

PRESS RELEASES

Warner Introduces Legislation to Restore 'National Security' Tariff Authority to Congress

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WASHINGTON – U.S. Sen. Mark R. Warner (D-VA), a member of the Senate Banking and Finance Committees, joined Sen. Pat Toomey (R-PA) to introduce the *Bicameral Congressional Trade Authority Act* to restore Congress' constitutional trade responsibilities and ease the burden on Virginia businesses, manufacturers and consumers hurt by the Trump Administration's unilateral tariffs on imported steel and aluminum.

“We need to be tough on China's unfair and illegal trade practices. But we need to work with our allies to do it. President Trump has strained our relationships with key allies and partners by abusing the authority that Congress granted him and stretching the concept of ‘national security’ beyond credulity,” said Sen. Warner. “Virginia consumers and industries like craft beer and agriculture are hurting because of the President's steel and aluminum tariffs. This bill would roll them back.”

“Tariffs on steel and aluminum imported into the United States are taxes paid by American consumers. The imposition of these taxes, under the false pretense of national security (Section 232), is weakening our economy, threatening American jobs, and eroding our credibility with other nations. I've seen, first-hand, the damage these taxes are causing across Pennsylvania,” said Sen. Toomey. “Over recent decades, Congress has ceded its constitutional responsibility to establish tariffs to the executive branch. This measure reasserts Congress's responsibility in determining whether or not to impose national security based tariffs. I urge all of my colleagues to join this bipartisan effort.”

On March 8, 2018, President Trump unilaterally imposed tariffs on imported aluminum and steel, including products from the United States' closest allies, like Canada, Mexico and the European Union by relying on a rarely used provision — [Section 232](#) — under the Trade Expansion Act of 1962, claiming the imports are a threat to national security. The Trump

Administration's across-the-board tariffs — and the retaliatory tariffs imposed by the countries affected by the Section 232 tariffs — have hit American workers and businesses hard.

Sen. Warner has met and heard from numerous businesses across the Commonwealth regarding the impact of the steel and aluminum tariffs. For example, a number of craft breweries in Virginia have shared that the tariffs have raised production costs that will limit their growth and ultimately lead to higher prices for consumers. The beer industry employs more than 28,000 people in Virginia, and contributes more \$9.3 billion annually to Virginia's economy. Virginia is home to 206 licensed breweries, a growth rate of more than 450 percent since 2012, making craft beer an important economic driver for the Commonwealth.

The bipartisan *Bicameral Congressional Trade Authority Act* builds on bipartisan legislation previously introduced by Sens. Warner, Toomey and retired Sen. Bob Corker (R-TN) last year. The legislation requires the president to secure approval from Congress before he takes trade actions under Section 232. Congress has 60 days to review a President's proposal to impose tariffs, which would be guaranteed expedited consideration and a path to an up-or-down vote in the House and Senate. The bill also rolls back Section 232 actions imposed within the last four years, including the tariffs on foreign steel and aluminum, unless Congress votes to keep them in place.

The *Bicameral Congressional Trade Authority Act* also includes provisions designed to restore national security intent to the use of Section 232. The bill codifies a definition of "national security" and requires the Department of Defense—not the Department of Commerce—to conduct future Section 232 investigations and determine whether national security is implicated.

Finally, the bill requires the International Trade Commission (ITC) to report to Congress on the downstream impact of recent and future Section 232 actions. It also mandates that the ITC administer product-wide exclusions for any future Section 232 actions.

Additional Senate cosponsors include Sens. Ben Sasse (R-NE), Maggie Hassan (D-NH), Lamar Alexander (R-TN), Ron Johnson (R-WI), Angus King (I-ME), James Lankford (R-OK), Jerry Moran (R-KS), Brian Schatz (D-HI), and Jeanne Shaheen (D-NH).

The *Bicameral Congressional Trade Authority Act* has also been introduced in the House of Representatives by Rep. Mike Gallagher (R-WI) and Ron Kind (D-WI).

A summary of the legislation can be found [here](#), legislative text can be found [here](#).