

**SECTION 301 INVESTIGATION  
Public Hearing on 03/24/2025**

1 EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

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3 PUBLIC HEARING ON PROPOSED ACTION IN SECTION 301  
4 INVESTIGATION OF CHINA'S TARGETING OF THE  
5 MARITIME, LOGISTICS, AND SHIPBUILDING SECTORS  
FOR DOMINANCE

6 + + + + +

7 MONDAY  
MARCH 24, 2025

8 + + + + +

9  
10 The Hearing was convened in the Main  
11 Hearing Room, International Trade Commission,  
500 E Street SW, Washington, D.C., at 9:30 a.m.  
12 EDT, Megan Grimball, Chair, presiding.

13 PRESENT

14 MEGAN GRIMBALL, Associate General Counsel,  
Office of the U.S. Trade Representative;  
15 Chair

16 THOMAS AU, Office of the U.S. Trade  
Representative

17 MEGAN BARNHART, U.S. Department of Energy  
SARAH BONNER, U.S. Small Business Administration  
PHILIP BUTLER, Associate General Counsel

18 IAN COOK, International Trade Administration,  
Department of Commerce

19 CHRISTOPHER HARTNETT, Department of Homeland  
Security

20 JACK KAMENSKY, Office of the U.S. Trade  
Representative

21 MARY LISA MADELL, U.S. Department of  
Transportation

22 ALEX MARTIN, Office of the U.S. Trade  
Representative

23 ANJANI NADADUR, Office of the U.S. Trade  
Representative

24

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1     DAVID SALKELD, Office of the U.S. Trade  
      Representative  
2     BECXI SANCHEZ, U.S. Department of Transportation  
      SONJA SCHAEFER, U.S. Department of Labor  
3     ANDREW STEVENS, U.S. Department of Agriculture  
      RYAN SULLIVAN, U.S. Department of State  
4     TYLER VAN PATTEN, U.S. Department of the  
      Treasury

5

6

7     CONGRESSIONAL MEMBERS PRESENT

8     TAMMY BALDWIN, U.S. Senator, Wisconsin  
      ROSA DELAURO, U.S. Representative, Connecticut's  
9         3rd District  
      CHRIS DELUZIO, U.S. Representative,  
10        Pennsylvania's 17th District  
      DEBBIE DINGELL, U.S. Representative, Michigan's  
11        6th District  
      RAJA KRISHNAMOORTHY, U.S. Representative,  
12        Illinois's 8th District  
      JOHN MOOLENAAR, U.S. Representative, Michigan's  
13        2nd District  
      DONALD NORCROSS, U.S. Representative, New  
14        Jersey's 1st District

15

16     PANEL ONE

17     BRIAN BRYANT, International Association of  
      Machinists and Aerospace Workers  
18     CECILE CONROY, International Brotherhood of  
      Boilermakers  
19     DAVID MCCALL, United Steelworkers  
      DEAN WARSH, International Brotherhood of  
20        Electrical Workers  
      DAN MCKISSON, ILWU Coast Longshore Division

21

22     PANEL TWO

23     YANQING LI, China Association of the national  
      Shipbuilding Industry  
24     DUO ZHANG, China Shipowners' Association

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1     PANEL THREE

2     PATRICK BLOOM, Cleveland-Cliffs Inc.  
3     BRAD FORD, Nucor Corporation  
4     SCOTT PAUL, Alliance for American Manufacturing  
5     JEFFREY MOSKALUK, SSAB Americas

6     PANEL FOUR

7     DANIEL BLAZER, World Direct Shipping, LLC  
8     TIM MARTIN, Tropical Shipping  
9     KATHY METCALF, Chamber of Shipping of America  
10    WILLIAM STAIB, Unitcargo Container Line, Inc.  
11    DUNCAN WRIGHT, UWL, Inc.

12    PANEL FIVE

13    HANNAH BOWLBY, Ontario Marine Council  
14    BRUCE BURROWS, The Chamber of Marine Commerce  
15    JONATHAN WHITE, Canada Steamship Lines  
16    MIKE KOEHNE, American Soybean Association  
17    NATE HERMAN, American Apparel & Footwear  
18    Association

19    PANEL SIX

20    EDWARD GONZALEZ, Seaboard Marine Ltd.  
21    DAVID HUMPHREYS, Linea Peninsular Inc.  
22    HOWARD PITCHER, North Florida Shipping Inc.  
23    R. JOHN WRIGHT, Bermuda Container Ltd.

24    PANEL SEVEN

25    JOSEPH KRAMEK, World Shipping Council  
26    GUY PLATTEN, International Chamber of Shipping  
27    PATRICK ANTOINE, CARICOM Private Sector  
28    Organisation  
29    SAM CHO, The Northwest Seaport Alliance

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

2 10:02 a.m.

3 CHAIR GRIMBALL: Good morning and  
4 welcome. The Office of the United States Trade  
5 Representative, in conjunction with the  
6 Inter-Agency Section 301 Committee, is holding  
7 this public hearing in connection with the  
8 Section 301 investigation of China's targeting of  
9 the Maritime, Logistics, and Shipbuilding Sectors  
10 for Dominance.

11 On March 12, 2024, five labor unions  
12 filed a Section 301 petition regarding the acts,  
13 policies, and practices of China to dominate the  
14 Maritime, Logistics, and Shipbuilding Sector.

15 The full petition is available on the  
16 USTR website, under Section 301 Investigations.

17 The United States Trade Representative  
18 initiated this investigation on April 17, 2024.

19 Based on the information obtained  
20 during the investigation, USTR released a report  
21 on the investigation.

22 The report supports the determination  
23 that China's targeting of the Maritime,  
24 Logistics, and Shipbuilding Sectors for  
25 Dominance, is unreasonable and burdens or

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1 restricts U.S. commerce, and is thus, actionable.

2 The report is available on the USTR  
3 website.

4 As detailed in the report, for nearly  
5 three decades China has targeted the Maritime,  
6 Logistics, and Shipbuilding Sectors Dominance,  
7 and has employed an increasingly aggressive,  
8 increasingly aggressive and specific targets in  
9 pursuing dominance.

10 China has largely achieved its  
11 dominance goals, severely disadvantaging U.S.  
12 companies, workers, and the U.S. economy  
13 generally through lessened competition and  
14 commercial opportunities, and through the  
15 creation of economic security risks from  
16 dependencies and vulnerabilities.

17 Based on the information obtained  
18 during the investigation, as reflected in the  
19 public report on the investigation, and taking  
20 into account public comments as well as the  
21 advice of the inner-agency Section 301 Committee  
22 and Advisory Committees, the U.S. Trade  
23 Representative determined that China's targeting  
24 of the Maritime, Logistics, and Shipbuilding  
25 Sectors for Dominance, is unreasonable and

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1 burdens or restricts U.S. commerce and is thus,  
2 actionable under Sections 301(b) and 304(a) of  
3 the Trade Act.

4 In a Federal Register notice published  
5 on February 27, 2025, USTR announced proposed  
6 trade action in this investigation.

7 The Federal Register notice is  
8 available on the USTR webpage under the Section  
9 301 Investigations page, and is published in the  
10 Federal Register at 90 Fed. Reg. 29,843.

11 The purpose of this hearing is to  
12 receive public testimony regarding the proposed  
13 action.

14 The hearing will begin today, adjourn,  
15 and reconvene Wednesday, March 26.

16 The Section 301 Committee will  
17 carefully consider today's testimony and all  
18 written comments in response, and comments in  
19 response to the Federal Register notice,  
20 including any post-hearing rebuttal comments.

21 The Section 301 Committee will then  
22 make a recommendation to the U.S. Trade  
23 Representative.

24 Before we proceed, I will provide some  
25 procedural and administrative instructions.

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1                   The hearing is scheduled for two days,  
2 today, Monday, March 24, and Wednesday, March 26.

3                   The February 27 notice indicated that  
4 post-hearing comments will be due 7 days after  
5 the last day of the public hearing.

6                   Because this hearing will end on  
7 Wednesday, March 26, post-hearing comments are  
8 due April 2, 2025.

9                   We expect to receive testimony from 61  
10 individuals over the course of the hearings.

11 Today, we will have seven panels of witnesses,  
12 with 30 individuals scheduled to testify.

13                   The provisional schedule has been  
14 posted to the USTR website.

15                   We will have a very brief break  
16 between panels.

17                   Each witness appearing at the hearing  
18 is limited to 5 minutes of oral testimony.

19                   The light before you will be green  
20 when you start your testimony; yellow means you  
21 have 1 minute left; and, red means your time has  
22 expired.

23                   Considering the amount of witnesses  
24 today, we will ask and insist that you keep your  
25 testimony to 5 minutes.



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1                   After the testimony from each panel of  
2 witnesses, the Section 301 Committee will have an  
3 opportunity to ask questions.

4                   All questions will be from department,  
5 or agency representatives. There will be no  
6 questions accepted from the floor.

7                   Committee representatives will  
8 generally direct their questions to one or more  
9 specific witnesses.

10                  As I mentioned, we will have testimony  
11 from several members of Congress throughout the  
12 day, with members of appearing virtually, and at  
13 different times.

14                  I will signal when a member of  
15 Congress is ready to provide their testimony.  
16 This may occur at the top of panel, in which case  
17 we will receive Congressional testimony before  
18 proceeding with witness testimony.

19                  If a member of Congress becomes  
20 available during a panel presentation, we will  
21 pause the panel proceedings to receive  
22 Congressional testimony.

23                  Again, post-hearing comments including  
24 any written responses to questions from the  
25 Section 301 Committee, are due April second.

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1                   The rules and procedures for written  
2                   submissions are set out in the February 27  
3                   Federal Register notice.

4                   Given the number of witnesses and the  
5                   schedule for today, we ask that witnesses when  
6                   responding to questions, be as concise as  
7                   possible.

8                   We likewise ask witnesses to be  
9                   understanding when the Chair asks a witness to  
10                  conclude a response.

11                  In this regard, witnesses should  
12                  recall that they have a full opportunity to  
13                  provide extensive responses, and post-hearing  
14                  submissions.

15                  No cameras, or video, or audio  
16                  recording will be allowed during the hearing. A  
17                  written transcript of this hearing will be posted  
18                  to the USTR website as soon as possible, after  
19                  the conclusion of the hearing.

20                  We are pleased to have international  
21                  trade and economic experts from a range of U.S.  
22                  government departments and agencies joining us  
23                  today.

24                  If you could please introduce  
25                  yourselves. Sarah?

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1 MS. BONNER: Sarah Bonner, with the  
2 U.S. Small Business Administration.

3 MR. COOK: Ian Cook, Department of  
4 Commerce, International Trade Administration.

5 DR. STEVENS: Andrew Stevens, United  
6 States Department of Agriculture.

7 MS. MADELL: Mary Lisa Madell,  
8 Department of Transportation.

9 MR. AU: Thomas Au, U.S. Trade  
10 Representative.

11 MR. HARTNETT: Christopher Hartnett,  
12 Department of Homeland Security.

13 MR. SULLIVAN: Ryan Sullivan,  
14 Department of State.

15 MR. VAN PATTEN: Tyler Van Patten,  
16 Department of Treasury.

17 MS. BARNHART: Megan Barnhart,  
18 Department of Energy.

19 MS. SCHAFER: Sonja Schafer,  
20 Department of Labor.

21 CHAIR GRIMBALL: So at this time, we  
22 are going to proceed with the first panel of  
23 witnesses.

24 We are expecting to receive some --  
25 okay, Congressional testimony will be received

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1 now, so stand by.

2 How will I know when they are  
3 available, Mr. Burch?

4 MR. BURCH: They will pop up on the  
5 screen.

6 CHAIR GRIMBALL: I believe we have  
7 joining us, Congressman Krishnamoorthi. Yes, we  
8 do.

9 Good morning. At this time,  
10 Congressman, you have the floor.

11 MR. BURCH: Congressman, we got to  
12 work with your sound. If you go up to the  
13 settings in your Webex, click on audio and video.  
14 We are unable to hear you.

15 Click on the audio and video tab, and  
16 then click on audio settings. And then, you  
17 should see the drop down of using the sound from  
18 this laptop.

19 (Pause.)

20 MR. BURCH: Do you see the audio and  
21 video at the top?

22 CHAIR GRIMBALL: Mr. Burch, can they  
23 also use the telephone to dial in for voice, and  
24 then we can see them on the screen?

25 MR. BURCH: Yes.

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1                   CHAIR GRIMBALL: The members should  
2 have the dial-in instructions in the invite.  
3 They might be towards the bottom of the  
4 invitation.

5                   (Pause.)

6                   MR. BURCH: We are still unable to  
7 hear you. Let's try one more time. If you go to  
8 the top of your Webex and you see audio and  
9 video, click on audio and video.

10                   And then, click on audio. And then,  
11 click one of the drop downs and you should be  
12 able to select a drop down for your laptop. Or  
13 your microphone.

14                   (Pause.)

15                   MR. BURCH: We are still unable to  
16 hear you.

17                   (Pause.)

18                   CHAIR GRIMBALL: Mr. Burch, should we,  
19 I understand Congressman Deluzio is also in the  
20 waiting room. Should we maybe switch the order,  
21 or are we?

22                   Congressman Krishnamoorthi, does that  
23 work for you that we come back to you once you've  
24 been able to access the audio function?

25                   You would just remain in the waiting

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1 room, and then we would come back to you.

2 MR. BURCH: Try again to see if we're  
3 able to hear you.

4 CONGRESSMAN KRISHNAMOORTHY: Hello?  
5 Can you hear me?

6 MR. BURCH: Yes, we can hear you.  
7 (Audio feedback.)

8 MR. BURCH: Yes, we hear an echo  
9 coming from. Speak again?

10 CONGRESSMAN KRISHNAMOORTHY: Can you  
11 hear me now?

12 MR. BURCH: Yes, yes. Hang up the  
13 phone, please.

14 CONGRESSMAN KRISHNAMOORTHY: Can you  
15 hear me now?

16 MR. BURCH: Yes, we can hear you loud  
17 and clear. Thank you so much.

18 CONGRESSMAN KRISHNAMOORTHY: Can you  
19 hear me now?

20 MR. BURCH: Yes, we are able to hear  
21 you.

22 CONGRESSMAN KRISHNAMOORTHY: Okay.  
23 (Pause.)

24 MR. BURCH: You may begin when you  
25 are ready.

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1                    CONGRESSMAN KRISHNAMOORTHY: (No  
2 audible response.)

3                    MR. BURCH: He's unable to hear us.  
4 (Pause.)

5                    CONGRESSMAN KRISHNAMOORTHY: Can you  
6 hear me now?

7                    MR. BURCH: Yes, we are able to hear  
8 you. Are you able to hear us?

9                    CONGRESSMAN KRISHNAMOORTHY: Yes, I  
10 can hear you. I'm so sorry for the technical  
11 difficulties.

12                   MR. BURCH: Thank you, thank you so  
13 much. Glad we were able to work it out.

14                   CONGRESSMAN KRISHNAMOORTHY: I think  
15 the Chinese Communist Party was worried that I  
16 was going to be testify, so here we go.

17                   MR. BURCH: Yes, if you're able to  
18 mute your phone because we hear the background  
19 noise.

20                   CHAIR GRIMBALL: It might be muting  
21 the computer if you're trying to use your phone.

22                   CONGRESSMAN KRISHNAMOORTHY: How about  
23 now, can you hear me?

24                   MR. BURCH: Speak again for us?

25                   CONGRESSMAN KRISHNAMOORTHY: Testing,

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1 1, 2, 3.

2 MR. BURCH: You have another device on  
3 that's picking up an echo.

4 CONGRESSMAN KRISHNAMOORTHY: How about  
5 now?

6 MR. BURCH: It sounds like the echo is  
7 coming from your computer if you're using another  
8 device.

9 CONGRESSMAN KRISHNAMOORTHY: How about  
10 now?

11 MR. BURCH: Yes, we don't hear the  
12 echo anymore.

13 CONGRESSMAN KRISHNAMOORTHY: Okay.  
14 Should I begin? I'm so sorry.

15 CHAIR GRIMBALL: Yes, you have the  
16 floor.

17 CONGRESSMAN KRISHNAMOORTHY: Thank you  
18 so much, and I apologize for the technical issues  
19 on my end.

20 Thank you to the USTR for convening a  
21 hearing on a matter of critical importance to  
22 America's national security, and international  
23 economic competitiveness.

24 I'm proud to provide testimony today  
25 in support of robust action to support U.S.



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1 industry and workers, and to combat the Chinese  
2 Communist Party's increasingly aggressive  
3 policies and practices, to dominate the Maritime,  
4 Logistics, and Shipbuilding Sectors.

5 It's imperative that we implement  
6 strong remedies both to prevent continued CCP  
7 dominance in shipbuilding, but also to adequately  
8 support the revitalization of our manufacturing  
9 base here in the United States, where the  
10 shipbuilding industry has historically been a  
11 source of well-paying, high-skilled jobs vital to  
12 American national security.

13 Just a few decades ago the U.S. was  
14 the world's top shipbuilder. But because of U.S.  
15 policy failures and aggressive non-market  
16 practices by the CCP, today the People's Republic  
17 of China, or the PRC, controls over 50 percent of  
18 the world's shipbuilding market.

19 By comparison, the U.S. share of  
20 global shipbuilding is a mere 0.2 percent.  
21 Moreover, USTR's recent report tells us that the  
22 PRC's entities currently control 19 percent of  
23 all commercial ships globally.

24 And, that PRC companies operate over  
25 one-third of the global economy's most important

1 ports.

2 So just to recap. They are the  
3 world's largest shipbuilder; they own almost 20  
4 percent of all ships; and, they control over a  
5 third of the globe's most important ports.

6 China's control of global shipbuilding  
7 was not an accident. In fact, shipbuilding was  
8 one of the industries the CCP targeted in it's  
9 Made in China 2025 plan where you guessed it, it  
10 aimed to control half the global shipbuilding  
11 market by 2025. This very year.

12 Unfortunately, the CCP not only  
13 achieved this goal, it has exceeded it.

14 What does this mean for the U.S.? It  
15 means that in 2023 for every 359 large oceangoing  
16 vessels China built, the U.S. built one.

17 That's not a typo. We're building one  
18 ship for every 359 large, oceangoing vessels that  
19 China builds each year.

20 And, it means that our foremost  
21 adversary the CCP, dominates an industry that is  
22 responsible for transporting 95 percent of the  
23 cargo that enters the U.S. every year.

24 The CCP's tactics have made it  
25 impossible to compete with their dominance,

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1 leading to under investment in repair, and  
2 manufacturing facilities.

3 Diminished ability to finance new  
4 operations; lost jobs; and, lower wages here in  
5 the U.S.

6 Analysis shows us that the CCP's  
7 repressive labor practices alone, have cost over  
8 727,000 jobs.

9 This control could be devastating for  
10 the U.S. economy, and a potential conflict where  
11 the CCP could use its control over global ports,  
12 and the global shipping industry, to cut off U.S.  
13 maritime commerce.

14 We cannot allow that to happen. With  
15 a robust set of remedies, we have the opportunity  
16 to breathe new life into this industry.

17 I am encouraged by USTR's proposal,  
18 and urge them to please go further. This  
19 investigation presents a once in a lifetime  
20 moment where we can decide whether we deepen our  
21 dependence on an adversary, creating further risk  
22 for U.S. economic and national security, or in  
23 the alternative, leverage U.S. trade law to its  
24 greatest extent to support a key U.S. industry.

25 Simply put, the USTR's proposed

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1 remedies are right now incomplete. Without  
2 direct support to revitalize shipbuilding;  
3 repair; maintenance; and, component  
4 manufacturing, we will fall short of our goal to  
5 fully resuscitate this vital industry.

6 Our government at one time recognized  
7 the importance of supporting shipbuilding with  
8 the creation of the Construction Differential  
9 Subsidy Program.

10 A program that supported shipyards  
11 with a differential of constructing a ship here,  
12 in the U.S. versus outside of the U.S.

13 While the program still exists in law,  
14 it has been defunded and sits idle.

15 Proceeds from docking fees should be  
16 used to reinvigorate this fund and help U.S.  
17 shipbuilders get back on their feet.

18 Additionally, docking fees could be  
19 used to build new capacity, invest in existing  
20 shipyard efficiency, or support workforce  
21 development.

22 It is simply not enough to defend this  
23 industry from harmful actors, as it has  
24 experienced severe deterioration.

25 If we desire a meaningful U.S.

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1 shipbuilding sector, we must defend but also up  
2 our own game and invest in the industry to regain  
3 our independence, and our identity as a great  
4 maritime power for the 21st Century.

5 I encourage USTR to explore every  
6 option to ensure U.S. shipbuilders have the  
7 requisite financial support.

8 Thank you again for the opportunity to  
9 testify on this important topic. I look forward  
10 to working with USTR in crafting an appropriate  
11 policy response to the threats posed by the CCP,  
12 to our economic competitiveness, to our workers,  
13 and indeed, our national security.

14 Thank you so much.

15 CHAIR GRIMBALL: Thank you,  
16 Congressman.

17 CONGRESSMAN KRISHNAMOORTHY: Thank  
18 you, and sorry again for the technical issues on  
19 my end.

20 CHAIR GRIMBALL: Thank you, thank you.  
21 We were happy we were able to iron those out.

22 CONGRESSMAN KRISHNAMOORTHY: Thank  
23 you.

24 CHAIR GRIMBALL: Now, I would like to  
25 welcome Congressman Deluzio, to provide

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1 testimony. Congressman, you have the floor.

2 (Pause.)

3 MR. BURCH: Congressman Deluzio, are  
4 you able to hear us?

5 CONGRESSMAN DELUZIO: Yes.

6 MR. BURCH: Yes, you have no  
7 background noise. We're able to hear you loud  
8 and clear.

9 You can begin when you are ready.

10 CONGRESSMAN DELUZIO: Okay, very good.

11 Well, good morning everyone. I thank  
12 of course the U.S. Trade Representative, the  
13 team, panel, for offering me a chance to speak  
14 today.

15 And, for the important work here on a  
16 critical bipartisan issue that impacts our  
17 American workforce, our security, and so much  
18 else.

19 I support U.S. Trade Representative's  
20 findings. China has clearly and intentionally  
21 undercut the American Maritime, Logistics, and  
22 Shipbuilding Sectors through artificially low  
23 prices, massive government subsidies, worker  
24 suppression, and more.

25 Folks in my district of Western

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1 Pennsylvania know this story all too well. We  
2 saw so many of our good manufacturing jobs  
3 shipped overseas, and now steel, ships, you name  
4 it, so many come with a label of made in China.

5 So many of us have been saying this,  
6 I have since I came to Congress. We must stop  
7 rolling over for Communist China. We must  
8 supercharge American manufacturing, and the solid  
9 jobs it can power.

10 My fellow Americans agree. A recent  
11 poll conducted by the Alliance for American  
12 Manufacturing, found that over 70 percent of  
13 people think that American shipbuilding is too  
14 critical to remain dependent on foreign  
15 manufacturers.

16 And over 70 percent believe the  
17 American government should invest in the domestic  
18 shipbuilding industry, citing national security  
19 concerns.

20 The right, I'm a member of the  
21 Seapower and Projection Forces subcommittee on  
22 the Armed Services Committee.

23 And both my colleagues and the top  
24 military brass, share those significant concerns  
25 about our wartime capacity to transport supplies,

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1 munitions, personnel, you name it.

2           There are similar concerns about our  
3 maritime industrial base's ability to rapidly  
4 build ships in response to a conflict or war,  
5 should it come.

6           We've got to address these problems,  
7 and the USTR's proposed remedies are a step in  
8 the right direction.

9           I encourage USTR to move swiftly, and  
10 to work with the Congress in a bipartisan  
11 fashion, to strengthen the remedies and make  
12 investments needed to restore our country's  
13 shipbuilding capacity and workforce.

14           Communist China has taken advantage of  
15 the American people for far too long. That must  
16 end. So, let's stiffen our spines and get to  
17 work.

18           I thank you and with that, I yield  
19 back.

20           CHAIR GRIMBALL: Thank you,  
21 Congressman Deluzio.

22           Okay, at this time we will proceed  
23 with our first panel of witnesses. Just one more  
24 housekeeping matter.

25           We are going to attempt to take a



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1 lunch today around 12:20. It will be a short  
2 one, 30 minutes. So, if we could all plan to be  
3 back in the room by 12:50.

4 I will give a reminder again once we  
5 get closer to the lunch hour, but I did want to  
6 make that housekeeping remark.

7 So at this time, we will begin with  
8 our first panel of witnesses.

9 Mr. Bryant?

10 MR. BRYANT: Good morning, my name is  
11 Brian Bryant. I am the international president  
12 of the International Association of Machinists  
13 and Aerospace Workers.

14 The IAM represents approximately  
15 600,000 active and retired members across a wide  
16 variety of industries, including aerospace,  
17 transportation, manufacturing, and shipbuilding.

18 Our members work on the forefront of  
19 our nation's industrial base, building and  
20 repairing both commercial ships in the critical  
21 Navy platforms for which our men and women in  
22 uniform rely.

23 As a shipbuilder by trade myself out  
24 of Bath Ironworks in Maine, I know firsthand the  
25 critical importance of maintaining and

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1 strengthening the U.S. shipbuilding industry and  
2 its workforce.

3 The IAM applauds the U.S. Trade  
4 Representative's release of the proposed remedies  
5 in response to the Section 301 investigation into  
6 China's unreasonable and discriminatory practices  
7 aimed at control and dominance of the Maritime,  
8 Logistics, and Shipbuilding Sectors.

9 I have seen firsthand the impacts of  
10 their predatory policies on U.S. shipbuilding in  
11 our defense industrial base.

12 As the People's Republic of China has  
13 intensified their decades-long effort to dominate  
14 the maritime sectors, U.S. shipbuilding capacity  
15 has been hollowed out.

16 Our members are particularly aware of  
17 these impacts. They have devoted their lives to  
18 learning and applying the highly specialized  
19 skills needed to build, repair commercial and  
20 naval vessels, only to be furloughed or laid off  
21 by a shrinking industry.

22 In the wake of China's predatory  
23 practices, U.S. shipyards have been forced to lay  
24 off skilled workers, close shop, or are left to  
25 complete -- compete for the mere handful of Naval

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1 and Coast Guard contracts.

2 Year by year, our capacity to meet  
3 future ship production needs is further eroded.  
4 Without action, this strategically vital domestic  
5 industry will continue to decline.

6 We applaud the USTR for proposing  
7 meaningful remedies with a multi-pronged approach  
8 to push back China's predatory behavior, while  
9 also incentivizing the purchase of U.S. built  
10 commercial ships.

11 The swift imposition and  
12 implementation of impactful relief measures, is  
13 critical to the long-term health of the domestic  
14 shipbuilding industry.

15 In order to ensure the proposed port  
16 service fees work best to rebuild the domestic  
17 shipbuilding capacity, we recommend that the  
18 proceeds from these fees be directed into a trust  
19 fund dedicated to funding investments in the  
20 shipbuilding industrial base, and workforce  
21 development.

22 We also recommend that the port fee  
23 service, the service fees are implemented in such  
24 a way as to avoid the potential diversion of  
25 ships away from U.S. ports.

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1                   And finally, we urge the  
2           administration and Congress, to work together to  
3           pair these remedies with additional investments  
4           and policy changes to grow domestic shipbuilding.

5                   The IAM members are eager to build,  
6           and maintain our 21st century Naval commercial  
7           fleet. We remain steadfast in our devotion to  
8           that goal.

9                   The current state of our domestic  
10          shipbuilding industry, is insufficient to meet  
11          our economic and national security needs.

12                   We need swift and decisive action to  
13          turn this critical industry around. We urge the  
14          USTR to move forward with impactful relief  
15          measures sufficient to address the PRC's  
16          extensive efforts to restrict U.S. commerce, and  
17          to reinvigorate our domestic shipbuilding  
18          industry.

19                   Additional detailed suggestions for  
20          implementation of these important measures are  
21          concluded in my written testimony.

22                   In closing, I would ask that two  
23          letters from IAM representative shipyards, Mare  
24          Island Dry Dock in California, and Boston Ship  
25          Repair in Massachusetts, be entered into the

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1 record.

2 Both of these IAM represented yards  
3 support strong remedies. And, both yards have  
4 excess capacity and skilled workers ready to take  
5 on additional shipbuilding, and repair work.

6 Again, I want to thank you for the  
7 critical work that you're doing on this issue,  
8 and for the opportunity to speak for you today.

9 CHAIR GRIMBALL: Thank you, Mr.  
10 Bryant.

11 The two letters that you requested  
12 that we enter into the record, if you haven't  
13 already done so or your associates, could you  
14 please file those on the public docket and we can  
15 consider them in that manner?

16 MR. BRYANT: Okay, they have been  
17 entered in.

18 CHAIR GRIMBALL: Perfect, thank you.

19 Ms. Conroy, you have the floor.

20 MS. CONROY: Good morning, my name is  
21 Cecile Conroy. I am the Director of Government  
22 Affairs for the International Brotherhood of  
23 Boilermakers, Iron Ship Builders, Blacksmiths,  
24 Forgers and Helpers. Thank you for holding this  
25 important hearing today.

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1                   Our union commends United States Trade  
2 Representative Greer and the Trump  
3 Administration, for standing up for American  
4 workers in the U.S. shipbuilding sector, by  
5 proposing strong relief measures to level the  
6 playing field against the Chinese Communist  
7 Party's unfair trade practices.

8                   Boilermaker members have served on the  
9 frontlines of American shipbuilding for  
10 generations, and have witnessed firsthand, the  
11 hollowing out of our Maritime, Logistics, and  
12 Shipbuilding sectors, in the face of unfair  
13 foreign competition.

14                   Our members build the finest military,  
15 merchant, commercial and specialty ships in the  
16 world, and have stepped up time and time again,  
17 to meet the infrastructure and national security  
18 needs of the American people.

19                   We cannot be prouder of our work  
20 knowing that our men and women in uniform, and  
21 everyday American families, depend on the ships  
22 we build to defend their lives and transport the  
23 goods their livelihoods depend on.

24                   During the Second World War, our  
25 members built hundreds of combat ships and

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1 transport vessels, and ensured our military was  
2 able to meet the needs of our nation during war  
3 time.

4 Today, we represent workers all over  
5 the United States, building and repairing Naval  
6 and commercial vessels, including some of the  
7 more specialized such as aircraft carriers,  
8 submarines, littoral combat ships, destroyers,  
9 frigates, tankers, dry cargo ships, icebreakers,  
10 tugboats, and in commercial fishing.

11 But due to China's unfair practices,  
12 our orders are languishing, and too much capacity  
13 has been lost over the past several decades.

14 China has poured well over \$100  
15 billion of State funds into shipyards, and that's  
16 just the tip of the iceberg.

17 They insulate their industry from  
18 market forces by using State owned enterprises to  
19 provide cheap inputs, and cut yard production  
20 costs.

21 Meanwhile, U.S. shipyards have been  
22 devastated. Tens of thousands of jobs have been  
23 lost as shipyards have closed, and highly trained  
24 expert workers have been forced out of the  
25 industrial base.

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1                   We are still enduring the aftershocks  
2 from when the Avondale Shipyard in Louisiana, was  
3 closed in 2014.

4                   At one time, that yard employed over  
5 26,000 people, and was one of the top employers  
6 in the state of Louisiana, for example.

7                   With that closure, the U.S. lost yet  
8 another shipyard capable of building repairing,  
9 and maintaining large commercial and specialty  
10 vessels.

11                  That workforce and capacity loss has  
12 yet to be restored.

13                  While our members we laid off and the  
14 U.S. industry struggled to remain afloat, the CCP  
15 was pushing its shipbuilders to capture  
16 additional market share, and extend their growing  
17 domination of the global shipbuilding industry.

18                  From 2014 to 2022, the world's overall  
19 gross tonnage of shipbuilding -- ships built  
20 declined by 12.5 percent.

21                  Yet China's yards increased their  
22 production by over 13 percent, driving up their  
23 global market share over that period by another  
24 10 percentage points.

25                  We support the relief measures USTR



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1 proposed, including a port fee for Chinese built  
2 vessels.

3 Crucially, the fees must be directed  
4 towards a trust fund to help revitalize domestic  
5 shipbuilding.

6 We also support the transport of U.S.  
7 goods on U.S. vessels, including through specific  
8 mandates and requirements, and meeting percentage  
9 mediums -- minimums over time.

10 In particular, the transport of LNG,  
11 fuel oils, and fuel, should require American made  
12 tankers.

13 Because our members build and repair  
14 both Naval and commercial vessels, we understand  
15 the connection the commercial shipbuilding sector  
16 has to the U.S. industrial base.

17 This is not just an economic security  
18 issue for our union, it is also a national  
19 security issue for the country.

20 The Department of Defense should not  
21 be relying on Chinese-built tankers to support  
22 its tanker security fleet.

23 We commend the USTR and the Trump  
24 Administration for proposing strong remedies  
25 under Section 301 authorities in this case, and

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1 look forward to working with the Administration  
2 on a long-term, and durable implementation of  
3 these policies, and other critical measures to  
4 support American workers and promote the steady  
5 growth of U.S. investments in the shipbuilding  
6 industry.

7                   The United States needs a healthy and  
8 revitalized maritime industry capable of meeting  
9 the commercial and defense needs of our nation,  
10 for years to come.

11                   Thank you for holding this important  
12 hearing today.

13                   CHAIR GRIMBALL: Thank you, Ms.  
14 Conroy.

15                   Mr. McCall, you have the floor.

16                   MR. MCCALL: Good morning, my name is  
17 David McCall, and I am the international  
18 president of the United Steelworkers. I, too,  
19 want to thank you for having this important  
20 hearing today.

21                   The USW is America's largest  
22 manufacturing union, and the largest industrial  
23 union, in North America, representing over  
24 850,000 members in a wide array of industries  
25 around the country.

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1                   Our members work on commercial vessels  
2 and in Naval shipyards, as well as in the  
3 production of steel, engines, boilers, propulsion  
4 systems, glass, coatings, cables, pipes,  
5 fittings, pumps, and other machinery used in  
6 commercial and military vessels.

7                   We commend United States Trade  
8 Representative Greer and the Trump  
9 Administration, for proposing strong relief  
10 measures to fight back against the Chinese  
11 Communist Party's unfair trade practices.

12                   USTR's proposed relief measures will  
13 help work towards a more competitive future for  
14 American shipbuilding production.

15                   Unfortunately, we are very familiar  
16 with China's unfair trade practices, and excess  
17 production capacity throughout the value chain.

18                   We have historically brought  
19 anti-dumping and countervailing duty cases to  
20 address the injury.

21                   Both the USTR and OECD have found that  
22 China has used their non-market excess capacity  
23 in steel, to keep steel production costs below  
24 market rates, which is a critical input for  
25 vessel and component production.

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1                   They also subsidize their domestic  
2 shipbuilding industry. We know that the Chinese  
3 Communist Party has directed over \$100 billion in  
4 State support to Chinese shipbuilding companies.

5                   Mandated preferences for ships built  
6 in China; discriminated against non-Chinese  
7 ships; and, created a global web of ports and  
8 terminals owned by Chinese firms.

9                   Subsidizing excess capacity in steel  
10 production, keeps costs artificially low for  
11 shipbuilding.

12                   Which in turn, subsidizes the  
13 transport of Chinese manufactured exports around  
14 the world.

15                   Meanwhile, U.S. shipyards have been  
16 devastated. Tens of thousands of jobs have been  
17 lost as shipyards have closed, and highly trained  
18 expert workers have been forced out of the U.S.  
19 defense industrial base.

20                   We support the relief measures USTR  
21 proposed, including a port fee for Chinese-built  
22 vessels.

23                   And, these fees must be directed  
24 towards a trust fund to help revitalize domestic  
25 shipbuilding.

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1                   We also support the transport of U.S.  
2 goods on U.S. vessels, including through specific  
3 mandates and requirements, and meeting percentage  
4 minimums over time.

5                   These measures mirror the direction  
6 and the relief measures in the petition we filed  
7 last year.

8                   We also appreciate the fact that the  
9 final relief measures need to be designed to  
10 eliminate economic incentives to divert cargo, to  
11 non-U.S. ports.

12                   Organized labor is aligned across  
13 affiliates, to design and implement policies that  
14 will advance our members and the nation's  
15 interests.

16                   Our petition, the USTR's report, and  
17 the proposed relief measures, recognize the  
18 threat posed by Chinese manufactured and  
19 affiliated logistics equipment and software.

20                   The CCP provides its LOGINK software  
21 system free of charge. And as a result, it is  
22 being used in a number of major international  
23 ports.

24                   That software gives the CCP a detailed  
25 view of what every ship is carrying; and, because

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1 of its Customs and clearance components, the  
2 price of every unit of cargo.

3 That information is a treasure trove  
4 of economic and military intelligence. These  
5 systems and equipment need to be replaced.

6 There is also a direct relationship  
7 between the strength of commercial shipbuilding,  
8 and the capacity for military readiness and  
9 capabilities.

10 Currently, the Department of Defense  
11 relies on Chinese-built vessels and dry docks for  
12 some of its programs.

13 What's more, commercial vessels  
14 transport roughly 90 percent of U.S. military  
15 goods around the world.

16 Addressing the CCP's policies and  
17 practices is not just an economic security issue  
18 for our members, it is also a national security  
19 issue for our country.

20 United Steelworkers commends the USTR  
21 and the Trump Administration, for proposing  
22 strong remedies under Section 301 authorities in  
23 this case.

24 And, look forward to working with the  
25 Administration on a long-term, enduring

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1 implementation of those policies and other  
2 critical measures to support American workers,  
3 and promote the steady growth of U.S. investments  
4 in shipbuilding industry.

5 The United States needs a healthy and  
6 revitalized maritime industry capable of meeting  
7 the commercial and defense needs of our nation,  
8 for years to come.

9 Again, thank you for holding this  
10 hearing today.

11 CHAIR GRIMBALL: Thank you, Mr.  
12 McCall.

13 Mr. Warsh, you have the floor.

14 MR. WARSH: Thank you.

15 Good morning members of the Committee.  
16 Protecting the nation's economy and maritime  
17 security is critically important to domestic  
18 prosperity, and homeland defense.

19 My name is Dean Warsh, I am the  
20 Director of Government Affairs for the  
21 International Brotherhood of Electrical Workers,  
22 the IBEW.

23 The IBEW represents 857,000 members in  
24 a variety of industries, including military and  
25 commercial shipbuilding.

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1           The IBEW is the world's oldest and  
2 largest electrical union with members in nearly  
3 every sector of the economy.

4           IBEW members are employed by Electric  
5 Boat in Connecticut; Ingalls Shipbuilding in  
6 Mississippi; and, U.S. Naval shipyards in  
7 Virginia, Maine, Washington, and Hawaii.

8           These electricians, apprentices,  
9 electronic mechanics, planners, inspectors, and  
10 trainers, are the foundation of America's  
11 maritime workforce.

12           In fact, many of them have security  
13 clearances because of the sensitivity of their  
14 work.

15           IBEW members are essential in  
16 building, maintaining, and upgrading vessels like  
17 Naval submarines and aircraft carriers. Vessels  
18 that secure our nation's defense, and contribute  
19 to international commerce.

20           IBEW members bring specialized  
21 electrical manufacturing, technological, and  
22 energy-related expertise to shipbuilding.

23           We have the capacity, the skilled  
24 workforce, and the capability to meet the higher  
25 demand for next generation American-built



1 vessels.

2                   Unfortunately, the U.S. shipbuilding  
3 industry has been in steady decline over the past  
4 few decades, leaving our nation vulnerable to  
5 foreign dominance.

6                   China's trade practices as documented  
7 by the USTR, have resulted in massive loss of  
8 American jobs, and weakened industrial base.

9                   Today, the U.S. builds only a fraction  
10 of the commercial vessels we produced in the  
11 1980s.

12                   The longer the U.S. shipbuilding  
13 industry stagnates, the more the U.S. loses in  
14 maritime engineering expertise, and the further  
15 we fall behind in the ship construction  
16 technologies used by our competitors.

17                   Investigation by USTR confirmed  
18 China's anti-competitive practices have eroded  
19 America's capacity to produce commercial and  
20 military vessels.

21                   And everyone understands the Navy's  
22 dependence on foreign-built vessels, and  
23 foreign-built components for sealift capabilities  
24 is unacceptable.

25                   The IBEW supports the measures

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1 proposed by USTR, to restore our nation's  
2 maritime strength.

3 A reinvigorated industrial base will  
4 support the energy transition the military  
5 requires for the future.

6 The IBEW also supports requiring a  
7 greater share of U.S. goods, such as liquid  
8 natural gas and crude oil, to be transported on  
9 U.S.-built, and U.S. flagged vessels.

10 A robust U.S. fleet strengthens  
11 national security, and shores up our nation's  
12 supply chains. And, these investments will  
13 ripple across the economy.

14 Every ship built in American yards  
15 sustains thousands of jobs, including for skilled  
16 electricians.

17 Specifically, domestic shipbuilding  
18 industry supports over 400,000 jobs and  
19 contributes over \$42 billion to the U.S. economy.

20 Reviving domestic shipbuilding  
21 capacity is essential to maintaining a ready, and  
22 resilient defense industrial base.

23 IBEW members have long supported more  
24 funding to meet the Navy's goals, including in  
25 the construction of Virginia class, and Fast

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1 Attack submarines.

2 Investing in domestic shipbuilding  
3 reinforces our ability to respond to national  
4 security threats, while also protecting middle  
5 class jobs.

6 IBEW members are proud to contribute  
7 to the defense and prosperity of this great  
8 nation, and we stand ready to work alongside the  
9 USTR to ensure smart policies are implemented  
10 effectively, so America's maritime future is  
11 secured, and American workers are protected.

12 Thank you.

13 CHAIR GRIMBALL: Thank you, Mr. Warsh.  
14 Mr. McKisson, you have the floor.

15 MR. MCKISSON: Thank you.

16 Good morning, my name's Dan McKisson,  
17 and on behalf of the International Longshore and  
18 Warehouse Union, Coast Longshore Division, I  
19 thank you for the opportunity to testify today on  
20 the need to address China's systematic targeting  
21 of the Maritime Logistics and Shipbuilding  
22 industries.

23 Section 301 highlights critical  
24 concerns that impact domestic shipbuilding, and  
25 the continued growth of this sector in the United

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1 States.

2 In addition, Section 301 further  
3 highlights China's dominance in the sectors of  
4 global shipping, shipbuilding, and maritime  
5 logistics.

6 The Coast Longshore Division supports  
7 actions to rebuild the domestic shipbuilding  
8 industry; invest in U.S. mariners; and, address  
9 Chinese dominance over the maritime sector while  
10 ensuring U.S.-bound cargo is not diverted as a  
11 result of these efforts.

12 It is critical that any remedy  
13 includes a measure to address the diversion of  
14 cargo, with a comparable fee on U.S.-bound cargo.

15 The ILWU Coast Longshore Division  
16 represents 22,000 dock workers across the West  
17 Coast, playing a critical role in keeping the  
18 U.S. supply chain moving.

19 For nearly a century, our members have  
20 been the backbone of America's ports, ensuring  
21 the smooth flow of goods that power the economy.

22 Beyond loading and unloading cargo,  
23 we've been a staunch advocate for fair labor  
24 practices; economic security; and, policies that  
25 strengthen U.S. maritime industry.

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1                   The ILWU has a long, has long fought  
2 to protect American jobs and prevent unfair  
3 competition that threatens U.S. ports, and  
4 workers.

5                   Over the past two decades, the  
6 international trade landscape has shifted  
7 dramatically, with U.S. ports steadily losing  
8 market share.

9                   The Northwest Seaport Alliance found  
10 that from January to November of 2024 alone, \$56  
11 billion of U.S. imports were diverted to Canada,  
12 or Mexico.

13                   This was an increase of 7.5 percent in  
14 less than a year, demonstrating the significant  
15 cargo diversion that is already taking place  
16 impacting American ports, and American jobs.

17                   Cargo diversion also means fewer cargo  
18 containers that can be used for exports,  
19 especially for our agricultural exports.

20                   Ports in the Puget Sound have seen  
21 cargo draft decrease significantly, leaving  
22 shippers, particularly exporters, struggling to  
23 secure the containers they need.

24                   Containers must be repositioned at an  
25 added expense to exporters.

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1                   Failing to address cargo diversion  
2 would not only increase the decline in  
3 agricultural exports, but also weaken the  
4 intended impact of the proposed trade actions.

5                   Without proper safeguards, China could  
6 continue to exploit loopholes by redirecting  
7 shipments through Canada and Mexico, further  
8 undermining U.S. commercial shipping and port  
9 workers.

10                  To effectively counter this tactic and  
11 ensure the success of the USTR's measures,  
12 additional enforcement mechanisms are necessary.

13                  That is why we support the inclusion  
14 of a land border fee on cargo originating from  
15 China, in addition to the proposed action by  
16 USTR.

17                  Implementing this measure will prevent  
18 China from bypassing the proposed fees by  
19 rerouting U.S.-bound cargo through neighboring  
20 countries.

21                  Addressing cargo diversion is not just  
22 about protecting U.S. ports, it's about  
23 safeguarding American jobs; ensuring the  
24 competitiveness of our agricultural exports; and,  
25 maintaining critical infrastructure funding.

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1                   In conclusion, the Coast Longshore  
2 Division supports actions to rebuild the domestic  
3 shipbuilding industry; invest in U.S. mariners;  
4 and, address Chinese dominance over the maritime  
5 sector while avoiding unnecessary cargo  
6 diversions for U.S.-bound cargo.

7                   To this end, it is imperative that the  
8 USTR address potential cargo diversion by  
9 implementing a land border fee on diverted  
10 Chinese shipments, thus leveling the playing  
11 field and safeguarding American ports and  
12 workers.

13                   Thank you for your consideration. We  
14 appreciate USTR's efforts to protect and invest  
15 in U.S. maritime industries, and look forward to  
16 continued engagement on this issue.

17                   Thank you.

18                   CHAIR GRIMBALL: Thank you, Mr.  
19 McKisson.

20                   At this time, we will begin with  
21 questions from the government panel.

22                   MR. AU: It's a question for Mr.  
23 Bryant, this is Tom Au, from the Office of U.S.  
24 Trade Representative.

25                   You indicated that it's necessary to

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1 impose sufficient remedies to counter CCP's vast  
2 industrial and trade policies.

3 In your opinion, are the proposed  
4 actions enough to encourage China to abandon its  
5 unfair practices --

6 (Simultaneous speaking.)

7 MR. BURCH: Excuse me, excuse me. May  
8 you please pull the microphone a little closer?

9 MR. AU: Closer? Okay, I'll repeat.

10 Mr. Bryant, this is a question in  
11 regards to whether the proposed actions are  
12 sufficient.

13 In your opinion, are the proposed  
14 actions enough to encourage China to abandon its  
15 unfair practices, or otherwise enough to counter  
16 China's unfair practices?

17 MR. BRYANT: I would answer that it's  
18 a good start. I'm not sure until they're  
19 implemented to see what the results are if  
20 they're working, or if they need to be  
21 strengthened.

22 MR. AU: Thank you.

23 MS. MADELL: Thank you.

24 Ms. Conroy, you said in your testimony  
25 that the shipbuilding sector is vital to our



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1 economic and national security, as well as  
2 providing good jobs for American families.

3           Could you elaborate on this a little  
4 bit? Thank you.

5           MS. CONROY: The connection between  
6 the commercial and the national security side of  
7 things? Just want to make sure I got your  
8 question correct.

9           MS. MADELL: Yes, the national  
10 security and the good jobs.

11           MS. CONROY: Well, I will say that a  
12 lot of this is interchangeable, whether it's your  
13 domestic commercial shipbuilding, or the work we  
14 will do for the Navy and the Coast Guard relative  
15 to advances in technology, maintaining a similar  
16 workforce, a shared workforce.

17           Just the interconnection of both of  
18 those industries being able to work hand-in-hand.  
19 Advances on one side perhaps on the defense side,  
20 or advances on the commercial side, that either  
21 side could make use of.

22           Yes, there's a lot of cross, things  
23 cross each other there. I'm sorry, yes, there's  
24 a lot of interconnection between the technologies  
25 and the advancement of both the Naval/Coast Guard

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1 side of things, and obviously, the commercial  
2 shipbuilding which we would like to revitalize.

3 Thank you.

4 MS. SCHAFER: Next question is for Mr.  
5 McCall.

6 If USTR's proposed actions were  
7 implemented, do you believe that they would  
8 create additional jobs for American workers?

9 And, in what sectors might we expect  
10 to see job creation and growth?

11 MR. MCCALL: I believe that yes, it  
12 will create not only shipbuilding jobs, but  
13 supply chain jobs as well.

14 As I indicated in my testimony, we  
15 make the steel. We make the glass. We make the  
16 coatings for commercial and military vessels.

17 In a typical commercial vessel,  
18 there's over 13,000 tons of steel that's produced  
19 into that ship.

20 So, will it create more jobs?  
21 Absolutely it will increase more jobs. And not  
22 only that, expand the skills so that we can use  
23 them both commercially and militarily in the  
24 building of our industrial base.

25 MR. HARTNETT: Mr. Warsh, what efforts

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1 could be undertaken by labor, industry, or the  
2 government, to ensure that there is an adequate  
3 U.S. shipbuilding workforce?

4 MR. WARSH: Thank you for that  
5 question.

6 And, it all starts with the outreach  
7 to the people in the communities, and  
8 apprenticeships, and making sure people know that  
9 the jobs are available.

10 MS. SCHAFER: And, another question  
11 for Mr. McKisson.

12 Could you just expand on your land  
13 border fee proposal, to avoid what you describe  
14 as the land/border loophole?

15 And, harmonizing U.S. port fees across  
16 all ports of call.

17 MR. MCKISSON: Yes, thank you for the  
18 question.

19 We have this experience with the  
20 Harbor Maintenance Tax right now. So, it's  
21 charged on port cargo that's brought into the  
22 U.S. ports and used to maintain our harbors.

23 Currently, we see a lot of diversion  
24 to Canada, and we would need that fee equalized.

25 And, whatever kind of fee comes out of this

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1     legislation and what the USTR decides, we need to  
2     have that same, an equal fee applied to the land  
3     border crossings.

4                     So, the shippers or the foreign  
5     companies aren't inclined to divert their cargo  
6     to avoid the fees, thus, defunding the proposed  
7     trust that may come out of this.

8                     CHAIR GRIMBALL: Thank you to our  
9     first panel.

10                    Mr. Burch, we are ready to proceed  
11     with -- oh, I'm sorry. One more question.

12                    MS. BONNER: Thank you, I do have a  
13     follow up question for Mr. McCall.

14                    Mr. McCall, you mentioned the LOGINK  
15     system and I was curious if you could expand on  
16     what, how could we create alternatives to it, and  
17     maybe how many ships are expected to be using it.

18                    MR. MCCALL: My understanding is that  
19     the Chinese fleets all use it at most of the  
20     ports, and that it tracks the cargo, the cost of  
21     the cargo, the type of cargo that it is.

22                    And in terms of what the alternative  
23     would be, would be software that would be  
24     developed in the U.S. and then installed on U.S.  
25     vessels.

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1 MS. BONNER: Thank you.

2 MR. AU: Mr. Bryant, this is Tom Au,  
3 from USTR.

4 I had a further question. You  
5 mentioned the shrinking industry and your  
6 experience.

7 Do you have views as ways that would  
8 stabilize demand over time?

9 MR. BRYANT: If I understand your  
10 question, is I talked about the shrinking of the  
11 industry, and your question is, is what ways  
12 could we?

13 MR. AU: Stabilize demand over time so  
14 that potentially, there wouldn't see furloughs or  
15 layoffs, and that.

16 MR. BRYANT: Yes, so it would be  
17 imperative that the, there be an investment from  
18 the U.S. government into commercial shipbuilding  
19 so that you could have that base not only  
20 building commercial ships, but a lot of the same  
21 employers that are building Naval vessels, have  
22 the capacity to build commercial ships.

23 So, you would be building and  
24 strengthening both of those, both sides of that  
25 industry. The commercial and the Naval side of

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1 it.

2 Look, the workforce is there. We know  
3 it's there. It's going to take work to build the  
4 workforce, to build the capacity of the ships  
5 that we need to build.

6 But I know our union, all the other  
7 unions, we have programs in place where we're  
8 recruiting; where we're training the next decades  
9 of manufacturing employees.

10 Those same manufacturing employees  
11 could be pushed into shipbuilding, if the jobs  
12 were there.

13 MR. AU: Thank you.

14 MR. COOK: Mr. McKisson, regarding  
15 the, your proposal for the land border loophole,  
16 at least the way I'm seeing it these proposed  
17 actions are on Chinese ships, which is not  
18 necessarily a one-to-one for Chinese shipments.

19 So, are we hitting the same thing  
20 when, if we are assessing a port fee, a lowland  
21 port fee at same time?

22 And I guess I'm just asking if that's  
23 a, are we hitting the same thing? Are we kind of  
24 trying, or are we missing something there?

25 MR. MCKISSON: Could we be hitting the

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1 same thing as compared to the?

2 MR. COOK: The way I'm thinking of it  
3 is, a Chinese ship that calls to a port may not  
4 necessarily have Chinese shipments. They could  
5 be from Vietnam, or from Taiwan, or somewhere  
6 else.

7 And, vis-a-vis, a ship built in Korea  
8 could very well be carrying Chinese shipments.  
9 And so, in I think the way you're describing it,  
10 a shipment that comes from a Korean ship might be  
11 hit by what you are describing versus a shipment  
12 from a Chinese ship would be hit with -- would  
13 not be hit if it travels by land.

14 So, I'm wondering if there's a way to  
15 address that, or if that's something to consider.

16 MR. MCKISSON: Yes, thank you for that  
17 question.

18 Whatever fees are charged at U.S.  
19 ports, should be charged equally as that cargo  
20 crosses the border from Canada or Mexico.

21 So, currently the Harbor Maintenance  
22 Tax is on every bit of cargo that comes into the  
23 U.S. So, all of that should be addressed at the  
24 land border.

25 If this fee turns out to be selective,

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1 then that's what would be charged at the land  
2 border. An equal fee to what they would have had  
3 to pay when they came through a U.S. port.

4 CHAIR GRIMBALL: Thank you to Panel  
5 One, you are now released with our thanks once  
6 again.

7 Panel Two, if you could begin to  
8 proceed forward, we'll take a brief 3 minute  
9 break to prepare for Panel Two.

10 Thank you.

11 (Whereupon, the above-entitled matter  
12 went off the record at 11:03 a.m. and resumed at  
13 11:07 a.m.)

14 CHAIR GRIMBALL: Thank you. We will  
15 now proceed with Panel Two. Mr. Li, you have the  
16 floor.

17 MR. LI: Thank you, Madam Chair. Good  
18 morning, members of committee. I'm Yanqing Li,  
19 Secretary General of the China Association of the  
20 National Shipbuilding Industry, CANSI. CANSI is  
21 an independent, national wide, and nonprofit  
22 association for the commercial shipbuilding  
23 industry, representing over 95 percent of the  
24 total shipbuilding output in China.

25 On May 29, 2024, we attended the



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1 previous hearing and shared our views. Today, I  
2 want to make this clear again. We maintain an  
3 open stance to the United States rebuilding its  
4 shipbuilding industry, but we firmly oppose doing  
5 so by harming China's maritime sector or  
6 disrupting the global supply chain. That  
7 approach is totally wrong and it won't even work  
8 for revitalizing your shipbuilding.

9 I will stress four points. Firstly,  
10 we oppose any action of suppressing China's  
11 shipbuilding industry. It's very clear the  
12 growth of China's shipbuilding industry is  
13 unrelated to the downfall of the United States'  
14 shipbuilding industry.

15 Everyone here, whether from the global  
16 maritime industry, relevant parties of this  
17 Section 301 investigation, or the USTR Office,  
18 knows the truth. Accusing China's maritime,  
19 logistics, and shipbuilding sector is just a  
20 cover to slap unfair port fees on international  
21 shipping companies.

22 Such actions are extremely unfair to  
23 China and even the global maritime industry, and  
24 will disrupt global network of trade and place  
25 the United States in opposition to the world

1 maritime community.

2           Secondly, the proposed actions are  
3 counterproductive for the United States. The  
4 proposed actions impose high port service fee on  
5 all Chinese built vessels, forcing shipping  
6 companies to redeploy their transport capacity  
7 globally.

8           It's certain that excluding Chinese  
9 built vessels means fewer vessels to American  
10 routes, a significant decline in port throughput,  
11 and an increase in freight costs for American  
12 imports and exports.

13           What happens next? The ports of the  
14 United States lose jobs and revenue, factories  
15 pay more for supplies, exports become less  
16 competitive, and everyday American people end up  
17 footing the bill.

18           Thirdly, China's shipbuilding success  
19 story didn't happen overnight. It took decades  
20 of hard work, innovation, and partnerships with  
21 global players. We've integrated into a global  
22 network where everyone grows together.

23           Now, with challenges of shipping  
24 decarbonization and digitalization, we are  
25 pushing ahead and we are ready to work with

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1 anyone, including the partners from the United  
2 States, to tackle these issues.

3 Last, but not least, we urge relevant  
4 U.S. parties to immediately halt the proposed  
5 actions. We emphasize this clearly again.  
6 China's shipbuilding industry is not an adversary  
7 of the United States. On the contrary, China's  
8 shipbuilding should be regarded as a  
9 collaborative partner.

10 We firmly believe this. By  
11 strengthening cooperation between China and  
12 American shipbuilding industry, we can jointly  
13 become driving forces for green transformation  
14 and sustainable development. Thank you very  
15 much.

16 CHAIR GRIMBALL: Thank you, Mr. Li.  
17 Mr. Zhang, you have the floor.

18 MR. ZHANG: Thank you, Chair. Ladies  
19 and gentlemen, committee members, good morning.  
20 Thank you for the opportunity to address this  
21 important matter. I'm Duo Zhang, Deputy  
22 Secretary General of the China Shipowners'  
23 Association.

24 Our main points have been fully  
25 expressed in our written comments. Today, I will

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1 share two more stories. The first story is about  
2 Chinese shipping companies serving small and  
3 medium-sized ports in the United States.

4 For example, the Port of Tampa, the  
5 largest port in Florida, has generated over \$13.1  
6 billion U.S. dollars for the region, handles  
7 150,000 TEUs annually, and provides employment  
8 opportunities for 80,000 people.

9 In 2024, container shipping  
10 contributed 24 percent of the port's services  
11 with a container volume of 35,000 TEUs. Today,  
12 the proposed actions would significantly impact  
13 small-use ports like Tampa. Ninety-five out of  
14 the 103 U.S. ports are small and medium-sized  
15 ports handling less than one million TEUs  
16 annually.

17 The proposed actions would force  
18 carriers to pay additional costs ranging from  
19 \$1.5 million to \$3 million per port call,  
20 compelling them to reduce or cease calls at these  
21 smaller ports, potentially causing massive job  
22 losses among dock workers and related businesses  
23 there.

24 Should efforts to support the American  
25 shipbuilding industry be made at the cost of

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1 sacrificing the livelihoods and economies of  
2 workers and residents in small port cities?  
3 These people are not mere statistics in  
4 employment reports. They are the economic  
5 pillars, real families.

6           The second story is about the U.S.  
7 trade deficit. Exports of energy resources and  
8 agriculture products are key to reducing this  
9 imbalance. West Virginia, the largest coal  
10 exporting state in the U.S., exported over 41  
11 million tons of coal to over 40 countries in  
12 2024, supporting tens of thousands of jobs.

13           The competitiveness of these exports  
14 would be severely undermined by the proposed  
15 actions. This approach also fundamental fails to  
16 resolve the U.S. trade deficit. We've noted the  
17 comments from various parties, a broad segment of  
18 the U.S. economy, opposed the USTR's proposed  
19 action.

20           U.S. domestic shipping stakeholders  
21 such as the Chamber of Shipping of America, cargo  
22 owner interested groups like the Agricultural  
23 Transportation Coalition, and hundreds of U.S.  
24 trade associations have all voiced their  
25 opposition to these proposals.

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1                   We reiterate first, the proposed  
2 actions will severely damage the U.S. economy.  
3 Second, the Section 301 investigation conclusions  
4 lack factual basis and contradicts the  
5 market-based fair competition principles long  
6 upheld by the United States. Third, broad  
7 segments of the U.S. business community opposed  
8 the proposed actions.

9                   We fully understand the U.S.  
10 government's concerns about revitalizing its  
11 maritime industry and the demands of relevant  
12 industry associations. However, we believe that  
13 cooperation, not confrontation, is the right path  
14 to achieving U.S. industry goals.

15                   As we say in China, unity benefits  
16 both. Conflict harms both. We urge the USTR to  
17 reconsider the proposed actions carefully. We  
18 strongly call on all parties to work together to  
19 find solutions that enhance the well-being of all  
20 stakeholders. Thank you.

21                   CHAIR GRIMBALL: Thank you, Mr. Zhang.  
22 At this time, we will proceed with questions from  
23 the government panel.

24                   MR. COOK: Mr. Zhang, would the  
25 proposed actions change your members' commercial

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1 decisions, and if so, could you explain how?

2 MR. ZHANG: Thank you. The China  
3 Shipowners' Association is a voluntary,  
4 non-governmental trade association. It does not  
5 interfere with its members' business operation,  
6 so we are not in a position to predict what our  
7 members will be doing after the possible  
8 imposition of the port fees. Thank you.

9 MR. HARTNETT: My question is for Mr.  
10 Li. What incentives do your members offer to  
11 purchase Chinese ships? What incentives do your  
12 members offer for the purchase of Chinese ships?

13 MR. LI: Our members, you know, we  
14 have several different members, ones from the  
15 shipyards, and from the suppliers, and the  
16 universities, so our shipyards, of course, will  
17 purchase our members' products and also abroad,  
18 the foreigners, yeah. It depends the shipowners'  
19 organization mainly.

20 MR. HARTNETT: Thank you.

21 MS. BARNHART: Thank you. My question  
22 is for Mr. Zhang. You suggested that shipowners  
23 will not opt for U.S. shipbuilding and U.S. flag  
24 registration simply because of the fees. At what  
25 level of fee should shipowners be incentivized by

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1 ships built in the United States?

2 MR. ZHANG: Thank you very much.  
3 Again, China Shipowners' Association is just a  
4 voluntary trade organization. It does not  
5 interfere with the operation of its members, so  
6 we cannot predict what's the level of the fees  
7 they can afford. Thank you.

8 MR. KAMENSKY: I have a question for  
9 Mr. Li. What opportunities are you aware of for  
10 U.S. companies to participate in the shipbuilding  
11 industry?

12 MR. LI: Yes, actually I came here to  
13 clarify our position and also tell the truth and  
14 wish cooperation first. I think that we need to  
15 stop the proposed actions because there's great  
16 harm. And my suggestion, first we need to build  
17 the dialogue mechanism between our two countries'  
18 industry. Of course, and association is welcome.

19 And second, I invite American  
20 associations or shipyards which may represent  
21 Americans to come back to the JKCEU mechanism,  
22 Japan, Korea, China, and Europe, and United  
23 States. Two years ago, Nasco sent an email that  
24 said we will quit this mechanism.

25 Actually, this mechanism provides a



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1 platform where we meet together once a year, top  
2 executives together, and we listen to  
3 presentations from the macroeconomists globally,  
4 by some famous economists, and also we'll make  
5 the analysis of the shipbuilding market and  
6 recognition of the latest developments, and also  
7 the price of the steel plates and the currency  
8 exchange rates, so a very informative mechanism.  
9 So, I think that's the second point. Thank you.

10 CHAIR GRIMBALL: Thank you. Thank you  
11 for your response to our questions. Before we  
12 proceed with releasing Panel Two, I understand  
13 that Congresswoman Dingell is available in the  
14 waiting room. Congresswoman Dingell, good  
15 afternoon. Thank you for joining us. You have  
16 the floor.

17 MR. BURCH: Congresswoman Dingell, are  
18 you able to hear us?

19 CONGRESSMEMBER DINGELL: Now I can.  
20 Thank you.

21 MR. BURCH: You're welcome. You may  
22 proceed.

23 CONGRESSMEMBER DINGELL: Thank you  
24 very much. Thank you for having me here this  
25 morning. Members of the Section 301 Committee,

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1 thank you for the opportunity to testify today  
2 about this very important issue. Proposed  
3 actions against the People's Republic of China's  
4 unfair trade practices in the maritime,  
5 logistics, and shipbuilding sectors is critical  
6 to this country.

7 As the Co-Chair and Co-Founder of the  
8 Congressional Labor Caucus, I know American  
9 workers can compete with anyone when they have a  
10 level playing field. As a member of Congress  
11 representing Michigan's Sixth Congressional  
12 District, I have seen firsthand how unfair trade  
13 practices have negatively impacted my  
14 constituents and workers in Michigan.

15 A strong domestic shipbuilding  
16 industry supports good jobs and promotes supply  
17 chain resiliency. In addition to direct  
18 shipbuilding jobs, the commercial shipbuilding  
19 industry also supports good manufacturing jobs in  
20 the supply chain, structured steel, electric  
21 cable, and many other important products.

22 In 1975, the United States was a  
23 leader in global shipbuilding, employing more  
24 than 180,000 workers and securing contracts for  
25 roughly 70 commercial builds, but over the last

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1 several decades, like we've seen in other  
2 industries, but this one has been devastated.

3           The U.S. has lost over 70,000 shipyard  
4 jobs. Today, the number of major commercial U.S.  
5 shipyards has fallen from 28 to only seven, just  
6 seven. The U.S. now ranks 19th worldwide in  
7 shipbuilding, in the shipbuilding percent of  
8 global commercial ship construction.

9           The Chinese Communist Party, the CCP,  
10 increasingly implements military-civil fusion, a  
11 policy that views commercial applications as  
12 intertwined with their military goals. The CCP's  
13 commercial investments directly support China's  
14 governing military capabilities, and you know  
15 what? The numbers show that this strategy has  
16 worked.

17           CCP support for shipbuilding provided  
18 over \$130 billion in funding just between 2010  
19 and 2018, and between 2018 and present, China's  
20 shipbuilding orders have grown to 50 percent of  
21 the world's production.

22           As of 2022, Chinese shipyards had  
23 orders for over 1,500 ships. The U.S. now  
24 produces fewer than ten oceanic commercial  
25 vessels per year while China produces 1,000, over

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1 1,000. China has more than 5,500 flag merchant  
2 vessels in oceangoing service, far outpacing the  
3 United States.

4 Further, LOGINK, the CCP's  
5 transportation and logistics software platform,  
6 is controlling cargo at 20 major ports around the  
7 globe, including South Korea, Japan, Antwerp,  
8 Rotterdam, and Hamburg, giving China's government  
9 an unparalleled window into commercial  
10 transactions and trading relationships. The  
11 result of all of this is that in the first half  
12 of 2023, Chinese shipyards received over 72  
13 percent of the world's newly-received orders for  
14 ships.

15 The CCP's unfair trade practices, if  
16 they continue to go unchecked, will make it  
17 impossible for the U.S. shipbuilding industry to  
18 ever recover, and to me, that is unacceptable,  
19 and that's why I was pleased to see that in the  
20 January 2025 report on this issue, USTR found  
21 that China's actions are unfair and have burdened  
22 and restricted U.S. commerce. More importantly,  
23 they found these practices to be actionable under  
24 our trade law.

25 I want to thank the Office of the USTR

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1 for issuing strong proposed regulations,  
2 including a service fee on Chinese operators. I  
3 support this approach, targeting Chinese ships  
4 that were built with unfair subsidies, government  
5 support, and a multitude of non-market  
6 incentives.

7 I also support efforts to promote the  
8 transport of U.S. goods on U.S. flagships and  
9 U.S.-built vessels over time, and I agree with  
10 USTR's proposal that LOGINK, China's port  
11 software, is a risk to our economic and our  
12 national security, and that it must be addressed.  
13 So many issues in trade right now. Everybody  
14 thinks they're economic, but they're also very  
15 real national security risks.

16 As a member of Congress, I stand ready  
17 to help implement bipartisan, we need to be  
18 bipartisan on these issues, legislative solutions  
19 where they are needed in these sectors. The  
20 Office of the United States Trade Representative  
21 plays a critical role in enforcing trade laws.

22 I support strong, long-lasting  
23 remedies that will provide U.S. workers,  
24 shipbuilders, shipyards, and suppliers the relief  
25 they need and deserve, and our country needs it

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1 for our national security. Thank you for your  
2 time and attention to these matters and for  
3 allowing me to appear before you today.

4 CHAIR GRIMBALL: Thank you,  
5 Congresswoman Dingell.

6 CONGRESSMEMBER DINGELL: Thank you.

7 CHAIR GRIMBALL: Before we release  
8 Panel Two, I believe we have an additional  
9 question.

10 MS. BONNER: Thank you. I do have a  
11 follow-up question for Mr. Li and Mr. Zhang. My  
12 question is how many of your members use LOGINK  
13 and how do we create more competition for this  
14 type of service?

15 MR. LI: You mean how many members for  
16 association? Yeah, now so far we have 380, which  
17 are very comprehensive. It's quite different  
18 from the SAG in Japan. It's different from  
19 KOSHIPA in Korea, but it's similar to Sea Europe  
20 in the EU because we are composed not only of  
21 shipyards, but marine equipment suppliers, and  
22 some universities, and institutes, and the ship  
23 design centers, so very comprehensive. Yeah,  
24 thank you.

25 CHAIR GRIMBALL: Thank you, and now we

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1 release Panel Two. Oh, please proceed.

2 MR. ZHANG: Can you please just repeat  
3 your question? I didn't quite catch you.

4 MS. BONNER: Sure, it was -- actually,  
5 I'd like to expand on it. How do your members  
6 use LOGINK and how do we create more competition  
7 for this type of service?

8 MR. ZHANG: You mean the platform, the  
9 LOGINK?

10 MS. BONNER: Yes.

11 MR. ZHANG: Okay, actually really our  
12 association is just a trade organization. We do  
13 not keep the information on our members' business  
14 activities, so we do not know how many of them  
15 are using such a platform.

16 MS. BONNER: Okay, if you would like  
17 to file a post-comment -- oh, actually, Mr. Li --  
18 (Simultaneous speaking.)

19 MR. LI: Yeah, I'm sorry. Yeah, I  
20 forgot the second question.

21 MS. BONNER: Yeah, since I modified  
22 it.

23 MR. LI: Yeah, for the competition.  
24 Actually, in our association, we have different  
25 shipyards, small-sized, medium-sized, and

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1 large-sized. They have a different segment. So,  
2 generally speaking, they have no vicious  
3 competition among them, but for the selection of  
4 the equipment or services, it depends on the  
5 shipowners.

6           Mostly, the shipowners maybe have some  
7 preference for specific equipment. Maybe they  
8 dislike using our members. Maybe they are  
9 outsourcing for the foreign equipment suppliers.  
10 It's their right. Yeah, thank you.

11           MR. HARTNETT: Mr. Zhang, just to  
12 expand on a remark you gave, you mentioned the  
13 Port of Tampa. Cosco contributed 25 percent of  
14 its overall movement of goods for 2024 and you  
15 indicated that this was more common against small  
16 and medium-sized ports in the United States. Is  
17 the 25 percent the general common number? Is it  
18 usually less at the other small and medium ports?  
19 If you could give a sort of sense of the scale at  
20 the other ports, that would be appreciated.

21           MR. ZHANG: Thank you, just 24  
22 percent, okay. We just cite an example to  
23 illustrate our contribution to the small ports of  
24 the United States. I do not have information  
25 available at hand regarding other ports. Okay,



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1 we may just provide further information in our  
2 rebuttal comments later if there is, if we have  
3 such information. Thank you.

4 CHAIR GRIMBALL: Yes, that's fine.  
5 You can supply those in the response comment  
6 period, that information. Thank you. And if  
7 there are no further questions, we release Panel  
8 Two with our thanks. Panel Three, please make  
9 your way forward so that we can begin at 11:35.  
10 So, it's a quick turnaround, three minutes or so.  
11 Thank you.

12 (Whereupon, the above-entitled matter  
13 went off the record at 11:33 a.m. and resumed at  
14 11:36 a.m.)

15 MR. BURCH: Would the room please come  
16 to order?

17 CHAIR GRIMBALL: Thank you. Before we  
18 begin with Panel Three, we are going to have the  
19 government representatives introduce themselves.  
20 I believe I forgot to introduce myself at the top  
21 of the hearing. I'm Megan Grimball. I'm the  
22 Chair of the Section 301 Committee from USTR.

23 MS. BONNER: Sarah Bonner with the  
24 U.S. Small Business Administration.

25 MR. COOK: Ian Cook. I'm part of the

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1 Department of Commerce, specifically in the  
2 International Trade Administration.

3 DR. STEVENS: Andrew Stevens,  
4 Department of Agriculture.

5 MS. MADELL: I'm Mary Lisa Madell with  
6 the Department of Transportation.

7 MS. NADADUR: Anjani Nadadur, Office  
8 of the U.S. Trade Representative.

9 MR. HARTNETT: Christopher Hartnett,  
10 Department of Homeland Security.

11 MR. SULLIVAN: Ryan Sullivan,  
12 Department of State.

13 MR. VAN PATTEN: Tyler Van Patten,  
14 Department of Treasury.

15 MS. BARNHART: Megan Barnhart,  
16 Department of Energy.

17 MS. SCHAFFER: Sonja Schaffer,  
18 Department of Labor.

19 CHAIR GRIMBALL: Thank you. So, at  
20 this time, we will proceed with Panel Three. Mr.  
21 Bloom, you have the floor.

22 MR. BLOOM: Thank you. Good morning,  
23 members of the committee. I'm Patrick Bloom. I  
24 serve as Executive Vice President of Government  
25 Relations for Cleveland-Cliffs, Inc. Thank you

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1 for the opportunity to testify today.

2 Cleveland-Cliffs is the largest  
3 producer of flat rolled steel in North America,  
4 employing approximately 30,000 individuals in  
5 both the United States and Canada, with workers  
6 represented by the United Steel Workers, the  
7 International Association of Machinists, as well  
8 as the United Auto Workers.

9 Cliffs is also one of the leading  
10 producers of steel plate for the American  
11 shipbuilding sector. We produce plate from our  
12 Burns Harbor integrated steel mill in northwest  
13 Indiana, which employs more than 4,000 workers,  
14 and from our Coatesville and Conshohocken Mills  
15 in eastern Pennsylvania, which together employ  
16 more than 800 individuals. These skilled workers  
17 at our plate producing mills are represented by  
18 the USW.

19 Cleveland-Cliffs supplies both carbon  
20 plate and alloy plate for the commercial and  
21 military shipbuilding sectors. Our Coatesville  
22 mill has produced steel for shipbuilding since  
23 1825, and has supplied the U.S. Navy through its  
24 contractors since 1886. Burns Harbor has made  
25 plate since it began production in 1964.

1 Presently, Cliffs continues to  
2 directly support the commercial shipbuilding,  
3 barge, tanker, and ship repair industries.  
4 Cleveland-Cliffs is also a critical supplier of  
5 plate to U.S. Department of Defense contractors  
6 in support of the U.S. Navy's submarine, aircraft  
7 carrier, and destroyer platforms.

8 We welcome the thorough and objective  
9 Section 301 report issued by the Office of the  
10 United States Trade Representative. This report  
11 provided clear and objective evidence of  
12 practices that China has employed in recent  
13 decades to target the maritime, logistics and  
14 shipbuilding sectors for dominance.

15 The report further found that this  
16 targeting by China is unreasonable, burdens or  
17 restricts U.S. commerce, and is thus actionable.  
18 The Section 301 report properly found that  
19 China's status as the world's leading source of  
20 non-market excess steel production is a direct  
21 contributor to China's dominance in shipbuilding.

22 USTR cites the prevalence of  
23 non-market excess steel production benefitting  
24 Chinese manufacturers, including shipbuilders,  
25 through artificially low input costs, which in

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1     turn result in Chinese products undercutting  
2     prices in competitive international markets.

3             China's industrial policies adversely  
4     disrupt steel markets on a global basis.  
5     Furthermore, in sectors like shipbuilding,  
6     China's dominance has succeeded in severely  
7     degrading the steel-intensive U.S. shipbuilding  
8     sector.

9             These dynamics amount to a one-two  
10    punch directed at U.S. producers of steel plate  
11    for ships and harm countless other domestic  
12    supplier industries in the shipbuilding supply  
13    chain.

14            USTR has identified a comprehensive  
15    set of potential actions that constitute bold  
16    steps to begin addressing China's coercive  
17    dominance and to reverse the decades-long decline  
18    of U.S. shipbuilding.

19            Cleveland-Cliffs is supportive of the  
20    proposed service fee on Chinese maritime  
21    transport operators, as well as the restrictions  
22    on services to promote the transport of U.S.  
23    goods on U.S. vessels. Actions of this magnitude  
24    will be necessary to stem the anti-competitive  
25    behavior of China and to rebuild U.S.

1 shipbuilding.

2 In instances where certain fleets, for  
3 example, the Canadian Great Lakes Fleet, have  
4 come to rely on Chinese-built ships, a very  
5 narrowly tailored accommodation may need to be  
6 reached to account for the fact that these  
7 vessels will remain in service for decades to  
8 come.

9 Any such accommodation should be  
10 paired with provisions that heavily encourage the  
11 increased utilization of U.S. shipbuilding and  
12 maritime services sector well into the future.

13 Finally, I want to assure you that we  
14 have the capacity necessary to support the growth  
15 of our domestic shipbuilding industry.

16 Cleveland-Cliffs has existing capacity to  
17 increase production of steel plate for commercial  
18 ships by two to three times our current  
19 production volume.

20 While the precise amount of our  
21 additional capacity would depend on the specific  
22 product mix demanded for commercial ships,  
23 Cleveland-Cliffs has the skilled workforce and  
24 specialty equipment needed to significantly ramp  
25 up production of plate for commercial

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1 shipbuilding.

2 Rest assured that this ramp up in  
3 production volume could be effectuated without  
4 interfering with our Navy-grade alloy steel plate  
5 production that supports the U.S. Department of  
6 Defense.

7 In closing, thank you for considering  
8 these comments. We look forward to working with  
9 USTR and other stakeholders to arrive at an  
10 effective Section 301 action.

11 CHAIR GRIMBALL: Thank you, Mr. Bloom.  
12 Mr. Ford, you have the floor.

13 MR. FORD: Good morning and thank you  
14 for the opportunity to be here today. My name is  
15 Brad Ford. I'm the Executive Vice President of  
16 Plate and Structural Products at Nucor  
17 Corporation.

18 With more than 32,000 teammates at 300  
19 locations across North America, Nucor is the  
20 largest and most diversified steel producer in  
21 the United States. We're also one of the largest  
22 recyclers of any product anywhere in the Western  
23 Hemisphere.

24 Steel and steel plate in particular  
25 plays a vital role in shipbuilding and maritime

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1 industry supply chains. Steel can account for as  
2 much as 85 percent of a ship's total weight.

3 According to a recent study by the  
4 International Council on Clean Transportation,  
5 the shipbuilding industry consumed more than 33  
6 million metric tons of steel in 2021 and 2022.  
7 Nearly 90 percent of this steel, however, was  
8 consumed by shipbuilders in China, Japan, and  
9 South Korea, and it was supplied overwhelmingly  
10 by those countries' steel producers.

11 The erosion of American shipbuilding  
12 capabilities due to China's unreasonable acts,  
13 policies, and practices is therefore a major  
14 concern for Nucor and the entire American steel  
15 industry. We commend and fully support the  
16 Section 301 Committee's work on this  
17 investigation and the U.S. government's  
18 commitment to revitalizing American shipbuilding.

19 This is an urgent matter of both  
20 economic and national security. Nucor stands  
21 ready, willing, and able to supply any growth in  
22 steel demand that will come with the revitalized  
23 American shipbuilding sector.

24 In recent years, Nucor has been  
25 undertaking a \$14 billion investment plan to



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1 ensure it can produce the steel needed for any  
2 application anywhere in the American economy.  
3 These investments include a \$1.7 billion  
4 state-of-the-art plate mill in Brandenburg,  
5 Kentucky, and a \$280 million modernization of  
6 Nucor's plate mill in Tuscaloosa, Alabama.

7           Along with our plate facility in  
8 Hertford County, North Carolina, Nucor has the  
9 combined capacity to produce 3.5 million tons per  
10 year, all of which is made from start to finish  
11 in the United States by American workers. These  
12 mills have long supplied plate for both civilian  
13 and military shipbuilding, including large  
14 commercial vessels and some of the Navy's most  
15 advanced warships.

16           According to data collected during the  
17 U.S. International Trade Commission's recent  
18 sunset review, the American industry had around  
19 8.3 million tons of steel plate production  
20 capacity in 2021, all while operating at less  
21 than 70-percent capacity utilization.

22           This means it could supply about an  
23 additional three million tons per year. And  
24 while these numbers are a few years old, I  
25 believe they are still a reasonably accurate

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1 snapshot of the industry's position today.

2           If anything, they underestimate the  
3 domestic industry's capabilities because they do  
4 not include Nucor's Brandenburg mill which began  
5 operations in late 2022.

6           In other words, the steel supply for  
7 a revitalized domestic shipbuilding industry is  
8 here. The problem is demand, which cannot  
9 materialize until China's unreasonable acts,  
10 policies, and practices are addressed.

11           These remedies proposed in the  
12 February 27, 2025 Federal Register notice are a  
13 good start, including imposing additional costs  
14 on Chinese-built or operated vessels to encourage  
15 the use of American-made ships.

16           But given the extent to which China's  
17 unfair practices have allowed it to achieve  
18 dominance in this sector, a period of adjustment  
19 during which domestic industries modify their  
20 logistics practices will be inevitable.

21           Any remedy should seek to minimize any  
22 unintended costs to American industries during  
23 this transition period as domestic shipbuilding  
24 industries ramp up. We continue to review the  
25 remedies proposed by USTR and will likely have

1 additional comments in our post-hearing  
2 submission.

3           It is also crucial that the benefits  
4 of these proposed actions occur primarily to  
5 American shipyards and their domestic supply  
6 chains. I urge the administration to work  
7 closely with Congress to ensure that a sufficient  
8 and properly-targeted package of financial  
9 incentives for American shipbuilders is passed.

10           The Ships for America Act, introduced  
11 late last year, is one example of such  
12 legislation. Any future incentives for American  
13 shipbuilding should include a robust Buy America  
14 requirement, with a melted and poured standard  
15 for steel inputs. This will ensure a safe and  
16 secure domestic shipbuilding supply chain and  
17 guarantee American workers throughout the economy  
18 benefit.

19           Any incentives should also be targeted  
20 at American shipbuilding and on any portions of  
21 the maritime supply chain that are truly capacity  
22 constrained.

23           In the case of the steel industry, the  
24 capacity is already here. What is needed is a  
25 robust shipbuilding sector that we can support.

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1 Thank you for your time and for your work on this  
2 investigation.

3 CHAIR GRIMBALL: Thank you, Mr. Ford.  
4 Mr. Paul, you have the floor.

5 MR. PAUL: Good morning. I'm Scott  
6 Paul, President of the Alliance for American  
7 Manufacturing. We're a partnership between the  
8 United Steel Workers Union and several  
9 manufacturers with whom they have a collective  
10 bargaining relationship.

11 Our nation has fallen frighteningly  
12 behind China as a result of decades of CCP  
13 policies aimed at dominating sectors like  
14 shipbuilding with clear economic and military  
15 applications. From our earliest days as a  
16 nation, the United States has sought to develop  
17 and maintain a robust shipbuilding capability to  
18 keep our nation safe, project our strength, and  
19 grow our trade.

20 The maritime strength of the United  
21 States help to boost prosperity across the globe  
22 and support well-paying jobs here at home, but in  
23 the 21st century, the People's Republic of  
24 China's approach to bolstering its own domestic  
25 shipbuilding capabilities threatens this

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1 prosperity as well as the remaining shipbuilding  
2 jobs in the United States.

3           China's shipyards secured a staggering  
4 71 percent of global orders in 2024. In 2023,  
5 the United States produced fewer than ten oceanic  
6 commercial vessels while China produced well over  
7 1,000. A briefing slide by the U.S. Navy reveals  
8 that China's shipbuilding capacity is at least  
9 232 times greater than our own.

10           This has significant implications for  
11 our national security. The U.S. Merchant Marine  
12 currently consists of about 175 vessels that are  
13 30 years old on average. This aging fleet,  
14 coupled with our dependence on foreign  
15 shipbuilders, puts our broader supply chain at  
16 risk.

17           Investing in our domestic commercial  
18 fleet and in manufacturing more broadly would  
19 help to shore up our economic security and  
20 bolster our naval and national security  
21 capabilities. To do this, we must first respond  
22 to China's policies.

23           The largest obstacles to shipbuilding  
24 in the United States are the unfair trade and  
25 economic practices of China. While no nation

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1     should be faulted for seeking to develop maritime  
2     capabilities, Beijing's ambitions go well beyond  
3     that. China's shipbuilding capacity has been  
4     turbocharged through a series of efforts aligned  
5     with five-year plans dating back more than two  
6     decades.

7                     Some of the support for Chinese  
8     industry identified in the Section 301 petition  
9     include policy loans from state-owned banks,  
10    equity infusions in debt-for-equity swaps, the  
11    provision of steel plate from state-owned steel  
12    producers at below market prices, tax  
13    preferences, grants, and financing from China's  
14    state-owned export credit agencies. Shipbuilding  
15    was identified as a pillar industry in the Made  
16    in China 2025 scheme. Beijing sought nothing  
17    short of dominating global commerce.

18                    There are also valid concerns about  
19    foreign capital and technology flowing into  
20    Chinese dual-use shipyards. China sought this  
21    transfer of technology, sometimes through means  
22    that are unfair or illegal such as intellectual  
23    property theft, to help boost its naval buildup,  
24    a goal laid out in the 13th national five-year  
25    plan of 2016. In fact, things are so bad that

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1 our own Navy must rely on Chinese-made dry docks  
2 in certain circumstances for repairs.

3           The practices I referenced have  
4 allowed China to capture a massive portion of  
5 global shipbuilding orders and to further its  
6 control over nearly every aspect of global  
7 shipping, port infrastructure, and maritime  
8 logistics networks. This dominance in the market  
9 continues to have a detrimental effect on  
10 shipbuilders in other countries, including the  
11 U.S.

12           Over time, the economic impacts of  
13 these unfair trade practices and shrinking share  
14 of global shipbuilding in America include the  
15 devastating loss of more than 70,000 shipbuilding  
16 jobs in the U.S., and many more indirectly. Any  
17 hope of rebuilding these strategically  
18 significant sectors requires decisive action.

19           For all of these reasons, AAM strongly  
20 supports the relief measures proposed in the  
21 USTR's Section 301 investigation. The USTR's  
22 recommendations include deterring the acquisition  
23 and use of Chinese-built ships, increasing  
24 exports on U.S.-built vessels, reducing exposure  
25 to LOGINK, and engaging with allies.

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1                   We support the proposed dockage fee on  
2 Chinese operators and ships entering U.S. ports  
3 that aims to deter reliance on Chinese vessels  
4 and the requirement to increase the utilization  
5 of U.S.-built and crewed vessels to carry U.S.  
6 exports.

7                   I'll conclude with this. We urge that  
8 fees collected from these measures be directed  
9 towards building American shipbuilding capacity,  
10 supporting the U.S. shipbuilding chain, and  
11 dramatically scaling up workforce training.  
12 Thank you for your consideration of our views on  
13 this matter.

14                   CHAIR GRIMBALL: Thank you, Mr. Paul.  
15 Mr. Moskaluk?

16                   MR. MOSKALUK: Very good.

17                   CHAIR GRIMBALL: Excellent. You have  
18 the floor.

19                   MR. MOSKALUK: Thank you and good  
20 morning. I'm Jeff Moskaluk, Senior Vice  
21 President and Chief Commercial Officer for SSAB  
22 Americas. Our company is a leading domestic  
23 producer of high-quality steel plate and plate in  
24 coil.

25                   SSAB Americas is headquartered in



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1 Mobile, Alabama and operates two electric arc  
2 furnace steel mills, one located in Montpelier,  
3 Iowa commissioned in 1997, the other located in  
4 Axis, Alabama commissioned in 2001. SSAB  
5 Americas focuses on producing a broad product  
6 range of steel plate in some of the most  
7 sophisticated and advanced high-strength steel  
8 grades available in the U.S. market.

9 We provide our customers with the most  
10 complete solutions for their rigorous end-use  
11 applications, including military and commercial  
12 shipbuilding. The other end-use applications  
13 served by our steel mills include heavy  
14 transportation, heavy equipment, energy,  
15 construction, and infrastructure.

16 China's industrial policies intend to  
17 harm the U.S. defense industrial base and  
18 undermine American manufacturing, and as a  
19 result, our national economic security.

20 Predatory practices include heavily subsidizing  
21 critical sectors like steel and shipbuilding, and  
22 then circumventing existing U.S. trade actions.

23 This undermines U.S. competitiveness  
24 and weakens the nation's economic security by  
25 reducing our manufacturing base, eliminating good

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1 American jobs, and reducing our ability to  
2 quickly respond in a time of need with military  
3 and commercial vessels.

4           The domestic steel industry has the  
5 capacity, capability, and the commitment to  
6 support a resurgent and expanded U.S.  
7 shipbuilding industry with the highest quality  
8 and most sophisticated steel plate products  
9 required to meet the growing needs of a  
10 revitalized marine industry.

11           SSAB Americas has been an active and  
12 long-term supplier into the domestic shipbuilding  
13 market for both commercial and military vessels.  
14 From the Great Lakes to the Gulf Coast, from the  
15 Eastern Seaboard to the West Coast, SSAB Americas  
16 has provided the highest-quality steel plate  
17 products to various types of ships and vessels,  
18 including polar icebreakers, Coast Guard cutters,  
19 military supply and support vessels, tankers,  
20 cargo ships, and commercial ferries.

21           One of our proudest moments was to  
22 stand pierside and watch the USNS John Glenn, a  
23 merchant naval ship built with SSAB Americas  
24 steel plate, being christened and put into  
25 service to support the deployment of U.S. troops

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1 around the world.

2 SSAB Americas would like to express  
3 our gratitude to the Office of the United States  
4 Trade Representative for the decisive proposed  
5 action in the Section 301 investigation to  
6 address predatory and unfair Chinese shipbuilding  
7 practices.

8 We understand that a balanced approach  
9 will be required to incentivize and support the  
10 entire marine shipbuilding value chain. We  
11 believe that this focus on rebuilding the U.S.  
12 marine industry will benefit our country's  
13 economic security and support our U.S. national  
14 security interests.

15 This decision represents a tremendous  
16 opportunity for domestic steel producers and the  
17 domestic marine supply chain by focusing on the  
18 revitalization of U.S. shipbuilding and reducing  
19 unfair and predatory competitive pressure from  
20 subsidized Chinese-built vessels.

21 The measure outlined in your ruling,  
22 such as the increased use of U.S.-built ships for  
23 exports in place of Chinese-built vessels, will  
24 undoubtedly create stronger demand for the U.S.  
25 domestic marine industry, and more specifically

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1 for American made ships.

2 This effort will directly benefit the  
3 U.S. domestic steel industry, as well as the  
4 entire shipbuilding value chain. By fostering a  
5 robust domestic shipbuilding sector, the USTR has  
6 taken a crucial step towards supporting American  
7 jobs, ensuring economic security, and advancing  
8 investment within key industries aligned with  
9 shipbuilding.

10 I want to bring to your attention a  
11 requirement that USTR should consider to further  
12 strengthen the U.S. supply chain and increase  
13 demand for American melted and poured steel. I  
14 urge USTR to consider requiring U.S.-built  
15 commercial ships to use steel plates that are  
16 melted and poured in the United States.

17 Current regulations for commercial  
18 U.S.-built ships allow imported steel plates to  
19 be considered as being from a domestic source if  
20 such plate is cut or shaped by domestic steel  
21 plate fabricators, steel service centers, or  
22 shipyards themselves.

23 We understand there may be specific  
24 measures needed to comply with trade agreements.  
25 However, these efforts need to effectively

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1 support the onshoring of the shipbuilding supply  
2 chain and maximize the growth of marine  
3 capabilities in the United States as much as  
4 possible. Doing so --

5 CHAIR GRIMBALL: Mr. Moskaluk, please  
6 conclude. Please conclude.

7 MR. MOSKALUK: -- will certainly lead  
8 to an increase in investment in our  
9 infrastructure and workforce, ultimately bringing  
10 the steel industry and the entire shipbuilding  
11 value chain into a new era of increased  
12 production.

13 MR. BURCH: You have reached your five  
14 minutes for your testimony.

15 MR. MOSKALUK: I have? Okay.

16 MR. BURCH: Yes.

17 MR. MOSKALUK: Was that five minutes?  
18 Wow.

19 CHAIR GRIMBALL: Thank you. Thank you  
20 to all of the witnesses for your testimony and  
21 for being understanding with the time. At this  
22 time, we are going to proceed with questions from  
23 the government representatives.

24 MS. SCHAFER: A question for Mr.  
25 Bloom. You mentioned in your testimony that

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1 Cleveland-Cliffs has the existing capacity to  
2 increase production of steel plate. Can your  
3 workforce immediately take on this increased  
4 production? If not, how many jobs would you  
5 foresee being created and any workforce  
6 development needs do you foresee?

7 MR. BLOOM: Thank you for the  
8 question. Members of the committee, yes, as I  
9 mentioned in my testimony, we have the existing  
10 capacity, and specialized equipment, and skilled  
11 workforce needed to effectively double or triple  
12 our production of plate for the commercial  
13 shipbuilding sector.

14 And this is a question that I posed to  
15 our commercial and operational lead in our plate  
16 division prior to the hearing, and I learned  
17 that, you know, we could conceivably need to add  
18 what we call shift turns, which are additional  
19 shifts, in order to ramp up that production  
20 capacity.

21 In the early phases, that may entail,  
22 you know, additional work for our existing  
23 workforce, and then as we would have the  
24 opportunity to supply additional plate to the  
25 commercial shipbuilding sector, it could require

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1 that we hire additional steelworkers at our two  
2 plate producing operations to produce that  
3 additional volume for the commercial sector.

4 DR. STEVENS: I have a question for  
5 Mr. Ford. How would your supply chain be  
6 impacted by expected price changes in imported  
7 ore that is delivered by Chinese-built ships?

8 MR. FORD: The question was around  
9 increased costs based on ore?

10 DR. STEVENS: Yeah, imported ore.

11 MR. FORD: Right, I appreciate the  
12 question. Thank you. Nucor is a 100-percent  
13 electric arc furnace steel maker, so we do not  
14 use ore in our process. We do use DRI, so we do  
15 import some ore for our DRI. Our team is looking  
16 into what the overall impacts of any of these  
17 remedies may be. We'll have more clarity in our  
18 post-hearing submissions, but there will be some  
19 impact. Appreciate it.

20 MS. NADADUR: Mr. Paul, in your  
21 opinion, what action can USTR take to most  
22 effectively support U.S. shipbuilding capacity  
23 and workforce?

24 MR. PAUL: Could you repeat the last  
25 part of that question? I'm sorry.

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1 MS. NADADUR: Sure, it's what action  
2 can USTR take in your opinion to most effectively  
3 support U.S. shipbuilding capacity and workforce?

4 MR. PAUL: Thank you for the question.  
5 And I think combining the proposed relief  
6 measures with a dedicated funding source to help  
7 offset the significant costs of capital for  
8 upgrading shipyard facilities from repair to  
9 production, for scaling up apprenticeship  
10 programs at shipyards.

11 There's already some incredible  
12 apprenticeship programs in place. However, they  
13 might take resources to be able to scale up to  
14 meet the needs, as well as to more fully  
15 capitalize a shipbuilding supply chain robustness  
16 program.

17 There are some programs that exist  
18 already, but we've seen erosion in the  
19 shipbuilding supply base over the last couple of  
20 decades. In fact, 20,000 companies exited that  
21 space, and so it would take some incentive to get  
22 them going.

23 Combine that with measures to provide  
24 demand looking ahead so that you have the  
25 stability if you're an operator in the United



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1 States to know that there's going to be a market  
2 for those ships moving ahead, which is why the  
3 export carrier requirement is an important aspect  
4 of this as well. Thank you for the question.

5 MS. BONNER: I have two questions, one  
6 for Mr. Paul and one for Mr. Moskaluk. First,  
7 Mr. Paul, can you expand on why you advocate  
8 reducing exposure to LOGINK?

9 MR. PAUL: Certainly, I think there  
10 are several grounds for this. One is that it is  
11 -- I think it's been the express position of the  
12 U.S. government for a number of years that  
13 foreign entities of concern and their access to  
14 sensitive data is not in our national security  
15 interest, and you've seen this expressed through  
16 the law in a variety of ways, through a variety  
17 of vehicles, and so I think that this is a  
18 natural extension of that, of having a  
19 potentially valuable source of data that, by  
20 requirement in China must be made available to  
21 the Chinese Communist Party, puts our national  
22 security at risk.

23 MS. BONNER: Thank you. And my  
24 question for Mr. Moskaluk is if USTR takes action  
25 in this investigation, would SSAB Americas expect

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1 to initiate any plans to increase capacity in the  
2 United States to support shipbuilding?

3 MR. MOSKALUK: Thank you. We  
4 continually look at opportunities to expand our  
5 business, and we look at both expansion of  
6 capacity, but we also look at expanding our  
7 product portfolio. We currently have a market  
8 leading position in advanced high-strength  
9 steels.

10 I mentioned in my testimony supplying  
11 into polar icebreakers. That requires an  
12 advanced steel product, and those are the types  
13 of investments we continue to make so that we can  
14 service the full breadth of requirements for both  
15 commercial and military marine.

16 MS. MADELL: Mr. Bloom, I wanted to  
17 come back to your mention of the challenges in  
18 the Great Lakes shipping. Did you have any  
19 particular suggestions in terms of accommodation  
20 and what accompanying provisions should go along  
21 with that? Thank you.

22 MR. BLOOM: Thank you for the  
23 question. Members of the committee, I don't have  
24 specific suggestions. I urge you to give due  
25 consideration to some of the ideas that you will

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1 likely hear this afternoon by representatives of  
2 the Canadian Great Lakes maritime industry.

3 I would just urge that, you know, any  
4 consideration given to Great Lakes shipping on  
5 the Canadian side, the Canadian Great Lakes  
6 sector, or any consideration given to any foreign  
7 fleet be extremely limited such that it mitigates  
8 any adverse impact on American entities, but also  
9 provides the long-term incentive necessary to  
10 have a number of these fleets considering the  
11 procurement of U.S. flag, U.S.-built rather,  
12 vessels, and increased utilization of U.S.  
13 maritime services.

14 MS. NADADUR: Mr. Bloom and Mr. Ford,  
15 have either of your companies done any analysis  
16 on how long it would take to ramp up capacity in  
17 response to the proposed actions? And we  
18 understand you might not be able to discuss.  
19 They are also happy to have you submit it in  
20 post-hearing comments.

21 MR. BLOOM: Thank you for the  
22 question. I can certainly provide additional  
23 detail in that regard in the post-hearing brief,  
24 although, you know, I would just like to  
25 reiterate what I mentioned during my testimony,

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1 which is that we have significant existing  
2 capacity to ramp up our production of plate for  
3 the commercial shipbuilding industry.

4 MR. FORD: Yeah, thank you for the  
5 question. Again, as I mentioned in my testimony,  
6 the overall industry is operating in that 70-75  
7 percent of capacity range. Nucor's EAF flexible  
8 business model allows us to ramp up or down  
9 production capacity very, very quickly, and so as  
10 the ramp up of the shipbuilding industry occurs,  
11 we'll be able to meet that need very quickly.

12 MR. SULLIVAN: I have a question for  
13 each of you. All of you have alluded to other  
14 policy action necessary to make U.S. shipbuilding  
15 and U.S. steelmaking competitive. Can you  
16 confirm that the remedies proposed here today in  
17 this investigation will not solely provide the  
18 solutions intended?

19 MR. BLOOM: Would you repeat the last  
20 part of that question one more time, please?

21 MR. SULLIVAN: Can you confirm whether  
22 the actions proposed here today will completely  
23 satisfy the needs of the global market for  
24 shipbuilding and steel working to make the U.S.  
25 competitive?

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1 MR. BLOOM: Yeah, I don't know that I  
2 can, speaking for Cleveland-Cliffs, guarantee  
3 that the actions proposed by USTR will be, you  
4 know, adequate to level the playing field with  
5 the Chinese shipbuilding sector and related  
6 industries given the dominance exerted by the  
7 Chinese sector over the last 30 years or so.

8 I do believe that the actions proposed  
9 critically, constitute a critically important  
10 step in the right direction, and any supplemental  
11 actions, I think, would need to be focused on the  
12 extensive shipbuilding supply chain. I'm not  
13 talking steel. I'm talking other components that  
14 are necessary for the shipbuilding and maritime  
15 sectors to ensure that holistically the United  
16 States has the capacity to support increased  
17 shipbuilding well into the future.

18 MR. MOSKALUK: Jeff Moskaluk. I'd  
19 like to follow-up on that. For more than two  
20 decades, I have appeared in this particular room  
21 to testify on various different steel, either  
22 hot-rolled or steel plate hearings related to  
23 dumping or unfair trade. I think this proposal  
24 is a very good start and it has a very good focus  
25 on what would be necessary.

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1 I think to be mindful, and for the  
2 reason why I continue to appear in this room for  
3 over 20 years is the fact that you also have to  
4 be mindful of circumvention and the ability to  
5 get around the intent of the Section 301 and what  
6 you have intended to put in place.

7 Circumvention and monitoring  
8 circumvention is just as important as the  
9 original action, and I think as long as you're  
10 mindful of that, then I think this is an  
11 excellent effort and has all of the right  
12 approach and the right intent.

13 MR. PAUL: I do think that the actions  
14 proposed by USTR are necessary, but that  
15 additional actions may be required, whether  
16 through executive order or congressional action,  
17 the creation of a shipbuilding trust fund that  
18 could administer revenues, again to offset the  
19 cost of capital, which is extraordinary for  
20 developing new shipyard capacity in the United  
21 States or converting it from repair to  
22 manufacture.

23 Again, I also am sensitive to  
24 circumvention or diversion, so that may require  
25 mechanisms. One was recommended on the first

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1 panel. There may be other approaches working  
2 with Canada and Mexico to ensure that that  
3 diversion does not occur through negotiations.

4 And the establishment, again, of  
5 long-term demand that builds on the export  
6 requirement so that U.S. flagged and built ships  
7 are utilized for a variety of tasks with respect  
8 to offshore rigs, and again, the continuation of  
9 transporting LNG exports on U.S.-built ships and  
10 things like that will need to be extended into  
11 the future as well. Thank you.

12 MR. FORD: And finally, I'll just add  
13 a couple of things. I think as we think about  
14 remedies and the incentives that are targeting  
15 revitalizing the shipbuilding industry, I just  
16 think it's very important that they include  
17 strong Buy America provisions. We need to ensure  
18 robust and secure shipbuilding supply chains, and  
19 that should include a domestic melted and poured  
20 standard for any steel used to build ships in the  
21 shipyards.

22 Another thing I would add is I think  
23 we need to consider that there will be a ramp-up  
24 period in the shipbuilding side, and I think we  
25 need to strike a balance during this period

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1 between a remedy that incentivizes the structural  
2 shift in shipbuilding capacity and supply chains  
3 back towards the United States, but without  
4 causing undue disruptions to supply chains in  
5 other critical industries.

6 CHAIR GRIMBALL: Thank you to the  
7 members of the panel for your testimony today.  
8 We are short on time. I think we should break  
9 for lunch right now and come back in 30 minutes  
10 at 12:45. We are going to have a member of  
11 Congress joining us at 12:50.

12 But one last note, Mr. Ford, and I  
13 don't want you to answer now because we need to  
14 go eat, but you've mentioned the desire for a  
15 period of adjustment, but also mentioned the sort  
16 of flexible business model that your company has  
17 to respond to ebbs and flows in demand.

18 So, if you, in your written comments,  
19 could help us balance that out and understand  
20 what you mean by adjustment period and adjustment  
21 period particular to the various proposed  
22 remedies, that would be helpful if you could  
23 cover that in your written submissions.

24 Any anyone, please feel free to  
25 supplement your testimony today with your written



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1 submission. So, thank you very much. Let's  
2 break for lunch and return at 12:45.

3 (Whereupon, the above-entitled matter  
4 went off the record at 12:14 p.m. and resumed at  
5 12:52 p.m.)

6 CHAIR GRIMBALL: Good afternoon,  
7 everyone. As I mentioned prior to lunch, we are  
8 expecting to have two members of Congress  
9 testify. We are waiting for them to join the  
10 waiting room and then we will promptly begin  
11 after they provide their testimony.

12 Good afternoon, at this time I would  
13 like to invite and welcome Congressman Norcross  
14 to provide your testimony. Congressman, you have  
15 the floor.

16 MR. BURCH: Are you able to hear us?  
17 Let me send you a request to unmute. If you're  
18 speaking, we are unable to hear you. Are you  
19 able to activate your webcam? We are unable to  
20 hear him or they're probably unable to hear us.

21 CHAIR GRIMBALL: As an update, we are  
22 trying to connect with Congressman Norcross'  
23 office. We do have another congressional  
24 representative set to testify at 1:00, so I'm not  
25 going to begin with you, Mr. Blazer. We're going

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1 to wait until 1:00, see if that happens on time  
2 as scheduled and, if not, we'll begin with you  
3 and then we'll take a break as needed.

4           Congressman Norcross, can you hear us?

5           CONGRESSMAN NORCROSS: Yes, I can.

6 Can you hear me?

7           CHAIR GRIMBALL: Oh, wonderful. Yes,  
8 we can hear you. You have the floor.

9           CONGRESSMAN NORCROSS: Thank you and  
10 thank you for the opportunity to testify today on  
11 this important issues, proposed actions against  
12 the People's Republic of China, the PRC, for  
13 unfair trade practices in the maritime logistics  
14 and ship building sector and their impact on the  
15 United States.

16           As co-chair and co-founder of the  
17 Congressional Labor Caucus and as a member of the  
18 House Armed Services Committee, I know that  
19 American workers can compete with anyone provided  
20 we all play by the same set of rules. I am here  
21 today to support action against PRC's unfair and  
22 predatory practices in the ship building and  
23 related sectors, as a strong domestic ship  
24 building industry supports good jobs that  
25 promotes a supply chain resiliency.

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1                   In addition to direct ship building  
2 jobs, the commercial ship building industry also  
3 supports good jobs in manufacturing, structural  
4 steel, paint, electrical cable, valves, aluminum,  
5 advanced computer systems just to name a few. We  
6 hear it time and time again at these types of  
7 hearings, at its peak, the U.S. was a leader in  
8 global ship building employing over 180,000  
9 workers, many in good union jobs, securing more  
10 than 70 commercial ship building orders annually.

11                   In recent decades, the United States  
12 has lost over 70,000 shipyard jobs. In my home  
13 city of Camden, we used to employ over 30,000  
14 ship building workers. Unfortunately, the PRC's  
15 unfair trade practices are a key reason for  
16 revitalization of this important industry.

17                   In 2006, the Chinese Communist Party,  
18 the CCP, designated ship building as one of seven  
19 strategic industries. In 2015, the PRC  
20 identified ship building as one of 10 priority  
21 sectors in which the country would seek to  
22 dominate global commerce by 2025 and they are  
23 doing just that. The PRC adopted a laundry list  
24 of unfair, illegal trade practices to develop its  
25 ship building industry, including policies, loans

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1 from the state-owned banks, equity infusions and  
2 debt for equity swaps, buying steel plates from  
3 state-owned steel producers at below market  
4 prices, pact preferences, grants, lavish  
5 financing from China's state-owned export credit  
6 agency.

7           As you can see, it's a laundry list of  
8 unfair and illegal trade practices. The numbers  
9 set bear this out. CCP supports for ship  
10 building provided over 130 billion dollars in  
11 funding just between 2010 and 2018. China's ship  
12 building orders have grown to 50 percent of the  
13 world production.

14           This loss of commercial ship building  
15 capacity in the United States has also a negative  
16 impact on our Merchant Marines and Naval ship  
17 building programs. For example, the U.S. Navy  
18 had to purchase PRC-produced dry docks to repair  
19 and maintain U.S. Naval vessels. The U.S.  
20 government has enrolled the PRC-made ships in  
21 programs that would be used to supply the  
22 military with fuels during times of conflict or  
23 national emergency.

24           I strongly support the types of  
25 remedies proposed by the USTR, a well-crafted

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1 service fee on Chinese operators, phasing in of  
2 export requirements so that U.S. goods and  
3 shipped on U.S. flagged vehicles in the U.S. also  
4 having crewed vessels restricting the CCP's  
5 dangerous port software program, LOGINK.

6 In addition, Congress must ensure that  
7 funds collected through any 301 action are  
8 directed to revitalize this industry and fund  
9 strategic investments to build our work force  
10 ship building capabilities and critical supply  
11 chains.

12 Finally, as USTR considers relief  
13 measures, we support efforts to prevent  
14 circumvention of fees by companies diverting  
15 cargo to Canada or Mexico. USTR plays a critical  
16 role in enforcing U.S. trade laws.

17 As USTR pursues Section 301 remedies,  
18 I, and many of my colleagues in the Congress,  
19 stand ready to work together to revitalize and  
20 rebuild this critical sector. Thank you for time  
21 and attention and for allowing me to appear  
22 before you today.

23 CHAIR GRIMBALL: Thank you,  
24 Congressman Norcross. Now, we are joined by  
25 Congressman Moolenaar. Congressman, you have the

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1 floor.

2 CONGRESSMAN MOOLENAAR: Thank you very  
3 much and good afternoon, members of the committee  
4 and representatives from USTR. I want to thank  
5 you for the opportunity to testify today.

6 I strongly support USTR's Section 301  
7 investigation into the People's Republic of  
8 China's predatory practices in the maritime  
9 logistics and ship building sectors and urge  
10 decisive action to restore the competitiveness  
11 and security of America's industrial base.

12 In 1975, the United States was the  
13 world's number one ship building. Today, our  
14 nation produces just one-tenth of one percent of  
15 global output. For every 359 large commercial  
16 vessels launched in China, the United States  
17 builds just one. This collapse is not the result  
18 of natural market forces, it's the outcome of the  
19 Chinese Communist Party's deliberate,  
20 state-sponsored strategy to dominate a strategic  
21 industry.

22 The PRC is deploying the same play  
23 book in ship building that it has used in  
24 semiconductors, solar panels and batteries. The  
25 CCP picks national champions, pours in illegal

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1 subsidies, directs mergers and acquisitions and  
2 deploys below market pricing to capture global  
3 market share. It leverages its own state-owned  
4 conglomerates to integrate commercial and  
5 military production while foreign competitors  
6 collapse under Chinese overcapacity.

7           As outlined in a recent CIS report,  
8 the China State Building, Corporation, CSSC, now  
9 the world's largest ship building conglomerate is  
10 at the heart of this strategy. In 2024, CSSC  
11 built more commercial tonnage than the entire  
12 U.S. ship building industry has produced since  
13 the end of World War II. But this is not just  
14 about economic might, CSSC is the backbone of the  
15 People's Liberation Army Navy, a core driver of  
16 China's military civil fusion strategy and a  
17 central component in China's effort to project  
18 maritime power far beyond its shores.

19           This dual use nature of China's ship  
20 building model presents grave risk to the U.S.  
21 national security. Commercial revenue subsidized  
22 warship construction. Foreign orders fuel  
23 planned modernization. Joint ventures and  
24 technology transfers accelerate China's technical  
25 advancement.

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1 PRC ship builders continue to benefit  
2 from U.S. capital markets despite clear military  
3 ties. Meanwhile, the PRC's policies have  
4 devastated allied and partner ship building  
5 industries. Japan and South Korea, once global  
6 leaders, are rapidly losing ground. The United  
7 States now faces an unacceptable dependence on an  
8 adversarial power for commercial shipping,  
9 maritime inputs and global port logistics.

10 The U.S. should also reduce exposure  
11 to the national transportation and the logistics  
12 public information platform, LOGINK, a Chinese  
13 Government owned logistics platform that  
14 functions as a data aggregation tool for the  
15 Chinese Communist Party. LOGINK enables the CCP  
16 to monitor commercial and military logistics,  
17 cargo flows and port operations world wide  
18 including at facilities used by the U.S.  
19 military. This is not a theoretical risk, LOGINK  
20 is already operational at over 20 global ports  
21 and is directly overseen by China's Ministry of  
22 Transportation. We must act.

23 I urge USTR to consider the following  
24 actions.

25 One, impose service fees on



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1 Chinese-built vessels. Levy scalable docking  
2 fees on vessels originating from or transmitting  
3 via PRC ports.

4 LOGINK. Restrict LOGINK access to  
5 U.S. shipping data and limit terminals at U.S.  
6 ports from using LOGINK software.

7 Three, coordinate a global response.  
8 Work with allies like Japan and South Korea to  
9 prevent market dumping and establish standard  
10 rules on dual use shipyard procurement.

11 Prioritize emerging maritime  
12 strategies like green shipping. The United  
13 States cannot afford to cede another critical  
14 industrial base to the Chinese Communist Party.

15 We must defend our economic  
16 sovereignty, protect our maritime security and  
17 rebuild our capacity to serve again as the  
18 arsenal of democracy on the seas.

19 Thank you and I look forward to  
20 visiting with you again sometime soon.

21 CHAIR GRIMBALL: Thank you,  
22 Congressman Moolenaar. Before proceeding with  
23 Panel Four, we've had some adjustments of  
24 government representatives. For the record, if  
25 everyone could just introduce yourselves once

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1 more. Please scoot your mics forward as I  
2 understand people in the back are having trouble  
3 hearing us.

4 MS. BONNER: I'm Sarah Bonner, U.S.  
5 Small Business Administration.

6 MR. COOK: Ian Cook, U.S. Department  
7 of Commerce.

8 DR. STEVENS: Andrew Stevens, the  
9 Department of Agriculture.

10 MS. MADELL: Mary Lisa Madell,  
11 Department of Transportation.

12 MR. SALKELD: David Salkeld, United  
13 States Trade Representative.

14 MR. HARTNETT: Christopher Hartnett,  
15 Department of Homeland Security.

16 MR. SULLIVAN: Ryan Sullivan,  
17 Department of State.

18 MR. VAN PATTEN: Tyler Van Patten,  
19 Department of Treasury.

20 MS. SCHAFER: Sonja Schafer,  
21 Department of Labor.

22 CHAIR GRIMBALL: And, I'm Megan  
23 Grimball, Chair of the Section 301 Committee,  
24 Office of the U.S. Trade Representative. With  
25 that, Mr. Blazer, you have the floor.

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1 MR. BLAZER: My name is Daniel  
2 Blazer and I'm appearing today on behalf of World  
3 Direct Shipping, WDS. I appreciate the  
4 Committee's attention to this matter which is  
5 important to both our company and our country.

6 We certainly agree with the Trump  
7 Administration's goal to strengthen the U.S.  
8 maritime logistics and ship building sectors.  
9 However, I would like to explain why the proposed  
10 responsive actions would be counterproductive to  
11 achieving that goal.

12 WDS began operations as an ocean  
13 common carrier in 2014. Initially, operating a  
14 single chartered vessel between Seaport Manatee  
15 Florida and Coatzacoalcos, Mexico. Founded by  
16 Dekalb Farmers Markets, which was established by  
17 my father, Robert Blazer, in 1977. WDS was  
18 created to offer a more secure and efficient  
19 alternative to traditional cross-border  
20 transportation for Dekalb's cargo, fresh fruit.

21 Since then, WDS has expanded and now  
22 transports goods for numerous leading companies.  
23 Currently, WDS owns and operates three container  
24 vessels, providing a direct connection between  
25 three Mexican ports and Seaport Manatee. WDS'

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1 short sea service transports approximately 50  
2 percent of all containerized imports from Mexico  
3 to the eastern U.S., as well as around 50 percent  
4 of all containerized exports from the eastern  
5 U.S. to Mexico, representing 90 percent of  
6 Seaport Manatee's containerized traffic.

7 This cargo generates an annual  
8 economic impact of over 2.5 billion dollars,  
9 directly employs over 500 people and indirectly  
10 supports over 14,000 jobs in Florida. Despite  
11 this tremendous contribution to the U.S. economy,  
12 WDS would be subject to the proposed one million  
13 fee per U.S. port call as two of its three  
14 vessels were built in China.

15 WDS' first vessel, Queen B, was built  
16 in China in 2004. WDS acquired Queen B in 2015  
17 and significantly modified her over the past  
18 decade to meet the unique demands of the U.S. and  
19 Mexico maritime market. Key modifications  
20 include the installation of cargo cranes, the  
21 addition of an SO2 scrubber and the optimization  
22 for stowing 53-foot containers.

23 In the same way, WDS' second vessel,  
24 Queen B II, built in China in 2009 and purchased  
25 in 2018, has undergone comparable modification to

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1 ensure compatibility with her sister ship and  
2 provide operational redundancy. Queen B and  
3 Queen B II are specifically designed to meet the  
4 unique operational requirements of the U.S. and  
5 Mexico maritime trade.

6 Due to their complexity and  
7 specialized modifications, replacing these  
8 vessels with alternative non-China built tonnage  
9 in the near term is not feasible. Given the  
10 already intense competition from cross border  
11 trucking and resulting low profit margins, the  
12 imposition of fees would make WDS' service  
13 economically unviable.

14 If WDS were to lose economic  
15 viability, the U.S. would lose a crucial  
16 alternative to traditional cross border  
17 transportation. Without WDS, approximately 1,000  
18 additional trucks would cross the border each  
19 week, worsening border port congestion,  
20 compromising supply chain resilience,  
21 accelerating the deterioration of U.S. highway  
22 infrastructure and increasing distances traveled  
23 within Mexico. These longer routes within Mexico  
24 would like pass through areas controlled by  
25 cartels, raising the risk of illegal drug

1 trafficking.

2 In addition to increased congestion  
3 and security risks, U.S. exports to Mexico would  
4 be significantly impacted. Our competitive rates  
5 and efficient service have made it financially  
6 feasible for businesses to export their goods to  
7 Mexico. The loss of this export trade would  
8 further exacerbate the already substantial U.S.  
9 trade deficit with Mexico.

10 More importantly, the resulting loss  
11 of thousands of jobs would have a profound impact  
12 on the economic well being of families across  
13 Florida. As a family-owned business, WDS has  
14 made significant investments and demonstrated an  
15 unwavering commitment over the past decade to  
16 develop the only service of its kind. The loss  
17 of this service would result in a substantial  
18 financial blow, devastate thousands of American  
19 families and potentially discourage future  
20 investments in the community.

21 We fully support the administration's  
22 efforts to revitalize the American ship building  
23 industry and hope that adequate ship yards for  
24 container vessels will be established so that  
25 future vessels can be built in the U.S. However,

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1 in WDS' case, imposing port fees on its 16 and  
2 21-year-old Chinese-built will not help increase  
3 American ship building capabilities or reduce  
4 China's dominance in ship building. Instead, it  
5 would result in the loss of a vital trade route  
6 facilitated by WDS via the Gulf of America that  
7 has become a crucial part of the infrastructure  
8 supporting U.S.-Mexico trade.

9 It is essential that WDS be protected  
10 from the responsive actions as WDS plays a key  
11 role in the strength and resilience of our trade  
12 relationships, supply chains, safety and the  
13 prosperity of our communities.

14 Thank you for your time and  
15 consideration.

16 CHAIR GRIMBALL: Thank you, Mr.  
17 Blazer. Mr. Martin, you have the floor.

18 MR. MARTIN: Good afternoon. Thank  
19 you for the opportunity to speak today on an  
20 issue of critical importance to the U.S. shipping  
21 industry. I'm the President/CEO of Tropical  
22 Shipping, an American-owned, Florida-based  
23 shipping company that has served the Caribbean  
24 since 1963.

25 I'm proud to be part of Tropical,

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1     which has grown to nearly 1,500 employees and  
2     serves over 30 ports throughout the Caribbean,  
3     Central and South America from the Port of Palm  
4     Beach, Florida.

5                     We ship virtually everything needed  
6     for daily life, agriculture, food products such  
7     as produce, poultry, groceries as well as  
8     vehicles, building materials, medical and  
9     hurricane relief supplies and much more.

10                    According to the U.S. Census Bureau,  
11     U.S. exports to the Caribbean were more than 92  
12     billion dollars in 2024. Tropical Shipping has  
13     played a large part in developing this market.  
14     The Caribbean is the fourth largest export market  
15     from the United States, only behind Canada,  
16     Mexico and China.

17                    We understand the long term objectives  
18     of the USTR in this case; however, we submit that  
19     the proposed action would have an adverse effect  
20     on American shipping companies like Tropical, on  
21     American exporters of goods from the United  
22     States to the Caribbean and on U.S. influence and  
23     security in markets we serve.

24                    What is the current situation?  
25     American-owned carriers like Tropical are the



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1 leading ocean carriers in the Caribbean. Unlike  
2 most international carriers, which are not  
3 American-owned. Our 19 vessels were built to  
4 serve shallow draft ports in the Caribbean. Nine  
5 of them were built in China between eight and 25  
6 years ago. During this time period, Tropical had  
7 little to no practical opportunity to build new  
8 vessels in the U.S.

9           Our vessels are much smaller than the  
10 16,000 TEU capacity vessels most international  
11 maritime carriers use. Our fleet of vessels  
12 range in the size of 150 to 1,110 TEUs. Tropical  
13 vessels have participated in the U.S. Southern  
14 Command's Tradewinds Exercises, which have been  
15 described as key to maintaining regional  
16 security, safety and prosperity throughout the  
17 Caribbean Basin.

18           What is the impact of the proposed  
19 action? The reality is simple, the U.S. shipping  
20 industry serving the Caribbean cannot absorb the  
21 additional costs of the proposed port fees, which  
22 would have significant economic consequence.  
23 Instead of strengthening American  
24 competitiveness, these port fees would push  
25 American-owned carriers, like Tropical out of

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1 business.

2           The proposed action would create a  
3 multiplier effect across American shipping  
4 industries and beyond. U.S. farmers and other  
5 businesses that export to the Caribbean as well  
6 as trucking, American port communities that  
7 depend on cargo flow will all experience reduced  
8 demand and vast economic impacts. The average  
9 vessel service to Caribbean is 1,100 TEUs. If  
10 the fees in this proposed action are applied to  
11 these smaller vessels, we would have to double  
12 our freight rates with an average increase of  
13 2,500 dollars per 40-foot container. An increase  
14 of this magnitude would be catastrophic for U.S.  
15 exporters.

16           As comparing, applying the proposed  
17 million dollar fee to a vessels that calls in a  
18 single U.S. port directly from China, carrying  
19 16,000 TEUs, the increased cost per 40-foot  
20 container would only be 125 dollars. We expect  
21 the unattended consequences will be America's  
22 third border, the Caribbean Basin will become  
23 China's new Red River, a trading route dominated  
24 by Chinese carriers and vessels transporting  
25 goods from China and other supply sources outside

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1 the United States.

2           What are the remedies to the proposed  
3 action? Exempt American-owned and headquartered  
4 vessel operators from the remedies. Apply the  
5 remedies not based on composition of current  
6 fleets already in service but on future addition  
7 to fleets. We must find a balanced solution that  
8 advances American businesses, jobs, supply chain  
9 and stability. I urge this committee to consider  
10 exemption or policy adjustments that ensure  
11 American-owned shipping companies are not  
12 unfairly penalized for decisions made years  
13 before these tariffs, thereby assuring a fair and  
14 equitable policy.

15           Thank you for the opportunity to  
16 testify.

17           CHAIR GRIMBALL: Thank you, Mr.  
18 Martin. Ms. Metcalf, you have the floor.

19           MS. METCALF: Thank you. I'll get  
20 this a little bit closer so we're good here.  
21 Good afternoon, I'm Kathy Metcalf, the President  
22 of the Chamber of Shipping of America. Our  
23 members are both U.S. flag and non-U.S. flag  
24 owners, operators and charters. However, none of  
25 our members own, operator or charter a Chinese

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1 registered flag. That can give you a little bit  
2 of where we're coming from. I'm also going to  
3 apologize in advance, I'm taking up probably 10  
4 seconds of my five minutes, but having listened  
5 to all this testimony this morning, I have notes  
6 all over my already perfect testimony, so if I  
7 miss something, I apologize it's in my written  
8 comments.

9 We are absolutely a supporter of the  
10 U.S. flag fleet, U.S. ship building capacity, but  
11 we would argue this is not the place to do that.  
12 Legislative vehicles like Senator Kelly's Ships  
13 for America Act from the last Congress, which is  
14 supposed to be introduced in the upcoming  
15 Congress, actually this spring, that's the  
16 vehicle, because even if we were to impose the  
17 port fees as proposed in your document, it  
18 wouldn't even come close to creating the  
19 investment necessary to rebuild an industry that  
20 has gone down the ways for a number of decades.

21 The question I have and this is some  
22 of the new stuff I'm dancing very quickly here.  
23 The question we ask is did U.S. ship building go  
24 down did Chinese ship building get better? I  
25 don't mean better quality wise, I'm just saying

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1 who had the business plan that worked best on the  
2 global stage. Keep in mind if we're looking at  
3 U.S. ship building competitiveness, it's not just  
4 China. It's Japan, it's South Korea, it's  
5 Turkey, it's Singapore. We have to support  
6 legislation to make U.S. ship building  
7 competitive again. I'm sorry, I should've used  
8 the bumper sticker, Make U.S. Ship Building Great  
9 Again.

10 With that said, I would urge you just  
11 to consider the way we've looked at this, not  
12 whatever penalty we could impose here that might  
13 help to some degree U.S. ship building, to us the  
14 question is, what is the appropriate penalty to  
15 be imposed on the Chinese Government for a  
16 violation of Trade Act Section 301. That's the  
17 way we're looking at that. If we do this wrong,  
18 and I say we because we're all part of the same  
19 process, it cannot have unintended consequences  
20 on the U.S. marine transportation system.

21 Penalizing China and the U.S. marine  
22 transportation system is not an acceptable result  
23 and we'd urge you to consider that. We do not  
24 support the imposition of port fees on  
25 non-Chinese built ships. As you've heard from

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1 previous testimony, those ships no longer have a  
2 nexus to the Chinese Government. The Chinese  
3 Government has already got their money because  
4 they signed the contract, they built the ship,  
5 they took delivery. If we were to impose port  
6 fees on Chinese-built ships, no longer connected  
7 to China through registry or Chinese beneficial  
8 ownership, you're penalizing the wrong folks.

9 We would also urge as a fallback that  
10 if you should decide to impose port fees on  
11 Chinese-built ships with no nexus to China, it  
12 should be done at a point in the future, later  
13 point to be determined. People have already,  
14 based upon the current rules, entered into  
15 enforceable legal contracts and they should not  
16 be penalized for rules that come after that fact.

17 The other thing that I just want to --  
18 and I've just totally skipped three paragraphs,  
19 but that's okay because I thought it was  
20 important to get to some of these other points  
21 here, is imposition of these fees, particularly  
22 at this level, is going to cause a significant  
23 disruption all the way up and down the supply  
24 chain. We're just the cab drivers. We're just  
25 the floating objects but on either side of our

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1 ships are the people that make goods, the workers  
2 that produce goods and on the other side, the  
3 folks, the logistics side of it that deliver  
4 those goods to the consumers.

5 In our opinion, imposition of these  
6 port fees would jeopardize not only the U.S.  
7 economy, the global marine transportation system,  
8 but most importantly the U.S. consumer.

9 Thank you very much.

10 CHAIR GRIMBALL: Thank you, Ms.  
11 Metcalf. Mr. Staib, you have the floor.

12 MR. STAIB: Good afternoon. My name  
13 is Bill Staib and I am President and CEO of  
14 Unitcargo Container Line, Incorporated. I'd like  
15 to say thank you for the opportunity to testify  
16 regarding the proposed action pursuant to Section  
17 301, Investigation of China's Targeting of the  
18 Maritime Logistics and Ship Building Sectors,  
19 which I will just call the proposed action during  
20 my testimony.

21 Our company, Unitcargo, is an ocean  
22 transportation intermediary, licensed by the  
23 Federal Maritime Commission and specifically what  
24 is known as a non-vessel operating common  
25 carrier. Unitcargo is one of Port of Houston's

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1 largest NVOs by container volume with particular  
2 experience arranging shipments of containerized  
3 plastic, which are shipped in high volume.

4 Our customers are particularly  
5 sensitive to increased costs in the shipping  
6 industry as they only make a small profit for  
7 each container of goods that is exported and  
8 sold. My main concern about the proposed action  
9 is that it will drastically increase costs for  
10 the shippers and exporters. This could destroy  
11 or drastically reduce my business and the export  
12 industry as a whole.

13 In our industry, vessel operators do  
14 not take on the burden of fees envisioned by the  
15 proposed action. Current law allows ocean  
16 carriers to set their own rates and charges.  
17 Based on my experience in this industry, it is  
18 common practice for ocean carriers to increase  
19 their rates and add surcharges to ensure their  
20 bottom line is not negatively affected by  
21 industry changes.

22 Accordingly, the fees in the proposed  
23 action will not really be paid by Chinese  
24 shipping companies or other companies operating  
25 Chinese ships, they will be paid by the exporters



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1 and consumers in the United States who will see  
2 drastic increases in costs and loss of goods sold  
3 when the market for such goods cannot sustain  
4 those added costs.

5 We have seen this before during the  
6 COVID-19 pandemic when vessel space was in high  
7 demand, ocean carriers increased shipping rates  
8 for shippers and reported record profits. Last  
9 year, in anticipation of the International  
10 Longshoreman strike at U.S. East Coast and gulf  
11 ports, once again, carriers imposed port  
12 disruption charges on shippers. I do not see how  
13 or why ocean carriers would bear this cost rather  
14 than passing it down to shippers by increasing  
15 rates or surcharges.

16 The proposed action will penalize  
17 exporters, not ocean carriers. Further, I  
18 believe the proposed action's port fees would be  
19 an indirect tax on exports in violation of the  
20 constitutional prohibition against duties on  
21 exports. The U.S. Constitution, Article 1,  
22 Section 9, Clause 5 states, that no tax or duty  
23 shall be laid on articles exported from any  
24 state. This constitutional prohibition extends  
25 to indirect taxes on exports that functionally

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1 tax exports. That is precisely what these port  
2 fees do.

3           There are other serious consequences  
4 to the proposed action as it is written. It will  
5 decrease U.S. exports to other countries, harming  
6 our trade deficit with those countries. It will  
7 destroy American jobs, exporters, transportation  
8 companies, truckers and port workers all rely on  
9 shipments moving through U.S. ports. It will  
10 decrease global competitiveness for U.S. made  
11 products. It will negatively impact the U.S.  
12 Government's stated goal for oil  
13 self-sufficiency. Many exports, like the ones my  
14 customers sell, are downstream petrochemical  
15 products. A strong market for downstream  
16 petrochemical products increases the  
17 profitability of oil drilling.

18           The proposed action would harm or  
19 outright destroy the U.S. export market for these  
20 types of goods, many of which are traded in high  
21 volumes with low profit margins and be  
22 detrimental to the oil and gas industries as a  
23 whole. That is before even considering the  
24 effect of increased transportation costs on oil  
25 and gas exports.

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1 Altogether, while I support the  
2 revival of U.S. ship building, I do not believe  
3 the proposed action will accomplish what it hopes  
4 and instead will penalize U.S. companies and our  
5 national interests. I believe actions to target  
6 China and revive U.S. ship building need to be  
7 redesigned without the imposition of fees on  
8 carriers or restrictions on U.S. exporters.

9 Thank you very much.

10 CHAIR GRIMBALL: Thank you, Mr. Staib.  
11 Mr. Wright, you have the floor.

12 MR. WRIGHT: Good afternoon. My name  
13 is Duncan Wright, President and CEO of UWL. We  
14 are a privately held NVOCC and freight forwarding  
15 company based in Cleveland, Ohio. We have been  
16 serving U.S. importers and exporters for 65  
17 years, adapting and evolving to meet the ever  
18 changing challenges of global logistics.

19 As a generational family business, we  
20 take immense pride in the work we do and our  
21 entrepreneurial legacy. I'm here today to speak  
22 on behalf of not just the family business, but  
23 the countless U.S. jobs at risk and to bring to  
24 light the severe consequences that this proposal,  
25 as currently written, would have on our

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1 livelihoods, our employees and our customers.

2           Whilst we fully support the  
3 overarching goals of Section 301, the proposal  
4 threatens to devastate a vital service that we've  
5 worked tirelessly to establish. The stakes here  
6 are incredibly high. It's not just about the  
7 significant job losses for our company, but a  
8 ripple effect impacting jobs across trucking,  
9 dock workers, warehouse and rail workers who all  
10 support our service operationally. Let me  
11 explain why.

12           During the height of the COVID crisis,  
13 we didn't sit back and wait for things to return  
14 to normal, we took bold action and partnered with  
15 SWA Shipping, a prestigious British 200+-year-old  
16 family owned company to launch the Sun Chief.  
17 This is a dedicated container service connecting  
18 Vietnam to Seattle and onwards via rail to the  
19 mid-west. This wasn't just another shipping  
20 service, this was a life line and it filled a  
21 massive gap providing a reliable and consistent  
22 shipping option for major U.S. importers and  
23 exporters.

24           While the industry's average for on  
25 time performance from all the major container

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1 shipping lines currently stands at 46 percent in  
2 January, the Sun Chief has been performing at 90  
3 percent reliability. The service has won  
4 accolades and awards from the largest U.S.  
5 retailers and manufacturers and ranks number one  
6 in the South Asia trade for reliability per sea  
7 intelligence reports.

8           Yet despite the success of our  
9 service, the proposal would effectively place a  
10 massive, unmanageable burden on our company and  
11 our shippers. Here's why, the Sun Chief relies  
12 on small Chinese-built 2,700 TEU ships that are  
13 about an eighth of the size of the huge foreign  
14 vessels that service the trans-Pacific. The  
15 ships were purchased by SWA Shipping from a  
16 Chinese ship yard in 2020 and the financial  
17 impact of the penalties if applied as proposed  
18 would be catastrophic. We would face penalties  
19 seven to eight times greater than our foreign  
20 competitors and for an operation that averages  
21 1,200 import containers per sailing, that's an  
22 additional 1,000 dollars per container.

23           In stark contrast, the larger foreign  
24 carriers would only see a fraction of that cost  
25 per container. Those large carriers will simply

1 cut their smaller port calls leaving U.S.  
2 businesses that rely on our service scrambling  
3 for reliable alternatives. The end result, the  
4 very U.S.-based competition that we've worked so  
5 hard to establish in the market will be  
6 destroyed. Huge foreign ships already driving  
7 down reliability will gain yet another advantage  
8 while smaller services, like the Sun Chief, will  
9 be wiped off the map leaving U.S. shippers with  
10 fewer options, higher costs and more uncertainty.

11 This proposal would decimate a service  
12 that was specifically created to address the U.S.  
13 logistics prices and bring more control back to  
14 American companies. If we had known that the  
15 decision to use Chinese-built ships many years  
16 ago would be the death knell of our business, we  
17 would have made different choices, but we  
18 launched this in good faith.

19 If this bill is to be passed, we do  
20 ask that you consider alternatives, perhaps  
21 exemptions for smaller feeder class size ships  
22 3,000 TEU and below or maybe a per container or  
23 metric ton fee, not a flat per vessel port call  
24 fee. This would allow smaller players like us to  
25 compete on an even playing field across all

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1 vessels regardless of size and help us to  
2 continue to operate the face of an already tough  
3 market dominated by subsidized foreign carriers.

4           The Sun Chief service was founded on  
5 the very principles this administration is  
6 advocating for, bringing more control to U.S.  
7 importers and leveling the playing field. We're  
8 at the forefront of that change and if you let  
9 this pass as written, you will destroy a service  
10 that is helping to reshape the logistics  
11 landscape. We are not just another cog in the  
12 machine and we need your help to keep the promise  
13 we made to our American people, a reliable,  
14 efficient and sustainable supply chain that  
15 benefits American businesses and consumers.

16           I urge you to reconsider this proposal  
17 not just for UWL, but for the countless U.S.  
18 jobs, businesses and consumers who depend on our  
19 service.

20           Thank you for your time.

21           CHAIR GRIMBALL: Thank you, Mr. Wright  
22 and to the entire panel for your testimony this  
23 afternoon. At this time, we will begin with  
24 questions from our government representatives.

25           MS. MADELL: Thanks very much. Mr.

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1 Blazer, given the existing ship building capacity  
2 outside of China, do you expect that any proposed  
3 action that's put in place would impact overall  
4 freight rates that U.S. importers have to pay?  
5 Would a fee on port calls have an impact on  
6 freight rates for U.S. exporters?

7 MR. BLAZER: Can you say the first  
8 part of that question again?

9 MS. MADELL: So, given the fact that  
10 there are ships available being built in places  
11 other than China, do you think that the proposed  
12 actions would impact overall freight rates for  
13 U.S. importers and would the fee on port calls  
14 affect freight rates for U.S. exporters?

15 MR. BLAZER: I think on a global  
16 scale, our scale is just Mexico and Florida, so  
17 we don't have any competition except truck and if  
18 there's no fees on trucks, we're finished. But,  
19 on a global scale, the larger carriers can  
20 reallocate their, let's say they have 50 percent  
21 Chinese vessels, 50 percent non-Chinese-built  
22 vessels, they can reallocate their tonnage to  
23 service the different markets.

24 You'll see that there's a lot more  
25 Chinese-built tonnage than the other ones, but



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1 they might use them as a feeder service. They  
2 might call just one port. Whatever port they  
3 call would be farther away from the destination  
4 consumers would have to pay higher truck costs to  
5 get it there. The railroads would be all blocked  
6 up with cargo routing that wasn't going that way.  
7 Highways would be blocked up. Basically, they  
8 would concentrate their port calls into certain  
9 places to avoid those fees. They would add maybe  
10 trans loading places in the Bahamas or whatever  
11 to just use their non-Chinese built ships to call  
12 the U.S.

13 MS. MADELL: Mr. Martin, if I could  
14 ask you, you suggested some proposed actions that  
15 could be taken to avoid disruption that would  
16 harm U.S. flagged carriers. Maybe if you could  
17 expand on that and then talk about which ones  
18 would encourage the use of U.S.-built ships.  
19 Thank you.

20 MR. MARTIN: First of all, there's a  
21 limited supply of U.S.-built ships to be able to  
22 use on the exports basis outside the U.S.  
23 territories. So, that is not readily available  
24 for anyone to use. Anybody who works out of the  
25 State of Florida's 13 deep water ports are using

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1 basically foreign flagged vessels in those ports.

2 To address your first question,  
3 reference to exports, this would have tremendous  
4 impact on exports. Ships come in, a Chinese ship  
5 comes into our port is empty. So, you're going  
6 to charge a million dollar fee on our ship coming  
7 in empty to our port to load exports out from the  
8 United States to the Caribbean, so that has a  
9 tremendous negative effect on the supply chain,  
10 what goes on in the Caribbean. There was a  
11 statistic done, I can't validate it, but I did  
12 hear through a source, this is a three and a half  
13 billion dollar increase from all ports from the  
14 State of Florida that would go into the Caribbean  
15 Basin if this fee went into place as it stands  
16 today for exports out of the U.S.

17 MR. SALKELD: Thank you, I have a  
18 question for Ms. Metcalf. In your testimony, the  
19 written comments that you provided and you  
20 touched on them in your comments here in the  
21 hearing today, you propose that if service fees  
22 are to be assessed on Chinese-built vessels, they  
23 should be assessed only after a date certain in  
24 the future so investment decisions can be made  
25 with full knowledge of the penalty port fee

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1 provisions which are to be adopted. What date in  
2 the future would you propose fees should be  
3 imposed?

4           Then, there's a second part of the  
5 question, how would you structure the fees to  
6 prevent, for example, acceleration of investment  
7 in the Chinese-built ships up until that kind of  
8 future date?

9           MS. METCALF: Thank you for the  
10 question. Tomorrow, you could do it tomorrow,  
11 but I do think that with our system of law that's  
12 built on equity that any player in the game needs  
13 to know the rules before they decide to enter the  
14 game. That was the reason for that point.

15           Multimillion dollar contracts have  
16 been now entered into with shipyards all over  
17 China, South Korea and whatever and to suddenly  
18 have a commitment you made say a year ago, to  
19 have a ship delivered in two years, it changes  
20 the whole business case for that ship. I think  
21 that the rest of the piece of this as well is  
22 once you make this known, this is one of the  
23 paragraphs I skipped in my testimony, but I've  
24 gotten input from our members and other  
25 colleagues in the international industry.

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1                   If you don't think this is going to  
2   create an incredible ripple in the global marine  
3   transportation system, please know that it  
4   already is. The potential for what the decision  
5   could be out of this body is already rippling  
6   through the spot market place.

7                   It's rippling through the longer term  
8   charter market place. For example, ships can run  
9   on a voyage charter, I want you to go to Point A  
10  to Point B, boom, charter's over. Or, I want to  
11  put you on a time charter, three months, six  
12  months. Or, I want to put you on a one year or  
13  all the way up to a five-year charter. The  
14  negotiations of these longer term charters which  
15  produce more efficient, economical transportation  
16  agreements is frozen right now because people do  
17  not know what the risk is they're going to be  
18  exposed to.

19                  If I could just -- I hope I answered  
20  your question, but if I could just add one other  
21  thing, our President has stated he wants to  
22  increase exports. A significant fee decision in  
23  this case would, in my opinion, almost shut  
24  exports down. In particular, his statement on  
25  energy independence and the expectation that we

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1 want to be able to export these products, but  
2 there are no U.S. ship types and capacity that  
3 could fulfill that right now.

4 We just simply suggest to consider  
5 that this is not a light switch that we should  
6 flip on and off. It is truly a transition and we  
7 need to manage it well. I'll be the first  
8 cheerleader out in front of the parade going,  
9 let's go U.S. shipyards, let's go U.S. labor,  
10 U.S. flag plate. Thank you.

11 MS. SCHAFER: I have a question for  
12 Mr. Staib. You stated in your testimony that  
13 ocean carriers do not take on the burden of the  
14 types of fees envisioned by the proposed action  
15 and have actually stated that they would flow  
16 down those charges to their customers, that is,  
17 the shippers and logistics companies, such as  
18 non-vessel operating common carriers and freight  
19 forwarders.

20 In your view, who should take on the  
21 burden of the proposed fees to accomplish the  
22 goal of deterring and countering China's  
23 dominance in the maritime logistics and ship  
24 building sectors?

25 MR. STAIB: Well, first of all, I

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1 believe the proposed action is targeting China.  
2 These fees do not necessarily target China. It  
3 may be true that decisions on future ships may  
4 not be built in China, but we already have many  
5 that are previously built in China. I defer to  
6 my colleague, Bria, about this issue.

7                   If you put these out there now, the  
8 only one you're hurting is American business, who  
9 has to pay these fees. The carriers don't pay  
10 these fees, they pass them along. In fact, I  
11 have contracts with most of these major container  
12 carriers and I already received some notice that  
13 in the event of such fees, contract is cancelled.  
14 Already out there, so you need to punish China  
15 for their dominance in the industry and their  
16 subsidies, but punishing American business by  
17 doing this, is not the way. We need to look at  
18 some other possibility.

19                   MR. HARTNETT: Mr. Wright, could you  
20 please elaborate on how would a per container or  
21 per tonnage fee mitigate what you believe to be  
22 some of the potential negative impacts of the  
23 proposed action?

24                   MR. WRIGHT: Yeah, I think as you hear  
25 from other testimony today, the smaller carriers,

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1 the smaller providers, I believe our colleagues  
2 from the Great Lakes speaking to the per  
3 container obviously model would be something that  
4 we would potentially look at, if there were to be  
5 fees assessed. If that was the case, it would be  
6 more like an add on to the harbor tax fees and we  
7 would be able to introduce it on a level playing  
8 field.

9 Our ships, as I said, are the small  
10 ships that you're going to hear about today, I  
11 think, a lot of other testimony, the scale of  
12 this single per port call fee of us compared to  
13 the giant ships is seven, eight, nine, ten times  
14 bigger. If you brought it on the per container  
15 level, then you would level the playing field in  
16 that sense.

17 Just to support Mr. Staib's comments,  
18 I mean as the carriers, as a contracting carrier  
19 and there's others here, these costs would be  
20 passed down through all the shippers. The  
21 carriers are not going to absorb them. They have  
22 built in structures in their contracts to put  
23 these in as surcharges. These will be just  
24 passed through in some form or other.

25 MS. BONNER: Thank you for your

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1 testimony. I have a question for all of you.  
2 To the extent that you can answer this, can you  
3 share if any of your companies or the entities  
4 that you're working with, are using LOGINK? Are  
5 you relying on that Chinese software platform in  
6 any way or are your companies' customers?

7 MR. STAIB: None of mine.

8 MS. BONNER: Thank you.

9 MR. WRIGHT: None.

10 MR. MARTIN: None through Tropical.

11 MR. BLAZER: None that I'm aware of  
12 for WDS.

13 MR. SULLIVAN: I have a couple of  
14 questions for Mr. Martin and Mr. Blazer. You  
15 both mentioned that your companies are U.S.  
16 headquartered. For the record, can you please  
17 provide the following facts? What percentage of  
18 your fleets are U.S. flagged and what percentage  
19 of your work force are U.S. mariners?

20 MR. MARTIN: So, U.S. flagged, we have  
21 zero in our fleet. We own three U.S.-built  
22 vessels, but they're not U.S. flagged. As far as  
23 mariners that are on our fleet, it would be zero.

24 MR. BLAZER: The question was U.S.  
25 flagged, zero U.S. flagged and zero U.S. crew on



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1 that flag, on those vessels. Our U.S. employees  
2 are terminal employees and downstream.

3 DR. STEVENS: Questions for Mr.  
4 Martin, Mr. Blazer and anyone else who wants to  
5 answer and let's answer in post-hearing briefs,  
6 but just spell out the numbers for us,  
7 particularly these western hemisphere short haul,  
8 what does that look like, a million dollar fee  
9 for example, how would that break down on these  
10 smaller vessels.

11 Also, walk us through the numbers, how  
12 long does it take to convert to a U.S. flag and  
13 what are the advantages, disadvantages. I would  
14 love to hear any thoughts in post-hearing briefs  
15 on those.

16 MR. MARTIN: Well, as far as building  
17 vessels in the U.S., we would need space and  
18 time. If we had a shipyard that we could build  
19 in the U.S. and they could build it in time.  
20 When you look at a design to when you christen a  
21 vessel, it's three years, but the U.S. Navy came  
22 out last week and said they're four years behind  
23 in these seven markets that are building ships.

24 We need for us to have the  
25 opportunity, whoever's in this room who builds

1 vessels, we need to have the ability from a  
2 space, a shipyard, to do it and also the time to  
3 build it then that changes everything from what  
4 we're talking about today. That's been going on  
5 and it's been mentioned since the '70s when that  
6 actually ended and American shipping which  
7 dominated the world by, what, 70, 80 percent has  
8 all completely basically gone away outside of  
9 what's done in certain areas. I hope I answered  
10 that. What was the other part of your question?

11 DR. STEVENS: In the post-hearing  
12 briefs, just walk us through the numbers for the  
13 smaller vessels.

14 MR. MARTIN: Yes, okay.

15 DR. STEVENS: And then also, how long  
16 would it take to re-flag because there's also a  
17 flag portion to the proposed remedies.

18 MR. MARTIN: Yes, it would take a  
19 while to re-flag the three U.S. vessels to flag  
20 them to U.S. Yes, can it be done, yes, it takes  
21 time to do that. I can't give you an exact time  
22 line for that.

23 As far as size, when you're talking in  
24 our fleet, we have approximately six vessels and  
25 at 150 to 250 TEU range, which are very small,

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1 and when you divide a million dollars per one of  
2 those port calls on that ship, it's like 12,000  
3 dollars per container increase just to cover that  
4 million dollar port fee. So, there needs to be  
5 some clarification on that.

6 If you saw the Executive Order that  
7 was submitted and President Trump talked about,  
8 it talked about the fees only on imports to the  
9 U.S. So, how does this affect exports out of the  
10 U.S.? It's two completely different trades and  
11 that needs to be clarified as well.

12 DR. STEVENS: And then also, when you  
13 talk about U.S. flagged in your post-hearing  
14 brief, what are the benefits of not being a U.S.  
15 flagged? Why do people do it? I think we know,  
16 but would love to hear it.

17 MR. MARTIN: Well, it's a Jones Act  
18 and that would be work in certain trades, right?  
19 So, that would be in a commonwealth of Puerto  
20 Rico, Hawaii, Alaska that's where your Jones Act  
21 trade is, where it's American flagged vessels and  
22 operations.

23 MR. BLAZER: If I could, you had that  
24 question directed to me also, right? So, oh  
25 sorry, go ahead.

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1 MR. MARTIN: No, I'm good.

2 MR. BLAZER: Similar to Tropical's  
3 vessels, our smaller vessels, which say have 150,  
4 200 containers on it, so you'd be looking at  
5 5,000 to 6,500 dollars per container, but one  
6 dollar extra wouldn't work for us because, again,  
7 our competition is by truck and so if there's no  
8 fees crossing the border, everything will just  
9 get funneled through the border, which is already  
10 crowded and officers are overwhelmed and stuff.

11 Regarding the U.S. flagged vessels,  
12 flagging U.S. there's not many companies that  
13 flag U.S. because there's a shortage of U.S.  
14 mariners. There's a cost part of it which is --  
15 if you look at where vessels are flagged right  
16 now, each country that has very favorable rules,  
17 like you can employ -- there's maybe a visa  
18 program where you can employ foreign people to  
19 bring them in to be able to crew your vessels.

20 If you told me I had to crew my  
21 vessels tomorrow with U.S. crews, we wouldn't be  
22 sailing. I don't know where we would find them.  
23 I think that's just a result of 40, 50 years of  
24 decline. It's just not something your kids grow  
25 up to want to do right now, but it could change.

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1                   CHAIR GRIMBALL: Ms. Metcalf, please.

2                   MS. METCALF: I just wanted to mention  
3 one thing and it's kind of ironic. We do have  
4 some members that periodically we flag into the  
5 U.S. flag, primarily when there are slots open  
6 and available in the Maritime Security Program  
7 and the Tanker Security Program.

8                   The irony of this, and we also have  
9 one member company that has a long term charter  
10 with the Military Sealift Command, that is with a  
11 Chinese-built vessel. There are some  
12 Chinese-built vessels already operating under  
13 U.S. flag in the MSP and TSP program that we  
14 really don't want to weaken that program. In  
15 fact, what we're eventually trying to do is  
16 strengthen it up, which hopefully the SHIPS for  
17 America Act would do.

18                   Thank you.

19                   MR. VAN PATTEN: Thank you, another  
20 question for you, Ms. Metcalf, or whoever would  
21 like to try. How does the Chinese-built share of  
22 U.S. based fleets, like yourselves, compare to  
23 the Chinese-built share of internationally based  
24 fleets?

25                   MS. METCALF: I'm going to take a

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1 guess and tell you that it's significantly  
2 smaller in the U.S. flag fleet, but if you looked  
3 at Chinese-built global fleet, it's way, way up  
4 there.

5 MR. BLAZER: If you look at us, we're  
6 two out of three, so that's 66 percent  
7 Chinese-built for us. I think that could be  
8 similar, as vessels get newer, it's a higher and  
9 higher percentage of Chinese-built vessels. If  
10 you're looking at U.S.-built vessels or maybe  
11 German-built vessels, they're older and older and  
12 basically going obsolete.

13 I would say it's a very high  
14 percentage Chinese-built and, like I mentioned  
15 earlier, the global carriers will be able to  
16 adjust and charge the consumer. The regional  
17 American operators will be out of business  
18 because we can't reallocate our fleet to some  
19 other country or some other trade.

20 CHAIR GRIMBALL: Thank you, Panel  
21 Four, for your testimony today. Please do feel  
22 free to follow up with post-hearing submissions  
23 to elaborate on any of the questions that members  
24 of the government panel posted today. We  
25 appreciate your participation and now we can

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1 resume with Panel Five. Let's start at 2:00, so  
2 five-minute break.

3 (Whereupon, the above-entitled matter  
4 went off the record at 1:56 p.m. and resumed at  
5 2:04 p.m.)

6 MR. BURCH: Would the room please come  
7 to order.

8 (Pause.)

9 CHAIR GRIMBALL: Good afternoon.  
10 Thank you Panel 5 for joining us this afternoon.  
11 Ms. Bowlby -- Is that correct?

12 MS. BOWLBY: Bowlby.

13 CHAIR GRIMBALL: Bowlby. Ms. Bowlby,  
14 you have the floor. Thank you.

15 MS. BOWLBY: Thank you. So good  
16 afternoon Members of the Panel. Thank you for  
17 the opportunity to address this critical issue  
18 facing our integrated maritime economy.

19 My name is Hannah Bowlby and I have  
20 the privilege of serving as Chair of the Ontario  
21 Marine Council. The Ontario Marine Council is an  
22 industry association representing the major  
23 stakeholders in Ontario's marine sectors.

24 Our membership includes port  
25 operators, ship owners, shipyards, port

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1 terminals, and the St. Lawrence Seaway Management  
2 Corporation.

3 Let me start with a simple fact.  
4 Ontario is not just a neighbor to the United  
5 States, we are your largest customer and your  
6 strongest trading partner.

7 In 2023 alone, Ontario and the U.S.  
8 conducted nearly \$365 billion in two-way trade.  
9 Ontario is the number one export destination for  
10 17 U.S. states and the number two for another 11  
11 states.

12 Nowhere is the economic partnership  
13 more critical than in our marine sector. The  
14 Ontario Marine Council stands with the United  
15 States in confronting China's unfair state-backed  
16 shipping industry.

17 We fully support meaningful action to  
18 counter these distortions and strengthen North  
19 America's maritime capabilities, but our response  
20 must be strategic, targeting the real problem  
21 without inflicting collateral damage on the very  
22 industries and supply chains that make America  
23 strong.

24 With deeply integrated U.S./Canada  
25 supply chains building a Fortress North America



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1 can support and grow our integrated defense and  
2 energy security. It can also build a seamless  
3 resilient maritime trade network.

4 We cannot afford to undermine the  
5 North America Marine Network nor disrupt the  
6 essential movement of goods between our two  
7 nations.

8 I would first like to focus on a  
9 critical distinction, the fundamental difference  
10 between long haul, or transoceanic shipping, and  
11 short sea shipping.

12 Long haul shipping, primarily massive  
13 container vessels carrying finished consumer  
14 goods such as electronics, clothing, and  
15 automobiles across the ocean.

16 Short sea shipping, defined here as  
17 transits of less than 2,000 nautical miles, is an  
18 entirely different segment, short voyages,  
19 low-valued products, small ships, operating  
20 within regional waters, the Great Lakes, St.  
21 Lawrence Seaway, bays, channels, river systems,  
22 and the east and west U.S. coast lines  
23 transporting the raw materials that power  
24 American industry and construction, iron ore,  
25 aggregates, coal, cement, and fuel.

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1                   Let's talk numbers. At the lowest  
2 proposed fee of \$1 million per vessel, this  
3 policy would impose a staggering \$3 billion  
4 burden on critical U.S./Canada maritime trade.

5                   That translates to \$40 per ton in  
6 added costs. At the higher proposed fee levels  
7 these costs would quadruple. These fees would  
8 price essential commodities out of the market  
9 significantly increasing costs for American  
10 manufacturers and consumers.

11                   This is completely counterproductive  
12 to U.S. policy goals on productivity, reduced  
13 inflation, and supply chain efficiency.  
14 Moreover, applying the fees to Great Lakes  
15 vessels would likely force a shift to rail and  
16 truck, or, more critically, eliminate trade  
17 altogether.

18                   No trade means no port fees, leaving  
19 minimal revenue for ship building while causing  
20 significant economic harm.

21                   Let's be strategic about our approach.  
22 The Ontario Marine Council proposes that if the  
23 USTR seeks to impose port fees they should only  
24 apply to ships carrying goods from ports of  
25 origin more than 2,000 nautical miles from their

1 destination.

2 This will eliminate the unintended,  
3 exaggerated consequences these fees would have on  
4 short sea shipping. This would protect vital  
5 short sea shipping networks that support American  
6 industry.

7 If a fee is introduced it must work  
8 for U.S. industries that rely on short sea  
9 shipping. One way to get it right, base it on  
10 cargo value. Short voyages, low value goods, and  
11 small vessels can't be treated the same as long  
12 hauls, high value cargo, and large ships. One  
13 size does not fit all.

14 We must remember North American  
15 maritime trade plays a crucial role in the U.S.  
16 economy. A port fee on Chinese-built ships sold  
17 before 2025 is neither practical nor effective in  
18 addressing China's maritime dominance.

19 The Ontario Marine Council stands  
20 ready to work with the USTR to develop more  
21 targeted approaches that align with U.S. policy  
22 objectives while ensuring the continued success  
23 of our integrated binational trade networks.

24 We can confront China's unfair  
25 practices without jeopardizing the very

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1 infrastructure that powers American industry. A  
2 targeted, strategic approach is key, one that  
3 strengthens North American shipbuilding for the  
4 future while safeguarding the critical supply  
5 networks that industries rely on today. Thank  
6 you.

7 CHAIR GRIMBALL: Thank you, Ms.  
8 Bowlby. Mr. Burrows, you have the floor.

9 MR. BURROWS: Good afternoon, Chair  
10 and Members of the Committee. My name is Bruce  
11 Burrows and I am President and CEO of the Chamber  
12 of Marine Commerce, or CMC.

13 Our organization represents key inland  
14 and coastal marine supply chain stakeholders in  
15 both the United States and Canada.

16 As the collective voice of the  
17 cross-border Great Lakes-St. Lawrence marine  
18 community the CMC appreciates the opportunity to  
19 speak with you about the proposed actions under  
20 the Section 301 investigation.

21 I wanted to begin by noted the CMC  
22 welcomes the concept of a stronger U.S. based  
23 shipbuilding industry and is keen to help  
24 President Trump achieve his intended goals,  
25 protecting Americans from excessive Chinese

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1 influence while also growing the economy through  
2 enhanced domestic shipbuilding.

3 In the spirit of helping I suggest  
4 that the current proposal be refined slightly to  
5 better achieve these commendable goals while  
6 avoiding any unintended outcomes for U.S.  
7 government policy, American businesses, and  
8 consumers.

9 We feel the best way to do that is to  
10 add language that protects inland and coastal  
11 shipping while domestic shipbuilding capacity can  
12 ramp up. This is similar to what had already  
13 been mentioned earlier this morning.

14 To speak further to avoidable negative  
15 outcomes that could sour public opinion my  
16 testimony will focus on the integrated  
17 U.S./Canada supply chain, some anticipated  
18 impacts these proposed fees would have on vessel  
19 operations in the Great Lakes, and an alternative  
20 approach that achieves this investigation's goals  
21 without harming the economy, American industry,  
22 or a longstanding trade partnership.

23 The U.S./Canada marine industry is the  
24 backbone of the Great Lakes-St. Lawrence supply  
25 chain, moving essential materials for economic

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1 security and public safety purposes such as iron  
2 and steel production, construction, agriculture,  
3 energy, and road safety.

4 The integration of this joint system  
5 has continued to deepen since the 1959 opening of  
6 the seaway whose infrastructure is proudly owned  
7 by both the U.S. and Canada.

8 It's a marvelous system that keeps  
9 costs low for America and ensures the efficient  
10 transport of goods to U.S. markets. Laker  
11 vessels designed for the seaway play a crucial  
12 role in this trade, opening inter-shared waters,  
13 operating inter-shared waters, and delivering  
14 cargo to U.S. ports.

15 USTR's proposed fees would severely  
16 disrupt the system. This is likely due to simple  
17 oversight. It is apparent the focus of the  
18 USTR's report is on large ocean-going ships.  
19 However, our inland laker fleet is very  
20 different.

21 We're talking about much smaller,  
22 specialized vessels, 78 feet wide typically,  
23 designed specifically to navigate the seaway  
24 locks found throughout the system, while  
25 transoceanic, long haul, in other words, vessels

1 carry high value goods, our laker short haul  
2 fleet carries small, bulk quantities of essential  
3 but lower valued materials.

4 Let me illustrate the difference by  
5 citing some basic engineering facts. Seaway  
6 locks are designed at just 80 feet wide and the  
7 only option for ships navigating these waters is  
8 to go through these locks into the heart of North  
9 America. A typical long haul ocean ship is over  
10 a 100 feet wide, more frequently as much as 165  
11 feet wide, twice the size of the locks.

12 There is another way to think about  
13 all of this, large container vessels carry  
14 finished goods people might want at a variety of  
15 prices. A laker carries foundational materials  
16 people absolutely need at one price, the lowest  
17 price possible.

18 The proposed tiered fee structure  
19 estimates range up to 100 or at least \$1.5  
20 million per port entrance would place an  
21 unsustainable burden on Canadian operators  
22 serving the inland and coastal trade routes given  
23 the nature of what they carry.

24 Broadly applying port fees per short  
25 sea ships, similar to ocean-going, long haul

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1 ships, would place a massively disproportionate  
2 burden on our smaller vessels, increasing costs  
3 between 100 and as much as 500 percent.

4           These costs will be passed down, and  
5 I ask you how many firms today that operate on  
6 very thin margins can absorb that level of an  
7 increase.

8           Many of these trading lanes we serve  
9 will be killed, knocking American businesses  
10 right into the bleachers. This will lead to U.S.  
11 closures of manufacturing and processing  
12 facilities, job loss, and severe disruption to  
13 U.S./Canada trade.

14           Expert analysis estimates \$4 billion  
15 in economic activities at stake with 26,000  
16 American jobs affected. These are jobs in  
17 industries that rely on affordable shipping.

18           We calculated these economic impacts  
19 on inland short sea vessels from a broader study  
20 that showed the Great Lakes-St. Lawrence River  
21 waterbed to be a vital economic corridor moving  
22 over 250 million tons, 357,000 jobs, \$51 billion  
23 in activity.

24           The CMC's laker vessels specifically  
25 transport close to 66 million tons and for over



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1 50 years they have handled roughly 90 percent of  
2 the cross-border trade.

3 I urge this Committee to recognize our  
4 system as a distinct binational trade corridor.

5 In conclusion, a better path forward is one that  
6 creates even more strength by building on the  
7 foundation of Fortress North America. Thank you.  
8 I will gladly ask any, or at least answer any  
9 questions.

10 CHAIR GRIMBALL: Thank you, Mr.  
11 Burrows. Mr. White, you have the floor.

12 MR. WHITE: Thank you. Good  
13 afternoon. My name is Jonathan White, originally  
14 from outside of Boston. I am a very proud  
15 graduate of the Massachusetts Maritime Academy.

16 I have been in the shipping industry  
17 my entire career. I have supervised vessel  
18 construction in shipyards and now serve as Vice  
19 President at Canadian Steamship Lines, a Canadian  
20 ship owner based in Montreal.

21 As an executive, as a shipping  
22 professional, and most importantly as a proud  
23 American, I am deeply honored to be speaking  
24 before you today.

25 I admire the Administration's goal of

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1 boosting U.S. shipbuilding. There is nothing  
2 more I would like to see than our next generation  
3 of vessels being built right here at home.

4 In my role, and unlike the  
5 Association's speakers next to me, I have the  
6 privilege and honor of running one of the largest  
7 fleets on the Great Lakes.

8 Our 18 Canadian flag vessels provide  
9 critical short sea shipping solutions to large  
10 American and Canadian industrial customers, going  
11 in and out of U.S. ports multiple times a week,  
12 several hundred times a year, transporting  
13 millions of tons of low value commodities,  
14 including iron ore, coal, salt, soybeans, and  
15 aggregates.

16 Our fleet is a mix of Canadian,  
17 European, and Chinese built vessels, which means  
18 I am in the cross-hairs of paying very high port  
19 fees for the work that I do.

20 Multi-million dollar port fees on  
21 vessels carrying high volumes of these  
22 commodities will destroy short sea trade routes,  
23 shifting these cargos to rail and road.

24 To move the same volume of cargo as  
25 one of our vessels you will need 900 trucks,

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1 that's 12 miles of trucks, the same distance  
2 between here and Walter Reed Medical Center, for  
3 just one ship.

4 Did I mention that we go into the U.S.  
5 hundreds of times a year? I cannot stress this  
6 enough, you don't help ship building by stopping  
7 shipping, and this is exactly what the port fees  
8 will do.

9 When the ships go away they will no  
10 longer go to the American shipyards that not only  
11 build new vessels but to help keep existing  
12 vessels running.

13 Our vessels are purpose built to  
14 operate exclusively within the Great Lakes and  
15 St. Lawrence River. They do not operate on the  
16 ocean. That means that not only do they rely on  
17 local shipyards, but they are unique in the world  
18 fleet and our shipbuilding process can be  
19 complex.

20 With the help of external firms, we  
21 design our ships in-house and then give these  
22 plans to an international ship broker whose job  
23 it is to solicit, receive, and manage the bids  
24 from competing shipyards across the globe.

25 Nothing stops U.S. shipyards from

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1 bidding. Unfortunately, there has been dwindling  
2 interest from American shipyards to build  
3 merchant vessels.

4 In fact, the last time an American  
5 shipyard bid on a new construction project for  
6 Canada Steamship Lines was over 25 years ago, and  
7 it's not like we didn't try.

8 In 2023 we asked eight American  
9 shipyards to build us a new vessel. Of the eight  
10 American shipyards, and I want to make this  
11 clear, not a single one offered to put in a bid  
12 despite repeated calls and opportunities.

13 We tried. And I don't blame them for  
14 being busy, they are building military vessels,  
15 but, however, as a proud Maritime graduate, yards  
16 refusing commercial vessel orders is awfully  
17 disappointing.

18 We want to see a healthy, thriving and  
19 capable shipbuilding sector emerge in the Great  
20 Lakes and North America. U.S. shipyards are free  
21 to call us at any time and most likely we will  
22 say yes. Our efforts have demonstrated we will  
23 absolutely be the first in line to place new  
24 vessel orders when capacity becomes available.

25 I have an alternative proposal that

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1 will help us rebuild American ship building,  
2 support the Administration's intentions, and  
3 simultaneously keep short sea shipping moving.

4 I urge the USTR to look at this from  
5 a two-prong perspective. First, consider  
6 applying the proposed measures exclusively on  
7 long haul voyages.

8 Long haul voyages transport goods more  
9 than 2,000 nautical miles before reaching the  
10 United States. This will be a recognition of the  
11 unique and essential role that short sea shipping  
12 plays in the U.S. economy.

13 Second, I recommend that the USTR not  
14 penalize companies like Canada Steamship Lines  
15 who send existing vessels to American shipyards  
16 for work and repeatedly seek their interest in  
17 building new ships.

18 For instance, shipping companies that  
19 have engaged with the U.S. shipyards in the past  
20 five years either for maintenance projects or  
21 construction bids would be granted a total  
22 reprieve from the fees outlined in the proposed  
23 remedies.

24 This would drive more work to existing  
25 shipyards and recognize those companies that

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1 invest here at home. Fundamentally we can  
2 reclaim our shipping dominance, we just need to  
3 find a solution that keeps cargos moving.

4 I believe my proposal will help the  
5 U.S. accelerate and intensify the rebirth of our  
6 shipbuilding sector and do so in collaboration  
7 with ship owners that are already customers of  
8 these yards. Thank you very much for the  
9 opportunity.

10 CHAIR GRIMBALL: Thank you, Mr. White,  
11 for your testimony. Mr. Koehne. Sorry about  
12 that.

13 MR. KOEHNE: Close enough. Thank you.

14 CHAIR GRIMBALL: You have the floor.

15 MR. KOEHNE: Thank you for the  
16 opportunity to testify today. My name is Mike  
17 Koehne. I am a soybean farmer from Greensburg,  
18 Indiana, and I am here today as an American  
19 Soybean Association board member, but I also  
20 serve as a U.S. Soy Export Council board member  
21 and serve as Chairman of the Soy Transportation  
22 Coalition.

23 I am a first generation farmer and  
24 grow soybeans and corn. My corn I grow is  
25 shipped by barge down the Ohio River and ends up

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1 in a bulk vessel in the Gulf and my beans I grow  
2 go out on container.

3 These products are premium-based  
4 products and are grown especially for the export  
5 market. Because of this I am personally  
6 dependent on the maritime converse.

7 ASA has submitted full written  
8 comments to the docket. I would like to provide  
9 a brief overview of how the USTR proposal will  
10 impact the U.S. soy industry.

11 Soybeans are the largest exported  
12 commodity grown in the U.S. with over 50 percent  
13 of our crop destined for customers overseas.  
14 Most of these soybeans are exported via  
15 ocean-going vessels.

16 Improving transportation is one of the  
17 ways to improve our competitiveness as soybean  
18 farmers. ASA supports the goal of increasing  
19 domestic shipbuilding capacity, but the proposed  
20 solution offered by USTR creates unintended  
21 consequences for soybean farmers.

22 U.S. soybean export prices are based  
23 on delivered prices of goods in destination  
24 markets. The delivered price includes the cost  
25 of goods, insurance, and freight.

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1                   The solution proposed by USTR would  
2 significantly increase freight rates and, in  
3 turn, making the delivered price of the U.S. less  
4 desirable compared to our competitors.

5                   Port fees increase the cost paid by  
6 grain shippers. Unfortunately, this increased  
7 cost would be reflected in the price paid to the  
8 farmer as our export customers will otherwise opt  
9 for cheaper soybeans from our competitors.

10                  Since over 50 percent of our U.S. soy  
11 is exported, low export prices would have a  
12 direct impact on soybean prices paid to us at the  
13 farm, directly impacting our farm income.

14                  One company in our area estimates the  
15 impact of \$0.68 per bushel of soybeans, which is  
16 a 7 percent decrease in price. The current state  
17 of the farm economy is very serious right now,  
18 which is why the potential impact of the proposal  
19 are causing so much anxiety in the farming  
20 community.

21                  Commodity prices are 50 percent lower  
22 than they were three years ago at the same time.  
23 Cost of farm inputs are more expensive than ever.  
24 Historically U.S. soy has managed to remain  
25 competitive because we benefit from the



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1 cost-effective transportation system.

2 When it comes to lower transportation  
3 costs, soybean farmers have put their money where  
4 their mouth is, investing in critical exporting  
5 of U.S. soy from the deepening of the lower  
6 Mississippi to building out export infrastructure  
7 in the Pacific Northwest.

8 Imposing port fees on most of the  
9 maritime fleet that services the U.S. will  
10 increase the costs for farmers both in terms of  
11 farm inputs and getting crops to market.

12 While well intended, these proposals  
13 means U.S. soy will face higher costs and be less  
14 competitive globally. Soy farmers support  
15 domestic shipbuilding and appreciate the efforts  
16 to increase investments in our maritime system.

17 This plan to kickstart the industry  
18 while asking farmers to foot the bill is not the  
19 solution, but I do ask that any efforts that you  
20 seek to increase domestic shipbuilding do not  
21 come at the expense of market access to farmers.

22 USTR's proposal is not a solution that  
23 farmers can shoulder, but ultimately farmers will  
24 pay the cost for this proposal which will further  
25 worsen the already dwindling farm economy.

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1                   We urge USTR to work with domestic  
2 industries towards setting long-term goals to  
3 increase U.S. maritime competitiveness while not  
4 negatively impacting U.S. agriculture.

5                   ASA stands ready to engage with you.  
6 Thank you for allowing me the testimony today and  
7 I will be happy to answer any questions.

8                   CHAIR GRIMBALL: Thank you, Mr.  
9 Koehne. Mr. Herman, you have the floor.

10                  MR. HERMAN: On behalf of the American  
11 Apparel & Footwear Association and our members,  
12 U.S.-based companies that design, manufacture,  
13 market and sell clothes, shoes, and accessories,  
14 thank you for the opportunity to testify today on  
15 the proposed actions in this Section 301  
16 investigation.

17                  The proposed fees would result in a  
18 loss of jobs for American workers, higher costs  
19 for American exports and imports, and shortages  
20 of goods and rising prices for Americans.

21                  In fact, a major study released today  
22 found that the proposed actions would cause U.S.  
23 exports to fall by almost 12 percent and the U.S.  
24 GDP to shrink by a quarter of a percent.

25                  While we support a resilient maritime

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1 supply chain, we urge the Administration to build  
2 up a robust American shipbuilding industry first  
3 and -- before you penalize shippers for not using  
4 an option that isn't economically viable or that  
5 simply doesn't exist.

6 We are concerned that the proposed  
7 port fees would apply to each port call.  
8 Currently ships visit an average of three to four  
9 U.S. ports, both large and small, to move  
10 American cargo.

11 The United States has more than 300  
12 ports. Only ten of those ports are major ports.  
13 If the proposed fees are implemented on every  
14 port call, carriers will likely reduce their port  
15 visits to just one port to minimize costs.

16 As a result, calls to secondary ports  
17 would cease. These secondary ports could face a  
18 significant decline in business leading to  
19 potential U.S. port closures and significant job  
20 losses for American longshoremen.

21 For instance, MSC, a major carrier,  
22 said that under the proposed fees they would stop  
23 servicing the Port of Oakland and instead solely  
24 focus on the Ports of L.A. and Long Beach.

25 The Port of Oakland plays a vital role

1 in handling American agricultural exports.  
2 Without service to Oakland these exports would  
3 need to be rerouted to major ports, costing more  
4 time and more money.

5 Additionally, certain regions lack the  
6 necessary infrastructure to efficiently move  
7 goods to major ports. The net result, in many  
8 cases U.S. agricultural exports would be left  
9 literally rotting on the docks.

10 This wouldn't just affect U.S. ag  
11 exports, America's already strained  
12 transportation networks would be severely  
13 impacted by new congestion.

14 Further, already stretched major ports  
15 would face a surge in both exports and imports.  
16 Both situations would lead to a congestion crisis  
17 similar to what we experienced during the  
18 pandemic or even worse.

19 As American ports lose business, ports  
20 in other countries would benefit. Shippers would  
21 increasingly use ports in Mexico and Canada to  
22 bring their products into and out of the United  
23 States through truck and rail.

24 With both truck and rail already  
25 overloaded by the need to move all product to and

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1 from major ports, this new demand would overwhelm  
2 both forms of transport.

3 Again, this would lead to increased  
4 congestion, delays, and shortages, and this would  
5 be on top of even more losses of longshoremen  
6 jobs and more closures of U.S. ports.

7 Ocean carriers have said they will  
8 raise rates to cover the fees, increasing prices  
9 and increasing costs. We are already in an  
10 inflationary economy.

11 Hardworking American families cannot  
12 afford further price increases and product  
13 shortages and American manufacturers and farmers  
14 cannot afford to lose more export markets. This  
15 is especially true when many of those export  
16 markets are already closing due to retaliatory  
17 tariffs.

18 U.S. flagged, operated, and built  
19 ships are just not available. According to the  
20 most recent data the U.S. had only 182 flagged  
21 ships and these are U.S. flagships, not even all  
22 of them are U.S. built. These U.S. flagships  
23 account for only 0.4 percent of the global fleet  
24 of almost 40,000 ships.

25 In conclusion, the proposed actions in

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1 the Section 301 investigation could have serious  
2 and far-reaching consequences on American  
3 businesses, for American farmers, for American  
4 workers, for American consumers, and for the  
5 American economy, while doing nothing to build a  
6 resilient U.S. maritime industry.

7 We strongly urge the Administration to  
8 reconsider these proposals and adopt a more  
9 balanced approach that fosters the growth of a  
10 competitive American shipbuilding industry while  
11 mitigating harm to the broader U.S. economy.

12 Thank you for your attention to this  
13 important matter.

14 CHAIR GRIMBALL: Thank you, Mr.  
15 Herman. At this time we will proceed with  
16 questions from the Government Panel.

17 MS. MADELL: Thank you. Ms. Bowlby,  
18 I wondered if you could expand on the more  
19 targeted approach that you would suggest that  
20 would reflect the realities of shipping on the  
21 Great Lakes with the smaller vessels and more  
22 port calls than the transoceanic routes.

23 In particular, how long would any  
24 adjustment need to be in place before enough  
25 U.S.-built vessels could enter the trade and if

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1 you have any idea of how much of the current  
2 trade could be carried by U.S. vessels now  
3 operating? Thank you.

4 MS. BOWLBY: Sure. So the first part  
5 of your question, so we call it short sea  
6 shipping and where we're asking for a more  
7 targeted approach is, you know, we're looking at  
8 short sea shipping as a safeguard zone.

9 So that's the longest transits between  
10 Canada and U.S., U.S./Mexico, the Great Lakes, so  
11 that would be from, you know, Duluth to Halifax,  
12 Nova Scotia, and the other piece -- And this  
13 protects the short sea shipping trade.

14 And why we are saying this is because  
15 you can't compare short sea shipping between  
16 transoceanic or long haul. So what we have been  
17 kind of comparing it to is, you know, let's say,  
18 for example, to paint you a picture, if someone  
19 had a wheelbarrow full of stone and if someone  
20 had a truckload full of brand new vehicles, would  
21 you charge them the same fee.

22 That fee structure doesn't make sense  
23 and what's going to happen when you have smaller  
24 vessels, lower value cargo, and shorter trips,  
25 and those shorter trips mean, you know, we're

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1 making them more frequently because we don't  
2 cross the ocean, which is a longer timeframe.

3 And when you are doing that you're  
4 pretty much pricing them out of the market, which  
5 means, you know, that U.S. customers especially,  
6 you know, we do half of our trade is  
7 cross-border, you're going to price them out of  
8 the market and that trade will not happen, which  
9 means there will be no, you know, revenue  
10 generated for port fees, that that trade will  
11 halt.

12 And then -- Sorry. Can you just  
13 repeat your second part of your question?

14 MS. MADELL: I'm interested in how  
15 long an adjustment or an exemption would have to  
16 be in place before you think that American  
17 vessels, U.S. vessels, could be brought in.

18 MS. BOWLBY: Yes.

19 MS. MADELL: And just wondering, there  
20 are U.S.-built ships now trading on the Great  
21 Lakes, how much of the current trade could those  
22 vessels actually be used for?

23 MS. BOWLBY: Sure. So historically  
24 the U.S. fleet, so the majority of them are 1,000  
25 footers. So the 1,000 footers cannot go through



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1 the seaway system, they are too big.

2 So I think if I can get my stats  
3 right, which I might have to defer to a  
4 colleague, I think it's, you know, less than 20  
5 percent of the U.S. fleet could go through the  
6 seaway.

7 But I will caution that they are  
8 smaller vessels and not, you know, what we have,  
9 you know, on our side is more of bespoke vessels  
10 specifically for that trade.

11 The U.S. fleet, predominantly coal,  
12 they were built for the 1,000 footers to do that  
13 trade within the United States.

14 In terms of timeframe, I think the  
15 previous panel, Kathy Metcalf had something about  
16 flipping a switch, and that switch can't just be  
17 flipped, you know, that capacity for building  
18 vessels over the last few decades isn't there.

19 So to re-build back that shipbuilding  
20 industry, not that it's not possible, it's going  
21 to take time and it's going to take a lot of  
22 investment, but in the meantime the short-term  
23 consequences, it won't generate that industry by  
24 pricing people out or pricing carriers out of the  
25 market.

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1                   So I would caution that it can be  
2 done, but I would say this is a long-term  
3 strategy that cannot happen overnight. Thank  
4 you.

5                   MR. COOK: I'd like to -- I guess I'll  
6 follow up on that first. I guess this question  
7 is for all of our short sea colleagues here.  
8 What changes to the U.S. shipbuilding industry  
9 would you want to see other than, obviously, them  
10 answering the phone, what would you want to see  
11 in order to have a laker that is U.S. built?

12                   MR. WHITE: I can start, sure. And  
13 just to pick off what Hannah was saying earlier  
14 about the U.S. flag fleet, the U.S. flag fleet  
15 directly competes with us on cross-border trades.

16                   However, their vessels are  
17 significantly older and they are paid off, so  
18 their cost base is significantly lower. Nothing  
19 is stopping them to compete with us directly on  
20 these.

21                   In fact, we lost our biggest and most  
22 longest serving customer two years ago to the  
23 U.S. flag fleet carrying iron ore from Lake  
24 Superior and to Lake Ontario.

25                   They can do that, if they want to

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1 compete with us they can, and oftentimes they are  
2 more efficient given the size of their vessels.

3 Hannah also mentioned the size  
4 restrictions of going through the St. Lawrence  
5 Seaway, the Welland Canal. Our vessels were  
6 purpose built for that size.

7 Over time the U.S. flag fleet has  
8 grown larger in size, prohibiting them from going  
9 into those waterways. So, again, they chose to  
10 go outside of that market and we took the  
11 opportunity with the size of our vessels.

12 Them being Chinese built or built  
13 elsewhere is no impact on those decision making.

14 MR. COOK: Thank you. For Mr.  
15 Burrows, in your opinion how can the proposed  
16 fees be structured so that they still address  
17 significant economic security concerns while at  
18 the same time not disproportionately disrupting  
19 the U.S./Canada maritime trade system as you had  
20 described?

21 MR. BURROWS: Quite frankly I think it  
22 would almost be impossible to structure the fees  
23 for them to be effective.

24 Our markets are so dramatically  
25 different. The commodities are varied and we

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1 haven't spoken about this, but we essentially  
2 operate in a modally competitive environment in  
3 the integrated North American marketplace, very  
4 different than the long haul ocean market, so --

5 MR. BURCH: Can you please pull the  
6 mic a little closer.

7 MR. BURROWS: Every -- I'm sorry?

8 MR. BURCH: Go closer to the mic.

9 MR. BURROWS: Yes. Every penny counts  
10 very much, very elastic commodities, and so,  
11 unfortunately, there are really three outcomes,  
12 either the business is lost entirely or the  
13 business can easily move to another mode or  
14 possibly another source altogether of that  
15 product could be found geographically.

16 But all of those results mean far more  
17 expense for our customers and that's really the  
18 rub here, that's the problem.

19 MR. COOK: Mm-hmm.

20 MR. SULLIVAN: I have a question for  
21 Mr. Herman. Many of your members likely have  
22 contracts with carriers, can you explain for the  
23 panel how much flexibility you have from where  
24 the cargo is originated to where it is delivered?

25 MR. HERMAN: When our members sign

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1 contracts, shipping contracts, with carriers they  
2 basically say that we have a bunch of containers  
3 coming out of "X" location, we're trying to take  
4 them to "Y" location, and it's up to the carriers  
5 to determine how they are going to get the  
6 product there. There is no further  
7 determination.

8 In many cases our members are begging  
9 for information from the carriers on where it's  
10 going to arrive, when it's going to arrive, and  
11 in many cases sometimes those shift with little  
12 notice, so we're very dependent on the carriers  
13 for determining that.

14 MR. SULLIVAN: And just to follow up  
15 on that, do you not believe there is enough  
16 demand from the importers to make the suggestion  
17 where these containers land and by what method?

18 MR. HERMAN: A lot of our members are  
19 small and medium-sized members so they are  
20 importing or exporting small numbers of  
21 containers a year.

22 They don't have the market power to  
23 convince carriers. Even when there is efforts to  
24 combine those, there is these shipping agreements  
25 where they try and combine those amounts, even

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1 they have limited sway with the carriers.

2 The global carriers have immense power  
3 and they work with a lot of people and they  
4 usually can find people to fill the ships if our  
5 members don't want to fill them.

6 MR. SULLIVAN: And one more question,  
7 do you find that power to be a problem?

8 MR. HERMAN: That's not the focus of  
9 this hearing, but, yes, there are concerns about  
10 that power, yes.

11 DR. STEVENS: I have a question for  
12 Mr. Koehne, but first I want to thank you for  
13 taking time out of what I understand is a busy  
14 planting season for you.

15 I had a look at the weather in your  
16 part of the country and it looks like it's going  
17 to be raining off and on this week, so I hope it  
18 doesn't disrupt you and thank you for being here  
19 on what was apparently a sunny day for you.

20 Do you know what percent of soybean  
21 exports from the United States are transported on  
22 Chinese-made vessels and whether there is the  
23 capacity available to export soybeans on  
24 non-Chinese-made vessels?

25 MR. KOEHNE: I do not know those

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1 specific numbers, but I will have someone get in  
2 touch with you with those answers.

3 DR. STEVENS: Great. And also if you  
4 could show some math on, you know, is there  
5 multiple parts of the remedy, including a  
6 potential fee on if the fleet has Chinese vessels  
7 and you're not delivering on a Chinese vessels,  
8 so how many fleets might be disadvantaged.

9 MR. KOEHNE: I will have them include  
10 that. Thank you.

11 DR. STEVENS: And then, finally, you  
12 mentioned you export high quality special  
13 soybeans. I assume those are done by container?

14 MR. KOEHNE: Yes.

15 DR. STEVENS: And I would be  
16 interested, we have seen press reports that bulk  
17 shipments of agriculture products are already  
18 facing challenges in booking shipments, is that  
19 also true for containers?

20 MR. KOEHNE: Yes. Most of all of our  
21 shipments are all buyer's call, so it's a matter  
22 of finding containers when they want them, so you  
23 have to pull containers from wherever they are  
24 available to get them to the Gulf, or to the  
25 Coast, to be able to be shipped.

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1 DR. STEVENS: Great. Thank you.

2 MR. SALKELD: I have a question for  
3 Mr. White. Is there a certain threshold above  
4 which companies would opt for land transportation  
5 instead of shipping?

6 MR. WHITE: Is there a certain  
7 threshold that which someone will ship by rail or  
8 road instead of vessels? Unfortunately, I do not  
9 have the answer to that question.

10 However, the margins on these  
11 commodities are very slim and the ability to  
12 shift to rail or road would be significant in  
13 cost, supply chain disruption.

14 You're talking about locations within  
15 the Great Lakes that are deep within States or  
16 Provinces that do not have easily accessible  
17 locations either by rail or road, and to get to a  
18 situation where you can get on the mainlines for  
19 either of those transportation modes would be  
20 quite difficult.

21 That is the reason over the last 150  
22 years the Great Lakes shipping economy has built  
23 itself around ships and those terminals and those  
24 supply chains are built around shore terminals,  
25 loading vessels, and receiving vessels on the



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1 other end of the receiving end, because a similar  
2 comment can be made on the other end in terms of  
3 accessibility can be quite difficult and you add  
4 significant costs, supply chain disruption, like  
5 I mentioned, congestion, and stress on the  
6 infrastructure capability of those surface  
7 transportation modes if you were to shift.

8 MR. SALKELD: Thank you. And a  
9 question for Mr. Herman, how would the proposed  
10 actions affect the commercial decisions of your  
11 members, in particular where they chose to  
12 manufacture their apparel and footwear?

13 MR. HERMAN: There is a lot of factors  
14 that go into that. As you know our industry has  
15 already been subject to significant tariffs in  
16 the last two months and are likely to be subject  
17 to significantly more come April 2nd, so there  
18 are a lot of factors that go into determining  
19 where we source product from.

20 In terms of this issue, if these rates  
21 were applied, it would be more choosing which  
22 carriers could best meet the new requirements, if  
23 they can meet it at all.

24 It would also be looking at trying to  
25 find alternative land routes, as I mentioned,

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1 truck or rail, trying to move things through  
2 Canada or Mexico.

3 MR. HARTNETT: Mr. Burrows, in your  
4 written testimony you indicate that since 2011 17  
5 Canadian lakers have been built in China and that  
6 these replace existing routes, they don't add any  
7 additional capacity because of the increased  
8 demand, wear and tear on the vessels.

9 Could you answer, one, what other  
10 nations built vessels for Canadian lakers during  
11 this time, just give us that context in terms of  
12 17 were built in China but three maybe in South  
13 Korea?

14 And then, two, absent action should we  
15 expect there to be additional, I guess, growth in  
16 the number of Canadian lakers built in China? I  
17 believe you have it at 30 percent now currently,  
18 overall in the fleet would we expect that to go  
19 up absent any additional action?

20 MR. BURROWS: So let me tackle those,  
21 those are three good questions. First of all I  
22 think it is important to realize there are other  
23 competing shipbuilding nations, you mentioned  
24 Korea, Turkey, of course competing with China,  
25 and Croatia, Turkey, Japan, would perhaps be

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1 another one as well, and certainly Turkey and  
2 Croatia we have seen some ships built there, so  
3 there are other options.

4 I think one has to remember, and this  
5 relates to the nature of our system, that unique  
6 lock system that I talked about which in itself  
7 creates wear and tear on the ships as they rub  
8 and scrape through the lock system.

9 We also have more challenging waters  
10 in terms of parts of the system where salt comes  
11 in at the lower end towards the St. Lawrence  
12 River and that can also cause some corrosion,  
13 ballast water is brought up with salt in it, and  
14 so it's a bit of a rougher, harder system and the  
15 ships don't last as long, the life is clearly  
16 less.

17 I think your third question was just  
18 what would happen in the future do you think, in  
19 terms of demand for China. I don't see that  
20 particularly from a percentage wise perspective  
21 growing.

22 I think because there are other  
23 competing shipbuilders I think there are options  
24 and I don't necessarily see China growing at all.

25 MR. HARTNETT: Thank you. So just to

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1 clarify on the first part of the question, since  
2 2011, 17 lakers built in China, what are the  
3 percentage of builds from 2011 to now for those  
4 other nations, so were there three, four from  
5 Turkey, two from South Korea?

6 MR. WHITE: I don't have those exact  
7 numbers. We could certainly get them to you.  
8 It's a fairly small number. Jonathan, do you  
9 have a sense?

10 MR. WHITE: I don't.

11 MR. BURROWS: Yes.

12 MR. WHITE: I don't, but our members  
13 can submit, CMC members can submit that  
14 information confidentially through the docket.

15 MR. BURROWS: Yes.

16 CHAIR GRIMBALL: Mr. White, this is  
17 not a substantive question, more of a point of  
18 clarification or a request for additional  
19 information.

20 During your testimony you referenced  
21 several requests for proposals to U.S.  
22 shipbuilders. I think members of the panel would  
23 like to hear more about the circumstances of  
24 those requests.

25 So if that information is not already

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1 in your written testimony, if you could please  
2 provide additional facts surrounding that in your  
3 post-hearing submission, including using the BCI  
4 confidential tools as well.

5 MR. WHITE: Yes. Yes, ma'am.

6 CHAIR GRIMBALL: Thank you.

7 MR. WHITE: We are preparing a  
8 confidential business submission for that  
9 information given the commercial sensitivities  
10 and also the shipyard identification parts of  
11 that as well, too.

12 CHAIR GRIMBALL: Thank you. Thank  
13 you. And with that we thank Panel 5 for your  
14 testimony. We invite Panel 6 to approach the  
15 front and let's reconvene at 2:55. Thank you.

16 (Whereupon, the above-entitled matter  
17 went off the record at 2:48 p.m. and resumed at  
18 2:59 p.m.)

19 MR. BURCH: Would the room please come  
20 to order?

21 CHAIR GRIMBALL: Good afternoon and  
22 welcome Panel 6. We anticipate having two  
23 members of congress participate in the hearings  
24 during this hour. So somewhere around 3:15 we'll  
25 have to pause for a member of congress. And then

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1 if we are still continuing by 3:30 we'll have to  
2 pause a second time for a member of congress to  
3 join us.

4 We've had a new person join the panel  
5 of Government representatives, so once again  
6 we'll go around for the record so that it  
7 reflects who is with us this afternoon.

8 MS. BONNER: Sarah Bonner with the  
9 U.S. Small Business Administration.

10 MR. COOK: Ian Cook, Department of  
11 Commerce.

12 DR. STEVENS: Andrew Stevens from what  
13 President Lincoln called the People's Department.  
14 The U.S. Department of Agriculture.

15 MS. MADELL: Mary Lisa Madell, the  
16 Department of Transportation.

17 MR. MARTIN: Alex Martin, Office of  
18 U.S. Trade Representative.

19 MR. HARTNETT: Christopher Hartnett,  
20 Department of Homeland Security.

21 MR. SULLIVAN: Ryan Sullivan,  
22 Department of State.

23 MR. VAN PATTEN: Tyler Van Patten,  
24 Department of Treasury.

25 MS. SCHAFER: Sonja Schafer,

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1 Department of Labor.

2 CHAIR GRIMBALL: Megan Grimbball, USTR,  
3 Chair of the Section 301 Committee. With those  
4 housekeeping matters being handled, let's proceed  
5 with testimony this afternoon. Mr. Gonzalez, you  
6 have the floor.

7 MR. GONZALEZ: Good afternoon. My  
8 name is Eddie Gonzalez. I am the president and  
9 CEO of Seaboard Marine. Seaboard Marine is an  
10 American owned company that has been based in  
11 Miami, Florida for more than 41 years. We are  
12 the largest U.S.-owned international ocean  
13 carrier. We directly employ --

14 MR. BURCH: Mr. Gonzalez, may you  
15 please pull your microphone a little closer?  
16 Bring it to you.

17 MR. GONZALEZ: We are the largest  
18 U.S.-owned international ocean carrier. We  
19 directly employ over 930 people in the United  
20 States, and we contract thousands more U.S.  
21 stevedores, crane operators, truck drivers,  
22 railroad employees.

23 Seaboard carries roughly 45 percent of  
24 the cargo moving through the Port of Miami.  
25 Which means that approximately 300,000 annual

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1 long shore hours are dedicated to Seaboard  
2 vessels just in Miami. In the last two years  
3 alone we have invested, or otherwise committed,  
4 over \$50 million to U.S. Port infrastructure in  
5 Miami and Houston.

6 I want to thank the U.S. Trade  
7 Representative and Committee Members for their  
8 work. Seaboard strongly supports the policy  
9 objectives of expanding U.S. shipbuilding.

10 We do not, however, want to lose sight  
11 of another critical issue for the U.S. policy.  
12 The importance of American-owned commercial  
13 shipping.

14 National interests will not be served  
15 if the efforts of boost American shipbuilding  
16 unintentionally destroys American owned carriers.  
17 But that is exactly what some of the proposed  
18 actions would do if not modified. Fortunately,  
19 modest amendments will ensure that the final  
20 Section 301 actions will promote U.S.  
21 shipbuilding interests and avoid harming  
22 U.S.-owned international carriers.

23 Before discussing these modest changes  
24 it is important to understand how U.S.-owned  
25 international carriers, like Seaboard Marine, fit



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1 into the U.S. maritime ecosystem. For over four  
2 decades Seaboard has worked hard to build a  
3 business that supports U.S. exports in a  
4 competitive landscape that is dominated by  
5 foreign-owned carriers. We continuously renew  
6 our fleet in response to regulatory requirements  
7 and competitive pressures. And to that end we  
8 have purchased and chartered foreign built  
9 vessels, including Chinese built ships.

10           The realities of U.S. shipbuilding  
11 capacity have meant that U.S. built container  
12 ships have not been a viable option for us for  
13 some time. Hopefully this will change as a  
14 result of the government efforts, but it won't  
15 happen overnight.

16           As Seaboard we use our fleet to  
17 transport cargo exclusively in non-coast wide  
18 trade on short run international routes between  
19 U.S. ports and the Caribbean Basin in Latin  
20 American. The nature of our business means that  
21 our vessels call on U.S. ports very frequently.  
22 Often on a weekly basis. The same ship may call  
23 on the same U.S. port 52 times per year.

24           As a result, a typical seaboard vessel  
25 would enter a U.S. port far more often than a

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1 typical vessel of a large foreign known carrier  
2 that services Transpacific or Transatlantic  
3 routes. It is critical for the Committee to  
4 recognize that those foreign carriers dominate  
5 ocean shipping.

6           We are proud to be the largest  
7 U.S.-owned international carrier, but we are only  
8 the 37th largest ocean carrier in terms of TEU  
9 fleet capacity. The ten largest carriers in the  
10 world, all foreign-owned, control 88 percent of  
11 global vessel capacity. And most have several  
12 hundred ships at their disposal.

13           Seaboard operates only 24 ships, which  
14 are generally much smaller than the ships of the  
15 big foreign-owned carriers. In stark contrast to  
16 Seaboard Marine, the large foreign-owned carriers  
17 have the wherewithal to ship their ships and  
18 routes to minimize the proposed service fees. In  
19 sum, unless modified the proposed service fees  
20 for operations that use, or have ordered Chinese  
21 vessels, would have the unintended consequence of  
22 putting U.S.-owned carriers, like Seaboard  
23 Marine, out of business. This would push more  
24 business into the hands of large foreign-owned  
25 carriers.

1                   Similarly, the proposed export  
2 restrictions based on the U.S. flag, U.S. built  
3 ships are not feasible in the near-term for a  
4 company like Seaboard since U.S. built container  
5 ships are not currently available. Seaboard  
6 therefore requests that the USTR modify its  
7 proposed service fees and export restrictions by  
8 exempting carrier lines that are both controlled  
9 by U.S. persons, and at least 75 beneficially  
10 owned by U.S. persons.

11                   Our written submission has much more  
12 detail commentary on the path forward, including  
13 additional thoughts on each of these proposals.  
14 In closing, I want to underscore two points.  
15 First, if not modified the proposed actions will  
16 destroy U.S.-owned carriers, like Seaboard  
17 Marine, second, if you make meaningful  
18 modifications that effectively promote both U.S.  
19 shipbuilding and the operations of American owned  
20 carriers. I look forward to answering your  
21 questions. Thank you very much.

22                   CHAIR GRIMBALL: Thank you, Mr.  
23 Gonzalez. Mr. Humphrey's, you have the floor.

24                   MR. HUMPHREYS: 301 Committee, thank  
25 you for the opportunity to testify. I am David

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1     Humphreys, president of Linea Peninsula, Inc. We  
2     are a U.S.-owned short sea carrier based in  
3     Panama City, Florida, USA. And have been  
4     operating as a family owned business for more  
5     than 40 years.

6             Our vessels are relatively small. 99  
7     meter length, 366 TEU container ships. We  
8     generally deliver 140 foot containers on each of  
9     our biweekly short sea port calls to the U.S.

10            More than ten years ago we purchased  
11    two Chinese built ships when they were available  
12    for sale on the secondhand market. Under the  
13    proposed action we would be penalized for a  
14    purchase that was made many years ago based on a  
15    regulation that was not in place at the time and  
16    that we could not foresee. If we purchased a  
17    Turkish or Japanese built vessel instead, how  
18    would that have helped the U.S. shipping  
19    industry?

20            Under the proposed regulation we would  
21    be subject to a million dollar charge per port  
22    call, or roughly \$104 million per year in  
23    additional fees. Each inbound container we carry  
24    would be subject to roughly \$10,000 in additional  
25    charges. Our customers will not pay for that,

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1 and we cannot absorb it.

2 Rules for a 20,000 TEU foreign-owned  
3 vessel should not be the same as they are for a  
4 U.S. operator with small vessels. U.S. operators  
5 should be exempt from these rules, or our vessel  
6 should be grandfathered in.

7 However, if charges are imposed, the  
8 charges should be proportionately equal. Charges  
9 should be assessed on a per loaded container  
10 discharge basis, not a per vessel call basis.  
11 For bulk cargo these charges should be based on a  
12 per ton of cargo delivered basis not overall  
13 vessel capacity.

14 As a U.S. operator, if we cannot move  
15 cargo at a reasonable rate, a non-U.S. operator  
16 with a foreign built, not Chinese but also not  
17 U.S. built vessel, will move the cargo. Or truck  
18 or rail. Further depleting the U.S.-owned and  
19 controlled fleet. Non-U.S. global carriers can  
20 reallocate their fleets and place a non-Chinese  
21 vessel into a U.S. trade lane circumventing the  
22 rules.

23 Regarding provisions requiring a  
24 percentage of export cargo to be shipped on U.S.  
25 flagged vessels, I would request that the

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1 proposal be eliminated. If not eliminated, the  
2 provision should be changed to allow U.S. export  
3 cargo to be moved on U.S.-owned, U.S. tax paying  
4 vessels with a cause grandfathering existing  
5 U.S.-owned Chinese built vessels to carry export  
6 cargos.

7           If these proposals were enforced as  
8 written they would eliminate many U.S. based jobs  
9 and penalize one of the few remaining U.S.-owned,  
10 U.S. operated, U.S. domiciled, U.S. maintained,  
11 U.S. dry docked, and U.S. tax paying ship  
12 operators. We are based in the U.S. and pay U.S.  
13 taxes on all our income in the U.S. We do not  
14 have a foreign shell company to avoid taxes.

15           These proposed regulations should be  
16 cancelled, or at a minimum, U.S. taxpaying  
17 operators like ourselves should be supported and  
18 exempt from this rule and grandfathered in with  
19 our current fleet. The focus should be  
20 concentrated on Chinese owned and operated  
21 vessels.

22           301 Committee, I do not have more  
23 facts and figures. I think there are plenty of  
24 people here testifying with that information. I  
25 would like the Commission understand how these

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1 proposed rules would affect a small U.S. company.  
2 We are not a Chinese sympathizer taking advantage  
3 of U.S. shipbuilding, we are U.S. taxpaying, U.S.  
4 based, domestic employer that purchased ships  
5 that were available when we needed them.

6 If these proposals are enacted they  
7 will not help the U.S. ship production, and put  
8 us out of business. Thank you for your  
9 consideration.

10 CHAIR GRIMBALL: Thank you for your  
11 testimony, Mr. Humphreys. Mr. Pitcher, you have  
12 the floor.

13 MR. PITCHER: Thank you, Chair. Good  
14 afternoon Members of the Committee and esteemed  
15 guests. I understand that you've heard many  
16 facts and figures today so I'll keep my remarks  
17 brief and personal. My goal is to provide a  
18 perspective that highlights the human and  
19 economic impact of Section 301 proposal.

20 I represent North Florida Shipping, a  
21 small based, U.S. based company that serves the  
22 Somers Isles. A vessel built in China but  
23 completed in Europe. Our dedicated team of nine  
24 individuals manages 26 voyages annually, each  
25 carrying roughly 150 containers with a gross

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1 revenue of about \$500,000 per voyage. The  
2 introduction of a million dollar fee or more per  
3 visit would quite frankly put us out of business.  
4 There is no way we could absorb such a hefty  
5 charge or pass it on to our customers.

6 If this proposal is enacted, 900  
7 working people will lose their jobs. Some have  
8 been with us for over 30 years, while others are  
9 newer employers with families to support.

10 The impacts extends far beyond our  
11 small company though. The 150 containers we  
12 transport per voyage carry goods from across the  
13 U.S. southeast. This includes Georgia lumber and  
14 paper products, Florida animal feed, produce,  
15 even goods from major companies like Proctor &  
16 Gamble, Kimberly-Clark. We carry Bud Lite out of  
17 Jacksonville, Bacardi out of Jacksonville, Duval.

18 We are talking about 40 to \$60 million  
19 in exports at risk from our area. I know it's  
20 small, but.

21 Our trade also supports three freight  
22 forwarders, which would be another 47 jobs on the  
23 line. Our primary customer at the port -- we are  
24 the primary customer at the Port of Fernandina  
25 Beach, and we would be gone. And the port would



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1     lose a significant revenue source. This could  
2     lead to further job losses and potentially force  
3     the port to rely on public funds to maintain  
4     operations.

5                     We must remember, ports are as vital  
6     to national security as vessels themselves.  
7     Additionally, there are downstream losses in  
8     trucking, local tax revenue. It would be a  
9     significant ripple effect, as you've heard many  
10    times now.

11                    As a graduate of Maine Maritime  
12    Academy I understand the importance of a strong  
13    U.S. flag fleet. However, Section 301 fails to  
14    address the real issues here. While the proposal  
15    offers the refund for U.S. flag vessels, it  
16    doesn't provide a sustainable solution to the  
17    lack of U.S. built ships. It will take years, if  
18    not decades, to create enough U.S. flag vessels  
19    to meet the demand. Meanwhile, shipping lines  
20    won't simply gravitate to U.S. flag ships as  
21    there are many other countries producing ships at  
22    lower costs.

23                    I do actually have some numbers that  
24    I didn't have when I handed you. In 2010 we  
25    designed a small Gulf Stream feeder vessel and

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1 floated it on the market just to get some initial  
2 numbers. It was 8 to \$10 million to build in  
3 China, it was 12 to \$15 million to build in the  
4 Netherlands, or Europe. It was 45 to \$50 million  
5 to build in the U.S. Initial numbers.

6 To be clear though, my preference  
7 would be to see a U.S. built flag vessel on our  
8 route to Bermuda, but the reality is that such a  
9 vessel would be five times more expensive making  
10 it financially unfeasible at this point in time.

11 In conclusion, while the intended,  
12 intention behind 301 is to strengthen national  
13 security the consequences could be catastrophic  
14 for small ports, American workers or  
15 international trade. The impact would extend far  
16 beyond North Florida shipping affecting entire  
17 industries, communities, affecting those that  
18 rely on trade with places like Bermuda.

19 I urge the Committee to consider the  
20 broader implications of this proposal and find a  
21 more balanced approach. One that supports U.S.  
22 shipping without jeopardizing jobs, trade, our  
23 relationships, and international partners while  
24 depending on U.S. -- sorry. And our  
25 relationships with international partners who

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1 depend on the U.S. for vital goods.

2           Ninety-eight percent of what we  
3 export, of what we ship is exports. Our ship  
4 comes in empty. It has maybe some scrap steel,  
5 it has household goods. That is all.

6           I know I could not bring billions of  
7 dollars worth of trade or thousands of workers,  
8 but these company and these workers, I'm glad I  
9 got to come fight for them today. Thank you.

10           CHAIR GRIMBALL: Thank you, Mr.  
11 Pitcher. Of all the things I expected to hear  
12 today I did not expect to hear a shout out to  
13 Duval County. Go Jags.

14           (Laughter.)

15           CHAIR GRIMBALL: Mr. Wight, before  
16 proceeding with you we do have a Congressional  
17 representative available to provide testimony so  
18 we'll pause for that. Let's see who we have  
19 here. Congresswoman Delauro. If you can hear  
20 me, you have the floor.

21           (Pause.)

22           MR. BURCH: Congresswoman Delauro, are  
23 you able to hear us?

24           CONGRESSWOMAN DELAURO: Yes, I am.  
25 I'm right here. Thank you. Sorry to hold you

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1 up. Can you hear me?

2 MR. BURCH: Yes. We can hear you and  
3 see you.

4 CONGRESSWOMAN DELAURO: Okay. I'll  
5 just get going then. Let me just address the  
6 Members of the Section 301 Committee. And say  
7 thank you to you for giving me an opportunity to  
8 testify today on this important issue. Proposed  
9 actions against the People's Republic of China's  
10 unfair trade practices in the maritime, logistics  
11 and shipbuilding sectors.

12 As the Chair of the House Trade  
13 Working Group and the ranking member on the House  
14 Appropriations Committee, I'm keenly aware of how  
15 shipbuilding and the maritime sector play a vital  
16 role of the United States as an economy and our  
17 national defense. I want to thank the Office of  
18 the United States Trade Representative and the  
19 Administration for holding this important  
20 hearing.

21 Connecticut has a long and storied  
22 maritime history that continues to this day. In  
23 addition to the U.S. Naval production facilities  
24 and the commercially significant Port of New  
25 Haven Connecticut, Connecticut has built a

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1 network of small and regionally specific maritime  
2 ship repair operations. And a manufacturing  
3 sector that is vital to multiple maritime supply  
4 chains.

5           Electric boat in Groton employees  
6 thousands of workers and has probably the primary  
7 producer of submarines for our Navy for decades.  
8 We have innovative companies in the maritime  
9 sector that support this industry as well.  
10 Companies like Pratt and Whitney, measurement  
11 systems that produce precision instruments and  
12 gauges. Sherwin Williams that produces  
13 protective and marine coatings, and many more.

14           And while I am proud of these  
15 companies are still located in Connecticut and  
16 still manufacturing submarines, and the vital  
17 components that go into them, I cannot help but  
18 think about how many more maritime sector jobs we  
19 used to have. And so I appear before you today  
20 to offer my strong support for the types of  
21 relief that USTR has outlined.

22           China's discriminatory practices and  
23 blatant cheating have forced U.S. shipbuilders,  
24 their suppliers and workers to compete on an  
25 uneven playing field. And have contributed to

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1 the decline of the U.S. shipbuilding industry.  
2 While China has poured hundreds of billions of  
3 dollars in state funding into its shipbuilding  
4 industry to insulate it from market forces, too  
5 many U.S. shipbuilders were forced to compete for  
6 the few remaining contracts, and many had to  
7 close as a result.

8 As a result, the U.S. Navy estimates  
9 China's shipbuilding capacity at roughly 232  
10 times that of the United States. That is  
11 incredible and unexpectable disparity. For our  
12 economic security, but clearly our national  
13 security as well.

14 For the past 25 years China has been  
15 very clear about how they intended to dominate  
16 this sector globally. And they are well on the  
17 path to just doing that. It is past time for the  
18 United States to stand up to recapture,  
19 revitalize the American maritime sector.

20 So again, I thank USTR and the  
21 administration for issuing strong proposed  
22 remedies. I support a service fee on Chinese  
23 vessels and Chinese operations.

24 I agree we must address safety,  
25 economic and defense concerns, concerns raised by

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1 logging the Chinese communist parties, CPC, state  
2 subsidized port and logistics software. And like  
3 my colleagues I support remedies that promote the  
4 transport of U.S. exports on U.S. flagged vessels  
5 over time.

6 As a ranking member of appropriations  
7 I stand ready to work on bipartisan legislation  
8 where it is needed to revitalize and restore this  
9 critical sector. I again thank you for the  
10 opportunity to appear before you today.

11 CHAIR GRIMBALL: Thank you,  
12 Congresswoman Delauro. Thank you for your  
13 testimony today. Mr. Wight, we can proceed with  
14 your testimony. Thank you.

15 MR. WIGHT: Thank you and good  
16 afternoon. My name is John Wight and I'm the  
17 chairman of Bermuda Container Line. A small  
18 container company based in Bermuda that's  
19 serviced from the U.S.

20 Bermuda Container Line, or BCL,  
21 appreciates the opportunity to provide comments  
22 on the proposed actions under Section 301,  
23 investigation concerning China's dominance in the  
24 maritime logistics and shipbuilding sectors. For  
25 those of you who don't know, Bermuda is an

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1 overseas territory of the U.K. We're roughly 21  
2 square miles, a dot out in the ocean.

3 As the chairman for BCL I am  
4 submitting this testimony on behalf of the  
5 company to highlight the significant and  
6 unintended economic consequences and hardships  
7 these measures could impose on Bermuda's  
8 residents and our economy.

9 Bermuda is a small island economy of  
10 approximately 60,000 residents, which includes  
11 8,000 U.S. citizens. We are highly dependent on  
12 maritime trade to sustain our population and our  
13 businesses. We have virtually no manufacturing,  
14 we have no exports. We have 360 acres of land in  
15 which we grow fruits and vegetables. Our  
16 economic lifeline is importing goods from the  
17 U.S.

18 The United States serves as Bermuda's  
19 primary trading partner with a vast majority of  
20 goods including food, medical supplies and  
21 consumer products imported from U.S. ports.  
22 Particularly Port Elizabeth, New Jersey.

23 A critical player in this supply chain  
24 is Bermuda Container Line. A Bermuda-owned  
25 company which operates the Oleander, a Chinese



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1 built vessel responsible for the weekly shipment  
2 of goods from Elizabeth, New Jersey to Bermuda.

3           Nine percent of all goods to Bermuda  
4 arrive on Bermuda's three container ships all  
5 from U.S. ports. The Oleander is the largest of  
6 these three ships, but in the global context it's  
7 actually very small. It's a 450 TEU ship. And  
8 as comparison, the largest container ships  
9 globally now are as large as 24,000 TEU ships,  
10 which are roughly 50 times the size of the  
11 Oleander.

12           The Ships Act USTR recommendation is  
13 to charge \$1.5 million per port call to all  
14 Chinese manufactured vessels to Bermuda would be  
15 catastrophic to our company, and to our island.  
16 With U.S. port calls weekly, these  
17 recommendations would cost BCL \$76 million per  
18 year. To put this in a context, BCL's total  
19 annual revenues are only about \$30 million per  
20 year. In any given year we earn about \$1 million  
21 per year.

22           There are no ready alternatives for  
23 BCL to move from the company's Chinese built  
24 containership. While the global marine markets  
25 continue to build larger and larger ships, small

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1 island nations, such as Bermuda, can only be  
2 serviced by small container ships. For economic  
3 reasons, in addition to Bermuda's shallow harbor.

4 If the current recommendations were to  
5 be implemented, BCL would be forced to terminate  
6 its business operations. It would be impossible  
7 to absorb the new fees and impossible to pass on  
8 the costs of the fees to our customers. Almost  
9 tripling their current shipping costs.

10 So to repeat, for a company with \$30  
11 million in annual revenues, with a net income of  
12 roughly \$1 million, the additional financial cost  
13 to our company would amount to \$76 million. This  
14 is an existential crisis, not just for BCL, but  
15 as 45 percent of all goods arriving in Bermuda  
16 container ships arrive on our Oleander, this is  
17 an existential crisis for Bermuda as well.

18 Without BCL Bermuda would face  
19 negative consequences for U.S. businesses as  
20 well. Many U.S. exporters, particularly those in  
21 New Jersey and the mid-Atlantic region depend on  
22 BCL's services to supply Bermuda.

23 BCL recognizes and respects the United  
24 States right to take action against unfair trade  
25 practices, however, we urge the USTR to consider

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1 creating exemptions for small island countries,  
2 such as Bermuda, where the impact of such  
3 regulations can not only harm and entire  
4 population but also have serious negative  
5 consequences to U.S.-based businesses. Thank  
6 you.

7 CHAIR GRIMBALL: Thank you, Mr. Wight,  
8 and to Members of Panel 6 for your testimony  
9 today. As I mentioned at the top, we are  
10 expecting another member of congress to testify  
11 at 3:30, so I would propose we just pause for  
12 four minutes, allow our member of congress to  
13 come on the screen, take a brief break. And then  
14 after that testimony we'll proceed with questions  
15 from the government representatives.

16 (Whereupon, the above-entitled matter  
17 went off the record at 3:26 p.m. and resumed at  
18 3:32 p.m.)

19 CHAIR GRIMBALL: Okay, we are ready to  
20 resume. We are joined this afternoon by Senator  
21 Baldwin. Senator Baldwin, you have the floor.

22 SENATOR BALDWIN: Thank you so much.  
23 Members of the Committee, thank you for the  
24 opportunity to testify. And a special thank you  
25 to Ambassador Greer and the Staff at USTR for

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1 posting this hearing on the proposed actions in  
2 the Section 301 investigation of China's  
3 targeting of the maritime, logistics and  
4 shipbuilding sectors for dominance.

5 I participated in the launch of the  
6 Section 301 petition. And last May I offered  
7 testimony in support of the petition filed by the  
8 United Steelworkers and other unions. I'm proud  
9 to see that the work of the USTR in the Biden and  
10 Trump Administrations, the Labor Unions, and the  
11 Democrats in the Senate and House has made such  
12 significant progress to hold China accountable  
13 for their actions. And hopefully set in motions  
14 steps to revitalize the United States commercial  
15 shipbuilding sector.

16 As the Senator from Wisconsin, a state  
17 with a very proud tradition of shipbuilding, I  
18 can tell you that we are at an inflection point.  
19 China's nearly three decades long government  
20 sponsored effort to decimate the United States  
21 shipbuilding industry to establish their own  
22 global dominance has resulted in great losses for  
23 the country, missed opportunities in Wisconsin.  
24 And the time to act is now.

25 The first shipyards in Wisconsin to

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1 open were in 1830. In Milwaukee and in  
2 Manitowoc. They developed into a major  
3 shipbuilding center, along with Sturgeon Bay.  
4 Our state's flag bears both a sailor and an  
5 anchor as the reflection of its maritime history.

6 The United States led the world in  
7 producing large cargo ships after World War II.  
8 Between 1973 and 1981 Wisconsin's Bay  
9 shipbuilding company, now owned by Fincantieri,  
10 produced 15 large commercial ships for the Great  
11 Lakes. Many of which are still in use today.  
12 But since then Wisconsin has only built one large  
13 commercial ship, which Fincantieri launched in  
14 2022.

15 While Chinese shipyards now produce  
16 over 1,000 ocean going vessels a year, the United  
17 States produces fewer than ten. America has lost  
18 25,000 downstream suppliers. In 2007 and 2008  
19 the United States exported over 1,500 maritime  
20 engines to China. A number that has dwindled to  
21 under 100. This is all because the Chinese  
22 communist parties deliberate government subsidize  
23 and expansive plan to target and decimate the  
24 United States shipbuilding industry to become the  
25 world's largest shipbuilding nation.

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1                   China has employed nonmarket policy  
2 tools, including preferential sourcing policies,  
3 loans from state owned banks, equity infusions  
4 from debt for equity swaps, the provision of  
5 steel plate from state owned steel producers at  
6 below market prices, tax preferences, grants, and  
7 customer financing from state owned export credit  
8 agencies and other policies.

9                   With every American shipyard that  
10 suffers reduced traffic, and each shuttered  
11 supplier, we use good paying, often union jobs.  
12 As well as the knowledge of skilled trades people  
13 and employers that are important parts of  
14 communities and local economies. With a robust  
15 domestic shipbuilding sector, our national  
16 security, without a robust domestic shipbuilding  
17 sector, our national security is at risk.

18                  A healthy commercial shipbuilding  
19 industry supports the very workforce and upstream  
20 industries, and infrastructure needed to support  
21 Naval shipbuilding. The scarcity of U.S. flagged  
22 and built ships raises concerns about the ability  
23 to support the Military in the event of conflict,  
24 or of national emergency. And this must stop  
25 now. We need an all hands on deck approach to

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1 fighting China's unfair trade practices.

2 I support remedies like the ones  
3 proposed by the USTR. Such as fees on Chinese  
4 ocean carriers and Chinese built vessels to enter  
5 a U.S. port. And requirements to support U.S.  
6 goods transported on U.S. flagged and built  
7 vessels. These suggestions are an important  
8 start to holding China accountable and creating  
9 lasting demand for American ships.

10 Now funds collected by these fees must  
11 go directly to supporting American shipbuilding  
12 as authorized through bipartisan congressional  
13 support where appropriate and where necessary.  
14 We must support the growth of a maritime  
15 workforce at the same time. If there are no  
16 workers to build the ships these efforts are  
17 meaningless.

18 Successful models are already  
19 underway. Like the specialized training offered  
20 at Northeast Wisconsin Technical College, which  
21 has a partnership with Fincantieri Marinette  
22 Marine to provide a career path to good paying  
23 union jobs and the middle class. The college  
24 recently expanded this partnership to Fincantieri  
25 Bay Shipbuilding, at their Sturgeon Bay Campus.

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1                   Lastly, I encourage all involved in  
2 the effort to learn from what we have seen in  
3 sectors ranging from steel to solar. We should  
4 expect China, and other competitors, to adapt and  
5 try to find new ways to cheat and to get around  
6 proposed remedies.

7                   For example, suggested actions must  
8 not allow China to circumvent fees by docking in  
9 Canada or Mexico and then shipping products  
10 across land borders. Anti-cargo diversion  
11 provisions must be a part of the design of the  
12 relief measures.

13                   We must remain nimble and vigilant to  
14 enact the proposals that are necessary to respond  
15 to China's predatory practices and make America  
16 shipbuilding the envy of the world once again. I  
17 really look forward to working together, and I  
18 thank you so much for your time and your  
19 consideration.

20                   CHAIR GRIMBALL: Senator Baldwin,  
21 thank you for your testimony.

22                   SENATOR BALDWIN: Thank you for having  
23 me.

24                   CHAIR GRIMBALL: Thank you. And now  
25 we will proceed with questions from the



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1 Government representatives.

2 PARTICIPANT: This question is for Mr.  
3 Gonzalez. Could you please elaborate on how  
4 U.S.-owned carriers are at a disadvantage in the  
5 world marketplace, and then what actions could  
6 USTR take to counter such a disadvantage?

7 Thanks.

8 MR. GONZALEZ: Thank you for the  
9 question. First of all, I'd like to thank  
10 everyone for taking the time. I know everyone is  
11 quite busy, but this is quite important to us,  
12 and I think to the nation. We fully support the  
13 initiative.

14 For us a U.S.-owned and controlled  
15 carrier, we are actually an international, a  
16 U.S.-owned international carrier, which sets us  
17 apart from the Jones Act, and it also sets us  
18 apart from just foreign-owned carrier. We're at  
19 a disadvantage from the standpoint that we  
20 service a reasonable trade. We do short sea  
21 versus long hauls.

22 When we're competing we're competing  
23 against foreign-owned carriers that are monsters.  
24 In other words, they are very large carriers.  
25 And they have economies of scale that we do not

1 have.

2 For us to be able to compete in the  
3 marketplace, for instance, on ships, we have 24  
4 vessels. That's the size of our fleet. And we  
5 are the largest U.S.-owned carrier, yet we  
6 compete against carriers that have capacity of 6  
7 million TEU capacity. We have 40,000 TEU  
8 capacity. Just figure how easy it is for a  
9 carrier of that size to be able to shift tonnage,  
10 vessels around, and bring them into our  
11 marketplace. That's what we're competing with.

12 We also are dealing, competing with  
13 the challenges of the ever changing environmental  
14 requirements that require us to take the  
15 initiative to replace our existing tonnage.  
16 Other carriers have done a job where they are  
17 continuously changing their fleet. And for us to  
18 be able to be competitive with those larger  
19 carriers, we are forced to have to do the same in  
20 order to compete with those world carriers. So  
21 that's part one.

22 Your second question, sir?

23 PARTICIPANT: It was just, what  
24 actions could USTR take to combat that  
25 disadvantage?

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1                   MR. GONZALEZ: Well, for starters, one  
2 of the things that we're looking is that we want  
3 to be able to be competitive in the marketplace  
4 and basically survive. We fully support the  
5 actions that are taking place, but as we've  
6 stated, they need to be modified where we're not  
7 put at a competitive disadvantage.

8                   As you know, as a U.S.-owned, as a  
9 U.S.-owned carrier and controlled, we have U.S.  
10 workers that rely on us to keep them going. And  
11 in order for us to be able to compete I think  
12 that there needs to be a carve out that allows  
13 carriers that are servicing this region, which  
14 really is an export surplus.

15                  So the reasons that we're primarily  
16 talking about is a export surplus where it would  
17 have, he impact would be very negative for U.S.  
18 exports. Seaboard fully supports these trade  
19 lanes and is a big part of it. And if the  
20 proposals that have been set go into effect I'm  
21 afraid that the unintended consequences would be  
22 that international foreign-owned carriers, large  
23 carriers, would dominate shipping in the U.S.

24                  MS. MADELL: Mr. Humphreys, I had a  
25 question about your suggestion in your testimony

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1 that charges could be assessed on a per container  
2 discharged vessel basis. And then for bulk cargo  
3 the charges should be assessed on a per ton of  
4 cargo delivered basis rather than overall vessel  
5 capacity.

6 Do you have any suggestions or  
7 specifics on how this could be implemented or  
8 administered and practiced, and do you think that  
9 this approach would be still effective in  
10 addressing China's Acts, policies and practices  
11 and still protecting U.S. operators? Thanks.

12 MR. HUMPHREYS: Well I guess I'd  
13 answer the second part of your question first.  
14 So the effect on U.S. operators would have to be  
15 addressed in grandfathering in the use of Chinese  
16 vessels. Without that, you know, we wouldn't  
17 make it to the first part of your question,  
18 assessing the fees out.

19 So if we had to just, you know, I  
20 can't speak for everybody in the room, but if you  
21 say a ship coming from China carries 10,000  
22 containers and that's \$1 million, so that would  
23 be \$100 per container, then if you assessed  
24 through customs, or something like that, a  
25 similar figure, then at least it would be

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1 proportionate. If you say a vessel carrying  
2 50,000 tons of bulk coming in or out of the U.S.  
3 and you divide that out by a million, then it,  
4 you know, \$5 a ton, something like that.

5           So I'm not speaking for everybody,  
6 but, you know, maybe we could handle \$100 a  
7 container, but we can't handle \$10,000 a  
8 container.

9           MS. BONNER: Mr. Pitcher, in your  
10 written submission you stated that the proposed  
11 penalties do not take into account companies of  
12 your size. Can you elaborate on the effects of  
13 the specific proposed fees on a company of your  
14 size and how, in your opinion, a fee may be  
15 structured to mitigate any effects?

16           MR. PITCHER: So since our average  
17 revenue per voyage is \$500,000, a million dollar  
18 fee means we would have to at least triple, if  
19 not quadruple, our charges onto our customers.  
20 It's, we do 26 voyages a per, that's \$26 million  
21 as opposed to the \$13 million we have gross.  
22 \$12.5 we have in gross. And, you know, it's just  
23 completely out of whack with, it's not just  
24 penalizing us it is ending us truly.

25           So that feels like the difference.

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1 You know, you're trying to penalize somebody who  
2 bought a ship in China, okay, or are you just  
3 trying to run them out of business. That's kind  
4 of the feeling that we have for a company of our  
5 size.

6           The per TEU puts us on the same  
7 footing as a big ship. That's an idea. The per  
8 freight ton puts us on the footing of a big ship.  
9 But again, whatever fees you give us we give the  
10 customer. And our customer is the U.S. Our  
11 customer is the exporters from Southeast Georgia,  
12 from Northeast Florida. So then they will get  
13 whatever is handed on.

14           And then what that money is used for  
15 it could be for the benefit of the U.S. ship,  
16 that's good. But, you know, in the proposal the  
17 way it was written I didn't see where the money  
18 went either. Is that enough to answer? Yes?  
19 Sorry. Okay, thanks.

20           MR. VAN PATTEN: Thank you. Mr.  
21 Wight, in your testimony you suggested USTR  
22 should consider exemptions for companies like  
23 yours. Can you share more on how a remedy could  
24 be tailored to address your concerns while also  
25 addressing China's unfair acts, policies and

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1 practices?

2 MR. WIGHT: Yes. I think, you know,  
3 following the testimony of my colleagues, or  
4 others at the table here, a per container charge  
5 would be equitable. One that potentially would  
6 be absorbable by our company and/or passed on to  
7 our customers. So I think if it was done in a  
8 reasonable and appropriate fashion on a per  
9 container basis, then that would be achieving the  
10 objectives of the organization without  
11 essentially putting our company out of business,  
12 or making the shipping cost so unaffordable to  
13 our customers that they would be going out of  
14 business themselves.

15 So I think there is a compromise here  
16 somewhere. And I think the per container fee, in  
17 an appropriate and reasonable rate, would be that  
18 compromise that would work for isle nations, like  
19 Bermuda.

20 MS. SCHAFFER: A question for Mr.  
21 Gonzalez and Mr. Humphreys. Do you have any U.S.  
22 flagged vessels employing American workers in  
23 your fleet, and what are the barriers to  
24 re-flagging to the U.S., if any?

25 MR. GONZALEZ: Seaboard currently

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1 doesn't have any U.S. flagged vessels. And no  
2 U.S. crew. Our trades are purely international  
3 in nature, and don't have any U.S. built, include  
4 requirements that trade involving U.S. ports and  
5 territories.

6 We are currently willing to flag in  
7 the U.S. We believe that any move to incentivize  
8 moving vessels to the U.S. flag should first  
9 ensure that American-owned and controlled  
10 companies have first access to adequate crew, not  
11 foreign-owned companies.

12 The two largest U.S. flagged vessel  
13 fleets are owned by foreign companies. The U.S.  
14 flag provides access to U.S. Military cargo and  
15 other U.S. government cargo that must be carried  
16 on U.S. flags. And that is moving at a much  
17 higher volume, and to certain markets. That's  
18 not the case for Seaboard markets.

19 Even with the U.S. flag and crew,  
20 Seaboard has always served American interests.  
21 And we have provided ships to the U.S. Military  
22 and the Gulf War, to humanitarian missions in  
23 Haiti and in Puerto Rico.

24 MR. HUMPHREYS: Linea Peninsula does  
25 not have any U.S. flagged or U.S. crewed vessels.



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1 The market we're in wouldn't, at this point in  
2 time, couldn't bear the cost of a U.S.-built,  
3 U.S.-flagged vessel in our trade.

4 MR. SULLIVAN: Thank you for  
5 highlighting some of the challenges that you guys  
6 would see if these remedies came into place. I  
7 would like to ask the question, if remedies were  
8 applied but excluded vessels that were built in  
9 the past and only applied remedies for vessels  
10 built in the future, how would that affect your  
11 businesses?

12 MR. GONZALEZ: Well, there is no doubt  
13 that I think that taking that action where you're  
14 not being impacted for decisions that were made  
15 prior is definitely the right approach. I think,  
16 you know, going forward it would change the way  
17 carriers view U.S.-built ships. We, for instance  
18 at Seaboard Marine, we would definitely look at  
19 U.S.-build ships for our future orders.

20 I think that when you look at the  
21 landscape of the different cargos that are coming  
22 in, that would also assist in protecting the  
23 short sea transits for many of the carriers that  
24 are doing the regional trades and export trades  
25 where, like I mentioned, there is an export

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1 surplus and they would protect U.S. interest as  
2 the U.S. workers would not be effected. So we  
3 look at it very positively.

4 MR. SULLIVAN: Before the rest of you  
5 continue, I do want to clarify that the question  
6 is just on Chinese built ships. You know, we're  
7 not requiring U.S. build but just wanted to  
8 clarify.

9 MR. PITCHER: I mean, I can answer.  
10 For the future of our line we would look to other  
11 nations, then China. The U.S. would not have the  
12 ability to build our ship at a rate that we can  
13 afford at this time. But, if the Committee is  
14 successful in pushing ahead, if the Committee is  
15 successful in reigniting U.S. ship building, then  
16 what would follow would be competition within the  
17 U.S.

18 If you've got more shipyards building  
19 up and you got more interest in them actually  
20 competing for something other than a government  
21 contract job, then the U.S. prices will come  
22 down, and then yes, we would obviously consider a  
23 U.S. build. But in the short-term, right now if  
24 we had to look for another ship it would just  
25 have to be from somewhere else.

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1                   MR. GONZALEZ: I'd like to just add  
2    that it would, based on your clarification, there  
3    is no doubt that that behavior would change and  
4    then we would be looking to charter vessels that  
5    were not Chinese built, if that were the option.  
6    So it puts us in a better position going forward.

7                   MR. HUMPHREYS: I think that that  
8    would be the only choice, I guess that we'd have,  
9    to keep U.S. companies operational. And if you  
10   look at it from a security standpoint, you know,  
11   the Chinese vessel we have is a tool, but it's  
12   operated by all, I mean, I think I said U.S.  
13   about 20 times in my testimony, this is, you  
14   know, U.S. all the way through.

15                   So just because our tool happened to  
16   be built in China at a time prior to all of these  
17   rules, I think allowing us to sort of grandfather  
18   in keeps us competitive against other global  
19   carriers with no real alliance to the U.S. other  
20   than, you know, financial. You know, you have,  
21   as was mentioned, U.S. flagged ships operated by  
22   foreign owners. You know, is that helping  
23   security more than a Chinese vessel that's owned  
24   by U.S. owners? You know, I don't know. I mean,  
25   that's not a question you have to answer.

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1                   But I guess what I'm saying is, that  
2 by grandfathering us in, allowing people who made  
3 a decision at a time before this proposal was on  
4 the table, to me seems, you know, like the only  
5 gracious option.

6                   MR. WIGHT: I think if I can just add.  
7 So from the BCL perspective, we build the ship to  
8 last 20 years. Our previous ship was built in  
9 Holland. This time around 2017 when we built our  
10 new ship, the only cost effective ship we could  
11 build, virtually anywhere in the world, was  
12 China. And because it's such a small ship  
13 customized for the Bermuda market, no, you know,  
14 there were very few countries who actually wanted  
15 to even bid on this so our options were really  
16 China and virtually nobody else at that point in  
17 time.

18                   So for a market our size it's very  
19 difficult to find anybody who wants to build a  
20 ship in 2025 that's 400 TEUs. They want to build  
21 the grand, the big ships. So it's a very unique  
22 and challenging market for us to find alternative  
23 countries outside of China currently who would  
24 want to even bid on a ship such as ours.

25                   (Beeping.)

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1                   CHAIR GRIMBALL: I'm not sure what  
2 that was. Panel 6, thank you for your testimony  
3 this afternoon. And now we welcome, invite Panel  
4 7 to join us.

5                   Let's reconvene at 4:00 o'clock. I  
6 don't believe we have anyone in the waiting room,  
7 is that correct? We do have someone in the  
8 waiting? No. Okay. So let's, I'm sorry, let's  
9 reconvene at 4:05. Thank you.

10                   (Whereupon, the above-entitled matter  
11 went off the record at 3:58 p.m. and resumed at  
12 4:07 p.m.)

13                   MR. BURCH: Would the room please come  
14 to order?

15                   CHAIR GRIMBALL: Thank you everyone.  
16 We've come to Panel 7, the final panel of the  
17 day. To our witnesses, I have you down on my  
18 sheet in a different order, so I'm not going to  
19 be calling on you in the order in which you're  
20 seated. Mr. Kramek.

21                   MR. KRAMEK: Kramek, yes.

22                   CHAIR GRIMBALL: Kramek. Did I get  
23 that right?

24                   MR. KRAMEK: You did.

25                   CHAIR GRIMBALL: Kramek, okay.

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1 MR. KRAMEK: Thank you.

2 CHAIR GRIMBALL: You have the floor.

3 MR. KRAMEK: Thank you very much. My  
4 name is Joe Kramek and I'm president of the World  
5 Shipping Council, or WSC. WSC is a nonprofit  
6 trade association that represents the liner  
7 shipping industry which is comprised of operators  
8 of container ships and vehicle carriers.

9 WSC members play crucial roles in the  
10 U.S. economy and in the U.S. maritime sector.  
11 Eighty percent of America's goods are carried on  
12 container vessels. Liner shipping contributes \$2  
13 trillion to the U.S. economy. We support 6.4  
14 million U.S. jobs paying over \$420 billion in  
15 wages.

16 We carry the products made by American  
17 factories, and the food grown by American  
18 farmers, to global markets. We operate 75  
19 percent of the U.S. maritime administrations,  
20 maritime security program fleet comprised of U.S.  
21 flagships to support U.S. Department of Defense  
22 sea lift requirements.

23 We also operate two-thirds of the  
24 active U.S. built liner vessels in operation.  
25 And we are responsible for all liner vessels

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1 currently being built in U.S. shipyards.

2 I want to make it clear to the  
3 Committee that WSC Members and some of the most  
4 active participants in the U.S. maritime industry  
5 fully support the goal of building a strong and  
6 vibrant U.S. shipbuilding in maritime sector.  
7 However, WSC strongly opposes USTR's port fees.

8 These proposals retroactively target  
9 ship operators and owners who purchase Chinese  
10 vessels because they represented the best value  
11 to serve the U.S. trade and provide low cost  
12 ocean transportation to U.S. consumers,  
13 businesses and farmers. The fees will also  
14 punish U.S. consumers and exports with increased  
15 costs that in some cases will be so high the  
16 prices for U.S. goods, especially farm products,  
17 will simply not be competitive.

18 Additionally, actions to mitigate the  
19 fees by reducing the number of port costs will  
20 create COVID like supply chain congestion at  
21 larger ports, while reducing service at small and  
22 mid-size ports. The fees would result in  
23 catastrophic harm across nearly every sector of  
24 the U.S. economy and yet they will not curve the  
25 behavior by China that USTR has found actionable.

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1                   If applied cumulatively, the fees  
2 could cost non-Chinese operators millions of  
3 dollars per port call. Let me tell you a little  
4 bit liner shipping. Liner vessels make multiple  
5 port calls on each voyage to the United States.  
6 Under USTR's proposals, on a six port call visit  
7 to the United States, an average size 6,600 TEU  
8 container ship could incur nearly \$6,350 in fees  
9 per container. This would literally double the  
10 shipping rate between New York and Rotterdam.

11                   Except during unusual periods, the  
12 liner business is low margin so these fees would  
13 need to be passed along. That would raise the  
14 cost of goods at a time when consumers already  
15 face inflation. And it would decrease the  
16 competitiveness of the U.S. exports and overseas  
17 markets, reducing employment opportunities for  
18 Americans who make these products.

19                   Port fees would also reduce  
20 competition for ocean cargo transportation to and  
21 from the United States. The economic impacts  
22 would reverberate throughout the economy  
23 adversely impacting businesses, consumers, and  
24 especially farmers.

25                   WSC also opposes USTR's proposals to



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1 require set percentages of U.S. exports to be  
2 shipped on U.S. flagged or U.S. built vessels.  
3 These proposals appear to be impossible to comply  
4 with. The ships simply do not exist, nor does  
5 the shipyard capacity to build them.

6 Of the 30 U.S. built container ships  
7 active today all operate on trades subject to the  
8 Jones Act, and their average age is 24 years old,  
9 which puts them near the end of their lifecycle.  
10 Therefore existing U.S. yard capacity will have  
11 to be utilized to renew the Jones Act fleet. And  
12 between the capacity needed for Naval  
13 shipbuilding and renewing the Jones Act Fleet,  
14 U.S. shipbuilding capacity will be scarce.

15 U.S. shipyards, as we've heard, are  
16 also challenged by labor shortages. A shortage  
17 of trained and certified mariners also constrains  
18 the ability to re-flagged foreign built vessels  
19 under the U.S. flag.

20 The proposed requirements for  
21 exportation on U.S. built vessels and U.S.  
22 flagged vessels would not be realistic for many  
23 years into the future. And attempting to  
24 implement them now could impose de facto limits  
25 on U.S. exports.

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1                   Finally, the proposed fees and export  
2 requirements are disconnected from the goal of  
3 Section 301 actions, which is inducing  
4 elimination of the foreign acts policies and  
5 practices at issue. It is inconceivable how  
6 levying a port fee on or based on ownership of  
7 vessels already constructed would impact China's  
8 incentives going forward. The same point applies  
9 for orders already placed at Chinese shipyards.

10                   I want to make another critical point.  
11 And that is, that generating demand for domestic  
12 products and raising government revenue, whether  
13 to support an industry of domestic shipbuilding  
14 is simply not a permissible Section 301 action.

15                   Finally, WSC Members have lots of  
16 expertise, they're eager to contribute to efforts  
17 to revitalize the U.S. maritime industry. The  
18 path forward to tackle this challenge is to work  
19 collaborative with the administrative and  
20 congress to develop an action and achievable  
21 plan. WSC Members are ready to get to work with  
22 the administration on the path forward. Thank  
23 you.

24                   CHAIR GRIMBALL: Thank you, Mr.  
25 Kramek. Mr. Platten, you have the floor.

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1 MR. PLATTEN: Thank you, Chair, and  
2 Members of the Committee for the opportunity to  
3 address the hearing today. I am Guy Platten, and  
4 I'm Secretary General of the International  
5 Chamber of Shipping.

6 The ICS is a global trade association  
7 that represents over 80 percent of the worlds  
8 merchant fleet. Importantly, this includes  
9 united states ship owners and operators through  
10 the chamber shipping of America.

11 We support the ambition of the  
12 proposed remedies to make United States  
13 shipbuilding industry strong as we, International  
14 Shipping Industry, want increase choice and  
15 competition in the market so we can employ the  
16 very best ships. America has a long history of  
17 innovation and will be well positioned to deliver  
18 this industry in transition.

19 When looking at our sector the  
20 shipping industry is one of the most  
21 cost-optimized in the world. The business model  
22 is designed to drive down costs while not  
23 compromising on safety standards so that goods  
24 can flow efficiently from and to countries for  
25 the benefit of those countries, economies and

1 populations.

2           The shipping industry loves serving  
3 U.S. industry and the American people, however,  
4 is currently constituted the proposed remedies  
5 could significant reduce America's ability to  
6 trade efficiently and economically. These  
7 remedies could hurt American businesses and the  
8 American people.

9           As an organization that represents  
10 ship owners, including ship owners around the  
11 world, we do not want to see this happen. I  
12 appreciate there are many speaking at this  
13 hearing today and on Wednesday who are concerned  
14 about the capacity of American shipbuilding for a  
15 range of reasons. But the reality is, the  
16 shipping industry is not like traditional  
17 businesses, it is unique.

18           Let me give you an example from ACL  
19 submission to the hearing. ACL is one of the  
20 most continually operated container lines in the  
21 world which is headquartered and deeply rooted in  
22 the United States. Operate some of the most  
23 unique cargo of vessels globally. It is the only  
24 operator of combination container roll on/roll  
25 off ships between North America and North Europe.

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1 It is not a huge ocean carrier like other  
2 container carriers that are part of alliances, it  
3 independently operates a small number of vessels  
4 on dedicated weekly services which support the  
5 U.S. economy.

6 If the proposed service fees are  
7 imposed it is highly likely that this carrier  
8 would be forced to terminate its U.S. service as  
9 the fees would ensure that products it carriers  
10 are no longer competitive on the international  
11 market, open the door for other countries to  
12 service Europe. This would mean that this  
13 historic shipping line would close its American  
14 offices, lay off its American staff and redeploy  
15 its ships to non-U.S. trades. This is just one  
16 example of the significant impacts these  
17 proposals could have.

18 According to market estimates, around  
19 83 percent of container ships, 68 percent of car  
20 carriers, 44 percent of bulk carriers, and 46  
21 percent of chemical carriers was trade  
22 internationally and called at U.S. ports to fall  
23 within the scope of the proposed fees. It may  
24 not be feasible for this large proportion of  
25 carriers to immediately adjust the vessels they

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1 use for U.S. trade routes, and it could be even  
2 less feasible for them to adjust their overall  
3 fleet in cases where these fleets consist of  
4 Chinese built vessels, even if they do not call  
5 at U.S. ports.

6 As a result, the cost of calling at  
7 U.S. ports for large portion of global operators  
8 would increase dramatically. We know already  
9 that many brokers are already deciding not to  
10 enter into long-term contracts to explore U.S.  
11 raw materials to avoid the proposed fees. This  
12 could also raise the cost of key U.S.  
13 agricultural and energy exports to foreign  
14 markets.

15 When we look at gain relative to this  
16 industry, it takes a minimum of three years for a  
17 new vessel to be built when there is capacity in  
18 the yards. With increasing complex ship designs  
19 shipyard leave times are now even longer, and  
20 yards take time to build.

21 If the proposed fees are introduced  
22 and carries a force to divert their ships away  
23 from U.S. trade routes as a result of these  
24 additional costs the key question that must be  
25 asked is, will the U.S. realistically have a

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1 domestic capacity ready to fill the gap and serve  
2 the U.S. economic and security needs? For  
3 example, the U.S. is one of the biggest chemical  
4 exporters globally and over 70 percent of  
5 chemical tankers currently in order are from  
6 Chinese shipyards.

7           According to industry estimates, lead  
8 times from contract to delivery for a chemical  
9 tanker in the U.S. are expected to be in excess  
10 of ten years and could cost more than four times  
11 the amount of those built in China, Japan or  
12 Korea.

13           Lastly, around 35 percent of the  
14 vessels currently serving international U.S.  
15 maritime trades, which are built in China, are  
16 owned and operated by companies located in U.S.  
17 trading partner nations outside of China.  
18 Imposing fees on these ships already built on  
19 order from China but operated by U.S. trading  
20 partners would not impact the financing of  
21 Chinese shipyards but it could serve to seriously  
22 disrupt the U.S. maritime supply chains.

23           In conclusion, these measures,  
24 proposed measures, could hurt our customers, the  
25 American people. They will make vital U.S.

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1 exports less competitive globally, and this hurts  
2 jobs developed at ports or farms and the American  
3 shipping industry, the very thing I know you were  
4 trying to encourage.

5 We detail more evidence in our  
6 submission and we stand ready to help find, you  
7 find the best way to build a strong shipping  
8 industry here in the United States. Thank you.

9 CHAIR GRIMBALL: Thank you, Mr.  
10 Platten. Mr. Antoine, you have the floor.

11 MR. ANTOINE: Thank you. We welcome  
12 the opportunity to testify at this important  
13 phase of the USTR process. I make these comments  
14 on behalf of the Caribbean Community's Private  
15 Sector, the CPSO. Our regional private sector  
16 institution representing over 5,500 private  
17 sector firms across the 15 member states of the  
18 Caribbean community.

19 The CPSO understands that the  
20 examination of China's policies and practices for  
21 dominance of maritime logistics and shipbuilding  
22 sectors, and keeping with the policy objectives  
23 of the U.S. As proposed however, the USTR  
24 measures will result in unintended consequences  
25 for CARICOM economies, private sector businesses



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1 and consumers. As maritime transporter comes  
2 from more than 90 percent of CARICOM's trading  
3 goods.

4 We therefore offer two possibilities  
5 for your consideration. The first, in the  
6 interest of sustaining the shipping and logistic  
7 requirements of U.S. CARICOM trade, the CARICOM  
8 private sector requests the USTR to seek  
9 alternatives to the measures proposed in response  
10 to Section 301. Until such time as the  
11 shipbuilding and associated industries in the  
12 U.S. are developed to fill the gap that will  
13 emerge from the proposed remedies.

14 Option two, should the USTR decide to  
15 proceed with the application of the proposed  
16 remedies, the CPSO, on behalf of the regional  
17 private sector request that consideration begin  
18 to exploring an exemption for CARICOM state, or  
19 Caribbean states as a second best option. The  
20 need for such an exemption, possibly legislature,  
21 are based on one, maintaining the expanding  
22 CARICOM U.S. state and commerce, which for the  
23 last 30 years has maintained the trade surplus in  
24 favor of the U.S.

25 Incidentally the U.S. also maintains

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1 the services surplus. The extent of this trade  
2 surplus has been already alluded to by others in  
3 this room. 43.7 percent of CARICOM imports come  
4 from the U.S., and 19.7 percent were exports  
5 destined for the U.S.

6 Secondly, the grandfathering of  
7 existing vessels, ensuring that smaller vessels  
8 currently operating between the U.S. and the  
9 states of the, small states of the Caribbean are  
10 critical to supporting the short shipping  
11 requirements of U.S. CARICOM trade are not  
12 included in any new penalties.

13 Point three, the exemption for our  
14 relatively small Caribbean trans shipment hubs.  
15 Recognizing the strategic rule of our CARICOM  
16 states and global supply chains and ensuring, in  
17 particular, that U.S. Caribbean trade remains  
18 uninterrupted.

19 Point 4, flexible policy  
20 instrumentation allowing regional, in this case  
21 Caribbean operators, trying to adjust an explore  
22 alternative vessel sourcing options rather than  
23 enforcing sudden financial penalties.

24 Point five, stronger Caribbean  
25 maritime partnerships. Encouraging collaborative

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1 solutions rather than restrictive policies that  
2 can weaken regional trade stability.

3 Point six, neutral benefits of  
4 exemptions to CARICOM and U.S. businesses as  
5 contemplated under the Caribbean Basin Economic  
6 Recovery Act, and the Caribbean Basin Trade  
7 Partnership Act.

8 All justifications have been alluded  
9 to by several, I'll go through them very quickly.  
10 We have already spoken about the sustained trade  
11 surplus, which I think we must do absolutely  
12 nothing to them.

13 The second business is the comment  
14 we've heard on short sea shipping. I want to add  
15 to that, that when applied to the smaller states  
16 of the Caribbean the additional costs per  
17 container is estimated at between \$2,000 and  
18 \$4,000. We are trying to get some definition  
19 around that based on countries. But importantly,  
20 there are some countries for which there are only  
21 two shipping lines providing services to them.

22 We've heard from tropical and  
23 seaboard, you want to publicly acknowledge the  
24 support they have given to the Caribbean  
25 economies over the last several years. In this

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1 regard clearly the consequences of these actions  
2 for those countries, such as Saint Kitts and  
3 Nevis, Antigua and Barbuda, Saint Vincent and the  
4 Grenadines, Grenada are severe, among others.

5 My third point, this we have concerns  
6 will cause tremendous disruption to our  
7 agricultural trade between CARICOM and the United  
8 States. The U.S. has a dominance of CARICOM  
9 markets in agriculture. We're talking about  
10 markets for corn, the markets for soil, beans and  
11 barely, among other products.

12 Energy security will also be damaged.  
13 We are a large supplier of energy products to the  
14 U.S., and you supply large finished products in  
15 the energy sector to CARICOM. These products are  
16 likely to be hit on both ends of the spectrum.

17 Tourism. We are one of the worlds  
18 regions with the highest dependence on tourism  
19 trade. Also with the U.S., the cruise tourism is  
20 a major sector that will be impacted by this,  
21 both in terms of existing tourism products with  
22 inflation and cost increases, and new bills which  
23 are very, very, at this time precariously  
24 positioned based on the cost of construction.  
25 And in this regard we have 12 Caribbean hotels

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1 that are exercising --

2 MR. BURCH: Excuse me?

3 MR. ANTOINE: -- and expressing a  
4 great of --

5 MR. BURCH: You have reached your five  
6 minutes.

7 MR. ANTOINE: I want to thank you for  
8 this.

9 MR. BURCH: You're welcome.

10 CHAIR GRIMBALL: Thank you, Mr.  
11 Antoine. Thank you for understanding our time  
12 limits today. Mr. Cho, you have the floor.

13 MR. CHO: The name is Cho actually.  
14 Thank you.

15 CHAIR GRIMBALL: Cho, you have the  
16 floor. Sorry about that.

17 MR. CHO: Good afternoon. My name is  
18 Sam Cho, Commissioner of the Port of Seattle and  
19 managing member of the Northeast Seaport  
20 Alliance. In addition I've served on USTR's  
21 Intergovernmental Policy Advisor Committee.  
22 Thank you for the opportunity today to comment on  
23 the proposed action.

24 The Seaport Alliance is the  
25 partnership between the Port of Seattle and the

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1 Port of Tacoma that manages the container, break  
2 bulk and auto terminals through the gateway. The  
3 alliance cargo activity generates 58,400 jobs and  
4 \$12.4 billion in economic activity. And  
5 thousands of other work for businesses that ship  
6 to our facilities.

7 We are a key trade gateway, not just  
8 for the northeast, but also for inland regions  
9 across the country. We appreciate that this  
10 administration is prioritizing strengthening  
11 America's shipbuilding industry and the actions  
12 the administration has already taken in pursuit  
13 of this goal, such as the creation of the office  
14 shipbuilding in the White House. We believe that  
15 these, and other new policies the Administration  
16 is developing, will help revitalize the nations  
17 maritime industry.

18 While the NWSA supports the  
19 administrations maritime sectors goal, we would  
20 like to call to attention the unintended  
21 consequences that could result if the proposed  
22 actions are not carefully crafted and properly  
23 enforced. Specifically, the administration must  
24 adopt measures to ensure that any new policies do  
25 not create a cost incentive to divert cargo to

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1 ports in Canada and Mexico. A failure to do this  
2 will cause severe harm to the U.S. economy.

3 Over the last two decades U.S. west  
4 coast ports have lost market share to competitors  
5 in Canada and Mexico. Especially to the ports of  
6 Vancouver and Prince Rupert. Since Prince Rupert  
7 opened its container terminal in 2007 the Seaport  
8 Alliance has lost 18 percent of its market share  
9 to Canadian ports.

10 In 2012 the federal maritime  
11 commission did a study that found that the harbor  
12 maintenance tax is a key driver of this cargo  
13 diversion due to the fact that cargo that arrives  
14 at Canadian-Mexican ports and that enter the  
15 United States do not pay the HMT. That same  
16 dynamic will be at play if the proposed fees on  
17 Chinese ships do not apply to U.S. down cargo  
18 that is discharged at non-U.S. ports.

19 Ocean carriers will minimize their  
20 exposure to the fees by shifting more cargo  
21 volume Canadian, to Canadian or Mexican ports.  
22 Let me repeat that. These fees will shift cargo  
23 volumes to Canada and Mexico. In fact, the  
24 proposed fees could cause significantly more  
25 cargo diversion than the HMT.

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1           The FMC study found that HMT averages  
2    about \$109 per 40 foot container. We estimate  
3    that the proposed fees on Chinese ships would be  
4    five to seven times greater than that. For  
5    example, if all the fees in the proposed action  
6    applied to a single vessel call, we estimate it  
7    would cost nearly \$1,900 per FEU.

8           The impact of these fees will continue  
9    to compound if carriers are required to pay them  
10   for every port call on each service loop.  
11   Carriers will call fewer U.S. ports to avoid  
12   paying the fees multiple times. And smaller  
13   ports will be the first to be dropped.

14           When ports lose cargo the impacts are  
15   significant. The estimated 1.15 million  
16   containers that are transhipped to the British  
17   Columbia ports in 2024 represented a loss of  
18   nearly 14,000 U.S. jobs. Cargo diversion also  
19   harms exporters because it leads to fewer ocean  
20   carrier calls and reduce availability of empty  
21   containers increasing shipping cost and eroding  
22   the global competitiveness.

23           In response, we request that USTR  
24   consider additional steps to prevent cargo  
25   diversion such as requiring all import cargo that



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1 travels by ocean from overseas trading partners  
2 to clear customs at U.S. seaports or by levying  
3 fees on U.S. bound cargo discharge and non-U.S.  
4 ports that are equal to the fees charged at U.S.  
5 ports.

6 Any new land border fees should  
7 incorporate the cost of the HMT, plus any fees  
8 that imposed, are imposed on U.S. ports on  
9 Chinese vessels. In addition, the proposed fees  
10 should be assessed only once per voyage and not  
11 on every port call.

12 I thank you for the opportunity to  
13 testify today and we look forward to continue to  
14 engage on the proposed action and other policies  
15 that benefit the maritime industry. Thank you.

16 CHAIR GRIMBALL: Thank you, Mr. Cho.  
17 At this time we'll proceed with questions from  
18 the Government panel.

19 MR. AU: Good afternoon. This is a  
20 question for Mr. Kramek. You indicated that WSC  
21 Members are responsible for all the liner vessels  
22 currently on order in U.S. shipyards. Can you be  
23 more specific as to how many vessels and how many  
24 companies have such orders?

25 MR. KRAMEK: So I think it's in our

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1 written brief, but our Member Matson is building  
2 three new ships. I think they're about 3,600  
3 TEUs each up in Aker Philly, now owned by a  
4 Korean partner as well. Just by way, the Trade  
5 Press has reported those ships are approximately  
6 \$335 million apiece, which is at least five times  
7 more than you would pay for those ships anywhere  
8 else. But that is the only available yard  
9 capacity for cellular container ships in the U.S.  
10 right now that we're aware of.

11 MR. AU: Thank you.

12 MR. VAN PATTEN: Mr. Platten, how  
13 would the proposed actions impact different  
14 segments of the shipping sector, for example,  
15 container ship operators compared to tanker  
16 operators or vehicle ship operators, and are  
17 there any segments that would be uniquely  
18 impacted?

19 MR. PLATTEN: I think certainly the  
20 bulk sector would be. Dry bulk would be the most  
21 effective because they tend to be, as we've heard  
22 other speakers, low cost, high volume, which  
23 would, so it would disproportionately affect  
24 them. But as we've heard about the container  
25 lines, car carriers, every sector would be

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1 impacted by this action.

2 MR. COOK: Mr. Antoine, I noticed you  
3 referred to the cruise line sector. I wanted to  
4 give you a chance to elaborate a little more  
5 about how, what the expected impacts would be for  
6 the cruise lines.

7 MR. ANTOINE: Thank you. Many of the  
8 cruise lines are actually provision in various  
9 sports in the Caribbean. And so the provision  
10 would create some challenges in terms of cost  
11 increases.

12 The reality too is that many of the  
13 products that end up on the cruise lines actually  
14 come from the Caribbean, come into the U.S. and  
15 then go back out to the provision ports to be  
16 supplied to the cruise lines. So that you have a  
17 double whammy, both on the exports and the  
18 exports from the Caribbean back into the U.S.,  
19 number two. And three, from the Caribbean back  
20 to St. Thomas, or one of the other islands, where  
21 the provisioning takes place. And we are very  
22 concerned about that in terms of the  
23 transshipment.

24 MS. MADELL: Mr. Cho, can you  
25 elaborate on potential impacts anticipated in

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1 terms of increased congestions at some ports,  
2 what knock-on effects on the landside will  
3 result? For example, through intermodal  
4 transportation.

5 MR. CHO: Thank you for the question.  
6 So essentially what's going to happen here is  
7 these carriers are going to skip ports. They're  
8 going to consolidate their volume to certain  
9 ports.

10 MST has already announced that is this  
11 fee goes into effect they're basically just going  
12 to send everything to LA and Long Beach. If you  
13 want a picture of what happens when we see  
14 congestion, just go back to the COVID-19 pandemic  
15 and how much volume was congested at the ports.

16 But you mentioned the effects of this  
17 across the entire supply chain. Part of the  
18 challenge we had back in COVID-19 is it wasn't  
19 just the ports and the terminals, it was the  
20 roads, the warehouses. Everything in between  
21 Point A to Point B.

22 And so if you have that kind of  
23 congestion at LA and Long Beach, where all the  
24 containers are going to one port or are those  
25 containers are going to Vancouver or Prince

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1 Rupert, you're going to see the same level of  
2 congestion that you saw where our railroads are  
3 full and we're missing chassis. You're going to  
4 see not enough truck drivers driving 24 hours a  
5 day to get those containers off the terminals.  
6 The warehouses aren't open 24/7 and you're going  
7 to create a tremendous amount of congestion all  
8 across the supply chain.

9 MS. MADELL: Thank you.

10 MR. SULLIVAN: Mr. Kramek, to  
11 Commissioner Cho's point. I know in your  
12 testimony you kind of had the same argument about  
13 port congestion, but why would a liner carrier go  
14 to a congested port?

15 MR. KRAMEK: Well, I mean, your  
16 proposed fees are sending out, they could be as  
17 much as \$3.5 million per port call depending on  
18 your exposure and so you would naturally try to  
19 minimize those fees and reduce your port calls  
20 and do as much transaction as you can in a single  
21 port. And certainly those larger ports have more  
22 services inland as well in terms if you go to Los  
23 Angeles and Long Beach. The rail service there  
24 and the like. So that would, you know, every  
25 member of the company will make their own

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1 individual choices, but naturally if they have  
2 exposure they're going to try to limit that  
3 exposure.

4           And I should say too, it's we serve  
5 the trade so, I mean, we heard some discussion  
6 here earlier, but we take the cargo where  
7 shippers want it. We pick it up where they want  
8 it and we take it where they want it to go. And  
9 so shippers will probably want us to avoid these  
10 fees, or mitigate these fees as much as possible.

11           MR. SULLIVAN: Thank you.

12           MR. AU: Mr. Kramek, many questions  
13 for you this afternoon, sorry. I just want to  
14 follow-up on that question as well. In that  
15 scenario would that create opportunities for  
16 feeder services?

17           MR. KRAMEK: We don't yet. You know,  
18 if you had a feeder service my understanding is  
19 that might have to be a Jones Act vessel. And so  
20 that Jones Act vessels that exist, I think there  
21 is about 30 of them, they're fully employed right  
22 now. So we would have to see what the market  
23 would develop there.

24           MR. AU: Thank you. I have one more.  
25 You indicated earlier that shipping is generally

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1 a low margin business. Could you elaborate more  
2 on what the margins are like right now for the  
3 liner business if there is a difference between  
4 the large liners and the smaller liners?

5 MR. KRAMEK: Well sure. These  
6 statistics are all generally available, but if  
7 you look over a 25 year period you'll see, and we  
8 can provide this in our supplemental, but you'll  
9 see generally speaking the businesses just, it's  
10 been very flat with a huge spike obviously during  
11 the COVID where everybody, you know, the supply  
12 and demand got completely out of balance. Then  
13 it crashed back down after the COVID and almost  
14 reset.

15 And then we just had the Red Sea  
16 situation where we have to avoid the Red Sea  
17 because of the Houthis who have functionally shut  
18 it down. And so that required going around the  
19 Continent of Africa, which is a 40 percent longer  
20 voyage where you had to put more ships online.  
21 And obviously that hit capacity and rates. And  
22 so you had the spike, recent spike there as well.  
23 But generally speaking, when you look over a 25  
24 year timeline its low margin and relatively flat.

25 MR. AU: Okay. Are you able to speak

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1 to the second part, as to differences between  
2 larger liners and smaller liners in the margins?

3 MR. KRAMEK: I'm not able to speak to  
4 that. I don't have that commercial information.  
5 We can see if we can find it in the Trade Press  
6 and put it in our supplemental.

7 MR. AU: Thank you.

8 CHAIR GRIMBALL: And with that we  
9 thank the witnesses on Panel 7 for your  
10 testimony. Thank everyone for your participation  
11 today. And with that we are adjourned for the  
12 day. We will convene Wednesday, March 26 in this  
13 room at 10:00 a.m. Thank you.

14 (Whereupon, the above-entitled matter  
15 went off the record at 4:37 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript  
In the matter of: Public Hearing on Proposed  
Action in Section 301 Investigation of China's  
Targeting of the Maritime, Logistics, and  
Shipbuilding Sectors for Dominance  
Before: Office of the U.S. Trade Representative  
Date: 03-24-25  
Place: Washington, D.C.  
were duly recorded and accurately transcribed  
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that I am not a relative nor an employee of any  
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*Maec R. Guss*

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Court Reporter

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