

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

Thanks gentleman!

Matt

# **EXHIBIT 21**

---

**From:** Prater, Lori [REDACTED] PII  
**Sent:** Friday, April 24, 2020 11:01 AM  
**To:** [REDACTED] PII  
**Subject:** [EXT] White House/Ross Outreach

Just wanted to give you a heads up. We reached out the White House staff and Mike is texting Mark Meadows today since their old colleagues to get this issue on his radar screen as well as leaderships. I talked to Portman's staff last night. Sounds like Portman is going to call Ross directly today and we'll also reach out to schedule a call with him and Mike as well. Balderson and Portman are supposed to talk today about AK Steel. We'll continue to keep up the drum beat.

Let me know if you hear anything on your end.

Sent from my iPhone

# **EXHIBIT 22**

---

**From:** [REDACTED] PII  
**Sent:** Thursday, April 23, 2020 12:53 PM  
**To:** Prater, Lori  
**Cc:** Zimpher, Nate; Bloom, Patrick M  
**Subject:** Re: [EXT] RE: Electrical Steel Update Call

Great, 1:00 it is. Use this number - talk to you in a few min.

[REDACTED]

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

[REDACTED] PII

☐ "Prater, Lori" ---04/23/2020 12:45:38 PM---That works. From: Zimpher, Nate

[REDACTED] PII

From: "Prater, Lori" [REDACTED] PII  
To: "Zimpher, Nate" [REDACTED] PII  
Cc: "Bloom, Patrick M" [REDACTED] PII  
Date: 04/23/2020 12:45 PM  
Subject: [EXT] RE: Electrical Steel Update Call

---

That works.

**From:** Zimpher, Nate [REDACTED] PII  
**Sent:** Thursday, April 23, 2020 12:43 PM  
**To:** Prater, Lori [REDACTED] PII; [REDACTED] PII  
**Cc:** Bloom, Patrick M [REDACTED] PII  
**Subject:** RE: Electrical Steel Update Call

Does 1:00pm work for you all?

**From:** Prater, Lori [REDACTED] PII  
**Sent:** Thursday, April 23, 2020 12:42 PM  
**To:** [REDACTED] PII; Zimpher, Nate [REDACTED] PII  
**Cc:** Bloom, Patrick M [REDACTED] PII  
**Subject:** RE: Electrical Steel Update Call

I'm available now until 2.

**From:** [REDACTED] PII  
**Sent:** Thursday, April 23, 2020 12:27 PM  
**To:** Prater, Lori [REDACTED] PII; Zimpher, Nate [REDACTED] PII

Cc: Bloom, Patrick M [REDACTED] PII

Subject: Electrical Steel Update Call

Hi Lori and Nate,

Do you have a few minutes this afternoon so Patrick and I can give you an update on information we got from DOC this morning? We are free now until 2:00 and then from 3:00-4:30 and 5:00 and after. We can do separate calls or one together, whatever is easiest.

Thanks!

Beth

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

[REDACTED] PII

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# **EXHIBIT 23**

---

**From:** Curtis, Deborah (Federal) [REDACTED] PII  
[REDACTED] PII  
**Sent:** 4/24/2020 11:27:05 AM  
**To:** Bloom, Patrick M [REDACTED]  
**CC:** Cobau, John (Federal) [REDACTED]; Graham, James D [REDACTED]; Vaughn, Stephen  
[REDACTED]  
**Subject:** Re: Request for Legal POC

Talk then.

Deborah A. Curtis  
Chief Counsel for Industry and Security  
U.S. Department of Commerce  
[REDACTED]

[REDACTED] PII

On Apr 24, 2020, at 11:16 AM, Bloom, Patrick M <[REDACTED]> wrote:

12:30 PM today works for us. Stephen Vaughn of King and Spalding will join the call as well.

Thanks,  
Patrick

---

**From:** Curtis, Deborah (Federal) <[REDACTED]>  
**Sent:** Friday, April 24, 2020 10:42 AM  
**To:** Bloom, Patrick M <[REDACTED]>  
**Cc:** Cobau, John (Federal) <[REDACTED]>; Graham, James D <[REDACTED]>  
**Subject:** [EXTERNAL] RE: Request for Legal POC

Great. Shall we say 1230?

---

**From:** Bloom, Patrick M <[REDACTED]>  
**Sent:** Friday, April 24, 2020 10:20 AM  
**To:** Curtis, Deborah (Federal) <[REDACTED]>  
**Cc:** Cobau, John (Federal) <[REDACTED]>; Graham, James D <[REDACTED]>  
**Subject:** RE: Request for Legal POC

Good morning, Ms. Curtis.

Thank you for your email. Cleveland-Cliffs' Executive Vice President & Chief Legal Officer, James Graham, will be available for a call with you and Mr. Cobau this afternoon **after 12:30 PM Eastern**. I intend to join James for this call and we may have representation from King & Spalding on the line as well.

Please use the following teleconference instructions:

[REDACTED] PII

Access [REDACTED] PII



Please let me know what time would work for you and Mr. Cobau.

Best,  
Patrick

---

**From:** Curtis, Deborah (Federal) <[REDACTED]>  
**Sent:** Friday, April 24, 2020 9:53 AM  
**To:** Bloom, Patrick M <[REDACTED]>  
**Cc:** Cobau, John (Federal) <[REDACTED]>  
**Subject:** [EXTERNAL] Request for Legal POC

Mr. Bloom,

My colleague John Cobau (Chief Counsel for International Commerce) and I would like to have a discussion with an attorney for Cleveland Cliffs, either in-house or otherwise. Is it possible for us to be connected with someone from your General Counsel's office?

Thank you very much in advance.

Regards,

**Deborah A. Curtis**  
Chief Counsel for Industry and Security  
U.S. Department of Commerce  
[REDACTED] (desk)  
[REDACTED] PII (mobile)

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# **EXHIBIT 24**

**Prater, Lori**

---

**From:** Beth.Ludwig [REDACTED]  
**Sent:** Friday, April 24, 2020 2:06 PM  
**To:** Zimpher, Nate  
**Cc:** Prater, Lori; Bloom, Patrick M; Sam\_Mulopulos [REDACTED]  
**Subject:** Re: [EXT] RE: Electrical Steel Update Call

Let's do 2:15, it won't take long. Sam, we can call you separate if this doesn't work for you. Talk to you shortly. Dial-in info. below.  
Thanks

[REDACTED]

Beth DeBrosse Ludwig  
AK Steel Corporation  
Corporate Manager, Government & Public Relations  
9227 Centre Pointe Dr.  
West Chester, OH 45069  
Beth.Ludwig [REDACTED]  
Phone: [REDACTED]  
Cell: [REDACTED]

From: "Zimpher, Nate" [REDACTED] >  
To: "Prater, Lori" [REDACTED] >, "Beth.Ludwig" [REDACTED] >  
Cc: "Sam\_Mulopulos" [REDACTED] >, "Bloom, Patrick M" [REDACTED] >  
Date: 04/24/2020 01:59 PM  
Subject: [EXT] RE: Electrical Steel Update Call

I can do 2 or anytime after 3 (only time I can't is 2:30-3).

**From:** Prater, Lori [REDACTED] >  
**Sent:** Friday, April 24, 2020 1:58 PM  
**To:** Beth.Ludwig [REDACTED]  
**Cc:** Sam\_Mulopulos [REDACTED]; Zimpher, Nate [REDACTED] >; Bloom, Patrick M [REDACTED] >  
**Subject:** Re: Electrical Steel Update Call

2-3 works.  
Sent from my iPhone

On Apr 24, 2020, at 1:52 PM, " [REDACTED] " <[REDACTED]> wrote:  
We have an update out of DOC, can you all hop on a call anytime between 2:00-3:00 or 4:00-4:30? If we can't get a time that works for all we can do them individually.  
Thanks,  
Beth

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 25**

---

**From:** Wilbur Ross [REDACTED] PII  
[REDACTED] PII  
**Sent:** 4/25/2020 9:14:24 AM  
**To:** bucks3421 [REDACTED]  
**CC:** Walsh, Michael (Federal) [REDACTED]; Hull, Cordell [REDACTED]; Nikakhtar, Nazak  
[REDACTED]  
**Subject:** Cleveland Cliffs

Please set up with Mike a time slot for a call this afternoon or evening wilbur

Sent from my iPhone

# **EXHIBIT 26**

---

**From:** Kumar, Harry (Federal) [REDACTED]  
**Sent:** 4/27/2020 12:37:26 PM  
**To:** Foti, Anthony (Federal) [REDACTED]; sarah\_benzing [REDACTED]; Jeremy\_hekhuis [REDACTED];  
Kris\_gentile [REDACTED]; derek\_miller [REDACTED]; kevin\_smith [REDACTED];  
pam\_thiessen [REDACTED]; lori.prater [REDACTED]; craig.kwiecinski [REDACTED];  
chris.bowman [REDACTED]; Matthew Stroia [REDACTED]; Sam Mulopulos  
[REDACTED]  
**CC:** McGaan, Duncan (Federal) [REDACTED]; Dombrowski, Eileen (Federal) [REDACTED]  
**Subject:** RE: Conference call re: Cleveland-Cliffs, Inc.

Hey all,

Apologies for the short notice. Because of scheduling conflicts, we are going to have to pull this call from the calendar. We will be in touch soon.

Thanks,  
Harry

---

**From:** Foti, Anthony (Federal) <[REDACTED]>  
**Sent:** Sunday, April 26, 2020 12:05 PM  
**To:** sarah\_benzing [REDACTED]; Jeremy\_hekhuis [REDACTED]; Kris\_gentile [REDACTED];  
derek\_miller [REDACTED]; kevin\_smith [REDACTED]; pam\_thiessen [REDACTED];  
lori.prater [REDACTED]; craig.kwiecinski [REDACTED]; chris.bowman [REDACTED]; Matthew Stroia  
<[REDACTED]>; Sam Mulopulos <[REDACTED]>  
**Cc:** McGaan, Duncan (Federal) <[REDACTED]>; Dombrowski, Eileen (Federal) <[REDACTED]>; Kumar,  
Harry (Federal) <[REDACTED]>  
**Subject:** Conference call re: Cleveland-Cliffs, Inc.

Please join the Department of Commerce officials for a staff briefing regarding Cleveland-Cliffs on Monday, April 27 at 4:00 PM.

The purpose of this call is to provide an update, answer questions and address concerns of Hill offices that have expressed an interest in this issue to the Department of Commerce.

Please use the following teleconference information to participate:

<b>PII</b>
Passcode: <b>PII</b>

Thank you.  
Anthony

Anthony Foti  
Performing the delegated duties of the  
Assistant Secretary for Legislative and Intergovernmental Affairs  
U.S. Department of Commerce  
1401 Constitution Ave, NW  
Washington, DC 20230  
[REDACTED]



# **EXHIBIT 27**

**To:** Gonçalves, Lourenco  
**Cc:** Persico, Patricia M  
**Subject:** RE: Voice Message from Rep. Mike Kelly

Very good. Thanks.

---

**From:** Gonçalves, Lourenco [REDACTED] PII  
**Sent:** Monday, April 27, 2020 2:45 PM  
**To:** Bloom, Patrick M [REDACTED] PII  
**Cc:** Persico, Patricia M [REDACTED] PII  
**Subject:** RE: Voice Message from Rep. Mike Kelly

On the phone with him

---

**From:** Bloom, Patrick M [REDACTED] PII  
**Sent:** Monday, April 27, 2020 2:41 PM  
**To:** Gonçalves, Lourenco [REDACTED] PII  
**Cc:** Persico, Patricia M [REDACTED] PII  
**Subject:** FW: Voice Message from Rep. Mike Kelly

Lourenco,

I'd recommend you call Congressman Kelly's cell phone when you are able.

Please let me know if you need anything from me...I'd be happy to call Congressman Kelly if you are tied up right now.

Thanks,  
Patrick

---

**From:** Persico, Patricia M [REDACTED] PII  
**Sent:** Monday, April 27, 2020 2:33 PM  
**To:** Gonçalves, Lourenco [REDACTED] PII; Bloom, Patrick M [REDACTED] PII  
**Subject:** Voice Message from Rep. Mike Kelly

Lourenco and Patrick,

Please find attached a voice message I received a few minutes ago from Rep. Mike Kelly directed toward Lourenco.

# **EXHIBIT 28**

**APPENDIX A**  
**STATEMENT OF** [REDACTED] **Witness 4**

I am a Vice President in the Government Relations department at Cleveland-Cliffs Inc. (the "Company"). During April and May of 2020, I held the title Senior Director in that same department. Among other things, my responsibilities then and now include communicating with Congressional staff, and sometimes members of Congress, on behalf of the Company.

On April 28, 2020, at approximately midday, I received a phone call from the Company's CEO, Lourenco Goncalves. During that conversation, Mr. Goncalves told me that he had received an incoming call on his cell phone from Commerce Secretary Wilbur Ross shortly before Mr. Goncalves had called me. Mr. Goncalves said that Secretary Ross had informed him that the Department of Commerce intended to announce publicly in the near future that the Department would be self-initiating a new Section 232 investigation covering transformer laminations and cores. I understood Secretary Ross conveyed to Mr. Goncalves that (1) the Department believed the prospective new Section 232 investigation could be handled in an expedited fashion, meaning that it could be completed in as little as four months; (2) the investigation would be overseen by Under Secretary of Commerce for International Trade Joe Semsar; and (3) Secretary Ross would be given regular updates that he would pass along to the Company to the extent legally permissible.

Following my phone conversation with Mr. Goncalves, early in the afternoon that same day, I discussed the matter by phone with my colleague [REDACTED] **Witness 5** who is a Corporate Manager in the Company's Government Relations department. Consistent with our roles in the Company's Government Relations department, we decided to contact staff in the offices of several members of Congress representing areas in Pennsylvania and Ohio that included Company facilities impacted by that prospective new Section 232 investigation. Generally speaking, [REDACTED] **Witness 5** and I together contacted staff in those members' offices by phone to inform them of the information Secretary Ross had conveyed to the Company that day. As part of those efforts, we contacted staff for Rep. Mike Kelly.

At approximately 2:45 p.m. (ET) that afternoon, [REDACTED] **Witness 5** and I spoke to [REDACTED] **Witness 2** Legislative Director for Rep. Mike Kelly, on a telephone conference call. To the best of my recollection, the three of us were the only people on the line for that conversation. While I no longer remember the precise dialogue from that call, I generally recall that we told [REDACTED] **Witness 2** that the Department of Commerce had informed the Company that it intended to self-initiate a new Section 232 investigation covering transformer laminations and cores. I do not recall discussing any of the following topics during that call: the Company's share price, trading in the Company's shares, or Victoria Kelly.

# **EXHIBIT 29**

**APPENDIX B**  
**STATEMENT OF** [Witness 5]

I am a Corporate Manager for Federal Government Relations at Cleveland-Cliffs Inc. (the “Company”), and I was serving in a comparable role during April and May of 2020. Among other things, my responsibilities include communicating with Congressional staff, and sometimes members of Congress, on behalf of the Company.

On April 28, 2020, in approximately the early afternoon, I had a phone conversation with my colleague [Witness 4], then a Senior Director in the Company’s Government Relations department. During that conversation, [Witness 4] described to me a conversation he had with the Company’s CEO, Lourenco Goncalves, in which Mr. Goncalves conveyed that he had received an incoming call from Commerce Secretary Wilbur Ross midday that day. I understood that Secretary Ross had informed Mr. Goncalves that the Department of Commerce intended to announce publicly in the near future that the Department would be self-initiating a new Section 232 investigation covering transformer laminations and cores. I understood Secretary Ross conveyed to Mr. Goncalves that (1) the Department believed the prospective new Section 232 investigation could be handled in an expedited fashion, meaning that it could be completed in as little as four months; (2) the investigation would be overseen by Under Secretary of Commerce for International Trade Joe Semsar; and (3) Secretary Ross would be given regular updates that he would pass along to the Company to the extent legally permissible.

Consistent with our roles in the Company’s Government Relations department, [Witness 4] and I decided to contact staff in the offices of several members of Congress representing areas in Pennsylvania and Ohio that included Company facilities impacted by that prospective new Section 232 investigation. Generally speaking, [Witness 4] and I together contacted staff in those members’ offices by phone to inform them of the information Secretary Ross had conveyed to the Company that day. As part of those efforts, we contacted staff for Rep. Mike Kelly.

At approximately 2:45 p.m. (ET) that afternoon, [Witness 4] and I spoke to [Witness 2] Legislative Director for Rep. Kelly, on a telephone conference call. To the best of my recollection, the three of us were the only people on the line for that conversation. While I no longer remember the precise dialogue from that call, I generally recall that we told [Witness 2] that the Department of Commerce had informed the Company that it intended to self-initiate a new Section 232 investigation covering transformer laminations and cores. I do not recall discussing any of the following topics during that call: the Company’s share price, trading in the Company’s shares, or Victoria Kelly.

# **EXHIBIT 30**

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110<sup>th</sup> Congress as Amended

## **Transcript of Interview of Witness Two**

Review No. 21-9221

May 21, 2021



1                   OFFICE OF CONGRESSIONAL ETHICS (OCE)  
2                               Of the  
3                   UNITED STATES HOUSE OF REPRESENTATIVES

4  
5  
6                   OCE REVIEW

7  
8  
9  
10                  Interview of WITNESS 2  
11                       Conducted Virtually  
12                       Friday, May 21 2021  
13                       9:39 a.m.

14  
15  
16  
17  
18  
19  
20   Job:   375497

21   Pages:   1 - 102

22   Transcribed by:   Pamela A. Flutie

1           Deposition of WITNESS 2, conducted  
2           virtually.

3  
4  
5  
6  
7           Pursuant to agreement, before Jesse Greer,  
8           Notary Public in and for the State of Maryland.

A P P E A R A N C E S

ON BEHALF OF THE OFFICE OF CONGRESSIONAL ETHICS  
OF THE UNITED STATES HOUSE OF REPRESENTATIVES:

JEFFREY BROWN, ESQ.

OMAR ASHMAWY

ANNIE CHO

425 3rd Street SW, Suite 1110

Washington, DC 20024

Phone: 202-225-9739

ALSO PRESENT:

Jesse Greer, Court Reporter

Saul Gan, Technician

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C O N T E N T S

INTERVIEW OF WITNESS 2	PAGE
By Mr. Brown	5

E X H I B I T S

(Reporter Attached)

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1 P R O C E E D I N G S

2 MR. BROWN: For the record, this is  
3 Jeff Brown with the Office of Congressional  
4 Ethics. With me are my colleagues Omar Ashmawy  
5 and Annie Cho. We are undertaking a remote  
6 video interview of Witness 2 from Representative  
7 Mike Kelly's office. It is May 21, 2021. It's  
8 a little after 9:30 a.m. Witness 2 has been  
9 given a copy of the False Statements Act and  
10 with that, we will get started.

11 So, Witness 2, first, the question is,  
12 you are currently in Representative Kelly's  
13 Congressional Office, correct?

14 WITNESS 2: That is correct.

15 MR. BROWN: And what is your title and  
16 what is your role in the office?

17 WITNESS 2: I am Policy Director/Tax  
18 and Trade Counsel.

19 MR. BROWN: Okay. And you have held  
20 that position since at least January of 2020.

21 WITNESS 2: Since -- I started off as  
22 Policy Director and Tax Counsel, I added Trade

1 over the course of the time since I handle both  
2 of those issues and everyone loves a good title  
3 in DC. So, I just thought I'd make mine bigger,  
4 so.

5 MR. BROWN: Okay. And you have been  
6 working on this stuff since at least January of  
7 2020.

8 WITNESS 2: Yeah. I worked for a  
9 former Ways and Means, Pennsylvania member, and  
10 so, before that, but I don't believe I ever had  
11 -- I don't think this issue -- other than just  
12 general steel issues and also I was closer to --  
13 our district was closer to Philly. So, sorry,  
14 that's my schedule.

15 MR. BROWN: That's okay.

16 WITNESS 2: So, at that point -- so,  
17 really until I started working for Mike Kelly,  
18 it was the only time I, you know.

19 MR. BROWN: Okay.

20 WITNESS 2: And it's a member company  
21 in his district, so like every -- every  
22 Congressional Office, you get to know all the

1 members companies in the district, so.

2 MR. BROWN: Right and you're touching  
3 on the next question. So, you -- you're sort of  
4 the lead on issues involving Cleveland Cliffs or  
5 AK Steel.

6 WITNESS 2: When it comes to -- yes.  
7 When it comes to those, you know, tax or trade  
8 or anything related, yes.

9 MR. BROWN: Okay. For tax or --

10 WITNESS 2: Or terrorist, anything  
11 that's all within, you know, the trade space.

12 MR. BROWN: Great. Well, as I  
13 mentioned in my E-mail earlier today, and we may  
14 have talked about it, the primary thing I want  
15 to do today is just sort of like walk through a  
16 timeline of events, get your recollection. I'll  
17 show you a bunch of documents to try and jog  
18 your memory on some things.

19 WITNESS 2: Sure, thank you.

20 MR. BROWN: But what I'll do up front  
21 is I just want to ask you generally about some  
22 issues and where I want to start focusing is,

1     you know, in the events leading up to the May 4,  
2     2020 Section 232 announcement by the Department  
3     of Commerce, but I'm not going to start on May  
4     4th. I'm going to back up a little bit and just  
5     ask you when did you and when did Representative  
6     Kelly, the Congressional Office, first  
7     understand that the Butler Works, the AK Steel  
8     Plant in Butler, Pennsylvania, was potentially  
9     going to shut down?

10           WITNESS 2: So, I don't think I ever  
11     really felt like it was going to shut down.  
12     There's a lot of -- as all things in -- a lot of  
13     companies will say that they're about to close  
14     down and they never close -- close down. They  
15     might go into bankruptcy, they might go into any  
16     number of things. So, I never really got a  
17     clear sense that they were actually ever going  
18     to be shut down. A lot of -- a lot of, you  
19     know, a lot of CEOs will come in with their hair  
20     on fire. You know, my job is, like any  
21     congressional is, are the -- is this really --  
22     is this -- are they really going to be shutting



1 down because of, you know, x, y, and z, or are  
2 you trying to get like -- like -- lots of  
3 companies have done throughout -- throughout the  
4 history of -- of the Hill, I think, who, you  
5 know, want to change the law to, you know, to  
6 benefit them, whether -- whether or not they're  
7 being gamed, particularly in the trade, well  
8 actually the trade and tax based is that, you  
9 know, that they're being gamed internationally  
10 and so, you -- whether it's tax or trade. And  
11 so, you know, on the tax side, it's we're going  
12 to invert and move our headquarters to, you  
13 know, to Ireland or a lot of CEOs come in and  
14 say that unless -- unless -- particularly more  
15 so in the tax base -- unless the tax, you know,  
16 we get tax reform, we're moving our headquarters  
17 to Ireland because we have a more favorable tax  
18 rate or we might just shut down our, you know,  
19 our US, you know, subsidiary companies, it  
20 doesn't matter.

21 MR. BROWN: Yeah.

22 WITNESS 2: So, I kind of take it with

1 a grain of salt that actually they are going to  
2 really shut down. Until I see notices going out  
3 and -- and they do have to -- I'm from the west  
4 coast, so we don't have as many unions, but I  
5 learned that, you know, the unions and under  
6 whatever contract that they have with the  
7 company, that they have to give them a head's up  
8 if they -- an intent to -- and I'm not expert in  
9 labor law -- but they have to give them a head's  
10 up if they are going to potentially lay people  
11 off or close a shop or -- and to my knowledge,  
12 maybe that went out. But there was discussion  
13 that that might potentially happen, but I don't  
14 ever recall it ever happening, so.

15 MR. BROWN: Well, in this case, as I  
16 understand it, the Cleveland-Cliffs CEO, it's --  
17 it's -- I think it's the March timeframe.

18 WITNESS 2: Is it?

19 MR. BROWN: And to your point says --

20 WITNESS 2: I think they set it. I  
21 don't know if it actually went --

22 MR. BROWN: Well --

1                   WITNESS 2: And maybe you, I mean, you  
2 maybe know.

3                   MR. BROWN: Well, let me -- let me --  
4 let me try and jog your memory a little bit. I  
5 think it's in March, and this goes to the point,  
6 I think, you were just making. The Cleveland-  
7 Cliffs CEO, right around the time they were  
8 going to acquire AK Steel says, I'm going to  
9 shut these plants down if I don't get help with  
10 the 232 tariffs. Is that your understanding of  
11 how things went?

12                  WITNESS 2: And I think he -- I think  
13 he might have testified -- well, so there's a  
14 steel --

15                  MR. BROWN: Right. It was before a  
16 steel caucus.

17                  WITNESS 2: Yes. And that's the first  
18 time I think I ever met him and he's a very  
19 different character than the previous president.  
20 So -- so, that was probably the first time I  
21 heard him say it publicly. Whether that  
22 matters, you know, whether that -- that actually

1 initiated anything or, you know, whether or not  
2 if it was more bluster than anything else, I  
3 kind of -- I think that was the first time it  
4 was done in a public forum with other  
5 Pennsylvania members there. But again, that was  
6 my first, you know, again, it's the CEO --

7 MR. BROWN: Yeah.

8 WITNESS 2: -- a new CEO, but that was  
9 my -- that was the first time I think -- that  
10 was the first time I ever actually had heard of  
11 him, and I was actually at that hearing, so,  
12 with my boss. So, I do recall it.

13 MR. BROWN: I get -- I get the  
14 impression that after he made that statement he,  
15 you know, kind of doubles down on it a little  
16 bit later. I get the impression that this  
17 becomes a focus in the office. Is it fair to  
18 say that?

19 WITNESS 2: I, you know, I mean, I  
20 don't think it necessarily any more, I mean, I  
21 cover a lot of issues, and so, no more than  
22 every other focus. I think it's more of a focus

1 for Mike because it's down the street from his,  
2 you know, where he lives. These people come  
3 like, you know, it's his small town that's  
4 lived. He's a 72-year-old man. It's like --

5 MR. BROWN: Right.

6 WITNESS 2: -- every -- and I'm from a  
7 small town in Oregon, you know. I think it's a  
8 big issue. You drive by, I mean, he literally  
9 drives by AK Steel, and it's been different  
10 iterations over the years. It used to be a much  
11 bigger steel plant, which is kind of the case --  
12 we have a lot of steel in Western PA, and over  
13 the years, it used to be like Erie,  
14 Pennsylvania. It used to have kind of a robust  
15 economy. Whether or not it was because of our  
16 trade laws maybe, I mean, it could be any number  
17 of factors and, you know, we all lament the  
18 decline of manufacturing, but we are an advanced  
19 economy now and, you know, those jobs that don't  
20 pay as well and we also have a lot of  
21 environmental laws that in some sense people,  
22 you know, companies would prefer to locate

1 elsewhere. I think it's happened in the high  
2 tech industry and in the fabs. Semiconductor  
3 fabs have gone overseas. You know, you go where  
4 it financially makes sense. And so, I think --  
5 I think a lot of it was perhaps -- the way I  
6 read it, having worked on the Hill twenty years  
7 -- I don't suffer fools and I -- my personal  
8 feeling was he is in his -- he's very Latin --  
9 Latin American man, and he likes to, you know.  
10 Let's just say the previous president of AK  
11 Steel never made -- never, ever, you know,  
12 obviously he lamented like we're moving -- we're  
13 losing market share, there's this, there's that,  
14 you know, could we have some help on the, you  
15 know. But that's -- that's -- that's the US  
16 trade and steel industry in general.

17 MR. BROWN: Um-hum.

18 WITNESS 2: You know, like I think for  
19 the last two months, they've -- I've been  
20 getting from the TAA -- I don't know if you're  
21 familiar -- with layoffs, like, and in -- on  
22 multiple steel companies in our district. So,

1 in some sense, you know, it's a trend --

2 MR. BROWN: Yeah.

3 WITNESS 2: -- across the industry.

4 So, this isn't -- this, you know, whether or not  
5 they actually close or not, you know, until I  
6 see it -- start seeing notices coming from, you  
7 know --

8 MR. BROWN: Right.

9 WITNESS 2: -- they -- the company  
10 actually pulls the trigger and sends the intent  
11 to lay off to, you know, the labor union, then -  
12 - and I have it on paper and it's a public, you  
13 know, notification, then I kind of take it with  
14 a grain of salt, to be honest, so.

15 MR. BROWN: You said before, you know,  
16 it's important to Representative Kelly because  
17 he's from Butler -- he lives in Butler. To what  
18 extent --

19 WITNESS 2: For their whole life.

20 MR. BROWN: Yeah. To what extent, you  
21 know, given his interest and given Butler is his  
22 hometown, is he, you know, staying on top of

1 these issues, wanting you and/or Matt and others  
2 to keep him apprised of what's going on with AK  
3 Steel?

4 WITNESS 2: You know, I deal,  
5 actually, less with Mike and Matt. Matt doesn't  
6 live down here. He lives in the District. I  
7 probably see him a couple, you know. When we're  
8 in session, he'll come in for one or two days  
9 for fundraisers, then he leaves. So, I probably  
10 talk more with the AK Steel people than I ever  
11 do with Mike and Matt. And part of it is just,  
12 you know, they, you know, we do a lot in the  
13 steel. We're members of the steel caucus. We,  
14 you know, but it's like any other -- I probably  
15 deal more with AK Steel than I ever have with --  
16 I've toured the plant, but I've toured other  
17 steel plants. I've done -- depending if it's a  
18 labor union shop, I'm wearing a hard hat, and if  
19 I'm not, I'm not wearing a hard hat, so.

20 MR. BROWN: I guess I was more  
21 wondering, you know, just -- just how looped in  
22 on AK Steel issues the Congressman was.



1                   WITNESS 2: He's more looped in -- how  
2 do I say it. Like, he's -- we're looped in on  
3 the ground because he runs into AK Steel like  
4 the union guys, you know, at the grocery store,  
5 at the gas station, you know. He's in a small  
6 town. I deal with the government affairs, you  
7 know. I go up to the district.

8                   MR. BROWN: In other words, he is  
9 interested to the extent that he's going to be  
10 asked about this sort of stuff when he's walking  
11 around town.

12                  WITNESS 2: Right. That's -- that's  
13 the level of his interest. He's not wondering,  
14 you know, he's not reviewing, you know, letters,  
15 you know. He's very -- he could care less.  
16 Like, he's like, that's your job in terms of  
17 letters to the administration and, you know,  
18 I've worked with, like every other colleague  
19 I've worked on over the years, I work, you know,  
20 I mean, just me -- him sending a letter by  
21 himself, you know, I've worked with other, you  
22 know, I've done Republican letters, I've been --

1 I've done bipartisan letters. It's -- I work  
2 more with the other staffs and the AK Steel  
3 representative than I do with probably talking  
4 to Mike.

5 MR. BROWN: Well -- well, let me ask  
6 you this then. How, you know, I see from the  
7 documents and, you know, from the comments you  
8 just made, you're working fairly closely with  
9 the folks at AK Steel on some of these issues.  
10 How big of a deal is -- how big of a deal are  
11 these 232 issues to AK Steel to Cleveland-  
12 Cliffs?

13 WITNESS 2: You know, I had never even  
14 heard of a 232 until, quite frankly, until the  
15 Trump administration. If you told me there was  
16 such a thing as a 232, you know, the Hill  
17 doesn't really deal with a lot of trade issues  
18 as much as like tax issues because a lot of that  
19 is just done down at USTR or Commerce. And what  
20 actually -- I really have -- over the course of  
21 twenty years, have very limited contact with  
22 Commerce. They just don't -- they just don't

1 have -- we just -- we don't do a lot of, you  
2 know, Congressional casework issues with them.  
3 We don't -- they kind were off -- and maybe it's  
4 just a function of, you know, the issues I've  
5 done over the years. But I've really never even  
6 heard of a 232.

7 MR. BROWN: And maybe it's -- I  
8 shouldn't ask about it in the context of 232 but  
9 more in the context of how big of a deal is it  
10 to AK Steel, to Cleveland-Cliffs to try and  
11 close this what they see as a loophole for --

12 WITNESS 2: To be honest, I have no  
13 idea. I mean, that's -- that's like in the  
14 weeds trade lawyer. I think -- to be honest, I  
15 think whatever is in the toolbox that would  
16 help them in terms of product coming in, I don't  
17 care if it's 232, it could be any number of --  
18 any number of things in the kind of -- the trade  
19 toolbox to limit products coming in to, you  
20 know, the United States. You know, over the  
21 years, it's been everything from lampposts,  
22 from, you know, every company at some point or

1 at least particularly in the steel, aluminum is  
2 another one, and for every one company that  
3 wants a 232 or some kind of trade remedy,  
4 there's another company who doesn't. So, in  
5 some sense, you're kind of relying on what both  
6 companies are, you know, companies that want the  
7 protectionism, not that, you know, want -- want  
8 some sort of trade remedy or protection versus,  
9 you know, another company who doesn't want it,  
10 and it's kind of, you kind of rely on the  
11 companies, I mean, because I don't really have  
12 the ability to go investigate whether or not  
13 they're being, you know, accurate.

14 And I will say that that -- what has  
15 been a topic of discussion in the office is  
16 like, so we issue this 232. Do we really -- if  
17 they -- if they do -- do we really know they're  
18 not going to really still just close the plant  
19 anyway? And quite frankly, we, you know, I'm  
20 like, I don't know, I don't see their books.  
21 And, you know, they say it's going to help them  
22 or -- but not just this company, any company,

1 from lampposts to anybody that's producing here  
2 or if, you know, or if we put made in America,  
3 will that actually change another, you know, or  
4 require -- that's another thing on the steel or  
5 aluminum -- if you require, you know, the  
6 military to buy a certain amount of product  
7 that's, you know, produced domestically, you  
8 know, it's the -- in some sense, you know, the  
9 US companies, you know, especially for  
10 Republicans, they want to be like free market,  
11 but they understand like other companies aren't  
12 necessarily free market. So, you're trying to  
13 kind of ferret out whether or not, you know, if  
14 -- if, you know, Commerce does this or if USTR  
15 does this, you know, will this actually save  
16 jobs at -- at the end of the day, which was --  
17 which was, you know, the goal of any member I've  
18 ever worked for. You know, they don't like to  
19 see -- and that's what the TAA, you know, kind  
20 of existing program -- it's to help them, you  
21 know, with layoffs if they do.

22 I'm kind of, you know, Mike listens to

1 people, you know, when he's getting -- shopping  
2 at Shoppers or wherever he shops in the  
3 District. He runs into those people.

4 MR. BROWN: And that's why this is key  
5 for Representative Kelly is that --

6 WITNESS 2: Yeah.

7 MR. BROWN: -- 1,400 jobs in his  
8 community are potentially out the door.

9 WITNESS 2: I'll be honest, he has  
10 five car dealerships and if 1,400 jobs go away,  
11 it also, you know, probably impacts, you know.  
12 There are days where he's like, I'm done with  
13 this, I'm ready to go back. He's like I'm a car  
14 guy that never ran for office, not interested,  
15 you know, and when I retire, I'm going to go  
16 back because God knows I don't want to be at  
17 home every -- every day, and his -- and, as he  
18 says, his wife doesn't want him home every day,  
19 and I'm like, I'm pretty sure that all wives  
20 think that way. You need to go and have a hobby  
21 or something. He's like, I don't have any  
22 hobbies. I mean, he's very -- he's very Irish.

1 He's very -- there is nothing that you don't  
2 discuss with him, which, you know --

3 MR. BROWN: Yeah.

4 WITNESS 2: So, you know, I think for  
5 him, it's like -- uh-oh. Can you --

6 MR. BROWN: Sorry. Omar, I see you're  
7 up on video. Did you want to pop in? You're on  
8 mute.

9 MR. ASHMAWY: Yeah, yeah. I really --  
10 actually, so I think maybe it's an unfair  
11 question to ask you -- for you to tell us how  
12 important this 232 investigation and the  
13 interaction with Commerce was for AK Steel.  
14 Like maybe another way of asking is, how  
15 important did they tell you it was? Regardless  
16 of whether or not you think they were overeating  
17 or being over-emotional, how important did they  
18 tell you it was?

19 WITNESS 2: You mean how -- how  
20 important Mike -- like --

21 MR. ASHMAWY: No. How important did  
22 AK Steel tell you -- how important did

1 Cleveland-Cliffs tell you this was to them? How  
2 did they present it to you?

3 MR. BROWN: In other words, Witness 5  
4 and Witness 4 --

5 WITNESS 2: Witness 5, you know, so,  
6 and also Witness 4 was relatively new.  
7 Obviously, the -- the Cleveland-Cliffs people  
8 are, you know, kind of new, you know, new --  
9 kind of new to the game. I've never ever dealt  
10 with either -- I'd never heard of Cleveland-  
11 Cliffs, if that tells you anything. So, you  
12 know, it's -- they said it was important but it  
13 didn't necessarily -- it's like, you know, it's  
14 -- I never got the sense that they would -- if  
15 we didn't do -- if 232 or some other trade  
16 remedy wasn't issued, that they, you know,  
17 they're really never going, I mean, they're  
18 going to actually close the plant. I never  
19 really felt that that was --

20 MR. ASHMAWY: I realize that. But, I  
21 mean, we've seen documents, you know, from them  
22 that, you know, and -- and have received



1 representation from them that they at least  
2 thought it was important or at least they  
3 thought so.

4 WITNESS 2: Oh, yeah. Oh, yeah, yeah,  
5 yeah.

6 MR. ASHMAWY: That it was important.

7 WITNESS 2: No, I think they  
8 definitely -- yeah. No, I definitely think they  
9 thought it was important, yeah. There's no --  
10 there's no -- yeah. There's absolutely -- they  
11 definitely thought it was important.

12 MR. ASHMAWY: Yeah, yeah.

13 WITNESS 2: Do I think that they're  
14 already back trying to figure out something else  
15 to do with this administration? Yes, they  
16 already are. They are not talking to us,  
17 necessarily. They are now -- like they have now  
18 kind of migrated, like if this happens, you  
19 know, when the pendulum swings -- I think  
20 they're now more focused on the -- the  
21 Democratic offices in this current  
22 administration. So, to be honest, it's funny.

1 I think I talked to AK Steel probably every  
2 couple weeks, if not every other week. It's  
3 crickets. I have not talked to them since the  
4 new administration. So, I think they're, you  
5 know, they're doing what the Government Affairs  
6 people do, as they're pursuing other avenues to,  
7 you know -- you know, to secure, I think some  
8 sort of, you know, protections from imports with  
9 this administration, and that's, you know,  
10 that's now the Democrats, you know, kind of on  
11 their plate.

12 MR. BROWN: And you'd -- you'd be  
13 talking to Witness 5, right?

14 WITNESS 2: Yeah. Oh, yeah.

15 MR. BROWN: And Witness 5 -- Witness 5  
16 is their main or is she their only internal?

17 WITNESS 2: She was their -- she was  
18 their only representative for AK Steel. Now,  
19 she reports to Witness 4.

20 MR. BROWN: Okay.

21 WITNESS 2: And so, I think, yeah.

22 MR. BROWN: They are the two in-house

1 lobbyists for AK Steel --

2 WITNESS 2: Yes.

3 MR. BROWN: -- and Cleveland-Cliffs.

4 WITNESS 2: Yes.

5 MR. BROWN: Are there any other more  
6 senior Government Affairs officials or those are  
7 the -- those are the two.

8 WITNESS 2: Those are the only two  
9 that I have dealt with.

10 MR. BROWN: Okay. Well, let me --  
11 let's get into some of the documents and that  
12 way, you can kind of help march me through the  
13 timeline of events that happened here.

14 Saul, can you pull up Document Number  
15 1 for us? And if you can give me control of it,  
16 I'd be appreciative. All right.

17 So, Witness 2, I'm going to zoom out a  
18 little bit.

19 WITNESS 2: Sure.

20 MR. BROWN: This is a document you  
21 produced to us. Hopefully, that's not too small  
22 for you to read there. This is an E-mail from

1 Matt Stroia to yourself -- to, excuse me,  
2 Natalie Joyce and you are copied on this E-mail.  
3 I'll give you a second to look at it.

4 WITNESS 2: Okay. Okay. It's a  
5 little. I'm going to open it so I can see it.

6 MR. BROWN: Yeah. I can -- I can blow  
7 it up a little.

8 WITNESS 2: Can you blow it up a  
9 little bit?

10 MR. BROWN: Yeah.

11 WITNESS 2: And remind me who Natalie  
12 is with.

13 MR. BROWN: Sure. I was going to ask  
14 you that. But it's my impression that Natalie  
15 Joyce is the Deputy Chief of Staff for Kevin  
16 McCarthy.

17 WITNESS 2: Oh, okay. Yeah.

18 MR. BROWN: Does that sound -- does  
19 that sound right?

20 WITNESS 2: I am guessing. So, I have  
21 no -- see, I rarely deal with leadership, so.  
22 I'm guessing this.

1 MR. BROWN: Well, take your time.

2 Finish reading this document if you want.

3 WITNESS 2: Right.

4 MR. BROWN: And let me know. I have a  
5 couple quick questions.

6 WITNESS 2: Sure. I know he reached  
7 out to -- I mean, I didn't see this or I didn't  
8 pay attention to it. But yes. I know that --  
9 that they did do a call to Kevin McCarthy.

10 MR. BROWN: Let me ask you this. I'm  
11 trying to gauge -- this is from Matt to Kevin  
12 McCarthy's people.

13 WITNESS 2: Right.

14 MR. BROWN: And the date of this is  
15 Thursday, April 23rd, 11:30 in the morning.

16 WITNESS 2: Right.

17 MR. BROWN: Any reason to believe this  
18 isn't an accurate assessment of the -- the 232  
19 issues at the time as represented by Matt?

20 WITNESS 2: Say that again.

21 MR. BROWN: I'm just trying to, you  
22 know, make sure that this is an accurate

1 assessment of the -- the issues at the time.  
2 What I'm seeing and frankly what I'd like to  
3 confirm with you is that it sounds to me like  
4 Representative Kelly's office along with several  
5 other offices initially took the approach that  
6 there are these tariffs in place -- Section 232  
7 -- are in place.

8 WITNESS 2: Right.

9 MR. BROWN: We would like to close a  
10 loophole with respect to those existing tariffs  
11 in order to protect electrical steel.

12 WITNESS 2: Yes, that's -- that's  
13 accurate.

14 MR. BROWN: And that -- that's the  
15 initial strategy, that's the initial game plan  
16 that both Representative Kelly and other both  
17 House and Senate offices --

18 WITNESS 2: Right, and I think  
19 Balderson was -- Troy Balderson's office was  
20 looped in on it. Yeah, and I see Troy  
21 Balderson. Yeah.

22 MR. BROWN: And I see that here at the

1 end, Matt says, "Simply put, we need the  
2 administration to extend the Section 232 tariffs  
3 to grain-oriented electrical steel coming into  
4 the US.

5 WITNESS 2: Yeah.

6 MR. BROWN: So, my understanding is  
7 the initial game plan is let's use the existing  
8 tariffs that are in place and close -- but shut  
9 the loopholes -- close the loopholes, and then  
10 that's good for AK Steel if we do that.

11 WITNESS 2: Or if -- and yeah. And I  
12 think the thing is, I mean, because I'm not at  
13 Commerce and, you know, the issue is whatever  
14 tools in your toolbox to help our -- this  
15 company that potentially will go, you know, will  
16 go -- like any company will go out and there  
17 will be a job loss. I think, you know, at least  
18 from Matt's perspective, he's not a trade  
19 person, I'm not -- like, I'm a trade person on  
20 TV, so to speak, but I don't actually -- I don't  
21 really know what could potentially be in the  
22 toolbox in Commerce. So, 232 is kind of what

1 the company has said would be helpful. Because  
2 we -- we kind of asked them, like, what is it  
3 that would be helpful. They have, you know,  
4 they have a bunch of DC law firms with trade  
5 attorneys that they're being advised. And so,  
6 to my knowledge, this is what the best, you  
7 know, potential outcome or trade remedy out  
8 there on the books that would -- would help them  
9 the most.

10 MR. BROWN: So, AK Steel is saying to  
11 you guys, we need this 232 relief --

12 WITNESS 2: Extended, right. I mean,  
13 it could be --

14 MR. BROWN: This is -- this is --  
15 yeah, this is what's important to us and this is  
16 how we want it.

17 WITNESS 2: Right, right.

18 MR. BROWN: Okay.

19 WITNESS 2: Because, you know, it's  
20 like any, you know, anything else. You have a  
21 zillion companies coming in needing, you know,  
22 assistance with something. Usually, I don't, I



1 mean, usually they come in and they're like,  
2 this is what would help us.

3 MR. BROWN: Yeah.

4 WITNESS 2: You know, there's other  
5 things that could potentially help them, but  
6 this is the one that they presented to us.

7 MR. BROWN: And so, that's what they -  
8 - AK Steel, Cleveland Cliffs said in this  
9 situation. This is the manner in which, you  
10 know, you guys can help us.

11 WITNESS 2: Yes.

12 MR. BROWN: Yeah, okay.

13 WITNESS 2: That's accurate.

14 MR. BROWN: Let me move on to Document  
15 2, Saul, because this -- Witness 2, this  
16 document, I think, helps me understand that the  
17 -- the strategy shifts at some point. But let  
18 me walk you through the document. Okay. This  
19 is an E-mail string --

20 WITNESS 2: [Indiscernible.]

21 MR. BROWN: And let me -- I'll start  
22 at the bottom here. You'll see it's from --

1 this is an E-mail string from Witness 5 --

2 WITNESS 2: Right.

3 MR. BROWN: -- and she says on April  
4 24, 2020, this is at 1:52 p.m., "We have an  
5 update out of DOC," Department of Commerce," Can  
6 you all hop on the call anytime between 2 and 3  
7 or 3 and 4?" And then you respond, "2 to 3  
8 works. Nate Zimpher," who as I understand is  
9 Troy Balderson's -- is a Troy Balderson staffer,  
10 " says --

11 WITNESS 2: Um-hum.

12 MR. BROWN: -- he can do 2 to 3." And  
13 Witness 5 ultimately responds, "Let's do 2:15.  
14 It won't take long." And a 2:15 call occurs.  
15 Do you -- what happens on this 2:15 call?  
16 What's discussed? In other words, what is the -  
17 -

18 WITNESS 2: Right, right.

19 MR. BROWN: -- update out of DOC?

20 WITNESS 2: Right.

21 MR. BROWN: This is Friday, April  
22 24th.

1                   WITNESS 2: To be honest, I -- they  
2                   probably -- to be honest, it's a year -- it's a  
3                   year ago. I -- because we have so many calls.  
4                   The best of my knowledge was they were  
5                   potentially talking about issuing an extension  
6                   of the 232 or -- but that's -- I don't recall  
7                   beyond, you know.

8                   MR. BROWN: Let me ask you two  
9                   questions then.

10                  WITNESS 2: Sure.

11                  MR. BROWN: You said we had so many  
12                  calls, and that's -- when you say we had so many  
13                  calls, do you mean --

14                  WITNESS 2: I like literally --

15                  MR. BROWN: You and AK Steel were on  
16                  the phone all the time around this time?

17                  WITNESS 2: I'll be honest. I feel  
18                  like Commerce is -- I don't have a good opinion  
19                  of Commerce after this because I felt like they  
20                  were always -- like, you just couldn't get an --  
21                  and I don't know if it was Secretary Ross, but  
22                  it's -- it was more that I felt like I was

1 beating -- like, just give -- just give us an  
2 answer of what you're doing or what the thought  
3 process is because I'm having to just like --  
4 because Mike wants to know what's going on.  
5 He's at the grocery store running into people  
6 and they think they're going to lose their jobs  
7 and I'm like -- so, I think the -- they would  
8 reach out to -- basically, they would reach out  
9 to AK Steel for giving us a head's up half the  
10 time --

11 MR. BROWN: Okay.

12 WITNESS 2: -- which I found very  
13 frustrating. But -- but, so --

14 MR. BROWN: Well, let me -- let me  
15 tell you this. I've got a call summary here.

16 WITNESS 2: Oh, good.

17 MR. BROWN: Let's see if we can jog  
18 your memory with this.

19 WITNESS 2: Yes, please do.

20 MR. BROWN: I've got a call summary.  
21 So, this is the Friday, April 24th phone call.  
22 This is a call summary from Cleveland Cliffs

1 that says there was a phone call between Witness  
2 4, Witness 5, Witness 2, Nate Zimpher, and Sam  
3 Malopoulis [phonetic], and it says, "Witness 5  
4 and Witness 4 provided an update that the  
5 Department of Commerce had declined to pursue  
6 coverage of lamination and cores as derivative  
7 products under the existing steel Section 232  
8 tariffs and quotas." Does that jog your memory?

9 WITNESS 2: Somewhat.

10 MR. BROWN: Well, let me ask it like  
11 this. Do you have any reason to believe that  
12 that's not what you discussed on this call?

13 WITNESS 2: No.

14 MR. BROWN: Okay.

15 WITNESS 2: No. It was a year ago

16 MR. BROWN: I -- and I -- I completely  
17 understand.

18 WITNESS 2: And I'm 50, so -- I'm 50,  
19 so -- and I get a lot of information coming in,  
20 and so.

21 MR. BROWN: Then I just want to make  
22 sure it's --

1 WITNESS 2: There's -- yeah.

2 MR. BROWN: -- fair to you that on  
3 April 24th, the AK Steel and Cleveland-Cliffs  
4 via Witness 5 and Witness 4 could have and it  
5 sounds like would have --

6 WITNESS 2: Yes.

7 MR. BROWN: -- alerted you to the fact  
8 that the Department of Commerce declined to move  
9 forward with what it sounds like was the initial  
10 strategy on the Hill to --

11 WITNESS 2: Yes.

12 MR. BROWN: -- extend, you know, to  
13 use the existing tariffs to address the, you  
14 know, to close the loopholes on the existing  
15 tariffs.

16 WITNESS 2: Yes, yes.

17 MR. BROWN: Okay. Well then, let's  
18 move on to -- oh, before I do that, what is --  
19 do you know who at AK Steel or excuse me -- who  
20 Witness 5 and Witness 4 are speaking to at the  
21 Department of Commerce?

22 WITNESS 2: I do not.

1 MR. BROWN: Okay. Have they ever  
2 said, you know, we're talking to, you know --

3 WITNESS 2: At Commerce?

4 MR. BROWN: -- these are -- these are  
5 our main points of contact at Commerce?

6 WITNESS 2: No.

7 MR. BROWN: No? Okay. So, to the  
8 extent that on Friday, April 24th, you guys  
9 learned the Department of Commerce has  
10 effectively kind of shot down the strategy  
11 that's being pursued by the Kelly office and  
12 other offices in AK Steel, what's AK Steel and  
13 Cleveland-Cliff's reaction to that?

14 WITNESS 2: I really only dealt with  
15 Witness 5 and -- and I think usually with --  
16 well, like every Government Affairs person, she  
17 is like -- and she just was starting to report  
18 to a brand new, you know, she had someone new  
19 she's, you know, reporting to that she doesn't  
20 have experience with and, you know, she's a  
21 former Hill staffer. So, it's the okay, so if  
22 this -- what's our next strategy? Like, if they

1 -- if Commerce won't do this, you know, what's  
2 the next tool in the toolbox basically to put it  
3 --

4 MR. BROWN: Yeah.

5 WITNESS 2: -- that we can pursue to -  
6 - because they believe there's been -- and based  
7 on the data somewhere that I've seen is that  
8 they are the last maker of electrical steel for,  
9 you know, for national security reasons, you  
10 know, that's -- we probably want to keep the  
11 last maker of electrical steel. But also that  
12 there's imports that are coming in illegally  
13 from Mexico and Canada, how they're, you know,  
14 cutting and slicing these big steel parts that  
15 basically -- basically, they're doing an end-run  
16 -- an in-runaround our existing, you know,  
17 policies on the books. So, how do we get at,  
18 you know, in my mind as a Hill staffer, how do  
19 we get at insuring that we -- we stop that if  
20 it's -- if it's illegal or what kind of laws can  
21 we, you know, or pursue, or what's on the books  
22 we can pursue that's -- that the Commerce can



1 pursue to make sure that that's not happening.  
2 I mean, that's kind of -- so, okay. So,  
3 Commerce doesn't issue a 232. What else can we,  
4 you know, but in my mind -- and that's kind of  
5 the way, you know, she's -- she has two little  
6 kids at home. She is working from home, there's  
7 a pandemic, you know. So, it was more like,  
8 okay, you know. If I recall correctly, it was  
9 like what do we do? What's -- what can we do  
10 next, so.

11 MR. BROWN: Okay. Saul, can you pull  
12 up Document 4 for me? And so, I'll just give  
13 you a head's up. Document 4 is going to be a  
14 Tuesday, April 28th E-mail string about setting  
15 up a conference call between yourself, Witness  
16 4, and Witness 5. And again, I appreciate that  
17 it's been a year. I want to see if you recall -  
18 -

19 WITNESS 2: Okay, yeah.

20 MR. BROWN: -- what was discussed on  
21 that date. So, let me zoom out a little bit  
22 here.

1 WITNESS 2: Okay.

2 MR. BROWN: And you can see here at  
3 the bottom.

4 WITNESS 2: Okay, there's that call.

5 MR. BROWN: Witness 5 says, "Hey, sent  
6 you a text but E-mailing too. Can you -- can  
7 you do an update call with me and Witness 4?"  
8 This is April 28th at 2:17 p.m. You say, "I'm  
9 on the call with Mike and Troy Balderson. I can  
10 do the call at 2:45."

11 WITNESS 2: Right.

12 MR. BROWN: Then, she sends, you know,  
13 a dial-in for 2:45 and then the first E-mail in  
14 the string is you forwarding that dial-in to  
15 both Matt and Witness 1.

16 WITNESS 2: Yeah.

17 MR. BROWN: So, my first question is,  
18 what's the conversation that you have with  
19 Witness 4 and Witness 5? And this is April  
20 28th.

21 WITNESS 2: Right.

22 MR. BROWN: Tuesday.

1                   WITNESS 2: To be honest, I do not  
2                   have a recollection of what we talked about  
3                   other than I know that I remember Matt -- Mike  
4                   asking -- because I think there was a general  
5                   frustration that -- I'll be honest -- that  
6                   Secretary of Commerce was a little old for that  
7                   -- for that job and really difficult to try and  
8                   get any sort of responses or get him on the  
9                   phone, and I think, you know, the strategy is  
10                  like well, maybe if we have Kevin McCarthy call,  
11                  I do recall that of that day, like Mike saying  
12                  hey, we really -- can you help us here? And it  
13                  was -- Troy Balderson was on the call with my --  
14                  I did -- that was -- I know that piece of the  
15                  day. I don't know exactly what got said on this  
16                  one to be honest.

17                 MR. BROWN: Okay. And so, let's back  
18                 up to that call.

19                 WITNESS 2: Right.

20                 MR. BROWN: On that call, that's Mike  
21                 and Troy Balderson --

22                 WITNESS 2: Talking to --

1 MR. BROWN: -- pushing -- pushing  
2 Kevin McCarthy --

3 WITNESS 2: Right.

4 MR. BROWN: -- to try and, you know,  
5 address these issues on behalf of AK Steel and  
6 Cleveland-Cliffs.

7 WITNESS 2: Hey, they're not listening  
8 to us. Maybe if we get a call from Kevin  
9 McCarthy, that may be --

10 MR. BROWN: Yeah.

11 WITNESS 2: -- you know, Secretary --

12 MR. BROWN: So, this is --

13 WITNESS 2: Yeah. Maybe the Secretary  
14 will stop napping all day and like maybe get  
15 back to the Hill.

16 MR. BROWN: Okay.

17 WITNESS 2: I mean, a lot of -- a lot  
18 of frustration with dealing with Commerce and  
19 just trying to like who -- and who's at  
20 Commerce? Like, nobody knows -- versus like  
21 USTR and also the head of -- the ambassador of  
22 USTR was a former Senate staffer, like, much

1 more responsive and again, I never spent a lot  
2 of time dealing with Commerce. So, but and I've  
3 had friends that went over to work at Commerce  
4 and were out sooner rather than later. So, I  
5 feel like there's a lot of dysfunction at  
6 Commerce and trying to --

7 MR. BROWN: So, in the call -- in the  
8 call with Kevin McCarthy --

9 WITNESS 2: Yeah.

10 MR. BROWN: -- that is, you know, you  
11 guys saying this is important to us, this is  
12 important to our constituent, you know.

13 WITNESS 2: Right. Can we --

14 MR. BROWN: Both the constituents and  
15 the business, we need to try and adjust this.  
16 Can you kind of work with the administration?

17 WITNESS 2: Can you see if anyone's  
18 awake at Commerce is kind of the gist of that  
19 and --

20 MR. BROWN: Well, let me then -- let  
21 me read to you another call summary from  
22 Cleveland-Cliffs. So, this is a call summary of  
the

1 conversation that it sounds like you had with  
2 Witness 4 and Witness 5, and this is Tuesday,  
3 April 28th, at it looks like 2:45 p.m. Phone  
4 call between Witness 4, Witness 5, and Witness  
5 2. "Witness 5 and Witness 4 provided  
6 notification of the Department of Commerce's  
7 intent to initiate Section 232 investigation  
8 covering transformer lamination and cores."  
9 Does that jog your memory at all?

10 WITNESS 2: Um-hum.

11 MR. BROWN: Okay.

12 WITNESS 2: The intent, right.

13 MR. BROWN: Yeah.

14 WITNESS 2: Yeah.

15 MR. BROWN: So, what -- what is that?  
16 What do you recall about this call having  
17 occurred?

18 WITNESS 2: Just that. Like the -- I  
19 mean, the intent.

20 MR. BROWN: So that can -- that --  
21 that seems to be an accurate -- an accurate  
22 assessment of what you recall.

1 WITNESS 2: Yeah, intent -- this is  
2 with regard to Canada, right? Not Canada,  
3 Mexico.

4 MR. BROWN: This is -- let me read it  
5 to you again.

6 WITNESS 2: Yeah, please do.

7 MR. BROWN: Witness 5 and Witness 4  
8 provided notification of the Department of  
9 Commerce's intent --

10 WITNESS 2: Oh, right, right.

11 MR. BROWN: -- to initiate a Section  
12 232 --

13 WITNESS 2: 32 --

14 MR. BROWN: -- investigation --

15 WITNESS 2: Right, yes.

16 MR. BROWN: -- covering transformation  
17 laminations and cores.

18 WITNESS 2: Yes.

19 MR. BROWN: so, it sounds to me like  
20 on this call, the prior strategy of getting the  
21 existing 232 tariffs, you know, that cover  
22 electrical steel didn't work, so --

1 WITNESS 2: So, it was --

2 MR. BROWN: -- the new strategy  
3 shifted to getting an effort for 232  
4 investigation initiated into electrical steel  
5 and on this call from Witness 5 and Witness 4,  
6 you're being advised that the Department of  
7 Commerce has told AK Steel that they are going  
8 to --

9 WITNESS 2: Which would initiate --  
10 which, quite frankly, I'll be honest, I have  
11 not, I mean, it's kind of -- like I said, it's  
12 relatively -- so, we're going to, you know,  
13 investigate. Like, whether or not they -- just  
14 because somebody investigates it, like initiates  
15 another investigation, whether that produces  
16 anything. So, I mean, I think they took it as  
17 like an exciting, you know, a good development.  
18 But, you know --

19 MR. BROWN: You -- you were -- you  
20 were starting to say they took it as an exciting  
21 or good development.

22 WITNESS 2: Or a good thing. You're



1 going to initiate a 232. Because here, you  
2 know, they've been going -- saying that --

3 MR. BROWN: Who -- who is they? AK  
4 Steel?

5 WITNESS 2: AK Steel, yeah. AK Steel,  
6 like, there's dumping from, you know, of, you  
7 know, ghost-type products coming to the United  
8 States and the issue has been with -- with any  
9 company is that demonstrating this, in fact, is  
10 actually happening. I mean, from lampposts to -  
11 - we get a lot of, you know, companies that come  
12 in and there's like this illegal dumping is  
13 occurring, whether it's from Canada or Mexico.  
14 Mexico is a little easier to get things --  
15 products in just because of the state of their  
16 government. But that doesn't necessarily mean  
17 that it's going to lead to anything. Do you  
18 know what I mean? Like this is --

19 MR. BROWN: So, this is -- this is a  
20 good thing in a sense --

21 WITNESS 2: I consider it's a good  
22 thing. I, I mean, at least they're going to

1 investigate, which -- which, it's unclear --

2 MR. BROWN: And I guess --

3 WITNESS 2: -- what Commerce, you know  
4 -- you know, it's unclear if Commerce -- well,  
5 you could -- you could send a lot of letters to  
6 Commerce. There's not really ever a response  
7 like hey, this is what our companies are saying,  
8 you know, could you -- your job is to help with  
9 the enforcement and, you know, I -- I -- yeah.

10 MR. BROWN: Okay.

11 WITNESS 2: So, I took it that they're  
12 actually going to maybe investigate what our  
13 company is saying.

14 MR. BROWN: So, this is a good -- this  
15 is a good thing for the company and for the  
16 Congressman in the sense that, you know, this is  
17 what -- this is what we've been driving at to  
18 get --

19 WITNESS 2: Right. We've been -- this  
20 is what our company, I mean, in some sense,  
21 you're kind of the mediator, like, this is what  
22 this this company is saying in our district,

1 this is what they're alleging. You, you know,  
2 you government entity, you are the one, I mean,  
3 your staff --

4 MR. BROWN: You're advocating -- your  
5 advocating for a constituent company.

6 WITNESS 2: Could you -- yeah, could  
7 you do a little digging that's in your purview,  
8 Department of Commerce, which I'm not sure, and  
9 -- so, it looked -- from my perspective, it  
10 looked like they were going to do some due  
11 diligence on what the company is alleging.

12 MR. BROWN: It looks to me like you  
13 have Matt and Witness a dialing into that  
14 conference line. Do you know, are they on that  
15 call with Witness 5 and Witness 4?

16 WITNESS 2: I don't -- usually they --  
17 they should be -- they should be on that call.

18 MR. BROWN: Okay. But even if they're  
19 not on the call with Witness 5 or Witness 4, I  
20 take it that this is an important enough issue  
21 that they're getting advised of this either, you  
22 know, by you or by Witness 5 and Witness 4, you

1 know, it looks like around 3:00 on Tuesday,  
2 April 28th.

3 WITNESS 2: Yeah. They were probably  
4 on the call, but, you know.

5 MR. BROWN: Yeah, okay.

6 WITNESS 2: My guess is that they were  
7 on the call.

8 MR. BROWN: Okay. Can you pull up --  
9 Saul, can you please pull up Document 5?

10 And, Witness 2, just so you're aware,  
11 this is going to be a -- a version of the same  
12 documents.

13 WITNESS 2: Okay.

14 MR. BROWN: A different version of the  
15 same E-mail string and I -- I really have kind  
16 of one main question for you.

17 WITNESS 2: Sure.

18 MR. BROWN: All right. So, if you  
19 look at this -- I'll zoom out a little bit --  
20 this is a different version of this document  
21 that we got. But you can see it's the same  
22 thing.

1 WITNESS 2: Right.

2 MR. BROWN: It's from Witness 5 saying  
3 I sent you a text, and you say, I'm on the Mike  
4 McCarthy/Balderson call.

5 WITNESS 2: Right.

6 MR. BROWN: Then, there's this, okay,  
7 we'll do it at 2:45.

8 WITNESS 2: Right.

9 MR. BROWN: And then, there's an E-  
10 mail atop that says from Mike Kelly.

11 WITNESS 2: I was going to say, does  
12 he have an E-mail address?

13 MR. BROWN: That's my question.

14 WITNESS 2: Well, Jeff, now you know  
15 more than I do about my own boss, because I  
16 don't -- I've never seen him E-mail since I've  
17 worked for him.

18 MR. BROWN: Well, that's -- that is my  
19 question to you. Do you think this is Mike  
20 Kelly, or is it -- is it possible that somebody  
21 has an E-mail --

22 WITNESS 2: Yeah.

1 MR. BROWN: -- you know, that says Mike  
2 Kelly, but it's actually a staffer?

3 WITNESS 2: I don't know if that's  
4 like our campaign. I don't -- like, he doesn't  
5 have an E-mail address to my knowledge. I mean,  
6 Matt would be the person that would know that or  
7 the scheduler -- not the scheduler like in DC,  
8 but maybe someone up in the District office  
9 might have. But again, I've never seen him use  
10 -- he's -- if anything, he texts.

11 MR. BROWN: Yeah.

12 WITNESS 2: Like, boat wrecks, I just  
13 text him. I mean, he's a 70 --

14 MR. BROWN: Yeah.

15 WITNESS 2: My previous boss E-mailed,  
16 which I'm kind of glad Mike doesn't have an E-  
17 mail address because it makes my life a little  
18 easier.

19 MR. BROWN: Well then, let me -- let  
20 me ask you this. We can't say for any certainty  
21 whether or not this is Mike Kelly who is calling  
22 into that call. But do you -- do you remember

1 the Congressman being on that phone call?

2 WITNESS 2: I don't and my -- it had  
3 to have come from the District is all I can  
4 think of because I've never gotten an E-mail  
5 from Mike Kelly.

6 MR. BROWN: Okay. Well, let me ask  
7 you this. So, it -- it appears to be around 2 -  
8 - if we go back to Document 4 here --

9 WITNESS 2: Yeah.

10 MR. BROWN: It's about 2:52 p.m. that  
11 -- it looks like you, Matt, and Witness 1 are  
12 all alerted to the fact that Cleveland-Cliffs  
13 has been told or AK Steel has been told by the  
14 Department of Commerce that the Department of  
15 Commerce is going to initiate a Section 232  
16 review.

17 WITNESS 2: Right.

18 MR. BROWN: I gather from our  
19 conversations and also from the documents that  
20 I've seen that even if the Congressman wasn't on  
21 that E-mail, that this information would have  
22 been conveyed to him because this was important

1 to him and it was important to --

2 WITNESS 2: Yes.

3 MR. BROWN: Okay. So, it's --

4 WITNESS 2: He probably -- he doesn't  
5 do a lot. It's just staff calls. He doesn't  
6 generally get on the call.

7 MR. BROWN: Do you --

8 WITNESS 2: Because he doesn't really  
9 like --

10 MR. BROWN: Do you know if you would  
11 have updated him on this or would --

12 WITNESS 2: No, it would have been  
13 Matt.

14 MR. BROWN: Okay.

15 WITNESS 2: It looked like at that  
16 point, he might have -- I'll have to look at the  
17 Congressional schedule -- but back -- my guess  
18 is he was up in the District at that point. I  
19 mean, he only comes down when there's votes,  
20 like most members, and then goes -- and then he  
21 would have been -- he would have been in the  
22 Butler office. Again, I don't think I've --



1 I've never gotten an E-mail from him.

2 MR. BROWN: Okay.

3 WITNESS 2: So, to be honest, I don't  
4 even think he has an E-mail address. So, that  
5 might have come from -- I don't know if it's the  
6 scheduler up in the District or --

7 MR. BROWN: The main -- the main thing  
8 I wanted to -- to get your opinion on is even if  
9 that's not him on the conference call --

10 WITNESS 2: Right, right, right.

11 MR. BROWN: -- given the nature of  
12 this issue, it's safe to assume that Matt would  
13 have updated him on this development.

14 WITNESS 2: Yes, yes.

15 MR. BROWN: Okay. Saul, can you  
16 please pull up Document 6 for us? All right.  
17 Document 6 here, Witness 2, as you'll see, is a  
18 --

19 WITNESS 2: Right.

20 MR. BROWN: -- E-mail from you to  
21 Witness 4, Witness 5, Matt Stroia, and Witness 1  
22 --

1 WITNESS 2: Um-hum.

2 MR. BROWN: -- and you say -- and this  
3 is April 28th at 4:05 p.m.

4 WITNESS 2: Right.

5 MR. BROWN: You say, "Assuming  
6 everything stays on track with Ross's offer to  
7 help AK Steel, please let Witness 1 know if you  
8 need a quote from Mike."

9 WITNESS 2: Right.

10 MR. BROWN: When you say Ross's offer  
11 to help with AK Steel, what are you referring  
12 to?

13 WITNESS 2: I don't -- whatever he can  
14 do to help AK Steel. I don't care --  
15 potentially 232, whatever is in their little  
16 bailiwick to help AK Steel is what I referred  
17 to, so.

18 MR. BROWN: So, when I read these  
19 documents in the context of the documents I've  
20 seen, it sounds like, you know, an hour or two  
21 earlier in the day, you're told that Department  
22 of Commerce plans to initiate this Section 232 -

1 - that you were announced the Section 232  
2 review. So, when I read Ross's offer to help  
3 with AK Steel, I read that as saying the  
4 decision by the Department of Commerce to --

5 WITNESS 2: To do something.

6 MR. BROWN: And to initiate the  
7 Section 232 review. Is that -- is that a fair  
8 reading of that?

9 WITNESS 2: Yeah or anything that the  
10 Commerce hopefully can do something. I mean,  
11 based on all the evidence that's out there, if  
12 anything, I think everybody, or at least, was  
13 like what -- well, what does -- if Commerce  
14 can't help them based on everything -- the  
15 information we've been getting with the dumping  
16 and if not 232, what is in their, you know,  
17 their -- their little -- their little trade or,  
18 you know, toolbox? What is it that they can  
19 help with or investigate or, I mean.

20 MR. BROWN: Yeah, yeah.

21 WITNESS 2: That's -- I think that's  
22 the -- I don't think I personally am like 232 or

1 something else. It's just AK Steel is alleging  
2 there's dumping and -- and that they're not, you  
3 know, what is it that you can do to either  
4 investigate or -- or --

5 MR. BROWN: Yeah.

6 WITNESS 2: I mean, because you're  
7 kind of relying as a staffer, like relying on  
8 what the company is saying and what you're  
9 getting from Commerce. The problem is we're not  
10 -- like Commerce is persona non grata half the  
11 time and there's not really any -- nobody knows  
12 -- I don't know how many times I've heard well,  
13 who's -- who's at Commerce and who's left at  
14 Commerce? Like, there's nobody that you feel  
15 like -- I've been on Hill twenty years. I know  
16 when I -- I know like half the people at  
17 Treasury used to work on the Hill that's in, you  
18 know, there is like nobody -- we're just trying  
19 to find like what is it that they --

20 MR. BROWN: It sounds to me --

21 WITNESS 2: You have my boss -- go  
22 ahead.

1 MR. BROWN: -- like the Department of  
2 Commerce -- and I think you said this before --  
3 is directly communicating with AK Steel. So,  
4 you're learning much of what's going on through  
5 AK Steel.

6 WITNESS 2: Yeah. I mean, I feel like  
7 -- well, part of it is you have a CEO, which I -  
8 - a very active CEO that doesn't have a problem  
9 calling, I mean, doesn't have a problem calling  
10 the Secretary --

11 MR. BROWN: Right.

12 WITNESS 2: -- and -- or calling like  
13 -- he's a very active -- so, we're kind of, like  
14 I -- I think the frustration is we're just  
15 trying to piece together like what Commerce is  
16 saying to AK Steel and what AK Steel is -- I  
17 mean, half of the time, I was learning what  
18 Commerce was doing or if they were going to do  
19 or whatever discussions from AK Steel, so.

20 MR. BROWN: Yeah, and to that point,  
21 let's go to Document 7. Saul, if you can pull  
22 that up.

1 WITNESS 2: Sure.

2 MR. BROWN: This is a text string,  
3 which I think makes things a little clearer, at  
4 least on my end. So, I'd like to get -- get  
5 your help walking through this.

6 WITNESS 2: Sure.

7 MR. BROWN: And just as a reminder, it  
8 looks like it's about 2:45 on April 28th that  
9 you get an update from Cleveland-Cliffs or AK  
10 Steel -- Witness 5 and Witness 4. It says,  
11 "Department of Commerce intends to initiate the  
12 Section 232 review." And that's at about 2:45.

13 WITNESS 2: Okay.

14 MR. BROWN: And so, I've got a text  
15 string here now that starts at April 28, 2020,  
16 3:41 p.m., and actually, let me start here -- 8  
17 -- 8:05 p.m.

18 WITNESS 2: Okay.

19 MR. BROWN: This is Witness 1 saying,  
20 "Never heard from Witness 5 about whether they  
21 want a quote from us or not."

22 WITNESS 2: Right.

1 MR. BROWN: Do you -- when he says  
2 whether they want a quote from us or not, who's  
3 -- who's Witness 1 referring to?

4 WITNESS 2: Never heard from Witness 5  
5 about whether -- what do you mean who are they  
6 referring to?

7 MR. BROWN: So, when Witness 1 says  
8 they -- whether they want a quote, I'm wondering  
9 who he's referring to -- and let me --

10 WITNESS 2: They're just Cleveland-  
11 Cliffs and AK --

12 MR. BROWN: Yeah, okay. Because I  
13 look at this -- this other document here, and  
14 you say, you know, let Witness 1 know if you  
15 need a quote and this it to Witness 4 and  
16 Witness 5.

17 WITNESS 2: Right.

18 MR. BROWN: That's at 4:00, and then I  
19 look at this text message, and he says, "Never  
20 heard from Witness 5 about whether they want a  
21 quote."

22 WITNESS 2: They.

1 MR. BROWN: I'm assuming they means  
2 Cleveland-Cliffs, AK Steel.

3 WITNESS 2: That's the thing is, like,  
4 you know, we're now dealing with this other  
5 company that -- or, you know -- that just  
6 acquired AK Steel, so.

7 MR. BROWN: Right.

8 WITNESS 2: They are they now, not  
9 just AK, because it's a subsidiary of -- so, now  
10 we're dealing with a they.

11 MR. BROWN: Uh-huh.

12 WITNESS 2: And, quite frankly,  
13 Witness 5, you know, she's -- it's a relatively  
14 new --

15 MR. BROWN: Merger. It happened in  
16 March.

17 WITNESS 2: Merger and so, you know,  
18 she's dealing with new, you know, she felt -- I  
19 know, you know, just because I've dealt with her  
20 over the years -- she didn't know if she was  
21 going to have a job. So, it was the, you know,  
22 and she's reporting to new. So, that's the



1       they.

2                   MR. BROWN:  The they, okay.  And then,  
3       Witness 1 says -- and again, this is at 8:05  
4       p.m., so sort of the end of the day of the 28th,  
5       he says, "Is everything confirmed?"  When I read  
6       is everything confirmed, he seems to be, you  
7       know, asking you is everything confirmed --

8                   WITNESS 2:  Right.

9                   MR. BROWN:  -- that we're going -- go  
10       ahead.

11                  WITNESS 2:  Yeah, like hello, can we  
12       get, I mean, Witness 1 and I are the ones like,  
13       okay, do we know what Commerce is actually going  
14       to do, and if so, what kind of, you know,  
15       because at the -- because --

16                  MR. BROWN:  Well, let me -- let me  
17       walk through this text.

18                  WITNESS 2:  Yeah.

19                  MR. BROWN:  This is Matt responding to  
20       Witness 1.  It looks like --

21                  WITNESS 2:  Yeah.

22                  MR. BROWN:  -- sometimes after, you

1 know, his 8 p.m. text.

2 WITNESS 2: Right.

3 MR. BROWN: So, yeah. Matt says,  
4 "Commerce has not yet sent their press release  
5 out. Cleveland-Cliffs is waiting for Commerce  
6 to put their press release out before they put  
7 one out." When I read that, I see put their  
8 press release out. My understanding of that is  
9 the press release stating that they are  
10 initiating a Section 232 review.

11 WITNESS 2: Right. That's how --  
12 yeah, that's how I read it.

13 MR. BROWN: Okay. And then, he says -  
14 - Matt says, "I spoke to Commerce and the White  
15 House after our call. They are hoping to have  
16 the release out tonight but don't think it's  
17 going to happen." Again, their release would be  
18 a press release noting that they're opening a  
19 Section 232 review.

20 WITNESS 2: Yeah.

21 MR. BROWN: Okay.

22 WITNESS 2: That's how I read that.

1 MR. BROWN: When he says I spoke to  
2 Commerce and the White House after the call, do  
3 you know who he's referring to?

4 WITNESS 2: No. Like, that's all, you  
5 know, the difference between the political and  
6 the policy, I quite frankly don't --

7 MR. BROWN: You're the policy.

8 WITNESS 2: I don't even know who's at  
9 the White house. That the thing is like, you  
10 know --

11 MR. BROWN: Okay.

12 WITNESS 2: -- and they didn't keep  
13 anyone I did know who had been in, you know,  
14 worked in the Senate or the House. So, they  
15 didn't last long.

16 MR. BROWN: Okay. Let me scroll down  
17 a little bit further. If you see here, we're at  
18 April 29th at 9:04 a.m.

19 WITNESS 2: Um-hum.

20 MR. BROWN: Witness 1 testifies,  
21 "Still don't see it." Again, the it, to me, is  
22 referring to the Commerce press release on the

1 232 investigation.

2 WITNESS 2: Right.

3 MR. BROWN: And then you respond and  
4 you say, "Just talked to Witness 5," and I  
5 assume that's Witness 5 --

6 WITNESS 2: Yes.

7 MR. BROWN: -- at AK Steel, okay.  
8 "The announcement is likely to come later in the  
9 week." Again, to me, the announcement is a  
10 press release from Commerce that says, you know,  
11 we're initiating Section 232 review.

12 WITNESS 2: Right.

13 MR. BROWN: Okay. "Hopefully by  
14 Friday based upon a late night conversation  
15 Witness 4 had Ross's Chief of Staff." I  
16 understand Witness 4 to be Witness 4 --

17 WITNESS 2: Yes.

18 MR. BROWN: -- Cleveland-Cliffs and  
19 Ross's Chief of Staff is --

20 WITNESS 2: Whoever that is.

21 MR. BROWN: Secretary Ross.

22 WITNESS 2: Okay, yeah.

1 MR. BROWN: Secretary Ross, yeah.  
2 "They need to get their legal ducks in a row."  
3 What did you mean when you said they need to get  
4 their legal ducks in a row?

5 WITNESS 2: That, I mean, that's kind  
6 of what my understanding is. They need to --  
7 legal ducks. In other words, how they -- by  
8 legal ducks in a row, I'm guessing, that they  
9 have to --

10 MR. BROWN: The clearance process?

11 WITNESS 2: Clearance process or I'm  
12 trying to go back twenty years to law school --  
13 the Administrative Procedures Act, whatever they  
14 need to do that's administratively that I'm glad  
15 I don't do for a living. Whatever they need to  
16 do to, you know.

17 MR. BROWN: Okay. Because when I read  
18 -- when I read these texts and the documents  
19 we've walked through --

20 WITNESS 2: Yeah.

21 MR. BROWN: -- and the call summaries,  
22 what I see or what I understand here is that

1 Secretary Ross communicated to AK Steel that  
2 we're -- we're opening a Section 232 --

3 WITNESS 2: Right.

4 MR. BROWN: -- investigation. And  
5 that's everybody's understanding of what's  
6 happening.

7 WITNESS 2: Yeah, yeah.

8 MR. BROWN: It's just a question of  
9 when exactly are they issuing this press  
10 release.

11 WITNESS 2: Right.

12 MR. BROWN: Okay.

13 WITNESS 2: Or if they're going to  
14 issue a press release. I think the thing is  
15 that -- that you kind of, I mean, it's kind of  
16 this black box at Commerce and are they going to  
17 do something, are they not going to do  
18 something, and, you know, to our knowledge, you  
19 know, based on our knowledge, Commerce is the --  
20 has the jurisdiction of, you know, determining,  
21 you know, import, you know, if there's dumping,  
22 like Ambassador [indiscernible], that's not

1 something they're, I mean, they're the  
2 department that's supposed to be handling this.  
3 How they issue, you know, and I, quite frankly  
4 don't really -- I kind of watch, you know, like  
5 press releases coming out when they are  
6 announcing over, you know, many years, if  
7 they're going to initiate something. I'm  
8 assuming they'd have to vet this before they,  
9 you know, that's the legal ducks in a row.  
10 That's my sense.

11 MR. BROWN: I guess what I'm trying  
12 to get at here is, you know, it seems to me like  
13 there's been communication at AK Steel and  
14 Cleveland-Cliffs, like this is what we're  
15 doing. We're initiating this Section 232 review.

16 WITNESS 2: Yeah.

17 MR. BROWN: You guys at the end of  
18 this text, you say, "It ain't over until  
19 Commerce makes the announcement and --"

20 WITNESS 2: Yeah.

21 MR. BROWN: " and to put on the gas  
22 until the finish line." I get what you're

1 saying when you -- you're saying for the  
2 Commerce's black box, we never know exactly what  
3 they're going to do.

4 WITNESS 2: Yeah, I don't trust -- I  
5 don't trust them.

6 MR. BROWN: Is there any -- is there  
7 anything -- when you say you don't trust them,  
8 is there anything that you've heard specifically  
9 to suggest that they've altered course here, or  
10 is it --

11 WITNESS 2: No, they're opaque. Like  
12 there is no head's -- I mean, I heard what  
13 Commerce is doing from AK Steel. Like nobody at  
14 Commerce picked up the phone and said hey, no,  
15 and like there was no --

16 MR. BROWN: So, neither you nor Matt  
17 or anybody has been told like actually Secretary  
18 Ross is waffling or the Department of Commerce  
19 people are waffling. This is you guys saying  
20 like we've got to keep -- out of an abundance of  
21 caution, we need to keep --

22 WITNESS 2: Yeah, like can -- are



1       there -- is there somebody still awake at  
2       Commerce? I mean, and I -- like I said, I never  
3       really had a discussion with anybody at  
4       Commerce. I still don't know who is at Commerce  
5       and I certainly didn't -- didn't know under, you  
6       know, the Ross -- the Ross regimen who, you  
7       know.

8               MR. BROWN: Okay.

9               WITNESS 2: Yeah, who -- who -- who  
10       was there to call, I guess --

11              MR. BROWN: Okay.

12              WITNESS 2: -- to find out what --  
13       what's going on.

14              MR. BROWN: It sounds like that was  
15       more Matt. He had a connection --

16              WITNESS 2: Matt was the one that had  
17       connections. He dealt with Commerce.

18              MR. BROWN: And let me just ask you  
19       one more question about this text string. This  
20       occurs, again, April 28th in the evening and  
21       then 9:04 the texts start again on April 29.

22              WITNESS 2: Yeah.

1           MR. BROWN: It seems like, again,  
2           fairly substantial updates about, you know,  
3           what's going on, who has talked to who. This is  
4           important to the Congressman. I assume Matt's  
5           the person who would be updating him?

6           WITNESS 2: He is the point person for  
7           dealing with the administration.

8           MR. BROWN: Okay.

9           WITNESS 2: He's also the one that's  
10          always with -- with my boss. You know, he lives  
11          in the district, he's with them the vast  
12          majority of time. He really is the person that  
13          would be around for all these conversations. I  
14          would say that I dealt more with Witness 5 and  
15          what Witness 5 knew, what, where, and you know,  
16          when, and less -- less Matt and Mike, so.

17          MR. BROWN: Okay. Can you -- Saul,  
18          can you pull up Document 8 real fast? And  
19          Witness 2, I can want to provide for you --  
20          you're not on this E-mail string, but in the  
21          text that we just looked at here, Matt says, you  
22          know, "I just talked to somebody from the White

1 House at Commerce."

2 WITNESS 2: Um-hum.

3 MR. BROWN: And that -- he says that -  
4 - it looks like I lost control of the document  
5 here -- but he says that I think it's at like 8  
6 at night -- okay, thank you.

7 WITNESS 2: Okay.

8 MR. BROWN: Let me just pull the --  
9 this document back up first and go back up to  
10 what Matt says. Matt says, "I spoke to Commerce  
11 in the White House after our call."

12 WITNESS 2: Um-hum.

13 MR. BROWN: "They were hoping to have  
14 the press release out." I think this is the  
15 individual that Matt spoke with.

16 WITNESS 2: Yeah.

17 MR. BROWN: But let me give you a  
18 second to read that and see if that's your  
19 understanding of this document as well. So,  
20 you see here, it starts with Witness 3,  
21 Assistant Secretary for Legislative and  
22 Intergovernmental Affairs --

1 WITNESS 2: Right.

2 MR. BROWN: -- Department of Commerce  
3 says, "Hi, Matt. What's the best number to  
4 reach you at?"

5 WITNESS 2: Okay.

6 MR. BROWN: This is at 2:51 p.m.

7 WITNESS 2: Right.

8 MR. BROWN: So, that's right around  
9 the time you guys are having a conversation with  
10 Cleveland-Cliffs and AK Steel --

11 WITNESS 2: Right.

12 MR. BROWN: -- about the intent to  
13 initiate a Section 232 review.

14 WITNESS 2: Right.

15 MR. BROWN: Matt responds. It looks  
16 like he gives his contact information and it's  
17 redacted.

18 WITNESS 2: Right.

19 MR. BROWN: And then Witness 3 responds  
20 at 3:14 p.m. and says, "Just tried your cell.  
21 Give me a ring." And then again, that's 3:14,  
22 April 28th.