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**CHINA - MEASURES RELATED TO DEMONSTRATION BASES
AND COMMON SERVICE PLATFORMS PROGRAMMES**

REQUEST FOR THE ESTABLISHMENT OF A PANEL BY THE UNITED STATES

The following communication, dated 9 April 2015, from the delegation of the United States to the Chairperson of the Dispute Settlement Body, is circulated pursuant to Article 6.2 of the DSU.

On 11 February 2015, the United States requested consultations with the Government of the People's Republic of China ("China") pursuant to Articles 1 and 4 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU"), Article XXII:1 of the *General Agreement on Tariffs and Trade 1994* ("GATT 1994"), and Articles 4 and 30 of the *Agreement on Subsidies and Countervailing Measures* ("SCM Agreement"), with regard to certain measures providing subsidies contingent upon export performance to enterprises in several industries in China. The United States held consultations with China on 13 March and 1-2 April 2015. Those consultations unfortunately did not resolve the dispute.

I. Demonstration Base / Common Service Platform Program and Subsidies

It appears that China provides export-contingent subsidies through a program establishing "Foreign Trade Transformation and Upgrading Demonstration Bases" ("Demonstration Bases") and "Common Service Platforms". Demonstration Bases are industrial clusters of enterprises in several Chinese industries, including the textiles, agriculture, medical products, light industry, special chemical engineering, new materials, and hardware and building materials industries. Common Service Platforms are service suppliers designated by China to provide services to enterprises in Demonstration Bases. China designates an industrial cluster of enterprises in a particular industry as a Demonstration Base, based on, *inter alia*, export performance. China then provides export-contingent subsidies to the enterprises located in the Demonstration Base through the provision of discounted or free services by Common Service Platforms.

The Demonstration Base / Common Service Platform program and export subsidies under that program are reflected in legal instruments that include, but are not limited to, the following, operating separately or collectively, as well as any amendments or related, successor, replacement, or implementing measures:

A. Demonstration Base Instruments

Central Level

1. *Public Notice on the Third Batch of National Foreign Trade Transformation and Upgrading Specialized Demonstration Bases List*, Ministry of Commerce (23 December 2013).
2. *Ministry of Commerce Notice on Organizing the Application of the Third Batch of National Foreign Trade Transformation and Upgrading Specialized Demonstration Bases Relevant Materials*, Ministry of Commerce, Shang Mao Han [2013] No. 467 (17 July 2013).
3. *Public Notice on the Second Batch of National Foreign Trade Transformation and Upgrading Specialized Demonstration Bases List*, Ministry of Commerce (12 December 2012).

4. *Twelfth Five-Year Plan on Foreign Trade Development*, Ministry of Commerce (26 April 2012).
5. *Ministry of Commerce Notice on Carrying Out the Second Batch of National Foreign Trade Transformation and Upgrading Specialized Demonstration Bases Determination Work*, Ministry of Commerce, Shang Mao Han [2012] No. 208 (10 April 2012).
6. *Ministry of Commerce General Office Notice on Investigating the Foreign Trade Transformation and Upgrading Demonstration Bases Development Current Situation*, Ministry of Commerce, Shang Ban Mao Han [2012] No. 185 (15 March 2012).
7. *Ministry of Commerce Notice on Determining the First Batch of National Foreign Trade Transformation and Upgrading Specialized Demonstration Bases*, Ministry of Commerce, Shang Mao Han [2011] No. 1084 (12 December 2011).
8. *Ministry of Commerce Letter on Carrying Out the Cultivation Work for the National Foreign Trade Transformation and Upgrading Demonstration Bases*, Ministry of Commerce, Shang Mao Han [2011] No. 62 (14 February 2011).

Sub-Central Level

9. *Guangxi [Zhuang Autonomous Region] Department of Commerce Measure on the Administration of Foreign Trade Transformation and Upgrading Demonstration Bases (Trial)*, Guangxi [Zhuang Autonomous Region] Department of Commerce (1 December 2014).
10. *Xixiu District Industry and Trade Bureau Helping Enterprise Application for Provincial Level Foreign Trade Transformation and Upgrading Demonstration Base Work*, Guizhou Province Department of Commerce (20 November 2014).
11. *Notice on Organizing the Carrying Out of the Fourth Batch of Provincial Foreign Trade Transformation and Upgrading Specialized Demonstration Bases Determination and the First Batch of Base Reexamination Work*, Shandong Province Department of Commerce, Lu Shang Ban Zi [2014] No. 206 (3 November 2014).
12. *Notice on Determining the First Batch of Anhui Province Foreign Trade Transformation and Upgrading Demonstration Base and Other Enterprises and Anhui Province Electromechanical, High Technology Product Export Bases and Other Enterprises*, Anhui Province Bureau of Commerce (22 August 2014).
13. *Hebei Province Public Notice on the Second Batch of Foreign Trade Transformation and Upgrading Demonstration Bases and Demonstration Enterprises List*, Hebei Province Department of Commerce (26 June 2014).
14. *Public Notice on the Second Batch of Guangdong Province Foreign Trade Transformation and Upgrading Specialized Demonstration Base List*, Guangdong Province Department of Commerce (2 January 2014).
15. *Guangdong Province Department of Commerce, Guangdong Province Department of Finance Notice on Doing Well the 2013 Supporting Enterprises to Purchase International Well-Known Brands and Promote Foreign Trade Transformation and Upgrading Special Fund Application and Administrative Work*, Guangdong Province Department of Commerce, Department of Finance, Yue Wai Jing Mao Cai Zi [2013] No. 14 (12 October 2013).
16. *Notice on Doing Well the 2013 Shunde District Foreign Trade Transformation and Upgrading Demonstration Base Construction Fund Use and Administration Work*, Foshan City Shunde District (Guangdong Province) Economic and Science Promotion Bureau, Shun Jing Fa [2013] No. 62 (2 April 2013).
17. *[Gansu] Provincial Department of Commerce Public Notice on the First Batch of Science and Technology Trade Promotion Bases and Electromechanical Products Foreign Trade Transformation and Upgrading Demonstration Bases*, Gansu Province Department of

Commerce (13 September 2013).

18. *Gansu Province Measure on Electromechanical Products Foreign Trade Transformation and Upgrading Demonstration Bases Determination*, Gansu Province Department of Commerce, Gan Shang Wu Chan Ye Fa [2013] No. 244 (6 June 2013).
19. *Notice on Doing Well the 2013 Foreign Trade Development Specialized Fund Application Work*, Shandong Province Department of Commerce, Department of Finance, Lu Cai Qi [2013] No. 20 (15 May 2013).
20. *Public Notice on the Second Batch of Shandong Province Foreign Trade Transformation and Upgrading Specialized Demonstration Bases List*, Shandong Province Department of Commerce (11 January 2013).
21. *Shanxi Provincial Department of Commerce Notice on Organizing the Application of the Third Batch of National Foreign Trade Transformation and Upgrading Specialized Demonstration Bases*, Shanxi Province Department of Commerce, Jin Shang Mao Han [2013] No. 494 (2 August 2013).
22. *Shanxi Province Second Batch of Provincial Level Foreign Trade Transformation and Upgrading Specialized Demonstration Bases Determination Work Plan*, Shanxi Province Department of Commerce (2013).
23. *Notice on Further Promoting the Entire City's Export Bases Construction Work*, Jingzhong City (Shanxi Province) Bureau of Commerce (15 March 2013).
24. *Notice on Carrying Out the Second Batch of Provincial Level Foreign Trade Transformation and Upgrading Specialized Demonstration Bases Determination Work*, Jinzhong City (Shanxi Province) Bureau of Commerce (15 March 2013).
25. *Opinions on the Guidance of Accelerating the Inner Mongolia Autonomous Region Foreign Trade Transformation and Upgrading Demonstration Bases Construction Work*, Inner Mongolia Autonomous Region Department of Commerce, Inner Mongolia Autonomous Region Department of Finance, People's Republic of China Huhehaote City Customs, People's Republic of China Manzhouli City Customs, People's Republic of China Inner Mongolia [Autonomous Region] Exit-Entry Inspection and Quarantine Bureau, Nei Shang Mao Zi [2013] No. 870 (10 October 2013).
26. *Notice on Organizing the Application of the Third Batch of National Foreign Trade Transformation and Upgrading Specialized Demonstration Bases*, Xinjiang Uygur Autonomous Region Department of Commerce, Xin Shang Wai Mao Han [2013] No. 15 (30 July 2013).
27. *Notice on Carrying Out the Second Batch of the Shandong Government Foreign Trade Transformation and Upgrading Specialized Demonstration Bases Determination Work*, Shandong Province Department of Commerce (31 October 2012).
28. *Laiwu City People's Government Opinions on Accelerating Foreign Trade Transformation and Upgrading to Promote Foreign Trade Development that is Good and Fast*, Laiwu City (Shandong Province) People's Government, Lai Zheng Fa [2012] No. 43 (12 November 2012).
29. *Rule on the Implementation of 2012 Weifang City Support of Foreign Economy and Trade Development Policies*, Weifang City (Shandong Province) Bureau of Finance, Bureau of Commerce, Wei Cai Qi [2012] No. 143 (9 October 2012).
30. *Opinions on Accelerating the Promotion of Shanxi Province Foreign Trade Transformation and Upgrading Demonstration Bases Construction*, Shanxi Province Department of Commerce (26 October 2012).

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31. *Shanxi Province Measure on the Administration of Foreign Trade Transformation and Upgrading Demonstration Bases (Trial)*, Shanxi Province Department of Commerce (25 October 2012).
 32. *Notice on Carrying Out the First Batch of Provincial Level Foreign Trade Transformation and Upgrading Specialized Demonstration Bases Determination Work*, Shanxi Province Department of Commerce (14 August 2012).
 33. *Notice on Carrying Out the Second Batch of the Guangdong Provincial Foreign Trade Transformation and Upgrading Specialized Demonstration Bases Application, Review, and Determination Work*, Guangdong Province Department of Foreign Trade and Economic Cooperation, Yue Wai Jing Mao Guan Zi [2012] No. 21 (6 August 2012).
 34. *Notice on Doing Well the 2012 Guangdong Province Foreign Trade Transformation and Upgrading Demonstration Bases Construction Fund Use Administration Work*, Guangdong Province Department of Foreign Trade and Economic Cooperation, Department of Finance, Yue Wai Jing Mao Gui Cai Zi [2012] No. 10 (29 May 2012).
 35. *2012 Guangdong Province Foreign Trade Transformation and Upgrading Demonstration Bases Cultivation Work Plan*, Guangdong Province Foreign Trade Transformation and Upgrading Demonstration Bases Cultivation Work Leading Small Group, Yue Wai Jing Mao Guan Zi [2012] No. 5 (21 February 2012).
 36. *Notice on Strengthening Foreign Trade Transformation and Upgrading Demonstration Bases Publicity Work*, Guangdong Province Foreign Trade Transformation and Upgrading Demonstration Bases Cultivation Work Leading Small Group, Yue Wai Jing Mao Guan Zi [2012] No. 3 (31 January 2012).
 37. *Chaozhou City People's Government Several Opinions on Accelerating Foreign Trade Transformation and Upgrading to Achieve Export-Oriented Steady Economic Development*, Chaozhou City (Guangdong Province) People's Government, Chao Fu [2012] No. 34 (4 September 2012).
 38. *Dongguan City Measure on the Implementation of Optimizing Processing Trade Transformation and Upgrading the Services Environment*, Dongguan City (Guangdong Province) People's Government, Dong Fu Ban [2012] No. 125 (3 August 2012).
 39. *Shenzhen City Measure on the Administration of the Determination of Foreign Trade Transformation and Upgrading Demonstration Bases*, Shenzhen City (Guangdong Province) Economy, Trade, and Information Commission, Shen Jing Mao Xin Xi Mi Shu Zi [2012] No. 1356 (31 May 2012).
 40. *Bao'an District Opinions on the Implementation of Promoting Industrial Transformation and Upgrading and Accelerating the Transformation of the Mode of Economic Development*, Bao'an District (Shenzhen City, Guangdong Province) Science and Innovation Department (10 August 2012).
 41. *Dabu County Plan on the Implementation of the Ceramics Foreign Trade Transformation and Upgrading Specialized Demonstration Bases Cultivation*, Meizhou City (Guangdong Province) Department of Foreign Trade and Economic Cooperation (9 January 2012).
 42. *Notice on Applying for the Second Batch of National Foreign Trade Transformation and Upgrading Specialized Demonstration Bases*, Henan Province Department of Commerce, Yu Shang Mao Han Zi [2012] No. 53 (29 April 2012).
 43. *Hebi City Opinions on the Implementation of Promoting the Steady and Healthy Development of Foreign Trade*, Hebi City (Henan Province) People's Government, He Zheng Ban [2012] No. 60 (16 October 2012).
 44. *Jiangxi Provincial People's Government Opinions on Further Promoting the Development of the Tea Industry*, Jiangxi Provincial People's Government, Gan Fu Ban Fa [2012] No. 51, (17 July 2012).

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45. *Notice on Doing Well the Second Batch of National Foreign Trade Transformation and Upgrading Specialized Demonstration Bases Determination Work*, Qingyuan District (Ji'an City, Jiangxi Province) Bureau of Commerce, Gan Shang Wai Mao Zi [2012] No. 60 (28 April 2012).
 46. *Sichuan Provincial Commerce Department Notice on Carrying Out the Second Batch of National Foreign Trade Transformation and Upgrading Specialized Demonstration Bases Application Work*, Sichuan Province Department of Commerce, Chuan Shang Mao [2012] No. 42 (3 May 2012).
 47. *Beijing Municipality Opinions on Accelerating Foreign Structural Adjustment Transformation of the Foreign Trade Development Mode*, Beijing Municipal Commission of Commerce, Municipal Bureau of Finance, Jing Shang Wu Wai Yun Zi [2012] No. 7 (25 April 2012).
 48. *Zhejiang Province Department of Commerce Passing on the Ministry of Commerce Notice on Carrying Out the Second Batch of National Foreign Trade Transformation and Upgrading Specialized Demonstration Bases Determination Work*, Zhejiang Province Department of Commerce, Zhe Shang Wu Mao Fa [2012] No. 134 (23 April 2012).
 49. *Hebei Province Foreign Trade Development Twelfth Five-Year Plan*, Hebei Province Department of Commerce (9 April 2012).
 50. *Notice on Carrying Out the 2011 Heilongjiang Province Foreign Trade Transformation Base Cultivation Work*, Heilongjiang Province Department of Commerce, Hei Shang Mao Han [2012] No. 233 (13 March 2012).
 51. *Notice on the Implementation of Accelerating the Promotion of Fruit Exports Transformation and Upgrading Demonstration Base Construction*, Weinan City (Shaanxi Province) People's Government, Wei Zheng Ban Fa (2012) No. 81 (27 April 2012).
 52. *Public Notice on the First Batch of the Guangdong Province Foreign Trade Transformation and Upgrading Specialized Demonstration Bases List*, Guangdong Province Foreign Trade Transformation and Upgrading Demonstration Bases Cultivation Work Leading Small Group (22 November 2011).
 53. *Notice on Doing Well the 2011 Guangdong Province Foreign Trade Transformation and Upgrading Demonstration Bases Construction Fund Use and Administration*, Guangdong Province Department of Foreign Trade and Economic Cooperation, Bureau of Finance, Yue Wai Jing Mao Gui Cai Zi [2011] No. 23 (13 October 2011).
 54. *Opinions on the Guidance of Carrying Out the Foreign Trade Transformation and Upgrading Demonstration Bases Cultivation Work*, Guangdong Province Foreign Trade Transformation and Upgrading Demonstration Bases Cultivation Work Leading Small Group, Yue Wai Jing Mao Ting Zi [2011] No. 10 (22 August 2011).
 55. *Guangdong Province Interim Measure on the Administration of Foreign Trade Transformation and Upgrading Specialized Demonstration Bases*, Guangdong Province Foreign Trade Transformation and Upgrading Demonstration Bases Cultivation Work Leading Small Group, Yue Wai Jing Mao Guan Zi [2011] No. 31 (22 August 2011).
 56. *Public Notice on the First Batch of the Shandong Province Foreign Trade Transformation and Upgrading Specialized Demonstration Bases List*, Shandong Province Department of Commerce (20 December 2011).
 57. *Notice on Carrying Out the First Batch of Shandong Province Foreign Trade Transformation and Upgrading Specialized Demonstration Bases Determination Work*, Shandong Province Department of Commerce (13 September 2011).
 58. *Opinions on Accelerating the Promotion of Foreign Trade Transformation and Upgrading Demonstration Bases Construction*, Shandong Province Department of Commerce, Department of Finance, Lu Shang Wu Wai Mao Zi [2011] No. 609 (29 August 2011).

59. *Opinions on the Implementation of Accelerating the Promotion of Foreign Trade Transformation and Upgrading Demonstration Bases Construction*, Weifang City (Shandong Province) People's Government, Wei Zheng Ban Zi [2011] No 44 (22 March 2011).

B. Common Service Platform Instruments

Central Level

60. *Ministry of Finance, Ministry of Commerce Notice on the 2014 Foreign Trade Development Special Fund Application Work*, Ministry of Finance, Ministry of Commerce, Cai Qi [2014] 2014 No. 58 (17 April 2014).
61. *Measure on the Administration of the Foreign Trade Development Special Fund*, Ministry of Finance, Ministry of Commerce, Cai Qi [2014] No. 36 (9 April 2014).
62. *Ministry of Finance, Ministry of Commerce Notice on Doing Well the Administrative Work of the 2013 Foreign Trade Common Service Platform Construction Fund*, Ministry of Finance, Ministry of Commerce, Cai Qi [2013] No. 101 (28 May 2013).
63. *Ministry of Finance, Ministry of Commerce Notice on the Revocation of Documents Related to the Foreign Trade Common Service Platform Construction Fund*, Ministry of Finance, Ministry of Commerce, Cai Qi [2013] No. 293 (30 September 2013).
64. *State Council General Office Several Opinions on Promoting Foreign Trade Steady Growth*, State Council, Guo Ban Fa [2012] No. 49 (16 September 2012).
65. *Ministry of Finance, Ministry of Commerce Notice on Doing Well the Administrative Work of the 2012 Foreign Trade Common Service Platform Construction Fund*, Ministry of Finance, Ministry of Commerce, Cai Qi [2012] No. 147 (20 June 2012).
66. *Ministry of Finance, Ministry of Commerce Notice on Doing Well the Administrative Work of the 2011 Foreign Trade Common Service Platform Construction Fund*, Ministry of Finance, Ministry of Commerce, Cai Qi [2011] No. 88 (April 2011).
67. *Ministry of Finance Notice on Arranging the 2011 Foreign Trade Common Service Platform Construction Fund*, Ministry of Finance, Cai Qi [2010] No. 245 (No Date).

Sub-Central Level

68. *Shanghai Municipality Rule on the Implementation of the Foreign Trade Development Special Fund*, Shanghai Municipal Commission of Commerce, Municipal Finance Bureau, Hu Shang Cai [2015] No. 26 (19 January 2015).
69. *Beijing Municipality Rule on the Implementation and Administration of the Foreign Trade Development Fund*, Beijing Municipal Bureau, Municipal Commission of Commerce, Jing Cai Qi [2014] No. 2494 (5 December 2014).
70. *Tianjin Municipality Rule on the Implementation of the Measure for the Administration of the Foreign Trade Development Special Fund*, Tianjin Municipal Finance Bureau, Commission of Commerce, Jin Cai Qi [2014] No. 29 (28 August 2014).
71. *Fujian Province Measure on the Implementation and Administration of the Central Foreign Trade Development Special Fund*, Fujian Province Department of Finance, Department of Commerce, Min Cai Wai [2014] No. 36 (29 August 2014).
72. *Xiamen City Rule on the Implementation of the Foreign Trade Development Special Fund*, Xiamen (Fujian Province) Municipal Bureau of Finance, Municipal Bureau of Commerce, Xia Cai Qi [2014] No. 36 (22 September 2014).
73. *Guangdong Province Department of Commerce, Guangdong Province Department of Finance Notice on Doing Well the Application Work of the 2014 Foreign Trade Development Special*

Fund Foreign Bases and Enterprise Upgrading Internalization Business Capability Projects, Guangdong Province Department of Commerce, Department of Finance, Yue Shang Wu Cai Han [2014] No. 113 (24 September 2014).

74. *Advance Notice on Doing Well the Application Work of the 2014 Foreign Trade Development Special Fund Foreign Trade Common Service Platform Projects*, Nanhai District (Foshan City, Guangdong Province) Economic and Science and Technology Promotion Bureau Foreign Trade Development Division (23 September 2014).
75. *Public Notice on the 2014 Second Batch Foreign Trade Transformation and Upgrading Projects*, Hebei Province Department of Commerce, Department of Finance (13 November 2014).
76. *Public Notice on the 2014 First Batch Foreign Trade Transformation and Upgrading Projects*, Hebei Province Department of Commerce, Department of Finance (21 October 2014).
77. *Rule on the Implementation of the Foreign Trade Development Special Fund*, Henan Province Department of Commerce, Yu Cai Qi [2014] No. 82 (14 October 2014).
78. *Hunan Province Department of Commerce Notice on Allocating the Foreign Trade Development Fund*, Hunan Province Department of Commerce (28 August 2014).
79. *Rule on the Implementation and Administration of the Central Foreign Trade Development Special Fund*, Sichuan Province Department of Finance, Department of Commerce, Chuan Cai Jian [2014] No. 163 (10 September 2014).
80. *Sichuan Province Department of Commerce Notice on 2014 Central Foreign Trade Development Special Fund Application Work*, Sichuan Province Department of Finance, Department of Commerce, Chuan Cai Jian [2014] No. 174 (24 September 2014).
81. *Notice on Filing the 2014 Foreign Trade Development Special Fund Application Work*, Xinjiang Uygur Autonomous Region Department of Commerce, Xing Shang Fa [2014] No. 171 (1 September 2014).
82. *Zhejiang Province Rule on the Implementation of the Foreign Trade Development Special Fund*, Zhejiang Province Department of Finance, Department of Commerce, Zhe Cai Qi [2014] No. 145 (7 August 2014).
83. *Notice on Doing Well the 2014 Foreign Trade Development Special Fund Application Work*, Zhejiang Province Department of Commerce, Department of Finance, Zhe Shang Wu Lian Fa [2014] No. 116 (2 September 2014).
84. *Dalian City Rule on the Implementation of the Measure for the Administration of the Foreign Trade Development Special Fund*, Dalian Municipal (Liaoning Province) Bureau of Finance, Foreign Trade and Economic Cooperation Bureau, Da Cai Qi [2014] No. 677 (27 August 2014).
85. *Notice on Applying for the 2014 Foreign Trade Development Special Fund (Promotion of Foreign Trade Transformation and Upgrading)*, Rongchang City (Shandong Province) Bureau of Commerce, Bureau of Finance (5 September 2014).
86. *Public Notice on the Planned 2013 Foreign Trade Common Service Platform Construction Special Fund Supported Projects*, Shanghai Municipal Commission of Commerce (1 December 2014).
87. *Interim Measure on the Administration of the Chongqing Municipality Foreign Trade Common Service Platform Construction Fund*, Chongqing Municipality Foreign Trade and Economic Relations Commission, Finance Bureau, Yu Wai Jing Mao Fa [2014] No. 79 (22 September 2014).
88. *Notice on the Application for the Surplus Over the Years of the Guangxi Foreign Trade Common Service Platform Construction Projects*, Guangxi Zhuang Autonomous Region

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- Department of Commerce, Department of Finance, Gui Shang Cai Fa [2014] No. 3 (5 March 2014).
89. *Notice on Doing Well the Application Work of the 2014 Foreign Trade Common Service Platform Construction Fund Projects*, Shaanxi Province Department of Commerce, Department of Finance (4 April 2014).
 90. *Public Notice on the Planned 2013 Henan Province Foreign Trade Common Service Platform Construction Fund Supported Projects*, Puyang City (Henan Province) Bureau of Commerce, Bureau of Finance (25 December 2014).
 91. *Notice on Doing Well the Application Work of the 2013 Xuchang City Foreign Trade Export Base Common Service Platform Fund Projects*, Xuchang City (Henan Province) Bureau of Commerce, Bureau of Finance (11 November 2014).
 92. *Nanyang City Foreign Trade Common Service Platform Construction Fund List of Supported [Projects]*, Nanyang City (Henan Province) Bureau of Finance, Bureau of Commerce (2 December 2014).
 93. *Notice on Disbursing the 2014 Foreign Trade Common Service Platform Construction Fund*, Nanyang City (Henan Province) Bureau of Finance, Wan Cai Yu [2014] No. 791 (2014).
 94. *Notice on Doing Well the Application and Administrative Work of the Foreign Trade Common Service Platform Construction Fund*, Baoying County (Yangzhou City, Jiangsu Province) Bureau of Commerce, Bureau of Finance, Bao Shang [2014] No. 51, Bao Cai Gong Mao [2014] No. 16 (28 August 2014).
 95. *Advance Notice on Applying for the 2014 Foreign Trade Common Service Platform Support*, Dongguan City (Guangdong Province) Bureau of Commerce (22 September 2014).
 96. *Notice on Carrying Out the Application for the 2014 Hangzhou City Foreign Trade Common Service Platform Projects*, Hangzhou City, Xiaoshan District (Hangzhou City, Zhejiang Province) Bureau of Commerce, Bureau of Finance (10 December 2014).
 97. *Notice on the Second and Third Batch Foreign Trade Common Service Platform Construction Fund Project Review Work*, Xiamen (Fujian Province) Municipal Bureau of Commerce, Bureau of Finance, Xia Shang Wu [2014] No. 230 (3 September 2014).
 98. *Notice on the Application for the Sixth Batch Foreign Trade Common Service Platform Construction Fund Projects*, Xiamen (Fujian Province) Municipal Bureau of Commerce, Bureau of Finance, Xia Shang Wu [2014] No. 206 (30 July 2014).
 99. *Notice on Disbursing the 2013 Foreign Trade Common Service Platform Construction Fund*, Xinjiang Production and Construction Corps, Second Division (Xinjiang Uygur Autonomous Region) Bureau of Finance, Shi Cai Fa [2014] No. 75 (No Date).
 100. *Notice on Organizing the Application for the 2013 Jilin Province Foreign Trade Common Service Platform Construction Fund Project*, Jilin Province Department of Commerce, Department of Finance (29 September 2013).
 101. *Notice on Doing Well the Application Work of the 2012-2013 Foreign Trade Common Service Platform Construction Fund Projects*, Hainan Province Department of Commerce, Department of Finance, Qiong Shang Wu Mao [2013] No. 167 (15 May 2013).
 102. *Hainan Province Public Notice on the Planned 2012-2013 List of Supported Foreign Trade Common Service Platform Projects*, Hainan Province Department of Commerce (12 September 2013).
 103. *Notice on Doing Well the Administrative Work of the 2013 Foreign Trade Common Service Platform Construction Fund*, Zhejiang Province Department of Commerce, Department of Finance, Zhe Shang Wu Lian Fa [2013] No. 84 (26 July 2013).

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104. *Notice on Applying for the 2013 Foreign Trade Common Service Platform Support Fund*, Fujian Province Department of Foreign Trade and Economic Cooperation, Department of Finance, Min Wai Jing Mao Ji Cai [2013] No. 44 (16 July 2013).
 105. *Notice on the Administrative and Application Work of the 2013 Foreign Trade Common Service Platform Construction Fund*, Hunan Province Department of Commerce, Department of Finance, Xiang Shang Mao Fa [2013] No. 29 (16 July 2013).
 106. *Public Notice on the 2013 "Foreign Trade Common Service Platform" Determination Results*, Hunan Province Department of Commerce (9 July 2013).
 107. *Supplemental Notice on Applying for the 2013 Foreign Trade Common Service Platform Construction Fund Projects*, Anhui Province Bureau of Commerce, Wan Shang Chan Han [2013] No. 11 (24 April 2013).
 108. *Notice on Doing Well the Administrative Work of the 2013 Foreign Trade Common Service Platform Construction Fund*, Hebei Province Department of Finance, Department of Commerce, Ji Cai Qi [2013] No. 9 (10 April 2013).
 109. *Qinghai Province Opinions on the Administration and Implementation of the Foreign Trade Common Service Platform Construction Fund*, Qinghai Province Department of Commerce, Department of Finance, Qing Shang Ji Dian Zi [2013] No. 155 (14 May 2013).
 110. *Qinghai Province Department of Commerce Notice on Organizing the Application of 2013 Foreign Trade Common Service Platform Construction Projects*, Qinghai Province Department of Commerce (14 April 2013).
 111. *Notice on Doing Well the Administrative Work of the 2013 Foreign Trade Common Service Platform Construction Fund*, Shandong Province Department of Finance, Department of Commerce, Lu Cai Qi [2013] No. 38 (31 July 2013).
 112. *Notice on Doing Well the Administrative Work of Our [Autonomous] Region 2013 Foreign Trade Common Service Platform Construction Fund*, Xinjiang Uygur Autonomous Region Department of Commerce, Department of Finance, Xin Shang Fa [2013] No. 163 (21 August 2013).
 113. *Notice on Doing Well the Administrative Work of the Tianjin Municipality 2013 Foreign Trade Foreign Trade [sic] Common Service Platform Construction Fund*, Tianjin Commission of Commerce, Finance Bureau, Jin Cai Qi Er [2013] No. 9 (No Date).
 114. *Notice on Doing Well the Application Work of the 2013 Guizhou Province Foreign Trade Common Service Platform Construction Fund Projects*, Qian Shang Fa [2013] No. 69 (2013).
 115. *Notice on Doing Well the Administrative Work of the Liaoning Province 2013 Foreign Trade Common Service Platform Construction Fund*, Liao Cai Liu [2013] No. 515 (2013).
 116. *Notice on Issuing the Administrative Measure on the Guangxi Foreign Trade Common Service Platform Construction Fund*, Guangxi Zhuang Autonomous Region Department of Finance, Department of Commerce, Gui Cai Shang [2013] No. 62 (11 September 2013).
 117. *Notice on Doing Well the Administrative Work of the 2013 Foreign Trade Common Service Platform Construction Fund*, Jiangsu Province Department of Finance, Department of Commerce, Su Cai Gong Mao [2013] No. 154 (8 November 2013).
 118. *Notice on Doing Well the Administrative Work of the 2013 Guangdong Province Foreign Trade Common Service Platform Construction Fund*, Guangdong Province Department of Foreign Trade and Economic Cooperation, Department of Finance, Yue Wai Jing Mao Cai Zi [2013] No. 12 (17 September 2013).
 119. *Notice on Doing Well the Application Work of the 2013 Foreign Trade Common Service Platform Construction Projects*, Longquan City (Zhejiang Province) Bureau of Commerce, Bureau of Finance (5 September 2013).

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120. *Notice on Doing Well the Administrative Work of the 2013 Foreign Trade Common Service Platform Construction Fund*, Xiaoshan District (Hangzhou City, Zhejiang Province) Bureau of Commerce (27 August 2013).
 121. *Notice on Doing Well the Application Work of the 2013 Foreign Trade Common Service Platform Construction Fund*, Zhengzhou City (Henan Province) Bureau of Commerce (9 July 2013).
 122. *Xuchang City Bureau of Commerce Notice on Strengthening the Work of the Foreign Trade Common Service Platform Construction*, Xuchang City (Henan Province) Bureau of Commerce, Xu Shang Wu Zi [2013] No. 7 (15 January 2013).
 123. *Notice on Disbursing the 2013 Foreign Trade Common Service Platform Construction Fund*, Nanyang City (Henan Province) Bureau of Finance, Wan Cai Yu [2013] No. 865 (2013).
 124. *Report on Submitting the 2013 Shaanxi Province Foreign Trade Common Service Platform Construction Fund Projects*, Yan'an City (Shaanxi Province) Bureau of Commerce, Bureau of Finance, Yan Shi Shang Zi [2013] No. 83.
 125. *Wuxi City Public Notice on the Foreign Trade Common Service Platform Projects*, Wuxi City (Jiangsu Province) Bureau of Commerce, Bureau of Finance (16 July 2013).
 126. *Notice on the Application Work of the 2013 Foreign Trade Common Service Platform Construction Fund*, Nantong City (Jiangsu Province) Bureau of Commerce, Bureau of Finance, Tong Shang Fa [2013] No. 226 (15 November 2013).
 127. *Kunming City (Interim) Measure on the Administration of the Foreign Trade Common Service Platform Construction Fund*, Kunming City (Yunnan Province) Bureau of Finance, Bureau of Commerce, Kun Cai Qi Er [2013] No. 103 (29 September 2013).
 128. *Xiamen City Measure on the Administration and Use of the Foreign Trade Common Service Platform Construction Fund*, Xiamen (Fujian Province) Municipal Bureau of Commerce, Bureau of Finance, Xia Shang Wu [2013] No. 339 (22 October 2013).
 129. *Notice on Doing Well the Administrative Work of the 2013 Foreign Trade Common Service Platform Construction Fund*, Qingdao City (Shandong Province) Department of Finance, Department of Commerce, Qing Cai Qi [2013] No. 34 (7 August 2013).
 130. *Notice on Doing Well the Administrative Work of the 2012 Guangdong Province Foreign Trade Common Service Platform Construction Fund*, Guangdong Province Department of Foreign Trade and Economic Cooperation, Department of Finance, Yue Wai Jing Mao Gui Cai Zi [2012] No. 18 (17 September 2012).
 131. *Notice on Doing Well the Administrative Work of the 2012 Foreign Trade Common Service Platform Construction Fund*, Jiangsu Province Department of Finance, Department of Commerce, Su Cai Gong Mao [2012] No. 107 (29 August 2012).
 132. *Notice on Doing Well the Application Work of the 2012 Guizhou Province Foreign Trade Common Service Platform Construction Fund Projects*, Guizhou Province Department of Commerce, Qian Shang Fa [2012] No. 199 (14 August 2012).
 133. *Notice on Doing Well the Administrative Work of the 2012 Foreign Trade Common Service Platform Construction Fund*, Hebei Province Department of Commerce, Ji Cai Qi [2012] No. 36 (17 May 2012).
 134. *Notice on Disbursing the 2012 Foreign Trade Common Service Platform Construction Fund*, Hebei Province Department of Finance, Ji Cai Qi [2012] No. 111 (No Date).
 135. *Notice on Plan for Applying for the 2012 Foreign Trade Common Service Platform Construction Project*, Zhejiang Province Department of Commerce, Department of Finance, Zhe Shang Wu Lian Fa [2012] No. 46 (23 April 2012).

136. *Notice on the Strengthening the Foreign Trade Common Service Platform Construction Work*, Zhejiang Province Department of Commerce, Department of Finance, Zhe Shang Wu Lian Fa [2012] No. 27 (2 March 2012).
137. *Notice on Recruiting 2012 Foreign Trade Common Service Platform Project*, Qinghai Province Department of Commerce, Department of Finance (16 March 2012).
138. *Beijing Municipal Commission of Commerce Reply on Disbursing the 2011 Beijing Foreign Trade Common Service Platform Construction Fund*, Beijing Municipal Commission of Commerce, Jing Shang Wu Cai Wu Zi [2012] No. 54 (2012).
139. *Notice on Disbursing the Foreign Trade Common Service Platform Construction Fund*, Liaoning Province Department of Finance, Liao Cai Zhi Liu [2012] No. 1231 (2012).
140. *Anhui Province Department of Finance Notice on Disbursing the 2012 First Batch Foreign Trade Common Service Platform Construction Fund [Quota]*, Cai Qi [2012] No. 1592 (2012).
141. *Notice on Disbursing the 2012 Foreign Trade Common Service Platform Construction Fund*, Xinjiang Production and Construction Corps (Xinjiang Uygur Autonomous Region) Bureau of Finance, Shi Cai Fa [2012] No. 665 (No Date).
142. *Notice on Application Matters [Regarding] the 2012 Foreign Trade Common Service Platform Construction Fund*, Yantai City (Shandong Province) Bureau of Commerce (2 July 2012).
143. *Notice on Disbursing the 2012 Inner Mongolia Autonomous Region Foreign Trade Common Service Platform Construction Fund*, Huhehaote City (Inner Mongolia Autonomous Region) Bureau of Finance, Hu Cai Gong [2012] No. 69 (2012).
144. *Notice on Disbursing the 2012 Foreign Trade Common Service Platform Construction Fund*, Xingtai City (Hebei Province) Bureau of Finance, Xing Shi Cai Shang [2012] No. 37 (2012).
145. *Xiamen City Measure on the Administration and Use of the Foreign Trade Common Service Platform Construction Fund*, Xiamen (Fujian Province) Municipal Bureau of Commerce, Bureau of Finance, Xia Shang Wu [2013] No. 160 (8 May 2013).
146. *Notice on Carrying Out the Application Work of the 2011 Chongqing Municipality Foreign Trade Common Service Platform Construction Fund Support Projects*, Chongqing Municipal Foreign Trade and Economic Relations Commission, Finance Bureau, Yu Wai Jing Mao Fa [2011] No. 325 (31 August 2011).
147. *Notice on Doing Well the Administrative Work of the 2011 Foreign Trade Common Service Platform Construction Fund*, Hebei Province Department of Commerce, Ji Cai Qi [2011] No. 62 (4 July 2011).
148. *Notice on Doing Well the Application Work of the 2011 Foreign Trade Common Service Platform Construction Fund Projects*, Shaanxi Province Department of Commerce, Department of Finance (10 June 2011).
149. *Notice on Applying for the 2011 Qinghai Province Foreign Trade Common Service Platform Construction Fund Project*, Qinghai Province Department of Commerce, Qing Shang Mao Zi [2011] No. 105 (15 March 2011).
150. *Notice on Doing Well the Work of Administating and Using the 2011 Foreign Trade Common Service Platform Construction Special Fund*, Shandong Province Department of Finance, Department of Commerce, Lu Cai Qi [2011] No. 36 (26 July 2011).
151. *Notice on Doing Well the Administrative Work of the 2011 Guangdong Province Foreign Trade Common Service Platform Construction Fund*, Guangdong Province Department of Foreign Trade and Economic Cooperation, Department of Finance, Yue Wai Jing Mao Gui Cai Zi [2011] No. 20 (25 August 2011).

152. *Notice on Doing Well the Administrative Work of the 2011 Foreign Trade Common Service Platform Construction Special Fund*, Zhejiang Province Department of Finance, Department of Commerce, Zhe Cai Qi [2011] No. 206 (18 July 2011).
153. *Notice on Organizing the Application for the 2011 Jilin Province Foreign Trade Common Service Platform Construction Fund Project*, Jilin Province Department of Finance, Ji Cai Qi [2011] No. 503 (12 August 2011).
154. *Notice on Organizing the Application for the 2011 Shanghai Municipality Foreign Trade Common Service Platform Construction Fund Project*, Shanghai Municipal Commission of Commerce, Municipal Finance Bureau (19 April 2012 [sic]).
155. *Notice on Carrying Out the Application for the 2011 Foreign Trade Export Base Common Service Platform Construction Fund Project*, Hangzhou City (Zhejiang Province) Bureau of Foreign Trade and Economic Cooperation, Bureau of Finance (19 September 2011).
156. *Notice on Doing Well the Administrative Work of the 2011 Foreign Trade Common Service Platform Construction Fund*, Ningbo City (Zhejiang Province) Bureau of Foreign Trade and Economic Cooperation, Bureau of Finance, Yong Cai Zheng Wai [2011] No. 635, Yong Wai Jing Mao Mao Guan [2011] No. 60 (1 July 2011).
157. *Public Notice on the Xiamen City First Batch Foreign Trade Common Service Platform Project*, Xiamen (Fujian Province) Municipal Bureau of Trade Development (31 January 2011).
158. *Xiamen City Measure on the Administration and Use of the Foreign Trade Common Service Platform Construction Fund*, Xiamen (Fujian Province) Municipal Bureau of Commerce, Bureau of Finance, Xia Shang Wu Gui Cai [2011] No. 275 (24 June 2011).
159. *Notice on Doing Well the Use and Administrative Work of the 2011 Shenzhen City Central Foreign Trade Common Service Platform Construction Fund*, Shenzhen City (Guangdong Province) Economic Trade and Information Commission, Shen Ke Gong Mao Xin Ji Cai Zi [2011] No. 184 (9 November 2011).
160. *Notice on 2014 Our Province's Application Work for the Foreign Trade Promotion Policy Fund Projects*, Anhui Province Bureau of Commerce, Department of Finance (4 April 2014).
161. *Notice on Provincial Level 2014 Application Work for the Foreign Trade Promotion Policy Fund Projects*, Wuhu City (Anhui Province) Bureau of Commerce (10 April 2014).
162. *Fujian Province Interim Measure on the Administration of the Trade Promotion Special Fund Use*, Fujian Province Department of Finance, Department of Commerce, Min Cai Wai [2014] No. 38 (10 September 2014).
163. *Luoyang City Commerce Bureau Notice on the Supplemental Submission of the 2014 Foreign Trade Promotion Fund Projects*, Luoyang Municipal (Henan Province) Bureau of Commerce (14 March 2014).
164. *Several Measures on Supporting Foreign Trade Steady Growth*, Beijing Municipality People's Government Office, Jing Zheng Ban Fa [2014] No. 55 (14 October 2014).
165. *Jiangxi Provincial People's Government Office Opinions on the Implementation of the Support of the Entire Province's Foreign Trade Steady Growth*, Jiangxi Provincial People's Government, Gan Fu Ting Fa [2014] No. 37 (27 August 2014).
166. *Several Measures on Supporting Foreign Trade Steady Growth*, Beijing Municipality People's Government Office, Jing Zheng Ban Fa [2014] No. 55 (14 October 2014).

Because the Demonstration Base / Common Service Platform program and export subsidies under that program, as reflected in the instruments listed in Sections I.A and I.B, are subsidies contingent upon export performance provided to enterprises located in China, the measures

appear to be inconsistent with Article 3.1(a) of the SCM Agreement, and China appears to have acted inconsistently with Article 3.2 of the SCM Agreement.

II. Demonstration Base Grant Programs and Subsidies

It appears that China provides export-contingent subsidies through nine programs that provide grants to entities participating in the Demonstration Base program. As noted, China designates an industrial cluster of enterprises in a particular industry as a Demonstration Base, based on, *inter alia*, export performance.

Each program and the export subsidies under that program are reflected in the nine respective legal instruments below, operating in conjunction with the Demonstration Base program (as reflected in the legal instruments set out in Section I.A), as well as any amendments or related, successor, replacement, or implementing measures:

167. *Bao'an District Several Measures on Further Promoting Taiwanese Enterprise Transformation and Upgrading*, Communist Party of China Shenzhen City Committee Bao'an District (Guangdong Province) United Front Department (1 March 2013).
168. *Zhuhai City Measure on the Administration of Expanding Import Special Supporting Funds*, Zhuhai City Science and Technology Department, Zhuhai City Bureau of Finance, Zhu Ke Gong Mao Xin [2012] No. 114 (9 October 2012).
169. *Dabu County Preferential Measure on Accelerating the Ceramics Industry Development*, Dabu County (Meizhou City, Guangdong Province) People's Government, Bu Fu Ban [2012] No. 84 (5 September 2012).
170. *Foshan City Nanhai District Measure for Promoting Brand Strategy and Indigenous Innovation Assistance and Rewards*, Nanhai District (Foshan City, Guangdong Province) People's Government, Nan Fu [2012] No. 85 (24 February 2012).
171. *Longhua New District Several Measures on Accelerating the Promotion of Industrial Transformation and Upgrading*, Longhua New District (Shenzhen City, Guangdong Province) Economic Services Bureau (28 August 2012).
172. *Make Robust Institutional Systems and Accelerate Promotion and Implementation to Create Poultry Foreign Trade Transformation and Upgrading Demonstration Bases*, Zhucheng City (Shandong Province) Bureau of Commerce (14 January 2013).
173. *Weifang City 2012 Support Foreign Economic and Trade Development Policies*, Weifang City Bureau of Finance, Weifang City (Shandong Province) Bureau of Commerce, Wei Cai Qi [2012] No. 73 (5 May 2012).
174. *Tai'an City Twelfth Five-Year Financial Resources Construction Policies Guideline*, Tai'an City (Shandong Province) Financial Resources Construction Leading Small Group Office, Tai Cai Yuan Ban [2012] No. 4 (16 April 2012).
175. *Wenzhou City People's Government Several Opinions on Promoting Foreign Trade Growth*, Wenzhou City (Zhejiang Province) People's Government, Wen Zheng Fa [2012] No. 63 (11 July 2012).

Because each program and the subsidies under the program, as reflected in the instruments referred to above, are subsidies contingent upon export performance provided to enterprises located in China, the measures appear to be inconsistent with Article 3.1(a) of the SCM Agreement, and China appears to have acted inconsistently with Article 3.2 of the SCM Agreement.

Therefore, the United States respectfully requests, pursuant to Article 6 of the DSU and Article 4.4 of the SCM Agreement, that the Dispute Settlement Body ("DSB") establish a panel to examine this matter, with standard terms of reference as set out in Article 7.1 of the DSU. Pursuant to Article 4.4 of the SCM Agreement, the panel shall be established immediately, unless the DSB decides by consensus not to establish a panel.
