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AFTI Commends Calls for Investigation of India’s Discriminatory Trade Practices

Leaders of the Congressional Trade Committees Respond to AFTI Member Concerns By Initiating Section 332 Investigation into India’s Trade Practices

WASHINGTON, D.C., August 2, 2013 –The Alliance for Fair Trade with India (AFTI) today commended the Chairmen and Ranking Members of both the Senate Finance Committee and the House Ways and Means Committee for taking the extraordinary step of requesting that the U.S. International Trade Commission (USITC) commence a fact-finding investigation into India’s trade and industrial policies. The announcement comes following Vice President Joe Biden’s official visit to India earlier this month.

“A section 332 investigation is critical to effectively addressing actions that threaten manufacturing and jobs in the United States,” said Linda Dempsey, a co-chair of AFTI and the National Association of Manufacturers (NAM) Vice President of International Economic Affairs. “India’s trade and investment climate continues to deteriorate, and this investigation will underscore the need for swift action to reverse India’s discriminatory practices.”

Under Section 332 of the Tariff Act of 1930, the Senate Finance Committee, the House Ways and Means Committee, or the U.S. Trade Representative can initiate a general fact-finding investigation into international trade issues. The investigation...
allows the U.S. government to better understand specific international trade issues and develop appropriate responses to address them.

“This investigation is completely warranted given India’s systematic disregard for intellectual property protection standards,” said Mark Elliot, a co-chair of AFTI and the Executive Vice President, Global Intellectual Property Center, U.S. Chamber of Commerce. “Only through a true partnership can the United States and India achieve innovative progress that benefits both economies. The Indian government must take steps to protect IP standards while building their innovative future.”

In their joint letter, the Committee leaders wrote, “… India has introduced new localization-forcing measures such as local content and technology transfer requirements in the green technology and information and communications technology sectors. And India has not yet taken action to fully and effectively protect and enforce copyrights, including in the digital environment, and has applied its patent law in a discriminatory manner… [W]e are very concerned about the broader impact that India’s trade policy may be having on the global trading system, both in terms of the model it is setting for other countries and the drag it is exerting on multilateral trade negotiations.”

Following today’s letter, the USITC will make detailed inquiries and will ultimately present a final report to the requesting Committees. Previous Section 332 investigations have addressed a broad range of topics, including U.S. customs laws, tariff and trade matters, commercial treaties, and conditions of competition between U.S. and foreign industries.


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The Alliance for Fair Trade with India (AFTI) is committed to supporting U.S. businesses fighting against unfair and discriminatory treatment in India. For more information, go to AFTIndia.org.