



## POLICIES IN INDIA AFFECTING U.S. BUSINESS QUESTIONNAIRE (DRAFT)

### Interactive Completion Version

United States International Trade Commission  
Attention: India Survey Project Team  
Office of Industries, Room 511-G  
500 E Street, SW, Washington, DC 20436  
Fax: 202-205-2217

The U.S. International Trade Commission (USITC) is conducting a fact-finding investigation regarding Indian industrial policies that discriminate against U.S. imports and investment, and their effect on the U.S. economy. The House Committee on Ways and Means and the Senate Committee on Finance requested this investigation. The Committees directed the USITC to survey U.S. companies about recent changes in Indian policies and the effect these changes have had on company strategies towards India. This questionnaire has been designed to collect information to fulfill this request. You can learn more about this investigation (no. 332-543) by clicking on the following button:

### What we are asking you

If your organization has:	This survey asks:
No exports and no foreign affiliates	Limited information about your company so we can ensure our survey accurately represents your industry
Exports to, or foreign affiliates in, countries other than India	Whether Indian policies have affected your decision not to engage with India
Exports to India or foreign affiliates there	Your experience with Indian policies and how they have affected your company

### Your organization is required by law to respond to this questionnaire.

Please read all instructions and return the completed questionnaire to the USITC no later than March 18, 2014.

We are requesting this information under the authority of section 332(g) of the Tariff Act of 1930 (19 U.S.C. § 1332(g)). Completing the questionnaire is mandatory, and failure to reply as directed can result in a subpoena or other order to compel the submission of records or information in your possession (19 U.S.C. § 1333(a)). For more information on this questionnaire, contact project team members William Powers or Renee Berry at [indiasurvey@usitc.gov](mailto:indiasurvey@usitc.gov). You may also call the team at 202-708-4721 or 202-708-2719.

### Confidentiality

The Commission has designated as "confidential business information" the information you provide in response to this questionnaire, to the extent that such information would reveal the operations of your organization and is not otherwise available to the public. The Commission will not disclose such confidential business information except as provided for in section 9 of this questionnaire. Information received in response to this questionnaire will be aggregated with information from other questionnaire responses and will not be published in a manner that would reveal the operations of your organization.

## Instructions

1. **Completing the questionnaire.** The best way to answer this questionnaire is to use an interactive version that is available online. To retrieve this version, go to the website shown below. Follow the instructions on this web page and save the questionnaire to your computer. Use this version of the questionnaire if you are completing it interactively.

<http://www.usitc.gov/indiasurvey>

If you prefer not to use the interactive version, you must contact the project team (see cover for contact information) and request a hard copy of the questionnaire. This is the only way to obtain a hard copy of the questionnaire; if you print out the interactive version, you will not have access to drop-down menus, and critical information will be missing.

2. **Accessing the file.** Open the questionnaire file using Adobe Reader software. If you have an old version of this software, you may be prompted by your computer operating system to upgrade (this is free software). **Contact the project team if you cannot open the file (see cover for contact information).**

Note: Once opened, the file will accept information. It has been designed to make it easy for you to complete the questionnaire electronically, and to minimize the need for the Commission's project team to contact you for clarifications.

3. **Entering information.** Please answer each question that applies to your organization. You can answer questions using the provided checkboxes, drop-down lists, and type-in entry areas. These entry areas are normally highlighted in blue, although this color may vary depending on your computer's settings. Some questions with drop-down lists let you customize the way you enter information (these cases will be indicated in the question text).

You will not be able to change the questionnaire itself or enter information outside the entry areas. Certain type-in entry areas will accept only numbers and not text.

4. **Navigation.** Move to entry areas by clicking on them. You can use the tab key to do this, but only within a page. Use the navigation buttons on the bottom of the page to move directly to a specific section.
5. **Entering numeric data.** Enter data for sales, employees, exports, etc. in full figures, not in thousands, millions, or similar format. For example, enter "123400000," not "123400" or "123.4." (Commas between digits will appear automatically after you enter the numbers.)
6. **Submitting the questionnaire.** Please keep the file as an Acrobat pdf file and do not convert it to another file format. The preferred method of submission is transmitting your questionnaire to our secure drop box at the website shown below. The PIN is **1969**.

<https://dropbox.usitc.gov>

Please see section 10 for all submission options.

### General information

1. **Coordinating your organization's response.** If separate persons or departments within your organization will share responsibility for completing this questionnaire, please coordinate your responses so that the information your organization gives us is consistent. This will minimize our need to call you back for clarifications.
2. **Relationship to corporate structure.** Please provide a single response for your organization's activities. This may require your organization to combine information from two or more business units.

If it is not possible to combine responses, or it is unreasonably burdensome, then your organization may provide separate responses for business units, but please ensure that the information is complete and that there is no double-counting. If you have joint venture organizations operating in the United States, please ensure there is no double-counting with other business units of the joint venture partners.

3. **U.S. affiliates of foreign companies.** Please respond as if the affiliate were an independent organization operating in the United States. For example, show total sales for the affiliate and its subsidiaries only, and not for the foreign corporation.
4. **"You" and "Your."** Parts of the questionnaire refer to "you" and "your." These words refer to the organization that is responding to the questionnaire.
5. **"United States."** This refers to the customs territory of the United States, which includes the 50 states, the District of Columbia, and Puerto Rico.
6. **Year.** All references to years means calendar years. If you normally use fiscal years, please convert to a calendar year basis for the responses in this questionnaire.
7. **Questionnaire structure.** This questionnaire is composed of ten sections, as shown below.

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## Definitions

1. **Goods:** Products that are covered by the Harmonized Tariff System (i.e., any product for which imports are typically recorded by the Customs bureaus of national governments). This includes all agricultural products, natural resources, and manufactured products. If your firm exports "goods" that are provided digitally, such as software files transferred over the Internet, you should generally record these as exports of services (see definition below), rather than as goods, unless you also export the files on physical media (e.g., disks, hard drives) and cannot separate export figures for the two different forms.
2. **Services:** Products that do not have physical form. This includes wholesale trade, retail trade, transportation and warehousing, information, finance and insurance, real estate and rental and leasing, professional, scientific, and technical services, certain services provided by mining, utilities, and construction firms, and other services as defined in the 2007 version of the North American Industry Classification System (NAICS 2007). Products that are exported digitally and that are not also distributed on physical media (e.g., disks, hard drives) should be recorded as exports of services. Please see the definition of goods (above) for further guidance on the classification of digital exports.
3. **Foreign affiliate:** A firm in a foreign country in which your organization has an equity stake of 10 percent or more.
4. **Establishment:** A single physical location at which business is conducted and/or services are provided. It is not necessarily identical with a company or enterprise, which may consist of one establishment or more. The main objective of the site should be to conduct business. Independent contractors or employees working out of their homes should not be considered separate establishments.
5. **Sales:** Goods or services sales, net of returns, discounts, and allowances. Includes internal consumption and transfers to related organizations, as applicable, at fair market value. Same as sales as shown on a typical income statement.
6. **Employees:** The number of employees (including part-time and temporary workers) at your organization's facilities. Include production and related workers, managers, supervisors, technicians, office workers, etc. related to your organization's activities. If your firm is an affiliate of a foreign firm, include only employees that can be attributed directly to your organization's U.S. affiliates.

**Section 1: Basic Information**

- 1.1 Please enter the 5 digit identification number that was in the notification letter we sent to your organization. This will allow the project team to track your response. If you do not know this number, leave the entry area blank and proceed to the next question.

Identification number

- 1.2 Please list your organization's primary address and a contact person.

Organization name

Address

City

State

Zip code

Website address (www.name.domain)

Contact person's name

Contact person's job title

Contact person's telephone number (xxx-xxx-xxxx)

Contact person's email address (xxx@xxx.xxx)

- 1.3 Is the organization named above a subsidiary of an organization operating in the United States?

 Yes

 No

If this questionnaire has been sent to one or more subsidiaries and/or the related parent company, then there should be one coordinated response. If it is not possible to coordinate responses, or it is unreasonably burdensome, then your organization may provide separate responses for subsidiaries, but please ensure that the information is complete for your entire organization and that there is no double-counting.

- 1.4 Is the organization named above a parent company operating in the United States?

 Yes

 No

If your organization is a parent company, then this submission should reflect all the activities of the subsidiaries that have U.S. operations. Alternatively, each subsidiary with U.S. operations may provide a separate questionnaire response.

How to report numeric figures	
If sales or costs are \$1,200,500, enter in full figures as:	1200500
If the number of employees is 1,550, enter in full figures as:	1550
Note: After you enter a numeric figure, commas between digits will appear automatically.	

1.5 Please list the number of employees (including part-time and temporary workers) during the years indicated below for your organization's U.S. and foreign activities. **Your best estimates are acceptable.** If your organization is an affiliate of a foreign organization, include only employees that can be directly attributed to your organization's U.S. affiliate and to foreign locations that report to the U.S. affiliate.

#	Employees	2007	2010	2013
1	Number of employees for all your organization's activities in the <b>United States and all foreign countries</b> (in full-figures, not in millions or other format)			

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1.6 What is your organization's primary sector and corresponding subsector? If your organization is in multiple sectors, please select the one that composes the highest percentage of your revenue in 2013. Check one primary sector below, and then select one subsector from the corresponding drop-down list.

**Primary sector (pick one)**

**Subsector**

- |  |                      |
|--|----------------------|
| <input type="checkbox"/> Agricultural products, processed foods, and beverages                               | <input type="text"/> |
| <input type="checkbox"/> Natural resources, metals, and related downstream products                          | <input type="text"/> |
| <input type="checkbox"/> Chemicals, textiles and other manufactured goods/equipment                          | <input type="text"/> |
| <input type="checkbox"/> Financial services  | <input type="text"/> |
| <input type="checkbox"/> Retail, wholesale, and related services   | <input type="text"/> |
| <input type="checkbox"/> Telecommunication, broadcasting, publishing, information, and IP licensing services | <input type="text"/> |
| <input type="checkbox"/> Other services  | <input type="text"/> |

1.7 During 2013, how important to your business were the following types of intellectual property?

#	Intellectual property type	Not important	Somewhat important	Very important
1	Patents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Trademarks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Copyrights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Trade secrets, including protection of test data	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1.8 During 2007-2013, did your organization (check all that apply):

- Export goods or services from the United States to any foreign country?
- Have an equity stake of 10 percent or more in an affiliated organization in any foreign country?

If you checked any of the boxes in question 1.8, please go to the next section.

If you did not check any of the boxes in question 1.8, please go to section 9.

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**Section 2: Activity in India**

Beginning with this section, you will be asked to provide data on goods and services separately. You will also be asked to separate these data depending on whether these goods or services originate from your U.S. facilities or your Indian facilities. Please note:

The export of goods (or merchandise) includes the sale of goods by your U.S. facilities to customers in India. If these same goods were sold by your operations in India, then it would count as a foreign affiliate sale.

Service exports occur when your organization sells services from facilities based in the United States to consumers in India, with people, information, or money crossing national boundaries in the process. For example, if your organization has accountants based in the United States that provide services for a firm in India, these are service exports. If your organization sells the same service from accountants based in Indian facilities, then these count as foreign affiliate sales.

See the definitions section for more information about these terms.

2.1 During 2007-2013, did your organization (check all that apply):

- Export goods or services from the United States to **India**?
- Have an equity stake of 10 percent or more in an affiliated organization in **India**?

If you checked any of the boxes in question 2.1, please go to the next question.

If you did not check any of the boxes in question 2.1, please go to section 7.

2.2 In what year did your organization first engage in the Indian market via exports or foreign affiliate sales?

Year (XXXX)



- 2.3 Please list the value of your organization's exports of goods and services from the United States to India during the years indicated below. **Your best estimates are acceptable.** If you did not have any such exports, please leave these question response areas blank.

#	Category	2007	2010	2013
1	Total exports of goods to India from U.S. operations (in full-figures, not in millions or other format)			
2	Total exports of services to India from U.S. operations (in full-figures, not in millions or other format)			

Note: Total exports should include all exports that originated in the United States and whose final destination was India. The value should include exports to both affiliated and unaffiliated organizations in India, as well as any exports directly to final consumers. If your organization exported a product that combined or bundled a service, please allocate the values across the two categories.

- 2.4 A. Do Indian firms produce goods or services that have equivalent quality and compete directly with your products or services in the Indian market ?

Yes

No

- B. If yes, please indicate below how the price of the directly competing Indian goods or services compare, on average, with the goods or services sold by your firm in the Indian market. **Your best estimate is acceptable.**

Prices are comparable

Prices of your goods or services are higher than Indian goods or services by  percent

Prices of your goods or services are lower than Indian goods or services by  percent

- 2.5 Please list the value of your organization's equity investment in Indian affiliates and the value of sales by those affiliates during the years indicated below. **Your best estimates are acceptable.** If you did not have any such investment or sales, please leave these question response areas blank.

#	Category	2007	2010	2013
1	Total investment into India (in full-figures, not millions or other format)			
Foreign affiliate sales:				
2	Total foreign affiliate sales of goods in India (in full-figures, not in millions or other format)			
3	Total foreign affiliate sales of services in India (in full-figures, not in millions or other format)			
4	Total foreign affiliate sales			

Note: Total investment should include the cumulative value of debt, equity, and reinvested earnings invested into the foreign affiliate as of the end of the year. For both investment and sales, include only entities in which your organization controls 10 percent or more of the voting stock. If your organization sold a product that combined or bundled a service, please allocate the values across the two categories.

2.6 Please indicate the states in India in which your organization had establishments at the end of 2013. If you had no such establishments, please leave the question response check box(es) blank.

An establishment is a single physical location at which business is conducted and/or services are provided. It is not necessarily identical with a company or enterprise, which may consist of one or more establishments. The main objective of the site should be to conduct business. Independent contractors or employees working out of their homes should be excluded.

Region	State	Check if you have establishments in the state	State	Check if you have establishments in the state
North India:				
	Delhi National Capital Territory	<input type="checkbox"/>	Madhya Pradesh	<input type="checkbox"/>
	Chandigarh	<input type="checkbox"/>	Punjab	<input type="checkbox"/>
	Chhattisgarh	<input type="checkbox"/>	Rajasthan	<input type="checkbox"/>
	Haryana	<input type="checkbox"/>	Uttar Pradesh	<input type="checkbox"/>
	Himachal Pradesh	<input type="checkbox"/>	Uttarakhand	<input type="checkbox"/>
	Jammu and Kashmir	<input type="checkbox"/>		
West India:				
	Goa	<input type="checkbox"/>	Karnataka	<input type="checkbox"/>
	Gujarat	<input type="checkbox"/>	Maharashtra	<input type="checkbox"/>
South India:				
	Andra Pradesh	<input type="checkbox"/>	Tamil Nadu	<input type="checkbox"/>
	Kerala	<input type="checkbox"/>		
East India:				
	Bihar	<input type="checkbox"/>	Odisha	<input type="checkbox"/>
	Jharkhand	<input type="checkbox"/>	West Bengal	<input type="checkbox"/>
North East India, Islands, and other Union Territories:				
	Andaman and Nicobar Islands	<input type="checkbox"/>	Meghalaya	<input type="checkbox"/>
	Arunachal Pradesh	<input type="checkbox"/>	Mizoram	<input type="checkbox"/>
	Assam	<input type="checkbox"/>	Nagaland	<input type="checkbox"/>
	Dadra and Nagar Haveli	<input type="checkbox"/>	Puducherry	<input type="checkbox"/>
	Daman and Diu	<input type="checkbox"/>	Sikkim	<input type="checkbox"/>
	Lakshadweep	<input type="checkbox"/>	Tripura	<input type="checkbox"/>
	Manipur	<input type="checkbox"/>		

### Section 3: Exports of Goods To India

3.1 Did your organization **export goods** from the United States to India at any point during 2007-2013?

Yes

No

If you answered "Yes" to question 3.1, please go to the next question.

If you answered "No" to question 3.1, please go to section 4.

3.2 What types of goods did your organization export from the United States to India during 2007-2013? Check all that apply.

Agricultural products, manufactured food products, alcohol, tobacco

Mineral products (e.g., petroleum, ores), precious stones (e.g., diamonds), or metals (e.g., gold)

Manufactured goods (other than manufactured food products, alcohol, and tobacco products)

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3.3 Were your exports of goods from the United States to India affected by any of the following issues during the years indicated below? For each issue faced, please rate how severely it affected your organization's exports to India (0 = did not face it; 1 = existed but had no effect; 2 = existed but had minimal effect; 3 = moderate effect; 4 = severe effect; 5 = prohibitive effect). Also, please indicate how the issue affects your organization as compared with Indian firms, and how policies in Indian states compare with Indian national policies in 2013 (Yes/No/unknown). If you have multiple lines of business, report the average effect.

#	Issue (full name)	Check if not faced during 2007-2013	Severity of effect in 2007	Severity of effect in 2010	Severity of effect in 2013	Your organization more affected than Indian firms?	Indian state-level policies negatively affected your organization more than Indian national policies?
1	High import duties	<input type="checkbox"/>					
2	High taxes (excluding duties)	<input type="checkbox"/>					
3	Inconsistent, variable, or non-transparent duties or taxes	<input type="checkbox"/>					
4	Uncertainty or inconsistency of implementation of current or draft Indian regulations	<input type="checkbox"/>					
5	Requirements that items you sell in India contain domestic Indian content (including local "working" requirements)	<input type="checkbox"/>					
6	Subsidies, price supports, or other assistance given to your Indian-owned competitors by the Indian government	<input type="checkbox"/>					
7	Inadequate protection of intellectual property	<input type="checkbox"/>					
8	Inadequate protection of regulatory test data	<input type="checkbox"/>					
9	Involuntary technology transfer (including compulsory licensing)	<input type="checkbox"/>					
10	Import bans on specific products (including bans on genetically modified organisms)	<input type="checkbox"/>					
11	Customs administration problems (e.g., transparency of rules, documentation requirements, valuation of goods)	<input type="checkbox"/>					
12	Difficulty complying with Indian standards, sanitary and phytosanitary rules, or regulations on product characteristics; or problems obtaining or maintaining certifications	<input type="checkbox"/>					
13	Difficulty complying with consumer labeling requirements	<input type="checkbox"/>					
14	Market control by state trading enterprises	<input type="checkbox"/>					
15	Other (specify):	<input type="checkbox"/>					

- 3.4 If your organization has experienced specific instances of the issues listed in the last question, please provide more detail on the type of measure you have faced. Please focus on those that pose the most significant challenges (those that you rated as a 4 or 5 in 2013). First select an issue in the table below (up to a maximum of two), then enter comments in the adjacent column.

#	Issue (short name)	Comment
1		
2		

- 3.5 Select the product that was **most** affected by the issues listed in question 3.3 in 2013 in the column below, and then list the exports of this product as a share of your organization's total exports of goods from the United States to India that you reported on line 1 of question 2.2. **Your best estimates are acceptable.**

#	Specific product (choose from list below)	Exports of specific product as a share of your organization's total exports of goods to India (percent)		
		2007	2010	2013
1				

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## Section 4: Foreign Affiliate Sales of Goods in India

4.1 Did your organization sell goods through a foreign affiliate in India during 2007-2013?

Yes

No

If you answered "Yes" to question 4.1, please go to the next question.

If you answered "No" to question 4.1, please go to section 5.

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4.2 Were your organization's sales of goods by your Indian affiliates affected by any of the following issues during the years indicated below? For each issue faced, please rate how severely it affected your organization's exports to India (0 = did not face it; 1 = existed but had no effect; 2 = existed but had minimal effect; 3 = moderate effect; 4 = severe effect; 5 = prohibitive effect). Also, please indicate how the issue affects your organization as compared with Indian firms, and how policies in Indian states compare with Indian national policies in 2013 (Yes/No/unknown). If you have multiple lines of business, report the average effect.

#	Issue (full name)	Check if not faced during 2007-2013	Severity of effect in 2007	Severity of effect in 2010	Severity of effect in 2013	Your organization more affected than Indian firms?	Indian state-level policies negatively affected your organization more than Indian national policies?
1	High taxes (excluding duties)	<input type="checkbox"/>					
2	Inconsistent, variable, or nontransparent taxes	<input type="checkbox"/>					
3	Uncertainty or inconsistency of implementation of current or draft Indian regulations	<input type="checkbox"/>					
4	Requirements that items you sell in India must contain domestic Indian content (including local "working" requirements)	<input type="checkbox"/>					
5	Subsidies, price supports, or other assistance given to your Indian-owned competitors by the Indian government	<input type="checkbox"/>					
6	Inadequate protection of intellectual property	<input type="checkbox"/>					
7	Inadequate protection of regulatory test data	<input type="checkbox"/>					
8	Involuntary technology transfer (including compulsory licensing)	<input type="checkbox"/>					
9	Difficulty importing intermediate inputs into India or other problems with customs administration	<input type="checkbox"/>					
10	Difficulty getting required permits/approvals/licenses for investment from the Indian government	<input type="checkbox"/>					
11	Requirement that a share of goods you produce in an Indian affiliate must be exported	<input type="checkbox"/>					
12	Requirements that certain staff or a share of staff must be Indian citizens	<input type="checkbox"/>					
13	Difficulty complying with Indian standards, sanitary and phytosanitary rules, or regulations on product characteristics; or problems obtaining or maintaining certifications	<input type="checkbox"/>					

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## 4.2 Continued from previous page:

Were your organization's sales of goods by your Indian affiliates affected by any of the following issues during the years indicated below? For each issue faced, please rate how severely it affected your organization's exports to India (0 = did not face it; 1 = existed but had no effect; 2 = existed but had minimal effect; 3 = moderate effect; 4 = severe effect; 5 = prohibitive effect). Also, please indicate how the issue affects your organization as compared with Indian firms, and how policies in Indian states compare with Indian national policies in 2013 (Yes/No/unknown). If you have multiple lines of business, report the average effect.

#	Issue (full name)	Check if not faced during 2007-2013	Severity of effect in 2007	Severity of effect in 2010	Severity of effect in 2013	Your organization more affected than Indian firms?	Indian state-level policies negatively affected your organization more than Indian national policies?
14	Restrictions on the share of an investment in India that can be owned by a foreign firm, or requirements to enter into a joint venture with an Indian firm	<input type="checkbox"/>					
15	Requirements that investments must be of a minimum amount in order to obtain approval	<input type="checkbox"/>					
16	Financial requirements that limit what your firm may do with profits earned in India (e.g., you reinvest in India, divest to an Indian partner)	<input type="checkbox"/>					
17	Restrictions on buying or using land	<input type="checkbox"/>					
18	Other (specify):	<input type="checkbox"/>					



- 4.3 If your organization has experienced specific instances of the issues listed in the last question, please provide more detail on the type of measure you have faced. Please focus on those that pose the most significant challenges (those that you rated as a 4 or 5 in 2013). First select an issue in the table below (up to a maximum of two), then enter comments in the adjacent column.

#	Issue (short name)	Comment
1		
2		

- 4.4 Select the product that was most affected by the issues shown in question 4.2 in 2013 in the column below, and then list the sales of this product by your foreign affiliate in India as a share of this affiliate's total sales of goods in India that you reported on line 2 of question 2.2. **Your best estimates are acceptable.**

#	Specific product (choose from list below)	Foreign affiliate sales of specific product in India as a share of your organization's total Indian affiliate sales of goods (percent)		
		2007	2010	2013
1				

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- 4.5 In 2013, have Indian state-level policies affected where your foreign affiliates are located? If this varies by state and product, report the average effect. Check one.

- State-level policies are irrelevant. Location decisions are based on other factors (e.g., proximity to the United States, local job market).
- State-level policies have a minimal effect
- State-level policies have a moderate effect
- State-level policies have a substantial effect

**Section 5: Services Trade with India**

5.1 Did your organization export services to India **or** sell services through a foreign affiliate in India during 2007-2013?

Yes

No

If you answered "Yes" to question 5.1, please go to the next question.

If you answered "No" to question 5.1, please go to section 6.

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5.2 Were your organization's exports of services or sales of services by your Indian affiliates affected by any of the following issues during the years indicated below? For each issue faced, please rate how severely it affected your organization's exports to India (0 = did not face it; 1 = existed but had no effect; 2 = existed but had minimal effect; 3 = moderate effect; 4 = severe effect; 5 = prohibitive effect). Also, please indicate how the issue affects your organization as compared with Indian firms, and how policies in Indian states compare with Indian national policies in 2013 (Yes/No/unknown). If you have multiple lines of business, report the average effect.

#	Issue (full name)	Check if not faced during 2007-2013	Severity of effect in 2007	Severity of effect in 2010	Severity of effect in 2013	Your organization more affected than Indian firms?	Indian state-level policies negatively affected your organization more than Indian national policies?
1	High taxes (excluding duties)	<input type="checkbox"/>					
2	Inconsistent, variable, or nontransparent taxes	<input type="checkbox"/>					
3	Uncertainty or inconsistency of implementation of current or draft Indian regulations	<input type="checkbox"/>					
4	Requirements that items sold or used in the provision of a service contain domestic Indian content (including local "working" requirements)	<input type="checkbox"/>					
5	Subsidies, price supports, or other assistance given to your Indian-owned competitors by the Indian government	<input type="checkbox"/>					
6	Inadequate protection of intellectual property	<input type="checkbox"/>					
7	Inadequate protection of regulatory test data	<input type="checkbox"/>					
8	Involuntary technology transfer (including compulsory licensing)	<input type="checkbox"/>					
9	Difficulty importing intermediate inputs into India or other problems with customs administration	<input type="checkbox"/>					
10	Difficulty getting required permits/approvals/licenses for investment from the Indian government	<input type="checkbox"/>					
11	Restrictions on the share of an investment in India that can be owned by a foreign firm, or requirements to enter into a joint venture with an Indian firm	<input type="checkbox"/>					
12	Policies other than equity caps (including limitations on juridical form, ability to apply for a license, limits on number of licenses) that restrict investment	<input type="checkbox"/>					
13	Limits on geographic expansion within India	<input type="checkbox"/>					
14	Requirements that investments must be of a minimum amount in order to obtain approval	<input type="checkbox"/>					

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## 5.2 Continued from previous page:

Were your organization's exports of services or sales of services by your Indian affiliates affected by any of the following issues during the years indicated below? For each issue faced, please rate how severely it affected your organization's exports to India (0 = did not face it; 1 = existed but had no effect; 2 = existed but had minimal effect; 3 = moderate effect; 4 = severe effect; 5 = prohibitive effect). Also, please indicate how the issue affects your organization as compared with Indian firms, and how policies in Indian states compare with Indian national policies in 2013 (Yes/No/unknown). If you have multiple lines of business, report the average effect.

#	Issue	Check if not faced during 2007-2013	Severity of effect in 2007	Severity of effect in 2010	Severity of effect in 2013	Your organization more affected than Indian firms?	Indian state-level policies negatively affected your organization more than Indian national policies?
15	Requirements that certain staff or a share of staff must be Indian citizens	<input type="checkbox"/>					
16	Financial requirements that limit what your organization may do with profits earned in India (e.g., reinvest in India, divest to an Indian partner)	<input type="checkbox"/>					
17	Inability of non-Indian staff to be licensed/certified in India	<input type="checkbox"/>					
18	Restriction on cross-border transmission of data	<input type="checkbox"/>					
19	Unclear legal liability	<input type="checkbox"/>					
20	Other (specify):	<input type="checkbox"/>					

- 5.3 If your organization has experienced specific instances of the issues listed in the last question, please provide more detail on the type of measure you have faced. Please focus on those that pose the most significant challenges (those that you rated as a 4 or 5 in 2013). First select an issue in the table below (up to a maximum of two), then enter comments in the adjacent column.

#	Issue (short name)	Comment
1		
2		

- 5.4 Select the exported service that was most affected by the issues shown in question 5.2 in 2013 in the column below, and then list the value of your organization's exports from the United States to India of this service as a share of your organization's total exports of services that you reported on line 2 of question 2.2. **Your best estimates are acceptable.** If you did not export services, please leave these question response areas blank.

#	Specific service (choose from list below)	Exports of specific service as a share of total exports of services to India (percent)		
		2007	2010	2013
1				

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- 5.5 Select the service sold by your Indian affiliate that was most affected by the issues shown in question 5.2 in 2013 in the column below, and then list the value of sales of this service by your foreign affiliate in India as a share of the value of that affiliate's total sales of services that you reported on line 3 of question 2.3. **Your best estimates are acceptable.** If you did not have foreign affiliate sales, please leave these question response areas blank.

#	Specific service (choose from list below)	Indian affiliate sales of specific service as a share of total Indian affiliate sales (percent)		
		2007	2010	2013
1				

- 5.6 In 2013, have Indian state-level policies affected where your foreign affiliates are located? If this varies by state and product, report the average effect. Check one.

- State-level policies are irrelevant. Location decisions are based on other issues (e.g., proximity to the United States, local job market).
- State-level policies have a minimal effect
- State-level policies have a moderate effect
- State-level policies have a substantial effect



6.3 How did you obtain the estimates provided in questions 6.1 and 6.2? Check all that apply.

- Compared with earlier projections
- Compared with organization's performance in other countries
- Relied on industry or trade association publication or estimates
- Other (specify):
- Not applicable

6.4 To the extent the effect of changes in policy or policy-related issues cannot be exactly quantified for your organization, but there was a notable effect on your organization, please describe these effects.

6.5 If you reported that you faced regulatory impediments since 2007 (as described in sections 3 through 5), did you make any strategic changes in response? Check all that apply.

- Have not faced regulatory impediments since 2007
- Made no changes despite facing regulatory impediments
- Directed less attention/fewer resources to Indian export market
- Directed less attention/fewer resources to affiliates in India
- Increased investment in affiliates in India to comply with local-content requirements or other regulations
- Halted or slowed plans for affiliate expansion
- Shifted business operations from one state within India to another
- Shifted business operations from one product or business line within India to another
- Reduced or limited the scope of work done in R&D facilities in India
- Changed Indian partners
- Halted all exports to and/or affiliate activity in India (exited Indian market)
- Other (specify):

6.6 Please list the value of your organization's sales in the United States and number of your U.S. employees in 2013. **Your best estimates are acceptable.** If your organization is an affiliate of a foreign organization, include only U.S. sales and employment that can be directly attributed to your organization's U.S. affiliate. If you did not have sales, please list revenue, net interest margin, or similar measure instead of sales.

#	Item	2013
1	U.S. sales (in full-figure dollars, not in millions or other format)	
2	Number of U.S. employees (in full-figures, not in millions or other format)	

- 6.7 Were your organization's exports or foreign affiliate sales in India affected by any of the following issues during the years indicated below? For each issue faced, please rate how severely it affected on your organization's affiliate sales in India (0 = did not face it; 1 = existed but had no effect; 2 = existed but had minimal effect; 3 = moderate effect; 4 = severe effect; 5 = prohibitive effect). If you have multiple lines of business, report the average effect.

#	Issue	Check if not faced during 2007-2013	Severity of effect in 2007	Severity of effect in 2010	Severity of effect in 2013
1	Corruption, informal payments	<input type="checkbox"/>			
2	Inadequate legal system	<input type="checkbox"/>			
3	Judicial delays	<input type="checkbox"/>			
4	Bureaucratic or regulatory delays or other red tape	<input type="checkbox"/>			
5	Poor physical infrastructure	<input type="checkbox"/>			
6	Poor communications infrastructure	<input type="checkbox"/>			
7	Insufficient/unstable electricity supply	<input type="checkbox"/>			
8	Lack of trained workforce	<input type="checkbox"/>			
9	Labor market regulations	<input type="checkbox"/>			
10	Government price controls on specific products	<input type="checkbox"/>			
11	Other (specify):	<input type="checkbox"/>			

- 6.8 Overall, was your organization affected more by infrastructure and other issues (as reported in question 6.7) or policy and regulatory issues as reported in sections 3 through 5)? Please select one for each of the years shown below.

#	Item	2007	2010	2013
1	Policy issues with greatest effect on your business			



**Section 7: Barriers Suppressing Trade**

- 7.1 Was your ability to source goods and services through global supply chains in countries other than the United States and India suppressed by Indian policies? Please indicate the effects below.

- 7.2 Was your organization prevented or deterred from conducting business in India, or deterred from exporting to or selling certain products in India, at any point during 2007-2013 as a direct result of Indian policy barriers?

Yes

No

If you answered "Yes" to question 7.2, please proceed to the next question.

If you answered "No" to question 7.2, please proceed to section 8.

- 7.3 In the checklist below, please indicate which type(s) of activity you were prevented or deterred from doing during the years indicated below because of Indian policy barriers. Check all that apply.

#	Type of activity	2007	2010	2013
1	Completely unable to export from the United States to India	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Unable to export certain products from the United States to India	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Completely unable to export from countries other than the United States to India	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Unable to export certain products from countries other than the United States to India	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Completely unable to operate foreign affiliates in India	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Unable to sell certain products via affiliates in India	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- 7.4 If the specific prohibitive barrier(s) in India that you face were removed, but the business environment and other policies in India remained the same, what is the likelihood that you would begin exporting or begin establishing a foreign affiliate within the next 12 months? Check one.

Highly unlikely

Unlikely

Likely

Highly likely

Not sure

7.5 Which of the following issues did your organization find prohibitive with respect to exports to India or foreign affiliate sales in India during 2007-2013? Check all that apply.

#	Issue	
1	High import duties	<input type="checkbox"/>
2	High taxes (excluding duties)	<input type="checkbox"/>
3	Inconsistent, variable, or nontransparent duties or taxes	<input type="checkbox"/>
4	Uncertainty or inconsistency of implementation of current or draft Indian regulations	<input type="checkbox"/>
5	Requirements that items you sell in India must contain domestic Indian content (including local "working" requirements)	<input type="checkbox"/>
6	Requirements that items sold or used in the provision of a service contain domestic Indian content (including local "working" requirements)	<input type="checkbox"/>
7	Subsidies, price supports, or other assistance given to your Indian-owned competitors by the Indian government	<input type="checkbox"/>
8	Inadequate protection of intellectual property	<input type="checkbox"/>
9	Inadequate protection of regulatory test data	<input type="checkbox"/>
10	Involuntary technology transfer (including compulsory licensing)	<input type="checkbox"/>
11	Difficulty importing intermediate inputs into India or other problems with customs administration	<input type="checkbox"/>
12	Difficulty getting required permits/approvals/licenses for investment from the Indian government	<input type="checkbox"/>
13	Import bans on specific products (including bans on genetically modified organisms)	<input type="checkbox"/>
14	Customs administration problems (e.g., transparency of rules, documentation requirements, valuation of goods)	<input type="checkbox"/>
15	Requirement that a share of goods you produce in an Indian affiliate must be exported	<input type="checkbox"/>
16	Restrictions on the share of an investment in India that can be owned by a foreign firm, or requirements to enter into a joint venture with an Indian firm	<input type="checkbox"/>
17	Policies other than equity caps (including limitations on juridical form, ability to apply for a license, limits on number of licenses) that restrict investment	<input type="checkbox"/>
18	Limits on geographic expansion within India	<input type="checkbox"/>
19	Difficulty complying with Indian standards, sanitary and phytosanitary rules, or regulations on product characteristics; or problems obtaining or maintaining certifications	<input type="checkbox"/>
20	Requirements that certain staff or a share of staff must be Indian citizens	<input type="checkbox"/>
21	Difficulty complying with consumer labeling requirements	<input type="checkbox"/>
22	Market control by state trading enterprises	<input type="checkbox"/>
23	Inability of non-Indian staff to be licensed/certified in India	<input type="checkbox"/>
24	Requirements that investments must be of a minimum amount in order to obtain approval	<input type="checkbox"/>
25	Financial requirements that limit what your firm may do with profits earned in India (e.g., you reinvest in India, divest to an Indian partner)	<input type="checkbox"/>
26	Restriction on cross-border transmission of data	<input type="checkbox"/>
27	Restrictions on buying or using land	<input type="checkbox"/>
28	Regulations governing liability in clinical trials	<input type="checkbox"/>
29	Other (specify):	<input type="checkbox"/>

**Section 8. Other Information**

8.1 If your organization would like to further explain any of the responses in this questionnaire, use the space below. **Please do not use the Enter or Tab keys when entering text.**

8.2 If your organization would like to give more details about any other negative effects of trade barriers in India, use the space below. **Please do not use the Enter or Tab keys when entering text.**

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8.3 If your organization would like to give us a written submission for the public record, click on the link below to view the *Federal Register* notice about this investigation and go to page 2 of this notice for instructions. All written submissions are due by April 11, 2014.

[Federal Register notice](#)

**Section 9. Certification**

The undersigned certifies that the information supplied herein in response to this questionnaire is complete and correct to the best of his/her knowledge and belief and understands that the information submitted is subject to audit and verification by the USITC.

Section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)) provides that the Commission may not release information which it considers to be confidential business information unless the party submitting such information had notice, at the time of submission, that such information would be released by the Commission, or such party subsequently consents to the release of the information. The undersigned acknowledges that information submitted in this questionnaire response and throughout this investigation may be used by the USITC, its employees, and contract personnel who are acting in the capacity of USITC employees, for the purposes of developing or maintaining the records of this investigation or related proceedings for which this information is submitted, or in internal audits, evaluations, and in investigations relating to the programs and operations of the USITC, including under 5 U.S.C. Appendix 3. The undersigned understands that all contract personnel will sign nondisclosure agreements.

The information your organization provides in response to this questionnaire will be treated by the Commission as confidential and will not be disclosed to the public unless required by law. The information will be aggregated with information from other questionnaire responses and will not be published in a manner that would reveal the operations of your organization. The House Committee on Ways and Means and the Senate Committee on Finance have asked that the Commission not include any confidential business information in the report it transmits to them.

Certifier's name and title	Date of certification (m/d/yy)

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Certifier's signature (not necessary if submitting electronically)

If submitting an electronic version of this certificate to the Commission, check the box below in place of a written signature to indicate that the authorized official listed has certified the information provided.

Certified

## Section 10. Submitting the Questionnaire

- 10.1 Before submitting your organization's completed questionnaire, please report the actual number of hours required and the cost to your organization of completing this questionnaire, including all preparatory activities.

Hours

Cost (\$)

- 10.2 Please make sure that all numeric data are in full-figures, not in thousands, millions, or similar format.
- 10.3 For a final quality check, please click on the button below after you have completed the questionnaire. You may get one or more error messages indicating which questions have possible inconsistencies. After completing the quality check, please return to the question(s) shown in the error message(s) and make corrections, then perform this quality check again. If you believe the responses are correct despite an error message, please explain in question 9.1.
- 10.4 Please save the questionnaire.
- 10.5 Please use one of the submission options shown below.



Use this option to transmit your completed questionnaire through our secure electronic drop box. Click on the link and follow the instructions. In the PIN entry box, type: **1969**



Use this option to send your completed questionnaire as an email attachment. Click on the button and follow the instructions. Note that submitting your questionnaire response by email will subject your organization's confidential business information (CBI) to transmission over an unsecured environment and to possible disclosure to third parties. Any risk of disclosure of CBI during transmission is assumed by your organization and not us. However, once we receive the email, we will store your questionnaire response in our secured environment and safeguard it as detailed in the certification in section 7.



Use this option if you prefer to send your completed questionnaire on a CD (or other removable media). Click on the button and save the questionnaire to a CD. Mail the CD to us (see address on page 1). We don't recommend sending the CD by regular U.S. mail because this type of mail undergoes extra processing to screen for hazardous material that will likely delay the delivery and may damage the CD. Instead, we recommend overnight mail service.



Use this option if you prefer to send your completed questionnaire in hard copy (paper) form. Click on the button and your print screen will appear. After printing, mail or fax the completed questionnaire to us (see address and fax number on page 1). We don't recommend sending the questionnaire by regular U.S. mail because this type of mail undergoes extra processing to screen for hazardous material that will likely delay the delivery. Instead, we recommend overnight mail service.