

**User Name:** NAOKO MATSUMURA

**Date and Time:** Wednesday, December 19, 2018 7:13:00 PM JST

**Job Number:** 79565062

**Documents (50)**

1. [*U.S., Europe Agree To Negotiate Over Airplane Subsidies;3 Months of Talks Put Off Litigation*](https://advance.lexis.com/api/document?id=urn:contentItem:4F7G-0V00-TW87-N2SP-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

**Search Terms:** world trade organization litigation

**Search Type:** Natural Language

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| **Content Type** | **Narrowed by** |
| News | Sources: The Washington Post; Content Type: News |

2. [*Leftover Trade Issues on Bush's Plate*](https://advance.lexis.com/api/document?id=urn:contentItem:421S-4CK0-00RP-M4SC-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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**Search Type:** Natural Language

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| **Content Type** | **Narrowed by** |
| News | Sources: The Washington Post; Content Type: News |

3. [*A Conflict of Health and Profit; Gore at Center of Trade Policy Reversal on AIDS Drugs to S. Africa*](https://advance.lexis.com/api/document?id=urn:contentItem:409K-5NP0-00RP-M43D-00000-00&idtype=PID&context=1000516)

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| **Content Type** | **Narrowed by** |
| News | Sources: The Washington Post; Content Type: News |

4. [*Digest*](https://advance.lexis.com/api/document?id=urn:contentItem:5R5B-4JY1-DXXY-31R2-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| **Content Type** | **Narrowed by** |
| News | Sources: The Washington Post; Content Type: News |

5. [*The Beef Over Bananas; Trade 'War' With Europe May Not Be as Alarming as It's Stacked Up to Be*](https://advance.lexis.com/api/document?id=urn:contentItem:3W41-J920-007D-J4M9-00000-00&idtype=PID&context=1000516)

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**Search Terms:** world trade organization litigation

**Search Type:** Natural Language

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| **Content Type** | **Narrowed by** |
| News | Sources: The Washington Post; Content Type: News |

6. [*U.S. Farmers Get a Lesson In Global Trade;Cotton Ruling Demonstrates WTO's Power Over Markets*](https://advance.lexis.com/api/document?id=urn:contentItem:4C86-R5H0-TW87-N329-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

7. [*Stubbing out cigarette branding*](https://advance.lexis.com/api/document?id=urn:contentItem:59PT-T1T1-JBFW-C3CD-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| **Content Type** | **Narrowed by** |
| News | Sources: The Washington Post; Content Type: News |

8. [*Bush Sets a Deadline On Trade Pact Powers*](https://advance.lexis.com/api/document?id=urn:contentItem:43KX-21Y0-010F-908F-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| News | Sources: The Washington Post; Content Type: News |

9. [*U.S. Importers Lobby for Relief; Coming Trade Sanctions Stir Forces Here and in Europe*](https://advance.lexis.com/api/document?id=urn:contentItem:40N5-2940-00RP-M41G-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

10. [*U.S. Sets Duties on Softwood;Talks With Canada Fail to Resolve Sharp Trade Dispute*](https://advance.lexis.com/api/document?id=urn:contentItem:45DN-4870-010F-94V2-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

11. [*U.S. Hints It Will Sue EU Over Altered Crops;Complaint About Food Ban Would Go to WTO*](https://advance.lexis.com/api/document?id=urn:contentItem:47N4-K2B0-010F-91KN-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

12. [*A Straightforward Trade Dispute*](https://advance.lexis.com/api/document?id=urn:contentItem:4FXN-6S10-TW87-N2YX-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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**Search Type:** Natural Language

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| **Content Type** | **Narrowed by** |
| News | Sources: The Washington Post; Content Type: News |

13. [*Medical Malpractice Bill Foiled in Senate;Chamber Deadlocked on Trade Measure*](https://advance.lexis.com/api/document?id=urn:contentItem:4C3Y-9K00-TW87-N1YM-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

14. [*U.S. to impose a tariff on lumber from Canada*](https://advance.lexis.com/api/document?id=urn:contentItem:5ND2-PJH1-JBFW-C035-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

15. [*One step closer: New tariffs on Canada*](https://advance.lexis.com/api/document?id=urn:contentItem:5PW7-30H1-DXXY-34PD-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| **Content Type** | **Narrowed by** |
| News | Sources: The Washington Post; Content Type: News |

16. [*A good call on China*](https://advance.lexis.com/api/document?id=urn:contentItem:5P85-D2V1-JBFW-C2JY-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| News | Sources: The Washington Post; Content Type: News |

17. [*U.S. racks up wins over China, but spoils are uncertain*](https://advance.lexis.com/api/document?id=urn:contentItem:5698-VS31-DXXY-32RY-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

18. [*French, Dutch Reject Europea ...*](https://advance.lexis.com/api/document?id=urn:contentItem:4GB6-3XV0-TW87-N2P2-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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**Search Type:** Natural Language

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| News | Sources: The Washington Post; Content Type: News |

19. [*U.S. Challenges EU's Biotech Food Standards*](https://advance.lexis.com/api/document?id=urn:contentItem:43V3-6BC0-010F-93CD-00000-00&idtype=PID&context=1000516)

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**Search Type:** Natural Language

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| News | Sources: The Washington Post; Content Type: News |

20. [*Business Digest: Madoff victims lose bid to sue SEC; more sanctions at JPMorgan*](https://advance.lexis.com/api/document?id=urn:contentItem:585H-PWK1-DXXY-3303-00000-00&idtype=PID&context=1000516)

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**Search Type:** Natural Language

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| News | Sources: The Washington Post; Content Type: News |

21. [*Dynegy to Cut Dividend*](https://advance.lexis.com/api/document?id=urn:contentItem:464P-CH30-010F-92J6-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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**Search Type:** Natural Language

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| News | Sources: The Washington Post; Content Type: News |

22. [*China Agrees to Resolve Dispute Over Tax Breaks*](https://advance.lexis.com/api/document?id=urn:contentItem:4CTK-8VR0-TW87-N37T-00000-00&idtype=PID&context=1000516)

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**Search Terms:** world trade organization litigation

**Search Type:** Natural Language

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| News | Sources: The Washington Post; Content Type: News |

23. [*Is the Jig Up? Irish WTO Complaint May Stop the Music*](https://advance.lexis.com/api/document?id=urn:contentItem:4035-9D40-00RP-M25F-00000-00&idtype=PID&context=1000516)

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**Search Type:** Natural Language

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| News | Sources: The Washington Post; Content Type: News |

24. [*No Headline In Original*](https://advance.lexis.com/api/document?id=urn:contentItem:4ND6-5H50-TW87-N2SR-00000-00&idtype=PID&context=1000516)

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**Search Type:** Natural Language

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| News | Sources: The Washington Post; Content Type: News |

25. [*Citigroup's $7 billion mortgage mea culpa*](https://advance.lexis.com/api/document?id=urn:contentItem:5CPR-34F1-JBFW-C3J9-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

26. [*The Stakes in Hong Kong*](https://advance.lexis.com/api/document?id=urn:contentItem:4HSX-8GR0-TW87-N1W0-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

**Search Terms:** world trade organization litigation

**Search Type:** Natural Language

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| News | Sources: The Washington Post; Content Type: News |

27. [*Clinton to Press Hill To Back China Deal*](https://advance.lexis.com/api/document?id=urn:contentItem:3Y9M-58S0-00RP-M42D-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

28. [*Parliament votes to approve Russia's accession to WTO*](https://advance.lexis.com/api/document?id=urn:contentItem:5633-PBP1-DXXY-33SJ-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

**Search Terms:** world trade organization litigation

**Search Type:** Natural Language

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| News | Sources: The Washington Post; Content Type: News |

29. [*Talks Over Aircraft Subsidies In Jeopardy*](https://advance.lexis.com/api/document?id=urn:contentItem:4FRJ-6B30-TW87-N20D-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| News | Sources: The Washington Post; Content Type: News |

30. [*DIGEST*](https://advance.lexis.com/api/document?id=urn:contentItem:40TD-N230-00RP-M184-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

31. [*Talking Cadillacs To Rickshaw Riders*](https://advance.lexis.com/api/document?id=urn:contentItem:46XW-9VP0-010F-92XV-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| News | Sources: The Washington Post; Content Type: News |

32. [*A LOOK AT . . . The Future of Internationalism: Beyond National Interests*](https://advance.lexis.com/api/document?id=urn:contentItem:3W8H-6BN0-007D-J4R7-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

33. [*Yes We Have No Banana Pact*](https://advance.lexis.com/api/document?id=urn:contentItem:3V4P-S330-007D-J41M-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

34. [*Citigroup Faces German Probe*](https://advance.lexis.com/api/document?id=urn:contentItem:4F1P-T150-TW87-N1S2-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| News | Sources: The Washington Post; Content Type: News |

35. [*EU Threatens New Tariffs*](https://advance.lexis.com/api/document?id=urn:contentItem:481C-5Y00-010F-9135-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| News | Sources: The Washington Post; Content Type: News |

36. [*Bush Signs Bankruptcy Bill*](https://advance.lexis.com/api/document?id=urn:contentItem:4G0J-YKJ0-TW87-N1W3-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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37. [*DIGEST*](https://advance.lexis.com/api/document?id=urn:contentItem:3S7T-4XF0-0088-P1DM-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

38. [*WTO Backs Ruling on U.S. Cotton Programs;Farmers Receive Illegal Subsidies, Panel Says*](https://advance.lexis.com/api/document?id=urn:contentItem:4FMB-HD40-TW87-N2Y5-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

39. [*Airbus Offers to Forgo Aid in Building New Airliner*](https://advance.lexis.com/api/document?id=urn:contentItem:4H8N-1480-TW87-N269-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| News | Sources: The Washington Post; Content Type: News |

40. [*Little Progress in Aircraft Talks;U.S., E.U. Butt Heads Over Boeing and Airbus Subsidies*](https://advance.lexis.com/api/document?id=urn:contentItem:4DBH-7P00-TW87-N371-00000-00&idtype=PID&context=1000516)

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| News | Sources: The Washington Post; Content Type: News |

41. [*Aircraft-Subsidy Battle Is Going Back to WTO*](https://advance.lexis.com/api/document?id=urn:contentItem:4G93-SSG0-TW87-N37P-00000-00&idtype=PID&context=1000516)

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42. [*BUSINESS BRIEFING*](https://advance.lexis.com/api/document?id=urn:contentItem:4GHX-VSF0-TW87-N1Y5-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| News | Sources: The Washington Post; Content Type: News |

43. [*MGM Pulls Offer for Vivendi*](https://advance.lexis.com/api/document?id=urn:contentItem:496F-JNG0-010F-928G-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| News | Sources: The Washington Post; Content Type: News |

44. [*MGM Pulls Offer for Vivendi*](https://advance.lexis.com/api/document?id=urn:contentItem:4961-7VH0-010F-91BK-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| News | Sources: The Washington Post; Content Type: News |

45. [*Byrd Poison*](https://advance.lexis.com/api/document?id=urn:contentItem:41GK-S7H0-00RP-M299-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| News | Sources: The Washington Post; Content Type: News |

46. [*EU Presses Lawmakers*](https://advance.lexis.com/api/document?id=urn:contentItem:49R4-MGT0-TW87-N2FP-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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**Search Type:** Natural Language

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| **Content Type** | **Narrowed by** |
| News | Sources: The Washington Post; Content Type: News |

47. [*Protest Movement Loses Its Steam in Heat of L.A.; Outcome Attributed to Diversity Of Issues, Lack of Labor Support And Show of Force by Police*](https://advance.lexis.com/api/document?id=urn:contentItem:4110-C810-00RP-M21D-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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**Search Type:** Natural Language

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| News | Sources: The Washington Post; Content Type: News |

48. [*A Beef Over Bananas*](https://advance.lexis.com/api/document?id=urn:contentItem:3V78-D9X0-007D-J1WX-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| News | Sources: The Washington Post; Content Type: News |

49. [*China bashing*](https://advance.lexis.com/api/document?id=urn:contentItem:56M1-N8M1-JBFW-C32V-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| News | Sources: The Washington Post; Content Type: News |

50. [*The Growth Mystery*](https://advance.lexis.com/api/document?id=urn:contentItem:4D3P-5RJ0-TW87-N2X0-00000-00&idtype=PID&context=1000516)

**Client/Matter:** -None-

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| News | Sources: The Washington Post; Content Type: News |

[***U.S., Europe Agree To Negotiate Over Airplane Subsidies; 3 Months of Talks Put Off Litigation***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4F7G-0V00-TW87-N2SP-00000-00&context=)

The Washington Post

January 12, 2005 Wednesday, Final Edition

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**Section:** Financial; E01

**Length:** 850 words

**Byline:** Paul Blustein, Washington Post Staff Writer

**Body**

The United States and the European Union said yesterday that they would try to settle a dispute over aid they give their major airplane-makers, stepping back from a transatlantic clash over government support for rivals Boeing Co. and Airbus SAS.

The agreement boosts the Bush administration's efforts to mend tattered relations with Europe. Under its terms, the two sides said they would seek to negotiate a pact over the next three months that eventually would end subsidies for Boeing and Airbus, the giant companies that dominate the worldwide market for large commercial airplanes.

The announcement amounts to at least a temporary truce in a confrontation that loomed as one of the biggest, and potentially most destructive, in the history of the ***World Trade Organization***. Washington and Brussels have accused each other in filings with the Geneva-based ***trade*** body of illegally giving financial support to their flagship airplane manufacturers. The proceedings were to move into a more contentious phase on Thursday, when the United States was to request an arbitration panel.

U.S. and European officials vehemently disagree about what constitutes a subsidy. But the pledge to pursue negotiation rather than ***litigation*** was hailed by policymakers and aircraft executives on both sides, and was of special relief for WTO officials who had feared that the controversy threatened to wreck U.S.-E.U. cooperation on other ***trade*** issues.

"There is much work to be done if we are to be successful in negotiating an ultimate agreement, but today does mark an important step," Robert B. Zoellick, the U.S. ***trade*** representative, said in a written statement. "For the first time in this long-standing dispute, the U.S. and the E.U. have agreed that the goal should be to end subsidies" in the commercial aircraft industry.

Zoellick's European counterpart, Peter Mandelson, said he was "particularly pleased" that the agreement had been struck before President Bush travels to Europe next month. U.S. policymakers want to repair ties with Europe that were badly strained by the U.S. invasion of Iraq. Had the two sides fought at the WTO, "it might have cast a pall over the president's visit," Mandelson said in a news conference in Strasbourg, France.

Mandelson also said that "if America and Europe had fallen out so disastrously over this issue I think it would . . . have affected our ability to cooperate and collaborate on the Doha agenda and ***trade*** round," the global negotiations aimed at lowering ***trade*** barriers among the WTO's 148 member countries. The ***organization***'s director-general, Supachai Panitchpakdi, issued a statement praising both parties for "choosing the path of commercial diplomacy rather than conflict."

The dangers of proceeding with the case were also high for the aircraft-makers. Many ***trade*** experts predicted that the WTO would end up ruling that both sides provided illegal subsidies, which would throw the industry into turmoil as the companies develop new airplanes.

"There was a fair risk that both the E.U. and the U.S. would end up with egg on their faces, and we wouldn't be further along in resolving the dispute," John Bruton, the E.U.'s ambassador to the United States, said in a conference call with reporters.

The Bush administration escalated the dispute in October by filing its WTO case, which European officials denounced in scathing terms as an election-year ploy designed to show the president's toughness on ***trade*** issues. U.S. officials maintained that the case was necessary because negotiations showed little promise of ending European subsidies for Airbus even though Airbus overtook Boeing in worldwide plane sales in 2003 for the first time. Washington also withdrew from a 1992 agreement with the E.U. that allowed the subsidies provided to Airbus by the governments of France, Germany, Britain and Spain.

The aggressive posture was driven in large part by Harry C. Stonecipher, Boeing's chief executive, who since taking the job in 2003 pressed hard for action to prevent Airbus from receiving billions of dollars in "launch aid" for planes. Airbus is working on a jet called the A350 to compete with the 250-seat 7E7 that Boeing plans to roll out in 2008. The Europeans contend that Boeing's commercial aircraft business receives subsidies by mostly indirect means, including Pentagon contracts for military planes -- an assertion that Washington disputes.

Under yesterday's agreement, Airbus can't receive subsidies for the A350 during the three-month negotiating period, but the question of when European government support for the company must end for good will be left to the negotiators to decide. Stonecipher said the deal was a step toward "much-needed balance in the commercial aircraft market."

The goal of reaching a final agreement in three months isn't a hard-and-fast deadline, a senior U.S. ***trade*** official said. But if a deal appears unlikely at the end of that time, the United States is ready to litigate.

"If we just get stuck in the mud," the official said, "then I think it's fair to assume that we would restart the WTO process."

**Load-Date:** January 12, 2005

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[***Leftover Trade Issues on Bush's Plate***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:421S-4CK0-00RP-M4SC-00000-00&context=)

The Washington Post

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**Section:** A SECTION; Pg. A13

**Length:** 1037 words

**Byline:** Steven Pearlstein, Washington Post Staff Writer

**Body**

Few agencies or departments will leave the incoming Bush administration a bigger pile of politically divisive "unfinished business" than the Office of the U.S. ***Trade*** Representative.

To begin with, there are the already-negotiated ***trade*** treaties with Vietnam and Jordan that require congressional approval, along with half-completed negotiations on free ***trade*** pacts with Singapore and Chile.

The legal cease-fire between the United States and Europe will expire soon on a handful of disputes over bananas, beef and export subsidies that could trigger a ***trade*** war involving billions of dollars of sanctions on each other's exports unless a political deal is cut.

By April, when leaders from North and South America are scheduled to meet in Quebec City, President-elect Bush will have to decide how to move ahead with his top ***trade*** priority: extending the North American Free ***Trade*** Agreement (NAFTA) to the rest of the hemisphere in the Free ***Trade*** Area of the Americas (FTAA).

And the ***World Trade Organization*** will be looking for direction and commitment from its most important member as it tries to regroup from the debacle in Seattle and launch new global ***trade*** talks aimed at reducing cross-border barriers to agricultural products and services, a top priority for much of U.S. business.

The reason for this pileup is simple: There is no longer a political consensus around free ***trade***. Many Democrats in Congress, and even some Perot-style Republicans, believe free ***trade*** has cost Americans too many jobs. To even the playing field, they insist that any future treaties require ***trading*** partners to open their doors as wide as we open ours, and to enforce reasonable environmental and labor standards so that American companies and workers don't find themselves at a competitive disadvantage.

Not surprisingly, such provisions are non-starters with many foreign governments, which consider them an unacceptable intrusion on their sovereignty. U.S. business interests also oppose these provisions, fearing they will expose their overseas sales and operations to unending ***litigation*** and uncertainty.

Lurking in the wings are also a number of industries -- textiles and the growers of citrus fruits, vegetables and sugar beats, for example -- willing to use their considerable political muscle to scuttle any broad new ***trade*** liberalization, if necessary, to preserve existing barriers to imports.

According to ***trade*** experts, the only way Bush can break through the current logjam is to find a way to address legitimate concerns about labor and environmental standards in any future ***trade*** treaties. Such a compromise would have to satisfy enough moderate Democrats to provide Bush with a working majority in Congress on ***trade***.

"The first thing we need is a consensus on what kind of ***trade*** liberalization we want," said Calman Cohen, president of the Emergency Committee for American ***Trade***, a business lobbying group. "And that means dealing explicitly with labor and the environment."

"The negotiations with Congress will be at least as difficult as the negotiations with our ***trading*** partners," predicted Greg Mastel, director of the Global Economic Policy Project at the New America Foundation, a centrist think tank.

Frank Vargo, a vice president for international economic affairs at the National Association of Manufacturers, said the outlines of a compromise may be found in recent free ***trade*** agreements between Canada and Chile. In side agreements, both countries agreed to enforce a set of labor and environmental standards and accept binding arbitration in case of a complaint or dispute. But if either country was found to violate the standards, the punishment would be monetary fines -- not the ***trade*** sanctions that businesses most fear.

Organized labor and some environmental groups, however, remain wary, rejecting any arrangement that treats enforcement of labor and environmental standards differently from other provisions in ***trade*** pacts.

"In order for enforcement to be serious, these have to be treated as ***trade*** issues, not simply collateral issues," said David Smith, public policy director for the AFL-CIO.

Smith acknowledged the underlying political asymmetry of ***trade*** politics: that while business badly wants further ***trade*** liberalization, and is willing to give up something to get it, labor leaders are content with no new initiatives unless they get what they want.

"The business community may be willing to compromise on some issues to get a deal," Smith said. "We're not."

It was President Clinton's inability to bridge this gap that led to the defeat in 1997 of legislation giving him explicit authority to negotiate new ***trade*** treaties and submit them to Congress for an immediate up or down vote -- what ***trade*** wonks refer to as "fast track" authority. Since then, negotiations over FTAA and a new round of ***World Trade Organization*** talks stalled while other countries have begun to challenge U.S. leadership on ***trade***.

The one big ***trade*** achievement of Clinton's second term -- U.S. approval of China's entry into the ***World Trade Organization*** -- was done without fast track but was pushed through largely on the basis of geopolitical rather than economic considerations.

Charlene Barshefsky, Clinton's indefatigable ***trade*** negotiator, now believes the China effort could be a model for the new administration. In valedictory speeches last month, Barshefsky argued that only when a treaty has been negotiated, and its concrete benefits to particular U.S. interests are clear, can the general reluctance of Congress to approve new ***trade*** openings be overcome.

But free-traders in the business community warn Bush against the Clinton strategy of negotiating new treaties first and then trying to ram them through Congress.

"Trying to negotiate these things without advance authority and direction from Congress would be a grave mistake," said Alan Wolf, a ***trade*** lawyer and former deputy U.S. ***trade*** negotiator in the Carter administration.

Kathleen Ambrose, vice president for international affairs at the American Chemistry Council, agreed. "If we keep this thing where it is now, polarized and partisan, we'll wind up with a Seattle debacle again and we won't get anywhere," she said.

**Load-Date:** January 2, 2001

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[***A Conflict of Health and Profit; Gore at Center of Trade Policy Reversal on AIDS Drugs to S. Africa***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:409K-5NP0-00RP-M43D-00000-00&context=)

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**Section:** A SECTION; Pg. A01

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**Byline:** Barton Gellman , Washington Post Staff Writer

**Dateline:** CAPE TOWN, South Africa

**Body**

In the seaside presidential suite of the Table Bay Hotel, Vice President Gore brought a warning last year for his counterpart that was about as pointed as diplomacy permits between friends.

"I want to make you aware of the strong and growing domestic pressure being brought to bear in Washington," Gore told Thabo Mbeki, then South Africa's deputy president, in the Feb. 17, 1999, meeting, which was conducted with note-takers present. Drug companies and their supporters, outraged by a new South African law that threatened lucrative patent rights, were encouraging Congress to take punitive measures. Already, U.S. ***trade*** officials had placed South Africa on a "watch list" of countries risking sanctions.

"I'm concerned that, without significant progress toward a resolution, a single ***trade*** issue could overshadow our bilateral relationship," Gore said, according to an authoritative U.S. account of the meeting.

What for South Africa was an exploding health emergency--with life-saving medicines priced out of reach of patients with AIDS, among other diseases--the United States treated mainly as a problem of ***trade***. Pretoria wanted to import or manufacture inexpensive generics; a $ 343 billion global industry, backed by Washington, regarded that as theft of intellectual property. The issue would follow Mbeki and Gore as they deepened their relationship, and pursued common ambitions for higher office.

Today, as Mbeki begins his first state visit to Washington since succeeding Nelson Mandela as president, South Africa faces an AIDS catastrophe that U.S. intelligence predicts could kill a quarter of its 40 million inhabitants. Gore, after seeking common ground between South Africa and the drugmakers, has broken with the pharmaceutical lobby. The Clinton administration withdrew two years of objections to the new South African law in June, the same week that Gore declared his intent to run for president and AIDS activists began tormenting his campaign with showers of printed "blood money" and banners charging "Gore's Greed Kills."

Why AIDS has surged unchecked through sub-Saharan Africa, with a death toll across the continent that now appears certain to climb into the tens of millions, is a complex matter that specialists blame on multiple failures--in the afflicted communities and nations, in corporate boardrooms and in foreign governments that chose not to intervene.

The Clinton administration's campaign against South Africa's Medicines Act was not the only reason, or the biggest, why South Africans lack the AIDS drugs that are increasingly allowing Americans and Europeans to live indefinitely with the disease. South African officials fear that even cheaper AIDS drugs could break their budget, and they raise questions about effectiveness and risks. Nor do AIDS experts believe that medicine alone--absent vast improvements in prevention and in the infrastructure of hospitals and rural clinics--could halt the pandemic.

But the history of South Africa's drug law and the American response shows how traditional priorities of politics and commerce helped shape a global environment in which a public health calamity went largely unaddressed. As federal health authorities tracked the epidemic's course in Africa, senior government policymakers remained strikingly unaware of its exponential growth and projected toll. Inertia led ***trade*** regulators to treat generic AIDS medicine on the model they use for pirated music discs and computer games--as a threat to the profits of copyright-holders, to be suppressed.

"You mean the U.S. ***Trade*** Representative doesn't know the difference between Barbie dolls, tennis rackets and AIDS drugs?" one senior health official recalls asking incredulously during the interagency fight. "Well, the problem is, they didn't."

U.S. ***Trade*** Representative Charlene Barshefsky, in an interview, said much the same thing. "Largely it was the activities of ACT-UP and the AIDS activists that galvanized our attention [to the fact] that there was an absolute crisis," she said. Until then, "I was certainly not aware of this at all. . . . In years past, this [pharmaceutical] issue was treated purely as a ***trade*** issue and an intellectual property rights issue."

A Chance Encounter

James Love stewed early last June aboard a commercial jet bound for Los Angeles but stuck on the ground at Dulles Airport. A familiar blond head appeared over his magazine. Tipper Gore had walked back from the first-class cabin to speak with the man in the window seat next to Love. The man turned out to be Clark Ray, her campaign chief of staff.

Love could hardly believe his luck. At the Consumer Project on Technology, which he ran for fellow Princetonian Ralph Nader, Love had been trying to get the vice president's attention for years. As early as July 29, 1997--in the first weeks of U.S. intervention against South Africa's generic drug law--he and Nader co-wrote a letter urging Gore to "subordinate commercial concerns to broader public health interests."

More than two years passed without a reply. Now Love had a captive audience.

"I started off by saying, 'Look, this is kind of a coincidence, but I'm working with a bunch of people who are going to be torturing her husband over the issue of access to medicines,' " Love recounted, referring to the planned campaign disruptions. "[Ray] said, 'What do you mean?' I said . . . we were really angry about it and we had tried everything else."

In truth, Gore was not indifferent to the problem. More than a month before Nader and Love wrote to him, and years before the protesters would dog his campaign, the vice president began sounding the alarm about AIDS to a reluctant South African government.

"South Africa is in the beginning stages of a full-blown AIDS crisis," he told Mbeki in June 1997, according to officials familiar with records of their talk. The United States had "waited too long" to address its own AIDS problem and it grew "beyond effective containment." South Africa could avoid that fate, Gore said, and Health and Human Services Secretary Donna E. Shalala had traveled with him to offer assistance.

Gore and Mbeki were co-chairs of a "binational commission" intended to boost the new South African government's transition from apartheid to democracy. Contemporary government accounts of their annual meetings portray leaders who bantered easily and used the forum to air proposals, not grievances.

But for all Gore's concern about AIDS, the administration he represented was lining up hard against the South African effort to obtain generic, cheaper medicine. Beginning in May 1997, drug industry heavyweights--Aldridge Cooper of Johnson & Johnson and Harvey Bale of the Pharmaceutical Research and Manufacturers of America, or PhRMA, the industry lobby--began writing to Barshefsky's office and Commerce Secretary William Daley to denounce Pretoria's proposed amendments to the Medicines Act.

Gore shared some of the drug industry's concerns. The fruits of intellectual property are America's major global export, and Gore had several close associates--former chiefs of staff Peter Knight and Roy Neel, and adviser Anthony Podesta--who earned substantial fees from the pharmaceutical lobby.

Although Gore would raise less campaign money from drug companies than either of his opponents this year, former senator Bill Bradley and Texas Gov. George W. Bush, he mined the industry for cash with some success. In 1997 and 1998, Gore's political action committee raised $ 51,000 in direct contributions from drug companies and PhRMA contributed another $ 276,850 in hard and soft money to Democratic Party committees.

'An Influential Voice'

By the fall of 1997, Gore weighed in on the generics law with Mbeki. The South African leader complained in a working dinner at Blair House on Sept. 22 that drug companies often charged South Africans prices many times greater than those elsewhere, a legacy of an apartheid economy in which the wealthy white population was their only meaningful market. The companies admitted, Mbeki said, that their "real problem is that what South Africa does in this area is a precedent for other developing countries." Gore, according to the U.S. government account, urged Mbeki's continued "cooperation with concerned U.S. pharmaceutical companies" to modify the new law.

The following summer, he spelled out why.

"You know, Thabo," he said in his West Wing office on Aug. 5, 1998, according to an authoritative account, "the American pharmaceutical industry . . . exerts an influential voice in political circles."

"Yes," Mbeki interjected. "All over the ***world***."

Gore told Mbeki he was "prepared to discuss parallel importing of medicines by South Africa," the term of art for buying a product in a country where its manufacturer sells it at lower cost. That practice, permitted under ***world*** ***trade*** rules, had been vigorously denounced by drug companies whose profits depended in part on setting widely disparate prices market by market. In return, Gore said, Washington would insist on the right of approval of such purchases.

"This is a tough one," Gore said, adding: "This issue has the potential to become a serious problem. . . . We know the agreement we are proposing sets the stage for a difficult sale to PhRMA. We are prepared to enter that fray and mix it up with them because we believe strongly that this proposal best addresses their needs for patent protections and people's needs for affordable medicines."

In the year that followed, Gore's office and other federal agencies exerted far more leverage on the South Africans than on the drug industry. Early in 1998, the industry's local umbrella group filed suit against the Medicines Act in South African courts. The principal U.S. interlocutor to the drug industry, who declined to be quoted by name, said he asked PhRMA representatives what conditions would allow them to accept parallel imports.

"They said no, we really just want you to hold the line and continue to pressure South Africa to terminate this law altogether," the ***trade*** official said. Government policy toward the industry, he said, entered a holding pattern of "watching the ***litigation***" and "hoping it would settle."

As for Mbeki, he did not reply to Gore on the spot. His government eventually rejected the offer.

"Politically our view was, the [courts and the ***World Trade Organization***] can resolve this issue," Frank Chikane, director general of Mbeki's office and his note-taker in the one-on-one meetings, said in an interview. "We said, 'No, no, no, we believe we are correct. You sell medicines to us here, the same product, labeled by the same company, but it's two times more here than in Botswana. Why should we not go in and pluck up the cheapest medicines we can?' The pharmaceuticals really wanted to strangle us on this, but we maintained our position."

Growing U.S. Pressure

Congress, always sensitive to pharmaceutical concerns, pressed the Clinton administration for still more action. Rep. Rodney P. Frelinghuysen (R-N.J.) sponsored a successful effort to cut off aid to South Africa until the State Department submitted a Feb. 5, 1999, report on the government's "assiduous, concerted campaign" to repeal the South African law.

Less than two weeks later came Gore's Cape Town warning to Mbeki about "strong and growing domestic pressure."

"He was presenting the U.S. concern because there is a substantive issue involved," said Gore's national security adviser, Leon Fuerth. "It was never presented with an attached threat. Mbeki knew there could be difficulties with this because of the way U.S. laws are structured and the way Congress works."

Some senior members of Mbeki's government felt otherwise.

"We put together a piece of legislation, and of course the pharmaceuticals take us to court," Health Minister Manto Tshabala-Msimang said in an interview in Pretoria. "What does America do? America puts us on the blacklist, saying we are not responsible ***trading*** partners."

Former ambassador to Washington Franklin Sonn, who left the South African foreign service in 1999, said there was "a lot of emotion" in the argument between the two governments. Sonn said he chaired a meeting requested by U.S. officials that brought pharmaceutical representatives to his embassy with then-Health Minister Nkosazana Zuma. "She was saying, 'I cannot afford this, and if you don't want to talk about prices we will buy elsewhere.' "

The Americans replied with such bluster, he said, that "I had to say, 'Don't! Don't speak to me like that in my own embassy. You are not scaring me.' "

The Showdown

Spring of 1999 brought a collision between the two-year-old U.S. ***trade*** policy and growing opposition on two fronts.

Inside government, senior policymakers--Fuerth and Gore among the earliest--began to focus in earnest on the stunning growth in AIDS in the developing ***world***. For the first time, internal debates broke out on the implications of pricing anti-retroviral drugs out of reach of a country where more than one citizen in five is infected with HIV and the rate of transmission has not yet peaked. Outside government, African American political leaders and AIDS activists converged on the issue.

In its annual review of intellectual property violators, the U.S. ***trade*** office--backed by the Commerce and State departments--proposed in March 1999 to escalate the dispute with South Africa to the "priority watch list." A step closer to formal sanctions, that designation is regarded as punitive in itself because it sends a no-confidence signal to foreign investors.

Gore's office combined forces with the National Security Council staff and public health authorities to quash that proposal.

By late May, Gore staff member James Babbitt, a career Army officer specializing in African affairs, had entered negotiations with South African embassy officials to find a formula for settling the dispute.

On June 10, Assistant U.S. ***Trade*** Representative Joseph S. Papovich met with pharmaceutical representatives in a final effort to reach compromise language. They held firm against any compromise on generics.

Four days later, Fuerth's office presented to Barshefsky a settlement deal under which South Africa would "reaffirm" its commitment to international patent laws, and the United States would withdraw objections to the Medicines Act.

The proposal sat unsigned in Barshefsky's office, with opponents still lobbying her to reject it.

June 16 brought Gore's carefully managed speech in Carthage, Tenn., announcing his run for the presidency. In guerrilla tactics that "blindsided us completely," according to one senior campaign official, AIDS activists infiltrated the crowd with noisemakers and banners concealed in their clothing. They hooted their derision for live television, and they repeated the performance the next day, and the next.

"We let them know we were going to keep coming, in very, very explicit ways," said Paul Davis of ACT-UP Philadelphia, who previewed the activists' theme of "medical apartheid" for campaign and government officials. By the time the disruptions reached the Hesser College gymnasium in New Hampshire, future Gore campaign manager Donna Brazile plunged into the crowd and asked Davis for his telephone number.

The same day, the long interagency ***trade*** battle came to a halt. Barshefsky signed the settlement proposal, and on June 21 Fuerth's office called the South African embassy seeking an appointment with Ambassador Sheila Sisulu "as a matter of urgency," according to diplomats there. Informed that the ambassador was out of town, Fuerth summoned the political and economic counselors in her place.

Fuerth, citing Gore's long efforts to settle the dispute, said in an interview that "we jolly well engaged in this long before the vice president was criticized" on the campaign trail. Those efforts were "moving towards closure at the same point the demonstrations began," he said. "You could draw the conclusion that it was the demonstrations that brought us to closure, and I'm not sure I can disprove that, but it is simply not true. We did this for the right reasons."

When campaign officials asked what was going on, "I told them what the situation was," he said. "Nobody leaned on me to hustle this thing along."

Damage Control

On June 22, the activists--including Davis, Love and Asia Russell of ACT-UP Philadelphia--had back-to-back meetings at the White House and at Gore 2000 headquarters, then on K Street.

Davis and Russell said Brazile took charge of political damage control, orchestrating an exchange of letters--completed in the next three days--in which Gore announced the change of policy to Rep. James E. Clyburn (D-S.C.) of the Congressional Black Caucus. Brazile declined to speak on the record for this article, but a campaign official speaking on her behalf said she did no more than point out to the activists that they should seek their answers from congressional allies such as Clyburn and the White House.

"You saw the pressure that Vice President Gore was under in this election year," Sisulu said. "It worked. The resolution, if it came as a result of that pressure, was good regardless."

Earlier this month, Clinton signed an executive order broadening and formalizing the agreement with South Africa to include any country in sub-Saharan Africa that attempts to regulate AIDS drugs as long as it meets the minimum requirements of the ***World Trade Organization***.

No such law is yet in effect in South Africa, where the drug industry case remains before the courts and generic AIDS drugs remain unavailable. The health minister, Tshabala-Msimang, said of Washington's change of policy: "That's what they say. I think they're not putting enough pressure on the pharmaceuticals."

Gore's subordinates complain of the bitter irony that they are blamed for a problem they took the lead to solve. Asked whether he had any regrets about two years lost to the dispute, Fuerth replied: "I try to look back as little as possible because of the necessity to look for enlightenment in its own time."

**Load-Date:** May 21, 2000

**End of Document**

[***Digest***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:5R5B-4JY1-DXXY-31R2-00000-00&context=)

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**Section:** A-SECTION; Pg. A10

**Length:** 665 words

**Body**

**MEDIA**

**Comcast drops Fox bid as Disney negotiates**

Comcast said Monday that it had abandoned its bid for most of the assets of 21st Century Fox, leaving Disney as the sole suitor in pursuit of the $40 billion-plus deal.

"When a set of assets like Fox's becomes available, it is our responsibility to evaluate if there is a strategic fit that could benefit our company and our shareholders. That is what we tried to do and we are no longer engaged in the review of those assets," Comcast said in a statement.

Disney and Fox did not immediately respond to requests for comment.

- Reuters

**MINING**

**Walker lifts Wis. ban despite critics' fears**

Gov. Scott Walker (R) signed a bill Monday lifting Wisconsin's moratorium on gold and silver mining, reversing his vote from nearly 20 years ago imposing the ban and brushing aside conservationists' warnings that the measure will lead to devastating pollution.

The governor signed the GOP-authored bill during a midday stop at the Rhinelander-Oneida County Airport in Rhinelander. The bill's supporters say lifting the moratorium will reenergize mining in northern Wisconsin and boost the region's economy.

Lawmakers from both parties put the ban in place in 1998 out of concerns about sulfide mining polluting Wisconsin's waters. Walker's spokesman, Tom Evenson, has said the governor believes that mining can be done without harming the environment, but he hasn't offered anything more to explain the governor's change of heart.

- Associated Press

**TECHNOLOGY**

**Apple removes MyEtherWallet app**

Apple said Monday that it had removed a paid iOS application from its App Store after MyEtherWallet, a free service for storing digital currencies, complained that the program was improperly using its name.

"This is NOT US," MyEtherWallet said Sunday from its official Twitter account.

The statement was a response to a tweet by someone identified as @ChrisLundkvist, who posted an image of a $4.99 app dubbed MyEtherWallet in which it was listed as the third-most popular finance app in the App Store.

Apple spokesman Tom Neumayr said MyEtherWallet had been removed from the store. He declined to say how many customers had bought the app or if Apple would provide refunds.

Jordan Spence, spokesman for MyEtherWallet, said that the developer had not detected signs that the iOS app was used to steal from people who had downloaded it but that the team was still investigating.

- Reuters

**Also in Business**

U.S. employers posted slightly fewer job openings in October than in the previous month, but the number of people being hired improved, the Labor Department said Monday. Nearly 6 million jobs were available at the end of October, down from 6.18 million in September. Manufacturers, retailers, wholesalers and the information sector advertised fewer jobs - an indicator of their possible intentions in the coming months. Total hires rose 4.4 percent to 5.55 million.

U.S. ***Trade*** Representative Robert E. Lighthizer said Monday that the ***World Trade Organization*** is "losing its essential focus on negotiation and becoming a ***litigation***-centered ***organization***." Lighthizer also said some members try to gain concessions through lawsuits that they could never get at the negotiating table. He spoke Monday at the WTO's ministerial meeting in Argentina.

Mattel warned of slumping holiday sales Monday after its debt was downgraded by the major credit-rating firms. The toymaker said in a securities filing that its fourth-quarter sales would be "negatively impacted" because of "certain underperforming brands" and because retailers were tightly controlling their inventories this holiday season. Those issues are why S&P Global and Fitch Ratings further downgraded Mattel's debt, which already was below investment grade.

- From news reports

**Coming today**

8:30 a.m.: Labor Department releases the Producer Price Index for November.

2 p.m.: Treasury releases the federal budget for November.

All day: Federal Reserve policymakers begin a two-day meeting to set interest rates.

**Load-Date:** December 12, 2017

**End of Document**

[***The Beef Over Bananas; Trade 'War' With Europe May Not Be as Alarming as It's Stacked Up to Be***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:3W41-J920-007D-J4M9-00000-00&context=)

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**Byline:** Paul Blustein, Washington Post Staff Writer

**Body**

Stiffen those upper lips, citizens, for the pain of battle is at hand.

No, we're not talking about the NATO bombing campaign in Yugoslavia, bloody though it may be. This is a different sort of conflict, in which Americans may have to sacrifice some sumptuous pleasures, such as Belgian chocolates, Scottish cashmere sweaters and French designer handbags. Those items are among a host of European products that the U.S. government has targeted for ruinously high duties because of transatlantic ***trade*** disputes. The list of goods that may be subject to duties also includes--horreur!--Roquefort cheese, truffles and pate de foie gras.

So summon your resolve and try not to dwell on the anguish that may befall customers at Dean & DeLuca and Sutton Place Gourmet.

Okay, okay, this is no time to be facetious. What's going on here, as described by major media ***organizations***--including this newspaper--is a "***trade*** war," a phrase that conjures up unpleasant memories such as the tit-for-tat protectionism that helped plunge the ***world*** into the Great Depression.

Specifically, the U.S. government imposed 100 percent duties early this month against a carefully selected list of European goods to punish the European Union for its discrimination against bananas sold by U.S. companies, and last week it issued another long list of threatened products, this time because of a dispute concerning the EU's ban on beef from cattle treated with growth hormones.

These developments are evoking some scary commentary, especially since they come at a time when other ***trade*** disputes are flaring--notably the U.S. steel industry's efforts to win protection from cheap imports, and another transatlantic spat over European airplane noise rules that recently prompted an angry U.S. House of Representatives to approve a bill potentially banning the Concorde from landing in the United States.

"Politicians seem to have forgotten the 1930s," the Economist magazine lamented in an editorial about the clash over bananas. Echoed the Wall Street Journal's editorial page: "The dangers of ***trade*** wars should be apparent by now." In the current issue of the National Review, an article warning of "every potential for historic disaster" is titled "Bananas Are the Beginning: A war brews between the United States and Europe."

Well, maybe. But it is possible to step back from the fray, take a deep breath and surmise that the current bout of ***trade*** disputes--while hardly trivial--is likely to produce less dire consequences than such hand-wringing would suggest.

For one thing, the $ 400 billion-plus in annual U.S.-European ***trade*** (which is hundreds of times the value of the goods on the target lists in the banana and beef rows) provides a healthy incentive for the two sides to avoid inflicting serious damage on each other, as does the fact that their militaries are fighting side by side in the Balkans.

To many ***trade*** experts at universities and think tanks, the latest developments in the ***trade*** arena are less alarming than they are illuminating about how the global ***trading*** system is evolving. These economists are usually among the quickest to decry threats to free ***trade***, but much of what has happened recently, they say, can be viewed as the inevitable strains of a relatively new system for governing international commerce.

J. David Richardson, a Syracuse University professor, said the transatlantic feud illustrates the "teething pains" of the process, established in 1995 with the founding of the ***World Trade Organization***, for resolving ***trade*** disputes between countries.

"There's always a chance for little things to flare into big things--for a minor toothache to kill the patient--but I would downplay the rhetoric," he said, chuckling at the notion that the ***trading*** system might be in danger. "When you consider the revolutionary changes that the new WTO system has brought, this kind of falling-out and struggle is entirely predictable."

The banana fight is the main case in point. The Clinton administration is mad because, it says, the European Union is failing to comply with a decision on the issue by an independent panel of the Geneva-based WTO. The panel ruled that the European banana-import system gave unfair market advantages to bananas from former European colonies, at the expense of Chiquita Brands International Inc. and Dole Food Co.

Before the WTO's creation, the Europeans might have ignored such a ruling with impunity. Countries could lodge complaints against each other under the General Agreement on Tariffs and ***Trade***. But the system was often hopelessly ineffective at enforcing the international rules that are supposed to keep ***world*** ***trade*** from falling into anarchy and protectionism. That's because a country found to be violating those rules had the right to "veto" the judgment and walk away with nothing injured but its pride. Often, that's just what happened.

The WTO was designed to correct that problem. The decisions of its independent panels are binding. ***Trade*** economists, including Clinton administration officials, praise it for generally working as expected. More than 100 complaints have been filed with the ***organization***, including 44 by the United States, and in most cases so far the administration has either won a decision or claimed victory because of a satisfactory settlement. Four countries have lodged complaints against Washington and won.

But now the imbroglios over bananas and beef suggest that the system is far from perfect at keeping disputes from boiling over. The Europeans charge that the U.S. side's quickness to resort to sanctions is precisely the sort of unilateral bullying tactics the new system was supposed to prevent.

To which American officials retort: Europe's behavior caused the whole mess in the first place.

When the Europeans lost the WTO banana decision last year, after lengthy ***litigation***, they changed their banana-import system only superficially (or so Washington alleges) and then suggested airily that if the Americans still weren't satisfied, they could bring yet another WTO case.

On beef, Europe is balking at allowing hormone-treated meat into its market despite a WTO ruling last year that there is no scientific basis for banning such meat on health and safety grounds. Public pressure is strong in Europe to keep meat hormone-free, and EU officials have offered to settle the dispute by allowing the sale of more U.S. beef that isn't treated with hormones--a compromise scorned as meaningless by American ranchers, who say they don't sell such beef anyway. (Negotiations continue over a possible plan to label the hormone-treated beef in European supermarkets.)

"A threat to the ***world*** ***trading*** system is arising because Europe refuses to comply" with WTO rulings, said Charlene Barshefsky, the U.S. ***trade*** representative. "If Europe refuses, what will smaller countries do? What will countries in economic extremis do?" She added icily: "We have had no problems of this kind with any country other than Europe, and it's worth noting that bananas and beef are the first two cases the Europeans have lost under the system."

For all the barbs flying across the Atlantic, ***trade*** specialists agree much of the problem could be cleared up with a fairly simple amendment to WTO rules so that when a country wins a case, it can be sure of getting swift redress. There is little opposition in principle to such a rule change among WTO members, though it could take years to finalize.

J. Bradford De Long, an international economist at the University of California at Berkeley, also takes comfort from the fact that both sides are accusing each other of being unfaithful to WTO principles. He cited a 17th-century epigram that "hypocrisy is the homage vice pays to virtue."

"At the moment, what's happening is that people are falling into vice and saying to the others, 'You ought to be virtuous.' " The time to worry, he said, is when people stop paying lip service to virtue.

All this is not to say that the outlook is entirely rosy for fans of the free-***trade*** system.

Congress appears unlikely to approve President Clinton's request for "fast track" authority to negotiate new ***trade***-opening deals, and plans to create free ***trade*** zones in the Asia-Pacific region and the Western Hemisphere have stalled.

Moreover, the House's strong approval of a bill this month to roll back steel imports to a fixed level was widely interpreted as symbolizing an erosion of support for free ***trade*** in the American body politic. The House ignored White House admonitions that such import quotas would clearly violate WTO rules, preferring to boost the cause of a steel industry beleaguered by layoffs and bankruptcies.

But here again, the ominous portents for free ***trade*** probably shouldn't be exaggerated.

House backers of the steel-quota bill cast their votes knowing it stands virtually no chance of becoming law, given stiff opposition in the Senate and a White House veto threat. The most likely outcome now is passage of an administration-backed bill that would make it easier for industries to get temporary relief from sudden surges of imports such as the one that has hit steel. Even some free-***trade*** advocates concede that the idea has merit.

The chances for a real, 1930s-style ***trade*** war can never be completely dismissed, of course. Transatlantic relations could worsen dramatically if, say, the airplane-noise controversy rages out of control and ends up with a U.S. ban on the Concorde that inflames anti-American sentiment in Europe.

But on Friday, chances for a compromise on that issue were brightening, according to Transportation Secretary Rodney E. Slater--just what might be expected from two superpowers with enormous stakes in maintaining reasonably friendly ties. It's a pattern that many people in the business of importing and distributing foreign goods have seen before.

Rick Cohen, general manager of Potomac Posh Products, a Maryland distributor of gourmet foods including imported cheese, shrugged off a question about whether his firm would be hurt by the sanctions looming in the banana and beef cases.

"They talk and they talk and they talk," he said, "and then six months later, when a crisis is about to happen, they make an arrangement, and the tariffs fall through."

Food War Fowls Tongue

U.S. Has a Cow Over Beef

Columbus Dispatch

U.S.-EU Lock Horns Over Beef

USA Today

U.S. Beef Over Bananas Splits Senate

Agence France-Presse

U.S. Chewing Out Europe Over Beef

Memphis Commercial Appeal

***Trade*** War Over Beef Sizzling

Augusta Chronicle

An Appetite for Banana Split

Scotsman

It has been a tough month for American consumers

with a taste for Europe.

Associated Press

The United States opened a new flank

in its ***trade*** war with Europe

London Times

Canada Won't Be Playing Chicken

With the U.S. Government Over Giblets

Ottawa Citizen

European Targets

Among the European goods on which the United States has imposed 100 percent duties provisionally, as described by the Office of the U.S. ***Trade*** Representative:

Meat of swine, other than hams, shoulders, bellies (streaky) and cuts thereof, slated, in brine, dried or smoked.

Sweet biscuits; waffles and wafers.

Bath preparations, other than bath salts.

Handbags, with or without shoulder straps or without handle, with outer surface of sheeting of plastics.

Lithographs on paper or paperboard, not over 0.51 millimeters in thickness, printed not over 20 years at time of importation.

Sweaters, pullovers, sweat shirts, waistcoasts (vests) and similar articles, knitted or crocheted, wholly of cashmere.

Lead-acid storage batteries other than of a kind used for starting piston engines or as the primary source of power for electric vehicles.

Bed linen, not knit or crochet, printed, of cotton, not containing any embroidery, lace, braid, edging, trimming, piping or applique work, not napped.

Electrothermic coffee or tea makers, for domestic purposes.

**Graphic**

IG,,RANDY MAYS FOR TWP

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**End of Document**

[***U.S. Farmers Get a Lesson In Global Trade; Cotton Ruling Demonstrates WTO's Power Over Markets***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4C86-R5H0-TW87-N329-00000-00&context=)

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**Byline:** Paul Blustein, Washington Post Staff Writer

**Body**

It took Texas cotton farmer George Hoelscher a few minutes yesterday to get his mind around the news that a panel of judges sitting in Geneva, Switzerland -- one from Poland, one from Chile and one from Australia -- had issued a ruling that threatened his livelihood.

But upon learning that the judges were with the ***World Trade Organization***, and that they had ruled U.S. cotton subsidies to be in violation of international ***trade*** rules, Hoelscher began to perceive some dark truths.

"We're losing our sovereignty in a lot of ways," said Hoelscher, who farms 1,200 acres of cotton near Corpus Christi and collects up to $15,000 a year in federal subsidies, depending on prices. "This is one more way, having these people dictate to us, along with the United Nations and so forth."

Hoelscher and the rest of the nation's 25,000 cotton farmers are getting a rude introduction to the rules of the global ***trading*** system, courtesy of the decision issued Monday by the Geneva-based WTO in a case brought by Brazil against the United States. The WTO panel, in a potentially major blow against the farm-subsidy programs run by rich nations, found that federal payments to cotton farmers unfairly depress ***world*** cotton prices.

By hitting the interests of people deep in America's heartland, the ruling drove home the fact that, as a member of the nine-year-old WTO, the United States has to bow to the ***organization***'s decisions -- even when, as in Monday's case, those decisions go against laws approved by the U.S. Congress. In return, the United States gets to use the WTO to pry open other countries' markets to U.S. goods and make them abide by the rules agreed upon among the 147 member countries.

It is a ***trade***-off that even defenders concede involves some sacrifice of self-determination, just like any international treaty involving, say, the banning of biological weapons or nuclear bomb tests. The payoff for the United States, WTO supporters contend, is that other countries accept constraints on their sovereign powers as well -- and the value of those constraints far exceeds what Washington gives up.

"You can't have a workable set of international rules unless the biggest player in the system is willing to play by them," said David Rothkopf, a former top Commerce Department official in the Clinton administration. "What it assures us is that other countries won't do bad things to us" -- no small matter, he added, "since 95 percent of the ***world***'s consumers live someplace other than the United States."

WTO officials often emphasize that their ***organization*** can't force any member government to change its laws or regulations, and technically that's true. When one country wins a WTO case against another, the loser has a choice: It can eliminate the offending law or practice, it can pay compensation to the winner, or it can accept the imposition of duties against its products by the winner.

In one big case that the United States won, for example, the WTO ruled illegal the European Union's ban on imports of hormone-fed beef, and when the EU refused to open its market anyway, Washington slapped tariffs on a host of European goods.

In the cotton case, it is far from clear that the ruling will make Congress change its subsidy program, which paid American farmers about $4 billion in the crop year that ended July 31, 2002. The full WTO ruling hasn't been released, and it is subject to appeals that could take until the end of this year. "There is no immediate impact on our farm programs," Allen F. Johnson, the chief agriculture negotiator at the U.S. ***trade*** representative's office, said in a conference call with reporters.

But U.S. officials put high priority on compliance with WTO decisions even when they lose because the whole idea of creating the WTO, from Washington's standpoint, was to establish a global ***trade*** body with teeth. Before the WTO's founding in 1995, countries often ignored rulings by the General Agreement on Tariffs and ***Trade***, which under the GATT's rules they were allowed to do.

So now that a stronger ***world*** ***trade*** arbiter exists, concerns about sovereignty have been amplified, just as they were when the North American Free ***Trade*** Agreement was established. One of the most controversial elements of NAFTA allows special tribunals to protect the rights of investors from member countries -- giving a Canadian or Mexican company operating in the United States, for example, the right to seek compensation for the cost of complying with state environmental regulations that are found to violate NAFTA rules.

Those sorts of issues have galvanized critics of ***trade*** agreements to argue that the pacts compromise the rights of countries to set their own rules and regulations, although left-wing critics acknowledged that Monday's WTO ruling generally pleased them. U.S. agricultural subsidies, they agree, unjustly enrich a small number of farmers and cause overproduction of crops, which get dumped on ***world*** markets and drive down prices, depriving peasants in poor countries of income.

"The WTO compromises U.S. sovereignty -- there's no question about that. At the same time, we're not in all cases opposed to it," said Jason Mark, a spokesman for Global Exchange, a San Francisco-based group. "Our problem with the WTO is that when it compromises U.S. sovereignty, it does so in a framework that only takes into account economic issues, or market values. Other values, like environmental protection, or human rights, or social justice, are left at the door."

In the very first case that the United States lost in the WTO, for example, the ***trade*** body ruled in 1996 that certain U.S. clean-air regulations unfairly discriminated against gasoline imported from Venezuela. Washington has lost 22 cases brought by other countries, according to the Web site of the U.S. ***trade*** representative's office.

But Washington has won an equal number of cases that it has brought against other countries, plus 21 more that were "resolved to U.S. satisfaction without ***litigation***," according to the Web site.

These forced the elimination of foreign practices that kept American fruit out of the Japanese market, for example. Another decision went against Canada's subsidies for dairy farmers, which Washington said was leading to the dumping of cheap Canadian milk in the U.S. market -- a case remarkably like the one involving cotton, except with the United States in the role of complaining party.

Boosters contend that the WTO, by creating an enforceable system of rules, keeps ***trade*** disputes from degenerating into destructive ***trade*** wars. "You do give up some freedom of action," said Edward Gresser, a ***trade*** expert at the Progressive Policy Institute. "But we get foreigners to make the same sort of promises to us." As an illustration, he cited China, which joined the WTO in 2001.

"In 2000, American cotton farmers earned $46 million from selling cotton to China," Gresser said. "In 2003, they earned $733 million from selling cotton to China, and in just the first two months of 2004, they earned $428 million. This is because the Chinese agreed to join the WTO, and made a series of promises to open their markets to the ***world***'s cotton. So [even for] cotton farmers, there's a pretty big payoff in our being a member of this ***organization***."

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**End of Document**

[***Stubbing out cigarette branding***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:59PT-T1T1-JBFW-C3CD-00000-00&context=)

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**Distribution:** Every Zone

**Section:** A-SECTION; Pg. A13

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**Byline:** Howard Schneider

**Body**

Marlboro cigarettes' red-and-white box and distinct typeface created one of the ***world***'s most powerful brands - by some estimates, one of the 10 mostrecognized consumer products.

In Australia, the red chevron is now taboo. Since the start of the year, Marlboro packages have had "drab" wrappers, which have been mandated for all cigarettes - a warning label at the top of the pack and a picture of a gangrenous foot or rotting gums in the middle. Customers can find the brand name snuggled at the very bottom, in nondescript type.

For an industry that has thrived off effective marketing, from the rugged mystique of the Marlboro Man to the women's lib appeal of Virginia Slims, Australia's new "plain packaging" rules are a further sign of how the tide has turned.

"Much of this industry is about image. It is not about tobacco," said Robert Stumberg, a Georgetown University law professor who has followed tobacco ***litigation*** and regulation around the ***world***. For tobacco companies, Australia's rules and similar proposals "get to the heart of their ability to market their products."

With an estimated half-trillion dollars in annual sales, tobacco remains big business despite the regulatory backlash over the health impact of its use. The Australian rules are the strictest in the ***world***, a step beyond regulations adopted in the United States and Europe and under consideration elsewhere. They dictate virtually 100 percent of the colors, images and words used in packaging cigarettes and cigars and have become the subject of an intensifying fight by tobacco companies to hold onto some vestige of brand control.

The companies have joined with a handful of developing nations, including Indonesia and Honduras, that share an economic stake in tobacco branding and are fighting Australia's rules. If the popularity of Camels is threatened by the lack of a camel on the label, high-end Cuban cigars may be just as much at risk if they come wrapped in grisly images instead of a classy wooden box.

**A fight on many fronts**

That's what Australia has demanded, and it has touched off a war being fought in domestic courts, at a Geneva-based agency that enforces ***world*** ***trade*** treaties and through obscure arbitration panels working out of ***organizations*** such as the ***World*** Bank.

Anti-smoking activists regard Australia's new rules as a bellwether in their drive to eliminate tobacco advertising and branding of all sorts. The companies have mustered an array of arguments in response: that the restrictions violate free speech, "expropriate" the value of carefully created trademarks, go against international free-***trade*** obligations and won't achieve the intended regulatory aim.

Philip Morris Asia spelled out the stakes in a ***trade*** case filed by its Hong Kong branch under the terms of an investment treaty between Hong Kong and Australia.

Without its branding, "Philip Morris' products will not be readily distinguishable to the consumer from the products of its competitors . . . . [Philip Morris] will be reduced to the manufacturer of an effectively undifferentiated commodity."

The fight has other implications. The challenge brought against Australia at the ***World Trade Organization*** in Geneva will be one of the more direct instances in which a nation's local health rules are attacked on the basis of its obligations under international ***trade*** treaties.

Free-***trade*** agreements often include measures to prevent countries from using regulations as a back-door way to limit imports. But they can also exempt rules meant to protect public health or achieve other goals.

Australia is being challenged under several treaties, setting the stage for a long and highly technical battle over whether the hit taken to the intellectual property of tobacco companies is warranted in light of public health gains.

In the end, Stumberg and other legal analysts said, the case could turn on issues such as whether the plain packaging rules can be shown to reduce tobacco use or simply cause consumers to change the types of cigarettes they buy as brand identity and loyalty weaken.

The issue has also figured into U.S. ***trade*** talks with Europe and a group of Asian nations, with U.S. negotiators trying to reconcile the domestic demands of tobacco-state politicians with calls to guarantee that national tobacco-control efforts cannot be weakened by free-***trade*** agreements.

Anti-smoking activists say that whatever the outcome, the tobacco industry is at least buying time as the case against Australia moves through the WTO's often slow process.

New Zealand and Britain recently delayed new packaging rules, in part to see how Australia's effort pans out. By law, the United States is supposed to introduce new packaging rules that include the same sorts of graphic images used in Australia and other countries. That step has been delayed by ***litigation*** in U.S. courts and is pending with the Food and Drug Administration.

The European Union recently doubled the size of tobacco warnings to cover 65 percent of the package but left it up to individual countries to decide whether to make even stricter rules. Ireland has said it will do so.

**Unusual alliances**

The fight has set up some strange alliances. Communist Cuba finds itself on the same side as some of the ***world***'s most prominent capitalists - the major tobacco companies - in an effort to keep tobacco branding alive.

The companies are helping underwrite the legal expenses for Honduras, the Dominican Republic and others in the WTO challenge of Australia. On the other side, New York Mayor Michael R. Bloomberg (I), a prominent advocate of tougher tobacco laws, has helped pay the legal expenses for Uruguay to defend its strict packaging rules against a challenge tobacco companies have brought under an investment treaty that the country has with Switzerland.

Ukraine has filed its own WTO challenge, though it is not clear why. The country does not export tobacco products to Australia, although it does have cigarette factories owned by Philip Morris International and British American Tobacco.

Health officials, lawyers, activists and others following the cases see the industry's response as a sign of how important the packaging issue has become. Limits on tobacco advertising have expanded steadily since the 1960s, with a U.S. ban on television advertising in effect since 1971. The package is among the final remnants of marketing efforts that were tied closely to the rise of television and American cultural trends in the 1950s and 1960s.

In many countries, packages are already dominated by warnings and images showing the health effects of smoking, so the fight has been reduced to control over enough space to at least nominally mark the package with familiar colors and shapes.

Before this year, about two-thirds of the front of a cigarette pack in Australia was available for brand names and logos.

Now, according to documents filed at the WTO, the packages must all be "drab dark brown" and can contain "no other colors, logos, or brand features visible on the package, other than the brand . . . in a standard form and font."

And, of course, a big picture of a tumorous tongue.

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**End of Document**

[***Bush Sets a Deadline On Trade Pact Powers***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:43KX-21Y0-010F-908F-00000-00&context=)

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**Byline:** Mike Allen and Amy Goldstein, Washington Post Staff Writers

**Body**

President Bush set a new deadline for Congress yesterday, saying he wants additional power to negotiate ***trade*** deals in time for a ***World Trade Organization*** conference that begins Nov. 9.

At the same time, Bush and his aides continued to lobby lawmakers in an effort to find common ground on the contentious issue of patients' rights, focusing on how easily disgruntled patients could sue their health plans. Sponsors of a House measure that the White House opposes said the president still had not moved far enough toward allowing such lawsuits in state courts.

White House press secretary Ari Fleischer said Bush agreed during a meeting with Sen. Charles E. Grassley (R-Iowa) that it is crucial for the president to have "fast-track" ***trade*** negotiating authority in time for the WTO's ministerial conference in Qatar, which could launch a new round of global ***trade*** talks.

***Trade*** promotion authority, which lapsed in 1994, would allow the administration to negotiate deals that then must be passed or rejected by Congress without amendments. Bush told student leaders from Future Farmers of America that he is eager to "work with Congress to get a ***trade*** promotion authority bill out pretty darn quickly."

"I'm asking Congress to give it to me for the good of the American people, for the good of the agricultural sector, so that I can use my efforts to knock down the ***trade*** barriers, the protectionist tendencies around the ***world*** that prevent our products from getting into markets," Bush said.

Bush met with Grassley and Sen. Max Baucus (D-Mont.), who has continued to push for protections for labor and the environment as part of a deal for increasing the president's negotiating power. Grassley said he sees a 60 percent chance both chambers will pass the bill in time for Qatar.

"What worries me about Democrats' solutions on labor and environmental issues is that for every Democratic vote it picks up, you lose one Republican vote," Grassley said.

Fleischer said the pursuit of fast-track authority is an example of how Bush, who has been accused by Democrats of having isolationist tendencies, "is involved multilaterally in developing proposals that can be supported around the ***world***."

Bush, meanwhile, continued to pursue a compromise on managed-care regulations in the House. Republicans postponed a vote this week because they lacked the votes to pass protections the White House considers acceptable. House Speaker J. Dennis Hastert (R-Ill.) has said he intends to bring the issue to a vote next week.

In the morning, Bush telephoned Rep. Charles Whitlow Norwood Jr. (R-Ga.), a main sponsor of the bipartisan legislation the president has said he would veto, mainly because it grants patients more ability than the administration wants to sue health plans -- and to be awarded large sums of money if they win.

The five-minute conversation came a day after Bush held a private meeting with Norwood, in which the president proposed a new way of handling ***litigation*** that goes significantly beyond the approach contained in a patients' rights bill that the White House has endorsed, sponsored by Rep. Ernie Fletcher (R-Ky.).

The new proposal would create a federal law defining the ground rules and limits on damage awards for ***litigation*** against health maintenance ***organizations***, but it would also apply those rules to suits that are filed in state courts. The proposal would not permit more state suits against employers who pay for health insurance.

Sen. John Edwards (D-N.C.), a chief sponsor of a patients' rights measure resembling Norwood's that recently passed the Senate, said Bush's new proposal was "not workable." He said it would require state judges to learn federal law, and to apply rules for HMO lawsuits that would be different from those for all other malpractice cases in their courts.

Rep. John D. Dingell (D-Mich.), with Norwood a chief sponsor of the bill, said of Bush's offer: "We're not rejecting it, but we're assuredly not accepting it."

Negotiations between White House and congressional staff members are scheduled to continue this weekend.

Staff writer Juliet Eilperin contributed to this report.

**Load-Date:** July 28, 2001

**End of Document**

[***U.S. Importers Lobby for Relief; Coming Trade Sanctions Stir Forces Here and in Europe***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:40N5-2940-00RP-M41G-00000-00&context=)

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**Section:** FINANCIAL; Pg. E01

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**Byline:** John Burgess , Washington Post Staff Writer

**Body**

So will it be goose liver, truffles, hair clippers or tomato powder that feels the wrath of U.S. ***trade*** diplomacy in the next six months? Or fancy fizzy water, or chewing gum that has no cocoa? Or motorcycles with engines under 500 cubic centimeters?

On Friday, the Office of the U.S. ***Trade*** Representative hopes to publish a list of European products that will be slapped with 100 percent import duties. The idea is to price them out of the American market, thereby putting pressure on Europe to settle long-running disputes over ***trade*** in beef and bananas.

And ever since May, when the USTR published a list of products that are possible targets, Americans who import at-risk goods have been anxiously trying to ensure that someone else's item gets hit with the extra tariff.

Go after Dutch tomatoes and 50 warehouse workers in the Bronx will lose their jobs, a New York produce company argues. Tax light and easily air-freighted items and our profits take a dive, United Airlines contends. Hit oats and you're unfairly punishing more than 2,000 small feed mills, a ***trade*** association says.

Four hundred letters and briefs making such arguments landed at the USTR last month, supplemented by countless phone calls and face-to-face meetings. Add to that pleas from half a dozen other federal agencies, members of Congress and several European governments, and the result is one of Washington's more delicate decisions. "Three-level chess" is how USTR General Counsel Robert Novick describes it.

Sanctions are the last resort of dispute resolution in the international economy, the ***trade*** ***world***'s equivalent of destroying a village in order to save it. In the cause of furthering free ***trade***, countries diminish it for a while. The idea is to shake up politically powerful industries in the target country, leading them to knock on the doors of their government to lower the barriers that caused the dispute.

But it's a reality of international economics that sanctions also mean pain for the country that imposes them. For every European product on the list, there is some U.S. importer that will have to stop stocking it and some consumer who'll have to pay a much higher price for it--or do without entirely.

***Trade*** officials say that in drafting the list, they try to minimize the economic impact in the United States by hitting products that can be bought from other countries at a comparable price. And they go after luxury products--a tip of the hat to populist notions that it's all right to inconvenience the rich, but not ordinary Americans.

The sanctions grow from ***trade*** complaints that the United States filed at with ***World Trade Organization***. U.S. officials contend that Europe illegally refuses to import hormone-treated beef and discriminates against bananas sold by American companies. After extensive ***litigation***, the WTO ruled in the United States' favor and last year authorized it to apply more than $ 300 million in sanctions.

Duties went into effect against an earlier list of products starting in the spring of 1999, but the Europeans haven't budged. Congress this spring ordered up a new system it thinks will increase the pressure. Every six months, the USTR must revise the list to better spread the pain around.

It's unclear whether that will work, but so far there's no doubt that the system is a boon for ***trade*** lawyers and lobbyists, who every six months will file papers and make visits on behalf of their clients--and run up billable hours in the process.

A representative of McCormick & Co., the spicemaker based in Sparks, Md., made the case that trying to lock out Spanish tomato powder would backfire. Spanish powder is in a class of its own, he argued in a filing; many customers insist on it: "McCormick would have no choice but to continue importing from Spain. Any increased duties would solely burden U.S. interests, specifically McCormick."

United Airlines filed, too, lobbying to keep confectionery cough drops and cut flowers, among other things, off the list. These and other products move by air, it pointed out, raising the specter of United jets flying home from Europe with empty cargo holds. "The profitability of United's overall trans-Atlantic operation will suffer if these items are priced out of the market," it said.

Coffeemakers are currently under sanction, even though they have nothing to do with beef and bananas, complains the Association of Home Appliance Manufacturers. Now hair clippers are under consideration.

"What influence can Wahl Clipper or its subsidiaries have on the government of Germany in a dispute about beef hormones?" asks Charles Samuels, government relations counsel for the association, citing one of its member companies. Moreover, while mentioning that Wahl is a family-owned business, he notes that the company recently bought a German company and wouldn't be able to import into the United States from that plant.

In drafting the list, the USTR also must balance the concerns of other agencies. The State Department, one ***trade*** official said, tends to worry most about the negative political impact of sanctions. The USTR must also hear out diplomats from the target countries who came in to argue behind closed doors for one product or another.

That the European Union is the target adds yet another level of complexity. It's a bloc of 15 countries that are treated as one in ***trade*** policy. Yet some of the countries in the EU are more sympathetic to the U.S. position than others. So, should products from sympathizers be exempted from the duties? Or if they're politically influential at EU headquarters in Brussels, shouldn't they be hit regardless?

France figures it absorbed roughly 30 percent of the sanctions from the last list even though it accounts for only about 12 percent of European ***trade***. In talks with U.S. officials, France has argued that the sanctions are wrong, but that if they are going to be levied anyway, it is unfair to give France such a burden.

**Load-Date:** July 5, 2000

**End of Document**

[***U.S. Sets Duties on Softwood; Talks With Canada Fail to Resolve Sharp Trade Dispute***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:45DN-4870-010F-94V2-00000-00&context=)

The Washington Post

March 23, 2002 Saturday, Final Edition

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**Section:** FINANCIAL; Pg. E01

**Length:** 890 words

**Byline:** DeNeen L. Brown, Washington Post Foreign Service

**Dateline:** OTTAWA March 22

**Body**

The U.S. Department of Commerce today set duties as high as 29 percent on many shipments of softwood lumber from Canada, after negotiations between Canada and the United States broke off Thursday.

Canadian ***trade*** minister Pierre Pettigrew called the U.S. ruling "obscene," while U.S. officials said the Canadians had been unwilling to accept reasonable proposals during talks to settle their bitter decades-old dispute over softwood lumber, which is used in construction.

Canada sells the United States about $ 6 billion worth of the softwood annually. The U.S. government has accused Canada of "dumping" subsidized softwood lumber in the United States, that is, selling it at illegally low prices, thereby hurting the U.S. industry.

Canada denies the accusations, saying its exports are not subsidized. It argues that, by putting up import barriers, the United States is violating rules of free ***trade*** and raising the cost of new homes in the United States.

In order for the duties to be collected, the U.S. International ***Trade*** Commission must rule that the U.S. industry has been hurt by the imports. It is scheduled to make a ruling in May.

Pettigrew, who flew back to Ottawa today after talks broke down in Washington, said the duties would affect the lumber industries in both the United States and Canada.

"I find the final determination of 29 percent obscene," Pettigrew said at a news conference in Ottawa. "I'm sorry that the American administration did not find the nerve to confront its protectionist softwood lumber producers.

"I'm sorry for Canadian workers and their communities who will have to live with these punitive measures," he said. "I'm sorry for American consumers. I'm even sorry for American producers because in the long run, it will help them become less productive."

Canadian Prime Minister Jean Chretien, on a visit to Mexico, said Canada would challenge the ruling before international ***trade*** dispute panels. "We have a very good case in front of [the] WTO and NAFTA panel," Chretien said, referring to the ***World Trade Organization*** and the North American Free ***Trade*** Agreement.

U.S. officials said U.S. negotiators introduced a number of proposals on Thursday but were unable to resolve differences as the clock ticked toward the midnight deadline.

U.S. Sen. Max Baucus (D-Mont.) said U.S. officials had negotiated in good faith. "Free ***trade*** must be a two-way street to be viable, and the United States is tired of being taken advantage of by Canada's forestry policy," Baucus said during a news conference.

Rusty Wood of the Coalition for Fair Lumber Imports, which represents about 70 percent of U.S. softwood lumber manufacturers, said today: "As late as 9 o'clock last night, we and our government made a new and very creative offer, and it was rebuffed." U.S. lumber producers say Canadian lumber is putting U.S. sawmills out of business.

Some Canadians and U.S. critics of the duties said today that the duties would drive up the price of new housing and harm the U.S. economy.

"Lumber is the most important material going into homes," said Michael Carliner, an economist for the National Association of Home Builders, which represents about 2,000 U.S. firms. "The U.S. does not have the capacity to provide the lumber we need for our housing demand -- because we don't have enough trees. We are heavily reliant on imports."

U.S. objections focus on "stumpage" fees, money that lumber companies pay for the right to cut trees. U.S. companies contend that Canadian companies pay artificially low stumpage fees to cut lumber on Canadian government land. The United States says that amounts to a government subsidy.

In the United States, lumber is generally cut on private land, whose owners charge higher fees. Canadian officials say their country's stumpage fees are within the bounds of ***trade*** rules.

Andre Lemay, a spokesman for Canada's Department of Foreign Affairs and International ***Trade***, said that in the talks that ended Thursday, Canada had objected to U.S. proposals concerning a "transitional export tax" that the Canadian government would collect on softwood lumber. Such a tax would have the effect of reducing Canadian exports by making them more expensive.

A U.S. ***trade*** official, who spoke on background, said that such a tax was viewed as a temporary measure to allow certain Canadian provinces to make changes in their lumber procedures.

"Ultimately what Canada was looking for was guaranteed unfettered access to the U.S. market. You can call that free ***trade***, to avoid a [***trade*** tension] situation in three or four, five years' time. The U.S. was not in favor of unfettered market access," Lemay said.

A U.S. Commerce Department official said the United States wants to press ahead to reach a resolution. "I don't think it is fair having characterized [the talks] as having collapsed," the official said. "We made good progress. Ultimately we weren't able to bridge all the differences together."

"The U.S. goal remains an open and competitive market for North America," said another U.S. ***trade*** official, who spoke on background. "We remain unwavering in our commitment to find a durable solution to 20 years of ***litigation***."

Today's ruling by the Commerce Department would exclude from duties certain companies and provinces, including those known as the Maritime Provinces.

**Load-Date:** March 23, 2002

**End of Document**

[***U.S. Hints It Will Sue EU Over Altered Crops; Complaint About Food Ban Would Go to WTO***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:47N4-K2B0-010F-91KN-00000-00&context=)

The Washington Post

January 10, 2003 Friday, Final Edition

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**Section:** FINANCIAL; Pg. E01

**Length:** 803 words

**Byline:** Justin Gillis and Paul Blustein, Washington Post Staff Writers

**Body**

U.S. ***Trade*** Representative Robert B. Zoellick said yesterday that he strongly supported filing an international ***trade*** case against the European Union for its refusal to accept genetically modified food, throwing down a gauntlet on one of the touchiest issues in relations between the United States and Europe.

Zoellick's remarks, at a news conference in Washington, signaled that the United States is likely to bring suit against European governments in the ***World Trade Organization***, perhaps within weeks. Such a suit, long favored by American farm and corporate interests and by lawmakers on Capitol Hill, would seek to overturn a moratorium on gene-altered plants, such as corn and soybeans, that was adopted by European governments four years ago during a consumer backlash against the crops.

A suit would be the Bush administration's strongest response to date to anti-biotechnology sentiment in Europe, and experts on both sides of the Atlantic regard the government's legal argument as compelling. "I tend to think the U.S. government probably has a pretty good case," said John H. Jackson, a specialist in international law at Georgetown University.

Yet there is concern in some quarters that a suit could stir up European public opinion against the United States -- and possibly even set off a wider ***trade*** war, prompting the European Union to impose sanctions in unrelated ***trade*** battles. And it is far from clear that even a successful legal case would open European markets to foods made with gene-altered crops, because resistance among European consumers is perceived to be overwhelming.

In essence, Zoellick would be arguing that anti-biotech rules in Europe are a response to unreasonable public fears, not to meaningful scientific research, and therefore represent ***trade*** discrimination against U.S. agricultural products. He said yesterday that he was deeply concerned that European resistance to the technology appears to be influencing the ***trade*** policies of other nations, even of African governments that have turned down genetically modified American grain meant for starving people.

"I don't see things getting improved," Zoellick said. "Instead I see something extremely disturbing: the European anti-scientific view spreading to other parts of the ***world*** -- not letting Africans eat food you and I eat, and instead letting people starve." He called this "immoral" and described the European view of biotechnology as "Luddite," a reference to the English workers who smashed machines to save their jobs at the beginning of the Industrial Revolution.

Zoellick's counterpart in the European Union, Pascal Lamy, told reporters yesterday that the issue should be settled through negotiation instead of ***litigation***, adding that a ***trade*** suit would make finding a solution "more complex."

But he added: "If there was to be ***litigation***, of course we would fight it, and I believe we would win it."

Genetically modified crops have become widespread in North America since the mid-1990s, accounting for half or more of the U.S. and Canadian acreage of some row crops. Generally, these plants have been altered in ways that help them resist insects or weeds. Gene-altered corn, soybeans and canola, or ingredients made from them, appear in a large majority of the products on American grocery shelves.

Though environmental groups oppose the crops, and some controversy lingers in this country, the Agriculture Department, the Food and Drug Administration, and the Environmental Protection Agency have declared the existing crops safe for human consumption and safe for the environment. American companies are working on many new varieties of gene-altered plants, including some that promise improved nutrition.

The situation in Europe is different. A series of food disasters there, involving problems such as "mad cow" disease being passed to humans through food, was followed in the late 1990s by a fierce controversy over genetic manipulation of crops. Nearly every European government adopted labeling laws and imposed moratoriums on the crops, costing U.S. farmers at least $ 300 million a year in export revenue.

U.S. interests contend that the European crackdown is not based on legitimate scientific concerns, as it must be under ***World Trade Organization*** rules, but simply on public fear. While acknowledging that they will never be able to force European consumers to buy foods they don't want, some American companies want to test whether consumer resistance across the Atlantic is really as strong as perceived.

"Biotech companies would be happy to have their products put to that kind of test," said Val Giddings, vice president of food and agriculture for the Biotechnology Industry ***Organization***, a ***trade*** group in Washington. "Get ***trade*** barriers out of the way and see what consumers really do."

**Load-Date:** January 10, 2003

**End of Document**

[***A Straightforward Trade Dispute***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4FXN-6S10-TW87-N2YX-00000-00&context=)

The Washington Post

April 12, 2005 Tuesday, Final Edition

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**Section:** Editorial; A20

**Length:** 271 words

**Body**

European Union ***Trade*** Commissioner Peter Mandelson said that ending government subsidies for large civil aircraft is "complex and delicate" [op-ed, April 1]. Not really.

The U.S.-E.U. agreement made in January calls for eliminating subsidies according to ***World Trade Organization*** rules. Enforcement language could be drafted in a day.

The January agreement provided a subsidy and ***litigation*** standstill and a framework to end new subsidies in 90 days. The European Union subsequently said that wasn't enough time, in part because it couldn't show how alleged U.S. indirect subsidies violate WTO rules or how they differ from E.U. research and development and procurement funding.

The United States is willing to extend the terms of the talks. But Airbus and E.U. member states say they want more launch aid, which relieves Airbus of large financial risks and violates global subsidy rules. The true problem is lack of E.U. political will to end launch aid. We should not fudge things if the E.U. lacks consensus.

Effective U.S.-E.U. ***trade*** cooperation in the past four years shows we can manage disputes. Maneuvering to evade responsibility for commitments is what strains ties.

Mr. Mandelson said the WTO is not for big disputes. We disagree. The WTO was created to channel disputes into a neutral forum where global rules apply. It is unfortunate that E.U. officials think they will be distracted from the Doha Round of global ***trade*** talks. Airplane dispute or not, the United States will continue to lead in Doha.

E. RICHARD MILLS

Assistant U.S. ***Trade*** Representative

Public and Media Affairs

Washington

**Load-Date:** April 12, 2005

**End of Document**

[***Medical Malpractice Bill Foiled in Senate; Chamber Deadlocked on Trade Measure***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4C3Y-9K00-TW87-N1YM-00000-00&context=)

The Washington Post

April 8, 2004 Thursday, Final Edition

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**Section:** A Section; A05

**Length:** 512 words

**Byline:** Helen Dewar, Washington Post Staff Writer

**Body**

Senate Republicans failed yesterday in a third attempt to limit damages in medical malpractice lawsuits and remained deadlocked with Democrats over a bill to end a costly ***trade*** dispute with Europe.

But, in one bright spot on the Senate's otherwise bleak agenda, the way was cleared for a final vote -- probably today -- on legislation to provide the pension funding relief sought by many U.S. corporations.

Republican and Democratic leaders continued to try to resolve a festering dispute over whether to allow the votes demanded by Democrats on unemployment insurance, overtime pay, the outsourcing of jobs and other issues. The dispute is holding up action on the widely supported ***trade*** measure. Democrats are also holding up a welfare revamp bill to force a vote on increasing the minimum wage.

On a vote of 49 to 48, Republicans fell 11 votes short of the 60 needed to break a Democratic-led filibuster against the medical malpractice measure, which would have imposed a $250,000 limit on pain-and-suffering damages in suits against obstetricians, gynecologists and emergency room personnel. It also would have limited punitive damages to $250,000 or to the amount of medical, wage and other economic losses, whichever were greater.

By similar votes, the Senate earlier rejected a bill to limit awards in all malpractice cases and another to do so only for OB-GYNs. The House has approved limits for all malpractice cases.

Senate Republicans, hoping to embarrass Democrats on the issue even if they cannot win enough votes to alter the results, are planning to bring up the measure again, possibly extending the protections to doctors in rural areas and poor urban neighborhoods.

Republicans contend that high malpractice insurance costs are forcing doctors out of their practices, depriving patients of care and driving up health care costs. "Our ***litigation*** system is out of control, and patients are being hurt," said Majority Leader Bill Frist (R-Tenn.), who is a physician.

Democrats agree that insurance costs are a problem but argue that limiting damages is the wrong way to address it. They are pushing an alternative that focuses on reducing medical errors, increasing tax breaks for physicians and curbing insurance costs.

On the ***trade*** bill, Republicans also fell 11 votes short of the 60 needed to bar Democrats from offering many of their amendments and to force the legislation to final passage. Democrats say they support the bill but are holding it hostage to force Republicans to consider their amendments. Republicans say they will go along with votes on some amendments but not on a laundry list. Democrats say they have pared their list from 75 to about 25 items.

The bill provides tax breaks for U.S. corporations in return for giving up ***trade*** subsidies that have been declared illegal by the ***World Trade Organization***. As a result of the WTO ruling, the European Union has imposed tariffs on many U.S. exports, now 6 percent and due to rise by 1 percentage point a month over the next year. The House has not yet passed its version of the legislation.

**Load-Date:** April 8, 2004

**End of Document**

[***U.S. to impose a tariff on lumber from Canada***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:5ND2-PJH1-JBFW-C035-00000-00&context=)

The Washington Post

April 25, 2017 Tuesday, Suburban Edition

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**Distribution:** Every Zone

**Section:** A-SECTION; Pg. A10

**Length:** 621 words

**Byline:** Ana Swanson;Damian Paletta

**Body**

Action may produce

over $1 billion

in new taxes

The Trump administration announced Monday that it plans to impose a tariff of roughly 20 percent on softwood lumber imported from Canada, a new escalation of ***trade*** tensions with America's northern neighbor.

Commerce Secretary Wilbur Ross said in an interview that his department had reached a preliminary decision to impose the tax, the administration's first major ***trade*** action against Canada. Ross portrayed the action as a tough measure to punish Canada after President Trump declared last week that "we can't let Canada or anybody else take advantage and do what they did to our workers and to our farmers."

"What we are doing is dealing with another bad act on the part of the Canadians," Ross said.

The Obama administration began the review of ***trade*** in softwood lumber last year out of concern that Canada was subsidizing its wood industry in a way that hurt U.S. companies. The International ***Trade*** Commission, an independent federal agency that advises the government on ***trade*** policy, concluded that Canada should be subject to what are known as "countervailing duties" in retaliation for their wood subsidies. The ITC plans to announce its findings Tuesday.

Yet the ruling would allow U.S. Customs and Border Protection to begin collecting the funds from Canadian importers immediately. Five Canadian companies were a part of the investigation, and the United States will seek to collect money from four of them retroactively for actions taken in the past 90 days, Ross said.

Ross said this could amount to $1 billion in new tariffs, as well as $250 million in retroactive collections. All other Canadian softwood lumber companies will face the same tariff of 19.88 percent.

Softwood lumber is a major export of Canada. The country sold $5.8 billion in lumber to the United States last year, giving them about 31.5 percent of the U.S. market. It is the fourth-largest export from Canada to the United States after oil, gas and cars.

After spending much of his presidential campaign attacking China and Mexico for their ***trade*** practices, Trump has shifted his ire toward Canada in the past week.

Trump blasted Canada's decision to impose import taxes on ultrafiltered milk, a move he said was "very, very unfair" to the U.S. dairy industry. Ross said that Trump saw how hard it was hitting U.S. farmers during a recent trip to Wisconsin and was moved by their reaction. But Ross added that the lumber decision was decided on its own "merits."

The ruling is the latest salvo in a decades-long battle between Canadian and U.S. lumber producers. U.S. lumber producers, based mainly in the Northwest, have complained that Canada unfairly subsidizes its lumber by selling wood from government land at low rates to Canadian lumbermen, resulting in U.S. job losses.

The Canadians have argued that, despite decades of investigations and ***litigation***, U.S. claims about Canada's unfair practices in the lumber ***trade*** have not stood up to scrutiny by the ***World Trade Organization***. A report Monday in the Toronto Star said Canada did not immediately plan to retaliate.

Chad Bown of the Peterson Institute for International Economics predicted that the dispute wouldn't escalate significantly.

"I don't think it will be a ***trade*** war with Canada," Bown said. "This is an irritant that is always there between these two countries, and Canada knows that."

Canada's minister of natural resources and minister of foreign affairs issued a statement Monday calling the U.S. accusations "baseless and unfounded."

"The Government of Canada will vigorously defend the interests of the Canadian softwood lumber industry, including through ***litigation***," it read.

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**Load-Date:** April 25, 2017

**End of Document**

[***One step closer: New tariffs on Canada***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:5PW7-30H1-DXXY-34PD-00000-00&context=)

The Washington Post

November 4, 2017 Saturday, Regional Edition

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**Distribution:** Every Zone

**Section:** A-SECTION; Pg. A11

**Length:** 817 words

**Byline:** Aaron Gregg

**Body**

The United States is moving forward with new import duties on Canadian softwood lumber, the Commerce Department announced this week, escalating a long-running spat between the two countries at a time when the Trump administration is working to redefine the two countries' ***trade*** relationship.

The Canadian government threatened to retaliate through legal action of its own under international ***trade*** agreements.

Most Canadian lumber producers would pay a combined tariff of 20.83 percent - down from a 26.75 percent duty proposed in an earlier preliminary decision.

A handful of Canadian firms would be required to pay slightly higher duties.

The Commerce Department said the decision followed a failed effort to settle U.S. claims that Canadian firms are selling lumber in the United States at unfair prices, and doing so with the help of government subsidies.

"While I am disappointed that a negotiated agreement could not be made between domestic and Canadian softwood producers, the United States is committed to free, fair and reciprocal ***trade*** with Canada," Commerce Secretary Wilbur Ross said in a statement Thursday.

The decision comes as ***trade*** relations between the North America neighbors are already on edge.

Negotiators from the United States, Canada and Mexico failed to reach an agreement to revise the North American Free ***Trade*** Agreement (NAFTA) last month, a ***trade*** pact that Donald Trump as a candidate said he would rip up.

Prime Minister Justin Trudeau threatened to cancel a previous proposal to buy Boeing F-18 Super Hornet fighter planes over an earlier ***trade*** dispute that imposed 300 percent tariffs on Canadian commercial jetliners. Trump has separately criticized Canada for hurting the U.S. dairy industry.

The Canadian government described the Thursday action as "unfair, unwarranted and deeply troubling."

"We will forcefully defend Canada's softwood lumber industry, including through ***litigation***, and we expect to prevail as we have in the past," Canadian foreign affairs minister Chrystia Freeland said in a statement. "We are reviewing our options, including legal action through the North American Free ***Trade*** Agreement and the ***World Trade Organization***, and we will not delay in taking action."

The dispute dates back to the 1980s, when formal charges were first filed, and has flared up intermittently through petitions filed by U.S. firms. In some cases, the two parties have been able to negotiate settlements that effectively raise the price of Canadian imports, but the last agreement expired in 2015.

In the most recent tariff petition, filed in December 2016, a coalition of U.S. lumber firms pointed to mill closures, layoffs and falling market share as evidence that the United States has been harmed by Canada's ***trade*** practices. They pointed to a Canadian government loan program called Export Development Canada as evidence that Canadian firms are subsidized.

The tariff is still awaiting a decision from the International ***Trade*** Commission, a quasi-judicial U.S. agency that has the final say on ***trade*** disputes. Thursday's decision marks a critical hurdle in the government's process for imposing tariffs, and the failure to broker a settlement leaves opponents with few options.

The import duties are small enough that Canadian suppliers will probably be able to continue selling in the United States. Free ***trade*** advocates are worried the Commerce Department's decision to impose varying tariffs on specific Canadian companies could skew the U.S. lumber market by privileging some firms over others.

Montreal-based Resolute Forest Products, for example, faces a smaller 17.9 percent tariff that could help it undercut its Canadian competitors.

"The companies with the highest rates are going to have a really hard time finding U.S. companies to do business with; Home Depot isn't going to want to buy from them," said Dan Ikenson, a ***trade*** expert with the Cato Institute.

Others are worried extra taxes on imported Canadian lumber could kneecap the U.S. construction industry at a time when it is still in recovery mode.

The tariff decision could also hurt U.S. home builders, who already saw stock prices tumble Thursday morning on the revelation that the GOP tax bill would slash the mortgage interest tax deduction for new home loans, something Americans have relied on for years to lessen the cost of buying a home.

The government estimates the United States imported $5.66 billion worth of Canadian lumber in 2016, a key building material for U.S. builders.

"By raising the price of Canadian lumber imports, the Trump administration is effectively raising the cost of building things, and there are lot of Trump voters who work in the construction industry," said Lee Branstetter, a fellow at the Peterson Institute for International Economics. "By artificially jacking up the price of this key input, we are effectively dropping a two-by-four on our foot."

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**Load-Date:** November 4, 2017

**End of Document**

[***A good call on China***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:5P85-D2V1-JBFW-C2JY-00000-00&context=)

The Washington Post

August 16, 2017 Wednesday, Regional Edition

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**Distribution:** Every Zone

**Section:** EDITORIAL COPY; Pg. A16

**Length:** 536 words

**Byline:** Editorial Board

**Body**

FOR ALL his talk during the 2016 campaign about taking on China for "stealing" American jobs, President Trump has hardly launched the ***trade*** war against Beijing that many feared. He has not slapped across-the-board tariffs on Chinese goods; he has delayed what once seemed an imminent crackdown on aluminum and steel imports; he has declined to brand Beijing a "currency manipulator." Rather than ***trade***, Mr. Trump's approach to China has emphasized enlisting President Xi Jinping's help in defusing the crisis over North Korea's nuclear weapons.

Given that, Mr. Trump's announcement Monday - that he is ordering his special ***trade*** representative to determine "whether to investigate any of the acts, policies, or practices of China that may be unreasonable or discriminatory and that may be harming American intellectual property, innovation, and technology" - strikes us as a variation on a theme, not necessarily a portent of dangerous new ***trade*** tensions. China's state-run English-language newspaper suggested that the move could "poison" bilateral relations, and that it was "impossible" not to see Mr. Trump's announcement as some kind of payback for Beijing's failure, thus far, to rein in Pyongyang. But if Mr. Trump is trying to signal China that it can't use the North Korea issue to get its way on ***trade***, this is a relatively low-risk way of making that point. He did not order an investigation, but rather an investigation of whether an investigation is needed, which could take months, and its actual policy result under the relevant statute, Section 301 of the ***Trade*** Act of 1974, might not be evident until well after that.

In fact, Mr. Trump's order Monday targeted legitimate issues that have troubled presidents before him: Beijing's habit of tolerating massive theft of American software, and its requirement that U.S. and other foreign businesses transfer technology in return for permission to invest directly in China. Fast-growing Chinese direct investment in the United States faces no reciprocal obstacles (though it does face reviews when national security is potentially involved). There is bipartisan agreement that China has turned these areas of its relationship with this country into a one-way economic street, contrary to the spirit of the ***World Trade Organization*** (WTO) to which it acceded with U.S. support more than a decade and a half ago. Yet Beijing plays U.S. companies off one another - a collective-action problem that can be solved, if at all, only if companies get support from Washington.

Controversially, Mr. Trump's decision could ultimately lead to retaliatory tariffs or other measures under Section 301, which broadly authorizes such steps against countries found to be persistently and unfairly harming U.S. interests - but which previous administrations have generally eschewed in favor of seeking remedies at the WTO. This is indeed strong medicine and would invite WTO ***litigation***, if not a stronger response from China, and so it would be better not to use if at all avoidable. Mr. Trump's order gives China plenty of time to head off Section 301 penalties by meeting the United States' reasonable concerns in negotiations. It would be in China's best interest to do so.

**Load-Date:** August 16, 2017

**End of Document**

[***U.S. racks up wins over China, but spoils are uncertain***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:5698-VS31-DXXY-32RY-00000-00&context=)

The Washington Post

August 9, 2012 Thursday, Regional Edition

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**Distribution:** Every Zone

**Section:** A-SECTION; Pg. A11

**Length:** 1385 words

**Byline:** Howard Schneider

**Body**

The United States has won an impressive string of victories [*against China at the* ***World Trade Organization***](http://www.washingtonpost.com/politics/us-to-pursue-trade-complaint-against-china-over-autos/2012/07/05/gJQAUODTPW_story.html) in the past few years but U.S. companies have seen only limited benefits, according to a review of the cases and interviews with analysts and officials familiar with them.

U.S. challenges, for example, have led to the repeal of Chinese import tariffs on American-made auto parts. But by the time the United States prevailed, China was well on its way - with the help of the protective tariffs - to developing its own industry for manufacturing engines, transmissions and other components, say U.S. auto industry officials. The repeal did little to stem the long-term movement of auto-parts work from the United States to [*China*](http://www.washingtonpost.com/business/economy/china-a-land-of-superlatives/2011/08/23/gIQAvdAOZJ_gallery.html).

Another WTO case challenging Chinese restrictions on U.S. film exports led to a partial opening of China's market. But China was able to maintain strict limits on how many major movie releases can be shown there each year, and studio box-office receipts are capped far below levels that prevail in the United States and other major markets.

[*The Obama administration*](http://www.washingtonpost.com/world/obama-heads-to-asia-with-sharp-focus-on-chinas-growing-power/2011/11/10/gIQAOsQkBN_story.html) has put enforcement of ***trade*** agreements at the heart of its approach toward China, the ***world***'s second-largest economy and an aggressive economic competitor. The Geneva-based WTO, which oversees the ***world***'s major ***trade*** treaties, is central to that effort.

The WTO offers a neutral forum where a country can call out another for cheating. This was supposed to help keep nations honest when they ***trade*** with one another, fostering freer and fairer commerce and fueling economic growth all around. For the United States, the WTO was meant, in part, to help it navigate a thicket of economic challenges from China and other rapidly developing countries.

While [*President Obama*](http://www.washingtonpost.com/politics/president-obama-on-the-2012-campaign-trail/2011/06/28/gIQAXkK2CU_gallery.html) and GOP presidential candidate   [*Mitt Romney*](http://www.washingtonpost.com/politics/romney-on-the-campaign-trail/2012/04/20/gIQAlHiNWT_gallery.html) have been swapping accusations over who is tougher in tackling Chinese economic policies, there is more to the debate than scoring political points. The shared concerns over Chinese competition point out the limits of the WTO. Over the decade since China joined the ***organization***, it has become increasingly clear that it is a flawed tool for prying open China's massive market to American exports.

Major sections of the Chinese market, for example, remain out of the WTO's reach. China was allowed to join the ***organization*** in late 2001 without opening its government procurement to foreign companies, and it promised to negotiate a deal on this issue in the future. But China has yet to make an offer that the United States and other WTO members will accept.

In other areas of the economy, the Obama administration, like the George W. Bush administration, has proved adept at mounting successful challenges. Of 14 complaints brought by the United States against China, 11 have essentially prevailed. Three cases are pending. China has won three cases it brought against the United States and lost a fourth.

But winning in the courtroom is often only the start of the battle. What typically follows are negotiations between the two sides that determine what changes the losing side will make in its ***trade*** practices. Early cases won discrete benefits for the United States - such as the lifting of tax preferences that China offered its local companies - but later cases have bogged down in settlement talks.

The United States recently won a case involving restrictions on the activities of U.S. credit-card companies in China. Now, the matter is probably headed to appeal and protracted negotiations, during which time China's homegrown electronic-payments giant, [*China UnionPay*](http://www.washingtonpost.com/world/asia-pacific/us-credit-card-firms-want-to-get-more-plastic-into-chinese-wallets/2011/07/28/gIQAfemXhI_story.html), can continue solidifying the dominant market position it has built under state protection.

A WTO case brought in 2007 against China's lax intellectual-property laws was won by the United States two years later. But Lael Brainard, U.S. Treasury undersecretary for international affairs, said recently that theft of U.S. intellectual property in China remains "rampant."

The WTO battle over American film exports also began in 2007 and was won by the United States in 2009. But it was only during this year's visit by incoming [*Chinese leader Xi Jinping*](http://www.washingtonpost.com/politics/vice-president-xi-jinping-visits-white-house/2012/02/14/gIQACkicDR_gallery.html) that a settlement was concluded.

Greg Frazier, executive vice president of the Motion Picture Association of America, acknowledged the limits of that deal. Bumping the number of imported first-run films from 20 to 34 per year was hardly a revolution. The increase in studio box-office receipts from 13 percent to 25 percent still falls short of the typical 50-50 split. To get the agreement, the United States also had to agree to leave the government's China Film Group as the country's sole film importer.

But U.S. business officials say they accept that progress with China will always be grudgingly step by step.

"The view was, use the WTO to crack restrictions, which had been in place for 20 years, and try to set up a dynamic that will feed into commercial changes that are taking place," Frazier said. "People look at this market, and they want to transform it. It's not in the cards. You do what is politically feasible."

Some U.S. executives say American companies should stay engaged in China and cut deals as they can.

"China is going to be the ***world***'s biggest economy, and U.S. companies have to figure out how to do business there," said John G. Rice, [*General Electric*](http://washpost.bloomberg.com/marketnews/stockdetail/?symbol=GE)'s vice chairman.

Experts say it is unlikely that WTO enforcement will broadly change China's policies. The Chinese "think they have a pretty good model, and they don't see the WTO as an institution that can make major changes," said Gary Hufbauer, a ***trade*** expert at the Peterson Institute for International Economics who follows U.S.-China economic relations. "Modest changes. Minor changes. But not major systemic change."

Obama administration officials say they hope recent WTO cases will hit at the core of China's industrial policy. That means, for example, challenging China's export restrictions on rare-earth minerals critical to high-tech manufacturing, as well as other industrial raw materials. U.S. officials say they hope persistence - increasing the number and complexity of cases filed in Geneva - will pay off and prompt China's policymakers to avoid adopting ***trade*** measures that they know will be successfully challenged.

"There has been a seminal shift under this administration in how the United States enforces ***trade*** agreements with respect to China and other countries," said Timothy Reif, general counsel at the U.S. ***Trade*** Representative's Office. "Our role is to make clear that if they are going to engage in inconsistencies, we will fight it and, when necessary, litigate it."

Reif has hired three Mandarin-proficient lawyers over the past year to work with Katherine Tai, the office's chief counsel for China ***trade*** enforcement, and the pace of case filings has increased. The new Interagency ***Trade*** Enforcement Center is focusing on China and has drawn in personnel from other agencies. The rare-earths challenge was considered so complex and sensitive, its preparation involved help from the Environmental Protection Agency, the State Department and intelligence agencies, and extensive deliberations with the White House.

WTO challenges are not the only tool the United States has to try to open China's market. The Commerce Department has imposed dozens of tariffs on Chinese products considered unfairly priced or subsidized. The United States also holds regular high-level talks with China to push ***trade*** and economic issues.

But in the 10 years since China joined the WTO, the group has become the venue for a steady series of ***trade*** battles.

China was quick to settle the first cases brought against it, said Henry Gao of the Shanghai Institute of Foreign ***Trade***, but is now fighting back more aggressively and negotiating tougher when it loses.

The country has sent promising young lawyers to programs such as Georgetown University's Institute of International Economic Law, begun sending more participants to ***world*** ***trade*** forums and panels, and expanded Chinese ***organizations*** such as the Shanghai Institute to press its viewpoint.

The Chinese "don't like ***litigation***, and there was a lack of experience with the WTO system" in the early years, Gao said. But the country recognizes that the WTO is one field in "the competition for economic supremacy."

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**Load-Date:** August 9, 2012

**End of Document**

[***French, Dutch Reject Europea ...***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4GB6-3XV0-TW87-N2P2-00000-00&context=)

The Washington Post

June 5, 2005 Sunday, Final Edition

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**Section:** A Section; A03

**Length:** 1098 words

**Body**

French voters last Sunday derailed plans to further erase Europe's political and economic barriers, decisively rejecting a proposed European Constitution.

Three days later, voters in the Netherlands voted no by an even wider margin.

The defeats left European leaders scrambling for ways to salvage the document, written in hopes of streamlining decision making and giving the Brussels-based European Union a new say on a wide variety of issues.

In France, about 56 percent voted against the constitution, and voter turnout was high. Opposition leaders harnessed widespread disenchantment over issues including the unpopularity of President Jacques Chirac, the weakness of the French economy and fears that the country would lose its clout to a strengthened European central government.

In the Netherlands, about 62 percent voted no. Like the French, many Dutch voters said in interviews that they were concerned that the E.U. had grown too fast in recent years.

-- Craig Whitlock

The Supreme Court overturned the 2002 criminal conviction of Enron Corp.'s accounting firm, nullifying one of the government's biggest victories in the corporate scandals that climaxed the bull market of the 1990s.

The court ruled unanimously that the Houston jury that found Arthur Andersen LLP guilty of obstruction of justice was given overly broad instructions by the federal judge who presided at the trial.

As a result of the faulty instructions, the justices ruled, the firm was convicted without proof that its shredding of documents was deliberately intended to undermine a looming Securities and Exchange Commission inquiry in fall 2001. U.S. District Judge Melinda Harmon should have instructed the jury that the law required the government to prove that Andersen knew it was breaking the law, the court ruled.

Legal analysts said the decision was a major setback to the Justice Department's corporate crime prosecutions.

-- Charles Lane

Securities and Exchange Commission Chairman William H. Donaldson said he will resign at the end of the month, and President Bush nominated Rep. Christopher Cox (R-Calif.) to replace him.

Donaldson's 21/2-year tenure was the SEC's most active period since its founding at the end of the Great Depression. The Bush administration tapped Donaldson, 74, to help clean up the securities industry after Wall Street ***trading*** abuses and scandals at Enron Corp. and WorldCom Inc. shook the stock market and the confidence of investors.

President Bush said he gave Cox "a clear mission" -- "to continue to strengthen the public trust in our markets so the American economy can continue to grow and create jobs." Cox, who has been in Congress for 16 years, formerly worked as a corporate finance lawyer.

-- Carrie Johnson

and Albert B. Crenshaw

Russian oil tycoon Mikhail Khodorkovsky was sentenced to nine years in prison on fraud, embezzlement and tax-evasion charges after a 10-month trial shadowed by claims that the Kremlin orchestrated the case to crush a potentially dangerous political opponent.

The guilty verdict against the man who was once Russia's richest citizen drew new criticism here and abroad as evidence that the rule of law has yet to take root in the post-communist state.

"Here, you're innocent until proven guilty," President Bush said, "and it appeared to us, at least people in my administration, that it looked like he had been judged guilty prior to having a fair trial." Bush said he had expressed his concern to President Vladimir Putin.

The prosecution has been popular with the Russian public: Many people believe that the wealth of Khodorkovsky and other business magnates was stolen in shady deals involving the sell-off of state industries in the 1990s after the collapse of the Soviet Union. Human rights groups and many business leaders say the case highlights the arbitrary exercise of power in Putin's Russia, pointing out that many of the transactions at the heart of the case had been organized and approved at the time by the Russian government.

-- Peter Finn

A Lebanese journalist who championed a years-long crusade against Syrian influence in Lebanon through his writing and activism was assassinated Thursday by a bomb placed in his car near his home in Beirut. The attack, which his supporters and some Lebanese politicians blamed on Syria and its lingering presence here, elicited cries of outrage throughout the country.

Samir Kassir, 45, was the most prominent Lebanese figure killed since Rafiq Hariri, a former prime minister, died in a bombing on Feb. 14. Hariri's slaying unleashed protests in downtown Beirut that ultimately led to the end of the 29-year Syrian military presence in the country.

Kassir, a columnist for Lebanon's leading daily newspaper, an-Nahar, helped shape the message of the spring protests, dubbed the Cedar Revolution.

Bowing to international pressure, Syria withdrew its troops in April, but it maintains influence in the small Mediterranean country, particularly with the intelligence services and political allies, including President Emile Lahoud.

-- Anthony Shadid and Nora Boustany

Two major U.S. ***trade*** disputes erupted -- one involving Chinese textiles and the other concerning subsidies to Boeing Co. and the European consortium Airbus.

China threatened to take the United States to a dispute proceeding at the ***World Trade Organization*** if the Bush administration persists in restricting the import of Chinese-made textiles.

China also rescinded tariffs on its own textile exports, saying it will do nothing to limit its shipments as it offered to do last month as long as the United States and Europe impose restrictions.

But in a visit to Beijing on Thursday, Commerce Secretary Carlos Gutierrez signaled the possibility of a compromise on the restrictions the Bush administration imposed on Chinese textiles.

The United States and the European Union are headed back to high-stakes international ***litigation*** over subsidies to Boeing and Airbus, after talks aimed at settling the dispute broke down.

U.S. ***Trade*** Representative Rob Portman issued a statement Monday announcing Washington's intention to press ahead with a case against the E.U. at the ***World Trade Organization***. The U.S. case alleges that European governments illegally subsidize Airbus.

The E.U. indicated that it is prepared to restart its own WTO case against Boeing, which alleges that the Chicago-based aircraft maker also benefits from illegal subsidies, including some provided indirectly through military contracts.

-- Peter S. Goodman

and Paul Blustein

**Load-Date:** June 5, 2005

**End of Document**

[***U.S. Challenges EU's Biotech Food Standards***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:43V3-6BC0-010F-93CD-00000-00&context=)

The Washington Post

August 26, 2001 Sunday, Final Edition

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**Section:** A SECTION; Pg. A01

**Length:** 1584 words

**Byline:** Alan Sipress and Marc Kaufman, Washington Post Staff Writers

**Body**

Senior Bush administration officials are pressuring the European Union to abandon new restrictions on genetically modified foods that they say could cost U.S. companies $ 4 billion a year and disrupt efforts to launch a new round of global ***trade*** talks.

U.S. officials have repeatedly told their European counterparts that the regulations, which received preliminary approval last month, discriminate against U.S. products in violation of ***World Trade Organization*** requirements, raising the prospect of a major and emotionally charged ***trade*** dispute.

The European Commission's decision to require the labeling of genetically engineered products reflects a European anxiety about food safety that is far more profound than in the United States, the ***world*** leader in agricultural biotechnology. This is a divide that threatens to further aggravate U.S. relations with Europe, already roiled by differences over global warming, arms control and other ***trade*** issues.

Undersecretary of State Alan P. Larson, the State Department's senior diplomat assigned to economic issues, called the new restrictions "***trade*** disruptive and discriminatory." He said, "It's obviously a very serious problem that affects a very important ***trade*** and one that's of vital interest to a very important constituency in the United States, which supports free ***trade***."

Though U.S. officials have declined publicly to detail what type of punitive action the Bush administration might take against Europe, U.S. officials say the regulations are inconsistent with the terms of the WTO because they treat U.S. products less favorably than European ones.

For instance, Larson said the European regulations would require that American crushed soybean oil bear a label, while European cheeses and wine made with biotech enzymes would not be covered. "There are potential WTO concerns about how it is structured now," Larson said.

U.S. officials have left open the possibility of bringing a legal case before the WTO, which, after lengthy ***litigation***, could eventually impose a politically embarrassing judgment and stiff economic penalties on Europe. But Larson said the administration's immediate focus is on lobbying European governments to amend the regulations before they take effect. He added that the United States and Europe need to resolve the issue quickly so it does not become a "distraction" that interferes with their shared interest in launching new global ***trade*** talks as planned later this year.

Officials said that economic losses in the United States -- where 75 percent of soybeans and more than 25 percent of corn comes from genetically modified seeds -- could far exceed other transatlantic ***trade*** battles, such as those over bananas and growth hormones in beef. Resolution of the long-running banana dispute earlier this year removed a major irritant in American-European relations.

The dispute could also harden public opinion about biotechnology and its ability to transfer beneficial genes from one species into another. Proponents want it to be seen as a force for progress and global improvement, but it could become a symbol of divisiveness if it set off a bitter ***trade*** dispute.

The European Commission's new standards, among the most far-reaching in the ***world***, call for all products made from engineered material to bear a label saying they contain "genetically modified organisms." They also require producers to document the source of all their ingredients. Since the U.S. crop-handling system generally does not separate modified and conventional crops, the new requirements could be unwieldy and costly for U.S. businesses.

European limitations on biotech crops already ban most U.S. corn for food products, estimated by U.S. officials as a $ 300 million annual loss. The new requirements, which must be approved by the European Parliament and Council of Ministers before taking effect by 2003, could also make it difficult to export corn for animal feed and soybeans.

Larson said in an interview that he has raised U.S. concerns with "everyone that comes through this door, every ***trade*** minister, agriculture minister, economy minister from Europe," including those representing about eight European countries. He said a similar message has also been delivered by Agriculture Secretary Ann M. Veneman and U.S. ***Trade*** Representative Robert B. Zoellick.

President Bush, who comes from a large farm state and counts on the agriculture industry for political support, raised the issue personally with European leaders last month at the Group of Eight meeting of industrialized countries in Italy, according to a senior administration official.

Kimball Nil of the American Soybean Association said the food industry is pleased by the tough talk. "The Bush administration met with EU commissioners and very clearly laid down a marker that many of us felt was missing before," he said.

But European officials chafe at the pressure, saying the administration is trying to impose U.S. acceptance of biotech food on a European public that does not believe these products are safe despite scientists' claims. The spread of mad cow disease and other health crises have fueled public concern about food safety, and prominent officials, including Britain's Prince Charles, have been highly critical about biotechnology in crops.

"We are seeing an illustration of American unilateralism," said Tony Van der haegen, a European Commission representative in Washington. "There are basic psychological differences between American consumers and those in Europe, where [genetically modified products] are not accepted."

Requiring food labels is a way of offering choice to consumers and restoring their confidence in food, Van der haegen said. He added that the United States has exaggerated the potential loss to U.S. companies, putting the figure instead at $ 2.8 billion a year.

On a policy level, U.S. regulators have embraced the position that engineered and traditional crops are essentially equivalent, and so should be treated the same. There is some public -- and congressional -- pressure to require labeling of modified foods in the United States, but promoters of biotechnology have fought tenaciously, and successfully, to resist the efforts. They argue that labels would unfairly stigmatize the products.

The European Union has not approved any new engineered crops for almost three years, and it has been under great pressure from the United States to begin the review process again. The new regulations allow for biotech crop reviews to resume, but only with the requirements that U.S. officials find objectionable.

In an Aug. 9 letter to Secretary of State Colin L. Powell, Veneman and Zoellick, 24 U.S. ***trade*** ***organizations*** said the proposed EU guidelines on biotechnology in agriculture are "commercially unworkable, inconsistent with WTO obligations and would result in billions of dollars of lost U.S. exports." The letter, signed by groups ranging from the Grocery Manufacturers of America to the American Soybean Association and the North American Export Grain Association, said the measure would cause a "serious ***trade*** impediment" by requiring labeling and tracing of modified foods, but not of European wines and cheeses.

The European regulations would not apply to the latter items because the requirements distinguish between food made from genetically modified material such as seeds and those produced with the assistance of modified material such as enzymes.

Larson wrote back this week that "I share many of your apprehensions regarding the proposals," and said he was working to "ensure that any measures [implemented by the EU] are not onerous, costly or ***trade***-disruptive."

Mark Mansour, a Washington attorney who represents large food companies and has been consulted by administration officials, has written an analysis urging the administration to file a case with the WTO as soon as possible. Mansour also recommends that the United States withdraw support for the international Biosafety Protocol negotiated in Montreal, a Clinton-era agreement that accepted some of the European concerns about genetically modified foods.

As the regulations now move to the European Parliament, legislators may tighten the restrictions further. Environmental groups are urging them to remove a provision that waives the labeling requirement if the percentage of genetically modified material in a food item is less than 1 percent of the overall product. "The U.S. is trying to force-feed modified foods to the rest of the ***world***, and it just isn't going to work," said Charles Margulis of Greenpeace, which has led the anti-biotech campaign in Europe.

U.S. troubles over biotechnology and international ***trade*** are not limited to the European Union. The governments of Saudi Arabia and Sri Lanka have proposed bans on importing genetically modified foods, and Mexican legislators are also discussing tough labeling laws. Larson said the United States is concerned that the EU biotech guidelines could become a model for developing countries and significantly limit the reach of the technology.

Advocates of biotechnology say it can be especially helpful to poor farmers by increasing their yields, protecting against pests and viruses, and allowing them to grow crops in depleted soil. But critics say poor farmers will never see those potential benefits because the technology is owned by private, multinational companies interested primarily in selling seeds for a profit to commercial growers.

**Load-Date:** August 26, 2001

**End of Document**

[***Business Digest: Madoff victims lose bid to sue SEC; more sanctions at JPMorgan***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:585H-PWK1-DXXY-3303-00000-00&context=)

The Washington Post

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**Distribution:** Every Zone

**Section:** A-SECTION; Pg. A12

**Length:** 524 words

**Body**

**SECURITIES**

**Madoff victims lose their bid to sue SEC**

Victims of Bernard Madoff's investment fraud have lost their bid to sue the Securities and Exchange Commission for negligence in failing to uncover the swindler's Ponzi scheme.

A federal appeals court in New York on Wednesday upheld the dismissal of lawsuits against the regulator brought by Madoff investors. The court said the SEC's actions and "regrettable inaction" were protected by a law that shields federal agencies from liability.

The Madoff case embarrassed the SEC, which had investigated the now-imprisoned money manager but failed to detect his fraud. The investor lawsuits relied heavily on a 2009 report by the SEC inspector general, which outlined how the agency missed red flags and failed to follow up properly on leads that Madoff was running a massive scam.

An SEC spokesman did not respond to a request for comment.

In an unsigned opinion, a three-judge panel of the U.S. Court of Appeals for the 2nd Circuit expressed "sympathy for Plaintiffs' predicament (and our antipathy for the SEC's conduct)" but said Congress's intent was to protect regulators' discretionary use of their investigatory powers.

- Reuters

**Also in Business**

lJPMorgan Chase, which is under regulatory orders to tighten internal controls after record ***trading*** losses last year, will face more sanctions in the coming months, chief executive Jamie Dimon said Wednesday in a letter to shareholders. The bet on credit derivatives that lost more than $6.2 billion "resulted in ***litigation*** and investigations that are still ongoing," Dimon's letter said. "We received regulatory orders requiring improved performance in multiple areas, including mortgage foreclosures, anti-money laundering procedures and others. Unfortunately, we expect we will have more of these."

lPersonal-computer shipments plummeted in every region of the ***world*** in the first quarter as buyers opted for smartphones and tablet computers, and Microsoft's newest operating system met with weak demand. Global PC unit shipments fell 14 percent in the first quarter - the worst decline on record - to 76.3 million, a bigger drop than the 7.7 percent decline that IDC had forecast, the market researcher said.

lJerry Murray, the Wal-Mart executive who called the chain's early February sales "a total disaster" in an e-mail made public by Bloomberg News, left the company last week, Wal-Mart said Wednesday. Wal-Mart said it was Murray's decision to leave.

lFacebook won back General Motors as an advertiser a year after the automaker said it would quit running marketing messages on the ***world***'s largest social network. The test ads, running on Facebook's mobile applications and Web site, will promote the Chevrolet Sonic subcompact car, GM said.

lThe ***World Trade Organization*** cut its forecast for global ***trade*** growth as the economic slowdown in Europe suppresses demand. Global ***trade*** probably will increase by 3.3 percent in 2013 instead of the 4.5 percent expected in September, the Geneva-based body said Wednesday.

- From news services

**Coming Today**

lAll day: Chain stores' sales figures for March released.

l8:30 a.m.: Weekly jobless claims released.

**Load-Date:** April 11, 2013

**End of Document**

[***Dynegy to Cut Dividend***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:464P-CH30-010F-92J6-00000-00&context=)

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**Section:** FINANCIAL; Pg. E02

**Length:** 1256 words

**Body**

Dynegy said it will cut its dividend in half and sell stakes in a U.S. pipeline, a British natural-gas terminal and other assets to raise as much as $ 2 billion to reduce debt. The Houston-based energy trader, which is in danger of losing its investment-grade credit rating, said it will have $ 450 million in pretax costs in the second quarter for its communications business, job reductions, consulting fees and other expenses.

Genentech must pay a research center $ 200 million in punitive damages for failing to pay royalties under a 1976 agreement, according to a Los Angeles jury that had already awarded the City of Hope National Medical Center $ 300 million in compensatory damages. The biotech giant was accused of hiding sales of products such as hepatitis vaccines that were based on the research center's protein manufacturing discovery. The sales were worth about $ 16.7 billion.

Pay raises for many white-collar workers will be less than 4 percent in 2002, according to a report by the Conference Board. The survey is the latest indication that compensation gains are slowing, and raises concerns among economists that smaller raises could dampen consumer spending and economic growth.

The ***World Trade Organization*** agreed to hear China's first complaint, a request for the Geneva-based WTO to investigate President Bush's March 5 decision to impose duties of up to 30 percent on steel imports. Exemptions from the tariffs granted by Washington for more than 100 Chinese steel products aren't enough, China said. The WTO said it will combine China's complaint with those from the European Union, Japan, South Korea, Norway and Switzerland. That will simplify the legal process for U.S. ***trade*** lawyers.

American Airlines said it will stop issuing paper tickets by the end of 2003 and start charging a $ 20 fee for them next month if buyers qualify for an electronic version. In a cost-cutting move, the ***world***'s largest airline said it will eliminate paper tickets for U.S. flights by March and for other service by the end of next year. American plans to have self-service ticket machines in 70 of the 170 U.S. airports it serves.

AOL Time Warner restructured its cable partnership with Advance/Newhouse Communications, which will take a more active management role in the daily operations of certain cable partnerships. The companies said that Advance/Newhouse will assume management responsibility of systems with a total of 2.1 million subscribers later this year. After that, results of the cable systems managed by Advance/Newhouse will no longer be reflected in the consolidated financial statements of AOL Time Warner.

Employees laid off by Enron would receive up to $ 13,500 each, depending on their salary, years of employment and other factors, under a federal bankruptcy judge's preliminary ruling. That would effectively double the amount already paid to 4,200 former workers. They could get more if their lawyers recover tens of millions of dollars in bonuses that Enron paid to high-level employees before it filed for bankruptcy in December.

T-bill rates fell. The discount rate on three-month Treasury bills auctioned yesterday fell to 1.68 percent from 1.7 percent the previous week. Rates on six-month bills fell to 1.765 percent from 1.8 percent. The actual return to investors is 1.712 percent for three-month bills, with a $ 10,000 bill selling for $ 9,957.50, and 1.805 percent for a six-month bill selling for $ 9,910.80. Separately, the Federal Reserve said the average yield on one-year Treasury bills, a popular index for changing adjustable-rate mortgages, fell to 2.13 from 2.24 percent last week.

Verizon Communications won approval by the Federal Communications Commission to begin providing long-distance service in New Jersey. The application was opposed by long-distance providers and consumer advocates, who contend that Verizon should not be able to enter that market until it makes it easier for other providers to offer local phone service, which it already dominates. The Justice Department and the state Board of Public Utilities endorsed its bid.

Microsoft disclosed an ambitious new project to improve security by creating within its Windows software a virtual "vault" where customers would conduct electronic transactions and store sensitive information. The effort, called "Palladium," would require consumers to buy new computers and other devices equipped with ultra-secure computer chips from other companies. Intel and Advanced Micro Devices are already involved in the project. Microsoft said the technology won't be available for at least 18 months.

June auto sales may fall 2.7 percent from a year earlier, to 16.3 million cars and light trucks, according to a forecast by Luckey Consulting Group. Sales may fall 2.4 percent at General Motors, 13 percent at Ford and 2.6 percent at DaimlerChrysler's Chrysler unit, Luckey estimated. The consultant blames declining consumer confidence and a slowing rate of home mortgage refinancing, which put cash in consumers' pockets.

Global Crossing and a major shareholder, the Ohio State Retirement System, settled differences over how the struggling fiber-optic network builder preserves records. But the pension fund said it has asked a congressional committee, the Securities and Exchange Commission and the Justice Department to investigate claims that the company has already shredded stacks of documents. The company confirmed that employees in five offices destroyed documents but said it believes none of the eliminated material pertains to government probes or ***litigation***.

Dominion Resources, operator of Virginia's largest utility, said 3,700 union workers rejected a proposed labor contract. Richmond-based Dominion and the International Brotherhood of Electrical Workers Local 50 have been negotiating a new contract since January, the company said.

Intel introduced five new processors for laptop computers as the ***world***'s biggest chipmaker tries to increase sales outside of desktop systems by rolling out faster products. Laptops are a faster-growing part of the market than desktop PCs.

The Australian government sold the Sydney airport, the country's largest, to an Australian-led consortium for $ 3.1 billion. Southern Cross consortium, which won out over two other bidders, is led by Australia's Macquarie Bank and includes German construction company Hochtief and the Commonwealth Bank of Australia.

The European Union unveiled a proposal to allow poor countries facing public health crises to import cheap copies of patented drugs, an issue that almost sank last year's ***World Trade Organization*** talks. Some pharmaceutical industry representatives expressed cautious acceptance of the plan, and activists attacked them as too complicated and potentially burdensome for developing nations. The United States is due to present its own plan in Brussels today.

Mexico placed a temporary ban on imports of chicken from seven U.S. states, including Virginia and West Virginia, after the government reported cases of poultry infected with avian flu. The move is a blow to U.S. farmers who depend on export markets like Mexico to get rid of dark meat that is hard to sell to U.S. consumers.

Walgreen said its fiscal third-quarter earnings rose 21 percent, to $ 259 million, as it added stores and increased sales of prescription drugs. Sales in the quarter ended May 31 rose 17 percent, to $ 7.4 billion.

Compiled from reports by the Associated Press, Bloomberg News, Dow Jones News Service and Washington Post staff writers

**Load-Date:** June 25, 2002

**End of Document**

[***China Agrees to Resolve Dispute Over Tax Breaks***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4CTK-8VR0-TW87-N37T-00000-00&context=)

The Washington Post

July 9, 2004 Friday, Final Edition

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**Section:** Financial; E01

**Length:** 1164 words

**Byline:** Paul Blustein, Washington Post Staff Writer

**Body**

The Bush administration, proclaiming a triumph for its ***trade*** policy, said yesterday that China has backed down in a dispute over computer chips about which Washington lodged a complaint with the ***World Trade Organization***.

Beijing agreed to stop giving tax breaks to domestic producers of semiconductors that it doesn't give to companies that export such products to China, U.S. ***Trade*** Representative Robert B. Zoellick announced. The dispute was resolved less than four months after it was filed as the first WTO case against China, which joined the ***organization*** in late 2001.

"The decision means fair treatment for America's high-tech exporters in a very large but fast-growing market," Zoellick said at a news conference, at which he was joined by representatives of the semiconductor industry.

The announcement had heavy political overtones, as Zoellick stood on a podium with "Real Results" emblazoned on a banner behind him. Those words, which Zoellick used frequently during his remarks, were a reply to the Democratic presidential candidate, Sen. John F. Kerry (D-Mass.). Kerry has attacked the administration for being "asleep at the wheel" in not enforcing ***trade*** laws more aggressively and not filing more WTO cases, especially against China's ***trade*** practices.

The Kerry campaign dismissed the significance of the settlement announced yesterday. "It's too little, too late," said Phil Singer, a spokesman. "In 2001, 2002 and 2003 the administration's own reports cited China for flagrant violations of the ***trade*** rules on semiconductors, but they waited until an election year to file the first WTO case on the issue." By not acting earlier, Singer said, "the administration sent the wrong message to the Chinese, allowing them to continue with unfair ***trade*** practices."

Zoellick made no apology for the administration's ***trade*** policy. "There have been some that have tried to measure [the toughness of U.S. policy] by the number of cases that have been brought," Zoellick said. "That's not our approach. . . . We have produced real results that have produced increased sales for our companies to China."

The United States is content to negotiate with Beijing but when China balks, the Bush administration isn't afraid to resort to ***litigation*** or other such measures, Zoellick said, citing the chip case as an example.

In April, U.S. and Chinese officials agreed on measures that address a number of problems facing U.S. firms that do business in China. The agreement included the acceleration of steps to allow foreign firms to import and export products in China without going through local state ***trading*** companies. It also deferred a rule that would have forced some U.S. high-tech companies operating in China to enter joint ventures with Chinese firms and transfer technology to them.

That deal was derided by Democrats as insufficient to stop Chinese practices that cost U.S. jobs.

Yesterday's resolution of the computer-chip dispute came as the potential for another spat with China emerged, concerning the long-running problem of Chinese pirating of U.S. intellectual property. Pfizer Inc. said Wednesday that Beijing withdrew the company's Chinese patent for Viagra.

"It's difficult not to view this case within a pattern of IP infringement," said Richard Mills, a spokesman for Zoellick. "We'll be discussing this and other IP issues with the Chinese." Pfizer has said it will appeal the patent decision, Mills noted.

Also yesterday, Treasury Secretary John W. Snow said China might be asked to participate in discussions of the Group of Seven finance ministers and central bankers in October. The G-7 consists of the United States, Japan, Britain, Germany, France, Canada and Italy. Russia's finance minister attends some of the G-7 economic meetings as a member of the Group of Eight.

Many economists and policy experts have long urged that the G-7 should be recast to include China, since as one of the ***world***'s economic powerhouses it exerts major influence on global finance and ***trade*** flows. "The discussions are not, to my knowledge, about [China] joining as a member, but rather to attend some of the meetings," Snow said in Portland, Maine, according to Bloomberg News.

At issue in the semiconductor case was Beijing's practice of imposing a 17 percent value-added tax on chips and refunding most of the tax to firms that produce chips domestically, a system aimed at encouraging companies to build high-tech fabrication plants in China.

Chinese officials maintained that the system did not violate WTO rules, and they noted that their country has become a major market for foreign chips, importing about $2 billion worth from the United States last year.

But Zoellick said Chinese officials seemed to recognize that Washington had a strong case, based on the WTO principle of "national treatment," which basically prohibits governments from treating their own firms differently from foreign-owned companies.

Under the agreement, Zoellick said, Beijing will not certify new chip products or makers as eligible for tax refunds, and by April 1 of next year China will stop giving refunds to current beneficiaries of the system.

The outcome is "a big deal that transcends semiconductors," said Franklin J. Vargo, vice president for international economic affairs at the National Association of Manufacturers.

China is now signaling that it won't use similar tax policies to favor domestic producers in other industries, Vargo said. "We also see that China is not going to drag out every WTO case" brought against them, he said. "This could have gone one and a half or two years easily," he said.

In China, the government offered no immediate comment, but local analysts construed the decision to bend to the Bush administration's pressure as an indication of Beijing's desire for smoother relations with Washington ahead of the U.S. presidential election.

"The Chinese government understands that the American people and the business community are focused on the economy, and ***trade*** will be the focus of the election," said Zhou Dunren, a researcher at the Shanghai Pudong American Studies Institute.

The decision was also seen in China as reflecting an awareness that by continuing to protect domestic chipmakers with favorable tax policies, Beijing would effectively stymie their development as global competitors and likely end up losing the issue in a full-blown case at the WTO. China entered the ***world*** ***trade*** body less than three years ago, and its inclusion in the WTO has been embraced by Chinese reformers as a wedge to force local governments to heed the will of the central government for greater openness and ***trade*** with the outside ***world***.

"China has to obey the WTO rules because the government is making policies more and more according to those rules," said Sun Zhe, vice president of the American Studies Center at Fudan University in Shanghai.

Correspondent Peter S. Goodman and Special Correspondent Jason Cai contributed to this report from Shanghai.

**Load-Date:** July 9, 2004

**End of Document**

[***Is the Jig Up? Irish WTO Complaint May Stop the Music***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4035-9D40-00RP-M25F-00000-00&context=)

The Washington Post

April 21, 2000, Friday, Final Edition

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**Section:** FINANCIAL; Pg. E03

**Length:** 815 words

**Byline:** John Burgess , Washington Post Staff Writer

**Body**

The long arm of economic globalization has reached into Flanagan's Irish Pub in Bethesda with some unsolicited, unwelcome advice about music.

A year ago, owner Dennis Walsh was pleased to find that the royalties he pays the music industry for the recorded tunes his patrons hear had fallen about $ 100 a year, courtesy of a new federal law that exempted certain small restaurants and shops from royalties for music heard on radio or TV.

Now comes the ***World Trade Organization***, the Geneva-based enforcement agency for global ***trade*** rules, with a preliminary ruling that the law violates copyright agreements that the United States has signed with other countries. If the ruling is upheld, and at the WTO they usually are, the United States will face the choice of changing the law or accepting sanctions.

A change in the law could mean that small restaurants and shops would swallow hard and pay up. Or, said Christina Howard, lobbyist for the National Restaurant Association, "I think restaurants would just turn off the music."

The situation illustrates the ***trade***-off that countries make when they sign on to the ***world*** ***trading*** system. They get a place to resolve their own complaints against other countries but also consent to WTO officials examining their laws in detail and making rulings that can lead to changes.

Not everyone is happy with that. "They can do what they want in their country," said Walsh. "They don't have any right to dictate to the United States."

The music industry and restaurant owners have been natural enemies for years. Songwriters resent it when owners make free use of their music to generate ambiance and sales; owners complain that copyright holders send people into their establishments with arbitrary demands for payment and threat of lawsuits. "Legal extortion" is the term used by Walsh, who pays about $ 1,400 a year in royalties.

In 1972, Congress passed legislation aimed at helping mom-and-pop shops on this issue. It said that establishments using "home-style" TVs and radios--basically the type of equipment intended for use in a living room--would not have to pay royalties on that music. That law became the subject of ***litigation*** over how big the businesses would have to be to qualify, among other things.

In 1998, after lobbying by the National Restaurant Association and retail ***trade*** groups, Congress declared that the rule would apply to restaurants of 3,750 square feet or less and stores of 2,000 square feet or less. Chain operations that owned many locations would not get the benefit, however.

Music industry officials say they've already felt a financial impact, as restaurants and stores began canceling TV and radio payments to Business Music Inc. (BMI) and the American Society of Composers, Authors and Publishers (ASCAP), groups that collect royalty payments and pass them on to copyright holders.

One faraway party that took note of the U.S. law was the Irish Music Rights ***Organization*** in Dublin, which represents about 3,000 songwriters, lyricists and publishers in Ireland. Irish music was gaining popularity outside the country, and Irish musicians felt it wasn't fair that the United States was denying them some of their royalties. The group estimates that its members are losing $ 3 million a year due to the U.S. law. Estimates of the Europe-wide effect are $ 26 million a year.

"These rights do exist everywhere else in the ***world***," said Eamon Shackleton, an official of the Irish Music Rights ***Organization***. "American creators actually benefit from these rights that exist in Europe and Australia and Asia and all the rest."

Those feelings are shared by individual artists, who feel they're being denied something by restaurant and shop owners who flip on the radio or TV for their music. "We're providing a service and we're helping them out," said Mairead Ni Mhaonaigh, fiddler and lead singer of Altan, an Irish group that performed its traditional-style music in a tour that took it to George Mason University and many other U.S. venues this year. "So why shouldn't they pay for it?"

So, at Irish behest, the issue was brought to the WTO by the European Union. Last fall, a three-member panel in Geneva heard arguments from both sides. Now it has reached a preliminary decision against the expanded U.S. law, saying that it violates the Berne Convention, the ***world***'s main copyright agreement, as well as WTO rules. It did not act against the original "home-style" equipment standard, however.

"We're pleased that they upheld it on the home-style exemption," said Brendan Daly of the Office of the U.S. ***Trade*** Representative, which defended the law in the Geneva proceedings. "We're disappointed that they did not conclude the same with respect to the 1998 amendment." He said it was too early to say whether the United States would appeal, as that must await a formal ruling.

**Load-Date:** April 21, 2000

**End of Document**

[***No Headline In Original***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4ND6-5H50-TW87-N2SR-00000-00&context=)

The Washington Post

April 2, 2007 Monday, Regional Edition

**Correction Appended**



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**Distribution:** Maryland

**Section:** EDITORIAL COPY; Pg. A15

**Length:** 810 words

**Byline:** Sebastian Mallaby

**Body**

Two months ago an economist named Lawrence Mishel addressed the fraught politics of ***trade*** at a House committee hearing. He was not against ***trade***, Mishel began; transactions among consenting adults are seen as a good thing by all respectable economists, and Mishel clearly wanted to be one of them. And yet, while proclaiming his support for ***trade***, Mishel opposed actual ***trade*** deals. "We need a new approach to globalization," he counseled. "A strategic pause. No more ***trade*** agreements."

A moment later Mishel probably wished he hadn't said that. Rep. Charles Rangel, the venerable Ways and Means Committee chairman, bore down on the witness with the full weight of his twinkly eyed, gravelly voiced, mustachioed pizzazz.

"I'm 76 years old," Rangel deadpanned. "All this business about pausing and stopping and waiting. . . . Can you put this on fast forward?"

After that hearing, pro-***trade*** Democrats had new spring in their steps. Never mind the protectionist wind blowing from the midterm elections; Rangel wanted a legacy. He was more likely to achieve that with ***trade*** than entitlements, which the Democrats have demagogued to death, or tax reform, terrain that has been fouled by the administration's crude tax cuts.

But two months on, the ***trade*** agenda is faltering. Last night it wasn't clear whether the administration would secure a free-***trade*** pact with South Korea in time to submit the deal to Congress before its fast-track negotiating authority expires. What is clear is that the administration has not been able to persuade Congress to extend fast track, which is essential for the completion of the far more important Doha round of global ***trade*** talks.

Mishel is not the only economist who welcomes this "strategic" logjam. Harvard's Dani Rodrik, a long-standing globalization skeptic, [*argued*](http://www.ft.com/cms/s/3d7e8ece-dc00-11db-9233-000b5df10621.html) recently that "closed markets may have been a fundamental problem during the 1950s and 1960s; it is hard to believe they still are." But this complacency is wrong. The Peterson Institute for International Economics   [*calculates*](http://www.iie.com/publications/newsreleases/newsrelease.cfm?id=107) that the removal of remaining ***trade*** barriers would boost global income by $500 billion a year. Whether or not you accept this particular number, there's no doubt further liberalization can unlock huge benefits.

But that's not the only reason to resist "strategic pause" protectionists. If the United States refuses to do new ***trade*** deals, its partners will push ahead with agreements among themselves, reducing tariffs for each other's products while shutting out American ones. And if they are denied a chance to gain access to U.S. markets via negotiation, foreigners will seek it via ***litigation***.

We know this is possible. As Harvard's Robert Z. Lawrence points out in a [*new paper*](http://www.cfr.org/publication/12871/united_states_and_the_wto_dispute_settlement_system.html?breadcrumb=%2Fpublication%2Fby_type%2Fspecial_report) for the Council on Foreign Relations, other countries have brought a string of successful cases against the United States before ***World Trade Organization*** tribunals. In one celebrated instance, Brazil complained that U.S. subsidies depress ***world*** prices for cotton, injuring producers in Brazil as well as in extremely poor West African countries. After losing that case, the United States canceled millions of dollars of subsidies.

The Brazil precedent shows that other U.S. farm payments are vulnerable. Daniel A. Sumner of the University of California at Davis, who advised Brazil on cotton, [*calculates*](http://www.freetrade.org/node/23/) that U.S. subsidies for corn, rice and wheat have similarly injured foreign farmers. While the Doha talks progressed, no developing country was interested in paying lawyers to bring further agricultural cases. If Doha is dead, follow-up is likely.

By itself, of course, this would be welcome. If WTO ***litigation*** forces cuts to farm subsidies, U.S. taxpayers will be among the winners. But the worry is that a series of verdicts against the United States could stoke protectionism. Congress will yap about unelected foreign judges trampling U.S. sovereignty.

If the legitimacy of WTO panels is undermined, the fallout will go beyond ***trade*** policy. Before the WTO was created in 1995, there was no neutral place to resolve ***trade*** disputes, which consequently degenerated into fights that poisoned international relations. Even an instinctive free-trader such as Ronald Reagan bashed Japan repeatedly with unilateral ***trade*** weapons, with the result that, by the early 1990s, the U.S.-Japan military alliance looked shaky.

Today such bashing is relatively rare, because such sanctions run afoul of WTO panels. But the unilateralist urge remains: Look at the imposition of [***trade*** *sanctions*](http://www.washingtonpost.com/wp-dyn/content/article/2007/03/30/AR2007033002159.html) Friday on Chinese paper, and watch Sen. Max Baucus's fulminations this week against China's currency policy. If a "strategic pause" on ***trade*** leads to a flood of anti-U.S. WTO ***litigation*** and then to a congressional revolt against the WTO, we will be back to the unfettered unilateralism of the 1980s.

And you thought anti-Americanism was as bad as it could be?

[*smallaby@cfr.org*](mailto:smallaby@cfr.org)

**Correction**

Sebastian Mallaby's April 2 column misstated a calculation by the Peterson Institute for International Economics. The institute predicted that removal of remaining ***trade*** barriers would increase U.S. income, not global income, by $500 billion a year.

**Correction-Date:** April 3, 2007

**Load-Date:** April 2, 2007

**End of Document**

[***Citigroup's $7 billion mortgage mea culpa***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:5CPR-34F1-JBFW-C3J9-00000-00&context=)

The Washington Post

July 20, 2014 Sunday, Every Edition

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**Distribution:** Every Zone

**Section:** BUSINESS; Pg. G02

**Length:** 1195 words

**Body**

Citigroup will pay $7 billion to settle a federal investigation into its handling of risky subprime mortgages, admitting to a pattern of deception that Attorney General Eric H. Holder Jr. said "shattered lives" and contributed to the worst financial crisis in decades. Â¶ The settlement represents a moment of reckoning for one of the country's biggest and most significant banks, which is now accountable for providing some financial support to Americans whose lives were dismantled by the largest economic meltdown since the Great Depression. Â¶ The $7 billion settlement, which represents about half of Citigroup's $13.7 billion profit last year, is the latest substantial penalty sought for a bank or mortgage company at the epicenter of the housing crisis.

**Business**

Apple agreed to pay $450 million to resolve state and consumer claims that the iPad manufacturer conspired with five major publishers to fix e-book prices.

FedEx was indicted for delivering prescription pain pills, sedatives, anti-anxiety drugs and other controlled substances for illegal Internet pharmacies. A conviction could be "material," the company said.

General Motors chief executive Mary Barra was grilled by lawmakers about the role of her company's legal department in GM's failure to respond to a deadly ignition switch defect for more than a decade. Barra has said she has fired 15 employees, including some company lawyers, in connection with the crisis. She defended the company's general counsel, Michael Millikin, against calls from several senators that he, too, should be dismissed.

JPMorgan Chase will let Jamie Dimon collect about $37 million in stock options created during the financial crisis. JPMorgan gave the chief executive 2 million stock-appreciation rights in January 2008, saying they would be available in five years if the board still deemed it appropriate.

DirecTV is offering students at 10 universities its $199.99 NFLSundayTicket.TV, an online service that will start streaming games Sept. 7. Users aren't required to buy DirecTV's satellite dish or TV service to see games played outside their local market.

Airbus beat rival Boeing in the aircraft order stakes at this year's Farnborough International Airshow in the United Kingdom. Airbus said its orders for 496 aircraft were valued at $75 billion. Boeing secured business worth$40.2 billion for 201 airplanes.

Google is mapping natural gas leaks in three cities, in a project with the Environmental Defense Fund.

Volkswagen will spend $900 million to build a midsize SUV at its plant in Tennessee, nearly doubling the factory's workforce, in an effort to revitalize U.S. sales, which fell 7 percent last year and 13 percent in the first half of 2014.

The ***World Trade Organization*** ruled against the United States in disputes with India and China. The United States improperly imposed duties on imports of Chinese steel products and solar panels. And it must change duties it imposes on Indian steel products.

Hershey's, America's choclate giant, announced last week that it was raising the price of its chocolate to compensate for abnormally high global cocoa prices. Cocoa prices have been on the rise. They are up more than 45 percent since early 2013.

Samsung Electronics suspended business ties with a Chinese supplier, Dongguan Shinyang Electronics, that allegedly hired children.

Japanese officials approved the use of two nuclear reactors that meet safety standards, paving the way for a revival of the country's atomic energy industry.

**Deals**

AbbVie, the drugmaker, has reached a deal worth roughly $55 billion to combine with British counterpart Shire and become the latest U.S. company to seek an overseas haven from corporate income tax rates back home.

Apple and IBM will work together to create business software for iPhone and iPad users, setting aside a three-decade-old rivalry to cater to an increasingly mobile workforce.

Big Tobacco's Reynolds American agreed to acquire rival Lorillard in a deal estimated at $27.4 billion.

Lindt & SprÃ¼ngli, the Swiss chocolate maker, is buying Russell Stover Candies for a sum that wasn't disclosed.

Mylan, a generic-drug maker, will become part of a company organized in the Netherlands in a $5.3 billion deal to acquire some of Abbott Laboratories' generic-drugs business. The deal is expected to lower Mylan's tax rate to about 20 percent.

**Earnings**

Bank of America said its second-quarter profits - down 43 percent to $2 billion compared with $3.6 billion a year ago - were hit by higher ***litigation*** expenses.

Capital One Financial said profit rose 8 percent, to $1.18 billion, as it set aside less money for bad loans and its domestic card business returned to growth, beating analysts' expectations.

EBay profit climbed 6 percent, to $676 million, as strong growth from its PayPal business offset lower-than-expected revenue that was hampered by a global password reset after a cyberattack in May. PayPal, which eBay bought for $1.3 billion in late 2002, gained 4 million new active registered accounts to end the quarter up 15 percent to 152 million.

Google's second-quarter profit grew 6 percent, to $3.4 billion, as ***World*** Cup fever drove more traffic to the Internet company's search engine and YouTube video site.

JPMorgan Chase profit dropped 8 percent, to $6 billion, beating Wall Street estimates even as its mortgage business dragged.

Yum Brands profit shot up 19 percent, to $334 million, boosted by rebounding business at KFC in China, where worries about food safety have eased. In the United States, KFC and Pizza Hut continued to face sluggish sales.

**Economy**

The Federal Reserve, in a report that accompanied chief Janet Yellen's appearances on Capitol Hill, seemed to raise concerns that smaller tech and biotech companies are hitting unjustified valuations, raising questions about a bubble. "Valuation metrics in some sectors do appear substantially stretched - particularly those for smaller firms in the social media and biotechnology industries, despite a notable downturn in equity prices for such firms early in the year," the report said.

The economy expanded in all regions of the country in June and early July, helped by strength in consumer spending, according to a Fed survey, known as the Beige Book.

Industrial production climbed in June to cap the strongest quarter in almost four years. A 0.2 percent increase in output at factories, mines and utilities followed a revised 0.5 percent advance in May.

**Washington**

The Equal Employment Opportunity Commission updated 30-year-old guidelines to make clear that any form of workplace discrimination or harassment against pregnant workers by employers is a form of sex discrimination and illegal.

- From news services and staff reports

**$2.8 billionWarren Buffett donation**

The "Oracle of Omaha" gave $2.8 billion of Berkshire Hathaway stock to five charities as part of the billionaire's plan to give away nearly all of his wealth. Buffett donated about 21.73 million Class "B" shares of Berkshire. About 16.6 million shares, worth more than$2.1 billion, went to the Bill and Melinda Gates Foundation. The rest went to four family charities.

**Load-Date:** July 20, 2014

**End of Document**

[***The Stakes in Hong Kong***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4HSX-8GR0-TW87-N1W0-00000-00&context=)

The Washington Post

December 13, 2005 Tuesday, Final Edition

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**Section:** Editorial; A26

**Length:** 540 words

**Body**

FOR A BRIEF moment after the 2001 terrorist attacks, the ***world***'s leading nations wanted to extend a ladder of opportunity to poor and potentially resentful nations. They launched a new round of global ***trade*** talks, calling it a "development round" because it was supposed to cut farm tariffs and other obstacles to poor countries' progress. The good intentions didn't last. A follow-up summit of ***trade*** ministers in Cancun, Mexico, in 2003 broke down chaotically when the European Union and the United States tried to impose an unsatisfactory pseudo-deal on developing countries. Now, after another two-year interval, ***trade*** ministers are convening in Hong Kong. Progress has been shamefully slow, and the chances that the round will realize its development potential are almost nil. Still, it's important that the next few days yield at least a modest deal. A collapse could destabilize the global ***trading*** system.

The stakes are high because the effective negotiating deadline is nearing. Congress has granted President Bush "***trade*** promotion authority," the power to negotiate ***trade*** deals and get an up-or-down vote in Congress without having the document picked apart in a series of amendments. But this authority expires in the summer of 2007 and is unlikely to be renewed; it was granted in 2001 in that anomalous moment of post-Sept. 11 lucidity. Negotiators therefore have about a year to put together a hugely complex deal, but their efforts so far have been confined mainly to agriculture. Even there they have stalled, largely because the European Union has offered a loophole-ridden proposal that would barely reduce its farm protectionism.

If this ***trade*** round collapses, it would fuel the disturbing trend toward regional and bilateral ***trade*** pacts, which boost prosperity less effectively. These smaller deals tend to come with burdensome red tape: For example, the United States has granted preferential market access to African exporters, but it insists that African goods be laboriously certified as genuinely African to screen out products that might be shipped from another region to take advantage of the special access. Regional deals also tend to divert ***trade*** as much as they create it, shifting prosperity from one region to another rather than actually generating it.

The collapse of the ***trade*** talks would also threaten a dangerous burst of ***litigation***. Earlier this year, the ***World Trade Organization***'s appellate tribunal upheld a Brazilian complaint against U.S. cotton subsidies, with the result that those subsidies are supposed to be cut back. A new paper from the Cato Institute argues that, under the logic of that ruling, U.S. subsidies on corn, wheat and rice may also violate ***world*** ***trade*** rules. So long as ***trade*** talks limp on, there's little incentive for other countries to bring expensive legal challenges to U.S. farm programs. But if the prospect of a negotiated reform of U.S. policies fades, the United States might face a series of WTO rulings against agricultural subsidies. If it bowed to these, it would be putting its own house in order without getting reform from others in return. If it refused to bow, it would fuel anti-Americanism and undermine support for the rules-based ***trading*** system.

**Load-Date:** December 13, 2005

**End of Document**

[***Clinton to Press Hill To Back China Deal***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:3Y9M-58S0-00RP-M42D-00000-00&context=)

The Washington Post

January 11, 2000, Tuesday, Final Edition

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**Section:** FINANCIAL; Pg. E08

**Length:** 663 words

**Byline:** John Burgess, Washington Post Staff Writer

**Body**

President Clinton yesterday announced an "all-out effort" to persuade Congress to grant China permanent access to the U.S. market, a key step in White House efforts to bring China into the ***World Trade Organization***.

"We stand to gain" when China enters the WTO, the Geneva-based body that polices ***world*** ***trade***, Clinton told reporters at the White House, noting that China will give U.S. companies new access to its huge market. The congressional vote he is seeking is necessary to "lock in our benefits," he said.

The White House is convening a special Cabinet committee to work with business and other groups in what promises to be one of the biggest lobbying battles of 2000. A coalition of labor, human rights and other activists--emboldened by their success in disrupting the WTO meeting in Seattle late last year--promise to oppose the deal.

Though no schedule exists yet for the vote, Clinton said yesterday that he wanted it to be at "the earliest possible time."

Cabinet members met yesterday to discuss the campaign. "We went through how we see this developing, what we've all heard as we've done outreach to different constituencies," Commerce Secretary William M. Daley said in an interview. Also at the meeting were Treasury Secretary Lawrence H. Summers, Agriculture Secretary Dan Glickman, and U.S. ***Trade*** Representative Charlene Barshefsky.

Rep. Frank R. Wolf (R-Va.), an abiding critic of China, said the United States should not grant normal ***trade*** status, in view of China's persecution of religious groups and lack of political freedom. "There are more gulags that are operating in China today than there were when Solz wrote the book," he said in an interview, referring to the labor-camp expose "Gulag Archipelago" by Alexander Solzhenitsyn.

"I think they're going to have a very difficult time getting this through Congress now," Wolf said. "A lot of members feel very uneasy about it. This is an election year."

In November, Barshefsky negotiated a deal in Beijing under which China would grant new access to its markets to U.S. companies in return for U.S. support for its entry into the WTO.

***Trade*** experts say that under WTO practices, China would be allowed to cancel that access for U.S. companies if Congress does not permanently grant China a legal status known as "normal ***trading*** relations." That means China would get the same tariff reductions and market access that other U.S. ***trading*** partners get.

Up to now, Congress has granted that status to China only on a year-to-year basis, due to objections to such things as its suppression of human rights and state control of its economy. China is eager to avoid that annual ritual because it places in question its long-term access to a crucial foreign market for its goods.

Without a "yes" vote for permanent relations, other countries' companies would enjoy new market access while "all of the industries in this country will be standing on the sidelines picking wax out of their ears," Thomas Donohue, president of the U.S. Chamber of Commerce, said in an interview.

The question of whether year-by-year extensions would comply with WTO rules has never been litigated before a WTO disputes panel, said John H. Jackson, a ***trade*** law expert at Georgetown University Law Center. He believes that any such ***litigation*** would uphold the notion that normal ***trading*** relations must be permanent.

Clinton yesterday praised the November deal. "Our products will gain better access to China's market in every sector from agriculture to telecommunications to automobiles," he told reporters at the White House.

Clinton said that on human rights and weapons proliferation, "we'll continue to press our views and protect our interests" with China.

President Clinton announces that he is naming Commerce Secretary William Daley, right, and Steve Ricchetti, deputy White House chief of staff, to lead the effort to get Congress to approve the U.S. ***trade*** deal with China.

**Load-Date:** January 11, 2000

**End of Document**

[***Parliament votes to approve Russia's accession to WTO***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:5633-PBP1-DXXY-33SJ-00000-00&context=)

The Washington Post

July 11, 2012 Wednesday, Suburban Edition

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**Distribution:** Every Zone

**Section:** A-SECTION; Pg. A11

**Length:** 810 words

**Byline:** Will Englund;Kathy Lally

**Dateline:** MOSCOW

**Body**

MOSCOW - Russia's parliament voted Tuesday to ratify the country's accession to the ***World Trade Organization***, capping 18 years of negotiations and wavering resolve.

President Vladimir Putin had supported the move, albeit at times unenthusiastically. As a member of the global system that is designed to ensure free ***trade***, Russia will have to dismantle its protectionist policies, but the goal is to attract more foreign investors with the new reassurance that rules will be obeyed and not subject to bureaucratic caprices.

Membership becomes official in 30 days and will put U.S. companies at an immediate disadvantage. In 1974, a [***trade*** *law amendment known as Jackson-Vanik*](http://www.washingtonpost.com/world/putin-critics-oppose-jackson-vanik-trade-sanction-law/2012/03/12/gIQA1iMd7R_story.html) was introduced to pressure the then-Soviet Union to allow Jews and others to emigrate, although the sanctions have been waived each year since the Soviet Union's collapse. Once Russia joins the WTO, the amendment's existence will put the United States in violation of the ***organization***'s rules, resulting in unfavorable ***trade*** terms for U.S. firms doing business with Russia.

The vote in favor of ratification was 238 to 208, with opposition led by the Communists, who make up the second-largest group in the Duma, or lower house. They declared Russia's industry too vulnerable to survive without protections. On Monday, they lost an appeal to the Constitutional Court against joining the WTO, but the ruling left the door open to further ***litigation***.

"It's important in many respects," said Evsey Gurvich, head of the Economic Expert Group in Moscow. "It will remove some barriers for foreign ***trade***, and it will enhance competition in the country."

Playing by ***world*** rules, he said, will be as important for Russia as for foreign businesses. "We don't have any rules of the game now," Gurvich said, "and rules will benefit our economy."

Putin, who once opposed [*WTO membership*](http://www.washingtonpost.com/wp-dyn/content/article/2010/10/20/AR2010102006657.html), changed his mind as financial crisis spread around the ***world***. Russia, he decided, needed to be at the decision-making table when global events were affecting its economy.

"We joined the WTO because our economy is highly dependent on the external market in terms of both production and consumption," he told investors at a recent economic forum. "Excessive protectionism invariably leads to stagnation, low quality and high prices."

Russia does not expect that joining the WTO will, in the short run, help its exporters, because aside from raw materials the country manufactures little that is in demand globally. Pork producers, who have been protected by a high tariff on live swine, expect to take a hit, as do rice farms. Other agricultural companies here, including those that produce oil seeds, should benefit, because Russia will have to eliminate export tariffs.

But membership will prove successful only if the government works to make it so, said Peter Westin, chief equity strategist for Aton, an investment firm here.

"Membership gives you a framework," Westin said. "If you join the WTO but don't fight corruption, you won't have as big of an effect."

Signs of jockeying to protect domestic industry have emerged. Russia has raised the "scrapping" fees it adds to the price of an imported car to pay for its disposal at the end of its road life. That would make domestic cars more attractive price-wise.

The immediate cost to the Russian treasury in lost revenue will be $5.7 billion in 2013 and $7.8 billion in 2014, Economic Development Minister Andrei Belousov told parliament Tuesday. But he said the benefits from joining, in terms of more foreign investment, should offset some of those losses, RIA Novosti reported.

A delegation from Russia's upper house, the Federation Council, is in Washington meeting with members of Congress over moves by the Obama administration and U.S. business leaders to repeal Jackson-Vanik. One of the arguments by the Russians is that Russia and Israel today allow reciprocal visa-free travel.

But there is a proposal to tie repeal of Jackson-Vanik to passage of the [*Magnitsky bill*](http://www.washingtonpost.com/world/europe/congress-advances-bill-to-pressure-russia-on-human-rights/2012/06/07/gJQA44uXLV_story.html), which places U.S. visa and financial sanctions on Russian officials associated with the death in pretrial detention of a whistleblower who unearthed a $230 million tax fraud, only to be charged with the crime himself.

That bill has been [*denounced*](http://www.washingtonpost.com/world/europe/russia-threatens-retaliation-over-us-magnitsky-bill/2012/05/29/gJQAMWjIzU_story.html) by Russian officials, who see it as an intrusion into their domestic affairs and worry about the precedent it would set.

The Obama administration has resisted the bill but is reportedly resigned to its passage.

Russia has a $1.9 trillion economy, making it the largest outside the WTO. According to different calculations, it ranks either ninth or 10th in the ***world***.

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**Load-Date:** July 11, 2012

**End of Document**

[***Talks Over Aircraft Subsidies In Jeopardy***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4FRJ-6B30-TW87-N20D-00000-00&context=)

The Washington Post

March 19, 2005 Saturday, Final Edition

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**Section:** Financial; E01

**Length:** 755 words

**Byline:** Paul Blustein, Washington Post Staff Writer

**Body**

The Bush administration signaled yesterday that negotiations with the European Union over subsidies to Boeing Co. and Airbus SAS were on the verge of breaking down, raising the likelihood that the two sides will fight the matter out in a high-stakes international ***trade*** case.

The rift emerged following a late-afternoon phone conversation between Peter Mandelson, the European ***trade*** commissioner, and Robert B. Zoellick, the recently departed U.S. ***trade*** representative who has continued to manage the issue from his new job as deputy secretary of state. In a statement, a U.S. spokesman blasted the E.U. for refusing to curb its subsidies to Airbus and threatened to revive a U.S. suit at the ***World Trade Organization***.

"Although on January 11 the E.U. agreed to a negotiating structure eliminating large civil aircraft subsidies, over the last two months they have been backtracking and seeking to change the terms of that agreement," said Richard Mills, a spokesman for the U.S. ***trade*** representative's office. "It's now demonstrated conclusively that they're not prepared to follow through on that agreement."

European officials expressed shock at the U.S. interpretation of events.

"Peter Mandelson is completely surprised that such a statement should be given to the press. It doesn't correspond to what he took from the discussion with Bob Zoellick today," said Anthony Gooch, the E.U. spokesman in Washington, in response to queries from reporters. "There are clearly difficult issues at stake, but he [Mandelson] doesn't recognize the portrayal of the state of play as offered by the U.S. side. If Mr. Zoellick is announcing that the negotiations are at an end, Mr. Mandelson has not been informed of this development."

Although the E.U. statement left open the possibility that the two sides might patch up their differences, the barbed language used by both Washington and Brussels suggested that they may have great difficulty avoiding international ***litigation***. Analysts in both the United States and Europe have acknowledged that a WTO decision could harm both Boeing and Airbus by depriving the two firms of government aid at a time when they are developing new airplanes.

The confrontation has loomed for months as one of the biggest, and most potentially destructive, in the history of the Geneva-based ***trade*** body. In filings with the WTO, the United States and Europe have accused each other of illegally providing government aid to their flagship airplane makers.

Some officials have warned that carrying the dispute all the way to a judgment could wreck chances for U.S.-E.U. cooperation in global ***trade*** negotiations and possibly sour transatlantic ties on a host of other issues.

The two sides stepped back from the brink on Jan. 11 when they agreed to try for three months to settle the matter with a pact that would eventually end subsidies for both companies. As part of that truce, they also agreed to a "standstill" on further subsidies. Although the truce was hailed at the time as an important step toward mending tattered transatlantic ties, it was clear that the two sides strongly disagreed over what constitutes a subsidy.

"The United States is willing to hold to the standstill terms of the January 11 agreement that precluded further subsidies," Mills said. "But if the E.U. either breaks or refuses to extend the terms [beyond April 11, when the three-month period for negotiation was scheduled to end], we will return to ***litigation***."

At the heart of yesterday's dispute, Mills said, was the fact that the Europeans sought to insist on ending or reducing two types of subsidies for Boeing that the United States views as being outside the Jan. 11 agreement. One of those involves Japanese government support for construction of certain aircraft components in Japan. The other involves tax benefits that Boeing is receiving under a recently approved revamping of corporate tax laws.

"Those issues were obviously discussed because they directly relate to the subsidization of Boeing," an E.U. official said. "That said, it's no more true to say that new propositions were made on these aspects than on any other areas of subsidy to Boeing." He described the U.S. move as "a completely irrational and incomprehensible response to a difficult but ordinary negotiation."

It remains to be seen whether Zoellick's successor will get the talks back on track or pursue the WTO case. On Thursday, President Bush said he is nominating Rep. Rob Portman (R-Ohio) to the ***trade*** representative's job.

**Load-Date:** March 19, 2005

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[***DIGEST***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:40TD-N230-00RP-M184-00000-00&context=)

The Washington Post

July 25, 2000, Tuesday, Final Edition

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**Section:** FINANCIAL; Pg. E01

**Length:** 1456 words

**Body**

Stephen King's latest online publishing effort got off to a smooth start as thousands of users downloaded the first installment of "The Plant," a new serial novel. Early indications were that most readers were abiding by the honor system and coughing up the $ 1 per copy King is asking for. King said putting the new novel in the easy-to-use PDF file format helped avoid the technical glitches that occurred in March when readers got stymied trying to download his novella "Riding the Bullet," which came in an encrypted format.

Worldwide shipments of personal computers rose slightly less than forecast in the second quarter as consumer sales slowed and shortages of microprocessors hampered supply, two market-research firms reported. Unit shipments of personal computers rose 14.5 percent from the year-earlier quarter, according to IDC, which had expected growth of just above 15 percent. Dataquest said global shipments rose 18 percent, short of its forecast for 18.5 percent.

The Federal ***Trade*** Commission settled a lawsuit accusing closely held Xpics Publishing, an owner of adult Web sites, of charging patrons' credit cards after enticing them with offers of "free" viewing. Xpics offered free 30-day or 90-day trials, requiring users to provide credit-card information in order to verify their age. The company then billed the consumers' credit cards, sometimes within a matter of hours, the agency alleged.

Airbus Industrie won a $ 1.5 billion order for seven of its planned double-decker A3XX super-jumbo jets, stiffening its challenge to Boeing in the race to become the ***world***'s leading builder of passenger aircraft. The order from Emirates Airlines was Airbus's first firm contract for its new line of jets. Boeing, meanwhile, announced that GE Capital Aviation Services committed to buying 59 Boeing Next-Generation 737s and 15 777s in a deal valued at $ 5.5 billion, while International Lease Finance pledged to pay a similar sum for 33 777s and seven 737s.

Time Warner agreed to carry billionaire Paul Allen's ZDTV network on its cable systems, which serve 12.6 million subscribers. Terms of the agreement were not disclosed. The network's shows on computers, the Internet and high-technology companies are now available in more than 18 million U.S. homes.

Oracle has been selected to build an online exchange for more than a dozen airlines, an Internet marketplace that will handle $ 45 billion a year in parts and supplies purchases. Oracle, the ***world***'s largest maker of database software, will provide the software for Aeroxchange, an Internet-based ***trading*** site where companies including Air Canada, Northwest Airlines and FedEx can buy aircraft parts and supplies.

Bear Stearns shares climbed by more than 7 percent amid indications that the investment bank might be open to a takeover. Guy Moszkowski, analyst at Salomon Smith Barney Holdings, said in a research note that Bear Stearns chief executive James Cayne has indicated for the first time he would consider the right offer.

T-bill rates were mixed. The discount rate on three-month Treasury bills auctioned yesterday rose to 6.01 percent, from 5.96 percent the previous week. Rates on six-month bills fell to 6.010 percent from 6.015 percent. The actual return to investors is 6.187 percent for three-month bills, with a $ 10,000 bill selling for $ 9,848.10, and 6.284 percent for a six-month bill selling for $ 9,696.20. Separately, the Federal Reserve said the average yield for one-year Treasury bills, a popular index for changing adjustable-rate mortgages, rose to 6.11 percent last week from 6.09 percent the previous week.

The National Highway Traffic Safety Administration upgraded its investigation of nearly 250,000 Ford trucks after hundreds of drivers cited problems with braking and steering. There have been 233 complaints and 310 warranty claims involving 1999 and 2000 Ford Super Duty F Series and Stripped Chassis With Hydroboost trucks, according to NHTSA. The problem has been cited in 13 crashes in which one person died and four were hurt, according to NHTSA.

General Motors said it has completed an equity alliance with Fiat, the ***world***'s No. 7 carmaker, that will combine some of their parts-making and purchasing operations. GM has taken a 20 percent stake in Fiat Auto Holdings, a new holding company that controls Fiat Group's car operations, except for Ferrari and Maserati. Fiat has received 32 million shares or 5.6 percent of GM's common stock.

INTERNATIONAL

The ***World Trade Organization*** backed a ban imposed by France on imports of asbestos from Canada, agreeing that the material poses a risk to human health. The decision is a victory for the European Union, which defended the case on behalf of France, and plans to impose an EU-wide ban on asbestos by Jan. 1, 2005. The EU says tens of thousands of Europeans die of cancer caused by asbestos each year.

Mexico's ***trade*** deficit widened in June as booming domestic demand and a strong currency led to higher imports of consumer goods. The ***trade*** shortfall was $ 654 million, the widest deficit since December. Exports rose 15.9 percent, to $ 13.95 billion, while imports increased 18.3 percent from a year ago, to $ 14.61 billion.

RECALLS

Gymboree recalled 19,000 plush shape-sorter toys and 12,000 plush stacking toys after a customer in a Gymboree store reported finding a sewing needle in a toy's stuffing, the U.S. Consumer Product Safety Commission said. The company found five plush shape sorters in their inventory with sharp metal objects inside, the commission said. Both toys are multicolored, including green with blue polka dots, red and orange checks, and blue and green stripes. A label on the toys reads "GYMBOREE" and "Made in China." Gymboree, Play & Music Stores and the Gymboree Web site sold the toys nationwide from November 1998 through April 2000 for about $ 20. People should stop using the toy immediately and return it where it was purchased for a refund. For more information contact Gymboree at 800-222-7758 between 6 a.m. and 2 p.m. EDT Monday through Friday or at the Web site at [*www.gymboree.com*](http://www.gymboree.com).

EARNINGS

American Express reported its second-quarter earnings surged 15 percent, to $ 740 million, helped by strong performances at its travel and financial advisory divisions.

Ashland, the maker of Valvoline motor oil, said fiscal third-quarter earnings rose 54 percent, to $ 129 million, as higher gasoline prices in the Midwest boosted refining profit.

Enron said second-quarter earnings rose 30 percent, to $ 289 million, as the energy trader executed more natural-gas and electricity ***trades***, increased its online business and benefited from record gas prices. Revenue from EnronOnline, the Internet-energy and commodity ***trading***-site the company opened in November, rose 92 percent compared with the first quarter.

HCA, the nation's largest for-profit hospital company, said excluding a $ 498 million charged related to a fraud settlement with the federal government announced in May, its second-quarter profit rose a better-than-expected 22.5 percent, to $ 223 million.

Knight Ridder reported a 12 percent increase in fiscal second-quarter profit as strong growth continued in advertising revenue. In the three months ended June 25, Knight Ridder, the nation's second-largest newspaper publisher, earned $ 90.8 million excluding one-time items, up from $ 81.3 million in the year-earlier period.

Merck, the ***world***'s No. 2 drug company, said second-quarter profit rose 16 percent, to $ 1.72 billion, on higher sales of its Zocor cholesterol drug, beating estimates and sending its shares up as much as 10 percent.

Priceline.com, which lets customers bid online for plane tickets, hotel rooms, groceries and other goods, said its second-quarter loss narrowed to $ 4.52 million as sales more than tripled, to $ 352.1 million. The loss compared with a loss of $ 14.3 million a year earlier. Still, the latest quarter's sales were less than investors expected, and as a result Priceline.com shares had their second-biggest drop ever, falling $ 8.93 3/4, or 22 percent, to $ 31.12 1/2 on the Nasdaq Stock Market.

LOCAL BUSINESSCriimi Mae confirmed the settlement of ***litigation*** between the company and Salomon Smith Barney, Citicorp Real Estate and Citicorp Securities over Salomon Smith Barney's claims under the company's third amended joint plan of reorganization. Rockville-based Criimi said it agreed to pay the principal and interest due from financing provided by Salomon Smith Barney from bonds, all outstanding principal, interest and expenses from a loan provided by Citicorp Real Estate to a Criimi unit, and $ 4 million cash for all remaining claims of Salomon Smith Barney.

**Load-Date:** July 25, 2000

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[***Talking Cadillacs To Rickshaw Riders***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:46XW-9VP0-010F-92XV-00000-00&context=)

The Washington Post

October 7, 2002 Monday, Final Edition

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**Section:** EDITORIAL; Pg. A19

**Length:** 862 words

**Byline:** Sebastian Mallaby

**Body**

They don't come feistier than Susan Kling Finston, associate vice president for intellectual property at the Pharmaceutical Research and Manufacturers of America. Other lobbyists operate quietly, pushing policies in the backroom; but Finston was right up there on the podium last week, blasting out the arguments of the pharmaceutical firms. She spoke loudly and forcefully and dizzyingly quickly; the slides that accompanied her presentation flashed by like some kind of speed-reading contest.

Pharmaceutical patents, she told the audience at the Center for Strategic and International Studies, help AIDS-stricken poor countries just as much as they help rich ones. The chief obstacle to treating poor AIDS patients is not high drug prices but lousy infrastructure. Cheap generic Indian drugs are unsafe and untested. Anyway, the real key to fixing public health in Africa is to fix the rules on ***trade*** in agriculture.

This last point was so unexpected that it left the audience dumb. But Finston's other opinions provoked responses. An official from the Indian state of Tamil Nadu suggested that all this talk of lousy infrastructure was "a little sweeping"; her province had wiped out polio, after all. An Indian medical professor said that most Indian generics are subjected to clinical trials, despite what Finston claimed about them. He also said something about the United States overriding patents when it needed anthrax antidotes, but Finston unleashed a speed-talk avalanche that buried him.

A Nigerian health official had a turn at the microphone; it had been hard to remain seated during Finston's presentation, he confessed. Nigeria has 3 million people with HIV and little money to help them; it therefore buys Indian generics, which cost (he said) one-fifteenth as much as drugs from American-branded manufacturers. What's more, Nigeria now has six months of experience in using the supposedly unsafe Indian products. Its patients are healthier, said the Nigerian speaker; their viral loads are down.

An Ethiopian delegate put the issue more simply. Patents are a system to help the most powerful people who need the least protection, even while millions of poor AIDS patients are dying.

The Ethiopian was right, of course. The patent system is a ***trade***-off: It encourages innovation, but it pushes up the price of existing inventions and so restricts the number of people who benefit from them. For a rich country, where most citizens can afford patented medicine, intellectual property protection is a good ***trade***-off; for a poor country, where most cannot afford such medicines, it makes no sense. The pharmaceutical firms, which fight to keep cheap generic drugs out of poor countries because of their allegedly inferior quality, are let-them-eat-cakers. It is as though Detroit's lobbyists attempted to ban rickshaws, saying that poor people who need transport would be much safer in Cadillacs.

Finston's performance was surprising because the pharmaceutical industry recently has made a show of pulling back. Two years ago it was suing South Africa over its plans to distribute non-branded drugs to AIDS sufferers; now it has abandoned that ***litigation*** and embraced the idea that an extraordinary health crisis requires an extraordinary response. It has begun to discount its drugs for Africa, though even discounted Cadillacs cost more than generic rickshaws; it even has begun to offer some drugs for free. One company, Merck, has teamed with the Gates Foundation to battle AIDS in Botswana, a brave effort of which Merck is rightly proud.

But the drug lobby has not shed its claws entirely, as Finston's combative performance last week showed. The industry now may accept the principle of discounts, but it still bad-mouths the generic competitors that are leading prices down. It still clings to the fiction that patent rules make sense for poor countries. It still talks as though bad infrastructure were the only obstacle to distributing AIDS drugs. Some 30 million Africans live with the HIV virus, and you can argue about whether a half or a third or even just a quarter have access to clinics. But you wouldn't claim that just 1 percent have access, even though that is the proportion of Africans being treated with antiretroviral drugs.

Because of Finston's performance, it's hard to be confident about the promise, announced at last year's ***World Trade Organization*** summit, that poor countries' obligations to respect patents will be relaxed. Finston's pharmaceutical association colleagues are lobbying the U.S. ***Trade*** Representative to keep the relaxations to a minimum; moreover, watchdog groups such as Doctors Without Borders fear that the Pharmaceutical Research and Manufacturers of America has found ways to toughen patent rules even if the WTO requirements are loosened. The industry dominates the ***World*** Intellectual Property ***Organization***, a U.N. body that's little more than a ***trade*** association and that constantly dispatches consultants to help poor countries write their patent rules. It wouldn't be surprising if the rules turned out to suit Finston's members more than they suit the sick people who can't afford essential drugs.

**Load-Date:** October 7, 2002

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[***A LOOK AT . . . The Future of Internationalism: Beyond National Interests***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:3W8H-6BN0-007D-J4R7-00000-00&context=)

The Washington Post

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**Section:** OUTLOOK; Pg. B03

**Length:** 1734 words

**Byline:** Bruce Zagaris

**Body**

Nearly two weeks ago, two Libyan intelligence agents boarded an Italian plane in Tripoli and were flown under U.N. authority to a naval base in the Netherlands. Wanted in the downing of Pan Am Flight 103 and the deaths of its 259 passengers and crew members as well as 11 residents of Lockerbie, Scotland, the two now face trial on Dutch soil under Scottish law--a welcome sign of progress in a 10-year-old international legal stalemate.

But the Lockerbie case also highlights an important question that will not be solved by the conviction or acquittal of those two men: How should disputes that fall under more than one jurisdiction be settled?

Seeking refuge from the law, as the two accused terrorists succeeded in doing for a decade, is nothing new, of course. From Butch Cassidy and the Sundance Kid to Mohammad Reza Pahlavi, the former shah of Iran, suspects have crossed borders to escape the posse. But in recent years, the questions of where to try a crime--and under whose law--have become more perplexing. In an age of electronic commerce and international ***trade*** and terrorism, incidents may take place in a country where they are not illegal and have repercussions in another part of the ***world*** where they are considered criminal acts.

These new kinds of crimes, combined with an increasing need to present a united front against the internecine warfare and human rights violations that plague the modern ***world***, demand international legal cooperation--and U.S. leadership--as never before. Without it, transnational criminals will continue to prosper, war crimes will continue to go unpunished and U.S. actions, even in the name of humanitarian goals, will lack the diplomatic support they need.

In recent months, a number of attention-catching crimes have highlighted the complex problem of achieving justice when there are overlapping jurisdictions. Think of the legal wrangling in London leading up to the decision to extradite former Chilean president Gen. Augusto Pinochet to face trial in Spain for crimes he is accused of committing against Spanish citizens in Chile; of the controversy over the jurisdiction of the International Criminal Tribunal for War Crimes in the former Yugoslavia to investigate atrocities in Kosovo; or of the outrage expressed by Americans at Israel's refusal to extradite Maryland murder suspect Samuel Sheinbein to stand trial in this country.

This last case is instructive. Israel's obligation under international law is to prosecute or extradite the teenager, and the Israelis seem prepared to do the former in a fair way. Thus, Israel does no damage to international justice--even if it strains international friendships and presents logistical challenges--by holding the trial on its own soil.

Such a solution was out of the question in the Lockerbie case. Since the United States believes the Libyan government was complicit in, if not actually responsible for, the bombing, there is no way a trial could be held in Libya. Hence the protracted international negotiations with Libya, the use of U.N. sanctions, and the resort to ***litigation*** in the International Court of Justice (ICJ) in the Hague--the arbiter on many international disagreements over issues such as extradition treaties--over how and where the trial should be held. Indeed, what the Lockerbie case best reflects is the growing need for international institutions, such as the ICJ, to resolve such difficult cases.

But resorting to the decision-making processes of such an international institution requires giving up some degree of sovereignty--something the United States has often seemed unwilling to do. In the Lockerbie case, the United States tried unilateral sanctions and fought to have the U.N. Security Council, over which it has greater influence, act as arbiter.

In other instances, the United States has given mixed signals about how it asserts its legal influence overseas.

On the one hand, the United States has been an innovator and leader in promoting the rule of law. With the establishment of ad hoc war crimes tribunals after ***World*** War II and more recently for war crimes in the former Yugoslavia and Rwanda, in criminalizing transnational corruption with the 1976 Foreign Corrupt Practices Act, and in leading the negotiation of last fall's ***Organization*** for Economic Cooperation and Development (OECD) Anti-Corruption Convention, the United States has helped develop creative laws and institutions to prevent and combat transnational crime.

On the other hand, though, the United States has often sacrificed law on the mantle of aggressive and illegal Realpolitik. In some highly publicized incidents (with the loss of life caused by the use of U.S. armed forces in Panama to arrest President Manuel Noriega for drug trafficking, for example) and some less well-known ones (including a case that I have been involved in for the past five years in which a Cypriot businessman, Hossein Alikhani, who was accused of violating U.S. sanctions against Libya, was lured on board a plane in the Bahamas in a U.S. Customs sting and abducted to Miami), the United States has put self-interest before principle.

Indeed, the United States does not hesitate to pursue its own interests overseas. It has always been the most aggressive country in extending unilateral jurisdiction beyond its shores. Initially this practice was restricted largely to antitrust and economic cases, where the conduct occurs entirely abroad but has "effects" in the United States. But in the 1980s and '90s, the federal and state governments expanded their jurisdiction over contraband, narcotics and gambling on "cruises to nowhere" (just outside the U.S. maritime territory). And to combat the growing threat of international terrorism, the United States has continued to expand its jurisdiction over violent acts committed abroad against U.S. nationals and property. From the 1987 arrest of Fawaz Yunis, in which the FBI lured the Lebanese hijacker to a boat in the Mediterranean from where he was taken to stand trial in the United States, to last year's bombing of the pharmaceutical plant in Sudan and the base camps of Osama bin Laden in Afghanistan in retaliation for the attacks on the U.S. embassies in Kenya and Tanzania, the United States has refined and increased its determination to act in its own interests outside its own borders.

The reach of the U.S. extraterritorial jurisdiction, combined with aggressive investigative techniques, means that for a wide variety of crimes the United States now stations its own law enforcement agents abroad, conducts wiretaps and undercover stings, and arrests foreigners for conduct (such as export control or Internet gambling) that is criminalized only in the United States.

Even close allies sometimes find this hard to tolerate: So infuriated was the Canadian government that it rejected a U.S. request to convene an extradition hearing for a Canadian citizen, Kenneth Walker, who had failed to return to the United States for sentencing on charges of violating arms export laws. (Walker had originally been lured from Canada and arrested in a U.S. Customs sting.)

To many foreign governments, the United States' use of extraterritorial enforcement simply seems to be out of control and dangerous. This comes at a time when the sole surviving superpower needs more than ever before to take the lead in developing consistent policies to confront international crime. On several key issues--from the proposed U.N. convention against transnational crime, to the effective operation of war crimes tribunals for the former Yugoslavia and Rwanda, as well as the establishment of the proposed permanent international criminal court--the United States' conduct and apparent desire to go it alone risk marginalizing its leadership and eroding its credibility.

Indeed, the United States' failure to pay the $ 1.6 billion it owes in U.N. dues and its radical positions on international law threaten to undermine diplomacy. The United States was one of the few countries that refused to sign the 1997 convention to prohibit the production, stockpiling, use and transfer of land mines. But perhaps most troubling of all is the United States' feeble protestations over the permanent international criminal court's proposed jurisdiction. The court would obviate the need for an ad hoc tribunal each time individuals are accused of war crimes. It would adjudicate cases of genocide, crimes against humanity and aggression only if the suspect's home country refuses or is not able to prosecute and only after an elaborate number of safeguards verify the existence of sufficient evidence to proceed. The United States joined the company of China, Libya, Iraq, Israel, Qatar and Yemen as the only seven countries voting against the permanent international criminal court treaty last year.

What's more, the United States' rigidity on many international criminal issues threatens to compromise its authority on both national security and key international economic issues, jeopardizing its ability to build a consensus for its sanctions policies (against Cuba, Iran, Iraq and Libya) and to gain support for its frequent resort to bombing (in both Iraq and Yugoslavia at the moment).

The fact is that, ultimately, economic sanctions only work when the bulk of the ***world*** participates. The European Union has initiated action in the ***World Trade Organization*** against Cuban sanctions--a case that is currently suspended. Also, the proposed Multilateral Agreement on Investment, which would provide for rules on direct investment, and whose negotiation the United States promoted in the OECD, has been blocked, in part because of the United States' refusal to agree on stricter rules that would restrain the use of unilateral economic sanctions.

The need to combat transnational crime must be addressed on both global and regional scales. Today, the Western hemisphere and regions outside of Europe cry out for a new architecture for criminal justice. Establishing international enforcement bodies does, of course, require each participating country to cede some degree of sovereignty. But that is a small price to pay for what the United States and the rest of the ***world*** stand to gain.

Bruce Zagaris, a specialist in international criminal law, is a partner at the Washington law firm of Berliner, Corcoran and Rowe.

**Graphic**

Illustration, joseph daniel fiedler for The Washington Post

**Load-Date:** April 18, 1999

**End of Document**

[***Yes We Have No Banana Pact***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:3V4P-S330-007D-J41M-00000-00&context=)

The Washington Post

November 20, 1998, Friday, Final Edition

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**Section:** A SECTION; Pg. A50; DIPLOMATIC DISPATCHES

**Length:** 939 words

**Byline:** Nora Boustany

**Body**

With the exception of some quirky spelling rules, you can get the Americans and the British to agree on almost anything: serious stuff such as geopolitical strategy, how to combat terrorism and Tomahawk diplomacy. This week the British submarine Splendid became the first non-American naval vessel to fire an armed Tomahawk cruise missile -- in the hope that the sale of that weapon to the British will help deter potential thugs around the ***world***.

But while the two countries are busy proving to the ***world*** that they trust one another with such exclusive technology, they have no faith in one another in some basic areas of life that even monkeys take for granted. Get U.S. ***Trade*** Representative Charlene Barshefsky and the European Union ***trade*** commissioner, Britain's Leon Brittan, into the same room, wave a bunch of bananas in the distance, and we may all head down the slippery slope of transatlantic ***trade*** wars. Practically translated, we may have to alter our lifestyles and give up on the finer things of life. Fancy French wines, European egg poachers, finely woven tartans and other imported goods that some people hope to see in their Christmas stocking may all become unaffordable, if at all available.

You may not be aware of this, but beside the puzzle of how to tame Iraqi leader Saddam Hussein, a lot of time and diplomacy in Washington is devoted to bananas. If you are ever cornered by diplomats from St. Lucia, Costa Rica or Ecuador at a reception, you will find that after the pleasantries and platitudes have been taken care of, the soft, sweet fruit and its marketing are a source of continuous aggravation.

When businessmen and EU delegates huddled in Charlotte, N.C., earlier this month, a row over who gets to export bananas to Europe with preferential treatment soured the proceedings and dampened the spirit of transatlantic cooperation that the meeting was supposed to boost.

In a nutshell -- or a banana peel -- Europe would like to help banana growers in former colonies in Africa, the Caribbean and Pacific islands keep their economies afloat by easing licensing and quotas on their banana exports to Europe. European governments say they want to guarantee Caribbean exports because the social and economic consequences of the alternative would be awful. "Otherwise, these economies will go bust. And when they cannot grow bananas, they will grow drugs. Drugs is what it really is about. Where do you think these drugs get sold?" asked Robert Culshaw, minister-counselor for ***trade*** and transport at the British Embassy here.

The United States, with focused lobbying from two American companies growing bananas mostly in Latin America -- Chiquita Brands International Inc. and Dole Food Co. -- is challenging the EU banana regime. On Nov. 9, the United States threatened to slap 100 percent tariffs on a list of European products, including wines, cheeses and Harris tweed clothing unless the EU changes its preferential treatment for Caribbean, African and Pacific producers.

Choppy economic waters ahead, warn the captains.

The United States estimates the extent of injury its companies have suffered to be in excess of $ 1 billion, and a British Embassy spokesman warned yesterday that if carried out, the U.S. threat would affect more than $ 1 billion in European ***trade*** to the United States, "which is prohibitive. That cuts off the ***trade***."

Objected Culshaw: "We are wrangling about bananas. Not a single American banana is involved, and not a single American job is at stake. To think that one interest group can create such a row. . . . This is a very extreme example when you have one narrow pressure group pushing the United States toward a ***trade*** war with Europe."

He said, however, that there is still "scope" to find a solution to the problem, by having the case thrown back to the ***World Trade Organization*** for arbitration. "We are quite happy to see it taken back to court and if we lose, we lose. We are prepared to have it tested in court and the United States is not," he said of Europe's readiness to go to the WTO.

The Americans, however, charge that the changes introduced in the licensing requirement, which Europeans say is in keeping with WTO rules, were too close to previous regimes. They say that the threat of tariffs was to warn that the United States will not be held hostage in an "endless loop" of international ***litigation***.

Yesterday, Barshefsky's office said it was proposing to seek an agreement with the EU to return to the WTO panel that had ruled earlier on the EU banana regime, to allow it to review whether the regime -- which the EU plans to implement on Jan. 1 -- is consistent with WTO rulings. The EU quickly rejected the offer because the United States hadn't dropped its tariff threat.

How do you like them bananas?

Putting People Above the Poverty Line

Brazilian Ambassador Paulo-Tarso Flecha de Lima told Washington Post editors and reporters Wednesday that most of the package of economic reforms aimed at improving Brazil's economic performance have passed both houses of its Congress with a two-thirds majority. "Congress was very scared of the crisis," he said.

Murillo Portugal, country director for Brazil at the ***World*** Bank, said that despite the problems saddling the Brazilian economy, once such legislation is approved, a measure of stability will follow. One such problem, social inequality, dates back hundreds of years, he explained. But with just a recent amelioration of macroeconomic stability in that vast country of 160 million people, 30 million moved above the poverty line, he added.

**Load-Date:** November 20, 1998

**End of Document**

[***Citigroup Faces German Probe***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4F1P-T150-TW87-N1S2-00000-00&context=)

The Washington Post

December 16, 2004 Thursday, Final Edition

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**Section:** Financial; E02

**Length:** 1562 words

**Body**

Citigroup is being probed by a German regulator for possible manipulation in the European government bond futures market, related to ***trades*** in August that led to losses at some competitors. Citigroup has apologized for a $13 billion sale of European government bonds that caused prices to fall. The New York bank sold about 200 securities in two minutes through an electronic ***trading*** system and bought back some bonds later, profiting on the drop in prices, according to people who compete with Citigroup and were involved in the ***trades***.

The White House publicly stated its support for Securities and Exchange Commission Chairman William H. Donaldson, whose ouster has been sought by business groups seeking less enforcement of corporate governance rules. The Wall Street Journal reported that the U.S. Chamber of Commerce, the Business Roundtable and the National Association of Wholesalers-Distributors have been lobbying against Donaldson. But White House spokesman Scott McClellan told reporters that "the president appreciates the job Chairman Donaldson is doing." McClellan added, "He has been someone who has worked hard to help us crack down on corporate wrongdoing."

The public will have 30 days to comment on proposed changes in stock ***trading*** rules that would require brokers to obtain the best possible price for customer orders. The Securities and Exchange Commission voted 4 to 1 to open the matter to comment. It originally had planned to decide on the measure yesterday, but complaints from financial services firms led the agency to put off a final vote. If the plan passes, all U.S. stock markets will have to be technologically equipped to quickly find the best price.

Prosecutors defended secret government recordings that they say link former HealthSouth chief executive Richard M. Scrushy to massive fraud. The recordings are a key part of the government's criminal case against Scrushy, who has pleaded not guilty in what prosecutors say was a conspiracy to overstate earnings by $2.6 billion. The defense argues that glitches in the recordings mean jurors shouldn't be allowed to hear them.

Fidelity Investments said federal regulators are investigating whether its traders took improper gifts in exchange for directing business to brokers at outside firms. The Securities and Exchange Commission and the NASD are examining evidence that brokers may have given Fidelity employees trips to the Super Bowl and Wimbledon, golf outings and expensive wine in an effort to win ***trading*** commissions. The Boston-based mutual fund company's ethics rules preclude employees from taking gifts from vendors worth more than $100.

Enron's interim chief executive, Stephen Cooper, who led the company through one of the most complex and expensive bankruptcies in history, must wait until next November for a hearing on his request for a $25 million "success fee." The fee would be in addition to the $63.4 million Cooper and his firm have received as of June 30. Enron hired Cooper in January 2002.

The Federal Energy Regulatory Commission may step in to regulate wholesale electricity prices charged by Southern, Entergy, Alliant Energy, American Electric Power, Duke Energy and Kansas City Power & Light in regions where their market share is too large to guarantee competition. The utilities have failed a test that gauges whether they control too large a share of generating capacity in their regions, the commission said.

United Airlines said in a regulatory filing that it anticipates a $725 million operating loss if it is unable to secure additional labor concessions. The projection matches the amount the airline, under Chapter 11 protection, has said it needs in further labor savings, on top of $2.5 billion in annual givebacks that were negotiated in 2003.

Tyson Foods, a meat processor, said it will pay $1.5 million to settle charges by the Securities and Exchange Commission that it didn't adequately report $1.7 million paid to Don Tyson, its former senior chairman. The former executive would also pay a civil penalty of $200,000 to settle the charges, the Springdale, Ark., company said in an SEC filing.

Calpers, the nation's largest public pension fund, voted to oppose the Bush administration's proposals to partially privatize Social Security. The board of the California Public Employees Retirement System said such a plan would increase the deficit, cost retirees more and potentially jeopardize retirement savings.

Walgreen will stop accepting American Express cards Jan. 14 because they carry higher service fees than Visa or MasterCard, the nation's largest drugstore chain said. Meanwhile, No. 2 chain CVS is moving in the opposite direction, saying it will use a new American Express payment system that doesn't require a signature.

Retailers are running short of Apple Computer's iPod digital music player. Amazon.com has sold out of a 20-gigabyte model while such electronics stores as Circuit City, Best Buy and Tweeter say they are having difficulty meeting demand. Merrill Lynch analyst Steven Milunovich last month said Apple might sell 4 million iPods this quarter, compared with 733,000 a year ago.

A bankruptcy judge approved a $100 million loan to Trump Hotels & Casino Resorts and cleared the way for the casino operator to use the cash in its coffers to reorganize under bankruptcy protection. The company's plan to exit bankruptcy leaves Donald Trump as chairman while giving bondholders a controlling equity stake in the company and new notes in exchange for their debt.

A hacker who broke into the national computer system of Lowe's hardware stores and tried to steal customers' credit card information was sentenced to nine years in federal prison. Brian Salcedo, 21, of Whitmore Lake, Mich., pleaded guilty in August to conspiracy and other hacking charges. The government said it is the longest prison term ever handed down in a U.S. computer crime case. Two other men are awaiting sentencing in the Lowe's case.

Securities and Exchange Commission Chairman William H. Donaldson has reached a settlement of a lawsuit accusing him, Aetna and current Aetna Chairman John Rowe of hiding accounting misstatements when Donaldson led the company from February 2000 to April 2001, court records indicate. A lawyer for Donaldson, Rowe and Aetna, investor lawyers and an Aetna spokesman did not return telephone calls seeking comment. An SEC spokesman had no immediate comment.

CNNfn, a business-news channel that struggled to attract viewers, quit broadcasting yesterday, a Time Warner spokeswoman said. Time Warner, the ***world***'s largest media company, said Oct. 28 that it planned to shut down CNNfn, which had been available to 30 million homes in North America.

European Union ***Trade*** Commissioner Peter Mandelson said he is open to negotiating an end to a standoff with the United States over rival planemakers Boeing and Airbus. Washington has threatened to bring suit at the ***World Trade Organization*** meeting next month over what it and Boeing see as unfair subsidies that reduce Airbus's cost of developing new planes. Meanwhile, Airbus and the E.U. counter that Boeing receives the similar assistance by way of military contracts and tax incentives.

Airbus's new A380, the ***world***'s biggest passenger jet, will exceed its development budget by $1.93 billion, according to the aircraft maker's majority owner. EADS said the program to build the 555-seat passenger jet will cost 15 percent more than the originally projected $10.7 billion. Costs rose as Airbus struggled to lower the plane's weight and meet a March test-flight deadline. Airbus also forecast that airlines will need 1,902 jumbo planes over the next 20 years -- more than double the forecast of rival aircraft maker Boeing.

Host Marriott, the Bethesda-based real estate investment trust, is selling most of its stake in 120 Courtyard hotels to an institutional investor for $92 million. Host and hotel operator Marriott International bought the hotels in 2000 in a ***litigation*** settlement.

Williams Industries, a Manassas-based heavy construction firm, said it lost $577,000 (16 cents per share) on revenue of $12.5 million in its first quarter, which ended Oct. 31. In the same period a year ago, the company reported a profit of $227,000 (6 cents) on revenue of $13.6 million. Williams attributed the loss to declines in its manufacturing segment, which produces bridge girders and other components used in highway construction.

Best Buy, the country's largest electronics retailer, said third-quarter earnings rose 21 percent, to $148 million from $122 million during the same period a year ago. Revenue for the quarter ended Nov. 27 was $6.65 billion, up from $6.03 billion.

Lehman Brothers Holdings' fourth-quarter income climbed 22 percent on a surge in its merger and acquisition business. The brokerage's profit for the quarter ended Nov. 30 was $585 million, compared with $481 million during the same period a year ago. Revenue increased 25 percent, to $2.9 billion from $2.3 billion.

Bed Bath & Beyond said third-quarter earnings rose to $121.9 million, from $100.5 million a year ago, as it opened 34 stores. Sales for the period ended Nov. 27 rose to $1.31 billion, from $1.2 billion. Same-store sales were up 3.1 percent.

Compiled from reports by the Associated Press, Bloomberg News, Dow Jones News Service and Washington Post staff writers.

**Load-Date:** December 16, 2004

**End of Document**

[***EU Threatens New Tariffs***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:481C-5Y00-010F-9135-00000-00&context=)

The Washington Post

February 27, 2003 Thursday, Final Edition

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**Section:** FINANCIAL; Pg. E02

**Length:** 1110 words

**Body**

The European Union said it may impose tariffs on $ 4 billion in U.S. products, raising the stakes in a dispute over a U.S. tax break that subsidizes companies. The ***World Trade Organization*** authorized sanctions last year after declaring the tax break an illegal export subsidy. The list of possible targets includes soybeans, refrigerators, jewelry and aluminum products. European ***Trade*** Commissioner Pascal Lamy has said he won't apply the sanctions for now, to give Congress time to change the law.

Adelphia Communications' choice for chief executive and chairman, William T. Schleyer, testified that he might not accept a bankruptcy judge's reduction of his maximum pay of $ 24.6 million over three years to run the company. A group of shareholders contends that the pay package is excessive. Schleyer testified that he should get the package for taking over a company facing so many problems. Shareholders also object to the hiring of Ronald Cooper as chief operating officer for up to $ 16.2 million over three years. Both men used to run AT&T Broadband.

HealthSouth said the Securities and Exchange Commission notified it of a formal investigation into ***trading*** in the company's shares before a profit-cutting forecast in August. HealthSouth chief executive Richard M. Scrushy sold almost $ 100 million in company stock in May and July, before the stock plunged when the company announced Aug. 27 that a change in Medicare regulations would hurt profit. Scrushy said he wasn't aware of the new Medicare rules when he sold his shares.

Rules to combat money laundering may be applied to car dealerships and travel agencies. The Treasury Department's Financial Crimes Enforcement Network is considering whether those businesses should be required to adopt comprehensive programs against money laundering and whether they should have to take certain steps to verify the identities of customers.

Northwest Airlines has asked pilots to accept about a 20 percent pay cut as the carrier intensifies its drive to cut labor costs. Pilots' wage scales would be rolled back to pre-1996 levels, said Mark McClain, chairman of the executive council of the Northwest Airlines Air Line Pilots Association.

Spiegel, owner of Eddie Bauer stores, said the Securities and Exchange Commission has opened an informal investigation of whether the retailer failed to submit its 2001annual report on time and made "allegedly inaccurate statements" about the report's lateness. The SEC is also examining whether the company should have disclosed that its auditors took the position that financial statements should be qualified by a warning of doubt about the company's viability as a going concern, Spiegel said.

Weirton Steel is telling about 4,600 of its retirees that the West Virginia company could be forced into bankruptcy if they reject a proposal requiring them to make hefty co-payments toward their health care costs. If 75 percent or more of the retirees agree, active workers, who already have agreed to wage and pension concessions, would be asked to vote on cuts to their health benefits.

The yield on two-year Treasury notes fell in yesterday's auction to 1.575 percent, from 1.710 percent at the last auction on Jan. 29. It was the lowest rate since the government began selling two-year notes on a regular basis in 1972. The notes will carry a coupon interest rate of 1.5 percent, with each $ 10,000 in face value selling for $ 9,985.30.

John McCain (R-Ariz.), chairman of the Senate Commerce Committee, called for hearings next month on Amtrak's requests for higher government subsidies, saying "tough questions need to be asked." The national passenger railroad, which has never been profitable, lost a record $ 1.2 billion in the fiscal year ended in September.

Fiat, Italy's largest manufacturer, will name Giuseppe Morchio chief executive, the fifth person to hold the title in the past eight months. Morchio, the former chairman of Pirelli's cables unit, will replace Alessandro Barberis, who will become vice chairman. Chairman and co-chief executive Paolo Fresco will step down tomorrow, three months earlier than planned, to make way for Umberto Agnelli, whose family controls the company. General Electric's former chairman Jack Welch will leave the board, along with Fresco, who was Welch's deputy at GE.

European Union regulators said they had conducted their second raid in a week on shipping companies, looking for evidence of price-fixing agreements and customer sharing. The European Commission said the raids took place Tuesday in several countries, targeting companies that run barges to transport chemicals. The commission didn't name the countries or companies involved, but Dutch shipper Koninklijke Vopak said it was one of the companies targeted.

AES, the Arlington-based power producer, asked the Brazilian government for a two-month extension on a $ 336 million payment owed for the 1998 purchase of a Sao Paulo electricity distributor in a bid to prevent its seizure. The payment is due tomorrow. AES owes the government $ 1.2 billion over the next year.

US Airways plans to join the Star Alliance, the ***world***'s largest partnership of airlines, according to Thierry Baux, a spokesman for the ***organization***. Star Alliance members, which include Lufthansa and Singapore Airlines, try to increase the coverage of their network and share costs. By combining ground services at airports, for example, the alliance said it is saving $ 70 million a year.

Roche lost $ 2.9 billion last year, the biggest annual loss in the Swiss pharmaceutical giant's 107-year history. Roche blamed the loss on a decline in the value of its securities porfolio and the cost of ***litigation*** over vitamin-price fixing. A year ago the company earned about $ 2.7 billion.

Swiss Reinsurance reported a $ 74 million 2002 loss and said it will reduce its dividend for the first time since the 1906 San Francisco earthquake. The ***world***'s second-biggest reinsurer blamed the 2002 loss on a decline in the value of stocks in its investment portfolio.

Tiffany said its profit rose 8 percent, to $ 89.3 million, in its fiscal fourth quarter, on a 9 percent increase in sales, to $ 619 million.

Ziff Davis Holdings, the owner of PC Magazine, said its fourth-quarter loss narrowed to $ 92.8 million after the company closed money-losing publications such as Yahoo Internet Life. The company posted a loss of $ 295.6 million in the year-earlier quarter, when it wrote down the value of some assets by $ 228.6 million. Revenue fell 21 percent, to $ 56.3 million.

Compiled from reports by the Associated Press, Bloomberg News, Dow Jones News Service and Washington Post staff writers

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**End of Document**

[***Bush Signs Bankruptcy Bill***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4G0J-YKJ0-TW87-N1W3-00000-00&context=)

The Washington Post

April 21, 2005 Thursday, Final Edition

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**Section:** Financial; E02

**Length:** 1326 words

**Body**

President Bush signed a bill that will make it harder for people with debt to wipe clean their financial slates by declaring bankruptcy. Under the current system, a federal bankruptcy judge determines whether people who have declared bankruptcy must repay some or all of their debt. Under the new law, people with insufficient assets or income can still file a Chapter 7 bankruptcy, which, if approved by a judge, erases debts entirely after certain assets are forfeited. People with incomes above their state's median will have to pay some or all of their credit card charges, medical bills and other obligations under a court-ordered bankruptcy plan. The law takes effect in six months.

China's economy grew by 9.5 percent in the first three months of the year, the government said, warning that it needs to tighten controls on surging investment in new factories and real estate. The increase exceeded the expectations of analysts, who had expected that Beijing's efforts to slow growth would have had a bigger impact. Leading the first-quarter surge was a 22.8 percent jump in investment in factories, construction and other fixed assets, to $133 billion, the government said. Manufacturing and consumer spending also registered double-digit growth, and industrial output was up 16.2 percent.

Ravelston officers and directors Conrad M. Black and longtime business partner F. David Radler have resigned as officers and directors of the firm, the private holding company behind the troubled Hollinger media empire. Ravelston is seeking bankruptcy protection. A special committee of Hollinger International directors alleged that Black and a team of executives had improperly received more than $32 million in management fees from Ravelston.

Verizon and SBC, which are installing fiber-optic cable to offer TV service to millions of customers in competition with cable-TV operators, were warned by a key lawmaker that their "deployment plans that skip or avoid" less affluent communities may result in consequences from Congress. Rep. Edward J. Markey (D-Mass.) cited requirements that cable-TV companies serve all households in a franchise area.

A former Tyco International employee testified that she arranged the transfer of millions of dollars of Tyco funds that former top executives L. Dennis Kozlowski and Mark H. Swartz used for personal investments and to buy apartments. Kathy McRae said the transfers were recorded as loans to the executives under Tyco's "Key Employee Loan," or relocation loans. Kozlowski and Swartz are facing charges in connection with compensation they received at Tyco.

California's public pension fund said American International Group, AT&T, Delphi, Novell and Weyerhaeuser need to improve their financial performance and corporate governance practices.

Dow Jones shareholders approved a measure that would allow members of the Bancroft family to maintain voting control of the company even if they sell part of their holdings. Shareholder advocates had objected, saying it would unfairly allow the family to reduce its economic stake in the publisher of the Wall Street Journal without giving up voting control.

Ford Motor was handed the second-largest verdict against an automaker when it was ordered by an Illinois jury to pay $43.2 million to the wife and estate of a man who burned to death after his Lincoln Town Car caught fire in a rear-end collision.

Col. Harland Sanders, who founded Kentucky Fried Chicken and appeared in ads until 1980, the year of his death, is being brought back in a slimmer, more youthful image. Yum Brands, which operates the KFC fast-food chain, plans to open 50 stores using the full Kentucky Fried Chicken name with several new entrees and the new colonel.

Accenture, the ***world***'s second-largest consultant, agreed to buy Cap Gemini's North American health practice unit for $175 million in cash to boost services to hospitals and health systems. The deal is expected to close in 60 to 90 days.

The European Union submitted a revised offer on ***trade*** in the services sector to its global ***trading*** partners that adds concessions to ***World Trade Organization*** countries, giving them greater access to the E.U.'s services market. E.U. ***Trade*** Commissioner Peter Mandelson said the offer also includes new safeguards against opening new ***trade*** in education, health care or other public services.

Brazil's president, Luiz Inacio Lula da Silva, said clinching a deal for the proposed Free ***Trade*** Area of the Americas is "off the agenda" for his country. Silva made the comments just days before Secretary of State Condoleezza Rice was to visit Brazil.

MCI paid chief executive Michael D. Capellas $25.2 million last year, an eightfold increase from 2003. His salary was $1.56 million, bonus was $5 million and other pay was $625,000, the Ashburn company said in a filing with the Securities and Exchange Commission. Capellas also received restricted stock awards of $18 million related to MCI's emergence from bankruptcy protection. MCI's board approved an increase in his target bonus for 2005 to 150 percent of his base salary from 100 percent.

Loral Space & Communications' lawsuit against Bethesda-based Lockheed Martin over a commercial satellite positioning system technology was revived by a federal appeals court. The court said U.S. District Judge Susan Y. Illston improperly invalidated a Loral patent and sent the case back for further proceedings.

Kmart is recalling about 16,000 Martha Stewart Everyday brand candles because they pose a risk of high flames, the Consumer Products Safety Commission said. The four-piece "sunny meadow" votive candle sets were manufactured by Global Gift Industries and sold from April 2004 to January 2005 for about $6 each, the agency said.

Cingular Wireless reported a $240 million first-quarter loss despite solid growth in subscribers. Revenue was $8.23 billion. The combined profit in the comparable quarter a year earlier for Cingular and AT&T Wireless, which completed their merger in October, was $125 million. Revenue for only Cingular in the first quarter of 2004 was $3.97 billion.

Sprint said its first-quarter profit more than doubled to $472 million from $223 million as a surge in its wireless business offset flat or declining local and long-distance sales. Revenue increased 3.4 percent, to $6.94 billion.

J.P. Morgan Chase said first-quarter profit rose 17 percent, to $2.26 billion, despite a $558 million charge for its settlement of WorldCom ***litigation*** and a $90 million charge for its merger with Bank One. Revenue rose 51 percent, to $13.65 billion. Those figures do not include Bank One's first-quarter 2004 results because the merger was not booked until July 2004. Using a pro forma basis to account for the merger, the combined bank's profit fell 25 percent and revenue declined 1 percent.

Motorola said first-quarter profit rose 14 percent, to $692 million, on continued strong sales. Revenue rose 10 percent, to $8.16 billion.

Altria Group, parent of Richmond-based Philip Morris USA, said its first-quarter profit increased 18 percent, to $2.6 billion. Revenue rose 9 percent, to $23.62 billion.

Volkswagen said first-quarter profit almost tripled, to $92 million. Sales fell 2.4 percent, to $16.3 billion.

Wyeth said first-quarter profit jumped 44 percent, to $1.08 billion, largely on strong sales of the antidepressant Effexor and arthritis drug Enbrel. Revenue rose 14 percent, to $4.58 billion.

United Technologies, which makes Pratt & Whitney jet engines and Carrier air conditioners, said first-quarter profit rose 18 percent, to $651 million, on strong sales and the acquisition of the Linde refrigeration business. Revenue rose 9 percent, to $9.41 billion.

VeriSign said first-quarter profit grew more than fivefold, to $49 million, as revenue surged 75 percent, to $401 million.

Compiled from reports by the Associated Press, Bloomberg News, Dow Jones News Service and Washington Post staff writers.

**Load-Date:** April 21, 2005

**End of Document**

[***DIGEST***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:3S7T-4XF0-0088-P1DM-00000-00&context=)

The Washington Post

June 08, 1995, Thursday, Final Edition

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**Section:** FINANCIAL; Pg. B10; DIGEST

**Length:** 953 words

**Body**

The Senate last night began debate on a bill that would open up the telephone, cable television and broadcasting industries to new competition. Democrat Joseph Lieberman of Connecticut plans an amendment that would preserve current rate controls on cable TV operators. Republicans Bob Packwood of Oregon and John McCain of Arizona plan amendments to make the bill less regulatory.

Dissidents at Sallie Mae received enough votes to elect at least six and, depending upon the outcome of ***litigation***, perhaps eight directors to the student loan financier's 21-member board, according to a preliminary count in a May 25 proxy fight.

Japanese carmakers stepped up their campaign against the Clinton administration's proposed punitive duties on $ 6 billion worth of luxury car imports, saying they will hurt U.S. workers and consumers. The car manufacturers are to testify against the proposed 100 percent tariffs at a formal hearing to be held today by the U.S. ***Trade*** Representative's office.

The U.S.-Japan talks scheduled for Monday and Tuesday in Geneva will focus exclusively on the Clinton administration's decision to impose ***trade*** sanctions and won't address the fundamental auto sector differences between the two countries, U.S. officials said.

The ***World Trade Organization***, with a June 30 deadline nearing, is still far from an accord to bring the financial services market under global ***trade*** rules, officials said. The United States has demanded that Asian and Latin American countries ease some of their restrictions before any deal is signed.

U.S. ***Trade*** Representative Mickey Kantor said negotiations to bring Chile into the North American Free ***Trade*** Agreement are moving ahead aggressively and need not wait for fast-track authority from Congress. Kantor spoke at a news conference after Canada, the United States, Mexico and Chile began talks that are expected to last six months.

General Electric will get a hearing this week in Germany on whether it was discriminated against in its attempt to win a contract to supply power manufacturing equipment to a utility in the former East Germany -- a year after it was eliminated from the bidding. U.S. officials have repeatedly protested GE's treatment to German officials, saying the utility was denied a fair grievance process.

GE Power Systems won a contract worth more than $ 1.3 billion to provide generating equipment for two Saudi Arabian power plants.

The German central bank sanctioned the smallest possible cut in its key money market rate, from 4.51 percent to 4.5 percent, but analysts said the easing was not a sign of major policy moves to come.

Sony, Corning and Asahi Glass will invest $ 300 million in a new television glass manufacturing project at Sony's plant in Mount Pleasant, Pa. It is expected to employ about 500 people after it begins production in two years.

Marion Merrell Dow received regulatory clearance to manufacture generic versions of three frequently prescribed drugs: Gemfibrozil, for treatment of high cholesterol levels; Naproxen, an anti-inflammatory drug; and Naproxen Sodium, also prescribed for inflammatory conditions.

Caterpillar boosted its quarterly cash dividend 40 percent -- the third increase in 12 months -- and said it will buy back as many as 20 million common shares.

The president of Ashland Oil's Valvoline business was named president and chief operating officer of rival Quaker State. John D. Barr, 48, will also be president of the motor oil business, replacing L. David Myatt, who will become a vice chairman concentrating on special projects.

MasterCard International, one of the ***world***'s largest credit card companies, joined the Oracle Set-Top Alliance, a group of companies in the interactive television industry that exchange information on technology, business and standards issues.

Sandoz plans to spin off its chemical unit as a separate company called Clariant and sell its shares to the public. Up to 100 percent of Clariant shares will be offered and are expected to fetch from $ 1.8 billion to $ 2 billion.

Metropolitan Life Insurance will sell its Century 21 real estate division to Hospitality Franchise Systems for about $ 230 million, the companies said.

Good News Eggs are no healthier than other eggs, the FTC has decided. Good News Products agreed to settle charges that health claims in ads and promotional material for the eggs were deceptive.

Consumer credit rose 14.1 percent at an annual rate, or $ 11 billion, the Fed said, off from March's 18.3 percent increase, which totaled $ 14.1 billion. Consumer credit includes all household debt not secured by real estate, such as home equity loans and home mortgages. Revolving credit, which includes credit cards, rose at a 21.8 percent rate, or $ 6.5 billion, slower than the 23 percent gain a month earlier.

LOCAL BUSINESS

Orbital Sciences of Sterling said Caribbean Satellite Services will resell Orbital's Orbcomm satellite communications service to its shipping company clients. Orbital also said Ball Corp. chose its Taurus space booster to launch the Navy's GEOSAT Follow-On satellite in the fall of 1996.

Loral's Federal Systems-Manassas division received a design-phase contract from the Army's Simulation Training and Instrumentation Command for a new battlefield training system. Financial terms were not disclosed.

First Washington Realty Trust of Bethesda filed with the SEC to sell 1.45 million common shares. First Washington, a developer of neighborhood and community shopping centers, plans to raise about $ 23.4 million after expenses if its shares sell for $ 17.75 each. Most of the money would be used to acquire properties and renovate existing centers.

**Load-Date:** June 8, 1995

**End of Document**

[***WTO Backs Ruling on U.S. Cotton Programs; Farmers Receive Illegal Subsidies, Panel Says***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4FMB-HD40-TW87-N2Y5-00000-00&context=)

The Washington Post

March 4, 2005 Friday, Final Edition

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**Section:** Financial; E03

**Length:** 435 words

**Byline:** Jonathan Fowler, Associated Press

**Dateline:** GENEVA March 3

**Body**

The ***World Trade Organization*** on Thursday upheld a ruling condemning government help for cotton producers in the United States, saying that many U.S. programs include illegal export subsidies or domestic payments that are higher than permitted by WTO rules.

The WTO appeals body rejected a U.S. attempt to overturn a September ruling by an independent panel of ***trade*** experts, which acted on a complaint from Brazil.

Richard Mills, spokesman for Acting U.S. ***Trade*** Representative Peter F. Allgeier, said the result was a disappointment.

"Negotiation, not ***litigation***, is the most effective way to address distortions in global agriculture," Mills said.

The National Cotton Council of America, a U.S. industry body, also said it was disappointed with the ruling, but a high-level Brazilian official called it a strong move toward the end of subsidies that rich nations give their farmers to the detriment of farmers in developing countries.

"It is a step toward the end of the distortions created by subsidies," Roberto Azevedo, a top ***trade*** official with Brazil's Foreign Ministry, told reporters in the capital of Brasilia via teleconference from Geneva.

Brazil had alleged that the United States kept its place as the ***world***'s second-largest cotton grower and the largest exporter because the U.S. government paid $12.5 billion in subsidies to American farmers between August 1999 and July 2003. Brazil is the ***world***'s fifth-largest cotton exporter.

The United States had insisted that its payments to farmers are within permitted levels. But in a 301-page report, the WTO panel upheld the earlier ruling that some U.S. credit-guarantee programs for cotton and other items are export subsidies because they are provided at rates that do not cover the long-term cost of running the program.

Thursday's appeals body ruling is final.

"We will study the report carefully and work closely with Congress and our farm community on our next steps," Mills said.

He also chastised Brazil, which has an advanced agribusiness industry dominated more by wealthy landowners and corporations than the subsistence farmers common in regions such as Africa.

"Those who live in glass houses shouldn't throw stones," he said. "Brazil itself is heavily involved in financially supporting its farmers."

Azevedo acknowledged that Brazilian agriculture is competitive with many other ***world*** players, but denied Mills's claim, saying Latin America's largest nation "is a developing country without the resources to subsidize."

Associated Press writer Vivian Sequera in Brasilia, Brazil, contributed to this report.

**Load-Date:** March 4, 2005

**End of Document**

[***Airbus Offers to Forgo Aid in Building New Airliner***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4H8N-1480-TW87-N269-00000-00&context=)

The Washington Post

October 7, 2005 Friday, Final Edition

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**Section:** Financial; D01

**Length:** 805 words

**Byline:** Sara Kehaulani Goo, Washington Post Staff Writer

**Body**

Airbus SAS announced yesterday that it will move ahead with plans to build a $5.7 billion double-aisle, long-range commercial aircraft to compete with a new Boeing plane and offered not to accept for now aid typically provided by European governments to launch aircraft programs.

Airbus said it made the offer not to accept $1.9 billion in aid as a way to encourage negotiations in a ***trade*** dispute between the United States and Europe sparked by rivalry between Airbus and its American competitor, Boeing Co. Airbus did not rule out accepting the money at a later date.

"We're willing to put that on the table . . . as part of negotiations with the U.S.," said T. Allan McArtor, chairman of Airbus North America Holdings Inc., at a briefing with reporters in Washington yesterday. "It's a meaningful gesture."

Airbus's decision to move ahead with the A350 is a change of direction from just a year ago when it dismissed Boeing's plans for a mid-size, double-aisle plane that is lighter-weight and more fuel efficient. At the time, Airbus was busy promoting its super-size aircraft, the 555-seat A380, which Boeing has not yet decided to counter.

Many analysts note that the new Airbus plane, the A350, shares many characteristics of the Boeing 787. The A350 is a twin-engine plane that will replace an older, four-engine model called the A340-300. Like the new Boeing plane, the A350 will be made of different materials than today's planes, which are nearly all aluminum, and will feature engines designed to be quieter than those on today's planes and burn less fuel.

The A350's wings will be made of an ultra-hard composite material and its body will be made of an aluminum-lithium alloy. The materials, along with the high-tech engines made by General Electric Co. and Rolls-Royce PLC, are creating a new era in aviation in which planes can safely fly farther with two engines instead of four.

The A350 will fly up to 8,800 nautical miles -- to most of Asia, the Middle East and Africa from Washington. The smaller model will seat 253 passengers and the larger version will seat 300. The cabin will be designed with two seats along each side of the plane and a row of four seats in the middle. Airbus and Boeing estimate air carriers will need about 3,000 of this aircraft type over the next 20 years. The A350 list price is $160 million per aircraft for the smaller version and $180 million for the larger version.

"This is a reality: Planes are getting smaller and longer range," said Richard L. Aboulafia, aerospace analyst at the Teal Group Corp. "There's no reason twin engine planes can't go anywhere, technologically."

Airbus is two years behind Boeing, which plans to deliver its new plane, the 787, to its first customer in 2008. Boeing has received 174 firm orders and 99 commitments from customers. Airbus has 140 firm commitments for its aircraft and executives said they expect to line up orders for 200 planes this year.

"We're not surprised by today's announcement," said Randolph Baseler, vice president of marketing for Boeing. "We're surprised it took them so long to respond to the 787."

Airbus surpassed Boeing in 2003 to become the ***world***'s largest commercial airplane manufacturer, a feat Boeing contends is due to discounted prices its competitor was able to offer because it received billions of dollars in government aid to build each new model. Airbus disputes this characterization and says that the aid is a long-term government loan that is repaid over time. Moreover, the aid is part of a 1992 agreement signed by Europe and the United States that allowed Airbus to receive aid because it was a smaller company at the time.

The United States last year declared the 1992 agreement null and void and filed a complaint with the ***World Trade Organization*** in an effort to eliminate the subsidies in the wake of Airbus's growth. The European Union also filed a complaint, claiming that Boeing receives billions in indirect aid through research programs and military contracts. The two sides have been negotiating a possible settlement outside the WTO ***litigation***.

U.S. ***Trade*** Representative spokeswoman Christin Baker said the United States intends to pursue its case with the WTO regardless of the Airbus offer. "We take no comfort from any offer to postpone the actual payment of the launch aid these countries have already promised to provide," Baker said in a statement. "The announcement of their commitment to back the A350 will affect Airbus's financial costs regardless of when they formally write the check."

European Commission spokesman for ***trade*** Peter Power said he was surprised by the U.S. ***trade*** representative's statement. If the United States and E.U. reach a settlement, "European government funding would be adapted to comply with the terms of the agreement," Power said.

**Load-Date:** October 7, 2005

**End of Document**

[***Little Progress in Aircraft Talks; U.S., E.U. Butt Heads Over Boeing and Airbus Subsidies***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4DBH-7P00-TW87-N371-00000-00&context=)

The Washington Post

September 17, 2004 Friday, Final Edition

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**Section:** Financial; E03

**Length:** 547 words

**Byline:** Raf Casert, Associated Press

**Dateline:** BRUSSELS Sept. 16

**Body**

The European Union on Thursday demanded that Washington explain more clearly how it subsidizes the Boeing Co. and warned it would counter any U.S. challenge targeting France-based Airbus SAS before the ***World Trade Organization***.

After 41/2 hours of negotiations on the transatlantic dispute between the ***world***'s biggest aircraft makers, no clear progress was made beyond identifying stumbling blocks and a promise to keep contacts going in the weeks ahead, officials said.

U.S. negotiator John K. Veroneau called it a "useful and frank discussion" centering on finding ways to stop new subsidies to the aircraft producers as quickly as possible. He called on the E.U. "to join us in moving quickly toward that goal."

With the U.S. elections adding pressure, Washington has threatened to challenge the 25-nation E.U. before the WTO if the group continues to subsidize the European aircraft producer at the current rate.

"I don't think ***trade*** ***litigation*** suits anybody's interest. I don't think it would be in Boeing's interest," E.U. ***trade*** spokeswoman Arancha Gonzalez said after the meeting.

An E.U. official who declined to be identified said that if the U.S. administration were to make a challenge anyway, the retort would come quickly.

Boeing and Airbus compete in a wide range of civilian and military aircraft markets, and steadily over the past decade, Airbus has overtaken Boeing as the ***world***'s biggest aircraft manufacturer.

Both sides agreed in 1992 on a deal that limited subsidies to 33 percent of the production costs for new models.

Washington, however, contends that deal needs to be renegotiated, especially since Airbus has risen to become a global player taking market share from Boeing, which has cut 40,000 jobs over the past three years.

The E.U. would not object to such a renegotiation, but on its own terms.

"We are ready to discuss, but we want to be sure there is a level playing field," Gonzalez said. "We are not going to do anything which represents a unilateral move."

Both sides disagree what exactly constitutes subsidies, and the E.U. wants Washington to provide better information.

"We want to have a quantum leap in transparency provisions," Gonzalez said.

Boeing chief executive Harry C. Stonecipher said on the eve of the talks that it was time for European governments to stop giving Airbus "truckloads" of cash upfront for new airplane programs.

"We're saying enough is enough," he said. "You're very successful, you're delivering and selling more airplanes than Boeing. . . . Why don't you go to the bank and borrow money?"

European governments have said that Boeing's multibillion-dollar defense contracts, tax incentives and other perks also amount to huge subsidies.

Allegations of unfair subsidies for Airbus and Boeing have long been a feature of transatlantic ***trade*** relations.

For example, the United States complains that roughly one-third of the $13 billion cost of developing Airbus's A380 aircraft came from what Airbus calls "refundable launch aid."

In turn, the E.U. says Boeing has long enjoyed the benefits of the U.S. government's contracts in defense, space and transport. Also, in 2003, Washington state offered Boeing a $3.2 billion incentive package to secure the assembly plant for Boeing's new 7E7 Dreamliner.

**Load-Date:** September 17, 2004

**End of Document**

[***Aircraft-Subsidy Battle Is Going Back to WTO***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4G93-SSG0-TW87-N37P-00000-00&context=)

The Washington Post

May 31, 2005 Tuesday, Final Edition

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**Section:** Financial; E01

**Length:** 797 words

**Byline:** Paul Blustein, Washington Post Staff Writer

**Body**

The United States and the European Union are headed back to high-stakes international ***litigation*** over subsidies to Boeing Co. and Airbus SAS, after talks aimed at settling the dispute broke down yesterday.

U.S. ***Trade*** Representative Rob Portman issued a statement announcing Washington's intention to press ahead with a case against the E.U. at the ***World Trade Organization*** that he will ask the Geneva-based ***trade*** body today to appoint a panel of judges. The U.S. case, which alleges that European governments illegally subsidize Airbus, had been held in abeyance for several months pending an attempt to reach a negotiated agreement, but Portman said the Europeans "are forcing our hand" by refusing to halt government aid for new Airbus jets.

The E.U. indicated that it is prepared to restart its own WTO case against Boeing, which alleges that the Chicago-based aircraft maker also benefits from illegal subsidies, including some provided indirectly through military contracts. Peter Mandelson, the European ***trade*** commissioner, issued a statement calling Portman's announcement "surprising and disappointing" and said he will make the E.U.'s position known today, but it appeared likely that Brussels would follow through on its long-standing threat to respond in kind. "That is a consistent position we have had," said Anthony Gooch, the E.U.'s spokesman in Washington.

The two sides had been trying since January to reach a settlement because the potential ramifications of pursuing their respective WTO cases to the end appear so grim.

The aircraft industry provides thousands of high-skill, good-paying jobs on both sides of the Atlantic. Failure to resolve the clash amicably could undermine prospects for cooperation between Washington and Brussels on other issues, in particular the WTO's Doha round of negotiations aimed at lowering ***trade*** barriers worldwide.

In an unusual move to damp down worries about the Doha round, Portman and Mandelson issued a joint statement shortly after Portman's initial announcement about the airplane matter. "We remain united in our determination that this dispute shall not affect our cooperation on wider bilateral and multilateral ***trade*** issues," the statement said. "We have worked together well so far, and intend to continue to do so."

Even if the aircraft fight doesn't poison other aspects of transatlantic relations, however, it could result in an outcome disastrous for both sides, with each found guilty of subsidizing its aerospace champion. When a country is found to be violating international ***trade*** rules, it must either stop the offending practice or its exports may be subject to punitive duties by the complaining country. Indeed, uncertainty about such a ruling could make it difficult for both aircraft firms to sell products they are now developing, some analysts fear.

The two sides have operated since 1992 under an agreement allowing Airbus to receive a certain amount of "launch aid" -- loans from the British, French, German and Spanish governments to finance the cost of developing new planes. But that arrangement came under strain in the past several years as Airbus passed Boeing in worldwide sales, and the Bush administration escalated the dispute by filing its WTO case in October 2004, prompting an immediate counterclaim by Brussels.

Hopes arose in January that the two sides could avert a mutually destructive confrontation when they said they would try to strike a deal aimed at ending all subsidies. But prospects for such a pact have dimmed as Airbus has begun angling for more than $1 billion in launch aid for the A350, a midrange plane designed to compete against Boeing's planned 787 Dreamliner. Sharp words and public threats have been lobbed from both Washington and Brussels.

In a bid to keep the matter from returning to the WTO, Mandelson proposed in a telephone call with Portman on Friday that each side cut its subsidies by a significant amount with further cuts to come later. But that overture only irritated the U.S. side when the Europeans disclosed it to the press over the weekend.

"Unfortunately, at this point, the E.U. is no longer willing to hold off on launch aid, and has only proposed to reduce subsidies not end them," Portman said in his statement. "We continue to prefer a negotiated solution, and we would rather not have to go back to the WTO. But the E.U.'s insistence on moving forward with new launch aid is forcing our hand."

WTO cases take many months, and sometimes years, to adjudicate, leaving the combatants many opportunities to settle, a point that Portman's statement emphasized.

"We still believe that a bilateral negotiated solution is possible," Portman said. "But the negotiations won't succeed unless the E.U. recommits to ending subsidies."

**Load-Date:** May 31, 2005

**End of Document**

[***BUSINESS BRIEFING***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4GHX-VSF0-TW87-N1Y5-00000-00&context=)

The Washington Post

July 2, 2005 Saturday, Final Edition

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**Section:** Financial; D02

**Length:** 723 words

**Body**

AIRLINES

United Airlines' parent company said it would submit its plan to come out of bankruptcy protection around Aug. 1. UAL said in a bankruptcy court filing that its financial disclosure statement and reorganization plan would spell out how the carrier would settle its claims with lenders and other parties and detail its future business model.

The Aircraft Mechanics Fraternal Association, representing mechanics at Northwest Airlines, has authorized a strike vote as the airline attempts to cut annual labor costs by $1.1 billion. The union said its members at Northwest have until July 19 to vote.

***LITIGATION***

A Delaware jury ruled for Boston Scientific and against Johnson & Johnson in a test of patents protecting its drug-eluting stent technology. The jury said that J&J's Cypher stent infringes a Boston Scientific technology that allows drug coatings to be applied to stents and that other stents infringe a design patent held by Boston Scientific.

ECONOMY

U.S. manufacturing accelerated in June for the first time in seven months, the Institute for Supply Management said. Its factory index rose to 53.8, from 51.4 in May, as manufacturing remains in an uninterrupted expansion that began in June 2003.

CORPORATE CRIME

Merrill Lynch's former head of investment banking, Daniel H. Bayly -- convicted last year in Enron's bogus sale of power barges to the brokerage -- must report to prison in Hopewell, Va., for a 21/2-year term on July 14, a judge has ruled. U.S. District Judge Ewing Werlein Jr. denied a request from Bayly's lawyers that he remain free on bond pending appeal.

TELECOMMUNCIATIONS

CTIA, a ***trade*** group representing wireless companies, filed a request with the Federal Communications Commission to suspend for an unspecified period the Dec. 31 deadline for equipping customers with handsets that let emergency dispatchers pinpoint a caller's location. The carriers say they don't want to force customers to replace their phones.

CTIA spokesman John Walls said the group's filing "is not indicative of any carrier's prospects of meeting the deadline."

REGULATORS

The Securities and Exchange Commission charged Terry's Tips and its founder, Terry F. Allen, with misleading more than 1,200 investors who used the firm's "auto-***trading***" programs. Terry's Tips said subscribers could expect annual returns of 100 percent by following Allen's ***trading*** strategies when the portfolios actually were experiencing substantial losses, the SEC said.

In auto-***trading***, subscribers open accounts at brokerage firms chosen by newsletters and authorize the online adviser to direct ***trades*** in their accounts.

***TRADE***

The U.S. government took its dispute over government aid for European airplane maker Airbus back to the ***World Trade Organization***, just two weeks after officials indicated they were committed to negotiating a solution. Washington says European government loans to Airbus amount to an illegal subsidy and should be stopped.

AIRLINES

America West Holdings' proposal to merge with Arlington-based US Airways Group and bring it out of bankruptcy protection didn't attract any competing bids before yesterday's deadline, clearing a hurdle to its planned completion in about three months.

MEDIA

Taser International filed a libel lawsuit in Arizona state court against McLean-based Gannett for publishing a June 3 article in USA Today that Taser said misled readers about the safety of its products, vastly overstating the electrical output of one of them. Moreover, the newspaper "further sensationalized" the story with photographic comparisons of the power of the Taser gun with the electrical output of an electric chair, a lightning storm and an electric train track, Taser said.

District-based XM Satellite Radio said it added about 640,000 new customers in the second quarter, increasing its subscriber base to 4.4 million.

APPOINTMENTS

BearingPoint, a McLean computer consultant whose financial statements are under investigation, named Judy Ethell chief accounting officer to finish the company's audit and file its delayed annual report. Ethell will be responsible for the corporate finance and accounting teams globally, BearingPoint said in a statement. She last served in PricewaterhouseCoopers's St. Louis office as tax partner in charge.

Compiled from staff and news service reports.

**Load-Date:** July 2, 2005

**End of Document**

[***MGM Pulls Offer for Vivendi***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:496F-JNG0-010F-928G-00000-00&context=)

The Washington Post

July 30, 2003 Wednesday, Final Edition

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**Section:** FINANCIAL; Pg. E02

**Length:** 1096 words

**Body**

Metro-Goldwyn-Mayer withdrew its $ 11.5 billion offer for Vivendi Universal's U.S. entertainment assets. MGM said Vivendi is demanding too much money. Edgar Bronfman Jr., General Electric's NBC, John Malone's Liberty Media and Viacom are still interested in all or part of the unit, which includes the Universal film studio and theme parks and the USA, Trio and Sci Fi cable networks. At the same time, MGM's primary shareholder, Kirk Kerkorian, said he will spend as much as $ 240 million to buy up to 15 million MGM shares, raising his stake in the company to 73 percent.

Williams Cos., the second-biggest U.S. natural gas pipeline company, will pay a $ 20 million civil penalty to settle allegations that it tried to manipulate natural gas prices by reporting false data to industry publications, the Commodity Futures ***Trading*** Commission said. From January 2000 through June 2002, Williams and subsidiary Williams Energy Marketing and ***Trading*** reported false ***trading*** information, including price and volume data, to companies that compile price indexes, the commission said, and Williams sought to "skew those indexes" for its own benefit. Federal regulators have been investigating 30 energy firms for false price reporting and profitless ***trades*** that may have been used to manipulate prices. Williams did not admit wrongdoing in the settlement, the commission said.

Thomas H. Patrick, the No. 2 executive at Merrill Lynch, is leaving the firm. No reason was given.

Two former officers of Charter Communications pleaded not guilty to 14 federal charges that they conspired to inflate revenue and indicate that the cable television company had more subscribers than it really did. David Barford, the former chief operating officer, and Kent D. Kalkwarf, the former chief financial officer, are free on $ 100,000 bond each. David McCall, a former senior vice president, pleaded guilty last week. Another former senior vice president, James Smith III, pleaded not guilty Monday.

The Conference Board's index of consumer confidence fell to 76.6 this month from 83.5 in June. It was the biggest monthly drop since February, during the buildup to the U.S.-Iraq war. The index is determined by at least 2,500 answers to a survey mailed to 5,000 households.

Intel won dismissal of a lawsuit by shareholders who claimed the company misled investors about demand for microprocessors. A federal judge threw out a suit that sought to hold Intel responsible for a plunge in share price in 2000.

Social Security benefits promised to retirees would have to be cut by nearly a third by 2039 if no changes are made to the system, the General Accounting Office reported. To avoid cuts in benefits, payroll taxes would have to be raised 46 percent, the report said.

The number of companies restating financial results because of accounting errors rose to 158 in the first half of 2003, from 134 in the year-earlier period, a study by Huron Consulting Group found.

The Securities and Exchange Commission permanently barred two former Coopers & Lybrand accountants from auditing public companies. Michael J. Marrie and Brian L. Berry "recklessly failed to comply" with the standards of professional conduct in their review of client California Micro Devices, the agency said.

Cingular Wireless, the second-largest U.S. mobile-phone operator, agreed to buy wireless-spectrum licenses from bankrupt NextWave Telecom for about $ 1.4 billion, said people familiar with the matter. The companies plan to file the agreement in bankruptcy court as early as today to get court approval for the sale. NextWave has been offering to sell some of its 90 wireless licenses, valued at about $ 6.5 billion, since January.

Canadian and U.S. officials have reached a tentative deal to settle a long-running dispute over Canada's softwood lumber industry, a Canadian ***trade*** ministry spokesman said. He said the agreement, if signed, would bring an end to ***litigation*** Canada has brought both with the ***World Trade Organization*** and under the North American Free ***Trade*** Agreement. The United States imported nearly $ 6 billion worth of softwood lumber in 2001, about one-third of the American market. Last year, the United States imposed tariffs averaging 27 percent on softwood imports from four Canadian provinces, contending that government subsidies keep Canadian lumber prices artificially low and threaten the U.S. industry.

Marriott International said it would offer free high-speed Internet access in hotel rooms at more than 1,200 of its Courtyard, Residence Inn, TownePlace Suites and SpringHill Suites by the end of the year and at 500 Fairfield Inns by the end of 2004.

BP earned $ 1.63 billion in the second quarter, down from $ 2.06 billion in the second quarter of 2002. In the first quarter of 2003, BP said it earned $ 4.27 billion.

DuPont said it earned $ 675 million in the second quarter, up from $ 542 million a year earlier. Gains in DuPont's agriculture and nutrition division helped offset higher raw-material costs in textiles and other businesses.

Tyco International said it earned $ 566.5 million in its fiscal third quarter, up from a loss of $ 2.6 billion a year earlier. The industrial conglomerate, whose finances are under federal investigation, also announced a restatement of nearly six years of financial results that pushed a total of $ 696.1 million in charges back to the periods to which they relate. It lowered results for fiscal years 1998 through 2001 but improved them for 2002 and the first half of this year.

McDonald's said second-quarter profit fell to $ 470.9 million from $ 497.5 million in the 2002 quarter. U.S. sales rose 4.9 percent, but sales were lower in Britain, Germany and Japan.

Amerada Hess said second-quarter earnings rose 69 percent, to $ 252 million, helped by asset sales and higher natural gas prices. Revenue rose 19 percent, to $ 3.2 billion.

Clear Channel Communications said second-quarter earnings rose to $ 251.3 million from $ 238 million in the year-earlier period. Revenue rose 7 percent, to $ 2.32 billion.

R.J. Reynolds Tobacco said profit fell to $ 70 million in the second quarter, from $ 211 million a year earlier. Sales were down 16 percent to $ 1.43 million.

AirTran Holdings said second-quarter profit rose to $ 57.2 million, from $ 5.1 million in the second quarter of 2002. The low-fare airline's traffic in miles flown by paying passengers rose 20 percent. Revenue increased 23 percent, to $ 233.9 million.

Compiled from reports by the Associated Press, Bloomberg News, Dow Jones News Service and Washington Post staff writers

**Load-Date:** August 1, 2003

**End of Document**

[***MGM Pulls Offer for Vivendi***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4961-7VH0-010F-91BK-00000-00&context=)

The Washington Post

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**Section:** FINANCIAL; Pg. E02

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Marriott International said it would offer free high-speed Internet access in hotel rooms at more than 1,200 of its Courtyard, Residence Inn, TownePlace Suites and SpringHill Suites by the end of the year and at 500 Fairfield Inns by the end of 2004.

BP earned $ 1.63 billion in the second quarter, down from $ 2.06 billion in the second quarter of 2002. In the first quarter of 2003, BP said it earned $ 4.27 billion.

DuPont said it earned $ 675 million in the second quarter, up from $ 542 million a year earlier. Gains in DuPont's agriculture and nutrition division helped offset higher raw-material costs in textiles and other businesses.

Tyco International said it earned $ 566.5 million in its fiscal third quarter, up from a loss of $ 2.6 billion a year earlier. The industrial conglomerate, whose finances are under federal investigation, also announced a restatement of nearly six years of financial results that pushed a total of $ 696.1 million in charges back to the periods to which they relate. It lowered results for fiscal years 1998 through 2001 but improved them for 2002 and the first half of this year.

McDonald's said second-quarter profit fell to $ 470.9 million from $ 497.5 million in the 2002 quarter. U.S. sales rose 4.9 percent, but sales were lower in Britain, Germany and Japan.

Amerada Hess said second-quarter earnings rose 69 percent, to $ 252 million, helped by asset sales and higher natural gas prices. Revenue rose 19 percent, to $ 3.2 billion.

Clear Channel Communications said second-quarter earnings rose to $ 251.3 million from $ 238 million in the year-earlier period. Revenue rose 7 percent, to $ 2.32 billion.

R.J. Reynolds Tobacco said profit fell to $ 70 million in the second quarter, from $ 211 million a year earlier. Sales were down 16 percent to $ 1.43 million.

AirTran Holdings said second-quarter profit rose to $ 57.2 million, from $ 5.1 million in the second quarter of 2002. The low-fare airline's traffic in miles flown by paying passengers rose 20 percent. Revenue increased 23 percent, to $ 233.9 million.

Compiled from reports by the Associated Press, Bloomberg News, Dow Jones News Service and Washington Post staff writers

**Load-Date:** July 30, 2003

**End of Document**

[***Byrd Poison***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:41GK-S7H0-00RP-M299-00000-00&context=)

The Washington Post

October 23, 2000, Monday, Final Edition

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**Section:** OP-ED; Pg. A23

**Length:** 763 words

**Byline:** Sebastian Mallaby

**Body**

Sen. Robert Byrd is a principled man--so principled, in fact, that when he drove a rented Cadillac into the back of a Ford van last year, he strenuously resisted the authorities' attempts to let him off without a ticket. During his 42 years in the Senate, Byrd has seldom missed an opportunity to quote Shakespeare or Aeschylus; at the slightest provocation, he pulls a dog-eared copy of the Constitution from his pocket. He once declared that there have been two great senates in the history of the ***world***--Rome's and, naturally, America's--and he has written a crushingly long tome on the rules of his beloved upper chamber.

All of which makes it rather odd that Byrd has just rammed through the most preposterous legislation of the year--and in a manner that violates the principles on which he frequently pontificates.

Byrd's new law combines two poisons: ***trade*** protectionism and ambulance-chasing ***litigation***. It takes the existing anti-dumping laws, which weak American industries invoke to exclude cheap foreign competitors, and makes them more pernicious still: In future, the revenue from anti-dumping tariffs will go not to the U.S. Treasury but to the domestic firms that are being protected. This will deprive the government of about $ 125 million a year. But the really nasty thing is that protectionists will now get cash prizes for keeping foreign goods at bay. Lawyers will soon be sidling up to hard-pressed industries all across the land, offering to file speculative anti-dumping suits on a contingency-fee basis.

The most charitable view of Byrd's law is that it is simple pork, provided for the benefit of the steel industry in his native West Virginia. If that were so, perhaps nobody would care: After all, Byrd has already provided his state with the Robert C. Byrd Freeway, the Robert C. Byrd Expressway and the Robert C. Byrd Education and Resource Center, complete with a bronze bust of the great statesman. But the Byrd law is much worse than pork. It is rank hypocrisy.

Time and again, Byrd has railed against the notion that the Senate should pass legislation without careful deliberation. A splendid story in the Post magazine five years ago described Byrd giving a five-hour speech on the balanced-budget amendment, then spending a further 25 minutes haggling with exasperated colleagues over his demand for two more hours' debate on his amendment to the amendment.

Just last month, Byrd denounced plans to pass the China ***trade*** legislation without amendments, calling this stifling of debate a violation of "the rules, the history, the traditions of the Senate." Nay, it was graver still than that. "Milton's Paradise Lost is about freedom of the will. God gave man freedom of the will. Now, why don't you Senators exercise that freedom of the will?" the senator demanded.

Six weeks after that oratorical outburst, Byrd got his obnoxious law passed with no debate whatever. Had there been debate, the measure would have been shot down: Protectionists in the Senate have been pushing cash prizes for years, but the idea was always defeated on the merits. For one thing, the scheme may well be illegal under ***World Trade Organization*** rules; and if it isn't, other countries will copy the idea to keep out U.S. products. For another, the whole body of anti-dumping law penalizes U.S. firms that depend on competitive imports. There is not much sense protecting steel when steel-using industries--cars, industrial machinery, construction and so on--employ many times as many workers.

For all these reasons, the Byrd law could not have survived the fair debate that Byrd claims to believe in. So what did the statesman do? He stuffed his measure into an agricultural spending bill that had already passed through the Senate and would therefore escape discussion. An appalled William Roth, who chairs the Senate finance committee that supposedly has authority over ***trade***, protests that Byrd has hijacked an issue that falls squarely in his jurisdiction. But Byrd couldn't care less about traditional prerogatives in this case, and doesn't seem to see that he's stoking public contempt for his beloved Senate.

Roth, as it happens, is caught up in a tough election race; his opponent is making an issue of the fact that, at 79, the senator is no spring chicken. But Byrd, who is almost 83, will cruise to victory in West Virginia. In the steel town of Wierton, the local union boss calls him "one of the greatest political figures in the history of this country."

The writer is a member of the editorial page staff.

**Load-Date:** October 23, 2000

**End of Document**

[***EU Presses Lawmakers - Correction Appended***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:49R4-MGT0-TW87-N2FP-00000-00&context=)

The Washington Post

October 9, 2003 Thursday, Final Edition

**Correction Appended**



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**Section:** Financial; E02

**Length:** 1272 words

**Body**

European Union ***Trade*** Commissioner Pascal Lamy, in a letter to some members of the House Ways and Means Committee, told lawmakers they should abandon plans to phase out a subsidy for U.S. exporters that has been declared illegal by the ***World Trade Organization*** and instead scrap the credit by year-end. Lamy said Congress must pass legislation this year to avoid $4 billion in ***trade*** sanctions by the EU. Different bills being worked on in Congress would phase out the tax credit, which totals $5 billion annually, over at least three years. "We have exercised considerable patience and understanding for the U.S. position as you have sought to come into compliance," he wrote. "So I hope that you will understand that we cannot accept an additional three years."

The House voted 397 to 2 to allow businesses to pay less into pension plans over the next two years, saying the $26 billion in relief was needed to enable companies to keep plans afloat and protect benefits for future retirees. The Senate Finance Committee last month approved a version of the legislation that would allow companies to make reduced contributions for three years. The Pension Benefit Guaranty Corp., a taxpayer-funded agency that guarantees the pensions of 44 million Americans, estimates that the pension system is underfunded by $350 billion.

The Federal Home Loan Banks of Pittsburgh and Atlanta will have a combined third-quarter loss of $16 million, adding to concerns that the government-chartered home-loan bank system is insufficiently supervised. The losses resulted from a decline in the value of financial contracts, or derivatives, used to protect their assets from swings in interest rates, the banks said. Scrutiny of the system, which provides mortgage money to savings institutions, has increased since the Federal Home Loan Bank of New York said last month that it had a $183 million loss on the sale of $1 billion in bonds backed by prefabricated housing.

Computer Associates International, the ***world***'s fifth-largest software company, asked three top officials, including Chief Financial Officer Ira H. Zar, to resign after a company investigation into how it recorded sales. Computer Associates signed contracts in the fiscal year ended in March 2000 after the end of the quarters in which the revenue was recognized, said Walter Schuetze, head of Computer Associates' audit committee and a former chief accountant of the Securities and Exchange Commission. The contracts were genuine, he said. Zar serves on an industry task force on revenue recognition for the American Institute of Certified Public Accountants.

A judge presiding over civil lawsuits against Martha Stewart is refusing prosecutors' request to delay the ***litigation*** despite claims it could damage a criminal obstruction-of-justice case against her. U.S. District Judge John E. Sprizzo ruled that prosecutors cannot stop civil lawyers from interviewing 15 witnesses despite claims that it will give Stewart's defense lawyers an unfair advantage in the criminal case. "This is not the strongest obstruction case I have ever seen, just going by your own U.S. attorney's comments on it," Sprizzo told lead criminal prosecutor Karen Seymour at a hearing.

The Federal Communications Commission signed off on the sale of a majority stake in bankrupt fiber-optic network operator Global Crossing to a telecommunications company owned by the Singapore government. The FCC said the companies have agreed to security protections after the Homeland Security, Justice and Defense departments detailed possible national security implications of the sale.

Robert Britz and Catherine Kinney, the top deputies of former New York Stock Exchange chairman Dick Grasso, each stand to collect as much as $28 million in deferred compensation under a plan that was set up in 1998, people familiar with their pay said. The NYSE's co-presidents each earn $500,000 to $600,000 in salary, one source said, speaking on condition of anonymity. Interim NYSE chairman John S. Reed told members this week that they won't be "happy" when the compensation for Britz and Kinney is disclosed.

Intuit is formally apologizing to users of its TurboTax program who rebelled against an anti-piracy feature the company introduced last year. TurboTax General Manager Tom Allanson wrote an open letter of apology that appears today as an advertisement in several newspapers. Many customers resented the restriction against using the program on more than one computer and complained that the feature might allow Intuit to spy on their computer hard drives.

Simon Property Group withdrew its hostile $1.7 billion takeover bid for rival shopping mall developer Taubman Centers, a day after Michigan Gov. Jennifer M. Granholm (D) signed legislation aimed at helping Taubman fend off the bid.

Fred Alger Management is being investigated by New York Attorney General Eliot L. Spitzer and the Securities and Exchange Commission to determine whether it allowed money managers to improperly ***trade*** fund shares, people familiar with the matter said. Last week Alger suspended three employees, including Vice Chairman James Connelly.

The yield on five-year Treasury notes fell at auction to 3.139 percent, from 3.23 percent at the Sept. 10 sale.

U.S. wholesale inventories unexpectedly fell in August, the fifth straight month without an increase, as companies emphasized cost cutting and relied on existing supplies to meet rising demand. Wholesale stockpiles declined 0.2 percent, to $288.6 billion, from $289.1 billion in July, the Commerce Department said.

Russia's bond ratings were raised two levels, to investment grade, by Moody's Investors Service. Moody's lifted the ratings for Russia's international and domestic bonds to the lowest investment-grade level, citing President Vladimir Putin's progress in reducing debt and spending. It is the first time that Russian debt has been lifted above junk grade by Moody's or Standard & Poor's.

Toyota paid $18.2 million in back taxes and penalties as ordered by a Japanese tax office after the automaker allegedly failed to fully declare its taxable income, a company spokesman said.

Vietnam and the United States tentatively agreed to allow the first commercial flights between the two countries since the end of the Vietnam War, an official from Vietnam's civil aviation administration said.

Allegheny Energy says it is keeping its corporate headquarters in Hagerstown, Md., but moving more than half of the headquarters jobs to Greensburg, Pa. The utility is consolidating its finance and accounting offices in Greensburg, about 25 miles southeast of Pittsburgh, and 52 of the 92 jobs will be relocated by March 1, a spokesman said. Some employees may be transferred, while others may have to apply for positions in Greensburg or other jobs with the company.

Roland House, a video and film post-production company in Arlington, will be sold at a bankruptcy auction Nov. 10. The company filed for Chapter 11 reorganization in August, citing a decline in revenue and higher equipment expenses associated with a changeover to digital film-editing technology.

Genentech said its third-quarter profit rose 70 percent, to $152 million, as sales of its cancer drugs Herceptin and Rituxan climbed. Revenue jumped 26 percent, to $817 million.

Yahoo said its third-quarter profit more than doubled, to $65.3 million, continuing a recent improvement driven by a revival in online advertising. Revenue was up 43 percent, to $356.8 million.

Compiled from reports by the Associated Press, Bloomberg News, Dow Jones News Service and Washington Post staff writers

**Correction**

An item from the Associated Press in the Oct. 9 Business section referred incorrectly to the source of funding for the Pension Benefit Guaranty Corp. The agency is funded from insurance premiums paid by company sponsors of defined-benefit pension plans, earnings from investments and assets from pension plans it takes over. It receives no taxpayer funds.

**Correction-Date:** October 11, 2003

**Load-Date:** October 9, 2003

**End of Document**

[***Protest Movement Loses Its Steam in Heat of L.A.; Outcome Attributed to Diversity Of Issues, Lack of Labor Support And Show of Force by Police***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4110-C810-00RP-M21D-00000-00&context=)

The Washington Post

August 20, 2000, Sunday, Final Edition

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**Section:** A SECTION; Pg. A03

**Length:** 1652 words

**Byline:** Rene Sanchez; William Booth , Washington Post Staff Writers

**Dateline:** LOS ANGELES

**Body**

Smothered by police, straggling through smog and heat, the protest movement that exploded late last year on the rainy streets of Seattle fizzled here last week.

This time, as they denounced global capitalism and promoted social justice, protesters did not get much help from their most important ally, organized labor. Their numbers did not grow here day by day. They shrank.

Protesters rarely staged mass acts of civil disobedience, even though hundreds of them trained for it before the Democratic National Convention.

Few demonstrations were timed to directly confront the Democratic delegates as they entered and left the convention site. Fringe groups in outlandish attire again stole the spotlight during some marches.

And the overwhelming show of blunt force by the Los Angeles Police Department, which deployed thousands of officers toting pepper spray and guns with rubber bullets, seemed to wear down or distract the protest organizers.

Finally, the sheer diversity of protest issues on display muddled the movement's message.

What is the movement? It is mostly young, white and far left--from consumer activists and environmentalists to those who want to tear the state down by any means necessary.

If the movement is the people who came to protest in Seattle and the District as well as at the Republican and Democratic conventions, it is against--like many Americans--big-money political donors, police brutality and sweatshop labor. But many of its members also oppose global capitalism and say giant corporations have too much power--a theme advanced most prominently in recent months by Green Party presidential nominee Ralph Nader.

Leaving Los Angeles, some in the movement insisted that they saw new signs of progress, but many others voiced frustration and anger--at the police, the media and their own strategies.

"A million people saying a million things. That's what it feels like out here sometimes," said Jason Mark, 25, a leader of Global Exchange, a human rights group based in San Francisco that helped lead some of the protests.

That group staged one of the most focused and clever demonstrations of the week. To shame Democrats attending a lavish party that large corporations threw for them on the Santa Monica Pier, Global Exchange built a stage on the beach right below, stuck taunting "For Sale" signs in the sand, and spent hours heckling the guests with speeches and songs. About 2,000 protesters came. But as they arrived, it was clear that many had other issues on their minds besides corporate influence in politics. The signs they waved told the story: More Urban Parkland. Free Tibet. Rights of Indigenous Peoples. No More Sweatshops. Let Nader Debate. Meat is Death.

But Mark, like many other organizers, tried to see more evidence of hope than defeat in the disparate crowd.

"These things just take a lot of time to get rolling," he said. "Look at other successful social movements--civil rights, women's suffrage. They took years. In the 15-minutes-of-fame media ***world***, this may not seem like much so far. But Seattle was only eight months ago. We're just getting started and getting stronger."

Los Angeles officials, warning of "international anarchists swinging tire irons," had told the city to brace for as many as 40,000 demonstrators, but the biggest protest march of the week, billed as "Human Need, Not Corporate Greed," drew about 8,000. And some of them arrived only at the end of the march to hear a free concert by the band Rage Against the Machine.

During the week of demonstrations, police made 194 arrests. The largest single group, 70 people, was arrested for riding bicycles the wrong way down a one-way street during a protest against the car culture.

That total is much lower than the tally of arrests in Seattle in late November and early December, when as many as 40,000 activists and union members disrupted a ***World Trade Organization*** meeting. It is also lower than the number of arrests made during protests this spring in the District against the ***World*** Bank, and in Philadelphia during the Republican National Convention.

Still, many who took part in the latest round of protests insist that they were at least a partial success because most events occurred as planned and drew news media coverage and an increasingly diverse crowd.

One evening, the movement welcomed a new coalition of African American ministers from across the country who have vowed to preach to their congregations about the injustices created by corporate globalization.

Some protest organizers longed to have more support on the streets from unions, however. Most of the demonstrations here were organized by small leaderless groups on shoestring budgets, spreading word of their causes largely through the Internet.

Tom Hayden, a California state senator and a participant in the demonstration at the Democratic convention in Chicago in 1968, pointed out that the Seattle marches against globalization had been planned for a year and that labor spent $ 1 million for organizational preparations.

The Los Angeles protest, Hayden said, "was planned over a couple of months, preceded by Philadelphia and penniless."

Neal Sacharow, a spokesman for the Los Angeles County Federation of Labor, which has 800,000 members, said his group "wanted to do most of our work inside the convention hall, not outside. It was never our intention to be disruptive to the convention."

Many protest organizers and their supporters were also furious with police, whose tactics succeeded in either disrupting or limiting protest activities here and elsewhere.

At one point last week, hundreds of demonstrators refused even to march inside the designated "protest pit" outside of the convention center because they considered it a cage, lined with high metal fences and surrounded by police who had used rubber bullets the night before to disperse a crowd. Police helicopters also swooped down so often and so low over some protests that they drowned out the speeches.

"I think there's a considerable danger that there will be further repression of social protest around the country," said Larry Frankel, executive director of the Pennsylvania chapter of the American Civil Liberties Union. "What we've seen in all four cities is this inability or unwillingness to distinguish between those who are actively engaged in criminal activity . . . and those who engage in civil disobedience."

During the Republican convention, Philadelphia police raided a warehouse where protest puppets were being made and arrested 70 people inside on multiple charges, including "obstructing a highway." The district attorney, "for security reasons," has refused to unseal the affidavit police used to get the search warrant. Philadelphia police also arrested people they saw on sidewalks using cell phones allegedly to organize protests.

In the District, police raided the protesters' headquarters for alleged fire code violations and arrested everyone on a single block for allegedly parading without a permit. In Los Angeles, the ACLU won a last-minute court order telling police not to raid the headquarters of the protest groups.

"I think it's taking a toll on the movement," said Adam Eidinger, 26, who joined demonstrators in the District, Philadelphia and Los Angeles. "It's wearing people down. It's forcing us to constantly get in ***litigation***."

Eidinger spent most of his time in Philadelphia making giant puppets in the warehouse. He befriended four burly men in crew cuts who showed up one day claiming to be union carpenters. Some demonstrators pegged them as undercover officers. Others said the movement should not judge people by their appearance. Finally, after the four helped build some protest puppets, they were deemed sexist but otherwise amiable union guys.

One of them, who called himself Harry, was chosen to drive a van filled with 17 demonstrators who were planning to blockade an intersection in Center City. As the van set out, police cars surrounded it. Harry was put in one of the cars and driven away, while the demonstrators were handcuffed and taken to jail. "Harry's a cop!" they shouted.

Law enforcement officials in Philadelphia would not comment on whether they had used undercover informants. Last week in Los Angeles, police called the undercover officers they sent into protest crowds "extremely critical" to their security plan. At least one police officer, bearded and dressed like a working journalist, kept photographing members of the crowd.

The movement may have more problems than police. Some protest organizers are now questioning their own strategies. In the hope of building a broad progressive coalition, they have welcomed an enormous number of groups into their fold. But some say the cacophony of causes is blurring their central theme: that democracy is being corrupted and controlled by wealthy special interests.

Some groups fault the media for often failing to look past black-clad anarchists and see an important message rising up from the streets.

"It's a backlash against corporate rule, and it's coming from diverse communities of interest," said Lori Wallach, the director of Public Citizen's Global ***Trade*** Watch, which is helping guide some protests. "It isn't just one group zooming around stirring things up. It's a grass-roots thing, and it's real."

But some demonstrators who took to the streets of Los Angeles say the movement is still too unfocused. Those who oppose global capitalism plan to crash the ***World*** Bank gatherings in Prague this fall, as well as a meeting of corporate executives in Cincinnati.

"What's the next step besides coming out here and shouting about everything isn't clear," said Shane Finch, 30, who joined several marches. "I'm not sure how much this is helping."

Staff writer David Montgomery in Washington contributed to this report.

**Load-Date:** August 20, 2000

**End of Document**

[***A Beef Over Bananas***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:3V78-D9X0-007D-J1WX-00000-00&context=)

The Washington Post

December 02, 1998, Wednesday, Final Edition

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**Section:** EDITORIAL; Pg. A28

**Length:** 498 words

**Body**

A MINI-***TRADE*** war is brewing between the United States and the European Union. The first skirmish, if peace does not break out, won't have all that much effect on U.S. workers or consumers. But the dispute could escalate. And even the first skirmish challenges efforts to apply a rule of law to international ***trade***. The still-young ***World Trade Organization***, to which the United States and the European Union and most other nations belong, has established rules to govern ***trade*** and has hired judges to decide when those rules are being broken. But whether those decisions can be enforced may depend on the outcome of the U.S.-European dispute.

The immediate fight is over bananas. The United States has been complaining for years about European import rules that unfairly favor European multinational companies and selected banana-growing countries while discriminating against U.S. multinational companies and other banana-growing countries, such as Ecuador and Guatemala. In May 1997 the WTO ruled against Europe, finding -- as the WTO's even more toothless predecessor had in 1993 and 1994 -- that Europe was breaking the rules.

Now the European Union has changed its rules -- but in such minor ways, the United States alleges, that the basic unfairness remains. The Europeans invited the United States to take its complaint back to the WTO. But that would lead to "an endless loop of ***litigation***," U.S. ***Trade*** Representative Charlene Barshefsky complained -- not what WTO's designers had in mind. She threatened Europe with retaliatory tariffs. The Europeans then began fuming about U.S. "unilateralism" and said they would accept some expedited ruling, but only if U.S. officials dropped their threats.

All very petty, you might say -- and, from an American perspective, not a great case on which to make a stand, since the United States is home to a politically influential banana company (Chiquita) but not many bananas. But by next spring, U.S. beef producers, who won a similar case against Europe in the WTO, may be facing similar recalcitrance. And beyond even them, the already fragile consensus for open ***trade*** in this country certainly will break down if Europe and others can play games with the WTO -- if they can pretend compliance, maintain protectionist policies and suffer no consequences.

The banana dispute has illustrated a flaw in the WTO structure. A losing country shouldn't unilaterally be able to decide whether it's come into compliance; a winning country shouldn't unilaterally be able to impose tariffs if it finds the compliance unsatisfactory. This is a flaw that can be fixed easily; the appeals panel that makes the original finding could be charged with evaluating compliance, and it could do so without permitting further delay. In the meantime, U.S. and European officials, who have been negotiating off and on, should resolve the current dispute. Neither beef nor bananas should be allowed to set back the progress embodied in the WTO.

**Load-Date:** December 2, 1998

**End of Document**

[***China bashing***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:56M1-N8M1-JBFW-C32V-00000-00&context=)

The Washington Post

September 19, 2012 Wednesday, Regional Edition

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**Distribution:** Every Zone

**Section:** EDITORIAL COPY; Pg. A20

**Length:** 522 words

**Byline:** Editorial Board

**Body**

IT'S AN IRON LAW of U.S. politics: You can't go wrong bashing China. Polls show the public believes that this country is losing jobs due to unfair economic competition from abroad, especially from China. And so, every four years, presidential candidates fall all over themselves promising to get tough on imports.

Still, there are more and less blatant ways to go about it. President Obama's announcement Monday of a new international ***trade*** case against China in swing-state Ohio strikes many as a transparently political use of his incumbency. The crassness is mitigated only somewhat by the fact that the president was responding to Republican challenger Mitt Romney's ads promising to do more than Mr. Obama has done to punish China for manipulating the value of its currency on international markets - or "cheating," as the ads describe it.

As to the merits of the president's case against China, if Beijing is violating ***trade*** law, then a complaint to the ***World Trade Organization*** (WTO) may be called for. Mr. Obama alleges that the Chinese have provided $1 billion in illegal subsidies over the past three years. Is that responsible for the growth in Chinese auto-parts imports to the United States, which now total $10 billion? Hard to say. But remember: To the extent that imports from China - or Mexico, which sells almost three times as much to the United States - reduce the cost of auto manufacturing, and hence the price of cars, they may help create more American jobs than they cost. Is the Mr. Obama who charges China with subsidizing its industry the same president who takes credit for bailing out General Motors and Chrysler? China imposed import duties on U.S. cars in July, partly in response to U.S. aid to the carmakers; it has filed a case at the WTO in response to Mr. Obama's latest move.

***Litigation*** at the WTO will take months. Would Mr. Romney's idea, to brand China a currency manipulator, with sanctions to follow, get faster results? No doubt China's effort to hold down the value of the yuan artificially boosts the competitiveness of its products overseas, to the detriment of U.S. industry. But it also imposes costs and distortions on the domestic Chinese economy, which the Obama administration has repeatedly invoked while jawboning Beijing to change its policy. The Obama strategy has yielded some modest success over the past three years, arguably more than would have been achieved by the open confrontation Mr. Romney advocates.

The fact is that China has plenty of ways to retaliate when this country protects specific industries; on balance, that retaliation may cost more American jobs. Even if China does not retaliate, the higher production costs and higher consumer prices that ***trade*** protection imposes are not evenly distributed. Protectionist measures may "save" jobs for higher-paid workers at the expense of those who make less. These are the sorts of nuances and ***trade***-offs to which we hope the winner of this election will pay more attention. Though the United States and China are competing for global market share, avoiding an actual ***trade*** war is very much in both nations' interest.

**Load-Date:** September 19, 2012

**End of Document**

[***The Growth Mystery***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:4D3P-5RJ0-TW87-N2X0-00000-00&context=)

The Washington Post

August 16, 2004 Monday, Final Edition

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**Section:** Editorial; A16

**Length:** 859 words

**Body**

BETWEEN 1998 and 2000, the United States pulled off a rare and fleeting miracle: For the first time since 1969, it ran federal budget surpluses. This turnaround owed something to the tax increases passed in 1990 and 1993 and something to the spending discipline enforced by the Newt Gingrich Congress. But it also owed something to a mysterious revolution that occurred inside American businesses. The average American worker, whose output had been growing steadily at around 1.5 percent a year since the 1980s, suddenly clocked productivity gains of 2.7 percent per year between 1996 and 2000. That acceleration drove the economy's growth rate up to 4 percent, pushing tax receipts to an all-time high and creating budget surpluses that nobody had predicted.

If the Bush administration knew how to create the conditions for another growth spurt, critics might have to rethink their opposition to tax cuts. According to the Berkeley-Brookings projections we cited yesterday, the deficit is likely to register at around 3.5 percent of gross domestic product in 2014. But if the economy grows by just under 4 percent a year, rather than just under 3 percent as assumed in the projection, the deficit in 2014 would come to a far less alarming 0.5 percent of GDP.

What could President Bush do to boost growth? His officials argue that tax cuts will contribute, but this seems unlikely. Lower tax rates on wages do boost the labor supply; lower tax rates on investment may boost savings; more labor and more capital mean more economic output. But Mr. Bush's tax cuts also have an offsetting consequence. Because they have not been accompanied by spending cuts, government borrowing has gone up, nudging everybody's cost of borrowing higher than it would be otherwise. A range of econo- metric studies suggest that these opposing impacts -- more labor and capital on the one hand, higher interest rates on the other -- roughly cancel one another out. Therefore, to boost growth, the Bush administration will have to look elsewhere.

One option is ***trade*** policy. Fully liberalized global ***trade*** would create a boost to GDP of 2 percent, according to Harvard University's Jeffrey Frankel, who served on President Bill Clinton's Council of Economic Advisers. But this would be a one-time boost to the size of the economy, not a shift in the growth rate, so it would close only a small part of the deficit forecast for 2014, leaving untouched the monster deficits thereafter. Besides, completely free ***trade*** is a remote hope. Even success in the ***World Trade Organization***'s ongoing Doha Round of ***trade*** talks would fall short of that target.

Another option is to tackle the absurd tort system, which claims a far higher share of GDP than in any other advanced country. Reform, if it ever could pass Congress, would boost growth by reducing ***litigation*** costs, freeing money that might fund innovation and research, and -- by reducing companies' propensity to withhold products from the market -- eliminate the needs to order unnecessary safety tests and waste time on defensive strategies that are more about reducing legal exposure than about safety. But how much extra growth would this yield? Robert E. Litan of the Brookings Institution puts the answer at just 0.1 percent of GDP per year.

The same goes for regulatory reform, the policy of weeding out expensive regulations that buy little benefit in terms of health and safety, and replacing these with others that are less burdensome and more effective. A smart benefit-cost review of the regulatory state could reduce the drag on businesses without harming citizens. But though this yields some effect on the growth rate, the administration concedes that it's probably too small to measure.

What of boosting government investment in education and research spending? An extra year of education has been shown to boost a worker's lifetime wages by 5 to 10 percent, more than covering the cost of the tuition. Equally, government-funded research can generate growth-enhancing breakthroughs from biotechnology to the Internet. But the links are not always certain between extra education spending and productivity improvements in the workforce as a whole or between extra research spending and additional scientific breakthroughs. Although investing more in both areas would be a good idea, the payoff in terms of growth would be distant and impossible to measure.

The government's options are limited. The experience of the late 1990s shows that higher growth, unlike Social Security reform, has the potential to transform the fiscal outlook. But it's equally true that we don't know how to repeat the 1990s miracle, and the government's policy options -- a ***trade*** deal, tort reform, deregulation -- aren't powerful enough to do it. The productivity revolution inside American companies seems to have reflected technological and organizational changes that had been percolating inside corporations for at least a decade, none of which had much to do with government policy. It would be nice to believe that a second productivity revolution will fix the looming fiscal crisis. But it seems unwise to count on it.

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