

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. Schmidlein, 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 Samuel Negatu 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?

Yes. If confirmed, and the Senate Finance Committee requests a Section 332 investigation, I will support a thorough, independent investigation consistent with the scope of the request and the Commission's statutory responsibilities. The Commission's Section 332 work provides Congress with objective, fact-based analysis on complex trade issues.

- (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 Commission's work depends on the expertise of its economists, attorneys, industry analysts, and other professional staff. If confirmed, I will work with my fellow Commissioners and Commission leadership to ensure the agency maintains the expertise needed to respond to requests from Congress and the Executive Branch and to analyze emerging trade issues.

- (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 Commission supports Congress by providing objective facts, economic analysis, and research on trade and competitiveness issues. While the Commission does not determine whether a trading partner has complied with its trade obligations, it can provide Congress with the independent analysis needed to inform oversight and policymaking. If confirmed, I will work to maintain the Commission's longstanding reputation for independence and analytical rigor.

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?

The integrity of the Commission's proceedings is essential to maintaining confidence in our trade laws. Congress established a detailed statutory framework that includes important safeguards to help ensure the Commission's processes are used as intended.

Under Title VII, the Department of Commerce determines whether a petition satisfies the statutory domestic industry support requirements before an investigation is initiated. If an investigation proceeds, the Commission applies the standards Congress established to determine whether a domestic industry is materially injured or threatened with material injury by reason of unfairly traded imports.

The statute also permits the Commission, in appropriate circumstances, to exclude certain related parties from the domestic industry analysis. In addition, all interested parties have the opportunity to participate in Commission proceedings, present evidence, and develop the record.

If confirmed, I will faithfully apply the statutes Congress enacted, carefully evaluate the record in each investigation, and work to maintain the Commission's longstanding reputation for fairness, independence, and objective decision-making.

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.

I recognize Congress's concerns regarding the participation of entities affiliated with the People's Republic of China (PRC), including entities designated under Section 1260H of the

FY21 NDAA, in U.S. trade proceedings. The Commission's responsibility is to apply the statutes Congress enacted and evaluate the record developed in each proceeding.

Questions regarding standing, credibility, and the weight to be given particular evidence are highly fact-specific and must be resolved under the applicable statutory and regulatory framework. As a nominee, I do not believe it would be appropriate to prejudge how a Section 1260H designation should be treated in a particular proceeding.

If confirmed, I will faithfully apply the law, carefully evaluate the record before the Commission, and consider all information that is properly before the Commission and relevant under the governing statutes and rules.

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?

The Commission's responsibility is to apply the statutes Congress enacted and evaluate the record developed in each investigation. When assessing injury or the likely effects of subject imports, the Commission considers the evidence before it and applies the analytical framework established by Congress.

I recognize that foreign producers may attempt to evade the effectiveness of U.S. trade remedies through circumvention or other means. The trade laws provide the Commission with a number of analytical tools, including the ability, where appropriate under the statute, to evaluate the volume, price effects, and impact of subject imports, as well as to assess likely conditions in sunset reviews. The Commission also applies the statutory provisions governing cumulation when the legal requirements are met.

Whether the Commission's existing authorities are sufficient is ultimately a policy question for Congress. As a nominee, I do not believe it would be appropriate to recommend changes to the statutory framework. If confirmed, I will faithfully apply the authorities Congress has provided, carefully evaluate the record in each case, and administer the trade laws consistent with the statute.

Questions for the Record submitted to Samuel Negatu from Senator Roger 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?

As a nominee, it would not be appropriate for me to comment on the merits of an ongoing proceeding before the Commission.

More generally, I recognize that Commission decisions can affect a wide range of stakeholders, including farmers, workers, manufacturers, and consumers. Congress established specific legal standards that govern the Commission's analysis, and my responsibility as a Commissioner would be to faithfully apply those standards based on the record developed in each case.

If confirmed, I will approach every investigation with an open mind, carefully review the evidence presented by all parties, and work to ensure the Commission's decisions are thorough, independent, and grounded in the law and the facts. The Commission best serves Congress, the President, and the American people by maintaining its longstanding reputation for objective and impartial decision-making.

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?

The Commission does not have a statutory role in Section 301 investigations or in determining U.S. trade policy. Its role is to provide objective, fact-based analysis when requested by Congress or the Executive Branch.

The Commission's Section 332 authority is an important tool for examining complex trade issues and their economic effects. If the Senate Finance Committee requested a Section 332 investigation on pharmaceutical pricing practices or other trade-related issues, I would support a thorough, independent analysis consistent with the scope of the request and the Commission's statutory responsibilities.

The Commission best serves Congress by providing rigorous economic analysis and objective information that helps inform oversight and policymaking. If confirmed, I would be committed to maintaining the Commission's longstanding reputation for independence, analytical rigor, and factual analysis.

Questions for the Record submitted to Samuel Negatu 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 Commission's responsibility is to apply the statutory framework Congress established. In antidumping and countervailing duty investigations, the Commission determines whether a domestic industry is materially injured or threatened with material injury by reason of the subject imports based on the standards set forth in the Tariff Act.

Congress has directed the Commission to consider a range of statutory factors, including the volume of the subject imports, their effect on prices for the domestic like product, and their impact on the domestic injury. The statute also permits the Commission to consider other relevant economic factors, where appropriate, in making its injury determination.

If confirmed, I will faithfully apply the statutory framework Congress enacted and base my decisions on the law and the record developed in each case.

- 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?

Forced labor and labor rights are important issues that Congress has addressed through a number of statutes. For example, U.S. law prohibits the importation of goods made with forced labor.

Under the antidumping and countervailing duty laws, however, the Commission's role is defined by the statutory framework Congress enacted. The Department of Commerce determines whether dumping or countervailable subsidization exists, while the Commission determines whether the domestic industry is materially injured or threatened with material injury by reason of the subject imports.

If confirmed, I will faithfully carry out the responsibilities Congress assigned to the Commission and evaluate each case based on the statutory standards and the record before the Commission.

- 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?

Environmental issues are important, and Congress has enacted a variety of laws addressing them. My responsibility as a Commissioner, however, would be to apply the antidumping and countervailing duty statutes as Congress wrote them.

The Commission's role is to determine whether the statutory requirements for material injury or threat of material injury have been satisfied based on the evidence in the record. If confirmed, I will faithfully apply those standards and the statutory framework established by Congress.

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

The Commission develops a comprehensive factual record in each investigation, including information regarding the conditions of competition in the U.S. market. That record may include information provided by producers, importers, purchasers, industrial users, consumer representatives, and other participants, as appropriate under the Commission's procedures.

If confirmed, I will carefully consider the entire record developed in each investigation, including information submitted by users and consumers where it is relevant under the statute, and faithfully apply the law Congress enacted.

- 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?

Congress has authorized labor unions to file antidumping and countervailing duty petitions under the trade laws. If confirmed, I will faithfully apply the statutory framework Congress enacted, including the provisions governing who may file a petition.

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

The Commission's responsibility is to determine whether the statutory requirements for material injury or threat of material injury have been met based on the record developed in the investigation. If confirmed, I will evaluate each case based on the facts and the law, regardless of whether the petition was filed by a union, a company, or another party authorized under the statute.

- 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?

As a nominee to the Commission, I do not believe it would be appropriate to take a position on pending legislation that could affect the Commission's

responsibilities. If confirmed, I will faithfully administer the statutes Congress enacts. I would also welcome the opportunity to provide Congress with objective information and technical assistance, as appropriate, to support its legislative work.

- 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?

Congress established the Commission's role and the rules governing antidumping and countervailing duty investigations. If confirmed, I will faithfully apply those statutes, carefully evaluate the record in each case, and work to ensure the Commission's decisions are thorough, timely, and grounded in the law and the facts. More broadly, I believe the Commission best serves domestic industries, workers, importers, and all parties by maintaining an efficient, fair, and independent adjudicative process.

- 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?

Congress has determined that certain foreign subsidies may be countervailable under U.S. law, and the countervailing duty statute provides a framework for addressing those practices. Under that framework, the Department of Commerce determines whether countervailable subsidization exists, and the Commission determines whether a domestic industry is materially injured or threatened with material injury by reason of the subject imports.

If confirmed, my responsibility will be to faithfully apply the statutory framework Congress enacted. If the statutory requirements are met, I will apply the law as written. Where they are not, I will apply the law just as faithfully. In every case, my decisions will be based on the record before the Commission and the standards established by Congress.

- 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?

Congress established specific statutory criteria governing critical circumstances determinations, and if confirmed, I will faithfully apply those standards. My analysis would be based on the record developed in each investigation and the factors Congress directed the Commission to consider, including the timing and volume of the subject imports, any rapid increase in inventories, and any other circumstances indicating that the remedial effect of an antidumping or countervailing duty order would likely be seriously undermined. As with any matter before the Commission, I would carefully evaluate the evidence and apply the law to the facts of the particular case.

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

The Department of Commerce and the Commission have distinct responsibilities under the antidumping and countervailing duty statutes. Commerce determines whether the statutory requirements for critical circumstances are satisfied within its jurisdiction, while the Commission makes its own determination under the standards Congress assigned to it. As a nominee, I do not believe it would be appropriate to comment on whether the Commission should reach a particular outcome in future critical circumstances determinations or to second-guess prior Commission decisions. If confirmed, I will faithfully apply the statutory framework Congress enacted and make independent determinations based on the record before the Commission.

- 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?

Congress authorized the Commission to apply adverse inferences in appropriate circumstances. If confirmed, I will faithfully apply that authority consistent with the statute and the facts of each case.

The Commission strives to develop the most complete record possible, drawing on questionnaire responses as well as information from other sources. When a party fails to cooperate, the Commission must carefully consider whether the use of adverse inferences is appropriate under the law and supported by the record.

Unlike the Department of Commerce, the Commission's injury determinations rely on information from a broad range of participants, including domestic producers, importers, foreign producers, purchasers, and other market participants. As a

result, the Commission must consider the effect that adverse inferences may have on the overall record and on parties that have fully cooperated.

If confirmed, I will carefully evaluate the facts of each investigation and faithfully apply the statutory framework Congress established, including the Commission's authority to draw adverse inferences where appropriate.

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 Commission's role is to provide Congress and the Executive Branch with objective, fact-based economic analysis, not to advocate for or against particular trade policies. The credibility of the Commission's work depends on its independence, analytical rigor, and transparency.

If confirmed, I will work to ensure that the Commission's analyses are grounded in a robust factual record, sound economic methodologies, and input from affected stakeholders, as appropriate. I also believe it is important that the Commission continue to evaluate its analytical tools and methodologies so that its work reflects current economic conditions and provides policymakers with the best possible information.

The Commission best serves Congress by producing objective analyses that accurately assess the economic effects of trade policies, allowing policymakers to make informed decisions.

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?

Because antidumping and countervailing duty orders remain subject to periodic sunset reviews and other proceedings before the Commission, I do not believe it would be appropriate for me, as a nominee, to comment on the merits or effectiveness of any particular order.

More generally, Congress enacted the antidumping and countervailing duty laws to address unfair trade practices and provide relief to domestic industries that satisfy the statutory requirements. If confirmed, I will faithfully apply the framework Congress established and evaluate each case based on the record and the law.

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?

For about four years, I had the privilege of working for Congressman Matt Cartwright who represented Northeastern Pennsylvania and introduced me at my confirmation hearing. The communities he represented were built around coal, steel, iron, and manufacturing and experienced decades of deindustrialization and job loss.

That experience gave me a firsthand appreciation for the impact international trade can have on workers, families, businesses, and entire communities. It also reinforced for me the importance of strong, fair, and predictable trade laws.

The appropriate policy response is ultimately for Congress and the Executive Branch to decide. The Commission's role is different. It provides objective analysis to Congress and the President and faithfully applies the statutes Congress has enacted. If confirmed, I will carry out those responsibilities with independence, careful attention to the record, and respect for the law.

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?

The Commission's value to Congress depends on the quality, accuracy, and transparency of its analysis. As trade evolves, I believe the Commission should continue to evaluate new data sources and analytical methodologies to ensure its work remains rigorous and relevant.

Whether domestic exports or general exports are the appropriate data set depends on the purpose of the particular analysis and the statutory request before the Commission. If confirmed, I will work with the Commission's economists and other career experts to ensure that the most appropriate data and methodology are used for each report.

Re-exports and domestic exports measure different trade flows and should be reported consistently with their accepted definitions. If confirmed, I will support the Commission's longstanding commitment to producing accurate, transparent, and objective trade data and analysis.

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?

As a nominee, I do not believe it would be appropriate to express a personal view on current U.S. trade negotiating positions. If confirmed, my role would be different. I would work with my fellow Commissioners to ensure that the Commission provides Congress and the President with objective, fact-based analysis to inform their decisions.

More broadly, if confirmed, I would faithfully analyze trade agreements consistent with the Commission's statutory responsibilities and applicable U.S. law. It would not be appropriate for me, as a nominee, to express a view on the substance of particular negotiating provisions or objectives.

If the Commission were asked to evaluate the impact of particular trade agreement provisions, I would support a thorough, independent analysis consistent with the scope of the request and the Commission's statutory responsibilities. That analysis would be based on a robust factual record, sound economic methodologies, and the expertise of the Commission's professional staff.

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?

The Commission's responsibility is to develop and evaluate a complete and accurate evidentiary record. Commission staff carefully review questionnaire responses and compare them against other information in the record and, where appropriate, publicly available data to assess their accuracy and reliability.

If confirmed, I will carefully review the entire record in each investigation and assess the reliability of the evidence presented. Where questions arise regarding the accuracy or completeness of particular data, I would consider all relevant evidence in the record in accordance with the statutory framework and Commission practice.

I agree that the Commission's injury analysis should be based on the record as a whole. If confirmed, I will work to ensure that my determinations are grounded in a careful, objective evaluation of all the evidence before the Commission.

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?

The Commission's credibility depends on the quality, rigor, and objectivity of its economic analysis. As trade and the economy evolve, I believe the Commission should continue to refine its analytical tools, data sources, and methodologies to ensure its work remains accurate, relevant, and responsive to the questions Congress asks it to address.

If confirmed, I look forward to working with the Commission's economists and other career experts to understand the strengths and limitations of the various models and methodologies the Commission employs. Any analytical approach should be grounded in sound economics, supported by the available data, and appropriate for the particular statutory request before the Commission.

The Commission serves Congress best by providing objective, fact-based analysis rather than advocating for particular policy outcomes. If Congress requests analysis of topics such as employment, wages, regional impacts, supply chains, market concentration, or other aspects of trade and competitiveness, I would

support ensuring that the Commission's work is thorough, rigorous, and responsive to the scope of the request.

13. Given your employment as a lobbyist for a company or industry group with members that could bring matters before the USITC, I request that you make additional ethics commitments. If confirmed, will you commit not to lobby the USITC — including through unregistered “shadow” or “behind-the-scenes” lobbying — for at least four years after leaving the USITC?

If confirmed, I will fully comply with the ethics agreement I have entered into, 5 C.F.R. § 2635.502, and all other applicable ethics laws and regulations, including those governing impartiality and recusal. If I have any questions regarding my ethical obligations, I will promptly consult the Commission's Designated Agency Ethics Official.

14. Will you commit to not seeking employment or board membership with, or another form of compensation from (including as an expert witness), any company that brought a case before the USITC during your term with the USITC during your tenure, for at least four years after leaving office?

If confirmed, I will fully comply with the ethics agreement I have entered into, 18 U.S.C. § 207, and all other applicable laws and regulations governing post-employment restrictions. If I have any questions regarding my post-employment obligations, I will promptly consult the Commission's Designated Agency Ethics Official.

15. Will you commit not to lobby the USITC — including through unregistered “shadow” or “behind-the-scenes” lobbying — for at least four years after leaving office?

If confirmed, I will fully comply with the ethics agreement I have entered into, 18 U.S.C. § 207, and all other applicable laws and regulations governing post-employment restrictions. If I have any questions regarding my post-employment obligations, I will promptly consult the Commission's Designated Agency Ethics Official.

16. Will you commit to recuse yourself from any particular matters involving your former clients and employers for at least four years?

If confirmed, I will fully comply with the ethics agreement I have entered into, 5 C.F.R. § 2635.502, and all other applicable ethics laws and regulations, including those governing impartiality and recusal. If I have any questions regarding my ethical obligations, I will promptly consult the Commission's Designated Agency Ethics Official.

17. Will you commit to recuse yourself from any particular matters, including particular matters of general applicability, that directly impact your former clients and employers for at least four years?

If confirmed, I will fully comply with the ethics agreement I have entered into, 5 C.F.R. § 2635.502, and all other applicable ethics laws and regulations, including those

governing impartiality and recusal. If I have any questions regarding my ethical obligations, I will promptly consult the Commission's Designated Agency Ethics Official.

18. Will you commit to setting up a screening process that would involve a third-party staff member screening each of your matters, before you learn of the matter, to determine whether the matter would trigger a conflict of interest?

If confirmed, I will work with the Commission's ethics officials and my staff to implement an appropriate screening process to help ensure compliance with my ethics obligations.

19. If you do create a screening process to comply with your recusal requirements, who would be responsible for identifying particular matters from which you should recuse?

If confirmed, I will work with my staff and the Commission's ethics officials to implement an appropriate screening process. While I will rely on that process and the guidance of ethics officials, I recognize that I remain personally responsible for complying with my ethical obligations.

20. What role, if any, do you intend to personally have in identifying particular matters from which you must recuse?

I understand that compliance with my ethics obligations is ultimately my personal responsibility. If confirmed, I will work closely with my staff and the Commission's ethics officials to ensure that potential conflicts are appropriately identified and addressed, and I will seek ethics guidance whenever questions arise.

Questions for the Record submitted to Samuel Negatu 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?

Under the antidumping and countervailing duty laws, the Commission's responsibility is to determine whether a domestic industry is materially injured or threatened with material injury by reason of unfairly traded imports based on the statutory framework Congress established. Consumer costs are not a primary factor in that injury determination.

If confirmed, I will faithfully apply the statutory factors Congress directed the Commission to consider and base my decisions on the record developed in each investigation. I will approach every case fairly, independently, and without bias.

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?

The Commission's responsibilities vary depending on the statute Congress has assigned it to administer. Some statutes expressly require the Commission to consider public interest factors, while others direct the Commission to apply different statutory standards. If confirmed, I will faithfully apply the framework Congress established for each proceeding.

When a statute requires the Commission to consider the public interest, I will carefully review the full record, including evidence regarding the impact on domestic industries, workers, downstream industries, consumers, and other relevant statutory factors. My decisions will be based on the law and the facts of the particular case, not on personal policy preferences.

If confirmed, I will approach every matter fairly, independently, and with an open mind.

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

Whether trade remedies preserve or create U.S. jobs depends on the facts of each case and the statutory framework Congress established. If confirmed, I will carefully review the full record, including evidence regarding production, capacity utilization, employment, wages, investment, financial performance, and other statutory factors relevant to the Commission's analysis.

My responsibility as a Commissioner would not be to apply my own policy preferences, but to faithfully apply the law Congress enacted and make decisions based on the evidence in the record. If confirmed, I will approach every case fairly, independently, and with an open mind.

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?

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

I recognize Congress's concerns about efforts by entities affiliated with the PRC and other foreign actors to evade or misuse U.S. trade laws in ways that could disadvantage American manufacturers. Congress has established statutory safeguards to help ensure the trade laws are used consistent with their intended purpose.

In antidumping and countervailing duty cases, the Department of Commerce determines whether a petition satisfies the statutory domestic industry support requirements before initiating an investigation. Once an investigation is initiated, the Commission applies the statutory framework enacted by Congress, including the related parties provision where appropriate, and bases its determinations on the record developed in the investigation.

Domestic manufacturers that believe the trade laws are being misused have the opportunity to participate in the Commission's proceedings and present evidence. If confirmed, I will carefully evaluate the facts of each case, faithfully apply the statutory framework Congress established, and ensure that all parties receive a fair and impartial hearing.

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?

I recognize Congress's concerns about ensuring that the Commission's proceedings are transparent and that all applicable disclosure requirements are satisfied. If confirmed, I will faithfully apply the Commission's rules and the statutes Congress has enacted, including any applicable disclosure requirements governing parties appearing before the Commission.

It would not be appropriate for me, as a nominee, to comment on any pending rulemaking or to prejudge how particular information should be weighed in future proceedings. If confirmed, I will evaluate the record in each case consistent with the Commission's rules and the applicable statutory framework.

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?

I recognize Congress's interest in ensuring transparency and compliance with applicable disclosure requirements in the Commission's proceedings. As a nominee, I do not believe it would be appropriate to take a position on whether the Commission should adopt additional disclosure requirements or to comment on any pending rulemaking before the Commission.

If confirmed, I will faithfully apply the Commission's rules and the statutes Congress has enacted, including any disclosure requirements that govern parties appearing before the Commission. I will also carefully consider the record in each proceeding and fulfill my responsibilities consistent with the law.

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?

Congress established the trade laws to provide relief to domestic industries that satisfy the statutory requirements. The Commission's responsibility is to faithfully apply those statutes and ensure that its decisions are based on the record developed in each proceeding.

The trade laws also contain procedural and substantive safeguards to help ensure they are used consistent with Congress's intent. All interested parties have the opportunity to participate in Commission proceedings, present evidence, and challenge the evidence submitted by others. If confirmed, I will carefully evaluate the record in each case, apply the statutory framework enacted by Congress, and ensure that all parties receive a fair and impartial hearing.

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?

I recognize Congress's interest in ensuring that U.S. trade laws effectively protect American industries, workers, and supply chains. As a nominee, however, I do not believe it would be appropriate to take a position on whether Congress should enact additional statutory safeguards.

If confirmed, I will maintain the Commission's role as an independent and impartial agency that provides Congress and the President with objective analysis and faithfully administers the laws Congress has enacted. If Congress seeks the Commission's technical assistance or analysis on this issue, I would welcome the opportunity to support that work consistent with the Commission's statutory responsibilities.