

Prepared Statement of Jeffrey I. Kessler
Nominee to be the Under Secretary of Commerce for Industry and Security
Committee on Banking, Housing, and Urban Affairs of the U.S. Senate

February 27, 2025

Thank you, Chairman Scott, Ranking Member Warren, and members of the Committee. I am honored to appear before you today as President Trump's nominee to serve as the Under Secretary of Commerce for Industry and Security. I am deeply grateful to President Trump for nominating me to this important position, and I would like to thank both the President and Commerce Secretary Howard Lutnick for their support and confidence.

I would also like to take a moment to acknowledge my family members who are here with me today: my wife Bethany, my two daughters Lucy and Diana, and my parents Linda and Craig Kessler.

I had the privilege of serving in President Trump's first administration as the Assistant Secretary of Commerce for Enforcement and Compliance, after being confirmed unanimously by the Senate. During my time as Assistant Secretary, I was at the center of the first Trump administration's aggressive actions to make trade fair and reciprocal. I worked to enforce the trade laws, monitor foreign compliance with trade agreements, and renegotiate international trade pacts that had grown outdated. I was proud to help level the playing field for American businesses, workers, farmers, and ranchers that were injured by unfair trade.

After my government service, I returned to private practice as an international trade lawyer. In that role, I have advised clients on today's dynamic geopolitical environment and the changing landscape of international trade and investment rules – including strategic advice on reducing exposure to China, and diversifying and strengthening supply chains.

The United States' relationship with China and other adversaries is more complex today than ever. America's position as the world's economic and technological superpower is under constant and ever-increasing threat. China is catching up in many cutting-edge areas of technology, including artificial intelligence, quantum computing, hypersonics, aerospace, advanced manufacturing, and others.

The United States must respond with strength and vision, and I hope to be a part of that response. The U.S. Department of Commerce's Bureau of Industry and Security (BIS) is critical for keeping America safe, secure, and prosperous – and ensuring that we meet the challenges of the 21st century.

Congress has recognized this and given BIS powerful legal authorities. The 2018 bipartisan Export Control Reform Act gave BIS a broad mandate to protect

critical technologies and prevent their export and diversion to America's competitors and adversaries.

BIS has been working to fulfill this mandate – but it must do much more. BIS must adapt and keep pace with our adversaries, who are ever-more sophisticated.

If confirmed, I will seek to fully utilize the tools that Congress has given BIS – including both to administer and enforce export controls. We need strong enforcement to deter noncompliance and to ensure the rules accomplish their intended purpose. At the same time, it is important for BIS to pursue a balanced approach, and avoid unduly burdening or penalizing American companies and workers with overly complex rules.

I am also mindful that diplomacy and international cooperation are an important element of effective export controls. It is critical to engage with America's partners and allies around the world to defend and promote America's technological leadership.

Beyond export controls, BIS is also charged with administering other national security laws, including the Information and Communications Technology Services rule, Section 232 of the Trade Expansion Act of 1962, and parts of the Defense Production Act. If confirmed, I will seek to use the full array of legal authorities available to BIS to help keep America strong, secure, and prosperous.

Finally, if confirmed, I hope to work closely with the members of this Committee, and with Congress as a whole, to ensure that BIS is as effective and successful as possible. Thank you again for your consideration of my nomination, and I look forward to answering your questions.