

Tim Brightbill Quoted in Coverage of ITC Hearing on China's Censorship Practices as a Trade Barrier

Inside U.S. Trade's World Trade Online

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Timothy C. Brightbill, partner in Wiley's International Trade Practice, was quoted by *Inside U.S. Trade's World Trade Online* after testifying last week at a U.S. International Trade Commission (ITC) hearing on foreign censorship and its global economic impacts. The ITC is investigating censorship as a nontariff trade barrier under Section 332 of the Tariff Act of 1930, according to the July 2 article.

Mr. Brightbill's testimony focused on China and Russia's censorship regimes and their harmful effects on supply chains and U.S. industries. He noted that manufacturers, for example, could be "limited in terms of what they might want to do or say because they fear for their supply chains." Censorship concerns could also weigh on businesses that have subsidiaries in China or would like to have subsidiaries there, Mr. Brightbill said.

He added that China's global infrastructure strategy, known as the Belt and Road Initiative, threatens to further expand the reach of China's censorship regime through "telecom-oriented" projects that include tools for censoring content.

Mr. Brightbill also discussed the challenges of addressing foreign censorship through trade policy. While censorship practices in both China and Russia likely violate Section 301(b) of the Trade Act of 1974, remedial action could potentially "push" those countries "to move further to digital isolation," he said.

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Another possible U.S. strategy could involve "reciprocal action," including potentially limiting access to popular Chinese websites in the United States, according to Mr. Brightbill. "The Administration would obviously have to be very careful in assessing the costs and benefits of those types of actions," he said.

To read the article, click here (*subscription required*).