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Wyden Statement at Finance Committee Hearing on Lighthizer Nomination for USTR
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After several weeks during which the only insight the public has gotten into this administration's trade policy has come in head-scratching 140-character bursts, today's hearing may finally provide some real specifics. I want to thank Mr. Lighthizer for being here today as the committee considers his nomination to be the U.S. Trade Representative. And I hope that at the end of this hearing, Americans will have heard more detail about how the administration plans to meet the extensive promises then-Candidate Trump made in the 2016 campaign.

Before diving into policy, however, there's another issue this committee must address as it considers this nomination. As a legal matter, Mr. Lighthizer's previous work for foreign governments makes him ineligible to be appointed as the United States Trade Representative, pursuant to the Lobbying Disclosure Act. The facts are clear, but as with Secretary Mattis, this administration and others before it have worked with Congress when appropriate to make exceptions.

Speaking for Democrats, we are willing to work with Republicans to provide a statutory exception for Mr. Lighthizer, but we also insist that Republicans work with Democrats to provide a lifeline to America's hardworking mineworkers who face losing their healthcare and retirement benefits.

Mr. Lighthizer has an understanding about the impact of unfair trade on America's manufacturers and workers that could be a valuable asset for our country. The country needs a USTR that will stand up for our rights on behalf of American workers and businesses at the WTO, and that will partner with Customs and Border Protection, the Department of Commerce, and the full range of agencies responsible for trade enforcement to crack down on trade cheats hurting workers and businesses here at home.

After a campaign of shouting that NAFTA could be the worst trade deal ever, the president got into office and said our trade relationship with Canada -- a NAFTA member -- only needed "tweaking." He spent the campaign talking tough about China, but his administration has largely been quiet about their plans when it comes to China's unfair trade practices. So what I say is that our trade policy needs to deliver results, not just talk.

That starts with applying a full court press on trade enforcement. In my view, there are two prongs to effective trade enforcement. The first is to fully enforce U.S. trade laws here at home. Foreign subsidies and dumping that harms American workers must be quickly identified and remedied, and that requires strong enforcement at the border by U.S. Customs officials. Goods made with forced labor must be barred from entering our country. Trade in stolen timber and other natural resources that damage the environment and edge out hard working Americans in the forestry sector must be stopped. Thanks to

the work of this committee, especially by Senators Brown, Casey and Stabenow, our country's trade remedy laws are now more responsive to American producers besieged by foreign trade cheats.

The second prong of effective trade enforcement is holding other countries to their commitments under deals that are already on the books, whether that means enforcement of labor obligations, the protection of the environment, or stopping countries from applying discriminatory policies to block our digital goods and services.

Now when it comes to aggressive trade enforcement, the United States government can't deploy a full court press with only half a team. That's why many Democrats like myself thought the President's hiring freeze was so short sighted -- because it leaves resources on the sideline, and it suggests that the tough talk on trade is really nothing more than talk. I hope that the president's forthcoming budget doesn't take even more trade enforcers out of the game, endangering good-paying American jobs, just to fund a \$54 billion giveaway to defense contractors.

In order to maximize economic opportunities for American exporters, our trade policy cannot end with effective enforcement of existing rules. It also must reach overseas to dismantle foreign trade barriers that prevent American goods and services from competing on a level playing field.

The fact is that around 140 million people are joining the middle class every year, most of them in Asia. I've always said that our goal should be to make things here, add value to them here, and ship them around the world. These opportunities will be missed if the United States remains on the sidelines while other nations negotiate trade deals that advantage their exporters over ours.

This is particularly true in the Asia Pacific region. And that is exactly what is happening as we sit here today -- Pacific Rim countries are meeting in Chile to discuss trade in the region and U.S. leadership is nowhere to be found.

With that said, whether it's through renegotiating NAFTA, looking to Asia, or working on any other trade deal, transparency with the public and with Congress will be absolutely essential. The previous Congress passed a law that requires critical actions to ensure that the public and its representatives in Congress are active partners in efforts to negotiate and implement future trade agreements. But with the American people sitting in the dark with respect to the specific actions the president intends to take on trade, the first months of this administration leave Mr. Lighthizer, if confirmed, with a steep hill to climb on transparency.

In my view it's also critical that the American public knows whether the president is advocating for trade policies to create red-white-and-blue jobs or to help his own business interests. That's why I introduced the Presidential Trade Transparency Act with several dozen members from both chambers of Congress.

The bottom line is that the administration has talked a big game when it comes to trade, but now it's time to act. That means more transparency, a full court press on trade enforcement, and being on the offense in overseas markets. Mr. Lighthizer, I look forward to your testimony.

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