



Election 2020: Potential Impacts Trade

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Holland & Knight

Thank you for joining today's program

- All participants are on mute
- Please ask questions via Q&A box
- Today's program is being recorded and will be posted on our website
- For technical assistance please reach out to the host via the chat box

Speakers



Nasim Fussell
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Trump on the Campaign Trail



“We've spent the last four years reversing the damage Biden has inflicted over the last 47 years with that ridiculous, dumb thought NAFTA, TPP, and China's entry into the World Trade Organization, a disaster for our country.” - President Trump at a rally in Florida on October 12th.

Biden on the Campaign Trail



“We’re going to make trade strategy that fights for every American worker and every American job and actually get results, not Trump’s chaotic trade war, erratic tweets, and bluster that’s only stiffed American workers and consumers, including farmers.” – Vice President Biden in Ohio on October 12.

Post Election Scenarios



Source: BBC

Trump Win/Senate Republican Majority

Trump Win/Senate Flip to Democrats in Control

Biden Win/Senate Republican Majority

Biden Win/Senate Flip to Democrats in Control

Trade in a Second Term for President Trump

- President Trump will face pressures and deadlines that will impact his trade agenda.
- He will have to balance trade policy goals with domestic economic recovery.
- Continuation of first term themes:
 - Drive to revitalize U.S. manufacturing, Buy American/reshoring, generous use of tariffs and other enforcement tools, China decoupling, counterfeit crackdown
- What impact will Trade Promotion Authority (TPA) expiration in 2021 have on trade negotiations?
- Future of the U.S. relationship with the World Trade Organization? Key allies?



Trade in a Biden Presidency

- Buy American
- Rebuild alliances with key trading partners (Canada, Mexico, Europe, Japan, South Korea)
- Confront China with a united front of countries with aligned interests
- Initiate limited or no new free trade agreements in the first two years of the Administration
- Careful review of Trump tariff actions



Role of the 117th Congress in Trade Policy

- Continuation of debate regarding appropriate balance of authority over trade between the legislative and executive branches
- Appetite for TPA renewal?
- Trade without a filibuster?



Questions?

Thank You

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Nasim D. Fussell is a trade attorney in Holland & Knight's Washington, D.C., office. Ms. Fussell has a wealth of trade legislation and negotiation experience, having served in numerous trade-related roles in the public and private sectors.

Prior to joining Holland & Knight, Ms. Fussell was the chief international trade counsel for the U.S. Senate Committee on Finance, serving under Chairman Chuck Grassley (R-Iowa). She also served as deputy chief international trade counsel under former chair Orrin Hatch (R-Utah).

Ms. Fussell worked with the Trump Administration on trade negotiations with Canada and Mexico (USMCA), Japan (U.S.-Japan Trade Agreement), China (China Phase One Agreement), the United Kingdom, Kenya, the European Union, India and Brazil, as well as negotiations at the World Trade Organization (WTO), including on reform efforts, fisheries and e-commerce. Ms. Fussell led the Senate negotiations with the Trump Administration and U.S. House of Representatives on the USMCA Implementation Act, which passed with overwhelming bipartisan support in a divided Congress.

In addition, Ms. Fussell was trade counsel for the House Committee on Ways and Means, where she served under three chairmen. In this role, she helped coordinate with the Obama Administration on Trans-Pacific Partnership (TPP) negotiations, serving as staff lead on customs and rules of origin issues. As lead customs counsel, Ms. Fussell worked closely with U.S. Customs and Border Protection (CBP) and the U.S. Department of the Treasury on all customs matters before the committee. In this role, she worked on significant legislative achievements, including the Trade Facilitation and Trade Enforcement Act of 2015, Bipartisan Congressional Trade Priorities and Accountability Act of 2015, Trade Adjustment Assistance Reauthorization Act of 2015, Trade Preferences Extension Act of 2015 and American Manufacturing Competitiveness Act of 2016.

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Francisco J. Sánchez is an attorney in Holland & Knight's Tampa office who focuses his practice on trade policy, regulation and the Committee on Foreign Investment in the United States (CFIUS) process including mitigation measures. Mr. Sánchez has a long and distinguished career in the public and private sectors.

Mr. Sánchez served as the U.S. Under Secretary of Commerce for Trade until 2013, a role former President Barack Obama nominated him to in 2009. As Under Secretary, Mr. Sánchez led the International Trade Administration (ITA) in its efforts to improve the global business environment by helping U.S. businesses compete abroad. As one of the architects of President Obama's National Export Initiative (NEI), with the goal of doubling U.S. exports by the end of 2014, Mr. Sánchez directed programs and policies that promote and protect the competitiveness of American businesses. Mr. Sanchez also oversaw the ITA's role in the CFIUS.

During the Clinton Administration, Mr. Sánchez served as the assistant secretary for aviation and international affairs at the U.S. Department of Transportation (DOT). Prior to the DOT role, he served in the White House as a special assistant to former President Bill Clinton, and chief of staff to the Special Envoy to the Americas.