public, they give USTR staff at all levels of the organization insight into their senior leadership, mission progress, and a new way of doing business in the sunlight.

Our Open Government Plan continues to foster USTR's commitment to openness with a mission-focused framework for engaging our stakeholders, especially the public.

G. Measuring the Success of Open Government

USTR's measurement will primarily be qualitative (i.e., how well we execute on this plan and our performance goals and objectives). We report progress with respect to execution of the plan

to the public on our Open Government website (www.ustr.gov/open) in the “Evaluating Our Progress” area.

The ultimate measure of the success of Open Government at USTR is its impact on achieving our mission, which requires the participation of all our stakeholders—the public, non-governmental organizations, states, businesses, other government agencies, and Congress. The central objective of Open Government is to enable USTR to deliver better on its mission of opening markets throughout the world to create new opportunities and higher living standards for families, farmers, manufacturers, workers, consumers, and businesses. In our reports on our Open Government execution, we describe the impact that Open Government is having on USTR’s mission performance as part of an ongoing evaluation of the effectiveness of our Open Government programs and policies. See Part VII for specific implementation activities and outcomes.

H. New Initiatives

2012-2013 Calendar Years

Celebrate USTR’s 50th Anniversary. We are organizing a number of activities to commemorate this event, centering on a celebratory event involving USTR staff, USTR alumni (particularly former USTRs), current and past trade leaders from the Hill and the private sector. A unifying theme will drive all of the activities. This series of events will increase understanding and participation from the public and other external stakeholders. It is an opportunity for the Administration to emphasize its plan for expanding exports and economic growth. On May 15, 2012, USTR launched a new webpage, www.ustr.gov/50, where the public can get updates about all of the 50th anniversary activities we will be rolling out periodically over the next few months.

“USTR-U.” Once a month the newsletter will profile an ongoing initiative from within a USTR office. It will allow the public to learn more about initiatives and offices at USTR and the focus will be on issues and how it helps American workers and businesses. The target audience is all interested stakeholders.

2013-2014 Calendar Years

Flagship: Interagency Trade Enforcement Center (ITEC). On February 28th the President signed Executive Order 13601, launching the Interagency Trade Enforcement Center, or ITEC. The ITEC is intended to level the playing field for American workers and businesses by bringing

a more aggressive “whole-of-government” approach to addressing unfair trade practices, and it will significantly enhance the government’s capabilities to challenge unfair trade practices around the world. The Center will conduct outreach to U.S. workers, businesses, and other interested persons to foster greater participation in the identification and reduction or elimination of foreign trade barriers and unfair foreign trade practices.

Bimonthly call with the Ambassador. This will provide the Ambassador the opportunity to speak directly with stakeholders. USTR would make special outreach to non-traditional stakeholders, such as the Hispanic Chamber, Asian Chamber, and African American Chamber of Commerce.

II. Transparency

A. High-Value Data Sets

1. High-Value Information Inventory

USTR followed the process illustrated below to ensure that all datasets would be identified, characterized, and reviewed as potential high-value datasets. The goal was to find those data sets if released, would increase USTR’ mission effectiveness and/or make USTR more accountable to its stakeholders.

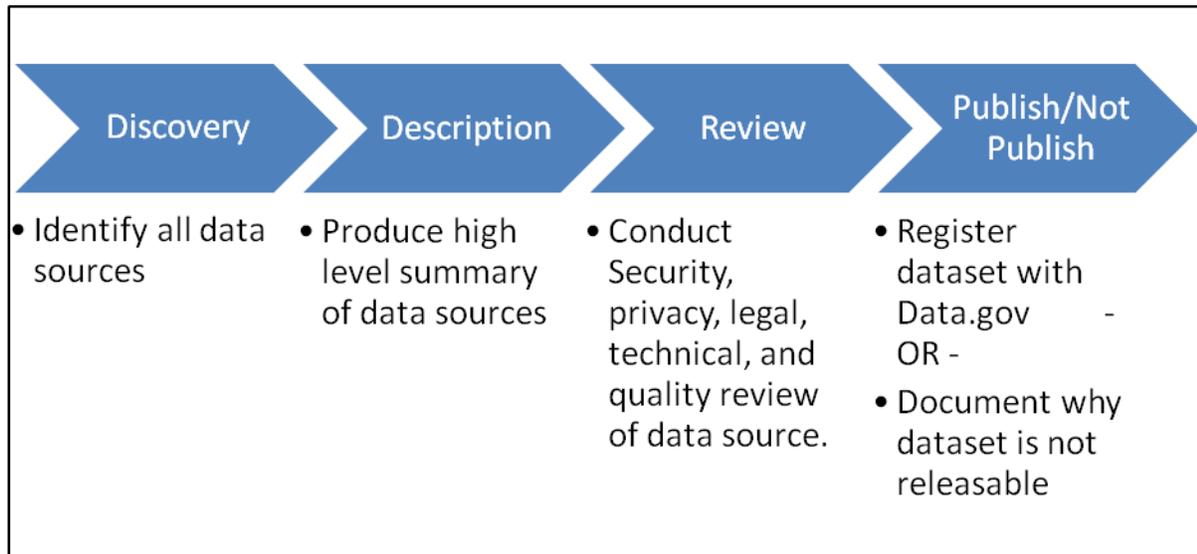


Figure 1 - USTR High-Value Information Inventory Process

For the discovery step, USTR used a data asset catalog developed in November 2009 for its knowledge management plan as a starting point for this inventory. The catalog identified the entirety of USTR’s data as a list of 22 candidate systems /collections. Review of these candidate systems found three that potentially met the definition of high-value information releasable to the public based on security classification, privacy, and handling restrictions. The review also found that four other datasets were already available on public web sites. All datasets discovered and the results of the review are shown in the following table:

| Dataset | Format | Potential High Value Dataset? | Rejection Reason |
|-----------------------------|---------------|-------------------------------|----------------------------|
| email - 1994 - 2004 | groupwise | No | Sensitive data |
| email - 2004 - 2009 | MS Outlook | No | Sensitive data |
| email 2009 - present | MS Outlook | No | Sensitive data |
| GSP and 301 Program Files | pdf | No | Sensitive data |
| Correspondence System | pdf / MS Word | Yes | |
| Human Resource files | paper | No | Sensitive data |
| Geneva Case files | paper | No | Already on public web site |
| Litigation Library | pdf/various | No | Already on public web site |
| Budget Folders | xls | No | Sensitive data |
| USTR Shared Network Folders | various | Yes | |
| Intranet | html | No | Sensitive data |
| ustr.gov | html, pdf | Yes | |
| traderep.gov | html, pdf | No | Already on public web site |
| Financial system | web | No | Sensitive data |
| Personnel system | web | No | Sensitive data |
| eRegs | web | No | Already on public web site |
| EPIC | web | No | Sensitive data |
| NARA Indexes | paper | No | Sensitive data |
| Wash. Records Ctr | paper | No | Sensitive data |
| Microfiche | film | No | Sensitive data |
| Constant Contact | web | No | Sensitive data |
| SIPRNet | various | No | Sensitive Data |

Table 2 – Catalog of USTR Datasets

Once the datasets had been identified and reviewed, USTR consulted via our Open Government Steering Committee and reached out to all employees for their ideas on making available high-value data sets. To meet the initial OMB Open Government Directive requirement for posting three high-value data sets, USTR posted its Freedom of Information Act (FOIA) logs and its trade data set from the Annual Trade Report on its Open Government website, www.USTR.gov/open .

Concurrent with the high-value information inventory process, USTR was also in the process of performing a major upgrade of its public web site. This provided an opportunity to combine tasks, so that at the same time information was reviewed for migration to the new web site, it was also reviewed as a possible high-value dataset. USTR completed a review of approximately 20,000 documents on the website and found approximately 12,000 in html format such as blog entries, press releases, fact sheets, and landing pages. The remainder are primarily .pdf format

converted directly from Microsoft Word or Excel spreadsheets (as opposed to scan of an image) and as such are machine readable to the extent necessary (e.g., the contents are indexed by automated search engines and therefore readily discovered). USTR identified 23 of those .pdf(s) (tariff schedules) that are appropriate for posting on data.gov. These will be converted to a raw format which allows adding machine readable metadata, so they are readily "mashable" with other data. See "Proposed New Data Sets" below.

During the collaboration process, new ideas were suggested to make trade information readily accessible and useable by business and the public. For example, USTR discovered that the "Trade Capacity Building Database," maintained by the U.S Agency for International Development (USAID) was not clearly linked from our Trade Capacity Building (TCB) webpage. In response, we changed the landing text to expand the hyperlink to "database maintained by USAID" and added a second hyperlink titled "Database of US Govt. Trade Capacity Building" to the right call out box of "TCB Resources." Another suggestion implemented was to insert hyperlinks into the overview of dispute settlement matters documents: Dispute Settlement Update and Snapshot of WTO Cases Involving the United States at: <http://www.ustr.gov/trade-topics/enforcement/overview-dispute-settlement-matters>. This makes it easier to locate the individual disputes for further information.

2. New Data Sets

USTR identified high-value information not previously available and established target dates for posting. This project is complete well in advance of its target date.

a. Trade Agreements in Plain English and Tariff Schedules

All free trade agreements (FTAs) are posted in their entirety. As these are written as legal documents, they do not readily lend themselves to use by the general public, especially businesses seeking information as to how particular agreements affects the products and services they would like to sell to the partner countries. Therefore, USTR developed a pilot project to post "plain English" summaries of the agreements in an open government format along with the associated country tariff schedules as datasets. The latter are especially high value as USTR receives numerous calls for information that would now be readily available and downloadable. There are 23 FTA tariff schedules of almost 30,000 lines of data each.

This initiative required coordination across numerous offices of USTR to locate the original files on USTR shared network folders and perhaps create/recreate the necessary documents. As a result, the data sets will significantly aid companies and the public in understanding our trade agreements and obtaining the information they may need. The process to collect and post the data is as follows:

- Extract the long and short summaries that explain the FTA,
- Locate the chapter by chapter summary of the FTA as well as the Department of Commerce's explanation of the commercial benefits of the FTA (both part of the FTA package sent to Congress),
- Obtain the excel version of the FTA tariff schedule so it can be converted into an open government format, and
- Develop the new FTA landing page on the USTR website.

With approval of the mockup in January 2011, USTR proceeded through each individual FTA. USTR established a target date of December 31, 2011 for posting the FTA tariff schedules. This work was completed in June 2011. Now FTA landing pages, to the extent possible, have the same look and feel and basic information in an open government format.

b. Freedom of Information Act Requests and Responses

USTR began publishing each incoming Freedom of Information Act (FOIA) request and its response. USTR is publishing the past FOIAs and associated responses of likely greatest interest to the public for 2007 to the present.

B. Transparency Initiatives

1. *Complying with Transparency Initiative Guidance*

USTR has reviewed existing US Government transparency initiative guidance including eRulemaking, IT Dashboard, Recovery.gov, and USAspending.gov. Of these initiatives, only eRulemaking (www.regulations.gov) currently applies to USTR. USTR implemented eRulemaking in October 2008. Since then, over 4,478 public comments have been received in response to public notices posted by USTR. Public submissions to regulations.gov are posted back out for public review within two days. eRulemaking provides optimum consistency, transparency, and records management for USTR's comment solicitation process with the public.

2. *Informing Public of Significant Actions and Business of USTR*

The following actions are being taken to inform the public through a varied set of forums and initiatives.

a. Trade Negotiations

USTR undertook a review of the transparency policies for trade negotiations. Confidentiality remains an essential tool of diplomacy; but, timely public debate and review of major agreements is also essential. In the case of significant agreements that do not require Senate advice and consent or Congressional approval, USTR introduced other means during FY 2010 to assist meaningful public comment. Some of these initiatives are outlined as follows.

USTR's Flagship Initiative is the new [Trans-Pacific Partnership \(TPP\) Free Trade Agreement](#) negotiations. This new initiative presented an excellent opportunity to engage more robustly and in new ways with the American public to gain input as the Administration crafts its trade policy. Public outreach and participation actions are described in Part V. These actions have been implemented during the first twelve rounds of the negotiations which are taking place from March 2010 through the end of calendar year 2012.

b. Anti-Counterfeiting Trade Agreement (ACTA)

The [consolidated text](#) of the Anti-Counterfeiting Trade Agreement (ACTA) was released on October 6, 2010. The text is available on the USTR website: www.ustr.gov/acta.

USTR laid out the policy premises for the ACTA negotiation and the details of the negotiating process more fully than in the past. USTR sought advice from a broad group of experts, including representatives of intellectual property rights holders, Internet intermediaries, non-governmental organizations (NGOs), and others, about prospective U.S. positions on IPR enforcement in the digital environment. USTR won an endorsement from the countries in the negotiation of the importance of providing for meaningful public input to the negotiating process before its conclusion. USTR consulted intensively internally, with the White House, and with other agencies since last year to develop a strategy for enhancing transparency of the ACTA negotiations. As a result of that process, USTR decided to support and work with our trading partners for agreement to first release bracketed text showing the current state of the negotiations. The ACTA participants announced their unanimous agreement to release the text on April 16, 2010, following the 8th round of the ACTA negotiations in Wellington, New Zealand.

After three years, and ten rounds of negotiations, the ACTA parties decided the time was right to conclude their discussions on October 2, 2010. The United States helped lay the foundation for the progress in Tokyo. It chaired an extra round of negotiations in Washington during August, supported the work of the Government of Japan to organize the final round at the Vice-Ministerial level, and worked hard to establish consensus on the outstanding issues. The participants agreed in Tokyo to work expeditiously to resolve the small number of outstanding issues that require further examination in their own countries with a view to finalizing the text of the agreement as promptly as possible. The finalized text of the Agreement is [here](#).

c. First-Ever Reports on Agricultural, Technical Barriers to U.S. Exports

In March 2010 USTR transmitted to Congress the [2010 National Trade Estimate \(NTE\)](#), which describes significant barriers to U.S. trade and investment faced in the last year as well as the actions being taken by USTR to address those barriers. The latest NTE report (2012) can be found at: <http://www.ustr.gov/about-us/press-office/reports-and-publications/2012-1>. In addition, USTR delivered two new, related reports focusing specifically on sanitary and phytosanitary barriers and technical barriers to trade that harm the ability of America's agricultural producers and manufacturers to export around the world. In announcing the release, Ambassador Kirk noted:

“The Obama Administration is following through on its commitment to call out and break down barriers to American exports worldwide. This year, we've gone beyond obligatory reporting to focus on some of the toughest hurdles America's farmers, ranchers, and manufacturers face when they try to sell overseas. USTR will take the information in these new reports, as well as in the National Trade Estimate itself, and use all the tools that we have to get these markets open to American products.”

d. Special 301

USTR held a first ever public hearing as a part of the Special 301 review, a process that culminates in the release of the annual [Special 301 Report](#) evaluating trading partners' intellectual property rights (IPR) protections and enforcement. The hearing opened the floor to more than two dozen individuals representing foreign governments, non-governmental organizations, and industry groups. Those individuals offered testimony to the interagency Special 301 subcommittee regarding a range of intellectual property matters, including pharmaceutical patents and digital copyright infringement. Full audio from the hearing was posted on www.ustr.gov. This Special 301 hearing is a prime example of USTR's direct engagement with members of the public and stakeholders.

e. Federal Trade Advisory Committee Process

USTR's Office of Intergovernmental Affairs and Public Engagement (IAPE) administers the federal trade advisory committee system and provides outreach to, and facilitates dialogue with, state and local governments, the business and agricultural communities, labor, environmental, consumer, and other domestic groups on trade policy issues. The advisory committee system, established by the U.S. Congress in 1974, was created to ensure that U.S. trade policy and trade negotiating objectives adequately reflect U.S. public and private sector interests. The advisory committee system consists of 28 advisory committees, with a total membership of approximately 700 advisors.

USTR is committed to ensuring the public has notice of the date and schedule of all advisory committee meetings. For the committees which USTR has sole jurisdiction: Advisory Committee for Trade Policy and Negotiations (ACTPN), Trade and Environment Policy Advisory Committee (TEPAC), Intergovernmental Policy Advisory Committee (IGPAC), and Trade Advisory Committee on Africa (TACA), and upon approval by our co-administrators for those committees which are jointly administered with other agencies: Labor Advisory Committee (LAC), Industry Trade Advisory Committees (ITACs), Agricultural Advisory Committee (APAC), and Agricultural Technical Advisory Committee for Trade (ATAC), meeting schedules began posting in May 2010 on the USTR website under “[Calendar of Events.](#)” Future meeting dates are posted at the same time as meeting notices are sent to the members. Posting of the committee schedules increases the public’s awareness of the issues and allow for greater consultation with all stakeholders. See <http://www.ustr.gov/about-us/intergovernmental-affairs/advisory-committees> for further information on the advisory committee system, functions and membership.

f. State Coordination

The Office of Intergovernmental Affairs and Public Engagement (IAPE) is designated the North American Free Trade Agreement (NAFTA) and World Trade Organization (WTO) State Coordinator. As such, the office serves as the liaison to state points of contact and state and local government officials and associations on trade issues of interest. IAPE coordinates USTR’s outreach through facilitating USTR briefings; participating in public speaking engagements; notification of USTR notices in the Federal Register soliciting written comments from the public; publicizing Trade Policy Staff Committee (TPSC) public hearings; and meeting with a broad spectrum of groups at their request. A “[States Specific Benefits](#)” interactive map webpage allows the public to click on their state to see how trade benefits where they live. All of these initiatives are implemented.

g. New Media Website and Social Media Tools

The Office of Public and Media Affairs manages [USTR.gov](#), an interactive website that allows USTR to create and maintain an open dialogue on trade policy. Key features on [USTR.gov](#) include an “[Ask the Ambassador](#)” section, a blog, a “[Weekly Trade Spotlight](#),” and an interactive travel map. The website’s blog is used to inform the public of upcoming events, as well as current events at USTR. The public can sign up for the USTR “[Trade Talk Email Newsletter](#).” This email newsletter contains news and information regarding United States trade policy and is delivered electronically to subscribers who have requested to receive correspondence from USTR. It summarizes the past week’s website updates. USTR is using the following social

media tools: Twitter, YouTube, Vimeo, Flickr, and Facebook. On a monthly basis the metrics that indicate the level of interest (e.g., number visits, posts, “fans”) is tracked as available from the tool. These initiatives are all implemented.

3. Records Management

USTR is responsible for creating and preserving records that adequately and properly document the organization, functions, policies, decisions, procedures, and essential transactions of USTR. USTR’s records management policy establishes specific requirements under which USTR records are effectively and efficiently managed throughout their lifecycle to facilitate the accomplishment of USTR’s programmatic and administrative missions; to preserve official USTR records in accordance with applicable statutory and regulatory requirements; and to promote access to information by USTR staff, USTR partners, and the public, as appropriate. This responsibility is delegated to the Assistant U.S. Trade Representative (AUSTR) for Administration.

The AUSTR for Administration is responsible for leadership, planning, overall policy, guidance, and general oversight of records management in the Agency, and its incorporation into the broader information resources management framework. The Office of General Counsel assists in determining what records are needed to provide adequate and proper documentation of USTR activities and in specifying appropriate disposition for USTR records. The Office of General Counsel also assists in determining the retention of Agency records that may be needed for internal investigation and audit purposes.

The vital records program is one element of the Agency’s emergency management and disaster preparedness and records management functions. USTR must identify and protect those mission essential records that specify how USTR will operate in case of an emergency, disaster, or threat of disruption, and those records essential to the continued operations of the Agency. Supporting documents include USTR’s Continuity of Operations Plan (COOP). The Executive Office of the President’s central file servers and email system are designed to remain available in case of an emergency, disaster, or threat of disruption. All USTR vital records are stored on these systems.

Further information on USTR’s record management system and vital records can be found at: <http://www.ustr.gov/about-us/reading-room/freedom-information-act-foia/electronic-reading-room>.

4. Freedom of Information Act

The Freedom of Information Act (FOIA) Program at the Office of the U.S. Trade Representative (USTR) is located in the Office of Policy Coordination and operates under the authority of the

Assistant USTR for Policy Coordination, who is the Chief FOIA Officer for the Agency. The FOIA Program is managed by the Chief FOIA officer with a FOIA specialist and a FOIA Attorney. Together they provide guidance to the Agency's 240 employees on FOIA policy, including the new presumption of openness outlined in the Attorney General's FOIA guidelines, dated March 19, 2009.

On receipt of a FOIA request, the FOIA specialist transmits the request by e-mail to the action Assistant USTR(s) who has 48 hours to name the person on his/her staff that will be responsible for the FOIA. The FOIA specialist adds the FOIA to the FOIA log, and transmits the due date to the action officer. At a weekly FOIA meeting of the Chief FOIA Officer, the specialist and the attorney, the status of all FOIAs is reviewed and the action offices are contacted to ascertain if they are on course to complete the FOIA.

In the new Administration, several changes have been made to the FOIA program to make it more responsive to the public. The President's FOIA Memorandum and the Attorney General's FOIA guidelines have been discussed in Senior Staff meetings to ensure that all managers understand the presumption of openness. The USTR and the General Counsel have underscored the importance of transparency throughout the Agency, and particularly in the FOIA program. To be sure that the Attorney General's guidelines were well understood, USTR contacted the Justice Department to arrange for a training session by two of their attorneys. Each USTR unit designated at least one individual to attend the training and to brief their office mates.

To respond to FOIA requests with more accurate information and in a timelier manner, the USTR FOIA Staff instituted a process of contacting requestors with the relevant USTR staff present to achieve a precise understanding of the scope of the request. If the request is overly broad, USTR will seek to narrow it to match the requestor's interest, and, therefore respond with more accurate information. In addition, USTR has instituted a policy of having a FOIA staff member personally review and challenge every individual exemption for openness with the responding office in every FOIA request.

In order to fully automate the FOIA program and cut down on processing time for FOIA requests, all FOIAs are entered into the tracking system of the Executive Secretary of the Agency. See the Customer Relationship Management (CRM) system in 5.a. below. This system ensures that FOIAs are given the highest visibility within the Agency and that follow-up on late FOIAs takes place in a timely fashion. The adoption of this process has enhanced USTR's ability to establish and monitor metrics regarding timely processing.

USTR receives about 50 FOIA requests per year. They generally fall into one of four categories: trade agreement negotiating documents, correspondence with members of Congress, correspondence with interest groups, and disputes documents.

In 2008, USTR undertook a three-year backlog reduction plan. USTR pledged to reduce its backlog of requests by 10 percent a year, as called for by this Administration, which would bring its backlog to 17 by September 30, 2010. USTR's backlog stood at 13 by the end of 2011. USTR will continue to monitor this goal to ensure that it is met.

During the month of June 2010, FOIA response training was provided to all USTR employees. This mandatory training explained the FOIA program requirements and the fundamental commitment of the Administration to open government as underscored by the Attorney General's memorandum of March 19, 2009: presumption of openness, FOIA is everyone's responsibility, and working proactively and promptly.

As part of this Open Government initiative, USTR [began publishing](#) each incoming FOIA request and its response. Additionally, USTR is now publishing past FOIAs and associated responses and began with those of likely greatest interest to the public.

The following web site link further details on USTR's FOIA process: <http://www.ustr.gov/about-us/reading-room/freedom-information-act-foia>. USTR Annual FOIA Reports (in both PDF and XML formats) are available at: <http://www.ustr.gov/about-us/reading-room/freedom-information-act-foia/annual-foia-reports>.

5. Congressional Requests for Information.

The Office of Congressional Affairs plays a pivotal role in the development of U.S. trade policy through communication with the U.S. Congress. The Office manages relations with Congress for the U.S. Trade Representative. The Office of Congressional Affairs acts as a point of contact for staff and members of Congress to ensure that our trade policy is responsive to their needs and interests.

The Office of Congressional Affairs provides briefings to Congress and interested third party stakeholders, responds to Congressional inquiries, provides advice to Congressional constituents, and coordinates with other USTR offices to help negotiate trade agreements and resolve trade disputes. Transcripts of all past hearings and notices of upcoming hearings are posted on the USTR website.

The Office is staffed with an Assistant U.S. Trade Representative for Congressional Affairs, a Deputy Assistant U.S. Trade Representative for Congressional Affairs, and normally two or three Congressional Affairs Assistants.

a. Responding to Congressional Requests for Information

The Office of Congressional Affairs also oversees all Congressional correspondence. When a Congressional letter or request for information is received by the USTR, it is entered into our tracking system, and tasked out to the appropriate staff for response. USTR's Correspondence Analyst follows up and works with USTR offices, as appropriate, to ensure items are responded to in a timely manner.

Along with the Executive Office of the President (EOP), USTR implemented a new Customer Relationship Management (CRM) system. USTR migrated to the new system in January 2011. The new CRM system gives the USTR several new capabilities that provides for more efficient management of correspondence. The system will allow our small staff to respond to a large number of customers, quickly and efficiently.

USTR's process provides high-level visibility of all Congressional correspondence. Our goal is to guarantee that all Senators, Congressmen, and in particular Committee leadership have been afforded the benefit of written USTR responses before the Ambassador is scheduled to meet with them.

Further information is available at: <http://www.ustr.gov/about-us/congressional-affairs>.

6. Declassification Program

USTR is participating in inter-agency efforts and relying on the expertise of the Information Security Oversight Office (ISOO) and the Central Intelligence Agency (CIA) for declassification requirements. USTR annually reports to ISOO all material which was originally classified by USTR Original Classification Authority (OCA) during the fiscal year, as well as all material derivatively classified as part of USTR's operations. As part of the annual review/report, all newly classified material is independently reviewed by the Director of Security for possible declassification consideration. Throughout the year, USTR coordinates with the CIA Declassification Center to review for declassification all USTR classified material and equities that have reached the 25-year mark for declassification. To expedite the process and ensure public availability of government information that no longer requires classification after 25 years, the CIA has arranged with USTR to automatically declassify USTR documents unless USTR instructs it otherwise. Therefore, all classified materials after 25 years will be automatically declassified except for Probable Economic Effects Studies from the International Trade Commission. USTR declassification program can be found at: <http://www.ustr.gov/about-us/reading-room/public-handbook-gaining-access-ustr-information>.

III. Participation

A. Web Links

The following is a description of and links to appropriate websites where the public and advisors can engage in existing participatory processes of USTR.

www.regulations.gov. The public may provide / review comments regarding USTR's proposed rulemaking and non-rulemaking trade initiatives.

<http://www.ustr.gov/about-us/press-office/ask-ambassador>. The public may ask the USTR Ambassador questions. A variety of questions on popular or current topics are chosen to be answered on the USTR.gov blog. Those not answered on the blog are logged and routed for response through electronic correspondence in the Executive Secretary's office.

<http://www.ustr.gov/about-us/contact-us/your-comment>. The public may send questions, comments, or concerns about trade issues to the Office of the U.S. Trade Representative.

<http://www.ustr.gov/about-us/press-office/share-your-story>. The public may send in personal stories of the affect of trade on their lives.

USTR cleared advisors serving in the statutory advisory committee system may access confidential documents online via a password-protected secure encrypted Wiki and provide input to trade negotiators.

B. USTR Redesigned Website

As USTR develops and maintains its Open Government Plan, we seek the public's input on the information we currently provide on our content-rich website, <http://www.ustr.gov>. USTR's website underwent an extensive redesign effort completed in June 2009. The redesign addressed a number of issues including compliance with Section 508 (accessibility for visually impaired). The new design enables flexible site growth and expansion, effectively communicates USTR's brand, and is inviting to user interaction. The website enables Americans to follow trade policy news and updates, as well as to share their questions and their trade stories with USTR. USTR also launched social media outreach including Facebook and Twitter feeds, as well as

multimedia tools using Flickr and YouTube, where Americans across the country and people around the globe can get the most up-to-date information about USTR's actions.

USTR seeks to continually improve the redesigned website to make USTR's mission and activities more accessible to the public and adding additional features such as live streams, interactive videos and more to ensure maximum use by members of the media, the public, and stakeholders. In keeping with this continuous improvement initiative, in June 2010 USTR re-launched a new front page for the website with increased accessibility and enhanced features.

In October 2010, USTR.gov launched a new multimedia page, allowing for Americans to better view photos, videos, and audio clips directly on the website. This page also enables the public to read transcripts of the video and audio clips, compiling with Section 508 accessibility.

C. Public Comment and Hearings

USTR extended the expansion of comment and advice into the Special 301 process that pinpoints key challenges for U.S. intellectual property-based businesses affected by piracy, counterfeiting, and other forms of IPR theft. In 2010, USTR introduced a more far-ranging public hearing to assure that Special 301 decisions are based on a robust understanding of complicated issues involving intellectual property. USTR's commitment to public engagement will contribute to the development and implementation of sound, well-balanced trade policies to ensure the protection and enforcement of intellectual property rights.

D. Trade Advisory Groups Membership Review

Membership on official trade advisory groups was reviewed to increase the diversity of perspectives from citizens with expertise on the issues. New membership rosters were announced as committees came up for re-chartering, beginning in the first quarter of last year. In keeping with the President's goal of reducing the influence of special interests on U.S. policy, the Administration also has announced that registered lobbyists will not be appointed (or reappointed) to these committees in the future.

E. Outreach to New Stakeholders

USTR will continue to expand our definition of "outreach" with new USTR messages and ensuring that our invitation reaches out to every group by expanding outreach events around the country to include new stakeholders, especially small businesses, and utilizing electronic communications tools such as the e-newsletter, web and video to reach new stakeholders. This is an on-going initiative and will expand as resources permit.

F. Open Door Message

USTR rebranded its image to ensure that it reflects our open door message and that trade benefits for the average American are well understood. USTR will continue using new media tools, consistent with White House efforts, to provide supplemental outreach and interaction with the public to the extent possible given budget and staffing constraints. Specifically, USTR will seek to utilize web logs, video streams, and interactive graphics as additional avenues of dialogue regarding USTR’s mission to make trade work for American families. This is an on-going initiative and will expand as resources permit.

G. Benefits of Trade and Trade Toolbox

USTR uses the website as a communication tool to share information about USTR accomplishments and as an outreach tool to serve the needs of the public (industry, small business, consumer groups, etc). In June 2010, USTR re-developed the “Benefits of Trade and Trade Tool Box.” USTR wants to hear directly from the real people behind the trade data: the workers, farmers, ranchers, manufacturers, and service providers who make our economy go and grow. This feature engages the public with trade information and stories showing how these activities work for others and thereby can work for them. The public is encouraged to share their individual stories. This tool reflects real peoples’ stories and allows direct and personal communication.

H. Media Engagement

USTR will continue to communicate to the American people USTR’s ongoing mission to fulfill the President’s Trade Policy Agenda, through proactive press engagement and direct interaction with media and the public by Ambassador Kirk and a wide variety of USTR staff. Opportunities will be sought to amplify USTR’s domestic message by establishing or strengthening press partnerships with states, localities, and non-governmental organizations. This is an on-going initiative expanding as resources permit.

I. Public Participation Events

1. Completion of Negotiation or Working Sessions

Upon completion of negotiations/rounds/committee meetings (TPP, BIT review, pending FTA’s, in-force FTA’s) non-governmental organization (NGO’s) and industry stakeholders are invited to USTR for briefings, and public sessions are held.

2. Domestic Travel

On each domestic trip of the USTR, Ambassador Kirk participates in a variety of public events, including roundtable discussions with small and medium enterprises (SME's) and members of the NGO community. A variety of these events are covered on the USTR.gov blog, providing updates for those who are unable to be present at the meetings.

IV. Collaboration

USTR's new process of collaboration for trade policy development is described within this link to the [President's Trade Policy Agenda](#) and is further expanded in this plan.

A. Open Government Webpage

USTR launched its [Open Government Webpage](#) on February 5, 2010. USTR is committed to President Obama's Open Government Initiative, helping to create a government that is transparent, participatory, and collaborative with the American people. USTR's Webpage page allows for the American public to ask USTR questions, review Annual Freedom of Information Act (FOIA) reports, and contact USTR officials. As USTR works to create trade policy that benefits American workers and families, our Open Government initiative is a vital tool in maintaining an open dialogue with the American people.

B. Interagency Collaboration

USTR has primary responsibility, with the advice of the interagency trade policy organization, for developing and coordinating the implementation of U.S. trade policy. Under the Trade Expansion Act of 1962, Congress established an interagency trade policy mechanism to assist with the implementation of these responsibilities. The mechanism has three tiers: the National Economic Council located in the White House, the Trade Policy Review Group (TPRG) and the Trade Policy Staff Committee (TPSC) - both chaired by USTR.

The Office of Policy Coordination is responsible for convening the twenty agencies that make up the Trade Policy Review Group and the Trade Policy Staff Committee to review policy papers and negotiating documents. The Office advises the USTR on how to resolve policy differences among the agencies, since all decisions require consensus. On average, the office negotiates agreement on 285 policy papers and negotiating documents annually, and chairs 54 TPSC and TPRG meetings. The Office is also responsible for eliciting advice from the public on policy decisions and negotiations through public hearings and Federal Register notices.

C. Small and Medium-Sized Enterprises

USTR is working to enhance its efforts to address key small business challenges and priorities in our policy initiatives. In January, Ambassador Kirk designated an AUSTR responsible for small business to help coordinate and better reflect small business priorities in our trade policy

activities. To better understand SME performance and to help guide U.S. trade policy activities, USTR requested the U.S. International Trade Commission to prepare a series of reports on U.S. SMEs in international trade.

USTR is establishing, as appropriate, working groups on small and medium-sized enterprises (SMEs) under Free Trade Agreements (FTAs) and other trade initiatives, to facilitate expanded SME trade opportunities. SMEs will be invited to provide input on the benefits and challenges to SMEs in accessing markets abroad in the context of the Trans-Pacific Partnership Agreement (TPP), free trade agreements and other initiatives.

USTR is coordinating with export promotion agencies working with SMEs (including the Commerce Department, the Export-Import Bank, and the Small Business Administration) to integrate trade policy and trade promotion efforts in order to identify new opportunities for expanding SME trade. USTR and other agencies are working to expand SME exports as a priority under the Administration's National Export Initiative. USTR also participates in the interagency Trade Promotion Coordinating Committee (TPCC) working group on SMEs.

USTR is conducting outreach events with other agencies, including some focused on expanding SME trade. For example, USTR convened an SME conference in Washington to hear directly from SMEs around the country, "Jobs on Main Street, Customers around the World," with Ambassador Kirk, SBA Administrator Mills, Commerce Undersecretary Hightower and other senior Administration officials. Ambassador Kirk, Export-Import Bank Chairman and President Hochberg and Commerce Secretary Locke also participated in an SME forum in Illinois with Senator Durbin. Ambassador Kirk has met with SMEs around the country to discuss the U.S. trade agenda. USTR also highlights a variety of SME export success stories on its website blog, www.ustr.gov.

D. Interactive Events

USTR created new opportunities through events with the USTR and USTR staff, for interested parties to participate and provide a variety of viewpoints on trade in light of the changing global market and the Administration's goals of transparency. As an example, USTR initiated TPP "webchats," involving a comment form specifically for TPP at <http://www.ustr.gov/tpp/comment>. This form is used in conjunction with the blog to provide a near real-time chat for interaction with public comments.

E. Increased Access to Experts

USTR is increasing transparency and public access to our experts, while ensuring the ability of USTR to negotiate effectively by enhancing the Advisory Committee system to make it more

reflective of a diversity of opinions and expertise. As described in above, membership on official trade advisory groups was reviewed to increase the diversity of perspectives from citizens with expertise on the issues. New membership rosters were announced as committees came up for re-chartering. This process is complete.

F. Intragovernmental Coordination

USTR is coordinating across the Administration, with particular focus on those agencies whose missions intersect most with USTR (including the Department of State, Department of Commerce, Department of Agriculture, and the National Security Council) to accurately describe trade policy and to reflect the President's Trade Policy Agenda, emphasizing together how smart trade policy translates into better lives and better jobs for American families. In particular, USTR is a member of the Open Government Jobs Working Group. The Group was established to document the Administration's commitment to economic recovery and job growth. The Group will operate with an unprecedented level of openness and accountability and harness new processes, methodologies, and technologies to disseminate trusted information rapidly and in a form the public can readily use. The Group's specific actions - within the principles of transparency, participation, and collaboration - will identify existing programs, jobs data, and strategic drivers in a way that demands collaboration and robust participation by the public. As one of its first objectives, the Group is creating a database of ongoing programs that identify market opportunities. USTR developed a comprehensive list of recent initiatives targeted at opening markets and promoting job creation through barrier reductions and new negotiations to increase American exports.

G. Connections with Trade Communications Partners

USTR is creating connections with trade communications partners to examine trade messaging and opportunities for coordination. In particular, the Office of Public and Media Affairs continues to participate actively in the Trade Promotion Coordinating Committee (TPCC) in the service of the President's National Export Initiative and will continue to coordinate with international trade communications partners individually and through multilateral forums such as the Trade Communicators group at the Organization for Economic Cooperation and Development. This is an on-going initiative.

H. Dispute Settlement Proceedings

USTR consults interagency, with Congress, and with outside stakeholders when considering initiation of a WTO or FTA dispute settlement proceeding. This is an on-going initiative.

I. New Technology Platforms

Improved collaboration among people within and outside USTR included taking advantage of planned enhancements to the [Federal Docket Management System](#) (FDMS). FDMS is the “backend” component to eRulemaking. These enhancements include a document management capability to allow staff, across all government agencies, to collaborate on review of public comments and supporting documentation. Another technology platform that USTR has expanded significantly is [OMB’s MAX Federal Community](#), which is currently used by OMB and Federal agencies to share information and collaborate. MAX began use in May 2010 for the TPP negotiations coordinating both across the U.S. delegation and partner countries. USTR has seven collaborations internal to the agency, 19 collaborations with U.S. government agencies, and four collaborations with advisors and FTA partners.

J. Innovative Methods

The Trans-Pacific partnership (TPP) negotiations employ two innovative methods never used before as the United States engages in trade agreement negotiations. First, USTR established an active outreach to industry, NGOs, and other stakeholders, including outreach in all 50 states in an effort to ensure that stakeholders around the country understand the goals of this negotiation and can contribute to the development of a new 21st-century trade agreement that reflect U.S. priorities and values.

Second, USTR has formally invited interested stakeholders to the negotiations beginning with the second round in San Francisco, June 2010. This has continued through the following twelve rounds, the latest May 2012 in Dallas, Texas. Nearly 200 stakeholders were on-site during the Peru Round (9th round) of negotiations and many made presentations to the nine negotiating teams during a day-long stakeholder forum. Stakeholders also participated in an event on creating opportunities for small-and medium-sized enterprises to develop business in TPP countries. In addition, stakeholders met with individual negotiating teams to provide their views on specific issues.

V. Flagship Initiative -- Trans-Pacific Partnership

A. Overview

USTR's Flagship Initiative will focus on the new Trans-Pacific Partnership (TPP) Free Trade Agreement negotiations. In December 2009, President Obama announced his intention to enter into negotiations of a regional, Asia-Pacific trade agreement, known as the TPP Agreement, with the objective of shaping a high-standard, broad-based regional pact. The initiative is focused on expanding trade with the fastest-growing region in the world and is intended to expand American exports and retain and creating good jobs in the United States. The United States' TPP negotiating partners are Australia, Brunei, Chile, Malaysia, New Zealand, Peru, Singapore, and Vietnam. The first round of negotiations was held in mid-March 2010 following vigorous consultations with Congress and stakeholders. The twelfth round was held in May 2012. This new initiative presents an excellent opportunity to engage more robustly and in new ways with the American public to gain input as the Administration crafts its trade policy. It is appropriate that this high-quality, broad-based 21st Century free trade agreement be developed using the latest technology tools. Therefore, USTR is offering a collaborative online environment based on Wiki technology to coordinate the myriad of documents associated with these talks.

B. Engaging the Public and Maintaining the Dialogue

The Administration developed its negotiating objectives for the TPP Agreement consistent with its pledge to engage fully with diverse stakeholders in America. To that end, this Administration has embarked upon an unprecedented scale and scope of consultative outreach related to TPP involving all 50 states and Congressional Committees of Jurisdiction and other interested committees. USTR is seeking advice not only on issues that have been covered in recent U.S. FTAs, but on cross-cutting issues, including how to use the agreement to support regional integration, encourage regulatory coherence across the parties to the agreement, promote competitiveness of new and emerging industries and technologies, build supply chains that retain jobs in the United States, enhance the ability of small- and medium-sized businesses to export their products and services, increase transparency, and promote development. This effort will also demonstrate that a properly designed process of expanded consultation with stakeholders and Congress does not have to slow down trade negotiations, but can in fact energize talks.

USTR undertook a 50-state outreach strategy to encourage broad input and constructive dialogue on U.S. objectives in the TPP negotiations. USTR also has expanded and updated its TPP

webpage (ustr.gov/tpp) and will use social media tools to widen outreach on this initiative even beyond face-to-face events. Budget permitting, this effort will include live streaming of as many TPP field hearings as possible on USTR.gov, as well as webinars, live blogs and interactive chat sessions.

www.ustr.gov/tpp. The Trans-Pacific Partnership is currently housed under the Free Trade Agreements section of USTR.gov. It holds a right-side callout for the following information: calendar of events, FAQs, relevant websites, ask a question or provide comments on TPP, and links to relevant information (remarks, blogs, pictures, video, etc.). As with other pages on USTR.gov, we keep the text on the page updated. For example, there is a specific page for round 2: <http://www.ustr.gov/tpp-san-francisco>.

We have expanded our message and reach through online outreach. By using other outlets, our goal is to lead people to [USTR.gov/tpp](http://ustr.gov/tpp) for more information. USTR initiated TPP “webchats,” involving a comment form specifically for TPP at <http://www.ustr.gov/tpp/comment>. This form is used in conjunction with the blog to provide a near real-time chat for interaction with public comments. We are periodically using other blogs and websites to explain the TPP initiative. These blogs include America.gov, Whitehouse.gov, and constituent blogs (Chamber, AFL-CIO, etc.).

Along with using other blogs, and USTR.gov, the Office of Public and Media Affairs is using USTR’s Facebook and Twitter pages to give the most current updates on the TPP negotiations, as well as Deputy USTR travels. The Lead Negotiator has held webinars with the public that focus on specific issues relevant to TPP opportunities.

C. External Partners

As the TPP negotiations proceed, USTR will continue active outreach to industry, NGOs, and other stakeholders, including outreach in all 50 states in an effort to ensure that stakeholders around the country understand the goals of this negotiation and can contribute to the development of a new 21st-century trade agreement that reflect U.S. priorities and values. For example, USTR formally invited interested stakeholders (unprecedented) to the second round of negotiations in San Francisco, June 2010. During the week of June 14th, Americans with interests ranging from labor rights to agriculture to environmental protection and other issues joined USTR in San Francisco for the negotiations. USTR was pleased to have the participation of more than twenty-five organizations. USTR staff briefed participating stakeholders daily and held individual and group meetings as requested on a variety of areas of interest. Various groups gave on-site presentations to trade negotiators from the eight participating TPP economies. They gave USTR a daily chance to talk to people who are really interested in both the early shaping

and the outcomes of this agreement. The stakeholders' presence was a daily reality check not only for the U.S. delegation but also for our trading partner delegations that had the chance to hear the views of these groups. This effort has continued throughout the negotiations. For example, more than 200 external stakeholders attended the 9th round held in Peru, October 2011.

D. Metrics

USTR.gov currently employs Google Analytics for website metrics, and these are also used to track TPP-related elements. USTR tracks progress on the 50-state outreach strategy. Outreach has been accomplished for 29 states as of July 2011:

| | |
|---------------|----------------|
| Arizona | Montana |
| Arkansas | Nebraska |
| California | Nevada |
| Colorado | New Jersey |
| Connecticut | New Mexico |
| Florida | New York |
| Georgia | North Carolina |
| Illinois | Oklahoma |
| Indiana | Pennsylvania |
| Maine | Rhode Island |
| Maryland | South Carolina |
| Massachusetts | Tennessee |
| Michigan | Utah |
| Missouri | Virginia |
| | Washington |

Outreach activities included stakeholder briefings, meetings with business communities, and public hearings.

USTR tracks the number of individual contributions to the initiative via the following collaborative and participatory venues.

USTR established a shared virtual online library space (wiki) for collaboration on TPP. This is a first for a free trade agreement negotiation. There are three separate sub-groups for collaboration: (1) U.S. government (USG) agencies only (collaboration across agencies), (2) USG agencies and the eight partner countries, and (3) private sector advisors. The wiki provides a comprehensive collaboration, information sharing, document management, and knowledge management capability. It provides simplicity, structure, authentication, backup, history, knowledge management, and document management. It enables USTR to collaborate and share

TPP information inter-agency, intra-agency, and inter-country. Negotiating documents and public comments are readily shared to the appropriate communities. As of May, 2012, there have been more than 35,000 unique uses (daily count) of the TPP wiki.

Stakeholder voice in TPP negotiations: USTR is consulting regularly with cleared advisers as well as industry, NGO, and academics, and other stakeholders and continues to do so throughout the negotiations. Private sector advisers are provided access to their virtual online library space (Wiki). As noted, USTR formally invited interested stakeholders (unprecedented) to the second round of negotiations in San Francisco, California June 2010. A room was provided to enable the stakeholders to meet with negotiators and discuss their issues and priorities. Daily briefings on developments in the negotiations from the preceding day and the agenda for the current day were provided. These stakeholder invitations and briefings have been held for every round until the latest, the 12th round in May 2012. In this latest round, a new stakeholder engagement forum was piloted.

On Sunday, May 13, 2012, U.S. lead negotiators and eight other TPP countries sat down for a briefing and conversation with dozens of stakeholders interested in the progress, process, and substance of the 12th round of TPP talks happening outside Dallas, Texas. Initial feedback indicated the new format provided the opportunity for more in-depth, substantive exchanges between stakeholders and negotiators and that feedback from presenters at the event will be factored into stakeholder presentation planning for the next round of TPP talks that will occur the first week in July 2012. The floor was opened for questions and a robust exchange followed lasting well past the hour originally allotted for the conversation, which featured questions from stakeholders at the table and in audience chairs including leaders from the AFL-CIO, Citizens Trade Campaign, Coalition for a Prosperous America, the Emergency Committee for American Trade, Friends of the Earth, Grocery Manufacturers Association, Maine Citizens Trade Policy Commission, Public Citizen, and the Sierra Club – among others. USTR plans further briefings of its stakeholders in Washington, DC following the round.

Public voice in TPP negotiations: USTR solicited for public comments on the TPP negotiations via a federal register notice and www.regulations.gov. The 264 comments were then grouped into topics (e.g., Labor, Environment) and then uploaded into the shared virtual online library space (Wiki) being used by TPP partners to carry out the negotiations. As such, the public's unfiltered comments are brought directly to the negotiation table.

USTR followed up with stakeholders who responded to our initial Federal Register Notice seeking input on the initiative and we plan to issue additional Federal Register Notices as appropriate to solicit ideas on specific issues. As noted, stakeholders have been invited to all of

the negotiation rounds. USTR continues to solicit further ideas and questions via the TPP webpage.

E. How Initiative Is Sustained

This is the Administration's highest priority, jobs creation, and this is the first new free trade agreement being pursued since 2008. Top down focus from the Ambassador is driving the initiative. As negotiations proceed, USTR reviews "lessons learned" at the conclusion of each round of negotiations and each state outreach event. USTR evaluates what worked well and what did not work well to ensure continued improvement in public and stakeholder involvement. Initiatives that provide constructive dialog will be continued and adjusted as necessary. Initiatives that did not result in meaningful contributions will be substantively revised or replaced. For example, the new "conversational" stakeholder forum was initiated for the 12th round. Due to general agreement among those stakeholders attending, this new forum will be continued at the 13th round July 2012 in San Diego, CA.

VI. Public and Agency Contribution to the Plan

A. Public

1. *New Media Tools to Reach the Public*

USTR is using new media tools to involve the public and provide supplemental outreach and interaction on TPP and other initiatives to the extent possible given budget and staffing constraints. Web logs, video streams, Facebook, Twitter, e-newsletter, events and speeches around the country serve as avenues of dialogue regarding USTR's mission to make trade work for American families. This is an on-going initiative.

2. *Responding to Public Feedback*

The public is encouraged to share their ideas for how USTR's Open Government Plan can increase transparency, participation, and collaboration. They are asked to tell USTR what information should be prioritized for publication. They are asked for their thoughts on the quality of USTR's published information. As comments are received, they are forwarded to the Open Government Coordinator on a weekly basis and placed on a shared drive accessible to all USTR staff. The Coordinator and the Open Government Steering Committee reviews the comments and incorporates into USTR's plan updates, where appropriate. A summary of the comments will be included in quarterly updates to the plan.

Along with the Executive Office of the President (EOP), USTR implemented a new Customer Relationship Management (CRM) system. The new CRM system gives the USTR several new capabilities that provides for more efficient management of correspondence. The system enables routing of individual Open Government Plan comments to the appropriate action office. This permits USTR to respond back to individual comments with a goal of 30 days.

B. Employees

1. *Open Government Steering Committee*

Employees will continue to be extensively engaged internally, with Assistant U.S. Trade Representative (AUSTR) leadership, to provide staff resources and ideas to implement specific outreach initiatives using new media tools. We established a cross-USTR OpenGov Steering Committee. Core membership includes the Office of Administration, Office of the General Counsel, Office of Public and Media Affairs, Office of Trade Policy and Economics, Office of

Intergovernmental Affairs and Public Engagement, Office of Market Access and Industrial Competitiveness, Office of Congressional Affairs, Office of Southeast Asia and the Pacific, and the Office of Intellectual Property and Innovation.

2. Further Employee Involvement

To ensure we are open to any ideas employees may have on this initiative, we formally asked for further representation from other regional and functional offices, as well as any interested employees. Employees from the Office of Agricultural Affairs, Office of Environment and Natural Resources, Office of the World Trade Organization (WTO) and Multilateral Affairs, and the Office of the Americans all volunteered to be part of this initiative. We have opened lines of communication to all employees for their ideas on this initiative. We shared the draft Open Government Plan with all employees and incorporated their ideas for improvement. As a result, we made substantive improvements to the plan and both internal processes and our website along the way.

VII. Implementation Progress

A. Introduction

USTR is learning from the activities identified in this plan and is capturing the benefits and lessons learned. USTR, through the Open Government Steering Committee, is taking these lessons to make lasting improvements in how the Agency conducts its efforts. Those changes are being incorporated into subsequent revisions of this plan.

USTR leverages the governance structure to monitor activities as they progress. Various levels of staff within USTR engage at decision points and during the review and update of the Agency's plan.

The AUSTR for Administration maintains the lead role in coordinating many of the routine reporting activities, including updates to Data.gov and the Flagship Initiative. USTR's Office of Public and Media Affairs continues to be responsible for providing guidance in maintaining the ustr.gov/open site as the primary resource to stay informed on all of USTR's open government activities.

B. Overview

The Administration has deliberately considered the next direction for American trade policy, with the belief that this *key component of economic recovery should and could be more responsive to Americans' concerns*. USTR is confident that a trade policy focused on American employment and economic growth, incorporating labor and environmental concerns, and *developed with greater transparency and public engagement*, can give the American people greater assurance that trade can both serve our interests and reflect our values. USTR recognizes that many job-supporting trade initiatives will only succeed if U.S. trade policy is oriented toward these goals.

In 2011, the Administration's approach to trade demonstrated a strong commitment to these values. Respect for the rights of workers was made evident – and achieved – in negotiations to advance the U.S.-Korea trade agreement, when the Administration obtained a special motor vehicle safeguard for America's auto workers. It was shown in a more responsive enforcement agenda that *took up the concerns of American workers* and included the first-ever case brought under a U.S. trade agreement for apparent violations of labor commitments.

The President's Advisory Committee on Trade Policy and Negotiations (ACTPN) was fully reconstituted in 2010 to include *more representatives from non-governmental organizations, state and local government, public health, consumer interest, labor and environmental groups*, while maintaining robust membership from the U.S. business community. These new ACTPN members join congressional leaders and other American stakeholders in shaping trade policy that continues to work better for all Americans.

As key trade policies were formed, the Administration *engaged in outreach of unprecedented scale and scope, including consultations with our partners in Congress, with our secure advisors, workers, with businesses and with other interested parties nationwide*. Efforts to address concerns with the U.S.-Korea trade agreement benefited enormously, as did finalizing the Anti-Counterfeiting Trade Agreement and the Special 301 process to identify barriers to American intellectual property exports. *Outreach efforts reached groundbreaking levels in USTR's work to advance the Trans-Pacific Partnership: Members of Congress and stakeholders were included at every stage, from the formulation of negotiating positions and a precedent-setting presence on-site at negotiations to a field hearing in Seattle with key environmental stakeholders and webinars for small business owners and others*. These consultations proved the degree to which expanded consultation can inform and energize talks, especially in addressing and emerging trade issues and the concerns facing U.S. workers and businesses today.

The use of technology underpinned all of USTR's efforts to expand the trade conversation among the American people. After a complete overhaul in 2009, *www.ustr.gov* was improved with a second redesign and update to better illustrate the impact of trade on communities around the country. A new, comprehensive website, *www.export.gov*, was launched to centralize for the public all information and resources regarding the National Export Initiative.

The effect of USTR's broader, more responsive approach was apparent at the end of 2010. As a new agreement that will accompany the U.S.-Korea trade pact was announced, *acclaim for the negotiations' result and for the Administration's transparent and inclusive process of consultations with a broad range of stakeholders was widespread*. In 2011, USTR built on this model of policy success through *responsiveness to Americans' trade interests, values, and concerns*.

USTR's pledge to achieve results that respect the rights of workers and that protect the environment will continue to shape our market-opening efforts and enforcement decisions. *The input of stakeholders remains essential as the Administration sets and executes trade policy priorities*.

Close consultation with Congress continues to be of paramount importance as USTR defines future priorities, seeks to bring home jobs and economic promise through implementation of the Korea, Colombia and Panama trade agreements, and resolves outstanding concerns and advances WTO accessions such as Russia. USTR will seek appropriate Congressional approval as

necessary for the authorities to move forward with new and forward-looking pacts, such as the Trans-Pacific Partnership (TPP).

With regard to TPP, the Administration continues to *develop its negotiating objectives in partnership with U.S. stakeholders and the Congress*. USTR will *continue the practice of inviting stakeholders to provide input directly to negotiators from the United States and the other TPP countries* on the margins of formal negotiating rounds, to ensure that their views are fully reflected in the discussions.

Furthermore, USTR *sustained a high level of public engagement into 2011 when the United States hosted APEC*. In addition to policy meetings, events *shared the benefits of trade with the American public* and educated our Asia-Pacific trade partners about the needs and concerns of American stakeholders. In this effort and across our trade agencies' work, USTR continued to *leverage the latest technology across multiple platforms to uphold high standards for transparency and public communication set by President Obama*.

The goal of USTR's labor and environmental efforts and *outreach to Congress and stakeholders* is to strengthen and restructure our country's trade policy. USTR is building a wider base of support that allows America to reach further around the world for the new markets and opportunities that American businesses and workers need to prosper here at home.

C. 2012 Priorities to Promote Inclusive Trade Policy

Support for the Obama Administration's active trade agenda – including for the trade agreements with Korea, Colombia, and Panama as well as U.S. participation in the WTO – has been built through extensive outreach to U.S. industry leaders, entrepreneurs, farmers, ranchers, small business owners, workers, state and local government officials, and advocates for labor rights, environmental protection, and public health, among other issues.

Constant coordination with Congress is vital. In 2012, this dialogue continues as the Administration seeks input widely regarding rapidly advancing TPP negotiations, and the important challenges and opportunities involved with potential new entrants that have expressed interest in possibly joining TPP. USTR continues to invite stakeholders to receive briefings and make presentations as they did last year during TPP negotiating rounds in Chicago, Chile, Singapore, Vietnam, Peru, and Malaysia, and this year in Australia and Dallas. The Administration continues close consultation with Congress to develop U.S. negotiating positions, including on issues related to labor rights, environmental protections, state-owned enterprises, agriculture, and market-driven innovation policies, among others.

In 2012, USTR is using trade policy advisory bodies to pursue even more dynamic and responsible trade measures that will support American jobs by responding more directly to the needs of U.S. agricultural producers and workers. These bodies were strengthened in 2011 as seven agricultural advisory committees that advise USTR and the U.S. Department of Agriculture (USDA) on trade matters were reconstituted to include 72 first-time members representing a diverse range of stakeholder interests including farmers, ranchers, agribusiness, state government, and public health groups. The Labor Advisory Committee on Trade Policy and Negotiations was expanded to include representatives from a broader range of labor organizations, strengthening the voice of American workers in shaping U.S. trade policy.

To promote robust and inclusive dialogue with the American people and support an active trade agenda in 2012, the Administration continues to develop and deploy innovative communications tools that enable the American people to stay informed about and take better advantage of job-supporting commercial opportunities.

One such effort to support U.S. commercial growth is [SelectUSA](#). Established by Executive Order of the President in June, 2011, SelectUSA is a U.S. government-wide initiative to attract, retain, and expand business investment in the United States to support economic growth and job creation. SelectUSA serves as an information clearinghouse, ombudsman, advocate, and policy expert for firms, economic development organizations, and other stakeholders seeking to grow business investment in the United States. SelectUSA works on behalf of the entire nation and exercises strict geographic neutrality.

The U.S. Government unveiled a new website to assist businesses in the United States called [BusinessUSA](#). BusinessUSA consolidates information and services from across the government into a single, integrated network for American business owners and entrepreneurs that want to begin or increase exporting. And USTR continues to develop the FTA Tariff Tool, a free online tool launched in 2011, which helps more small businesses take better advantage of tariff reduction and elimination under U.S. trade agreements.

Thanks to the input of Congress, the public, and our advisory groups, the Administration's trade policy reflects heightened concern for workers not only in the United States, but worldwide.

D. Specific Achievements

Securing Congressional Approval of the U.S.-Korea Free Trade Agreement. USTR worked with Members of Congress and stakeholders to help secure congressional approval of the [United States-Korea](#)

[Free Trade Agreement \(KORUS FTA\)](#) with strong bipartisan support, including the largest-ever recorded vote in favor of a trade agreement in the U.S. Senate. This victory followed successful efforts to address outstanding concerns related to the KORUS FTA, including a separate December 2010 agreement that leveled the playing field for U.S. automakers and autoworkers competing for customers in both the United States and Korea. It is estimated that KORUS will increase U.S. exports by \$11 billion and support at least 70,000 trade-related jobs in America once it is fully implemented.

Securing Congressional Approval of the U.S.-Colombia Trade Promotion Agreement. The Administration secured congressional approval of the [United States-Colombia trade agreement](#) by a strong margin after working closely with stakeholders and the government of Colombia to address serious concerns related to labor rights in Colombia. In April 2011 President Obama and Colombian President Santos announced the Colombian Action Plan Related to Labor Rights, which lays out a road map for the Colombian government to take swift action to better protect labor rights, prevent violence against unionists, and prosecute the perpetrators of such violence. The Action Plan reflects President Obama's commitment to ensuring that U.S. trade agreements keep faith with workers and reflect U.S. values, including respect for labor rights. The United States will continue to work with the Colombian government to implement both the Action Plan and the U.S.-Colombia trade agreement, which is estimated to increase U.S. goods exports by over \$1 billion dollars annually and support thousands of additional American jobs.

Securing Congressional Approval of the U.S.-Panama Trade Promotion Agreement. The Administration also secured strong support for congressional approval of the [United States-Panama trade agreement](#) after working with stakeholders and the government of Panama to address concerns related to tax transparency and labor rights. Panama has acted to improve its tax transparency practices, to address impediments in its domestic law to robust tax information exchange, and to enact several reforms related to labor rights. Once fully implemented, this agreement is estimated to support additional American jobs by removing barriers to U.S. exporters, investors, and service providers doing business between the United States and Panama.

Securing Legislation to Renew Trade Adjustment Assistance. USTR and the Administration worked closely with Congress to renew [strengthened and streamlined Trade Adjustment Assistance \(TAA\)](#) at the same time that Congress approved the pending free trade agreements. The TAA renewal was consistent with the goals of the 2009 law that improved the scope and effectiveness of the program – for instance, covering Americans employed in the services sector in addition to U.S. workers in the manufacturing sector. The legislation also renewed TAA for firms, farmers, and fishermen. President Obama insisted that TAA reforms be included as part of a balanced trade package to ensure that workers get retraining and assistance for the 21st-century jobs they want and need.

Securing Legislation Extending Trade Preferences for Developing Countries, Building Better Markets for U.S. Exports. The Administration worked with Congress to pass legislation to reauthorize the [Generalized System of Preferences \(GSP\)](#), which provides duty-free treatment for up to 4,800 products from 129 beneficiary developing countries. The President subsequently signed a bill to reauthorize GSP through

July 2013. As part of the same package of trade legislation, the President also signed a bill to extend the Andean Trade Preference Act. The reauthorization of these key preference programs upholds our commitment to partner with the world's developing countries to promote economic growth and lift people out of poverty, and at the same time builds better global markets for U.S. exports.

Building Up Trade Advisory Committees with Broad Representation. This year, the seven agricultural advisory committees that advise USTR and USDA on trade matters were reconstituted to include 72 first-time members, representing a diverse range of stakeholder interests including farmers, ranchers, agribusiness, state government, and public health groups. These new members, together with reappointed members, will provide critical input in the years ahead to help identify and capitalize on new and emerging trade opportunities for America's farmers, ranchers, businesses, workers, and families. Also this year, the Labor Advisory Committee on Trade Policy and Negotiations was expanded to include representatives from a broader range of labor organizations, strengthening the voice of American workers in shaping U.S. trade policy. These new members played an important role in informing USTR's efforts to develop trade initiatives that provide benefits to more workers across the United States. This increased outreach was complemented by continuous transparency as readouts of the committee meetings were publicly posted on <http://www.ustr.gov> and summarized in the weekly e-newsletter for stakeholders.

In 2011, USTR's ongoing and serious dialogue with the American people about trade and jobs produced real results across a wide range of issues and initiatives:

Leveraging Stakeholder Input to Build Unprecedented Support for Job-Supporting Trade Measures. Trade agreements with Korea, Colombia, and Panama were advanced with an unprecedented level of input from stakeholders, including industry, labor, and Congress. As a result of these consultations and outreach efforts [across the United States](#), all three of these export-boosting, job-supporting trade agreements were approved by Congress and implementing legislation was signed by President Obama. In addition, the Trade Adjustment Assistance (TAA) program was strengthened and streamlined to ensure that workers who are adversely affected by trade can receive the training and benefits they need to find good jobs in growing industries.

Engaging with Stakeholders and Enhancing Transparency in TPP Negotiations. USTR expanded the involvement of stakeholders and Congress in every step of [Trans-Pacific Partnership \(TPP\) activities](#) in 2011. At the Chicago round of talks in September, more than 250 stakeholders were invited to receive briefings and make presentations. More than 50 organizations accepted the offer and made presentations to TPP negotiators from all nine participating countries as well as several hundred registered stakeholders. Diverse groups also made presentations and received briefings from TPP Chief Negotiators, at the four international rounds of TPP negotiations, which took place in Chile, Singapore, Vietnam and Peru. USTR consulted closely with Congress and a wide range of stakeholders in developing U.S. negotiating positions, including on issues related to labor rights, environmental protections, state-owned enterprises, agriculture, and market-driven innovation policies, among others. USTR also undertook creative efforts to develop strategic initiatives addressing critical 21st-century topics such as trade enhancing access to

medicines and growing trade in environmental goods and services as well as the conservation of wildlife and wild plants. This dialogue will continue as USTR seeks broad input regarding rapidly advancing negotiations, and the important challenges and opportunities involved with potential new entrants joining TPP.

Creating Tools to Help U.S. Small Businesses Export More Made-in-America Products. In March, USTR and other agencies launched the [FTA Tariff Tool](#), a new, free online tool that helps more small- and medium-sized businesses take better advantage of tariff reduction and elimination under U.S. trade agreements. Through the Transatlantic Economic Council, the U.S. and European Union launched the first-ever Best Practices Exchanges for small businesses in Brussels, Belgium and Washington, D.C.

Deploying New and Dynamic Online Features to Enhance Trade Communications. During two APEC Ministerials – held in Montana in May and Honolulu in November – and the Chicago-hosted TPP round, [the USTR blog](#) was a one-stop shop for constituents to receive real-time updates, on-the-ground reports, and stories spotlighting export opportunities for small businesses. Digital newsletters also enhanced USTR’s direct public engagement. The weekly USTR newsletter was revamped to allow more access to blog postings, press releases and information on USTR participation in meetings and events, and USTR’s first-ever enforcement newsletter was created to spotlight the Obama Administration’s vigilant trade enforcement efforts. The USTR website, <http://www.ustr.gov/>, is continually being developed and maintained as a dynamic online destination for the latest trade news and features.

In 2008, USTR undertook a three-year backlog reduction plan. USTR pledged to reduce its backlog of requests by 10 percent a year, as called for by this Administration, which would bring its backlog to 17 by September 30, 2010. USTR’s backlog stood at 13 by the end of 2011. USTR will continue to monitor this goal to ensure that it is met.

As part of this Open Government initiative, USTR [began publishing](#) each incoming FOIA request and its response. Additionally, USTR is now publishing past FOIAs and associated responses and began with those of likely greatest interest to the public.

Posted “plain English” summaries of the agreements in an open government format along with the associated country tariff schedules as datasets. The latter are especially high value as USTR receives numerous calls for information that would now be readily available and downloadable. There are 23 FTA tariff schedules of almost 30,000 lines of data each. With approval of the pilot in January 2011, USTR proceeded through each individual FTA. This work was completed early in July 2011. Now FTA landing pages, to the extent possible, have the same look and feel and basic information in an open government format.

In April 2011, USTR, the Commerce Department’s International Trade Administration and the Small Business Administration unveiled the online Free Trade Agreement (FTA) Tariff Tool to more than 100 businesses and associations. It can be accessed through

www.export.gov/FTA/FTATariffTool. The FTA Tariff Tool supports the goals of President Obama's National Export Initiative (NEI) that aims to double exports by the end of 2014 in support of several million U.S. jobs. Exporters now have an online resource that streamlines tariff information for 85 percent of goods going to 20 markets with which the U.S. has negotiated trade agreements. This information has never before been available free of charge online in one searchable database. This new tool makes it easier for small businesses to grow and prosper through exports. The website also contains an instructional video, a quick start guide, and a user's manual.

Transitioned the Advisory Committee System to Wiki. With the new system, advisors now post their comments directly on the site. All comments are immediately available for viewing by members. This enhances the security, integrity, and record-keeping aspects of the overall advisor process. Approximately 700 advisors were transitioned to the new Wiki.

Consulted with relevant Congressional committees and staff on all major trade policy issues within USTR's jurisdiction, including: the Doha Development Agenda (DDA), the World Trade Organization (WTO), enforcement and monitoring, Model Bilateral Investment Treaty (BIT) Review, all chapters in the TPP negotiations, China related forums, preference program reform, Anti-Counterfeiting Trade Agreement (ACTA), and the Colombia, Panama, and Korea Free Trade Agreements (FTAs).

USTR Congressional Affairs held weekly open calls with all Hill staff regarding the weekly agenda and any issues related to trade. In addition, Congressional Affairs held regular meetings and calls with USTR committees of jurisdiction, various caucuses, Member delegations, and other agency counterparts. USTR continued to consult closely with key Congressional Committees on possible elements of preference program reform.

Staff regularly met with a broad range of stakeholders to build support for trade policy initiatives. USTR did extensive outreach and briefings to private sector stakeholders and non-industry organizations by participating and attending annual meetings, roundtable discussions, domestic travel, and utilizing online communication tools. USTR expanded outreach with meetings and calls with new constituencies and stakeholders representing small businesses, labor, state and local governments, non-governmental organizations, and religious communities.

Worked with states and municipalities to build support for the trade agenda through speeches, conference calls, meetings with local editorial boards, statements of support, and media events, and widely disseminated the weekly e-newsletter and Federal Register Notice requests for public comment and notice of hearings to state contacts. Convened regular monthly conference calls on the trade agenda with the state and local advisory committees and State Points of Contact, and sought state input for agendas distributed in advance. Ambassador Kirk addressed the U.S.

Conference of Mayors, local chambers of commerce, and met with individual state and local leaders on the trade agenda. USTR staff met with the National Governors' Association, Regional Governors' Associations, Councils of State Governments/State International Development Organizations, National Conference of State Legislatures, and other state organizations, and addressed gatherings of state and local officials and port authorities as well as chambers of commerce around the country.

Consulted and worked closely with the AFL-CIO, which submitted a complaint against the government of Guatemala under the public communication provisions of the CAFTA-DR labor chapter, as well as labor union and other entities in the United States and Guatemala, in developing the factual support for the consultation request by the USTR and Secretary of Labor for Guatemala's apparent failure to effectively enforce its labor law. USTR coordinated action with the Finance, Ways and Means, and other Congressional committees.

Conducted extensive outreach to environmental NGOs and other stakeholders to encourage direct interest and participation in implementation of the environment provisions of FTAs. At each meeting of environment committees for Free Trade Agreements (FTAs) convened public sessions for stakeholders to report out on results. USTR consulted regularly with the Trade and Environment Policy Advisory Committee (TEPAC) to obtain views on environment provisions in FTAs.

Developed more intensive and broader approaches to engaging the public on the potential for leveraging trade negotiations to address compelling international environmental challenges. This was particularly the case in educating the public and preparing positions in the TPP negotiations. USTR regularly convened interested environmental NGOs to develop new ideas on how to integrate concerns with conservation of wildlife, fish and forest resources into the TPP. USTR also conducted an innovative outreach event in Seattle on environmental priorities in the TPP, including a web broadcast of the proceedings.

Senior officials and staff responded affirmatively to and actively sought and developed numerous public speaking engagements around the country to engage the general public, the private sector, state and local government, and small business in order to build support for the Administration's trade agenda. Additionally, United States Trade Representative Ron Kirk and Deputy USTRs Demetrios Marantis, Michael Punke, Miriam Sapiro, and Chief Agriculture Negotiator Islam Siddiqui engaged frequently with the public through the domestic and international press. The USTR press office coordinated numerous press events including formal press conferences, media roundtables, speeches, and photo opportunities during 17 domestic trips. An emphasis was placed on local press outreach during Ambassador Kirk's 13 international trips as well. Exemplary events included Ambassador Kirk's speech at the U.S. Chamber of Commerce to

commemorate the implementation of the Colombian trade agreement, and a speech at the London School of Economics and Political Science addressing U.S.-E.U. trade. Key topics of discussion for domestic travel included the Trans-Pacific Partnership negotiations, as well as the U.S.-Korea and U.S.-Colombia trade agreements. Ambassadors Marantis, Sapiro, Punke, and Chief Agriculture Negotiator Siddiqui interacted with press and the public during many of their domestic and international trips as well.

From the beginning of 2011 until the present, USTR has issued 299 press releases, 48 fact sheets, 80 transcripts of speeches and testimony, and 15 reports on trade issues, all highlighting major policy actions, and statements made by the Ambassador, deputies, and other key trade officials. All press releases were distributed extensively to general issue and region-specific contact lists. Also notable were USTR's new media and social media outreach efforts, which resulted in significant growth in website and social media traffic for the component.

USTR focused most international media relationship-building efforts on frequent contact and follow-up from the Washington, D.C office, and also strengthened relationships through direct engagement with foreign media on thirteen international trips from 2011 to the present. Particular areas of focus included the following:

- Created a Trade Enforcement Newsletter to amplify USTR General Counsel Tim Reif's efforts to enforce global trade rules and trade agreements so as to create a level playing field for American workers, small businesses, farmers, and other companies.
- Expanded engagement with domestic and foreign media regarding the U.S. position on the Doha Round.
- Expanded engagement with domestic and foreign media covering the U.S.-Korea trade agreement, the U.S.-Colombia trade agreement, and the Trans-Pacific Partnership negotiations.
- Directed traditional media and new media campaigns to draw attention to major USTR milestones (e.g. 50th anniversary events, trade agreement implementation events, major U.S. and international speeches).

Each of USTR's 299 press releases was transmitted to foreign media in addition to domestic press. USTR held interviews and press events with Ambassador Kirk on all foreign trips from 2011 to the present, as well as numerous additional press events and foreign media interviews around the world with Deputy USTRs Marantis, Punke, Sapiro, Siddiqui, and other USTR senior staff.

USTR utilized social media throughout 2011 and 2012, accruing a total of 13,763 Twitter followers (who received 1,150 tweets and re-tweets), 1,283 Facebook fans (who received 165 USTR-generated posts throughout the year), and 71 YouTube Subscribers.

The Office of Public and Media Affairs and the Office of Intergovernmental Affairs and Public Engagement (IAPE) continued coordination to plan and amplify domestic travel and events, as well as Washington, D.C.-based outreach, to better explain the benefits of trade. Additionally, USTR continued work to build complementary contact lists and a social media network that includes major trade reporters, members of Congress, issue groups, the private sector, state and local governments, non-governmental organizations, and other trade-relevant associations. By the beginning of 2012, USTR's e-newsletter (launched in 2009) was issued to more than 10,601 subscribers each week.

USTR and its partner agencies successfully re-chartered the advisory committees in a timely fashion and increased stakeholders from the labor, consumer interest, public health, and environmental sectors. USTR implemented White House guidelines regarding federally registered lobbyists and appointed new members from across the country including but not limited to small and medium sized businesses.

Provided monthly conference calls on the first Monday of the month for all advisory chairpersons to inform them of current and timely developments on the trade agenda, and additional calls, as needed. USTR informed senior level staff of the opportunity to brief advisory chairs on issues in their portfolio and circulated detailed agendas in advance to committee chairs. Ambassador Kirk participated in the annual meetings of the committees.

Worked closely with press offices in trading partner countries to coordinate communications strategies and explain trade disputes together. USTR's senior press official was invited to lead portions of the second annual trade communicators' conference at the Organization for Economic Cooperation and Development in Paris, France, which at the urging of the United States now focuses on better making connections between jobs and trade in public messaging on the topic. USTR also worked particularly closely with trading partners such as the EU to coordinate communications on dispute rulings from the WTO.

USTR's review of all USTR practices to ensure greater transparency resulted in the release of Ambassador Kirk's calendars under the Freedom of Information Act, as well as the release of the first-ever draft bracketed text in the ACTA negotiations. The review continues.

Launched an updated version of the website in June 2010, building on the complete overhaul of the site in 2009. The new design made more information more quickly accessible on the front page of the website and improved navigability for visitors interested in trade issues. Federal Register notices were posted in order to solicit public comment and provide notification of public hearings, and 230 updates were made to the USTR blog in 2011 for a total of 558 entries on the site. The USTR website received more than 1,245,000 unique visitors and 3.3 million page views in 2011 – a 30% increase 2010.

Identified and then took the following steps to keep the public informed about the ACTA negotiations and other trade talks:

- Built on the established ACTA web page on the USTR website.
- Posted text online – bracketed, and then final – as well as letters of support and agendas for every round.
- USTR posted a Federal Register notice on <http://www.ustr.gov> asking for public comments on the ACTA text; this was done regarding the Trans-Pacific Partnership negotiations as well. USTR has received significant acknowledgement for transparency on the TPP round and has indicated our intention to continue this level of transparency and expanded outreach in 2011.
- Published a regular newsletter updating USTR actions, policies, and plans.

Ensured the Congress had access to all public material related to trade on our website or through email and posted, whenever possible, related Hill releases on USTR issues.

Regularly consulted interagency, with the Congress, and with outside stakeholders on the merits and likely trade benefits of initiating a new dispute settlement case. USTR obtained interagency review and clearance for each new case.

Consulted and worked closely with the AFL-CIO, which submitted the complaint against the government of Guatemala under the public communication provisions of the CAFTA-DR labor chapter, as well as labor union and other entities in the United States and Guatemala, in developing the factual support for the consultation request by the USTR and Secretary of Labor for Guatemala's apparent failure to effectively enforce its labor laws. USTR coordinated action with the Finance, Ways and Means, and other Congressional committees.

Strengthened internal U.S. Government coordination on regulatory and standards issues related to emerging technologies through the creation of the USTR co-chaired Emerging Technologies Interagency Policy Committee (ETIPC) and through USTR engagement on the newly created Standards Subcommittee of the National Science and Technology Committee. By advancing internal coherence on these standards and regulatory issues, the USG is better poised to engage trading partners early on issues before barriers to trade are created.

Participated in the interagency processes relating to privacy, cybersecurity, and law enforcement capabilities to ensure that trade goals were sufficiently incorporated into broader policy initiatives.

Coordinated closely throughout the year with the National Security Staff and with the White House press office to establish and disseminate appropriate messaging on major speeches, daily press, and major initiatives such as the successful conclusion of the U.S.-Korea trade agreement talks. USTR also coordinated closely with the Departments of State, Commerce, and Agriculture on various public statements and press guidance throughout the year.

Met directly on various occasions with press staff from partner agencies including the Commerce and State Departments, and worked as appropriate through National Export Initiative structures for interagency communication on trade and exports messaging.

Held a Special 301 public hearing on February 23, 2012, and included testimony from 12 witnesses from a variety of stakeholders, including rights holders and foreign governments.