June 13, 2011

Submitted via www.regulations.gov

Mr. Donald W. Eiss
Acting Chair
Trade Policy Staff Committee
Office of the United States Trade Representative
600 17th Street, N.W., Suite 1150
Washington, D.C. 20508

Re: USTR-2011-0003 -- Possible Negotiations in the World Trade Organization to Expand the Information Technology Agreement, Including Its Product Coverage

Dear Mr. Eiss:

On behalf of the U.S. technology industry, our associations are respectfully submitting these comments in response to the "Request for Comments on Possible Negotiations in the World Trade Organization to Expand the Information Technology Agreement, Including Its Product Coverage" published on May 6, 2011 in the Federal Register. Our associations represent hundreds of technology companies that drive growth, spur productivity, and provide hundreds of thousands of jobs for American workers.

We strongly support launching an ambitious new tariff-reduction initiative to significantly expand product coverage of the Information Technology Agreement (ITA), which we regard as one of the most meaningful and successful trade agreements in the World Trade Organization (WTO). From 1996 to 2008, total ITA product trade has increased more than 10 percent annually, from $1.2 trillion to $4.0 trillion. In the process, the ITA has helped drive innovation, accelerate productivity, increase employment, create more efficient markets, lower consumer prices, and bridge communities across the globe in ways unimagined 15 years ago.

Yet while the information and communications technology (ICT) sector has exploded with new and improved products since the ITA came into force, the product scope of the Agreement has never been expanded. Moreover, some ITA members have been trying to chip away at the ITA by attempting to remove products from coverage simply because they have been improved upon with increased functionality – essentially penalizing innovation.

ITA product expansion would yield immediate and substantial benefits. We have done preliminary estimates and found an expanded ITA could completely remove tariffs on a least an additional $800 billion in ICT trade globally, a 20 percent increase over the $4 trillion now covered annually. In terms of U.S. trade, we estimate greater than an additional $122 billion in total U.S. ICT trade would be affected, driving increased U.S. exports in support of the President Obama's National Export Initiative.

Equally important, expansion would go far towards eliminating uncertainty that arises as convergence in the ICT industry continues to advance. With dramatic innovations underway that often bring many technology functions into one product, questions of convergence will only multiply. Significant ITA product expansion would effectively address one of the big "next-generation" trade issues confronting our industry, which is product convergence.

At the same time, we reiterate the critical importance of ensuring that all ITA participants comply with the current ITA Agreement. We strongly support U.S. government efforts to ensure prompt and complete European Union compliance with the recent WTO Dispute Settlement Body rulings, and efforts to expand the ITA should, build on, and not come at the expense of, enforcement of the current Agreement.

The original ITA was developed in a strong partnership between the U.S. government and industry. We want to replicate that very important model. While we recognize the negotiations would occur in Geneva, we would also suggest that building political will among our trading partners to expand the ITA could be bolstered through APEC, which the United States is hosting this year. APEC's outspoken support for the ITA at the 1996 Leaders' Meeting was instrumental to the Agreement's successful conclusion in the WTO. This year, ITA expansion would complement one of APEC's themes for 2011 -- innovation and ICT usage.

The Federal Register Notice asks: "(1) Which additional information and communications technology (ICT) products the United States should seek to include and provide duty-free treatment under the ITA, including both products that existed when the ITA was concluded in 1996 but that were not covered under the agreement as well as products that have been developed since then".

In response, our associations have developed an extensive list of products we believe should be included in the ITA (see attached product list). While the ITA is intended to have broad coverage, to adhere to the original idea of the ITA, we have only included products that are ICT products or parts and components that are predominantly used in ICT. We would urge the U.S. government to adopt similar parameters both to adhere to the spirit of the ITA and to keep an expansion initiative manageable and focused on a practical, meaningful outcome.

The Federal Register Notice also asks: "(2) which U.S. trading partners that are significant producers or consumers of ICT products that are not currently participants in the ITA the United States should seek to have join the ITA."

There are currently 73 ITA members in the WTO. Given the pervasive use of ICT around the world, the ultimate goal should be to have all 153 members of the WTO join the ITA. We therefore urge the Government of the United States to also place a focus on expanding the geographic scope of the Agreement. And we urge the United States to continue to require membership in the ITA as a condition of accession to the WTO, and for entering into bilateral or regional free trade agreements with the U.S. government.

We want to underscore that there is significant and growing global support for expanding the ITA. For your reference, we are attaching a recently released global industry statement supporting ITA expansion signed by over 40 tech industry associations from around the world.

We strongly believe expansion of the ITA will give a needed boost to the regular work of the WTO to grow trade around the world. Such an undertaking should be perceived as an important building block that if successfully achieved would lead to even more ambitious initiatives to increase global trade in ICT goods and services.

The benefits of this bold undertaking would be significant and sweeping. We are deeply committed to working with the U.S. government to advance such an initiative, which will expand exports, increase jobs, spur innovation, and promote growth both at home and abroad.

Sincerely,

Consumer Electronics Association (CEA)
Entertainment Software Association (ESA)
Information Technology Industry Council (ITI)
National Electrical Manufacturers Association (NEMA)
Semiconductor Equipment and Materials International (SEMI)
Semiconductor Industry Association (SIA)
Software & Information Industry Association (SIIA)
TechAmerica
Telecommunications Industry Association (TIA)

Attachments: Product Coverage Proposal for Expansion of the WTO's Information Technology Agreement (ITA)

Global High-Tech Industry Calls for Ambitious Expansion of Information Technology Agreement (May 16, 2011)

EXPANSION OF THE INFORMATION TECHNOLOGY AGREEMENT (ITA): PROPOSAL FOR ADDITIONAL PRODUCT COVERAGE

THE FOLLOWING REPRESENTS THE VIEWS OF THE ORGANIZATIONS PARTICIPATING IN THIS JOINT PUBLIC COMMENT IN RESPONSE TO THE MAY 6, 2011 FEDERAL REGISTER NOTICE OF THE OFFICE OF UNITED STATES TRADE REPRESENTATIVE. THIS IS A CONSOLIDATED LIST SHOWING WHICH ICT PRODUCTS THE UNITED STATES SHOULD SEEK TO INCLUDE AND PROVIDE DUTY-FREE TREATMENT UNDER THE ITA. PROPOSED COVERAGE IS SHOWN BY HS SUBHEADING (US LANGUAGE AT DETAILED LEVELS) WHERE THE PRODUCTS ARE BELIEVED TO BE CLASSIFIED, WITH AN APPENDIX FOR ARTICLES PROPOSED TO BE COVERED "WHEREVER CLASSIFIED", AND A SEPARATE APPENDIX HIGHLIGHTING SOME RELATED CLASSIFICATION COVERAGE ISSUES THAT SHOULD BE ADDRESSED IN THE COURSE OF ANTICIPATED NEGOTIATIONS AMONG ITA MEMBERS. FOR QUESTIONS RELATED TO THIS PROPOSAL, PLEASE CONTACT JOHN NEUFFER AT JNEUFFER@ITIC.ORG.

HS 2007 (sub)heading	Other info	Description
3215.11 (black printing ink), .19 (other printing ink), .90 (other ink)		Ink of any kind or concentration for printers, photocopiers, fax machines and multifunction machines (e.g., multifunction printers and digital copiers)[1], wherever classified, and for ink cartridges for any of these goods
ex3701.30		Certain digital plates and film for photography, specifically, Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paperboard or textiles, not x-ray film and not instant print film
ex3701.30.00 and ex3701.99.60		Photomask blanks or (photoblanks), which are quartz substrates coated with photosensitive materials A Photoblank is a synthetic quartz substrate made of high-purity plates of 100% fused silica that have been annealed, polished and beveled according to stringent specifications established by the semiconductor industry, which in turn are coated with a thin layer of chromium and photoresist and used in the manufacture of a photomask. The two classifications differ by the size of the photoblank.

[1] "Multifunction machines" as defined in the recent WTO dispute settlement panel report, "are machines which perform two or more of the functions of printing, copying, or facsimile transmission, capable of connecting to an automatic data-processing machine or to a network (including devices commercially known as MFPs (multifunctional printers), other "input or output units" of "automatic data-processing machines" (ADP), and facsimile machines)." See WTO, European Communities and Its Member States – Tariff Treatment of Certain Information Technology Products, *Reports of the Panel,* WT/DS375,376,377/R at 335-336 (16 August 2010)

ex3701.99.60		Photo masks coated with photosensitive material
ex3702.42, .43, .44		Dry film photo resist (six digit categories differ by width of film)
ex3705.90		Exposed and developed photo masks and reticules. Photomasks are an integral component in the lithographic process of semiconductor manufacturing. High-purity quartz or glass plates containing precision images of integrated circuits (or chips), photomasks are used as masters by chipmakers, and other industries, to optically transfer these images onto semiconductor wafers. Current advanced lithographic tools, such as deepUV steppers, project light through a photomask and a high aperture lens. The intensity of the light casts an image of the device's design--the pattern on the photomask--onto a silicon wafer coated with a light sensitive material called photoresist.
3706.10		Exposed motion picture film, including Sound recordings on motion picture film suitable for use in connection with motion-picture exhibits; and Feature films
3707.10, .90		Sensitizing solution and toner and other chemical preparations for printers, fax machines, photocopiers and multifunction machines, [2] wherever classified, and for bulk toner and for toner cartridges for any of these goods; also liquid photoresist and other chemical preparations for semiconductor manufacturing, such as developer
Ex3907.30		Epoxide resins for the process of semiconductor manufacturing, including mold compounds for semiconductor encapsulation
Ex3926.90.9980		Splice protector sleeves for optical fiber fusion
Ex4907.00 ex4911.10 and ex4911.98 and ex4911.99		Documents of title, specifically licenses to use software in printed form; Other Printed matter, including printed pictures and photographs: trade advertising material, commercial catalogs and the like; specifically coded key cards, stored value cards, and point of sale activation (POSA) cards for downloads and/or activation of games and software and other internet content and services and telecommunications services, wherever classified
Ex6903.10		Graphite or Silicon carbide crucible for use in articles covered under the ITA
6909.11.20		Ceramic wares for laboratory, chemical or other technical uses of porcelain or china, specifically ceramic wares used in the semiconductor manufacturing industry
ex6909.19		Ceramic wares for laboratory, chemical and other technical uses, specifically for products covered by the ITA or by this initiative, including but not limited to equipment classified in heading

[2] Defined supra, note 1.

		8486
Ex7002.20.10		Unworked glass rods of fused quartz or other fused silica (used in semiconductor manufacturing to provide optical elements for microlithography)
Ex7002.31		Unworked glass tubes of fused quartz or other fused silica (used in semiconductor manufacturing to provide optical elements for microlithography)
7006.00.40.50		Synthetic Quartz substrate; glass substrates used in production of photomasks. These are high-purity plates of 100% fused silica that have been annealed, polished and beveled according to stringent specifications established by the semiconductor industry. Synthetic quartz substrates are critical to the manufacture of photoblanks, which are in turn used to make photomasks. Photomasks are used as masters by semiconductor manufacturers to optically transfer images of integrated circuits onto semiconductor wafers.
7014		Signaling glassware and optical elements of glass (other than those of heading 7015), not optically worked: including Lens blanks of glass (other than for spectacles) and other optical elements; lens/blank silicon dioxide; and other silicon dioxide /optical elements
Ex7017.10		Laboratory glassware of fused quartz or other fused silica for products covered by the ITA or by this initiative, including but not limited to equipment classified in heading 8486, to the extent not already covered by the ITA (ITA covers only such articles designed for production of semiconductor wafers but not other semiconductor processes. The items already covered by ITA are at subheading 7017.10.30.00)
Ex7020.00		Other articles of fused quartz or other fused silica for products covered by the ITA or by this initiative, including but not limited to equipment classified in heading 8486, to the extent not already covered by the ITA. (ITA covers only such articles designed for production of semiconductor wafers not other semiconductor processes. The items currently covered by ITA are classified at subheading 7020.00.30)
ex7326.90 (in the US, 7326.90.85.88)		Articles of iron and steel nspf, specifically frames, brackets and other articles of iron and steel for use in manufacturing telecommunications equipment
Ex7616 (7616.99.90)		Frames, brackets and other articles of aluminum for use in manufacturing telecommunications products or for telecommunications apparatus
ex8302.49		Base metal mountings, fittings and similar articles suitable for furniture, specifically, Rack mounts for articles covered by this initiative and the ITA and brackets and similar fixtures for use in

		telecommunications products
ex8414.10		Vacuum pumps for production lines for semiconductors and other items covered by the ITA or this initiative
ex8414.59 and ex8414.90		DC fans and cooling fans used in conjunction with microprocessors or any other products covered by the ITA or this initiative. Some jurisdictions classify such fans in one of these classifications while some use the other. To eliminate conflicts, both should be covered.
ex8414.90		Parts for covered articles classified in heading 8414. This is not a duplicate entry.
8414.59.60.60		Fans, other, centrifugal (not a duplicate entry)
8414.59.60.90		Fans, other, axial (not a duplicate entry)
Ex8414		Fan trays and other sub-assemblies containing fans for use in telecommunications products wherever classified
8415.82.01.70		Air conditioning units for digital printers
Ex8415		Air conditioning units for cooling telecommunications systems
ex8419.39		Dryers for printed circuit board manufacturing
Ex8419.50		Heat exchange units suitable for use in articles covered by the ITA
ex8419.89		Equipment for the treatment of materials by a process involving a change in temperature such as heating (but not for cooking), specifically temperature treatment of rubber or plastics in printed circuit board manufacture.
ex8419.90		Parts for covered articles classified in heading 8419
ex8420.10		Roll laminators for adding printed circuit photo resist to boards
ex8421.19		Certain centrifuges, specifically spinners for coating Liquid Crystal Display substrates
ex8421.21		Water purifying and filtering equipment for manufacturing PCAs[3] or other products covered by this initiative or the ITA
ex8421.29		Refrigerant recovery and recycling equipment and oil separation equipment
Ex8421.29		Liquid filters for articles covered by the ITA (this is not a duplicate entry)
ex8421.39		Industrial gas separators, catalytic converters and air purifiers including hydrogen purifiers and also including air filters and purifiers for use with telecommunications systems and gas filters and purifiers for articles covered by the ITA
ex8421.99		Parts for covered articles classified in heading 8421
8423.20		Conveyor belt scales and other production line scales
ex8423.81, .82, .89		Digital electronic scales
ex8423.90		Weights and parts for digital electronic scales
ex8424.89		Mechanical equipment for spraying liquids, including specifically

[3] PCA refers to “Printed Circuit Assembly”

		equipment for cleaning/spraying PCAs during the production process.
ex8424.90		Parts for covered articles in heading 8424
ex8428.20 ex8428.33 ex8428.39 ex8428.90		Machines for moving PCAs through an assembly line, including conveyors and elevators, and for placing components on printed circuits or substrates
8428.90.01.20		Industrial robots
ex8431.31 ex8431.91		Parts for covered articles in heading 8428
Ex8431.39		Magnetic disk process and transport cassettes and carriers (wherever classified)
ex8442.30		Machines for labeling PCAs and other Phototypesetting and composing machines
ex8442.40		Parts for covered machines of 8442.30
8442.50		Plates, cylinders and other printing components
8443.19		Other printers including textile printing machinery and other machinery used for printing by means of plates, cylinders and other printing components of heading 8442, not elsewhere classified (other than offset, flexographic, letterpress or gravure), including screen printing machinery for applying photosensitive material to panels used in making printed circuits or applying solder, flex adhesive, or sealants to printed circuits; also including large or wide format industrial printing machinery using digital printing technologies
8443.39.20		Indirect process copiers excluded from the original ITA.
8443.39.40		Other contact-type photocopier machines excluded from ITA.
8443.39.50		Thermo copying apparatus.
8443.39.60		Other copiers.
8443.39.90		Other other copiers. One ruling. Hand held label maker.
ex8443.91, .99		Parts and accessories of articles not now covered by the ITA but proposed for coverage here in HS heading 8443
ex8456.90		Plasma cleaner machines used to remove organic contaminants from electron microscopy specimens and specimen holders in semiconductor production process
ex8472		Office machines not covered by ITA. Note that Automatic Teller Machines at HS 8472.90.10 are covered by the ITA. The rest of 8472 is not covered.
8473.10		Parts of word processing machines in heading 8469. The ITA covers 8469 but omits this parts category, perhaps an oversight.
ex8473.40 ex8473.50		Parts for office machines in 8472 not covered by ITA, including "bill note acceptors" that are classified as parts of machines in 8472 not covered by the ITA
8475.21		Machines for making optical fibers and preforms thereof

ex8475.90		Parts for machines described in 8475.21
ex8476.89.00		DVD vending kiosks
ex8477.10.90		Blow-molding machines and other machines or encapsulating or sealing components in PCAs
8477.40		Vacuum-molding machines and other thermo-molding machines
ex8477.59, .80		Other molding machines used in PCA manufacturing
ex8477.90		Parts for covered molding machines in 8477
ex8479.82.0040		Mixing, kneading or stirring machines, specifically machines for mixing etchant solutions for PCAs
8479.50		industrial robots not elsewhere specified or included
8479.81		Industrial machines for treating metal and wire, including coil winders
ex8479.90		Parts for covered articles in heading 8479
ex8480.10		Mold boxes for metal forms for ICT product or component or assembly manufacture
ex8480.20		Mold bases for ICT product or component or assembly manufacture
ex8480.30		Molding patterns for ICT product or component or assembly manufacture
ex8480.41		Injection or compression molds for metal for ICT product or component or assembly manufacture
ex8480.49		Other molds for metal for ICT product or component or assembly manufacture
Ex8480.71		Injection molds used in manufacturing items cove red by the ITA
ex8480.79		Other molds not elsewhere classified for ICT product or component or assembly manufacture
Ex8481.20		Valves suitable for use in articles covered by the ITA
ex8481.30		Certain non-return valves used in ICT product or component or assembly manufacture or testing
Ex8481.80		Pressure-reducing valves and manifolds suitable for use in articles covered by the ITA
ex8481.80.90		Other valves used in ICT product or component or assembly manufacturing or testing including valves with electrical actuators
ex8481.90		Parts of covered valves
ex8483.40		Gears and gear boxes, torque converters, for ICT product or component or assembly manufacturing or testing or for ICT products or components or assemblies
ex8483.50		Flywheels and pulleys for ICT product or component or assembly manufacturing or testing
ex8483.60		Clutches and shaft couplings (including universal joints) for ICT product or component or assembly manufacturing or for ICT

		products such as printers or photocopiers or multifunction machines[4]
ex8483.90		Parts for covered articles in heading 8483, including toothed wheels for gears
Special note regarding coverage of HS 8486		It is submitted that the original ITA covers all of HS 8486, so a request for further coverage is neither appropriate nor necessary. Nevertheless, numerous requests for coverage of this heading were received in the course of compiling these comments, with industry participants claiming that one ITA member country or another was denying coverage to items classified in one or more of the subheadings of HS 8486. The problem is highlighted in the Appendix to this list, showing "Other Coverage Issues." It is noted here to highlight the fact that many industry members do not believe it is covered because that has been their experience. HS 8486 was effective as a result of the HS 2007 review by the WCO and implements the original ITA Attachment A Section 2 product list with consolidated classification headings for semiconductor and flat panel display manufacturing equipment. It covers "Machines and apparatus solely or principally for the manufacture of semiconductor boules or wafers, semiconductor devices, electronic integrated circuits or flat panel displays; machines and apparatus for the manufacture or repair of masks and reticles, assembling semiconductor devices or electronic integrated circuits; and s lifting, handling, loading or unloading of boules, wafers, semiconductor devices, electronic integrated circuits and flat panel displays; parts and accessories."
ex8501		Electric motors and generators, specifically solar panels assembled into modules with diodes and other simple control elements, and power generators to ensure uninterrupted power for data centers in the event of regular power failure
ex8502		Electric generating sets and converters for items covered by the ITA or this initiative
ex8503		Parts for covered articles classified in heading 8502
ex8504.10		Ballasts for discharge lamps or tubes, digitally addressable and suitable for use in IT controlled lighting systems
8504.32; .33		Transformers for the telecommunications industry
ex8504.40 ex8504.50		Electrical transformers, static converters and inductors, specifically power supplies, battery packs and battery chargers for ITA products and products covered by this initiative, wherever those products are classified, to the extent not already covered by the ITA (The ITA covers power supplies for current ITA products. This would add power supplies for products added to the ITA by this initiative and would also add battery

[4] "Multifunction machines" are defined, supra, note 1.

		packs and battery chargers for all products, both current ITA items and products added by this initiative.)
8504.40.95.40		Other power supplies, rectifiers
ex8504.90		Parts for products to be covered in this initiative
ex8505		Electromagnets and permanent magnets, including parts used in or used to make ITA products including products covered by this initiative
8506		Primary batteries and cells and parts thereof, including primary batteries of manganese dioxide
ex8507		Electric storage batteries of all types for goods covered by the ITA and goods covered by this initiative, including data centers utilizing batteries as backup power sources, also including battery packs for machines covered by the ITA or other machines covered by this initiative and including parts of covered batteries but excluding various types of batteries used to power electric vehicles (and covered by specific classifications therefore)
ex8514.10		Resistance-heated furnaces for PCA or other ITA manufacturing
ex8514.20		Microwave ovens for PCA or other ITA manufacturing
ex8514.30		Other furnaces and ovens for PCA or other ITA manufacturing
ex8514.40		Induction heated lab furnaces
ex8514.90		Parts for covered articles in heading 8514
8515.19		Machines for brazing/soldering
8515.21, .29		Machines for resistance welding of metals
8515.31, .39		Machines for arc welding of metals
8515.80		Ultrasonic and other welding machines
ex8515.90		Parts for covered articles in heading 8515
ex8516.80		Other Electric heating resistors
8516.90		Parts of covered items in heading 8516.80
ex8517.12		Telephones for cellular networks or for other wireless networks, to the extent not covered by ITA (The text of the original ITA covers HS heading 8517 without restrictions. These products should therefore be covered by the ITA but apparently some ITA member countries do not cover them)
ex8517.18		Other telephone sets, including videophones, to the extent not covered by ITA (again, based on the original ITA text, and WCO changes in HS since, this category should be covered but apparently some jurisdictions do not agree)
ex8517.61		Other apparatus for transmission or reception of voice, images or other data including apparatus for communication in a wired or wireless network, such as base stations, to the extent not covered by ITA (The same appears to be the case for “base stations.”)
ex8517.62		Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus, including Bluetooth headsets, to the

		extent not covered by ITA (same argument).
ex8517.69		Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus, including for example equipment for the implementation and management of broadband data networks over electric power lines, to the extent not covered by the ITA.(Same argument for broadband over power lines. Additional information will be supplied as it becomes available. Note that the ITA already covers pagers, which are now classified in this subheading)
ex8517.70		Parts of the foregoing items classified in 8517 and not already covered by the ITA
ex8518		Audio equipment including microphones, loudspeakers, headphones and earphones, audio electric amplifiers, including parts, to the extent not covered by ITA (The ITA covers certain loudspeaker and microphone combinations put up in sets for use with computers, as well as certain microphones and loudspeakers for telecommunications use).
Ex8518.30	For purposes of illustration for coverage	Corded headset connected to a computer via USB. A headset using a USB connection uses digital signals and processes the signals using codec capability. Note: some ITA member countries classify in 8471.80 which is covered by current ITA
8519		Sound recording or reproducing equipment, including MP3 players, turntables, tape players, CD players, transcribing machines
8521		Video recording or reproducing apparatus of all kinds, whether or not incorporating a video tuner, including VCRs, DVD players
8522		Parts and accessories for covered articles classified in headings 8519 and 8521
ex8522.90	Note for information to ensure coverage under 8522	Multi-component Integrated circuits incorporated as a part of electronic surveillance equipment
ex8523		Discs, tapes, solid state non-volatile storage devices, “smart cards” and other media for the recording of sound or of other phenomena, whether or not recorded, including matrices and masters for the production of discs, but excluding products of chapter 37. In short, all media for data storage and all recordings on all media, including all types of software even if not used by an identified ADP machine, and all types of semiconductor media such as smart cards and RFID tags, to the extent not already covered by ITA (ITA currently covers unrecorded media of all kinds and software, whether or not with

		audio and/or video elements for ADP machines recorded on media and recordings of data for ADP)
ex8525		Transmission apparatus for radio-broadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras, digital cameras and video camera recorders to the extent not already covered by ITA. Certain articles are already covered by the ITA. See details in the next three entries.
ex8525.50	Listed for illustration	Set top boxes without modems (ITA currently covers set top boxes with communications functions)
8525.60	Listed for illustration	Transmission apparatus incorporating reception apparatus, for example Bluetooth technology, to the extent not covered by ITA (classification discussion at WCO pending)
ex8525.80	Listed for illustration	Television cameras, digital cameras and other video cameras and video camera recorders, including "web cams" and cell phone camera modules to the extent not covered by the ITA(the ITA covers digital still image video cameras classified here)
8526		Radar, radio navigational aid apparatus and radio remote control apparatus, including GPS technology
8527		Reception apparatus for radiobroadcasting, whether or not combined, in the same housing, with sound recording or reproducing apparatus or a clock: (e.g., Pocket sized radio cassette players and radio tape recorder combinations including CD players and clocks; car radios and cassette/disc combos, other AM/FM radios; other radio/CDplayer/tape combos; clock radios; other radio receivers, including infant monitoring systems)
8528.59		Video (non-ADP) monitors with flat panel displays, whether LCD, Plasma, LED or other technology, whether or not including video recording or reproducing equipment, regardless of screen size; video cameras with small flat panel displays
8528.69		Video (non-ADP) projectors using any flat panel display technology, whether or not including video recording or reproducing equipment, regardless of screen size
ex8528.71		Reception apparatus for TV not designed to incorporate a video display or screen, other than set top boxes with communications functions, which may be classified here and are already covered by the ITA
ex8528.71	For	Set top boxes without modems

	illustration	
ex8528.72[5]		Television receivers with screens or projectors, using any flat panel display technology, whether or not including video recording/reproducing apparatus, regardless of screen size, whether HD or not, if not already covered by ITA
ex8529		Parts for covered articles in headings 8525 through 8528 to the extent not already covered by ITA, such as GPS antennas for cell phones
ex8529.90	For illustration	Multi-component integrated circuits incorporated as a part of a set top box
Ex8531.20		Indicator panels for simple character display used for maintenance displays in telecommunications infrastructure devices
Ex8535.40		Lightning arresters used in cellular base stations
8536.20		Automatic circuit breakers
ex8536.30.80		Power distribution units to control or protect electrical circuits including specifically “power strips” and “surge protectors”
Ex8536.50		Switches for electric circuits not exceeding 11 amps, such as uninterruptible power supplies for computers
8536.70		Connectors for optical fiber
8536.69.80		Other connectors for telecommunications products
8536.90.80		Wafer probing plates, probe cards, prober docking hardware, prober docking manipulator, or other items used to test semiconductor wafers (The ITA covers “wafer probers” at 8536.90.40. The request covers a distinct group of semiconductor wafer testing devices other than “wafer probers” that may be classified in the same 6-digit HS subheading but are currently subject to duties)
ex8537		Cabinets/enclosures for covered items described in HS 8536
ex8537		Other indicator panels and control boards
8537.10.60 and ex8537.20		Motor control centers. These are industrial automation systems components; i.e., factory IT. A **motor control center** is an assembly of one or more enclosed sections having a common power bus and principally containing motor control units. A motor controller or motor control unit is a device or group of devices that serves to govern in some predetermined manner the performance of an electric motor. Motor Control Centers (that include programmable controllers) and programmable controllers on their own which are industrial automatic data processing machines capable of 1) storing the processing program or programs and at least the data immediately necessary for the execution of the program; 2) being freely programmed in accordance with the requirements of the user; 3) performing arithmetical computations specified by the user;

[5] 8528.72, including .72.62 through 72.97, but excluding .72.04 through .72.56. The exclusions cover CRT receivers and black/white TVs and partially manufactured kits for CRT TV’s, potentially subject to trade remedy issues.

		and 4) executing, without human intervention, a processing program which requires them to modify their execution, by logical decision during the processing run. HS 8537.10.60 covers motor control centers for a voltage not exceeding 1,000 volts. exHS 8537.20 covers motor control centers for a voltage exceeding 1,000 volts.
ex8537.10.90		Programmable controls. These are industrial automation systems components; i.e., factory IT. A programmable controller or programmable logic controller (PLC) is a digital computer used for automation of electromechanical processes, such as control of machinery on factory assembly lines.
ex8537.10.90		Panel boards and distribution boards not over 1000 volts for use in telecommunications apparatus
ex8537.10.90		Programmable power strips and surge protectors and programmable controllers for voltage not exceeding 1,000 volts
ex8537.10.90		Infrared remote control units for products covered by this initiative or the ITA imported separately[6]
Ex8537.10.90.50		Panel boards and distribution boards for voltage not over 1000 volts
8538.90		Parts for covered articles in headings 8536 and 8537, specifically printed circuit assemblies, molded parts, other parts of switchgear, switchboards, panel boards and distribution boards and adaptors from heading 8537 covered here
ex8542		Multichip integrated circuits (MCP) consisting of two or more interconnected monolithic integrated circuits combined to all intents and purposes indivisibly, whether or not on one or more insulating substrates, with or without leadframes, but with no other active or passive circuit elements.[7]
8543.20		Signal generators
8543.30		Machines for electroplating or electrolysis
ex8543.70.60		Unspecified equipment designed for connection to telephone networks or apparatus[8], including specifically cellular telephone base stations and parts thereof wherever classified
8543.70.80		Microwave amplifiers
8543.70.92		Electrical machines with translation or dictionary functions (some electronic books/readers and other devices with these specific functions may be classified here)
8543.70.96		Flat panel displays for articles of heading 8528 other than ADP articles (i.e., other than computer monitors and projectors)
8543.90		Parts for covered machines of heading 8543
8543.90.68	Listed for	Printed circuit assemblies for flat panel display TVs, monitors,

[6] Infrared remote control units may be imported here or under HS 8543.70, depending on their features.

[7] Stakeholder discussions around this definition are ongoing. The definition will be updated as necessary.

[8] Infrared remote control units may be imported here or under HS 8537.10, depending on their features.

	illustration	projectors and receivers (non-ADP items not currently covered by ITA)
ex8544		Insulated wire, cable (including coaxial) and other insulated electric conductors, whether or not fitted with connectors, including power cords for ADP and other devices covered by ITA, such as set top boxes, to the extent not already covered by ITA and for goods covered by this initiative (electric conductors of a kind used in telecommunications, ex8544.42; ex8544.49; are already covered by ITA as are optical fiber cables at 8544.70)
8544.20		Coaxial cable and other coaxial electric conductors
ex8544.42		Electrical cables fitted with connectors to the extent not already covered by the ITA (ITA covers 8544.42.10 and .20)
8544.49.30.80		Electrical conductor, copper, for voltage >80 and <= to 600
8545.19.20		Electrodes used for electrolytic purposes
8546.10, .20		Glass or ceramic electric insulators
8547.90		Insulated fittings of other than ceramic or plastic and quartz parts used in ITA articles and in semiconductor manufacturing
ex8708.99.81.80		Multi-component integrated circuits incorporated as part the electronics used to control automobile engines
8802.60.30		Communications satellites
8803.90.30		Parts of communications satellites
9001.20		Sheets and plates of polarizing material
9001.90		Other optical elements, including lenses, prisms, mirrors and halftone screens, unmounted
ex9002		Lenses, prisms, mirrors and screens, e.g., filters, mounted for projectors, cameras and the like (for items covered by the ITA or added by this initiative)
9002.19		Lens for wafersteppers; extremely high res lens used for the projection of a circuit pattern onto a treated wafer surface. Used exclusively in semiconductor manufacturing
9005.80.40		Optical telescopes and scopes for infrared light
9008		Slide projectors, microfilm and microfiche readers, photographic enlargers/reducers and other image projectors, including parts and accessories
9010.60		Projection screens
ex9010.90		Parts and accessories for covered articles in heading 9010, including waferstepper parts and accessories classified at subheading 9010.90.80
9011		Compound optical microscopes of all kinds and parts and accessories, to the extent not already covered by the ITA (ITA covers this category when classified in HS 8486 for SME and flat panel manufacturing uses)
9012		Microscopes other than optical microscopes (some microscopes covered by ITA and originally classified here were moved to heading 8486.40. Remaining items are not covered by the ITA and should be covered now)

9013.20		Lasers other than laser diodes. – various types of LASERS (light amplification by stimulated emission of radiation) are utilized in semiconductor manufacturing equipment and flat panel display manufacturing equipment and related processes. For example, photomask and wafer inspections systems may use a solid state laser or three types of gas (HeNe, UV, and Argon) lasers which emit non-ionizing radiation in wavelengths of 632nm Helium Neon (HeNe), 488nm Argon, and 362nm Ultraviolet (UV). Request covers these lasers as well as 193 mm (solid state) and 193 mm or and less (solid state) lasers, which are almost all used exclusively in the semiconductor manufacturing and inspection industry.
ex9013.80		Optical cards, LCD displays for cellphones
9013.80.70		Information panels and LCD Glass, aka liquid crystal devices not constituting articles provided for more specifically in other headings; flat panel displays other than for articles of heading 8528 except subheadings 8528.51 or 8528.61
Ex9013.80.90		Attenuator fiber optic for telecommunications networks. Attenuators are a specific type of optical equipment found on fiber networks.
ex9013.80.90		Liquid crystal displays not elsewhere classified, to the extent not covered by ITA (e.g., for products added by this initiative)
ex9013.90.90		Parts and accessories for flat panel displays classified in 9013 and added by this initiative
ex9014.80		Other optical navigational instruments
9016		Balances with high sensitivity, whether or not electrical
ex9018		Specific medical instruments including electrocardiographs, ultrasonic scanners, MRI equipment and patient monitoring systems
9018.19.55	Listed for illustration	Medical peripheral devices to assist medical professionals in monitoring patient health (a netbook device with specific functionality)
ex9022.19		X-ray apparatus for non-medical or dental uses, in particular for semiconductor testing and inspection
9022.21, .30		X-ray machines for medical, dental and surgical uses and the x-ray tubes needed to power them
9027.10		Gas or smoke analysis apparatus
ex9027.90		Parts and accessories for items covered in 9027
9028		Gas, liquid and electricity meters, including parts and accessories
ex9030		Oscilloscopes, spectrum analyzers and other instruments for measuring or checking electrical quantities including parts and accessories (certain items at 9030.40 are already covered by ITA)
9030.31, .32	Listed for illustration	Multimeters for measuring voltage, current, etc.
9030.39.0040	Listed for illustration	Automatic parametric testers, which perform electrical tests on semiconductor wafers for proper fabrication.
9030.40	Listed for	Telecommunications/internet network analyzers to the extent

	illustration	not already covered by ITA (WCO classification discussion pending; ITA coverage in dispute)
9030.90.88.40	Listed for illustration	Parts for goods of heading 9030; ITA covers 9030.40, but not this parts category; perhaps an oversight.
ex9031		Other measuring and checking instruments not covered by ITA, such as electron microscopes, test benches, profile projectors, and testing equipment for semiconductor manufacturing equipment, and possibly network analyzers (WCO discussion pending) and parts and accessories, which may be classified here even if they may also be classifiable in other HTS subheadings, to the extent not already covered by the ITA
9032.81		Process control modules and complete systems used in 8537.10, 8537.20, and 8538.90
Ex9032.89		Flow controllers suitable for use in articles covered by the ITA
9032.89.90		Voltage regulators for use with telecommunications apparatus
9032.90		Parts of process control instruments, complete systems used in 8538.10 and 8538.90
ex9033.00		Multi-component integrated circuits incorporated as a part of the electronics deployed in industrial equipment of HTS chapter 90
9107.00		Time switches with clock or watch movement or with synchronous motor
ex9207.10		Music synthesizers
9504.10[9]		Video games of a kind used with TV receiver and video game consoles
ex9504.90		Game machines other than coin-operated arcade games and parts and accessories including game controllers, game cartridges, cases, steering wheels, etc.
WHEREVER CLASSIFIED APPENDIX		
Ex4907.00 ex4911.10 and ex4911.98 and ex4911.99		Documents of title, specifically licenses to use software in printed form; Other Printed matter, including printed pictures and photographs: trade advertising material, commercial catalogs and the like; specifically coded key cards, stored value cards and point of sale activation (POSA) cards for downloads and/or activation of games and software and other internet content and services and telecommunications services, wherever classified (classification likely in the listed HS subheadings, but there is some divergence possible, so the items should be covered wherever classified. They are emerging as highly effective methods for secure distribution of software, content and services.)
ex8414.59 or		DC fans and cooling fans used in conjunction with

[9] WCO plans to eliminate subheading 9504.10 in the HS 2012 and replace it with new subheading 9504.50, "video game consoles and machines." The HS 2012 subheading is included by reference in this request.

ex8414.90		microprocessors for any articles covered by this initiative or the ITA, whether classified at 8414.59 (US) or 8414.90 (EU) or in some other subheading. Neither category is covered by ITA
		Magnetic disc process and transport cassettes and carriers (possibly ex8431.39)
Ex8486 or 9013.20		Lasers and light sources (including lasers, laser based, plasma, and other amplified lights sources) and pats thereof, solely or principally used in the manufacture of semiconductors and flat panel displays. Note that items classified in 8486 should already be covered by the ITA, but not all countries appear to be implementing this commitment.
		Digital still image cameras with the ability to record video images (with or without accompanying audio information) of any length, not classified in HS 8525.80 and thus not currently covered by the ITA
		Multi-component integrated circuits incorporated as a part of in-vehicle information and entertainment systems
		Multi-component integrated circuits used in medical devices
		Multi-component integrated circuits, which are combinations of one or more monolithic, hybrid or multi-chip integrated circuits with one or more active or passive components. (Note: This is needed to capture multi-component IC's wherever they are classified, since coverage of multi-component integrated circuits, to be comprehensive, needs to cover a variety of classifications, since certain Controllers, DSPs, microprocessors, etc. that do not fit the definition of 8542 would need to be classified as a part of devices the ICs go into.[10]
e.g. 8443		Printers, multifunction machines (e.g., multifunction printers and digital copiers) and photocopiers, regardless of size or format if not covered by ITA, including large or wide format industrial printing machinery using digital printing technologies (i.e., if classified outside ITA categories)
3215, 3707, 8443		Cartridges for printers, fax machines, photocopiers, or multifunction machines, (e.g., multifunction printers and digital copiers), whether classified as ink (3215), toner (3707) or "parts of" the article in heading 8443
		Software, regardless of audio or video content, wherever classified , and whether or not requiring a defined ADP machine to operate; for example, video game software for game consoles that do not meet the test for an ADP machine in note 5(A) of Chapter 84 of the HS
		Plastic optical fiber bundles and cables for use in connection with semiconductor manufacturing equipment, wherever classified (current US classification is likely to be HS 9001.10.0075)

[10] Stakeholder discussions around this definition are ongoing. The definition will be updated as necessary.

		Software, electronically delivered, not subject to the Tariff Schedules of the importing WTO member country and therefore not subject to valuation or origin declarations
		Telecommunications/internet network analyzers
		All light sources including laser-based light sources for semiconductor manufacturing and flat panel display manufacturing wherever classified.
APPENDIX FOR RELATED ITA COVERAGE ISSUES		
		The following items should be covered by the ITA at present but may not be covered for one of the following reasons: (a) disagreements among ITA members regarding classification; (b) particular implementation of the HS 2002 or 2007 changes in a way that disregards Attachment B; (c)failure to implement HS 2007 changes in a country's ITA commitments; These are not "new products" for which new concessions are in order for additions to the ITA. They should already be covered but for one reason or another, may not be covered by all ITA parties.
8443.31		Multifunction machines, regardless of technology or format (wide or large) connected to ADP machines. Should already be covered by ITA without restriction in any subheading. Any lack of coverage is a HS 2002 or HS 2007 review problem or a disagreement among the parties.
8443.32		Other printer units (single function), regardless of technology or format (wide or large) for ADP. Should already be covered by ITA without restriction in any subheading. Any lack of coverage is a HS 2002 or HS 2007 review problem or a disagreement among the parties.[11]
8443.39.10		Copiers already covered by the ITA. Any lack of coverage is an HS 2002 or HS 2007 problem
8486.10, .20, .30 .40, .90		Some countries are not implementing the HS 2007 commitments for semiconductor manufacturing equipment and flat panel display manufacturing equipment, translated from the classifications of the original ITA; this seems to be an issue resulting from failure to implement changes in the classifications to 8486 from various other categories. These categories should already be covered by the ITA. If they are not being treated as such, coverage should be recognized, but not as a "new item." These classifications are the successors to Attachment A Section 2 of the original ITA.
ex.8504.40 ex.8504.50		Static converters and other inductors including power supplies and battery chargers for products that covered by the ITA but that are classified outside 8471 or 8517 as a result of changes in HS 2002 or 2007 (e.g., monitors, printers, set top boxes,

[11] Coverage problems for this and the previous category could also be related to the recent WTO dispute settlement matter.

		telecom/networking equipment) These items are covered by US classification language, but not in all ITA countries. This should be done in the context of an existing ITA 2007 review. These are not new products for which new concessions are in order. This is a WCO classification issue.
ex8504.90		Parts for items in 8504.40/.50 that should be covered as above
8517.12-.70		The ITA covers all telecommunications equipment classified anywhere in HS heading 8517 without restriction as to subheadings. Industry participants, however, indicate that they are not receiving ITA duty free treatment in some subheadings in some ITA member countries.
Ex8518.30		Corded headset connected to a computer via USB. Some ITA member countries cover by classifying this item in subheading 8471.80, which is covered by the ITA. Others do not. Coverage of all of 8518 is requested

END

Global High-Tech Industry Calls for Ambitious Expansion of Information Technology Agreement

— Updated: May 16, 2011—

High-tech industry associations from around the world strongly support advancing an ambitious new tariff-reduction initiative to significantly expand product coverage of the Information Technology Agreement (ITA), which is one of the most meaningful and successful trade agreements in the World Trade Organization (WTO).

From 1996 to 2008, total ITA product trade has increased more than 10 percent annually, from $1.2 trillion to $4.0 trillion. In the process, the ITA has helped drive innovation, accelerate productivity, increase employment, lower consumer prices, and bridge communities across the globe in ways unimagined 15 years ago.

Yet while the high-tech sector has exploded with new and improved products since the ITA came into force, the product scope of the agreement has never been expanded. The time has come to take the next big step in promoting trade in high-tech products.

ITA expansion would yield immediate and substantial benefits, removing tariffs on a vast array of tech products not currently covered by the agreement. In addition, it would go far towards eliminating uncertainty that arises as convergence in the tech industry continues to advance. With

dramatic innovations underway that often bring many technology functions into one product, questions of convergence will only multiply.

We are deeply committed to working with our governments to move quickly to advance this initiative, which will expand trade, stimulate growth, increase jobs, spur innovation, and promote prosperity around the world.

# # #

The Association of Thai ICT Industry (ATCI, Thailand) - Camara de Industrias de Costa Rica (CICR, Costa Rica) - Camera & Imaging Products Association (CIPA, Japan) - Communications and Information Network Association of Japan (CIAJ, Japan) - Computer Society of Kenya (Kenya) - Computing Technology Industry Association (CompTIA, USA) - Consumer Electronics Association (CEA, USA) - Costa Rican-American Chamber of Commerce (AmCham, Costa Rica) - Electro-Federation Canada (Canada) - European-American Business Council (EABC, USA) - Federación Colombiana de la Industria de Software y Tecnologías Informáticas Relacionadas (FEDESOFT, Colombia) - The Federation of Korean Information Industries (FKII, Korea) - Guatemalan Software Commission (SOFEX, Guatemala) - The Hong Kong Electronic Industries Association (HKEIA, Hong Kong) - Hong Kong Information Technology Federation (HKITF, Hong Kong) - ICT Associations of Jordan (int@j, Jordan) - ICT Chamber of Commerce – MASIT (MASIT, Macedonia) - IKT-Norge (Norway) - Information Technology Association of Canada (ITAC, Canada) - Information Technology Association of Nigeria (ITAN, Nigeria) - Information Technology Industry Council (ITI, USA) - Intellect (United Kingdom) - IT Association of the Philippines (ITAP, Philippines) - Japan Business Machine and Information System Industries Association (JBMIA, Japan) - Japan Electronics and Information Technology Industries Association (JEITA, Japan) - Japan Information Technology Services Industry Association (JISA, Japan) - American Malaysian Chamber of Commerce (AmCham Malaysia, Malaysia) - National Association of Manufacturers (NAM, USA) - National Electrical Manufacturers Association (NEMA, USA) - National ICT Association of Malaysia (PIKOM, Malaysia) - Semiconductor Equipment & Materials International (SEMI, USA) - Semiconductor Industry Association (SIA, USA) - Software & Information Industry Association (SIIA, USA) - Taipei Computer Association (TCA, Taiwan) - Taiwan Electrical and Electronic Manufacturers' Association (TEEMA, Taiwan) - TechAmerica (USA) - Technology CEO Council (TCC, USA) - Telecommunications Industry Association (TIA, USA) - United States Council for International Business (USCIB, USA) - United States Information Technology Office (USITO, USA) - World Information Technology and Services Alliance (WITSA, USA)

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