

**NOMINATIONS OF MARIA LOUISE LAGO
AND LISA W. WANG**

HEARING

BEFORE THE

COMMITTEE ON FINANCE

UNITED STATES SENATE

ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

ON THE

NOMINATIONS OF

**MARIA LOUISE LAGO, TO BE UNDER SECRETARY FOR INTERNATIONAL
TRADE, DEPARTMENT OF COMMERCE; AND LISA W. WANG, TO BE AS-
SISTANT SECRETARY FOR ENFORCEMENT AND COMPLIANCE, INTER-
NATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE**

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NOVEMBER 16, 2021
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**NOMINATIONS OF MARIA LOUISE LAGO,
TO BE UNDER SECRETARY FOR
INTERNATIONAL TRADE, DEPARTMENT
OF COMMERCE; AND LISA W. WANG,
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ENFORCEMENT AND COMPLIANCE,
INTERNATIONAL TRADE ADMINISTRATION,
DEPARTMENT OF COMMERCE**

TUESDAY, NOVEMBER 16, 2021

U.S. SENATE,
COMMITTEE ON FINANCE,
Washington, DC.

The hearing was convened, pursuant to notice, at 10:31 a.m., via Webex, in Room SD-215, Dirksen Senate Office Building, Hon. Ron Wyden (chairman of the committee) presiding.

Present: Senators Menendez, Carper, Cardin, Brown, Bennet, Whitehouse, Cortez Masto, Crapo, Cassidy, Lankford, and Young.

Also present: Democratic staff: Sally Laing, International Trade Counsel; Ian Nicholson, Investigator and Nominations Advisor; and Joshua Sheinkman, Staff Director. Republican staff: Lincoln Foran, Policy Advisor; James Guiliano, Policy Advisor; John O'Hara, Trade Policy Director and Counsel; Mayur Patel, Chief International Trade Counsel; Gregg Richard, Staff Director; and Jeffrey Wrase, Deputy Staff Director and Chief Economist.

**OPENING STATEMENT OF HON. RON WYDEN, A U.S. SENATOR
FROM OREGON, CHAIRMAN, COMMITTEE ON FINANCE**

The CHAIRMAN. The Finance Committee meets this morning to discuss two important nominations for President Biden's trade policy team at the Commerce Department. First, Maria Lago is nominated to serve as Under Secretary of Commerce for International Trade. This role is all about being the point person for trade policy at the Commerce Department, heading up the International Trade Administration. It deals with enforcing our trade laws to protect American jobs, breaking down barriers to American-made exports, and getting small and medium-sized businesses into the trade policy winners circle. It is a wide-ranging job, but that is why President Biden nominated an individual with a vast array of experience in many different leadership roles.

Ms. Lago served during the Obama administration as Assistant Secretary for International Markets and Development at the Treasury. She previously led the Office of International Affairs for the

Securities and Exchange Commission. She was a top economic development official for New York State and the city of Boston. Most recently, she served as the Director of the New York City Department of City Planning and Chair of the City Planning Commission.

I am confident in her experience, and I am confident in her ability. She is going to be leading a big economic team, and there are certainly some big economic challenges.

Next, Lisa Wang is nominated to serve as Assistant Secretary of Commerce for Enforcement and Compliance. This role is about using some of our strongest tools for protecting American jobs and businesses against trade rip-offs. That includes investigating and addressing dumping by foreign companies and unfair government subsidies. The Enforcement and Compliance office also works closely with USTR on key trade enforcement issues.

Ms. Wang previously served as a Senior Attorney in the Office of the Chief Counsel for Trade Enforcement and Compliance at the Commerce Department. She also served as Assistant General Counsel in the Office of the U.S. Trade Rep and has experience in private practice. The bottom line is, she is a specialist in the areas of trade law dealing with enforcement and compliance, and she is the right person for the right job.

This committee takes a special interest in what I call “trade done right.” It is about fighting for American jobs, workers, businesses, farmers, and ranchers by strongly enforcing trade laws and creating new opportunities to sell American-made goods and services across the world. It is as if they are two sides of one coin. You want to have tough enforcement to protect American jobs and ensure we get a fair shake, and then you want to go out and create new opportunities for us to add value to products and then ship them, particularly Oregon products, all over the world.

Ms. Lago and Ms. Wang will be excellent additions to that team. I want to congratulate them on their nominations, and I am looking forward to that discussion.

Thank you.

Senator Crapo?

[The prepared statement of Chairman Wyden appears in the appendix.]

**OPENING STATEMENT OF HON. MIKE CRAPO,
A U.S. SENATOR FROM IDAHO**

Senator CRAPO. Thank you, Senator Wyden.

Welcome, Ms. Lago and Ms. Wang, and congratulations on your nominations.

If confirmed, the nominees before us will have key roles in overseeing and operating the Department of Commerce’s International Trade Administration, or ITA. ITA plays an important role in promoting market access and redressing unfair trade practices. Both functions are critical to American prosperity.

For example, Hamilton Manufacturing in Twin Falls, ID successfully utilized ITA’s export promotion services to locate new partners in Chile. There are many other companies in Idaho and across the country that can benefit from such assistance.

Ms. Lago, I look forward to hearing your views today on how ITA can expand export opportunities for America’s farmers, businesses,

and workers. In terms of unfair trade practices, our industries have to be able to compete on a level playing field, including by having recourse to relief under our antidumping and countervailing laws when appropriate. This is particularly important right now when China is spending record sums on industrial subsidies. Ms. Wang, I hope you will share your insights on how ITA can administer the trade remedy laws effectively.

I remind both nominees that ITA's success in its mission is contingent on a strong partnership with Congress. This is true not just because Congress has authority over trade policy under our Constitution, but because members are in the best position to understand the needs of our constituents. I hope the nominees today will confirm that they would closely consult with this committee if confirmed.

I look forward to hearing the nominees' testimony and their responses to our questions.

Thank you.

[The prepared statement of Senator Crapo appears in the appendix.]

The CHAIRMAN. Thank you very much, Senator Crapo.

We will hear from Ms. Lago, and then we will hear from Ms. Wang. We will have then some procedural requirements, but let's go forward with Ms. Lago, who is on the web. Ms. Wang will then go next.

Ms. Lago, you are out in cyberspace, I believe, somewhere, and we would like to hear from you.

STATEMENT OF HON. MARIA LOUISE LAGO, NOMINATED TO BE UNDER SECRETARY FOR INTERNATIONAL TRADE, DEPARTMENT OF COMMERCE, WASHINGTON, DC

Ms. LAGO. Thank you so much, Chairman Wyden. Chairman Wyden, Ranking Member Crapo, and members of the Senate Finance Committee, thank you for welcoming me here and for allowing me to testify virtually. It is a tremendous privilege to be considered by this committee as the nominee for Under Secretary for International Trade at the Department of Commerce. Considering the achievements of those who have served in this position in prior administrations, it is humbling to be here today.

It is increasingly important that our Nation remain the global leader on trade, especially as we look to a post-pandemic world. If confirmed, I will treat the role of leading the ITA with the significance that it deserves.

Before I discuss my priorities, I would like to take a brief moment to recognize three major influences in my life. First, my partner of 47 years, my beloved architect husband Ronald Finiw. Ron is the son of Ukrainian parents who our country welcomed as displaced persons following World War II. Ron and I met at Cooper Union, which provided each of us with a tuition-free education for which we are eternally grateful. I am also grateful to Congress for the Work-Study Program, which allowed me to earn the funds that I needed to support myself while in college. Second, my mother, Maria Pita Salto, a Spanish immigrant and a proud American, who raised me bilingually and who passed along her rock-solid ethical

core. And finally, my late father Louis Lago, child of Spanish immigrants and a World War II Navy veteran.

My parents instilled in me a lifelong love of learning, bursting with pride when I became my family's first college graduate. My father's career as a 30-plus-year civilian employee of the Department of Defense set a powerful example for his children. My brother Paul Lago has spent his entire career as a Federal civil servant also at DoD. And my Dad's lessons have shaped my career in Federal, State, and municipal government, a career that has focused on supporting jobs for the American people—stable, well-paying jobs that support families and communities.

Throughout my time in government, I have seen the power of trade and investment to improve lives. During my 7 years at Treasury, I worked with the World Bank and its regional counterparts to increase women's access to capital, allowing them to build businesses and support both their families and their communities. I came to see firsthand that, over the longer term, these investments create export opportunities for U.S. businesses of all sizes, which in turn create more jobs for U.S. workers.

Similarly, when I was President and CEO of New York State's economic development arm, I saw the multifaceted benefits of the investments that we made. I helped revitalize the decaying, formerly industrial Brooklyn waterfront where my grandfather had worked as a cook on a tugboat. Some of you may have personally enjoyed the result of this initiative, Brooklyn Bridge Park, which has grown into a major recreational hub, as well as a national and international tourist draw, contributing significantly to the vibrancy, the livability, and the economic health of my hometown and of our Nation.

Of course, ITA not only supports U.S. businesses and exporters; it plays an essential role in ensuring that our trading partners are abiding by the rules of the road. My prior service heading international affairs at the U.S. Securities and Exchange Commission, a formidable enforcement agency, gives me a deep-seated appreciation of the importance of ensuring that other nations comply with our trade agreements and, when they do not, deploying our robust enforcement tools on behalf of American workers and businesses.

When competing on a level playing field, U.S. businesses and workers can successfully innovate and succeed. And their success bolsters American competitiveness, our economic and national security, and the lives of the American people.

If I have the honor of being confirmed, I look forward to being a committed partner to this committee and Congress in general, as well as a passionate, tireless advocate for the people of the United States of America. I look forward to any questions you may have of me.

Thank you.

[The prepared statement of Ms. Lago appears in the appendix.]

The CHAIRMAN. Thank you very much.

And we have Ms. Wang in person. Welcome.

STATEMENT OF LISA W. WANG, NOMINATED TO BE ASSISTANT SECRETARY FOR ENFORCEMENT AND COMPLIANCE, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE, WASHINGTON, DC

Ms. WANG. Thank you, Chairman Wyden, Ranking Member Crapo, and members of the committee. I am humbled and honored to be here today as President Biden's nominee to serve as Assistant Secretary of Commerce for Enforcement and Compliance. I am grateful that the administration has entrusted me with this position, and I am thankful for the support that Secretary Raimondo and her team have shown me.

I would like to begin by thanking my father, Frank Xiaohang Wang. He came to the United States in his early thirties knowing almost no English but believing deeply in the American Dream. He believed that America is a country where hard work would lead to success. He believed that America is a place where fairness matters. It was through his sheer determination and endless optimism that our family rose from near poverty to a cozy life in the suburbs of East Greenbush, NY. My father passed away a few years ago but would have been so delighted to see me here today, taking pictures and trying to shake your hands. There will never be a better cheerleader, and I would be remiss to not acknowledge him here.

I would also like to thank my mother, Tina Congying Wang, who worked a lifetime of minimum wage jobs to afford me the opportunity to be before you today. She has lived her life for her family's health and happiness, and I am proud to have her watching today. There is a straight line from my parents' sacrifices to my success, and I remain forever thankful for their support and guidance.

I also want to thank my husband, Tim Kovacs, and my two daughters for their encouragement and support. Thank you for always pushing me to take risks and finding the joy in life.

I came to the United States when I was 5 years old, not knowing any English but believing deeply in my father's American Dream. This belief is what led me to a career in international trade. I believe that the hard work of American workers and American businesses should not be undercut by unfair trade practices. I have spent my career representing U.S. industries seeking a level playing field against unfair subsidization and dumping. In doing so, I have seen manufacturers go from the brink of closure to capacity expansions because of effective trade enforcement. When our foreign competitors play by the same rules—when trade is fair—no one can beat the American worker.

As an attorney with the Office of the U.S. Trade Representative, I defended the United States in WTO cases seeking to overturn our U.S. CVD laws and to weaken our trade enforcement objectives. I have led WTO cases against countries like China to stop their use of industrial policies that target U.S. and other export markets.

The highlight of my career, however, has to be the many years that I spent working within Commerce's Enforcement and Compliance. E&C has a dedicated team of public servants who work to ensure that our U.S. trade laws are rigorously enforced. As foreign governments and foreign competitors become more sophisticated in their use of industrial subsidies and other unfair trade practices, we must work harder and smarter to counter these practices.

If confirmed, I look forward to working closely with you to ensure that our U.S. trade remedy laws are transparently and vigorously enforced.

Thank you, and I would be happy to answer any questions you may have.

[The prepared statement of Ms. Wang appears in the appendix.]

The CHAIRMAN. Thank you very much, Ms. Wang. We have some obligatory questions that we are going to ask of you and your colleague Ms. Lago now.

I will start with, first, is there anything that you are aware of in your background that might present a conflict of interest with the duties of the office to which you have been nominated?

Ms. WANG. No.

Ms. LAGO. No.

The CHAIRMAN. Okay. Second, do you know of any reason, personal or otherwise, that would in any way prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Ms. WANG. No.

Ms. LAGO. No.

The CHAIRMAN. Third, do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of the Congress, if you are confirmed?

Ms. WANG. Yes.

Ms. LAGO. Yes.

The CHAIRMAN. Finally, do you commit to provide a prompt response in writing to any questions addressed to you by any Senator of the committee?

Ms. LAGO. Yes.

Ms. WANG. Yes, Mr. Chairman.

The CHAIRMAN. Very good.

All right, let's start. And I will begin with some questions for you, Ms. Lago, on supply chain disruptions. Obviously, this is an enormously important challenge. I just spent a week going all over the State of Oregon, virtually every nook and cranny in the State, and I just heard constantly about the challenges of increased demand, port congestion, disrupting so much in the way of movement of everyday consumer goods.

Now in my home State where growing, making, and shipping products for export is a priority, we have one out of four jobs involved around trade. The trade jobs often pay better than do non-trade jobs. Supply chain disruptions have made it more difficult to get Oregon blueberries and apples and other products to markets around the globe.

So, there is much to do. And let me just start with kind of the first two.

First, the United States needs to make major investments in U.S. essential manufacturing. This would, for example, include the FABS Act, the important bipartisan legislation. I want to thank Senator Crapo. He and I worked very closely on it. But up and down this dais you will see Democrats and Republicans who understand how important it is to support domestic semiconductor manufacturing.

I worked very hard—very hard—to include it in the Build Back Better package. We are now going to have legislation come from the House and focus on it in the Senate as well. That is a special priority of mine.

Second, the United States has also worked with allies to ensure secure and reliable supply chains for critical supplies. And here we would be talking about steel and pharmaceutical ingredients.

And finally, the government needs to crack down on trade cheating that undermines the ability of our workers to be able to compete fairly in tough markets.

So, Ms. Lago, you are available online. If confirmed as Under Secretary of Trade, you are going to oversee much of the Department of Commerce's response to supply chain disruption. Tell us how you are going to pull together analysis, enforcement, and compliance at the International Trade Office to address these extraordinary challenges we are facing with the supply chain.

Ms. LAGO. Thank you so much, Mr. Chairman, for highlighting this issue, which is front-of-mind for so many. As you know, ITA has a number of tools in its toolkit that it can deploy to help address this issue.

I will note that, while the U.S. has experienced supply chain disruptions in the past periodically over the years, this one is different. COVID-19 has shut down the global economy, and the supply chain disruptions that we are seeing are global in nature.

We know that the supply chain is controlled by the private sector, so we need to work with them as they need to cooperate to get us through this.

Turning specifically to ITA, you mentioned two of the tools that we have. The first is our Industry and Analysis team, which can perform extensive market analyses and can focus on strengthening the competitiveness of U.S. industries.

Similarly, we know that there are suppliers in the world that operate in anticompetitive ways. And ITA also has within it a wealth of strong enforcement and compliance units which we—of course, if confirmed, I would stand ready to deploy in support of addressing the supply chain concerns.

The CHAIRMAN. Let me turn—did you have anything else that you wanted to add to that, Ms. Lago?

Ms. LAGO. No. Thank you.

The CHAIRMAN. All right.

Let us turn to digital trade. It seems to me that we are at something of a fork in the road with respect to digital trade innovation. And this has been one of my priorities since Day 1 when I came to the United States Senate. And I have had a chance to sort of pursue a host of issues, whether it is section 230 Internet tax freedom, digital signatures—the list kind of goes on and on—to try to nurture opportunities for high-skill, high-wage jobs and, at the same time, promote the principles of openness and freedom on the Internet.

And it seems to me now, we still are trying to bring countries together around those principles of openness and freedom on the Internet, but there is another road that we have to deal with where antagonistic nations build walls around their digital economies that

stifle innovation while trampling the online freedoms of their citizens.

As I indicated, Ms. Lago, this is an area where I have spent a considerable amount of time both writing legislation and then, with Senator Crapo and others, trying to advance these ideas that promote openness and freedom on the Internet here in this committee.

So we need to have leadership at the office that provides the opportunity to have a critical economic engine for our country and also the greatest possible platform for the open exchange of ideas.

If you are confirmed, Ms. Lago, how would you ensure that the International Trade Administration hits those twin challenges—tackling censorship and authoritarian barriers to digital trade—in a way that promotes democratic values in labor and human rights, while at the same time creating the opportunity of the high-skill, high-wage jobs that digital trade promotes?

Ms. LAGO. Thank you, Mr. Chairman. It would be hard to state the issue, the challenge, more eloquently than you did, while also highlighting the opportunity that is there in digital trade.

I am pleased to say that Ambassador Tai has spoken to the importance of this, and that Secretary Raimondo, while in the Asia-Pacific, is hosting a forum on Women in Technology with a particular focus on the digital economy.

If confirmed, I would so look forward to being able to work with you to tap into the expertise of you and your team and that of other members of Congress so that I would be able to take the tools within ITA's toolkit and deploy them across the interagency, because the issues that you have raised in digital trade will require the participation of numerous agencies in government. And I would so look forward to prioritizing this issue, if I had the honor of being confirmed.

The CHAIRMAN. Very good.

Senator Crapo?

Senator CRAPO. Thank you, Senator Wyden.

First of all, I want to just mention to both of you that I strongly support Senator Wyden's reference to our efforts on semiconductors. We need badly to strengthen and promote our semiconductor industry in the United States. And I just wanted to make that note.

Senator Wyden also asked my first question, basically, Ms. Lago, and I will just pursue it a little bit further, with regard to digital trade. It is very critical. And in the context of the conversation you just had with Senator Wyden, the question I have for you is, I believe that the United States should negotiate digital trade agreements to assure that the United States, and not China, sets the rules in this critical area.

I just returned from a congressional trip to Indochina where we went to the Philippines, to Taiwan, and to India, and trade was critical in each of the discussions we had in those areas. Do you agree that the United States should pursue digital trade agreements with our allies?

Ms. LAGO. Thank you, Ranking Member Crapo, for again highlighting the importance of digital trade as being so essential to our economy today, and also the economy of the future.

I think it is extremely important, as you know, to align ourselves with countries that share our commitment to democracy, to rule of law, and to work with them in partnership so that we end up with high standards, so that we do not cede this area to countries that engage in trade practices that are abhorrent to us.

And so, if confirmed, I would so welcome being able to work with you, this committee, and the interagency to see how we can best work with our allies and partners globally to achieve these multiple goals that we have in the digital trade arena.

Senator CRAPO. Thank you.

Just one more quick question for you, because I do want to get on to Ms. Wang before I run out of my time. A China-led trade agreement, the Regional Comprehensive Economic Partnership, will enter into force on January 1st. China has also applied to join the Trans-Pacific Partnership.

I am deeply concerned that China is seeking to supplant the United States when it comes to setting the rules for trade in the Indo-Pacific. Do you think the United States needs to reexamine TPP, including what improvements could be made? That is to Ms. Lago.

Ms. LAGO. Thank you, Ranking Member Crapo, for that question. I do think it is extremely important that the U.S. be present in the Asia-Pacific and the Indo-Pacific regions. I am pleased that, as we are here in this hearing today, Secretary Raimondo is in the region.

I am pleased that President Biden has announced an Asian economic dialogue, and that the Secretary, as part of her trip to the region, has noted that we need to develop an Indo-Pacific economic framework, one that is going to look to enhance the resilience, inclusion, and sustainability of our trading relationships, and the interests of the middle class in our countries.

And so, I would look forward, if confirmed, to bringing the tools that ITA has to the table to make sure that we are engaged and committed partners with our allies in this effort in this important region.

Senator CRAPO. Well, thank you. And I hope that that engagement and that framework will involve focusing on bilateral and multilateral trade agreements with critical allies in the region.

Ms. Wang, the Department of Commerce from time to time seeks to settle antidumping and countervailing duty cases by negotiating suspension agreements or other arrangements. These are international agreements that impose terms and conditions on trade, and should be thus subject to congressional oversight.

However, the Department of Commerce's engagement with this committee on such negotiations has often been spotty. Do you agree that the Department of Commerce must keep this committee apprised of efforts to resolve any antidumping or countervailing duty proceedings through an international agreement?

Ms. WANG. Senator Crapo, thank you for this question. And I certainly understand the importance of your role in oversight, enforcement, and compliance matters. If confirmed, I would absolutely commit to maintaining open lines of communication with your offices on these matters. Thank you.

Senator CRAPO. Thank you very much. I appreciate that, and I am also about to run out of time, Senator Wyden.

The CHAIRMAN. Thank you, Senator Crapo. Senator Menendez is next, and I think he is on the web. [No response.]

The CHAIRMAN. All right; we have lots going on today, so we await our colleagues. And, Senator Crapo, I have one additional question, and then should we still be waiting—oh, there we go. You are spared my additional question at this time, Ms. Wang.

Senator Cassidy, when you get settled, we will recognize you for your time.

Senator CASSIDY. Thank you.

Ms. Wang, I am not sure how specific you can be on this. There are domestic producers that are being harmed by unfair trade. I represent a State with a lot of fisheries, particularly shrimp, and there have been allegations of dumping, from India in particular, as regards my folks.

What can you do to help these producers obtain the relief they are entitled to under the law?

Ms. WANG. Senator Cassidy, thank you very much for this question. And, given my background as a trade remedy practitioner, this is an area I care very deeply about: giving a voice to American workers and helping small and medium enterprises like fisheries and seafood to find a voice in trade.

If confirmed, I would work to ensure that there is rigorous enforcement of the antidumping and countervailing duty laws against all unfair trade practices. Thank you.

Senator CASSIDY. Now the last administration promised to self-initiate more antidumping and countervailing duty cases, but only did so once. So I think my folks would want to hear that there would be action upon that pledge, knowing that the previous administration only initiated one antidumping initiative. Any thoughts on that?

Ms. WANG. Senator, again, thank you for that question. Antidumping and countervailing duty proceedings are an important issue, particularly in helping small businesses find effective trade relief, and I take that seriously. I know that within the Office of Enforcement and Compliance there already is a pre-petitioning unit, and a health initiation unit within Enforcement and Compliance.

If confirmed, I would work with those units to find a way forward in helping these small businesses and American workers. Thank you.

Senator CASSIDY. I am told that normally only the two largest foreign producers are reviewed, but I am also told by stakeholders that the Department rarely uses its authority to sample a representative group of producers to examine. So, year after year, the largest foreign producers are resampled, but there are a whole lot of folks beneath who are maybe exploiting the system and not being sampled.

So what can you do about that?

Ms. WANG. Senator, thank you for that question. And I would note that the statute does not provide a preference on choosing the largest producers and exporters versus a sampling methodology based on statistically valid methodologies.

Senator CASSIDY. So, you are suggesting that Congress needs to change the law—and I am looking at my chair and my ranking—so that it is not just dictated to be the same two every year, but it would be, as you said, a statistically representative sampling of all the producers sending in?

Ms. WANG. Senator, thank you for allowing me to have a little bit of follow-up to that. I would note that the workload of Enforcement and Compliance has increased dramatically in the past few—

Senator CASSIDY. I would argue, though, that a statistically significant sampling would lower workload because you are not wasting time on people who know they are going to be inspected—and so therefore you are wasting your time. You still get the compliance and have to respond to the complaints, but you are stuck doing the two that know they are going to be busted if they are out of line. Otherwise, you have a more statistically—again, I am speaking to the chair and the ranking member, so I am hoping from your lips goes to their ears—

Ms. WANG. Senator Cassidy, I very much appreciate your question, and I would note that these are very fact-specific findings and proceedings, and it is not always the two largest exporters that are chosen in these proceedings.

Commerce has used sampling in previous proceedings, and I would note that, if confirmed, I would be willing to discuss with you—

Senator CASSIDY. Now let me ask—you can correct me, but I am also under the impression that sampling has not been for, okay if 10 percent of that which we sampled falls out of line, therefore, we are going to extrapolate from that sample to the entire amount coming from this particular business. Rather, it has only been sent to reflect that particular amount, for phytosanitary issues, for example. Is that correct? And if not, is that an accurate statistically significant way to sample?

Ms. WANG. Senator, I am willing to discuss this further with you, if confirmed. I am unsure as to the particular question you just raised about phytosanitary measures.

Senator CASSIDY. Okay, I yield back. Thank you.

The CHAIRMAN. Senator Cassidy, first of all, I think you have raised a very important issue, this question of sampling of foreign products sent to the United States. The first question I think we are going to explore is—and I look forward to working with the ranking member and my colleague from Louisiana—does the office have the existing authority to actually do some of what Senator Cassidy is talking about? And so, we will have to sort that out. And if they do, then we will have to see why it is not being used. And then possibly we should look at legal ways to do it. But I think my colleague makes a good point, and we will follow it up.

Senator CASSIDY. Thank you.

The CHAIRMAN. Very good.

Okay; we are joined by Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman.

Ms. Wang, the President, as a candidate, promised that he would return the jurisdiction of the export licensing of semiautomatic weapons from the Commerce Department back to the Department

of State, from which the Trump administration took it. Now of course the President can do this by simple regulation without the need for legislative approval, but until that happens, the Department is providing no information to Congress as to what lethal weapons, including sniper rifles and assault rifles, are being sold to what countries or foreign persons, and in what quantities, and under what conditions.

What is the status of the implementation, to your knowledge, of the President's promise to the American people?

Ms. WANG. Senator, thank you for the question. The mission of Enforcement and Compliance is to counter unfair trade practices on the matters you speak of. I know that other interagencies are working on it, and so I do not have the particular details to provide you on that.

Senator MENENDEZ. Do you support the President's promise?

Ms. WANG. Senator, thank you for allowing me to have that follow-up. I know enough to know that there are very complex issues involved in this. And at this time, I do not think it would be appropriate for me to comment.

Senator MENENDEZ. Okay; so I did not ask you about the complex issues. The President made a promise. Do you support—you are a presidential nominee. Do you support the President's promise?

Ms. WANG. Senator, if confirmed, I would want to learn more about this issue—

Senator MENENDEZ. Okay; thank you. Until the President's promise is implemented, will you commit to provide to the committee of jurisdiction over arms sales specific information about what semiautomatic weapon sales are being considered for export, including the foreign recipient, the number of weapons, conditions, and end-use monitoring measures, as well as the exports that have been approved?

Ms. WANG. Senator, again, thank you for this question. I would—

Senator MENENDEZ. Please do me a favor. Do not thank me for the question anymore. It only takes time. Can you give me an answer, yes, or no?

Ms. WANG. Senator, I do not know enough about this issue to provide a comment either way.

Senator MENENDEZ. Well, you are going to have jurisdiction in part over this issue, so if you do not know much about it, that is a problem. Let me just say, I expect you are not the first nominee in this field who is unwilling to give an answer. Now I have tried to be supportive of the President's nominees, but I will not be able to be supportive if I cannot get a clear answer. So, I hope that Commerce gets the message.

Let me ask you this, on a different matter. One of the main weaknesses of the Phase One deal with China was that it lacked any sort of enforcement measures to ensure China held up their end of the bargain. As a result, as of August China has only met 62 percent of its purchase commitments under the Phase One deal.

If confirmed, you would play a significant role in the enforcement of U.S. trade policy. Do you agree that, without proper enforcement measures, any deal with China is likely to be less effective?

Ms. WANG. Senator, I would like to clarify that the mission of Enforcement and Compliance is to counter unfair trade practices such as antidumping and countervailing duty. The objective of Enforcement and Compliance is to find the existence and magnitude of dumping and subsidization.

On the issues you speak of, of the Phase One deal, I know that other offices within Commerce and the interagency, including the U.S. Trade Representative, are working on that issue now. If confirmed, I would want to learn more about what role Enforcement and Compliance can have in that process. But I do want to make clear that the mission of—

Senator MENENDEZ. What do you think your job is going to be? Maybe you can edify me. What do you think your job is going to be, if you are confirmed?

Ms. WANG. As I just—Senator, thank you. The primary responsibility of my position as Assistant Secretary is to ensure that the trade remedy statutes, antidumping, countervailing duties, safeguards, suspension agreements, are rigorously enforced. And, if confirmed—

Senator MENENDEZ. The trade remedies require enforcement, right?

Ms. WANG. Yes. Yes, Senator.

Senator MENENDEZ. Well, and part of my question is the enforcement of agreements that we have, including the enforcement of the agreements we have with China. If there is no enforcement, then it is insignificant, what we agreed to. Is that at least something you can agree to?

Ms. WANG. Senator, I also want to make clear here that the number of antidumping and countervailing duty orders on China is significant. They counter the effective and targeted processes that China undertakes to undermine American businesses and U.S. workers. So, in that matter, Enforcement and Compliance has rigorously and transparently enforced the U.S. AD/CVD laws.

Senator MENENDEZ. Let me ask you one last question and see if you can convince me to vote for your nomination. Will you commit to ensuring that resolving the softwood lumber dispute with Canada continues to be a top priority?

Ms. WANG. Senator, I am recused from that matter because of my representation at my current place of employment.

Senator MENENDEZ. Oh, okay. All right. Well, this has been very elucidating. Thank you very much.

The CHAIRMAN. Thank you, Senator Menendez.

Next will be Senator Thune on the web.

Senator THUNE. Thank you, Mr. Chairman.

Ms. Lago, today there are companies facing serious supply chain crises, with Americans encountering empty store shelves, long wait times, and rising costs as the holiday season approaches. And I would say that ag producers in my State are also feeling the crunch, with capacity for their goods being hampered by a combination of surging demand for containerized shipping, and a massive backlog at our Nation's ports, particularly LA/Long Beach.

This inefficiency has downstream effects on commodity prices for farmers and ranchers across the country, including in South Dakota. If confirmed, could you describe what actions you would take

to ensure that U.S. businesses, including exporters of agricultural products, can rely on efficient and stable processing at U.S. ports? And I hope it is more than what is currently being done, because what is currently being done seems to be doing very little to address what has become a crisis in our supply chain.

Ms. LAGO. Thank you, Senator Thune, for highlighting the importance of pulling together to address the supply chain crisis. We know that there are real impacts, as you noted, for farmers, for ranchers, but also for American consumers. And if confirmed, I would be proud to be part of the administration that is working with the private sector, which does control the supply chain, and using the tools that we have at our disposal.

Again, if confirmed, I would look to be part of an interagency group that so far has effectively had the important ports extend their hours of operation, that has worked with the major shipping companies, with the major retailers. I think a key facet that, if confirmed, IGA could bring to the table is our Industry and Analysis team, which can help analyze supply chain vulnerabilities. And I would see that analysis as being part of an overall solution.

But again, I believe it bears repeating that the supply chain is run by the private sector. And we need to continue to urge them to come together and cooperate on sharing information.

Senator THUNE. And it is run, in many respects, by the private sector. There are also port authorities which are run by cities, et cetera, that are involved as well. But a lot of the things that can be done by the Federal Government, the levers that we control, have to do with the regulatory requirements, and allowing, for example, independent truckers to come in, which would entail taking on the Teamsters organization, and also lightening up on hours of service, other things that can be done and should be done by the administration and can be done here at the Federal level in Washington. Those are levers and tools that can be used, and I hope that you would put pressure on the administration to do such things. Because absent taking those sorts of actions, I think we are going to continue in this swirl of people talking about it and focusing on it, but nothing actually being done to address it.

Ms. Wang, in your written testimony you state that American workers and American businesses should not be undercut by unfair trade practices. You also state that, as foreign governments and foreign competitors become more sophisticated in their use of industrial subsidies and other unfair trade practices, we must work smarter and harder to counter these practices.

Do you believe that China declaring itself as a developing country at the WTO undercuts American businesses and corrodes trust in the rules-based trading system?

Ms. WANG. Senator, thank you for that question. In terms of trade, China is a threat. They take aggressive anticompetitive measures against U.S. businesses that harm American workers, like flooding our markets with cheap steel and aluminum.

If confirmed, I would use the full force of the AD/CVD laws to counter these distorted practices. Thank you.

Senator THUNE. I have a bipartisan resolution to address China's "developing country" status at WTO, and I would encourage the administration to take on this issue.

Finally, Ms. Lago, you talk about the importance of our Nation remaining a global leader on trade, especially in the post-pandemic world. As you know, Trade Promotion Authority expired in July, and it needs to be renewed. The administration has not made TPA a priority, and it is now beginning to chill progress on new trade deals such as the U.S.-UK DSA, or Digital Services Agreement, and with Asia-Pacific countries.

In order to remain a global leader on trade, how important is it that the United States proactively engage in trade agreements? And what is going to happen if the U.S. sits on the sidelines? And tell me what you are going to do to get the administration to submit a new Trade Promotion Authority proposal for Congress to consider?

Ms. LAGO. Thank you, Senator, and thank you for highlighting the importance of the U.S. continuing to be a leader globally. As you note, it is especially important in the Indo-Pacific region to counter the threats that Ms. Wang eloquently and forcefully laid out.

I do think that it is important to have the type of engagement in this region that the President called for in calling for an Asian economic dialogue. It is important to have—and if confirmed, I will work on—the Indo-Pacific economic framework that Secretary Raimondo announced yesterday. It is only by engaging with allies and partners in the region that we can most effectively assure that we have high-quality, high-standard trade based on the rule of law.

Senator THUNE. Thank you, Mr. Chairman. I would focus like a laser on that region, and I think it is important for us to have Trade Promotion Authority so we can get deals done quicker and more efficiently in this competitive global marketplace.

Thank you.

The CHAIRMAN. Thank you, Senator Thune.

I think Senator Carper is on the web.

Senator CARPER. He is on the web, and he is ready to join in the proceedings.

The CHAIRMAN. Please proceed, Senator Carper.

Senator CARPER. Thank you, Mr. Chairman.

To our witnesses, I would say to Ms. Wang—

[Garbled speech.]

Ms. WANG. I am so sorry. I could not hear that question. I apologize very much.

Senator CARPER. I mispronounced your name as well. It is pronounced “Wong”?

Ms. WANG. Oh, yes, it is. Thank you.

Senator CARPER. It is spelled “Wang,” but that would be the “wong” way to pronounce it, so we will call you “Wong” for today’s purposes. Thank you for joining us.

And, Ms. Lago, I understand your dad was a World War II veteran. Navy, is that right?

Ms. LAGO. Proudly Navy.

Senator CARPER. My dad was World War II veteran, Navy. A bunch of my uncles were as well, and one was killed in a kamikaze attack. We bleed Navy blue in our family. So we thank you for your dad’s service.

Years later when I served as Governor of Delaware—I was Governor from 1993 to 2001—I was privileged to oversee a period of strong job growth, and I have been told that more jobs were created in that 8-year period than were created in the history of the State of Delaware. And I would note that I did not create one of them, but we worked really hard in my administration with the legislature and the business community and others to create a nurturing environment for job creation and job preservation.

Unfortunately, if we fast-forward to the past administration, our international trade policy was characterized—too often—by chaos and by uncertainty, which is really the opposite of what we need.

My question is for both Ms. Lago and Ms. Wang. If confirmed, both of you will be in positions of implementing and enforcing our trade policies. How will you help foster greater certainty and greater predictability in our international trade system for the benefit of American businesses and workers?

Ms. Lago, you can go first, please.

Ms. LAGO. Thank you, Senator. At the heart of this is engagement and communication—engagement with our allies and partners, and open communication with the various stakeholders. We know that we have a wide variety of stakeholders, some with differing perspectives, but the important thing is to hear from our industries; to hear from our businesses, our farmers, our ranchers; to hear from our workers; and to hear from Congress. And so I cannot over-emphasize the importance of keeping open lines of communication.

The second thing that I would emphasize is the importance of working in the interagency. We know that trade is a multifaceted arena, and there are other agencies within the U.S. Government that are an important part of the trade equation.

Senator CARPER. That is a great point.

Ms. Wang, the same question, please.

Ms. WANG. Thank you, Senator. Accountability is the answer here. Trade remedies ensure that countries are held accountable for their unfair trade practices. And the AD/CVD process gives the American workers a voice in trade, and ensures that the unfair trade practices that harm them are being properly addressed. Thank you.

Senator CARPER. Thank you, ma'am.

A second question—and this will be for Ms. Lago. Ms. Lago, I am impressed, and my colleagues are as well, with respect to your depth of experience in public service. One of the most valuable skills in almost any management role is the ability to bring different stakeholders to the table and find common ground.

If confirmed, one of your responsibilities would include collaborating with some of the other agencies whose responsibilities include trade. But for the purposes of strengthening American competitiveness, here is my question. Can you share some insights into your approach to collaborative work and how your previous success in finding common ground would shape your service, if confirmed in this position?

Ms. LAGO. Thank you for that question, Senator. You are so right that in confronting any complex issue—even with as many tools as ITA has at its disposal—it will not be nearly as effective if it does

not reach out. And that outreach has to be across the Department of Commerce, and across the interagency. This is something that is so familiar to me from my role at Treasury, the 7 years that I spent as Assistant Secretary for International Markets and Development.

As important as collaboration is when operating domestically, I think that it is maybe even more important internationally, because we need to be Team USA with respect to the rest of the world.

And I would like to highlight one of the factors of collaboration, and that is working with the expert career staff at the Department of Commerce. There is so much expertise lodged there, and if confirmed, I would so look forward to learning from them, working with them, and then collaborating in the way that I just described.

Senator CARPER. Great comments. Thank you both for your willingness to serve, and thank you for your the testimony here today. Good luck.

The CHAIRMAN. Thank you, Senator Carper.

Senator Whitehouse?

Senator WHITEHOUSE. Thanks, Mr. Chairman. Good morning to both of you.

My first question is for Ms. Lago, and it has to do with the carbon efficiency advantage that the U.S. enjoys over China. I am looking at a table here based on data from the International Energy Agency, which shows the carbon efficiency advantage index between the U.S. and China at 3.2 in our favor.

And with a carbon advantage like that, Ms. Lago, what would you expect if we were able to deploy a border adjustment for carbon emissions with China? Presumably that would confer pretty significant advantage on American trade exports and manufacturing, if in fact we are about a third as carbon-intense as China.

Ms. LAGO. Thank you, Senator, for raising an issue that touches upon a number of different facets. One is highlighting the fact that, among China's anticompetitive and distorting practices is the fact that many of their industries operate not in accordance with the environmental standards that our country prides itself on. Second, in highlighting our carbon advantage, it says that there are opportunities for U.S. businesses to take advantage of the technological edge that we have here to create new markets and thus new jobs for Americans.

With respect to the border adjustment tax, were I to have the honor of being confirmed, I would look forward to learning from you and your staff, and from the experts at the Commerce Department, more about this so that I could then have an informed discussion with you.

Senator WHITEHOUSE. But as a basic proposition, if China is now getting away with essentially free pollution at a ratio of 3 to 1 compared to American competitors, that gives them an unfair advantage against their American competitors, does it not?

Ms. LAGO. Thank you, Senator. The importance of holding China to its international obligations cannot be overstated. And again, if confirmed, I would look forward to learning more about this border adjustment.

Senator WHITEHOUSE. So, last question to Ms. Wang and also to Ms. Lago, if there is time. Pirate fishing, illegal fishing, IUU fishing it is often called, amounts to about a third of the fish taken out of the ocean. It is a pretty big deal. China is very involved in predatory fishing practices, outraging many neighboring countries with their practices in their sovereign waters.

The result is intense damage to our oceans, a common resource for the world, and also intense damage to U.S. fishing interests that have to compete against these unfair, cheating pirates. And yet that does not seem to get much attention in our trade conversations. Can you express to me what your level of interest and engagement will be to suppress IUU fishing, if you are confirmed to your positions? First, Ms. Wang.

Ms. WANG. Senator, thank you for the question. The issue of pirate fishing, including the use of forced labor in that, is an important issue, and one I would note that Commerce's Enforcement and Compliance Office of Policy and Negotiations has been working on with the interagency, including the U.S. Trade Representative, in the fishery negotiations. And if confirmed, I would look forward to learning more about this with the interagency and seeing what E&C's role can be in it.

Senator WHITEHOUSE. Ms. Lago?

Ms. LAGO. Thank you, Senator. I would echo Ms. Wang's comments, and would also note that, if confirmed, I would also look to Commerce's Industry and Analysis Unit, ITA's Industry and Analysis Unit, to see how their skills, their tools, can be deployed to address this issue.

Senator WHITEHOUSE. Thanks. To anybody listening, your SHERPAs and all, I would suggest that we need to do a much better job at getting ahead of this. And for those of us who are from coastal States that have fishing communities, we are getting increasingly fed up with the low priority that pirate fishing receives from administration after administration. Thank you.

The CHAIRMAN. I am going to recognize Senator Cortez Masto, but I just want to say, if anything, Senator Whitehouse is being far too diplomatic. The stall ball that has been played for years and years on this fishing issue as China pillages—pillages—our fisheries and damages coastal communities, is unconscionable. It is inexcusable. And I will be watching very closely the activities that are coming up in terms of negotiations. And if progress is not made, we are going to pursue legislation to up the ante and ensure that we finally can end the absurd practice of just sort of standing around and letting China pillage our fisheries.

I thank my colleague from Rhode Island for raising it—

Senator WHITEHOUSE. Thank you, Mr. Chairman.

The CHAIRMAN. And he has been more diplomatic than I am prepared to be after all of these years of going around the mulberry bush and nothing happening.

My friend from Nevada has been kind enough to say that after her questions, she will wrap up and handle the questions for the record. She is a very valued member of the committee, and I so appreciate her help.

Senator CORTEZ MASTO [presiding]. Thank you, Mr. Chairman. To the nominees, congratulations, and welcome today.

Let me start with something that, obviously, we are all hearing about and is of concern. I know the administration is working on implementing solutions, but the delay at airports is a complex issue with many contributing factors that continues to frustrate consumers and businesses in my home State.

So, to Ms. Wang and Ms. Lago, if confirmed to your respective new roles at Commerce, how would you, if at all, be able to provide immediate relief or work on this issue as it pertains to the delays at airports? And, Ms. Wang, let me start with you.

Ms. WANG. Senator, thank you for that question. If the pandemic has shown us anything, it is the importance of the domestic supply chain's resiliency. And the role of Enforcement and Compliance is to counter unfair trade practices that undermine this growth and this resiliency.

So, if confirmed, I would work to ensure that any unfair trade practices that undermine resiliency in U.S. job growth by unfair trade practices are counter-resisted by the AD/CVD law. Thank you.

Senator CORTEZ MASTO. Thank you.

Ms. Lago?

Ms. LAGO. Thank you, Senator. This is a global issue, and so, if confirmed, I would look forward to working with allies and partners who are also experiencing these types of disruptions which affect all citizens.

Part of the solution is investing in American infrastructure and workers. And so, passage of the infrastructure bill is part of the longer-term solution. We also need companies, the private sector—which controls the supply chain—to provide more transparency about where the bottlenecks are, how long they believe it will take to address them.

If confirmed, I will look forward to deploying ITA's tools, the Enforcement and Compliance tools that Ms. Wang has just spoken to, but also ITA's Industry and Analysis team, which can help analyze the supply chain vulnerabilities.

Senator CORTEZ MASTO. Thank you. I appreciate your comments on this important issue. And that is one of the reasons why I joined Senators Baldwin, Brown, Rosen, and others in the introduction of the Supply Chain Resiliency Act. This will help to alleviate our current supply chain bottlenecks and prevent future disruptions by investing in American companies, reducing our reliance on foreign supply chains, and ensuring that critical products are made in America. And I am hopeful that the Commerce Department will be supportive of this legislation.

Ms. Wang, let me go back to you. As Assistant Secretary of Commerce, you will be responsible for the enforcement and compliance of trade laws. I noticed in your background you have extensive knowledge of U.S. antidumping and countervailing duty laws.

How will you ensure compliance with trade laws when goods are imported and exported? And can you talk a little bit about your thoughts on that, based on your experience as well?

Ms. WANG. Senator, thank you for the question and allowing me to speak to my experience as a trade practitioner. I know that the American worker and American businesses, including small and medium-sized enterprises, having a voice in that process is impor-

tant to making sure that unfair trade practices are being properly addressed by the AD/CVD laws.

I think, if confirmed, I would work to ensure that we are using all of the tools in our trade remedy toolbox to go after unfair trade practices, to make sure that the resiliency of U.S. businesses and American workers is not being hurt by these practices. And so I just look forward to getting confirmed. Thank you.

Senator CORTEZ MASTO. Thank you.

And, Ms. Lago, you spent 7 years at Treasury as Assistant Secretary for International Markets and Development—again, extensive experience that will benefit you, if confirmed to this position. Can you share how that experience informs your perspective and prepares you to serve as the Under Secretary of Commerce for International Trade?

Ms. LAGO. Thank you for the question, Senator.

My time at Treasury exposed me to the international economic architecture. It exposed me to my counterparts, which included not just other finance ministries, but also trade and industry ministries. And it showed me the importance of working across the U.S. Government, of working with members of Congress, and then also of working with allies and partners globally, both bilaterally and multilaterally. And if confirmed, I would look forward to bringing that experience with me to ITA.

Senator CORTEZ MASTO. Thank you. Thank you both again. Congratulations, and we appreciate you being here as well.

I understand we have Senator Lankford joining us on the web. Senator?

Senator LANKFORD. Thank you. Thanks for that introduction.

Ms. Lago, I want to be able to clarify some questions with you on this. If confirmed, you will be handling the nonmarket economies list. Obviously, that is exceptionally important to us in our competitiveness. I have pushed to be able to have Russia considered to be on that nonmarket economies list. I would be interested to be able to get your feedback on that, or your willingness to be able to at least study that issue.

Ms. LAGO. Thank you, Senator, for raising the issue of Russia being added to nonmarket status. NME is an important distinction for purposes of antidumping duties and how they are calculated, as you know, Senator.

It is a highly fact-specific and technical determination that is based on multiple factors that are laid out. If confirmed, I would look forward to working with Commerce's expert career staff to look at the factors that are there, and any time that the issue of NME comes up, to look at the factors and also, given your interest, Senator, to seek your input on this.

Senator LANKFORD. I will look forward to that dialogue.

As you know, Belarus had asked to be taken off of that nonmarket economies list in the past. The Trump administration had said "no" to that. About 70 percent of the economy is state-operated, and currently Lukashenko from Belarus and Putin, their cooperation seems to be accelerating that issue of nonmarket economies. Would you maintain Belarus as a nonmarket economy at this point?

Ms. WANG. Senator—

Ms. LAGO. Senator—

Senator LANKFORD. That is for Ms. Lago.

Ms. LAGO. Thank you, Senator. If confirmed, I would commit to looking into the issue. At this point, not being within the Commerce Department, I do not have access to information other than what we see publicly, the distressing situation with Belarus.

Senator LANKFORD. We will follow up on that in the days ahead.

One of the areas you have dealt with in the past is the CFIUS review. One of the proposals that I have had is for a mandatory CFIUS review on areas like agricultural investments, technology investments, and others for entities that are coming out of a non-market economy. We have seen it recently in stories, in just the last 48 hours, on China placing companies in Italy, for instance, and being able to pick up a Chinese company. But as they traced it back, they were producing technology in Italy, and they found out it was actually a Chinese Government-owned entity, a state-owned company. In Communist China, it is going to be very, very common, actually.

So my question is, for nonmarket economies, would you support a mandatory review for entities within a nonmarket economy purchasing into the United States for agriculture, technology, or other areas?

Ms. LAGO. Thank you for raising the importance of CFIUS as a national security tool. And I followed with interest Congress's adoption of FIRRMA, which I think made very beneficial changes to the authorities that CFIUS has been given.

One of the important tools within FIRRMA was the focus on working with allies to unveil investment review, I think for many of the reasons that your example brings to the fore. And so certainly, if confirmed, I would welcome learning more about your legislation.

Senator LANKFORD. Okay. Let's talk about that in the future, then, to be able to maintain that, because an NME review, a CFIUS review for these nonmarket economies, I think will be very important for a lot of the investment that is happening now in so-called "private" companies that are clearly state-owned by countries. And that initial piece of that, I think, will be important.

One last piece on this, and that is the issue about human rights abuses. I offered an amendment when I came to this committee—it was actually voted down by every Democrat on the committee—on trying to exclude Uyghur-developed solar panels and such that would come in, because of the human rights abuses for the Uyghurs at this point.

Interestingly enough, just a couple of weeks ago in the Build Back Better bill in the House, they actually took out the section that would prevent Uyghur forced labor products from coming into the United States. And then John Kerry, just last week, made a statement that keeping out Uyghur-made solar panels and all that happens there is not in his lane.

I am trying to figure out whose lane it is in, and what your role would be, Ms. Lago, in trying to prevent the products that are coming into the United States that are done with forced labor.

Ms. LAGO. Senator, like you, I abhor the forced labor and the human rights' abuses that the Chinese Government is inflicting,

particularly on the Uyghurs. And if confirmed, I would look forward to working with you, with this committee, and also with the interagency on this topic of forced labor.

It is a topic that requires many different government agencies to pull together, but I want to state for me, being as clear as possible, that China's treatment of the Uyghurs is unacceptable.

Senator LANKFORD. And you would say that is in your lane to help prevent that coming into the United States?

Ms. LAGO. If confirmed, I would welcome being part of the solution to the issue of forced labor in China.

Senator LANKFORD. All right; thank you.

Senator CORTEZ MASTO. Thank you, Senator Lankford.

Senator Brown?

Senator BROWN. Thank you, Madam Chair, Senator Cortez Masto.

Congratulations to both of you on your nominations. For the first time in memory—and I include the administrations of both parties—we finally have an administration that puts workers at the center of our trade policy.

I was very unhappy with the Trump trade policy. It sounded good, but it was more corporate trade agreements until we fixed USMCA, and I thank Senator Cortez Masto for her work on that, and particularly Chairman Wyden for his work. But the former administration—the former Obama-Biden administration—was essentially long on trade. And later today, Ms. Lago—and we were having an individual one-on-one conversation—I will ask you some more pointed questions than that discussion.

I see important progress on the trade agreement negotiation front, but we need more aggressive changes in enforcement. I am very comfortable with U.S. Trade Rep Tai and the administration she is putting together, in large part because of her history of putting workers at the center of our trade policy and our economic policy. I am less comfortable with Commerce and want to hear more from both of you, especially when we talk later, Ms. Lago, of Obama administration policy and how that may color the Commerce Department.

So I hear from businesses across Ohio encountering issues with dumping of Chinese-sourced products into the U.S. market. We know that China has historically used every tool at its disposal to get around our trade laws. I agree, certainly, with my Oklahoma colleague about his comments about the Uyghurs, but I also hear those comments from Senators who essentially kowtow to China and have given American corporations what they wanted in our trade policy with China. Now we focus on human rights as we should, but we also have to focus on enforcement.

I introduced my bipartisan bill with my Ohio colleague, and with Senators Rubio and Casey, Level the Playing Field 2.0, to update our trade remedy laws for better enforcement. China has a playbook. We know they build up their overcapacity of a specific product. They target American businesses for illegal dumping. They have done this for steel and iron. They make it so that small businesses cannot compete. They are doing it now in the solar sector.

We have the biggest solar manufacturer in the country near Toledo. I know what they are up against, and they are about to do

this, the Chinese are, for materials that are sensitive for our national security.

So, Ms. Wang, I would like to thank you for being here; and, Ms. Lago, thank you for doing this remotely.

Ms. Wang, I have a series of “yes” or “no” questions for you on the tools that we have to address illegal dumping and AD/CVD circumvention. So, my series of questions.

Do you believe a union company in Lima, OH should have to lay off hundreds of workers before our government can respond to the dumping activity in our manufacturing industry?

Ms. WANG. Senator Brown, thank you for the question. I want to assure you that the voices of union members and American workers are absolutely heard in the AD/CVD process.

Senator BROWN. That was not my question though, but thank you for that. Glad to hear that.

Do you believe a union company in Lima should have to lay off hundreds of workers before the government can respond to the dumping activity?

Ms. WANG. Senator, I do not believe that there should be layoffs of American workers due to unfair trade practices of countries like China.

Senator BROWN. Do you believe a company in Youngstown that has already demonstrated financial harm from illegal dumping should have to wait 14 months—14 months—for duties to be applied against the product that is harming their companies?

Ms. WANG. Senator Brown, there are statutory deadlines and requirements that are necessary of Enforcement and Compliance. But if confirmed, I certainly would work to find efficiencies in that process.

Senator BROWN. The harm had already been shown, okay?

Do you believe a small business in my hometown of Mansfield should have to spend \$3 million minimum to bring one of these issues before the ITC and the Department of Commerce?

Ms. WANG. Senator, I believe strongly that we should find ways to reach out to American workers, and small and medium-sized enterprises, so that they can obtain effective relief under the AD/CVD laws.

Senator BROWN. In a case where duties are finally applied, but that same product starts appearing from a completely different country, understanding what is probably happening, do you believe a company in Defiance, OH should have to restart the entire process with a brand new petition?

Ms. WANG. Senator Brown, there are remedies under the anti-circumvention laws that do not require industries to file a new AD/CVD petition. If confirmed, I would like to work on those issues with you.

Senator BROWN. And do you believe—last question—do you believe a company in Springfield, OH, developing sensitive national security products, that already discloses itself to the Department of Commerce, should have to disclose itself to the public and face retaliation from China during the petition process?

Ms. WANG. Senator, I believe these are highly fact-specific questions, and particularly those involving proprietary information. And

if confirmed, I would want to learn more about that particular fact-specific proceeding.

Senator BROWN. I thought your answers were responsive. They were not exactly “yes” or “no.” I understand why, but once you are confirmed, I assume they will be. I vote for almost every Biden nominee. I am more, if not reluctant, certainly skeptical on trade issues, because I have seen over the course of Democratic and Republican Presidents a bias towards U.S. corporate interests that shut down production in this country and move overseas to sell their products back into this country. And the President of the Federal Reserve in Richmond once told me, “Watch what I do, and let me know you are watching.”

So, thank you for your willingness to serve, both of you. And, Ms. Wang, sorry. When you show up in person, you get more questions, but Ms. Lago, remotely, comes to my office later today. So, thank you both.

Senator CORTEZ MASTO. Thank you, Senator Brown.

Okay, we are going to wrap up the hearing. I would like to thank all the members today for their participation. I would especially like to thank both nominees for their responses this morning.

Regarding questions for the record, the deadline for members to submit QFRs will be next Tuesday, November 23rd, at 5 p.m. That 5 p.m. deadline is firm.

So, we would like to thank everyone again for their cooperation, and this hearing is adjourned. Thank you.

[Whereupon, at 11:49 a.m., the hearing was concluded.]

APPENDIX

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

PREPARED STATEMENT OF HON. MIKE CRAPO,
A U.S. SENATOR FROM IDAHO

Thank you, Senator Wyden.

Welcome, Ms. Lago and Ms. Wang; and congratulations on your nominations. If confirmed, the nominees before us will have key roles in overseeing and operating the Department of Commerce's International Trade Administration—or ITA. ITA plays an important role in promoting market access and redressing unfair trade practices. Both functions are critical to American prosperity.

For example, Hamilton Manufacturing in Twin Falls, ID successfully utilized ITA's export promotion services to locate new partners in Chile. There are many other companies in Idaho and across the country that can benefit from such assistance.

Ms. Lago, I look forward to hearing your views today on how ITA can expand export opportunities for America's farmers, businesses, and workers. In terms of unfair trade practices, our industries have to be able to compete on a level playing field, including by having recourse to relief under our antidumping and countervailing laws when appropriate.

This is particularly important right now when China is spending record sums on industrial subsidies. Ms. Wang, I hope you will share your insights on how ITA can administer the trade remedy laws effectively.

I remind both nominees that ITA's success in its mission is contingent on a strong partnership with Congress. This is true not just because Congress has authority over trade policy under our Constitution, but because members are in the best position to understand the needs of our constituents. I hope the nominees today will confirm that they would closely consult with this committee if confirmed.

I look forward to hearing the nominees' testimony and their responses to questions.

PREPARED STATEMENT OF HON. MARIA LOUISE LAGO, NOMINATED TO BE UNDER
SECRETARY FOR INTERNATIONAL TRADE, DEPARTMENT OF COMMERCE

Chairman Wyden, Ranking Member Crapo, members of the Senate Finance Committee, thank you for welcoming me here, and for allowing me to testify virtually. It is a tremendous privilege to be considered by this committee as the nominee for Under Secretary for International Trade at the Department of Commerce. Considering the achievements of those who have served in this position in prior administrations, it is humbling to be before you today. It is increasingly important that our Nation remain the global leader on trade, especially as we look to a post-pandemic world. If confirmed, I will treat the role of leading the International Trade Administration with the significance that it deserves.

Before I discuss my priorities, I would like to take a brief moment to recognize three major influences in my life:

- My partner of 47 years, my beloved architect husband, Ronald Finiw. Ron is the son of Ukrainian parents who our country welcomed as displaced persons following World War II. Ron and I met at Cooper Union, which provided each

of us with a tuition-free education for which we are eternally grateful. I am also grateful to Congress for the Work-Study Program, which allowed me to earn the funds I needed to support myself while in college.

- My mother, Maria Pita, a Spanish immigrant and proud American, who raised me bilingually and who passed along her rock-solid ethical core.
- And my late father, Louis Lago, child of Spanish immigrants and a World War II Navy veteran.

My parents instilled in me a lifelong hunger for learning, bursting with pride when I became my family's first college graduate. My father's career as a 30-plus-year civilian employee of the Department of Defense set a powerful example for his children. My brother Paul Lago has spent his entire career as a Federal civil servant at the Department of Defense. And my Dad's lessons have shaped my career in Federal, State, and municipal government, a career that has focused on the importance of supporting jobs for the American people—stable, well-paying jobs that support families.

Throughout my time in government, I have seen firsthand the power of trade and investment to improve lives. During my 7 years as Treasury Assistant Secretary for International Markets and Development, I worked with the World Bank and its regional counterparts to increase women's access to capital, allowing them to build businesses and support both their families and their communities. I came to see firsthand that, over the longer term, these investments create export opportunities for U.S. businesses of all sizes, which in turn create more jobs for U.S. workers.

Similarly, when I was President and CEO of New York State's economic development arm, I saw the multifaceted benefits of the investments that we made. I helped revitalize the decaying, formerly industrial Brooklyn waterfront where my grandfather had worked as a cook on a tugboat. Some of you may have personally enjoyed the result of this initiative, Brooklyn Bridge Park, which has grown into a major recreational hub, as well as a national and international tourist draw—contributing significantly to the vibrancy, livability, and economic health of my hometown and our Nation.

Of course, ITA not only supports U.S. businesses and exporters, it plays an essential role in ensuring that our trading partners are abiding by the rules of the road. My prior service heading international affairs at the U.S. Securities and Exchange Commission, a formidable enforcement agency, gives me a deep-seated appreciation of the importance of ensuring that other nations comply with our trade agreements and, when they do not, deploying our robust enforcement tools on behalf of American businesses and American workers.

When competing on a level playing field, U.S. businesses and the workers that they employ can successfully innovate and succeed. And their success bolsters American competitiveness, economic and national security, and the lives of the American people.

If I have the honor of being confirmed, I look forward to being a committed partner to this committee, and Congress more generally, as well as a passionate, tireless advocate for the people of the United States of America.

I look forward to any questions you may have for me.

SENATE FINANCE COMMITTEE

STATEMENT OF INFORMATION REQUESTED OF NOMINEE

A. BIOGRAPHICAL INFORMATION

1. Name (include any former names used): Lago, Maria Louise (AKA Lago, Marisa).
2. Position to which nominated: Under Secretary for International Trade, Department of Commerce.
3. Date of nomination: September 13, 2021.
4. Address (list current residence, office, and mailing addresses):

5. Date and place of birth: December 4, 1955; Brooklyn, NY.
6. Marital status (include maiden name of wife or husband's name):
7. Names and ages of children:
8. Education (list all secondary and higher education institutions, dates attended, degree received, and date degree granted):

Educational Institution	Dates attended	Degree received	Date of degree
Harvard Law School	September 1979–May 1982	J.D. cum laude	May 1982
Brown University (Graduate School; Applied Math Department)	September 1977–December 1977	none	n/a
The Cooper Union	September 1973–May 1977	B.S. Physics	May 1977

9. Employment record (list all jobs held since college, including the title or description of job, name of employer, location of work, and dates of employment for each job):

Title: Director, NYC Department of City Planning; Chair, NYC City Planning Commission.

Employer: NYC Department of City Planning.

Location: 120 Broadway, 31st Floor, New York, NY 10271.

Dates: 3/2017–9/2021.

Note: The two positions were held simultaneously.

Title: Assistant Secretary for International Markets and Development.

Employer: United States Department of the Treasury.

Location: 1500 Pennsylvania Avenue, NW, Washington, DC 20220.

Dates: 2/2010–1/2017.

Title: President and CEO (9/2008–6/2009); Advisor (7/2009–2/2010).

Employer: Empire State Development Corporation (ESDC).

Location: 633 Third Avenue, New York, NY 10017.

Dates: 9/08–2/10.

Title: Commissioner.

Employer: New York State Department of Economic Development.

Location: 633 Third Avenue, New York, NY 10017.

Dates: 9/2008–6/2009.

Note: Position was held simultaneously with my position as President and CEO of ESDC.

Title: Global Head of Compliance.

Employer: Citi Markets and Banking (Citigroup, Inc.; Citigroup Global Markets, Inc.).

Location: 388 Greenwich Street, New York, NY 10013.

Dates: 4/2003–9/2008.

Title: Director of Global Workforce Development.

Employer: Citigroup, Inc.

Location: 390 Park Avenue, New York, NY 10022.

Dates: 8/2001–3/2003.

Title: Director, Office of International Affairs.

Employer: U.S. Securities and Exchange Commission.

Location: 100 F Street, NE, Washington, DC 20549.

Dates: 2/1997–7/2001.

Title: Chief Economic Development Officer; Director, Boston Redevelopment Authority.

Employer: City of Boston.

Location: One City Hall Square, Boston, MA 02201.

Dates: 2/1994–1/1997.

Note: The two positions were held simultaneously.

Title: General Counsel.

Employer: New York City Economic Development Corporation (NYC EDC).

Location: 110 William Street, New York, NY 10038.

Dates: 9/1990–2/1994.

Title: Senior Vice President for Legal Affairs.

Employer: New York City Industrial Development Agency.

Location: 110 William Street, New York, NY 10038.

Dates: 1991 (estimate)–2/1994.

Note: Position was held simultaneously with my position as General Counsel of NYC EDC.

Title: Junior Partner; Associate.

Employer: Nutter, McClennen and Fish.

Location: World Trade Center West, 155 Seaport Boulevard, Boston, MA 02210.

Dates: 2/1986–8/1990 (Junior Partner, 1/1988–8/1990; Associate, 2/1986–12/1987).

Title: Special Assistant to the Chairman.

Employer: New York City Department of City Planning.

Location: 22 Reade Street, New York, NY 10007.

Dates: 10/1983–12/1985.

Title: Law Clerk to the Honorable Hugh Bownes (deceased).

Employer: U.S. Court of Appeals for the First Circuit.

Location: James C. Cleveland Federal Building, 55 Pleasant Street, Concord, NH 03301.

Dates: 9/1982–8/1983.

Title: Summer Associate.

Employer: Berle Butzel Kass and Case.

Location: Firm no longer exists.

Dates: 06/1982–07/1982 (estimate).

Title: Summer Associate.

Employer: Cleary Gottlieb Steen and Hamilton.

Location: One Liberty Plaza, New York, NY 10006.

Dates: 6/1981–8/1981 (estimate).

Title: Research Assistant.

Employer: Harvard Law School Professor Lance Liebman.

Location: 1585 Massachusetts Avenue, Cambridge, MA 02138.

Dates: 5/1980–8/1980 (estimate).

Title: Actuarial Assistant.

Employer: William M. Mercer.

Location: 99 High Street, Boston, MA 02110.

Dates: 2/1978–8/1979 (estimate).

10. Government experience (list any current and former advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments held since college, including dates, other than those listed above):

Member, Massachusetts Housing Partnership.

Member, Clerk, Vice-Chairperson of Scituate (Massachusetts) Planning Board.

Member, Scituate (Massachusetts) Housing Partnership.

Member, Scituate (Massachusetts) Fair Housing Committee.

11. Business relationships (list all current and former positions held as an officer, director, trustee, partner (*e.g.*, limited partner, non-voting, etc.), proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, other business enterprise, or educational or other institution):

Organization	Office held (if any)	Dates
United Nations Development Corporation	Member, Board of Directors ex officio (as a result of my position as Chair of the NYC City Planning Commission)	3/2017 (estimate)–9/2021

Organization	Office held (if any)	Dates
Theatre Subdistrict Council	Member, Board of Directors ex officio (as a result of my position as Director of the NYC Department of City Planning)	3/2017 (estimate)–9/2021
NYC Industrial Development Agency	Member, Board of Directors ex officio (as a result of my position as Chair of the NYC City Planning Commission)	3/2017 (estimate)–9/2021
Build NYC Resource Corporation	Member, Board of Directors ex officio (as a result of my position as Director of the NYC Department of City Planning)	3/2017 (estimate)–9/2021
East Midtown Public Realm Improvement Fund	Member, Board of Directors ex officio (as a result of my position as Chair of the NYC City Planning Commission)	8/2017 (estimate)–9/2021
European Bank for Reconstruction and Development	Acting U.S. Director, ex officio (as a result of my position as Assistant Secretary for International Markets and Development of the U.S. Department of the Treasury)	12/2013–11/2015
Citigroup	Managing Director	4/2003–9/2008
Empire State Development Corporation (ESDC)	President and CEO	9/2008–6/2009
Boston Redevelopment Authority	Director	2/1994–1/1997
New York City Economic Development Corporation	General Counsel	9/1990–2/1994
New York City Industrial Development Agency	Senior Vice President	1991 (est.)–2/1994
Nutter, McClennen and Fish	Junior Partner	1/1988–8/1990

12. Memberships (list all current and former memberships, as well as any current and former offices held in professional, fraternal, scholarly, civic, business, charitable, and other organizations dating back to college, including dates for these memberships and offices):

Organization	Office held (if any)	Dates
Cooper Union Engineering Advisory Council	Member	11/1998–2/2010
NYC Investment Partnership	Member, Board of Directors	3/2009–6/2009
Lower Manhattan Cultural Council	Member, Board of Directors	4/2006–8/2008
Enterprise Foundation	Member, Advisory Board	2002–2005
Hannah House	Member, Board of Directors	1997–6/2001

Organization	Office held (if any)	Dates
Women's Forum of Washington	Member	1997–2001 (estimate)
Massachusetts Women's Forum	Member	1994–1997
Fannie Mae Housing Impact Advisory Council	Member	1995–1997
Boston Management Consortium	Director	1995–1/1997
National Economic Development and Law Center; name was subsequently changed to the Insight Center for Community Economic Development	Member, Board of Directors	1991–1994
Association of the Bar of the City of New York	Member; Committee on Real Property Law and Special Committee on Government Counsel	1991 (estimate)–1/1994
Massachusetts Housing Partnership	Member	1990
(Boston) Metropolitan Area Planning Council (MAPC)	Member	1987–1990
(Boston) South Shore Coalition (an affiliate of MAPC)	Member (1987–1990); Clerk (1988–1989); Vice-Chairperson (1988–1990)	1987–1990
Scituate (Massachusetts) Planning Board	Member (1987–1990); Clerk (1987–1988); Vice-Chairperson (1988–1990)	1987–1990
Scituate (Massachusetts) Housing Partnership and Scituate Fair Housing Committee	Member	1988–1990
Boston Bar Association (BBA)	Member; Committee on Real Property Law, Environmental Committee, and Special Committee on Minorities in the Profession	1986–1990 (estimate)
Lawyers Clearinghouse on Affordable Housing and Homelessness (joint project of BBA and Massachusetts Bar Association)	Member	1987–1990 (estimate)
Boston Law Firm Group; name was subsequently changed to the Boston Lawyers Group	Representative of the law firm Nutter McClennen and Fish, my then-employer	1986–1990 (estimate)
Scituate (Massachusetts) Democratic Town Committee	Member	1988

13. Political affiliations and activities:

- a. List all public offices for which you have been a candidate dating back to the age of 18.

Scituate (Massachusetts) Planning Board; Member (1987–1990); Clerk (1988–1989); Vice-Chair (1988–1990).

- b. List all memberships and offices held in and services rendered to all political parties or election committees, currently and during the last 10 years prior to the date of your nomination.

None.

- c. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$50 or more for the past 10 years prior to the date of your nomination.

Obama for America	12/31/2011	\$100
Obama for America	6/29/2012	\$1,000
Obama for America	10/2/2012	\$250
Presidential Inaugural Committee	1/12/2013	\$150
Hillary for America	6/24/2016	\$2,700
Hillary for America	8/23/2016	\$2,700
Haley Stevens	9/15/2017	\$250
Biden Victory Fund	9/21/2020	\$2,800

14. Honors and awards (list all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognitions for outstanding service or achievement received since the age of 18):

Description	Dates (if applicable)
The Cooper Union Alumni Hall of Fame	2019
U.S. Department of Treasury Alexander Hamilton Award	2017
The Office of Intelligence and Analysis (OIA) Medallion No. 28	2015
The Cooper Union: Presidential Citation	1996
German Marshall Fund, Fellowship for International Environmentalists	1989
National Science Foundation: Honorable Mention	1977
The Cooper Union: Full tuition scholarship for 4 years of undergraduate education	1973–1977
Sigma Pi Sigma (national physics honor society)	1976–1977 (estimate)
Morris Catholic High School: valedictorian	1973

15. Published writings (list the titles, publishers, dates and hyperlinks (as applicable) of all books, articles, reports, blog posts, or other published materials you have written):

During my time at the NYC Department of City Planning (NYC DCP), U.S. Department of the Treasury (Treasury), and the U.S. Securities and Exchange Commission (SEC), I have published articles, reports, and blog posts in my official capacity and related to my government employment. These can be found on the websites of these three government entities.

For example, the NYC Department of City Planning frequently releases publications in which I am identified as the Director of the Department. They include:

- Resilient Industry, Mitigation and Preparedness in the City’s Industrial Floodplain.
- The Ins and Outs of NYC Commuting.
- The Geography of Jobs.
- North Brooklyn Industry and Innovation Plan.

Less frequently, I have published articles on matters related to my government employment. They include:

–“Opinion: After Amazon, NYC and Nassau must work together,” co-authored with Nassau County (NY) Executive Laura Curran and published in the Long Island Business Net on 28 February 2019, <https://libn.com/2019/02/28/opinion-after-amazon-nyc-nassau-must-work-together/>.

Prior to joining U.S. Treasury, I participated in, and moderated, panels sponsored by FINRA (Financial Regulatory Authority), Securities Industry Association (FINRA’s predecessor), Practising Law Institute, American Bar Association, Association of the Bar of the City of New York, Massachusetts Continuing Legal Education, and Boston Bar Association. In connection with these panels, written materials were sometimes prepared (generally by a lawyer at a law firm, who was also on the panel). I do not have a record of these publications.

Earlier on in my career, I had the following three publications:

–Association of the Bar of the City of New York, Real Property Committee, 1992. Seminar on “Hazardous Materials Issues in Real Estate Transactions: Negotiation of Commercial Documentation.” Course Materials: “Environmental Clean-Ups: Who’s Liable Now?”
 –Massachusetts Continuing Legal Education, 1990. Course materials: “Important New Developments in Wetlands and Waterways Regulation.”
 –Massachusetts Continuing Legal Education, 1989. Course materials published as “Massachusetts Zoning Manual: Nonconforming Uses and Structures.”

16. Speeches (list all formal speeches and presentations (*e.g.*, PowerPoint) you have delivered during the past 5 years which are on topics relevant to the position for which you have been nominated, including dates):

See NYC DCP speeches at: <https://www1.nyc.gov/home/search/index.page?search-terms=marisa+lago>.

See Treasury speeches at: <http://search.treasury.gov/search?affiliate=treasury&commit=Search&query=marisa%20lago>.

See SEC speeches at: <https://secsearch.sec.gov/search?utf8=?&affiliate=secsearch&query=Marisa+lago&commit=Search>.

17. Qualifications (state what, in your opinion, qualifies you to serve in the position to which you have been nominated):

Over the years, I have acquired broad experience in diverse areas that will serve me well if confirmed as Under Secretary for International Trade at the Department of Commerce. My areas of expertise include: international economic diplomacy; national security; international development assistance; international financial services regulation; Federal, State, and municipal economic development; land use planning; Federal, State, and municipal governance and policy; and leadership and management of large, complex initiatives and organizations. Throughout my career I have maintained a strong commitment to public service, community involvement, and diversity, equity, and inclusion.

The breadth of my experience in both the public sector (at the Federal, State, and local levels) and private sector is reflected on my resume. The roles that best qualify me for the position for which I have been nominated are my prior work for the U.S. government.

In my position as Assistant Secretary for International Markets and Development at the Department of Treasury (2010–2017), I led Treasury’s role on the Committee on Foreign Investment in the United States and directed Treasury’s portfolio on trade in financial services, international development assistance, technical assistance, and international financial services regulation.

In my position as Director of International Affairs at the U.S. Securities and Exchange Commission (1997–2001), I headed the office responsible for all aspects of the SEC’s international activities, and played a key role in numerous international initiatives involving: trade in financial services; international accounting standards; regulation of financial conglomerates; corporate governance; securities activities on the Internet; and enhancing financial regulation in off-shore financial centers.

Throughout my career, I have been committed to outside civic activities. These have included service on the Board of Directors of the Lower Manhattan Cul-

tural Council, the Advisory Board of the Enterprise Foundation, the Housing Impact Advisory Council of Fannie Mae, and the Board of Directors of the National Economic Development and Law Center.

I am fluent in Spanish, which has been helpful in both my international and domestic positions.

B. FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all connections (including participation in future benefit arrangements) with your present employers, business firms, associations, or organizations if you are confirmed by the Senate? If not, provide details.
Yes.
2. Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, provide details.
No.
3. Has any person or entity made a commitment or agreement to employ your services in any capacity after you leave government service? If so, provide details.
No.
4. If you are confirmed by the Senate, do you expect to serve out your full term or until the next presidential election, whichever is applicable? If not, explain.
Yes.

C. POTENTIAL CONFLICTS OF INTEREST

1. Indicate any current and former investments, obligations, liabilities, or other personal relationships, including spousal or family employment, which could involve potential conflicts of interest in the position to which you have been nominated.
None.
2. Describe any business relationship, dealing, or financial transaction which you have had during the last 10 years (prior to the date of your nomination), whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.
None.
3. Describe any activity during the past 10 years (prior to the date of your nomination) in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy. Activities performed as an employee of the Federal Government need not be listed.
None.
4. Explain how you will resolve any potential conflict of interest, including any that are disclosed by your responses to the above items. (Provide the committee with two copies of any trust or other agreements.)
In connection with the nomination process, I will consult with the Office of Government Ethics and the designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement. I am not aware of any current potential conflicts.
5. Two copies of written opinions should be provided directly to the committee by the designated agency ethics officer of the agency to which you have been nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position.
To be provided.

D. LEGAL AND OTHER MATTERS

1. Have you ever been the subject of a complaint or been investigated, disciplined, or otherwise cited for a breach of ethics for unprofessional conduct before any court, administrative agency (*e.g.*, an Inspector General's office), professional association, disciplinary committee, or other ethics enforcement entity at any time? Have you ever been interviewed regarding your own conduct as part of any such inquiry or investigation? If so, provide details, regardless of the outcome.

No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority for a violation of any Federal, State, county, or municipal law, regulation, or ordinance, other than a minor traffic offense? Have you ever been interviewed regarding your own conduct as part of any such inquiry or investigation? If so, provide details.

I believe that I have been a party, in my representative capacity only (and not as an individual), to lawsuits challenging the actions of the following entities:

- NYC Department of City Planning.
- NYC City Planning Commission.
- Empire State Development Corporation.
- New York State Department of Economic Development.
- Boston Redevelopment Authority.
- New York City Economic Development Corporation.
- Scituate Planning Board.

The records of any such lawsuits are available from the general counsel of each of these entities.

The following are the only times that I have been sued in my personal capacity for activities related to my public service:

WHILE EMPLOYED BY THE BOSTON REDEVELOPMENT AUTHORITY:

Court:	Proceeding:	Role:	Date filed:
Suffolk (Massachusetts) Superior Court Civil Docket #SUCV97-02875C	Civil action	Defendant	5/1997

Comments:

The plaintiff alleged employment discrimination, interference with constitutional rights, violation of Massachusetts Equal Rights Act, and intentional interference with advantageous relations. Case against Marisa Lago was dismissed for failure to state a claim.

Agency:	Proceeding:	Role:	Date filed:
Massachusetts Commission Against Discrimination (MCAD)	Administrative	None	Unknown

Comments:

The plaintiff in the case above also filed a related administrative claim with the Massachusetts Commission Against Discrimination (MCAD). I have no further information about the MCAD claim, and believe that it was dismissed.

WHILE SERVING ON THE SCITUATE PLANNING BOARD:

Court:	Proceeding:	Role:	Date filed:
Plymouth (Massachusetts) Superior Court Civil Docket C.A. #90-1761B (Loretta E. Darien et al. v. Thomas Bledsoe et al.)	Civil action	Defendant	1990 (est.)

WHILE SERVING ON THE SCITUATE PLANNING BOARD:—Continued**Comments:**

The case was a challenge by the proponents of an animal shelter of the action of the Scituate (Massachusetts) Planning Board (SPB) in denying a site plan approval/special permit. The suit, which named both the SPB and each individual SPB member, was dropped by the plaintiffs.

The following are the only times that I have been a party in my personal capacity:

IN MY PERSONAL CAPACITY:

Court:	Proceeding:	Role:	Date filed:
Suffolk (Massachusetts) Superior Court Civil Docket #94-5219	Civil action	Plaintiff	10/1994

Comments:

The case was a dispute regarding proposed development of land adjacent to my then-home. I challenged the action of the Massachusetts Department of Environmental Protection (DEP) in affirming the granting of an Order of Conditions (O of C) by the Scituate (Massachusetts) Conservation Commission (SCC), acting as an arm of the Commonwealth of Massachusetts under the Massachusetts Wetlands Protection Act. The matter arose from the attempt of a speculator to build on an unbuildable lot located adjacent to my then-home. Development permits were denied (which was the result that I sought).

Court:	Proceeding:	Role:	Date filed:
Plymouth (Massachusetts) Superior Court Civil Docket #93-0927B	Civil action	Plaintiff	12/1993 (est.)

Comments:

This is a case related to the previous case. I believe that I was the named plaintiff, but do not have records of this case. Also, I believe that there may have also been related administrative proceedings before the DEP, SCC, and Scituate Buildings Department. I do not have records of any such proceedings.

Court:	Proceeding:	Role:	Date filed:
U.S. Tax Court Docket #33526-87"S"	Civil action	Defendant	1987 (est.)

Comments:

For the 1984 tax year, the IRS alleged a deficiency in my return (joint return with spouse). We challenged this determination. A decision entered on June 6, 1988 found that there was no deficiency and no taxes due.

Court:	Proceeding:	Role:	Date filed:
Unknown New York Court	Civil action	Plaintiff	1975 (est.)

Comments:

Challenge (along with a number of my classmates who were then Physics majors at Cooper Union) to the decision by Cooper Union to terminate the Physics program. I believe that plaintiffs dropped the challenge.

3. Have you ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.
No.
4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, provide details.
No.
5. Please advise the committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.
None.

E. TESTIFYING BEFORE CONGRESS

1. If you are confirmed by the Senate, are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?

Yes.

2. If you are confirmed by the Senate, are you willing to provide such information as is requested by such committees?

Yes.

QUESTIONS SUBMITTED FOR THE RECORD TO HON. MARIA LOUISE LAGO

QUESTION SUBMITTED BY HON. RON WYDEN

U.S.-EU PRIVACY SHIELD

Question. ITA is negotiating a new Privacy Shield agreement with the European Union to ensure market access for U.S. companies while addressing the Europeans' concerns about U.S. Government access to their data.

If confirmed, how would you ensure that any Privacy Shield agreement is not one-sided, and also protects Americans' data from unreasonable surveillance by European government agencies?

Answer. The United States and the European Union share a deep trade and investment relationship, which sustains millions of jobs on both sides of the Atlantic. Transatlantic data flows are an essential component of that two-way trade and investment. The original Privacy Shield decision was invalidated by the Court of Justice of the European Union (CJEU) based on concerns about government access to personal data. If confirmed, I would work with my counterparts across the U.S. Government and within the European Commission to find a sustainable solution that addresses the legal and also the economic ramifications of the CJEU's ruling. If confirmed, I look forward to working with you, your staff, and the interagency to consider how best to protect personal data on both sides of the Atlantic.

QUESTIONS SUBMITTED BY HON. MARIA CANTWELL

Question. China is no doubt one of our most important trading partners and was the third largest export market for American products last year. In 2020, we exported \$26.5 billion worth of agricultural products and \$40.4 billion worth of service goods to China.

My home State of Washington is a major exporter to China as well, exporting \$9 billion worth of goods in 2020, making China Washington State's largest trading partner. The agreements outlined in the China Phase One purchasing agreement would benefit Washington State's economy. That being said, reports have shown that China is not on track to meet its purchasing targets. China is Washington State's third largest trading partner for agricultural products. In 2020, Washington State exported \$518 million worth of agricultural goods to China. Top Washington State agricultural exports include \$83 million worth of fish and seafood, \$54 million worth of frozen potatoes, \$51 million worth of cherries, \$25 million worth of wheat, and \$13 million worth of beef.

China should have purchased \$29.8 billion worth of agricultural products by the end of September to meet the target, but instead fell short at purchasing only \$26.7 billion worth. The agreement was supposed to offset some of the effects of the trade conflict, so we need to ensure that China is on track to achieve the targets that they agreed to.

USTR Ambassador Tai also agreed during her speech on the administration's China trade policy that we must hold China accountable to their commitments, and that certain provisions in the phase one agreement will need to be revisited.

In your opinion, what can be done to improve China's performance in terms of the purchasing targets that they agreed to?

Are the goals of the agreement realistic? Are there areas of the agreement that you think need to be reassessed or renegotiated?

How do you plan to work with USTR to enforce the targets of the agreement without imposing economic harm to U.S. industries?

Answer. If confirmed, I would work closely within ITA and with the U.S. Trade Representative and others in the U.S. Government as appropriate to ensure that the Chinese Government is held accountable for its commitments.

In October, the Biden-Harris administration outlined the initial steps to realign U.S. trade policy towards China, which included China's performance under the Phase One agreement. It is important that the Chinese Government adhere to the commitments it made, and it is my understanding that USTR Tai is engaged in discussions with the Chinese Government to that end.

It is also important to note that many concerns with respect to the Chinese Government were not addressed in the Phase One agreement, such as state-owned enterprises, subsidies, limiting market access, and other distortive and coercive economic practices. If confirmed, I look forward to working with the U.S. Trade Representative and others in the U.S. Government on these issues, as appropriate, and would work to ensure that workers and firms can compete on a level playing field. If confirmed, I look forward to working with you and your staff on this issue.

Question. Among your responsibilities is the U.S. and Foreign Commercial Services. The FCS as it is known is a great service to U.S. companies working in foreign markets. I particularly would note how helpful the FCS is for U.S. small businesses seeking to enter and develop the Chinese market. Washington State exports \$9 billion in goods in 2020, making China the largest trading partner for my State.

In light of the current stress in the relationship, how can the FCS help to improve trading relationship—in a positive, constructive way—for the U.S. and China?

Answer. U.S. exports can create high-paying U.S. jobs. China is our Nation's third largest trading partner, taking over \$120 billion in goods exports alone in 2020. While the Chinese market holds opportunities for U.S. exporters, there are still numerous non-tariff barriers to trade, as well as anti-competitive actions that need to be addressed—including the Chinese Government's theft of intellectual property, forced technology transfer, and subsidies for its businesses. If confirmed, I would work with the trade specialists and commercial diplomats in ITA on these issues.

Question. In 2019, digital services exports accounted for 59 percent of all U.S. services exports, generating a U.S. digital trade surplus of \$220 billion that is shared by small and large companies and workers far outside the traditional tech sector. One in three small and medium-sized businesses report that they would not have survived the pandemic without digital tools, and two-thirds of small business employers say that technology can help them overcome export barriers. My home State of Washington is responsible for nearly 5 percent of the entire country's digital export volume, which directly and indirectly supports nearly 250,000 jobs across the information, technology, and communications sector.

It is clear, especially over that last year that without the ability to trade digitally, American workers and businesses would have been put at a significant disadvantage. It is imperative that we create more opportunities for U.S. exporters to harness digital trade and push back on the growing threat of digital protectionism.

I believe we need a bold new strategy on digital trade; one that modernizes our existing free trade agreements and seeks new bilateral and plurilateral digital rules that ensure America and our workers stay competitive in the 21st century and that businesses can compete on a level playing field. That is why I was pleased to hear that the U.S. and several European countries were able to come to an agreement on eliminating digital service taxes recently.

Beyond dealing with foreign digital service taxes, what do you think are the most important digital trade issues that the United States must engage with trading partners on?

The U.S.-EU Trade Technology Council hosted its first summit in Pittsburgh 2 months ago, and released a joint statement detailing a framework that would promote trade and innovation in the IT industry.

Do you think the agreements in the joint statement adequately address U.S.-EU technology trade issues?

In your opinion, are there any areas that need improvement?

How do you plan to incorporate the working groups established in the joint statement in your work to promote bilateral trade and enforcement of trade agreements?

Privacy is extremely important to me. We are working hard on getting a good bill out of the Commerce Committee. Do you see a clear path forward toward an agreement between the U.S. and the EU on Privacy?

Answer. The U.S.-EU Trade and Technology Council (TTC) encompasses a wide range of bilateral policy issues, which necessitates a whole-of-government approach and continued stakeholder engagement to refine broad priorities into actionable outcomes. If confirmed, I would work with my colleagues within the Commerce Department and the interagency to build on the Pittsburgh ministerial and facilitate continued collaboration with our U.S. agency counterparts, businesses, and other stakeholders. If confirmed, I look forward to working with you and your staff on these issues.

There are significant commonalities between the TTC's 10 issue-oriented working groups and ITA's daily work in expanding export opportunities for American businesses and mitigating unfair trade practices that disadvantage our businesses and workers. If confirmed, I look forward to working on issues that can directly benefit our companies and workers and would support the objectives of the TTC to reducing commercially significant barriers to trade that impact companies of all sizes.

It is also my understanding that the Commerce Department and agencies across the U.S. Government are working to find a sustainable solution that addresses the legal and also the economic ramifications of the ruling of the Court of Justice of the European Union to invalidate the U.S.-EU Privacy Shield Framework. If confirmed, I look forward to working with you and your staff on these issues.

Question. The United States and Canada have been engaging in a long-term trade conflict over softwood lumber that dates back to the 1980s. Despite many rounds of negotiations and agreements, little progress has been made to reach a permanent solution. The previous agreement to suspend tariffs expired in 2015, and anti-dumping and countervailing duties have been in place since 2017. This trade conflict not only hurt the timber industry but also contributed to a shortage of lumber in the United States, raising home construction costs for producers and consumers.

Washington State has 22 million acres of forest land and a robust timber industry. My home State is also the second largest producer of lumber in the United States and the sector supports approximately 42,000 workers, generating \$28 million in revenue annually.

While I support the effort to level the playing field for the U.S. timber industry and ensure U.S. competitiveness, I also believe that trade conflicts cannot continue indefinitely. We must work with Canada, a valuable and trusted trading partner, to reach a long-lasting solution.

In your view, what are the main issue areas that need to be resolved first before an agreement could be reached with Canada?

If confirmed, what would be your plan to negotiate a solution for ending the lumber conflict?

Large trade conflicts that drag out over several years hurt the economy and the relationship that we have with the opposing country. How would you work to expedite the process for ending trade conflicts in a timely manner?

Answer. The determinations in U.S. AD and CVD proceedings are the culmination of a quasijudicial investigative process that is mandated by U.S. law. The Commerce Department bases its findings on the factual information and the records of its proceedings, following methodologies provided under the laws, regulations, and longstanding practices. It is my understanding that while the Commerce Department would be involved in any formal consultations on this trade dispute with Canada, the U.S. Trade Representative is the lead agency with respect to the formal initiation of any potential negotiated settlement. If confirmed, I look forward to working with you and your staff on this issue.

QUESTIONS SUBMITTED BY HON. TODD YOUNG

Question. If confirmed, understanding and advocating for American enterprises will be a key pillar of your job. For years, Hoosier businesses in Indiana have been confronted with major barriers to market access, particularly at the hands of China, and are often pressed to make trade-related concessions. For instance, businesses are forced to entertain outrageous demands like surrendering intellectual property or technology in exchange for access to Chinese markets. These moves are designed

to benefit China's state-owned enterprises while keeping U.S. manufacturers at a disadvantage.

How do you plan to tackle the market access barriers forced onto American businesses by the Chinese Communist Party?

Relatedly, what are some key strategies that you believe would be beneficial to addressing this adverse action against American businesses?

Answer. The Chinese Government engages in anticompetitive and coercive practices that harm American workers and businesses. For example, intellectual property theft, subsidies, cyber-based economic espionage, and other barriers undermine the competitiveness of U.S. firms. These policies create unlevel playing fields for U.S. workers and businesses. Many of our allies and partners share similar concerns with respect to the PRC's unfair economic practices. If confirmed, I would use all tools at ITA's disposal to address these issues. I would also work with Commerce staff and, when appropriate, the Office of the U.S. Trade Representative and other departments and agencies on these matters.

I believe that we should approach trade barriers faced by American businesses through direct engagement with (1) U.S. stakeholders and the business community to help identify anticompetitive practices and non-tariff barriers, and (2) the Chinese Government to hold them accountable for disruptive trade practices. This will involve engagement with the U.S. Trade Representative, the Department of State, and other U.S. Government agencies to address the core structural concerns posed by China's state-directed economic approach and distortive trade practices, which harm competition, businesses, and workers. If confirmed, I look forward to working with you and your staff on these issues.

Question. As we have all experienced, the pandemic has accelerated the already existing squeeze of supply chain networks. Global disruptive events—like natural disasters, shipping container blockages, port shutdowns, and cyberattacks—are now more persistent and severe, which only illustrates the need to lessen our dependence on multiple foreign suppliers and complex supply chains.

If confirmed, what is your strategic plans to monitor and address our Nation's supply chain challenges?

How will you review and address regulatory issues to ensure our domestic supply chains are secure and cost-effective?

Answer. If confirmed, I would work to support and build upon the efforts that are already underway across the executive branch to assess supply chain vulnerabilities under the President's executive order on supply chains. For example, I would work to support the Commerce Department's efforts on semiconductors. The Department led the development of a semiconductor supply chain 100-day report, which was published in June of this year. I also look forward to working with the Department of Homeland Security to publish the 1-year report on supply chains in the information and communications technology space in February. While government does not run these supply chains, the Biden administration is using every tool available to help make our supply chains more resilient over the long term.

One of my top priorities would be to ensure that the International Trade Administration fully supports the White House and Commerce Department's efforts and any subsequent policy implementation to help address supply chain concerns. I would also support Secretary Raimondo's efforts in her role as a co-lead of President Biden's Supply Chain Disruptions Task Force to address near-term supply chain concerns. If confirmed, I look forward to working with you and your staff on these issues.

PREPARED STATEMENT OF LISA W. WANG, NOMINATED TO BE ASSISTANT SECRETARY FOR ENFORCEMENT AND COMPLIANCE, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE

Thank you, Chairman Wyden, Ranking Member Crapo, members of the Committee. I am humbled and honored to be here today as President Biden's nominee to serve as Assistant Secretary of Commerce for Enforcement and Compliance. I am grateful that the administration has entrusted me with this position, and I am thankful for the support that Secretary Raimondo and her team have shown me.

I would like to begin by thanking my father, Frank Xiaohang Wang. He came to the United States in his early thirties knowing almost no English but believing

deeply in the American Dream. He believed that America is a country where hard work would lead to success. He believed that America is a place where fairness matters. It was through his sheer determination and endless optimism that our family rose from near poverty to a cozy life in the suburbs of East Greenbush, NY. My father passed away a few years ago but would have been so delighted to see me here today; taking pictures and trying to shake your hands. There will never be a better cheerleader, and I would be remiss to not acknowledge him here.

I would also like to thank my mother, Tina Congying Wang, who worked a lifetime of minimum wage jobs to afford me the opportunity to be before you today. She has lived her life for her family's health and happiness, and I am proud to have her watching today. There is a straight line from my parents' sacrifices to my success, and I remain forever thankful for their support and guidance. I also want to thank my husband, Tim Kovacs, and my two daughters for their encouragement and support. Thank you for always pushing me to take risks and finding the joy in life.

I came to the United States when I was 5 years old, not knowing any English but believing deeply in my father's American Dream. This belief is what led me to a career in international trade. I believe that the hard work of American workers and American businesses should not be undercut by unfair trade practices. I have spent my career representing U.S. industries seeking a level playing field against unfair subsidization and dumping. In doing so, I have seen manufacturers go from the brink of closure to capacity expansions because of effective trade enforcement. When our foreign competitors play by the same rules—when trade is fair—no one can beat the American worker.

As an attorney with the Office of the U.S. Trade Representative, I defended the United States in WTO cases seeking to overturn our U.S. CVD laws and to weaken our trade enforcement objectives. I have led WTO cases against countries like China to stop their use of industrial policies that target U.S. and other export markets. The highlight of my career, however, is the many years that I spent working within Commerce's Enforcement and Compliance (E&C). E&C has a dedicated team of public servants who work to ensure that our U.S. trade laws are rigorously enforced. As foreign governments and foreign competitors become more sophisticated in their use of industrial subsidies and other unfair trade practices, we must work harder and smarter to counter these practices.

If confirmed, I look forward to working closely with you to ensure that our U.S. trade remedy laws are transparently and vigorously enforced. Thank you, and I would be happy to answer any questions you may have.

SENATE FINANCE COMMITTEE

STATEMENT OF INFORMATION REQUESTED OF NOMINEE

A. BIOGRAPHICAL INFORMATION

1. Name (include any former names used): Lisa Wen-Jia Wang, Wen-Jia Wang.
2. Position to which nominated: Assistant Secretary for Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce.
3. Date of nomination: August 9, 2021.
4. Address (list current residence, office, and mailing addresses):
5. Date and place of birth: June 12, 1980; Beijing, China.
6. Marital status (include maiden name of wife or husband's name):
7. Names and ages of children:
8. Education (list all secondary and higher education institutions, dates attended, degree received, and date degree granted):
 Georgetown University Law Center, Washington, DC.
 Dates attended: September 2003–May 2006.
 Degree received: Juris Doctor.

Date Degree Granted: May 2006.

Cornell University, College of Human Ecology, Ithaca, NY.

Dates attended: September 1998–May 2002.

Degree received: Bachelor of Science.

Date Degree Granted: May 2002.

Beijing Foreign Studies University, Beijing, China.

Dates attended: January 2001–June 2001).

Degree received: None (study abroad semester).

9. Employment record (list all jobs held since college, including the title or description of job, name of employer, location of work, and dates of employment for each job):

Harris, Wiltshire and Grannis LLP, Washington, DC, legal assistant (June 2002–June 2003).

U.S. Department of State, Office of the legal adviser, Washington, DC, legal extern (September 2004–May 2005).

U.S. Equal Employment Opportunity Commission, Office of General Counsel, Washington, DC, legal intern (May–June 2004).

U.S. Embassy Beijing, Commercial Section, Beijing, China, legal intern (July–August 2004).

Dewey and LeBoeuf, LLP (formerly Dewey Ballantine LLP), International Trade Group, Washington, DC, associate (2006–2009); law clerk (January–May 2006); summer associate (May–August 2005).

U.S. Department of Commerce/U.S. Embassy Beijing, Commercial Section, Washington, DC, Beijing, China, First Secretary, Senior Import Administration Officer (June 2009–February 2012).

Office of the U.S. Trade Representative, Executive Office of the President, Washington, DC, Assistant General Counsel (February 2012–November 2014).

Chief Counsel for Trade Enforcement and Compliance, U.S. Department of Commerce, Washington, DC, senior attorney (November 2014–May 2016).

Picard, Kentz and Rowe LLP, Washington, DC, partner (June 2016–present).

10. Government experience (list any current and former advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments held since college, including dates, other than those listed above):

None.

11. Business relationships (list all current and former positions held as an officer, director, trustee, partner (*e.g.*, limited partner, non-voting, etc.), proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, other business enterprise, or educational or other institution):

Picard, Kentz and Rowe LLP (partner).

12. Memberships (list all current and former memberships, as well as any current and former offices held in professional, fraternal, scholarly, civic, business, charitable, and other organizations dating back to college, including dates for these memberships and offices):

DC Bar Association, Washington, DC (2007–present): I do not serve in any leadership role or participate beyond my dues.

New York Bar Association, Albany, NY (2006–2011): I did not serve in any leadership role or participate beyond my dues.

U.S. Court of International Trade, New York, NY (2007–present): I practice before this court.

U.S. Court of Appeals for the Federal Circuit, Washington, DC (2007–present): I practice before this court.

Georgetown University Law Center International Trade Update (2019–present): I serve on the Advisory Panel for this annual update for trade law practitioners and law students. I am not compensated for this role.

Customs and International Trade Bar Association, Washington, DC (“CITBA”) (2007–2011, with some lapses): I did not serve in any leadership role. I was a

panelist for one of the panels at the annual CITBA conference in 2019 discussing issues related to the scope of antidumping and countervailing duty orders.

Women in International Trade, Washington, DC (2006–2011): I did not serve in any leadership role. I attended panels and other professional development events sponsored by the association, and cowrote an article for the association's seasonal newsletter.

Lighthouse Club, Lewes, DE (June 2021–present): my husband and I are members of this association. We do not serve in any leadership role or participate beyond the monthly dues. This is the homeowners' association that manages the pools and clubhouse for the community where I recently purchased a vacation townhome.

Asian Pacific American Law Students Association, Georgetown University Law Center, Washington, DC (2003–2006): I was the Academic Chair for the academic year of 2004 to 2005.

Georgetown Journal of Law and Public Policy (2004–2006): I did not serve in any leadership role in this organization.

Asian Pacific American Legal Resource Center, Georgetown University Law Center, Washington, DC (2005–2006): I did not serve in any leadership role in this organization.

Asian Pacific Americans for Action ("APAA"), Cornell University, Ithaca, NY (1999–2002): I was the co-president of APAA from September 2000 through May 2002.

National Society of Collegiate Scholars, Cornell University, Ithaca, NY (2001–2002): I did not serve in any leadership role in this organization.

Kappa Omicron Nu Honor Society, Cornell University, Ithaca, NY (2001–2002): I did not serve in any leadership role in this organization.

13. Political affiliations and activities:

a. List all public offices for which you have been a candidate dating back to the age of 18.

None.

b. List all memberships and offices held in and services rendered to all political parties or election committees, currently and during the last 10 years prior to the date of your nomination.

None.

c. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$50 or more for the past 10 years prior to the date of your nomination.

Gina Ortiz Jones (D): \$250 on 10/15/2020.

Jon Ossoff (D): \$44.00 on 11/5/2020.

Barbara Bollier (D): \$150 on 9/28/2020.

Raphael Warnock (D): \$100 on 11/8/2020.

14. Honors and awards (list all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognitions for outstanding service or achievement received since the age of 18):

Commerce 2011 Distinguished Performance Bronze Medal Award.

U.S. Embassy Beijing 2009 Franklin Award.

2004 CALI Excellence for the Future Award in International Trade.

15. Published writings (list the titles, publishers, dates, and hyperlinks (as applicable) of all books, articles, reports, blog posts, or other published materials you have written):

Co-author, "Using AD and CVD Laws to Address Unfair Labor Practices," Picard, Kentz and Rowe LLP blog post, <https://pkrlp.com/antidumping/using-ad-and-cvd-laws-to-address-unfair-labor-practices/>.

Co-author, "Foreign Investment and National Security," *China Business Review*, Vol. 35, No. 1, pp. 51–53 (January/February 2008).

Co-author, "Food Safety Reform: What the FDA Can Learn From Other Major Importing Countries," *Women in International Trade Newsletter* (Fall 2007).

Co-author, "Foreign Sanctions Countermeasures and Other Responses to U.S. Extraterritorial Sanctions," USA*Engage and the National Foreign Trade Council (August 2007), <https://www.nftc.org/default/usa%20engage/Foreign%20Sanctions%20Countermeasures%20Study.pdf>.

Author, "The Privacy Rule: HIPAA Standards for the Privacy of Individually Identifiable Health Information," 27 *Employee Benefits Journal* 3, 59 (September 2002), <https://pubmed.ncbi.nlm.nih.gov/12219566/> (abstract).

16. Speeches (list all formal speeches and presentations (e.g., PowerPoint) you have delivered during the past 5 years which are on topics relevant to the position for which you have been nominated, including dates):

Panelist, "Scope: Endgame," 20th Judicial Conference of the U.S. Court of International Trade (2019).

Panelist, "International Trade Update," Case Western University School of Law (2019).

17. Qualifications (state what, in your opinion, qualifies you to serve in the position to which you have been nominated):

The Assistant Secretary for Enforcement and Compliance within Commerce's International Trade Administration is responsible for administering and enforcing title VII of the Tariff Act of 1930, as amended, which includes U.S. anti-dumping ("AD"), countervailing duty ("CVD"), safeguard, and other trade remedy laws. I have over 15 years of experience in the practice of title VII trade remedy law, particularly in the area of AD/CVD law. I started my law career in Dewey Ballantine LLP's international trade group. During my employment at the U.S. embassy in Beijing, China, one of my responsibilities was defending the U.S. Government in China's CVD investigations against U.S. products, including U.S. chicken broiler exports and U.S. specialty steel exports. I also counseled U.S. companies doing business in China dealing with Chinese trade barriers.

While at the Office of the U.S. Trade Representative's Office of General Counsel, I led the U.S. delegation in our successful defense of Pub. L. 112–99 (i.e., the GPX legislation) against China's challenge before the WTO Appellate Body. The GPX legislation allowed for the concurrent application of AD and CVD laws to non-market economies, such as China and Vietnam. During my tenure at the U.S. Department of Commerce's Chief Counsel for Trade Enforcement and Compliance, I similarly defended Commerce's AD and CVD determinations before the U.S. Court of International Trade and U.S. Court of Appeals for the Federal Circuit. Finally, at my current position as partner at Picard, Kentz and Rowe LLP, I represent U.S. industries in AD, CVD, and injury proceedings. Given my depth of knowledge of the title VII trade laws and previous government experience defending the United States' administration and enforcement of these laws, I believe I am well qualified for the position of Assistant Secretary for Enforcement and Compliance.

B. FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all connections (including participation in future benefit arrangements) with your present employers, business firms, associations, or organizations if you are confirmed by the Senate? If not, provide details.

Yes.

2. Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, provide details.

No.

3. Has any person or entity made a commitment or agreement to employ your services in any capacity after you leave government service? If so, provide details.

No.

4. If you are confirmed by the Senate, do you expect to serve out your full term or until the next presidential election, whichever is applicable? If not, explain.
Yes.

C. POTENTIAL CONFLICTS OF INTEREST

1. Indicate any current and former investments, obligations, liabilities, or other personal relationships, including spousal or family employment, which could involve potential conflicts of interest in the position to which you have been nominated.

Any potential conflict of interest will be resolved in accordance with the terms of my ethics agreement, which was developed in consultation with ethics officials at the Department of Commerce and the Office of Government Ethics. I understand that my ethics agreement has been provided to the committee. I am not aware of any potential conflict other than those addressed by my ethics agreement.

2. Describe any business relationship, dealing, or financial transaction which you have had during the last 10 years (prior to the date of your nomination), whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

Any potential conflict of interest will be resolved in accordance with the terms of my ethics agreement, which was developed in consultation with ethics officials at the Department of Commerce and the Office of Government Ethics. I understand that my ethics agreement has been provided to the committee. I am not aware of any potential conflict other than those addressed by my ethics agreement.

3. Describe any activity during the past 10 years (prior to the date of your nomination) in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy. Activities performed as an employee of the Federal Government need not be listed.

No.

4. Explain how you will resolve any potential conflict of interest, including any that are disclosed by your responses to the above items. (Provide the committee with two copies of any trust or other agreements.)

Any potential conflict will be resolved in accordance with the terms of my ethics agreement.

5. Two copies of written opinions should be provided directly to the committee by the designated agency ethics officer of the agency to which you have been nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position.

To be provided by the agency.

D. LEGAL AND OTHER MATTERS

1. Have you ever been the subject of a complaint or been investigated, disciplined, or otherwise cited for a breach of ethics for unprofessional conduct before any court, administrative agency (*e.g.*, an Inspector General's office), professional association, disciplinary committee, or other ethics enforcement entity at any time? Have you ever been interviewed regarding your own conduct as part of any such inquiry or investigation? If so, provide details, regardless of the outcome.

No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority for a violation of any Federal, State, county, or municipal law, regulation, or ordinance, other than a minor traffic offense? Have you ever been interviewed regarding your own conduct as part of any such inquiry or investigation? If so, provide details.

No.

3. Have you ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.
No.
4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, provide details.
No.
5. Please advise the committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.
No additional information.

E. TESTIFYING BEFORE CONGRESS

1. If you are confirmed by the Senate, are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?
Yes.
2. If you are confirmed by the Senate, are you willing to provide such information as is requested by such committees?
Yes.

QUESTIONS SUBMITTED FOR THE RECORD TO LISA W. WANG

QUESTIONS SUBMITTED BY HON. RON WYDEN

CHINA AND TRADE CHEATS

Question. Here in the Senate, the Finance Committee writes the trade rules that are intended to crack down on all manner of trade cheating—dumping, subsidizing, and circumventing U.S. law. But we need a strong partnership with you to enforce those rules as written, and to understand what else is needed to put American businesses on a level playing field with firms and countries intent on hollowing out our manufacturing base.

In particular, China has been clear about its intent to use subsidization, vertical integration, and every other tactic imaginable to move entire supply chains to China—allowing China to control significant chunks of the global economy.

I have a two-part question:

First, if confirmed, can you tell me how you will position your office to be more nimble in responding to China's industrial policies before American businesses are irreparably harmed?

Answer. The primary mission of Enforcement and Compliance (E&C) is enforcement of the trade remedy laws which are designed to provide remedial measures for U.S. industry and workers who have been injured by unfair trade practices, including unfair subsidization. These are often a major component of China's market-distorting policies. If confirmed, I will be vigilant in pursuing circumvention and evasion in order to maintain the integrity of our affirmative investigations and determinations regarding market-distorting behavior that results in unfair trade and to ensure that much-needed remedies for our industry and workers are not undermined. Further, if confirmed, I will promote working with like-minded trading partners in using tools, including through market-correcting measures such as trade remedies, as well as working closely with our CBP counterparts to address evasion and fraud.

Question. Second, will you work with me and my staff to understand what additional authority Commerce needs to address the broad industrial cheating that threatens U.S. jobs?

Answer. Yes. If confirmed, I look forward to working with you and your staff on this issue.

TRADE AGREEMENT COMPLIANCE

Question. In addition to ensuring enforcement of U.S. antidumping and countervailing duty law, if confirmed, you would be responsible for helping U.S. companies break through foreign trade barriers by demanding compliance with international trade rules.

As Oregonians are well aware, it is not enough to have a lengthy trade agreement and a fancy signing ceremony. Agreements—like the USMCA—need to be enforced so that U.S. businesses and workers get what was bargained for on issues like market access, labor, and the environment.

As head of Enforcement and Compliance, you are responsible for working directly with U.S. businesses and foreign governments to ensure trade agreement obligations are met and barriers to trade are brought down. This work is critical as it ensures U.S. workers, farmers, ranchers and others can fairly access markets for their goods and grow their businesses.

If confirmed, how would you work to ensure American workers, farmers, and ranchers are getting what they bargained for in our trade agreements?

Answer. If confirmed, I will work tirelessly to ensure our trading partners comply with their obligations under U.S. trade agreements. All American workers, farmers, and ranchers are entitled to the transparency, predictability, and fairness that our agreements guarantee, whether they are multilateral via the WTO, regional (such as in USMCA), or bilateral. Enforcement and Compliance (E&C) is responsible for monitoring trade agreement operation and when non-compliance is identified, leveraging all available U.S. Government tools to ensure foreign governments honor their obligations. To fulfill this mission, E&C collaborates extensively with the Office of the United States Trade Representative and other agencies, as well as regularly engages with U.S. stakeholders, including operating the ITA portal for U.S. businesses to register complaints about trade problems.

 QUESTIONS SUBMITTED BY HON. MARIA CANTWELL

Question. China is no doubt one of our most important trading partners and was the third largest export market for American products last year. In 2020, we exported \$26.5 billion worth of agricultural products and \$40.4 billion worth of service goods to China.

My home State of Washington is a major exporter to China as well, exporting \$9 billion worth of goods in 2020, making China Washington State's largest trading partner. The agreements outlined in the China Phase One purchasing agreement would benefit Washington State's economy. That being said, reports have shown that China is not on track to meet its purchasing targets. China is Washington State's third largest trading partner for agricultural products. In 2020, Washington State exported \$518 million worth of agricultural goods to China. Top Washington State agricultural exports include \$83 million worth of fish and seafood, \$54 million worth of frozen potatoes, \$51 million worth of cherries, \$25 million worth of wheat, and \$13 million worth of beef.

China should have purchased \$29.8 billion worth of agricultural products by the end of September to meet the target, but instead fell short at purchasing only \$26.7 billion worth. The agreement was supposed to offset some of the effects of the trade conflict, so we need to ensure that China is on track to achieve the targets that they agreed to.

USTR Ambassador Tai also agreed during her speech on the administration's China trade policy that we must hold China accountable to their commitments, and that certain provisions in the phase one agreement will need to be revisited.

In your opinion, what can be done to improve China's performance in terms of the purchasing targets that they agreed to?

Are the goals of the agreement realistic? Are there areas of the agreement that you think need to be reassessed or renegotiated?

How do you plan to work with USTR to enforce the targets of the agreement without imposing economic harm to U.S. industries?

Answer. I believe we must hold the Chinese Government accountable to their commitments and we must have the necessary tools to address these challenges. USTR is leading the negotiations with respect to the Chinese Government's commit-

ments under the Phase One agreement. If confirmed, I look forward to working with my colleagues at ITA and with USTR on these issues, as appropriate. I will work to ensure countries live up to their commitments and ensure workers and businesses can compete on a level playing field.

QUESTIONS SUBMITTED BY HON. TODD YOUNG

Question. Understanding and advocating for American enterprises is a key responsibility as Assistant Secretary of Commerce for Enforcement and Compliance. For years, Hoosier businesses in Indiana have been confronted with major barriers to market access, particularly at the hands of China, and are often pressed to make trade-related concessions. For instance, businesses are forced to entertain outrageous demands like surrendering intellectual property or technology in exchange for access to Chinese markets. These moves are designed to benefit China's state-owned enterprises while keeping U.S. manufacturers at a disadvantage.

If confirmed, how do you plan to address repeated offenses by China to limit market access for American businesses?

What is your initial strategy to jumpstart engagement with American stakeholders?

Answer. The Chinese Government engages in a range of unfair economic practices that include forced technology transfer, barriers to market access, as well as theft of intellectual property. These anticompetitive activities harm American workers and businesses and undermine the competitiveness of U.S. firms and workers.

It is critical that trade policies and programs reflect the needs of U.S. firms and workers since they are the engine of economic growth in the United States. In working on these issues, I will keep U.S. workers and businesses front of mind. With respect to engagement, if confirmed, I intend to utilize ITA's broad network of experts and offices around the country to engage with stakeholders and the business community. I am committed to working with the interagency, including USTR and CBP, to address these issues, as well as with Congress, you, and your staff.

Question. Digital trade affects nearly every company with an international presence, and refers broadly to policies related to everything from data flows to smart manufacturing. American businesses can be successful if our international partners adhere to rules of the road. Stealing intellectual property, forcing data transfer in exchange for market access, censorship as a means of economic coercion—these are all actions that should not be tolerated.

How can the U.S. hold our trading partners accountable with regard to digital trade? Do you believe upholding digital trade integrity is a vital part of our economic health and success?

I am working on a resolution to support key digital trade provisions in any future trade discussions or negotiations. Do you think there is value in this effort?

Answer. Digital trade is an important part of the Nation's economic health and success. If confirmed, I am committed to holding our trading partners accountable when they violate our laws and trade commitments, including through monitoring, identifying, and resolving trade barriers. If confirmed, I will work with Commerce staff, and when appropriate the Office of the United States Trade Representative, which has primary jurisdiction over trade policy, on these issues. This includes expeditiously addressing non-compliance matters and referrals for dispute settlement, as needed. If confirmed, I look forward to working with you and your staff on this important issue.

PREPARED STATEMENT OF HON. RON WYDEN,
A U.S. SENATOR FROM OREGON

The Finance Committee meets this morning to discuss two important nominations for President Biden's trade policy team at the Commerce Department.

First, Marisa Lago is nominated to serve as Under Secretary of Commerce for International Trade. This role is all about being the point person for trade policy at the Commerce Department, heading up the International Trade Administration. It deals with enforcing our trade laws to protect American jobs, breaking down barriers to American-made exports, and getting small and medium-sized businesses

into the trade policy winners' circle. It's a wide-ranging job, but that's why President Biden nominated somebody with a vast array of experience in a lot of different leadership roles in public service.

Ms. Lago served during the Obama administration as Assistant Secretary for International Markets and Development at the Treasury Department. She previously led the Office of International Affairs for the Securities and Exchange Commission. She was a top economic development official for New York State and the city of Boston.

Most recently, she served as the Director of the NYC Department of City Planning and Chair of the City Planning Commission. I'm confident in her experience, and I'm confident in her ability to lead a large team working on big economic challenges.

Next, Lisa Wang is nominated to serve as Assistant Secretary of Commerce for Enforcement and Compliance. This role is all about using some of our strongest tools for protecting American jobs and businesses against trade ripoffs. That includes investigating and addressing dumping by foreign companies and unfair government subsidies. The Enforcement and Compliance office also works closely with USTR on key trade enforcement issues.

Ms. Wang previously served as a senior attorney in the Office of the Chief Counsel for Trade Enforcement and Compliance at the Commerce Department. She also served as Assistant General Counsel in the Office of the U.S. Trade Representative and has experience in private practice. The bottom line is, she is a specialist in these areas of trade law dealing with enforcement and compliance, and she's exactly the right person for this job.

This committee takes a special interest in what I call getting trade done right. It's about fighting for American jobs, businesses, farmers, and ranchers by strongly enforcing trade laws and creating new opportunities to sell American-made goods and services around the world. President Biden is assembling a top-notch team for getting trade done right. Ms. Lago and Ms. Wang will be excellent additions to that team. I want to congratulate them on their nominations, and I'm looking forward to our discussion.

