



UNITED STATES DEPARTMENT OF COMMERCE
International Trade Administration
Washington, D.C. 20230

C-122-854
CVD Investigation
Public Document
RL

August 5, 2015

MEMORANDUM TO: The File

FROM: Ronald K. Lorentzen *RKL*
Acting Assistant Secretary for Enforcement and Compliance

RE: Countervailing Duty Investigation of Supercalendered Paper from Canada

SUBJECT: *Ex Parte* Phone Call with Senator Charles Schumer (NY)

On July 30, 2015, Secretary of Commerce Penny Pritzker spoke by telephone with Senator Charles Schumer, at the Senator's request, to discuss the countervailing duty (CVD) investigation of imports of supercalendered paper from Canada. During the call, Senator Schumer explained that, on behalf of the 300 employees of J.D. Irving in New York, he wished to register his interest in and concerns about the impact on their company of the preliminary determination issued by the Department in this investigation earlier in the week. He further explained that J.D. Irving's subsidiary, Irving Paper, which is a producer of supercalendered paper in Canada, indicates that it has not received any of the subsidies which the Department is investigating in this case and, therefore, wishes to be examined separately as a "voluntary" respondent so that it does not have to be subject to an "all others" CVD rate based upon subsidies received by other respondents.

Secretary Pritzker explained the Department's decision to limit its investigation to two "mandatory" respondents on the basis of what the CVD law provides when it is not possible to individually examine all known producers/exporters in an investigation. She further explained that at this stage of the investigation, especially given the compressed statutory timeframe and the Department's limited resources, it would not be possible to include Irving Paper as a voluntary respondent. However, she noted that following issuance of the Department's preliminary determination, Irving Paper had stated publicly that if a CVD order were ultimately to be issued, it would seek an "expedited review" of its individual circumstances in order to establish that it receives no subsidies. Secretary Pritzker briefly explained the expedited review provisions and indicated that if an order is issued and Irving Paper requests such a review, the Department is prepared to conduct it. She clarified that any such review could include examination of potential subsidies provided by all Canadian provinces in which the company had operations, so it should understand that the review would not necessarily be limited to those provinces examined in the initial investigation in connection with the individual examinations of the two mandatory respondents.

The following individuals participated in the teleconference:

Outside Party
Senator Charles Schumer



U.S. Department of Commerce

Penny Pritzker	Secretary of Commerce
Jim Hock	Chief of Staff to the Secretary
Jim Stowers	Acting Assistant Secretary for Legislative & Intergovernmental Affairs
Stephanie Valencia	Deputy Chief of Staff to the Secretary
Ronald Lorentzen	Acting Assistant Secretary for Enforcement and Compliance