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DAN ROCK

October 7, 2003

The Honorable James J. Jochum
Assistant Secretary for Import Administration
U.S. Department of Commerce, Central Records Unit, Room 1870
Pennsylvania Ave & 14th Street, NW
Washington, DC 20230

Attention: Section 201 Duties

Dear Assistant Secretary Jochum:

In response to your request in the Sept. 9th Federal Register for comments on the appropriateness of deducting section 201 duties and countervailing duties from prices in order to calculate antidumping duties, I believe it is essential that the Department amend its policy immediately to fully address the magnitude of dumping by counting subsidy duties as a cost.

I am President of Forest Resource Consultants, Inc., a forestry consulting firm, that employs 40 hardworking folks and manages over 300,000 acres of southern timberland for over 100 clients. These landowners must sell standing timber at a competitive market price. The buyer is responsible for harvesting costs, transportation, and all the other expenses of obtaining logs to be used to produce lumber. All of these costs must be recovered at a fair price for the finished product if our industry is to remain profitable and robust. Our clients sell \$10- to-\$15Million dollars of timber annually and have seen 25% to 45% decreases in stumpage prices over the last four to five years. This equates to \$3-to-\$5 Million dollars of lost revenue annually for our clients alone.

That is not the case in Canada -- Canadian producers buy timber at government-subsidized rates that do not reflect market forces and are unfairly low. The Department of Commerce imposed duties to offset the subsidies, but the Canadian prices still do not reflect a fair price as the Canadian mills have decided to simply "eat" losses and buy market share -- this is dumping. Dumping duties are currently being imposed on Canadian shippers.

The Department's current policy of not including countervailing duties as a cost when calculating dumping rates is very problematic as it does not accurately assess the full scope of the dumping. The subsidy duty is imposed in an effort to level the playing field between importers and the domestic industry by offsetting the value of the subsidy -- it reflects what their true costs should be in a competitive market. Costs that must be recouped in their sales prices if they are not to be considered dumping into the U.S. market.

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We strongly favor changing the Department's policy to align it with current policy in both Canada and the European Community. This is the only way to place Canadian mills on a level playing field and to stop their predatory trade practices from diminishing the value of U.S. forest lands.

We are of the view that the enormous problem of unfair Canadian lumber trade will only be solved when the Canadian governments and mills understand very clearly that they must stop their unfair practices or the U.S. government will fully offset the unfair trade.

Sincerely,



David T. Foil, ACF

DTF/rcm

Copy: Senator Jim Marshall
Senator Saxby Chambliss
Monica Welt, Esq.-Dewey Ballantine LLP