Trade policy is becoming an ever more essential component of business strategy, especially given the Trump Administration’s activist trade orientation. Whether this means opening new markets, establishing favorable rules of trade, or using these rules to protect against unfair competition or blunt the impact of adverse trade measures, companies are increasingly considering trade policy as a means of advancing their interests. Steptoe has built a well-earned reputation as a leading firm for assisting companies to develop and execute sophisticated trade policy strategies to improve their competitive position and market access and to minimize risk arising from international trade developments.

The Steptoe trade team possesses a wealth of experience in international trade and investment policy and politics, as well as an understanding of how to leverage trade developments to advance clients’ interests. Steptoe distinguishes itself by combining this trade policy and political experience with technical legal expertise in a broad range of trade laws and litigation, international trade agreements (including WTO and free trade agreements) and negotiating contexts. By integrating our political and trade policy knowledge with our deep trade law and litigation experience, we have achieved positive results for our clients in some of the most challenging trade disputes, trade negotiations, and market access efforts.

Ambassador Susan G. Esserman, who served as Deputy US Trade Representative (USTR) and USTR General Counsel, and in high-ranking trade policy positions at the US Commerce Department, leads Steptoe’s trade policy team along with Jeff Weiss, who also served in senior positions at USTR, Commerce, and the Mission of the United States to the WTO in Geneva. Other key practice members include Richard O. Cunningham, who has participated in US trade policy debates for more than 40 years, Eric Emerson, the head of the firm’s International Trade and Investment Group, and partners in our Brussels office who contribute extensive experience in EU trade policymaking, such as former EU ambassador to the United States David O’Sullivan. In addition, the professionals in our Government Affairs and Public Policy practice – who bring decades of bipartisan political experience and a wide network of contacts – work closely with our trade policy practice to achieve clients’ goals.

Because every company’s needs are different, we tailor each strategy to our client’s individual priorities and budget. This strategy might involve advocating for a company’s interests before the White House and the Office of the US Trade Representative, or it might require a broader engagement plan, including advocacy with other administration agencies or members of Congress. Where appropriate and helpful to the client’s goals, we work with foreign governments and stakeholders to build effective multinational strategies. Where needed, we call upon a strong network of economic consultants with whom we have worked on past matters.
Steptoe has been involved for decades in the most high-profile and complex trade disputes, including those involving solar and polysilicon, steel, lumber, uranium, chemicals, motorcycles, and aluminum. Especially in such high-profile, high-stakes matters, integrating the policy, political, and technical legal dimensions of our engagements positions us to achieve our clients’ goals that cannot be attained through litigation alone.

Steptoe has assisted clients in achieving successful resolutions of some of the most contentious disputes in the field. For example, we have helped clients attain positive results in antidumping and countervailing duty settlements and suspensions agreements involving lumber, sugar, and uranium trade.

Legislative Affairs

Together with our government affairs and public policy practice, we work to ensure that emerging legislation establishes or maintains favorable trade and investment conditions for our clients. We closely monitor and advise our clients on legislative developments in international trade policy and remain prepared to advocate before key decision makers on behalf of our clients’ diverse interests. The Steptoe international trade practice has secured significant amendments to US trade remedy laws as well as tariff modifications through the US Miscellaneous Tariff Bills (MTB).
Market Access

We bring to bear a broad range of experiences in developing market access strategies tailored to our clients’ goals and the special regulatory and cultural environment of the specific markets of interest. We are particularly well-positioned to assist clients in enhancing market access in major foreign markets in Asia, Europe, and Latin America, where we have worked closely with government officials and stakeholders. Steptoe has achieved strong results for clients seeking new and expanded access to key markets in Asia (including China, India, Korea, and Japan), the EU, and Brazil.

Negotiations

We have extensively advised governments and companies with respect to WTO, free trade agreement, and investment treaty negotiations. Our most extensive engagement in this area has been advising the South Korean government in the Korea-US and Korea-EU free trade agreement negotiations and implementation, as well as in negotiations for international investment agreements. The Steptoe trade team also assists governments and private companies to address a variety of complex and changing negotiating contexts and political dynamics, such as in regard to the new United States-Mexico-Canada Agreement (USMCA) and the Brexit process. In advising companies on negotiations with foreign governments, we bring to bear insights from negotiating experience arising from former high-level government service.

Steptoe has advised governments in high-profile WTO disputes and discussions and has counseled governments on how to utilize technical-level WTO fora to secure favorable terms of trade.
News & Publications

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MEDIA MENTIONS

Financial Times Features David O’Sullivan in Q&A Interview on EU Trade Policy
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November 10, 2020

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November 5, 2020

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October 21, 2020

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Steptoe Covers the Election and Its Impact on You
November 17, 2020
Speakers: Eric C. Emerson, Darryl Nirenberg, Jeffrey G. Weiss

ON DEMAND

May 26, 2020
Speakers: Brian Egan, Daniel A. Mullen, Jeffrey G. Weiss

SEMINARS & EVENTS

India and the United States in a Changing Trade Dynamic
November 20, 2019
Speaker: Ambassador Susan G. Esserman
Steptoe’s Washington Office
1330 Connecticut Avenue, NW
Washington, DC 20036

WEBINARS

The US-China Trade Relationship
Strategies for Coping with the New Normal
August 28, 2018
Speakers: Eric C. Emerson, Gregory S. McCue, Leslie A. Belcher, Henry Cao

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INTERNATIONAL LAW ADVISORY

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Primary Contacts

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