



March 24, 2022

The Honorable Charles Schumer
Senate Majority Leader
U.S. Senate

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives

The Honorable Mitch McConnell
Republican Leader
U.S. Senate

The Honorable Kevin McCarthy
Republican Leader
U.S. House of Representatives

Re: Include the "Eliminating Market Distortions to Protect American Jobs Act of 2021" in the Bipartisan Innovation Act

Dear Congressional Leaders:

The members of the Committee to Support U.S. Trade Laws (CSUSTL) along with multiple other U.S. manufacturers and producers strongly urge the Senate and House conferees to include all provisions of the Eliminating Market Distortions to Protect American Jobs Act of 2021 in the final conference version of the USICA/America COMPETES/Bipartisan Innovation Act. These provisions, drafted by Senators Brown and Portman and Representatives Sewell and Johnson, were included in the COMPETES bill, and have strong bipartisan support.

Importantly, these provisions are specifically targeted to combat the pervasive and ongoing evasion of international trading rules by China. Any bill intending to enhance America's competitiveness with China will be conspicuously weaker if it does not include trade law revisions critical to supporting U.S. economic interests and American workers across industries that have been harmed by Chinese unfair trade practices.

On February 14, 2022, you received a letter from CSUSTL signed by 172 companies, associations, and unions that detail CSUSTL's support for these provisions. It is appended again here. This letter demonstrates the broad and deep support of a huge swath of the American economy for stronger, more effective, trade laws. Despite wide support from districts all across the country and bipartisan bicameral recognition that strong trade laws are necessary to counteract China's mercantilist behavior, opponents of these provisions seek to weaken the trade laws to China's gain.

Opposition to the enhancement of our trade remedy laws is shortsighted and provides China a win. For example, the *Successive Investigations* provisions of the bill deal with the persistent "whack-a-mole" problem faced by American companies in industries including washing machines, kitchen cabinets, mattresses, solar products, steel products, and quartz countertops. Whack-a-mole situations occur frequently in China cases where unfairly traded imports rapidly shift production out of China to other countries, solely to evade the disciplining effects of trade orders that do not

prevent imports from entering the United States, but only require that foreign producers fairly price their products in the U.S. market. The *Cross-Border Subsidies* provision squarely counteracts China's Belt and Road Initiative and its damaging cross-border subsidies, by allowing the Commerce Department to address transnational subsidies. The provisions related to *Circumvention Inquiries* are aimed at Chinese duty evasion schemes by allowing findings to be applied on a country-wide basis and quick issuance of preliminary relief in cases of repeat circumvention. The *Non-Resident Importer* provision requires that importers maintain sufficient assets in the U.S. to pay all potential duties, and is aimed at the frequent problem of phantom Chinese importers that disappear when duties come due.

Detractors claim that the new provisions undermine the due process rights of importers. This is inaccurate. These provisions create additional tools in America's tool chest to counteract behavior that is injuring American workers and the companies that employ them. Importantly, the provisions safeguard the rights of U.S. importers by creating known timelines for the completion of investigations or inquiries, by allowing the maximum amount of fact-finding to occur within existing statutory timeframes, and by ensuring meaningful participation for all interested parties before the U.S. International Trade Commission and Department of Commerce.

Detractors also claim that legitimate trade with countries other than China will be negatively affected by these trade law improvements. Not so. The need for these provisions lies with China and China's refusal to abide by international trade norms. Indeed, certain of these provisions have already been adopted by our trading partners in Europe specifically to counteract the harm their industries have suffered from China's persistent unfair trade practices. And other countries regularly use their trade remedy laws to address injury to their industries caused by China.

Thank you for your consideration and your support of strong trade enforcement.

Sincerely,



Mark B. Benedict
President
Committee To Support US Trade Laws

cc: The Honorable Ron Wyden, Chairman, Senate Finance Committee
The Honorable Michael Crapo, Ranking Member, Senate Finance Committee
The Honorable Richard Neal, Chairman, House Ways and Means Committee
The Honorable Kevin Brady, Ranking Member, House Ways and Means Committee



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Senate Majority Leader
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The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives

The Honorable Mitch McConnell
Republican Leader
U.S. Senate

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Dear Leaders Pelosi, Schumer, McCarthy, and McConnell:

As US manufacturers and producers along with members of the Committee to Support US Trade Laws (CSUSTL), we write to commend Congress for moving forward legislation aimed at enhancing American competitiveness against China, and to ask that any final legislation include Senator Brown and Portman's and Representative Sewell and Johnson's Eliminating Global Market Distortions to Protect American Jobs Act, also known as Leveling the Playing Field Act 2.0.

Passage of the United States Innovation and Competition Act of 2021 in the Senate and the America Competes Act of 2022 in the House provide our nation with a singular opportunity to address and resolve many of the long-standing issues that have significantly strained our relationship with China. Any final package will be incomplete if it does not address China's predatory economic behavior, which forms the core of the inequities and imbalances in the US-China relationship. Every effort should be made to conclude a package that is comprehensive in its scope and effectively supports US economic competitiveness across domestic industries such as ours that have been adversely impacted by China.

In support of American workers across the country, Congress should come together in open and thoughtful discussion and find those items on which there can be bipartisan agreement. For far too long, Chinese manipulation of the global trading market and evasion of reasonable regulatory controls on international trade have devastated the economies of communities throughout the United States. A worker-centered trade policy depends upon the development and implementation of 21st century tools to counteract these harmful practices.

This is why we support the bipartisan Leveling the Playing Field Act 2.0. We urge that any final legislation adopt the trade remedy law improvements title from the America COMPETES Act. These provisions have strong bipartisan support and are a much-needed modernization of the rules that address the new, and evolving, unfair trade practices of China and other trading partners, such as cross-border subsidies provided by China through the Belt and Road Initiative. Passing a China competition bill without a meaningful trade enforcement title would be a serious missed opportunity for all of our American companies, industries and workers.

CSUSTL is a national organization of companies, trade associations, labor unions, agriculture groups and individuals located in all 50 states of the nation totaling 434 member groups representing 171 industries, including manufacturing, technology, agriculture, mining, energy, and services.

Thank you for consideration of this matter.

Sincerely,

Engines:

Briggs & Stratton (WI, MO, AL, GA, NY, CA)

Furniture:

Copeland Furniture (VT)

Century Furniture (NC)

Gat Creek (WV)

Vaughn-Bassett Furniture (VA)

Hardwood plywood:

Columbia Forest Products (NC)

Timber Products (OR)

States Industries LLC (OR)

Commonwealth Plywood (NY)

Laminated woven sacks:

Polytex (TX)

Large diameter welded pipe:

Dura-Bond Industries, Inc. (PA)

Trinity Products, LLC (MO)

Nucor Skyline (SC)

Berg Pipe (FL, AL)

Stupp Corp. (LA)

Welspun (AR)

AMERICAN Cast Iron Pipe Company (AL)

Greens Bayou Pipe Mill (TX)

JSW Steel USA (TX)

Magnesia bricks:

Resco Products (IN)

Magnesium:

US Magnesium (UT)

Paper:

Domtar Corporation (SC, GA, MN, NC, IL, TN, TX, PA, KY, OH, AR, MI)

Verso Corporation (OH, WI, MI)

Appvion LLC (WI)

ProAmpac (WI, IL, NY, OH, AR, NC, MO, AL)

HarbisonWalker International (MI)

Liberty Greenleaf (AZ, TN)
North Pacific Paper Company (WA)
Iconex LLC (GA, TN, MO, NV, VA, AZ)

Piping Systems, Climate Products, and Industrial Metals:

Mueller Industries, Inc. and U.S. subsidiaries (AR, AZ, CA, CT, FL, GA, IN, IL, MD, MI, MO, MS, NJ, OH, PA, NC, TN, TX, UT, VA)

Quartz surface products:

Cambria Company LLC (MN)

Refillable stainless steel kegs:

American Keg Company (PA)

Retail carrier bags:

Unistar Plastics, LLC (LA, TX)
Superbag (TX)

Shrimp:

Erickson & Jensen Seafood Packers (FL)
Reyes Trawlers Inc. (TX)
JBS Seafood Processors (TX)
Texas Pack, Inc. (TX)
Aransas Pass Seafood (TX)
Superior Seafood Inc. (FL)
Texas Gold Shrimp (TX)
Versaggi Shrimp Corp. (FL)
Versaggi Seafood LLC (FL)
Groomer's Seafood (TX)
G & O Shrimp Company (TX)
Zimco Marine LLC (TX)
Redemption Fishery LLC (FL)
Bodden & Caddell, Inc. (TX)
Vessel Southern Grace (FL)
Vessel Miss Kathi LLC (FL)
Vessel Amber Jean LLC (FL)
Vessel Master Dalton LLC (FL)
Vessel Alima Jean LLC (FL)
Vessel Alexa Rae (FL)
Vessel Our Boys Inc. (FL)
Miss Linda Inc. (TX)
Rodco Marine Supply, Inc. (TX)
Big Easy Foods (LA)
Trico Shrimp Co. (FL)
Co-Pak, LLC (TX)
WWJT, Inc. (VA)
A & P Trawlers, Inc. (TX)
Renee Lynn, Inc. (FL)
Dale Seafood, Inc. (FL)
Stella Mestre, Inc. (FL)
Miz Shirley, Inc. (FL)

S&S Sales, Inc. (TX)
Kenon Trawlers (TX)
Twin City Trawlers (TX)
Tipps Bait Camp (TX)
Sanders Inc. (TX)
Martinez Inc. (TX)
Critter Getter (FL)
B.F. Millis & Sons, Inc. (NC)
Davis Seafood (NC)
F/V Capt. Ben (NC)
F/V Debbie Jean (NC)
F/V Claire Skye (NC)
F/V Everett Gene (NC)
F/V Capt. Redd (NC)
F/V Adalyn Nicole (NC)
F/V White Lighting (NC)
F/V Tucker J (NC)
F/V Olivia Noel (NC)
Bosarge Boats (MS)
F/V Lady Paige (MS)
F/V Simple Man (MS)
F/V Reva Rose (MS)
F/V Capt Wick (MS)
F/V Jessica Marie (MS)
Dubberly's Seafood (GA)
F/V Daddy's Boy (GA)
F/V Jenna Renee (GA)
Southeastern Seafood Company (GA)
Wait-N-Sea Inc. (GA)
Gale Force Inc. (GA)
Island Air Inc. (GA)
F/V Amanda Lyn (GA)
F/V Miss Joyce (GA)
CJ Seafood, LLC (SC)
F/V Lydia Leigh (SC)
F/V Gracie Belle (SC)
F/V Palmetto Pride (SC)

Solar panels:

First Solar, Inc. (OH)
Heliene, Inc. (MN)
Suniva Inc. (GA)
Q CELLS America (GA)
Auxin Solar, Inc. (CA)

Steel:

Nucor Corporation (NC) (nearly 30,000 teammates at more than 300 operating facilities)
Commercial Metals Company (TX) (over 11,000 workers in 28 states)
Cleveland-Cliffs Inc. (OH headquartered; more than 26,000 employees)
SSAB Americas
Steel Dynamics, Inc. (IN)

North American Stainless (KY)
United States Steel Corporation

Steel bar grating:

Interstate Gratings (UT)
Vulcraft Texas (TX)
Lichtgitter USA (TX)

Steel Forgings:

Ellwood Group, Inc. (PA)

Steel pipe & tube:

Atkore International (IL)
Axis Pipe & Tube (TX)
Bull Moose Tube (MO)
Lock Joint Tube (IN)
Maruichi American Corporation (CA)
Maruichi Oregon Steel Tube LLC (OR)
Nucor Tubular Products (IL)
PTC Alliance (PA)
Searing Industries (CA)
Synalloy (TN)
Vallourec Star (TX)
Vest, Inc. (CA)
Webco Industries (OK)
Welded Tube (NY)
Zekelman Industries (IL)

Steel racks:

Hannibal Industries, a Nucor Company (CA)
Heartland Steel Products (MI)
Ridg-U-Rak (PA)
Speedrack Products Group, Ltd. (MI)
Steel King (MI)
Tri-boro Rack (VA)
UNARCO Material Handling, Inc. (TN)
Husky Rack (NC)

Steel wheels:

Accuride Corporation (IN)

Trade Associations/Unions:

American Iron & Steel Institute
American Shrimp Processors Association
Cast Iron Soil Pipe Institute
Coalition of American Flange Producers
Coalition of Freight Coupling Producers
Coalition for a Prosperous America
Committee To Support U.S. Trade Laws
Diamond Sawblade Manufacturers Coalition
Fresh Garlic Producers Association

Kitchen Cabinet Manufacturers Association
Louisiana Shrimp Association
North Carolina Fisheries Association, Inc.
Paper Receipts Converting Association
Port Arthur Area Shrimpers Association
Southern Shrimp Alliance
Steel Manufacturers Association
Texas Shrimp Association
United Steelworkers
Wind Tower Trade Coalition

Truck trailer chassis:

Hercules Enterprises (NJ)
Stoughton Trailers, LLC (WI)
Cheetah Chassis Corp. (PA, SC)

Wood mouldings:

Woodgrain Millwork (ID)
Sierra Pacific Industries (CA)
Endura Products (NC)
Cascade Wood Products, Inc. (OR)
Yuba River Moulding (CA)
Sunset Moulding Company (CA)
Bright Wood Corporation (OR)