

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

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Section 301 Investigation

PUBLIC HEARING,
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.

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

	Page 2
1	A-P-P-E-A-R-A-N-C-E-S:
2	
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	BECXI SANCHEZ - U.S. Department of Transportation
8	PHILIP BUTLER - Chair of Section 301 Committee
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
15	REBECCA GUDICELLO - USTR
16	RACHEL HOWE - USTR
17	
18	
19	
20	
21	
22	

Page 4

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 Section 301 include acts, policies, and practices of a

20 foreign country that are unreasonable or discriminatory

21 and burden or restrict U.S. commerce. The December 30

22 notice is available on the USTR website under the

	Page 3
1	I-N-D-E-X
2	Initiation of Section 301 Investigation
3	March 11, 2025
4	PANEL ONE PANELIST NAME: PAGE:
	Wenjia Cao 9
5	Ximing Xu 13
	Mark McKechnie 19
6	Joe McReynolds 24
7	
8	PANEL TWO PANELIST NAME: PAGE:
	George Landrith 38
9	Jeff Ferry 42
	Evan Swarztrauber 49
10	Timothy Lee 53
	John Moolenaar 62
11	
12	PANEL THREE PANELIST NAME: PAGE:
	Ed Brzytwa 71
13	Kyle Johnson 75
	Gabriel Delsol 80
14	Fred Fischer 85
15	
16	PANEL FOUR PANELIST NAME: PAGE:
	Nathan Picarsic 94
17	Mike Pollard 98
	Richard Clemmer 103
18	Sarah Stewart 108
19	
20	
21	
22	

Page 5

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

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 6

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: Becci
13 Sanchez, Department of Transportation.
14 U.S. TRADE REPRESENTATIVE: Rachel Howe, USTR.
15 U.S. DEPARTMENT OF COMMERCE: Luke Myers,
16 Department of Commerce.
17 U.S. DEPARTMENT OF STATE: Ace Gazis,
18 Department of State.
19 MR. BUTLER: And I am Philip Butler, Chair of
20 the Section 301 Committee for USTR. We are also honored
21 to have the participation of a member of Congress in
22 this hearing. Later this morning at 11:45, we will

Page 7

1 receive testimony from Congressman John Moolenaar, the
2 Chairman of the House Select Committee on the strategic
3 competition between the United States and the Chinese
4 Communist Party.
5 Before we proceed with Panel 1, I will provide
6 some procedural and administrative instructions: The
7 hearing is scheduled for one day, today March 11th. The
8 December 30 notice indicated that post-hearing comments
9 will be due seven days after the public hearing.
10 Post-hearing comments are due on March 18, 2025.
11 Today we will have four panels of witnesses
12 with 16 individuals scheduled to testify. The
13 provisional schedule has been posted on USTR's website.
14 We will have a brief break between panels and will take
15 a 50-minute lunch break. Each witness appearing at the
16 hearing is limited to five minutes of oral testimony.
17 The light before you will be green when you start your
18 testimony, yellow means you have one minute left, and
19 red means your time has expired.
20 After the testimony from each panel of
21 witnesses, the Section 301 Committee will have an
22 opportunity to ask questions. All questions will be

Page 8

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

Page 9

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

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 10

1 technological innovation.

2 China, as the world's largest consumer of

3 semiconductors, accounts for over half of the global

4 chip sales which relies heavily on imports, in 2020,

5 imports consisted of 83 percent of the total chip sales

6 within the country. If we look at the revenue history

7 of major semiconductor companies, you will find that the

8 sales of Chinese market accounts for a considerable part

9 of the U.S. semiconductor companies' revenue, such as

10 Texas Instruments and Intel.

11 As stated in CCCME's comment, the

12 semiconductor industry is highly dependent on global

13 collaboration. However, in recent years Chinese

14 companies are faced with more restrictive controls that

15 prevent the sales of semiconductor products to them from

16 countries including the U.S.

17 Such unpredictable policies create great

18 uncertainty and have greatly pushed Chinese companies to

19 re-examine and adjust their decision-making strategy in

20 fields such as procurement and production, so as to

21 avoid the risk of using chips from the U.S. companies.

22 Hence, CCCME would like to highlight that the

Page 11

1 evidence alleged in the formal notice of this

2 investigation is unsubstantiated and biased, and the

3 investigating scope is overly broad, and we also noted

4 that the launch of this investigation has caused

5 concerns in the U.S. domestic industry.

6 In addition, the CCCME is perplexed about the

7 previous administration's initiation of the

8 investigation as we found the evidence listed is

9 contradictory. For instance, statistically the U.S.

10 semiconductor industry maintains its leadership in the

11 global market and continues its trend to thrive.

12 In 2023, the U.S. industry accounts for 50.2

13 percent of global sales revenue, up from 46 percent in

14 2018, and in R&D, design, and manufacturing process

15 technology, the U.S. semiconductor firms also maintains

16 a leading competitive position.

17 CCCME learned that the U.S. administration has

18 heavily subsidized its domestic semiconductor industry

19 and projects. For instance, quote, the CHIPS and

20 Science Act provides \$52.7 billion for American

21 semiconductor research, development, manufacturing, and

22 workforce development, and since the CHIPS introduction,

Page 12

1 more than 90 projects across 28 states are announced in

2 fabrication and packaging, equipment and materials

3 manufacturing, and R&D facilities.

4 From these data, it can be found that there

5 are no signs showing the U.S. semiconductor companies

6 are exposed to burdens or restrictions or suffer from

7 injuries. Also, CCCME would like to recall research and

8 studies on Section 301 measures that the negative impact

9 of increased tariffs primarily shown as higher prices

10 and costs for U.S. companies and households.

11 And especially with U.S. inflation accelerated

12 in January, a new round of tariffs or restrictions would

13 only worsen the situation. We sincerely hope that,

14 instead of owing every potential problem to its Chinese

15 peers, the USTR can comprehensively investigate the real

16 challenges faced by the U.S. semiconductor companies.

17 In summary, the CCCME really appreciates the

18 opportunity to testify. We hope that the USTR can

19 consider voices from different interest parties and to

20 approach this investigation prudently. CCCME also

21 sincerely recommends terminating this investigation and

22 avoiding undertaking any unreasonable measures that

Page 13

1 would bring harm to the U.S. and global semiconductor

2 industry. We advocate mutual development between the

3 U.S. and Chinese companies, and are always willing to

4 contribute to close connection and cooperation between

5 companies from both countries and more sustained growth

6 of the global economy. Thank you.

7 MR. BUTLER: Thank you.

8 Mr. Xu, the floor is yours.

9 XIMING XU,

10 China Association of Automobile Manufacturers

11 MR. XU: Good morning, 301 Committee. My name

12 is Ximing Xu, and I'm here on behalf of CAAM China

13 Association of Automobile Manufactures. Founded in

14 1990, CAAM is the most representative national nonprofit

15 trade organization in the automobile industry of China.

16 CAAM is a self-disciplined, non-profit social

17 organization and by the end of 2024, CAAM has maintained

18 over 3,700 members.

19 China's auto market is one of the largest in

20 the world, with total auto sales reaching 26.282 million

21 units in 2024. It is an open, transparent, fair, and

22 free competition market. The world's major automobile

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 14

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

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

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

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

Page 15

1 purchasing and using chips.

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

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

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

Page 16

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

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

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

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

Page 17

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

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

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

19 With the continuous improvements of consumers'
20 requirements for vehicle safety, comfort, energy
21 savings, and intelligence level, the demand for
22 automotive chips would also strongly increase annually.

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 18

1 In summary, CAAM believes that China's
2 automotive chip industry does not employ
3 anti-competitive and non-market means to achieve its
4 objectives and that China's laws, policies, and
5 practices are not unreasonable or discriminatory in
6 accordance with Section 301 (b) of the Trade Act.

7 The development of China's automotive chip
8 industry is an inevitable result of market-driven
9 changes in the global market structure. If the Section
10 301 investigation initiated by the United States
11 eventually adopts measures such as increasing tariffs
12 and supply chain restrictions, it will certainly damage
13 the global automobile industry, disrupt the
14 semiconductor industry and market pattern, lead to the
15 rise of global chip costs, increase the costs of the
16 automotive supply chain, and harm the interests of
17 global automotive consumers including China and the
18 United States.

19 We hope that the USTR can have a comprehensive
20 and objective understanding of the global automotive
21 chip industry and make better judgment. China's
22 automotive industry and automotive chip industry have

Page 19

1 always upheld an open and cooperative attitude, hoping
2 to engage in dialogue and cooperation with the United
3 States in technological innovation, industrial
4 collaboration, supply chain and services, and avoid
5 unilateral trade actions. Thank you.

6 MR. BUTLER: Thank you.
7 Mr. McKechnie.

8 MARK McKECHNIE,
9 ACM Research

10 MR. McKECHNIE: Hello, I am mark McKechnie,
11 CFO of ACM Research Incorporated. We're a company that
12 supplies world-class equipment manufacturer and major
13 producer of semiconductor chips. First, I want to thank
14 the administration for its dedication to the national
15 security of the country and the wellbeing of American
16 companies. I'm grateful for the opportunity to discuss
17 the impact that potential tariffs will have on our
18 company and also the American semiconductor industry.

19 ACM research is a company that embodies the
20 American dream. We were founded in 1998 in Fremont,
21 California as a Silicon Valley startup. ACM Research
22 has since grown into a publicly traded company on the

Page 20

1 NASDAQ, revenue almost \$800 million and the current
2 market capitalization is more than 1.6 million.

3 Our founder Dr. David Wang immigrated to the
4 U.S. in the early '90s and became a U.S. citizen and
5 pursued his vision of building a world-class global
6 semiconductor equipment company on American soil. He
7 holds numerous U.S. patents in semiconductor
8 fabrication, he deliberately established ACM in the U.S.
9 to leverage the ingenuity and economic opportunity of
10 this great country.

11 ACM doesn't make semiconductor chips, rather
12 we develop and produce tools and equipment that are
13 essential to the fabrication of the semiconductor chips.
14 Our technologies report critical processes including
15 single wafer, batch wet cleaning, electro-plating, and a
16 few more product lines under development. The very name
17 ACM stands for advance cleaning machines reflects our
18 leading role in the technologies field in which no
19 comparable U.S. firm exists.

20 Let me be clear, ACM is the only American
21 company with top-to-bottom cleaning tools for
22 semiconductors. We note that our main competition in

Page 21

1 cleaning tools is from Japan. Our global headquarters
2 are in Fremont, California in the Silicon Valley. We
3 manage our global operations including our finance team,
4 R&D, customer sales and services, and other activities.

5 We also operate several facilities in
6 Hillsboro, Oregon including a 40,000 square foot
7 building we bought just last year to serve as a
8 launching pad to bring production and advance R&D back
9 to the U.S. Our customers are major semiconductor
10 manufacturers based in the U.S., Europe, and Asia.

11 Like many other U.S. tech firms, the majority
12 of our firm production is through our manufacturing
13 subsidiaries. For us, in China and Korea. We have
14 found it important to locate our production and
15 engineering team as close to our customers, which allows
16 us to adapt our tools to meet our customers'
17 requirements.

18 We have planned to bring our tool technology
19 developed in Asia back to the U.S. where we plan to
20 scale it in mass production to support the historic
21 process back to America. ACM fully supports the
22 administration's commitment to strengthen the

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 22

1 semiconductor industry. To align with this goal, we are
2 actively expanding our U.S. manufacturing footprint and
3 ensuring our manufacturing operations to the United
4 States.

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 our answer is simple: To
21 support the goal of revitalizing American semiconductor
22 production, we respectfully request that ACM and its

Page 23

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.

7 U.S. Trade Representative has previously
8 recognized the necessities of such exceptions following
9 the prior Section 301 investigation concerning China's
10 acts and policies on technology transfer, USTR did
11 recommend duty exclusions for machinery used for
12 domestic 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 disruptions in operations and investments, this
17 exemption 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

Page 24

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 silicon carbide
13 wafer market for potential unfair competition practices
14 by Chinese manufactures.

15 Although silicon carbide chips are not at the
16 cutting edge of technological possibility with a sense
17 that chips targeted by sanctions usually are, they do,
18 in fact, form a crucial part of the global technological
19 supply chain. And in the Q and A, we can go into detail
20 in any direction that you all like, but to start, I
21 would like to offer three main points: One is that
22 silicon carbide wafers are essential to U.S. national

Page 25

1 security. For the automotive industry, renewable energy
2 sector, areas where China hopes to considerably expand
3 their global market share in the coming years and do
4 have a degree of dual military civilian use.

5 And the established market leaders in these
6 sectors, both Western multi-nationals and Japanese firms
7 now face growing competitive pressure from China, and
8 that is coming from artificially boosted national
9 champions rather than from organically competitive
10 Chinese production.

11 According to industry analysts, China is now
12 within two years of constituting the majority in global
13 silicon carbide wafer production, which is a trend
14 driven heavily by the PRC'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 level playing field.

20 My second point is that imports comprising of
21 silicon carbide wafers from China pose a real threat to
22 U.S. national security. Go back to 2015 when China

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 26

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 for a small,
14 medium size technology firms.

15 So they participated in numerous defense
16 industrial 863 projects which are aimed at indigenous
17 PRC development of dual use geo-strategically relevant
18 technologies, and then TanKeBlue, through their Xinjiang
19 subsidiary is also conducting a major research project
20 with the XPCC Xinjiang Production & Construction Corps.

21 And XPCC is a state-run para-military
22 corporate conglomerate that's actually been sanctioned

Page 27

1 by U.S. for its role in horrific human rights violation
2 against the Uyghur population.

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

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

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

Page 28

1 silicon carbide in an electric vehicle is a tiny
2 fraction of the total cost of the car.

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

7 MR. BUTLER: Thank you, Mr. McReynolds.
8 Okay. I thank the panelists for their
9 testimony. We're going to turn to questions now. First
10 questions are going to be for Ms. Cao. And the first
11 question is from USTR.

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

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

Page 29

1 operate independently, thank you.

2 U.S. DEPARTMENT OF THE TREASURY: Good
3 morning. Can you explain your role that CCCME plays
4 coordinating industry interests in China and interacting
5 with the Chinese government and the Chinese Communist
6 Party? What is your role, if any, in shaping and
7 implementing Chinese government policy in the
8 semiconductor sector?

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

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

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

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

22 U.S. DEPARTMENT OF COMMERCE: One more

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 30

1 question, Ms. Cao. CCCME's public comments state that
2 industrial cooperation and trade in semiconductor
3 industries between China and the United States is a
4 market-oriented choice under the global division of
5 labor. However, it is reported that Chinese silicon
6 carbide suppliers are offering a price as low as 500 USD
7 per wafer when historically the same wafer was about
8 1500 USD. Chinese silicon carbide suppliers are
9 reportedly providing this price while operating at a
10 loss.

11 What are the factors behind this major cost
12 differential?

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

21 MR. BUTLER: Next we are going to turn to
22 Mr. Xu.

Page 31

1 U.S. TRADE REPRESENTATIVE: Good morning, Mr.
2 Xu. Could you explain what role, if any, CAAM plays
3 coordinating industry interests in China and interacting
4 with the Chinese government and Chinese Communist Party?
5 What is your role, if any, in shaping and implementing
6 Chinese government policy in the semiconductor sector?

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

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

Page 32

1 released in April 2024?

2 MR. XU: For this questions, honestly I'm
3 suffering from a bit of jet lag right now. And about
4 that part, I'm personally -- my work doesn't associate
5 with them that much. And mostly, we just focus on the
6 automakers and the industry. And if you want me to
7 provide further information, I'm more willing to submit
8 more as much as I can after. Thank you.

9 MR. BUTLER: Next set of questions are for
10 Mr. McKechnie. And we will start with State.

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

16 MR. McKECHNIE: Thank you for the questions.
17 Which policies did you ask?

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

21 MR. McKECHNIE: To my knowledge, and we can
22 give more comments on that post-testimony writeup, but,

Page 33

1 you know, we are controlled by market forces generally.
2 We make our investments on the production forecasts and
3 we don't feel a tremendous amount of influence.

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

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

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

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

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 34

1 MR. McREYNOLDS: So 863 projects are across
2 the entire range of Chinese science and technology
3 development, and they are part of a broader process that
4 the Chinese government has termed military civil fusion
5 or MCF that they are looking not just at civil military
6 integration, not just at end step procurement for
7 defense purposes but bringing civilian companies into
8 every step of development.

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

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

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

Page 35

1 MR. McREYNOLDS: Certainly. I will -- the
2 source I have right here is actually for specifically
3 for their research project with the XPCC was from an
4 industrial catalog provided by TankeBlue publicly. So
5 that's actually something we encounter a lot with
6 sourcing for things that almost by definition can easily
7 trigger 301 action, things like that.

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

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

22 U.S. DEPARTMENT OF TRANSPORTATION: Good

Page 36

1 morning. Are you aware of examples of Chinese policies
2 leading to forced technology transfer in the
3 semiconductor sector?

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

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

20 I would say the national security concern from
21 Chinese domination would be identical whether these
22 companies are doing it out of narrow, short-term

Page 37

1 interest or whether they are doing it as compelled by
2 the Chinese government.

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

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

13 Are there any other questions for the
14 panelist? Okay. Thank you very much. I appreciate
15 everyone providing testimony.

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

19 (Short recess taken.)

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

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 38

1 GEORGE LANDRITH,
2 Frontiers of Freedom
3 MR. LANDRITH: Good morning. I am George
4 Landrith. I'm the president of Frontiers of Freedom
5 founded by former U.S. Senator Malcolm Wallup. And we
6 are supportive of this investigation and we encourage
7 the U.S. Trade Representative to implement trade
8 restrictions to prevent the People's Republic of China
9 from dominating the world and using chip manufacturing
10 as one of its tools.
11 The People's Republic of China is merely
12 another competitor in a global marketplace. China is
13 not sending fair, economic competition. They are using
14 economic tools as weapons to expand its influence and
15 ultimately pave the way for military domination. The
16 Chinese Communist Party employes state-controlled
17 enterprises, forced technology transfers, and supply
18 chain manipulation, economic coercion, all of it is part
19 of its strategy.
20 Not just to get an edge in trade but to secure
21 the ability to dictate terms to the rest of the world.
22 And this is not capitalism; this is economic warfare.

Page 39

1 The end goal of the Chinese Communist Party is pretty
2 clear: By achieving economic supremacy, they intend to
3 extend the totalitarian authoritarian control it
4 exercises over its own people throughout the world.
5 I also think that we have to be careful that
6 we don't allow and undermine American innovation and
7 that they, for example, get rid of things like
8 democratic governments, national sovereignty, even the
9 basic elements of human rights because that is the goal.
10 And we have seen that around the globe in many different
11 arenas.
12 So investigation is warranted and that trade
13 restrictions are necessary. And, of course, there are
14 specific reasons beyond the generalized one I just gave.
15 Semiconductors are used in a variety of varying ways and
16 almost everything you can imagine is electronic.
17 Everything from our phones, computers but even the
18 military things.
19 And one of the things we often do is focus
20 more on the advanced chips for U.S. policy. And things
21 like legacy chips are often not given much attention
22 because they are seen as not that important, but I think

Page 40

1 that's the mistake. It's a mistake of significance
2 because these are used to power, as I said, everything
3 you can imagine: automobiles, medical devices, even
4 military systems, among other things. Despite the name,
5 legacy chips are not stale, old technology. they are
6 constantly updated, and it's important to recognize
7 that.
8 Also, it's important to recognize China has
9 grown its share in the legacy chip market creating a
10 great dependence on Chinese-made semiconductors. Just a
11 few short years ago, they produced 17 percent of these
12 chips and now they are over 40 percent, and it is
13 projected that they will be over 60 percent by the end
14 of this decade.
15 And they are also tremendously expanding their
16 capacity right now because they see this as a window of
17 opportunity. And they are stiff, of course, to legacy
18 chips and it is our own fault because our policy
19 encouraged that we had -- we exempted other processes of
20 technology from various rules and they jumped all over
21 that.
22 And in March, a year ago, they produced in one

Page 41

1 month 32 billion units. So I think we have to wake up
2 and realize we better take this seriously because as we
3 discussed, silicon carbide substrates offer a more
4 versatile, durable semiconductor based on the state of
5 traditional silicon chip due to its improved efficiency,
6 thermal conductivity, high power, load bearing, and its
7 resilience in harsh conditions. And so as a result,
8 they are critical in things like power grids, defense
9 systems, electrical vehicle manufacturing, and a great
10 deal more.
11 And silicon carbide strips are used also in
12 healthcare equipment, renewable energy systems, heavy
13 machinery, and in, of course, challenging environments,
14 and as a result of that, they are viewed as very useful
15 in future defense sector issues. I recognize the
16 importance of silicon carbide wafer semiconductors.
17 China has quickly begun to reel in on the production
18 capacity.
19 They have expanded their share of global -- in
20 the market by leveraging government subsidies,
21 depressing wages, creating artificial and cheap labor,
22 and favoring the industry production to overcapacity and

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 42

1 flooded the market and repressed prices across the globe
2 to drive out competition.
3 And it looks like my time is up.
4 MR. BUTLER: If you want to wrap it up, that's
5 fine.
6 MR. LANDRITH: I will wrap it up by saying
7 that that price collapse has caused real problems and we
8 need to wake up and recognize that. And I think the
9 other thing we have to make sure we do is to recognize
10 this is not simply an economic issue; it's a national
11 security issue. And as a result, I hope that the U.S.
12 Trade Representative will complete this investigation
13 and move immediately to implement restrictions to
14 protect the free-market competition of the United States
15 and make sure that we have the national security
16 elements that we need because chips will be among those.
17 Thank you.
18 MR. BUTLER: Mr. Ferry.
19 JEFF FERRY,
20 Coalition for a Prosperous America
21 MR. FERRY: Thank you. Thank you. Can you
22 hear me?

Page 43

1 MR. BUTLER: Yes.
2 MR. FERRY: Thank you for the opportunity to
3 testify here today. American silicon carbide
4 semiconductor industry --
5 MR. BUTLER: Can you pull your mic closer to
6 your mouth, please.
7 MR. FERRY: American silicon carbide
8 semiconductor industry is under threat from Chinese
9 overproduction. In a few years, the U.S. might have no
10 silicon carbide industry. We've all seen this movie
11 before. Made in China 2025 was published 10 years ago.
12 The Chinese government told us what they were going to
13 do and now they are doing it.
14 They intended to establish self-sufficiency in
15 what they deem key strategic industries of the future
16 including each industry's entire supply chain. Since
17 China's today is the largest manufacturer nation on
18 earth with a trillion-dollar trade surplus, their ideas
19 of self-sufficiency includes wiping out most, if not
20 all, of the foreign competition.
21 Since then, they have been busy doing just
22 that and they have a pretty high success rate. Today

Page 44

1 China brings us 25 million automobiles a year. Two and
2 a half times the Number Two producer in the U.S.A. For
3 China, the electric vehicle sector is strategic. China
4 already dominates global EV production and production of
5 the lithium ion batteries that power them, but that is
6 not enough. They want to dominate production of every
7 key component of EV.
8 Silicon carbide chips are one of those
9 components. Semiconductors of a silicon carbide can
10 carry electric current at much higher voltages. This
11 makes them extremely useful for EVs. Today, most of
12 which run at 400 volts, but are transitioning to run 800
13 volts and perhaps even higher in the future.
14 Higher voltages will be seen in many areas of
15 the economy as electrification grows. And all of this
16 favors wider use of silicon carbide chips. The first
17 use of silicon carbide chips in an EV was in the Tesla
18 Model 3 in 2017. Last year, the silicon carbide
19 industry was a 2.5 billion-dollar industry with an
20 annual growth rate of about 18 percent.
21 Last year, the industry was dominated by
22 silicon carbide wafer makers in the U.S. and Taiwan and

Page 45

1 chip makers in the U.S., Europe, and Japan. But last
2 year, the Chinese government woke up to silicon carbide.
3 Chinese investment in the industry shot up from under a
4 billion dollars to 2.9 billion in the last year.
5 Several dozen Chinese companies have been incentivized
6 to enter the industry making either the wafers or the
7 finished chips.
8 As we know from past experience, most of those
9 new companies will fail but some will succeed and grow
10 into billion-dollar companies, and ultimately China may
11 succeed in dominating the global industry unless we take
12 action now.
13 Capacity of silicon carbide wafers is
14 estimated to have shot up from about half a million --
15 billion units a couple of years ago to 3.9 billion last
16 year and will be more this year. The surge in capacity
17 is driving prices down. One recent estimate says that
18 the price of an 8-inch silicon carbide wafer fell by
19 60 percent last year. The sudden collapse in pricing is
20 already hitting American chip makers.
21 Wolfspeed is the U.S. leader in silicon
22 carbide chips. Wolfspeed was an early pioneer in

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 46

1 silicon carbide and has historically been an old systems
2 growth company. Last year though, the reality of
3 falling prices hit home. The company announced a layoff
4 of 10 percent of its staff, canceled its facility in
5 North Carolina and halted a planned expansion in
6 Germany.

7 In November, it swapped out its CEO and
8 replacing him with Tom Werner, a Silicon Valley veteran
9 in the solar power industry, another industry that is
10 battling with subsidized Chinese domination.

11 Qorvo is a North Carolina chip maker and a
12 major supplier to Apple. In 2021, it acquired a New
13 Jersey manufacturer of silicon carbide chips for \$260
14 million as part of a plan to build a big silicon carbide
15 business. Two months ago, it announced it was exiting
16 the silicon carbide business and sold that New Jersey
17 business to another chip maker for \$115 million. In
18 just over three years, the value of that business fell
19 by more than 50 percent.

20 Wolfspeed, Qorvo, and others have great
21 technology but they cannot survive against China's
22 deadly formula combining massive Chinese Government

Page 47

1 subsidies, widespread IP theft, and favoring local
2 companies within the Chinese market. The professional
3 investment community sees the writing on the wall.

4 That's why Wolfspeed's stock is down
5 82 percent from the past year now trading for about
6 \$5.75. Too often in the last 20 years, Washington has
7 been relaxed to wake up to trends that industrialists
8 and investors are fighting with daily and we have lost
9 entire industries before the government got its act
10 together to do something.

11 The solution is to act now. We must put high
12 tariffs on all imports of silicon carbide chips from
13 China but that is not sufficient. We should put tariffs
14 on downstream products that contain silicon carbide
15 chips especially EV motors.

16 I would like to close, if I may, with a
17 broader picture. When the CHIPS Act passed in 2022,
18 there was a lot of talk in Washington about advanced
19 logic chips. Those are great products but every kind of
20 chip is essential to build most products, civilian and
21 military.

22 You can't drive your car without the LEDs in

Page 48

1 the dash or the headlights. You can't use the 5G phone
2 network without the chips and the wireless transmitter.
3 China has already dominated and controlled the export of
4 gallium or germanium, two essential materials for
5 semiconductors.

6 It may not sound impressive but if I told you
7 the turn signal in your car is controlled by a chip that
8 costs a quarter, but if there are only ten places in the
9 world that can make that chip and if they all end up in
10 China, then China can stop our entire auto industry with
11 one decision by the Communist Party Central Committee.

12 I have friends and former colleagues in
13 Silicon Valley and many of these businesses that tell me
14 about the difficulty of doing business when China holds
15 all the cards. It's time to be proactive instead of
16 reactive.

17 The U.S. needs to take a holistic view of
18 supporting, manufacturing, and defending its entire
19 technology food chain from the minerals to the
20 semiconductors to the finished smart phone and the
21 finished fighter jet. Thank you.

22 MR. BUTLER: Thank you.

Page 49

1 Mr. Swarztrauber.

2 EVAN SWARZTRAUBER,
3 Foundation for American Innovation

4 MR. SWARZTRAUBER: Good morning, Agency
5 Representatives. Thank you for the opportunity to
6 testify today. My name is Evan Swarztrauber. I'm
7 senior fellow at the Foundation for American Innovation.
8 The technology policy is maintained and based here in
9 Washington. Our organization believes that technology
10 should serve humanity, individual freedom, U.S. national
11 security.

12 To that end, I testify in support of USTR's
13 Section 301 investigation into China and the Chinese
14 government's predatory subsidies and other market
15 distortions in the semiconductor industry. USTR should
16 take decisive action to investigate and address China's
17 aggressive efforts to dominate the global silicon
18 carbide wafer or SIC market.

19 These wafers are key inputs in a wide range of
20 critical areas including EVs, power grids radar systems,
21 and missile defense. The U.S. must not lose its
22 capacity to produce SIC domestically. It should be

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 50

1 obvious: China does not subsidize industries out of
2 generosity. They do so with a clear deliberate strategy
3 to undercut foreign competitors, monopolize critical
4 supply chains, and gain leverage to support the economic
5 and security goals for the Chinese Communist Party.
6 We've seen this playbook before, as you've
7 heard, from solar panels, LED screens, lithium
8 batteries. Now China is deploying the same tactics in
9 the SIC wafer sector. Their massive government
10 subsidies, below-cost pricing, market manipulation,
11 Chinese firms are working to drive American and ally
12 producers out of business leaving the U.S. and its
13 partners dependent upon Chinese supplies.
14 In my view, this behavior is unreasonable,
15 discriminatory, and burdens U.S. commerce and should
16 merit an actionable determination by the USTR. For too
17 long, the U.S. government had in the past been largely
18 content to let foreign adversaries flood our markets
19 with goods. U.S. trade policies had prioritized
20 short-term savings and consumerism over long-term
21 economic national security.
22 As a result, Americans watched entire

Page 51

1 industries collapse. That outdated approach ended when
2 President Trump was first elected in 2016 and there is
3 now substantial bipartisan support for protecting high
4 tech American manufacturing.
5 The CHIPS Act represents a major effort to
6 atone for these, which is especially important given
7 China's increasing aggression toward Taiwan and
8 elsewhere in the Pacific. Yet unsurprisingly, China has
9 taken steps to undermine the progress specifically by
10 flooding the market with heavily subsidized SIC wafers.
11 These wafers enable high performance
12 electronics, use in electric vehicles, power grids,
13 telecommunications, advanced military systems. Without
14 a secure domestic supply, United States risks following
15 behind these strategic industries leaving us vulnerable
16 to supply disruptions, especially in the event of war.
17 USTR should conduct a thorough and robust
18 investigation into China's actions in the SIC market and
19 take any and all necessary measures to counteract these
20 distortions. While a blanket 20 percent tariff on China
21 is welcomed, it is insufficient to correct China's
22 excess subsidies and distortions on particular products

Page 52

1 like SIC. USTR should consider a significantly higher
2 tariff for these PRC produced wafers as well as final
3 products that used PRC produced SIC.
4 Second, USTR should investigate how Chinese
5 state-owned and state-affiliated firms use third
6 countries as a loophole to evade trade restrictions to
7 hide their ownership interest.
8 While more facts are yet to come, the
9 advancement of the Chinese AI startup DeepSeek is a
10 potential example of how China uses shell games in
11 Singapore and other nations to avoid sanctions, exploit
12 U.S. technology, and steal intellectual property.
13 Third, the U.S. government should use its
14 purchasing power to prioritize domestically produced SIC
15 wafers and semiconductors especially for military
16 purposes. There is no reason that American taxpayers
17 should be subsidizing the rope to hang us when they can
18 instead help us. When it comes to China's trade
19 practices, we may have learned our lesson.
20 We must act decisively to protect our capacity
21 to build SIC domestically both for current use cases and
22 those we cannot yet imagine. Thank you all for your

Page 53

1 leadership in public service on this and other valuable
2 issues, and I welcome any questions.
3 MR. BUTLER: Thank you.
4 Timothy Lee.
5 TIMOTHY LEE,
6 Center for Individual Freedom
7 MR. LEE: Good morning. My name is Timothy
8 Lee from Center for Individual Freedom. We are in
9 support of free-market competition and prevent China
10 from gaining advantage in this important industry. By
11 now, it's clear that the People's Republic of China or
12 PRC is to become the world's leader in emerging
13 technologies in the semiconductor and semiconductor
14 component in manufacturing constitutes a central pillar
15 of that goal.
16 Chinese government understands that by
17 controlling each segment of chip production, it can
18 create a dependence on Chinese manufacturers and pursue
19 dominance to improve that strategy in developing over
20 capacity, saturating the markets with underpriced
21 products, and pushing out competitors.
22 And CCP exploits unfair advantages including

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 54

1 government subsidies, cheap labor and wage suppression,
2 and state technology and intellectual property theft to
3 achieve that dominance. In terms of state directed
4 technologies and subsidies, CCP has invested more than
5 \$150 billion in Chinese indigenous semiconductor
6 manufacturing since 2015, more than any other country.

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

16 While well intentioned, the CHIPS Act, the
17 U.S. initiative to resure semiconductor manufacturing
18 and semiconductor supply chains has been undermined by
19 mismanagement and social activism requirements.
20 Accordingly, the strategy that incorporates trade
21 policies such as export restrictions on U.S.-made
22 products and tariffs on Chinese-made products offers

Page 55

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

3 As one specific measure to advance that
4 broader strategy, CFIF 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 preferred base for 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 Area Defense or
13 THAAD systems, and the Patriot Missile Defense System.

14 SIC wafer chips are also used in numerous
15 domestic applications including EVs and hybrid vehicle
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 as
22 it did with solar panels, lithium batteries, automotive

Page 56

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. BUTLER: 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

Page 57

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

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 58

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 fund terrorism, but at
22 least that is aside as opposed to every single day of

Page 59

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 includes 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

Page 60

1 on a scale and weigh it, it would weigh heavily.
2 U.S. SMALL BUSINESS ADMINISTRATION: Thank
3 you.
4 MR. BUTLER: Thank you. The next question is
5 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

Page 61

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. BUTLER: Thank you. We are actually going
21 to pause to allow for Chairman Moolenaar to testify.
22 Chairman, thank you very much for joining us.

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 62

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

Page 63

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

Page 64

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

Page 65

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

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 66

1 semiconductor technology but we must also protect our
2 foundational chip industry.

3 I urge the USTR to act decisively by Number 1,
4 implementing tariffs to ensure that specific tariffs
5 apply to any chip fabricated in the PRC and integrated
6 into a final product entering the U.S. preventing China
7 from exploiting loopholes.

8 Coordinating with allies. Working closely
9 with Japan, South Korea, and Taiwan to prevent China
10 from dumping subsidized chips in the global market. A
11 united front would be critical in ensuring a level
12 playing field.

13 The United States must act to counter's
14 China's attempt to dominate the semiconductor industry.
15 If PRC over capacity is allowed to persist, we risk
16 losing a key pillar of our technological leadership. I
17 strongly support USTR Section 301 investigation and call
18 on this administration to use every available tool to
19 defend our semiconductor industry from unfair PRC
20 competition.

21 Thank you very much.

22 MR. BUTLER: Thank you, Chairman. Thank you

Page 67

1 for your testimony and taking the time to appear with us
2 for this hearing.

3 Okay. We will now continue with questioning.
4 The questions for Mr. Swarztrauber.

5 U.S. DEPARTMENT OF THE TREASURY: As a
6 broadband and telecommunications expert, have you
7 identified evidence of China's acts, policies, and
8 practices in foundational semiconductors burdening or
9 restricting U.S. commerce in technology industries like
10 telecommunications?

11 MR. SWARZTRAUBER: Thank you for that
12 question. I think the evidence we have heard today is
13 pretty compelling about specific data from China which
14 is, of course, difficult to obtain. The October 2024
15 reporting that prices had plummeted to unprecedented
16 levels and report in Times Asia, which I can refer to in
17 follow up described the prices as irrational, which
18 comports with the comments earlier from the Department
19 of Commerce showing that silicon carbide wafers were
20 going for \$500 a pop where before it was 1500.

21 So I think that coupled with the dramatic
22 increase in patents, which I don't think is nefarious on

Page 68

1 its face but just demonstrates there's huge government
2 interest in China in the sector because the economy
3 there does not operate without the heavy hand of
4 government involvement.

5 So I think that coupled with the historically
6 low prices, the dramatic increase in market share, and
7 then, of course, the fact that silicon carbide wafers
8 beats other industries that China has cornered after we
9 innovated those industries, I think there's plenty
10 circumstantial evidence on its face, but I'm happy to
11 follow up with specific information in my post-hearing
12 comments.

13 U.S. DEPARTMENT OF LABOR: This question is
14 for Mr. Lee. In your testimony, you mentioned that the
15 Chinese government exploits unfair advantages including
16 cheap labor and wage suppression to achieve dominance.
17 Can you provide additional detail on the unfair
18 advantages related to cheap labor and wage suppression
19 that you're aware of? And then in what segments of the
20 semiconductor supply chain is this most prevalent?

21 MR. LEE: Sure. We've all testified and
22 obviously China commands they system so when we talk

Page 69

1 about cheap labor, they are able to command prices that
2 they will pay for any of those products that are
3 extracted made into components. And so that goes from
4 end to end, which point is most dominant. We can talk
5 about that. I will be happy to provide furtherer
6 information, but from beginning to end, it's an issue
7 and they are able to do that.

8 So in terms of talking about subsidies and in
9 terms of wage suppression, I am certainly happy to
10 provide more specific evidence of that. In our written
11 testimony, we did provide hyperlinks for all the
12 sourcing on the information we gave, so I can happily
13 follow up with that as well.

14 U.S. DEPARTMENT OF STATE: Thank you.

15 MR. BUTLER: Okay. I think that concludes our
16 morning panel. Thank you very much to the witnesses.
17 We will take a break now for lunch. It's just about
18 noon so why don't we come back here at ten to 1:00, that
19 would be great. And we will start with the third panel.
20 Thank you.

21 (Whereupon a recess was taken for lunch.)

22 MS. BIEL: Good afternoon, everyone. Let's

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 70

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

Page 71

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

Page 72

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

Page 73

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

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 74

1 tariffs. Instead we recommend pursuing remedies in line
2 with existing lists and actions from Section 5949 of the
3 2023 NDAA focusing on Chinese chip makers and foundries
4 of concern.

5 Furthermore, we believe that a multi-geography
6 team approach is best suited to counter non-market
7 policies and practices. Acting with the support of and
8 coordinating measures with allies and like-minded
9 trading partners is a force when confronting such
10 challenges. This approach must also include the
11 interagency, which is here in force today.

12 U.S. industries and U.S. allies working
13 together to support the competitiveness and resilience
14 of the semiconductor sector and related supply chains.
15 After all, private sector companies create and operate
16 supply chains, not governments.

17 To conclude, we urge USTR to take a whole
18 government approach and engage like-minded countries to
19 address the challenges posed by China. We look forward
20 to providing more detailed feedback in the post-hearing
21 written comments. Thank you for your time and
22 consideration.

Page 75

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 and I am the
8 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

Page 76

1 practices in China and the Chinese government continues
2 to pursue policies intended to fulfill its goals for
3 self-sufficiency in industry sectors.

4 Further, China's 2014 National IC Plan, Made
5 in China 2025, and other policies sought to encourage
6 the development of Chinese semiconductor companies
7 oftentimes leveraging significant state support to
8 compete with U.S. and other nations.

9 Government intervention in the sector can
10 create undesirable effects for the global semiconductor
11 supply chain and distort fair trade, investments, and
12 practices. As policymakers conduct this investigation,
13 I'd like to briefly summarize some of the
14 recommendations we included in our written comments: To
15 increase engagement, clarify the scope of the
16 investigation, to develop comprehensive policy approach,
17 to increase international engagement, and to create an
18 effective, strategic approach for any trade.

19 Given the importance of the topics under this
20 investigation, the significant breath companies and
21 industry reliant on semiconductor, the government must
22 increase analysis and engagement with stakeholders

Page 77

1 inside and outside of the industry. This will help the
2 government to gain a more comprehensive understanding of
3 the ecosystem and issues that will help them avoid
4 taking actions have severe negative consequences for the
5 economy or U.S. technology companies' competitiveness.

6 Government should also further clarify the
7 scope of intent of this investigation and should take a
8 risk-based approach to assessing national security
9 concerns. We are concerned that this effort signals the
10 broadening of U.S. action beyond China's access to
11 cutting edge technology.

12 Implications of potential to place
13 semiconductor remedies for a wide range of consumer
14 products would be significant. Further, many of these
15 products do not have national security implications. In
16 the event that the USTR decides to impose remedies, we
17 urge the USTR and the inter-agencies to maintain a
18 narrow focus on the critical products with a clear,
19 national security risk to minimize the impact on U.S.
20 businesses, manufacturers, and consumers.

21 We also encourage the government to more
22 clearly define the foundational semiconductors for this

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 78

1 investigation consistent with other policies while
2 keeping in mind there are a range of different types of
3 chips, each with its own dynamics.

4 Further, USTR should clarify the scope of
5 semiconductor production for this investigation to
6 exclude back end processes such as testing and advance
7 packaging particularly for semiconductors made by
8 foreign firms and industries. For the U.S. to maintain
9 its technology leadership, the whole government approach
10 in close partnership with the industry is needed.

11 This includes policies that build on the
12 significant investments and progress made in recent
13 years by the private sector and the U.S. government such
14 as developing a national semiconductor R&D strategy,
15 ensuring sufficient funding is provided for critical R&D
16 assigned focused work and extending and expanding the
17 advanced manufacturing investigation.

18 The government should also focus on preserving
19 and expanding opportunities for U.S. firms to sell to
20 other markets. The international trade is crucial to
21 American competitiveness and innovation, businesses of
22 all sizes, workers, and consumers.

Page 79

1 If the administration determines that there
2 are unfair acts, policies, and practices that are
3 actionable under Section 301, we encourage policy makers
4 to develop an effective strategic approach by assessing
5 the effectiveness of existing trade actions.

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

17 To close, we appreciate the opportunity to
18 provide comments on this investigation and look forward
19 to working and partnering with the USTR in the Trump
20 Administration to support. Thank you.

21 MS. BIEL: Thank you, Mr. Johnson.
22 Mr. Delsol, please proceed.

Page 80

1 GABRIEL DELSOL,
2 Computer & Communications Industry Association (CCIA)
3 MR. DELSOL: Thank you for the opportunity to
4 provide to input in this investigation to the People's
5 Republic of China PRC's acts, policies, and practices
6 related to the targeting of the semiconductor industry.

7 I'm Gabriel Delsol with the Computer &
8 Communications Industry Association CCIA, a trade
9 association of internet technology firms. Many include
10 foundational semiconductor also known as legacy chips as
11 inputs.

12 CCIA recognizes the importance of these chips
13 to U.S. economic and national security and welcomes the
14 opportunity to cooperate with the U.S. government on
15 efforts to address foreign practices that distort this
16 critical market while ensuring the continued
17 competitiveness of leading U.S. firms.

18 In our company written submission, the range
19 of acts and policies in this sector, and the
20 recommendation for best policy responses where such
21 measures are unreasonable, discriminatory or burden U.S.
22 commerce. My comments today will address the

Page 81

1 actionability and determination as requested from the
2 perspective of industry players that integrate legacy
3 chips as components into various products.

4 The first topic I'd like to address is the
5 notion that the PRC adopts act, policies, and practices
6 related to targeting the semiconductor industry for
7 export dominance. We have a need for this investigation
8 to further specify the nature of evidence relevant to
9 make a determination. The notice for this investigation
10 cites the PRC's Made in China 2025 national strategy
11 plan as preliminary evidence.

12 However, this document seeks Chinese domestic
13 content of core materials including legacy chips
14 suggesting an attempt at import substitution rather than
15 export dominance, the latter of which is more focused of
16 this investigation. The notice of this investigation
17 also cites Chinese efforts to achieve self-sufficiency
18 as a potential qualifier to indicate an attempt to
19 export dominance.

20 Given that numerous countries including the
21 U.S. government and key trade partners adopt similar
22 policy goals, CCIA recommends this investigation further

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

<p style="text-align: right;">Page 82</p> <p>1 qualifies the PRC's efforts are uniquely different and 2 harmful. If USTR is to establish actionability and 3 determination of this investigation, we recommend that 4 it do so on the basis that the identified policies are 5 clearly intended to achieve export dominance and in a 6 manner distinct from those being undertaken by the U.S. 7 government and the key trading partners.</p> <p>8 The second topic I would like to address is 9 the topic of anti-competitive and nonmarket policies 10 employed by the PRC for the purpose of targeting the 11 legacy chip sector. To that end, I would like to note 12 that the majority of the policies employed by the PRC in 13 this regard are neither unique to China nor the legacy 14 chip sector.</p> <p>15 First, as mentioned, multiple governments 16 including the U.S. and key trading partners have 17 employed market access barriers and nontariff trade 18 barriers to support the domestic semiconductor industry.</p> <p>19 Moreover, of the policies that do inhibit 20 foreign firms' ability to operate in China such as the 21 forced transfer of intellectual property, most of these 22 are nonspecific to the semiconductor industry and</p>	<p style="text-align: right;">Page 84</p> <p>1 production relate to capital costs, labor ability, and 2 other domestic factors. As a result, it costs up to 30 3 percent more to build a new factory in the U.S. than it 4 is to build similar facilities in Singapore, South 5 Korea, or Taiwan.</p> <p>6 Moreover, in the context of downstream 7 industries, the risk of dependence by U.S. firms on 8 Chinese suppliers is low. The use of Chinese fabricated 9 chips in U.S. supply chains already faces limits and is 10 likely to decline further. There is also the case of 11 the current presence of Chinese fabricated chips in the 12 U.S. supply chains is exceedingly low indicating the PRC 13 source semiconductors are not in the position to create 14 vulnerabilities for the U.S.</p> <p>15 Therefore CCIA recommends that U.S. develops 16 actionability termination for dependence within the 17 legacy chip sector based on a clear indication that the 18 lack of domestic production of such chips is due to 19 policies by the PRC and not largely due to market 20 factors within the U.S., and specific to downstream 21 products, that PRC chips represent a significant amount 22 of chips by unit and by value as to induce a risk of</p>
<p style="text-align: right;">Page 83</p> <p>1 instead represent market-wide barriers that should be 2 addressed accordingly as they were in the first Trump 3 Administration's U.S. China agreement.</p> <p>4 Therefore, CCIA recommends that any 5 actionability determination on this topic be based on 6 identifying specific strategies pursued by the PRC that 7 undermines the legitimacy of foreign firms specific 8 to the semiconductor sector to contribute any subsequent 9 remedies are appropriately tailored.</p> <p>10 The third topic I will address is the question 11 of whether the PRC's policies burden or restrict U.S. 12 commerce in legacy chips and related downstream 13 industries. There are several reasons why developments 14 in China's semiconductor sector are likely to have a 15 limited impact on the pricing ability in commercial 16 performance on producers outside of China, particularly 17 those in the U.S.</p> <p>18 Notably, the most significant factors 19 impacting the health viability of the U.S. semiconductor 20 industry emanate from within the U.S. itself rather than 21 the development in China. The U.S. government's 22 estimation of challenges to the growth of semiconductor</p>	<p style="text-align: right;">Page 85</p> <p>1 dependence.</p> <p>2 I hope these comments assist with U.S. 3 actions, abilities, and determinations in this 4 investigation and we look forward to the opportunity to 5 contribute further to this investigation. And I 6 appreciate your consideration. Thank you.</p> <p>7 MS. BIEL: Thank you, Mr. Delsol, for your 8 testimony.</p> <p>9 Mr. Fischer, please proceed.</p> <p style="text-align: center;">10 FRED FISCHER,</p> <p>11 National Electrical Manufacturers Association (NEMA)</p> <p>12 MR. FISCHER: Thank you. My name is Fed 13 Fischer and I'm the managing director of global policy 14 at the National Electrical Manufacturers Association. 15 NEMA is the leading trade association representing U.S. 16 manufacturing of electrical goods. We are a more than 17 300-member company directly employing nearly half a 18 million workers across 12,500 facilities across 50 19 states contributing more than \$270 billion to U.S. 20 economy and leading producers and manufactures for the 21 grid, industrial, and mobility sectors, the U.S. 22 consumption exceeds \$340 billion annually.</p>

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 86

1 Electrical manufacturers played a pivotal role
2 in securing American energy independence and ensuring a
3 secure grid. Investing tens of billions of dollars in
4 U.S. manufacturing and creating thousands of new jobs
5 for the American workers across the country.
6 We are the second largest U.S. exporter and
7 the second largest U.S. importer of manufactured goods.
8 In 2014, U.S. exported \$143,000,000,000 and imported
9 \$286.5 billion. Since 2018, the electrical industry has
10 taken significant steps to reduce reliance on Chinese
11 materials decreasing China's share of U.S. imports from
12 27 percent to 17.8 percent while significantly growing
13 its electrical industry trade across North America by 36
14 percent.
15 The U.S. electrical industry is a major
16 consumer of foundation as well as one of the largest
17 manufacturers of semiconductors in the U.S. economy, the
18 electrical industry is one of the largest purchasers of
19 foundational semiconductors.
20 These legacy chips are incorporated into tens
21 of millions of dollars of the electrical industry
22 manufactured in the United States for use in the

Page 87

1 industrial, electrical, and mobility sectors. And their
2 use is growing. Legacy chips are critical and function
3 many types of electrical goods that we use today.
4 NEMA supports the policy bills in Section 301
5 and the investigation on China's acts, policies, and
6 practices related to targeting the semiconductor
7 industry for dominance. We would like to work with USTR
8 and share the electrical industry's extensive experience
9 and knowledge of global supply chains, our knowledge of
10 China's legacy chip suppliers, and the organization of
11 legacy chips in the U.S. and global manufacturing.
12 Any significant disruption in legacy chip
13 supply will have a negative impact on production of
14 electrical goods and many other manufactured goods in
15 the United States. And it is critical to the electrical
16 industry that there be no lapse in the availability of
17 foundational semiconductors on competitive terms in any
18 proposed remedy measures.
19 NEMA appreciates the opportunity to testify
20 today and we look forward to working with the USTR staff
21 in this investigation. Thank you.
22 MS. BIEL: Thank you, Mr. Fischer. We will

Page 88

1 now begin with questions from the 301 Committee starting
2 with Mr. Brzytwa with the U.S. Department of Commerce.
3 U.S. DEPARTMENT OF COMMERCE: Can you
4 elaborate on how, if at all, China's acts, policies, and
5 practices on semiconductors affect downstream products
6 such as consumer technology products?
7 MR. BRZYTWA: Thank you for the question.
8 Consumer technology is a very broad industry.
9 Everything that consumers use that has some electrical
10 components, to reference my colleague's Fred's
11 testimony, likely has a chip in it. Items that we use
12 in-house every single day, items that we're using right
13 now in this hearing.
14 So it's -- we are trying to do research. We
15 will have research to share in more detail in
16 post-hearing comments given the timeline of putting this
17 together, we wanted to make sure you have good data but
18 it was tough to get it into the pre-hearing comments.
19 MS. BIEL: Thank you. The Department of
20 Treasury has a question for Mr. Johnson.
21 U.S. DEPARTMENT OF THE TREASURY: ITI's public
22 comments state that multinational companies face immense

Page 89

1 challenges from anticompetitive and non-market practices
2 in China. Can you elaborate on how these challenges in
3 the semiconductor sector affect the businesses of your
4 member companies.
5 MR. JOHNSON: Sure. Certainly this is a topic
6 that's been investigated and looked into with great
7 depth by the U.S. government. There's a whole range of
8 issues that have been investigated previously, so that's
9 -- it's clear more work needs to be done and more
10 research to really comprehensively answer the question
11 you're asking. What exactly are the practices happening
12 and what are the impact on stakeholders on U.S.
13 industry. So I want to emphasize that aspect of our
14 recommendations as well. I think there's a lot more
15 work to be done to really understand the set of issues
16 here and how to potentially proceed.
17
18 U.S. TRADE REPRESENTATIVE: Thank you. During
19 your public comments and testimony today, ITI stated
20 that mature-node semiconductors are ubiquitous and found
21 in almost all technology products. To your knowledge,
22 which industry or products have the highest demand for

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 90

1 mature-node semiconductors?
2 MR. JOHNSON: I don't know offhand. I do know
3 just generally I would say there's an industry and I
4 think we all have a very good practical example of that.
5 During the pandemic when we saw foundational
6 semiconductors across many different sectors. So -- and
7 I would say that this is not specific but generally they
8 are used across the economy, they are important across
9 the economy.
10 There is a lot of stakeholders that are
11 involved like the questions that you are investigating.
12 So I would just say it's quite broad. There's lots of
13 different stakeholders, and I can happily look to find
14 more specifics.
15 MS. BIEL: Thank you. Mr. Delsol, the
16 Department of Transportation has a question for you.
17 U.S. DEPARTMENT OF TRANSPORTATION: CCIA
18 stated in its public comments that semiconductor
19 capacity for specific nodes or uses is not fungible.
20 Can you please elaborate on this point? Are there
21 specific nodes or end uses where Chinese capacity is
22 predominant?

Page 91

1 MR. DELSOL: The definition is fairly broad,
2 and many of my colleagues have pointed this out as well.
3 Members of the industry in general could specify which
4 component we are speaking about and with that, I think
5 it has different implications in China's acts and
6 policy.
7 As to the second question, I can't speak to
8 that. Again, that is based off of finding -- and
9 members of this industry to determine exactly where they
10 are but I would be happy to provide more detailed in my
11 post-comments. Thank you.
12 MS. BIEL: Thank you, Mr. Delsol.
13 Now we will proceed with questions for Mr.
14 Fischer starting with The Department of Treasury.
15 U.S. DEPARTMENT OF THE TREASURY: In your
16 prehearing summary testimony, you wrote that the
17 electrical industry is a major consumer of legacy
18 semiconductor. Do you have an estimate of what portion
19 of legacy chips used in the electrical industry sourced
20 from China versus elsewhere? And how, if at all,
21 China's acts, policies, and practices related to legacy
22 semiconductors affected the electrical goods industry?

Page 92

1 MR. FISCHER: So thank you for your question.
2 So the electrical industry is roughly about 10 percent
3 of manufacturing in the U.S. so I don't have an exact
4 number on the legacy chips.
5 Just to follow up on a previous question, we
6 also represent about 40- to 50 percent of the electrical
7 vehicles via chargers, motors, electronic equipment, et
8 cetera, and according to our knowledge, those vehicles
9 have about a hundred legacy chips on each vehicle times
10 how many vehicles we're talking about, so I think the
11 automotive industry are the largest consumer of these
12 particular products.
13 And also on the certification question, we
14 have just established that our association, a
15 certification compliance program and it's going through
16 a small, medium, and large suppliers to understand their
17 supply chain so they can comply. I think it is
18 important for our members to make these adjustments.
19 As far as China's practices, I think we are
20 aware that the chips that are coming from China have
21 certain advantages and there is a cost advantage. That
22 is one of the biggest advantages.

Page 93

1 U.S. DEPARTMENT OF COMMERCE: What practices
2 could downstream companies employ to improve their
3 tracing of semiconductors in their products?
4 MR. FISCHER: So what we have is a compliance
5 process certification so that's how we go about. The
6 point is how do you go about setting the supply chain.
7 What are the best practices, and also product
8 certification. So both the process and the product and
9 we are just -- we've just established this. We just
10 established those product specifications and we are
11 working not just within our industry but also applying
12 this certification beyond our specific industry perhaps
13 to others and other cities in the U.S.
14 U.S. DEPARTMENT OF COMMERCE: Thank you.
15 MS. BIEL: With that, we conclude Panel Three.
16 We can take a 15-minute break. Let's say 1:50. Thank
17 you.
18 (Short recess taken.)
19 MR. BUTLER: Okay. We're going to start Panel
20 Four, the last panel today. We will start the testimony
21 with Mr. Picarsic, please.
22 NATHAN PICARSIC,

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 94

1 Horizon Advisory & Foundation for Defense of Democracies
2 MR. PICARSIC: My name is Nathan Picarsic.
3 I'm the co-founder of Horizon Advisory, it's a supply
4 chain. Thank you for the opportunity to join this
5 public hearing and thank you to USTR for initiating the
6 investigation and hearing, and to all of you here today.
7 The initiation of the Section 301
8 investigation into China's acts, policies, and practices
9 related to the development of dominance in the
10 semiconductor industry is a critical step in bringing
11 awareness to the PRC's nonmarket needs for overtaking
12 critical, technological sectors more broadly. These
13 nonmarket means have harmed the U.S. industry and the
14 use of trade remedies in the foreign market as well as
15 U.S. is both necessary and appropriate.
16 But it cannot be overstated that the Chinese
17 approach for market dominance in the technology sectors
18 like the focus here is enduring and adaptive. Measures
19 to protect U.S. industry and U.S. commercial actors need
20 to be taken.
21 In my submitted testimony, I focus on silicon
22 carbides as well as third generation compound

Page 95

1 semiconductors, and more generally, as examples of where
2 this state-led cross-stream approach applies. China
3 uses nonmarket means to protect competition. Its
4 priorities is a clear intent to harm U.S. industry and
5 prohibit U.S. commerce.
6 The Chinese government industrial, scientific,
7 and technological policy prioritizes the semiconductor
8 sector. Beijing's research and development directly
9 supports companies and also restricts access to the
10 Chinese market. This playbook including government
11 guided policies and acts should sound familiar.
12 Chinese sees silicon carbide in the third
13 generation sector, more generally, as an area in which
14 to overtake international competitors. China diagnosis
15 that their application, which include everything from
16 EVs to telecoms to defense in these cases, carry high
17 value in emerging technology in competition with the
18 U.S. moving forward.
19 Silicon carbides among pertinent materials
20 leveraged for these third-generation semiconductors and
21 materials used to control thermal electrical power is an
22 increasing, critical step of commercial and national

Page 96

1 security in these cases. The Chinese government's
2 emphasis are reflected in PRC policy at the highest
3 national level as well as on down to the municipal
4 plans.
5 Beijing's plan for economic and social
6 development, explicitly elevated wide bandgap
7 semiconductor materials, including those in the silicone
8 carbide track. These can elevate to the level of
9 national security calling for the development of silicon
10 carbide and other wide bandgap semiconductors.
11 They also made clear about the objective to
12 national policy. It's to establish Chinese dominance.
13 And wide bandgaps in the industry or per an action plan
14 to develop circuit industry clusters, the goal is to
15 seize the community heights of the industry. These
16 examples represent a broader and consistent
17 prioritization in Chinese government industrial
18 planning.
19 The application of third-generation of
20 semiconductors to prior use cases including military
21 platforms and data centers guarantees that China
22 prioritization is set to continue and expand moving

Page 97

1 forward. These examples constitute just one slice of
2 China's policies and plans outlining prioritization of
3 widening the gap of semiconductors. Additional cases
4 can readily be document, so can more concrete cases of
5 the -- of Chinese support.
6 Those include direct subsidies to companies,
7 participation in government funded R&D as well as
8 activities of government-supported manufacturing and
9 innovation in the zones and centers that promise
10 additional concrete evidence of the preferential
11 policies that the government uses to afford nonmarket
12 advantage for the Chinese players.
13 This review of supply chains is commendable
14 but it should be informed by the need for an appropriate
15 response. That should include tariffs on silicon
16 carbide components as well as compound semiconductor
17 inputs including those that feed into downstream
18 applications in these cases.
19 U.S. policy today will deliver a level playing
20 field by placing tariffs on finished goods on products
21 that use Chinese-origin inputs. These downstream
22 reviews and actions are needed to review the actions

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 98

1 like and localization of the assembly of Chinese
2 production. Don't allow for continued exploitive
3 exporting of distortive affects in China. Thank you.
4 MR. BUTLER: Thank you.
5 Mr. Pollard.
6 MIKE POLLARD,
7 Wolfspeed
8 MR. POLLARD: Good afternoon. My name is Mike
9 Pollard, deputy general counsel and chief of Wolfspeed
10 Incorporated located Durham, North Carolina. As a world
11 leader in silicon carbide materials and devices, I
12 appreciate the opportunity to attend this hearing. We
13 will need to maintain U.S. leadership in this rapidly
14 evolving industry is paramount and U.S. semiconductor
15 self-reliance is necessary to complete this goal.
16 Wolfspeed pioneered the commercialization of
17 silicon carbide for the semi industry nearly 40 years
18 ago and acutely understands the role semiconductors play
19 in solving tomorrow's complex technological challenge.
20 This is especially true and unique for silicon
21 carbide semiconductors. As silicon carbide devices gain
22 traction in advanced applications including defense,

Page 99

1 energy generation, industrial applications, and the AI
2 data centers, the need for low defect, high quality
3 semiconductor materials is crucial. All to achieve the
4 performance and reliabilities demanded by tomorrow's
5 advanced applications and for U.S. national and economic
6 security.
7 We believe that China is pursuing silicon
8 carbide market dominance through various methods
9 including unfair practices and believe that China is
10 well on its way to achieving its goal. We experienced
11 it firsthand. China's growth in the silicon carbide
12 development in technology advancement has no
13 market-oriented explanation and appears to bend the laws
14 of science.
15 Chinese silicon carbide companies are so far
16 removed from traditional market forces, they conduct a
17 majority of their output into landfill and still
18 survive. A few observations: The Chinese has more
19 companies dedicated to silicon carbide. Less than ten
20 years ago, China had few, if any. Today, the number of
21 companies producing silicon carbide in China approaches
22 40.

Page 100

1 It took Wolfspeed and other American companies
2 several decades to achieve current wafer quality and
3 volume levels. It appears that China got there in less
4 than five. Chinese semiconductor equipment companies
5 promote complex crystal growth and Epi machines that
6 appear similar, and in some cases, identical to
7 proprietary Western tooling and equipment.
8 When it comes to wafer diameter, China
9 progressed with 100 million to 150 million in about two
10 years and from 150 to 200 million a year in less than
11 two years. It took Western companies approximately 15
12 years to make these leaps. This indicates a non-linear
13 knowledge accumulation complemented, of course, by
14 massive state-sponsored investments.
15 Lastly, intellectual property theft is real.
16 Wolfspeed has experienced it, and we encourage the
17 committee to continue its engagement for further
18 details. China's policies and actions including
19 seemingly unlimited government financial support, market
20 access restriction, industrial subsidies, and resulting
21 decreases in domestic and global prices have led to
22 significant capacity expansion creating an imbalance in

Page 101

1 global market and an over-concentration in production
2 capacity in China.
3 If left unchecked, China's rapid expansion in
4 silicon carbide combined with the aggressive pricing
5 strategies only made possible by unfair trade practices
6 will result in the -- of global competition, thereby
7 jeopardizing the ongoing viability of U.S. semiconductor
8 manufacturers.
9 Through a combination of public and private
10 efforts, the U.S. is investing across semiconductor
11 industry including through the CHIPS and Science Act but
12 more must be done. To effectively level the playing
13 field and safeguard the U.S. semiconductor industry,
14 Wolfspeed urges the U.S. to consider tariff and
15 nontariff actions across a full range of authorities set
16 out in Section 301C of the Trade Act.
17 Efforts must be focused on full usage of
18 existing affirmative policy tools including those
19 established by the CHIPS Act. Industrial policies
20 encourage repatriation of semiconductor manufacturing
21 back in to the U.S. and tariffs on products destined
22 from the U.S. domestic market including Chinese silicon

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 102

1 carbide substrates and the devices containing silicon
2 carbide.

3 We recognize that with pertinent downstream
4 products coming into the United States from multiple
5 countries of export designing an effective remedy
6 including tariff elements will be more than usually
7 complex. We look forward to engaging in more depth at
8 the appropriate time with the USTR on potential
9 remedies.

10 Further, this is not solely a U.S. issue. It
11 is a global concern requiring a coordinated global
12 response. The supply chain dependency that results with
13 China over capacity poses a developing threat to
14 national security due to the critical role of advanced
15 semiconductors and in particular silicon carbide
16 semiconductors play in defense and other key strategic
17 sectors.

18 If the United States or allied countries
19 become too reliant on China, military preparedness and
20 critical infrastructure including IA -- artificial
21 intelligence systems could be heavily impacted.

22 On behalf of Wolfspeed, I want to thank you

Page 103

1 for all your time and look forward to continued
2 engagement with the USTR.

3 MR. BUTLER: Thank you.

4 Mr. Clemmer.

5 RICHARD CLEMMER,
6 Pallidus, Inc.

7 MR. CLEMMER: Thank you. Good afternoon. I
8 am pleased to be here today as chairman of Pallidus, a
9 U.S.-based science start-up company headquartered in
10 Albany, New York. Pallidus has a unique patented
11 process for producing silicon carbide substrates, a
12 technology that's derived from NASA's polymer conversion
13 process. With over 78 patents and application globally,
14 Pallidus is at the forefront of innovation and its
15 critical space in power management and reduction, and we
16 appreciate the opportunity to provide our input in
17 response to the request.

18 We are deeply concerned about the unfair trade
19 practices of the People's Republic of China and that it
20 clearly targets the semiconductor industry. These
21 actions are putting American companies including
22 Pallidus at a significant disadvantage in this important

Page 104

1 industry, which the U.S. has created and led since over
2 the last six decades. The PRC has provided massive
3 subsidies to local manufacturing enabling them to make
4 massive investments to rapidly expand their capacity for
5 silicon carbide wafers, even though the -- even though
6 their production costs are unfavorable to the U.S. and
7 Western suppliers.

8 These subsidies include direct capital
9 injections, favorable land and energy credits and more,
10 all of which are unavailable to the Western companies.
11 This creates an unfair cost advantage that has allowed
12 Chinese companies to flood the market with products at
13 prices well below that established market value for
14 Western companies.

15 Pallidus, as you know, is a company and as a
16 result the silicon carbide market, especially 6-inch
17 wafers, which are critical for electric vehicles and all
18 power-relate applications such as AI data centers, had
19 been severely destabilized. In fact, Pallidus was
20 forced to abandon a \$650 million expansion plan due to a
21 60 percent reduction in the market price over only a few
22 short months driven by this unfair competition.

Page 105

1 Other industry leaders such as Wolfspeed have
2 also been forced to lay off workers, delay investments,
3 and reduce costs as a result of the PRC's action. All
4 of these companies are clearly at risk of survival based
5 on the artificial economics being driven by the
6 competition from the PRC. These practices are not only
7 harmful to the economics of the silicon wafer market but
8 also have negatively impacted valuation in capital
9 markets making it nearly impossible for emerging
10 companies like Pallidus to raise funds to continue to
11 support this research and development.

12 The situation demands immediate action. And
13 the same time, we must look forward to the future of
14 this critical industry. With the U.S. energy demands
15 set to expand by more than 200 percent in the next five
16 years driven by electric vehicles, defense, and more,
17 the need for next generation semiconductor technology
18 has never been greater.

19 This is an opportunity for new leadership
20 technology such as silicon carbide substrates that are
21 essential for advancing ultrahigh wafer devices like
22 IGBTs which play a key role in power generation

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 106

1 transmission and high performance applications such as
2 AI and defense technology.

3 Pallidus has developed a unique PVT growth
4 method that sets it apart from other substrate
5 providers. Our trademarked technology enables us to
6 produce silicon carbide substrates with unprecedented
7 precision addressing the limitations of traditional
8 methods.

9 Moreover, the PRC's flooding of the market
10 with substrates has severely hampered our ability to
11 compete or raise additional funds for new key
12 technology. Despite this, Pallidus continues to pitch
13 forward in the development of this technology, which has
14 already garnered interest from prominent institutions
15 including the Army and Navy research labs.

16 To ensure American leadership in these next
17 generation powered electronics, we must protect the U.S.
18 supply chain and take decisive action to counter the
19 PRC's unfair trade practices. Tariffs for China such as
20 50 percent tariffs are a step in the right direction but
21 additional measures are required. The semiconductor
22 industry is at risk of facing the same supply shortage

Page 107

1 that all -- that we've seen in all cases such as solar
2 as well as rare earth materials where over 90 percent of
3 production is now controlled by China.

4 If we don't act now, we risk losing our U.S.
5 competitive edge in this global market. In conclusion,
6 Pallidus believes that U.S. must take a proactive stance
7 and defend its technological leadership particularly in
8 the critical area of silicon carbide substrates. During
9 the decades that I've spent in the industry leading
10 major semiconductor companies, I personally have
11 observed the actions taken by China to dominate the
12 semiconductor industry, which they have prioritized in
13 the last few years through massive investments and
14 others supports actions.

15 While the U.S. has recognized the rising
16 threat and reacted with some initial actions, this is
17 clearly not sufficient to defend against the aggressive
18 PRC actions. Pallidus stands ready to collaborate with
19 our government and industry partners to ensure that we
20 not only protect our interest but also establish our
21 foundation for the next generation of powered
22 electronics that are so critical to support the huge

Page 108

1 investment of AI data centers as well as protecting our
2 critical defense industry.

3 Thank you for the opportunity to share these
4 insights and we look forward to continuing the dialogue
5 across the industry.

6 MR. BUTLER: Thank you.
7 Ms. Stewart.

8 SARAH STEWART,
9 Silverado Policy Accelerator

10 MS. STEWART: Thank you so much to the chairs
11 and to the broader teams working on this issue. My name
12 is Sarah Stewart. I am the CEO of Silverado Policy
13 Accelerator. We are a bipartisan geopolitical think
14 tank here in DC focused on national security and
15 economic security. I'm honored to provide this
16 testimony today to China's predatory acts, policies, and
17 practices to dominate the global semiconductor industry.

18 We've provided extensive comments to USTR and
19 both the actionability of moving forward with this
20 investigation as well as a proposed remedy and have
21 published a number of reports on the semiconductor
22 industry that you can access on our website.

Page 109

1 I would like to start with a foundational
2 premise. U.S. manufactures of semiconductors and other
3 products have a right to compete on a level playing
4 field with Chinese firms. I didn't actually say this.
5 This was said approximately 20 years ago by then USTR
6 Zoellick who made the statement when USTR initiated its
7 dispute against China at the WTO.

8 At that time, China's semiconductor market was
9 valued at \$19 billion and was the world's third largest.
10 Since that time, China's nonmarket policies and
11 ambitions to become semiconductor self-sufficient have
12 driven it to now hold the title of the country with the
13 largest semiconductor manufacturing capacity of any
14 other in the world by orders of magnitude.

15 I urge USTR to take note of China's
16 unprecedented growth and undeterred activity in the
17 sector despite decades of the U.S. acknowledging the
18 problem, China's use of a familiar blueprint of
19 government subsidization to drive overcapacity and
20 export of production to depress prices, gain market
21 share pursuant to its stated targets and assert leverage
22 over the supply chains.

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 110

1 I'd like to highlight three key points today.
2 While the scope at USTR notice applies to the
3 semiconductor industry at large, I want to draw your
4 attention to what is happening with the foundational
5 semiconductors. While the U.S. and other countries have
6 focused on preventing China from acquiring advanced chip
7 technology, China has been doubling down on dominating
8 foundational chips which accounted for approximately
9 76 percent of global semiconductor production in 2024.
10 Importantly, China is on track to lead in
11 foundational chip production and install three times as
12 much capacity during 2024 to 2027 than any other
13 country. So why should we care? Aren't these commodity
14 chips anyway? The answer is no. Foundational chips are
15 necessary for every application that also uses an
16 advanced chip and they're essential for a range of end
17 uses including defense.
18 They are fit for a purpose, they can be
19 commodity or technologically innovative. Seeing
20 foundational chip market to China means that it has
21 control of whether items are ultimately built. It can
22 hold back a supply from the U.S. and the rest of the

Page 111

1 world, it can depress prices to gain market share from
2 U.S. companies, and it can use this leverage to push
3 back on other U.S. measures to prevent IP theft and
4 technology transfer of advance nodes.
5 China knows this, which is why its investing
6 enormous amounts of resources into dominating this
7 segment of the market. Second, China's nonmarket
8 practice and industrial policies is driving its capacity
9 expansion orientation that is already undercutting U.S.
10 producers. As we are hearing, China is accomplishing
11 this through many policies including the Made in China
12 2025 and the big measures that are pumping tens of
13 billions of dollars in subsidies to Chinese
14 semiconductor companies, equity investments, and joint
15 ventures in Chinese firms, low price land, reduced
16 taxes, and more.
17 China is not just looking to advance its role
18 in this sector but to dominate it and these measures are
19 spread across the entire semiconductor value chain.
20 Indeed, China's repeated weaponization of critical
21 mineral supply chains in response to U.S. export
22 controls and tariffs is well documented. They know that

Page 112

1 critical minerals are a key input to semiconductor
2 fabrication process.
3 Finally, all of these measures are propping up
4 Chinese companies to the detriment of U.S. companies.
5 U.S. companies are not -- competing not only private
6 Chinese companies benefiting from government subsidies
7 but with companies like SMIC and YMTC that all have
8 substantial Chinese and growing government ownership.
9 It is not -- it is simply not fair.
10 With a leg up, Chinese firms are able to
11 export the global market of unfairly set prices
12 sometimes up to 20 to 30 percent lower, sometimes more.
13 This is not a competitive environment where U.S.
14 innovation and leadership can flourish. Rather the
15 lower prices and loss of market share make fewer market
16 segments for U.S. producers to compete, higher per unit
17 production costs, a loss of revenue, more competition in
18 high-end segments, and danger to supply chain security.
19 Acting now would help stem the tide and to
20 allow the U.S. to compete on fair footing. There are
21 ways to address this including tariffs that not only
22 cover the wafer but any Chinese designed and fabricated

Page 113

1 semiconductor that is a component in another product.
2 I will stop there and I appreciate your
3 attention today and I welcome any questions. Thank you.
4 MR. BUTLER: Thank you, Ms. Stewart.
5 We will now turn to questions beginning with
6 Mr. Picarsic.
7 U.S. TRADE REPRESENTATIVE: Good afternoon, and
8 thank you, Mr. Picarsic. You identify a number of PRC
9 policies and plans prioritizing and supporting wide
10 bandgap semiconductors. Can you please elaborate how,
11 if at all, in your view China's acts, policies, and
12 practices related to wide bandgap semiconductors are
13 unreasonable or discriminatory?
14 MR. PICARSIC: They are applicable only to
15 Chinese companies and those that comply with the
16 industrial policy mandates of the Chinese ecosystem so
17 clearly discriminating against companies that are not
18 interested in following through the nonmarket tools that
19 are afforded by the Chinese Communist Party led, state
20 led driven model.
21 And those policies, specific acts and policies
22 submitted in my written submission that are just

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 114

1 examples of PRC, such policies clearly afford access to
2 support that is not reflected elsewhere in the global
3 markets. We heard examples of these cited here today
4 but they include everything from direct subsidies and
5 preferential support for subsidizing the purchase of
6 equipment as well as softer subsidies that touch
7 everything from human capital to litigation support for
8 supporting companies that get in the crosshairs of
9 intellectual properties.

10 It's clearly demonstrated both through the
11 policies and plans and also the contradiction received
12 from companies that there is a strategic intent executed
13 from the government and it is afforded only to companies
14 on the Chinese side of a certain nature.

15 There is also an escalation of this support so
16 as companies are able to work their way through the
17 Chinese industrial policy system, demonstrate
18 technologically but also in terms of willingness to
19 capture global market share, they received additional
20 support.

21 So I think that escalation further
22 demonstrates the discriminatory nature of the support

Page 115

1 that China affords it.

2 MR. BUTLER: Thank you. The next question
3 will be for Mr. Pollard.

4 U.S. DEPARTMENT OF COMMERCE: Good afternoon.
5 Can you please elaborate on how the silicon carbide
6 industry has changed in recent years, including changes
7 to the competitive environment? Have these changes
8 impacted Wolfspeed's ability to invest in or maintain
9 its operations in the United States?

10 MR. POLLARD: So it has changed. What was a
11 traditional path was overtaken by Chinese competitors
12 who have seemingly endless or bottomless pockets to
13 produce silicon carbides. And the result of that is
14 heard from many panelists here today is a dumping in the
15 market artificially lowering prices. That, of course,
16 impacts Wolfspeed as an example, but other semiconductor
17 companies' ability to compete, lose market share, and
18 that all contributes to what we're able to do as far as
19 building infrastructure, building additional capacity,
20 building advanced facilities.

21 So the practice is that we are seeing out of
22 China are impacting the semiconductor industry at large

Page 116

1 and it is -- the impacts are real and we're feeling them
2 and we have to do something to stop this now.

3 U.S. DEPARTMENT OF DEFENSE: Wolfspeed's
4 summary of testimony references sub-standard PRC
5 materials that can introduce significant risks to
6 critical U.S. supply chains. Can you please describe
7 how Chinese silicon carbide materials are sub-standard
8 in your view. Also, what sort of vulnerabilities can
9 result from use of these materials?

10 MR. POLLARD: Sure. So silicon carbide is not
11 the easiest material to produce. It's complex and takes
12 time, takes time to perfect. Wolfspeed has done nothing
13 but silicon carbide for 40 years. We have hundreds and
14 hundreds of patents not only in the silicon carbide
15 itself but numerous trade secrets on how the silicon
16 carbide is made.

17 And, you know, you talk about the quality of
18 China's silicon carbide. One of the things we noticed
19 in China is that there's so many companies popping up
20 and they can attempt to grow silicon carbide, throw more
21 than half of it, 80 percent of it away, but it's a
22 volume game to them. And if they can just keep

Page 117

1 producing it, they will have enough to flood the market
2 of silicon carbides that is acceptable for some uses to
3 flood the market.

4 The problem is if silicon carbide, if poor
5 quality of silicon carbide gets into the market, it can
6 cause problems in the applications. So I would not want
7 Chinese silicon carbide in military equipment for
8 supporting the U.S. defense for reliability reasons.

9 We've at Wolfspeed has spent years focusing on
10 the quality of our silicon carbide and the materials
11 from China are not close. They are getting closer very
12 quickly but it's -- the quality is what matters. And
13 then, you know, for application is in AI data centers
14 and that's even more important because AI data centers
15 require they put out a lot of heat, silicon carbide
16 helps in that aspect by reducing the heat generated from
17 that massive technology working and, you know, failure
18 there could be catastrophic.

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

22 U.S. DEPARTMENT OF THE TREASURY: The next

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 118

1 sets of questions is for Mr. Clemmer.
2 In your pre-hearing summary of testimony, you
3 wrote that the PRC provides substantial subsidies to
4 support local wafer manufacturers to significantly
5 expand capacity for SIC wafers despite unfavorable
6 production cost points.
7 Can you elaborate on what you mean by
8 unfavorable production cost points in the semiconductor
9 industry?
10 MR. CLEMMER: So it is a common practice, not
11 just in silicon carbide, but across the industry as
12 China has prioritized semiconductor production in a
13 five-year plan that they have all forms of subsidies
14 including investments, land availability, funding of new
15 production capacity. So it's broad based prioritized by
16 the government such that the capacity is expanded in a
17 very easy fashion, which lead to their focus on silicon
18 carbide where they generated significant investments and
19 flooded the market with capacity at a fraction of cost
20 before it's been shipped from the Western worlds.
21 Artificially through the artificial economics
22 associated with the subsidies from the government, we

Page 119

1 know for a fact this takes place and it's taking place
2 broadly but more recently focused on silicon carbide.
3 They've chosen to see how they can dominate the silicon
4 carbide industry seeing the opportunity for the growth
5 associated with the power requirements for AI data
6 centers as well as all the other significant power
7 requirements that are going to be factored for the U.S.
8 where data centers today deliver less than 3 percent of
9 the overall electric usage by 2030 is projected to be
10 over 10 percent.
11 So silicon carbide becomes a very critical
12 material to be able to provide the technology and
13 capability to help reduce some of that and yet the
14 investments that are being made in silicon carbide will
15 not be able to be done with the pricing that's currently
16 available. Thank you.
17 U.S. SMALL BUSINESS ADMINISTRATION: Your
18 summary of testimony indicates that Pallidus was forced
19 to abandon a \$650-million dollar expansion plan due to
20 the more than 50 percent reduction in market prices amid
21 capacity expansion driven by the unfair trade practices
22 from the PRC. Can you please further explain the

Page 120

1 knock-on effects to your business from intense PRC
2 pricing pressure?
3 MR. CLEMMER: Sure. We had a plan to expand
4 today. We have a facility in Albany, New York that work
5 on the development of that. We had a plan to do a
6 production facility with a \$650 million dollar
7 investment but that was based on the market pricing in
8 the silicon carbide market, which was about a thousand
9 dollars away for it at the time and has now since come
10 down to \$400 or less per wafer.
11 Basically below the variable cost of producing
12 the wafer associated with it, so we chose to abandon the
13 investment associated with that site and really focus
14 our technology and develop on the next generation of
15 technology which will give the ability to establish a
16 leadership for U.S. industry that will be able to defend
17 it against the technology being developed by China.
18 U.S. SMALL BUSINESS ADMINISTRATION: Thank
19 you.
20 U.S. DEPARTMENT OF DEFENSE: In Silverado's
21 public comments, you write that China's military-civil
22 fusion strategy with mature node semiconductors would

Page 121

1 exploit the dual-use of semiconductors. Can you please
2 elaborate on what you perceive to be potential risks to
3 the United States?
4 MS. STEWART: Sure. Thank you. China has
5 been pursuing a strategy that is focused on not just
6 dominating the advance nodes which it can't yet. We've
7 been preventing it, but in pursuing a strategy of
8 dominating these foundational nodes, they go into
9 dual-use items, and so we know, it's been well
10 documented that China has a very blurred line between
11 civil, military uses and so as they are putting, you
12 know, more emphasis on all of the chips that are going
13 into basically every item that you can imagine, whether
14 it's a defense missile system or a smart phone or a
15 satellite communication, they are creating an ability to
16 dominate in a segment of the market that serves the dual
17 use, serves the military and, you know, gives them a leg
18 up on, you know, defense uses that we might have. And
19 the ability to weaponize those against us.
20 MR. BUTLER: Thank you. I just want to check
21 with my colleagues if anyone has any additional
22 questions.

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Page 122

1 Okay. That concludes our final panel for the
2 day. On behalf of this committee, I want to thank all
3 the witnesses that appeared today. I want to thank
4 USITC for hosting us. A reminder that post-hearing
5 comments are due March 18th. And with that, we are
6 adjourned.

7 (This Public Meeting concluded at 2:30 p.m.)
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Page 123

REPORTER'S CERTIFICATE

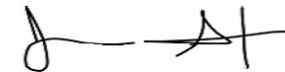
DISTRICT OF COLUMBIA

I, Jeaninn Y. Alexis, a Notary Public of the
District of Columbia, do hereby certify that the
with-named witness personally appeared before me at the
time and place herein set out, and after having been
duly sworn by me, according to law, was examined by
counsel.

I further certify that the examination was
recorded stenographically by me, and that this
transcript is a true record of the proceedings.

I further certify that I am not of counsel to
any of the parties, nor an employee of counsel, nor
related to any of the parties nor in any way interested
in the outcome of the action.

As witness my hand and seal this 13th day of
March, 2025.



JEANINN ALEXIS

My Commission Expires: 1/14/2029

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: \$115..300-member

	10 27:14	1988 28:20	2024 4:10,13
\$	43:11 46:4	1990 13:14	13:17,21
\$115 46:17	92:2 119:10	1998 19:20	14:8 32:1
\$143,000,000,000	100 9:14 64:4	1:00 69:18	67:14 110:9,
86:8	100:9	1:50 93:16	12
\$150 54:5	106725 5:2		2025 5:9 7:10
\$19 109:9	11.2 14:9	<u>2</u>	8:7 26:1
\$260 46:13	11:00 37:16,		43:11 63:14
\$270 85:19	18	2.5 44:19	76:5 81:10
\$286.5 86:9	11:45 6:22	2.9 45:4	111:12
\$340 85:22	56:18	20 47:6 51:20	2026 26:6
\$400 120:10	11th 7:7	109:5 112:12	2027 55:20
\$48 54:9	12,500 85:18	200 100:10	110:12
\$5.75 47:6	1200 71:15	105:15	2030 64:15
\$500 67:20	14.6 14:8	2003 60:22	119:9
\$52.7 11:20	14th 63:14	2014 64:5	23rd 4:10
\$650 104:20	15 100:11	76:4 86:8	25 44:1
120:6	15-minute	2015 25:22	26.282 13:20
\$650-million	93:16	54:6	27 86:12
119:19	150 100:9,10	2016 51:2	28 12:1
\$800 20:1	1500 30:8	2017 44:18	2:30 122:7
	67:20	2018 11:14	<u>3</u>
(16 7:12	86:9	
(b) 18:6	17 40:11	2020 10:4	3 44:18 119:8
	17.8 86:12	16:19 26:4	3,700 13:18
1	18 7:10 8:7	2021 46:12	3.9 45:15
1 7:5 8:21	44:20 71:14	55:20 60:8	30 4:16,21
9:1 66:3	18th 5:9	2022 47:17	5:5 7:8 8:8
1.6 20:2	122:5	2023 11:12	84:2 112:12
	1974 4:12	15:21 60:8,	300-member
		10 64:6 74:3	85:17

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: 301..acknowledging

301 4:4,6,19 5:1,5,11 6:20 7:21 8:6 12:8 13:11 18:6, 10 23:9 25:16 27:5 35:7 49:13 55:5 62:11 66:17 71:10 73:11,21 79:3 87:4 88:1 94:7	64:7 85:18 92:6 106:20 119:20 50-minute 7:15 50.2 11:12 500 30:6 537 71:12 55 72:18 5949 74:2 5G 48:1	116:21 800 44:12 82 47:5 83 10:5 863 26:16 33:18 34:1 37:11 89 5:2 <hr/> 9 <hr/> 90 12:1 15:19 107:2 90s 20:4 <hr/> A <hr/> abandon 104:20 119:19 120:12 abilities 85:3 ability 38:21 82:20 83:15 84:1 106:10 115:8,17 120:15 121:15,19 abroad 15:21 35:17 abuses 35:19 accelerated 12:11 Accelerator 108:9,13	accept 61:14, 16 acceptable 117:2 accepted 8:2 access 56:6 64:1 65:22 77:10 82:17 95:9 100:20 108:22 114:1 accomplishing 111:10 accordance 18:6 accountable 35:18 accounted 110:8 accounts 10:3, 8 11:12 64:6 accumulation 100:13 Ace 6:17 71:1 achieve 18:3 54:3 68:16 81:17 82:5 99:3 100:2 achieving 39:2 99:10 acknowledged 9:19 acknowledging 35:20 109:17
301C 101:16	<hr/> 6 <hr/> 6-inch 36:14 104:16 6.4 14:10 60 40:13 45:19 60:7 64:15 104:21 600 55:19		
302(b)(1)(a) 4:11			
304 5:19			
30th 4:13			
32 41:1			
36 86:13			
<hr/> 4 <hr/>	<hr/> 7 <hr/>		
40 40:12 64:5 98:17 99:22 116:13	70 60:9 72 73:6 76 110:9 78 103:13		
40,000 21:6			
40- 92:6			
400 34:9 44:12	<hr/> 8 <hr/> 8-inch 36:14 45:18		
46 11:13			
<hr/> 5 <hr/>	80 71:16		
50 26:6 46:19			

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: ACM..advantages

ACM 19:9,11, 19,21 20:8, 11,17,20 21:21 22:8, 18,22 24:1 32:12	actionable 4:18 5:14,17 50:16 79:3	adapt 21:16	79:1,20 119:17 120:18
ACM's 23:20 32:14,19	actions 19:5 25:16 35:17 51:18 72:10 74:2 77:4 79:5,7,8,10, 16 85:3 97:22 100:18 101:15 103:21 107:11,14, 16,18	adaptive 94:18 add 30:14 addition 11:6 14:11 additional 5:20 23:17 37:10 68:17 97:3,10 106:11,21 114:19 115:19 121:21	administration's 11:7 21:22 23:15 73:16 83:3 administrative 7:6 adopt 81:21 adopts 18:11 81:5 advance 8:22 20:17 21:8 55:3 70:6 78:6 111:4, 17 121:6 advanced 39:20 47:18 51:13 62:21 65:22 78:17 98:22 99:5 102:14 110:6,16 115:20
acquired 46:12	active 9:17 actively 22:2 activism 54:19 activities 9:15 21:4 79:13 97:8	address 49:16 74:19 75:20 80:15,22 81:4 82:8 83:10 112:21 addressed 83:2 addressing 106:7 adhere 15:10 adjourned 122:6 adjust 10:19 adjustments 92:18 administration 6:6,7 11:17 19:14 23:21 57:20 59:11, 19 60:2 65:21 66:18 70:11,12	administrative 7:6 adopt 81:21 adopts 18:11 81:5 advance 8:22 20:17 21:8 55:3 70:6 78:6 111:4, 17 121:6 advanced 39:20 47:18 51:13 62:21 65:22 78:17 98:22 99:5 102:14 110:6,16 115:20 advancement 52:9 99:12 advancing 105:21 advantage 53:10 54:13 59:17,18 61:13 92:21 97:12 104:11 advantages
act 4:11 5:19 11:20 18:6 35:17 47:9, 11,17 51:5 52:20 54:16 66:3,13 81:5 101:11,16,19 107:4	activity 109:16 actors 94:19 acts 4:6,19 5:14,16 23:10 32:13, 18 33:5 60:13 67:7 79:2 80:5,19 87:5 88:4 91:5,21 94:8 95:11 108:16 113:11,21 acutely 98:18		
Acting 74:7 112:19			
action 5:18 27:6 28:6 35:7 45:12 49:16 55:6 62:12 64:16, 17 65:6 72:9 73:11,14 77:10 96:13 105:3,12 106:18			
actionability 81:1 82:2 83:5 84:16 108:19			

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: adversaries..applies

53:22 68:15, 18 92:21,22	aggressive 49:17 101:4 107:17	amended 4:12 America 21:21 42:20 86:13	announcing 4:13 annual 44:20 annually 17:22 85:22
adversaries 50:18	agree 72:3	America's 62:13	anti-competitive 18:3 75:22 82:9 anticompetitive 89:1
Advisory 94:1, 3	agreement 83:3 AI 52:9 99:1 104:18 106:2 108:1 117:13,14 119:5	American 11:20 14:10 19:15, 18,20 20:6, 20 22:17,21 23:21 39:6 43:3,7 45:20 49:3,7 50:11 51:4 52:16 58:13 62:22 65:5 72:14 78:21 86:2,5 100:1 103:21 106:16	apologize 8:22 appeared 122:3 appearing 7:15 appears 99:13 100:3 Apple 46:12
advocate 13:2	aimed 24:10 26:16 33:18	Americans 50:22	applicable 113:14
affect 88:5 89:3	aims 73:14	amid 119:20	application 95:15 96:19 103:13 110:15 117:13
affected 17:2 33:6 91:22	Alarmingly 56:3	amount 33:3 84:21	applications 34:13 55:15, 18 60:10 97:18 98:22 99:1,5 104:18 106:1 117:6
affects 98:3	Albany 103:10 120:4	amounts 111:6	applied 27:21 79:11
affiliated 28:15,21	align 22:1	analyses 27:16	applies 95:2
affirmative 101:18	aligning 79:12	analysis 55:20 76:22	
afford 65:20 97:11 114:1	alleged 11:1 34:20	analysts 25:11	
afforded 113:19 114:13	Alliance 31:19	Analyzing 64:14	
affords 115:1	allied 102:18	announce 64:14	
afternoon 69:22 70:2 71:7 98:8 103:7 113:7 115:4	allies 66:8 74:8,12	announced 4:15 12:1 46:3,15	
agencies 6:1 28:21	allowed 8:18 66:15 104:11		
agency 8:1 49:4 71:10	ally 50:11		
aggression 51:7	Altitude 55:12		
	ambitions 109:11		

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: apply..barriers

110:2	artificial	attempting	16:1,5,7,13,
apply 66:5	28:4 41:21	55:21	15,21 17:1,
applying 93:11	102:20 105:5	attend 9:7	8,11,16,18,
appreciates	118:21	98:12	22 18:2,7,
12:17 87:19	artificially	attention	16,17,20,22
approach 12:20	25:8 58:2,5	39:21 110:4	25:1 31:10,
51:1 59:5	65:4 115:15	113:3	18,22 34:13
74:6,10,18	118:21	attitude 15:11	55:22 92:11
75:20 76:16,	Asia 21:10,19	19:1	availability
18 77:8 78:9	67:16	audience 70:8	87:16 118:14
79:4 94:17	asks 8:13	audio 8:17	avoid 10:21
95:2	aspect 89:13	authoritarian	19:4 52:11
approaches	117:16	39:3	73:22 77:3
99:21	assemblies	authorities	avoiding 12:22
appropriately	16:11	101:15	aware 36:1,4
83:9	assembly 98:1	auto 13:19,20	68:19 92:20
approximately	assert 109:21	14:11,20	awareness
100:11 109:5	assessing 77:8	15:9 31:12	94:11
110:8	79:4	48:10	<hr/> B <hr/>
April 32:1	assigned 60:10	automakers	back 16:11
Aptiv 14:14	78:16	31:11 32:6	21:8,19,21
area 55:12	assist 85:2	automation	25:22 33:10
59:14,19,22	associate 32:4	62:17	37:17 69:18
60:13 95:13	association	automobile	78:6 101:21
107:8	13:10,13	13:10,13,15,	110:22 111:3
areas 25:2	31:17,21	22 15:14,20	background
44:14 49:20	71:6,9 80:2,	18:13	17:2
arenas 39:11	8,9 85:11,	automobiles	bandgap 96:6,
argue 58:17	14,15 92:14	40:3 44:1	10 113:10,12
Army 106:15	atone 51:6	62:16	bandgaps 96:13
articulate	attempt 66:14	automotive	barriers 72:1,
30:13	81:14,18	14:17 15:12,	20 82:17,18
	116:20	14,16,18,22	83:1

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: base..burdens

base 55:9 63:1 65:13	49:9 107:6	86:3 111:13	94:10
based 21:10 41:4 49:8 83:5 84:17 91:8 105:4 118:15 120:7	below-cost 50:10	bills 87:4	brings 44:1
basic 39:9 62:20 65:14	below-market 63:6	bipartisan 51:3 108:13	broad 11:3 17:12 75:10 88:8 90:12 91:1 118:15
basically 31:8 120:11 121:13	bend 99:13	bit 32:3 61:19	broad-based 33:9
basis 82:4	benefit 59:8,9	blanket 51:20	broadband 62:16 67:6
batch 20:15	benefiting 9:20 112:6	blueprint 109:18	broadening 77:10
batteries 44:5 50:8 55:16, 22	biased 11:2	blurred 121:10	broader 34:3 47:17 55:4 96:16 108:11
battling 46:10	Biden 73:16	BMW 14:3	broadly 57:22 94:12 119:2
bearing 41:6	Biel 69:22 70:5 71:3 75:1 79:21 85:7 87:22 88:19 90:15 91:12 93:15	Bog 14:14	Brzytwa 71:4, 5,7,8 88:2,7
beats 68:8	big 46:14 54:8 111:12	Bonner 6:7 70:12	build 46:14 47:20 52:21 78:11 84:3,4
Becki 6:12 70:17	biggest 58:18, 19 92:22	boosted 25:8	building 20:5 21:7 115:19, 20
begin 88:1	bilateral 9:11	bottomless 115:12	built 110:21
beginning 69:6 113:5	billion 11:20 41:1 45:4,15 54:5,9 61:4 64:4 85:19, 22 86:9 109:9	bought 21:7	burden 4:21 60:14 79:12 80:21 83:11
begun 41:17	billion-dollar 44:19 45:10 64:5	brands 14:2,9	burdening 67:8
behalf 13:12 102:22 122:2	billions 63:15,17	break 7:14,15 69:17 93:16	burdens 12:6 50:15
behavior 50:14		breakdown 34:17	
Beijing's 95:8 96:5		breath 75:16 76:20	
believes 18:1		bridge 22:19	
		briefly 76:13	
		bring 13:1 21:8,18	
		bringing 22:8 34:7 73:17	

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: business..CCCME

business 6:6,7 9:14 33:7,12 46:15,16,17, 18 48:14 50:12 57:20 59:11 60:2 70:11,12 72:6 79:12 119:17 120:1,18	CACIISA 31:19, 22 California 19:21 21:2 call 66:17 calling 96:9 cameras 8:17 canceled 46:4 Cao 9:2,3,6,7 28:10,13,19 29:9,11 30:1,13 capabilities 54:10 56:2 65:14 capability 119:13 capacity 17:4 27:15 40:16 41:18 45:13, 16 49:22 52:20 53:20 55:7 57:12 63:7 64:15, 16 66:15 90:19,21 100:22 101:2 102:13 104:4 109:13 110:12 111:8 115:19 118:5,15,16, 19 119:21 capital 54:9	84:1 104:8 105:8 114:7 capitalism 38:22 capitalization 20:2 capture 114:19 car 14:7 28:2 47:22 48:7 carbide 24:12, 15,22 25:13, 21 26:2 27:18 28:1 30:6,8 33:6, 11 36:10 41:3,11,16 43:3,7,10 44:8,9,16, 17,18,22 45:2,13,18, 22 46:1,13, 14,16 47:12, 14 49:18 55:5 60:8,9 67:19 68:7 95:12 96:8, 10 97:16 98:11,17,21 99:8,11,15, 19,21 101:4 102:1,2,15 103:11 104:5,16 105:20 106:6 107:8 115:5 116:7,10,13,	14,16,18,20 117:4,5,7, 10,15,20,21 118:11,18 119:2,4,11, 14 120:8 carbides 36:18 94:22 95:19 115:13 117:2 cards 48:15 care 110:13 careful 39:5 carefully 5:6 Carolina 46:5, 11 98:10 carried 9:15 carry 44:10 95:16 cars 14:9 case 84:10 cases 52:21 95:16 96:1, 20 97:3,4,18 100:6 107:1 catalog 35:4 catastrophic 117:18 caused 11:4 42:7 causing 37:7 CCCME 9:5,9, 10,15 10:22
businesses 48:13 72:13, 14 77:20 78:21 89:3			
busy 43:21			
Butler 4:2 6:19 13:7 19:6 24:3 28:7 30:21 32:9 33:14 37:9,20 42:4,18 43:1,5 48:22 53:3 56:16 60:4 61:20 62:4 66:22 69:15 93:19 98:4 103:3 108:6 113:4 115:2 121:20			
C			
CAAM 13:12, 14,16,17 15:2 18:1 31:2			

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: Cccme's..China

11:6,17	chain 9:20	83:22 89:1,2	20 35:8,18
12:7,17,20	16:5,22	challenging	38:8,11,12
28:14,19,20	17:7,10	41:13	40:8 41:17
29:3,9,11	18:12,16	Chamber 9:4,8	43:11 44:1,3
CCCME's 10:11	19:4 24:19	champion 26:13	45:10 47:13
30:1	36:18 38:18	36:14	48:3,10,14
CCIA 80:2,8,	43:16 48:19	champions 25:9	49:13 50:1,8
12 81:22	59:13 63:10,	27:12	51:8,20
83:4 84:15	13 64:19	changed 56:4	52:10 53:9,
90:17	65:21 68:20	115:6,10	11 56:11
CCP 53:22	73:9 75:15	chargers 92:7	57:1,22 58:4
54:4 62:6	76:11 92:17	cheap 41:21	59:7 62:19
63:9,21	93:6 94:4	54:1 58:2,5	63:14 64:21
cell 28:17	102:12	61:6,7	65:11,20
cement 36:16	106:18	68:16,18	66:6,9 67:13
Center 53:6,8	111:19	69:1	68:2,8,22
centers 96:21	112:18	check 121:20	73:8 74:19
97:9 99:2	chains 50:4	Chen 6:8	76:1,5 80:5
104:18 108:1	54:18 64:8,	70:13	81:10 82:13,
117:13,14	21 72:21	chief 98:9	20 83:3,16,
119:6,8	74:14,16	China 9:4,8,	21 89:2
central 48:11	84:9,12 87:9	13 10:2	91:20 92:20
53:14	97:13 109:22	13:10,12,15	95:2,14
CEO 46:7	111:21 116:6	14:2,7,13,20	96:21 98:3
108:12	Chair 6:19	15:16 16:1,	99:7,9,20,21
certification	8:13	8,9,11,16,22	100:3,8
92:13,15	chairman 7:2	18:17 21:13	101:2
93:5,8,12	61:21,22	23:5 25:2,7,	102:13,19
CES 71:18	62:6 66:22	11,21,22	103:19
cetera 92:8	103:8	27:14 28:5	106:19
CFIF 55:4	chairs 108:10	29:4,20	107:3,11
CFO 19:11	challenge	30:3,17	109:7 110:6,
	98:19	31:3,10,12,	7,10,20
	challenges	18 32:13,14,	111:5,10,11,
	12:16 74:10,		17 115:1,22
	19 75:22		116:19
			117:11
			118:12

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: China's..circumstantial

120:17	25:10,17	114:14,17	21 17:16,22
121:4,10	27:11 28:16,	115:11 116:7	19:13 20:11,
China's 4:6	17 29:5,7,13	117:7	13 24:15,17
13:19 15:14,	30:5,8,15	Chinese-made	27:18 31:22
20 16:3,18	31:4,6,22	40:10 54:22	39:20,21
17:8,11,14	34:2,4 35:8,	Chinese-origin	40:5,12,18
18:1,4,7,21	10,13 36:1,	97:21	42:16 44:8,
23:9 24:9,10	13,15,21	chip 10:4,5	16,17 45:7,
26:10 31:19	37:2 38:16	14:17 15:7	22 46:13
32:13,18	39:1 43:8,12	16:17,18,20	47:12,15,17,
33:5 34:10	45:2,3,5	17:3,6,7,8,	19 48:2 51:5
35:20 43:17	46:10,22	13,18 18:2,	54:16 55:9,
46:21 49:16	47:2 49:13	7,15,21,22	10,14,18
51:7,18,21	50:5,11,13	31:18 38:9	56:6 62:15,
52:18 54:10	52:4,9	40:9 41:5	21 64:13,21
60:13 62:11	53:16,18	45:1,20	66:10 73:4
63:10 66:14	54:5,11	46:11,17	75:13 78:3
67:7 75:20	55:17 56:3	47:20 48:7,9	80:10,12
76:4 77:10	57:17 58:17,	53:17 54:10	81:3,13
83:14 86:11	18 60:7,10,	58:1 59:18	83:12 84:9,
87:5,10 88:4	16,22 63:3,	63:20 65:5	11,18,21,22
91:5,21	19 64:4	66:2,5 74:3	86:20 87:2,
92:19 94:8	68:15 73:12	82:11,14	11 91:19
97:2 99:11	74:3 76:1,6	84:17 87:10,	92:4,9,20
100:18 101:3	81:12,17	12 88:11	101:11,19
108:16	84:8,11	110:6,11,16,	110:8,14
109:8,10,15,	86:10 90:21	20	121:12
18 111:7,20	94:16 95:6,	chip-input	choice 30:4
113:11	10,12 96:1,	58:1	chokehold 63:9
116:18	12,17 97:5,	chips 10:21	chose 120:12
120:21	12 98:1	11:19,22	chosen 119:3
Chinese 7:3	99:15,18	14:19,21,22	circuit 96:14
10:8,13,18	100:4 101:22	15:1,6,9,11,	circumstances
12:14 13:3	104:12 109:4	12,15,16,18,	25:16
14:2,8,21	111:13,15	20,22 16:1,	circumstantial
15:10,12,17	112:4,6,8,	7,8,9,10,16,	68:10
17:2 24:14	10,22		
	113:15,16,19		

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: cited..companies

cited 114:3	co-founder 97:13	committed 9:10
cites 81:10, 17	94:3	22:8
cities 93:13	Coalition 42:20	committee 4:4
citizen 20:4	code 61:1	5:5,11,12
Citreon 14:4	coercion 37:6	6:20 7:2,21
civil 34:4,5	38:18	8:2,6 13:11
121:11	collaborate 107:18	48:11 62:6,8
civilian 25:4	collaborated 31:17	71:10 73:21
34:7 47:20	collaboration 10:13 19:4	88:1 100:17
clarify 76:15	27:6 35:11	122:2
77:6 78:4	75:18	committing 35:14
cleaning 20:15,17,21	collapse 42:7	commodity 110:13,19
21:1	45:19 51:1	common 118:10
clear 20:20	65:3	communication 121:15
22:17 39:2	colleague's 88:10	communications 55:16 65:10
50:2 53:11	colleagues 48:12 70:4	80:2,8
64:14 77:18	91:2 121:21	Communist 7:4
79:6 84:17	combination 60:18 101:9	28:16 29:5
89:9 95:4	combined 101:4	31:4 38:16
96:11	combining 46:22	39:1 48:11
Clemmer 103:4,	comfort 17:20	50:5 57:17
5,7 118:1,10	command 69:1	59:7 63:3
120:3	commands 68:22	113:19
close 13:4	commendable	communities 22:8
21:15 47:16		community 47:3
78:10 79:17		96:15
117:11		companies 9:16
closely 66:8		10:7,14,18,
closer 43:5		21 12:5,10,
117:11		
clusters 96:14		
	commends 55:4	
	comment 4:16	
	5:20 10:11	
	29:14	
	comments 4:14	
	5:7,8,9 7:8,	
	10 8:5 29:12	
	30:1,14,19	
	32:22 37:10	
	61:2 67:18	
	68:12 74:21	
	76:14 79:18	
	80:22 85:2	
	88:16,18,22	
	89:19 90:18	
	108:18	
	120:21 122:5	
	commerce 4:21	
	6:15,16 9:4,	
	8 29:22 31:7	
	50:15 56:21	
	57:2 60:14	
	67:9,19	
	70:21,22	
	80:22 83:12	
	88:2,3 93:1,	
	14 95:5	
	115:4	
	commercial	
	83:15 94:19	
	95:22	
	commercializatio	
	n 98:16	
	commitment	
	21:22	

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: companies'..conditions

16 13:3,5	103:9 104:15	competitors	comprehensive
14:12,13,16,	comparable	50:3 53:21	18:19 27:10
22 15:7,9,22	20:19	57:16 63:8	75:20 76:16
17:3,13	compelled 37:1	64:13 65:11	77:2
19:16 23:22	compelling	95:14 115:11	comprehensively
28:22 30:15,	67:13	complaints	12:15 89:10
16 34:7	compete 63:22	15:2,7	comprising
36:22 37:7	65:4 76:8	complemented	25:20
45:5,9,10	106:11 109:3	100:13	Computer 80:2,
47:2 56:7	112:16,20	complete 42:12	7
62:22 63:19	115:17	98:15	computers
65:15 71:15,	competing	completed 5:11	39:17
17 74:15	112:5	54:8	concern 36:20
75:21 76:6,	competition	complex 22:12	74:4 102:11
20 88:22	7:3 13:22	98:19 100:5	concerned
89:4 93:2	20:22 24:13	102:7 116:11	37:3,5 73:15
95:9 97:6	38:13 42:2,	complexity	77:9 103:18
99:15,19,21	14 43:20	75:15	concerns 11:5
100:1,4,11	53:9 56:13	compliance	77:9
103:21	64:10 66:20	92:15 93:4	concise 8:11
104:10,12,14	95:3,17	comply 92:17	conclude 8:13
105:4,10	101:6 104:22	113:15	74:17 93:15
107:10	105:6 112:17	component 44:7	concluded
111:2,14	competitive	53:14 55:11	122:7
112:4,5,6,7	11:16 25:7,9	91:4 113:1	concludes
113:15,17	61:3,8,13	components	69:15 122:1
114:8,12,13,	72:2 87:17	23:5 27:20	conclusion
16 116:19	107:5 112:13	44:9 69:3	8:20 107:5
companies'	115:7	81:3 88:10	concrete 97:4,
10:9 77:5	competitiveness	97:16	10
115:17	33:6 74:13	comports 67:18	conditions
company 19:11,	75:12 77:5	compound 94:22	41:7 55:8
18,19,22	78:21 80:17	97:16	
20:6,21	competitor		
46:2,3 61:5	38:12 64:1		
63:20 73:7			
80:18 85:17			

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: conduct..corner

conduct 51:17 56:9 76:12 99:16	considered 79:12	85:22	95:21 110:21
conducting 14:12 26:19 35:21 79:14	considers 72:10	content 50:18 81:13	controlled 28:18 33:1 48:3,7 63:9 107:3
conductivity 41:6	consisted 10:5	context 84:6	
conferences 31:11	consistent 78:1 96:16	continue 24:1 67:3 73:7 96:22 100:17 105:10	controllers 16:10
confronting 74:9	constantly 40:6	continued 16:22 54:11 56:5 73:10 80:16 98:2 103:1	controlling 53:17
conglomerate 26:22	constitute 97:1		controls 10:14 58:16 111:22
Congress 6:21	constitutes 53:14	continues 11:11 72:12 76:1 106:12	conversion 103:12
Congressman 7:1	constituting 25:12		cooperate 80:14
conjunction 4:4	Construction 26:20 34:21	continuing 108:4	cooperation 9:22 13:4 17:9 19:2 30:2
connected 17:15	Consulting 24:6	continuous 17:19	cooperative 19:1
connection 4:5 13:4	consumer 10:2 71:6,9,13,15 73:4 77:13 86:16 88:6,8 91:17 92:11	contradiction 114:11	coordinated 25:14 102:11
consequences 64:18 72:9 77:4	consumerism 50:20	contradictory 11:9	coordinating 29:4 31:3 66:8 74:8
considerable 10:8	consumers 18:17 72:15, 20 77:20 78:22 88:9	contribute 13:4 31:21 83:8 85:5	coordination 34:20
considerably 25:2	consumers' 17:19	contributes 115:18	copy-exact 22:13
consideration 56:15 74:22 85:6	consumption	contributing 85:19	core 81:13
		control 39:3 64:15 65:7	corner 55:21

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: cornered..decades

cornered 68:8	18 110:5	50:3 63:10	customers'
corporate	country 4:20	65:1 66:11	21:16
26:22	10:6 17:1	77:18 78:15	cutting 24:16
Corps 26:20	19:15 20:10	80:16 87:2,	64:12,17
34:21	54:6 61:15	15 94:10,12	65:14 77:11
correct 24:12	86:5 109:12	95:22	
51:21	110:13	102:14,20	<hr/> D <hr/>
corresponded	country's	103:15	daily 47:8
70:6	54:12	104:17	damage 18:12
cost 27:22	couple 45:15	105:14	danger 112:18
28:2 30:11	coupled 67:21	107:8,22	dangerous
72:5,15	68:5	108:2 111:20	61:17 63:2
92:21 104:11	cover 112:22	112:1 116:6	dash 48:1
118:6,8,19	covered 4:17	119:11	data 12:4
120:11	create 10:17	cross-stream	60:12 64:13
costs 12:10	24:1 53:18	95:2	67:13 88:17
18:15 48:8	73:2 74:15	crosshairs	96:21 99:2
57:5 61:3	76:10,17	114:8	104:18 108:1
72:13 84:1,2	84:13	crucial 24:18	117:13,14
104:6 105:3	created 58:5	73:4 78:20	119:5,8
112:17	104:1	99:3	David 20:3
Council 75:5,9	creates 54:12	crystal 100:5	day 7:7 58:22
counsel 98:9	104:11	CTA 71:6,12	70:3 88:12
counter 74:6	creating 40:9	72:18 73:5	122:2
106:18	41:21 58:2	CTA's 71:21	days 7:9
counter's	63:4 86:4	Cummins 14:15	DC 108:14
66:13	100:22	current 20:1	deadly 46:22
counteract	121:15	27:14 44:10	deal 41:10
51:19	creation 73:1	52:21 64:14	decade 40:14
countries	credits 104:9	84:11 100:2	decades 100:2
10:16 13:5	crisis 64:22	customer 21:4	104:2 107:9
29:19 30:17	critical 20:14	customers	109:17
52:6 74:18	41:8 49:20	21:9,15	
81:20 102:5,		22:13	

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: December..designed

December 4:10, 13,16,21 5:5 7:8 8:8	26:15 27:11 33:16,17 34:7 41:8,15 49:21 55:12, 13 65:7,8,12 70:15,16 94:1 95:16 98:22 102:16 105:16 106:2 108:2 110:17 116:3 117:8 120:20 121:14,18	demanded 99:4 demands 105:12,14 Democracies 94:1 democratic 39:8 56:7 demonstrate 114:17 demonstrated 114:10 demonstrates 68:1 114:22 denying 63:22 Department 6:3,4,5,8,9, 10,11,12,13, 15,16,17,18 29:2,22 31:16 32:11, 18 33:16 34:19 35:22 56:21 67:5, 18 68:13 69:14 70:9, 10,13,14,15, 16,17,18,21, 22 71:1,2 88:2,3,19,21 90:16,17 91:14,15 93:1,14 115:4 116:3 117:22 120:20	dependence 16:3 40:10 53:18 84:7, 16 85:1 dependencies 72:4 dependency 64:20 102:12 dependent 10:12 50:13 57:19 depends 56:6 deploying 50:8 depress 109:20 111:1 depressing 41:21 depression 35:15 depth 79:14 89:7 102:7 deputy 98:9 derived 103:12 describe 58:4 116:6 design 11:14 designated 26:11 34:10 36:13 designation 26:13 designed 15:22
decides 77:16			
decision 48:11			
decision-making 10:19			
decisive 49:16 65:6 106:18			
decisively 52:20 66:3			
decline 84:10	defenses 62:17		
decrease 72:22	define 77:22		
decreases 100:21	definition 35:6 91:1		
decreasing 86:11	degree 25:4 37:6		
dedicated 99:19	delay 105:2		
dedication 19:14	deliberate 50:2 60:19		
deem 43:15	deliberately 20:8		
deeply 103:18	deliver 97:19 119:8		
Deepseek 52:9	Delsol 79:22 80:1,3,7 85:7 90:15 91:1,12		
defect 99:2	demand 15:14, 17 17:4,11, 15,17,21 22:13 89:22		
defend 66:19 107:7,17 120:16			
defending 48:18			
defense 6:10, 11 24:9			

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: designing..domestic

64:11 112:22	developed	differential	23:16 51:16
designing	21:19 29:18	30:12	disruptive
102:5	33:12 106:3	difficult	72:1
destabilized	120:17	67:14	distinct 82:6
104:19	developing	difficulty	distort 76:11
destined	53:19 78:14	48:14	80:15
101:21	102:13	direct 8:3	distortions
destroy 61:17	development	97:6 104:8	49:15 51:20,
detail 24:19	11:21,22	114:4	22 64:3
30:14 68:17	13:2 15:13	directed 54:3	distortive
88:15	16:14,15	direction	98:3
detailed 34:17	17:8,12,14,	24:20 106:20	diversification
74:20 91:10	18 18:7	directly 85:17	72:7
details 100:18	20:16 24:9	95:8	division 9:21
determination	26:17 29:17	director 75:8	30:4
50:16 81:1,9	33:19 34:3,8	85:13	document 81:12
82:3 83:5	65:19 75:19	disadvantage	97:4
determinations	76:6 83:21	103:22	documented
85:3	94:9 95:8	discriminating	29:16 111:22
determine 5:17	96:6,9 99:12	113:17	121:10
91:9	105:11	discriminatory	dollar 22:14
determined	106:13 120:5	4:20 15:5,8	60:17 119:19
5:15	developments	18:5 50:15	120:6
determines	83:13	80:21 113:13	dollars 45:4
79:1	develops 84:15	114:22	63:16 71:12
deterrent	devices 40:3	discuss 19:16	86:3,21
27:22	62:16 98:11,	discussed 41:3	111:13 120:9
detriment	21 102:1	dispute 109:7	domestic 11:5,
112:4	105:21	disrupt 18:13	18 15:15,22
develop 20:12	diagnosis	disruption	16:8 17:5
65:15 76:16	95:14	87:12	22:18 23:1,
79:4 96:14	dialogue 19:2	disruptions	12,14 51:14
120:14	108:4		54:15 55:15
	diameter 100:8		63:5 64:1
	dictate 38:21		

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: domestically..effort

73:2 79:8	downstream	104:20	economically
81:12 82:18	47:14 73:14,	119:19 122:5	61:18
84:2,18	17 83:12	dumping 66:10	economics
100:21	84:6,20 88:5	115:14	105:5,7
101:22	93:2 97:17,	dumps 63:7	118:21
domestically	21 102:3	durable 41:4	economy 13:6
49:22 52:14,	dozen 45:5	Durham 98:10	24:11 44:15
21	dramatic 67:21	duties 23:17	62:15 68:2
dominance 4:8	68:6	duty 23:11	73:5 77:5
53:19 54:3	draw 110:3	dynamics 78:3	85:20 86:17
64:18 68:16	dream 19:20		90:8,9
81:7,15,19	drive 42:2	<hr/>	ecosystem 77:3
82:5 87:7	47:22 50:11	E	113:16
94:9,17	57:15 63:8	earlier 29:12	Ed 71:5,7
96:12 99:8	64:13 65:11	67:18	edge 24:16
dominant 69:4	109:19	early 20:4	38:20 61:8
dominate 37:4	driven 16:14,	45:22	64:12,17
44:6 49:17	18 25:14	earth 43:18	65:15 77:11
64:11 65:20	26:7 28:4	107:2	107:5
66:14 107:11	57:13 104:22	easiest 116:11	effective
108:17	105:5,16	easily 35:6	27:22 76:18
111:18 119:3	109:12	easy 118:17	79:4 102:5
121:16	113:20	economic 5:22	effectively
dominated	119:21	20:9 38:13,	79:11 101:12
44:21 48:3	driving 45:17	14,18,22	effectiveness
dominates 44:4	111:8	39:2 42:10	79:5
dominating	dual 25:4	50:4,21	effects 76:10
24:10 38:9	26:17 121:16	57:13 62:13	120:1
45:11 110:7	dual-use 33:19	64:11 65:3	efficiency
111:6 121:6,	121:1,9	72:12 75:12,	41:5 55:7
8	due 5:9 7:9,	16 80:13	efficient
domination	10 8:7 16:19	96:5 99:5	36:19
36:21 38:15	41:5 84:18,	108:15	effort 35:11
46:10	19 102:14		51:5 77:9
doubling 110:7			

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: efforts..equipment

efforts 49:17 71:21 72:7 80:15 81:17 82:1 101:10, 17	42:16 102:6	encryption 35:9	ensuring 22:3 23:22 64:8 66:11 78:15 79:10 80:16 86:2
elaborate 33:17 34:20 88:4 89:2 90:20 113:10 115:5 118:7 121:2	elevate 96:8 elevated 96:6 emanate 83:20 embodies 19:19 emerging 53:12 56:5 65:13 95:17 105:9 emphasis 59:17 96:2 121:12	end 13:17 16:19 22:17 33:10 34:6 39:1 40:13 48:9 49:12 69:4,6 78:6 82:11 90:21 110:16 ended 51:1 endless 115:12 enduring 94:18 energy 17:14, 20 25:1 34:14 41:12 55:16 61:6, 8,11 86:2 99:1 104:9 105:14 engage 19:2 74:18 engagement 76:15,17,22 79:15 100:17 103:2 engaging 102:7 engineering 21:15 enormous 111:6 ensure 66:4 79:6 106:16 107:19	enter 45:6 entering 66:6 enterprise 26:11,12 enterprises 14:21 15:4, 10,12,17 38:17 entire 17:10 22:19 34:2 43:16 47:9 48:10,18 50:22 61:1 111:19 entirety 63:12 entities 60:10 63:17 environment 112:13 115:7 environments 41:13 Epi 100:5 epidemic 16:18,20 equally 14:22 equipment 12:2 19:12 20:6, 12 23:1,13
elected 51:2 electric 28:1 44:3,10 51:12 104:17 105:16 119:9 electrical 41:9 85:11, 14,16 86:1, 9,13,15,18, 21 87:1,3,8, 14,15 88:9 91:17,19,22 92:2,6 95:21 electrification 16:12 44:15 electro-plating 20:15 electronic 9:5,9 39:16 92:7 electronics 51:12 106:17 107:22 elements 39:9	emphasize 89:13 employ 18:2 93:2 employed 79:7 82:10,12,17 employees 22:7 employes 38:16 employing 85:17 enable 51:11 enables 106:5 enabling 65:14 104:3 encounter 35:5 encourage 38:6 73:20 75:19 76:5 77:21 79:3 100:16 101:20 encouraged 40:19		

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: equity..exploit

27:20 41:12	Europe 21:10	excess 51:22	104:4 105:15
64:8 92:7	45:1 59:5	exchanges 9:11	118:5 120:3
100:4,7	European 29:19	exclude 78:6	expanded 41:19
114:6 117:7	EV 44:4,7,17	exclusion	57:22 118:16
equity 111:14	47:15	23:13,18	expanding 22:2
Erin 70:5	evade 52:6	exclusions	40:15 62:21
escalation	Evan 49:2,6	23:11	78:16,19
114:15,21	event 51:16	exclusively	expansion 17:4
essential 9:22	71:18 77:16	73:22	28:4 46:5
20:13 24:22	events 31:11	executed	100:22 101:3
47:20 48:4	eventually	114:12	104:20 111:9
55:10 62:14	16:7 18:11	execution 79:9	119:19,21
75:18 105:21	evidence 11:1,	executives	expansive
110:16	8 57:1,4	61:2	73:18
essentially	67:7,12	exempt 23:2	expect 56:18
57:6,10	68:10 69:10	exempted 40:19	experience
establish	81:8,11	exemption	45:8 59:3
43:14 82:2	97:10	23:17	87:8
96:12 107:20	evolving 98:14	exercises 39:4	experienced
120:15	EVS 44:11	exist 23:17	32:12 99:10
established	49:20 55:15	existential	100:16
20:8 25:5	95:16	64:19	expert 67:6
28:20 31:19	exact 37:5	existing 71:20	experts 5:22
92:14 93:9,	92:3	74:2 79:5	24:9 72:19
10 101:19	examples 36:1	101:18	73:6
104:13	95:1 96:16	exists 20:19	expired 7:19
establishing	97:1 114:1,3	59:8 64:2	explain 29:3
22:11 79:9	exceedingly	exiting 46:15	31:2 119:22
estimate 45:17	84:12	expand 22:6	explanation
91:18	exceeds 85:22	25:2 38:14	99:13
estimated	exceptions	56:22 57:10	explicitly
45:14	23:8	63:18 96:22	96:6
estimation			exploit 52:11
83:22			

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: exploiting..finished

121:1		83:18 84:2,	feeling 116:1
exploiting	F	20	fell 45:18
66:7	fabricated	factory 62:17	46:18
exploitive	66:5 84:8,11	84:3	fellow 49:7
98:2	112:22	facts 52:8	Ferry 42:18,
exploits 53:22	fabrication	fail 45:9	19,21 43:2,7
68:15	12:2 20:8,13	fails 73:1	60:5,15
exponentially	112:2	failure 117:17	fewer 112:15
63:6	face 25:7	fair 13:21	field 20:18
export 9:4,9	62:18 68:1,	38:13 76:11	25:19 63:22
48:3 54:21	10 75:21	112:9,20	66:12 97:20
81:7,15,19	88:22	fairly 91:1	101:13 109:4
82:5 102:5	faced 10:14	fall 64:9	fields 10:20
109:20	12:16	falling 46:3	fighter 48:21
111:21	faces 84:9	familiar 95:11	65:9
112:11	facet 71:15	109:18	fighting 47:8
exported 16:8	facilities	fashion 118:17	final 27:21
86:8	12:3 21:5	fault 40:18	52:2 66:6
exporter 86:6	22:7 84:4	favorable	122:1
exporting 98:3	85:18 115:20	104:9	finally 28:3
exports 64:22	facility 46:4	favoring 41:22	112:3
exposed 12:6	120:4,6	47:1 57:1	finance 21:3
extend 39:3	facing 106:22	favours 44:16	61:5
extending	fact 24:18	Fed 5:2 85:12	financial
78:16	61:16 68:7	Federal 4:12	100:19
extensive 8:15	73:5 104:19	5:2,7 8:8	find 10:7
87:8 108:18	119:1	feed 97:17	58:10 90:13
extracted 69:3	factor 17:17	feedback 31:21	finding 91:8
extremely	factored 119:7	74:20	fine 42:5
44:11	factories 16:2	feel 33:3	finished 27:19
	23:5		45:7 48:20,
	factors 30:11		21 97:20
	73:10,20		

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: firm..full

firm 20:19 21:12	focus 32:5 39:19 77:18 78:18 94:18, 21 118:17 120:13	103:14	67:8 75:16 77:22 80:10 86:19 87:17 90:5 109:1 110:4,8,11, 14,20 121:8
firms 11:15 21:11 25:6, 17 26:7,10, 14 36:13,14 50:11 52:5 63:22 65:3 78:8,19 80:9,17 83:7 84:7 109:4 111:15 112:10	focused 31:10 34:13 73:12 78:16 81:15 101:17 108:14 110:6 119:2 121:5	foreign 4:20 14:21 15:11, 18 30:16 43:20 50:3, 18 65:7 78:8 80:15 82:20 83:7 94:14	founded 13:13 19:20 38:5
firms' 82:20	focusing 73:22 74:3 117:9	foreign-funded 15:4	founder 20:3
firsthand 99:11	follow 58:10 67:17 68:11 69:13 92:5	form 24:18 32:12	foundries 74:3
Fischer 85:9, 10,12,13 87:22 91:14 92:1 93:4	follow-up 58:7 59:12	formal 11:1	foundry 16:4
fit 110:18	food 48:19	formed 16:9	fraction 28:2 118:19
five-year 63:15 118:13	foot 21:6	forms 14:17 61:10 118:13	FRED 85:10
flood 50:18 104:12 117:1,3	footing 112:20	formula 46:22	Fred's 88:10
flooded 42:1 118:19	footprint 22:2	forward 23:20 74:19 79:18 85:4 87:20 95:18 97:1 102:7 103:1 105:13 106:13 108:4,19	free 13:22 56:12
flooding 51:10 62:19 106:9	force 36:7 74:9,11	found 11:8 12:4 21:14 73:6 89:20	free-market 42:14 53:9
floor 8:2 13:8	forced 36:2,5, 11 38:17 82:21 104:20 105:2 119:18	foundation 49:3,7 86:16 94:1 107:21	freedom 38:2,4 49:10 53:6,8
flourish 112:14	forces 17:6 33:1 99:16	foundational 64:12,17 65:8 66:2	Fremont 19:20 21:2
	Ford 14:4		frequently 36:6
	forecasts 33:2		friends 48:12
	forefront		front 33:10 66:11
			Frontiers 38:2,4
			fulfill 76:2
			full 8:15

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: fully..government

101:15,17	gallium 48:4	geo-	108:17 110:9
fully 21:21	game 22:17	strategically	112:11
function 87:2	116:22	26:17 33:19	114:2,19
fund 54:7,8	games 52:10	geopolitical	globalization
58:21 64:4,6	gap 97:3	108:13	9:20
fundamentally	garnered	George 38:1,3	globally 15:13
27:17	106:14	German 14:9	103:13
funded 31:8	gauge 16:1	germanium 48:4	globe 39:10
97:7	gave 39:14	Germany 46:6	42:1
funding 57:10	69:12	giant 26:12	goal 22:1,21
78:15 118:14	Gazis 6:17	give 32:22	39:1,9 53:15
fundraising	71:1	58:9 120:15	57:18 72:17
54:9	general 14:4	global 9:17,	96:14 98:15
funds 105:10	91:3 98:9	20,22 10:3,	99:10
106:11	generalized	12 11:11,13	goals 23:15
fungible 90:19	39:14	13:1,6 16:5,	50:5 76:2
funneled 63:15	generally 8:3	6,13,17,21	81:22
furtherer 69:5	33:1 90:3,7	17:6 18:9,	good 4:2 9:6
fusion 34:4	95:1,13	13,15,17,20	13:11 28:12
120:22	generated	20:5 21:1,3	29:2 31:1,7
future 29:16	117:16	24:11,18	32:11 33:16
41:15 43:15	118:18	25:3,12 26:5	35:22 38:3
44:13 56:8	generation	27:5 30:4	49:4 53:7
105:13	26:3 36:17	38:12 41:19	56:21 69:22
	37:4,8 94:22	44:4 45:11	70:2 71:7
<hr/> G <hr/>	95:13 99:1	49:17 55:19	88:17 90:4
Gabriel 80:1,7	105:17,22	58:1 60:9	98:8 103:7
gain 50:4	106:17	62:19 63:7	113:7 115:4
77:2 98:21	107:21	64:7 65:21	goods 50:19
109:20 111:1	120:14	66:10 73:5	85:16 86:7
gaining 53:10	generosity	76:10 85:13	87:3,14
	50:2	87:9,11	91:22 97:20
	genocide 27:8	100:21	government
		101:1,6	5:22 25:14
		102:11 107:5	28:15,21

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: government's..heights

29:5,7,14	grateful 19:16	guidance 65:9	harms 79:8
31:4,6,14	great 10:17	guided 95:11	harsh 41:7
34:4 35:13	20:10 40:10		head 58:9
36:15 37:2	41:9 46:20	H	headlights
41:20 43:12	47:19 69:19		48:1
45:2 46:22	89:6	half 10:3	headquartered
47:9 50:9,17	greater 105:18	37:18 44:2	56:7 103:9
52:13 53:16	greatly 10:18	45:14 85:17	headquarters
54:1,11	green 7:17	116:21	21:1
55:17 56:3	grid 27:20	halted 46:5	health 83:19
57:10 58:15,	85:21 86:3	hampered	healthcare
18 60:16,18,	grids 41:8	106:10	41:12
22 61:5 63:4	49:20 51:12	hand 68:3	hear 42:22
68:1,4,15	group 9:12,13	handling 55:7	62:1,2
74:18 75:17	grow 45:9	hands 117:21	heard 50:7
76:1,9,21	55:19 116:20	hang 52:17	67:12 114:3
77:2,6,21	growing 25:7	happening 28:4	115:14
78:9,13,18	62:18 86:12	89:11 110:4	hearing 4:5,15
79:11,13	87:2 112:8	happily 69:12	5:3,10 6:1,
80:14 81:21	grown 19:22	90:13	22 7:7,9,16
82:7 89:7	40:9	happy 34:17	8:18,19,20
95:6,10	grows 44:15	57:15 68:10	9:7 67:2
96:17 97:7,	growth 13:5	69:5,9 91:10	88:13 94:5,6
11 100:19	16:18 17:16	hard 58:13	98:12 111:10
107:19	44:20 46:2	59:2	heat 117:15,
109:19	55:18 83:22	hardware 75:10	16
112:6,8	99:11 100:5	harm 13:1	heavily 10:4
114:13	106:3 109:16	18:16 73:13	11:18 25:14
118:16,22	119:4	95:4	51:10 60:1
government's	guarantees	harmed 94:13	102:21
49:14 83:21	96:21	harmful 82:2	heavy 25:17
96:1	Gudicello	105:7	41:12 68:3
government-	70:19	heights 96:15	
supported 97:8			
governments			
39:8 74:16			
82:15			

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: helpful..important

helpful 37:12	109:12	hundred 92:9	immigrated
helps 117:16	110:22	hundreds 14:19	20:3
hide 52:7	holding 4:5	116:13,14	impact 12:8
high 16:4	holds 20:7	hybrid 55:15	16:19 19:17
26:11 41:6	48:14	hyperlinks	33:12 57:2
43:22 47:11	holistic 48:17	69:11	77:19 83:15
51:3,11	home 46:3		87:13 89:12
55:7,12 56:1	honestly 32:2	<hr/> I <hr/>	impacted
95:16 99:2	honored 6:20	IA 102:20	32:14,19
106:1	108:15	IC 76:4	102:21 105:8
high-end	hope 12:13,18	idea 59:6	115:8
112:18	18:19 42:11	ideas 43:18	impacting
higher 12:9	85:2	identical	83:19 115:22
44:10,13,14	hopes 25:2	36:21 100:6	impacts 115:16
52:1 112:16	hoping 19:1	identified	116:1
highest 89:22	Horizon 94:1,3	26:2 36:15	implement 38:7
96:2	horrific 27:1	67:7 82:4	42:13 56:11
highlight	host 31:10	identify 71:21	implementing
10:22 110:1	hosting 122:4	79:6 113:8	29:7 31:5
highlighting	House 7:2	identifying	66:4
64:16	62:6	83:6	implications
highly 10:12	households	IGBTS 105:22	77:12,15
16:6	12:10	imagine 39:16	91:5
Hillsboro 21:6	Howe 6:14	40:3 52:22	import 9:4,8
historic 21:20	huge 17:11	58:13 59:3	81:14
historically	36:11 61:12	121:13	importance
30:7 46:1	68:1 107:22	imbalance	41:16 76:19
68:5	human 27:1	100:22	80:12
history 10:6	35:19 39:9	immediately	important
hit 46:3	59:6 114:7	42:13	17:17 21:14
hitting 45:20	humanity 49:10	immense 88:22	39:22 40:6,8
hold 35:18			51:6 53:10
			55:1,6,17
			59:20 64:16

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: Importantly..industry

71:21 72:4,7	80:9 95:15	72:13,15,19	26:16 27:12
90:8 92:18	97:6,15	76:15,17,22	29:15,20
103:22	104:8 114:4	increased 12:9	30:2 33:18
117:14	included 76:14	15:15 17:16	35:4 63:1,11
Importantly	includes 43:19	59:15	65:3,12
110:10	59:6 78:11	increasing	85:21 87:1
imported 14:7,	including 5:8	18:11 51:7	95:6 96:17
22 15:20	8:5 10:16	95:22	99:1 100:20
86:8	14:13 18:17	increasingly	101:19 111:8
importer 86:7	20:14 21:3,6	26:4	113:16
imports 10:4,5	29:19 43:16	independence	114:17
25:20 27:14	49:20 53:22	86:2	industrialists
47:12 86:11	55:4,15 61:1	independent	47:7
impose 77:16	68:15 72:2	31:13	industries
impossible	81:13,20	independently	30:3 43:15
63:21 105:9	82:16 95:10	29:1	47:9 50:1
impressive	96:7,20	indicating	51:1,15 56:2
48:6	97:17 98:22	84:12	57:1 61:9,17
improper 15:5,	99:9 100:18	indication	67:9 68:8,9
8	101:11,18,22	84:17	73:1 74:12
improve 53:19	102:6,20	indicted 63:20	75:11,15
93:2	103:21	indigenous	78:8 83:13
improved 41:5	106:15	26:16 33:18	84:7
improvements	110:17	54:5 57:1	industry 4:8
17:19	111:11	individual	9:18,19
in-house 88:12	112:21 115:6	49:10 53:6,8	10:12 11:5,
in-process	118:14	59:8	10,12,18
15:9	incorporated	individuals	13:2,15
incentivized	19:11 86:20	6:2 7:12	14:18 15:14,
45:5	98:10	induce 84:22	20 16:19
include 4:19	incorporates	industrial	17:18 18:2,
14:3 23:4	54:20	17:10 19:3	8,13,14,21,
71:14 74:10	increase 17:22	24:9 25:15	22 19:18
	18:15 54:10		22:1,19
	57:12 60:7		23:22 25:1,
	67:22 68:6		11 29:4
			31:3,10,18,

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: industry's..inter-agencies

20 32:6	118:9,11	73:17 94:7	7:6
36:7,8,10	119:4 120:16	initiative	Instruments
41:22 43:4,	industry's	54:17	10:10
8,10 44:19,	43:16 87:8	injections	insufficient
21 45:3,6,11	inevitable	104:9	27:15 51:21
46:9 48:10	18:8	injuries 12:7	integrate 81:2
49:15 53:10	inferior	innovate 24:1	integrated
54:12 55:6	117:21	innovated 68:9	16:6 66:5
56:12 62:12	inflation	innovation	integration
63:16 64:19	12:11 72:12,	10:1 17:3	34:6
66:2,14,19	17	19:3 31:18	Intel 10:10
71:13,16	influence 33:3	39:6 49:3,7	intellectual
72:19 73:6,	38:14	78:21 97:9	52:12 54:2
14 75:5,9,	information	103:14	63:18 82:21
14,17 76:3,	30:18,19	112:14	100:15 114:9
21 77:1	31:20 32:7	innovative	intelligence
78:10 80:2,	34:22 37:10	110:19	14:20 16:12
6,8 81:2,6	57:22 58:7	input 27:19	17:21 102:21
82:18,22	68:11 69:6,	80:4 103:16	intelligent
83:20 86:9,	12 75:5,8	112:1	17:15
13,15,18,21	informed 97:14	inputs 49:19	intend 39:2
87:7,16 88:8	infrastructure	73:4 80:11	intended 43:14
89:13,22	102:20	97:17,21	76:2 82:5
90:3 91:3,9,	115:19	inside 77:1	intense 120:1
17,19,22	ingenuity 20:9	insights 108:4	intensive
92:2,11	inhibit 82:19	install 110:11	61:11
93:11,12	initial 107:16	instance 11:9,	intent 77:7
94:10,13,19	initiated 4:10	19	95:4 114:12
95:4 96:13,	18:10 109:6	institute 5:16	intentioned
14,15 98:14,	initiating	institutions	54:16
17 101:11,13	94:5	106:14	inter-agencies
103:20 104:1	initiation	instructions	77:17
105:1,14	4:14 11:7		
106:22			
107:9,12,19			
108:2,5,17,			
22 110:3			
115:6,22			

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: interacting..JOE

interacting 29:4 31:3	54:4	investments 9:11 22:6 23:16 33:2 73:2 76:11 78:12 100:14 104:4 105:2 107:13 111:14 118:14,18 119:14	Isuzu 14:5 item 121:13 items 88:11, 12 110:21 121:9 ITI 75:5 89:19 ITI's 88:21
interagency 4:4 74:11	12:15 49:16 52:4 71:22	investigate investigated 89:6,8 investigating 11:3 24:12 90:11 investigation 4:6,10,17 5:1,12 11:2, 4,8 12:20,21 18:10 23:3,9 38:6 39:12 42:12 49:13 51:18 55:5 56:10 62:11 66:17 72:11 73:12,19 76:12,16,20 77:7 78:1,5, 17 79:18 80:4 81:7,9, 16,22 82:3 85:4,5 87:5, 21 94:6,8 108:20	investors 47:8 invited 4:14, 16 involve 5:20 involved 75:17 90:11 involvement 68:4 ion 44:5 IP 47:1 60:20 63:20 111:3 Iran 58:19 Iranian 58:20 irrational 67:17 issue 24:8 42:10,11 58:12 69:6 102:10 108:11 issues 4:17 5:4 41:15 53:2 77:3 89:8,15
interconnected 16:6			ITTI 75:5 89:19 ITI's 88:21
interest 12:19 37:1,3,6 52:7 68:2 106:14 107:20			<hr/> J <hr/>
interested 113:18			January 12:12 Japan 21:1 45:1 66:9 Japanese 14:10 25:6 Jeep 14:4 JEFF 42:19 jeopardize 65:12 jeopardizing 101:7 Jersey 46:13, 16 jet 32:3 48:21 jets 65:9 job 73:1 jobs 22:9,18 24:2 71:14 86:4 JOE 24:5
interests 18:16 29:4 31:3			
international 5:21 9:21 71:8,19 76:17 78:20 95:14			
internationally 14:15			
internet 80:9			
intervention 76:9			
introduce 6:2 70:4 116:5			
introduction 11:22			
invest 24:1 115:8			
invested 28:18			
	investing 86:3 101:10 111:5 investment 22:18 45:3 47:3 54:7, 11,15 64:4 108:1 120:7, 13		

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: John..leg

John 7:1 56:18 62:5	knowledge 32:21 87:9 89:21 92:8 100:13	landscape 72:2 language 35:9, 10,20 lapse 87:16 large 15:18 60:19 75:21 92:16 110:3 115:22 largely 50:17 84:19 largest 10:2 13:19 26:10 43:17 86:6, 7,16,18 92:11 109:9, 13 Lastly 100:15 launch 11:4 launching 21:8 Lawrence-jackson 6:11 70:16 laws 18:4 31:15 99:13 lay 105:2 layer 35:9 layoff 46:3 layout 14:13 lead 18:14 65:18 73:2 110:10 118:17 leader 27:4,5	45:21 53:12 98:11 leaders 25:5 36:17 105:1 leadership 11:10 53:1 56:5 66:16 78:9 98:13 105:19 106:16 107:7 112:14 120:16 leading 11:16 20:18 36:2 80:17 85:15, 20 107:9 leapfrog 36:16 leaps 100:12 Lear 14:14 learned 11:17 52:19 leaving 50:12 51:15 65:6 led 9:13 50:7 100:21 104:1 113:19,20 LEDS 47:22 Lee 53:4,5,7, 8 68:14,21 left 7:18 63:9 101:3 leg 112:10 121:17
Johnson 75:2, 4,6,7 79:21 88:20 89:5 90:2	Korea 16:3 21:13 66:9 84:5		
join 56:18 94:4	Kyle 75:4,7		
joined 28:22	Kywaii 6:10 70:15		
joining 61:22			
joint 9:12 15:3 32:12 111:14	<hr/> L <hr/>		
jokes 61:2	labor 6:3,4,5 9:21 30:5 34:19 41:21 54:1 57:5,6 58:2,5,14 61:3,7 68:13,16,18 69:1 70:9,10 84:1		
judgment 18:21			
jumped 40:20			
<hr/> K <hr/>			
keeping 78:2	labs 106:15		
key 27:12 34:10 43:15 44:7 49:19 66:16 81:21 82:7,16 102:16 105:22 106:11 110:1 112:1 117:20	lack 84:18 lag 32:3 land 104:9 111:15 118:14 landfill 99:17 Landrith 37:22 38:1,3,4 42:6 56:20, 22 57:3 58:8 59:14		
killed 59:10			
kind 35:11 47:19 58:18			
knock-on 120:1			

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: legacy..major

legacy 39:21 40:5,9,17 73:4,7 80:10 81:2,13 82:11,13 83:12 84:17 86:20 87:2, 10,11,12 91:17,19,21 92:4,9	likewise 8:12	long-term 50:20 63:11	<hr/> M <hr/>
legitimateness 83:7	limit 65:22	looked 89:6	machinery 9:5, 9 23:11,13 41:13
lesson 52:19	limitations 72:8 106:7	loophole 52:6	machines 20:17 100:5
level 14:20 17:21 25:19 61:6 63:22 66:11 96:3,8 97:19 101:12 109:3	limited 5:9 7:16 83:15	loopholes 66:7	made 22:5 23:5 26:1 43:11 56:6 63:14 69:3 76:4 78:7,12 81:10 96:11 101:5 109:6 111:11 116:16 119:14
levels 67:16 100:3	limits 84:9	lose 49:21 57:15 65:18 115:17	Magna 14:15
leverage 20:9 50:4 109:21 111:2	lines 14:7 20:16 22:14	losing 57:14 66:16 107:4	magnitude 109:14
leveraged 95:20	list 31:22	loss 30:10 112:15,17	main 20:22 24:21 73:10
leveraging 41:20 76:7	listed 11:8	lost 47:8	mainland 16:1
life 59:1	lists 74:2	lot 27:16 35:5 47:18 57:3,9 89:14 90:10 117:15	maintain 54:14 77:17 78:8 98:13 115:8
lifted 60:22	lithium 44:5 50:7 55:22	lots 90:12	maintained 13:17 49:8
light 7:17	litigation 114:7	loudly 37:21	maintains 11:10,15
like-minded 74:8,18	load 41:6	low 16:8 26:9 30:6 65:4 68:6 84:8,12 99:2 111:15	major 10:7 13:22 14:2, 7,11 16:20 17:1 19:12
	loads 55:8	lower 112:12, 15	
	local 14:22 16:14,18 22:7 47:1 104:3 118:4	lowering 72:5 115:15	
	localization 98:1	Luke 6:15 70:21	
	locally 14:6	lunch 7:15 69:17,21	
	locate 21:14	lunched 64:6	
	located 98:10		
	logic 47:19		
	long 9:19 50:17 60:21 61:19		

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: majority..materials

21:9 26:19	manipulation	101:20 104:3	115:15,17
30:11 46:12	38:18 50:10	109:13	117:1,3,5
51:5 86:15	manner 82:6	March 5:9	118:19
91:17 107:10	manufacture	7:7,10 8:7	119:20
majority 21:11	61:12	40:22 122:5	120:7,8
25:12 82:12	manufactured	mark 19:8,10	121:16
99:17	16:2 86:7,22	market 10:8	market's 15:17
make 5:12	87:14	11:11 13:19,	market-driven
18:21 20:11	manufacturer	22 14:2,8	18:8
31:11 33:2	19:12 43:17	16:6 17:5,	market-oriented
35:11 42:9,	46:13	11,12,17	30:4 99:13
15 48:9 55:8	manufacturers	18:9,14 20:2	market-wide
57:19 81:9	13:10 14:1	24:13 25:3,5	83:1
88:17 92:18	16:20 21:10	26:5,8 27:4	marketplace
100:12 104:3	53:18 54:13	33:1 40:9	38:12
112:15	64:20 77:20	41:20 42:1	markets 32:15,
maker 46:11,	85:11,14	47:2 49:14,	20 50:18
17	86:1,17	18 50:10	53:20 58:1
makers 44:22	101:8 118:4	51:10,18	60:19 62:20
45:1,20 74:3	manufactures	55:2,19,21	63:7 78:20
79:3	13:13 24:14	56:13 63:5,8	105:9 114:3
makes 44:11	85:20 109:2	64:1,13	mass 21:20
63:21 64:14	manufacturing	65:12 66:10	massive 46:22
making 45:6	11:14,21	68:6 80:16	50:9 60:18
54:10 105:9	12:3 16:15	82:17 84:19	100:14
Malcolm 38:5	21:12 22:2,	94:14,17	104:2,4
manage 21:3	3,9 23:1,12,	95:10 99:8,	107:13
management	14 38:9 41:9	16 100:19	117:17
103:15	48:18 51:4	101:1,22	material 26:3
managing 85:13	53:14 54:6,	104:12,13,	116:11
mandates	17 64:7	16,21 105:7	119:12
113:16	65:5,17 73:3	106:9 107:5	materials 12:2
manipulate	78:17 85:16	109:8,20	48:4 81:13
72:1	86:4 87:11	110:20	86:11 95:19,
	92:3 97:8	111:1,7	
		112:11,15	
		114:19	

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: matters..morning

21 96:7	Mechanism 9:12	27:19 34:4,	missile 49:21
98:11 99:3	medical 40:3	5,13 38:15	55:11,13
107:2 116:5,	62:16	39:18 40:4	65:9 121:14
7,9 117:10	medium 26:14	47:21 51:13	mistake 40:1
matters 4:18	92:16	52:15 55:11	59:21
117:12	medium-sized	62:15 65:7	mitigating
mature 120:22	71:17	96:20 102:19	72:3
mature-node	meet 17:4	117:7	mobile 36:18
89:20 90:1	21:16	121:11,17	mobility 85:21
Mazda 14:5	meeting 15:16	military-civil	87:1
MCF 34:5	122:7	120:21	model 44:18
Mckechnie	member 6:21	million 13:20	113:20
19:8,10	9:16 89:4	20:1,2 44:1	models 14:6
32:16,21	members 13:18	45:14 46:14,	modern 62:14
33:8	15:3 28:17	17 71:12,14	modules 23:4
Mc Reynolds	62:8 71:10,	85:18 100:9,	moment 36:16
24:4,5,7	14 91:3,9	10 104:20	money 57:14,
28:7 33:17	92:18	120:6	15,18
34:1 35:1	membership	millions 86:21	monopolize
36:4	31:17	mind 73:20	50:3
means 7:18,19	mentioned	78:2	monopoly 27:11
18:3 94:13	29:11,14	mindful 72:8	63:4
95:3 110:20	68:14 82:15	mineral 111:21	month 41:1
measure 55:3	Mercedes-benz	minerals 48:19	months 22:16
measured 22:15	14:3	65:1 112:1	46:15 65:2
measures 12:8,	merit 50:16	minimize 77:19	104:22
22 18:11	method 106:4	Ministry 31:19	Moolenaar 7:1
51:19 55:1	methods 99:8	minute 7:18	56:18 61:21
74:8 80:21	106:8	minutes 7:16	62:2,5,7
87:18 94:18	mic 43:5	37:16,17	morning 4:2
106:21	Mike 98:6,8	56:19 70:1	6:22 9:6
111:3,12,18	military 25:4	mismanagement	13:11 28:12
112:3		54:19	

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: motors..noticed

29:3 31:1,7	Myers 6:15	nature 81:8	13:16
32:11 33:16	70:21	114:14,22	nonmarket
36:1 38:3	_____	Navy 106:15	71:22 82:9
49:4 53:7	N	NDAA 74:3	94:11,13
56:21 69:16	_____	necessities	95:3 97:11
motors 14:4	names 8:22	23:8	109:10 111:7
47:15 92:7	narrow 36:22	needed 78:10	113:18
mouth 43:6	77:18	97:22	nonprofit
move 42:13	NASA's 103:12	nefarious	13:14 28:20
62:22	NASDAQ 20:1	67:22	31:9
moves 65:20	Nathan 93:22	negative 12:8	nonspecific
movie 43:10	94:2	77:4 87:13	82:22
moving 95:18	nation 43:17	negatively	nontariff
96:22 108:19	national 13:14	105:8	82:17 101:15
Mr.mckechnie.	19:14 24:22	NEMA 85:11,15	noon 69:18
19:7 32:10	25:8,22	87:4,19	normal 15:11
Mr.reynolds	26:11,13	network 48:2	north 26:5
33:15	27:12,13	networking	46:5,11
multi-billion	28:5,20 31:9	16:13	86:13 98:10
22:14 60:17	36:13,20	networks 14:1	Notably 83:18
multi-geography	37:3 39:8	62:17	note 20:22
74:5	42:10,15	nice 70:7	82:11 109:15
Multi-national	49:10 50:21	node 120:22	noted 11:3
75:21	61:6,18	nodes 90:19,	60:7
multi-nationals	62:13 76:4	21 111:4	nothing's
25:6	77:8,15,19	121:6,8	35:14
multinational	78:14 80:13	non-linear	notice 4:12,
88:22	81:10 85:11,	100:12	16,22 5:5,7,
multiple 82:15	14 95:22	non-market	20 7:8 8:9
102:4	96:3,9,12	18:3 74:6	11:1 73:16
municipal 96:3	99:5 102:14	75:22 89:1	81:9,16
mutual 13:2	108:14	non-profit	110:2
	nations 52:11		noticed 116:18
	56:8 64:9		
	76:8		

SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025

Index: notion..pandemic

notion 81:5	offers 54:22	98:12 103:16	overseas 16:4,
notorious 60:21	offhand 90:2	105:19 108:3	9
November 46:7	Office 4:3	119:4	overstated 94:16
number 8:9	offsets 79:11	opposed 58:22	overtake 95:14
9:15 15:18	oftentimes 76:7	option 25:18	overtaken 115:11
44:2 65:18	ongoing 101:7	oral 7:16	overtaking 94:11
66:3 92:4	open 13:21	orders 109:14	owing 12:14
99:20 108:21	15:10 19:1	Oregon 21:6	ownership 52:7
113:8	opened 30:17	22:6	112:8
numerous 20:7	operate 21:5	organically 25:9	<hr/> P <hr/>
26:15 33:17	29:1 68:3	organization 13:15,17	P-R-O-C-E-E-D-I-
34:15 55:14	74:15 82:20	28:16 29:12	N-G-S 4:1
81:20 116:15	operated 9:19	31:8,9 49:9	p.m. 122:7
<hr/> o <hr/>	operating 30:9	87:10	Pacific 51:8
obey 31:15	31:14	orientation 111:9	packaging 12:2
objective 18:20 72:4	operations 21:3 22:3	outdated 51:1	78:7
79:6 96:11	23:16 32:14,	outlined 63:14	pad 21:8
objectives 18:4	20 115:9	outlining 97:2	Pallidus 103:6,8,10,
observations 99:18	opportunities 17:13 78:19	output 99:17	14,22
observed 107:11	opportunity 7:22 8:15	outputted 16:7	104:15,19
obtain 67:14	9:7 12:18	over- concentration 101:1	105:10
obvious 50:1	19:16 20:9	overcapacity 41:22 63:7	106:3,12
October 67:14	23:19 24:7	109:19	107:6,18
offer 24:21	40:17 43:2	overly 11:3	119:18
41:3	49:5 62:9	overproduction 43:9	Pamir 24:6,8,
offering 30:6	71:11 75:6		11
	79:17 80:3,		pandemic 90:5
	14 85:4		
	87:19 94:4		

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: panel..pillar

panel 7:5,20 8:21 9:1 69:16,19 70:3 71:4 93:15,19,20 122:1	parties 12:19	Patriot 55:13	percentage 27:18
panelist 37:14	partnering 79:19	pattern 18:14	perfect 116:12
panelists 28:8 115:14	partners 50:13 74:9 81:21 82:7,16 107:19	pause 56:19 61:21	performance 51:11 55:8 73:8 83:16 99:4 106:1
panels 7:11,14 50:7 55:22	partnership 78:10	pave 38:15	period 5:20 22:15
para-military 26:21	parts 14:11 16:11 31:12	pay 69:2	permanent 79:9
paramount 98:14	parts-related 14:20	peers 12:15	permit 57:8
part 10:8 24:18 32:4 33:11 34:3 38:18 46:14 58:11,12 59:2 63:11 73:13	Party 7:4 28:16 29:6 31:4 38:16 39:1 48:11 50:5 57:17 59:7 113:19	People's 38:8, 11 53:11 62:19 80:4 103:19	perplexed 11:6
participants 9:17	Party's 63:3	perceive 121:2	persist 66:15
participate 35:15	passed 47:17	percent 10:5 11:13 14:8, 9,10 15:19 26:6 27:14 40:11,12,13 44:20 45:19 46:4,19 47:5 51:20 55:20 60:7,9 64:7, 15 71:16 72:18 73:6 84:3 86:12, 14 92:2,6 104:21 105:15 106:20 107:2 110:9 112:12 116:21 119:8,10,20	personally 32:4 107:10
participated 26:15	passenger 14:9	percent 10:5 11:13 14:8, 9,10 15:19 26:6 27:14 40:11,12,13 44:20 45:19 46:4,19 47:5 51:20 55:20 60:7,9 64:7, 15 71:16 72:18 73:6 84:3 86:12, 14 92:2,6 104:21 105:15 106:20 107:2 110:9 112:12 116:21 119:8,10,20	perspective 23:20 75:10 81:2
participating 34:12	past 45:8 47:5 50:17 59:19 65:1	Peugeot 14:4	pertinent 95:19 102:3
participation 6:21 35:12 97:7	patent 60:9	Philip 6:19	phone 48:1,20 121:14
	patented 103:10	phones 39:17	picarsic 93:21,22 94:2 113:6, 8,14
	patents 20:7 60:8 67:22 103:13 116:14	picture 29:16 47:17	pillar 53:14
	path 115:11		

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: pioneer..potential

66:16	played 86:1	15 67:7	Pollard 98:5,
pioneer 45:22	players 81:2	71:19,22	6,8,9 115:3,
pioneered	97:12	74:7 76:2,5	10 116:10
98:16	playing 9:22	78:1,11	polymer 103:12
pitch 106:12	25:19 63:22	79:2,13	poor 117:4
pivotal 86:1	66:12 97:19	80:5,19 81:5	pop 67:20
place 23:18	101:12 109:3	82:4,9,12,19	popping 116:19
77:12 119:1	plays 29:3	83:11 84:19	population
places 48:8	31:2	87:5 88:4	27:2 61:4
57:7 59:5	pleased 5:21	91:21 94:8	portion 91:18
placing 97:20	103:8	95:11 97:2,	pose 25:21
plan 21:19	plenty 68:9	11 100:18	72:1
37:17 46:14	plummeted	101:19	posed 74:19
63:15 76:4	67:15	108:16	poses 102:13
81:11 96:5,	pockets 115:12	109:10	position 11:16
13 104:20	point 22:20	111:8,11	84:13
118:13	25:20 57:14	113:9,11,21	possibility
119:19	58:6 61:11	114:1,11	24:16 27:7
120:3,5	69:4 90:20	policy 25:15	post-comments
planned 21:18	93:6	29:7 31:6	91:11
46:5	pointed 91:2	36:7 39:20	post-hearing
planning 96:18	points 24:21	40:18 49:8	5:8 7:8,10
plans 29:15	60:12 110:1	56:4 60:19	8:5,16
96:4 97:2	118:6,8	75:8 76:16	30:14,19
113:9 114:11	poised 27:4	79:3 80:20	37:9 68:11
platforms	policies 4:6,	81:22 85:13	74:20 88:16
96:21	19 5:14,16	87:4 91:6	122:4
play 98:18	10:17 18:4	95:7 96:2,12	post-testimony
102:16	23:10 26:1	97:19 101:18	32:22 34:18
105:22	29:14,15,16,	108:9,12	posted 7:13
playbook 50:6	20 32:13,17,	113:16	8:19
63:2,3 95:10	19 33:5 36:1	114:17	potential
	50:19 54:21	policymakers	
	56:10 60:13,	75:9 76:12	
		political	
		79:15	

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: potentially..pricing

12:14 19:17	76:1,12 79:2	pre-hearing	39:1 43:22
24:13 52:10	80:5,15 81:5	88:18	59:14 67:13
72:13 73:22	87:6 88:5	precision	prevalent
77:12 79:8	89:1,11	106:7	59:13,14,16
81:18 102:8	91:21 92:19	predatory	68:20
121:2	93:1,7 94:8	49:14 62:11	prevent 10:15
potentially	99:9 101:5	108:16	23:16 38:8
89:16	103:19 105:6	predominant	53:9 66:9
power 27:20	106:19	90:22	111:3
40:2 41:6,8	108:17	preferential	preventing
44:5 46:9	113:12	97:10 114:5	66:6 110:6
49:20 51:12	119:21	preferred 55:9	121:7
52:14 55:7	PRC 26:7,13,	prehearing	previous 11:7
62:15 95:21	17 27:4	91:16	92:5
103:15	33:18 36:7	preliminary	previously
105:22	52:2,3 53:12	81:11	23:7 89:8
119:5,6	55:1 63:15	premise 109:2	price 30:6,9
power-relate	64:6,14,15,	preparedness	42:7 45:18
104:18	18 65:4,22	102:19	104:21
powered 106:17	66:5,15,19	presence 84:11	111:15
107:21	81:5 82:10,	present 15:21	prices 12:9
powerful 71:18	12 83:6	23:20	26:9 42:1
practical 90:4	84:12,19,21	preserving	45:17 46:3
practice 111:8	96:2 104:2	78:18	57:13 63:6,8
115:21	105:6 107:18	president 38:4	65:5 67:15,
118:10	113:8 114:1	51:2 71:8	17 68:6 69:1
practices 4:7,	116:4 118:3	pressure 25:7	72:20 100:21
19 5:14,16	119:22 120:1	32:12 120:2	104:13
18:5 24:10,	PRC's 25:14	pressures	109:20 111:1
13 32:14,19	63:17 80:5	35:13	112:11,15
33:5 52:19	81:10 82:1	pretend 35:13	115:15
56:10 60:13	83:11 94:11	pretty 33:11	119:20
62:11 67:8	105:3 106:9,		pricing 45:19
71:22 73:13	19		50:10 83:15
74:7 75:21	PRC-MADE 64:21		101:4 119:15
	pre-haring		
	118:2		

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: primarily..promoted

120:2,7	8:21 70:2	20:16 27:19	18 77:14,15,
primarily 12:9	71:3 75:2	66:6 93:7,8,	18 81:3
prime 27:5	79:22 85:9	10 113:1	84:21 88:5,6
prior 23:9	89:16 91:13	production	89:21,22
96:20	process 11:14	10:20 14:1,	92:12 93:3
priorities	21:21 22:10	12 17:1	97:20 101:21
95:4	34:3 79:9	21:8,12,14,	102:4 104:12
prioritization	93:5,8	20 22:6,11,	109:3
96:17,22	103:11,13	14,22 23:6	professional
97:2	112:2	25:10,13	47:2
prioritize	processes	26:20 33:2	profit 61:7
52:14	20:14 40:19	34:11,21	program 34:17
prioritized	78:6	36:19 41:17,	92:15
50:19 107:12	procurement	22 44:4,6	progress 51:9
118:12,15	10:20 34:6	53:17 55:5	78:12
prioritizes	produce 20:12	59:15 62:21	progressed
95:7	49:22 71:17	63:6,18	100:9
prioritizing	106:6 115:13	64:12 78:5	prohibit 95:5
113:9	116:11	84:1,18	project 26:19
private 74:15	produced 14:6	87:13 98:2	35:3
75:18 78:13	40:11,22	101:1 104:6	projected
101:9 112:5	52:2,3,14	107:3 109:20	40:13 55:19
proactive	54:9	110:9,11	119:9
48:15 107:6	producer 19:13	112:17	projects 11:19
problem 12:14	44:2	118:6,8,12,	12:1 26:16
59:2 109:18	producers	15 120:6	33:18,22
117:4	50:12 83:16	productivity	34:1,10,11
problems 16:22	85:20 111:10	72:22	prominent 26:4
42:7 117:6	112:16	products 9:5,9	106:14
procedural 7:6	produces 63:5	10:15 16:10,	promise 97:9
procedures 8:7	producing	13 22:9	promote 17:17
proceed 7:5	99:21 103:11	27:21 47:14,	72:21 100:5
	117:1 120:11	19,20 51:22	promoted 17:7,
	product 14:17	52:3 53:21	
		54:22 63:5	
		69:2 72:16	
		73:5,13,17,	

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: promoting..questions

9	119:12	purchasers	
promoting 9:10	provided 35:4	86:18	<hr/> Q <hr/>
prompted 60:15	78:15 104:2	purchases 64:8	Qorvo 46:11,
properties	108:18	purchasing	20
63:19 114:9	providers	15:1,6 52:14	qualifier
property 52:12	31:13 106:5	purpose 5:3	81:18
54:2 82:21	providing	82:10 110:18	qualifies 82:1
100:15	23:18 30:9	purposes 34:7	quality 73:9
proposed 72:10	37:15 74:20	52:16	99:2 100:2
87:18 108:20	Province 16:2	pursuant 4:11	116:17
propping 112:3	provinces 9:13	109:21	117:5,10,12,
proprietary	provisional	pursue 53:18	19
100:7	7:13	76:2	quarter 48:8
Prosperous	prudent 25:18	pursued 20:5	question
42:20	prudently	83:6	28:11,13,19
protect 27:15	12:20	pursuing 33:22	29:9,13 30:1
42:14 52:20	public 4:5 5:4	74:1 99:7	37:11 58:3,
55:6 62:13	7:9 30:1	121:5,7	7,11 59:12
66:1 73:15	53:1 88:21	push 36:11	60:4 67:12
94:19 95:3	89:19 90:18	63:10 111:2	68:13 83:10
106:17	94:5 101:9	pushed 10:18	88:7,20
107:20	120:21 122:7	17:2	89:10 90:16
protected 63:5	publicly 19:22	pushing 53:21	91:7 92:1,5,
protecting	35:4 57:21	put 47:11,13	13 115:2
51:3 108:1	published 4:13	59:22	questioning
provide 7:5	5:1 43:11	117:15,20	67:3
8:15 30:15,	108:21	puts 59:16	questions 7:22
16,19 32:7	pull 43:5	putting 88:16	8:1,3,6,11
34:18 37:10	pumping 111:12	103:21	28:9,10
68:17 69:5,	purchase 15:9,	121:11	32:2,9,16
10,11 75:9	12 114:5	PVT 106:3	33:14 37:13
79:18 80:4	purchased		53:2 56:17,
91:10 103:16	15:17		19,20 67:4
108:15			88:1 90:11
			91:13 113:3,

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: quickly..reintroduce

5 118:1 121:22 quickly 41:17 117:12 quote 11:19 26:2,12 54:8	98:13 104:4 rare 107:2 rate 43:22 44:20 rated 36:19 re-examine 10:19 reaching 13:20 reacted 107:16 reactive 48:16 readily 97:4 ready 8:21 107:18 real 12:15 25:21 35:18 42:7 100:15 116:1 reality 46:2 56:4 realize 41:2 reason 52:16 56:9 reasons 39:14 57:13 83:13 117:8 reassuring 22:11 Rebecca 70:19 rebuttal 5:8 rebutting 5:10 recall 8:14	12:7 receive 5:3 7:1 received 15:2, 6 63:17 114:11,19 receiving 25:17 recent 10:13 15:13 45:17 78:12 115:6 recently 119:2 recess 37:19 69:21 93:18 recognize 40:6,8 41:15 42:8,9 102:3 recognized 23:8 107:15 recognizes 80:12 recommend 23:11 74:1 82:3 recommendation 5:13 80:20 recommendations 76:14 89:14 recommends 12:21 81:22 83:4 84:15 recording 8:17	red 7:19 reduce 79:12 86:10 105:3 119:13 reduced 111:15 reducing 72:17 117:16 reduction 103:15 104:21 119:20 reel 41:17 refer 67:16 reference 88:10 referenced 33:20 references 73:16 116:4 reflected 96:2 114:2 reflects 20:17 Reg 5:2 regard 8:14 9:18 35:12 72:8 82:13 regime 57:4 58:13,15,20 Register 4:12 5:2,7 8:9 reintroduce 70:8
<hr/> R <hr/>			
R&d 11:14 12:3 21:4,8 78:14,15 97:7 Rachel 6:14 radar 49:20 radically 57:12 59:15 rail 56:1 raise 105:10 106:11 raised 5:4 64:4 raises 27:7 range 5:22 33:9 34:2 49:19 73:21 77:13 78:2 80:18 89:7 101:15 110:16 rapid 15:13 17:13 28:3 101:3 rapidly 62:20			

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: relate..restrictions

relate 84:1	remind 37:20	6:14 28:12	72:18 73:6
related 4:7	reminder 56:18	29:10 31:1	88:14,15
33:5 68:18	122:4	33:4 60:6	89:10 95:8
74:14 75:11	removed 99:16	70:19 89:18	105:11
79:13 80:6	renewable 25:1	113:7	106:15
81:6 83:12	41:12 55:16	representing	reshaping 17:6
87:6 91:21	renowned 14:15	85:15	resilience
94:9 113:12	repatriation	represents	41:7 72:22
relationships	101:20	51:5 71:12	74:13
56:8	repeated	repressed 42:1	resources
relaxed 47:7	111:20	59:1	55:17 111:6
released 26:1	replacing 46:8	Republic 38:8,	respectfully
32:1	report 20:14	11 53:11	22:22
relevant 26:17	67:16	62:19 80:5	responding
28:5 33:19	reported 30:5	103:19	8:10
58:6 81:8	reportedly	request 8:10	response 5:7
reliabilities	30:9	22:22 103:17	8:14 37:11
99:4	reporting	requested 81:1	97:15 102:12
reliability	67:15	require 22:15	103:17
73:9 117:8	reports 108:21	117:15	111:21
reliable 56:6	represent 83:1	required 35:15	responses 8:6,
reliance 86:10	84:21 92:6	106:21	16 80:20
reliant 64:20	96:16	requirements	rest 38:21
76:21 102:19	representative	17:20 21:17	58:20 110:22
relies 10:4	4:3,9 5:13,	54:19 119:5,	restore 25:18
rely 65:8	17 13:14	7	restrict 4:21
75:13	23:7 38:7	requiring	60:14 83:11
remedies 73:22	42:12	102:11	restricting
74:1 77:13,	representatives	research 11:21	64:22 67:9
16 83:9	8:1,2 9:14	12:7 16:15	restriction
94:14 102:9	49:5 62:8	19:9,11,19,	100:20
remedy 87:18	REPRESENTATIVE	21 26:19	restrictions
102:5 108:20		32:12 35:3,	12:6,12
		21 58:10	

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: restrictive..sector

15:5,8 18:12	rights 27:1	<hr/>	Schaefer 6:4
23:2 38:8	35:19 39:9	<hr/> S <hr/>	70:9
39:13 42:13	rise 18:15	s&t 24:9	schedule 7:13
52:6 54:21	rising 107:15	safeguard	8:10
56:11	risk 10:21	101:13	scheduled 7:7,
restrictive	66:15 77:19	safety 17:20	12
10:14	84:7,22	sales 10:4,5,	science 11:20
restricts 95:9	105:4 106:22	8,15 11:13	34:2 99:14
result 18:8	107:4	13:20 14:1,	101:11 103:9
23:3 41:7,14	risk-based	12 21:4	scientific
42:11 50:22	77:8	32:14,19	95:6
59:21 84:2	risks 51:14	Sanchez 6:13	scope 11:3
101:6 104:16	65:7 72:3	70:18	73:19 76:15
105:3 115:13	73:17 116:5	sanctioned	77:7 78:4
116:9	121:2	26:22	110:2
resulting	robust 51:17	sanctions	screens 50:7
16:21 72:10	79:9	24:17 27:8	secrets 116:15
100:20	role 9:22	52:11	Section 4:4,6,
results 64:3	20:18 27:1	Sarah 6:6	11,19 5:1,5,
102:12	29:3,6 31:2,	70:11 108:8,	11,19 6:20
resure 54:17	5 75:16 86:1	12	7:21 8:6
retail 72:20	98:18 102:14	satellite	12:8 18:6,9
revenue 10:6,9	105:22	121:15	23:9 25:16
11:13 20:1	111:17	saturating	27:5 49:13
112:17	rope 52:17	53:20	62:10 66:17
review 97:13,	roughly 92:2	savings 17:21	71:10 73:11,
22	round 12:12	50:20	21 74:2 79:3
reviews 97:22	54:8	scale 21:20	87:4 94:7
revitalizing	routing 61:1	60:1,17	101:16
22:21	rules 8:7	scales 63:6	sections 61:1
RICHARD 103:5	40:20	scaling 22:11	sector 25:2,15
rid 39:7	run 44:12	34:10	27:11 29:8
rightly 65:22	running 60:19		31:6 36:3
			41:15 44:3

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: sectors..services

50:9 68:2	100:19	23:1,14,22	semiconductors
72:3 74:14,	115:12	29:8 30:2	10:3 20:22
15 75:18	sees 47:3	31:6 36:3,5,	33:10 39:15
76:9 78:13	59:17 95:12	9 41:4 43:4,	40:10 41:16
80:19 82:11,	segment 53:17	8 49:15	44:9 48:5,20
14 83:8,14	111:7 121:16	53:13 54:5,	52:15 61:11
84:17 89:3	segments 59:12	12,17,18	62:14,20
95:8,13	68:19	55:2 59:13	65:8,13 67:8
109:17	112:16,18	62:12 63:10,	75:11 77:22
111:18	seize 96:15	12,16 64:7,	78:7 84:13
sectors 25:6	select 7:2	12,19 65:5,	86:17,19
61:5 65:19	62:6	17 66:1,14,	87:17 88:5
76:3 85:21	self-disciplined	19 68:20	89:20 90:1,6
87:1 90:6	13:16	72:2 73:8,13	91:22 93:3
94:12,17	self-reliance	74:14 75:14	95:1,20
102:17	98:15	76:6,10,21	96:10,20
117:21	self-sufficiency	77:13 78:5,	97:3 98:18,
secure 38:20	43:14,19	14 80:6,10	21 102:15,16
51:14 65:9	76:3 81:17	81:6 82:18,	109:2 110:5
86:3	self-sufficient	22 83:8,14,	113:10,12
securing 86:2	109:11	19,22 87:6	120:22 121:1
security 19:15	sell 14:6	89:3 90:18	Senator 38:5
25:1,22	78:19	91:18 94:10	sending 38:13
27:13 28:5	semi 98:17	95:7 96:7	senior 49:7
36:20 42:11,	semiconductor	97:16 98:14	sense 24:16
15 49:11	4:7 9:18	99:3 100:4	separate 34:9
50:5,21	10:7,9,12,15	101:7,10,13,	serve 21:7
61:18 62:13	11:10,15,18,	20 103:20	49:10
75:12 77:8,	21 12:5,16	105:17	serves 121:16,
15,19 80:13	13:1 14:18	106:21	17
96:1,9 99:6	18:14 19:13,	107:10,12	service 31:13
102:14	18 20:6,7,	108:17,21	53:1
108:14,15	11,13 21:9	109:8,11,13	services 19:4
112:18	22:1,21	110:3,9	21:4 30:15,
seeks 81:12		111:14,19	16 75:11
seemingly		112:1 113:1	
		115:16,22	
		118:8,12	

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: set..single-market

set 8:8 14:1 32:9 89:15 96:22 101:15 105:15 112:11	shipped 118:20	significant 33:12 73:2 76:7,20 77:14 78:12 83:18 84:21 86:10 87:12 100:22 103:22 116:5 118:18 119:6	101:4,22 102:1,15 103:11 104:5,16 105:7,20 106:6 107:8 115:5,13 116:7,10,13, 14,15,18,20 117:2,4,5,7, 10,15,19,21 118:11,17 119:2,3,11, 14 120:8
sets 106:4 118:1	short 37:19 40:11 93:18 104:22	short-term 36:22 37:6 50:20	
setting 93:6	shortage 16:14,17,21 17:6 106:22	shot 45:3,14	
severe 55:8 77:4	show 15:19	showcases 71:19	
severely 104:19 106:10	showing 12:5 67:19	shown 12:9	
shape 56:8	shrinking 65:6	shy 35:16	
shaping 29:6 31:5	SIC 34:10 49:18,22 50:9 51:10, 18 52:1,3, 14,21 55:6, 8,10,14,18, 19 118:5	SICC 26:7	
share 14:8 16:7 25:3 26:5,8 40:9 41:19 58:1 68:6 86:11 87:8 88:15 108:3 109:21 111:1 112:15 114:19 115:17	side 114:14	signal 48:7	
sharply 15:15	signals 77:9	signals 77:9	
shell 52:10	significance 40:1	silicon 19:21 21:2 24:12, 15,22 25:13, 21 26:2 27:18 28:1 30:5,8 33:6, 10 36:9,18 41:3,5,11,16 43:3,7,10 44:8,9,16, 17,18,22 45:2,13,18, 21 46:1,8, 13,14,16 47:12,14 48:13 49:17 55:5 60:8,9 61:10 67:19 68:7 94:21 95:12,19 96:9 97:15 98:11,17,20, 21 99:7,11, 15,19,21	silicone 96:7 Silverado 108:9,12 Silverado's 120:20 similar 23:13 81:21 84:4 100:6 simple 22:20 simply 25:18 28:3 42:10 112:9 sincerely 12:13,21 Singapore 16:3 52:11 84:4 single 20:15 58:22 88:12 single-market 72:4
ship-making 56:1			

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: site..state-led

site 120:13	sole 14:9	26:12 39:14	107:18
situation 12:13 27:3 105:12	solely 102:10	55:3 66:4 67:13 68:11	start 6:2 7:17 9:1 24:20 32:10
size 26:14	solid 59:18	69:10 83:6,7	37:22 56:20
sizes 78:22	solution 47:11	84:20 90:7, 19,21 93:12	63:3 69:19 93:19,20
slave 57:6 58:14 61:7	solving 98:19	113:21	109:1
slice 97:1	Sonja 6:4 70:9	specifically 34:12 35:2 36:5,10 51:9	start-up 103:9
slowly 37:21	sort 116:8	specifications 93:10	start-ups 71:16
small 6:6,7 26:13 27:18 33:11 57:20 59:11 60:2 70:11,12 71:17 92:16 119:17 120:18	sought 76:5	specifics 90:14	started 70:1
smart 48:20 121:14	sound 48:6 95:11	speed 56:1	starting 6:3 71:4 88:1 91:14
SMIC 112:7	source 35:2,10 57:17 58:9 73:7 84:13	spent 107:9 117:9	starts 63:4
social 13:16 31:11 54:19 96:5	sourced 91:19	sponsored 54:13	startup 19:21 52:9
softer 114:6	sources 34:21 58:6 73:9	spread 60:20, 21 111:19	state 6:17,18 30:1 32:10, 11,18 41:4 54:2,3,7,13 57:21 59:9, 10,16 69:14 71:1,2 76:7 88:22 113:19
software 31:13 61:1 75:10	sourcing 35:6 69:12	square 21:6	state-affiliated 52:5
soil 20:6	South 16:3 66:9 84:4	staff 46:4 87:20	state-backed 63:11 64:5
solar 46:9 50:7 55:22 107:1	sovereignty 39:8	stakeholder 79:14	state-controlled 38:16
sold 16:11 46:16	space 17:12 103:15	stakeholders 75:17 76:22 89:12 90:10, 13	state-led 95:2
	speak 36:5,10 37:21 91:7	stale 40:5	
	speaking 91:4	stance 107:6	
	specialized 22:12	stands 20:17	
	specific 8:3		

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: state-owned..substrates

state-owned 28:17 52:5 63:17	steal 52:12	78:14 81:10	subsidies 25:18 41:20 47:1 49:14 50:10 51:22 54:1,4 60:18 69:8 97:6 100:20 104:3,8 111:13 112:6 114:4,6 118:3,13,22
state-run 26:21	stealing 63:18,20		
state-sponsored 56:12 64:11 100:14	stem 112:19	strengthen 17:3 21:22 23:21 72:6	
stated 10:11 89:19 90:18 109:21	step 34:6,8 94:10 95:22 106:20	strips 41:11	
statement 109:6	steps 51:9 65:22 86:10	strong 9:16	
states 4:3,9 7:3 9:13 12:1 18:10, 18 19:3 22:4 30:3 31:14 42:14 51:14 54:14 57:7 66:13 72:16 85:19 86:22 87:15 102:4, 18 115:9 121:3	Stewart 108:7, 8,10,12 113:4 121:4	strongly 17:22 62:10 66:17	subsidization 109:19
stating 73:8	stiff 40:17	structure 18:9	subsidize 50:1
statistically 11:9	stock 47:4	struggling 65:4	subsidized 11:18 46:10 51:10 63:4 66:10
Statistics 15:19	stop 48:10 55:1 56:11 113:2 116:2	studies 12:8	subsidizing 52:17 63:16 114:5
status 26:13 31:7	storage 34:14	study 79:7	subsidy 28:4 60:16
statute 4:18 5:15,16	straight 63:2	sub-standard 116:4,7	subsidy-driven 26:9
	strategic 7:2 31:18 43:15 44:3 51:15 76:18 79:4 102:16 114:12	subject 15:4	substantial 22:5 51:3 112:8 118:3
	strategically 36:12 79:7	submission 80:18 113:22	substitution 81:14
	strategies 83:6 101:5	submissions 8:8,16	substrate 106:4
	strategy 10:19 38:19 50:2 53:19 54:20 55:4 63:11	submit 32:7	substrates 41:3 55:7
		submitted 29:15 94:21 113:22	
		subsequent 83:8	
		subsidiaries 21:13	
		subsidiary 26:19	

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: subsystems..talking

102:1 103:11	30:6,8 31:12	79:20 82:18	suspect 22:18
105:20	84:8 87:10	97:5 100:19	sustained 13:5
106:6,10	92:16 104:7	105:11	swapped 46:7
107:8	supplies 19:12	107:22	Swarztrauber
subsystems	50:13	114:2,5,7,	49:1,2,4,6
23:4	supply 9:20	15,20,22	67:4,11
succeed 45:9,	15:15 16:5,	supporters	synergy 17:9
11	14,17,22	9:16	system 55:12,
success 43:22	17:7 18:12,	supporting	13 61:16
sudden 45:19	16 19:4	48:18 113:9	68:22 114:17
suffer 12:6	24:19 36:18	114:8 117:8	121:14
suffering 32:3	38:17 43:16	supportive	systems 40:4
sufficient	50:4 51:14,	25:15 38:6	41:9,12 46:1
47:13 78:15	16 54:18	supports 21:21	49:20 51:13
107:17	59:13 63:10,	27:7 57:22	55:11,13
suggest 60:12	12 64:8,19,	71:13 87:4	62:17 65:8
suggesting	21 65:21	95:9 107:14	102:21
81:14	68:20 72:6,	suppressed	<hr/> T <hr/>
suggests 54:14	21 73:9	58:5	tactics 50:8
suited 74:6	74:14,16	suppressing	tailored 83:9
summarize	75:15 76:11	58:2	Taiwan 16:2
76:13	84:9,12	suppression	44:22 51:7
summary 12:17	87:9,13	54:1 68:16,	66:9 84:5
18:1 33:20	92:17 93:6	18 69:9	takes 116:11,
57:21 91:16	94:3 97:13	supremacy 39:2	12 119:1
116:4 118:2	102:12	surge 45:16	taking 25:16
119:18	106:18,22	surplus 43:18	65:22 67:1
supplementing	109:22	surpluses	77:4 119:1
5:10	110:22	60:20	talk 27:17
supplier 33:9	111:21	survival 105:4	47:18 68:22
46:12	112:18 116:6	survive 46:21	69:4 116:17
suppliers 17:8	support 21:20	57:18 99:18	talking 69:8
	22:21 49:12		
	50:4 51:3		
	53:9 62:10		
	66:17 74:7,		
	13 76:7		

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: tank..theft

92:10	taxes 72:14	54:2 56:1	38:21 54:3
tank 63:8	111:16	65:13,18	61:18 69:8,9
108:14	taxpayers	66:1 67:9	75:15 87:17
Tankeblue	52:16	71:6,9,13,	114:18
26:7,9,18	team 21:3,15	16,18,20	terrorism
27:3 34:11	74:6	72:15 73:5	58:21
35:4,19	teams 108:11	75:5,8,10	Tesla 14:3
Tankeblue's	tech 21:11	77:5,11 78:9	44:17
34:20	26:11 51:4	80:9 88:6,8	testified
target 27:5	61:18	89:21 94:17	68:21
61:5	technological	95:17 99:12	testify 7:12
targeted 24:17	10:1 17:3	103:12	12:18 24:8
63:12 72:9	19:3 24:16,	105:17,20	43:3 49:6,12
targeting 4:7	18 66:16	106:2,5,12,	61:21 62:9
60:19 80:6	94:12 95:7	13 110:7	71:11 75:7
81:6 82:10	98:19 107:7	111:4 117:17	87:19
87:6	technologically	119:12	testimony 5:4,
targets 103:20	110:19	120:14,15,17	6,10 7:1,16,
109:21	114:18	telecommunicatio	18,20 28:9,
tariff 51:20	technologies	ns 51:13	13 33:21
52:2 101:14	20:14,18	67:6,10	37:15 56:22
102:6	26:18 31:20	telecoms 95:16	57:21 60:7
tariffs 12:9,	33:20 53:13	ten 37:17	67:1 68:14
12 18:11	54:4 56:5	48:8 69:18	69:11 75:3
19:17 23:2	65:15 75:13	99:19	85:8 88:11
27:14,21	technology	tens 63:15	89:19 91:16
47:12,13	11:15 21:18	86:3,20	93:20 94:21
54:22 66:4	23:10 24:11	111:12	108:16 116:4
72:14,19,21	26:14 27:7	termed 34:4	118:2 119:18
74:1 97:15,	34:2,14	Terminal 55:12	testing 78:6
20 101:21	36:2,6,7,12	terminating	Texas 10:10
106:19,20	37:5,8 38:17	12:21	THAAD 55:13
111:22	40:5,20	termination	theft 47:1
112:21	46:21 48:19	84:16	54:2 60:20
	49:8,9 52:12	terms 29:11	100:15 111:3

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: thermal..transfer

thermal 41:6 95:21	timeline 88:16	66:18	19:5 23:2,7 24:10 28:12 29:10 30:2 31:1,9 33:4 38:7,20 39:12 42:12 43:18 50:19 52:6,18 54:20 56:11 60:6,20 70:19 71:8 72:1,5,6,20 75:8,20 76:11,18 78:20 79:5, 7,10 80:8 81:21 82:17 85:15 86:13 89:18 94:14 101:5,16 103:18 106:19 113:7 116:15 119:21
thing 42:9	times 44:2 64:22 67:16 92:9 110:11	tooling 100:7	
things 35:6,7 39:7,18,19, 20 40:4 41:8 57:10,11 59:17 116:18	Timothy 53:4, 5,7	tools 20:12, 21 21:1,16 22:12,13 33:9 38:10, 14 101:18 113:18	
third-generation 95:20 96:19	title 109:12	top 57:9 58:9	
thousand 120:8	today 6:1 7:7,11 24:8 43:3,17,22 44:11 49:6 62:9,18 67:12 70:6,7 71:11 74:11 75:7 80:22 87:3,20 89:19 93:20 94:6 97:19 99:20 103:8 108:16 110:1 113:3 114:3 115:14 119:8 120:4 122:3	top-to-bottom 20:21	
thousands 14:19 22:17 86:4		topic 81:4 82:8,9 83:5, 10 89:5	
threat 25:21 27:10,13 43:8 62:18 102:13 107:16		topics 76:19	
threatens 62:22		total 10:5 13:20 27:22 28:2	
thrive 11:11		totalitarian 39:3 57:4 58:13,15	
throw 116:20		touch 114:6	traded 19:22
tie 112:19	today's 5:6 9:7	tough 88:18	trademarked 106:5
ties 27:12		Toyota 14:3	trading 47:5 74:9 82:7,16
time 7:19 8:21 42:3 48:15 56:14 60:21 67:1 74:21 102:8 103:1 105:13 109:8,10 116:12 120:9	told 43:12 48:6	tracing 93:3	traditional 41:5 99:16 106:7 115:11
	Tom 46:8	track 96:8 110:10	transcript 8:18
	tomorrow 65:16	traction 98:22	transfer 23:10 36:2,6,8,12
	tomorrow's 98:19 99:4	trade 4:3,9, 11 5:13,17, 19,21 6:14 9:11,15,17 13:15 18:6	
	tool 21:18		

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: transfers..U.s.-made

37:7 82:21	trend 11:11	22 25:22	19, 20, 21
111:4	25:13	27:1, 13, 15	84:3, 7, 9, 12,
transfers	trends 47:7	28:12 29:2,	14, 15, 20
38:17	trigger 35:7	10, 19, 22	85:2, 15, 19,
transition	trillion-dollar	31:1, 16	21 86:4, 6, 7,
22:15, 19	43:18	32:11, 18	8, 11, 15, 17
23:6 36:14	true 98:20	33:4, 16	87:11 88:2,
transitioning	Trump 51:2	34:19 35:22	3, 21 89:7,
44:12	79:19 83:2	37:3 38:5, 7	12, 18 90:17
transmission	turn 28:9	39:20 42:11	91:15 92:3
106:1	30:21 33:14	43:9 44:22	93:1, 13, 14
transmitter	48:7 56:17	45:1, 21	94:13, 15, 19
48:2	113:5	48:17 49:10,	95:4, 5, 18
transparent	turns 59:20	21 50:12, 15,	97:19 98:13,
13:21 79:14	two-part 58:3	17, 19 52:12,	14 99:5
Transportation	types 78:2	13 54:17	101:7, 10, 13,
6:12, 13	87:3	56:6, 21	14, 21, 22
31:16 35:22	<hr/> U <hr/>	57:2, 20	102:10
70:17, 18		59:11 60:2,	104:1, 6
90:16, 17		6, 14 63:1,	105:14
travel 59:4	U.s 6:9 9:14	19, 21 64:20	106:17
Treasury 6:8, 9	12:10	65:3, 15, 18,	107:4, 6, 15
29:2 67:5	U.s. 4:21	19 66:6	109:2, 17
70:13, 14	5:13, 17, 22	67:5, 9 68:13	110:5, 22
88:20, 21	6:4, 6, 7, 8,	69:14 70:9,	111:2, 3, 9, 21
91:14, 15	10, 12, 14, 15,	11, 12, 13, 15,	112:4, 5, 13,
117:22	17 9:13	17, 19, 21	16, 20 113:7
treat 14:21	10:9, 16, 21	71:1, 13, 14	115:4 116:3,
35:8	11:5, 9, 12,	72:5, 13	6 117:8, 20,
tremendous	15, 17 12:5,	73:1, 14	22 119:7, 17
33:3	11, 16 13:1, 3	74:12 75:12	120:16, 18, 20
tremendously	20:4, 7, 8, 19	76:8 77:5,	U.s.-based
40:15	21:9, 10, 11,	10, 19 78:8,	103:9
	19 22:2, 9	13, 19 79:13	U.s.-funded
	23:6, 7 24:2,	80:13, 14, 17,	14:13
		21 81:21	U.s.-made
		82:6, 16	54:21
		83:3, 11, 17,	

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: U.S.A...USTR

U.S.A. 44:2	understanding 103:10 106:3	unsurprisingly 51:8
ubiquitous 89:20	8:12 18:20 33:21 77:2	uniquely 82:1
ultimately 38:15 45:10 72:20 110:21	understands 28:5 53:16 55:17 56:3 98:18	updated 40:6
ultrahigh 105:21	undertaken 82:6	upheld 19:1
unavailable 104:10	undertaking 12:22	upstream 17:10
uncertainty 10:18	undesirable 76:10	urge 62:12 66:3 72:8 74:17 77:17 109:15
unchecked 101:3	undeterred 109:16	urgent 62:18
uncommon 29:18	unfair 24:13	urges 55:6 101:14
undefined 73:18	53:22 54:12 66:19 68:15, 17 75:20	usage 101:17 119:9
undercut 50:3	79:2 99:9	USD 30:6,8
undercutting 111:9	101:5 103:18 104:11,22	users 73:14
undermine 39:6 51:9 56:12 72:12,16	106:19 119:21	USITC 122:4
undermined 54:18	unfairly 72:1 112:11	USTR 4:14,22 6:14,20 8:19 12:15,18 18:19 23:10 24:12 28:11 49:15 50:16 51:17 52:1,4 55:4 56:9 62:8 66:3,17 70:5,20 71:10 72:8 74:17 77:16, 17 78:4 79:19 82:2 87:7,20 94:5 102:8 103:2 108:18
undermines 83:7	unfavorable 104:6 118:5, 8	unprecedented 67:15 106:6 109:16
underpriced 53:20	unilateral 19:5 72:9 73:11	unpredictable 10:17
understand 37:21 89:15 92:16	unique 75:14 82:13 98:20	unquote 26:2, 12 54:8
		unreasonable 4:20 12:22 15:5,8 18:5 50:14 60:14 80:21 113:13
		unsubstantiated 11:2

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: Ustr's..Wenjia

109:5,6,15 110:2 USTR's 7:13 49:12 62:10 71:21 Uyghur 27:2,8	versus 91:20 veteran 46:8 viability 83:19 101:7 vice 71:8 victims 58:18, 20 video 8:17 view 48:17 50:14 60:12 113:11 116:8 viewed 41:14 violation 27:1 vision 20:5 visit 9:14 Visteon 14:14 visualize 59:4 vital 75:12 voices 12:19 Volkswagen 14:3 voltages 44:10,14 volts 44:12, 13 volume 100:3 116:22 voluntarily 28:22 Volvo 14:4	vulnerabilities 84:14 116:8 vulnerable 51:15 65:6 <hr/> W <hr/> wafer 16:2 20:15 24:13 25:13 30:7 41:16 44:22 45:18 49:18 50:9 55:14, 18 61:12 100:2,8 105:7,21 112:22 118:4 120:10,12 wafers 24:22 25:21 33:6 36:15 45:6, 13 49:19 51:10,11 52:2,15 55:9,10 67:19 68:7 104:5,17 118:5 wage 54:1 68:16,18 69:9 wages 41:21 58:2,5 wait 65:20 wake 41:1 42:8 47:7	wall 47:3 Wallup 38:5 Wang 20:3 wanted 88:17 war 51:16 warfare 38:22 64:11 Warner 14:14 warranted 23:15 39:12 Washington 47:6,18 49:9 watched 50:22 ways 39:15 112:21 weakens 63:1 weaponization 111:20 weaponize 64:21 121:19 weapons 38:14 website 4:22 7:13 8:19 108:22 weigh 60:1 welcomed 51:21 welcomes 80:13 wellbeing 19:15 Wenjia 9:3,8
<hr/> v <hr/>			
Valley 19:21 21:2 46:8 48:13 valuable 53:1 valuation 105:8 valued 109:9 variable 120:11 variety 39:15 varying 39:15 vehicle 14:18 17:20 28:1 41:9 44:3 55:15 92:9 vehicles 15:6 17:14,15 51:12 92:7, 8,10 104:17 105:16 Venture 14:14 ventures 15:3 32:13 111:15 versatile 41:4			

**SECTION 301 INVESTIGATION
Public Hearing on 03/11/2025**

Index: Werner..zones

Werner 46:8	9,16 100:1,	worlds 118:20	44:1,18,21
West 61:17	16 101:14	worldwide 9:21	45:2,4,16,19
Western 25:6	102:22 105:1	worsen 12:13	46:2 47:5
36:13 57:8	115:16	wrap 42:4,6	54:7 55:21
59:5 100:7,	116:12 117:9	write 120:21	100:10
11 104:7,10,	Wolfspeed's	writeup 32:22	years 10:13
14 118:20	47:4 115:8	writing 47:3	15:13 22:15
wet 20:15	116:3	written 4:14	25:3,12
white 31:22	work 32:4	5:6 8:5,8,18	40:11 43:9,
wide 49:19	78:16 87:7	60:6 69:10	11 45:15
60:20,21	89:9,15	74:21 76:14	46:18 47:6
73:21 77:13	114:16 120:4	80:18 113:22	78:13 98:17
96:6,10,13	workers 72:14	wrong 9:1	99:20
113:9,12	78:22 85:18	35:14	100:10,11,12
widening 97:3	86:5 105:2	wrote 91:16	105:16
wider 44:16	workforce	118:3	107:13 109:5
widespread	11:22	WTO 109:7	115:6 116:13
47:1 73:1	working 9:12		117:9
willingness	23:20 50:11	<hr/> x <hr/>	yellow 7:18
114:18	66:8 74:12		Yifan 6:8
window 40:16	79:19 87:20		70:13
winning 26:8	93:11 108:11	Ximing 13:9,12	YMTC 112:7
wiping 43:19	117:17	Xinjiang	York 103:10
wireless 48:2	world 13:20	26:18,20	120:4
witnesses	38:9,21 39:4	34:21 35:12	<hr/> z <hr/>
7:11,21 8:4,	48:9 57:8	XPCC 26:20,21	Zoellick 109:6
9,10,12,14	58:21 71:18	27:6 35:3	zones 97:9
69:16 122:3	98:10 109:14	Xu 13:8,9,11,	
woke 45:2	111:1	12 30:22	
Wolfspeed	world's 10:2	31:2,7 32:2	
45:21,22	13:22 14:11	<hr/> y <hr/>	
46:20 98:7,	16:20 53:12	year 9:12	
	109:9	21:7 40:22	
	world-class		
	19:12 20:5		