In the Matters of:

UTILITY SCALE WIND TOWERS
FROM CANADA, INDONESIA, KOREA, AND VIETNAM

Investigation Nos.
701-TA-627-629 and
731-TA-1458-1461

Pages: 1 through 17
Place: Washington, D.C.
Date: August 22, 2019
In the Matters of: ) ) Investigation Nos. 
UTILITY SCALE WIND TOWERS ) 701-TA-627-629 and 
FROM CANADA, INDONESIA, ) 731-TA-1458-1461 
KOREA, AND VIETNAM )

Room 101 
500 E Street, S.W. 
Washington, D.C. 

Thursday, 
August 22, 2019

The meeting commenced, pursuant to notice, at 
11:00 a.m., before the United States International Trade 
Commission, Commissioner IRVING A. WILLIAMSON presiding.

APPEARANCES:

On behalf of the Commission:

DAVID S. JOHANSON, Chairman (Via Telephone) 
IRVING A. WILLIAMSON, Commissioner (Presiding) 
MEREDITH M. BRODBENT, Commissioner 
RHONDA K. SCHMIDTLEIN, Commissioner 
(Via Telephone) 
JASON E. KEARNS, Commissioner

Staff:

WILLIAM R. BISHOP, Supervisory Hearings and 
Information Officer 
TYRELL BURCH, Management Analyst 
AHDIA BAVARI, Investigator 
KARL TSUJI, International Trade Analyst 
JOHN BENEDETTI, International Economist 
DAVID BOYLAND, Accountant/Auditor 
ONSLOW HALL, Statistician 
JANE DEMPSEY, Attorney/Advisor 
DOUG CORKRAN, Supervisory Investigator

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COMMISSIONER WILLIAMSON: Good morning.

MR. BISHOP: Is your mic on?

COMMISSIONER WILLIAMSON: No, it's not.

Good morning, this meeting of the U.S. International Trade Commission will now come to order.

Welcome to Chairman Johanson and Commissioner Schmidtlein who are participating by telephone.

COMMISSIONER JOHANSON: Good morning.

COMMISSIONER SCHMIDTLEIN: Good morning.

COMMISSIONER WILLIAMSON: Good morning.

Before we turn to the vote, I understand that Commissioner Kearns has some remarks.

COMMISSIONER KEARNS: Thank you, Mr. Chairman. I understand this is the last time you and Commissioner Broadbent will be sitting on this dias. Each of you has been very helpful, gracious, and welcoming to me since I joined you last year, and I am sad to see you go.

Commissioner Williamson, I wanted to say a few things about the cases you have worked on over the years, and it's been a lot of years. You have served on the Commission for 4,583 days, just 18 days short
of the record in the modern era.

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

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

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

I have enjoyed and learned a great deal from you in my time here, from your collegial approach to our work, to your commitment to, and pride in, the Commission, and your pride in our work and our people.
And you recognize that a more diverse workforce leads to a better work product at the Commission.

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

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

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

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

Just as importantly, I enjoyed the humor you injected into our hearings, which some might describe...
as otherwise fairly dry -- my family would certainly
describe it that way -- and I appreciate your no-
nonsense, common sense approach to a variety of
issues, from the managerial to the substantive.

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

Thank you both for your great service to the
Commission.

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

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

It is my pleasure to serve with you as
colleagues, and also to get to know you and appreciate
you on a personal basis. I can't express how much
I've learned from each of you.

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

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

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

Secondly, Commissioner Williamson has been
especially dedicated to our work in Section 332 and
related reports, which very often provide the
analytical underpinnings for U.S. trade policy
initiatives and U.S. trade-negotiating objectives.
His prior service at USTR gives him a great
appreciation and insight into how our research will be
used.

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

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

(Laughter.)

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

Section 337 is a critical statutory mandate
that continues to protect U.S. innovators, and
innovation, against a broad range of unfair acts in import trade. Our ALJs are among the finest jurists in the country, I believe. They have a well-earned reputation for their expertise in patent law, their mastery in adjudicating complex technologies and novel legal issues, and their ability to conduct orderly and fair proceedings for all of us, and for all parties.

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

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

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

And to my own staff, Dylan, Julianna, Robins (phonetic) and Rodney, and Neil Reynolds who was my chief of staff as chairman, a special thanks. I could
not have done this job without you.

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

COMMISSIONER WILLIAMSON: Okay, thank you.

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

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

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

Now, our votes only take five minutes, and our hearings only last five to eight hours, but these times in no way reflect the time and work that goes into preparing for them.
I want to first thank my office staff that has worked with me over the past 12 years: Bill Kane, Stuart Weiser, John Davitz (phonetic), Sidney Harrison (phonetic), and, more recently, Mary Beth Jones (phonetic). I owe them a deep debt of gratitude. I have often said that the smartest decision I made as a Commissioner was to hire them.

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

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

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

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

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and the agency has benefitted from our efforts.

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

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

Now it is time to turn to the agenda.

CHAIRMAN JOHANSON: Actually, Irving?

COMMISSIONER WILLIAMSON: Yes?

CHAIRMAN JOHANSON: Can I speak up real quickly?

COMMISSIONER WILLIAMSON: Sure.

CHAIRMAN JOHANSON: This is David Johanson.

COMMISSIONER WILLIAMSON: Yes.

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

Irving, you've had a remarkable career in the area of international trade. I enjoyed not only
working with you at the Commission, but also hearing about your life before the Commission. I especially liked hearing about your experiences in Ethiopia and Mauritius. I hope that you get to visit many new places after you leave here.

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

Once again, best of luck to both of you.

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

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

COMMISSIONER WILLIAMSON: Sure. Sorry, go ahead.

COMMISSIONER SCHMIDTLEIN: This is Rhonda. I'm sorry that I'm not there today as well for the last time you all will sit on the dias, but I would like to echo what my colleagues have said, what Commissioner Kearns and Chairman Johanson have said of how much I appreciate the opportunity to have worked
with both of you over the past five years, I guess, that I've been at the Commission, and just how lucky the federal government is to have people like you who have dedicated their careers, for the most part, to public service and to trade, and that I'm really going to miss having both of you at the Commission.

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

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

(Appause.)

COMMISSIONER WILLIAMSON: Thank you all very much.

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

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

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

Are there any questions for the staff?

(No response.)

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

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

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

Is there any objection to approval of the staff report?

(No response.)

COMMISSIONER WILLIAMSON: Hearing none, it is approved.

Mr. Secretary, will you please call the roll?

MR. BISHOP: Commissioner Johanson?

CHAIRMAN JOHANSON: I vote in the
MR. BISHOP: Commissioner Broadbent is not participating.

COMMISSIONER KEARNS: I vote in the affirmative.

MR. BISHOP: Commissioner Schmidtlein?

COMMISSIONER SCHMIDTLEIN: I vote in the affirmative.

MR. BISHOP: Commissioner Williamson is not participating.

Mr. Chairman, the Commission has reached affirmative determinations.

COMMISSIONER WILLIAMSON: Thank you, Mr. Secretary.

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

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

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

(Whereupon, at 11:16 a.m. the meeting in the 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.

DATE: 8/22/19

SIGNED:
Signature of the Contractor or the Authorized Contractor's Representative
1220 L Street, N.W. - Suite 206
Washington, D.C. 20005

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).

SIGNED:
Signature of Proofreader

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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