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USMCA: Canadian Dairy Quotas Fair

Doing it's best to avoid the news cycle with a release the Friday after Thanksgiving, the USTR released a final repudiation of US objections to Canada's dairy tariff-rate quota (TRQ) calculations by the treaty's dispute settlement panel. In the report, the panel found that Canada's measures are not inconsistent with the USMCA provisions cited by the United States.

"I am very disappointed by the findings in the USMCA panel report released today on Canada's dairy TRQ allocation measures," Ambassador Katherine Tai said.

The USMCA panel issued its final report on November 10, 2023, and pursuant to Article 31.17.6 of the USMCA, the parties made the panel report public on November 24, 2023. [READ MORE](#)

Senate Calls to Keep China Tariffs

Flushed from their successful campaign to scuttle the IPEF Trade Pillar, Senate Finance Committee Democrats Sherrod Brown (Ohio) and Bob Casey (Pa) called on President Biden to keep in place the current Section 301 and Section 232 tariffs on imports from China.

The tariffs are important for combating anticompetitive behavior by China and other nonmarket economies, the two senators wrote in a letter to the President. [READ MORE](#)

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[Congress Chides USTR on Digital Trade](#)

Co-Chairs of the Digital Trade Caucus, led a bipartisan letter with 38 members of Congress urging U.S. Trade Representative Katherine Tai to reconsider her agency's decision to abandon important bipartisan digital trade proposals at the World Trade Organization.

Suzan DelBene (D-WA) and Darin LaHood (R-IL) contend the decision to walk away from key digital trade proposals runs counter to the interests of American workers and businesses, while ceding more leverage to foreign powers, like the People's Republic of China (PRC), to write the rules that will govern the global digital economy for years to come. [READ MORE](#)

[WTO: Reform Endorsed by APEC Leaders](#)

Asia Pacific leaders and economic ministers endorsed reform of the World Trade Organization is their final statements emerging from the Asia Pacific Economic Cooperation meetings in San Francisco.

As the United States wrapped up its APEC host year, Asia Pacific ministers also stressed the importance to the global trading system of a successful WTO 13th ministerial meeting in February.

"We are committed to necessary reform of the WTO to improve all of its functions, including conducting discussions with a view to having a fully and well-functioning dispute settlement system accessible to all members by 2024," according to the 2023 APEC leaders' Golden Gate Declaration. [READ MORE](#)

[WTO: Agriculture Divisions Persist](#)

Members of the World Trade Organization (WTO) remained sharply divided on key agricultural negotiation issues, casting doubts on the possibility of a resolution at the WTO's 13th ministerial conference in Abu Dhabi, February 2024. During the Doha negotiating body's recent two-day meeting, discussions focused on public stockholding programs, the special safeguard mechanism, reform of agricultural domestic support, and updating the fixed external reference price based on 1986-88 data. Similar divisions in the past have hindered substantial outcomes in Buenos Aires (2017) and Geneva (2022). [READ MORE](#)

[BIS: Senate Gun Caucus Howls at BIS Export "Pause"](#)

All but three Republican Senators sent a letter to Secretary of Commerce Gina Raimondo raising questions over the decision to pause for 90 days the issuance of export licenses for firearms, ammunition, and certain accessories to most overseas markets

The letter notes the impact this pause could have on "U.S. commercial and economic interests" which according to the firearms and ammunition industry has an estimated "direct cost of at least \$89 million associated with the 90 day pause and at least \$238 million annually should the pause become permanent." [READ MORE](#)

[Report: Applied Materials Violated Export Laws](#)

Reuters reports semiconductor equipment maker Applied Materials is under U.S. criminal investigation for potentially evading export restrictions on China's top chipmaker SMIC.

The largest U.S. ... [READ MORE](#)

[RPTAC: Regulations and Procedures Technical Advisory Committee](#)

[Dec 12th](#)

The Regulations and Procedures Technical Advisory Committee (RPTAC) will meet December 12, 2023, 9:00 a.m., Eastern Standard Time, in the Herbert C. Hoover Building, Room 3884, 1401 Constitution ... [READ MORE](#)

[EU Primer on Dual-Use and Cyber Surveillance Released](#)

This briefing paper on dual-use and cyber-surveillance provides an overview of current EU export controls of dual-use items in general and cyber-surveillance items in particular, and what the approach is in countries such as the US, the UK and Japan. It explains the impact of the sanctions against Russia on the export of dual-use items and the use of cyber-surveillance in the conflict in the Ukraine. [READ MORE](#)

[Binance Sandbagged by Treasury, Justice & CFTC](#)

Binance Holdings Limited (Binance), the entity that operates the world's largest cryptocurrency exchange, Binance.com, pleaded guilty and has agreed to pay over \$4 billion to resolve the Justice Department's investigation into violations related to the Bank Secrecy Act (BSA), failure to register as a money transmitting business, and the International Emergency Economic Powers Act (IEEPA)

Binance's founder and chief executive officer (CEO), Changpeng Zhao, a Canadian national, also pleaded guilty to failing to maintain an effective anti-money laundering (AML) program, in violation of the BSA and has resigned as CEO of Binance. [READ MORE](#)

[FCPA: British Insurers Settle Ecuador Bribery Cases](#)

Two U.K.-based reinsurance brokers have agreed to resolve investigations by the Justice Department into violations of the Foreign Corrupt Practices Act (FCPA) arising from a corrupt scheme to pay bribes to Ecuadorian government officials.

Tysers and H.W. Wood each entered into a three-year deferred prosecution agreement (DPA) with the

department in connection with a criminal information filed in the Southern District of Florida charging both companies with conspiracy to violate the anti-bribery provisions of the FCPA. [READ MORE](#)

[Iran Sanctions: Texans Convicted of Oil Purchase Scheme](#)

Two Texas men were convicted at trial on Nov. 15 on charges of attempting to violate the International Emergency Economic Powers Act (IEEPA), conspiracy to violate IEEPA, and conspiracy to commit money laundering in connection with their attempt to transact in sanctioned Iranian petroleum and launder the proceeds.

According to evidence presented at trial, in 2019 and early 2020, Zhenyu “Bill” Wang and Daniel Ray Lane engaged in a conspiracy to purchase petroleum from Iran, in violation of economic sanctions imposed by the United States under IEEPA.

They then planned to mask the origins of the petroleum and sell it to a refinery in China. The defendants also attempted to conceal their illegal transactions by obtaining foreign passports, engaging in sham contractual agreements, and conspiring to launder the proceeds of the sale through shell entities and offshore financial accounts. [READ MORE](#)

[USMCA: More Maquiladora Monkeyshines](#)

US Trade Representative Katherine Tai announced that the United States has asked Mexico to review whether workers at the Autoliv Steering Wheels Mexico facility in El Marqués in the state of Querétaro are being denied the right to freedom of association and collective bargaining.

Allegations against the Swedish airbag giant include firing workers in retaliation for union activity, making coercive statements that interfere with workers’ rights and denying access to the facility for union-related activity. [READ MORE](#)