

**United States Senate Committee on Finance
June 25, 2026**

Hearing to Consider the Nominations of Brett Doyle, of Connecticut, to be a Member of the United States International Trade Commission for a term expiring December 16, 2030, vice Rhonda K. Schmittlein, term expired; David Foley, Jr., of Virginia, to be a Member of the United States International Trade Commission for a term expiring June 16, 2032, vice Amy Karpel, term expired; Samuel Negatu, of the District of Columbia, to be a Member of the United States International Trade Commission for a term expiring June 16, 2029, vice F. Scott Kieff, term expired; Peter-Anthony Pappas, of New Jersey, to be a Member of the United States International Trade Commission for the term expiring June 16, 2035, vice Randolph J. Stayin, term expired; and Bartholomew Thanhauser, of New York, to be a Member of the United States International Trade Commission for a term expiring December 16, 2027, vice David S. Johanson, term expired.

Questions for the Record submitted to Peter-Anthony Pappas from Senator Cassidy

Question 1: The Commission's Section 332 authority makes it Congress's primary independent source for documenting and quantifying foreign trade barriers, including non-tariff, regulatory, and competition measures. U.S.-headquartered digital commerce and platform companies increasingly report that certain trading partners, including treaty partners bound by national-treatment commitments under existing free trade agreements, apply regulatory, antitrust, and data-governance measures in ways that disadvantage U.S.-affiliated firms relative to domestic incumbents.

(a) If requested by a member of Senate Finance under section 332(g), would you commit to undertaking a thorough, independent investigation quantifying the commercial effects of such measures on U.S. firms, including in the Republic of Korea?

When the U.S. ITC receives a request from the U.S. Senate Finance Committee to conduct a Section 332 investigation, if confirmed, I will work with my fellow Commissioners to ensure that the Commission will undertake an independent, non-partisan, and fact-based investigation.

(b) How would you ensure the Commission maintains the economic and sectoral expertise necessary to analyze platform-specific regulation, data-localization mandates, and discriminatory enforcement as trade barriers?

The U.S. ITC is only as strong as its people. The Commission employs legal experts, economists, and subject matter experts who provide research and analysis to the President, Congress, and the U.S. Trade Representative. If confirmed, I will work with my fellow Commissioners to ensure that hiring and staffing adapt to meet all requests made of the Commission.

(c) What role can the Commission appropriately play in supporting Congressional oversight of whether U.S. FTA partners are honoring their national-treatment and market-access obligations?

The U.S. ITC's role is that of an independent, neutral, and fact-based agency that can provide factual and objective data, analysis, and information to policy makers – it does not seek to make

policy. It is in such capacity that the Commission can support Congressional oversight and policy making on trade and competitiveness matters and, if confirmed, I commit to doing so.

Question 2: In light of concerns regarding the strategic use of U.S. trade remedy proceedings by foreign actors, including entities affiliated with the People's Republic of China, to impose costs on or otherwise disadvantage domestic producers, please describe your assessment of the risk that such proceedings could be used to target U.S. companies with significant domestic manufacturing investments. What statutory, procedural, or institutional safeguards does the ITC currently employ to ensure that its processes are not misused in this manner?

Foreign adversaries, such as the Chinese Communist Party, threaten U.S. economic and innovation dominance through rampant intellectual property theft and abuse. This abuse includes gamesmanship of the U.S. legal system and this abuse must be addressed. The U.S. ITC's role is that of an independent, neutral, and fact-based agency that can provide factual and objective data, analysis, and information to policy makers – it does not seek to make policy. If confirmed, I commit to working with U.S. ITC stakeholders and my fellow Commissioners to identify abusive practices and to supporting Congress to ensure that said abusive practices are addressed.

Question 3: Several foreign producers participating in U.S. trade remedy proceedings have been designated by the U.S. Department of War as "Chinese Military Companies" pursuant to Section 1260H of the FY21 NDAA. In your view, should such designations be disclosed to and considered by the ITC when evaluating the standing, credibility, or interests of foreign entities participating in its proceedings? Please explain how, if at all, such information should factor into the Commission's analysis.

The U.S. ITC's role is that of an independent, neutral, and fact-based agency that can provide factual and objective data, analysis, and information to policy makers – it does not seek to make policy. If confirmed, I look forward to supporting Congress should it wish to further explore the intersection of Section 1260H and Commission proceedings, and to ensuring that Commission proceedings fully follow Congressional intent.

Question 4: The Department of Commerce has, in multiple proceedings, identified circumvention of antidumping and countervailing duty orders through the routing of production via third countries, often involving affiliated entities. How should the ITC account for such circumvention when evaluating injury or the likely effects of subject imports? What authorities or analytical tools does the Commission have to preserve the integrity of its original injury determinations in these circumstances, and do you believe those authorities are sufficient?

Abusive transshipment and "country-hopping" are well-known trade evasion tactics used to bypass AD/CVD orders. This abuse undermines U.S. trade remedy laws and must be addressed. The U.S. ITC's role is that of an independent, neutral, and fact-based agency that can provide factual and objective data, analysis, and information to policy makers – it does not seek to make policy. If confirmed, I look forward to supporting Congress on further addressing this abuse.

Questions for the Record submitted to Peter-Anthony Pappas from Senator Blackburn.

Question 1: Looking at Sec. 337 of the Trade Act, as much as 90 percent of those investigations are IP-focused. Over 80 percent of Section 337 patent investigations have corresponding district court cases involving the same underlying claims. Given that patent-based Section 337 investigations make up a substantial share of the ITC's workload, how can we make certain that we don't have duplicative litigation in two federal forums?

To prevent duplicative litigation, under 28 U.S.C. § 1659, a respondent in a Section 337 investigation is entitled to an automatic stay of any parallel district court litigation involving the same claims. This ensures that resources aren't wasted on overlapping issues and preserves judicial economy. 28 U.S.C. § 1659 provides for the record to be transmitted to the district court upon dissolution of the stay, further reducing duplication. Stays of Section 337 investigations are also possible, but they are rare.

Questions for the Record submitted to Peter-Anthony Pappas from Senator Marshall.

Question 1: Phosphate is a critical input for corn and other crop production, and growers have faced sustained high fertilizer costs over the past several years. The Commission is currently conducting a five-year review of the countervailing duty order on phosphate fertilizers from Morocco and Russia, and agricultural groups have raised concerns that the order has constrained import competition at a time when domestic supply has not kept pace with demand. Recognizing these challenges, President Trump temporarily suspended the collection of duties on phosphate fertilizer from Morocco. As you weigh the evidence in this review and in similar matters, how do you intend to ensure the Commission's decision-making process gives full weight to the impacts of its conclusions on American farmers?

It would be inappropriate for me to discuss the specifics of an ongoing matter before the U.S. ITC. If confirmed, I will work with my fellow Commissioners to ensure that the Commission's analysis – including for five-year reviews or "sunset reviews" – remain independent, non-partisan, and fact-based.

Question 2: American patients often pay significantly more for the same prescription drugs than patients in other developed countries. The Trump administration has begun treating it as a trade matter, including through a recent Section 301 investigation into foreign drug pricing practices. From your perspective, how do foreign pricing practices factor into that gap, and how might the Commission's trade-focused analytical tools, including its Section 332 fact-finding authority, help give Congress a clearer picture of it?

I agree that American patients can pay significantly more for the same prescription drugs than patients in other countries and that this is a concern. That being said, the U.S. ITC does not have a statutory role in Section 301 actions. However, the Commission can provide research and analysis on matters of trade and competitiveness as part of Section 332 fact-finding authority. If confirmed, I look forward to having the Commission discuss possible technical assistance for your office and/or working with the U.S. Senate Finance Committee on a request to conduct an investigation and publish a respective report.

Questions for the Record submitted to Peter-Anthony Pappas from Senator Warren.

1. The ITC plays a key part in determining whether antidumping and countervailing duty relief is granted against a particular product from a foreign country (or countries). In our system, the Commissioners determine whether the domestic industry is materially injured or threatened with material injury by unfairly-traded imports. Do you believe that consumer interest or other policy considerations should be part of that injury determination? If so, how?

The U.S. ITC's role is that of an independent, neutral, and fact-based agency that can provide factual and objective data, analysis, and information to policy makers – it does not seek to make policy. 19 U.S.C 1677 sets forth the factors for consideration by the Commission – one of which is that the Commission “may consider such other economic factors as are relevant to the determination regarding whether there is material injury by reason of imports.” If confirmed, I will adhere to statutory law and relevant precedent.

- a. Can you please share your view of if and how forced labor and low-wage labor caused by union busting and other labor rights violations should be incorporated in antidumping and/or countervailing duty investigation with respect to a particular product?

Per 19 U.S.C. 1307, all goods made with forced labor are prohibited from entering the U.S. In AD/CVD investigations the U.S. Department of Commerce is responsible for assessing whether or not dumping or illicit subsidization has occurred.

- b. Can you please share your view of if and how the externalization of environmental costs – including air and water emissions, toxic dumping and carbon-intensive production processes –should be incorporated in antidumping and/or countervailing duty investigation with respect to a particular product?

With respect to AD/CVD investigations, the U.S. Department of Commerce is responsible for assessing whether or not dumping or illicit subsidization has occurred. Should the U.S. DOC find that the above provided scenario constitutes dumping or illicit subsidization, the role of the U.S. ITC is to accept the U.S. DOC's affirmative finding and proceed with a determination on material injury.

- c. How should a Commissioner incorporate the concerns of users or consumers of a particular product in an antidumping and/or countervailing duty investigation?

If confirmed, I will adhere to statutory law and relevant precedent, and I will consider the full record when making a determination, including stakeholder submissions.

2. As you know, U.S. law gives unions and management equal right to petition for relief from unfairly traded imports. These provisions of our law have become increasingly important as multinational companies face threats of retaliation from foreign adversaries and are thus hesitant to publicly support trade cases even when they are being injured by imports.

- a. Do you support the right of unions to file antidumping and countervailing duty petitions even if management does not publicly support them?

Per 19 U.S.C. § 1677(9), “interested parties” in an AD/CVD investigation include “a certified union or recognized union or group of workers which is representative of an industry engaged in the manufacture, production, or wholesale in the United States of a domestic like product.”

- b. How would the fact that a case was filed by unions alone affect your injury analysis, if at all?

A petitioner’s status as a union is not a determining factor in the analysis undertaken by the U.S. ITC regarding whether or not material injury exists in an AD/CVD investigation.

3. Domestic industries and workers have been forced to play a game of whack-a-mole to bring cases after case against the same product as companies move production from country to country after orders are imposed. China has been a particular problem, as Chinese companies invest in production in third countries to continue accessing the U.S. market to avoid duties, sometimes with Chinese state support. The bipartisan Leveling the Playing Field Act 2.0 would address these problems, including by streamlining successive injury investigations on the same product from different countries at the ITC.

- a. Do you support Leveling the Playing Field Act 2.0?

The U.S. ITC’s role is that of an independent, neutral, and fact-based agency that can provide factual and objective data, analysis, and information to policy makers – it does not seek to make policy. Thus, it would be inappropriate for me to take a position on any particular legislation.

- b. As a Commissioner, what would you do to reduce the burden on companies and workers that are injured by repeated surges of dumped and subsidized imports?

Abusive transshipment and "country-hopping" are well-known illegal trade evasion tactics used to bypass AD/CVD orders. This abuse undermines U.S. trade remedy laws and must be addressed. The U.S. ITC’s role is that of an independent, neutral, and fact-based agency that can provide factual and objective data, analysis, and information to policy makers – it does not seek to make policy. If confirmed, I look forward to supporting Congress on further addressing this abuse.

- c. Do you believe that it is unfair for other countries, such as China, to grant subsidies to their industries that lower their cost of production versus those of American companies producing the same products here? Do you agree that your job as a Commissioner, if confirmed, is to do all you can to protect the domestic industries against the harm caused by foreign subsidization?

Yes, as consistent with statutory law and relevant precedent.

4. In some cases, importers flood the U.S. market with imports after antidumping and countervailing duty cases are filed but before preliminary Commerce determinations are issued, in order to avoid duty liability. In such cases, the Commerce Department routinely determines that such post-petition surges create critical circumstances, warranting the imposition of retroactive duties to ensure effective relief. The Commission, however, very rarely upholds these determinations, effectively letting importers off the hook for these harmful surges.

- a. As an ITC Commissioner, how would you evaluate critical circumstances determinations?

If confirmed, I will adhere to statutory law and relevant precedent for evaluating critical circumstances determinations for antidumping duties (e.g., 19 U.S.C. § 1673d) and for countervailing duties (e.g., 19 U.S.C. § 1671d).

- b. Do you see any reason why the ITC should nullify retroactive duties that Commerce has approved?

The U.S. ITC considers different statutory factors than the U.S. Department of Commerce when making a critical circumstances determination. It would not be appropriate to speculate or prejudge whether or not the Commission's separate determination will result in the imposition of retroactive duties.

5. In some injury investigations and sunset reviews, foreign producers do not fully cooperate with the ITC's injury investigations, resulting in an incomplete record that understates foreign production and capacity, and thus the threat that foreign producers pose. The ITC has the authority to impose adverse inferences in such cases of non-cooperation, thus supporting an affirmative determination despite the lack of a complete record. Yet the ITC rarely or ever exercises this power.

- a. As an ITC Commissioner, will you support the application of adverse inferences if foreign producers do not cooperate with your investigations or reviews?

If confirmed, I will adhere to statutory law and relevant precedent. It would not be appropriate to speculate or prejudge whether or not an adverse inference would be warranted in any particular matter.

6. In addition to its injury investigations, the ITC plays an important role in conducting economic analyses of trade and tariff actions. In the past, the ITC has used economic models that have minimized the harmful impact of free trade agreements on production and jobs. The Commission has also been responsible for analyzing the impact of tariff actions under Section 232 and Section 301.

- a. As an ITC Commissioner, what would you do to make sure that these economic impact studies appropriately take into account the positive role that tariffs can have as part of an industrial policy that supports American industries, workers, and communities?

The U.S. ITC's role is that of an independent, neutral, and fact-based agency. In conducting any economic analysis, if confirmed, I would work to ensure that the Commission collects a rigorous record of evidence including input from all interested stakeholders. Such evidence can and should be collected not only through public hearings held in Washington, D.C., but also via surveys, field hearings, written submissions, site visits, and meetings with Commissioners and their staff.

7. Please share an example of an antidumping or countervailing duty order that, in your view, has effectively addressed unfair trade and helped to maintain the operations of American businesses?

Given that ongoing AD/CVD orders are subject to continuing five-year reviews or "sunset reviews," it would be inappropriate for me to comment on the merits of any specific case.

8. Can you describe your experience with trade-affected communities in the United States? What industry did the community rely on? What kinds of government policy intervention would have helped the community?

Strong, clear, reliable, and predictable IP rights drive investments to innovative technologies and these rights encourage the creation of content that the world consumes. Innovation and creativity are critical to the economic and global competitiveness of the U.S. and to its national security – there is an ever-present threat to nearly all domestic innovation sectors due to intellectual property infringement by foreign bad actors. The U.S. must ensure that strong, clear, reliable, and predictable IP rights remain front and center – for inventors and creators large and small – as without these rights there would be no domestic industry to protect.

9. What is your view of how U.S. trade data gathering and reporting can be improved? When the USITC conducts analysis of trade pact impacts or projections about new pacts, what data set do you believe should be employed – domestic exports or general exports? What is your view about how counting re-exports as if they were domestic exports distorts U.S. trade balance data?

If confirmed, I look forward to working with U.S. ITC staff to explore the development of new data sets, analyses, and methodologies, and to determine in which circumstances domestic exports or general exports data should be employed. It should remain the goal of the Commission to ensure that only appropriate data inputs are used when examining trade balance data. I welcome the opportunity to work with the U.S. Senate Finance Committee on these matters.

10. If trade agreements contain rules that allow tech companies to plead “illegal trade discrimination” to avoid accountability for monopolistic and discriminatory behavior, not only will personal privacy and consumers’ trust in the Internet be threatened, but the United States’ economic and national security as well. Do you support the new U.S. digital trade position, which has involved eliminating data flow, source code and digital products rules that constrain domestic tech regulatory policy space? More broadly, do you believe that U.S. trade agreements must not include terms that could conflict with U.S. domestic law? How would you evaluate the impact of such provisions, if the ITC was tasked with doing so, and what methodologies would you use?

The U.S. ITC’s role is that of an independent, neutral, and fact-based agency that can provide factual and objective data, analysis, and information to policy makers – it does not seek to make policy. Thus, it would be inappropriate to take a position on any particular policy. Trade negotiations are handled by Office of the U.S. Trade Representative and are not handled by the Commission.

11. ITC Commissioners play a central role in ensuring that U.S. antidumping and countervailing laws are fully and effectively administered. Commissioners are tasked with sifting through what are often voluminous records to ensure that all evidence is carefully considered and weighed and, where necessary, discounted if inaccurate, flawed, or otherwise deficient. This includes questionnaire data that may be distorted. It is my understanding that it is not uncommon for U.S. importers in these trade remedy cases to manipulate their data in order to mask underselling and other adverse price effects. How would you view your role as a Commissioner when presented with cases where U.S. importers are playing games with their data to mask underselling, for example? In those instances, would you look to other evidence on the record in determining whether unfairly traded U.S. imports are having adverse price effects on the domestic industry? Do you agree that the record should be considered holistically in evaluating adverse price effects?

Complete and accurate data is vital in AD/CVD investigations. If confirmed, I would ensure that trade data collected by the U.S. ITC is as complete and accurate as possible.

12. Historically, the USITC analysis relies on wholly unrealistic models and assumptions regarding the U.S. labor market and that systematically ignore the negative effects of trade agreements on workers, particularly workers of color, and on the overall health of the American economy.
- a. Do you agree that the Commission should adopt a model that does not assume full employment or costless job switching for workers?
 - b. Do you agree that the Commission should adopt a model that analyzes how trade agreements have affected the quality of jobs available for workers, including any shifts in wages, benefits, or job security?
 - c. Do you agree that the Commission should adopt a model that analyzes how trade agreements have affected workers by region or community?
 - d. Do you agree that the Commission should adopt a model that analyzes how trade agreements have affected workers by racial group?

- e. Do you agree that the Commission should adopt a model that analyzes how trade agreements have affected market concentration in the United States?
- f. Do you agree that the Commission should adopt a model that analyzes how trade agreements have affected the United States' technological capacity and the resilience of critical supply chains?
- g. Do you agree that the Commission should adopt a model that analyzes how the trade agreements have affected important labor, environmental, and consumer safety standards, financial regulations, consumer privacy and other digital governance concerns, and the price of medications subject to intellectual property protections extended under U.S. trade agreements and also the net effect of any such trade agreement provisions?

If confirmed, I look forward to working with the U.S. Senate Finance Committee to explore the development of new models to assess the impact of trade and competitiveness.

Questions for the Record submitted to Peter-Anthony Pappas from Senator Warnock.

Question 1: Georgia businesses and consumers are facing significant [inflationary](#) pressure due to the president's [tariffs](#). To what extent should consumer costs factor into the Commission's analysis when it is investigating injury to domestic industries?

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Question 2: The ITC is required by [statute](#) to act in the [public's interest](#). Tariffs or other trade remedies may protect an industry, but this may increase costs for other downstream businesses, resulting in higher prices for the public. When presented with evidence like this, how will you determine where the public interest lies?

If confirmed, I will adhere to statutory law (e.g., 19 U.S.C. 1337) and relevant precedent.

Question 3: What evidence would you find most persuasive in determining whether trade remedies will preserve or create U.S. jobs?

My understanding is that each case brought before the U.S. ITC is unique and extremely fact dependent, and that it is the job of the Commission to set aside any personal policy preferences and apply the law as written to the facts of each individual case. Thus, it would not be appropriate to speculate or prejudge. If confirmed, I will adhere to statutory law and relevant precedent.

Question 4: Certain Chinese entities [may be](#) using U.S. trade laws in ways that undermine manufacturing capacity and disadvantage companies that have invested in American production.

Are you concerned that Chinese manufacturers could attempt to use U.S. trade proceedings to target American manufacturers that have made substantial investments in U.S. manufacturing?

Foreign adversaries, such as the Chinese Communist Party, threaten U.S. economic and innovation dominance through rampant intellectual property theft and abuse. This abuse includes gamesmanship of the U.S. legal system and this abuse must be addressed. The U.S. ITC's role is that of an independent, neutral, and fact-based agency that can provide factual and objective data, analysis, and information to policy makers – it does not seek to make policy. If confirmed, I commit to working with U.S. ITC stakeholders and my fellow Commissioners to identify abusive practices and to work with Congress to ensure that said abusive practices are addressed.

a. If so, what kind of ITC remedies are available to address this problem?

My understanding is that each case brought before the U.S. ITC is unique and extremely fact dependent. Thus, it would not be appropriate to speculate or prejudge. 19 U.S.C. § 1671 provides for the imposition of countervailing duties, 19 U.S.C. § 1673 provides for the imposition of antidumping duties, and 19 U.S.C. § 1337 provides for remedies for unfair practices in import trade. If confirmed, I will adhere to statutory law and relevant precedent.

Question 5: If evidence suggests that a trade petition is being funded, coordinated, or encouraged by Chinese manufacturers, Chinese investors, or entities affiliated with the Chinese government, should that information be disclosed and considered by the Commission?

In both Chambers of Congress concerns have been raised regarding the misuse of third-party litigation funding by foreign bad actors. My understanding is that the U.S. ITC is currently engaged in a proposed rule-making concerning Section 337 adjudication and enforcement with the intended effect to require disclosure of information by the parties and intervenors in such investigations and ancillary proceedings before the Commission regarding entities that have ownership or a financial interest in the investigation. If confirmed, I commit to fully participating in the review of public comments and the discussions to address these concerns.

Question 6: Should petitioners be required to disclose whether they receive funding, investment, legal support, supply chain inputs, or other material assistance from Chinese companies or Chinese state-supported entities?

In both Chambers of Congress concerns have been raised regarding the misuse of third-party litigation funding by foreign bad actors. My understanding is that the U.S. ITC is currently engaged in a proposed rule-making concerning Section 337 adjudication and enforcement with the intended effect to require disclosure of information by the parties and intervenors in such investigations and ancillary proceedings before the Commission regarding entities that have ownership or a financial interest in the investigation. If confirmed, I commit to fully participating in the review of public comments and the discussions to address these concerns.

Question 7: How can the ITC ensure that U.S. trade laws intended to protect American industry are not used to advance the interests of Chinese competitors seeking to undermine domestic manufacturing capacity?

Foreign adversaries, such as the Chinese Communist Party, threaten U.S. economic and innovation dominance through rampant intellectual property theft and abuse. This abuse includes gamesmanship of the U.S. legal system and this abuse must be addressed. The U.S. ITC's role is that of an independent, neutral, and fact-based agency that can provide factual and objective data, analysis, and information to policy makers – it does not seek to make policy. If confirmed, I commit to working with U.S. ITC stakeholders and my fellow Commissioners to identify abusive practices and to supporting Congress to ensure that said abusive practices are addressed.

Question 8: Should Congress consider additional safeguards to prevent Chinese-affiliated entities from using U.S. trade laws in ways that could weaken American supply chains and manufacturing jobs?

Foreign adversaries, such as the Chinese Communist Party, threaten U.S. economic and innovation dominance through rampant intellectual property theft and abuse. This abuse includes gamesmanship of the U.S. legal system and this abuse must be addressed. The U.S. ITC's role is that of an independent, neutral, and fact-based agency that can provide factual and objective data, analysis, and information to policy makers – it does not seek to make policy. If confirmed, I commit to working with U.S. ITC stakeholders and my fellow Commissioners to identify abusive practices and to supporting Congress to ensure that said abusive practices are addressed.