

United States Senate Committee on Finance

June 3, 2025

Hearing to Consider the nominations of Joseph Barloon, of Maryland, to be a Deputy United States Trade Representative (Geneva Office), with the rank of Ambassador, vice Maria Pagan, resigned; Janet Dhillon, of Virginia, to be Director of the Pension Benefit Guaranty Corporation for a term of five years, vice Gordon Hartogensis, term expired; and Brian Morrissey, Jr., of Virginia, to be General Counsel for the Department of the Treasury, vice Neil Harvey MacBride.

Question for the Record submitted to Joseph Barloon from Senator Tim Scott.

Question 1: Mr. Barloon, as you know, South Carolina manufactures wide-body aircraft that are exported around the world. Thousands of jobs in my state rely on American access to overseas markets. Among the many multilateral agreements is a 45-year-old agreement that provides a zero-for-zero tariff discipline concerning aircraft and aircraft parts. Because of this agreement, U.S. commercial aviation is the envy of the world. In 2023, the Aerospace and Defense trade surplus grew to over \$74 billion. Since this agreement, exports grew by over 2,100 percent, and the U.S. workforce doubled.

As Deputy Secretary, would you support a zero-zero tariff environment on a bilateral basis in the Administration's trade negotiations to drive additional U.S. competitiveness in global aerospace?

Answer: Civil aviation is a critical sector of the United States economy. If confirmed, I look forward to working with Congress to explore and implement strategies that support domestic employment and strengthen our civil aviation industrial base.

Question 2: How would you advise Congress to evaluate the value of continued U.S. membership in the WTO, given persistent concerns over its ability to discipline unfair trade practices from countries like China?

Answer: The current state of the World Trade Organization is deeply flawed. If confirmed, I will vigorously oppose any actions by foreign governments that violate international trade rules or breach their commitments to the United States.

Question 3: Given your previous experience at USTR, how can Congress help ensure that WTO rules do not undermine U.S. tools like Section 301 and Section 232, which are vital for enforcing our trade laws and protecting national security?

Answer: The sovereignty of the United States must remain paramount. If confirmed, I will ensure that our participation in the WTO does not undermine the authority of the American people to govern themselves through their elected representatives. I am

committed to defending the interests of the United States in all WTO negotiations and proceedings.

Question 4: There have been concerns about the WTO's overreach into U.S. domestic policymaking. In your view, how can Congress protect U.S. sovereignty while remaining committed to rules-based trade?

Answer: The sovereignty of the United States must remain paramount. If confirmed, I will ensure that our participation in the WTO does not undermine the authority of the American people to govern themselves through their elected representatives. I am committed to defending the interests of the United States in all WTO negotiations and proceedings.

Question for the Record submitted to Joseph Barloon from Senator Todd Young.

Question 1: The WTO Joint Statement Initiative on E-commerce concluded its agreement in July 2024. One provision—Article 25—allows countries to restrict cross-border data flows for privacy reasons, as long as their domestic law includes a general transfer mechanism. While protecting personal data is important, this language is broadly written, lacks clear standards, and could legitimize highly restrictive frameworks—such as those already in place in China and Russia—that create significant barriers to digital trade.

Given that the agreement includes no binding commitments on data flows, the inclusion of such an exception now raises serious concerns about the enforceability and future direction of global digital trade rules.

If confirmed, how would you approach future U.S. engagement on digital trade in the WTO context? And if the U.S. were to re-engage, would you support revisiting this provision to ensure future commitments on data flows remain enforceable and commercially meaningful without undercutting U.S. competitiveness?

Answer: Although I do not currently serve at USTR, I recognize that promoting digital trade is a key pillar of U.S. trade policy. President Trump's memorandum on defending American companies from discriminatory foreign measures underscores the importance of this issue. If confirmed, I will work to counter any actions that unfairly target U.S. technology firms and undercut our competitive edge.

Question for the Record submitted to Joseph Barloon from Senator Marsha Blackburn (R-TN).

Question 1: The WTO Joint Statement Initiative (JSI) would be the first ever set of baseline digital trade rules, and it could support the growing e-commerce in our country by providing greater legal predictability and certainty for the sector. I would like to know whether the United

States intends to rejoin that negotiation. I would also like to understand how you plan to use your time in Geneva to pursue highly problematic practices in this space. For example, I understand Korea, who is a founding member of the JSI negotiation, has discriminated against certain U.S. e-commerce companies.

Answer: Although I do not currently serve at USTR, I recognize that promoting digital trade is a key pillar of U.S. trade policy. President Trump's memorandum on defending American companies from discriminatory foreign measures underscores the importance of this issue. If confirmed, I will work to counter any actions that unfairly target U.S. technology firms and undercut our competitive edge.

Questions for the Record submitted to Joseph Barloon from Ranking Member Wyden.

Question 1: USTR's 2025 Trade Policy Agenda set out several of the Administration's concerns with the World Trade Organization (WTO). We understand that, if confirmed, you would intend to engage other WTO Members, but please provide a more detailed explanation of the specific steps you intend to take to address those concerns.

Answer: The WTO lacks sufficient transparency, and many member countries routinely fail to meet their obligations to properly notify changes in their domestic laws that affect trade. If confirmed, I will advocate for greater transparency within the WTO and work to hold member states accountable for meeting their notification responsibilities.

Question 2: Under the Biden Administration, I expressed serious concerns with United States Trade Representative (USTR) Tai's decision to walk away from long-standing U.S. positions on digital trade. Could you share your views on the importance of U.S. engagement on digital trade issues at the WTO? Where do we go from here?

Answer: Although I do not currently serve at USTR, I recognize that promoting digital trade is a key pillar of U.S. trade policy. President Trump's memorandum on defending American companies from discriminatory foreign measures underscores the importance of this issue. If confirmed, I will work to counter any actions that unfairly target U.S. technology firms and undercut our competitive edge.

Question 3: I understand the Administration is reviewing all contributions to international organizations, including the WTO. My staff has requested updates and briefings on this review, but the Administration has refused to provide any additional information. If confirmed, will you commit to ensuring USTR – or the appropriate agency – briefs Congress on the status of this review with regard to the WTO?

Answer: If confirmed, I welcome the opportunity to collaborate with you and your staff on matters within the scope of my duties at the WTO. I am committed to keeping the Committee appropriately informed and briefed.

Question 4: Do you believe that trade agreements must be approved by Congress? If your answer is “it depends,” please explain what factors you consider to be relevant to this question.

Answer: If confirmed, I will work in close partnership with Congress and ensure that all statutory responsibilities of the USTR are fully met.

Question 5: For the record, please confirm whether you advised Temasek Holdings - a foreign company owned by the government of Singapore - on the trade implications of the 2024 election?

Answer: I have not represented, aided, or advised Temasek or any foreign entity in any trade negotiation, or trade dispute, with the United States.

Question 6: For over 25 years, the United States has been a leader at the WTO, pushing for a ban on tariffs on digital goods, like movies. In meetings with staff, you indicated that you support those efforts and, in fact, want to make that ban permanent. However, President Trump recently announced on social media he wants to put 100% tariffs on foreign movies. Do you support banning tariffs on digital goods like movies or do you support Trump’s tariffs on foreign movies?

Answer: I fully support the President’s trade agenda and the priorities it sets for advancing American interests.

Question for the Record submitted to Joseph Barloon from Senator Whitehouse.

Question 1:

In 2022, the WTO reached an agreement to prohibit subsidies for illegal, unreported, and unregulated fishing and fishing overfished or unmanaged stocks. The agreement included a commitment to continue negotiating additional limitations on harmful fisheries subsidies. While this was an important step forward, there is much more work to be done.

Will you prioritize robust U.S. engagement in pursuit of a meaningful agreement?

Answer: Yes.

Question for the Record submitted to Joseph Barloon from Senator Hassan.

Question 1:

The President’s erratic tariffs – including tariffs on imports from close allies like Canada – have damaged the United States’ ability to work with our allies to combat unfair Chinese trade practices.

At the World Trade Organization (WTO), how would you work with our allies – like Canada, the UK, and Australia – to advance trade policies that constrain bad actors like the Chinese government and to support democracies?

Answer: Admitting China into the WTO was a mistake. The fundamental incompatibility between non-market, authoritarian systems and free-market democracies presents ongoing challenges. I am committed to working closely with our allies to address these issues strategically.

Question for the Record submitted to Joseph Barloon from Senator Warren.

Question 1: The World Trade Organization recently forecasted that President Trump's tariffs will reduce trade growth over the next year. Do you agree with the WTO's analysis? If not, please explain.

Answer: President Trump's trade policies are achieving their intended results. On April 2, he declared a national emergency due to our non-reciprocal trade relationships and the associated trade deficit. Following this, in April, the U.S. goods trade deficit declined substantially.

Question 2: What should the role of global institutions like the WTO be, and is the United States bound by its rules?

Answer: The sovereignty of the United States must remain paramount. If confirmed, I will ensure that our participation in the WTO does not undermine the authority of the American people to govern themselves through their elected representatives. I am committed to defending the interests of the United States in all WTO negotiations and proceedings.

Question 3: Would you support updating WTO rules or implementing policies that protect U.S. workers by promoting labor standards across the world?

A. Would you support the expansion of rapid response mechanisms?

Answer: Yes.

Question 4: What role, if any, should Investor–state dispute settlement (ISDS) mechanisms play in our global trade systems?

Answer: I understand the concerns that have been raised about ISDS mechanisms. If confirmed, I look forward to working with Congress and stakeholders to promote policies that advance the interests of all Americans.

Question 5: If U.S. courts determine that President Trump's tariff policy is illegal, do you commit to adhering to that decision?

Answer: The President's trade actions are fully grounded in his constitutional and statutory authorities. I am confident that the courts will ultimately affirm their legality. Regardless, I will always uphold and follow the law.

Question 6: Big Tech has long sought protections for the so-called "free flow of data," meaning they want to constrain governments from protecting the personal data of their citizens to bad actors around the world. In other words, Big Tech wants to keep auctioning Americans' data to the highest bidder, even when that means that their data makes it to the Chinese or Russian government.

- A. Do you believe that commonsense policies protecting the data of American citizens violate should be restricted?
- B. So-called "free flow of data" provisions could also help companies evade laws that protect children from seeing inappropriate content online, including legislation passed through the Senate on a bipartisan basis. Will you oppose trade provisions that allow tech companies to bypass laws written to protect our children?

Answer: The sovereignty of the United States is paramount. Regulatory authority over U.S. technology firms rests with Congress and domestic agencies—not with foreign governments.

Question 7: Big Tech companies have long claimed that neutrally applicable competition and consumer protection policies are "illegal trade discrimination." In reality, these are facially neutral policies that disproportionately impact "digital products" of dominant companies that happen to be headquartered in the U.S. Deeming such policies "discriminatory" could undermine efforts by U.S. policymakers to pass new legislation and antitrust enforcers to crack down on anti-competitive conduct, including price fixing and self-dealing, by the largest tech companies. Do you believe that all policies impacting the largest tech companies—which happen to be U.S.-based—are inherently "discriminatory"?

Answer: The regulation of U.S. technology companies is the responsibility of Congress and our domestic regulators. If confirmed, I will work to counter any actions that unfairly target U.S. technology firms and undercut our competitive edge.

Question for the Record submitted to Joseph Barloon from Senator Warnock.

Question 1: During your confirmation hearing, you discussed that you believe the World Trade Organization (WTO) could benefit from reforms.¹

- If confirmed, what reforms will you prioritize?

Answer: The WTO lacks sufficient transparency, and many member countries routinely fail to meet their obligations to notify changes in domestic laws that affect trade. If confirmed, I will advocate for greater transparency within the WTO and will work to hold member states accountable for meeting their notification responsibilities.

¹ *Hearing to Consider the nominations of Joseph Barloon, of Maryland, to be a Deputy United States Trade Representative (Geneva Office), with the rank of Ambassador, vice Maria Pagan, resigned; Janet Dhillon, of Virginia, to be Director of the Pension Benefit Guaranty Corporation for a term of five years, vice Gordon Hartogensis, term expired; and Brian Morrissey, Jr., of Virginia, to be General Counsel for the Department of the Treasury, vice Neil Harvey MacBride, Before the U.S. Senate Committee on Finance, 119th Cong. (June 3, 2025) (statement of Mr. Josephy Barloon, <https://www.finance.senate.gov/download/06032025-barloon-testimony>).*

Question 2: The World Trade Organization and its Agreements are intended to help prevent coercive policies that force businesses to give up proprietary technology and intellectual property as a condition for market access. A 2024 U.S. Trade Representative report confirmed that despite pressure from the United States, China has resisted reform, taken superficial measures to address concerns about its trade behavior, and continued to implement policies to obtain U.S. companies' technology and intellectual property.² At the same time, China also has led state-sponsored intellectual property theft efforts.³ These practices undermine the competitiveness of Georgia businesses in the global economy, yet the WTO has struggled to address these issues effectively.

- If confirmed, what specific actions will you take at the WTO to address China's coercive technology transfer-related acts, policies, and practices?
- Do you believe the WTO has the necessary enforcement tools? If not, what tools are necessary?
- How will you collaborate with U.S. allies and other advanced economies to hold China accountable?

Answer: The WTO has not adequately addressed China's harmful technology-related acts, policies and practices. I am committed to working closely with our allies to address these issues strategically, and I look forward to working with Congress on WTO reform.

Question 3: Georgia is the nation's top producer of pecans, and our growers have entered international markets around the world.⁴ I am proud to have led successful, bipartisan efforts to reduce tariff barriers limiting Georgia pecan farmers' access to India's markets,⁵ but I am concerned that retaliatory tariffs from my state's largest pecan trading partners will harm Georgia's pecan growers and shrink their access to international markets.

- If confirmed, will you commit to working with me and my colleagues, including through your efforts at the WTO, to continue lowering trade barriers for Georgia's pecan farmers and protect their access to international markets?

Answer: Yes.

² *Id.*

³ Erin Rosenbaum, *1 in 5 corporations say China has stolen their IP within the last year: CNBC CFO survey*, CNBC (Mar 1, 2019), <https://www.cnbc.com/2019/02/28/1-in-5-companies-say-china-stoletheir-ip-within-the-last-year-cnbc.html>; *U.S. Charges Five Chinese Military Hackers for Cyber Espionage Against U.S. Corporations and a Labor Organization for Commercial Advantage*, U.S. Department of Justice (May 19, 2024), <https://www.justice.gov/archives/opa/pr/us-charges-five-chinese-military-hackers-cyber-espionage-against-us-corporations-and-labor>; 2017 Commission on the Theft of American Intellectual Property Report, The National Bureau of Asian Research: Commission on the Theft of American Intellectual Property (February 2017), https://www.nbr.org/wp-content/uploads/pdfs/publications/IP_Commission_Report_Update.pdf.

⁴ *Import/Export Pecans: Grown in Georgia, Enjoyed Worldwide*, Georgia Pecan Commission (2025), <https://georgiapekans.org/source-pecans/import-export/>.

⁵ *Following Months of Leadership, Senator Reverend Warnock Secures Victory For Georgia Farmers as India Agrees to Lower Pecan Tariffs*, Office of U.S. Senator Reverend Warnock (Feb. 2, 2023), <https://www.warnock.senate.gov/newsroom/press-releases/following-months-of-leadership-senator-reverend-warnock-secures-victory-for-georgia-farmers-as-india-agrees-to-lower-pecan-tariffs/>.

