



UNITED STATES DEPARTMENT OF COMMERCE
International Trade Administration
Assistant Secretary for Enforcement & Compliance
Washington, D.C. 20230

JUL 23 2015

The Honorable Bernie Sanders
United States Senate
Washington, DC 20510

C-122-854
Investigation
POI: 1/1/2014-12/31/2014
Public Document

Dear Senator Sanders:

Thank you for your letter to Secretary of Commerce Penny Pritzker forwarding correspondence that your office has received related to the respondent selection process in the Department of Commerce's (Department) ongoing countervailing duty (CVD) investigation of imports of supercalendered paper from Canada. Because Enforcement and Compliance is the unit within the Department responsible for administering the trade remedy laws, I have been asked to respond to your letter. I understand the importance of this proceeding to your constituents, and I appreciate the opportunity to respond.

I understand the concerns that your constituent has raised regarding the Department's decision to individually examine a limited number of Canadian supercalendered paper companies in this investigation. As you know, when the Department determines that it is not practicable to examine all companies because of the large number of producers and/or exporters involved in an investigation, the statute gives the Department discretion to limit the number of producers and/or exporters. Although the petition that was filed in this case identified four Canadian producers and exporters of supercalendered paper, the confidential import data from U.S. Customs and Border Protection (CBP), on which we rely to identify all potential respondent companies, indicated that more Canadian companies than those identified in the petition produced/exported supercalendered paper during the period of investigation. Based on these data, which is made available to outside counsel under Administrative Protective Order, the Department determined that it was not practicable to review all known producers or exporters, and thus selected the two largest exporters for examination. In making this determination the Department also considered the scope of the Department's ongoing activities, the complexity of the issues being investigated, the requirement to examine subsidies alleged to have been provided to certain affiliates of each respondent company, and the compressed statutory investigation timeframe. It is important to note that, due to the transparent nature of our process and the Department's role as a finder of fact, when conducting respondent selection the Department does not prejudge which programs may be countervailable, the companies that may have benefitted from such programs, or the extent of subsidization that the Department might find for a particular respondent.

Preliminary information provided by the selected mandatory respondent companies prompted the Department to request full questionnaire responses for an additional eight companies (four affiliates of each respondent), for a total of ten. Together with the separate responses received from the Government of Canada and the Provincial Governments, the Department has received approximately 30,000 pages of documents as of July 21. The



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preliminary determination in this proceeding is scheduled to be announced on July 28, 2015, and the final determination is scheduled to be announced on October 14, 2015.

Please be assured that the Obama Administration is committed to the robust enforcement of the trade laws in order to remedy the market distorting effects of unfair trade, and thereby provide the opportunity for American businesses and workers to compete on a level playing field. The Department will conduct these proceedings in an open and transparent manner, in full compliance with U.S. law, regulations and obligations, and we will carefully consider all record information and comments when making our determinations.

If you have any comments or questions, please contact me or Jordan Haas, Director of the International Trade Administration's Office of Legislative and Intergovernmental Affairs, at (202) 482-3015.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul Piquado", written in a cursive style.

Paul Piquado