

**Opening Statement of David Allen Foley, Jr. before the Senate
Committee on Finance**

June 25, 2026

Thank you, Chairman Crapo, Ranking Member Wyden, and members of the Committee for the opportunity to appear before you today. It is a profound honor to have been nominated by President Trump to be a Commissioner of the United States International Trade Commission (“USITC” or “Commission”). I am humbled by the opportunity to continue serving the people of the United States and return to the agency where I began my government service nearly 15 years ago.

I am joined today by my wife, Erin, our three children, and my parents. Their love, support, and understanding have empowered me throughout my career. I am deeply grateful to have them with me today.

My path to government service has not been conventional. I am an electrical engineer by training. Having watched the tech bubble burst while pursuing my engineering degree, I chose to pivot and went to law school. I entered private practice upon graduating, expecting to continue working as an IP litigator for the entirety of my career. In 2012, I left private practice to join the Commission for a two-year term appointment as a clerk in the Office of the Administrative Law Judges. In private practice, I had represented clients in front of the Commission. The clerkship seemed like an excellent opportunity to build on my expertise. I expected to complete the term and return once again to private practice. Life had other ideas.

As our family expanded from three to five during my clerkship, returning to private practice was overshadowed by a growing call to continue to serve for the next generation. Over the years, this call led me to be a litigator at the U.S. Department of Justice (“USDOJ”). It also led to policy roles at the White House, the U.S. Patent and Trademark Office (“USPTO”), and most recently, the House Judiciary Committee. The call to serve also led to my commissioning in the United States Air

Force Reserve in July of 2019, where I proudly continue to serve in the JAG Corps. My government service, as a litigator, as a policy advisor in the White House, as a Chief Counsel for the House Judiciary Committee, and as a military officer, has opened my eyes to the stakes of the role for which I have been nominated.

Chairman Crapo has rightly observed that “[t]rade today is the centerpiece of our international economic engagement,” and “[f]ree trade, by definition, must be reciprocal. We do not have it if others can impose barriers on us unchallenged.”

The Commission plays a vital role in ensuring a level playing field free from these international trade distortions. I learned the importance of trade enforcement for U.S. competitiveness while at the White House and in addressing illicit trade from the PRC while at the USPTO. I studied the targeting of strategic sectors by our adversaries and the importance of trade controls for national security while attending the National Intelligence University. And having served alongside the men and women who form the backbone of the world’s greatest Air Force, I understand the human stakes and the direct impact our supply chains have on our military and its readiness.

At the same time, my work at the USDOJ and my service as a JAG have taught me that the rule of law must always be respected. If I am fortunate to be confirmed, I will ensure that all decisions and remedial actions the Commission takes are based on a clear evidentiary record and sound legal reasoning. USITC commissioners must understand the broader implications of their decisions. Yet, they must also execute their role with judicial temperament, reflecting the independence and impartiality required of independent agencies. Anything less would be a disservice to the American public who rely on trade for many necessities.

I am excited by the opportunity to return to the agency where I started my government service and serve the American people in a new role that fully leverages my education and experience. It is an honor to appear before you today, and I look forward to your questions.