

UNITED STATES

INTERNATIONAL TRADE COMMISSION

In the Matter of:) Investigation Nos.:
MELAMINE FROM CHINA AND) 701-TA-526-527 AND
TRINIDAD AND TOBAGO) 731-TA-1262-1263 (FINAL)

Pages: 1 - 12
Place: Washington, D.C.
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1 THE UNITED STATES INTERNATIONAL TRADE COMMISSION

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3 In the Matter of:) Investigation Nos.:

4) 701-TA-526-527 and 731-TA-1262-1263

5 MELAMINE FROM CHINA) (Final)

6 AND TRINIDAD AND)

7 TOBAGO)

8 Wednesday, December 2, 2015

9 Main Hearing Room (Room 101)

10 U.S. International

11 Trade Commission

12 500 E Street, S.W.

13 Washington, D.C.

14 The meeting, commenced, pursuant to notice, at
15 11:00 a.m., before the Commissioners of the United States
16 International Trade Commission, the Honorable Meredith M.
17 Broadbent, presiding.

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1 APPEARANCES:

2 On behalf of the International Trade Commission:

3 Commissioners:

4 MEREDITH M. BROADBENT, CHAIRMAN

5 DEAN A. PINKERT, VICE CHAIRMAN

6 IRVING A. WILLIAMSON, COMMISSIONER

7 DAVID S. JOHANSON, COMMISSIONER

8 F. SCOTT KIEFF, COMMISSIONER

9 RHONDA K. SCHMIDTLEIN, COMMISSIONER

10

11

12 Staff:

13 CYNTHIA TRAINOR, INVESTIGATOR

14 PHILIP STONE, INTERNATIONAL TRADE ANALYST

15 LAUREN GAMACHE, INTERNATIONAL ECONOMIST

16 JUSTIN JEE, ACCOUNTANT-AUDITOR

17 NATALINE VIRAY-FUNG, ATTORNEY-ADVISOR

18 JANE DEMPSEY, ATTORNEY-ADVISOR

19 JAMES MCCLURE, SUPERVISORY INVESTIGATOR

20

21 WILLIAM R. BISHOP, SUPERVISORY HEARINGS AND

22 INFORMATION OFFICER

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1 P R O C E E D I N G S

2 (11:00 a.m.)

3 CHAIRMAN BROADBENT: Good morning. This meeting
4 of the U.S. International Trade Commission will now come to
5 order.

6 I understand that there are no agendas for future
7 meetings or outstanding action jackets to consider.

8 Is there any objection to approval of the minutes
9 of November 3rd, 6th, 9, 13, and 18, 2015 or to ratification
10 list 15-012?

11 (No response.)

12 CHAIRMAN BROADBENT: Hearing none, they are
13 approved.

14 Next we turn to the vote on Investigation Nos.
15 701-526 and 527 and 731-1262 and 1263, Melamine from China
16 and Trinidad and Tobago.

17 Welcome to Mr. McClure and the the staff who
18 participated in these investigations.

19 But before we commence with our normal
20 procedures, I'd like to note that our dear friend and
21 colleague Jim McClure is retiring from Commission -- from
22 the Commission and this is his final vote. Jim has worked
23 at the Commission since 1977 when he started as Chief of
24 Staff to Commissioner Alberger. He later joined the Office
25 of Investigations as an investigator and then became a

1 supervisory investigator.

2 Prior to working at the Commission Jim worked for
3 eight years for Speaker of the House Carl Albert.

4 We're working on our centennial history and the
5 1977 number strikes me that you've been here for about 38
6 percent of the Commission's history.

7 MR. McClure: That would be true.

8 (Laughter.)

9 CHAIRMAN BROADBENT: It's not a volume basis.

10 (Laughter.)

11 CHAIRMAN BROADBENT: But on a value basis in our
12 ADCVE proceedings, I get that up to about 95 percent of our
13 ADC meetings.

14 MR. McCLURE: That's scary.

15 CHAIRMAN BROADBENT: I'm sure you would have a
16 finer point to put on those numbers.

17 As you all know Jim has left a considerable mark
18 on the Commission over his many years of public service. He
19 demonstrates an effortless approach to leadership while
20 serving in a position that requires management of many
21 moving parts and he does it while bringing levity and
22 general entertainment to all of his staffers as well as the
23 Commissioners.

24 Jim also has a rapport not only with the people
25 inside the Commission, but with many members of the external

1 Title VII community as well.

2 I understand that he's had glowing poems written
3 about him and delivered at hearings. I'm not sure -- is
4 that true, Mr. McClure?

5 MR. McCLURE: Elliott Feldman.

6 (Laughter.)

7 MR. McCLURE: My personal poet laureate.

8 (Laughter.)

9 CHAIRMAN BROADBENT: Jim has indeed been an
10 institution at the Commission and we will greatly miss him.

11 Lastly, Jim will want it all heard publicly that
12 he's leaving the Commission as the defending champion of our
13 March Madness NCAA basketball bracket competition, an annual
14 tradition which he organized. And to sweeten this victory,
15 he won by picking his die-hard favorite school Duke
16 University.

17 MR. McCLURE: I would point that out to Mr. Dorn.
18 I won by picking Duke.

19 (Laughter.)

20 CHAIRMAN BROADBENT: With that said, are there
21 any questions for the staff?

22 (No response.)

23 CHAIRMAN BROADBENT: Any Commissioners that have
24 anything to add?

25 COMMISSIONER WILLIAMSON: Yes, Madam Chairman. I

1 think Jim and I probably came to Washington about the same
2 time and we both hail from the state of Missouri. And what
3 I don't know about my career, I can truly say about his, he
4 has truly shown us something in all his years, both at the
5 Commission and before on the Hill. And I think he's done
6 the state proud and I wish him the best in his retirement.

7 Thank you.

8 MR. McCLURE: Thank you, Commissioner. Actually
9 leaving -- for the recorder I'm Jim McClure --

10 (Laughter.)

11 MR. McCLURE: -- of the Office of Investigations.
12 This is my favorite man here. I note my departure will
13 result in a 50 percent cut of the representation of
14 Carrolton, Missouri at the Commission.

15 (Laughter.)

16 MR. McCLURE: But if I may, thank you for that.
17 If I am remembered for anything, I would like to be
18 remembered for an irreverent sense of humor, not taking
19 things too seriously. The only things I take seriously are
20 statutory deadlines and not releasing business proprietary
21 information. And if I get through tomorrow I may go out the
22 door batting 100 percent on that.

23 I do want to say yesterday, David, you met with
24 our staff. They enjoyed that meeting. Rhonda, you have met
25 with the -- you know, where you just chatted, you got to

1 know them. I think that's a good thing for the
2 Commissioners to do, you know, one hour, once a year, it --
3 and it would be good, you know, with the Title VII
4 operation. And that Chris' crew and AED, Mark's crew in the
5 General Counsel's office it just -- communication is
6 important and I hope that the person you will select -- and
7 what am I saying -- have selected will be given the
8 opportunity to get to know the staff not only of
9 investigations, but the entire Title VII working group.
10 They are tremendous people, they do a good job. God knows I
11 couldn't get a job in any of these operations now. And
12 really, you know it's time to go when a Commissioner's named
13 and you went to high school with their mother.

14 (Laughter.)

15 MR. McCLURE: So with that, as we get to the
16 business at hand, the report may be approved as it stands.
17 And with that, I will quote from Rogers and Hammerstein and
18 the Sound of Music, so long, farewell,
19 Auf Wiedersehen, adieu, goodbye, you'll see me in a week at
20 the Christmas party.

21 (Laughter.)

22 CHAIRMAN BROADBENT: Thank you, Mr. McClure.
23 Anybody else have anything to add for the record?

24 (No response.)

25 CHAIRMAN BROADBENT: Mr. Dorn, please.

1 MR. DORN: Madam Chairman, I do not have a poem,
2 but I do have a few remarks.

3 I started practicing at this Commission in 1977,
4 the same year that Jim started here. I think we first had
5 our serious engagement together in Great Portland Schmidt
6 from Mexico which I filed in 1989. It was a very
7 tough-fought case. I got to know Jim well then. I got to
8 know his sense of humor then.

9 Since 1989 -- I looked up the statistics
10 yesterday -- my beloved Tar Heels have played his beloved
11 Duke Blue Devils 60 times in basketball. And I'm sad to
12 report that Duke won 34 of those and Carolina only 26.

13 (Laughter.)

14 MR. DORN: Jim McClure has been a great
15 investigator and a great representative of this Commission.
16 If there were such a thing, he would be a first ballot
17 selection to the Commission's hall of fame.

18 In my experience Jim has been objective and fair.
19 He has worked hard to compile the best record possible for
20 the Commission to make its decisions. He's been courteous
21 and responsive, especially when my client has been
22 cooperative.

23 (Laughter.)

24 MR. DORN: So, in closing, Jim, I would just like
25 to say that I congratulate you. I thank you for a long,

1 distinguished career in public service. We wish you all the
2 best going forward. Feel free to call me any time when Duke
3 crushes Carolina in basketball.

4 (Laughter.)

5 MR. DORN: Thank you.

6 MR. McCLURE: I thank you for those remarks.

7 And, yes, I do have your e-mail address.

8 (Laughter.)

9 MR. McCLURE: As you well know, I will remind
10 you.

11 MR. DORN: All right.

12 MR. McCLURE: Thank you.

13 CHAIRMAN BROADBENT: Thank you, Mr. Dorn,
14 appreciate it.

15 Good. Well, is there -- let's see, any
16 additions, corrections to the staff report?

17 (No response.)

18 CHAIRMAN BROADBENT: Let's see, any objection to
19 approval of the staff report?

20 (No response.)

21 CHAIRMAN BROADBENT: Hearing none it is approved.

22 Mr. Secretary, will you please call the roll?

23 MR. BISHOP: Commissioner Johanson?

24 COMMISSIONER JOHANSON: I vote in the affirmative
25 with respect to China in the negative with respect to

1 Trinidad and Tobago.

2 MR. BISHOP: Commissioner Broadbent?

3 COMMISSIONER BROADBENT: I vote in the affirmative
4 with respect to China in the negative with respect to
5 Trinidad and Tobago.

6 MR. BISHOP: Commissioner Schmidtlein?

7 COMMISSIONER SCHMIDTLEIN: I vote in the
8 affirmative with respect to China in the negative with
9 respect to Trinidad and Tobago.

10 MR. BISHOP: Commissioner Williamson?

11 COMMISSIONER WILLIAMSON: I vote in the
12 affirmative with respect to China in the negative with
13 respect to Trinidad and Tobago.

14 MR. BISHOP: Commissioner Pinkert?

15 VICE CHAIRMAN PINKERT: I make an affirmative
16 determination with respect to China and a negative
17 determination with respect to Trinidad and Tobago.

18 MR. BISHOP: Commissioner Kieff?

19 COMMISSIONER KIEFF: I vote in the affirmative
20 with respect to China and in the negative with respect to
21 Trinidad and Tobago.

22 MR. BISHOP: Madam Chairman, the Commission has
23 reached an affirmative determination with respect to China.
24 The Commission has reached a negative determination with
25 respect to Trinidad and Tobago.

1 CHAIRMAN BROADBENT: Thank you, Mr. Secretary.
2 Further information regarding these
3 determinations will be in the press release. Views of the
4 Commission currently are scheduled to be completed and filed
5 on December 16th, 2015.

6 Thank you to all the staff who participated in
7 these investigations.

8 Seeing that there is no other business before the
9 Commission, this meeting is adjourned.

10 (Whereupon, at 11:11 a.m., the meeting was
11 adjourned.)

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CERTIFICATE OF REPORTER

TITLE: In The Matter Of: Melamine from China and Trinidad and Tobago

INVESTIGATION NOS.: 701-TA-526-527 and 731-TA-1262-1263

HEARING DATE: 12-2-2015

LOCATION: Washington, D.C.

NATURE OF HEARING: Final

I hereby certify that the foregoing/attached transcript is a true, correct and complete record of the above-referenced proceeding(s) of the U.S. International Trade Commission.

DATE: 12-2-2015

SIGNED: Mark A. Jagan

Signature of the Contractor or the
Authorized Contractor's Representative

I hereby certify that I am not the Court Reporter and that I have proofread the above-referenced transcript of the proceedings of the U.S. International Trade Commission, against the aforementioned Court Reporter's notes and recordings, for accuracy in transcription in the spelling, hyphenation, punctuation and speaker identification and did not make any changes of a substantive nature. The foregoing/attached transcript is a true, correct and complete transcription of the proceedings.

SIGNED: Gregory Johnson
Signature of Proofreader

I hereby certify that I reported the above-referenced proceedings of the U.S. International Trade Commission and caused to be prepared from my tapes and notes of the proceedings a true, correct and complete verbatim recording of the proceedings.

SIGNED: Larry Flowers
Signature of Court Reporter

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