

# Washington, D.C. Update: Federal Government Policy Developments

Prepared by  
The Franklin Partnership, LLC &  
Policy Resolution Group at Bracewell  
January 27, 2023



# Your Team in Washington, D.C.



## Lobbying Firm – The Franklin Partnership, LLC

- Bi-partisan Washington, D.C.-based government relations firm
- Representing manufacturing industry since 2002
- Clients include: manufacturing associations, defense contractors, hospitals, cities



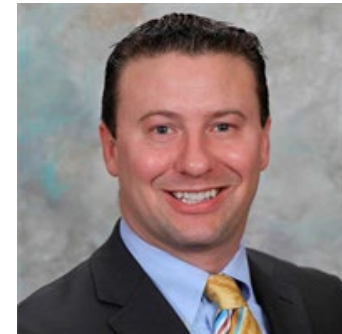
## Strategic Communications Firm – Policy Resolution Group at Bracewell

- Wash, D.C.-based public affairs & strategic communications consultants
- Promote NTMA and PMA in print, digital and other media
- Support Franklin Partnership government relations efforts by designing and implementing coordinated strategic communications strategy
- Representing metalworking industry since 2003

*Nothing contained in here shall be deemed legal or financial advice.*

# Thank You to Our Sponsor

This month's webinar is sponsored by:



Jack West

Field Manager, Federated Insurance

507-455-5175

[jewest@fedins.com](mailto:jewest@fedins.com)

# Contents

---

- The Final Days of 2022
- 2023 Congressional Agenda
- Regulatory Watch List
- Trade, Tariffs and Supply Lines



*All information presented as of January 26, 2023*

# 2022 Finished Business

---

- DoD subcontractors can apply for inflation adjustment relief in 2023
- Required minimum retirement distribution increased to 73 years old for 2023
- Increased DoL Employment and Training Administration budget by \$545 million

# 2022 Unfinished Business

---

- Full R&D Expensing not reinstated
- R&D remains amortized over five years
- 100% Full Expensing (Bonus Depreciation) dropped to 80% on January 1<sup>st</sup>
- Few pathways to reinstating R&D, Bonus, without bipartisan legislation

# Debt Ceiling Showdown Started

---

- Can Congress increase debt ceiling?
- Could reach hard ceiling June-August
- Government spending and ceiling connected
- Most expect government shutdown standoff
- Possible defense, non-defense spending cuts

# Tax and Regulatory Numbers to Know



# 2023 Tax Filing Season Started

## IRS sets January 23 as official start to 2023 tax filing season; more help available for taxpayers this year

### Key filing season dates

There are several important dates taxpayers should keep in mind for this year's filing season:

- **January 13:** IRS Free File opens
- **January 17:** Due date for tax year 2022 fourth quarter estimated tax payment.
- **January 23:** IRS begins 2023 tax season and starts accepting and processing individual 2022 tax returns.
- **January 27:** Earned Income Tax Credit Awareness Day to raise awareness of valuable tax credits available to many people – including the option to use prior-year income to qualify.
- **April 18:** National due date to file a 2022 tax return or request an extension and pay tax owed due to the Emancipation Day holiday in Washington, D.C.
- **October 16:** Due date to file for those requesting an extension on their 2022 tax returns.

# Some Californians' Taxes Extended to 5/18

## IRS: California storm victims qualify for tax relief; April 18 deadline, other dates extended to May 15

**Updated 1/11/23:** This news release has been updated to include Alameda, Contra Costa, Fresno, Kings, Lake, Madera, Mono, San Benito, San Francisco, and Tulare counties.

IR-2023-03, January 10, 2023

WASHINGTON — California storm victims now have until May 15, 2023, to file various federal individual and business tax returns and make tax payments, the Internal Revenue Service announced today.

The IRS is offering relief to any area designated by the [Federal Emergency Management Agency \(FEMA\)](#). This means that individuals and households that reside or have a business in Alameda, Colusa, Contra Costa, El Dorado, Fresno, Glenn, Humboldt, Kings, Lake, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Mono, Monterey, Napa, Orange, Placer, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Sutter, Tehama, Tulare, Ventura, Yolo and Yuba counties qualify for tax relief. The current list of eligible localities is always available on the [Tax Relief in Disaster Situations](#) page on IRS.gov.

The tax relief postpones various tax filing and payment deadlines that occurred starting on January 8, 2023. As a result, affected individuals and businesses will have until May 15, 2023, to file returns and pay any taxes that were originally due during this period.

<https://www.irs.gov/newsroom/irs-california-storm-victims-qualify-for-tax-relief-april-18-deadline-other-dates-extended-to-may-15>

# OSHA Updates Civil Penalties for 2023



## OSHA Trade Release

U.S. Department of Labor  
Occupational Safety and Health Administration  
Office of Communications  
Washington, D.C.  
[www.osha.gov](http://www.osha.gov)  
For Immediate Release

January 12, 2023  
Contact: Office of Communications  
Phone: 202-693-1999

Below are the maximum penalty amounts, with the annual adjustment for inflation, that may be assessed after Jan. 15, 2023. (See [OSHA Memo, Dec. 20, 2022](#)).

Type of Violation	Penalty
Serious Other-Than-Serious Posting Requirements	\$15,625 per violation
Failure to Abate	\$15,625 per day beyond the abatement date
Willful or Repeated	\$156,259 per violation

### US Department of Labor announces annual adjustments to OSHA civil penalties for 2023

**WASHINGTON** – The U.S. Department of Labor announced changes to Occupational Safety and Health Administration civil penalty amounts based on cost-of-living adjustments for 2023.

In 2015, Congress passed the Federal Civil Penalties Inflation Adjustment Act Improvements Act to advance the effectiveness of civil monetary penalties and to maintain their deterrent effect. Under the Act, agencies are required to publish "catch-up" rules that adjust the level of civil monetary penalties and make subsequent annual adjustments for inflation no later than January 15 of each year. This year, January 15 falls on a Sunday and January 16 is a federal holiday. Therefore, new OSHA penalty amounts will become effective Jan. 17, 2023.

OSHA's maximum penalties for serious and other-than-serious violations will increase from \$14,502 per violation to \$15,625 per violation. The maximum penalty for willful or repeated violations will increase from \$145,027 per violation to \$156,259 per violation.

Visit the [OSHA Penalties](#) page and read the [final rule](#) for more information.

<https://www.osha.gov/news/newsreleases/trade/01122023>

# OSHA Focus on LOTO, Machine Guarding

U.S. Department of Labor | January 26, 2023

## **Department of Labor announces enforcement guidance changes to save lives, target employers who put profit over safety**

*Seeks to hold employers to greater account for safety, health failures*

**WASHINGTON** – The U.S. Department of Labor announced that its Occupational Safety and Health Administration has issued new enforcement guidance to make its penalties more effective in stopping employers from repeatedly exposing workers to life-threatening hazards or failing to comply with certain workplace safety and health requirements.

OSHA Regional Administrators and Area Office Directors now have the authority to cite certain types of violations as “[instance-by-instance citations](#)” for cases where the agency identifies “high-gravity” serious violations of OSHA standards specific to certain conditions where the language of the rule supports a citation for each instance of non-compliance. These conditions include lockout/tagout, machine guarding, permit-required confined space, respiratory protection, falls, trenching and for cases with other-than-serious violations specific to recordkeeping.

The change is intended to ensure OSHA personnel are applying the full authority of the Occupational Safety and Health Act where increased citations are needed to discourage non-compliance. The new guidance covers enforcement activity in general industry, agriculture, maritime and construction industries, and becomes effective 60 days from Jan. 26, 2023. The current policy has been in place since 1990 and applies only to egregious willful citations.

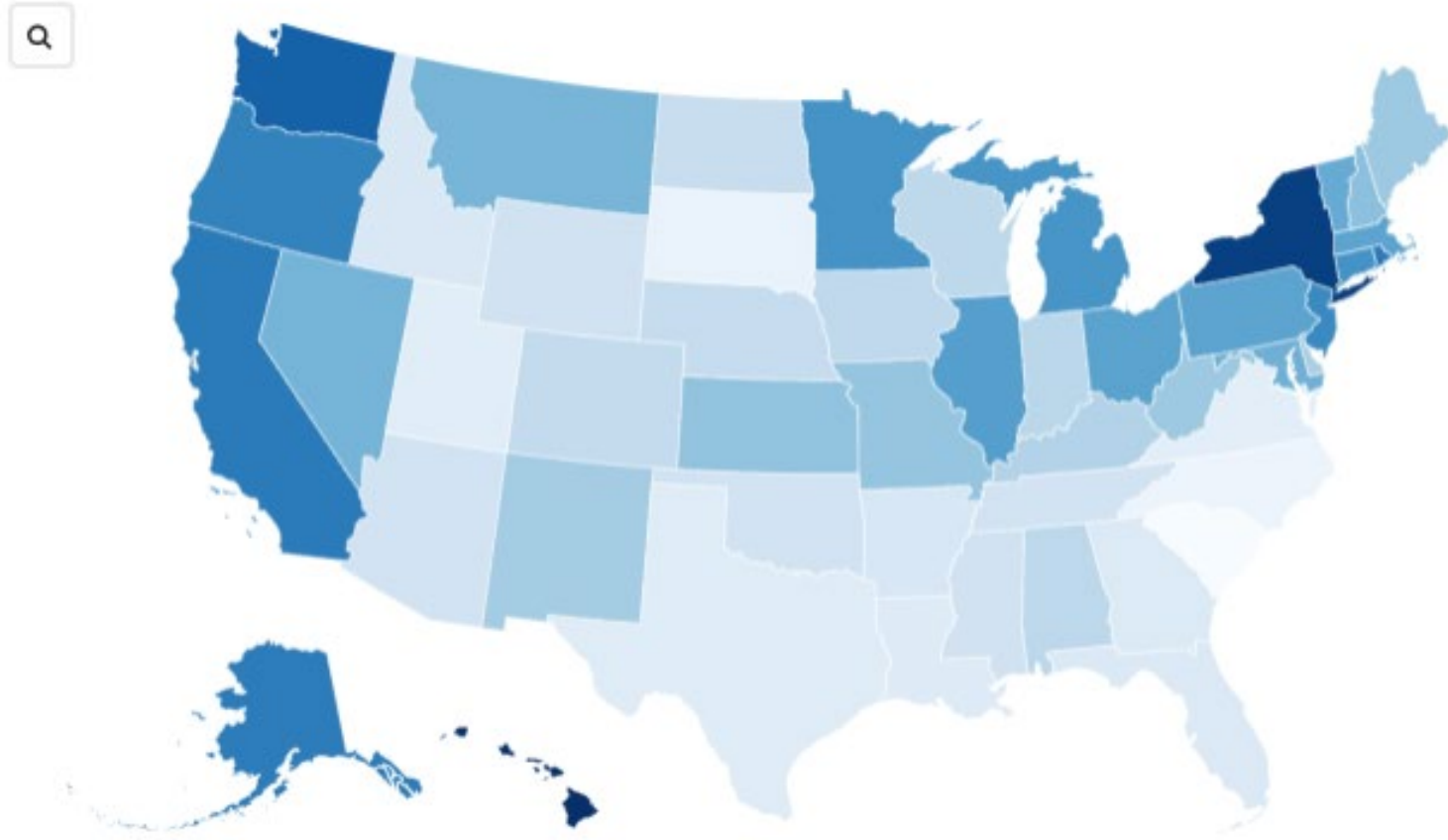
<https://www.osha.gov/memos/2023-01-26/application-of-instance-by-instance-penalty-adjustments>



# Union Petitions Up 53% in 2021-22

Percentage of union member workers by state in 2022

1.7 21.9



Source: [Bureau of Labor Statistics](#)

2022 union membership 10.1% down from 10.3%

Number of union workers increased by 273,000



# Regulatory Agenda for 2023 Released

“Fall 2022 Unified Agenda of Regulatory and  
Deregulatory Actions”



# Union Representative at OSHA Walkaround

## RIN Data

**DOL/OSHA**

**RIN:** 1218-AD45

**Publication ID:** Fall 2022

**Title:** •Worker Walkaround Representative Designation Process

**Abstract:**

This rulemaking will clarify the right of workers and certified bargaining units to specify a worker or union representative to accompany an OSHA inspector during the inspection process/facility walkaround, regardless of whether the representative is an employee of the employer, if in the judgment of the Compliance Safety and Health Officer such person is reasonably necessary to an effective and thorough physical inspection.

**Agency:** Department of Labor(DOL)

**Priority:** Other Significant

**RIN Status:** First time published in the Unified Agenda

**Agenda Stage of Rulemaking:** Proposed Rule Stage

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** [29 CFR 1903](#)

**Legal Authority:** [29 U.S.C. 657](#) [5 U.S.C. 553](#)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/2023	

<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202210&RIN=1218-AD45>

# Overtime Exemption Threshold Increase

## RIN Data

**DOL/WHD**

**RIN:** 1235-AA39

**Publication ID:** Fall 2022

**Title:** Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees

**Abstract:**

WHd is reviewing the regulations at 29 CFR 541, which implement the exemption of bona fide executive, administrative, and professional employees from the Fair Labor Standards Act’s minimum wage and overtime requirements.

**Statement of Need:**

One of the primary goals of this rulemaking would be to update the salary level requirement of the section 13(a)(1) exemption. A salary level test has been part of the regulations since 1938 and it has been long recognized that the best single test of the employer’s good faith in attributing to the employee’s services is the amount they pay for those services. In prior rulemakings, the Department explained its commitment to update the standard salary level and Highly Compensated Employees (HCE) total compensation levels more frequently. Regular updates promote greater stability, avoid disruptive salary level increases that can result from lengthy gaps between updates and provide appropriate wage protection.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/2023	



# Final Joint Employer Rule – August 2023

## RIN Data

**NLRB**

**RIN:** 3142-AA21

**Publication ID:** Fall 2022

**Title:** Joint Employer

**Abstract:**

The National Labor Relations Board will engage in rulemaking on the standard for determining whether two employers, as defined in section 2(2) of the National Labor Relations Act (Act), are a joint employer under the Act.

**Agency:** National Labor Relations Board(NLRB)

**RIN Status:** Previously published in the Unified Agenda

**Major:** Undetermined

**CFR Citation:** [29 CFR 102](#)

**Legal Authority:** [29 U.S.C. 156](#)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	09/07/2022	<a href="#">87 FR 54641</a>
NPRM Comment Period Extended	10/19/2022	<a href="#">87 FR 63465</a>
NPRM Comment Period Extended End	12/07/2022	
Final Rule	08/00/2023	

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule Stage

**Unfunded Mandates:** Undetermined

<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202210&RIN=3142-AA21>

# FTC Non-Compete Proposed Rule

## RIN Data

### FTC

**RIN:** 3084-AB74

**Publication ID:** Fall 2022

**Title:** ●Covenants Not to Compete Rule

### Abstract:

Pursuant to sections 5 and 6(g) of the Federal Trade Commission Act, staff anticipates that the Federal Trade Commission will propose the Covenants Not to Compete Rule during the Fall of 2022. The proposed rule would, among other things, provide that it is an unfair method of competition for an employer to enter into or attempt to enter into a covenant not to compete with a worker; to maintain with a worker a covenant not to compete; or, under certain circumstances, to represent to a worker that the worker is subject to a covenant not to compete. The comment period would close 60 days after publication of the **Federal Register** notice.

**Agency:** Federal Trade Commission(FTC)

**Priority:** Substantive, Nonsignificant

**RIN Status:** First time published in the Unified Agenda

**Agenda Stage of Rulemaking:** Proposed Rule Stage

**Major:** Undetermined

**Unfunded Mandates:** Undetermined

**CFR Citation:** to be codified at 16 CFR 910 (To search for a specific CFR, visit the [Code of Federal Regulations.](#))

**Legal Authority:** [15 U.S.C. 41 to 58](#)

**Legal Deadline:** None

### Timetable:

Action	Date	FR Cite
NPRM	12/00/2022	
NPRM Comment Period End	02/00/2023	

<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202210&RIN=3084-AB74>

# Electronic OSHA Forms 300, 301, 301A

## RIN Data

**DOL/OSHA**

**RIN:** 1218-AD40

**Publication ID:** Fall 2022

**Title:** Improve Tracking of Workplace Injuries and Illnesses

### Abstract:

In 2016, OSHA finalized a rule which, among other things, required certain establishments to electronically submit certain case-specific injury and illness information to OSHA each year (81 FR 29624 (May 12, 2016)). Approximately, three years later, the agency rescinded the requirements to submit the case-specific information (84 FR 380 (January 25, 2019)). On March 30, 2022, OSHA published a Notice of Proposed Rulemaking which would amend its occupational injury and illness recordkeeping regulation to again require certain employers to annually electronically submit injury and illness information (87 FR 18528). Specifically, OSHA proposed to amend its regulation to require establishments with 100 or more employees in certain designated industries to electronically submit information from their OSHA Forms 300, 301, and 300A to OSHA once a year. Under the proposal, establishments with 20 or more employees in certain industries would continue to be required to electronically submit information from their OSHA Form 300A annual summary to OSHA once a year. OSHA also proposed to update the classification system used to determine the list of industries covered by the electronic submission requirement. Finally, OSHA proposed to remove the current requirement for establishments with 250 or more employees, not in a designated industry, to electronically submit information from their Form 300A to OSHA on an annual basis.

### Timetable:

Action	Date	FR Cite
NPRM	03/30/2022	<a href="#">87 FR 18528</a>
NPRM Comment Period Extended	05/25/2022	<a href="#">87 FR 31793</a>
NPRM Comment Period Extended End	06/30/2022	
Final Rule	03/00/2023	

<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202210&RIN=1218-AD40>

# Lock-Out/Tag-Out Proposed Rule – July

## RIN Data

**DOL/OSHA**

**RIN:** 1218-AD00

**Publication ID:** Fall 2022

**Title:** Lock-Out/Tag-Out Update

**Abstract:**

Recent technological advancements that employ computer-based controls of hazardous energy (e.g., mechanical, electrical, pneumatic, chemical, and radiation) conflict with OSHA's existing lock-out/tag-out standard. The use of these computer-based controls has become more prevalent as equipment manufactures modernize their designs. Additionally, there are national consensus standards and international standards harmonization that govern the design and use of computer-based controls: this approach of controlling hazardous energy is more accepted in other nations, which raises issues of needing to harmonize U.S. standards with those of other countries. The agency has recently seen an increase in requests for variances for these devices. OSHA issued a Request for Information (RFI) in May 2019 to understand the strengths and limitations of this new technology, as well as potential hazards to workers.

**Agency:** Department of Labor(DOL)

**RIN Status:** Previously published in the Unified Agenda

**Major:** No

**CFR Citation:** [29 CFR 1910.147](#)

**Legal Authority:** [29 U.S.C. 655\(b\)](#)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Request for Information (RFI)	05/20/2019	<a href="#">84 FR 22756</a>
RFI Comment Period End	08/19/2019	
NPRM	07/00/2023	

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule Stage

**Unfunded Mandates:** No

<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202210&RIN=1218-AD00>



# OSHA Heat Small Business Review Panel

## RIN Data

**DOL/OSHA**

**RIN:** 1218-AD39

**Publication ID:** Fall 2022

**Title:** Heat Illness Prevention in Outdoor and Indoor Work Settings

**Abstract:**

OSHA was petitioned by Public Citizen for a heat stress standard in 2011. The Agency denied this petition in 2012, but was once again petitioned by Public Citizen, on behalf of approximately 130 organizations, for a heat stress standard in 2018 and 2019. Most recently in 2021, Public Citizen petitioned OSHA to issue an emergency temporary standard on heat stress. OSHA is still considering these petitions and has neither granted nor denied to date. In 2019 and 2021, some members of the Senate also urged OSHA to initiate rulemaking to address heat stress.

Given the potentially broad scope of regulatory efforts to protect workers from heat hazards, as well as a number of technical issues and considerations with regulating this hazard (e.g., heat stress thresholds, heat acclimatization planning, exposure monitoring, medical monitoring), OSHA published an ANPRM on Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings (October 27, 2021) to begin a dialogue and engage with stakeholders to explore the potential for rulemaking on this topic.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/27/2021	<a href="#">86 FR 59309</a>
ANPRM Comment Period Extended	12/02/2021	<a href="#">86 FR 68594</a>
ANPRM Comment Period Extended End	01/26/2022	
Initiate SBREFA	01/00/2023	

<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202210&RIN=1218-AD39>

# Crystalline Silica General Industry Rule

## RIN Data

DOL/OSHA

RIN: 1218-AD31

Publication ID: Fall 2022

**Title:** Occupational Exposure to Crystalline Silica: Revisions to Medical Surveillance Provisions for Medical Removal Protection

**Abstract:**

On March 25, 2016, OSHA published a final rule on Occupational Exposure to Respirable Crystalline Silica (81 FR 16286). OSHA issued two separate standards--one for construction, and one for general industry and maritime. Neither standard included a provision for medical removal protection. Both industry and labor organizations petitioned for review of the rule. Upon review, the U.S. Court of Appeals for the District of Columbia Circuit concluded that OSHA failed to adequately explain its decision to omit medical removal protections from the rule and remanded the rule for further consideration of the issue.

Agency: Department of Labor(DOL)

RIN Status: Previously published in the Unified Agenda

Major: No

CFR Citation: [29 CFR 1910.1053\(i\)](#)

Legal Authority: [29 U.S.C. 655\(b\)](#)

Legal Deadline: None

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule Stage

Unfunded Mandates: No

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/2023	

<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202210&RIN=1218-AD31>

# SEC Climate Change Disclosure Rule - April

## RIN Data

SEC

RIN: 3235-AM87

Publication ID: Fall 2022

**Title:** Climate Change Disclosure

**Abstract:**

The Division is considering recommending that the Commission adopt rule amendments to enhance registrant disclosures regarding issuers' climate-related risks and opportunities.

**Agency:** Securities and Exchange Commission(SEC)

**RIN Status:** Previously published in the Unified Agenda

**Major:** Undetermined

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule Stage

**Unfunded Mandates:** No

**Timetable:**

Action	Date	FR Cite
NPRM	04/11/2022	<a href="#">87 FR 21334</a>
NPRM Comment Period Extended	05/12/2022	<a href="#">87 FR 29059</a>
NPRM Comment Period End	06/17/2022	
Final Action	04/00/2023	

# Waters of the U.S. – Nov. 2023 & July 2024

## RIN Data

EPA/OW

RIN: 2040-AG13

Publication ID: Fall 2022

**Title:** Revised Definition of “Waters of the United States”

**Abstract:**

In April 2020, the EPA and the Department of the Army (“the agencies”) published the Navigable Waters Protection Rule that revised the previously-codified definition of “waters of the United States” (WOTUS). The agencies are in the process of revising the definition of WOTUS to include the waters defined by the familiar regulations that were in place prior to the 2015 WOTUS rule, with amendments to reflect the agencies’ determination of the statutory limits on the scope of the “waters of the United States” informed by Supreme Court precedent, the best available science, and the agencies’ experience and technical expertise. The agencies also intend to consider further refinements in a second rule (Rule 2) in light of additional stakeholder engagement and implementation considerations, scientific developments, litigation and environmental justice values. This effort will also be informed by the experience of implementing the pre-2015 rule, the 2015 Clean Water Rule, the 2020 Navigable Waters Protection Rule, and Rule 1.

**Statement of Need:** In 2015, the Environmental Protection Agency and the Department of the Army (“the agencies”) published the “Clean Water Rule: Definition of ‘Waters of the United States’” (80 FR 37054, June 29, 2015). In April 2020, the agencies published the Navigable Waters Protection Rule (85 FR 22250, April 21, 2020). The agencies conducted a substantive re-evaluation of the definition of “waters of the United States” in accordance with the Executive Order 13990 and determined that they need to revise the definition to ensure the agencies listen to the science, protect the environment, ensure access to clean water, consider how climate change resiliency may be affected by the definition of waters of the United States, and to ensure environmental justice is prioritized in the rulemaking process.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2023	
Final Rule	07/00/2024	

<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202210&RIN=2040-AG13>



# Class 2B and 3 Truck Emissions Rule

EPA/OAR

RIN: 2060-AV49

Publication ID: Fall 2022

**Title:** Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles

**Abstract:**

Per EPA's authority under the Clean Air Act section 202(a), EPA will propose a comprehensive set of emissions standards for greenhouse gases and criteria pollutants for the light-duty vehicle sector as well as the heavy-duty vehicle Class 2B and 3 sectors. The standards will begin with model year 2027 light-duty vehicles, with stringency levels set at least through model year 2030. This action is also supported by the President's Executive Order 14037, titled "Strengthening American Leadership in Clean Cars and Trucks." EPA will coordinate with the Department of Transportation in developing this proposal as appropriate.

**Statement of Need:** On August 5, 2021, President Biden issued Executive Order 14307 on Strengthening American Leadership in Clean Cars and Trucks which ordered the Administrator of the Environmental Protection Agency (EPA) to "establish new multi-pollutant emissions standards, including for greenhouse gas emissions, for light- and medium-duty vehicles beginning with model year 2027 and extending through and including at least model year 2030." This rulemaking will establish standards beyond 2026.

**Summary of the Legal Basis:** Clean Air Act (42 U.S.C. 7401)

**Alternatives:** EPA will assess alternative standards in the development of the proposal.

**Anticipated Costs and Benefits:** EPA will assess costs and benefits in the development of the proposal.

**Risks:** EPA will assess risks in the development of the proposal.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2023	
Final Rule	03/00/2024	

# Steel, Aluminum Tariff Exclusion Rule

## RIN Data

**DOC/BIS**

**RIN:** 0694-AH55

**Publication ID:** Fall 2022

**Title:** Section 232 Steel and Aluminum Tariff Exclusions Process

**Abstract:**

This proposed rule would revise aspects of the process for requesting exclusions from the duties and quantitative limitations on imports of aluminum and steel discussed in five previous Department of Commerce ("Commerce") interim final rules implementing the exclusion process authorized by the President under Section 232 of the Trade Expansion Act of 1962, as amended ("232"). Based on public comments on the current process for submissions to Commerce, Commerce is publishing this proposed rule to make additional revisions to the 232 exclusion process, including to the 232 Exclusions Portal.

**Agency:** Department of Commerce(DOC)

**RIN Status:** Previously published in the Unified Agenda

**Major:** No

**CFR Citation:** [15 CFR 705](#)

**Legal Authority:** [19 U.S.C. 1862](#)

**Legal Deadline:** None

**Timetable:**

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule Stage

**Unfunded Mandates:** No

Action	Date	FR Cite
NPRM	01/00/2023	

<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202210&RIN=0694-AH55>

# Trade and Supply Chain Policy

# Commerce 232 Exclusions

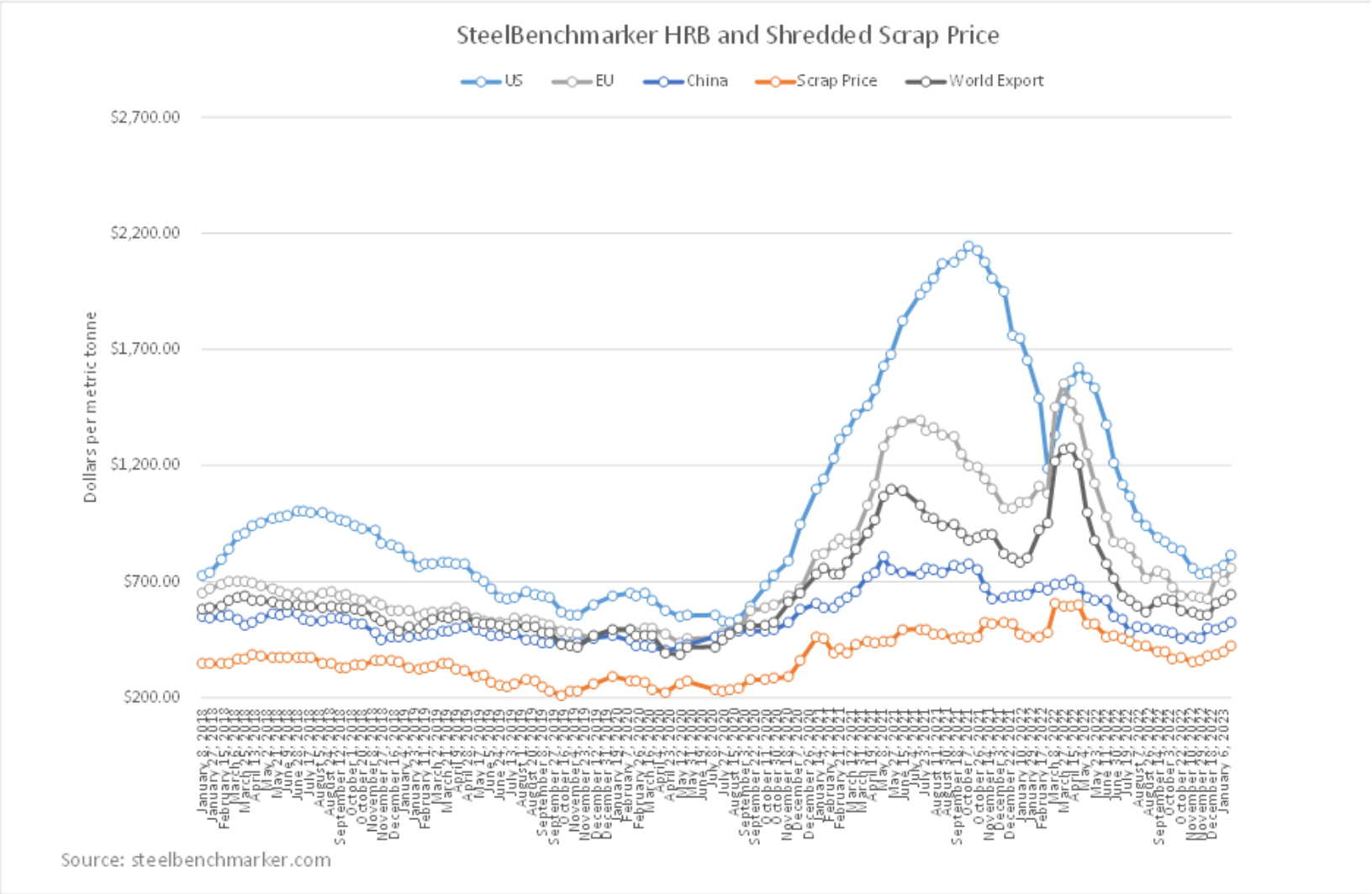
	Steel	Aluminum	Overall
Total Requests Posted	283115	18186	301301
Total Granted	191374	14735	206109
Total Denied	80939	3028	83967
Total Pending	10810	423	11233
Pending - Objection Stage	5897	341	6238
Pending - Rebuttal Stage	4296	38	4334
Pending - Surrebuttal Stage	70	0	70
Pending - Decision Stage	522	43	565
Total Pending 0-99 Days	7052	196	7248
Total Pending 100-199 Days	3117	111	3228
Total Pending 200-299 Days	443	112	555
Total Pending 300+ Days	198	4	202
Data as of:	1/20/2023	1/20/2023	

*Source: Mike Dankler, Deputy Chief of Staff Rep. Rudy Yakym III (IN-02)*

Note from Mike: Data files that download from Commerce's 232 Portal are now unusable. The chart above is done by manual searches to parse things out so limited visibility on timeliness and essentially no visibility on objections and how those shape the process.

# Steel Prices

U.S. versus Global Steel Prices January 8, 2018-March 28, 2022  
(HRB Price)



# Steel Prices

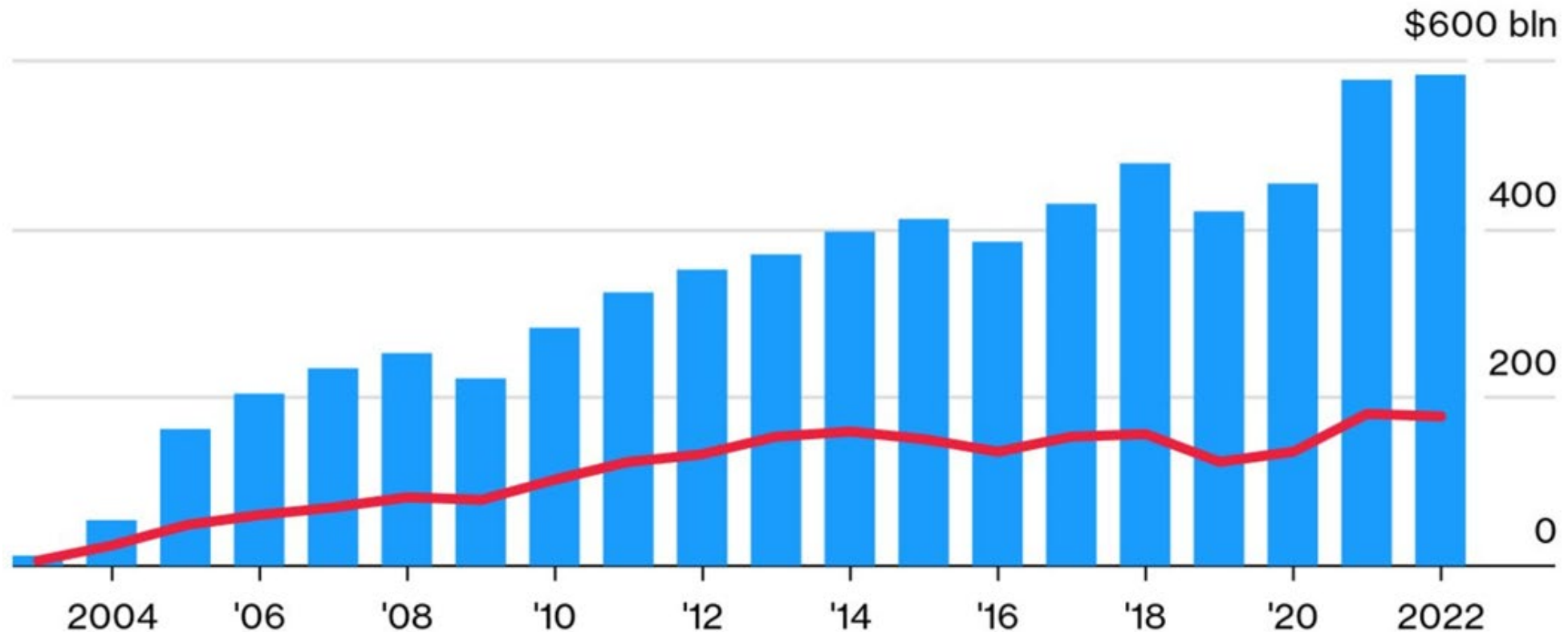
	US	EU	China	Scrap Price	World Export	US-China Price Difference	US-Europe Price Difference	Capacity Utilization
July 25, 2022	\$ 1,065.00	\$ 846.00	\$ 480.00	\$ 440.00	\$ 620.00	\$ 585.00	\$ 219.00	79.60%
August 8, 2022	\$ 977.00	\$ 785.00	\$ 507.00	\$ 421.00	\$ 595.00	\$ 470.00	\$ 192.00	78.20%
August 22, 2022	\$ 943.00	\$ 715.00	\$ 497.00	\$ 420.00	\$ 570.00	\$ 446.00	\$ 228.00	79.70%
September 12, 2022	\$ 888.00	\$ 745.00	\$ 492.00	\$ 397.00	\$ 615.00	\$ 396.00	\$ 143.00	
September 26, 2022	\$ 868.00	\$ 734.00	\$ 485.00	\$ 398.00	\$ 625.00	\$ 383.00	\$ 134.00	76.40%
October 10, 2022	\$ 848.00	\$ 675.00	\$ 482.00	\$ 366.00	\$ 618.00	\$ 366.00	\$ 173.00	75.30%
October 24, 2022	\$ 831.00	\$ 640.00	\$ 453.00	\$ 375.00	\$ 576.00	\$ 378.00	\$ 191.00	74.80%
November 14, 2022	\$ 756.00	\$ 640.00	\$ 460.00	\$ 353.00	\$ 565.00	\$ 296.00	\$ 116.00	73.70%
November 28, 2022	\$ 731.00	\$ 633.00	\$ 455.00	\$ 357.00	\$ 554.00	\$ 276.00	\$ 98.00	72.80%
December 12, 2022	\$ 737.00	\$ 625.00	\$ 499.00	\$ 377.00	\$ 555.00	\$ 238.00	\$ 112.00	73.30%
December 26, 2022	\$ 753.00	\$ 720.00	\$ 495.00	\$ 385.00	\$ 605.00	\$ 258.00	\$ 33.00	72.30%
January 9, 2023	\$ 770.00	\$ 700.00	\$ 507.00	\$ 400.00	\$ 620.00	\$ 263.00	\$ 70.00	71.30%
January 23, 2023	\$ 812.00	\$ 758.00	\$ 524.00	\$ 420.00	\$ 646.00	\$ 288.00	\$ 54.00	72.50%

# U.S.-China Trade Activity

## Record Year for US-China Trade

Chinese exports to the US grew slightly in 2022, while imports softened

■ Exports to the US    / Imports from the US



Source: China's General Administration of Customs

**Bloomberg**



# USTR Reviewing Tariffs on China

---

- USTR received 1,497 public comments
- Biden under pressure to lift tariffs
- 4-year review required by law
- Reviewing if tariffs changed China's actions
- USTR review will likely take “months”



# Media

## Get Involved: Local Manufacturing Leaders Chair National Organizations

01.19.2023



"It will probably never happen again that both of these large trade associations would have a chair from the same state, let alone Connecticut."

*Marion Manufacturing's Doug Johnson*

"During the pandemic, Johnson and Ortner were among the first to know about what was happening at the federal level through collaborative advocacy efforts with [One Voice](#)."



"I think the biggest benefit both locally and nationally is working with other business owners and learning from them."

*Sirois Tool's Alan Ortner*

# Stay Connected – One Voice Podcast



# Donate to NTMA, PMA to Support Advocacy in DC

**NTMA's Government Affairs Administrative Fund (GAAF)** allows the association to undertake initiatives aimed at educating elected officials on tooling and machining and the industry's priority issues. It also permits us to support a variety of activities to inform and mobilize our members, as well as to protect and promote the industry with key lawmakers. You can use corporate OR personal funds to donate to the GAAF.

Donate Today!

<https://ntma.org/programs/advocacy/>

## **PMA ADVOCACY FUND**

PMA's Advocacy Fund supports the association's day-to-day lobbying and public relations efforts in Washington, D.C., increasing the industry's visibility in Congress, the Administration and the public. You can use corporate OR personal funds to donate to the advocacy fund.

Donate Today!

<https://www.pma.org/advocacy/donate-today.asp>

# Questions?

The Franklin Partnership, LLC

Omar S. Nashashibi

[Omar@franklinpartnership.com](mailto:Omar@franklinpartnership.com)

John Guzik

[jguzik@franklinpartnership.com](mailto:jguzik@franklinpartnership.com)

Policy Resolution Group

Caitlin Sickles

[Caitlin.sickles@bracewell.com](mailto:Caitlin.sickles@bracewell.com)

Paul Nathanson

[Paul.nathanson@bracewell.com](mailto:Paul.nathanson@bracewell.com)

<https://www.pma.org/advocacy/donate-today.asp>

<https://ntma.org/programs/advocacy/>

