

ALERT

USTR Seeks Public Comment on Promoting Supply Chain Resilience

March 8, 2024

On March 7, 2024, the Office of the United States Trade Representative (USTR) announced a Request for Comments on Promoting Supply Chain Resilience, seeking public comment on policy initiatives that promote supply chain resilience. This is an important opportunity for companies and industries to weigh in on how U.S. trade and investment policy can better support the growth of domestic manufacturing and services.

The notice explains that USTR is seeking information that will help develop sector-specific policy tools, strengthen domestic manufacturing and services, collaborate with like-minded trading partners and allies, and measure resilience, among other topics. Comments on the Request are due by April 22, 2024, and requests to testify at public hearings are due by April 12. Public hearings will begin on May 2, 2024.

The full notice published in the Federal Register describes the Biden Administration's efforts to proactively strengthen domestic manufacturing and to secure trusted supply chains through strategic arrangements with trusted partners and regional partners. This effort is necessitated by the experience and aftershocks from the COVID-19 pandemic and the Russian invasion of Ukraine, which caused major disruptions across all global sectors, and the potential of critical supply chains being controlled by hostile states like China.

The USTR is interested in receiving comments on the following questions:

- How can U.S. trade and investment policy, in conjunction with relevant domestic incentive measures, better support growth

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and investment in domestic manufacturing and services?

- What existing or new tools could help ensure that growth in domestic manufacturing and services does not undergo the same offshoring that we have experienced over the past few decades?
- What are examples of trade and investment policy tools that potentially could be deployed to enhance supply chain resilience? What sectors may need dedicated trade and investment policy approaches to advance supply chain resilience? What current policies are working well, or less well, to advance resilience?
- What factors are driving supply chain and sourcing decisions, and how does trade and investment policy impact them? How do companies factor geopolitical risk into their global and domestic manufacturing and sourcing decisions? How do companies take into account traceability and transparency considerations in supply chain and sourcing decisions?

A full list of questions can be found within the Request.

This request by the USTR follows previous efforts by the Biden Administration to strengthen supply chain resiliency, such as the founding of the White House Council on Supply Chain Resilience in November 2023. With that announcement, the White House also released a fact sheet detailing other actions taken across the administration.

Wiley has a robust Supply Chain practice, as well as unparalleled experience and expertise in International Trade, National Security, Government Contracts, Telecom, Media & Technology, Privacy, Cyber & Data Governance, and Trade Analytics, and can help clients navigate evolving supply chain developments. For more information about the USTR Request, please contact one of the attorneys listed on the alert.

Kurt Gmunder, a Practice Assistant at Wiley Rein LLP, contributed to this alert.