

**INITIATION OF SECTION 301 INVESTIGATION
Public Meeting on 03/11/2025**

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Initiation of Section 301 Investigation

PUBLIC MEETING,
was held on Tuesday, March 11, 2025, commencing at 10:05
a.m., at Office of the U.S. Trade Representative, U.S.
International Trade Commission (USITC), 500 E Street,
SW, Washington, District of Columbia 20436, reported by
Jeaninn Alexis, Stenographic Reporter and Notary Public
in the State of Maryland and District of Columbia.

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1	A-P-P-E-A-R-A-N-C-E-S:
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3	SONJA SCHAEFER - U.S. Department of Labor
4	SARAH BONNER - U.S. Small Business Administration
5	YIFAN CHEN - U.S. Department of Treasury
6	KYWAII LAWRENCE-JACKSON - U.S. Department of Defense
7	MARY LISA MADELL - U.S. Department of Transportation
8	PHILIP BUTLER - U.S. Trade Representative
9	LUKE MYERS - U.S. Department of Commerce
10	ACE GAZIS - U.S. Department of State
11	TYRELL BURCH - USITC
12	PHILIP BUTLER - USTR
13	TIMOTHY WINELAND - USTR
14	ERIN BIEL - USTR
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1	P-R-O-C-E-E-D-I-N-G-S
2	MR. BUTLER: Good morning and welcome. The
3	Office of the United States Trade Representative in
4	conjunction with the interagency Section 301 Committee
5	is holding this public hearing in connection with the
6	Section 301 investigation of China's acts, policies, and
7	practices related to targeting of the semiconductor
8	industry for dominance.
9	The United States Trade Representative
10	initiated this investigation on December 23rd, 2024,
11	pursuant to Section 302(b)(1)(A) of the Trade Act of
12	1974 as amended. In the Federal Register notice
13	published on December 30th, 2024, announcing the
14	initiation, USTR also invited written comments and
15	announced this hearing.
16	The December 30 notice invited comment on
17	whether the issues covered by the investigation are
18	actionable under the statute. Actionable matters under
19	include acts, policies, and practices of a foreign
20	country that are unreasonable or discriminatory and
21	burden or restrict U.S. commerce. The December 30
22	notice is available under on the USTR website under the

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1	Section 301 Investigation page, and is published in the
2	Federal Register at 89 Fed. Reg. 106725.
3	The purpose of this hearing is to receive
4	public testimony regarding the issues raised in the
5	December 30 notice. The Section 301 Committee will
6	carefully consider today's testimony and all written
7	comments in response to the Federal Register notice
8	including post-hearing rebuttal comments. Post-hearing
9	comments are due March 18th, 2025 and should be limited
10	to rebutting or supplementing testimony at this hearing.
11	After the Section 301 Committee has completed
12	its investigation, the Committee will make a
13	recommendation to the U.S. Trade Representative on
14	whether the acts, policies, and practices are actionable
15	under the statute. If it is determined under the
16	statute institute that acts, policies, and practices are
17	actionable, the U.S. Trade Representative will determine
18	whether action is appropriate. And if so, what action
19	to take under Section 304 of the Trade Act, which would
20	involve an additional notice and comment period.
21	We are pleased to have international trade and
22	economic experts from a range of U.S. government

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1 agencies with us at the hearing today. So why don't we
2 start, please, by having those individuals introduce
3 themselves starting with the Department of Labor.
4 U.S. DEPARTMENT OF LABOR: Sonja Schaefer,
5 Department of Labor.
6 U.S. SMALL BUSINESS ADMINISTRATION: Sarah
7 Bonner, U.S. Small Business Administration.
8 U.S. DEPARTMENT OF THE TREASURY: Yifan Chen,
9 U.S. Department of Treasury.
10 U.S. DEPARTMENT OF DEFENSE: Kywaii
11 Lawrence-Jackson, Department of Defense.
12 U.S. DEPARTMENT OF TRANSPORTATION: Mary Lisa
13 Madell, Department of Transportation.
14 U.S. TRADE REPRESENTATIVE: PHILIP BUTLER,
15 USTR.
16 U.S. DEPARTMENT OF COMMERCE: Luke Myers,
17 Department of Commerce.
18 U.S. DEPARTMENT OF STATE: Ace Gazis,
19 Department of State.
20 MR. BUTLER: And I am Philip Butler, Chair of
21 the Section 301 Committee for USTR. We are also honored
22 to have the participation of a member of Congress in

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1 this hearing. Later this morning at 11:45, we will
2 receive testimony from Congressman John Moolenaar, the
3 Chairman of the House Select Committee on the strategic
4 competition between the United States and the Chinese
5 Communist Party.
6 Before we proceed with Panel 1, I will provide
7 some procedural and administrative instructions: The
8 hearing is scheduled for one day, today March 11th. The
9 December 30 notice indicated that post-hearing comments
10 will be due seven days after the public hearing.
11 Post-hearing comments are due on March 18, 2025.
12 Today we will have four panels of witnesses
13 with 16 individuals scheduled to testify. The
14 provisional schedule has been posted on USTR's website.
15 We will have a brief break between panels and will take
16 a 15-minute lunch break. Each witness appearing at the
17 hearing is limited to five minutes of oral testimony.
18 The light before you will be green when you start your
19 testimony, yellow means you have one minute left, and
20 red means your time has expired.
21 After the testimony from each panel of
22 witnesses, the Section 301 Committee will have an

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1 opportunity to ask questions. All questions will be
2 from agency representatives. There will be no questions
3 accepted from the floor. Committee representatives will
4 generally direct their questions to one or more specific
5 witnesses.
6 Again, post-hearing comments including written
7 responses to questions from the Section 301 Committee
8 are due March 18, 2025. The rules and procedures for
9 written submissions are set out in December 30 Federal
10 Register notice. Given the number of witnesses and the
11 schedule, we request that witnesses, when responding to
12 questions, be as concise as possible.
13 We likewise ask witnesses to be understanding
14 if and when the Chair asks that a witness conclude a
15 response. In this regard, witnesses should recall that
16 they have a full opportunity to provide extensive
17 responses in their post-hearing submissions.
18 No cameras or video or audio recording will be
19 allowed during the hearing. A written transcript of
20 this hearing will be posted on the USTR website as soon
21 as possible after the conclusion of this hearing. At
22 this time, we are ready to proceed with Panel 1.

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1 And I apologize in advance if I get any names
2 wrong. Let's start with Panel 1. Can we start with Ms.
3 Cao.
4 WENJIA CAO,
5 China Chamber of Commerce for Import and Export of
6 Machinery and Electronic Products, CCCME
7 MS. CAO: Thank you. Good morning. Thank you
8 for the opportunity to attend today's hearing. I am Cao
9 Wenjia from China Chamber of Commerce for Import and
10 Export of Machinery and Electronic Products, CCCME.
11 The CCCME has been committed to promoting
12 trade, investments, and bilateral exchanges. In May
13 last year, under the Joint Working Group Mechanism of
14 China provinces and the U.S. States, we led a group of
15 nearly 100 business representatives to visit the U.S and
16 carried out a number of trade activities. The CCCME and
17 our member companies are always strong supporters and
18 active participants in global trade.
19 As regard to the semiconductor industry, it is
20 well acknowledged that the industry has long operated as
21 a global supply chain, benefiting from globalization,
22 international division of labor, and worldwide

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1 cooperation, playing an essential role in global
2 technological innovation.

3 China, as the world's largest consumer of
4 semiconductors, accounts for over half of the global
5 chip sales which relies heavily on imports, in 2020,
6 imports consisted of 83 percent of the total chip sales
7 within the country. If we look at the revenue history
8 of major semiconductor companies, you will find that the
9 sales of Chinese market accounts for a considerable part
10 of the U.S. semiconductor companies' revenue, such as
11 Texas Instruments and Intel.

12 As stated in CCCME's comment, the
13 semiconductor industry is highly dependent on global
14 collaboration. However, in recent years Chinese
15 companies are faced with more restrictive controls that
16 prevent the sales of semiconductor products to them from
17 countries including the U.S.

18 Such unpredictable policies create great
19 uncertainty and have greatly pushed Chinese companies to
20 re-examine and adjust their decision-making strategy in
21 fields such as procurement and production, so as to
22 avoid the risk of using chips from the U.S. companies.

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1 Hence, CCCME would like to highlight that the
2 evidence alleged in the formal notice if this
3 investigation is unsubstantial and biased, and the
4 investigating scope is overly broad, and we also noted
5 that the launch of this investigation has caused
6 concerns in the U.S. domestic industry.

7 In addition, the CCCME is perplexed about the
8 previous administration's initiation of the
9 investigation as we found the evidence listed is
10 contradictory. For instance, statistically the U.S.
11 semiconductor industry maintains its leadership in the
12 global market and continues its trend to thrive.

13 In 2023, the U.S. industry accounts for 50.2
14 percent of global sales revenue, up from 46 percent in
15 2018, and in R&D, design, and manufacturing process
16 technology, the U.S. semiconductor firms also maintains
17 a leading competitive position.

18 CCCME learned that the U.S. administration has
19 heavily subsidized its domestic semiconductor industry
20 and projects. For instance, quote, the CHIPS and
21 Science Act provides \$52.7 billion for American
22 semiconductor research, development, manufacturing, and

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1 workforce development, and since the CHIPS introduction,
2 more than 90 projects across 28 states are announced in
3 fabrication and packaging, equipment and materials
4 manufacturing, and R&D facilities.

5 From these data, it can be found that there
6 are no signs showing the U.S. semiconductor companies
7 are exposed to burdens or restrictions or suffer from
8 injuries. Also, CCCME would like to recall research and
9 studies on Section 301 measures that the negative impact
10 of increased tariffs primarily shown as higher prices
11 and costs for U.S companies and households.

12 And especially with U.S. inflation accelerated
13 in January, a new round of tariffs or restrictions would
14 only worsen the situation. We sincerely hope that,
15 instead of owing every potential problem to its Chinese
16 peers, the USTR can comprehensively investigate the real
17 challenges faced by the U.S. semiconductor companies.

18 In summary, the CCCME really appreciates the
19 opportunity to testify. We hope that the USTR can
20 consider voices from different interest parties and to
21 approach this investigation prudently. CCCME also
22 sincerely recommends terminating this investigation and

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1 avoiding undertaking any unreasonable measures that
2 would bring harm to the U.S. and global semiconductor
3 industry. We advocate mutual development between the
4 U.S. and Chinese companies, and are always willing to
5 contribute to close connection and cooperation between
6 companies from both countries and more sustained growth
7 of the global economy. Thank you.

8 MR. BUTLER: Thank you.

9 Mr. Xu, the floor is yours.

10 XIMING XU,

11 China Association of Automobile Manufacturers

12 MR. XU: Good morning, 301 Committee. My name
13 is Ximing Xu, and I'm here on behalf of CAAM China
14 Association of Automobile Manufactures. Founded in
15 1990, CAAM is the most representative national nonprofit
16 trade organization in the automobile industry of China.
17 CAAM is a self-disciplined, non-profit social
18 organization and by the end of 2024, CAAM has maintained
19 over 3,700 members.

20 China's auto market is one of the largest in
21 the world, with total auto sales reaching 26.282 million
22 units in 2024. It is an open, transparent, fair, and

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1 free competition market. The world's major automobile
2 manufacturers have set up production and sales networks
3 in China. The major brands in the Chinese market
4 include Mercedes-Benz, BMW, Volkswagen, Toyota, Tesla,
5 General Motors, Ford, Jeep, Peugeot, Citroen, Volvo,
6 Isuzu, Mazda, and more.

7 They sell both locally produced models and
8 imported ones in China. All the major car lines have a
9 share in the Chinese market. In 2024, 14.6 percent of
10 passenger cars sole are German brands, 11.2 percent
11 Japanese, and 6.4 percent are American.

12 In addition, the world's major auto parts
13 companies are also conducting sales and production
14 layout in China, including the U.S.-funded companies
15 such as Lear, Aptiv, Venture, Visteon, Bog Warner,
16 Cummins, Magna, and many other internationally renowned
17 companies.

18 An automotive chip is one of the product forms
19 of the semiconductor industry. Each vehicle currently
20 uses hundreds to thousands of chips according to its
21 intelligence level. In China, auto and parts-related
22 enterprises treat chips from Chinese and foreign

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1 companies imported chips and local chips equally when
2 purchasing and using chips.

3 The CAAM has also never received complaints
4 from its members, especially joint ventures or
5 foreign-funded enterprises that they are subject to
6 unreasonable, improper, or discriminatory restrictions
7 when purchasing chips for vehicles nor has it received
8 or seen any complaints from chip companies about
9 unreasonable, improper, or discriminatory restrictions
10 on the purchase of in-process chips by auto companies.

11 Chinese enterprises always adhere to an open
12 attitude towards foreign chips, and it has become normal
13 for Chinese enterprises to purchase automotive chips
14 globally. In recent years with the rapid development of
15 China's automobile industry, the demand for automotive
16 chips has increased sharply. The supply of domestic
17 automotive chips in China is far from meeting the
18 market's demand, so Chinese enterprises purchased a
19 large number of foreign automotive chips.

20 Statistics show that more than 90 percent of
21 the chips for China's automobile industry were imported
22 from abroad in 2023. At present, although some

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1 automotive chips are designed by domestic companies in
2 China mainland, most of the automotive gauge chips are
3 manufactured by wafer factories in Taiwan Province,
4 South Korea, Singapore, and China's dependence on
5 overseas foundry is very high.

6 The global automotive supply chain is
7 interconnected and highly Integrated. The global market
8 share of automotive chips eventually outputted from
9 China is very low. Although domestic chips are exported
10 overseas from China, after those chips are formed into
11 products such as controllers, most of those chips would
12 be sold back into China as parts of assemblies.

13 The electrification, intelligence, and
14 networking of automotive products as well as the global
15 supply shortage, have driven the development of local
16 research and development and manufacturing or automotive
17 chips in China.

18 The Global chip supply shortage during the
19 epidemic has driven the growth of China's local chip
20 industry. At the end of 2020, due to the impact of the
21 epidemic on the world's major chip manufacturers, there
22 was a global shortage of automotive chips, resulting in

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1 continued supply chain problems. Therefore, China as a
2 major automotive production country, was seriously
3 affected by that. This background has pushed Chinese
4 chip companies to strengthen technological innovation
5 and capacity expansion to meet the demand of the
6 domestic market.

7 A global chip shortage forces a reshaping of
8 the chip supply chain. This shift has not only promoted
9 the development of China's automotive chip suppliers,
10 but it also promoted the synergy and cooperation between
11 upstream of the entire industrial chain.

12 The huge demand of China's automotive market
13 also provides a broad space for development and market
14 opportunities for chip companies. With the rapid
15 development of China's new energy vehicles and
16 intelligent connected vehicles, the demand for
17 automotive chips has further increased. The growth of
18 market demand is also an important factor to promote the
19 development of the automotive chip industry.

20 With the continuous improvements of consumers'
21 requirements for vehicle safety, comfort, energy
22 savings, and intelligence level, the demand for

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1 automotive chips would also strongly increase annually.
2 In summary, CAAM believes that China's
3 automotive chip industry does not employ
4 anti-competitive and non-market means to achieve its
5 objectives and that China's laws, policies, and
6 practices are not unreasonable or discriminatory in
7 accordance with Section 301 (b) of the Trade Act.
8 The development of China's automotive chip
9 industry is an inevitable result of market-driven
10 changes in the global market structure. If the Section
11 301 investigation initiated by the United States
12 eventually adopts measures such as increasing tariffs
13 and supply chain restrictions, it will certainly damage
14 the global automobile industry, disrupt the
15 semiconductor industry and market pattern, lead to the
16 rise of global chip costs, increase the costs of the
17 automotive supply chain, and harm the interests of
18 global automotive consumers including China and the
19 United States.
20 We hope that the USTR can have a comprehensive
21 and objective understanding of the global automotive
22 chip industry and make better judgment. China's

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1 automotive industry and automotive chip industry have
2 always upheld an open and cooperative attitude, hoping
3 to engage in dialogue and cooperation with the United
4 States in technological innovation, industrial
5 collaboration, supply chain and services, and avoid
6 unilateral trade actions. Thank you.
7 MR. BUTLER: Thank you.
8 Mr. McKechnie.
9 MARK McKECHNIE,
10 ACM Research
11 MR. McKECHNIE: Hello, I am mark McKechnie,
12 CFO of ACM Research Incorporated. We're a company that
13 supplies world-class equipment manufacturer and major
14 producer of semiconductor chips. First, I want to thank
15 the administration for its dedication to the national
16 security of the country and the wellbeing of American
17 companies. I'm grateful for the opportunity to discuss
18 the impact that potential tariffs will have on our
19 company and also the American semiconductor industry.
20 ACM research is a company that embodies the
21 American dream. We were founded in 1998 in Fremont,
22 California as a Silicon Valley startup. ACM Research

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1 has since grown into a publicly traded company on the
2 NASDAQ, revenue almost \$800 million and the current
3 market capitalization is more than 1.6 million.
4 Our founder Dr. David Wang immigrated to the
5 U.S. in the early '90s and became a U.S. citizen and
6 pursued his vision of building a world-class global
7 semiconductor equipment company on American soil. He
8 hold numerous U.S. patents in semiconductor fabrication,
9 he deliberately established ACM in the U.S. to leverage
10 the ingenuity and economic opportunity of this great
11 country.
12 ACM doesn't make semiconductor chips, rather
13 we develop and produce tools and equipment that are
14 essential to the fabrication of the semiconductor chips.
15 Our technologies report critical processes including
16 single wafer, batch wet cleaning, electric plating, and
17 a few more product lines under development. The very
18 name ACM stands for advance cleaning machines reflects
19 our leading role in the technologies field in which no
20 comparable U.S. firm exists.
21 Let me be clear, ACM is the only American
22 company with top-of-the-line cleaning tools for

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1 semiconductor. We note that our main competition in
2 cleaning tools is from Japan. Our global headquarters
3 are in Fremont, California in the Silicon Valley. We
4 manage our global operations including our finance team,
5 R&D, customer sales and services, and other activities.
6 We also operate several facilities in
7 Hillsboro, Oregon including a 40,000 square foot
8 building we bought just last year to serve as a
9 launching pad to bring production and advance R&D back
10 to the U.S. Our customers are major semiconductor
11 manufacturers based in the U.S., Europe, and Asia.
12 Like many other U.S. tech firms, the majority
13 of our firm production is through our manufacturing
14 subsidiaries. For us, in China and Korea. We have
15 found it important to locate our production and
16 engineering team as close to our customers, which allows
17 us to adapt our tools to meet our customers'
18 requirements.
19 We have planned to bring our tool technology
20 developed in Asia back to the U.S. where we plan to
21 scale it in mass production to support the historic
22 process back to America. ACM fully supports the

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1 administration's commitment to strengthen the
2 semiconductor industry. To align with this goal, we are
3 actively expanding our U.S. manufacturing footprint and
4 ensuring our manufacturing operations to the U.S.
5 For example, we have made substantial
6 investments to expand our production at our Oregon
7 facilities where all of our employees are in the local
8 communities. ACM is committed to bringing more
9 manufacturing and jobs and products to the U.S.
10 This is where we need your help. The process
11 of reassuring, establishing, and scaling the production
12 for our specialized tools is, of course, complex, and
13 our customers demand copy-exact tools for the
14 multi-billion dollar production lines. For this, we
15 will require a transition period measured in years, not
16 months.
17 The end game is clear. Thousands of American
18 jobs and domestic investment, but ACM and I suspect the
19 entire industry will need a bridge to transition from
20 Point A to Point B. So your answer is simple: To
21 support the goal of revitalizing American semiconductor
22 production, we respectfully request that ACM and its

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1 equipment use for domestic semiconductor manufacturing
2 be exempt from any tariffs or trade restrictions that
3 may result from this investigation.
4 This would include subsystems, modules
5 components currently made by our factories in China
6 until we transition to production here in the U.S. U.S.
7 trade representative has previously recognized the
8 necessities of such exceptions following the prior
9 Section 301 investigation concerning China's acts and
10 policies on technology transfer, USTR did recommend duty
11 exclusions for machinery used for domestic
12 manufacturing.
13 Similar exclusion for machinery and equipment
14 use for domestic semiconductor manufacturing is
15 warranted here to further the administration's goals to
16 prevent destructions in operations and investments, this
17 exception from additional duties should exist in the
18 first place rather than later providing for exclusion.
19 Thank you again for this opportunity to
20 present ACM's perspective. We look forward to working
21 with the administration to strengthen the American
22 semiconductor industry while ensuring that companies

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1 like ACM can continue to invest, innovate, and create
2 jobs in the U.S. Thank you.
3 MR. BUTLER: Thank you.
4 Mr. McReynolds.
5 JOE McREYNOLDS,
6 Pamir Consulting
7 MR. McREYNOLDS: Thank you for the opportunity
8 to testify today. We at Pamir come to this issue as
9 experts on China's defense industrial S&T development
10 and China's trade practices aimed at dominating the
11 global technology economy. And we believe at Pamir that
12 USTR is correct to be investigating this market for
13 potential unfair competition practices by Chinese
14 manufactures.
15 Although silicon carbide chips are not at the
16 cutting edge of technological with a sense that chips
17 targeted by sanctions, they do, in fact, form a crucial
18 part of the global technological supply chain. And in
19 the Q and A, we can go into detail in any direction that
20 you all like, but to start, I would like to offer three
21 main points: One is that silicon carbide wafers are
22 essential to U.S. national security. For the automotive

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1 industry, renewable energy sector, areas where China
2 hopes to consider expanding their global market share in
3 the coming years and do have a degree of dual military
4 civilian use.
5 And the established market leaders in these
6 sectors multi-nationals and Japanese firms now face a
7 growing competitive pressure from China and that is
8 coming from artificially boosted national champions
9 rather than from organically competitive Chinese
10 production.
11 According to industry analysts, China is
12 within two years of constituting the majority in global
13 silicon carbide wafer production, which is a trend
14 driven heavily by the EPRC's coordinated government
15 supportive industrial policy in this sector. And under
16 these circumstances, I think taking Section 301 actions
17 against Chinese firms that are receiving these heavy
18 subsidies is simply a prudent option to restore a more
19 leveled playing field.
20 My second point is that imports comprise of
21 silicon carbide wafers from China pose a real threat to
22 U.S. national security. Go back to 2015 when China

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1 released its Made in 2025 policies. There they
2 identified silicon carbide as a quote, unquote, next
3 generation material that they believe will be
4 increasingly prominent after 2020. and, indeed, their
5 share of the global market is going to be north of
6 50 percent by 2026, we're looking at.

7 Driven by PRC firms such as TanKeBlue, SICC,
8 they are winning market share through these
9 subsidy-driven low prices. And TanKeBlue in particular,
10 they are the largest of China's firms. They have been
11 designated as both a national high tech enterprise and a
12 quote, unquote, little giant enterprise as a specific
13 PRC designation of national champion status.

14 First of all, medium size technology firms, so
15 they participated in numerous defense industrial
16 projects which are aimed at indigenous PRC development
17 of dual use geo-strategically relevant technologies, and
18 then TanKeBlue through their subsidiary is also
19 conducting a major research project with the EPCC
20 production instruction board. And EPCC is a state-run
21 para-military corporate conglomerate that's actually
22 been sanctioned by U.S. for its role in horrific human

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1 rights violation.

2 So you have a situation where the TanKeBlue,
3 the market leader for the PRC is poised to become a
4 global leader not only is a prime target for Section 301
5 but it's -- their collaboration raises the possibility
6 that their technology supports the genocide, and for
7 them, the sanctions may also be appropriate.

8 So because of the comprehensive threat of the
9 Chinese monopoly in the sector as well as the defense
10 industrial ties of key national champions, we believe
11 that there is a threat to U.S. national security here.
12 And the current 10 percent tariffs on imports from China
13 is just insufficient to protect U.S. capacity.

14 There's been a lot of analyses on these and we
15 can talk about them in the Q and A, but fundamentally a
16 silicon carbide chips are only a small percentage of the
17 input into a finished product whether that's military
18 equipment, power grid components, you name it. And so
19 tariffs will have to be applied to the final product to
20 be an effective deterrent. The total cost of all the
21 silicon carbide in an electric vehicle, so a tiny
22 fraction of the total cost of the car.

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1 So finally I will simply say this rapid
2 artificial subsidy driven expansion is happening because
3 China understands this is national security relevant and
4 we should take action. Thank you.

5 MR. BUTLER: Thank you, Mr. McReynolds.

6 Okay. I thank the panelists for their
7 testimony. We're going to turn to questions now. First
8 questions are going to be for Ms. Cao. And the first
9 question is from USTR.

10 U.S. TRADE REPRESENTATIVE: Hi. Good morning,
11 Ms. Cao. Thank you for your testimony. My question is
12 about the CCCME itself. I want to know whether it's
13 affiliated with any government? For example, does your
14 organization, does it have a Chinese Communist Party
15 cell? And are any of your members Chinese state-owned,
16 invested, or controlled?

17 MS. CAO: Thank you for your question. CCCME
18 was established in 1988. CCCME is a national nonprofit
19 and we are not affiliated with any government agencies.
20 And actually, our companies are voluntarily joined so we
21 operate independently, thank you.

22 U.S. DEPARTMENT OF THE TREASURY: Good

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1 morning. Can you explain your role that CCCME plays
2 coordinating industry interests in China and interacting
3 with the Chinese government and the Chinese Communist
4 Party? What is your role, if any, in shaping and
5 implementing Chinese government policy in the
6 semiconductor sector?

7 MS. CAO: Is that a question for CCCME?

8 U.S. TRADE REPRESENTATIVE: It's for you, yes.

9 MS. CAO: In terms of the CCCME, as mentioned
10 earlier, and in our comments, we are an organization.
11 And regarding your question about Chinese or Chinese
12 government policies, as mentioned in our comment that
13 those plans or industrial policies was submitted that
14 the policies be documented which picture the future
15 development.

16 Furthermore, it's not uncommon that
17 undeveloped countries including the U.S. or European
18 countries to have industrial policies, so not only in
19 China. Thank you.

20 U.S. DEPARTMENT OF COMMERCE: One more
21 question, Ms. Cao. CCCME's public comments state that
22 industrial cooperation and trade in semiconductor

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1 industries between China and the United States is a
2 market-oriented choice under the global division of
3 labor. However, it is reported that Chinese silicon
4 carbide suppliers are offering a price as low as 500 USD
5 per wafer when historically the same wafer was about
6 1500 USD. Chinese silicon carbide suppliers are
7 reportedly providing this price while operating at a
8 loss.

9 What are the factors behind this major cost
10 differential?

11 MS. CAO: I think we will articulate in more
12 detail in our post-hearing comments. And can I add one
13 more. I think we provide services for Chinese companies
14 but we also provide services to companies from foreign
15 countries that opened in China. And if you are looking
16 for more information, we are more than willing to
17 provide that information in our post-hearing comments,
18 thank you.

19 MR. BUTLER: Next we are going to turn to
20 Mr. Xu.

21 U.S. TRADE REPRESENTATIVE: Good morning, Mr.
22 Xu. Could you explain what role, if any, CAAM plays

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1 coordinating industry interests in China and interacting
2 with the Chinese government and Chinese Communist Party?
3 What is your role, if any, in shaping and implementing
4 Chinese government policy in the semiconductor sector?

5 MR. XU: Good morning. The status of commerce
6 is basically just organization. We are funded and a
7 national, nonprofit and trade organization so only
8 focused on automotive industry in China. And we host
9 conferences and make social events for automakers in
10 China, also the auto parts suppliers and also some
11 software service providers and we are independent
12 operating from the states and the government. And, of
13 course, we obey the laws. Thank you.

14 U.S. DEPARTMENT OF TRANSPORTATION: How, if at
15 all, has your association membership collaborated with
16 China Automotive Chip industry Innovation Strategic
17 Alliance CACIISA established by China's Ministry of
18 Industry and Information Technologies? And what
19 feedback, if any, did your association contribute to the
20 white list of Chinese Automotive Chips that CACIISA
21 released in April 2024?

22 MR. XU: For this questions, honestly I'm

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1 suffering from a bad back right now. And about that
2 part, I'm personally -- my work doesn't associate with
3 them that much. And mostly, we just focus on the
4 automakers and the industry. And if you want me to
5 provide further information, I'm more willing to submit
6 more as much as I can after. Thank you.

7 MR. BUTLER: Next set of questions are for
8 Mr. McKechnie. And we will start with The State.

9 U.S. DEPARTMENT OF STATE: Good morning. Has
10 ACM Research experienced any pressure to form joint
11 ventures in China? And have China's acts, policies, and
12 practices impacted ACM's sales or operations in China or
13 third markets?

14 MR. McKECHNIE: Thank you for the questions.
15 Which policies did you ask?

16 U.S. DEPARTMENT OF STATE: China's acts,
17 policies, and practices impacted ACM's sales or
18 operations in China or third markets?

19 MR. McKECHNIE: To my knowledge, and we can
20 give more comments on that post-testimony writeup, but,
21 you know, we are controlled by market forces generally.
22 We make our investments on the production forecasts and

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1 we don't feel a tremendous amount of influence.

2 U.S. TRADE REPRESENTATIVE: How, if at all,
3 have China's acts, policies, and practices related to
4 silicon carbide wafers affected the competitiveness of
5 your business?

6 MR. McKECHNIE: Thanks for asking that. We're
7 a broad-based supplier of tools across the range of
8 semiconductors from front end, back end. Silicon
9 carbide probably a pretty small part of our overall
10 business, so I have not developed a significant impact
11 on that.

12 MR. BUTLER: Next. we'll turn to questions for
13 Mr. Reynolds, please.

14 U.S. DEPARTMENT OF DEFENSE: Good morning, Mr.
15 McReynolds. Can you elaborate on the numerous defense
16 industrial 863 projects aimed at indigenous PRC
17 development of dual-use and geo-strategically relevant
18 technologies that you referenced in your summary of
19 testimony? To your understanding, what are those
20 projects pursuing?

21 MR. McREYNOLDS: So 863 projects are across
22 the entire range of Chinese signs and technology

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1 development, and they are part of a broader process that
2 the Chinese government has termed military civil fusion
3 or MCF that they are looking not just at civil military
4 integration, not just at end step procurement for
5 defense purposes but bringing civilian companies into
6 every step of development.

7 And so to see like merely 400 separate,
8 designated key projects for scaling China's SIC
9 production and the projects and the TanKeBlue
10 specifically participating in, I will believe they are
11 focused on military applications of both automotive
12 technology and then also energy storage technology,
13 which are there are numerous.

14 That's something certainly if you would like a
15 more detailed breakdown of the program, I'm happy to
16 provide that in post-testimony.

17 U.S. DEPARTMENT OF LABOR: Can you please
18 elaborate on TanKeBlue's alleged coordination with the
19 Xinjiang Production and Construction Corps and sources
20 for this information, if possible?

21 MR. McREYNOLDS: Certainly. I will -- the
22 source I have right here is actually for specifically

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1 for their research project with the XPCC was from an
2 industrial catalog provided by TankeBlue publicly. So
3 that's actually something we encounter a lot with
4 sourcing for things that almost by definition can easily
5 trigger 301 action, things like that.

6 It's that China tends to treat the Chinese
7 language as their first layer of encryption because a
8 source is in Chinese language, there's not really often
9 even after effort make of this kind of collaboration of
10 participation and certainly with regard to the Xinjiang
11 pressures of the Chinese government trying to pretend,
12 oh, nothing's going wrong. We are not committing
13 depression there so you are required to participate in
14 and you can't shy away from it.

15 And then obviously the act and actions abroad
16 trying to hold China accountable for those very real
17 human rights abuses, so TanKeBlue has not shied away
18 from acknowledging in China's language that they are
19 conducting this research.

20 U.S. DEPARTMENT OF TRANSPORTATION: Good
21 morning. Are you aware of examples of Chinese policies
22 leading to forced technology transfer in the

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1 semiconductor sector?

2 MR. McREYNOLDS: I'm not aware. I couldn't
3 speak to the semiconductor specifically on forced
4 technology transfer, but that is very frequently across
5 industry policy, a policy of the PRC to force technology
6 transfer into industry.

7 I will say in the semiconductor and silicon
8 carbide industry specifically, I can't speak to whether
9 it's forced or not but there is a huge push
10 strategically to try and get technology transfer from
11 Western firms into these Chinese designated national
12 champion firms for the transition from 6-inch to 8-inch
13 wafers because the Chinese government has identified
14 this as a leapfrog moment where they can really cement
15 themselves as the leaders of the next generation the
16 silicon carbides of the mobile supply chain are
17 significantly more efficient for production rated.

18 I would say the national security concern from
19 Chinese domination would be identical whether these
20 companies are doing it out of narrow, short-term
21 interest or whether they are doing it as compelled by
22 the Chinese government.

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1 I am concerned with the U.S. national interest
2 in whether trying to dominate the next generation of
3 this technology more than I'm concerned with the exact
4 degree of coercion of short-term interest that these
5 companies are causing these companies to transfer that
6 next generation of technology.

7 MR. BUTLER: Thank you. In your post-hearing
8 comments, any additional information you can provide in
9 response to that first question on the 863 would be
10 helpful.

11 Are there any other questions from the
12 panelist? Okay. Thank you very much. I appreciate
13 everyone providing testimony.

14 I believe it is about eight minutes to 11:00
15 now. So why don't we plan to come back at ten minutes
16 after 11:00 for the second half. Thank you.

17 (Short recess taken.)

18 MR. WINELAND: We ask and remind everyone to
19 speak slowly and loudly enough so we can understand you.
20 We will start off with Mr. Landrith, please.

21 GEORGE LANDRITH,
22 Frontiers of Freedom

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1 MR. LANDRITH: Good morning. I am George
2 Landrith, president of Frontiers of Freedom founded by
3 former U.S. Senator Malcolm Wallup. And we are
4 supportive of this investigation and we encourage the
5 U.S. Trade Representative to implement trade
6 restrictions to prevent the Republic of China from
7 dominating the world and using chip manufacturing as one
8 of its tools.

9 China is not sending fair economic
10 competition. They are using economic tools as weapons
11 to expands its influence and ultimately pave the way for
12 military domination. The Communist Party employes
13 state-controlled enterprises, forced technology
14 transfers, and supply chain manipulation, economic
15 coercion, all of it is part of its strategy.

16 Not just to get trade but to secure the
17 ability to dictate terms to the rest of the world. And
18 this is not capitalism; this is economic warfare. The
19 end goal of the Chinese Communist Party is pretty clear
20 by achieving economic supremacy, they intend to extend
21 the totalitarian authoritarian control it exercises over
22 its own people throughout the world.

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1 I also think that we have to be careful that
2 we don't allow and undermine American innovation and
3 that they, for example, get rid of things like
4 democratic governments, national sovereignty, even the
5 basic elements of human rights because that is the goal.
6 And we have seen that around the globe in many different
7 arenas.

8 So investigation is warrant and that trade
9 restrictions are necessary. And, of course, there are
10 specific reasons beyond the generalized I just gave.
11 Semiconductors are used in a variety of varying ways and
12 almost everything you can imagine is electronic.
13 Everything from our phones, computers but even the
14 military things.

15 And one of the things we often do is focus
16 more on the advanced chips for U.S. policy. And things
17 like legacy chips are often not given much attention
18 because they are seen as not that important, but I think
19 that's the mistake. It's a mistake of significance
20 because these are used to power, as I said, everything
21 you can imagine: automobiles, medical devices, even
22 military systems, among other things.

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1 Also, it's important to recognize China has
2 grown its share in the legacy marketing creating a great
3 dependence on Chinese-made semiconductors. Just a few
4 short years ago, they produced 17 percent of these chips
5 and now they are over 40 percent, and it is projected
6 that they will be over 60 percent by the end of this
7 decade.

8 And they are also tremendously expanding their
9 capacity right now because they see this as a window of
10 opportunity. And they are stiff, of course, to legacy
11 chips and it is our own fault because our policy
12 encouraged that we had -- we exempted other processes of
13 technology from various rules and they jumped all over
14 that.

15 And in March, a year ago, they produced in one
16 month 32 billion units. So I think we have to wake up
17 and realize we better take this seriously because as we
18 discussed, silicon carbide offer a more versatile,
19 durable semiconductor based on the state of traditional
20 silicon chip due to its improved efficiency, thermal
21 conductivity, high power, low bearing, and it's
22 resilience in harsh conditions. And so as a result,

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1 they are critical in things like power grades, defense
2 systems, electrical vehicle manufacturing, and a great
3 deal more.

4 And silicon carbide strips are used also in
5 healthcare equipment, renewable energy systems, heavy
6 machinery, and in, of course, challenging environments,
7 and as a result of that, they are viewed as very useful
8 in future defense sector issues. I recognize the
9 importance of silicon carbide wafer semiconductors.
10 China has quickly begun to reel in on the production
11 capacity.

12 They have expanded their share of global -- in
13 the market by leveraging government subsidies,
14 depressing wages, creating artificial and cheap labor,
15 and favoring the industry production to overcapacity and
16 flooded the market and repressed prices across the globe
17 to drive out competition.

18 And it looks like my time is up.

19

20 MR. WINELAND: If you want to wrap it up,
21 that's fine.

22 MR. LANDRITH: I will wrap it up by saying

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1 that that price collapse has caused real problems and we
2 need to wake up and recognize that. And I think the
3 other thing we have to make sure we do is to recognize
4 this is not simply an economic issue. It's a national
5 security issue, and as a result, I hope that the U.S.
6 Trade Representative will complete this investigation
7 and move immediately to implement restrictions to
8 protect the free-market competition of the United States
9 and make sure that we have the national security
10 elements that we need because chips will be among those.
11 Thank you.

12 MR. WINELAND: Mr. Ferry.
13 JEFF FERRY,
14 Coalition for a Prosperous America
15 MR. FERRY: Thank you. Thank you. Can you
16 hear me?
17 MR. WINELAND: Yes.
18 MR. FERRY: Thank you for the opportunity to
19 testify here today. America silicon carbide
20 semiconductor industry --
21 MR. WINELAND: Can you pull your mic closer to
22 your mouth, please.

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1 MR. FERRY: America silicon carbide
2 semiconductor industry is under threat from Chinese
3 overproduction. In a few years, the U.S. might have no
4 silicon carbide industry. We've all seen this movie
5 before. Made in China 2025 was published 10 years ago.
6 The Chinese government told us what they were going to
7 do and now they are doing it.
8 They intended to establish self-sufficiency in
9 what they deem key strategic industries of the future
10 including each industry's entire supply chain. Since
11 China's today is the largest manufacturer nation on
12 earth with a trillion-dollar trade surplus, their ideas
13 of self-sufficiency includes wiping out most, if not
14 all, of the foreign competition.
15 Since then, they have been busy doing just
16 that and they have a pretty high success rate. Today
17 China brings us 25 million automobiles a year. Two and
18 a half times the number two producer in the U.S.A. For
19 China, the electric vehicle sector is strategic. China
20 already dominates global EV production and production of
21 the lithium ion batteries that power them, but that is
22 not enough. They want to dominate production of every

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1 key component of EV.
2 Silicon carbide chips are the components,
3 semiconductors of a silicon carbide can carry electric
4 current at much higher voltages. This makes them
5 extremely useful for EVs today, most of which run at 400
6 volts but are transitioning to run 800 volts and perhaps
7 even higher in the future.
8 Higher voltages will be seen in many areas of
9 the economy as electrification grows. And all of this
10 favors wider use of silicon carbide chips. The first
11 use of silicon carbide chips in an EV was in the Tesla
12 Model 3 in 2017. Last year, the silicon carbide
13 industry was at a 2.5 billion dollar industry with an
14 annual growth rate of about 18 percent.
15 Last year, the industry was -- by silicon
16 carbide wafer makers in the U.S. and Taiwan and chip
17 makers in the U.S., Europe and Japan, but last year, the
18 Chinese government woke up to silicon carbide. Chinese
19 investment in the industry shot up from under a billion
20 dollars to 2.9 billion in the last year. Several dozen
21 Chinese companies have been incentivized to enter the
22 industry marking either the wafers or the finished

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1 chips.
2 As we know from past experience, most of those
3 new companies will fail but some will succeed and grow
4 into billion-dollar companies and ultimately China may
5 succeed in dominating the global industry unless we take
6 action now.
7 Capacity of silicon carbide wafers is
8 estimated to have shot up from about half a million --
9 billion units a couple of years ago to 3.9 million last
10 year and will be more this year. The surge in capacity
11 is driving prices down. One recent estimate says that
12 the price of an 8-inch silicon carbide wafer fell by
13 60 percent last year. The sudden collapse in pricing is
14 already hitting American chip makers.
15 Wolfspeed was an early pioneer in silicon
16 carbide and has historically been an old systems growth
17 company. Last year though, the reality of falling
18 prices hit home. The company announced a layoff of
19 10 percent of its staff, canceled its facility in North
20 Carolina and halted a planned expansion in Germany.
21 In November, it swapped out its CEO and
22 replacing him with Tom Warner a Silicon Valley veteran

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1 in the solar power industry, another industry that is
2 done paddling subsidized Chinese domination.
3 Wolfspeed and others have great technology but
4 they cannot survive against China's deadly formula
5 combining massive Chinese Government subsidies, wide ID
6 theft, and favoring local companies within the Chinese
7 market. The professional investment community sees the
8 writing on the small.
9 That's why Wolfspeed's stock is down
10 82 percent from the past year now trading for about
11 \$5.75. Too often in the last 20 years, Washington has
12 been relaxed to wake up to trends that industrialists
13 and investors are fighting with daily and we have lost
14 entire industries before the government got its act
15 together to do something.
16 The solution is to act now. We must put high
17 tariffs on all imports of silicon carbide chips from
18 China but that is not sufficient. We should put tariffs
19 on downstream products that contains silicon carbide
20 chips especially EV motors.
21 I would like to close, if I may, with a
22 broader pictures. When the CHIPS Act passed in 2022,

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1 there was a lot of talk in Washington about advanced
2 logic chips. Those are great products but every kind of
3 chip is essential to build most products, civilian and
4 military.
5 You can't drive your car without the LEDs in
6 the dash or the headlights. You can use the 5G phone
7 network without the chips and the wireless transmitter.
8 China has already dominated and controlled the export of
9 gallium or germanium to essential materials for
10 semiconductors. It may not sound impressive but if I
11 told you the turn signal in your car is controlled by a
12 chip that costs a quarter, but if there are only ten
13 places in the world that can make that chip and if they
14 all end up in China, then China can stop our entire auto
15 industry with one decision by a Communist Party.
16 I have friends and former colleagues in
17 Silicon Valley and many of these businesses that tell me
18 about the difficulty of doing business when China holds
19 all the cards. It's time to be proactive instead of
20 reactive.
21 The U.S. needs to take a holistic view of
22 supporting, manufacturing, and defending its entire

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1 technology food chain from the minerals to the
2 semiconductors to the finished smart phone and the
3 finished fire jet. Thank you.
4 MR. WINELAND: Thank you.
5 Mr. Swarztrauber.
6 EVAN SWARZTRAUBER,
7 Foundation for American Innovation
8 MR. SWARZTRAUBER: Good morning Agency
9 Representatives. Thank you for the opportunity to
10 testify today. My name is Evan Swarztrauber. I'm
11 senior fellow at the Foundation for American Innovation.
12 The technology policy is maintained and based here in
13 Washington. Our organization believes that technology
14 should serve humanity, individual freedom, U.S. national
15 security.
16 To that end, I testify in support of USTR's
17 Section 301 investigation into China and the Chinese
18 government's predatory subsidies and other market
19 distortions in the semiconductor industry. USTR's
20 should take decisive action to investigate and address
21 China's aggressive efforts to dominate the global
22 silicon carbide wafer or SIC market.

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1 These wafers are key inputs in a wide range of
2 critical areas including EVs, power grids radar systems,
3 and missile defense. The U.S. must not lose its
4 capacity to produce SIC domestically. It should be
5 obvious. China does not subsidize industries out of
6 generosity. They do so with a clear deliberate strategy
7 to undercut foreign competitors, monopolize critical
8 supply chains, and gain leverage to support the economic
9 and security goals for the Chinese Communist Party.
10 We've seen this playbook before, as you've
11 heard, from solar panels, LED screens, lithium
12 batteries. Now China is deploying the same tactics in
13 the SIC wafer sector. Their massive government
14 subsidies, below-cost pricing, market manipulation,
15 Chinese firms are working to drive American and ally
16 producers out of business leaving the U.S. and its
17 partners dependent upon Chinese supplies.
18 In my view, this behavior is unreasonable,
19 discriminatory, and burdens U.S. commerce and should
20 merit an actionable determination by the USTR. For too
21 long, the U.S. government had in the past been largely
22 content to let foreign adversaries flood our markets

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1 with goods. U.S. trade policies had prioritized
2 short-term savings and consumerism over long-term
3 economic national security.

4 As a result, Americans watched entire
5 industries collapse. That outdated approach ended when
6 President Trump was first elected in 2016 and there is
7 now substantial bipartisan support for protecting high
8 tech American manufacturing.

9 The CHIPS Act represents a major effort to
10 atone for these, which is especially important given
11 China's increasing aggression toward Taiwan and
12 elsewhere in the Pacific. Yet unsurprisingly, China has
13 taken steps to undermine the progress specifically by
14 flooding the market with heavily subsidized SIC wafers.

15 These wafers enable high performance
16 electronics, use in electric vehicles, power grids,
17 telecommunications, advanced military systems. Without
18 a secure domestic supply, United States risks following
19 behind these strategic industries leaving us vulnerable
20 to supply especially in the event of war.

21 USTR should conduct a thorough and robust
22 investigation into the transactions in the SIC market

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1 and take any and all necessary measures to counteract
2 these distortions. While a blanket 20 percent tariff on
3 China is welcomed, it is insufficient to correct China's
4 distortions on particular products like SIC.

5 USTR should consider the significantly higher
6 tariff for these PRC produced wafers as well as final
7 products that used PRC produced SIC. Second, USTR
8 should investigate how Chinese state-owned and
9 state-affiliated use third countries as a loophole to
10 evade trade restrictions to hide their ownership
11 interest.

12 While more facts are yet to come, the
13 advancement of the Chinese AI startup is a potential
14 example of how China uses shell games in Singapore and
15 other nations to avoid sanctions, exploit U.S.
16 technology and steal intellectual property.

17 Third, the U.S. government should use its
18 purchasing power to prioritize domestically produced SIC
19 wafers and semiconductors especially for military
20 purposes. There is no reason that American taxpayers
21 should be subsidizing the rope to hang us when they can
22 instead help us. When it comes to China's trade

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1 practices, we may have learned our lesson.

2 We must act decisively to protect our capacity
3 to build SIC domestically both for current use cases and
4 those we cannot yet imagine. Thank you all for your
5 leadership in public service on this and other viable
6 issues, and I welcome any questions.

7 MR. WINELAND: Thank you.
8 Timothy Lee.

9 TIMOTHY LEE,
10 Center for Individual Freedom

11 MR. LEE: Good morning. My name is Timothy
12 Lee from Center for Individual Freedom. We are in
13 support of free-market competition and prevent China
14 from getting in this important industry. By now it's
15 clear that the People's Republic of China or PRC is to
16 become the world's leader in emerging technologies in
17 the semiconductor and it's a component manufacturing, a
18 pillar of that goal.

19 Chinese government understands that by
20 controlling each segment of chip production, it can
21 create a dependence on Chinese manufacturers and pursue
22 dominance to improve that strategy in developing over

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1 capacity, saturating the markets with underpriced
2 products, and push out competitors.

3 And CCP exploits unfair advantages including
4 government subsidies, cheap labor and wage suppression,
5 and state technology and intellectual property theft to
6 achieve that dominance. In terms of state directed
7 technologies and subsidies, CCP has invested more than
8 150 billion in Chinese manufacturing since 2015, more
9 than any other country.

10 Last year, the state fund completed a third
11 round of fundraising which produced a \$48 billion of
12 capital to increase China's chip. That continued
13 investment by the Chinese government into the country's
14 semiconductor industry creates an unfair advantage for
15 its state sponsored manufacturers and suggests the
16 United States cannot maintain through domestic
17 investment alone.

18 While well intentioned, the CHIPS Act has been
19 undermined by mismanagement and social activism
20 requirements. Accordingly, the strategy incorporates
21 trade policies such as export discretion on U.S. made
22 products and tariffs on Chinese-made products offers

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1 important measures to help stop the PR state for the
2 semiconductor market.

3 As one specific measure to advance that
4 broader strategy, CFI commends the USTR for including
5 silicon carbide production in this 301 investigation and
6 urges action to protect that important industry. SIC
7 substrates efficiency, capacity for handling high power
8 loads, and performance in severe conditions make SIC
9 wafers and chips.

10 SIC wafers and chips are an essential
11 component of many military systems such as the missile
12 defense system, terminal high altitude defense systems,
13 and the patriot missile defense system.

14 SIC wafer chips are also used in numerous
15 domestic applications including EVs and hybrid vehicles,
16 batteries, communications, and renewable energy
17 resources. Chinese government understands the important
18 applications of SIC wafer chips which is growth. The
19 global SIC market is projected to grow more than 600
20 percent between 2021 and 2027 according to an analysis
21 just a year ago and attempting to corner that market at
22 it did with solar panels, lithium batteries, automotive

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1 technology, and high speed rail and ship-making
2 capabilities among other industries.

3 Alarmingly the Chinese government understands
4 that reality and changed its policy accordingly. Our
5 continued leadership in emerging technologies thus
6 depends on reliable access to chips made by U.S.
7 companies and by companies headquartered in democratic
8 nations, which could shape future relationships.

9 For that reason we ask USTR to conduct a
10 thorough investigation of the policies and practices and
11 implement appropriate trade restrictions to stop China
12 and its state-sponsored industry to undermine free
13 market competition.

14 Thank you very much for your time and
15 consideration.

16 MR. WINELAND: Thank you.

17 We will now turn to questions. Just a
18 reminder, we expect John Moolenaar to join us at 11:45,
19 so we may need to pause questions for a few minutes.
20 But why don't we start with questions with Mr. Landrith.

21 U.S. DEPARTMENT OF COMMERCE: Good morning,
22 Mr. Landrith. Can you expand on your testimony about

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1 the evidence of China favoring indigenous industries and
2 the impact it has on U.S. commerce?

3 MR. LANDRITH: Well, there is a lot of various
4 evidence. For example, they're a totalitarian regime,
5 they, of course, can keep labor costs down and
6 essentially have, in some regards, slave labor.
7 Something that, you know, places like the United States
8 and most of the Western world don't permit.

9 But then on top of that, I use a lot of the --
10 well, essentially government funding to expand things
11 and do things that gives them -- as we've seen, they've
12 radically increase their capacity. And, again, it's not
13 for economic reasons because they've driven the prices
14 down to the point where they are losing money too. But
15 they're happy to lose money because they can drive out
16 all their competitors.

17 They have a source of Chinese Communist Party
18 money coming, they'll survive that. And the goal is to
19 make us dependent upon them.

20 U.S. SMALL BUSINESS ADMINISTRATION: In your
21 summary of testimony, you state that publicly available
22 information broadly supports that China has expanded its

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1 share of global chip and chip-input markets by
2 suppressing wages and creating artificially cheap labor.
3 This is a two-part question.

4 Can you first please describe how China has
5 suppressed wages and created artificially cheap labor
6 and point us to the most relevant sources of this
7 information. I'll have a follow-up question.

8 MR. LANDRITH: I'm trying to think if I had --
9 off the top of my head, I can't give you the source, but
10 we did research to find out and I can certainly follow
11 up to answer that part of your question. But the --
12 again, I think part of the issue here is -- and as an
13 American, it's hard to imagine a totalitarian regime but
14 they actually have slave labor there and they have --
15 you know, the government is a totalitarian regime that
16 controls everything it wants to.

17 I would argue that the Chinese people are the
18 biggest victims of the Chinese government. Kind of like
19 the people of Iran. The people of Iran are the biggest
20 victims of the Iranian regime. Of course, the rest of
21 the world is too because they find terrorism, but at
22 least that is aside as opposed to every single day of

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1 your life being repressed.
2 That is part of the problem. It is hard for
3 us to imagine because we don't really experience that
4 and we don't visualize that and when we travel to other
5 places like Europe that have more of a Western approach,
6 which concludes the idea of human right.
7 But, the Communist Party of China doesn't
8 believe any of that. The individual exists to benefit
9 the state and the state alone, and if they don't benefit
10 the state, they will be killed.
11 U.S. SMALL BUSINESS ADMINISTRATION: So my
12 follow-up question is in what segments of the
13 semiconductor supply chain is the most prevalent?
14 MR. LANDRITH: Pretty prevalent in the area
15 where they have radically increased their production.
16 It may be prevalent everywhere but the state puts its
17 emphasis on things where it sees an advantage. And it's
18 a solid advantage in this -- if you all would like chip
19 area, that is -- perhaps we in the past administration
20 saw it as not that important and that turns out to be a
21 mistake. And as a result of that, I think that's
22 probably certainly an area where if you were to put it

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1 on a scale and weigh it, it would weigh heavily.
2 U.S. SMALL BUSINESS ADMINISTRATION: Thank
3 you.
4 MR. WINELAND: Thank you. The next question
5 is for Mr. Ferry.
6 U.S. TRADE REPRESENTATIVE: In your written
7 testimony, you noted a 60 percent increase in Chinese
8 silicon carbide patents between 2021 and 2023 and that
9 70 percent of the global silicon carbide patent
10 applications in 2023 were assigned to Chinese entities.
11 And would like to ask how, if at all, you in
12 your view would do these data points suggest that
13 China's acts, policies, or practices in this area are
14 unreasonable or could burden or restrict U.S. commerce.
15 MR. FERRY: These policies are prompted by
16 government subsidy by the Chinese government on a
17 multi-billion dollar scale and we know that. You have
18 the combination of massive government subsidies, the
19 deliberate policy targeting markets and running large
20 trade surpluses, IP theft which has been wide spread.
21 It's been wide spread for a long time and notorious
22 since 2003 where the Chinese government actually lifted

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1 entire sections of routing software code including
2 comments and jokes by executives.
3 Their labor costs are competitive because they
4 have a billion people in their population. The
5 government will finance any company in target sectors
6 and does on a national level, and secondly cheap energy
7 where they do profit from slave labor and the cheap
8 energy gives them a competitive edge in those
9 industries.
10 And all silicon and all forms of
11 semiconductors are energy intensive at the point where
12 you manufacture the wafer, and that gives them a huge
13 competitive advantage.
14 We can accept this if they kept it within
15 their own country. We wouldn't like it but we would
16 accept it, but the fact they are using that system to
17 destroy industries in the West and that is dangerous for
18 us both economically and national security tech terms.
19 Sorry, a bit of a long answer.
20 MR. WINELAND: Thank you. We are actually
21 going to pause to allow for Chairman Moolenaar to
22 testify.

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1 Chairman, thank you very much for joining us.
2 Can you hear us okay?
3 MR. MOOLENAAR: Yes, I can. Can you hear me
4 okay?
5 MR. WINELAND: Yes. Thank you.
6 JOHN MOOLENAAR,
7 Chairman of House Select Committee on the CCP
8 MR. MOOLENAAR: Thank you so much. And
9 Members of the Committee and Representatives from USTR,
10 I want to appreciate the opportunity to testify today.
11 And I come before you to strongly support USTR's Section
12 301 investigation into China's predatory practices in
13 the semiconductor industry and emerge immediate action
14 to protect America's economic and national security.
15 Semiconductors are essential to the modern
16 economy and military. And these tiny chips power
17 everything from automobiles, medical devices, broadband
18 networks to defenses systems in factory automation. Yet
19 today, we face an urgent and growing fret. The People's
20 Republic of China is flooding the global markets with
21 basic semiconductors while rapidly expanding its
22 production of advanced chips.

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1 This move threatens American companies and
2 weakens the U.S. industrial base. We've seen this
3 dangerous playbook before. It is straight out of
4 Chinese Communist Party's playbook. They start by
5 creating a government subsidized monopoly that starts in
6 a protected domestic market, produces products at
7 below-market prices, exponentially scales production
8 capacity, then dumps that overcapacity in global markets
9 to tank prices and drive competitors out of the market.
10 What's left is a CCP controlled chokehold in a
11 critical supply chain. China's semiconductor push is
12 part of a long-term state-backed industrial strategy
13 targeted at the entirety of the semiconductor supply
14 chain.
15 As outlined in Made in China 2025 and the 14th
16 five-year plan, the PRC has funneled tens of billions of
17 dollars in subsidizing its semiconductor industry.
18 PRC's state-own entities have received billions to
19 expand production while also stealing intellectual
20 properties from U.S. companies. There was a Chinese
21 chip company that was indicted for stealing IP.
22 Meanwhile, the CCP makes it nearly impossible for U.S.

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1 firms to compete on level playing field by denying
2 domestic market access when a domestic competitor
3 exists.
4 We see the results of these distortions. The
5 Chinese Investment Fund has raised over 100 billion
6 since 2014 with a new 40 billion-dollar state-backed
7 fund lunched in 2023. PRC accounts for nearly
8 50 percent of all global semiconductor manufacturing
9 equipment purchases ensuring its supply chains while
10 other nations fall behind.
11 This is not competition. It is
12 state-sponsored economic warfare designed to dominate
13 cutting edge and foundational semiconductor production
14 and drive competitors out of the market. The chips data
15 makes this clear. Analyzing current and announce PRC
16 capacity by 2030, the PRC will control 60 percent of
17 capacity highlighting how important action in both
18 cutting edge and foundational action is necessary.
19 The consequences of PRC dominance in the
20 semiconductor industry are existential. Supply chain
21 dependency, if U.S. manufactures become reliant on
22 PRC-made chips, China can weaponize these supply chains

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1 restricting exports at times of crisis, as we've seen
2 this already with critical minerals in just the past few
3 months.
4 Economic and industrial collapse. U.S. firms
5 are struggle to compete against artificially low prices.
6 American semiconductor manufacturing will shrink without
7 decisive action leaving us vulnerable to foreign
8 control. There are also military defense risks. Our
9 defense systems rely on foundational semiconductors in
10 fighter jets to missile guidance and secure
11 communications.
12 If we allow China to drive out all competitors
13 from the market, we jeopardize our defense industrial
14 base. Also in emerging technology, semiconductors are
15 some of the most basic capabilities enabling cutting
16 edge U.S. companies to develop the technologies of
17 tomorrow.
18 And seeing with semiconductor manufacturing,
19 the U.S. may lose the lead in a number of technology
20 sectors and that are still in development. The U.S.
21 cannot afford to wait while China moves to dominate
22 another global supply chain. The administration is

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1 rightly taking steps to limit PRC access to advance
2 semiconductor technology but we must also protect our
3 foundational chip industry.
4 I urge the USTR to act decisively by Number 1,
5 implementing tariffs to ensure that specific tariffs
6 apply to any chip fabricated in the PRC and integrated
7 into a final product entering the U.S. preventing China
8 from exploiting loopholes.
9 Coordinating with allies. Working closely
10 with Japan, South Korea, and Taiwan to prevent China
11 from dumping subsidized chips in the global market. A
12 united front would be critical in ensuring a level
13 playing field.
14 The United States must act to counter's
15 China's attempt to dominate the semiconductor industry.
16 If PRC over capacity is allowed to persist, we risk
17 losing a key pillar of our technological leadership. I
18 strongly support USTR Section 301 investigation and call
19 on this administration to use every available tool to
20 defend our semiconductor industry from unfair PRC
21 competition.
22 Thank you very much.

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1 MR. WINELAND: Thank you, Chairman. Thank you
2 for your testimony and taking the time to appear with us
3 for this hearing.
4 Okay. We will now continue with questioning.
5 The questions for Mr. Swarztrauber.
6 U.S. DEPARTMENT OF THE TREASURY: As a
7 broadband and telecommunications expert, have you
8 identified evidence of China's acts, policies, and
9 practices in foundational semiconductors burdening or
10 restricting U.S. commerce in technology industries like
11 telecommunications?
12 MR. SWARZTRAUBER: Thank you for that
13 question. I think the evidence we have heard today is
14 pretty compelling about specific data from China which
15 is, of course, difficult to obtain. The October 2024
16 reporting that prices had plummeted to unprecedented
17 levels and report in Times Asia, which I can refer to in
18 follow up described the prices as irrational, which
19 comports with the comments earlier from the Department
20 of Commerce showing that silicon carbide wafers were
21 going for \$1,500 a pop where before it was 500.
22 So I think that coupled with the dramatic

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1 increase in patents, which I don't think is nefarious on
2 its face but just demonstrates there's huge government
3 interest in China in the sector because the economy
4 there does not operate without the heavy hand of
5 government involvement.
6 So I think that coupled with the historically
7 low prices, the dramatic increase in market share, and
8 then, of course, the fact that silicon carbide wafers
9 beats other industries that China has cornered after we
10 innovated those industries, I think there's plenty
11 circumstantial evidence on its face, but I'm happy to
12 follow up with specific information in my post-hearing
13 comments.
14 U.S. DEPARTMENT OF LABOR: This question is
15 for Mr. Lee. In your testimony, you mentioned that the
16 Chinese government exploits unfair advantages including
17 cheap labor and wage suppression to achieve dominance.
18 Can you provide additional detail on the unfair
19 advantages related to cheap labor and wage suppression
20 that you're aware of? And then in what segments of the
21 semiconductor supply chain is this most prevalent?
22 MR. LEE: Sure. We've all testified and

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1 obviously China commands they system so when we talk
2 about cheap labor, they are able to command prices that
3 they will pay for any of those products that are
4 extracted made into components. And so that goes from
5 end to end, which point is most dominant. We can talk
6 about that. I will be happy to provide furtherer
7 information, but from beginning to end, it's an issue
8 and they are able to do that.
9 So in terms of talking about subsidies and in
10 terms of wage suppression, I am certainly happy to
11 provide more specific evidence of that. In our written
12 testimony, we did provide hyperlinks for all the
13 sourcing on the information we gave, so I can happily
14 follow up with that as well.
15 U.S. DEPARTMENT OF STATE: Thank you.
16 MR. BUTLER: Okay. I think that concludes our
17 morning panel. Thank you very much to the witnesses.
18 We will take a break now for lunch. It's just about
19 noon so why don't we come back here at ten to 1:00, that
20 would be great. And we will start with the third panel.
21 Thank you.
22 (Whereupon a recess was taken for lunch.)

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1 MS. BIEL: Good afternoon, everyone. Let's
2 take another two minutes and we will get started.
3 Good afternoon, everyone. We will proceed now
4 with the third panel of the day. Before we do that, I
5 would like to introduce myself along with my colleague.
6 My name is Erin Biel. I am at USTR. I've likely
7 corresponded with you in advance of today, so it is nice
8 to see you all today. We will go around and reintroduce
9 ourselves for the audience.
10 U.S. DEPARTMENT OF LABOR: I'm Sonja Schaefer
11 with the Department of Labor.
12 U.S. SMALL BUSINESS ADMINISTRATION: Sarah
13 Bonner with the U.S. Small Business Administration.
14 U.S. DEPARTMENT OF THE TREASURY: Yifan Chen
15 with the Department of Treasury.
16 U.S. DEPARTMENT OF DEFENSE: Kywaii
17 Lawrence-Jackson, Department of Defense.
18
19 U.S. DEPARTMENT OF TRANSPORTATION: Mary Lisa
20 Madell with the Department of Transportation.
21 U.S. TRADE REPRESENTATIVE: I'm with USTR.
22 U.S. DEPARTMENT OF COMMERCE: Luke Myers,

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1 Department of Commerce.
2 U.S. DEPARTMENT OF STATE: Ace Gazis,
3 Department of State.
4 MS. BIEL: Thank you. Please let's proceed
5 with Panel Three starting with Mr. Brzytwa. Thank you.
6 ED BRZYTWA,
7 Consumer Technology Association (CTA)
8 MR. BRZYTWA: Good afternoon. My name is Ed
9 Brzytwa and I am vice president of international trade
10 at the Consumer Technology Association. Thank you to
11 USTR and the agency members of the Section 301 committee
12 for the opportunity to testify today.
13 CTA represents more than 537 million dollars
14 in U.S. consumer technology industry who supports more
15 than 18 million U.S. jobs. Our members include over
16 1200 companies from every facet of the consumer
17 technology industry with 80 percent being start-ups or
18 small and medium-sized companies. We also own, produce
19 CES, the most powerful technology event in the world
20 which showcases international policies concerning
21 existing and new technology.
22 CTA's important to USTR's efforts to identify

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1 and investigate nonmarket policies and practices that
2 pose disruptive barriers to trade unfairly manipulate
3 the competitive landscape including in the semiconductor
4 sector. We agree that mitigating risks such as
5 single-market dependencies is an important objective.
6 But lowering the cost of trade for U.S.
7 business to strengthen their supply trade and
8 diversification efforts is even more important. In this
9 regard, we urge USTR to be mindful of the limitations
10 and consequences of even targeted unilateral action as
11 it considers possible proposed actions resulting from
12 this investigation.
13 Inflation continues to undermine our economic
14 potential and increase costs for U.S. businesses and
15 workers. Tariffs which are taxes in American businesses
16 and consumers may increase the cost of technology
17 products in the United States, which would undermine the
18 goal of reducing inflation.
19 According to the CTA research, 55 percent of
20 the industry experts indicate tariff will increase
21 retail prices for consumers. Ultimately, trade barriers
22 such as tariffs do not shift supply chains or promote

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1 resilience. Instead they decrease productivity among
2 U.S. industries, fails widespread job creation, and do
3 not create or lead to specific domestic investments and
4 manufacturing.
5 Legacy chips are crucial inputs for consumer
6 technology products and a global economy. In fact, CTA
7 research found that 72 percent of industry experts
8 indicate their company will continue to source legacy
9 semiconductor from China stating that performance and
10 quality overall -- sources and apply chain reliability
11 are main factors for continued use.
12 Unilateral action through a Section 301
13 investigation even though focused on Chinese
14 semiconductor products and practices could harm part of
15 the U.S. industry downstream users in action it aims to
16 protect. We are particularly concerned about the
17 references in the Biden administration's notice of
18 initiation to downstream products, which risk
19 undermining universal products into the scope of the
20 investigation.
21 With these factors in mind, we encourage the
22 Section 301 Committee to consider a wide range of

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1 potential remedies and avoid focusing exclusively on
2 tariffs. Instead we recommend pursuing remedies in line
3 with existing lists and actions from Section 5949 of the
4 2023 NAAA focusing on Chinese chip makers are boundaries
5 of concern.
6 Furthermore, we believe that a multi0geography
7 team approach is best suited to counter non-market
8 policies and practices. Acting with the support of and
9 according measures with allies and like-minded trading
10 partners is a force when consulting such challenges.
11 This approach must also include the interagency, which
12 is here in force today.
13 U.S industries and U.S. allies working
14 together to support the competitiveness and resilience
15 of the semiconductor sector and related supply chains.
16 After all, private sector companies create and operate
17 supply chains, not governments.
18 To conclude, we urge USTR to take a whole
19 government approach and engage like-minded countries to
20 address the challenges posed by China. We look forward
21 to providing more detailed feedback in the post-hearing
22 comments. Thank you for your time and consideration.

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1 MS. BIEL: Thank you.
2 Mr. Johnson, please proceed with your
3 testimony.
4 KYLE JOHNSON,
5 Information Technology Industry Council (ITI)
6 MR. JOHNSON: Thank you for the opportunity to
7 testify today. My name is Kyle Johnson while and I am
8 the director of trade policy at Information Technology
9 Industry Council. We provide policymakers with the
10 broad perspective in technology hardware, software
11 services and related industries. Semiconductors are
12 vital to the U.S. economic competitiveness and security
13 as well as many technologies that rely on these chips.
14 The semiconductor industry is unique from
15 other industries in terms of supply chain complexity,
16 foundational and economic role, and the breath of
17 stakeholders involved in the industry. Government and
18 private sector collaboration is essential.
19 We also encourage the development of a
20 comprehensive approach to address China's unfair trade
21 practices. Multi-national companies face large
22 challenges from anti-competitive and non-market

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1 practices in China and the Chinese governments continues
2 to pursue policies intended to fulfill its goals for
3 self-sufficiency in industry sectors.
4 Further, China's 2014 plan Made in China 2025
5 and other policies sought to encourage the development
6 of Chinese having conductor companies often times
7 lowering support to compete with U.S. and other nations.
8 Government intervention in the sector can
9 create undesirable affects for the global setting supply
10 chain and distort fair trade, investments, and
11 practices. As policies makers conduct this
12 investigation, I'd like to briefly summarize some of the
13 recommendations we include in our written comments to
14 increase engagement, clarify the scope of the
15 investigation, to develop comprehensive policy approach,
16 to increase international engagement, and to create an
17 effective, strategic approach for any trade.
18 Given the importance of the topics under this
19 investigation, the significant breath companies and
20 industry reliant on semiconductor, the government must
21 increase analysis and engagement with stakeholders. The
22 inside and outside of the industry. This will help the

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1 government to gain a more comprehensive understanding of
2 the ecosystem and help them avoid taking actions of
3 severe consequences for their economy.
4 Government should also further clarify the
5 scope of intent of this investigation and should take a
6 risk-based approach to assessing national security
7 concerns. We are concerned that this effort signals the
8 grounding of U.S. action.
9 Implications of potential to place
10 semiconductor for a wide range of consumer products
11 would we significant. Further, many of these products
12 do not have national security implications. In the
13 event that the USTR decides to impose remedies, we
14 encourage the USTR to maintain a narrow focus on the
15 critical products with a clear, national security risk
16 to minimize the impact on U.S. businesses, manufactures,
17 and consumers.
18 We also encourage the government to more
19 clearly define the foundational semiconductors for this
20 investigation consistent with other policies while
21 keeping in mind there are a range of different types of
22 chips, each with its own dynamics.

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1 Further, USTR should clarify semiconductor
2 production for this investigation to exclude back end
3 processes such as testing and advance packaging
4 particularly for semiconductors. For the U.S. to
5 maintain its technology leadership, the whole government
6 approach in close partnership with the industry is need.
7 This includes policies that build on the
8 significant investments and progress made in recent
9 years by the sector in the U.S. government such as
10 developing a national strategy ensuring sufficient
11 funding is provided for critical R&D assigned focused
12 work and extending and expanding investigation.
13 The government should also focus on preserving
14 and expanding opportunities for U.S. firms to sell to
15 other markets. The international trade is crucial to
16 their competitiveness and innovation, businesses of all
17 sizes, workers and consumers.
18 If the administration determines that there
19 are unfair acts, policies, and practices that are
20 actionable under Section 301, we encourage policy makers
21 to develop an effective strategic approach by assessing
22 the effectiveness of existing trade actions.

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1 First, identify a clear objective and ensure
2 any trade actions are employed strategically, study
3 potential domestic harms when considering actions,
4 establishing a permanent and robust execution process
5 ensuring that any trade actions are able to be
6 effectively applied by the government and offsets are
7 considered to reduce the burden on business, aligning
8 policies with other related U.S. activities, and
9 conducting transparent engagement before, during, and
10 after any political actions.

11 To close, we appreciate the opportunity to
12 provide comments on this investigation and look forward
13 to working and partnering with the USTR in the Trump
14 Administration to support. Thank you.

15 MS. BIEL: Thank you, Mr. Johnson.
16 Mr. Delsol, please proceed.

17 GABRIEL DELSOL,
18 Computer & Communications Industry Association (CCIA)

19 MR. DELSOL: Thank you for the opportunity to
20 provide to input in the investigation related to the
21 targeting of the semiconductor industry. I'm Gabriel
22 Delsol with the Computer & Communication Industry

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1 Association CCIA. A trade association of internet
2 technology firms. Many include foundational
3 semiconductor also known as legacy chips.

4 CCIA recognizes the importance of these chips
5 to U.S. economic and national security and welcomes the
6 opportunity to cooperate with the U.S. government on
7 efforts to address foreign practices that distort this
8 critical market while ensuring the continued
9 competitiveness of leading U.S. firms.

10 In our company written submission, the
11 recommendation for best policy responses where such
12 measures are unreasonable, discriminatory -- my comments
13 today will address the actionability as requested from
14 the perspective of industry players that integrate
15 legacy chips components.

16 The first topic I'd like to address is the
17 notion that the PRC adopts act, policies, and practices
18 related to targeting the semiconductor industry for
19 export dominance. The need for this investigation to
20 further specify the nature of evidence relevant to make
21 a determination. The notice for this investigation
22 sites the PRC Made in China 2025 national strategy plan

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1 as preliminary evidence.

2 However, this document seeks Chinese domestic
3 content of core materials including legacy chips
4 suggesting an attempt at import substitution rather than
5 export dominance, the latter which is more focused of
6 this investigation. The notice of this investigation
7 also cites Chinese efforts to achieve self-sufficiency
8 as a potential qualifier to indicate an attempt to
9 export dominance.

10 Given that numerous countries including the
11 U.S. government and key trade partners adopt similar
12 policy goals, CCIA recommends this investigation further
13 qualifies the efforts are uniquely different and
14 harmful. If USTR is to establish actionability and
15 determination of this investigation, we recommend that
16 it do so on the basis that identified policies are
17 clearly intended to achieve export dominance and in
18 manner distinct from those undertaken by the U.S.
19 government and the key trading partners.

20 The second topic I would like to address is
21 anti-competitive and nonmarket policies employed by the
22 PRC for the purpose of targeting the legacy chip sector.

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1 To that end, I would like to note that the majority of
2 the policies employed by the PRC in this regard are
3 neither unique to China nor the legacy chip sector.

4 First mentioned multiple government including
5 the U.S. trade partners have employed access barriers
6 and nontariff trade barriers to support the domestic
7 semiconductor industry.

8 Moreover, of the policies that inhibit foreign
9 ability to operate in China, most of these are
10 nonspecific to the semiconductor industry and instead
11 represent market-wide barriers that should be addressed
12 accordingly as they were in the first Trump
13 Administration agreement.

14 Therefore, CCIA recommends that any
15 actionability to termination on this topic be based on
16 identifying specific strategies pursued by the PRC that
17 undermines foreign firms specific to the semiconductor
18 are remedied appropriately.

19 The third topic I will address is the question
20 of whether the PRC's policies burden or restrict U.S.
21 commerce legacy chips and related downstream industries.
22 There are several reasons why developments in China are

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1 likely to have a limited impact on the pricing ability
2 in commercial performance outside of China, particular
3 those in the U.S.

4 Moreover, in the context of downstream
5 industries, the risk of dependence by U.S. firms on
6 Chinese suppliers is low. The use of Chinese fabricated
7 chips in U.S. supply chains already faces limits. There
8 is also the case of the current Chinese chips in the
9 U.S. supply chains is exceedingly low.

10 Therefore CCIA recommends actionability
11 determination for the legacy chip sector which shows a
12 clear indication that the lack of domestic production of
13 such chips is due to policies by the PRC and not largely
14 due to the market in the U.S. and specific to downstream
15 products that PRC represents a significant amount of
16 chips by unit and by value as to induce a risk of
17 dependence.

18 I hope these comments help in this
19 investigation and we look forward to the opportunity to
20 contribute further to this investigation. And I
21 appreciate your consideration. Thank you.
22

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1 MS. BIEL: Thank you, Mr. Delsol, for your
2 testimony.

3 Mr. Fischer, please proceed.

4 FRED FISCHER,
5 National Electrical Manufacturers Association (NEMA)

6 MR. FISCHER: Thank you. My name is Fed
7 Fischer and I'm the managing director of global policy
8 at the National Electrical Manufacturers Association.
9 NEMA is the leading trade association representing U.S.
10 manufacturing of electrical goods. More than 300 member
11 company directly employes, nearly half a million workers
12 across and 12,500 facilities across 50 states
13 contributing more than \$270 billion to U.S. economy and
14 leading producers and manufactures for the grid
15 industrial and mobility sectors, the U.S. \$340 billion
16 annually.

17 Electrical manufacturers played a pivotal role
18 in securing American energy independence and ensuring a
19 secure grid. Tens of millions of dollars was invested
20 in U.S. manufacturing and creating thousands of new jobs
21 for the American workers across the country.
22 We are the second largest U.S. exporter and

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1 the second largest U.S. importer of manufactured goods.
2 In 2014, U.S. exported \$143,000,000,000 and imported
3 \$2 billion. Since 2018, the electrical industry has
4 taken significant steps to reduce reliance on Chinese
5 materials decreasing China's share of U.S. imports from
6 27 percent to 17.8 percent while significantly growing.

7 The U.S. electrical industry is a major
8 consumer of foundation -- as well as one of the largest
9 manufacturers of semiconductors in the U.S. economy, the
10 electrical industry is one of the largest purchasers of
11 foundation semiconductors.

12 These legacy chips are incorporated into the
13 tens of millions of dollars of electrical industry
14 manufactured in the United States for use in the
15 mobility sectors. And their use is growing. Legacy
16 chips are used in all types of electrical goods.

17 Neither supports the policy bills in Section
18 301 and the investigation on China's acts, policies, and
19 practices related to the semiconductor industry for
20 dominance. We would like to work with USTR and share
21 the electrical industry's extensive experience and
22 knowledge of global supply chains, our knowledge of

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1 China's legacy chip suppliers, and the organization of
2 legacy chips in the U.S. and global manufacturing.

3 Any significant disruption in legacy chip
4 supply will have a negative impact on production on
5 electrical goods and other manufactured goods in the
6 United States. And it is critical to the electrical
7 industry that there be no lax in the foundation on
8 semiconductors by competitive terms or proposed
9 measures.

10 NEMA appreciates the opportunity to testify
11 today and we look forward to working with the USTR staff
12 in this investigation. Thank you.

13 MS. BIEL: Thank you, Mr. Fischer. We will
14 now begin with questions starting with the Department of
15 Commerce and Mr. Brzytwa.

16 U.S. DEPARTMENT OF COMMERCE: Can you
17 elaborate on how, if at all, China's acts, policies, and
18 practices on semiconductors affect downstream products
19 such as consumer technology products?

20 MR. BRZYTWA: Thank you for the question.
21 Consumer technology is a very broad industry.
22 Everything that consumers use that has some electrical

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1 components, to reference by colleague's Fred's
2 testimony, likely has a chip in it. Items that we use
3 in-house every single day, items that were using right
4 now in this hearing.

5 So it's -- we are trying to do research. We
6 will have research to share in more detail in
7 post-hearing comments given the timeline of putting this
8 together, we wanted to make sure you have good data but
9 it was tough to get it into the pre-hearing comments.

10 MS. BIEL: Thank you. The Department of
11 Treasury has a question for Mr. Johnson.

12 U.S. DEPARTMENT OF THE TREASURY: ITI's public
13 comments state that multinational companies face immense
14 challenges from anticompetitive and non-market practices
15 in China. Can you elaborate on how these challenges in
16 the semiconductor sector affect the businesses of your
17 member companies.

18 MR. JOHNSON: Sure. Certainly this is a topic
19 that's been investigated and looked into with great
20 depth by the U.S. government. There's a whole range of
21 issues that have been investigated previously, so that's
22 -- it's clear more work needs to be done and more

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1 research to really comprehensibly answer the question
2 you're asking. What exactly are the practices happening
3 and what are the impact on stakeholders on U.S.
4 industry. So I want to emphasis that aspect of our
5 recommendations as well. I think there's a lot more
6 work to be done to really understand the set of issues
7 here and how to potentially proceed.

8

9 U.S. TRADE REPRESENTATIVE: Thank you. During
10 your public comments and testimony today, ITI stated
11 that mature-node semiconductors are ubiquitous and found
12 in almost all technology products. To your knowledge,
13 which industry or products have the highest demand for
14 mature-node semiconductors?

15 MR. JOHNSON: I don't know offhand. I do know
16 just generally I would say there's an industry and I
17 think we all have a very good practical example of that.
18 During the pandemic when we saw foundational
19 semiconductors across many different sectors. So -- and
20 I would say that this is not specific but generally they
21 are used across the economy, they are important across
22 the economy.

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1 There is a lot of stakeholders that are
2 involved like the questions that you are investigating.
3 So I would just say it's quite broad. There's lots of
4 different stakeholders, and I can happily look to find
5 more specifics.

6 MS. BIEL: Thank you. Mr. Delsol, the
7 Department of Transportation has a question for you.

8 U.S. DEPARTMENT OF TRANSPORTATION: CCIA
9 stated in its public comments that semiconductor
10 capacity for specific nodes or uses is not fungible.
11 Can you please elaborate on this point? Are there
12 specific nodes or end uses where Chinese capacity is
13 predominant?

14 MR. DELSOL: The definition is fairly broad,
15 and many of my colleagues have pointed this out as well.
16 Members of the industry in general could specify which
17 component we are speaking about and with that, I think
18 it has different implications in China's acts and
19 policy.

20 As to the second question, I can't speak to
21 that. Again, that is based off of finding -- and
22 members of this industry to determine exactly where they

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1 are but I would be happy to provide more detailed in my
2 post-comments. Thank you.

3 MS. BIEL: Thank you, Mr. Delsol.

4 Now we will proceed with questions for Mr.
5 Fischer starting with The Department of Treasury.

6 U.S. DEPARTMENT OF THE TREASURY: In your
7 prehearing summary testimony, you wrote that the
8 electrical industry is a major consumer of legacy
9 semiconductor. Do you have an estimate of what portion
10 of legacy chips used in the electrical industry sourced
11 from China versus elsewhere? And how, if at all,
12 China's acts, policies, and practices related to legacy
13 semiconductors affected the electrical goods industry?

14 MR. FISCHER: So thank you for your question.
15 So the electrical industry is roughly about 10 percent
16 of manufacturing in the U.S. so I don't have an exact
17 number on the legacy chips.

18 Just to follow up on a previous question, we
19 also represent about 40- to 50 percent of the electrical
20 vehicles via chargers, motors, electronic equipment, et
21 cetera, and according to our knowledge, those vehicles
22 have about a hundred legacy chips on each vehicle times

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1 how many vehicles we're talking about, so I think the
2 automotive industry are the largest consumer of these
3 particular products.

4 And also on the certification question, we
5 have just established that our association, a
6 certification compliance program and it's going through
7 a small, medium, and large suppliers to understand their
8 supply chain so they can comply. I think it is
9 important for our members to make these adjustments.

10 As far as China's practices, I think we are
11 aware that the chips that are coming from China have
12 certain advantages and there is a cost advantage. That
13 is one of the biggest advantages.

14 U.S. DEPARTMENT OF COMMERCE: What practices
15 could downstream companies employ to improve their
16 tracing of semiconductors in their products?

17 MR. FISCHER: So what we have is a compliance
18 process certification so that's how we go about. The
19 point is how do you go about setting the supply chain.
20 What are the best practices, and also product
21 certification. So both the process and the product and
22 we are just -- we've just established this. We just

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1 established those product specifications and we are
2 working not just within our industry but also applying
3 this certification beyond our specific industry perhaps
4 to others and other cities in the U.S.

5 U.S. DEPARTMENT OF COMMERCE: Thank you.

6 MS. BIEL: With that, we conclude Panel Three.
7 We can take a 15-minute break. Let's say 1:50. Thank
8 you.

9 (Short recess taken.)

10 MR. BUTLER: Okay. We're going to start Panel
11 Four, the last panel today. We will start the testimony
12 with Mr. Picarsic, please.

13 NATHAN PICARSIC,
14 Horizon Advisory & Foundation for Defense of Democracies

15 MR. PICARSIC: My name is Nathan Picarsic.
16 I'm the co-founder of Horizon Advisory. It's a supply
17 chain. Thank you for the opportunity to join this
18 public hearing and thank you to USTR for initiating the
19 investigation and hearing, and to all of you here today.

20 The initiation of the Section 301
21 investigation into China's acts, policies, and practices
22 related to the development of dominance in the

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1 semiconductor industry is a critical step in bringing
2 awareness to the nonmarket needs for overtaking
3 critical, technological sectors more broadly. These
4 nonmarket means are part of the U.S. industry and the
5 use of trade remedies in the market is both necessary
6 and appropriate.

7 But it cannot be overstated that the Chinese
8 approach for market dominance in the technology sectors
9 like the focus here is enduring and adaptive. Measures
10 to protect U.S. industry and U.S. commercial actors need
11 to be according to the -- for the scope.

12 In my submitted testimony, I focus on silicon
13 carbides as well as third generation compound
14 semiconductors, and more generally, and examples of
15 where this approach applies. China uses nonmarket means
16 to protect competition. Its priorities is a clear
17 intent to harm U.S. industry and prohibit U.S. commerce.

18 The Chinese government did not show scientific
19 and technological policies prioritizes the semiconductor
20 sector. Research and development directly supports
21 companies and also restricts access to the Chinese
22 market. This playbook including government guided

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1 policies and acts should be familiar.

2 Chinese silicon carbide in the third
3 generation sector more generally as an area in which to
4 overtake international competitors. China diagnosis
5 that their application which include everything from EVs
6 to telecoms to defense in these cases carry high value
7 in emerging technology in competition with the U.S.
8 Moving forward.

9 Silicon carbides for these materials leveraged
10 for these third-generation semiconductors and materials
11 used to control thermal electrical power is an
12 increasing, critical step of commercial and national
13 security in these cases. The Chinese government's
14 emphasis on support are reflected in policy at the
15 highest national level as well as on down to the
16 municipal plans.

17 Beijing's plan for economic and social
18 development, explicitly elevated widening gaps for
19 materials and including those in the carbide. These can
20 elevate to the level of national security calling for
21 the development of silicon carbide and other wide gap.
22 They also made clear about the objective to

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1 national policy. It's the established Chinese dominance
2 in widening gaps in the industry or per an action plan
3 circuit industry clusters, the goal is to seize the
4 community heights of the industry. These examples
5 represent a broader and consistent prioritization in
6 Chinese government industrial planning.

7 The application of third-generation of
8 semiconductors to prior use cases including military
9 platforms and data centers guarantees that China
10 prioritization is set to continue and expand moving
11 forward. These examples constitute just one slice of
12 China's policies and plans outlining prioritization of
13 widening the gap. Semiconductors additional cases can
14 readily be document so can more concrete cases of the --
15 of Chinese support.

16 Those include direct subsidies to companies,
17 participation in government funded R&D as well as
18 activities of government-supported manufacturing and
19 innovation in the zones and centers that promise
20 additional concrete evidence of the preferential
21 policies that the government uses to afford nonmarket
22 advantage for the Chinese players.

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1 This review of supply chains is commendable
2 but it should be informed by for an appropriate
3 response. That should include tariffs on silicon
4 carbide subcomponents as well as compound inputs
5 including those that feed into downstream applications
6 in these cases.

7 U.S. policy today will deliver a level playing
8 field by placing tariffs on finished goods on products
9 that use Chinese-origin inputs. These downstream
10 reviews and actions are needed to review the actions
11 like and localization of the assembly of Chinese
12 production. Don't allow for continued exploitive
13 exporting of distortive affects in China. Thank you.

14

15 MR. BUTLER: Thank you.
16 Mr. Pollard.

17 MIKE POLLARD,
18 Wolfspeed

19 MR. POLLARD: Good afternoon. My name is Mike
20 Pollard, deputy general counsel and chief of Wolfspeed
21 Incorporated located Durham, North Carolina. As a world
22 leader in the silicon carbide materials and devices, I

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1 appreciate the opportunity to attend this hearing. We
2 will need to maintain U.S. leadership in this rapidly
3 evolving industry is paramount.

4 In U.S. semiconductor self-reliance is
5 necessary to complete this goal. Wolfspeed pioneered
6 the commercialization of silicon carbide for the semi
7 industry nearly 40 years ago. And acutely understands
8 the role semiconductor play in solving tomorrow's
9 complex technological challenge.

10 This is especially true and unique for silicon
11 carbide semiconductors. Silicon carbide in devices gain
12 traction and advance applications including defense,
13 energy generation, industrial applications and the AI
14 data centers. The need for low defect, high quality
15 semiconductor materials is crucial. All to achieve the
16 performance and reliabilities demanded by tomorrow's
17 advance applications and for U.S. national and economic
18 security.

19 We believe that China is pursuing silicon
20 carbide market dominance through various methods
21 including unfair practices and believe that China is
22 well on its way to achieving its goal. We experienced

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1 it firsthand. China's growth in the silicon carbide
2 development in technology advancement has no market
3 oriented explanation and appears to bend the laws of
4 science.

5 Chinese silicon carbide companies are so far
6 removed from traditional market forces, they conduct a
7 majority of their output into landfill and still
8 survive. A few observations. The U.S. has more
9 companies dedicated to silicon carbide. Less than ten
10 years ago, China had few, if any. Today, the number of
11 companies producing silicon carbide in China approaches
12 40.

13 It took Wolfspeed and other American companies
14 several decades to achieve current wafer quality and
15 volume levels. It appears that China got there in less
16 than five. Chinese semiconductor equipment companies
17 promote complex growth in machines that appear similar,
18 and in some cases identical to Western tooling
19 equipment.

20 When it comes to wafer diameter, China
21 progressed with 100 million to 150 million about two
22 years and from 150 to 200 million a year in less than

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1 two years. It took Western companies approximately 15
2 years to make these leaps. This indicates a non-linear
3 knowledge accumulation compliments, of course, by
4 massive state-sponsored investments.

5 Lastly, intellectual property theft is real.
6 Wolfspeed has experienced it, and we encourage the
7 committee to continue its engagement for further
8 detailed. China's policies and actions including
9 seemingly unlimited government financial support, market
10 access restriction, industrial subsidies, and resulting
11 decreases in domestic and global prices have led to
12 significant capacity expansion creating an imbalance in
13 global market and an over-concentration in production
14 capacity in China.

15 If left unchecked, China's rapid expansion in
16 silicon carbide combined with the aggressive pricing
17 strategies only made possible by unfair trade practices
18 will result in the -- of global competition, thereby
19 jeopardizing the ongoing liability of U.S. semiconductor
20 manufacturers.

21 Through a combination of public and private
22 efforts, the U.S. is investing across semiconductor

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1 industry including through the CHIPS and Science Act but
2 more must be done. To effectively level the playing
3 field and safeguard the U.S. semiconductor industry,
4 Wolfspeed urges the U.S. to consider tariff and
5 nontariff actions across a full range of authorities of
6 the Trade Act.

7 Efforts must be focused on full usage of
8 existing affirmative policy tools including established
9 by the CHIPS Act. Industrial policies encourage
10 repatriation of semiconductor manufacturing back in to
11 the U.S. and tariffs on products destined from the U.S.
12 domestic market including Chinese silicon carbide
13 substrates and the devices containing silicon carbide.

14 We recognize that products coming into the
15 United States from multiple countries of export
16 designing an effective remedy including tariff elements
17 will be more than usually complex. We look forward to
18 engaging in more depth at the appropriate time with the
19 USTR on potential remedies.

20 Further, this is not solely a U.S. issue. It
21 is a global concern requiring a driven response. The
22 supply chain results with China over capacity poses a

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1 developing threat to national security due to the
2 critical control in advances semiconductors and in
3 particular silicon carbide semiconductors play in
4 defense and other key strategic sectors.

5 If the United States or allied countries
6 become too reliant on China, military preparedness and
7 critical infrastructure including IA -- artificial
8 intelligence systems could be heavily impacted.

9 On behalf of Wolfspeed, I want to thank you
10 for all your time and look forward to continued
11 engagement with the USTR.

12 MR. BUTLER: Thank you.
13 Mr. Clemmer.

14 RICHARD CLEMMER,
15 Pallidus, Inc.

16 MR. CLEMMER: Thank you. Good afternoon. I
17 am pleased to be here today as chairman of Pallidus, a
18 U.S.-based signed start-up company headquartered in
19 Albany, New York. Pallidus has a unique patented
20 process for facilitating silicon carbide substrates, a
21 technology that's derived from NASA's polymer conversion
22 process. With over 78 patents and application globally,

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1 Pallidus is at the forefront of innovation and its
2 critical space in power management and reduction, and we
3 appreciate the opportunity to provide our input in
4 response to the request.

5 We are deeply concerned about the unfair trade
6 practices of the People's Republic of China and that it
7 clearly targets the semiconductor industry. These
8 actions are putting American companies including
9 Pallidus at a significant disadvantage in this important
10 industry, which the U.S. has created and led since over
11 the last six decades. The PRC has provided massive
12 subsidies to local manufacturing enabling them to make
13 mass investments to rapidly expand their capacity for
14 silicon carbide wagers, even though the -- even though
15 their production costs are unfavorable to the U.S. and
16 Western suppliers.

17 These subsidies include direct capital
18 injections, favorable land and energy credits and more,
19 all of which are unavailable to the Western companies.
20 This creates an unfair cost advantage that has allowed
21 Chinese companies to flood the market with products at
22 prices well below that established market value for

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1 Western companies.
2 Practice, as you know, is a company and as a
3 result the silicon carbide market especially 6-inch
4 wafers, which have critical for electric vehicles and
5 all power-relate applications such as AI data centers
6 had been severely destabilized. In fact, Pallidus was
7 forced to abandon a \$650 million expansion plan due to a
8 60 percent reduction in the market price over only a few
9 short months driven by this unfair competition.
10 Other industry leaders such as Wolfspeed have
11 also been forced to lay off workers, delay investments,
12 and reduce costs as a result of the PRC's action. All
13 of these companies are clearly at risk of survival based
14 on the artificial economics being driven by the
15 competition from the PRC. These practices are not only
16 harmful to the economics of the silicon wafer market but
17 also have negatively impacted valuation in capital
18 markets making it clearly impossible for emerging
19 companies like Pallidus to raise funds to continue to
20 support this research and development.
21 The situation demands immediate action. And
22 the same time, we must look forward to the future of

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1 this critical industry. With the U.S. energy demands
2 set to expand by more than 200 percent in the next five
3 years driven by electric vehicles in defense and more,
4 the need for next generation semiconductor technology
5 has never been greater.
6 This is an opportunity for new leadership
7 technology such as silicon carbide substrates that are
8 essential for advancing ultrahigh wafer devices like
9 IGBTs which play a key role in power generation
10 transmission and high performance applications such as
11 AI and defense technology.
12 Pallidus has developed a unique PDT growth
13 method that sets it apart from other substrate dividers.
14 Our trademarked technology enables us to produce silicon
15 carbide substrates with unprecedented precision
16 addressing the limitations of traditional methods.
17 Moreover, the PRC's flooding of the market
18 with substrates is severely hampered our ability to
19 compete or raise additional funds for new key
20 technology. Despite this Pallidus continues to pitch
21 forward in the development of this technology, which is
22 already garnered interest from prominent institutions

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1 including the Army and Nave research labs.
2 To ensure American leadership in these next
3 generation powered electronics, we must product the U.S.
4 supply chain and take decisive action to counter the
5 PRC's unfair trade practices. Tariffs for China such as
6 50 percent tariffs are a step in the right direction but
7 additional measures are required. The semiconductor
8 industry is at risk of facing the same supply shortage
9 that all -- that we've seen in all cases such as solar
10 as well as rare earth materials where over 90 percent of
11 production is not controlled by China.
12 If we don't act now, we risk losing our U.S.
13 competitive edge in this global market. In conclusion,
14 Pallidus believe that U.S. must take a proactive stance
15 and defend its technological leadership particularly in
16 the critical area of silicon carbide substrates. During
17 the decades that I've spent in the industry leading
18 major companies, I personally have observed the actions
19 taken by China to dominate the semiconductor industry,
20 which they have prioritized in the last few years
21 through massive investments and others supports actions.
22 While the U.S. has recognized the arising

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1 threat and reacted with some initial actions, this is
2 clearly not sufficient to defend against the aggressive
3 PRC actions. Pallidus stands ready to collaborate with
4 our government and industry partners to ensure that we
5 not only protect our interest but also establish our
6 foundation for the next generation of powered
7 electronics that are so critical to support the huge
8 investment of AI data centers as well as protecting our
9 critical defense industry.
10 Thank you for the opportunity to share these
11 insights and we look forward to continuing the dialogue
12 across the industry.
13 MR. BUTLER: Thank you.
14 Ms. Stewart.
15 SARAH STEWART,
16 Silverado Policy Accelerator
17 MS. STEWART: Thank you so much to the chairs
18 and to the broader teams working on this issue. My name
19 is Sarah Stewart. I am the CEO of Silverado Policy
20 Accelerator. We are a bipartisan geopolitical think
21 tank here in DC focused on national security and
22 economic security. I'm honored to provide this

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1 testimony today to China's predatory acts, policies, and
2 practices to dominate the global semiconductor industry.
3 We've provided extensive comments to USTR and
4 both the actionability of moving forward with this
5 investigation as well as a proposed remedy and have
6 published a number of reports on the semiconductor
7 industry that you can access on our website.
8 I will like to start with a foundational
9 premise. U.S. manufactures of semiconductors and other
10 products have a right to compete on a leveled playing
11 field with Chinese firms. I didn't actually say this.
12 This was said approximately 20 years ago by then USTR
13 member who made the statement when USTR initiated its
14 dispute against China at the WTO.
15 At that time, China's semiconductor market was
16 valued at \$19 billion and was the world's third largest.
17 Since that's time, China's nonmarket policies and
18 ambitions to become semiconductor self-sufficient have
19 driven it to not hold the title of the country with the
20 largest semiconductor manufacturing capacity of any
21 other in the world by orders of magnitude.
22 I urge USTR to take note of China's

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1 unprecedented growth and undeterred activity in the
2 sector despite decades of the U.S. acknowledging the
3 problem, China's use of a familiar blueprint of
4 government subsidization to drive overcapacity and
5 export of production to depress prices, gain market
6 share pursuant to its stated targets and a leverage over
7 the supply chains.
8 I'd like to highlight three key points today.
9 While the scope at USTR notice supplies of the
10 semiconductor industry at large, I want to draw your
11 attention to what is happening with the foundation of
12 semiconductors. While the U.S. and other countries have
13 focused on preventing China from acquiring an advanced
14 chip technology, China has been doubling down on
15 dominating foundational chips which accounted for
16 approximately 76 percent of global semiconductor
17 production in 2024.
18 Importantly, China is on track to lead in
19 foundational chip production and install three times as
20 much capacity during 2024 to 2027 than any other
21 country. So why should we care? Aren't these commodity
22 chips anyway? The answer is no. Foundational chips are

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1 necessary for every application that also uses an
2 advanced chip and they're essential for a range of end
3 uses including defense.
4 They are fit for a purpose, they can be
5 commodity or technologically innovative. Seeing
6 foundational chip market, it has control of whether
7 items are ultimately built. It can hold back a supply
8 from the U.S. and the rest of the world, it can depress
9 prices to gain market share from U.S. companies, and it
10 can use this leverage to push back on other U.S.
11 measures to prevent IP theft and technology transfer of
12 advance nodes.
13 China knows this, which is why its investing
14 enormous amounts of resources into dominating this
15 segment of the market. Second, China's nonmarket
16 practice and industrial policies is driving its capacity
17 expansion orientation that is already undercutting U.S.
18 producers. As we are hearing, China is accomplishing
19 this through many policies including the Made in China
20 2025 and the big measures that are pumping tens of
21 billions of dollars in subsidies to Chinese
22 semiconductor companies, equity investments, and joint

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1 ventures in Chinese firms, low price land, reduced taxes
2 and more.
3 China is not just looking to advance its role
4 in this sector but to dominate it and these measures are
5 spread across the entire semiconductor value chain.
6 Indeed, China's repeated weaponization of critical
7 mineral supply chains in response to U.S. export
8 controls and tariffs is well documented. They know that
9 critical minerals are a key input to semiconductor
10 fabrication process.
11 Finally, all of these measures are propping up
12 Chinese companies to the detriment of U.S. companies.
13 U.S. companies are not -- competing not only private
14 Chinese companies benefiting from government subsidies
15 but with companies like Smith and YBTC that all have
16 substantial Chinese and growing government ownership.
17 It is not -- it is simply not fair.
18 With a leg up, Chinese firms are able to
19 export the global market of unfairly set prices
20 sometimes up to 20 to 30 percent lower, sometimes more.
21 This is not a competitive environment where U.S.
22 innovation and leadership can flourish. Rather the

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1 lower prices and loss of market share make fewer market
2 segments for U.S. producers to compete, higher per unit
3 production costs, a loss of revenue, more competition in
4 high-end segments, and danger to supply chain security.
5 Acting now would help stem the tide and to
6 allow the U.S. to compete on fair footing. There are
7 ways to address this including tariffs that not only
8 cover the wafer but any Chinese designed and fabricated
9 semiconductor that is a component in another product.
10 I will stop there and I appreciate your
11 attention today and I welcome any questions. Thank you.
12 MR. BUTLER: Thank you, Ms. Stewart.
13 We will now turn to questions beginning with
14 Mr. Picarsic.
15 U.S. TRADE REPRESENTATIVE: Good afternoon, and
16 thank you, Mr. Picarsic. You identify a number of PRC
17 policies and plans prioritizing and supporting wide
18 bandgap semiconductors. Can you please elaborate how,
19 if at all, in your view China's acts, policies, and
20 practices related to wide bandgap semiconductors are
21 unreasonable or discriminatory?
22 MR. PICARSIC: They are applicable only to

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1 Chinese companies and those that comply with the
2 industrial policy mandates of the Chinese ecosystem so
3 clearly discriminating against companies that are not
4 interested in following through the nonmarket tools that
5 are afforded by the Chinese Communist Party led, state
6 led driven model.
7 And those policies, specific acts and policies
8 submitted in my written submission that are just
9 examples of PRC, such policies clearly afford access to
10 support that is not reflected elsewhere in the global
11 markets. We heard examples of these cited here today
12 but they include everything from direct subsidies and
13 preferential support for subsidizing the purchase of
14 equipment as well as softer subsidies that touch
15 everything from human capital to litigation support for
16 supporting companies that get in the crosshairs of
17 intellectual properties.
18 It's clearly demonstrated both through the
19 policies and plans and also the contradiction received
20 from companies that there is a strategic intent executed
21 from the government and it is afforded only to companies
22 on the Chinese side of a certain nature.

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1 There is also an escalation of this support so
2 as companies are able to work their way through the
3 Chinese industrial policy system, demonstrate
4 technologically but also in terms of willingness to
5 capture global market share, they received additional
6 support.
7 So I think that escalation further
8 demonstrates the discriminatory nature of the support
9 that China affords it.
10 MR. BUTLER: Thank you. The next question
11 will be for Mr. Pollard.
12 U.S. DEPARTMENT OF COMMERCE: Good afternoon.
13 Can you please elaborate on how the silicon carbide
14 industry has changed in recent years, including changes
15 to the competitive environment? Have these changes
16 impacted Wolfspeed's ability to invest in or maintain
17 its operations in the United States?
18 MR. POLLARD: So it has changed. What was a
19 traditional path was overtaken by Chinese competitors
20 who have seemingly endless or bottomless pockets to
21 produce silicon carbides. And the result of that is
22 heard from many panelists here today is a dumping in the

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1 market artificially lowering prices. That, of course,
2 impacts Wolfspeed as an example, but other semiconductor
3 companies' ability to compete, lose market share, and
4 that all contributes to what we're able to do as far as
5 building infrastructure, building additional capacity,
6 building advanced facilities.
7 So the practice is that we are seeing out of
8 China are impacting the semiconductor industry at large
9 and it is -- the impacts are real and we're feeling them
10 and we have to do something to stop this now.
11 U.S. DEPARTMENT OF DEFENSE: Wolfspeed's
12 summary of testimony references sub-standard PRC
13 materials that can introduce significant risks to
14 critical U.S. supply chains. Can you please describe
15 how Chinese silicon carbide materials are sub-standard
16 in your view. Also, what sort of vulnerabilities can
17 result from use of these materials?
18 MR. POLLARD: Sure. So silicon carbide is not
19 the easiest material to produce. It's complex and takes
20 time, takes time to perfect. Wolfspeed has done nothing
21 but silicon carbide for 40 years. We have hundreds and
22 hundreds of patents not only in the silicon carbide

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1 itself but numerous trade secrets on how the silicon
2 carbide is made.

3 And, you know, you talk about the quality of
4 China's silicon carbide. One of the things we noticed
5 in China is that there's so many companies popping up
6 and they can attempt to grow silicon carbide, throw more
7 than half of it, 80 percent of it away, but it's a
8 volume game to them. And if they can just keep
9 producing it, they will have enough to flood the market
10 of silicon carbides that is acceptable for some uses to
11 flood the market.

12 The problem is if silicon carbide, if poor
13 quality of silicon carbide gets into the market, it can
14 cause problems in the applications. So I would not want
15 Chinese silicon carbide in military equipment for
16 supporting the U.S. defense for reliability reasons.

17 We've at Wolfspeed has spent years focusing on
18 the quality of our silicon carbide and the materials
19 from China are not close. They are getting closer very
20 quickly but it's -- the quality is what matters. And
21 then, you know, for application is in AI data centers
22 and that's even more important because AI data centers

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1 require they put out a lot of heat, silicon carbide
2 helps in that aspect by reducing the heat generated from
3 that massive technology working and, you know, failure
4 there could be catastrophic.

5 So, you know, the quality in the silicon
6 carbide is key and I would not want to put the U.S. key
7 sectors in the hands of inferior silicon carbide.

8 U.S. DEPARTMENT OF THE TREASURY: The next
9 sets of questions is for Mr. Clemmer.

10 In your pre-hearing summary of testimony, you
11 wrote that the PRC provides substantial subsidies to
12 support local wafer manufacturers to significantly
13 expand capacity for SIC wafers despite unfavorable
14 production cost points.

15 Can you elaborate on what you mean by
16 unfavorable production cost points in the semiconductor
17 industry?

18 MR. CLEMMER: So it is a common practice, not
19 just in silicon carbide, but across the industry as
20 China has prioritized semiconductor production in a
21 five-year plan that they have all forms of subsidies
22 including investments, land availability, funding of new

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1 production capacity. So it's broad based prioritized by
2 the government such that the capacity is expanded in a
3 very easy fashion, which lead to their focus on silicon
4 carbide where they generated significant investments and
5 flooded the market with capacity at a fraction of cost
6 before it's been shipped from the Western worlds.

7 Artificially through the artificial economics
8 associated with the subsidies from the government, we
9 know for a fact this takes place and it's taking place
10 broadly but more recently focused on silicon carbide.
11 They've chosen to see how they can dominate the silicon
12 carbide industry seeing the opportunity for the growth
13 associated with the power requirements for AI data
14 centers as well as all the other significant power
15 requirements that are going to be factored for the U.S.
16 where data centers today deliver less than 3 percent of
17 the overall electric usage by 2030 is projected to be
18 over 10 percent.

19 So silicon carbide becomes a very critical
20 material to be able to provide the technology and
21 capability to help reduce some of that and yet the
22 investments that are being made in silicon carbide will

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1 not be able to be done with the pricing that's currently
2 available. Thank you.

3 U.S. SMALL BUSINESS ADMINISTRATION: Your
4 summary of testimony indicates that Pallidus was forced
5 to abandon a \$650-million dollar expansion plan due to
6 the more than 50 percent reduction in market prices amid
7 capacity expansion driven by the unfair trade practices
8 from the PRC. Can you please further explain the
9 knock-on effects to your business from intense PRC
10 pricing pressure?

11 MR. CLEMMER: Sure. We had a plan to expand
12 today. We have a facility in Albany, New York that work
13 on the development of that. We had a plan to do a
14 production facility with a \$650 million dollar
15 investment but that was based on the market pricing in
16 the silicon carbide market, which was about a thousand
17 dollars away for it at the time and has now since come
18 down to \$400 or less per wafer.

19 Basically below the variable cost of producing
20 the wafer associated with it, so we chose to abandon the
21 investment associated with that site and really focus
22 our technology and develop on the next generation of

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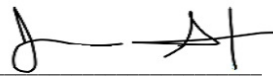
1 technology which will give the ability to establish a
2 leadership for U.S. industry that will be able to defend
3 it against the technology being developed by China.
4 U.S. SMALL BUSINESS ADMINISTRATION: Thank
5 you.
6 U.S. DEPARTMENT OF DEFENSE: In Silverado's
7 public comments, you write that China's military-civil
8 fusion strategy with mature node semiconductors would
9 exploit the dual-use of semiconductors. Can you please
10 elaborate on what you perceive to be potential risks to
11 the United States?
12 MS. STEWART: Sure. Thank you. China has
13 been pursuing a strategy that is focused on not just
14 dominating the advance nodes which it can't yet. We've
15 been preventing it, but in pursuing a strategy of
16 dominating these foundational nodes, they go into
17 dual-use items, and so we know, it's been well
18 documented that China has a very blurred line between
19 civil, military uses and so as they are putting, you
20 know, more emphasis on all of the chips that are going
21 into basically every item that you can imagine, whether
22 it's a defense missile system or a smart phone or a

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1 satellite communication, they are creating an ability to
2 dominate in a segment of the market that serves the dual
3 use, serves the military and, you know, gives them a leg
4 up on, you know, defense uses that we might have. And
5 the ability to weaponize those against us.
6 MR. BUTLER: Thank you. I just want to check
7 with my colleagues if anyone has any additional
8 questions.
9 Okay. That concludes our final panel for the
10 day. On behalf of this committee, I want to thank all
11 the witnesses that appeared today. I want to thank
12 USITC for hosting us. A reminder that post-hearing
13 comments are due March 18th. And with that, we are
14 adjourned.
15 (This Public Meeting concluded at 2:30 p.m.)
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REPORTER'S CERTIFICATE

1
2 DISTRICT OF COLUMBIA
3 I, Jeaninn Y. Alexis, a Notary Public of the
4 District of Columbia, do hereby certify that the
5 with-named witness personally appeared before me at the
6 time and place herein set out, and after having been
7 duly sworn by me, according to law, was examined by
8 counsel.
9 I further certify that the examination was
10 recorded stenographically by me, and that this
11 transcript is a true record of the proceedings.
12 I further certify that I am not of counsel to
13 any of the parties, nor an employee of counsel, nor
14 related to any of the parties nor in any way interested
15 in the outcome of the action.
16 As witness my hand and seal this 13th day of
17 March, 2025.
18
19 
20 JEANINN ALEXIS
21 My Commission Expires: 1/14/2029
22

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