

CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA

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TO THE MEMBERS OF THE UNITED STATES SENATE:

The U.S. Chamber of Commerce strongly supports S. 746, the “Trade Security Act,” introduced by Senators Rob Portman and Dianne Feinstein. This bipartisan legislation would help restore the proper constitutional role of Congress in tariff policy by providing for Congressional disapproval of prospective tariffs designated under Section 232 of the Trade Expansion Act of 1962. **Members who cosponsor this legislation will receive credit for the Leadership component of their “How They Voted,” rating.**

Prior application of Section 232 tariffs has inflicted substantial harm on U.S. workers and consumers in every state, raising costs for U.S. manufacturers and eliciting foreign retaliation that has depressed American industrial and agricultural exports. The imposition of these tariffs on many of America’s closest allies—on the argument that their exports threaten U.S. national security—has also undermined U.S. efforts to build an international coalition of like-minded countries to combat the use of unfair trade practices.

Article I of the Constitution vests Congress with the exclusive authority to regulate foreign trade and levy taxes. The Congress used this power to delegate to the President the authority to impose tariffs in the Trade Expansion Act of 1962, but the use of Sec. 232 tariffs as leverage in trade negotiations is unlawful given the statute’s narrow focus on national security.

The Chamber has supported previous bills aiming to restore the proper constitutional role of Congress in tariff policy. Above all, we urge legislators to craft a consensus bill that can win broad, bipartisan support and meet the general objectives identified by the authors of this legislation as described above. Regardless of whether a Democrat or a Republican is serving as President, Congress should defend its Article I powers and insist on a formal role in the Sec. 232 process allowing members to reject the inappropriate application of tariffs.

The Chamber supports the “Trade Security Act” and urges the Senate to support American jobs and reassert Congress’ constitutional authority over tariff policy.

Sincerely,



Neil L. Bradley