

Trade Policies – Trump 2.0 and Trade Remedy Issues

Daniel B. Pickard | SFSA Fall Leadership
Meeting

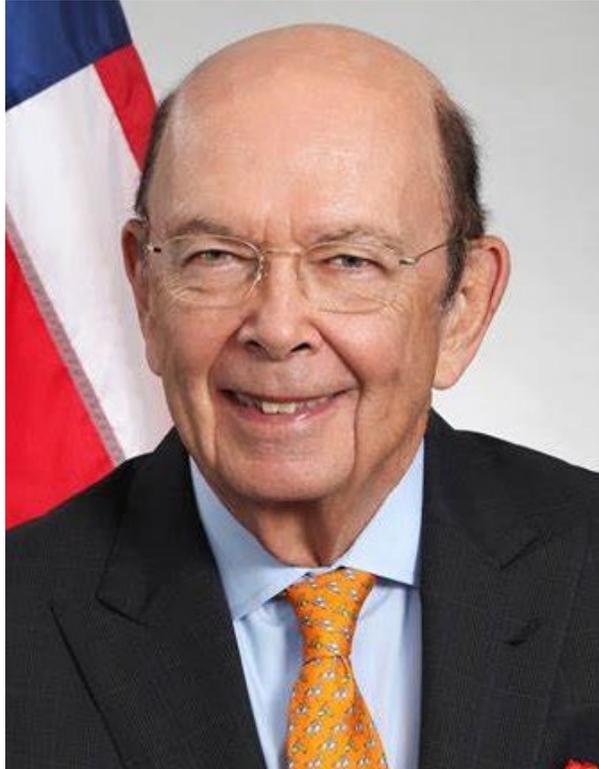
Agenda

- 1) Trump Administration Personnel 1.0 and 2.0
- 2) Trump 2.0 Trade Priorities
- 3) Trade Remedy Investigations and Recent Steel Foundry Products
- 4) Q&A

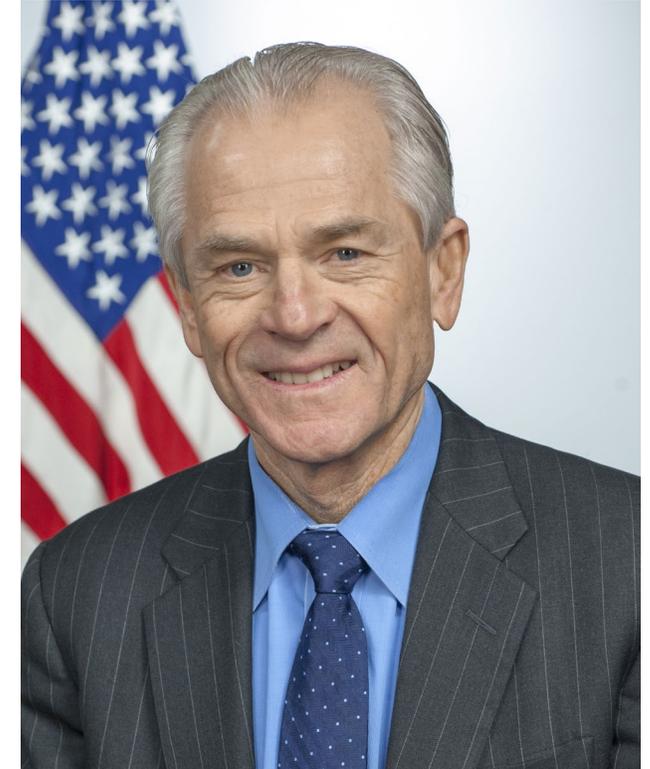
Trump 1.0 Administration Personnel



U.S. Trade Representative
Robert Lighthizer
Chief of Staff: Jamieson Greer



Secretary of Commerce
Wilbur Ross



**Director of
Trade and Manufacturing Policy**
Peter Navarro

Trump Trade Policies 1.0

- Willing to take a unilateral approach
- China-focused and worker-focused
- Open to tariffs
 - Section 301
 - Section 232
 - Support for U.S. producers and manufacturers in trade cases



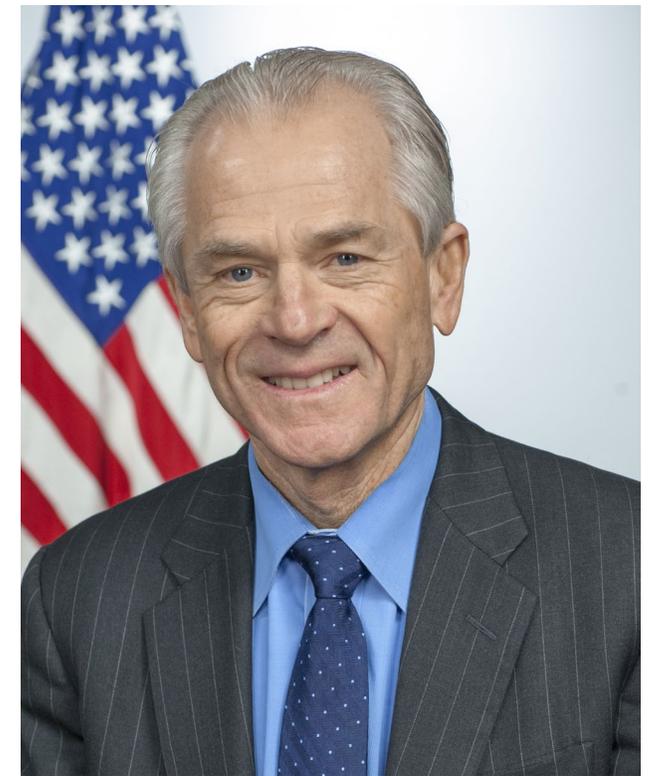
Trump 2.0 Administration Personnel



U.S. Trade Representative
Jamieson Greer

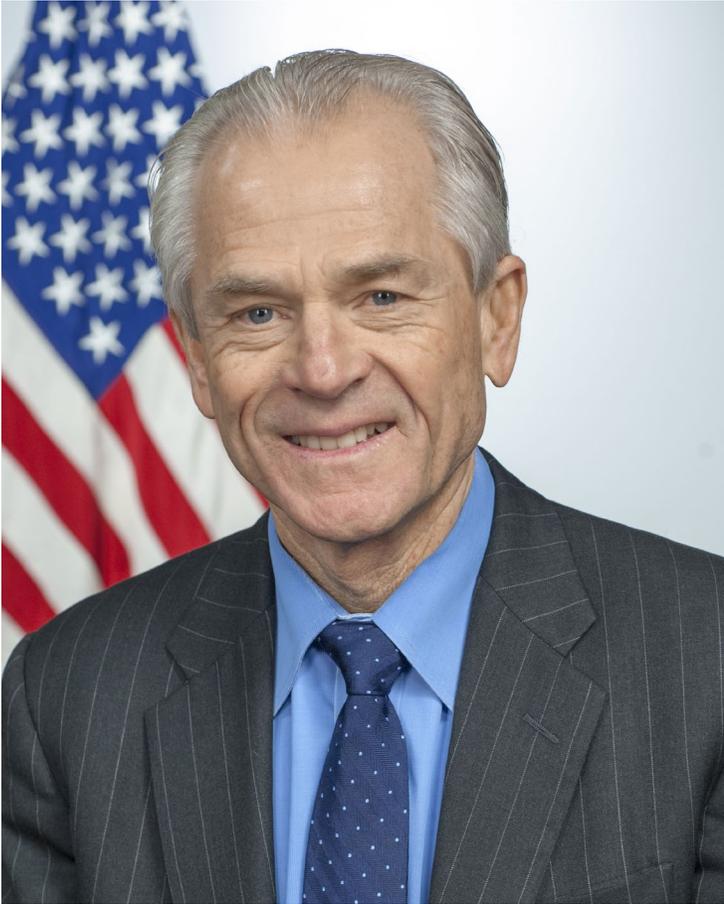


Secretary of Commerce
Howard Lutnick



**Senior Counselor for
Trade and Manufacturing**
Peter Navarro

Trump 2.0 Administration Personnel: Peter Navarro



Senior Counselor for Trade and
Manufacturing

- Played a key role in proposing reciprocal tariffs in April 2025
- Very critical of trade with China
- Very critical of NAFTA/USMCA
- Has characterized 50% steel tariffs as a necessary shield for the domestic industry

Trump 2.0 Administration Personnel: Howard Lutnick



Secretary of Commerce

- Background as a businessman and philanthropist
- Key negotiator on tariffs with Canada and Mexico, United Kingdom
- Brainchild of revenue generation through imposition of tariffs

Trump 2.0 Administration Personnel: Jamieson Greer



U.S. Trade Representative

- Previously worked as a petitioner's side international trade lawyer
- Was the Chief of Staff to USTR Ambassador Robert Lighthizer in Trump 1.0 Administration and was involved in negotiation of USMCA
- Supportive of bringing manufacturing jobs back to the United States

Trump Trade Policy 2.0

- Continued hard line on China
- Continued use of tariffs
- Pro-U.S. manufacturing
- Continued support for trade remedy investigations
 - Antidumping investigations
 - Countervailing duty investigations
 - Section 301 investigations
 - Section 232 investigations

Trump Trade Policy 2.0 (Cont')

- Reciprocal duties and the U.S. Supreme Court
 - Is IEEPA the only tool?
- Section 301 on China
- Steel and Aluminum 232
- A dozen other 232's
- FTA's
- WTO

What are Trade Remedies?

- Trade remedies are U.S. trade laws that provide relief to companies that have been injured by low priced import competition.
- Several types of trade remedy laws:
 - Section 301
 - Section 232
 - Safeguard/Section 201 cases
 - Antidumping/Countervailing Duties

Today's presentation will focus on **antidumping and countervailing duty** investigations.

Antidumping Law

Members of a domestic industry can utilize the antidumping statute to petition the U.S. government to investigate imports of similar foreign goods and impose compensating duties, if:

(1) Imports are being, or are likely to be, sold in the U.S. at **less than fair value**

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(2) The domestic industry is either **materially injured or threatened with material injury** due to the dumped imports or materially retarded from growing into an established industry due to the dumped imports.

Countervailing Duty Law

If a foreign government is subsidizing production or exportation of competing products, members of a domestic industry can use the countervailing duty statute to petition the U.S. government to investigate and impose compensating duties, if:

(1) imports are being **subsidized** by the governments of one or more countries

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(2) the domestic industry is either **materially injured or threatened with material injury** due to the dumped imports or materially retarded from growing into an established industry due to the dumped imports

Process for AD/CVD Relief from Unfair Trade

- A U.S. industry can file a petition for relief with the U.S. International Trade Commission and Department of Commerce
- The scope of the investigation is product specific and not limited to any specific company.
- ITC Preliminary Decision is made within 45 days.
- Preliminary determination/cash deposits are established in approximately 4 months.
- Final determination is made no later than 13 months.

The U.S. International Trade Commission

- Independent, Quasi-Judicial Agency
- 6 Commissioners – 3R/3D
- 9 Year Terms
- The ITC is responsible for determining whether the imports are a cause of, or a threat to, material injury to the domestic industry.
- “Material Injury” is defined as harm that is more than inconsequential, insignificant or immaterial.



ITC Commissioners

The current Commissioners of the USITC are:



Amy A. Karpel
Chair



David S. Johanson
Commissioner



Jason E. Kearns
Commissioner

Material Injury or Threat Thereof

VOLUME

PRICE
EFFECTS

ADVERSE
IMPACT

Steel Foundry Example #1

- Freight Rail Couplers from China and Mexico
 - Orders issued in 2023 and remain in effect.

China AD	Issued July 14, 2023	Dumping margin of 169.90%
China CVD	Issued July 14, 2023	Subsidy rate of 265.99%
Combined China Duties:		434+%
Mexico AD	Issued November 15, 2023	Dumping margin of 48.10%

Steel Foundry Example #2

- Slag Pots from China
 - Department of Commerce investigations have concluded with the following rates:
 - AD margin: 294.43%
 - CVD rate: 226.16%
 - Combined Duties: **520+%**
 - International Trade Commission will vote on final determination of injury to the domestic industry on September 25, 2025.

Steel Foundry Example #3

- Freight Rail Couplers from Czech Republic and India
 - International Trade Commission made a preliminary determination of a reasonable indication of injury to the domestic industry on September 5, 2025.
 - Department of Commerce investigations were initiated at the following rates:
 - Czech Republic AD: 119.96%
 - India AD: 71.01%
 - India CVD: *tbd*
 - ITC and DOC investigations will continue into 2026, with final determinations expected no later than August 2026.

Relief Provided

- If the investigation results in positive determinations from both the DOC and ITC → compensating duties are imposed.
- If there are final affirmative in both antidumping and countervailing investigations → the duties are essentially additive.
- Order is issued as a matter of law for a period of 5 years.
- Can be renewed in 5-year increments thereafter.

Questions?

Buchanan

Thank you!



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