

1 Secretary's Chief of Staff, or anyone within BIS
2 about the merits of proceeding with such an
3 investigation.

4 MR. BROWN: But at some point it is
5 decided and then you are alerted to that. And
6 then it may make sense -- I will walk you through
7 some documents --

8 WITNESS 3: Sure.

9 MR. BROWN: And we will see if I can't
10 jog your recollection on this stuff little bit.

11 WITNESS 3: Sure.

12 MR. BROWN: So Jesse, can you pull up
13 documents 1 and 2?

14 PD TECHNICIAN: Just one moment.

15 MR. BROWN: And Witness 3, while he
16 pulls those up, I will mention the first document
17 is an email. The second document is the April 15
18 letter, which I already provided you a copy of.

19 WITNESS 3: Is the April 15 letter,
20 Jeff, the letter from the members of Congress?

21 MR. BROWN: It is. It is, yes.

22 WITNESS 3: Okay.

1 MR. BROWN: One of them, yes.

2 WITNESS 3: Okay.

3 MR. BROWN: The one that I sent you.

4 WITNESS 3: Sure. That makes sense.

5 All right.

6 MR. BROWN: And actually -- I have
7 control here?

8 WITNESS 3: Okay, sorry. Oh, my gosh.
9 You guys are straining my eyes here.

10 MR. BROWN: Yeah, give me one second,
11 Witness 3, I will make this bigger for you.

12 MR. BROWN: Jesse, can you -- can we
13 actually do it such that we just have Document 1
14 up and enlarged?

15 PD TECHNICIAN: Yeah, just one second.

16 MR. BROWN: Thank you.

17 The joys of doing this remotely.

18 WITNESS 3: That's totally
19 understandable. It's more of the strain on my
20 aged eye. Less about the remoteness, more about
21 my eyesight not being what it once was.

22 MR. BROWN: All right, Jesse, if you

1 could, give me control of this.

2 MR. BROWN: Witness 3, I will walk you
3 through it.

4 WITNESS 3: Great.

5 MR. BROWN: Jesse, you just let me know
6 when I -- do I have control of this point?

7 PD TECHNICIAN: You should have control
8 now, sir.

9 MR. BROWN: Okay, there we go. Thank
10 you.

11 MR. BROWN: All right, Witness 3. I'm
12 going to start here at the bottom. You can see
13 here we've got an April 15, 2020 email from Matt
14 Stroia to, it appears to be, you, Witness 3, and
15 Garrett.

16 (Exhibit 1 was introduced)

17 MR. BROWN: Just a heads up, this
18 letter was sent over to the White House today
19 regarding AK Steel/232 tariff issue. Thanks,
20 Matt.

21 Just a couple of questions on this
22 email. First of all, who is Garrett?

1 WITNESS 3: I don't know who Garrett
2 is. Is it -- maybe it's -- I just have no
3 recollection who Garrett is. So maybe it --
4 maybe if it's in the rest of the thread it will
5 jog my memory, but I don't know who Garrett is at
6 this point.

7 MR. BROWN: Let's see if his last name
8 is on any of this. Garrett Zigler?

9 WITNESS 3: Garrett Zigler, he's in
10 EOP. I don't -- I'm not -- I don't -- I'm not
11 familiar with Garrett Zigler.

12 MR. BROWN: Okay. Who is Matt Stroia?

13 WITNESS 3: I believe Matt Stroia was
14 or is -- at that time was Congressman Kelly of
15 Pennsylvania's Chief of Staff.

16 MR. BROWN: Okay. How well do you know
17 or how frequently do you interact, did you
18 interact with Matt Stroia?

19 WITNESS 3: Infrequently. I mean, my
20 interaction with Mr. Stroia was limited to his
21 advocacy on behalf of this issue for constituents
22 in his boss' congressional district.

1 MR. BROWN: And talk to me just
2 generally. What do you remember about his
3 advocacy with respect to this issue?

4 WITNESS 3: Nothing stood out more --
5 nothing stood out from his advocacy any
6 differently from the rest of the Pennsylvania and
7 Ohio delegation. The entire delegations from
8 both of those states were -- my recollection is,
9 were regularly -- and I don't know how you define
10 regularly. But on more than one occasion over a
11 period of time reaching out to the offices of the
12 secretary on behalf of this 232 tariff issue.

13 So he was one of many chiefs of staff
14 or legislative directors or members of Congress
15 that would have, as my recollection serves me,
16 would have been in contact with us to express an
17 opinion on this issue.

18 MR. BROWN: Okay. Let's walk through
19 this email a little bit further. Matt's email
20 was at 1:51 to you. You respond the same day,
21 3:32 p.m. and say, Matt, thanks for sharing. I
22 will be sure to provide this to the Secretary.

1 Did this get shared with the secretary?

2 WITNESS 3: My recollection is any
3 correspondence that came in -- now, I don't the
4 attachment there. If you have the attachment --
5 is the attachment the letter that you sent me?

6 MR. BROWN: That is right.

7 WITNESS 3: I'm assuming it is. Yeah,
8 any congressional correspondence that we received
9 on this issue or any issue, for that matter,
10 would've been included in the Secretary's, what
11 we call daily briefing book, which would have
12 been his schedule as well as correspondence that
13 came in from elected officials. So I'm confident
14 that this letter would have been included in
15 that.

16 MR. BROWN: So that's how he would have
17 got it? It's not you personally forwarding
18 along? It's materials like this are put together
19 and provided to the secretary each morning
20 (inaudible)?

21 WITNESS 3: Yeah, correct. Correct.
22 This letter that I mean, it's a little wonky, but

1 this letter, like all congressional, or all
2 correspondence in general, would have first come
3 in. It would have been forwarded to the
4 executive secretary -- the office of the
5 executive secretary, which handles all incoming
6 correspondence. And then the executive secretary
7 would have -- who is responsible for preparing
8 the daily briefing, but would have included this
9 in the secretary's daily briefing book and would
10 have also logged it electronically, so to speak,
11 so that would be a historical record of it.

12 MR. BROWN: Okay.

13 WITNESS 3: But to answer your
14 question, no, I would not have personally shared
15 it with the secretary, but it would have been
16 shared with the secretary via the executive
17 secretary internal letter processing protocol.

18 MR. BROWN: Understood. Let's scroll
19 up here little bit. On April 22, so a couple
20 days later, Matt follows up with you and says,
21 Just wanted to follow up on this letter. I know
22 there's a lot going on, but things are getting

1 dire at the Butler, PA plant (1,400 employees in
2 the last U.S. maker of electrical steel).

3 Then you are asked if you were advised
4 on developments. You respond on April 22, the
5 same day, a couple of hours later copying a few
6 other folks. I'll give you a chance to read your
7 response before asking the questions.

8 WITNESS 3: That's the same day Jeff?

9 MR. BROWN: Yes.

10 WITNESS 3: Okay, gotcha.

11 MR. BROWN: (Inaudible).

12 WITNESS 3: That's okay. No, no, I'm
13 sorry. I just wanted to make sure.

14 Okay. Yeah, read it.

15 MR. BROWN: Is this an accurate
16 assessment of the state of play on the 232 issue
17 on the 22nd?

18 WITNESS 3: I believe so.

19 MR. BROWN: Okay. And how do you --
20 how are you aware of these issues? Like, how are
21 you crafting this response to Matt?

22 WITNESS 3: My recollection of this is

1 that there was a phone call -- and my memory is a
2 little vague on this. But I believe there was a
3 phone call between Congressman Kelly and Nazak.
4 And Nazak is Nazak Nikakhtar. She would have
5 been the deputy secretary. I'm sorry, the
6 assistant secretary of ITA, which my recollection
7 is both BIS and ITA sort of have jurisdiction
8 over 232. One is the enforcement arm and one is
9 the -- sort of the merit decision arm of it. And
10 they both work jointly. So it doesn't strike me
11 as anything unusual that somebody from ITA would
12 have been conversing with a Congressman on an
13 issue that is important to his or her
14 constituency.

15 So I would have -- you know, in a
16 perfect world, I would have been flagged that a
17 conversation was going to take place with a
18 member of Congress and one of our agencies and
19 bureaus. But it might not come as a surprise to
20 you that it's not often the case -- it's not
21 always the case, I should say, where -- in which
22 I would have been informed, but it appears in

1 this instance I was informed, which is a delight
2 to see. But are many instances where the
3 agencies or the bureaus are having one off
4 conversations with elected officials that I don't
5 learn about until after the fact.

6 But it appears on this one that I was
7 at least part of a conversation, which is
8 heartening to know.

9 MR. BROWN: So that seems to me you're
10 primarily referring to -- I think it's the third
11 sentence here. I know this issue is a priority
12 for the Congressman as I was on a call with him
13 and Nazak from ITA. And then you go on and say,
14 As you know, the Department is familiar with the
15 company's concern and has been engaged with them
16 through the course of many meetings and
17 discussions.

18 Were you involved with the prior calls?

19 As we have seen, there's been a fair bit of
20 correspondence between Cleveland-Cliffs and AK
21 Steel and the Secretary's office. So I'm trying
22 to get a sense -- you're -- it sounds like you're

1 looped into this to some degree, or did you have
2 to reach out somewhere else to try and -- to
3 learn all this stuff? Or were you able to put
4 this email together from the knowledge that you
5 had?

6 WITNESS 3: My recollection is that
7 there were many forms of conversations, whether
8 it was email correspondence or phone calls or
9 letters from members of Congress, including Mr.
10 Kelly, to both ITA and BIS on this issue. My
11 involvement in terms of speaking directly with
12 company officials on this matter -- I would not
13 have been involved in any of those conversations.

14 I think I'm confident that when the Department
15 and BIS and ITA consider a 232 investigation,
16 that there is a comment period and there is an
17 ability to express opinions from all
18 stakeholders, including Cleveland-Cliffs I guess
19 in this case, or others.

20 So none of this strikes me -- none of
21 this really strikes me as something that is
22 unusual. It doesn't stand out to me as being

1 necessarily different from anyone else. I
2 believe -- I would guess, Jeff, that there might
3 have been an open -- or something for the record
4 for this if there was a conversation. But that
5 would have been probably Nazak's responsibility
6 or somebody from ITA or BIS.

7 But those day to day conversations on
8 decision-makings pertaining to 232, I was limited
9 at best in my involvement in those. I would have
10 been brought in at the tail end to deal with
11 communicating with the Congressman or linking a
12 Congressman to an appropriate person within the
13 Department or a staff member, but sort of the
14 day-to-day decision making as it relates to that
15 third sentence that you reference, the Department
16 of Commerce connected with the company, I don't
17 believe I was engaged in any of those sort of
18 day-to-day decision-making conversations.

19 MR. BROWN: Okay. You mentioned when
20 we first spoke -- and I'm just looking at the
21 dates here noticing this is sort of, you know
22 this is April, end of April 2020. So this is

1 shortly after the world shuts down because of the
2 pandemic.

3 WITNESS 3: Yeah.

4 MR. BROWN: And you had mentioned in
5 our initial conversation that obviously, given
6 the state of affairs in the United States and
7 elsewhere, that a lot of the Department's focus
8 probably would've been on coronavirus issues.

9 During the same timeframe, there does
10 seem to be a lot of engagement between Secretary
11 Ross and Cleveland-Cliffs and their lobbyists and
12 such. I'm wondering -- and again, please, if you
13 don't have -- if you're not the person who would
14 have had a lot of exposure to this, let me know.

15 But it seems like there is a fair bit of back-
16 and-forth and a fair bit of -- you know,
17 Cleveland-Cliffs is pressing this issue pretty
18 hard. And they are able to get access to the
19 Secretary and ultimately the Section 232
20 investigation.

21 So I'm wondering, is this level of --
22 is this level of communication and correspondence

1 and meetings with the Secretary and the senior
2 officials, is that ordinary? Particularly in
3 this timeframe?

4 WITNESS 3: It doesn't strike me as
5 unusual. I think any -- I would step back and
6 say all 232 investigations tend to elicit a
7 significant amount of outside stakeholder
8 interests. So whether it's this one or whether
9 it was aluminum, or steel, or autos, the 232
10 investigations in particular elicit a significant
11 amount of outside interest. So I don't want to
12 isolate this one from any of the other 232
13 investigations.

14 I would venture to guess that the
15 amount of interest in this as it relates to,
16 let's say the 232 investigation of automobiles,
17 would be very similar. There is just as the 232
18 investigations by their nature elicits a
19 significant amount of outside stakeholder
20 interest, including from elected officials. And
21 they are just -- they are big deal items, to put
22 it kind of, sort of simple. They have -- impact

1 a lot of stakeholders.

2 And so this 232 investigation versus
3 something of less significance within BIS
4 would -- it doesn't surprise me that the
5 Secretary would be involved and it doesn't
6 surprise me that elected officials would be as
7 involved as much on this because it is a 232,
8 generally speaking, a 232 investigation, which
9 again tends to generate a great deal of interest
10 from outside stakeholders.

11 MR. BROWN: You said 232 investigations
12 tend to be a big deal. Can you elaborate on
13 that? Why are they such a big deal?

14 WITNESS 3: I think the fact that the
15 investigation could lead to, depending on its
16 findings, and again, I was not involved in the
17 decision-making, but depending on the findings of
18 the investigation, it could lead to a
19 determination of tariffs and that could lead to a
20 potential shift in a market source, so to speak.

21 So I think that -- I think that alone is why the
22 232 investigations merited -- or demonstrated a

1 lot of interest.

2 And the 232, keep in mind, before
3 President Trump had been in office, the 232,
4 while it was a vehicle that had been in law for
5 many years, was not used as frequently. And so
6 this was the first time in probably several
7 administrations across many presidents,
8 Republican and Democrat, that used the 232 -- I
9 don't want to say aggressively, but more
10 frequently I guess. And so I think by the very
11 nature there was a lot of -- I think the outside
12 stakeholders were somewhat uncertain about 232
13 despite it had been on the books.

14 And I think the frequency in which the
15 232 was being utilized as a tool by the
16 administration to combat what they thought was
17 unfair trade practices might have been something
18 that outside stakeholders hadn't been necessarily
19 used to from prior administrations.

20 MR. BROWN: Okay.

21 MR. BROWN: Jesse, can you pull up
22 document three?

1 And while he is doing that Witness 3, I
2 will ask you -- Eileen Dombrowski is on this
3 email. And it's my impression she is the
4 legislative affairs shop. But who is she?

5 WITNESS 3: Eileen worked for me. She
6 was one of my staff members. She handled the BIS
7 portfolio. So Jeff, similar to a congressional
8 office where you divide the issue portfolios
9 between your legislative director and your
10 legislative aides. Think of it sort of that
11 structure, if that gives you some good
12 comparison.

13 Our legislative affairs shop at the
14 Department of Commerce was divided in portfolios.

15 And so the issues of the BIS portfolio fell
16 under Eileen's responsibility. But she was on
17 my -- I think her title was legislative affairs
18 specialist, but she was one of my -- she worked
19 for me. She was on my staff.

20 MR. BROWN: Would she have any more or
21 less insight into the 232 announcement than you
22 would have?

1 WITNESS 3: She might. She might.
2 Only because it was her -- she was more involved
3 on the day-to-day issues of all things BIS. And
4 so she -- I mean, she might get I can't say with
5 certainty, but she might.

6 MR. BROWN: She wouldn't have though --
7 she would not have likely had more information
8 than you about when internal decisions were made
9 about deciding to initiate the 232 investigation?

10 WITNESS 3: I can't say with certainty.
11 She might only because she worked on an hourly
12 basis with BIS and maybe I worked on a daily
13 basis with BIS.

14 MR. BROWN: Okay.

15 WITNESS 3: I covered all portfolios.

16 MR. BROWN: Right.

17 WITNESS 3: So depending on if I was
18 focused on other things, which in this period of
19 time, the Cares Act funding and COVID response
20 was occupying a great deal of my bandwidth in
21 addition to the census related activities. So
22 I -- it wouldn't surprise me if Eileen had some

1 greater interaction on sort of the less than
2 30,000 foot level of some of these conversations.

3 But the decision-making side of it would've been
4 wholly within BIS and the secretary himself.

5 MR. BROWN: Okay. The last email
6 string we were looking at was the 20 -- I believe
7 it was the 23rd, April 22nd and 23rd.

8 WITNESS 3: Yes.

9 MR. BROWN: Now I've got up in front of
10 you another email string here. You can see the
11 first email is Sunday, April 26, just after noon,
12 from you to a variety of individuals on the Hill
13 and copying some folks at the Department of
14 Commerce. The email subject line reads,
15 conference call re Cleveland-Cliffs Incorporated.

16 Please join the Department of Commerce officials
17 for a staff briefing regarding Cleveland-Cliffs
18 on Monday, April 27 at 4:00 p.m. And then go on
19 to talk about the purpose of the call. Why was
20 this call set up?

21 (Exhibit 3 introduced)

22 WITNESS 3: If my recollection serves

1 me, I believe it was in response to a -- the
2 continuation of -- I'm just looking at -- this is
3 both the Ohio and the Pennsylvania delegation
4 members. I think it was just a -- in response to
5 the congressional delegation from those two
6 states asking questions. And it was a -- an
7 opportunity to have one conversation with
8 everyone versus a number of one off conversations
9 separately. And I think it was more of a useful
10 exercise of efficiency to answer any questions
11 that the staff members from these two
12 delegations, if they had any, could be addressed.

13 MR. BROWN: Did anything specific
14 prompt this? Or was it just that there was a lot
15 of phone calls and a lot of pressure being
16 applied from these various offices?

17 WITNESS 3: My (inaudible) recollection
18 it was just the normal phone calls (inaudible)
19 and emails (inaudible). Not even sure if this
20 call eventually took place. But my
21 recollection -- it wouldn't be uncommon. We held
22 conference calls with staff on the Hill for

1 various reasons throughout the Department on --
2 and agencies on a regular basis.

3 So this would have been, my
4 recollection, a good way to utilize some measures
5 of efficiency to talk about it once instead of
6 many times. We would have done this for the
7 Census Bureau. We would have done this for -- I
8 mean, we regularly engaged in conference calls
9 with Hill staff to give them updates and to do it
10 an efficient manner.

11 So this doesn't strike me as anything
12 unusual other than a way to answer, be responsive
13 to everyone all at once as opposed to many
14 people, many different times.

15 MR. BROWN: Okay. Let me scroll up
16 here a little bit. The first email you sent was
17 Sunday, April 26 at 12:05 p.m. And then Harry
18 Kumar on the following day at 12:30, 12:37 in the
19 afternoon, sends a follow-up. Says, Hey all,
20 apologies for the short notice. Because of
21 scheduling conflicts, we're going to pull this
22 from the calendar. Is this -- was this pulled

1 because of scheduling conflicts?

2 WITNESS 3: You know, I don't recall.
3 I just vaguely remember that we did pull this
4 call. And I do believe it was because of
5 scheduling conflicts. And then I -- yeah, I
6 honestly don't remember this call taking place.
7 So it's funny because when I first read it, I
8 felt like we ended up pulling this down because
9 of scheduling conflicts.

10 MR. BROWN: And who's Harry Kumar?

11 WITNESS 3: Harry would've been my
12 deputy as well. Harry would've been -- I think
13 his title was director of federal legislative
14 affairs. But he would've worked with me as well
15 in our office of legislative affairs.

16 MR. BROWN: And how well-versed is he
17 on things related to Cleveland-Cliffs or 232
18 investigations?

19 WITNESS 3: Eileen handled the
20 portfolio for BIS. So she would have been the
21 most versed because that was her issue area.
22 Harry and I -- Harry would have been read-in

1 because we have weekly meetings to talk about
2 priorities throughout the week. But he would
3 have been marginally -- I think probably the best
4 way to describe it, marginally aware of it
5 because of the nature in which we communicated
6 with whether it was weekly tag ups or end of the
7 week wrap-ups or just going over what's going on
8 each week. So he would've had some basic
9 familiarity, but probably not necessarily in the
10 weeds as much as Eileen would have been because
11 he didn't have that portfolio.

12 MR. BROWN: You say we will be -- or
13 Harry says, We will be in touch soon. Do you
14 know if this call got rescheduled?

15 WITNESS 3: I can't recall, Jeff. I
16 don't know.

17 MR. BROWN: Okay. Let me go to
18 Document 10.

19 WITNESS 3: This was the 27th, right?
20 So this would've been only maybe a week out from
21 I think the announcement.

22 MR. BROWN: Right.

1 WITNESS 3: But I don't recall if it
2 was ever rescheduled.

3 MR. BROWN: Okay. Well, I'm going to
4 go to document 10, Witness 3. And I will tell
5 you, you're not on document 10. But I'm hoping
6 you can help explain some of it to me.

7 WITNESS 3: Sure.

8 MR. BROWN: And this is a Saturday,
9 April 25 email.

10 (Document 10 introduced)

11 MR. BROWN: So that would be the day
12 before you sent the last email that we just
13 looked at. And if you look here, it's from
14 Wilbur Ross on Saturday, April 25 at about 9:14
15 in the morning. And it's too

16 Bucks3421 [REDACTED]. Do you know who

17 Bucks3421 --

18 WITNESS 3: I don't. Yeah, I do not
19 recognize who Bucks3421 is, no.

20 MR. BROWN: What do you -- when you
21 read this email, what you understand is going on
22 here?

1 WITNESS 3: So this is Wilbur's
2 writing? This piece -- if I understand this,
3 this is Wilbur writing this piece with Mike
4 from --

5 (Crosstalk)

6 WITNESS 3: Okay, yeah. So my guess
7 is, if I'm understanding this, Mike would have --
8 but you're asking me to infer a lot. So I could
9 be completely wrong. Mike would be Mike. I'm
10 guessing Mike would be Mike Walsh, because Mike
11 Walsh is the --

12 MR. BROWN: That's his Chief of Staff.

13 WITNESS 3: That's his Chief of Staff.

14 But Mike was also dual headed. He was the chief
15 of staff, but he was also the acting --

16 MR. BROWN: Chief, yeah.

17 WITNESS 3: At this time he would have
18 been the acting GC at that point. I think he
19 would have been the acting GC. I might be wrong
20 on the date that he became acting GC. But my
21 guess is that Mike and this would be -- Mike
22 Walsh a time slot for a call this afternoon or

1 evening. I - no, I'm not sure who the Mike is
2 there. But the only Mike who comes to my mind is
3 Mike Walsh. And he's on the CC line, which makes
4 it a little weird.

5 MR. BROWN: Yeah.

6 WITNESS 3: Cordell, obviously the
7 undersecretary of BIS. And Nazak is the
8 assistant secretary at ITA. Subject line is
9 Cleveland-Cliffs. And I'm sorry, I'm not really
10 sure. I don't know who Bucks3421 is.

11 MR. BROWN: Okay. We'll let me just --
12 let me interrupt you and say the way I read this
13 is I think similar to you. Please set up with
14 Mike a time slot for a call this afternoon or
15 evening, Wilbur. I think that signed Wilbur
16 Ross. And the directive here is I -- it seemed
17 to me is set up a time slot for a call. And
18 given the subject line, seems to me like that
19 would be in relation to Cleveland-Cliffs. Is
20 that a fair understanding of this email to you?

21 WITNESS 3: Oh, absolutely.

22 MR. BROWN: You're not on this, but --

1 WITNESS 3: No, absolutely. I think we
2 read it the same way.

3 MR. BROWN: Okay.

4 WITNESS 3: Wilbur sent an email to
5 somebody by the name of Bucks and CCed at least
6 four folks and asking him -- asking a call be set
7 up with somebody by the name of Mike to talk
8 about Cleveland-Cliffs. I think that's Wilbur's
9 desk Wilbur, believe it or not, for an 82-year-
10 old man, was -- used the internet -- or uses
11 email pretty regularly. So it wouldn't be
12 unusual for any of us to get an email from Wilbur
13 on a Friday, Saturday, Sunday or Monday. He was
14 very engaged with his emails.

15 MR. BROWN: Okay.

16 WITNESS 3: So this -- none of this --
17 yeah, definitely seems like his --

18 MR. BROWN: So this email occurs on
19 Saturday. It seems to suggest that there is
20 going to be a call between Secretary Ross and
21 folks at Cleveland-Cliffs this weekend,
22 presumably on Saturday. Does seeing this

1 email -- does it suggest to you or refresh your
2 recollection at all about why the staff briefing
3 call came off? In other words, do you recall
4 that a phone call with Cleveland-Cliffs occurred?

5 WITNESS 3: So this is before the staff
6 briefing? I'm trying to remember the chronology.

7 When was the staff briefing call? Was that --

8 MR. BROWN: The staff briefing was set
9 for Monday. This -- you sent the email out on
10 Sunday about the staff briefing. And this email
11 is from Saturday morning. So you set the staff
12 briefing on Sunday. I'm just wondering --

13 WITNESS 3: Yeah, I hear --

14 MR. BROWN: You said scheduling
15 conflicts. And that was your recollection. But
16 I'm just trying to jog your memory. Do you
17 recall a phone call being had? And did that
18 phone call -- were you ever updated on what that
19 phone call was about?

20 WITNESS 3: In reference to this phone
21 call here you are talking about?

22 MR. BROWN: Correct, yeah.

1 WITNESS 3: Yeah, I don't know. Yeah.
2 No, I'm not aware of that. I don't think I was
3 involved with any direct phone calls with
4 Cleveland-Cliffs. But I wouldn't say never, but
5 I don't know that I was involved in any of like
6 the CEO type phone calls with Cleveland-Cliffs.

7 MR. BROWN: Yeah.

8 WITNESS 3: So I'm sorry I can't be
9 more helpful on this. I just don't know.

10 MR. BROWN: I appreciate it. Again,
11 only asking to the best of your recollection.
12 And I very much appreciate that you are not on
13 this email. So a little harder to recall.

14 MR. BROWN: Jesse, can you do me a
15 favor and take this one down? And can you pull
16 up Document 4?

17 (Document 4 introduced.)

18 PD TECHNICIAN: Okay, just one moment.

19 MR. BROWN: And Witness 3, I will
20 frankly, again, you're not on this email, but I
21 want to walk you through this one and in
22 particular timing of this email because I think

1 it becomes relevant to the next two documents
2 that I want to show you.

3 MR. BROWN: Let me see; do I have
4 control here?

5 PD TECHNICIAN: You should have control
6 now.

7 MR. BROWN: Thank you.

8 MR. BROWN: I'm just going to scroll
9 down to the bottom here. And I will just walk
10 you through this. So now we are on April 28,
11 which is Tuesday. It was Monday the 27th was the
12 staff briefing. And now we on Tuesday the 28th.

13 Witness 5 at AK Steel, do you know who she is?

14 WITNESS 3: I don't.

15 MR. BROWN: Okay. Witness 5 is a
16 lobbyist for AK Steel. It's a subsidiary of
17 Cleveland-Cliffs.

18 WITNESS 3: She's their in-house
19 lobbyist I would assume, right?

20 MR. BROWN: Yes, that has a steel plant
21 in Butler, Pennsylvania.

22 WITNESS 3: Gotcha.

1 MR. BROWN: Witness 5 is writing an
2 email to Witness 2. Do you know Witness 2?

3 WITNESS 3: I don't.

4 MR. BROWN: Okay Witness 2 is a staffer
5 in Representative of Kelly's office. Witness 5
6 says to Witness 2, Hey there, I sent you a text.
7 Can you do an update call with me and Witness 4
8 any time after 2:45 p.m.? Witness 4 is the
9 Cleveland-Cliffs lobbyist.

10 WITNESS 3: Okay.

11 MR. BROWN: Witness 2 responds, I'm on
12 a call. I can do the call at 2:45. And then you
13 see Witness 5 sends, okay, we can use the line at
14 2:45 p.m. So Witness 5 is setting up a
15 conference call at 2:45 p.m. on April 28 with
16 Witness 2. So Cleveland-Cliffs lobbyist, AK
17 Steel lobbyist, and Witness 2 from Mike Kelly's
18 office are getting on a phone call at 2:45. And
19 then as you will see here at 2:52 p.m. Witness 2
20 actually forwards that to Matt Stroia, who we
21 talked about, and Witness 1, who was
22 another staffer at the Kelly office.

1 WITNESS 3: Gotcha.

2 MR. BROWN: So this is all occurring,
3 as you see, around -- roughly around 2:45 on
4 April 28 and then, 2:52.

5 MR. BROWN: Jesse, if you can, pull up
6 Document 5.

7 (Document 5 introduced.)

8 MR. BROWN: Witness 3, you are on this
9 email string. And I'm hoping to get to
10 recollections on this email.

11 MR. BROWN: Do I have control?

12 PD TECHNICIAN: You should have
13 control.

14 MR. BROWN: Great, thank you.

15 MR. BROWN: All right, Witness 3. I
16 will start at the bottom here. So there's, you
17 can see is an email from you. This is again on
18 April 28, 2020 at 2:51 p.m. So right around the
19 same time as this prior email. You say, Hi Matt,
20 what's the best number to reach you at. Matt
21 responds at -- it says 4:01 p.m. That's
22 obviously not accurate in light of the fact that

1 you then respond there at 3:14 and say, just
2 tried your cell. Give me a ring.

3 It appears to me that you guys speak
4 just after that. What did you guys talk about on
5 this call? April 28, the afternoon of April 28?

6 WITNESS 3: Yeah, I don't recollect
7 what we might have discussed. I think we had --
8 there were -- I don't recollect, to be honest
9 with you. I can --

10 MR. BROWN: Let me --

11 WITNESS 3: I would guess we were -- on
12 any given occasion they were -- I would say this.
13 There were multiple -- the amount of inquiries
14 they came from congressional delegation members,
15 whether it was staff or members of Congress
16 themselves, was broad. I mean, I think literally
17 every member of Congress from both the Ohio and
18 Pennsylvania delegations were contacting me. So
19 I'm guessing this was just yet another -- I sort
20 of had a system in place.

21 To shock you, I tried to be responsive
22 to everyone who called. I -- there was the chief

1 of staff on the Hill that drove me nuts when I
2 wasn't responsive. So it wouldn't be unusual for
3 me in the way I manage myself to follow up with
4 somebody that would have reached out to me.

5 So -- but beyond that, I don't recall this. I
6 don't recall this specific -- what might have
7 been talked about on the specific conversation.

8 MR. BROWN: So let me fill you in a
9 little bit further here. So Cleveland-Cliffs
10 provided us with information that said the April
11 28 phone call that happened in the last email
12 that I showed you around 2:45 p.m., that
13 conference call, they said that was a phone call
14 in which Witness 5 and Witness 4, so the
15 Cleveland-Cliffs and AK Steel government affairs
16 folks provided notification of the Department of
17 Commerce's intent to initiate a section 232
18 investigation covering transformer lamination and
19 wound cores.

20 So that's what they talked about at
21 2:45 on that last email. It looks to me like
22 right around that same time, you reach out to

1 Matt. And I'm wondering if you recall speaking
2 with him about the internal decision at
3 Commerce -- to initiate the Section 232 review.

4 WITNESS 3: It wouldn't -- I don't -- I
5 wouldn't be surprised if I would have reached out
6 to Mr. Kelly's office as well as others from
7 those two states to give them an update on the
8 status of the investigation.

9 MR. BROWN: You don't have any
10 recollection though of being told at some point
11 on April 28, Section 232 investigation is going
12 forward and picking up the phone and calling
13 folks?

14 WITNESS 3: I think -- well, I think
15 with this, as it relates to any of the internal
16 232 investigations, I think -- if my recollection
17 serves me, I don't -- I don't even know that
18 we -- I -- we necessarily knew -- we knew a
19 decision was -- I would say this. I was aware
20 that a decision was going to be made. I don't
21 recall knowing what the decision would be. Does
22 that make sense?

1 MR. BROWN: No. Elaborate.

2 WITNESS 3: My recollection is I was --
3 I was aware that the -- that BIS had reached a
4 determination whether to proceed with an
5 investigation or not. That's -- but whether they
6 were going to or not, I don't know. I don't
7 recall necessarily knowing which direction they
8 were going. In other words, they could have said
9 we reviewed everything and we are not going to
10 proceed. Or it could have been we've reviewed
11 everything and we are going to proceed.

12 I just -- my recollection is I was
13 aware that they had reached a conclusion. I'm
14 trying recall. I don't know if I necessarily
15 knew what the conclusion was going to be. I
16 think that was still being closely held by BIS
17 and the Secretary until a future press release
18 was being developed by the comms team. And that
19 would've been somebody different than me. Does
20 that make sense?

21 MR. BROWN: You know --

22 WITNESS 3: I'm just trying to recall

1 that I don't remember exactly what the
2 decision -- what decision was reached as opposed
3 to having a decision reached versus what it was.
4 That's what I'm trying to say.

5 MR. BROWN: I realize too, it's been a
6 year. So we have -- we received some -- again,
7 that communications from Cleveland-Cliffs. And
8 we've got some text messages from around the time
9 that says, on April 28, Wilbur Ross spoke with
10 folks at AK Steel and advised them of this plan
11 to initiate a Section 232 review.

12 So it seems like, given that, and given
13 the time frame of this, this email, that you
14 probably would have been picking up the phone to
15 call Matt about that. But I understand from you
16 now it's been a year and your recollection is
17 that you know, you don't have a clear
18 recollection of what you guys would have talked
19 about on April 28th.

20 WITNESS 3: I think that's safe to say.

21 But --

22 MR. BROWN: Because when I look up a

1 little further at this email, it's April 30. So
2 it's two days later. But he says, Good morning,
3 Witness 3. Just checking in. Any word from your
4 comms team on getting out the release?

5 My understanding of what you -- what he
6 means by the release, getting out the press
7 release that the --

8 WITNESS 3: Yeah.

9 MR. BROWN: That we are going forward
10 with the Section 232 investigation.

11 WITNESS 3: I think that's fair to say.

12 My recollection is there was somewhat of a
13 delay. I think, without having my calendar in
14 front of me, I think there was a desire -- sort
15 of the timeline was to get something out on a
16 certain day. And I think a couple of days
17 lapsed. I think it was an internal delay. And I
18 don't remember the reason for the delay, but I
19 think a few days lapsed from when we initially
20 thought we were going to make this announcement
21 to when we actually did.
22 But there are delays for -- yeah, I

1 just remember -- for some reason I remember that
2 there were -- my recollection, I could be wrong.

3 It might not be serving me well that there was
4 some sort of delay.

5 MR. BROWN: Well, that actually -- I'm
6 glad you said that, because that's consistent
7 with I think what I want to show you as the next
8 document.

9 So Jesse, if you can show -- if you
10 can, pull up Document 6.

11 (Document 6 introduced)

12 MR. BROWN: And Witness 3, again, I
13 will inform you, you are not on this document.

14 WITNESS 3: Yeah.

15 MR. BROWN: But I think you're
16 referenced in this document. So would like to
17 see if you can't help walk me through this and
18 make sure I'm understanding correctly.

19 WITNESS 3: Sure. Jeff, I apologize.
20 My dog is becoming very ill. So I might have to
21 step away. If my wife --

22 MR. BROWN: If you need to take a pause

1 any point --

2 WITNESS 3: No, no. Hold on. I think
3 my wife is able -- we have a very sick little
4 puppy and --

5 MR. BROWN: I'm sorry to hear that.

6 WITNESS 3: That's okay. She's been
7 sick for the last couple of days.

8 MR. BROWN: Oh, no.

9 WITNESS 3: Okay, sorry. Go ahead
10 Jeff.

11 MR. BROWN: Again, if you need to get
12 up at any time, just holler and we will push --
13 will put this on pause --

14 WITNESS 3: I'm good. Puppy is
15 outside.

16 MR. BROWN: Okay, great. So I think --
17 there we go. I have control. I will show you
18 the top here. This is a text message between
19 folks in Representative Kelly's office. The **Wit**
20 is Witness 2. We mentioned her before. MS is
21 Matt Stroia. And Witness 1, the other Kelly
22 staffer, is the other individual on this.

1 So let me draw your attention to the
2 date here, April 28 at 8:05 p.m. is when these
3 text messages that I want to direct you to are
4 being sent. **Witness 1** says, Is everything
5 confined -- confirmed? And then scroll down,
6 Matt Stroia response. Again, this is the evening
7 of April 28. He says, Commerce has not yet sent
8 their press release out. Cleveland-Cliffs is
9 waiting for Commerce to put their press release
10 out before they put one out. I spoke to Commerce
11 and the White House after our call. They were
12 hoping to have the release out tonight, but I
13 don't think it's going to happen. It will most
14 likely go out tomorrow.

15 So when I read this and he says, I
16 spoke to Commerce and the White House after our
17 call, when he says our call, I think he's
18 referring to that 2:45 p.m. call that he had with
19 Witness 2 and some of the folks at Cleveland-
20 Cliffs. And that to me suggests that -- and when
21 he says I spoke to Commerce and the White House
22 after our call, I think he's talking about that

1 3:00 call that he had with you or the 3:00
2 something call that he had with you. Does that
3 jog any memory at all?

4 WITNESS 3: It seems plausible, Jeff,
5 but I don't recall. I will say this, I had so
6 many phone calls with members of Congress and
7 elected -- and staff from these two delegations
8 over a period of a few months that, whether -- it
9 certainly fits the timeline. It seems plausible,
10 but I don't necessarily recall any one specific
11 phone call with Matt Stroia differing from any
12 specific phone call I might have had with Ms.
13 Wagner's staff. I'm just jogging -- I made phone
14 calls. I had -- I was on a lot of phone calls
15 with lots of members of Congress and staff.

16 But it certainly -- it seems to fit the
17 timeline.

18 MR. BROWN: I also appreciate that it's
19 been a year. So I get that. But let me ask you
20 one other thing. Matt says, Commerce has not
21 sent their -- again, this is the evening of April
22 . Commerce has not yet sent their press
release out. Cleveland-Cliffs is waiting for

1 Commerce to put their press release out.

2 WITNESS 3: Yeah.

3 MR. BROWN: That statement seemed to be
4 consistent with what you are just talking about,
5 about an internal decision happening and then a
6 delay.

7 WITNESS 3: Yeah.

8 MR. BROWN: Okay.

9 WITNESS 3: I think it's accurate. I
10 do recall there being a delay. I don't know the
11 reasons for the delay. It's not uncommon to have
12 delays with our press Department and a decision
13 that needs to go out. Reasons for -- I just
14 recall there being a delay. I think reasons for
15 the delay would be best answered by either our
16 comm shop or BIS personnel.

17 MR. BROWN: Yeah.

18 WITNESS 3: But I do -- I just for some
19 reason something sticks in my head. There was a
20 couple of days delay from when we actually had
21 envisioned getting it out to when actually they
22 go out.

1 MR. BROWN: Well, and I think this next
2 text message that I'm going to show you further
3 the confirms what you are saying. So again, that
4 last text was from Matt the night of April 28.
5 And then here we are the morning of April 29 of
6 the night before. And Witness 2, again, staff in
7 Representative of Kelly's office, says, Just
8 talked to Witness 5. She is referring to Witness
9 5 at AK Steel. And then she goes on to say the
10 announcement is likely to come later in the week,
11 hopefully by Friday, based upon a late night
12 conversation Witness 4 had with Ross's Chief of
13 Staff. The reference to Witness 4 is the
14 government affairs official at Cleveland-Cliffs.

15 WITNESS 3: Yes.

16 MR. BROWN: And I assume Ross's Chief
17 of Staff, she is referring to Mike Walsh.

18 WITNESS 3: Right.

19 MR. BROWN: And that she just goes on
20 to say, They need to get their legal ducks in a
21 row. So again, this text to me seems consistent
22 with what you were saying, a decision was made.

1 People were waiting for that decision to kind of
2 be announced on that day on April 28, but then
3 there was a bit of a delay internally getting the
4 actual press release out.

5 WITNESS 3: Yeah, I think that's -- I
6 think that's fairly accurate with my
7 recollection.

8 MR. BROWN: Okay. Let's -- give me a
9 second here.

10 MR. BROWN: You can pull that document
11 down, Jesse.

12 All right. I have just a couple of
13 more questions for you, Witness 3, and we will be
14 finished here.

15 WITNESS 3: Take your time.

16 MR. BROWN: Who at the Department of
17 Commerce is likely speaking with the folks at AK
18 Steel and Cleveland-Cliffs? I know it's not you.

19 WITNESS 3: Yeah.

20 MR. BROWN: Is that Cordell Hull and
21 Nazak?

22 WITNESS 3: Yes.

1 MR. BROWN: Okay.

2 WITNESS 3: And probably the Secretary.

3 MR. BROWN: Right. Is there any -- you
4 know, given everything that we've chatted about
5 here today, is there anything else that you feel
6 like -- any other questions you feel like maybe I
7 should ask you? Or points that we didn't really
8 cover all that clearly that you feel like we
9 should go back and chat about?

10 WITNESS 3: No, I don't think so. I'm
11 happy to -- if you have more questions for me
12 after this, feel free to ping me. But I think
13 that will cover it.

14 MR. BROWN: No, like I said, I was
15 really -- and I know it's been a whole year, but
16 I was really trying to trying to kind of pin down
17 that timing with respect to (inaudible).

18 WITNESS 3: Yeah. Yeah.

19 MR. BROWN: And I think you kind of
20 just gave us your best recollection on that.

21 WITNESS 3: Yeah, my recollection,
22 there was a decision that was made. There was a

1 decision date that was, I think originally
2 thought the decision would be announced. And
3 then I believe there was a delay. I don't recall
4 the reason for the delay, but it sounds like
5 there was -- legal ducks have to be in a row. I
6 will say, my -- from my perspective, there were
7 more delays when we had -- we thought was the
8 perfect tick-tock and timeline.

9 It generally was not uncommon for
10 delays to get -- have to be considered and
11 timelines be blown through. But I don't recall
12 the specific reason for why this delay happen,
13 but I know there was a significant amount of
14 outside interest in this. But again, it doesn't
15 strike me as anything different than any 232.
16 You can imagine with 232 autos, the amount of
17 congressional interest from Detroit and from the
18 auto industry would have been high.

19 MR. BROWN: Yeah.

20 WITNESS 3: So none of this is unusual.
21 But it certainly was -- it certainly generated a
22 significant amount of interest from outside

1 stakeholders.

2 MR. BROWN: You -- you said you don't
3 know the specific reason for the delay. You
4 don't have any reason to believe that the
5 decision was made on April 28 and then somebody
6 internally changed their mind or conveyed that
7 they were changing their mind? This was more of
8 a, we just got to get the press shop in order and
9 would just got to get the legal ducks in a row?

10 WITNESS 3: Yeah.

11 MR. BROWN: There was nobody internally
12 that said or gave folks a reason to believe like,
13 oh, actually this isn't going to happen?

14 WITNESS 3: No, my recollection is, in
15 the conversations and my involvement, is that the
16 delay was a -- was very much legal a legal --
17 making sure we legally are checking all the boxes
18 on the timeline. And given the good lawyer that
19 you are, you wouldn't be surprised that the
20 lawyers would sometimes say, take your foot off
21 the gas pedal. We haven't done X, Y, and Z.
22 Sometimes there was a Federal Register

1 notification. Sometimes there was a public
2 comment period that hadn't lapsed.

3 Sometimes -- so there's a lot of
4 reasons why delays took place at the end and it
5 typically was a lawyer said, hold on guys, let's
6 just make sure we check all the boxes, cross the
7 T's, and dot the I's. But I don't -- I think
8 was more than -- it was more of that. I don't
9 forget anything to do with any kind of second-
10 guessing.

11 I'm pretty -- I'm not aware of any
12 conversation at least that was -- that resulted
13 in second-guessing. I think it was a delay to
14 ensure everything was done properly and at the
15 highest level of commerce professionalism.

16 MR. BROWN: Well, speaking of pesky
17 lawyers, I will ask my colleagues if they have
18 any further questions for you.

19 WITNESS 3: I did not call you pesky.
20 I said a good lawyer.

21 MR. BROWN: And if they don't, I will
22 just thank you for your time.

1 You guys have anything?

2 MR. ASHMAWY: Lawyers are in fact
3 pesky. And that's all I have to say. I have no
4 questions. I just want to thank you for your
5 time and energies in our process. And we
6 appreciate all your assistance today.

7 MR. BROWN: Yeah, Witness 3, I don't
8 think -- you will probably hear from me in a week
9 or so. I will have a copy of the transcript and
10 I will get that to you. But other than that, I
11 just thank you very much for sitting down with us
12 today and walking through the timeline. It is --
13 it is very much appreciated.

14 WITNESS 3: Of course. Happy to help.
15 Thanks, Jeff. Thanks, Omar.

16 MR. BROWN: And with that, we will go
17 off the record.

18 (Off the record at 12:02 p.m.)
19
20
21
22

1 CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC

2 I, Martin Onuegbu, the officer before
3 whom the foregoing proceedings were taken, do
4 hereby certify that said proceedings were
5 electronically recorded by me; and that I am
6 neither counsel for, related to, nor employed by
7 any of the parties to this case and have no
8 interest, financial or otherwise, in its outcome.

9 
10 _____

11 Martin Onuegbu, Notary Public in and
12 for the State of Maryland
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CERTIFICATE OF TRANSCRIBER

I, Molly Bugher, do hereby certify that the foregoing transcript is a true and correct record of the recorded proceedings; that said proceedings were transcribed to the best of my ability from the audio recording and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.



Molly Bugher, CDLT-161

EXHIBIT 8



CLEVELAND-CLIFFS COMPLETES ACQUISITION OF AK STEEL

CLEVELAND – March 13, 2020 – Cleveland-Cliffs Inc. (NYSE: CLF) announced today that it has successfully completed the acquisition of AK Steel Holding Corporation, integrating North America's largest producer of iron ore pellets downstream into the production of value-added steel and specialty manufactured parts for the automotive industry. The combined company will be led by Chairman, President and Chief Executive Officer Lourenco Goncalves.

"This is a new era for Cleveland-Cliffs as a producer of differentiated, high quality iron ore, metallics and steel in North America. The new Cliffs will begin from a unique position of strength in our industry, with a dynamic combination of assets including two efficient integrated blast furnace steel mills, two electric arc furnace plants, a new state-of-the-art HBI plant and several other highly technologically developed facilities. We will be catering to a desirable customer base and primarily doing business in the United States, the most resilient manufacturing economy in the world," said Mr. Goncalves. "I am honored to be leading a Company that is built on such a rich history, and now combines mining, pelletizing, direct-reduction, EAF steelmaking, BF/BOF steelmaking, highly technologically developed finishing mills and automated manufacturing of auto-parts." Mr. Goncalves concluded: "I am also very pleased to welcome the AK Steel employees and the unions representing the workforce throughout the country to the Cleveland-Cliffs family. From now on, we are a single, united and very strong team."

About Cleveland-Cliffs Inc.

Founded in 1847, Cleveland-Cliffs is among the largest vertically integrated producers of differentiated iron ore and steel in North America. With an emphasis on non-commoditized products, Cliffs is uniquely positioned to supply both customized iron ore pellets and sophisticated steel solutions to a quality-focused customer base, with an industry-leading market share in the automotive industry. In 2020, Cliffs also expects to be the sole producer of hot briquetted iron (HBI) in the Great Lakes region. A commitment to environmental sustainability is core to our business operations and extends to how we partner with stakeholders across our communities and the steel value chain. Headquartered in Cleveland, Ohio, Cleveland-Cliffs employs approximately 12,000 people across mining and steel manufacturing operations in the United States, Canada and Mexico. For more information, visit <http://www.clevelandcliffs.com>

Source: Cleveland-Cliffs Inc.

MEDIA CONTACT:

Patricia Persico
Director, Corporate Communications
[REDACTED]

INVESTOR CONTACT:

Paul Finan
Director, Investor Relations
[REDACTED]

EXHIBIT 9

From: Bloom, Patrick M [REDACTED]
Sent: 4/22/2020 10:51:21 AM
To: Goudarzi, Talat (Federal) [REDACTED]
CC: Hay, Mikell (Federal) [REDACTED]; Ludwig, Beth [REDACTED]; Nikakhtar, Nazak [REDACTED]
Subject: RE: Electrical Steel

Very good. Thank you, Tala. We'll stay tuned.

Best,
Patrick

From: Goudarzi, Talat (Federal) <[REDACTED]>
Sent: Wednesday, April 22, 2020 10:34 AM
To: Bloom, Patrick M <[REDACTED]>
Cc: Hay, Mikell (Federal) <[REDACTED]>; Ludwig, Beth <[REDACTED]>; Nikakhtar, Nazak <[REDACTED]>
Subject: [EXTERNAL] Re: Electrical Steel

Good morning, Patrick,

Great to hear from you! We have received your call request and will get back to you in the near future on some potential times / dates.

Thanks again and look forward to talking with you!

Best,

Tala

From: Bloom, Patrick M <[REDACTED]>
Sent: Wednesday, April 22, 2020 8:37 AM
To: Goudarzi, Talat (Federal) <[REDACTED]>
Cc: Hay, Mikell (Federal) <[REDACTED]>; Ludwig, Beth <[REDACTED]>; Nikakhtar, Nazak <[REDACTED]>
Subject: RE: Electrical Steel

Good morning, Tala.

I am writing to request a brief conference call between Secretary Ross and Cleveland-Cliffs' Chairman & CEO, Lourenco Goncalves, to discuss a very time sensitive matter involving the status of AK Steel's electrical steel business unit.

Please let me know if the Secretary would be available for such a call today after 1:30 PM Eastern or any time tomorrow (Thursday, 4/23).

Thanks and kind regards,
Patrick



CLEVELAND-CLIFFS INC.

PATRICK M. BLOOM

Director - Government Relations

P [REDACTED] M [REDACTED] PII [REDACTED]

CLEVELAND-CLIFFS INC.

200 Public Square, Suite 3300, Cleveland, OH 44114

P 216.694.5700 F 216.694.5385 clevelandcliffs.com

From: Goudarzi, Talat (Federal) <[REDACTED]>
Sent: Wednesday, February 19, 2020 11:22 AM
To: Bloom, Patrick M <[REDACTED]>
Cc: Hay, Mikell (Federal) <[REDACTED]>; [REDACTED]; Nikakhtar, Nazak <[REDACTED]>
Subject: RE: [EXTERNAL] RE: Electrical Steel

Hi Patrick! Thanks so much!

Tala

From: Bloom, Patrick M <[REDACTED]>
Sent: Wednesday, February 19, 2020 11:20 AM
To: Goudarzi, Talat (Federal) <[REDACTED]>
Cc: Hay, Mikell (Federal) <[REDACTED]>; [REDACTED]; Nikakhtar, Nazak <[REDACTED]>
Subject: Re: [EXTERNAL] RE: Electrical Steel

Hi Tala,

Thanks for letting us know. We'll plan on 1:45.

Best,
Patrick

On Feb 19, 2020, at 11:12 AM, Goudarzi, Talat (Federal) <[REDACTED]> wrote:

Hi Patrick,

We are running a bit behind today. Would 1:45pm be ok for the meeting?

Thanks so much and please let me know!

Tala

From: Bloom, Patrick M <[REDACTED]>
Sent: Thursday, February 6, 2020 1:25 PM
To: Hay, Mikell (Federal) <[REDACTED]>; Goudarzi, Talat (Federal) <[REDACTED]>
Cc: [REDACTED]; Nikakhtar, Nazak <[REDACTED]>
Subject: RE: [EXTERNAL] RE: Electrical Steel

Thank you, Mikell. I will gather the relevant information and will be in touch.

Kind regards,
Patrick

From: Hay, Mikell (Federal) <[REDACTED]>
Sent: Thursday, February 6, 2020 1:17 PM
To: Goudarzi, Talat (Federal) <[REDACTED]>; Bloom, Patrick M <[REDACTED]>
Cc: [REDACTED]; Nikakhtar, Nazak <[REDACTED]>
Subject: RE: [EXTERNAL] RE: Electrical Steel

Patrick,

Please inform the group to enter the Herbert C. Hoover Building through Door 10 (indicated by the red arrow on the attached map) at 271 15th St. NW, closer to Pennsylvania Avenue than Constitution. I will meet and escort all visitors from the security desk.

Visitors (or their drivers) are welcome to park in the courtyard next to Door 10 by providing driver name(s), license number(s), car make(s) and model(s) (e.g. 2018 red Chevy Tahoe), and license plate number(s). If arriving by vehicle, pull into the courtyard and then enter the building via the doors immediately to the right (indicated by the blue arrow).

All attendees' names must be stated prior to arrival to ensure building entry. Please also inform me **if any foreign nationals will attend**, as the Department requires immediate further steps in this case. US citizens need only present one form of state or federal ID (PIV card, state driver's license or photo ID card, US Passport or US Passport Card, US military card, etc.) upon arrival.

Please send me a list of names and titles for all those attending the meeting.

Thank you and please let me know if you have any questions,
Mikell

Mikell Hay
U.S. Department of Commerce

[REDACTED]
PII

From: Goudarzi, Talat (Federal) <[REDACTED]>
Sent: Thursday, February 6, 2020 1:13 PM
To: Bloom, Patrick M <[REDACTED]>

Cc: [REDACTED]; Nikakhtar, Nazak <[REDACTED]>; Hay, Mikell (Federal)

<[REDACTED]>

Subject: RE: [EXTERNAL] RE: Electrical Steel

Hi Patrick,

Great! Thanks so much! Adding Mikell Hay who can assist with arrival instructions and logistics!

Thanks again and look forward to it!

Tala

From: Bloom, Patrick M <[REDACTED]>

Sent: Thursday, February 6, 2020 12:49 PM

To: Goudarzi, Talat (Federal) <[REDACTED]>

Cc: [REDACTED]; Nikakhtar, Nazak <[REDACTED]>

Subject: RE: [EXTERNAL] RE: Electrical Steel

Hi Tala,

I'm confirming that a meeting with Secretary Ross on Wednesday, February 19 at 1:30 PM will work for Lourenco Goncalves.

Beth Ludwig (of AK Steel) and I tentatively plan to join Lourenco for this meeting. Please let me know who else will join the Secretary for the meeting.

In addition, please pass along any relevant security/logistics instructions at your convenience.

Thanks again for your kind assistance,
Patrick

<image001.jpg>

PATRICK M. BLOOM

Director - Government Relations

P [REDACTED] M [REDACTED] PII [REDACTED]

CLEVELAND-CLIFFS INC.

200 Public Square, Suite 3300, Cleveland, OH 44114

P 216.694.5700 F 216.694.5385 clevelandcliffs.com

From: Goudarzi, Talat (Federal) <[REDACTED]>

Sent: Thursday, February 6, 2020 11:53 AM

To: Bloom, Patrick M <[REDACTED]>

Cc: [REDACTED]; Nikakhtar, Nazak <[REDACTED]>

Subject: RE: [EXTERNAL] RE: Electrical Steel

Hi Patrick,

Thank you very much for your patience! The Secretary would love to meet with Mr. Goncalves. Would 1:30pm, Wednesday, February 19th work well?

Thanks again and look forward to hearing from you!

Tala

From: Goudarzi, Talat (Federal)
Sent: Friday, January 31, 2020 12:31 PM
To: Bloom, Patrick M <[REDACTED]>
Cc: [REDACTED]; Nikakhtar, Nazak <[REDACTED]>
Subject: RE: [EXTERNAL] RE: Electrical Steel

Hi Patrick,

Thank you very much for following up. We are still looking at dates and will get back to you in the near future!

Thank you so much for your patience!

Tala

From: Bloom, Patrick M <[REDACTED]>
Sent: Tuesday, January 28, 2020 1:51 PM
To: Goudarzi, Talat (Federal) <[REDACTED]>
Cc: [REDACTED]; Nikakhtar, Nazak <[REDACTED]>
Subject: RE: [EXTERNAL] RE: Electrical Steel

Hi Tala,

I'm just checking in on the status of this scheduling request.

I've attached Lourenco Goncalves' professional bio for your information.

Thanks and kind regards,
Patrick

<image001.jpg>

PATRICK M. BLOOM
Director - Government Relations
P [REDACTED] M [REDACTED] PII [REDACTED]

CLEVELAND-CLIFFS INC.
200 Public Square, Suite 3300, Cleveland, OH 44114
P 216.694.5700 F 216.694.5385 clevelandcliffs.com

From: Goudarzi, Talat (Federal) <[REDACTED]>
Sent: Thursday, January 23, 2020 3:06 PM
To: Bloom, Patrick M <[REDACTED]>; Nikakhtar, Nazak <[REDACTED]>
Cc: [REDACTED]
Subject: RE: [EXTERNAL] RE: Electrical Steel

Hi Patrick,

Thank you very much for reaching out to Secretary Ross. We have received your request and will get back to you in the near future with some potential times!

Thanks again and look forward to it speaking with you soon!

Tala

From: Bloom, Patrick M <[REDACTED]>
Sent: Wednesday, January 22, 2020 6:12 PM
To: Nikakhtar, Nazak <[REDACTED]>
Cc: [REDACTED]; Goudarzi, Talat (Federal) <[REDACTED]>
Subject: Re: [EXTERNAL] RE: Electrical Steel

Very good. Thank you, Nazak.

Tala, please let us know if you require further information to facilitate this meeting.

Best,
Patrick

On Jan 22, 2020, at 5:31 PM, Nazak Nikakhtar <[REDACTED]> wrote:

Hi Patrick –
I'm copying Tala Goudarzi to assist with the meeting. I have apprised the Secretary's office on your company's issues.

Nazak Nikakhtar
Assistant Secretary, Industry & Analysis
United States Department of Commerce, International Trade Administration
Office: [REDACTED] Email: [REDACTED]

From: Bloom, Patrick M <[REDACTED]>
Sent: Wednesday, January 22, 2020 5:23 PM
To: Nazak Nikakhtar <[REDACTED]>
Cc: [REDACTED]
Subject: RE: Electrical Steel

Good afternoon, Nazak.

Thanks for your quick reply. I believe Beth Ludwig of AK Steel (copied) is already in touch with your team on some of the anomalies in the data set for transformer components (cores and laminations). Further to the request laid out in the letter I sent on 1/15, I'm seeking your guidance on who we can work with to arrange a meeting between Secretary Ross and Cliffs' Chairman & CEO, Lourenco Goncalves. The purpose of the meeting would be to discuss the trade-related challenges facing the electrical steel market as well as Cleveland-Cliffs' announced, pending acquisition of AK Steel (we are operating as two separate companies until the transaction is finally approved).

Thanks for your consideration.

Kind regards,
Patrick

<image001.jpg>

PATRICK M. BLOOM
Director - Government Relations
P [REDACTED] M [REDACTED] PII [REDACTED]

CLEVELAND-CLIFFS INC.
200 Public Square, Suite 3300, Cleveland, OH 44114
P 216.694.5700 F 216.694.5385 clevelandcliffs.com

From: Nazak Nikakhtar <[REDACTED]>
Sent: Wednesday, January 15, 2020 12:22 PM
To: Bloom, Patrick M <[REDACTED]>
Cc: [REDACTED]
Subject: [EXTERNAL] RE: Electrical Steel

Thank you, Patrick. We are reviewing the facts as laid out in your paper to assess options. As to the transformer components entering the US from Mexico and Canada, we haven't noticed an import surge into the United States. Nevertheless, my team is combing through all trade data to determine options. More soon.

Nazak Nikakhtar
Assistant Secretary, Industry & Analysis
United States Department of Commerce, International Trade Administration
Office: [REDACTED] Email: [REDACTED]

From: Bloom, Patrick M <[REDACTED]>
Sent: Wednesday, January 15, 2020 12:16 PM
To: Nazak Nikakhtar <[REDACTED]>
Cc: [REDACTED]
Subject: Electrical Steel

Good afternoon, Nazak.

Please see the attached letter (with enclosure) to Secretary Ross from Cleveland-Cliffs' Chairman, President & CEO, Lourenco Goncalves, on the challenges confronting the Grain Oriented Electrical Steel (GOES) market.

While Cleveland-Cliffs' acquisition of AK Steel is not yet final and we will continue to operate as two separate companies until the transaction is finally approved, we are actively planning for the integration of Cliffs and AK. We recognize that addressing the trade challenges facing electrical steel must be a top priority.

I've copied Beth Ludwig of AK Steel.

Please let me know when you would be available for a brief call with us in the coming days to discuss further and plan for next steps.

Thank you and kind regards,
Patrick

<image001.jpg>

PATRICK M. BLOOM

Director - Government Relations

P

M

PII

CLEVELAND-CLIFFS INC.

200 Public Square, Suite 3300, Cleveland, OH 44114

P 216.694.5700 F 216.694.5385 clevelandcliffs.com

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EXHIBIT 10

Congress of the United States
Washington, DC 20515

November 20, 2019

The Honorable Robert E. Lighthizer
United States Trade Representative
Executive Office of the President
Office of the U.S. Trade Representative
600 17th Street NW, Room 215
Washington, DC 20508

Dear Ambassador Lighthizer:

We write to express our concerns about developments in the market for electrical steel. There are strong reasons to believe that unfairly-traded imports of grain-oriented electrical steel (GOES) are pouring into Canada and Mexico. Even worse, those imports are being used to create downstream products that enter the US at such low prices that they are eroding the US electrical steel market. I urge you to address this matter promptly.

We represent the nation's only producer of electrical steel, AK Steel. The United States cannot afford to lose its unique capacity, either economically or with regard to national security. AK Steel makes products in both major categories of electrical steel: GOES, which is used to make transformers, and non-oriented electrical steel (NOES), which is used to make electric motors. These electrical steel products are made and finished at AK Steel's facilities in Butler, Pennsylvania, and Zanesville, Ohio.

The GOES and NOES made by AK Steel are critical to the American economy. High-quality electrical steel allows for more efficient transformers and electric motors. This increases energy savings, improves our electrical grid, and results in a more secure energy environment. AK Steel is the only American company currently capable of making and developing such products. In a fair market, AK Steel would be in a strong position to maintain its position as a global leader in electrical steel. However, there are strong indications that AK Steel faces unfair competition in the GOES market.

In 2014, the US Department of Commerce investigated imports of GOES from seven countries. Commerce found that imports from each of these countries were dumped, and that imports from China were subsidized. This litigation shows that foreign producers of GOES have a history of unfair trade. Unfortunately, the US International Trade Commission denied relief in those cases – a decision that undoubtedly contributed to the fact that Allegheny Technologies stopped making GOES in 2017, leaving AK Steel as the only domestic producer.

For now, US imports of GOES are restricted by tariffs imposed under Section 232 of the Trade Expansion Act of 1962. However, there has been a dramatic increase in imported GOES into Canada and Mexico – two countries with no capacity to make GOES. In 2016, Canada and

Mexico together imported approximately 156,000 short tons (ST) of GOES from countries other than the United States. By 2018, this figure had increased to almost 214,000 ST. Through the first six months of this year, Canada and Mexico together are on pace to import over 247,000 ST of GOES from non-US sources. Most of these imports are from countries with a history of shipping unfairly-traded GOES to the United States.

Furthermore, GOES shipped to Canada and Mexico does not stay there. Instead, after very limited processing, much of it enters the US market in the form of internal components of electric transformers. These products include laminations, cores, and core assemblies – products that generally consist of GOES that has been merely stacked, slit, or wound. In 2016, the United States imported approximately \$95 million worth of such products from Canada and Mexico. This year, the United States is on pace to import more than \$171 million worth of such products – an increase of nearly 45 percent with no related increase in demand or reduction in capacity.

There are significant national security concerns here. If the national electrical grid were attacked or compromised by a natural disaster, the US would need a dependable source of electrical steel to allow for rapid repair. Becoming wholly dependent on foreign producers for this vital product puts Americans at grave and unnecessary risk.

We appreciate the work the President has done to improve the US global trade situation and national security, and his work to encourage and support the American steel industry and its workers. As such, we believe the President will consider all potential options to prevent harm to AK Steel by the recent surge of GOES into Canada and Mexico. We implore the President and USTR to monitor this situation aggressively and ask that you advise us of any measures taken to address this issue.

We appreciate your attention to this matter. If you have any questions, please do not hesitate to reach out to Nate Zimpher in Congressman Balderson's office at (202) 225-5355, or Lori Prater in Congressman Kelly's office at (202) 225-5406.

Sincerely,



Troy Balderson
Member of Congress
Mike Kelly
Member of Congress

EXHIBIT 11

Congress of the United States
Washington, DC 20515

April 15, 2020

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

We write to share our grave concern about the vulnerability of the electrical transformer supply chain and the fate of 1,500 jobs in Pennsylvania and Ohio. AK Steel, a wholly-owned subsidiary of Cleveland-Cliffs Inc., is the only producer of grain-oriented electrical steel (GOES) in North America. GOES is produced at AK Steel's mill in Butler, Pennsylvania, employing approximately 1,400 workers, and finishing occurs at its Zanesville, Ohio operation, employing approximately 100 workers.

GOES is a critical and irreplaceable material used in the manufacturing of power and distribution transformers that sustain America's electrical grid. In its 2018 Steel Section 232 report, the Department of Commerce extensively cited national security concerns associated with GOES and emphasized the importance of ensuring continued production by AK Steel.

While relief from direct imports of GOES was imposed by your Administration under the Section 232 steel tariff program, the bad actors have found a way to circumvent those tariffs and quotas. Because the Section 232 tariffs do not apply to derivative electrical steel articles including laminations and cores (i.e., simply cut and shaped electrical steel) imports of those products are now surging into the United States. Mexico and Canada are being used as a staging ground for this blatant circumvention of the Section 232 program. The value of these imports from Canada and Mexico are up 87% from 2017 to 2019, indicating that approximately 43,000 tons of U.S. GOES have been displaced by this circumvention activity. A stunning 95% of Canadian and Mexican lamination and core exports are now coming into the United States yet there is no domestic GOES production in either Canada or Mexico.

AK Steel has announced that, unless this circumvention of the national security tariffs can be stopped, it will have no choice but to idle the Butler and Zanesville plants in 2020. Such an idling of these facilities would result in approximately 1,500 layoffs and the loss of America's last electrical steel producer. Such an outcome would leave the United States dangerously dependent on GOES-producing countries including China, Japan, Korea, and Russia for the stability of our electric grid.

Mr. President, we respectfully urge you to issue a proclamation that would cover these derivative steel products under your Administration's steel Section 232 program. In order to effectively

address circumvention and preserve this critical supply chain, tariffs must be applied to laminations and cores from Mexico and Canada.

Taking this action will not undermine the USMCA agreements already ratified by the U.S., Canada, and Mexico. In fact, when the new USMCA rules of origination are fully implemented, laminations and cores would rightly be considered originating from the country where the GOES was produced, not Canada or Mexico, which has no GOES production. This derivative product action would narrowly target intentional circumvention of the national security tariffs applying to GOES.

A successful resolution of this circumvention is critical to national security, the effectiveness of your administration's Section 232 steel program, and thousands of livelihoods in western Pennsylvania and central Ohio.

Thank you in advance for your consideration of this important economic and national security matter.

Sincerely,



Marcy Kaptur
Member of Congress

Troy Balderson
Member of Congress

Peter Stauber
Member of Congress

Steve Stivers
Member of Congress

Mike Bost
Member of Congress

Rick Crawford
Member of Congress

Scott Perry
Member of Congress

Peter J. Visclosky
Member of Congress

Bill Johnson
Member of Congress



Mike Kelly
Member of Congress

Glenn 'GT' Thompson
Member of Congress

Anthony Gonzalez
Member of Congress

Michael R. Turner
Member of Congress

Tim Walberg
Member of Congress

Tim Ryan
Member of Congress

Steve Chabot
Member of Congress

David P. Joyce
Member of Congress

Fred Keller
Member of Congress

Bob Gibbs
Member of Congress

Daniel T. Kildee
Member of Congress

Jack Bergman
Member of Congress

Conor Lamb
Member of Congress

Marcia L. Fudge
Member of Congress

Guy Reschenthaler
Member of Congress

Mike Doyle
Member of Congress

cc: USTR Ambassador Robert Lighthizer
Secretary of Commerce Wilbur Ross
Dr. Peter Navarro, Director of the Office of Trade and Manufacturing Policy

EXHIBIT 12

Prater, Lori

From: Stroia, Matthew
Sent: Thursday, April 23, 2020 11:29 AM
To: (Buchanan) Joyce, Natalie
Cc: Zimpher, Nate; Prater, Lori; Marsh, James; Engquist, Laura
Subject: Member Request: Mike Kelly and Troy Balderson
Attachments: Balderson-Kelly Electrical Steel Letter to President 3.6.2020.docx; ATT00001.htm; Kelly-Kaptur Electrical Steel Letter to President April 15, 2020.pdf; ATT00002.htm

Natalie,

I know you all have a lot going on today. However, we have a non-coronavirus related issue that is critical to Mike's district and Mr. Balderson's district. AK Steel/Cleveland Cliffs employs over 1400 people in Mike's hometown and a large amount in Mr. Balderson's district. Unfortunately, the CEO has declared he plans to shut down both locations IF the government doesn't extend the 232 tariffs to grain oriented electrical steel, a type of steel that goes into transformers used in our electrical grid. The company has shown that Russian, Japan, S. Korea have been shipping electrical steel into Canada and Mexico. Once in Canada/Mexico, these two countries superficially enhance the product and then send it into the US. Obviously, this rages against the spirit of the USMCA.

The issue for our offices is two fold. One, jobs obviously, but two, AK Steel is the last American maker of electrical steel. This is a national security issue.

The CEO has had meetings with Secretary Ross. Our bosses have had calls with the Secretary and follow up calls with his assistants. Mike has personally spoken to Amb. Lighthizer about this issue and he is supportive but doesn't want to get into anyone else's lane. We have had conversations with Peter Navarro's office. Most recently, Mike, Troy and Marcy Kaptur sent a letter to the President on this issue and gathered 20 others to join. I have attached those letters to this email as background for a potential call with the Leader.

Mike and Troy would like to talk to the Leader for a few minutes on the phone at a some point soon to brief him on the issue and ask for his advice on a strategy with the administration.

Simply put...we need the administration to extend the 232 tariffs to Grain Oriented Electrical Steel coming into the US.

Thanks for the consideration Natalie!

Matt

EXHIBIT 13

April 22, 2020

Phone call between Witness 4 and Rep. Mike Kelly

Re: Witness 4 informed Rep. Kelly of potential layoff notices at the Butler Works and Zanesville Works operations.

April 23, 2020

Phone call between Witness 4, Witness 5, Witness 2 (Rep. Mike Kelly's Legislative Director) and Nate Zimpher (Rep. Troy Balderson's trade policy legislative assistant)

Re: Witness 5 and Witness 4 provided information regarding discussions with the Department of Commerce (Commerce) and actions Commerce believed could be pursued to address the circumvention of Section 232 tariffs and quotas covering GOES through the production and importation of transformer cores and laminations.

April 24, 2020

Phone call between Witness 4, Witness 5, Witness 2, Nate Zimpher, and Sam Mulopulos (Senator Portman's trade policy Legislative Assistant)

Re: Witness 5 and Witness 4 provided an update that the Department of Commerce had declined to pursue coverage of laminations and cores as "derivative products" under the existing steel Section 232 tariffs/quotas.

Monday, April 27, 2020

Voicemail left by Rep. Mike Kelly for Lourenco Goncalves

Re: Rep. Kelly had been in contact with Mark Meadows, who would be talking with the president that afternoon about "this issue." Rep. Kelly mentioned a call apparently scheduled for the next day with Senator Portman, Secretary Ross, Ambassador Lighthizer, and possibly Peter Navarro. Rep. Kelly said he was available if Goncalves wanted to call him back.

Tuesday, April 28, 2020

Phone call between Witness 4, Witness 5, and Witness 2 (Rep. Mike Kelly's Legislative Director)

Re: Witness 5 and Witness 4 provided notification of the Department of Commerce's intent to initiate a Section 232 investigation covering transformer laminations and cores

Thursday, May 7, 2020

Phone call between Witness 4, Witness 5, and Witness 2 (Rep. Mike Kelly's Legislative Director), and Matt Stroia (Rep. Mike Kelly's Chief of Staff)

Re: Discuss anticipated timeline of Section 232 investigation; discussion regarding coordination of state/local governmental support for the Section 232 investigation from the Butler, Pennsylvania area

Thursday, September 17, 2020

Phone call between Witness 4, Witness 5, and Witness 2 (Rep. Mike Kelly's Legislative Director), and Matt Stroia (Rep. Mike Kelly's Chief of Staff), Laura Engquist (Rep. Balderson's Deputy Chief of Staff), Nate Zimpher (Rep. Balderson's Legislative Assistant) and Sam Mulopulos (Senator Portman's Legislative Assistant)

Re: Discussion of the pending Section 232 investigation; the need for a status update from the Department of Commerce and the White House.

September 25, 2020

Phone call between Witness 4, Witness 5, Witness 2 (Rep. Mike Kelly's Legislative Director), Matt Stroia (Rep. Mike Kelly's Chief of Staff), Nate Zimpher (Rep. Balderson's trade policy Legislative Assistant), and Sam Mulopulos (Senator Portman's trade policy Legislative Assistant).

Re: Notified staff of the GOES Section 232 product exclusion requests that were granted by the Department of Commerce.

EXHIBIT 14

Subject: AK Steel
Date: Tuesday, April 28, 2020 at 2:32:07 PM Eastern Daylight Time
From: Collins, Erin
To: Eisenberger, Andrew
Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png

Hi Andrew,

Checking on your response plan to AK Steel telling workers tomorrow morning about plant closures. I know our bosses are chatting with McCarthy and we'll get more info. Happy to hop on a call to discuss. 925-785-9232. Could do a joint release... spit balling.

Erin Collins

Communications Director

Congressman Troy Balderson | OH-12

[REDACTED]

[REDACTED]



EXHIBIT 15

5:33



Erin >

iMessage

Apr 28, 2020, 3:51 PM

Hey Andrew, Erin Collins again. My LA called me right after we spoke, apparently Wilbur Ross is going to make the necessary fix

Here's what he said: Wilbur Ross just called AK Steel and they are going to come up with a deal—they are not announcing the closing or announcing they are firing anyone tomorrow!!!

21-9221_0179

EXHIBIT 16

Prater, Lori

From: Stroia, Matthew
Sent: Thursday, April 23, 2020 10:18 AM
To: Prater, Lori
Subject: Fwd: Kelly-Kaptur Electrical Steel Letter to President April 15, 2020.pdf

Begin forwarded message:

From: "Foti, Anthony (Federal)" <[REDACTED]>
Date: April 22, 2020 at 5:49:08 PM CDT
To: "Stroia, Matthew" <[REDACTED]>
Cc: "Garrett.M.Ziegler" <[REDACTED]>, "Dombrowski, Eileen (Federal)" <[REDACTED]>
Subject: Re: Kelly-Kaptur Electrical Steel Letter to President April 15, 2020.pdf

Hi Matt. Hope you're well. Thanks for reaching out. I know this issue is a priority for the Congressman as I was on a call with him and Nazak from ITA several weeks back. As you know, the Department is familiar with the company's concerns and has been engaged with them over the course of many meetings and discussions. DOC connected the company with the appropriate officials at USTR and CBP to pursue concerns under those respective jurisdictions. DOC continues to look into this matter. As soon as there is additional information to share, you have my commitment that I will let you know immediately.

I've cc'd my colleague, Eileen Dombrowski, on this email. Either of us would be happy to try to answer any additional questions you may have.

Thanks.
Anthony

Anthony Foti
Performing the delegated duties of the
Assistant Secretary for Legislative and Intergovernmental Affairs
U.S. Department of Commerce

[REDACTED]

On Apr 22, 2020, at 10:22 AM, Stroia, Matthew <[REDACTED]>
wrote:

Anthony,

I just wanted to follow up on this letter. I know that there is a lot going on but things are getting dire at the Butler, PA plant (1400 employees and the last US maker of electrical steel).

Can you advise me on any potential developments from your side?

Thanks,

Matt

On Apr 15, 2020, at 3:32 PM, Foti, Anthony (Federal) <[REDACTED]> wrote:

Matt, thanks for sharing. I will be sure to provide this to the Secretary.

Anthony Foti
Performing the delegated duties of the
Assistant Secretary for Legislative and Intergovernmental Affairs
U.S. Department of Commerce

[REDACTED]

On Apr 15, 2020, at 1:51 PM, Stroia, Matthew
<[REDACTED]> wrote:

Anthony and Garrett—just a heads up, this letter was sent over to the WH today regarding the AK Steel / 232 tariff issue.

Thanks!

Matt

<Kelly-Kaptur Electrical Steel Letter to President April 15, 2020.pdf>

EXHIBIT 17

Prater, Lori

From: Gourdikian, Alexandra
Sent: Monday, April 27, 2020 1:06 PM
To: Duncan, Chris; Marsh, James; Engquist, Laura
Cc: Stroia, Matthew; Zimpher, Nate; Prater, Lori; Meyer, Katie; Bonner, Lee; (Buchanan) Joyce, Natalie
Subject: RE: Member Request: Mike Kelly and Troy Balderson

Hi all-- call in information for this call tomorrow, Tuesday, April 28 at 2:15PM ET is below. Thanks!

Call in: [REDACTED]
Passcode: [REDACTED]

-----Original Message-----

From: Duncan, Chris <[REDACTED]>
Sent: Friday, April 24, 2020 5:47 PM
To: Marsh, James <[REDACTED]>; Engquist, Laura <[REDACTED]>
Cc: Stroia, Matthew <[REDACTED]>; Zimpher, Nate <[REDACTED]>; Prater, Lori <[REDACTED]>; Gourdikian, Alexandra <[REDACTED]>; Meyer, Katie <[REDACTED]>; Bonner, Lee <[REDACTED]>; (Buchanan) Joyce, Natalie <[REDACTED]>
Subject: RE: Member Request: Mike Kelly and Troy Balderson

Hi James,

Thanks for the response. We will get back to you soon with a conference line dial in.

Mrs. Christiana Duncan
District Scheduler
Congressman Kevin McCarthy-(CA-23)
Republican Leader
4100 Empire Drive, Suite 150
Bakersfield, CA 93309
P-661-327-3611
F-661-631-9535
www.kevinmccarthy.house.gov

-----Original Message-----

From: Marsh, James <[REDACTED]>
Sent: Friday, April 24, 2020 2:25 PM
To: Duncan, Chris <[REDACTED]>; Engquist, Laura <[REDACTED]>
Cc: Stroia, Matthew <[REDACTED]>; Zimpher, Nate <[REDACTED]>; Prater, Lori <[REDACTED]>; Gourdikian, Alexandra <[REDACTED]>; Meyer, Katie <[REDACTED]>; Bonner, Lee <[REDACTED]>; (Buchanan) Joyce, Natalie <[REDACTED]>
Subject: RE: Member Request: Mike Kelly and Troy Balderson

Hi Chris,

I'm putting this on Congressman Kelly's calendar for Tuesday at 2:15 PM Eastern. Do you have a conference line we can dial into for this call?

Thank you for making the time!

Sincerely,

James Marsh
Director of Administration
U.S. Representative Mike Kelly (PA-16)
1707 Longworth House Office Building
(202) 225-5406 | www.kelly.house.gov

-----Original Message-----

From: Duncan, Chris <[REDACTED]>
Sent: Friday, April 24, 2020 5:17 PM
To: Engquist, Laura <[REDACTED]>
Cc: Stroia, Matthew <[REDACTED]>; Zimpher, Nate <[REDACTED]>; Prater, Lori <[REDACTED]>; Marsh, James <[REDACTED]>; Gourdikian, Alexandra <[REDACTED]>; Meyer, Katie <[REDACTED]>; Bonner, Lee <[REDACTED]>; (Buchanan) Joyce, Natalie <[REDACTED]>
Subject: RE: Member Request: Mike Kelly and Troy Balderson

Hi Laura,

Thanks for circling back. Please let us know if Tuesday, April 28th at 2:15 PM Eastern/11:15 PM Pacific will work for both Congressman Kelly and Congressman Balderson. In the meantime, we will place a hold on the Leader's schedule for that time frame. Thanks and have a nice weekend!

Mrs. Christiana Duncan
District Scheduler
Congressman Kevin McCarthy-(CA-23)
Republican Leader
4100 Empire Drive, Suite 150
Bakersfield, CA 93309
P-661-327-3611
F-661-631-9535
www.kevinmccarthy.house.gov

-----Original Message-----

From: Engquist, Laura <[REDACTED]>
Sent: Friday, April 24, 2020 12:37 PM
To: (Buchanan) Joyce, Natalie <[REDACTED]>
Cc: Stroia, Matthew <[REDACTED]>; Zimpher, Nate <[REDACTED]>; Prater, Lori <[REDACTED]>; Marsh, James <[REDACTED]>; Gourdikian, Alexandra <[REDACTED]>; Meyer, Katie <[REDACTED]>; Duncan, Chris <[REDACTED]>; Bonner, Lee <[REDACTED]>
Subject: Re: Member Request: Mike Kelly and Troy Balderson

Thanks, all! Please let us know if there's a good time early next week for our bosses to connect. We'll be as flexible as possible to his schedule.

Have a great weekend!

Laura Engquist
Deputy Chief of Staff
Rep. Balderson (OH12)
[REDACTED]

Sent from my iPhone

> On Apr 23, 2020, at 7:34 PM, (Buchanan) Joyce, Natalie <[REDACTED]> wrote:

>

> Matt - thanks for the information and background. Ccing our team to see how we can be helpful and if we can set up a call with the Leader next week. We will get back to you.

>

> -

> Natalie Buchanan Joyce

> Office of Republican Leader Kevin McCarthy

> [REDACTED]

>

> On Apr 23, 2020, at 11:29 AM, Stroia, Matthew <[REDACTED]> wrote:

>

>

> Natalie,

>

> I know you all have a lot going on today. However, we have a non-coronavirus related issue that is critical to Mike's district and Mr. Balderson's district. AK Steel/Cleveland Cliffs employs over 1400 people in Mike's hometown and a large amount in Mr. Balderson's district. Unfortunately, the CEO has declared he plans to shut down both locations IF the government doesn't extend the 232 tariffs to grain oriented electrical steel, a type of steel that goes into transformers used in our electrical grid. The company has shown that Russian, Japan, S. Korea have been shipping electrical steel into Canada and Mexico. Once in Canada/Mexico, these two countries superficially enhance the product and then send it into the US. Obviously, this rages against the spirit of the USMCA.

>

> The issue for our offices is two fold. One, jobs obviously, but two, AK Steel is the last American maker of electrical steel. This is a national security issue.

>

> The CEO has had meetings with Secretary Ross. Our bosses have had calls with the Secretary and follow up calls with his assistants. Mike has personally spoken to Amb. Lighthizer about this issue and he is supportive but doesn't want to get into anyone else's lane. We have had conversations with Peter Navarro's office. Most recently, Mike, Troy and Marcy Kaptur sent a letter to the President on this issue and gathered 20 others to join. I have attached those letters to this email as background for a potential call with the Leader.

>

> Mike and Troy would like to talk to the Leader for a few minutes on the phone at a some point soon to brief him on the issue and ask for his advice on a strategy with the administration.

>

> Simply put...we need the administration to extend the 232 tariffs to Grain Oriented Electrical Steel coming into the US.

>

> Thanks for the consideration Natalie!

>

> Matt

>

> <Balderson-Kelly Electrical Steel Letter to President 3.6.2020.docx>

> <Kelly-Kaptur Electrical Steel Letter to President April 15, 2020.pdf>

EXHIBIT 18

Prater, Lori

From: Marsh, James
Sent: Friday, April 24, 2020 12:16 PM
To: Burke, Jill; Prater, Lori
Cc: Butler, Tim; Stroia, Matthew
Subject: Re: Scheduler Contact information for Ross, Lighthizer, Navarro to discuss the AK Steel Issue

Lori – I emailed both Ross's office and Lighthizer's office. The email to Garrett in Navarro's office failed to send. Do you know if there is someone else in that office we should contact?

From: "Burke, Jill" <[REDACTED]>
Date: Friday, April 24, 2020 at 11:54 AM
To: "Marsh, James" <[REDACTED]>, "Prater, Lori" <[REDACTED]>
Cc: "Butler, Tim" <[REDACTED]>, Matthew Stroia <[REDACTED]>
Subject: Re: Scheduler Contact information for Ross, Lighthizer, Navarro to discuss the AK Steel Issue

Yes, let's reach out and see what we can coordinate

From: "Marsh, James" <[REDACTED]>
Date: Friday, April 24, 2020 at 11:35 AM
To: "Burke, Jill" <[REDACTED]>, "Prater, Lori" <[REDACTED]>
Cc: Tim Butler <[REDACTED]>, "Stroia, Matthew" <[REDACTED]>
Subject: Re: Scheduler Contact information for Ross, Lighthizer, Navarro to discuss the AK Steel Issue

I don't mind, but I don't think we are going to get them all on the same call. Do you want me to reach out to each office individually and cc you so we can find the best time for each? Also these are obviously high priority for MK so we should be willing to move other things on the schedule if we have to.

From: "Burke, Jill" <[REDACTED]>
Date: Friday, April 24, 2020 at 11:27 AM
To: "Prater, Lori" <[REDACTED]>, "Marsh, James" <[REDACTED]>
Cc: "Butler, Tim" <[REDACTED]>, Matthew Stroia <[REDACTED]>
Subject: Re: Scheduler Contact information for Ross, Lighthizer, Navarro to discuss the AK Steel Issue

James,

Tuesday or Wednesday afternoon should work well for MK, do you mind reaching out to set it up?

Thanks,
Jill

From: "Prater, Lori" <[REDACTED]>
Date: Friday, April 24, 2020 at 10:48 AM
To: "Burke, Jill" <[REDACTED]>, "Marsh, James" <[REDACTED]>

Cc: Tim Butler <[REDACTED]>, "Stroia, Matthew" <[REDACTED]>

Subject: Scheduler Contact information for Ross, Lighthizer, Navarro to discuss the AK Steel Issue

Last night, Mike said he wanted to speak with Ross, Navarro, and Lighthizer. Below are the scheduling information for each of the offices. If possible, we should try to set up a call with Ross first since he's the most critical. Senator Portman will be making a similar request today I understand. And it's on our favorite issue!

Sent from my iPhone

Begin forwarded message:

From: <[REDACTED]>
Date: April 23, 2020 at 6:29:58 PM EDT
To: <[REDACTED]>
Subject: Contacts

Here's what I have:

For Ross:
Goudarzi, Talat (Federal) - (Ross Administrative Assistant)

For Lighthizer:
Jaclyn Knight
Director of Scheduling
Office of the United States Trade Representative
Executive Office of the President
o. [REDACTED] | c. [REDACTED]

For Navarro, we reach out to Garrett:

Garrett Ziegler
Office of Trade and Manufacturing Policy
The White House
C [REDACTED] | O [REDACTED]

Beth DeBrosse Ludwig
AK Steel Corporation
Corporate Manager, Government & Public Relations
9227 Centre Pointe Dr.
West Chester, OH 45069

Phone: [REDACTED]
Cell: [REDACTED]
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EXHIBIT 19

Prater, Lori

From: Marsh, James
Sent: Friday, April 24, 2020 12:16 PM
To: Burke, Jill; Prater, Lori
Cc: Butler, Tim; Stroia, Matthew
Subject: Re: Scheduler Contact information for Ross, Lighthizer, Navarro to discuss the AK Steel Issue

Lori – I emailed both Ross's office and Lighthizer's office. The email to Garrett in Navarro's office failed to send. Do you know if there is someone else in that office we should contact?

From: "Burke, Jill" <[REDACTED]>
Date: Friday, April 24, 2020 at 11:54 AM
To: "Marsh, James" <[REDACTED]>, "Prater, Lori" <[REDACTED]>
Cc: "Butler, Tim" <[REDACTED]>, Matthew Stroia <[REDACTED]>
Subject: Re: Scheduler Contact information for Ross, Lighthizer, Navarro to discuss the AK Steel Issue

Yes, let's reach out and see what we can coordinate

From: "Marsh, James" <[REDACTED]>
Date: Friday, April 24, 2020 at 11:35 AM
To: "Burke, Jill" <[REDACTED]>, "Prater, Lori" <[REDACTED]>
Cc: Tim Butler <[REDACTED]>, "Stroia, Matthew" <[REDACTED]>
Subject: Re: Scheduler Contact information for Ross, Lighthizer, Navarro to discuss the AK Steel Issue

I don't mind, but I don't think we are going to get them all on the same call. Do you want me to reach out to each office individually and cc you so we can find the best time for each? Also these are obviously high priority for MK so we should be willing to move other things on the schedule if we have to.

From: "Burke, Jill" <[REDACTED]>
Date: Friday, April 24, 2020 at 11:27 AM
To: "Prater, Lori" <[REDACTED]>, "Marsh, James" <[REDACTED]>
Cc: "Butler, Tim" <[REDACTED]>, Matthew Stroia <[REDACTED]>
Subject: Re: Scheduler Contact information for Ross, Lighthizer, Navarro to discuss the AK Steel Issue

James,

Tuesday or Wednesday afternoon should work well for MK, do you mind reaching out to set it up?

Thanks,
Jill

From: "Prater, Lori" <[REDACTED]>
Date: Friday, April 24, 2020 at 10:48 AM
To: "Burke, Jill" <[REDACTED]>, "Marsh, James" <[REDACTED]>

Cc: Tim Butler <[REDACTED]>, "Stroia, Matthew" <[REDACTED]>
Subject: Scheduler Contact information for Ross, Lighthizer, Navarro to discuss the AK Steel Issue

Last night, Mike said he wanted to speak with Ross, Navarro, and Lighthizer. Below are the scheduling information for each of the offices. If possible, we should try to set up a call with Ross first since he's the most critical. Senator Portman will be making a similar request today I understand. And it's on our favorite issue!

Sent from my iPhone

Begin forwarded message:

From: <[REDACTED]>
Date: April 23, 2020 at 6:29:58 PM EDT
To: <[REDACTED]>
Subject: Contacts

Here's what I have:

For Ross:
Goudarzi, Talat (Federal) - (Ross Administrative Assistant)

For Lighthizer:
Jaclyn Knight
Director of Scheduling
Office of the United States Trade Representative
Executive Office of the President
o. [REDACTED] | c. [REDACTED]

For Navarro, we reach out to Garrett:

Garrett Ziegler
Office of Trade and Manufacturing Policy
The White House
C [REDACTED] | O [REDACTED]

Beth DeBrosse Ludwig
AK Steel Corporation
Corporate Manager, Government & Public Relations
9227 Centre Pointe Dr.
West Chester, OH 45069

Phone: [REDACTED]
Cell: [REDACTED]
Confidentiality Notice

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If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of the message.

Prater, Lori

From: Marsh, James
Sent: Monday, April 27, 2020 2:16 PM
To: Goudarzi, Talat (Federal)
Cc: Stroia, Matthew; Prater, Lori; Burke, Jill; Butler, Tim; Foti, Anthony (Federal); Kumar, Harry (Federal)
Subject: Re: Phone Call Request from Rep. Mike Kelly

Hi Tala,

That works for us. Do you have a conference line we should have the Congressman call into at that time?

We appreciate you making the time.

Sincerely,

James Marsh
Director of Administration
U.S. Representative Mike Kelly (PA-16)
1707 Longworth House Office Building
(202) 225-5406 |

From: "Goudarzi, Talat (Federal)" <[REDACTED]>
Date: Monday, April 27, 2020 at 2:06 PM
To: "Marsh, James" <[REDACTED]>
Cc: Matthew Stroia <[REDACTED]>, "Prater, Lori" <[REDACTED]>, "Burke, Jill" <[REDACTED]>, "Butler, Tim" <[REDACTED]>, "Foti, Anthony (Federal)" <[REDACTED]>, "Kumar, Harry (Federal)" <[REDACTED]>
Subject: Re: Phone Call Request from Rep. Mike Kelly

Hi James,

Hope you're well and thank you very much for your patience! Would 3:30pm EST, Friday, May 1st work well for a call?

Thanks again and look forward to hearing from you!

Tala

From: Marsh, James <[REDACTED]>
Sent: Friday, April 24, 2020 12:07 PM
To: Goudarzi, Talat (Federal) <[REDACTED]>
Cc: Stroia, Matthew <[REDACTED]>; Prater, Lori <[REDACTED]>; Burke, Jill <[REDACTED]>; Butler, Tim <[REDACTED]>
Subject: Phone Call Request from Rep. Mike Kelly

Hi Talat,

Congressman Kelly would like to speak with Secretary Ross regarding AK Steel at his earliest convenience. For reference, please see the attached letters that the Congressman sent to President Trump. Please let us know if this is possible.

Sincerely,

James Marsh
Director of Administration
U.S. Representative Mike Kelly (PA-16)
1707 Longworth House Office Building
(202) 225-5406 |

Prater, Lori

From: Knight, Jaclyn C. EOP/USTR <[REDACTED]>
Sent: Monday, April 27, 2020 11:15 AM
To: Marsh, James
Cc: Stroia, Matthew; Prater, Lori; Burke, Jill; Butler, Tim; Jackson, Christopher L. EOP/USTR; Cameron.M.Bishop [REDACTED]; Ekmark, Kimberly K. EOP/USTR; Kerrie.L.Carr [REDACTED]
Subject: RE: Phone Call Request from Rep. Mike Kelly

Hi,

This is to inform you that we have received a request from Rep. Mike Kelly for a phone call request from Rep. Mike Kelly.

Please see the
attached.

From: Knight, Jaclyn C. EOP/USTR
Sent: Friday, April 24, 2020 12:14 PM
To: 'james.marsh [REDACTED]'; [REDACTED]
Cc: 'matthew.stroia [REDACTED]'; [REDACTED]; 'lori.prater [REDACTED]'; [REDACTED]; 'jill.burke [REDACTED]'; [REDACTED]; 'tim.butler [REDACTED]'; [REDACTED]; Jackson, Christopher L. EOP/USTR <[REDACTED]>; Bishop, Cameron M. EOP/USTR <[REDACTED]>; Ekmark, Kimberly K. EOP/USTR <[REDACTED]>; Carr, Kerrie L. EOP/USTR <[REDACTED]>
Subject: FW: Phone Call Request from Rep. Mike Kelly

Hi,

This is to inform you that we have received a request from Rep. Mike Kelly for a phone call request from Rep. Mike Kelly.

Please see the attached for more information.

Best,
Jaclyn

Director of the
Office of the
Inspector General
U.S. Department of Justice
Washington, D.C.

From: Marsh, James <[REDACTED]>
Sent: Friday, April 24, 2020 12:11 PM
To: Knight, Jaclyn C. EOP/USTR <[REDACTED]>
Cc: Stroia, Matthew <[REDACTED]>; Prater, Lori <[REDACTED]>; Burke, Jill <[REDACTED]>; Butler, Tim <[REDACTED]>
Subject: Phone Call Request from Rep. Mike Kelly

Hi Jaclyn,

Hope you are doing well! My boss would like to speak with Ambassador Lighthizer regarding AK Steel at his earliest convenience. For reference, please see the attached letters that the Congressman sent to President Trump on this issue. Please let us know if this is possible.

Warm regards,

James Marsh
Director of Administration
U.S. Representative Mike Kelly (PA-16)
1707 Longworth House Office Building
(202) 225-5406 |

Prater, Lori

From: Marsh, James
Sent: Friday, April 24, 2020 1:39 PM
To: Garrett.M.Ziegler [REDACTED]
Cc: Stroia, Matthew; Prater, Lori; Burke, Jill; Butler, Tim
Subject: Phone Call Request from Rep. Mike Kelly
Attachments: Kelly-Kaptur Electrical Steel Letter to President April 15 2020.pdf; Balderson-Kelly Electrical Steel Letter to President 3.6.2020.pdf

Hi Garrett,

Congressman Kelly would like to speak with Mr. Navarro regarding AK Steel at his earliest convenience. For reference, please see the attached letters that the Congressman sent to President Trump on this issue. Please let us know if this is possible.

Sincerely,

James Marsh
Director of Administration
U.S. Representative Mike Kelly (PA-16)
1707 Longworth House Office Building
(202) 225-5406 |

EXHIBIT 20

Prater, Lori

From: Stroia, Matthew
Sent: Friday, April 24, 2020 10:37 AM
To: Prater, Lori
Subject: Mike Kelly Text to Mr. Meadows
Attachments: Balderson-Kelly Electrical Steel Letter to President 3.6.2020.docx; ATT00001.htm; Kelly-Kaptur Electrical Steel Letter to President April 15, 2020.pdf; ATT00002.htm

FYI..I sent this over to the WH. Can you give Beth and Patrick a heads up?

Thanks!

Matt

Begin forwarded message:

From: "Stroia, Matthew" <[REDACTED]>
Date: April 24, 2020 at 9:30:37 AM CDT
Subject: Mike Kelly Text to Mr. Meadows

Chris and Jeff,

I know you all have a lot going on today. However, I wanted to give you a heads up that Mike is going to be texting Mr. Meadows about an issue this morning. We have a non-coronavirus related issue that is critical to Mike's district and Troy Balderson's district. AK Steel/Cleveland Cliffs employs over 1400 people in Mike's hometown and a large amount in Mr. Balderson's district. Unfortunately, the CEO has declared he plans to shut down both locations IF the government doesn't extend the 232 tariffs to grain oriented electrical steel, a type of steel that goes into transformers used in our electrical grid. The company has shown that Russian, Japan, S. Korea have been shipping electrical steel into Canada and Mexico. Once in Canada/Mexico, these two countries superficially enhance the product and then send it into the US. Obviously, this rages against the spirit of the USMCA.

The issue for our offices is two fold. One, jobs obviously, but two, AK Steel is the last American maker of electrical steel. This is a national security issue.

The CEO has had meetings with Secretary Ross. Our bosses have had calls with the Secretary and follow up calls with his assistants. They are very well aware of the issue and have alerted CPB and USTR about the issues within their jurisdiction as well. Mike has personally spoken to Amb. Lighthizer about this issue and he is supportive but doesn't want to get into anyone else's lane. We have had conversations with Peter Navarro's office. Most recently, Mike, Troy and Marcy Kaptur sent a letter to the President on this issue and gathered 20 others to join. I have attached those letters to this email. We believe that Sec. Ross is assembling his senior team to discuss next steps related to his issue as well?