

Congress of the United States
Washington, DC 20515

April 29, 2021

The Honorable Matt Cartwright
Chairman
Subcommittee on Commerce, Justice,
Science and Related Agencies
House Committee on Appropriations
H-310
Washington, DC 20515

The Honorable Robert Aderholt
Ranking Member
Subcommittee on Commerce, Justice,
Science and Related Agencies
House Committee on Appropriations
1016 LHOB
Washington, DC 20515

Dear Chairman Cartwright and Ranking Member Aderholt:

As the Subcommittee begins to draft its Fiscal Year 2022 Departments of Commerce, Justice, Science and Related Agencies Appropriations bill, we are writing to encourage the Subcommittee to ensure adequate funding for the United States Department of Commerce (DOC)'s International Trade Administration (ITA) and the United States International Trade Commission (ITC) to prioritize and carry out the application of United States trade remedy laws. Your attention to this matter is greatly appreciated.

American industry and workers can more than compete and succeed in a fair market that responds to supply and demand principles. Unfortunately, our manufacturers must increasingly operate in a global market dominated by state-owned and subsidized firms. These firms operate irrespective of market conditions, often permitting them to operate at an economic loss and sell products at less than fair market value.

Anti-Dumping (AD) and Countervailing Duty (CVD) laws exist to protect United States producers and workers from economic injury resulting from unfairly traded exports. According to the ITA, the agency has experienced a surge in the number of AD and CVD petitions filed by domestic industry. The number of such petitions nearly doubled over the past five years and shows no signs of abatement.

Case initiations averaged 53 in 2018 and 2019. In 2020, ITA initiated 119 cases, which is more than any other year this decade. Eight additional cases have already been initiated in the first two months of 2021. It should be noted that ITA and ITC have found merit to claims of economic injury resulting from unfairly traded import investigations.

AD and CVD investigations are labor intensive and require a great deal of analysis, thorough investigations, and verification of evidence submitted by respondents in foreign countries. In addition, nations engaged in unfair trade practices continue efforts to circumvent legitimate AD and CVD orders that require continued vigilance and investigation by petitioners and ITA. The agency must also contend with petitions for administrative review of existing AD and CVD orders, and "sunset reviews" of existing orders.

We strongly encourage the Committee to consider these factors when establishing funding levels for Enforcement and Compliance activities at ITA to ensure the agency has adequate resources and personnel to protect American firms and workers from economic injury from unfairly traded exports.

The ITC is an independent, quasi-judicial commission responsible for investigating and making timely and objective determinations involving imports that cause injury to a domestic industry in violation of United States trade laws. Its status as an independent agency whose commissioners are equally split between the parties provides confidence to affected stakeholders that decisions and remedy recommendations made by the Commission are solely based on relevant law and are free of political interference. Among the ITC's mission priorities are conducting AD/CVD investigations and reviews and trade involving United States intellectual property rights under Section 337 of the Tariff Act of 1930.

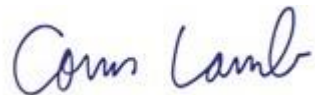
The ITC continues to experience record trade remedy investigation caseloads, as well as concomitant reviews of existing orders. According to the ITC, the agency has experienced a surge in the number of AD and CVD petitions filed by domestic industry. Only eight such petitions were filed in 2014. Since then, however, more than 100 new petitions have been filed, and there is no sign of abatement. Additionally, cases investigated by ITC are increasingly complex and include petitions involving multiple countries. The increased funding request will also allow the ITC to address its growing portfolio of mandates in the trade enforcement area, including additional responsibilities under USMCA. Without the proper funding to handle the increased and more complex workload, as reflected in the ITC's Congressional Budget Justification, it will not have the capacity to meet the tight statutory deadlines associated with trade enforcement.

We strongly encourage the Committee to build on its previous efforts to protect domestic workers and businesses from unfair trade by providing adequate resources to the ITA and ITC to best ensure timely and objective responses to trade remedy complaints and investigations.

Sincerely,



Mike Bost
Member of Congress



Connor Lamb
Member of Congress



Eric A. "Rick" Crawford
Member of Congress



Frank Mrvan
Member of Congress

/s/
James R. Baird
Member of Congress

/s/
Troy Balderson
Member of Congress

/s/
Larry Bucshon, M.D.
Member of Congress

/s/
G. K. Butterfield
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