



## COALITION FOR FAIR LUMBER IMPORTS

### **FOR IMMEDIATE RELEASE**

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### **Coalition for Fair Lumber Imports Welcomes Legislation Barring Customs From Unfairly Seeking Repayment Of Past CDSOA Distributions Made In Good Faith**

WASHINGTON, DC (Feb. 13, 2009) -- The U.S. Coalition for Fair Lumber Imports applauds Congress's inclusion in the American Recovery and Reinvestment Act of 2009 of a provision prohibiting U.S. Customs and Border Protection from seeking repayment of past distributions made under Continued Dumping and Subsidies Offset Act (CDSOA).

Customs had sent demand letters to dozens of American manufacturers seeking repayment of certain past distributions under CDSOA – based on a Court decision finding that the law does not, because of a technicality, apply to imports from NAFTA countries.

The demand letters took domestic manufacturers by surprise as the distributions were made and received in good faith, there is no indication that Congress ever intended for the CDSOA law to be inapplicable to NAFTA imports, nothing in the law required Customs to seek repayment of those funds, and Customs indicated to the Court that repayment would be inappropriate.

The highly unjust and unlawful request came at the worst possible time for American lumber manufacturers, already hit hard by the housing depression and a ruinous lumber market.

"At a time when Canada is implementing and considering yet more unfair subsidies to its lumber industry to the direct detriment of American companies and workers, the U.S. government's focus should be on fully enforcing the U.S.-Canada Softwood Lumber Trade Agreement -- not seeking undue payments from domestic manufacturers," said Coalition for Fair Lumber Imports Chairman Steve Swanson.

This belief appears to be shared by at least every Member who voted for the bill, as Congress moved to prohibit Customs from seeking disgorgement of the funds at issue following actions by Senators Olympia Snowe and Susan Collins of Maine, Max Baucus of Montana, and Mike Crapo of Idaho.

Many lawmakers also voiced their concerns directly to Customs, including via a letter to the Commissioner of Customs signed by Senators Snowe, Bayh, Collins, Crapo, Chambliss, Brown, Wicker, Cochran, Isakson, Sessions, Shelby, Lincoln, Casey and Wyden.

"The Coalition commends Senators Baucus, Snowe, Collins, Crapo, and all legislators involved to prevent disgorgement of past CDSOA funds – funds which long ago were invested in plant, equipment and operations to help sustain good American manufacturing jobs unfairly put at risk by dumped and subsidized imports," concluded Mr. Swanson.

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### **About the Coalition for Fair Lumber Imports**

The U.S. Coalition for Fair Lumber Imports is an alliance of large and small lumber producers from around the country, joined by hundreds of thousands of their employees, and tens of thousands of woodland owners. The Coalition is united in opposition to Canada's unfair lumber-trade practices, including its gross under-pricing of timber. For more information including Swanson's full text and other issues, please visit the Coalition's website at [www.fairlumbercoalition.org](http://www.fairlumbercoalition.org).