

We help companies and industries succeed in today's highly volatile global trade environment. Working with clients across every level of commerce – from domestic manufacturers seeking import relief to vast global entities and emerging industry disruptors – we win high-stakes trade litigation, navigate complex regulatory barriers, and advance innovative policy initiatives.

10 Key Trade Developments

- 1 Trade Remedy Cases** – U.S. industries have filed a surge of antidumping (AD) and countervailing duty (CVD) petitions to address unfair and distortive trade practices. China is a frequent target of these cases, but unfair trade exists in many other countries as well. Successful trade cases depend on careful definition of scope, and thorough documenting of injury caused by dumped and subsidized imports.
- 2 China** – New legislation (Leveling the Playing Field 2.0 Act) and U.S. Department of Commerce regulations are likely to address China's distortive and unfair trade practices more strategically in a variety of industries and sectors. Forced labor enforcement efforts also remain a priority.
- 3 Evasion and Circumvention** – The U.S. Department of Commerce is closely investigating companies and industries that avoid AD/CVD duties by partially moving operations to third countries (circumvention) or by transshipment of goods (evasion). High-profile investigations are underway in a variety of sectors, including hardwood, plywood, cabinets, and solar panels.
- 4 Outbound Investments and CFIUS Review** – Outbound foreign investments by U.S.-based companies in sensitive technologies may impact foreign companies from operating in the U.S. or doing business with U.S. companies. Mandatory filing requirements and high-profile transactions (i.e., TikTok) may trigger CFIUS review of inbound foreign investments.
- 5 U.S.-EU Global Arrangement** – A Global Arrangement on steel and aluminum to address emissions and non-market-economy capacity is under consideration and will also be affected by the EU's Carbon Border Adjustment Mechanism.
- 6 The CHIPS Act and Inflation Reduction Act (IRA)** – These two laws usher in a new era of industrial policy, providing billions of dollars for new infrastructure, high-tech research and development, and growing and strengthening the industrial manufacturing base.
- 7 Buy Clean** – Recently launched Buy Clean programs and related projects prioritize the use of American-made, lower carbon construction materials in federal procurement and federally funded projects.
- 8 Domestic Content/Buy America Requirements** – Recent legislation, including the Infrastructure Investment and Jobs Act (IIJA) and the IRA, modified and expanded "Buy America" requirements, adding complexity and compliance hurdles for suppliers to federally funded infrastructure projects.
- 9 Heightened Sanctions and Export Control Enforcement** – Enforcement of sanctions and export control laws is a top priority. Along with engaging in closer cooperation with partner countries, the U.S. is devoting more resources to prosecuting evasion efforts and other violations. Recent statutory and policy changes also incentivize whistleblowers to report misconduct and aim to impose higher fines on those violating U.S. rules.
- 10 Evolution of Export Controls** – Along with engaging in closer cooperation with partner countries, the U.S. is prioritizing its own national security interests as well, moving first in many respects.



Wiley is a dominant presence in Washington, DC

Our strength includes more than 260 attorneys and public policy advisors. Our firm has earned international prominence by representing clients in complex, high-stakes regulatory, litigation, and transactional matters. Many of the firm's attorneys have held high-level positions in federal agencies and have developed solid working relationships with key officials in Congress, the Executive branch, embassies, and international organizations. Wiley operates at the intersection of politics, law, government, business, and technological innovation, representing a wide range of clients in virtually all industries. Because Wiley remains a Washington, DC-based firm that largely operates out of a single office, we pride ourselves on providing flexible cost and billing options compared to our competitors.

From trade remedy cases to regulatory challenges to market access concerns, our team has deep expertise in all facets of trade law. We strategically navigate global markets and anticipate key developments as international trade law and policy are constantly changing. We represent some of the largest global companies, business groups, coalitions, and nonprofit organizations from a range of industries such as manufacturing, telecommunications and internet services, and professional services. Some of our key areas of expertise include:

- **Trade Policy and Trade Negotiations:** Our practice includes a strong domestic and international government relations component. Wiley represents clients in policy and legislative matters regarding trade remedies, investment and intellectual trade policy, international negotiations, global environmental and tax issues, and global energy interests. We assist clients on a variety of U.S. bilateral trade negotiations, including with China and other countries.
- **Export Controls and Economic Sanctions:** Our team guides clients through the rapid evolution of U.S. and international laws to grow business, expand operations, manage conflicts of laws, and remain compliant with cross-border trade regulations throughout the international marketplace. We provide our clients comprehensive export control and sanctions compliance solutions, export control enforcement and investigations, and support for jurisdiction classification and licensing.
- **Supply Chain Security:** Building resiliency and sustainability in domestic and international supply chains is crucial for both corporations and governments worldwide. Wiley's team has unmatched experience to effectively address clients' needs through the identification of specific legal and regulatory risks, assessments of probability of disruptions, and the development of in-house resilience programs to mitigate risks while maximizing businesses' abilities to operate internationally.
- **Forced Labor:** The use of forced labor is an international issue and an increasing concern for businesses worldwide. Several developments have gone into effect, including the Uyghur Forced Labor Prevention Act (UFLPA), affecting supply chains and import operations. This includes businesses with suppliers in third countries that may be exposed to upstream supply chains in China, no matter how remote. Foreign firms exporting products to the United States are also subject to the law.

▼
Law360 profiled
International Trade
Group of the Year

▼
Chambers USA
ranks International
Trade among the
best in the country

▼
The Legal 500 US
recognizes
International Trade
among the best
in the country

Contact Us



Alan H. Price
Partner
International Trade, Co-Chair
202.719.3375
APrice@wiley.law



Timothy C. Brightbill
Partner
International Trade, Co-Chair
202.719.3138
TBrightbill@wiley.law



Hon. Nazak Nikakhtar
Partner
National Security, Chair
202.719.3380
NNikakhtar@wiley.law