United States Senate

WASHINGTON, DC 20510

March 12, 2014

The Honorable Penny Pritzker
Secretary
U.S. Department of Commerce
14th Street and Constitution Avenue, N.W.
Washington, D.C. 20230

Dear Secretary Pritzker:

Congratulations on your appointment as Secretary of Commerce. We know that your experience in the business community will lead you to appreciate the concerns that we wish to raise.

As you know, there is an antidumping action presently pending before the Commerce Department against Frozen Fish Fillets from Vietnam. This antidumping action was filed by the domestic U.S. industry producing farm-raised catfish, principally in Mississippi, Alabama, Arkansas and Louisiana. This industry is extremely important to our states and employs thousands of workers in many of our most economically challenged regions.

We are writing to ask you to ensure that the Vietnam Frozen Fish Fillets antidumping proceeding is conducted consistent with the commitment of this Administration to vigorously enforce U.S. trade laws. Our borders are the most open in the world, but free and open trade is only possible if we insist that this trade be fair. Since 2008, as a direct result of decisions that have been made by your Department, imports of frozen fish fillets from Vietnam more than tripled. At the same time, U.S. catfish production, as measured by water acres devoted to catfish farming, has declined dramatically from 164,000 water acres in 2007 to about 83,000 acres at the beginning 2013. Significant portions of U.S. production have already been destroyed by the very low prices and large volumes of unfairly traded Vietnamese product. Over the past several months, however, your Department has issued some decisions which should help accomplish the goal of our antidumping laws — to encourage the fair pricing of these Vietnamese imports.

Your Department correctly concluded in the review completed last year that Bangladesh was not a proper market economy surrogate and that Indonesia was a superior choice. That decision was detailed and well-founded. As a result, the Vietnamese dumping was properly evaluated, and many Vietnamese exporters became subject to appropriate antidumping duty deposit rates. We now have some hope for recovery in American catfish production. However, the industry will not be able to recover unless equally sound choices of surrogate country and values are made in the current review.

We know that the Vietnamese Government is very unhappy with these recent decisions, and has raised these issues with you directly. Vietnamese Government press releases make this clear. While our trading relationship with Vietnam is important, the same can be said for our trading relationship with virtually every country whose products are the subjects of U.S. antidumping proceedings. We urge you to insist upon the full, fair and vigorous application of our trade laws, and to appreciate the critical importance to our industry and our states of ensuring fair trade in Vietnamese imports of frozen fish fillets. We ask that you ensure that pressure from the Vietnamese Government is not a factor in your Department's decision-making in this proceeding.

Because this matter is so important, we would greatly appreciate being kept advised of key developments in the case.

Respectfully,

The Honorable Jeff Sessions

The Honorable Thad Cochran

The Honorable Roger Wicker

The Honorable John Boozman

The Honorable Mark Pryor

The Honorable David Vitter

The Honorable Mary Landrieu