

Robert DeFrancesco Quoted in Coverage of Section 232 Legislation

Inside U.S. Trade

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Robert E. DeFrancesco, III, partner in Wiley Rein's International Trade Practice, was quoted by *Inside U.S. Trade* in an article about legislation that would update Section 232 of the Trade Expansion Act of 1962. Mr. DeFrancesco commented on the legislation during a March 28 panel discussion that was hosted by the Washington International Trade Association and covered by *Inside U.S. Trade*.

Compromise legislation, expected to be introduced in the coming weeks, would incorporate elements of two separate Section 232 bills sponsored by Sens. Pat Toomey (R-PA) and Rob Portman (R-OH). Sen. Toomey's bill would require Section 232 proposals from the President to be approved by Congress within 60 days or they would not go into effect, according to the article. In contrast, Sen. Portman's bill would allow lawmakers to reject Section 232 actions, through disapproval resolutions, after they take effect.

Mr. DeFrancesco said during the panel that requiring an approval resolution for Section 232 actions would be "very, very unusual."

"The typical procedure is a disapproval resolution," he said.

"Converting this to an approval resolution effectively kills the statute and you'll never use it again."

Mr. DeFrancesco also raised concerns about a provision in Sen. Toomey's legislation that would transfer substantial investigative authority under Section 232 from the U.S. Department of Commerce to the U.S. Department of Defense.

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“Especially when we’re talking about steel and aluminum, the Department of Defense is the customer, and as we hear, customers don’t like to pay fairly traded prices for their products,” Mr. DeFrancesco said. “It is appropriate for Commerce to do the analyses.”

The article can be found here (*subscription required*).