Washington Tariff & Trade Letter

Vol. 44, No. 39 <u>wttlonline.com</u> September 23, 2024

TRADE POLITICS AND POLICY

CFIUS: White House Punts on USX Sale

A national security decision regarding Nippon Steel's proposed acquisition of U.S. Steel may be delayed until after the November election, following the companies' resubmission of the deal for review.

The Committee on Foreign Investment in the United States (CFIUS) has allowed the companies to refile their application for a national security review of the \$14.1 billion transaction, sources told The Wall Street Journal.. READ MORE

Senate GOP Bill a Catch All for China Hawks

A group of 11 Senate Republicans have introduced a bill to address percieved weaknesses in US readiness for strategic competition with China.

"Despite the significant threat China poses to the United States, the U.S. Congress has failed to enact legislation in a number of crucial areas that would set up the United States, its allies, and partners for success," Sen. Jim Risch (R-Idaho) said. READ MORE

House GOP Vows to Spike OECD Tax Plan

Top House Republicans are warning that Congress will spike the Administration's plans for the United States to participate in a new international corporate taxation agreement.

The White House has not authority to implement the global minimum tax, including the undertaxed profits rule, the Republicans wrote in a letter to OECD Secretary-General Mathias Cormann. READ MORE

© Copyright 2024 Gilston-Kalin Communications LLC P.O. Box 7592, Arlington, VA 22207 Subscription and corporate site license information

info@TradeRegs.com www.wttonline.com

Editor: Frank Ruffing +1.703.283.5220. fruffing@traderegs.com

China Hawks Target Federal Supply Chain

The leaders of the House Select Committee on China unveiled legislation yesterday aimed at strengthening the federal government's ability to protect its supply chain.

The bill would improve the Federal Acquisition Security Council's ability to protect the federal supply chain "from nefarious entities owned or controlled by a foreign adversary" by excluding such entities from procurement processes or removing them from federal information systems, according to its sponsors. READ MORE

Harris Win Means End of Auto Industry: Trump

Former President Donald Trump on Tuesday repeated false claims that Chinese automakers are putting up large factories in Mexico, vowing during a stop in the automaking state of Michigan to slap 200% tariffs on any vehicles the unbuilt plants make and ship to the United States, the Associated Press news service reported.

"If I don't win, you will have no auto industry within two to three years," Trump said, calling any increases under Biden and Harris temporary. READ MORE

Madam Secretary Speaks Her Mind

In case observers needed a reminder that "Sleepy" Wilbur Ross is no longer in the Hoover Building, Commerce Secretary Gina Raimondo minced no words in her critique of the Republican Party's economic agenda.

"There's no question in my mind Donald Trump would be a disaster for the economy," said Raimondo, "He has two main economic proposals: one was to cut taxes on billionaires who don't need a tax cut, and the other is to increase taxes on all imports which American people can't afford" READ MORE

Nepal Trade Talks

US and Nepal trade officials discussed ways to deepen the economic relationship at a meeting of the bilateral Trade and Investment Framework Agreement Council this week.

The United States welcomed Nepal's confirmation of no restriction on imports of US pork and poultry. Nepal expressed its interest in preferential market access and support of the United States to improve the investment climate and promote foreign investment. **READ MORE**

ENFORCEMENT

Justice Dept. Touts Whistleblower Program

In a speech at the NYU School of Law Principal Deputy Assistant Attorney General Nicole Argentieri discussed the newest tool in the Justice Department's corporate enforcement toolbox: the Corporate Whistleblower Awards Pilot Program. At the same event another Justice official said over 100 tips were received in the program's first month of operation. READ MORE

PRC-Based Botnet Foiled

The Justice Department announced the disruption of a botnet consisting of more than 200,000 consumer devices in the United States and worldwide.

The botnet devices were infected by Chinese state-sponsored hackers working for Integrity Technology Group, a Beijing-based cyber security firm traded on the Shanghai Exchange as Yongxin Zhicheng Technology Group Co., Ltd. **READ MORE**

Treasury Targets DPRK-Russia Banking Ties

The Treasury Department has designated a network of five entities and one individual – based in Russia and in the Russia-occupied Georgian region of South Ossetia – that have enabled and supported ongoing efforts to establish illicit payment mechanisms between Russia and North Korea. READ MORE

WORLD TRADE ORGANIZATION

Dispute Settlement Talks Go On

The ongoing discussions for reforming the World Trade Organization dispute settlement system appear to be Increasingly propelled by the Secretariat and co-convenors instead of member-driven negotiations on several elements of the crucial appeal/review mechanism, according to people familiar with the developments.

The proposed appeal/review mechanism could displace the binding Appellate Body and thereby "turn the enforcement function into a vegetable," said people who are involved in the discussions. **READ MORE**

Ag Talks Remain Troubled

Attempts to appoint facilitators and small groups by the chair of the World Trade Organization Doha agriculture negotiations have fallen flat because of doubts and suspicions raised over the exclusion of several members from a small group meeting held earlier this month, said people familiar with the discussions.

The United States apparently lamented that if members are not able to agree on the process, then how can anything be agreed in the stalled Doha agriculture negotiations, said several people who took part in the meeting. **READ MORE**

Steel Chiefs at WTO Forum

Representatives from the global steel industry called for common emissions measurement methodologies at the WTO's Public Forum

"Despite the constraints of time, the constraints of funds and training, and research and development, I am quite confident that the global steel industry is on track to reduce CO2 emissions, and this will already be visible by 2030 and 2040," said Edwin Basson, Director General of the World Steel Association. **READ MORE**

Plastics Pollution Dialogue at WTO

Participating members in the Dialogue on Plastics Pollution and Environmentally Sustainable Plastics Trade (DPP) met on 18 September to advance discussions on two key areas — capacity building for developing members and the potential creation of domestic inventories of trade-related plastic measures. READ MORE

SUPPLY CHAINS

Mexican Steel Surge Draws Fire on Hill

A bipartisan group of senators is calling on the Administration to increase US tariffs on steel imported from Mexico in the face of an import surge.

Mexico's rising steel exports to the United States violates the 2019 bilateral agreement reached so that Mexico would not be subject to the 25 percent Section 232 tariffs on steel. READ MORE

Washington - Tashkent Minerals Pact

To strengthen cooperation between the United States and Uzbekistan on critical minerals, officials signed a Memorandum of Understanding in Tashkent.

The United States and Uzbekistan are actively working to encourage private sector investment in Uzbekistan's mining sector. The MOU further reflects both sides' shared goal of strong environmental, labor, and governance practices in the global mining sector. **READ MORE**

U.S. - Peru Illicit Timber Cooperation

The USTR announced enforcement action under the United States-Peru Trade Promotion Agreement (PTPA) Forest Sector Annex.

USTR requested the Government of Peru to verify that five timber shipments exported to the United States from Peru complied with applicable Peruvian laws and regulations. **READ MORE**

USMCA Complaint at German-Owned Tannery

The United States has asked Mexico to review whether workers at a German-owned leatherworks supplying the automotive industry are being denied the right to freedom of association and collective bargaining.

The facility specializes in manufacturing premium leather for the automotive industry. Gernam parent Bader GmbH & Co. KG, is a leading supplier of leather trim to all major auto manufacturers from Acura to Volvo. READ MORE

Chinese Casting Plant USMCA Case Settled

The United States and Mexico have resolved a worker rights complaint under the US-Mexico- Canada Agreement involving a Hong-Kong based maker of cast and machined component parts. **READ MORE**

REGULATION

FinCEN Beneficial Ownership Toolkit for Small Business

Treasury's Financial Crimes Enforcement Network (FinCEN) has issued another resource to familiarize small business owners with beneficial ownership reporting requirements.

This law requires many small businesses to report basic information to the Federal government about the real people who ultimately own or control them. **READ MORE**

Lacey Act Phase VII Webinar 30 October 2024

U.S. Customs and Border Protection's Office of Trade and the USDA is hosting a webinar on Wednesday, October 30, 2024, at 2:00pm - 3:00pm ET titled Lacey Act and Phase VII Implementation.

The webinar will provide an overview of the Lacey Act, describe the 2008 amendments to the act covering plants and plant products and their requirements, and provide the latest updates on Phase VII of the Import Declaration Implementation Schedule. READ MORE

EXPORT CONTROLS

Export Controls Stymie UAE AI Plans - Microsoft

The UAE's ambition to become a world leader in artificial intelligence, funded and endorsed by both Chinese and US tech interests, are constrained by Washington's export controls, according to one of the effort's principal American sponsors.

"We all need clarity and consistency from the US government in terms of the specifics of the export control regime," Brad Smith, President of Microsoft told the Financial Times. READ MORE

Bill to Extend ECRA to Trade Secrets Proposed

Among the China Week Legislation, the House of Representatives passed a bill amending the Export Control Reform Act of 2018 (ECRA) to include trade secret protections. If enacted, this would expand regulatory authority

over information not currently covered by U.S. export control laws.

As a result, U.S. companies may need government approval before disclosing trade secrets, even in non-traditional export transactions, and may face stricter requirements for safeguarding such information. READ
MORE

"E5" Export Controls at the Antipodes

The governments of Australia, Canada, New Zealand, the United Kingdom and the United States met as the "Export Enforcement Five" (E5) in their second annual conference in Washington, D.C.

The group's statement noted their efforts to prevent the diversion of sensitive technologies and materials that support Russia's full-scale invasion of Ukraine. **READ MORE**

AUKUS Anniversary Statement

In a statement to mark the third anniversary of AUKUS, the leaders of Australia, the United Kingdom, and the United States, reaffirmed their commitment to this historic partnership and acknowledged progress to date. READ MORE