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

Thanks gentleman!

Matt
EXHIBIT 21
Just wanted to give you a heads up. We reached out the White House staff and Mike is texting Mark Meadows today since their old colleagues to get this issue on his radar screen as well as leaderships. I talked to Portman’s staff last night. Sounds like Portman is going to call Ross directly today and we’ll also reach out to schedule a call with him and Mike as well. Balderson and Portman are supposed to talk today about AK Steel. We’ll continue to keep up the crum beat.

Let me know if you hear anything on your end.

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

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

That works.

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

Does 1:00pm work for you all?

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

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

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

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Talk then.

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

On Apr 24, 2020, at 11:16 AM, Bloom, Patrick M wrote:

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

Thanks,  
Patrick

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

Great. Shall we say 1230?

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

Good morning, Ms. Curtis.

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

Please use the following teleconference instructions:
Please let me know what time would work for you and Mr. Cobau.

Best,
Patrick

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

Mr. Bloom,

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

Thank you very much in advance.

Regards,

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

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EXHIBIT 24
Let's do 2:15, it won't take long. Sam, we can call you separate if this doesn't work for you. Talk to you shortly. Dial-in info. below.
Thanks

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

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

From: Prater, Lori
Sent: Friday, April 24, 2020 1:58 PM
To: Beth.Ludwig
Cc: Sam_Mulopulos; Zimpher, Nate; Bloom, Patrick M
Subject: Re: Electrical Steel Update Call

2-3 works.
Sent from my iPhone

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

Beth DeBrosse Ludwig
AK Steel Corporation
Corporate Manager, Government & Public Relations
EXHIBIT 25
Please set up with Mike a time slot for a call this afternoon or evening Wilbur.

Sent from my iPhone
EXHIBIT 26
Hey all,

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

Thanks,
Harry

From: Foti, Anthony (Federal) <__________>
Sent: Sunday, April 26, 2020 12:05 PM
To: sarah_benzing<__________>; Jeremy_hekhuiss<__________>; Kris_gentile<__________>; derek_miller<__________>; kevin_smith<__________>; lori.prater<__________>; craig.kwiecinski<__________>; chris.bowman<__________>; Matthew Stroia<__________>; Sam Mulopulos<__________>
Cc: McGaa, Duncan (Federal) <__________>; Dombrowski, Eileen (Federal) <__________>; Kumar, Harry (Federal) <__________>
Subject: Conference call re: Cleveland-Cliffs, Inc.

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

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

Please use the following teleconference information to participate:

P11
Passcode: P11

Thank you.
Anthony

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

[Redacted]
To: Goncalves, Lourenco
Cc: Persico, Patricia M
Subject: RE: Voice Message from Rep. Mike Kelly

Very good. Thanks.

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

On the phone with him.

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

Lourenco.

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

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

Thanks,
Patrick

From: Persico, Patricia M
Sent: Monday, April 27, 2020 2:33 PM
To: Goncalves, Lourenco
Cc: Bloom, Patrick M
Subject: Voice Message from Rep. Mike Kelly

Lourenco and Patrick,

Please find attached a voice message I received a few minutes ago from Rep. Mike Kelly directed toward Lourenco.
APPENDIX A
STATEMENT OF [Witness 4]

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

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

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

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

CLEVELAND-CLIFFS—HIGHLY CONFIDENTIAL TREATMENT REQUESTED
EXHIBIT 29
APPENDIX B

STATEMENT OF [Witness 5]

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

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

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

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

CLEVELAND-CLIFFS – HIGHLY CONFIDENTIAL TREATMENT REQUESTED
Transcript of Interview of Witness Two

Review No. 21-9221
May 21, 2021
OFFICE OF CONGRESSIONAL ETHICS (OCE)

Of the

UNITED STATES HOUSE OF REPRESENTATIVES

OCE REVIEW

Interview of WITNESS 2

Conducted Virtually

Friday, May 21 2021

9:39 a.m.

Job:  375497

Pages:  1 - 102

Transcribed by:  Pamela A. Flutie
Deposition of WITNESS 2, conducted virtually.

Pursuant to agreement, before Jesse Greer, Notary Public in and for the State of Maryland.
APPEARANCES

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

JEFFREY BROWN, ESQ.

OMAR ASHMAWY

ANNIE CHO

425 3rd Street SW, Suite 1110
Washington, DC 20024
Phone: 202-225-9739

ALSO PRESENT:

Jesse Greer, Court Reporter

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

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

WITNESS 2: That is correct.

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

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

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

WITNESS 2: Since -- I started off as Policy Director and Tax Counsel, I added Trade
over the course of the time since I handle both of those issues and everyone loves a good title in DC. So, I just thought I'd make mine bigger, so.

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

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

MR. BROWN: That's okay.

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

MR. BROWN: Okay.

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

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

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

MR. BROWN: Okay. For tax or --
WITNESS 2: Or terrorist, anything
that's all within, you know, the trade space.

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

WITNESS 2: Sure, thank you.

MR. BROWN: But what I'll do up front
is I just want to ask you generally about some
issues and where I want to start focusing is,
you know, in the events leading up to the May 4, 2020 Section 232 announcement by the Department of Commerce, but I'm not going to start on May 4th. I'm going to back up a little bit and just ask you when did you and when did Representative Kelly, the Congressional Office, first understand that the Butler Works, the AK Steel Plant in Butler, Pennsylvania, was potentially going to shut down?

WITNESS 2: So, I don't think I ever really felt like it was going to shut down. There's a lot of -- as all things in -- a lot of companies will say that they're about to close down and they never close -- close down. They might go into bankruptcy, they might go into any number of things. So, I never really got a clear sense that they were actually ever going to be shut down. A lot of -- a lot of, you know, a lot of CEOs will come in with their hair on fire. You know, my job is, like any congressional is, are the -- is this really -- is this -- are they really going to be shutting
down because of, you know, x, y, and z, or are you trying to get like -- like -- lots of companies have done throughout -- throughout the history of -- of the Hill, I think, who, you know, want to change the law to, you know, to benefit them, whether -- whether or not they're being gamed, particularly in the trade, well actually the trade and tax based is that, you know, that they're being gamed internationally and so, you -- whether it's tax or trade. And so, you know, on the tax side, it's we're going to invert and move our headquarters to, you know, to Ireland or a lot of CEOs come in and say that unless -- unless -- particularly more so in the tax base -- unless the tax, you know, we get tax reform, we're moving our headquarters to Ireland because we have a more favorable tax rate or we might just shut down our, you know, our US, you know, subsidiary companies, it doesn't matter.

MR. BROWN: Yeah.

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

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

WITNESS 2: Is it?

MR. BROWN: And to your point says --

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

MR. BROWN: Well --
WITNESS 2: And maybe you, I mean, you maybe know.

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

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

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

WITNESS 2: Yes. And that's the first time I think I ever met him and he's a very different character than the previous president. So -- so, that was probably the first time I heard him say it publicly. Whether that matters, you know, whether that -- that actually
initiated anything or, you know, whether or not if it was more bluster than anything else, I kind of -- I think that was the first time it was done in a public forum with other Pennsylvania members there. But again, that was my first, you know, again, it's the CEO --

MR. BROWN: Yeah.

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

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

WITNESS 2: I, you know, I mean, I don't think it necessarily any more, I mean, I cover a lot of issues, and so, no more than every other focus. I think it's more of a focus
for Mike because it's down the street from his, you know, where he lives. These people come like, you know, it's his small town that's lived. He's a 72-year-old man. It's like --

MR. BROWN: Right.

WITNESS 2: -- every -- and I'm from a small town in Oregon, you know. I think it's a big issue. You drive by, I mean, he literally drives by AK Steel, and it's been different iterations over the years. It used to be a much bigger steel plant, which is kind of the case -- we have a lot of steel in Western PA, and over the years, it used to be like Erie, Pennsylvania. It used to have kind of a robust economy. Whether or not it was because of our trade laws maybe, I mean, it could be any number of factors and, you know, we all lament the decline of manufacturing, but we are an advanced economy now and, you know, those jobs that don't pay as well and we also have a lot of environmental laws that in some sense people, you know, companies would prefer to locate
elsewhere. I think it's happened in the high
tech industry and in the fabs. Semiconductor
fabs have gone overseas. You know, you go where
it financially makes sense. And so, I think --
I think a lot of it was perhaps -- the way I
read it, having worked on the Hill twenty years
-- I don't suffer fools and I -- my personal
feeling was he is in his -- he's very Latin --
Latin American man, and he likes to, you know.
Let's just say the previous president of AK
Steel never made -- never, ever, you know,
obviously he lamented like we're moving -- we're
losing market share, there's this, there's that,
you know, could we have some help on the, you
know. But that's -- that's -- that's the US
trade and steel industry in general.

MR. BROWN: Um-hum.

WITNESS 2: You know, like I think for
the last two months, they've -- I've been
getting from the TAA -- I don't know if you're
familiar -- with layoffs, like, and in -- on
multiple steel companies in our district. So,
in some sense, you know, it’s a trend --

MR. BROWN: Yeah.

WITNESS 2: -- across the industry.

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

MR. BROWN: Right.

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

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

WITNESS 2: For their whole life.

MR. BROWN: Yeah. To what extent, you know, given his interest and given Butler is his hometown, is he, you know, staying on top of
these issues, wanting you and/or Matt and others to keep him apprised of what's going on with AK Steel?

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

MR. BROWN: I guess I was more wondering, you know, just -- just how looped in on AK Steel issues the Congressman was.
WITNESS 2: He's more looped in -- how do I say it. Like, he's -- we're looped in on the ground because he runs into AK Steel like the union guys, you know, at the grocery store, at the gas station, you know. He's in a small town. I deal with the government affairs, you know. I go up to the district.

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

WITNESS 2: Right. That's -- that's the level of his interest. He's not wondering, you know, he's not reviewing, you know, letters, you know. He's very -- he could care less. Like, he's like, that's your job in terms of letters to the administration and, you know, I've worked with, like every other colleague I've worked on over the years, I work, you know, I mean, just me -- him sending a letter by himself, you know, I've worked with other, you know, I've done Republican letters, I've been --
I've done bipartisan letters. It's -- I work more with the other staffs and the AK Steel representative than I do with probably talking to Mike.

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

WITNESS 2: You know, I had never even heard of a 232 until, quite frankly, until the Trump administration. If you told me there was such a thing as a 232, you know, the Hill doesn't really deal with a lot of trade issues as much as like tax issues because a lot of that is just done down at USTR or Commerce. And what actually -- I really have -- over the course of twenty years, have very limited contact with Commerce. They just don't -- they just don't
have -- we just -- we don't do a lot of, you know, Congressional casework issues with them. We don't -- they kind were off -- and maybe it's just a function of, you know, the issues I've done over the years. But I've really never even heard of a 232.

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

WITNESS 2: To be honest, I have no idea. I mean, that's -- that's like in the weeds trade lawyer. I think -- to be honest, I think whatever is in the toolbox that would help them in terms of product coming in, I don't care if it's 232, it could be any number of -- any number of things in the kind of -- the trade toolbox to limit products coming in to, you know, the United States. You know, over the years, it's been everything from lampposts, from, you know, every company at some point or
at least particularly in the steel, aluminum is another one, and for every one company that wants a 232 or some kind of trade remedy, there's another company who doesn't. So, in some sense, you're kind of relying on what both companies are, you know, companies that want the protectionism, not that, you know, want -- want some sort of trade remedy or protection versus, you know, another company who doesn't want it, and it's kind of, you kind of rely on the companies, I mean, because I don't really have the ability to go investigate whether or not they're being, you know, accurate.

And I will say that that -- what has been a topic of discussion in the office is like, so we issue this 232. Do we really -- if they -- if they do -- do we really know they're not going to really still just close the plant anyway? And quite frankly, we, you know, I'm like, I don't know, I don't see their books. And, you know, they say it's going to help them or -- but not just this company, any company,
from lampposts to anybody that's producing here or if, you know, or if we put made in America, will that actually change another, you know, or require -- that's another thing on the steel or aluminum -- if you require, you know, the military to buy a certain amount of product that's, you know, produced domestically, you know, it's the -- in some sense, you know, the US companies, you know, especially for Republicans, they want to be like free market, but they understand like other companies aren't necessarily free market. So, you're trying to kind of ferret out whether or not, you know, if -- if, you know, Commerce does this or if USTR does this, you know, will this actually save jobs at -- at the end of the day, which was -- which was, you know, the goal of any member I've ever worked for. You know, they don't like to see -- and that's what the TAA, you know, kind of existing program -- it's to help them, you know, with layoffs if they do.

I'm kind of, you know, Mike listens to
people, you know, when he's getting -- shopping
at Shoppers or wherever he shops in the
District. He runs into those people.

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

WITNESS 2: Yeah.

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

WITNESS 2: I'll be honest, he has
five car dealerships and if 1,400 jobs go away,
it also, you know, probably impacts, you know.
There are days where he's like, I'm done with
this, I'm ready to go back. He's like I'm a car
guy that never ran for office, not interested,
you know, and when I retire, I'm going to go
back because God knows I don't want to be at
home every -- every day, and his -- and, as he
says, his wife doesn't want him home every day,
and I'm like, I'm pretty sure that all wives
think that way. You need to go and have a hobby
or something. He's like, I don't have any
hobbies. I mean, he's very -- he's very Irish.
He's very -- there is nothing that you don't
discuss with him, which, you know --

    MR. BROWN: Yeah.

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

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

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

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

    MR. ASHMAWY: No. How important did
AK Steel tell you -- how important did
Cleveland-Cliffs tell you this was to them? How did they present it to you?

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

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

MR. ASHMAWY: I realize that. But, I mean, we've seen documents, you know, from them that, you know, and -- and have received
1 representation from them that they at least
2 thought it was important or at least they
3 thought so.
4 WITNESS 2: Oh, yeah. Oh, yeah, yeah,
5 yeah.
6 MR. ASHMAWY: That it was important.
7 WITNESS 2: No, I think they
definitely -- yeah. No, I definitely think they
8 thought it was important, yeah. There's no --
9 there's no -- yeah. There's absolutely -- they
10 definitely thought it was important.
11 MR. ASHMAWY: Yeah, yeah.
12 WITNESS 2: Do I think that they're
13 already back trying to figure out something else
to do with this administration? Yes, they
14 already are. They are not talking to us,
15 necessarily. They are now -- like they have now
16 kind of migrated, like if this happens, you
17 know, when the pendulum swings -- I think
18 they're now more focused on the -- the
19 Democratic offices in this current
20 administration. So, to be honest, it's funny.
I think I talked to AK Steel probably every couple weeks, if not every other week. It's crickets. I have not talked to them since the new administration. So, I think they're, you know, they're doing what the Government Affairs people do, as they're pursuing other avenues to, you know -- you know, to secure, I think some sort of, you know, protections from imports with this administration, and that's, you know, that's now the Democrats, you know, kind of on their plate.

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

WITNESS 2: Yeah. Oh, yeah.

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

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

MR. BROWN: Okay.

WITNESS 2: And so, I think, yeah.

MR. BROWN: They are the two in-house
lobbyists for AK Steel --

WITNESS 2: Yes.

MR. BROWN: -- and Cleveland-Cliffs.

WITNESS 2: Yes.

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

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

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

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

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

WITNESS 2: Sure.

MR. BROWN: This is a document you produced to us. Hopefully, that's not too small for you to read there. This is an E-mail from
Matt Stroia to yourself -- to, excuse me,
Natalie Joyce and you are copied on this E-mail.
I'll give you a second to look at it.

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

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

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

MR. BROWN: Yeah.

WITNESS 2: And remind me who Natalie is with.

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

WITNESS 2: Oh, okay. Yeah.

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

WITNESS 2: I am guessing. So, I have no -- see, I rarely deal with leadership, so. I'm guessing this.
MR. BROWN: Well, take your time.

Finish reading this document if you want.

WITNESS 2: Right.

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

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

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

WITNESS 2: Right.

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

WITNESS 2: Right.

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

WITNESS 2: Say that again.

MR. BROWN: I'm just trying to, you know, make sure that this is an accurate
assessment of the -- the issues at the time.
What I'm seeing and frankly what I'd like to
confirm with you is that it sounds to me like
Representative Kelly's office along with several
other offices initially took the approach that
there are these tariffs in place -- Section 232
-- are in place.

WITNESS 2: Right.

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

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

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

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

MR. BROWN: And I see that here at the
end, Matt says, "Simply put, we need the
administration to extend the Section 232 tariffs
to grain-oriented electrical steel coming into
the US.

WITNESS 2: Yeah.

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

WITNESS 2: Or if -- and yeah. And I
think the thing is, I mean, because I'm not at
Commerce and, you know, the issue is whatever
tools in your toolbox to help our -- this
company that potentially will go, you know, will
go -- like any company will go out and there
will be a job loss. I think, you know, at least
from Matt's perspective, he's not a trade
person, I'm not -- like, I'm a trade person on
TV, so to speak, but I don't actually -- I don't
really know what could potentially be in the
toolbox in Commerce. So, 232 is kind of what
the company has said would be helpful. Because we -- we kind of asked them, like, what is it that would be helpful. They have, you know, they have a bunch of DC law firms with trade attorneys that they're being advised. And so, to my knowledge, this is what the best, you know, potential outcome or trade remedy out there on the books that would -- would help them the most.

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

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

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

WITNESS 2: Right, right.

MR. BROWN: Okay.

WITNESS 2: Because, you know, it's like any, you know, anything else. You have a zillion companies coming in needing, you know, assistance with something. Usually, I don't, I
mean, usually they come in and they're like,
this is what would help us.

MR. BROWN: Yeah.

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

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

WITNESS 2: Yes.

MR. BROWN: Yeah, okay.

WITNESS 2: That's accurate.

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

WITNESS 2: [Indiscernible.]

MR. BROWN: And let me -- I'll start
at the bottom here. You'll see it's from --
this is an E-mail string from Witness 5 --

WITNESS 2: Right.

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

WITNESS 2: Um-hum.

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

WITNESS 2: Right, right.

MR. BROWN: -- update out of DOC?

WITNESS 2: Right.

MR. BROWN: This is Friday, April 24th.
WITNESS 2: To be honest, I -- they probably -- to be honest, it's a year -- it's a year ago. I -- because we have so many calls. The best of my knowledge was they were potentially talking about issuing an extension of the 232 or -- but that's -- I don't recall beyond, you know.

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

WITNESS 2: Sure.

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

WITNESS 2: I like literally --

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

WITNESS 2: I'll be honest. I feel like Commerce is -- I don't have a good opinion of Commerce after this because I felt like they were always -- like, you just couldn't get an -- and I don't know if it was Secretary Ross, but it's -- it was more that I felt like I was
beating -- like, just give -- just give us an
answer of what you're doing or what the thought
process is because I'm having to just like --
because Mike wants to know what's going on.
He's at the grocery store running into people
and they think they're going to lose their jobs
and I'm like -- so, I think the -- they would
reach out to -- basically, they would reach out
to AK Steel for giving us a head's up half the
time --

MR. BROWN: Okay.

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

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

WITNESS 2: Oh, good.

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

WITNESS 2: Yes, please do.

MR. BROWN: I've got a call summary.

So, this is the Friday, April 24th phone call.
This is a call summary from Cleveland Cliffs
that says there was a phone call between Witness
4, Witness 5, Witness 2, Nate Zimpher, and Sam
Malopoulos [phonetic], and it says, "Witness 5
and Witness 4 provided an update that the
Department of Commerce had declined to pursue
coverage of lamination and cores as derivative
products under the existing steel Section 232
tariffs and quotas." Does that jog your memory?

WITNESS 2: Somewhat.

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

WITNESS 2: No.

MR. BROWN: Okay.

WITNESS 2: No. It was a year ago

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

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

MR. BROWN: Then I just want to make
sure it's --
WITNESS 2: There's -- yeah.

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

WITNESS 2: Yes.

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

WITNESS 2: Yes.

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

WITNESS 2: Yes, yes.

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

WITNESS 2: I do not.
MR. BROWN: Okay. Have they ever said, you know, we're talking to, you know --

WITNESS 2: At Commerce?

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

WITNESS 2: No.

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

WITNESS 2: I really only dealt with Witness 5 and -- and I think usually with -- well, like every Government Affairs person, she is like -- and she just was starting to report to a brand new, you know, she had someone new she's, you know, reporting to that she doesn't have experience with and, you know, she's a former Hill staffer. So, it's the okay, so if this -- what's our next strategy? Like, if they
-- if Commerce won't do this, you know, what's
the next tool in the toolbox basically to put it
--

MR. BROWN: Yeah.

WITNESS 2: -- that we can pursue to --
-- because they believe there's been -- and based
on the data somewhere that I've seen is that
they are the last maker of electrical steel for,
you know, for national security reasons, you
know, that's -- we probably want to keep the
last maker of electrical steel. But also that
there's imports that are coming in illegally
from Mexico and Canada, how they're, you know,
cutting and slicing these big steel parts that
basically -- basically, they're doing an end-run
-- an in-runaround our existing, you know,
policies on the books. So, how do we get at,
you know, in my mind as a Hill staffer, how do
we get at insuring that we -- we stop that if
it's -- if it's illegal or what kind of laws can
we, you know, or pursue, or what's on the books
we can pursue that's -- that the Commerce can
pursue to make sure that that's not happening. I mean, that's kind of -- so, okay. So, Commerce doesn't issue a 232. What else can we, you know, but in my mind -- and that's kind of the way, you know, she's -- she has two little kids at home. She is working from home, there's a pandemic, you know. So, it was more like, okay, you know. If I recall correctly, it was like what do we do? What's -- what can we do next, so.

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

WITNESS 2: Okay, yeah.

MR. BROWN: -- what was discussed on that date. So, let me zoom out a little bit here.
WITNESS 2: Okay.

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

WITNESS 2: Okay, there's that call.

MR. BROWN: Witness 5 says, "Hey, sent you a text but E-mailing too. Can you -- can you do an update call with me and Witness 4?"

This is April 28th at 2:17 p.m. You say, "I'm on the call with Mike and Troy Balderson. I can do the call at 2:45."

WITNESS 2: Right.

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

WITNESS 2: Yeah.

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

WITNESS 2: Right.

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

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

WITNESS 2: Right.

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

WITNESS 2: Talking to --
MR. BROWN: -- pushing -- pushing

Kevin McCarthy --

WITNESS 2: Right.

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

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

MR. BROWN: Yeah.

WITNESS 2: -- you know, Secretary --

MR. BROWN: So, this is --

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

MR. BROWN: Okay.

WITNESS 2: I mean, a lot of -- a lot of frustration with dealing with Commerce and just trying to like who -- and who's at Commerce? Like, nobody knows -- versus like USTR and also the head of -- the ambassador of USTR was a former Senate staffer, like, much
more responsive and again, I never spent a lot
of time dealing with Commerce. So, but and I've
had friends that went over to work at Commerce
and were out sooner rather than later. So, I
feel like there's a lot of dysfunction at
Commerce and trying to --

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

WITNESS 2: Yeah.

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

WITNESS 2: Right. Can we --

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

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

MR. BROWN: Well, let me then -- let
me read to you another call summary from
Cleveland-Cliffs. So, this is a call summary of
the
conversation that it sounds like you had with
Witness 4 and Witness 5, and this is Tuesday,
April 28th, at it looks like 2:45 p.m. Phone
call between Witness 4, Witness 5, and Witness
2. "Witness 5 and Witness 4 provided
notification of the Department of Commerce's
intent to initiate Section 232 investigation
covering transformer lamination and cores."
Does that jog your memory at all?

WITNESS 2: Um-hum.

MR. BROWN: Okay.

WITNESS 2: The intent, right.

MR. BROWN: Yeah.

WITNESS 2: Yeah.

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

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

MR. BROWN: So that can -- that --
that seems to be an accurate -- an accurate
assessment of what you recall.
WITNESS 2: Yeah, intent -- this is with regard to Canada, right? Not Canada, Mexico.

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

WITNESS 2: Yeah, please do.

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

WITNESS 2: Oh, right, right.

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

WITNESS 2: 32 --

MR. BROWN: -- investigation --

WITNESS 2: Right, yes.

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

WITNESS 2: Yes.

MR. BROWN: so, it sounds to me like on this call, the prior strategy of getting the existing 232 tariffs, you know, that cover electrical steel didn't work, so --
WITNESS 2: So, it was --

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

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

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

WITNESS 2: Or a good thing. You're
going to initiate a 232. Because here, you
know, they've been going -- saying that --

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

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

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

WITNESS 2: I consider it's a good
thing. I, I mean, at least they're going to
investigate, which -- which, it's unclear --

MR. BROWN: And I guess --

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

MR. BROWN: Okay.

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

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

WITNESS 2: Right. We've been -- this
is what our company, I mean, in some sense,
you're kind of the mediator, like, this is what
this this company is saying in our district,
this is what they're alleging. You, you know, you government entity, you are the one, I mean, your staff --

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

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

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

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

MR. BROWN: Okay. But even if they're not on the call with Witness 5 or Witness 4, I take it that this is an important enough issue that they're getting advised of this either, you know, by you or by Witness 5 and Witness 4, you
know, it looks like around 3:00 on Tuesday, April 28th.

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

MR. BROWN: Yeah, okay.

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

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

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

WITNESS 2: Okay.

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

WITNESS 2: Sure.

MR. BROWN: All right. So, if you look at this -- I'll zoom out a little bit -- this is a different version of this document that we got. But you can see it's the same thing.
WITNESS 2: Right.

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

WITNESS 2: Right.

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

WITNESS 2: Right.

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

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

MR. BROWN: That's my question.

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

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

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

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

MR. BROWN: Yeah.

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

MR. BROWN: Yeah.

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

MR. BROWN: Well then, let me -- let me ask you this. We can't say for any certainty whether or not this is Mike Kelly who is calling into that call. But do you -- do you remember
the Congressman being on that phone call?

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

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

WITNESS 2: Yeah.

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

WITNESS 2: Right.

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

WITNESS 2: Yes.

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

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

MR. BROWN: Do you --

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

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

WITNESS 2: No, it would have been
Matt.

MR. BROWN: Okay.

WITNESS 2: It looked like at that
point, he might have -- I'll have to look at the
Congressional schedule -- but back -- my guess
is he was up in the District at that point. I
mean, he only comes down when there's votes,
like most members, and then goes -- and then he
would have been -- he would have been in the
Butler office. Again, I don't think I've --
I've never gotten an E-mail from him.

MR. BROWN: Okay.

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

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

WITNESS 2: Right, right, right.

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

WITNESS 2: Yes, yes.

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

WITNESS 2: Right.

MR. BROWN: -- E-mail from you to Witness 4, Witness 5, Matt Stroia, and Witness 1 --
WITNESS 2: Um-hum.

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

WITNESS 2: Right.

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

WITNESS 2: Right.

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

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

MR. BROWN: So, when I read these documents in the context of the documents I've seen, it sounds like, you know, an hour or two earlier in the day, you're told that Department of Commerce plans to initiate this Section 232 -
- that you were announced the Section 232
review. So, when I read Ross's offer to help
with AK Steel, I read that as saying the
decision by the Department of Commerce to --

WITNESS 2: To do something.

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

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

MR. BROWN: Yeah, yeah.

WITNESS 2: That's -- I think that's
the -- I don't think I personally am like 232 or
something else. It's just AK Steel is alleging
there's dumping and -- and that they're not, you
know, what is it that you can do to either
investigate or -- or --

MR. BROWN: Yeah.

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

MR. BROWN: It sounds to me --

WITNESS 2: You have my boss -- go
ahead.
MR. BROWN: -- like the Department of
Commerce -- and I think you said this before --
is directly communicating with AK Steel. So,
you're learning much of what's going on through
AK Steel.

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

MR. BROWN: Right.

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

MR. BROWN: Yeah, and to that point,
let's go to Document 7. Saul, if you can pull
that up.
WITNESS 2: Sure.

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

WITNESS 2: Sure.

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

WITNESS 2: Okay.

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

WITNESS 2: Okay.

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

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

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

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

WITNESS 2: They're just Cleveland--

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

WITNESS 2: Right.

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

WITNESS 2: They.
MR. BROWN: I'm assuming they mean
Cleveland-Cliffs, AK Steel.

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

MR. BROWN: Right.

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

MR. BROWN: Uh-huh.

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

MR. BROWN: Merger. It happened in
March.

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

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

WITNESS 2: Right.

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

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

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

WITNESS 2: Yeah.

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

WITNESS 2: Yeah.

MR. BROWN: -- sometimes after, you
know, his 8 p.m. text.

WITNESS 2: Right.

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

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

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

WITNESS 2: Yeah.

MR. BROWN: Okay.

WITNESS 2: That's how I read that.
MR. BROWN: When he says I spoke to Commerce and the White House after the call, do you know who he's referring to?

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

MR. BROWN: You're the policy.

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

MR. BROWN: Okay.

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

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

WITNESS 2: Um-hum.

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

WITNESS 2: Right.

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

WITNESS 2: Yes.

MR. BROWN: -- at AK Steel, okay.

"The announcement is likely to come later in the week." Again, to me, the announcement is a press release from Commerce that says, you know, we're initiating Section 232 review.

WITNESS 2: Right.

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

WITNESS 2: Yes.

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

WITNESS 2: Whoever that is.

MR. BROWN: Secretary Ross.

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

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

MR. BROWN: The clearance process?

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

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

WITNESS 2: Yeah.

MR. BROWN: -- and the call summaries,
what I see or what I understand here is that
Secretary Ross communicated to AK Steel that
we're -- we're opening a Section 232 --

WITNESS 2: Right.

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

WITNESS 2: Yeah, yeah.

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

WITNESS 2: Right.

MR. BROWN: Okay.

WITNESS 2: Or if they're going to
issue a press release. I think the thing is
that -- that you kind of, I mean, it's kind of
this black box at Commerce and are they going to
do something, are they not going to do
something, and, you know, to our knowledge, you
know, based on our knowledge, Commerce is the --
has the jurisdiction of, you know, determining,
you know, import, you know, if there's dumping,
like Ambassador [indiscernible], that's not
something they're, I mean, they're the
department that's supposed to be handling this.
How they issue, you know, and I, quite frankly
don't really -- I kind of watch, you know, like
press releases coming out when they are
announcing over, you know, many years, if
they're going to initiate something. I'm
assuming they'd have to vet this before they,
you know, that's the legal ducks in a row.
That's my sense.

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

WITNESS 2: Yeah.

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

WITNESS 2: Yeah.

MR. BROWN: " and to put on the gas
until the finish line." I get what you're
saying when you -- you're saying for the
Commerce's black box, we never know exactly what
they're going to do.

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

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

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

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

WITNESS 2: Yeah, like can -- are
there -- is there somebody still awake at Commerce? I mean, and I -- like I said, I never really had a discussion with anybody at Commerce. I still don't know who is at Commerce and I certainly didn't -- didn't know under, you know, the Ross -- the Ross regimen who, you know.

MR. BROWN: Okay.

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

MR. BROWN: Okay.

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

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

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

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

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

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

MR. BROWN: Okay.

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

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

WITNESS 2: Um-hum.

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

WITNESS 2: Okay.

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

WITNESS 2: Um-hum.

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

WITNESS 2: Yeah.

MR. BROWN: But let me give you a second to read that and see if that's your understanding of this document as well. So, you see here, it starts with Witness 3, Assistant Secretary for Legislative and Intergovernmental Affairs --
WITNESS 2: Right.

MR. BROWN: -- Department of Commerce

says, "Hi, Matt. What's the best number to
reach you at?"

WITNESS 2: Okay.

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

WITNESS 2: Right.

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

WITNESS 2: Right.

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

WITNESS 2: Right.

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

WITNESS 2: Right.

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