

SPENCER BACHUS  
6TH DISTRICT, ALABAMA

COMMITTEE:  
FINANCIAL SERVICES  
CHAIRMAN

**Congress of the United States**  
**House of Representatives**  
**Washington, DC**

December 14, 2011

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<http://bachus.house.gov>

**Via Facsimile (202-482-2741)**

The Honorable John Bryson  
Secretary of Commerce  
1401 Constitution Avenue Northwest  
Washington, DC 20230-0001

Dear Mr. Secretary,

Congratulations on your appointment as the new Secretary for the U.S. Department of Commerce. I look forward to establishing a productive dialogue with you on issues affecting U.S. business and employment.

On many occasions, I expressed concerns to your immediate predecessor, the Honorable Gary Locke, about the Chinese government's evasion of international trade laws and the effect this injurious practice is having on American manufacturers. China's announcement today that it intends to impose unwarranted subsidy and tariff duties on American-made cars in apparent retaliation for a wholly justified World Trade Organization ruling on tire tariffs strikes me as most egregious. China cannot have it both ways by blocking our exports while they evade U.S. trade laws, and I believe that one of your most important responsibilities as the new Commerce Secretary is to swiftly and decisively take action against illegal and unscrupulous Chinese trade practices.

With regard to a specific issue that I have been working with your department on, China is a documented violator of U.S. antidumping and countervailing remedy laws when it comes to steel wire and other products. The lack of aggressive enforcement of existing U.S. trade laws is costing our domestic producers sales and jobs – and in some cases, jeopardizing their future viability – and depriving the federal government and taxpayers an estimated \$84 million annually in penalty payments. Studies by both the Government Accountability Office and the U.S. Customs and Border Protection Agency have detailed the alarming scope of this problem.

To arm the Department with additional statutory authority, I am a lead House sponsor of the Enforcing and Reducing Circumvention and Evasion (ENFORCE) Act, which would assist investigations into cases where China is circumventing our trade law. In light of China's announcement today, I am requesting the Department to explain what it intends to do immediately about the steel wire product issue that is putting U.S. producers under severe stress and about China's repeated evasion of international antidumping and countervailing duty laws.

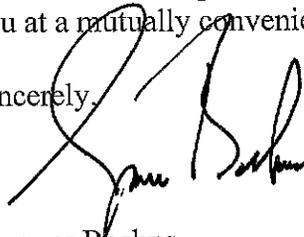
The Honorable John Bryson  
Secretary of Commerce

December 14, 2011  
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For your reference, I have attached a letter that I and 16 of my colleagues sent to former Secretary Locke and Department of Homeland Security Secretary Janet Napolitano on May 16 of this year.

As a Congressman representing a state with many jobs at stake in this matter, and as the Chairman of the House Financial Services Committee with trade policy jurisdictions, I appreciate your attention to this most important issue. It would be a pleasure to discuss it personally with you at a mutually convenient time.

Sincerely,

A handwritten signature in black ink, appearing to read "Spencer Bachus", written over the word "Sincerely,".

Spencer Bachus  
Member of Congress

STB/tc  
Enclosure

**Congress of the United States**  
**Washington, DC 20515**

May 16, 2011

The Honorable Gary Locke  
Secretary  
U.S. Department of Commerce  
Herbert C. Hoover Building  
1401 Constitution Avenue, NW  
Washington, D.C. 20230

The Honorable Janet Napolitano  
Secretary  
U.S. Department of Homeland Security  
U.S. Naval Security Station  
3801 Nebraska Avenue, NW  
Washington, D.C. 20393

Dear Secretary Locke and Secretary Napolitano:

We write to express our serious concern over the Administration's failure to effectively enforce antidumping and countervailing duty (AD/CVD) remedy laws.

Federal inaction by the Executive branch has forced companies across our nation to eliminate jobs, lose revenue, and in some cases spend millions of dollars collecting valuable information to prove their cases. Lack of enforcement also costs our federal government tens of millions of dollars annually. At a time when unemployment is far too common a reality we can no longer afford to overlook this situation.

A 2008 GAO report pointed to a lack of coordination between the U.S. Department of Homeland Security and the U.S. Department of Commerce. Specifically, GAO recommended that these agencies work in tandem on a number of issues ranging from bond requirements to an improved liquidation process and a strategic human capital plan. According to that report, both the Departments of Commerce and Homeland Security agreed with GAO recommendations and indicated a willingness to address them. Several years later, it appears as though many of the same problems still exist.

Furthermore, according to the U.S. Customs and Border Protection (CBP)'s Fiscal Year 2010 Report to Congress, uncollected AD/CVD have risen dramatically since 2001. While this is attributable in part to the retrospective AD/CVD system, which would require Congressional action for change, CBP's report goes on to recommend actions that can be taken without the approval of Congress.

Please know that we will work together to see that Congress does its part to alleviate the stress that this situation has placed on America's manufacturers. At the same time, however, it is incumbent upon you to take swift action to ensure that the Executive Branch is doing everything within its own power to provide for proper and improved enforcement of AD/CVD. We encourage you to work internally and together with other relevant federal agencies to find solutions to this growing problem. Additionally, please provide us with specific examples of the ways in which your agencies are collaborating on this effort.

We understand that your agencies have tremendously important obligations to the American public. For the impacted companies in our respective congressional districts, this is one of the most critical missions you can fulfill.

Thank you for your prompt consideration of our concern, and we look forward to your timely response.

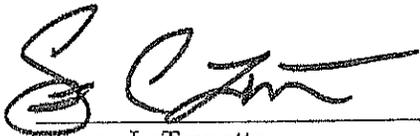
Sincerely,



Blaine Luetkemeyer  
Member of Congress



Spencer Bachus  
Member of Congress



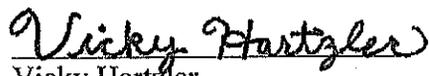
Steven LaTourette  
Member of Congress



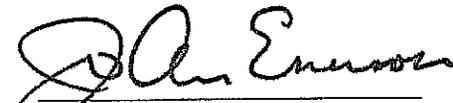
Alan Nunnelee  
Member of Congress



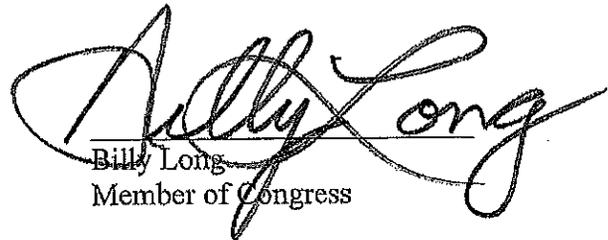
Joe Barton  
Member of Congress



Vicky Hartzler  
Member of Congress



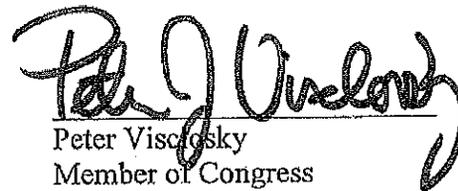
Jo Ann Emerson  
Member of Congress



Billy Long  
Member of Congress



Donald Manzullo  
Member of Congress



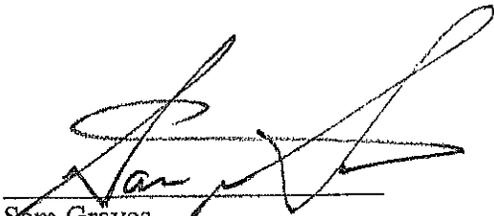
Peter Visclosky  
Member of Congress



Lynn Jenkins  
Member of Congress

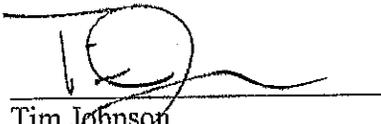


Jesse Jackson, Jr.  
Member of Congress



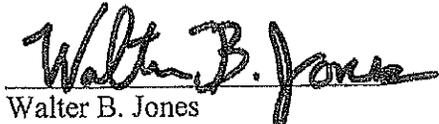
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Sam Graves  
Member of Congress



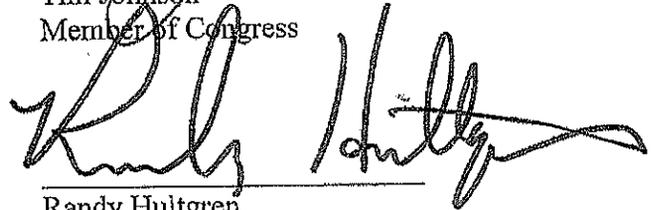
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Tim Johnson  
Member of Congress



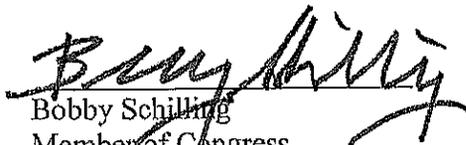
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Walter B. Jones  
Member of Congress



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Randy Hultgren  
Member of Congress



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Bobby Schilling  
Member of Congress

cc: The Honorable Alan Bersin  
Commissioner  
U.S. Customs and Border Protection