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P R O C E E D I N G S

(11:00 a.m.)

1

2

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COMMISSIONER WILLIAMSON: Good morning.

4

MR. BISHOP: Is your mic on?

5

COMMISSIONER WILLIAMSON: No, it's not.

6

Good morning, this meeting of the U.S.

7

International Trade Commission will now come to order.

8

Welcome to Chairman Johanson and

9

Commissioner Schmidtlein who are participating by

10

telephone.

11

COMMISSIONER JOHANSON: Good morning.

12

COMMISSIONER SCHMIDTLEIN: Good morning.

13

COMMISSIONER WILLIAMSON: Good morning.

14

Before we turn to the vote, I understand that

15

Commissioner Kearns has some remarks.

16

COMMISSIONER KEARNS: Thank you, Mr.

17

Chairman. I understand this is the last time you and

18

Commissioner Broadbent will be sitting on this dias.

19

Each of you has been very helpful, gracious, and

20

welcoming to me since I joined you last year, and I am

21

sad to see you go.

22

Commissioner Williamson, I wanted to say a

23

few things about the cases you have worked on over the

24

years, and it's been a lot of years. You have served

25

on the Commission for 4,583 days, just 18 days short

1 of the record in the modern era.

2 We Commissioners like data, so let me share
3 some data with everyone about your influence on the
4 Commission. Since Section 337 was enacted in 1930,
5 there have been 1,171 investigations under that law.
6 You have participated in 578 of them. That's 49
7 percent, call it half, of all 337 cases in the
8 Commission's long history. That also tells you
9 something about how busy our workload has been since
10 you got here in 2007.

11 You have also voted 1,530 times in Title 7
12 cases. It's been a pretty steady diet not only of
13 various steel products and chemicals, but also a diet
14 of shrimp, crawfish, and fish filets, mushrooms, tart
15 cherries, and sugar and honey, and you can wash all
16 that down with your choice of beverage, orange juice,
17 or whatever you want to put in a refillable stainless
18 steel keg.

19 You have also had a major impact on the
20 management of the Commission, especially in your
21 service as chairman not once, but twice.

22 I have enjoyed and learned a great deal from
23 you in my time here, from your collegial approach to
24 our work, to your commitment to, and pride in, the
25 Commission, and your pride in our work and our people.

1 And you recognize that a more diverse workforce leads
2 to a better work product at the Commission.

3 Commissioner Broadbent, you have also had a
4 great deal of influence over the Commission from the
5 time you arrived here almost seven years ago, and
6 including your service as chairman from 2014 through
7 2016.

8 You have participated in over 300
9 investigations under Section 337, and in over 1,000
10 votes under Title 7, a smorgasbord of cases as diverse
11 as Commissioner Williamson's.

12 I believe you issued a few more dissenting
13 opinions than Commissioner Williamson, and you and I
14 disagreed a handful of times on our Title 7 votes, but
15 I was always most impressed by your very well-reasoned
16 dissenting views. They commanded respect and showed
17 the same commitment to the law that I believe all of
18 us have.

19 I learned to take a deep breath before
20 reading your dissents, afraid that I would be
21 persuaded that I was wrong, but, in fact, we agreed
22 far more frequently than not, and far more often than
23 I expected when I came to the Commission.

24 Just as importantly, I enjoyed the humor you
25 injected into our hearings, which some might describe

1 as otherwise fairly dry -- my family would certainly
2 describe it that way -- and I appreciate your no-
3 nonsense, common sense approach to a variety of
4 issues, from the managerial to the substantive.

5 I believe each of you will continue to have
6 a strong influence over the Commission. I am beyond
7 fortunate to have the advice and assistance of Bill,
8 Sinra (phonetic), and Stuart who learned so much
9 during their time working in your offices.

10 Thank you both for your great service to the
11 Commission.

12 COMMISSIONER BROADBENT: Yeah, if you'll
13 just indulge me a couple more minutes. I want to
14 thank my colleagues for their kind remarks, and
15 especially Commissioner Kearns. If you will indulge,
16 I wanted to say a few words about my almost seven
17 years of serving here and how challenging, and fun,
18 and interesting it has been.

19 I wanted to give a heartfelt thanks to my
20 fellow Commissioners, David Johanson, Rhonda
21 Schmidtlein, and Jason Kearns, along with past
22 Commissioners Pearson, Aranoff, Pinkert, and Keefe
23 (phonetic).

24 It is my pleasure to serve with you as
25 colleagues, and also to get to know you and appreciate

1 you on a personal basis. I can't express how much
2 I've learned from each of you.

3 This has been an extremely busy time at the
4 Commission in terms of both our serious
5 responsibilities and our workload. Somehow, together,
6 we meet these challenges, and I believe that the
7 position of the United States in the international
8 trading system is the better for it.

9 I would like to say a few words about
10 Commissioner Williamson who joins me in departing the
11 Commission after a long and distinguished career here.
12 Irv and I consult frequently on various Commission
13 issues, and I will especially miss these
14 conversations.

15 His legacy here is that he has strengthened
16 the institution. He has guarded the goal of working
17 collegially and through compromise wherever possible.
18 I never tire of telling outside folks that we at the
19 International Trade Commission are bipartisan, and we
20 function effectively. It may take lots of lively
21 discussions back and forth, but the necessary
22 decisions do get made.

23 Secondly, Commissioner Williamson has been
24 especially dedicated to our work in Section 332 and
25 related reports, which very often provide the

1 analytical underpinnings for U.S. trade policy
2 initiatives and U.S. trade-negotiating objectives.
3 His prior service at USTR gives him a great
4 appreciation and insight into how our research will be
5 used.

6 The third item of his legacy I would mention
7 is improvements he brought to executive management
8 tools, and especially to crafting a smooth transition
9 process for new chairmen, everything from the
10 chairman's handbook itself to the aides' briefings
11 books. This made following him as chairman in 2014 a
12 very organized process.

13 As for me, I'm very proud of the dumping and
14 subsidy investigations we have completed in industries
15 as vary as aluminum, steel, lumber, aircraft wind
16 towers, uranium, washers, tool tests, and the visits
17 we have made to production facilities in 24 states.
18 Actually, I just made up the number 24, but I know
19 it's in that range.

20 (Laughter.)

21 COMMISSIONER BROADBENT: The Chairman would
22 have a much more accurate count of how many states we
23 have visited in our time here.

24 Section 337 is a critical statutory mandate
25 that continues to protect U.S. innovators, and

1 innovation, against a broad range of unfair acts in
2 import trade. Our ALJs are among the finest jurists
3 in the country, I believe. They have a well-earned
4 reputation for their expertise in patent law, their
5 mastery in adjudicating complex technologies and novel
6 legal issues, and their ability to conduct orderly and
7 fair proceedings for all of us, and for all parties.

8 The agency has developed and expanded our
9 capabilities in digital trade and trade in services,
10 and increased outreach to the trade community across
11 the nation. Our field hearing in Silicon Valley in
12 2013 was a great kickoff to the seminal work that we
13 have done in this area.

14 I am proud of the superb professional staff
15 with whom I've had the pleasure of working. The
16 talent of our amazing staff is not replicated anywhere
17 else in Washington, or, indeed, in any other foreign
18 government.

19 Thank you to all the staff for your
20 dedication. I have learned so much from you, and I
21 hope that we can remain in touch as your careers
22 develop. You will continue to do great things.

23 And to my own staff, Dylan, Julianna, Robins
24 (phonetic) and Rodney, and Neil Reynolds who was my
25 chief of staff as chairman, a special thanks. I could

1 not have done this job without you.

2 It has been an extraordinary honor for me to
3 serve here, and I thank you all for the opportunity.

4 COMMISSIONER WILLIAMSON: Okay, thank you.

5 I, too, want to thank my colleagues and
6 Commissioner Kearns for their very kind words. I have
7 enjoyed working with all of them in sharing this dias,
8 the many votes, and many long hearings.

9 To Commissioner Broadbent, we go back a long
10 ways, and it has really been a pleasure working with
11 you. Your commitment to the trade policy community
12 and the trade policy process, and the importance of
13 the United States having a good trade policy is
14 something that's really outstanding.

15 I particularly enjoy the questions that you
16 ask in the hearing, your ability to take a look at the
17 big picture and think about those things. We've had
18 some interesting debates and discussions, but it's
19 been fun, and so it has been a long and productive
20 relationship. I wish you well as your next stage of
21 your career.

22 Now, our votes only take five minutes, and
23 our hearings only last five to eight hours, but these
24 times in no way reflect the time and work that goes
25 into preparing for them.

1 I want to first thank my office staff that
2 has worked with me over the past 12 years: Bill Kane,
3 Stuart Weiser, John Davitz (phonetic), Sidney Harrison
4 (phonetic), and, more recently, Mary Beth Jones
5 (phonetic). I owe them a deep debt of gratitude. I
6 have often said that the smartest decision I made as a
7 Commissioner was to hire them.

8 I also want to thank those people who have
9 worked in our office as interns, staff while I was
10 chairman, or people who worked on detail. All of the
11 foregoing people helped our office accomplish a great
12 deal over the last 12 years.

13 I also want to thank this Commission staff
14 for all of the excellent work that they did during my
15 tenure in their Title 7, 337, and 332 investigations,
16 and in the ebots.

17 Before coming to the Commission I was
18 concerned about how I was going to make decisions, but
19 now I know that with great personal staff, great
20 Commission staff, and excellent advice, good decisions
21 can be made.

22 I also want to thank all of those who
23 assisted my office when we were in the chairmanship.
24 These were challenging times, but I think the agency
25 is now better administered, the SES more effective,

1 and the agency has benefitted from our efforts.

2 Finally, in the last few days as I have
3 interacted with staff, I have come to take
4 satisfaction in knowing that I can retire knowing that
5 the Commission staff is more diverse and better
6 trained than ever, and that the future is in good
7 hands.

8 I wish you all well, and I will never forget
9 you. Thank you.

10 Now it is time to turn to the agenda.

11 CHAIRMAN JOHANSON: Actually, Irving?

12 COMMISSIONER WILLIAMSON: Yes?

13 CHAIRMAN JOHANSON: Can I speak up real
14 quickly?

15 COMMISSIONER WILLIAMSON: Sure.

16 CHAIRMAN JOHANSON: This is David Johanson.

17 COMMISSIONER WILLIAMSON: Yes.

18 CHAIRMAN JOHANSON: Irving and Meredith, my
19 apologies for not being there in person today. It has
20 been great to work with both of you over the past
21 several years. I'm sad to see the two of you leave
22 the Commission, but I wish you the best in your next
23 steps in life.

24 Irving, you've had a remarkable career in
25 the area of international trade. I enjoyed not only

1 working with you at the Commission, but also hearing
2 about your life before the Commission. I especially
3 liked hearing about your experiences in Ethiopia and
4 Mauritius. I hope that you get to visit many new
5 places after you leave here.

6 Meredith, your background of working at the
7 House Ways and Means Committee and the USTR made you
8 especially well-prepared to take on the role of an ITC
9 Commissioner. You know trade well, and I appreciated
10 the experience of working with you on so many
11 complicated issues at the Commission. I hope to see
12 you at future trade events.

13 Once again, best of luck to both of you.

14 COMMISSIONER WILLIAMSON: Okay, now it's
15 time to --

16 COMMISSIONER SCHMIDTLEIN: Well,
17 Commissioner -- Irv, I'd like to --

18 COMMISSIONER WILLIAMSON: Sure. Sorry, go
19 ahead.

20 COMMISSIONER SCHMIDTLEIN: This is Rhonda.
21 I'm sorry that I'm not there today as well for the
22 last time you all will sit on the dias, but I would
23 like to echo what my colleagues have said, what
24 Commissioner Kearns and Chairman Johanson have said of
25 how much I appreciate the opportunity to have worked

1 with both of you over the past five years, I guess,
2 that I've been at the Commission, and just how lucky
3 the federal government is to have people like you who
4 have dedicated their careers, for the most part, to
5 public service and to trade, and that I'm really going
6 to miss having both of you at the Commission.

7 So I wish you both the best of luck, and
8 look forward to seeing you, even though you're not at
9 the ITC anymore.

10 COMMISSIONER WILLIAMSON: Okay. Thank you
11 very much. I think the both of us, thank you's to our
12 colleagues for those kind words, and we will be seeing
13 each other soon.

14 (Applause.)

15 COMMISSIONER WILLIAMSON: Thank you all very
16 much.

17 Okay, turning back to the agenda. This is
18 longer than a four minute vote. I understand that
19 there are no agendas for future meetings, minutes,
20 ratification lists, or outstanding action jackets to
21 consider.

22 Next, we turn to the vote on the preliminary
23 phase of Investigations No. 701-TA-627 through 629 and
24 731-TA-1458 through 1461, concerning Imports of
25 Utility Scale Wind Towers from Canada, Indonesia,

1 Korea, and Vietnam.

2 Welcome to Mr. Corkran and the staff who
3 participated in these investigations.

4 Are there any questions for the staff?

5 (No response.)

6 COMMISSIONER WILLIAMSON: Are there any
7 additions or corrections to the staff report?

8 MR. CORKRAN: Douglas Corkran, Office of
9 Investigations. Thank you, Commissioner Williamson.
10 Staff has no corrections or additions to the staff
11 report; however, it's my pleasure to introduce to the
12 Commission Ms. Ahdia Bavari who is completing her
13 first investigation as an investigator.

14 COMMISSIONER WILLIAMSON: Welcome, Ms.
15 Bavari. You're joining in a great organization, I can
16 tell you. Thank you.

17 Is there any objection to approval of the
18 staff report?

19 (No response.)

20 COMMISSIONER WILLIAMSON: Hearing none, it
21 is approved.

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

24 MR. BISHOP: Commissioner Johanson?

25 CHAIRMAN JOHANSON: I vote in the

1 affirmative.

2 MR. BISHOP: Commissioner Broadbent is not
3 participating.

4 Commissioner Kearns?

5 COMMISSIONER KEARNS: I vote in the
6 affirmative.

7 MR. BISHOP: Commissioner Schmidtlein?

8 COMMISSIONER SCHMIDTLEIN: I vote in the
9 affirmative.

10 MR. BISHOP: Commissioner Williamson is not
11 participating.

12 Mr. Chairman, the Commission has reached
13 affirmative determinations.

14 COMMISSIONER WILLIAMSON: Thank you, Mr.
15 Secretary.

16 Further information concerning these
17 determinations will be in the press release. Views of
18 the Commission are currently scheduled to be completed
19 and filed on August 30, 2019.

20 Thank you to the staff that are
21 participating in these investigations.

22 Seeing that there's no other business before
23 the Commission, this meeting is adjourned.

24 (Whereupon, at 11:16 a.m. the meeting in the
25 above-entitled matter was concluded.)

CERTIFICATION OF TRANSCRIPTION

TITLE: Vote

INVESTIGATION NOS.: 701-TA-627-629 and
731-TA-1458-1461

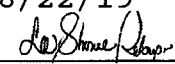
HEARING DATE: August 22, 2019

LOCATION: Washington, D.C.

NATURE OF HEARING: Commission Meeting

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.

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I hereby certify that I am not the Court Reporter and that I have proofread the above-referenced transcript of the proceeding(s) 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 proceeding(s).

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I hereby certify that I reported the above-referenced proceeding(s) 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 proceeding(s).

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Signature of Court Reporter

