Export Control Reform, Easier Trade Remedy Cases Among Legislative Initiatives

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Trade Remedies. The Self-Initiation Trade Enforcement Act (S. 2427, introduced Feb. 13 by Sen. Peters, D-Mich.) would create a permanent task force within the International Trade Administration to investigate dumping and subsidies on imported goods. According to Peters, this task force would be charged with independently researching trade data and subsequently referring identified trade abuses for further formal investigation by the ITA, with an emphasis on cases impacting small and medium-sized businesses. Peters explained that “smaller companies with limited resources may not have the ability to identify trade violations, or worse, they fear retaliation from governments in foreign markets where they sell their products.” A spokeswoman for Peters said some of the industries with smaller companies that are most impacted by dumping are specialty agricultural producers, parts manufacturers, and paper goods producers.

The Department of Commerce’s recently released strategic plan for 2018 through 2022 states that the department plans to self-initiate more AD and CV duty cases.

Export Controls. The Export Control Reform Act (H.R. 5040, introduced Feb. 15 by Rep. Royce, R-Calif.) aims to modernize U.S. export controls on dual-use items. According to a press release from Royce’s office, this bill would (a) repeal the Export Administration Act that lapsed in 2001 and replace it with a modern, permanent statutory authority to better regulate U.S. dual-use and Department of Commerce-licensed military exports, (b) require that export controls ensure continued U.S. leadership in science, technology, engineering, manufacturing, and other sectors, (c) provide new authority to identify and appropriately control critical emerging technologies, and (d) support U.S. diplomatic efforts to promote greater international coordination and cooperation on export controls.

GSP. The House of Representatives has passed legislation (H.R. 4979) that would retroactively renew the Generalized System of Preferences through Dec. 31, 2020. It is unclear when the Senate might take the measure up.

Nominations. The Senate Finance Committee has approved the nominations of C.J. Mahoney and Dennis Shea to be deputy U.S. trade
representatives. Shea would serve as USTR’s representative at the World Trade Organization while Mahoney would oversee efforts on investment, services, labor, environment, Africa, China, and the Western Hemisphere. It remains unclear when the full Senate may act on the nominations, which were first submitted to Congress last July. USTR Robert Lighthizer complained that “no administration has ever had to wait this long for its first Senate-confirmed deputy USTR.”

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