WITNESS 2: Um-hum.

MR. BROWN: It seems to me that Witness 3 is the individual Matt's referring to when he says here.

WITNESS 2: Yeah. Now, it's jogging my -- and he has delegative authorities but not actual authorities -- yeah.

MR. BROWN: Okay. And then, if you look up here at April 30th, Matt says, "Good morning, Witness 3. Just checking in. Any word from the Comm team on getting the release out?" Again, to me that release means press release on the 232.

WITNESS 2: And announcing it, yeah.

MR. BROWN: Yeah. And then Witness 3 says, "Slipped a few days, but the decision has been made. Just internal clearing process still going on." That seems to be to me consistent with your text message.

WITNESS 2: Yeah, yeah.

MR. BROWN: So, in other words, the decision was made on April 28th.
WITNESS 2: Yeah. Now, get it --

yeah, now -- from a, like, give us some credit

that, like we would or me, I've been writing

letters for four years, like, okay, just pull

the trigger and I need to get this off my plate

so I can move on to my -- my day job, like --

like doing, you know, boat wrecks and things

like that. Yeah, so that looks very accurate.

MR. BROWN: Okay. So then, Monday,

May 4th, the Section 232 investigation

announcement finally released in the afternoon.

I think it's around 4 p.m.

WITNESS 2: Um-hum.

MR. BROWN: We've talked about this a

little bit, but the plan or the hope post-

announcement obviously is that the Department of

Commerce and the administration is going to do

something to assist --

WITNESS 2: Yeah.

MR. BROWN: -- AK Steel, Cleveland-

Cliffs. Do you know what the current status of

this is?
WITNESS 2: No.

MR. BROWN: Do you know -- everybody is still employed at Butler Works; there's no threatened layoffs right now?

WITNESS 2: I go to Western Pennsylvania when I have to go. So, I -- I'm assuming I would read in the, you know, the Office clips that they -- everybody got, I mean, you're kind of -- we're kind of -- yeah, to my knowledge, they're still -- they're still employed.

MR. BROWN: Okay.

WITNESS 2: I would read otherwise in the daily clips like everyone else or --

MR. BROWN: All right. Well, listen, Saul, can you pull down the documents? I'm going to change gears a little bit here. And, Witness 2, I just want to ask you, when -- when did you first become aware that Victoria Kelly had purchased stock in Cleveland-Cliffs?

WITNESS 2: I did not know -- I didn't know that she purchased stock until the -- until
a reporter called Witness 1, if I recall
correctly, that the issue of potentially -- told
me it looked like it was going to become a
story. That's when I learned about it.

MR. BROWN: So, this is September --
sometime early September?

WITNESS 2: After -- yeah.

MR. BROWN: Okay.

WITNESS 2: And it was near -- I want
to say it was near the campaign, like November
or October maybe. Whatever it became -- it
became -- it was about to become a story and --

MR. BROWN: I think the story is
September 20th, I believe.

WITNESS 2: Yeah, something and (a)
didn't know any, you know, I never see, Vicky's
never in the office. We didn't talk, you know,
obviously we don't talk about it, like I don't
talk about it, you know, his stock purchases.
And so, it wasn't until it became a story that --
- I don't know if Witness 1 -- I think I was
getting -- I was at a doctor's appointment in
Northeast Portland or no in Northwest and I had
to pull over and -- and Witness 1 is like, well,
this is, you know, then that's when I learned
about it. I don't know the exact date. I could
probably figure it out.

MR. BROWN: What did -- what was that
conversation with Witness 1?

WITNESS 2: That this was going to be
a -- this is potentially going to be a story and
I can say it's what's -- he's like what the hell
was she thinking? I mean, it was like, what, I
mean -- but I -- I kind of heard, you know, in
her defenses, like she's from Butler, PA too,
and she's probably -- you know, she's in her
70s. She probably is not thinking, oh, insider
trading or I'm, you know, she's in a town where
everybody's talking about it, you know, and I'm
not -- and I, based on what I know of their
marriage, she probably did it on her own and
probably didn't even tell him about it and only
had the information, I mean, it's a small town.

People were probably talking about it, how, you
know, how she -- information got to her, I have no idea. But I can certainly say, when you, you know, when you have a major employer in a small town and everybody is, you know, going to the same coffee shops and, you know, but I learned about it when there was a story, so.

MR. BROWN: Did -- so then, it's fair to say that on April 29th is when she made this stock purchase that her decision to buy the stock wasn't conveyed to you?

WITNESS 2: No, had no idea.

MR. BROWN: Was it, you know, was there a public announcement of any kind that you're aware of?

WITNESS 2: No.

MR. BROWN: Okay. Because when I read the -- the article -- the quote, that it sounds like Witness 1 and the Congressman gave to Pittsburgh Post Gazette and the Butler Eagle, it's Representative Kelly's wife made a small investment to show her support for the workers and management of this 100-year-old bedrock of
their hometown.

WITNESS 2: Yep.

MR. BROWN: I'm -- I'm trying to understand, how -- how is she showing her support by purchasing stock in Cleveland-Cliffs?

WITNESS 2: I -- that, I don't know. I don't -- I mean, obviously, that's -- that I don't -- I can't -- I mean, that's wordsmithing from the press. I -- I didn't -- I didn't approve it or so, I mean.

MR. BROWN: Were you involved -- were you involved in the --

WITNESS 2: No, I'm not, no.

MR. BROWN: -- drafting of the response?

WITNESS 2: Nope.

MR. BROWN: Okay. Have you ever --

WITNESS 2: I am when it comes to -- I am when it comes to nerdy little bills that we're dropping that's in the weeds on tax and trade that -- that Witness 1 doesn't want to deal with. But when it comes to this, this was
a conversation between Mike and Matt and Witness 1.

MR. BROWN: Okay. So, you didn't -- did you talk to Mike -- Representative Kelly about the response?

WITNESS 2: No, I did not, and he was up in the District, as was Matt, because we were out of session, if I recall correctly, so, or at least, yeah.

MR. BROWN: Did you have a conversation with Witness 1 about preparing a response?

WITNESS 2: No. He just -- it was more of the what -- because -- because then I think I read it and I -- and it was more of the, you know, we're both from the west coast. We both were working for other members, and we're like, what the hell was she thinking, you know. And, you know, and as I told Witness 1, I was like, she probably, you know, who knows what the conversation is between a husband and a wife. But, you know, I think -- and she's -- she's a
wealthy individual. She's -- let's just say she brought more money to the marriage than he did, so, you know, she has her own investments. She has her own properties, and my, you know, my understanding is she does her own thing. And so, you know, that was my -- my general, you know, from down here, thinking well, it was probably happening up in Butler, PA. But -- but again --

MR. BROWN: Well, let me ask you this because you -- you are sort of in certainly a better position than I am to understand the degree to which --

WITNESS 2: Right.

MR. BROWN: -- the Congressman, you know, yourself, the office, the Congressman --

WITNESS 2: Yes.

MR. BROWN: -- perhaps his wife had access to information about the company --

WITNESS 2: Right.

MR. BROWN: -- and the Department of Commerce that others may not have had.
WITNESS 2: Right.

MR. BROWN: So, you know, given your knowledge of -- of those sort of issues, would you have been comfortable purchasing stock on April 29th in Cleveland-Cliffs? You know, and if so, why, and if not, why? I'm trying to understand, you know, factually, what would have been important.

WITNESS 2: Why -- you know, no, I would not have -- I would not have felt comfortable in part because I'm married to someone who is a chief tax counsel for twenty-eight years in Senate Finance and -- and so, you know, that's -- I put everything in -- in a mutual fund so it doesn't -- so it doesn't look like I'm, you know, I'm working on issues and not that I am an expert on insider trading or anything like that. But I've had enough -- I've been around enough people who've gotten tripped up on it. I generally don't get -- it's usually the health care staffers on Senate Finance or Ways and Means that have gotten tripped up over
the years and --

MR. BROWN: Yeah, and I don't -- and I
don't want to ask you a question where I'm
asking you to produce --

WITNESS 2: No, but I just -- I think
I just -- I err on the side of caution and I've
also -- I don't -- I don't know -- generally,
it's really, I think, committee staff that are
more privy to, you know, I'm in a personal
office. I like to be in a personal office. I -
- but, you know, I know in many cases, my
husband has, you know, is very -- let's just say
in my house, we have lots of conversations about
what you can say and what you can't say. I
mean, and especially in Tax and Trade, you
potentially can move markets, and so, you know,
and it's hard, like I am, you know, and part of
it is, you know, he worked for Senator Grassley,
who created some of the Stock Act Violation
stuff and so, you know, so, I'm a little more
probably well versed in those issues, and I've
seen what and the ramifications how people have
gotten tripped up over, you know, just talking.
So, I -- for instance, I don't talk to any
investor groups at all.

MR. BROWN: Yeah. And I guess what
I'm -- what I'm really driving at because,
you're right, it's not fair to ask you, you
know, you're not an expert on insider trading.
But what I -- what I am trying to get at is it
seems to me like there's a degree of
confidential and nonpublic information that's
being discussed between Commerce, AK Steel, and
your office, and, you know, what I'm really
trying to get at is the extent to which that's a
fair assessment of the conversations.

WITNESS 2: I mean, I have to say
that, you know, again, I've been on the Hill
twenty years, so, and I've worked for Democrats
and Republicans. And so, I -- I mean, some of
it's public, but I would say the information
beyond like oh, we might issue a 232, yeah,
that's certainly -- but this is not unlike any
other administration where you're trying to get
the administration or trying to find out, really, if the administration was going to do something. I felt like I was very much in the dark about what Commerce was ever doing as a staffer and -- but, you know, I kind of come from more of a, you know, if I'm looking for information or -- or, you know, I have a much better relationship with the IRS or the Treasury folks because I deal more from a trades perspective. But, you know, it's -- if anything, I felt like we were just trying -- I, at least, me personally, was -- I was getting more information from AK Steel about what Commerce was doing than I was from Commerce because I felt like I rarely -- I really -- rarely dealt with Commerce in the past, and this administration was a little different like every other administration -- than other administrations and it was, if anything, I was just -- we were just trying to get information from Commerce. But it felt like it was more of a black box and it's -- we, you know, that -- if
anything, I just felt like beating my head whenever I had to deal with -- and I kind of deferred to Matt on, you know, to even dealing with Commerce --

MR. BROWN: Okay.

WITNESS 2: -- because, you know, he wanted to be the lead, so.

MR. BROWN: Yeah.

WITNESS 2: If he asked, yeah. I mean, that's my --

MR. BROWN: Well, let me just -- I'm -- I'm trying -- I'm going to try and wrap things up here, Witness 2, because I don't want to take up too much of your time.

WITNESS 2: Okay.

MR. BROWN: But, Saul, if you could put up Document 11 and Witness 2, I'll ask you if you -- if you've ever seen this.

WITNESS 2: Okay.

MR. BROWN: It's -- it's a periodic transaction report that the Congressman filed with respect to that stock purchase.
WITNESS 2: Um-hum.

MR. BROWN: Here we go. And I really just, you know, maybe you've seen these before; maybe you haven't. Take your time and look at it, but I really want to draw your attention down here to --

WITNESS 2: Right.

MR. BROWN: -- you see where it says SP -- I understand that means spouse -- Cleveland-Cliffs. You can see here it says purchase, and then it says date of transaction 4/29/20, which is what we were just talking about.

WITNESS 2: Um-hum.

MR. BROWN: And then it says date notified of transaction 5/7/20. Do you know why it says 5/7/20 on there?

WITNESS 2: No. Well, first off, I've never seen a document like this, so, and Matt is the only -- Matt's the only one that deals with this.

MR. BROWN: This would be Matt's
purview?

WITNESS 2: It would be Matt, yeah.

MR. BROWN: Okay.

WITNESS 2: So, I've never actually

even seen --

MR. BROWN: Did -- did --

WITNESS 2: I'm not what you'd call --

consider a political designee or whatever they

have.

MR. BROWN: Yeah. Did the Congressman

ever address the stock purchase with the staff

or you specifically?

WITNESS 2: No.

MR. BROWN: Okay. You were thinking

that was me, sorry.

WITNESS 2: No.

MR. BROWN: So, let me just real quick

and then I think I only have one or two more

questions. But back to the quotes that the

Congressman issued or Witness 1 provided to the

Pittsburgh Post Gazette. And Saul, you can take

the document down. The second part of the
response said, you know, "Whether a trade investigation would be launched was uncertain until Secretary of Commerce Ross confirmed the plan in a private phone conversation with the Congressman on May 1st. I understand you and Witness 1 and Matt and the Congressman took a phone call with Secretary Ross on the 1st."

WITNESS 2: Um-hum.

MR. BROWN: Do you remember that -- being on that call?

WITNESS 2: Yes.

MR. BROWN: Okay. When the response says the, "The investigation was uncertain until Wilber Ross confirmed the claim in the private phone conversation," in my mind, it's -- it's not -- it's not uncertain because you've been informed sort of by various individuals along the way at Commerce that they're intending to issue a Section 232 review. It's only uncertain in the sense that the press release hasn't been issued yet, and I think that's sort of what we talked about is Commerce is a bit of a black box
and, you know, until the press release hits the
internet, you guys are worried it's not coming
down the pike.

WITNESS 2: Yeah. I mean, yeah. I
mean, again, it's a -- it's a -- it's been -- I
mean, it's kind of a black box and it's not, you
know, it's like any administration. Until you --
-- until you actually, I see it on paper, I don't
-- I don't believe it's happening, you know.

MR. BROWN: Yeah.

WITNESS 2: It might -- we certainly
have made the request from a Congressional
Office whether or not -- and it's not just us,
it's Portman's office, it's Balderson's office.
We've been doing joint letters with any number
of, you know, Marcy Kaptor [phonetic], like, you
know.

MR. BROWN: Yeah. All right, Witness
2. I think I'm -- I'm pretty much done. I'm
going to ask you just a few quick questions to
end here. You guys don't do -- you don't work
through Teams or anything like that in your
office, do you?

WITNESS 2: The only thing I -- no, not on Teams. I mean, Ways and Means when we do like a hearing. That's the only real time I use Teams.

MR. BROWN: Okay. And then, so, in some of the documents that were produced to us from others besides yourself, I got some text messages that you were on. I know you said to me you don't really do much work texting.

WITNESS 2: I don't.

MR. BROWN: But I was wondering, in light of seeing any of those, do you think that you have any text messages that weren't --

WITNESS 2: I went through. I used -- I have two phones -- one and two.

MR. BROWN: Okay.

WITNESS 2: I have a son. I do most of mine on my personal. So, and then, you know, I get it replaced when I broke it, like I just did again. So, I really don't. I went through everything.
MR. BROWN: Okay.

WITNESS 2: But --

MR. BROWN: I just wanted to verify. I know it's been over a year.

WITNESS 2: Oh, yeah, yeah. No.

MR. BROWN: But I just wanted to know.

WITNESS 2: And just to clarify, other people might use Teams in our office. I don't. So, beyond Ways and Means, you know, hearings and stuff like that, so I have enough gadgets as it is, so.

MR. BROWN: Okay. And then, yeah, I understand that.

WITNESS 2: Right.

MR. BROWN: So, you know, this -- I think we contacted you a couple weeks ago. Have you spoke to anybody else, you know, aside from your husband? It sounds like maybe you and Witness 1 had a conversation about --

WITNESS 2: Witness 1 and I have had a conversation.

MR. BROWN: Okay. Anybody else in the
Congressional office -- have you spoken --

WITNESS 2: Matt.

MR. BROWN: Matt, okay. And what -- what did you guys chat about?

WITNESS 2: I just said, just so you know, I've been contacted by the Ethics and -- and then he asked if was going to talk to you and I said yes, so. I think Witness 1 -- Witness 1 is a stress case. So, I said, you know, what, we have nothing to hide. We were doing our jobs and we have no, you know, we're -- we're the hired hands. I'm not from the District, I'm not, you know, I, you know, I've worked for other members. I worked for two members from California, a Senator from Oregon, and two from Pennsylvania. So, you know, I -- we -- you know, I -- if anything, you know, he's a junior -- not a junior, he's younger than me -- and I said we didn't do anything wrong. All we were trying to do is comply with, you know, we were trying to help a company like we do and you're supposed to press release it if there's
actually any, you know movements and on our end
and, you know, everything else is above our pay
grade, so. So, I didn't --

MR. BROWN: I will -- I will just ask
if Omar has any additional questions for you,
but --

WITNESS 2: Sure.

MR. BROWN: -- if he doesn't, I think
we can probably wrap up and I will -- I'll thank
you for your time.

WITNESS 2: Thank you.

MR. BROWN: Omar, do you have anything
for Witness 2?

MR. ASHMAWY: Excuse me. No, thank
you very much, Witness 2. I really appreciate
your time also, and yeah, thank you for your
willingness to cooperate with our process.

WITNESS 2: Absolutely.

MR. BROWN: Yeah, and I'll just echo
what Omar just said and sort of what you said.
You know, this is our job.

WITNESS 2: I get it. No, trust me, I
get it.

[Simultaneous speaking]

WITNESS 2: It's just like my job is.

Well, you've learned about my job. I think I
would rather do my job than yours, but.

MR. BROWN: Well, I appreciate you
taking the time to --

WITNESS 2: Absolutely and --

MR. BROWN: -- review the documents,
walk us through the documents and --

WITNESS 2: And I appreciate you are
very well organized -- better than me, so.

MR. BROWN: We're working on it here --
- getting the hang of pandemic interviewing.

WITNESS 2: Someday, I don't know, I
walked in Longworth yesterday and nobody, it's
like the cops aren't wearing masks.

MR. BROWN: Yeah.

WITNESS 2: Knock on wood, we're
getting back to, you know, some new version of -
- of reality, so.

MR. BROWN: I -- I hope you're right
and I hope soon we'll be doing these interviews in person again, as soon as I, you know learn how to do them virtually. But, with that --

WITNESS 2: Sounds good.

MR. BROWN: -- we can go off the record at this point.

[Whereupon the interview was completed.]

[Off the record at 11:03 a.m.]
CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC

I, Jesse Greer, the officer before whom the foregoing deposition was taken, do hereby certify that said proceedings were electronically recorded by me; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 21st day of May, 2021.

Jesse Greer, Notary Public for the State of Maryland
CERTIFICATE OF TRANSCRIPTOR

I, Pamela A. Flutie, do hereby certify that the foregoing transcript is a true and correct record of the recorded proceedings; that said proceedings were transcribed to the best of my ability from the audio recording and supporting information; and that I am neither counsel for, related to, nor employed by and of the parties to this case and have no interest, financial or otherwise, in its outcome.

Pamela A. Flutie
Subject: Fwd: [EXT] Re: call
Date: Tuesday, April 28, 2020 at 2:52:38 PM Eastern Daylight Time
From: Prater, Lori
To: Stroia, Matthew, Eisenberger, Andrew

Call back in on this number.

Sent from my iPhone

Begin forwarded message:

From: <Beth.Ludwig@AKSteel.com>
Date: April 28, 2020 at 2:29:28 PM EDT
To: "Prater, Lori" <>
Cc: "Bloom, Patrick M" <>
Subject: Re: [EXT] Re: call

OK, we can use the following one at 2:45 PM:

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

I’m on the call with Mike/McCarthy/Balderson. I can do the call at 2:45.

Sent from my iPhone

On Apr 28, 2020, at 2:17 PM, "Beth.Ludwig@AKSteel.com" < > wrote:

Hey there, sent you a text but email too. Can you do an update call with me and Patrick any time after 2:45 today?
We are generally open, except from 4:30-5.
Thanks,
EXHIBIT 32
Received, thanks again. I'll let you know if anything else comes up early next week. Have a good weekend.

On Fri, Sep 4, 2020 at 4:45 PM Eisenberger, Andrew wrote:
Daniel - these can be attributed to me.

For questions 1 and 2: “Whether the 232 investigation would be launched was uncertain until Secretary Ross confirmed the plan in a private phone conversation with the congressman on May 1.”

For questions 3 and 4: “The filings regarding investment ownership are accurate.”

Andrew Eisenberger  
Communications Director  
Rep. Mike Kelly | PA-16

On Sep 3, 2020, at 11:17 AM, Daniel Moore wrote:
Andrew, thanks for getting this statement to me. I will include it.

I'd like to ask some follow-up questions for the record and to check my understanding of the financial disclosure filing just posted online.

**Did the congressman know on or about April 28, per this account, that the Commerce Department had verbally confirmed a 232 investigation would be announced?**
**Did his wife know about the verbal confirmation on April 28 when she decided to make the investment?**
**Congressman Kelly’s most recent financial disclosure filing from the House Clerk (the 2019 annual form, which I attached to this email) showed his wife owned about 126 financial investments — I counted 80 stocks, 28 bonds, 18 mutual funds. It appears the congressman owns no stock, bonds or mutual funds personally. Is that accurate? They’re all in his wife’s name?**
**I totaled up about 183 transactions total in 2019. Does Victoria Kelly have a stock broker making some or all of the trades? Or does she make individual investment decisions herself?**
**And is it accurate to say Congressman Kelly and his wife declined to be interviewed for this story?**

I'm still not on an immediate deadline, but I'm hoping to have something by the end of the week. Happy to chat further.

Thanks,

On Wed, Sep 2, 2020 at 6:19 PM Eisenberger, Andrew wrote:
Daniel -
You can use this and attribute it to me:

“At a time when the entire Butler community is rallying to save the AK Steel plant and its 1400 jobs, Representative Kelly’s wife made a small investment to show her support for the workers and management of this 100-year old bedrock of their hometown, where they both are life-long residents.”

Andrew Eisenberger
Communications Director
Rep. Mike Kelly | PA-16

On Sep 2, 2020, at 11:45 AM, Daniel Moore wrote:

And here's the one that references a verbal commitment a day before the stock purchase.

Lori gave this to me as background, and I believe she said it originated from Cleveland-Cliffs, but I have not confirmed that.

------- Forwarded message -------
From: Prater, Lori
Date: Wed, Aug 19, 2020 at 1:43 PM
Subject: Timeline
To: Daniel Moore

Timeline - 4 months.

Verbal commitment on or around April 28 - Four months from this date would be **August 28**.
There was a flurry of activity on several different days in May regarding the initiation of the investigation (see below). Generally speaking, four months from the announcement of the investigation would be early September - sometime between **Sept. 4-11**.

DOC Press Release saying DOC is self-initiating the investigation on May 4
The FRN cites the initiation of the investigation date as May 11
The FRN was issued on May 19

--

Daniel Moore
Washington D.C. bureau chief
Pittsburgh Post-Gazette (www.post-gazette.com)
Mobile: 21-9221_0331
Daniel Moore  
Washington D.C. bureau chief  
Pittsburgh Post-Gazette (www.post-gazette.com)  
Mobile: [REDACTED]  
dmoore@post-gazette.com  
danielmoorejournalist.com  
<2019FD.pdf>
EXHIBIT 33
Got it. Thank you Anthony

On Apr 30, 2020, at 8:58 AM, Foti, Anthony (Federal) wrote:
Slipped a few days. But the decision has been made. Just internal clearing process is still ongoing.

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

On Apr 30, 2020, at 9:56 AM, Stroia, Matthew wrote:
Good morning Anthony-just checking in, any word from your comms team on getting out the release?

On Apr 28, 2020, at 3:14 PM, Foti, Anthony (Federal) wrote:
Just tried your cell. Give me a ring at PII

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

On Apr 28, 2020, at 4:01 PM, Stroia, Matthew wrote:

On Apr 28, 2020, at 2:51 PM, Foti, Anthony (Federal) wrote:
Hi Matt. What’s the best # to reach you?
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
EXHIBIT 34
Balderson's team wants to do a positive joint statement that urges action and stresses that the this action doesn't have to mean the plant shuts down and urge trump to fix it. They're going to email us within the hour.

Forgive my passion

I get annoyed when unnecessary headaches are created and it feels like bureaucracy and/or politics are getting in the way

It shouldn't be this hard to fix this

Never heard from Beth about whether they want a quote from us or not. I suppose we'll do our own tomorrow

Is everything confined?

Confirmed

Commerce has not yet sent their press release out. Cleveland-Cliffs is
Is everything confirmed?
Confirmed

Matt Stroia

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.

I spoke to commerce in the White House after our call. They were hoping to have their release out tonight but I don’t think it’s gonna happen. It will most likely go out tomorrow.

It’s not confirmed until they put it in the press!

Apr 29, 2020, 9:04 AM

Still don’t see it

Lori Prater

Just talked to Beth. The announcement is likely to come later in the week. Hopefully, by Friday based on a late night conversation Patrick had with Ross’ Chief if Staff. They need to get their legal ducks in...
Lori Prater

Just talked to Beth. The announcement is likely to come later in the week. Hopefully, by Friday based on a late night conversation Patrick had with Ross’ Chief if Staff. They need to get their legal ducks in a row. Therefore, I think we still need to keep any of MK’s calls with Administration in the schedule make sure we keep this on track. It ain’t over until commerce makes that announcement.

Matt Stroia

Foot on gas until we cross the finish line

Yeah, definitely. We’re all waiting to see that release come out. Mike has a call with Ross on Friday. Hopefully, they put something out before then, though. We’ll keep it on there either way.

Apr 30, 2020, 10:42 AM

Just sent you guys a draft quote for
Hi Talat,

Congressman Kelly would like to speak with Secretary Ross regarding AK Steel at his earliest convenience. For reference, please see the attached letters that the Congressman sent to President Trump. Please let us know if this is possible.

Sincerely,

James Marsh
Director of Administration
U.S. Representative Mike Kelly (PA-16)
1707 Longworth House Office Building
(202) 225-5406 | www.kelly.house.gov
EXHIBIT 36
May 1, 2020, 3:49 PM

So that was a great call

Sounds like we need to have a victory lap statement with our king history of advocacy on this ready for release on Monday or Tuesday!

Mike Kelly

So far so good. I'll be more upbeat once we get it off our lot and in his driveway. 😊

MK

May 4, 2020, 2:55 PM

How's this for the quote in the release?

Lori Prater

ME TOO!!!
EXHIBIT 37
U.S. Secretary of Commerce Wilbur Ross to Initiate Section 232 Investigation into Imports of Laminations and Wound Cores for Incorporation into Transformers, Electrical Transformers, and Transformer Regulators

FOR IMMEDIATE RELEASE
Monday, May 4, 2020

Office of Public Affairs
(202) 482-4883
publicaffairs@doc.gov

U.S. Secretary of Commerce Wilbur Ross announced he will initiate an investigation into whether laminations for stacked cores for incorporation into transformers, stacked and wound cores for incorporation into transformers, electrical transformers, and transformer regulators are being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security. The decision to launch an investigation under Section 232 of the Trade Expansion Act of 1962, as amended, follows inquiries and requests from multiple members of Congress as well as industry stakeholders. As required by law, Secretary Ross will send a letter to Secretary of Defense Mark Esper informing him of the investigation. Secretary Ross will also notify other relevant executive branch officials.

“The Department of Commerce will conduct a thorough, fair, and transparent review to determine the effects on the national security from imports of laminations for stacked cores for incorporation into transformers, stacked and wound cores for incorporation into transformers, electrical transformers, and transformer regulators,” said Secretary Ross.

Transformers are part of the U.S. energy infrastructure. Laminations and cores made of grain-oriented electrical steel are critical transformer components. Electrical steel is necessary for power distribution transformers for all types of energy – including solar, nuclear, wind, coal, and natural gas – across the country. An assured domestic supply of these products enables the United States to
respond to large power disruptions affecting civilian populations, critical infrastructure, and U.S. defense industrial production capabilities.

The investigation, to be conducted by the Department’s Bureau of Industry and Security, will provide the opportunity for public comment. A notice will be published shortly in the Federal Register.
Rep. Mike Kelly @MikeKellyPA · May 4, 2020
Thank you to @CommerceGov for opening a 232 investigation of imported electrical steel products. As the last electrical steelmaker in the U.S., Butler, PA-based AK Steel is crucial to our national security.

My statement on @SecretaryRoss' announcement:

kelly.house.gov/press-release/...
EXHIBIT 39
Matt and Lori: Later this afternoon, the Department of Commerce is announcing that it will initiate an investigation to determine whether imports of laminations for stacked cores for incorporation into transformers, stacked and wound cores for incorporation into transformers, electrical transformers, and transformer regulators threaten to impair the national security. The decision to launch an investigation under Section 232 of the Trade Expansion Act of 1962, as amended, follows inquiries and requests from multiple members of Congress as well as industry stakeholders.

Additional information will be provided at that time.

Eileen Dombrowski
Legislative Affairs Specialist
Office of Legislative and Intergovernmental Affairs
Office of the Secretary
U.S. Department of Commerce
E'Dombrowski
EXHIBIT 40
Good afternoon,

Please see the following announcement and the attached Cleveland-Cliffs press release.

On behalf of Cleveland-Cliffs and our Chairman & CEO, Lourenco Goncalves, thank you for your support and that of your respective bosses.

We look forward to continuing to work with you all while this Section 232 investigation is under way.

Should you have any questions, please contact Beth or me at any time.

Thanks again and kind regards,

Patrick

CLIFFS
CLEVELAND-CLIFFS INC.
Good afternoon,

Please see the following announcement and the attached Cleveland-Cliffs press release.

On behalf of Cleveland-Cliffs and our Chairman & CEO, Lourenco Goncalves, thank you for your support and that of your respective bosses.

We look forward to continuing to work with you all while this Section 232 investigation is under way.

Should you have any questions, please contact Beth or me at any time.

Thanks again and kind regards,

Patrick

CLIFFS

CLEVELAND-CLIFFS INC.

PATRICK M. BLOOM
Director - Government Relations

CLEVELAND-CLIFFS INC.
200 Public Square, Suite 3300, Cleveland, OH 44114
P 216.694.5700 F 216.694.5385 clevelandcliffs.com

FOR IMMEDIATE RELEASE
Monday, May 4, 2020

U.S. Secretary of Commerce Wilbur Ross to Initiate Section 232 Investigation into Imports of Laminations and Wound Cores for Incorporation into Transformers, Electrical Transformers, and Transformer Regulators

1

AE_0021

21-9221_0353
WASHINGTON — U.S. Secretary of Commerce Wilbur Ross announced he will initiate an investigation into whether laminations for stacked cores for incorporation into transformers, stacked and wound cores for incorporation into transformers, electrical transformers, and transformer regulators are being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security. The decision to launch an investigation is made pursuant to Section 232 of the Trade Expansion Act of 1962, as amended, to follow inquiries and requests from multiple members of Congress as well as industry stakeholders. As required by law, Secretary Ross will send a letter to Secretary of Defense Mark Esper informing him of the investigation. Secretary Ross will also notify other relevant executive branch officials.

"The Department of Commerce will conduct a thorough, fair, and transparent review to determine the effects on the national security from imports of laminations for stacked cores for incorporation into transformers, stacked and wound cores for incorporation into transformers, electrical transformers, and transformer regulators," said Secretary Ross.

Transformers are part of the U.S. energy infrastructure. Laminations and cores made of grain-oriented electrical steel are critical transformer components. Electrical steel is necessary for power distribution transformers for all types of energy — including solar, nuclear, wind, coal, and natural gas — across the country. An assured domestic supply of these products enables the United States to respond to large power disruptions affecting civilian populations, critical infrastructure, and U.S. defense industrial production capabilities.

The investigation, to be conducted by the Department’s Bureau of Industry and Security, will provide the opportunity for public comment. A notice will be published shortly in the Federal Register.

###

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Hi Lori and Matt,
Would you two have a few minutes to talk to Patrick and me about a few next steps on the 232 front? We are generally open all tomorrow morning so name a time that would work well for you.
Thanks!
Beth

Beth DeBrosse Ludwig
AK Steel Corporation
Corporate Manager, Government & Public Relations
9227 Centre Pointe Dr.
West Chester, OH 45089
Beth.Ludwig
Phone:
Cell:  

Confidentiality Notice
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Hi All,
Patrick and I wanted to see if we could get a call scheduled for sometime Thursday, perhaps Thursday morning, for a status update/next steps conversation? Would 10AM happen to work Thursday for everyone? If not, please share some time frames that work. Matt and Laura, we welcome your participation and ideas but also understand if you need to divide and conquer and let Nate and Lori do the call.
Thanks!
Best,
Beth
Prater, Lori

From: Prater, Lori
Sent: Thursday, October 1, 2020 12:55 PM
To: Bloom, Patrick M; Zimpher, Nate
Cc: Ludwig, Beth
Subject: RE: Update - Electrical Steel

Sounds good.

From: Bloom, Patrick M <[redacted]>
Sent: Thursday, October 1, 2020 12:50 PM
To: Prater, Lori <[redacted]>; Zimpher, Nate <[redacted]>
Cc: Ludwig, Beth <[redacted]>
Subject: RE: Update - Electrical Steel

Thank you both for your input today.

It was interesting hearing from a perspective outside of our field.

Best,

From: Prater, Lori <[redacted]>
Sent: Thursday, October 1, 2020 12:47 PM
To: Bloom, Patrick M <[redacted]>; Zimpher, Nate <[redacted]>
Cc: Ludwig, Beth <[redacted]>
Subject: [EXTERNAL] RE: Update - Electrical Steel

Sure thing. Let me know what works with you all and Nate.

From: Bloom, Patrick M <[redacted]>
Sent: Thursday, October 1, 2020 12:43 PM
To: Prater, Lori <[redacted]>; Zimpher, Nate <[redacted]>
Cc: Ludwig, Beth <[redacted]>
Subject: Update - Electrical Steel

Good afternoon, Lori and Nate.

Lourenco Goncalves spoke to Ambassador Lighthizer late yesterday afternoon. We’d like to provide you with an important update on the status of the pending Section 232 investigation covering laminations, cores and transformers.

Please let us know if you’d have a few minutes to connect yet today.

In addition, please see the attached email/letter sent by Lourenco to Secretary Ross last evening.
Thanks,
Patrick

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This electronic message and any attachments included with this message are for the exclusive use of the individual or entity to which it is intended to be addressed. This message may contain information that is privileged or confidential and thereby exempt and protected from unauthorized disclosure under applicable law. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering the message to the intended recipient, be aware that any disclosure, dissemination, distribution or copying of this communication, or the use of its contents, is not authorized and is strictly prohibited. If you have received this communication and are not the intended recipient, please notify the sender immediately and permanently delete the original message from your e-mail system.
Lori,
Just wanted to be sure you had this letter that outlines all our points on the concerns with the GOES product exclusions that were granted by DOC. By our estimation, in the U.S. market, there is demand for only 1,400 net tons of GOES with widths over 920 mm, a far cry from the 41,446 net tons they just granted.
Thanks,
Beth
I'm free to talk at 9.

Andrew Eisenberger  
Communications Director  
Rep. Mike Kelly | PA-16

On Oct 28, 2020, at 10:44 PM, "Beth.Ludwig..." wrote:

Sounds good. We can do 9AM if that works for you both? If not, just let us know what time would work for you and we will do our best to accommodate.

Thanks!

Beth

On: 28 October 2020 22:42, "Prater, Lori" wrote:

Thanks. I'll talk to Andrew in the morning to see what works since he's up in Butler with Mike through the election.

Sent from my iPhone

> On Oct 28, 2020, at 10:35 PM, Bloom, Patrick M wrote:
> 
> Thanks, Lori. We'll have something to you and Andrew first thing tomorrow. It may be good if all of us could connect briefly by phone as well to discuss some of the sequencing considerations related to the Sec. 232 and Mexican arrangement.
> >
> > Best,
> > Patrick
> >
> >> On Oct 28, 2020, at 9:42 PM, Prater, Lori wrote:
> >>
> >> Talked to Mike tonight and Andrew our comms Director. He's talking to the WH comms people tomorrow and would like to work the Mexico agreement into to President's speech. Can you provide him with an overview of the details we discussed by tomorrow morning so he can push it with them?
> >>
> >>
Here’s the longer timeline of Mike’s involvement on behalf of the Butler Works.

-------- Forwarded message --------
From: Prater, Lori
Date: Wed, Aug 19, 2020 at 2:33 PM
Subject: RE: Background material
To: Daniel Moore

Sure thing! Just a few more pieces to the 232 puzzle.

Incredibly helpful, thanks so much!

On Wed, Aug 19, 2020 at 1:40 PM Prater, Lori wrote:

**Efforts to address the circumvention of the Section 232 tariff on electrical steel through downstream products (as of 12/18/19)**

_Timeline of Notable Actions_
- March 29, 2017 – Roger Newport testified at the Congressional Steel Caucus
- May 24, 2017 – Roger Newport testified before the Department of Commerce on the Section 232 investigation
- July 2017 – Reps. Tiberi and Kelly raise at House Ways and Means Committee hearing with DOC Secretary Ross
- August 15, 2017 – Senator Casey tour of Butler Works
- August 22, 2017 – Butler Eagle Gazette Op Ed
- September 28, 2017 – Meeting with DOC with downstream customers
- February 16, 2018 – DOC Section 232 report on steel released publicly
- February 22, 2018 – Letters from Roger to Ross and President Trump
- March 8, 2018 – Section 232 tariffs announced
- March 8, 2018 – Casey, Portman, Brown Letter
- March 21, 2018 – Roger Newport testified at the Congressional Steel Caucus
April 12, 2018 – Roger Newport testified at the House Ways and Means Committee Hearing on the Effects of Tariff Increases on the U.S. Economy and Jobs
April 17, 2018 – AKS-customer group letter to Ross asking for inclusion of downstream products
May 18, 2018 – Executive Summary and formal request for Transformer Supply Chain 232 by AKS and customer group
May 5, 2018 – Roger and Renee raise with POTUS at Cleveland event
Summer/Fall 2018 – Meetings/Calls with Hill, DOC/USTR including Roger call with Ross
October 12, 2018 – Meeting with Ambassador Mahoney
October 3, 2019 – Meeting with Ambassador Gerrish
October 31, 2019 – Casey, Portman, Brown letter to USTR
November 20, 2019 – Balderson, Kelly letter to USTR
November 21, 2019 – Meeting with DOC Assistant Secretary Nazak Nikakhtar
December 5-6, 2019 – Issue raised at the North American Steel Trade Committee meetings in Ottawa

Daniel Moore
Washington D.C. bureau chief
Pittsburgh Post-Gazette (www.post-gazette.com)
Mobile: dmoore

Mobile: dmoore

danielmoorejournalist.com
EXHIBIT 42
And here's the one that references a verbal commitment a day before the stock purchase.

Lori gave this to me as background, and I believe she said it originated from Cleveland-Cliffs, but I have not confirmed that.

---------- Forwarded message ----------
From: Prater, Lori
Date: Wed, Aug 19, 2020 at 1:43 PM
Subject: Timeline
To: Daniel Moore

Timeline - 4 months.

Verbal commitment on or around April 28 - Four months from this date would be **August 28**. There was a flurry of activity on several different days in May regarding the initiation of the investigation (see below). Generally speaking, four months from the announcement of the investigation would be early September - sometime between **Sept. 4-11**.

DOC Press Release saying DOC is self-initiating the investigation on May 4
The FRN cites the initiation of the investigation date as May 11
The FRN was issued on May 19

--

Daniel Moore
Washington D.C. bureau chief
Pittsburgh Post-Gazette (www.post-gazette.com)
Mobile: dmoore

*danielmoorejournalist.com*
New iMessage

To: Matt Stroia

Thu, Sep 3, 2:20 PM

Just sent you the follow up questions from Daniel...

Ok.

Thu, Sep 3, 11:32 PM

I read Mike the email on the way home this evening from Daniel. I don’t think we get into the specifics in another response. I say we keep our statement as it is. He agreed.

Okay - I’m wondering how he will write that. Probably say something like Kelly declines to be interviewed and his office did not comment on when they learned of the deal.

Investigation**

And he knows Lori confirmed that Cleveland cliffs got a verbal commitment from commerce on April 28

Yeah, that was on background but can you still use it? Also, we didn’t get anything in writing until like the 30th that I received I believe.

Yes, he can use it he just can’t attribute it to anyone.

But he can verify the background by confirming it with someone else like Cleveland Cliffs

And likely already has

He can’t use things that were off record. Background is different

We need to re-look at staff other than you doing background then? What Do you think?

I’ve always thought that was the right thing.

Not that it would likely have mattered in this case

Why would we have a problem telling Daniel that info under normal circumstances?
Why would we have a problem telling Daniel that info under normal circumstances?

You’re right. I know, we did all the right things as a staff. We are trying to get out front for credit.

There’s only one issue here and it wasn’t any of us

Was mike still in a dismissive mood?
EXHIBIT 44
Sure, I'll give you a ring then.

On Tue, Sep 1, 2020 at 12:56 PM Eisenberger, Andrew wrote:
Yeah how about 3pm?

Andrew Eisenberger
Communications Director
Rep. Mike Kelly | PA-16
202-225-5406

On Sep 1, 2020, at 10:12 AM, Daniel Moore wrote:
Sure, no problem. Let's do a phone call. Would you be free sometime today? Thanks!

On Tue, Sep 1, 2020 at 8:45 AM Eisenberger, Andrew wrote:
Hey man!

Let's go ahead and do a phone call I'm pretty busy this week, unless you want to wait until next week to get together?

Andrew Eisenberger
Communications Director
Rep. Mike Kelly | PA-16
202-225-5406

On Aug 31, 2020, at 2:54 PM, Daniel Moore wrote:

Hey Andrew, I'd like to run something by you when you get a minute. Is everyone in your office still remote these days? If you wanted to meet somewhere inside or outside, that would be great. Always looking to stretch my legs (and return to some sense of normalcy.) I can always do a phone call if you're away or wrapped up with something. Just let me know.

All the best,

Daniel Moore
Washington D.C. bureau chief
Pittsburgh Post-Gazette (www.post-gazette.com)
Daniel Moore
Washington D.C. bureau chief
Pittsburgh Post-Gazette (www.post-gazette.com)
Mobile: dmoore
Email: danielmoorejournalist.com
EXHIBIT 45
Begin forwarded message:

From: Daniel Moore
Date: September 1, 2020 at 3:36:05 PM EDT
To: "Eisenberger, Andrew"
Subject: Cleveland-Cliffs stock purchase

Hey Andrew, thanks for the call. Attached you'll find the document filed with the House clerk showing a stock purchase on April 29 of $15,001 - $50,000 in Cleveland-Cliffs. Let me know what you think when you get a minute. Happy to chat further.

All the best,

—
Daniel Moore
Washington D.C. bureau chief
Pittsburgh Post-Gazette (www.post-gazette.com)
Mobile: 
dmoore

danielmoorejournalist.com
**UNITED STATES HOUSE OF REPRESENTATIVES**

**Periodic Transaction Report**

**NAME:** George J. (Mike) Kelly, Jr.

**OFFICE TELEPHONE:** (202) 225-5406

- **X** Member of the U.S. House of Representatives
- **☐** Officer or Employee
  
  **State:** PA  
  **District:** 03

Filing information:

- **X** File an original and 2 copies
- **☐** File an original and 1 copy

---

**Did you purchase any shares that were allocated as a part of an Initial Public Offering?**

- **☐** Yes
- **X** No

*If you answered "yes" to this question, please contact the Committee on Ethics for further guidance.*

**Please indicate whether this is an initial report or an amended report. For amendments, please provide the date of the report you are amending.**

- **X** Initial Report
- **☐** Amendment

**Data of Report Being Amended:** __________

**A $200 penalty shall be assessed against anyone who files more than 30 days late.**

---

<table>
<thead>
<tr>
<th>FULL ASSET NAME</th>
<th>TYPE OF TRANSACTION</th>
<th>DATE OF TRANSACTION</th>
<th>AMOUNT OF TRANSACTION</th>
</tr>
</thead>
</table>
| **SP** DC JT    | Provide full name, not ticker symbol.
| Purchase        | 020516              | A                  |
| Sales           | 030716              | B                  |
| Exchange        | 042916              | C                  |

*Example: Mega Corp. Common Stock*

- **X** 10,000

---

**SP CLEVELAND CLIFFS, INC**

*4/29/16 57/100*
EXHIBIT 46
Received, thanks again. I’ll let you know if anything else comes up early next week. Have a good weekend.

On Fri, Sep 4, 2020 at 4:45 PM Eisenberger, Andrew wrote:
Daniel - these can be attributed to me.

For questions 1 and 2: “Whether the 232 investigation would be launched was uncertain until Secretary Ross confirmed the plan in a private phone conversation with the congressman on May 1.”

For questions 3 and 4: “The filings regarding investment ownership are accurate.”

Andrew Eisenberger
Communications Director
Rep. Mike Kelly | PA-16

On Sep 3, 2020, at 11:17 AM, Daniel Moore wrote:
Andrew, thanks for getting this statement to me. I will include it.

I’d like to ask some follow-up questions for the record and to check my understanding of the financial disclosure filing just posted online.

**Did the congressman know on or about April 28, per this account, that the Commerce Department had verbally confirmed a 232 investigation would be announced?**
**Did his wife know about the verbal confirmation on April 28 when she decided to make the investment?**
**Congressman Kelly’s most recent financial disclosure filing from the House Clerk (the 2019 annual form, which I attached to this email) showed his wife owned about 126 financial investments — I counted 80 stocks, 28 bonds, 18 mutual funds. It appears the congressman owns no stock, bonds or mutual funds personally. Is that accurate? They’re all in his wife’s name?**
**I totaled up about 183 transactions total in 2019. Does Victoria Kelly have a stock broker making some or all of the trades? Or does she make individual investment decisions herself?**
**And is it accurate to say Congressman Kelly and his wife declined to be interviewed for this story?**

I’m still not on an immediate deadline, but I’m hoping to have something by the end of the week. Happy to chat further.

Thanks,

On Wed, Sep 2, 2020 at 6:19 PM Eisenberger, Andrew wrote:
Daniel -
You can use this and attribute it to me:

“At a time when the entire Butler community is rallying to save the AK Steel plant and its 1400 jobs, Representative Kelly’s wife made a small investment to show her support for the workers and management of this 100-year old bedrock of their hometown, where they both are life-long residents.”

Andrew Eisenberger
Communications Director
Rep. Mike Kelly | PA-16
202-225-5406

On Sep 2, 2020, at 11:45 AM, Daniel Moore < > wrote:

And here’s the one that references a verbal commitment a day before the stock purchase.

Lori gave this to me as background, and I believe she said it originated from Cleveland-Cliffs, but I have not confirmed that.

---------- Forwarded message ---------
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To: Daniel Moore < >

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DOC Press Release saying DOC is self-initiating the investigation on May 4
The FRN cites the initiation of the investigation date as May 11
The FRN was issued on May 19

--
Daniel Moore
Washington D.C. bureau chief
Pittsburgh Post-Gazette (www.post-gazette.com)
Mobile: [redacted]
EXHIBIT 47
Assuming everything stays on track with Ross’ offer to help with AK Steel, please let Andrew know if you need a quote from Mike. He’s happy to help with press!

Sent from my iPhone