

LOST SALES AND LOST REVENUE SURVEY

CERTAIN FREIGHT RAIL COUPLERS AND PARTS THEREOF FROM CHINA AND MEXICO

This survey must be received by the Commission by **October 12, 2022**

See last page for filing instructions.

The information called for in this survey is for use by the United States International Trade Commission in connection with its countervailing duty and antidumping investigations certain freight rail couplers and parts thereof ("freight rail couplers") from China and Mexico (Inv. Nos. 701-TA-682 and 731-TA-1592-1593 (Preliminary)). The information requested in the survey is requested under the authority of the Tariff Act of 1930, title VII. This report is mandatory and failure to reply as directed can result in a subpoena or other order to compel the submission of records or information in your possession (19 U.S.C. § 1333(a)). Further information on this survey can be obtained from Craig Thomsen (202-205-3226, Craig.Thomsen@usitc.gov).

Name of firm _____

Address _____

City _____ State _____ Zip Code _____

Website _____

Has your firm purchased, or imported for its own use, freight rail couplers (as defined on next page) at any time since January 1, 2019?

☐ **NO** (Sign the certification below and promptly return **only** this page of the survey to the Commission)

☐ **YES** (Complete all parts of the survey, and return the entire survey to the Commission)

Return questionnaire via the U.S. International Trade Commission **Drop Box** by clicking on the following link: <https://dropbox.usitc.gov/oinv/>. (PIN: **RAIL**)

CERTIFICATION

I certify that the information herein supplied in this survey is complete and correct to the best of my knowledge and belief and understand that the information submitted is subject to audit and verification by the Commission. By submitting this certification I also grant consent for the Commission, and its employees and contract personnel, to use the information provided in this survey and throughout this proceeding in any other import-injury proceedings conducted by the Commission on the same or similar merchandise.

I, the undersigned, acknowledge that information submitted in response to this request for information and throughout this investigation or other proceeding may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. I understand that all contract personnel will sign appropriate nondisclosure agreements.

Name of Authorized Official

Title of Authorized Official

Date

Signature

Phone

Email address

GENERAL INFORMATION

Background.-- This proceeding was instituted in response to a petition filed on September 28, 2022, by McConway & Torley LLC, Pittsburgh, Pennsylvania, and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO, CLC. Antidumping and countervailing duties may be assessed on the subject imports as a result of these proceedings if the Commission makes an affirmative determination of injury, threat, or material retardation, and if the U.S. Department of Commerce ("Commerce") makes an affirmative determination of subsidization and/or dumping. Questionnaires and other information pertinent to this proceeding are available at https://www.usitc.gov/investigations/701731/2022/certain_freight_rail_coupler_systems_and/preliminary.htm.

Freight rail couplers covered by these investigations are certain freight railcar couplers (also known as "fits" or "assemblies") and parts thereof. Freight railcar couplers are composed of two main parts, namely knuckles and coupler bodies but may also include other items (e.g., coupler locks, lock lift assemblies, knuckle pins, knuckle throwers, and rotors). The parts covered by the investigation include: (1) E coupler bodies; (2) E/F coupler bodies; (3) F coupler bodies; (4) E knuckles; (5) F knuckles; as set forth by the Association of American Railroads (AAR). The freight rail coupler parts are included within the scope of the investigation when imported individually.

Subject freight railcar couplers and parts are included within the scope whether finished or unfinished, whether imported individually or with other subject or nonsubject parts, whether assembled or unassembled, whether mounted or unmounted, or if joined with nonsubject merchandise, such as other nonsubject parts or a completed railcar. Finishing includes, but is not limited to, arc washing, welding, grinding, shot blasting, heat treatment, machining, and assembly of various parts. When a subject coupler or subject parts are mounted on or to other nonsubject merchandise, such as a railcar, only the coupler or subject parts are covered by the scope.

The finished products covered by the scope of this investigation meet or exceed the AAR specifications of M-211, "Foundry and Product Approval Requirements for the Manufacture of Couplers, Coupler Yokes, Knuckles, Follower Blocks, and Coupler Parts" and/or AAR M-215 "Coupling Systems," or other equivalent domestic or international standards (including any revisions to the standard(s)).

The country of origin for subject couplers and parts thereof, whether fully assembled, unfinished or finished, or attached to a railcar, is the country where the subject coupler parts were cast or forged. Subject merchandise includes coupler parts as defined above that have been further processed or further assembled, including those coupler parts attached to a railcar in third countries. Further processing includes, but is not limited to, arc washing, welding, grinding, shot blasting, heat treatment, painting, coating, priming, machining, and assembly of various parts. The inclusion, attachment, joining, or assembly of nonsubject parts with subject parts or couplers either in the country of manufacture of the in-scope product or in a third country does not remove the subject parts or couplers from the scope.

Freight rail couplers are provided for in HTS subheading 8607.30.10. Unfinished subject merchandise (that does not have the essential character of a finished coupler) may also be reported under HTSUS statistical reporting number 7326.90.8688. Subject merchandise attached to finished railcars may be imported under HTSUS statistical reporting numbers 8606.10.0000, 8606.30.0000, 8606.91.0000, 8606.92.0000, 8606.99.0130, 8606.99.0160, or under heading 9803.00.50 if imported as an Instrument

of International Traffic. Subject merchandise may also be imported under HTSUS subheading 7325.99.50. The HTSUS provisions are for convenience and customs purposes; the written description of the scope is dispositive.

Reporting of information.-- If information is not readily available from your records, provide carefully prepared estimates.

Confidentiality.--The data furnished in response to this survey that reveal the individual operations of your firm will be treated as confidential by the Commission to the extent that such data are not otherwise available to the public and will not be disclosed except as may be required by law (*see* 19 U.S.C. 1677f). Such confidential information will not be published in a manner that will reveal the individual operations of your firm; however, general characterizations of numerical business proprietary information (such as discussion of trends) will be treated as confidential business information only at the request of the submitter for good cause shown.

Release of information.--The information provided by your firm in response to this survey, as well as any other business proprietary information submitted by your firm to the Commission in connection with this proceeding, may become subject to, and released under, the administrative protective order provisions of the Tariff Act of 1930 (19 U.S.C. § 1677f) and section 207.7 of the Commission's Rules of Practice and Procedure (19 CFR § 207.7). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use in connection with this proceeding or other import-injury proceedings conducted by the Commission on the same or similar merchandise; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals. Please also retain a copy of the final document that you submit.

Contact information.--Please identify the responsible individual and the manner by which Commission staff may contact that individual regarding the confidential information submitted in this survey. This may or may not be the person whose signature is at the bottom of page 1.

Name	
Title	
Email	
Telephone	

Firms operating more than one establishment should combine the data for all establishments into a single response.

PURCHASE INFORMATION

1. **Purchases and imports.**--Report separately your firm's domestic purchases and imports of freight rail couplers. This includes Chinese-origin or Mexican-origin freight rail couplers attached to railcars or other out-of-scope system parts that enters the United States through a third country (e.g. Canada). Report the country of origin by where the freight rail coupler was produced (e.g., if a freight rail coupler was produced in China and then attached to a freight rail car in Mexico and then subsequently imported into the United States, report that a freight rail coupler from China).

"Purchase" – Purchase from a U.S. entity such as a U.S. producer, a U.S. importer, or other U.S. firm.

"Import" – Purchase directly from a foreign supplier and your firm is the importer of record.

Item	2019	2020	2021	January— June 2022
	Quantity (in 1,000 pounds)			
Purchases of freight rail couplers produced in— United States				
China				
Mexico				
All other countries ¹				
Sources unknown ²				
Total purchases	0	0	0	0
Imports of freight rail couplers from— China				
Mexico				
All other countries ¹				
Total imports ³	0	0	0	0
¹ Please identify these countries: ² Please indicate the firm(s) from which you purchased this merchandise: ³ If your firm imported freight rail couplers at any time since January 1, 2019, please also complete and return a U.S. importers' questionnaire in this proceeding.				

2. **Changes in purchasing patterns.**--Please indicate how the shares of your firm's purchases of freight rail couplers from different sources have changed since January 1, 2019.

Source of purchases	Did not purchase	Decreased	Increased	Constant	Fluctuated	Explanation for trend
United States	☐	☐	☐	☐	☐	
China	☐	☐	☐	☐	☐	
Mexico	☐	☐	☐	☐	☐	
All other countries	☐	☐	☐	☐	☐	
Sources unknown	☐	☐	☐	☐	☐	

3. Purchasing subject imports rather than domestic products.--

- (a) Since January 2019, did your firm import and/or purchase imports of freight rail couplers from China and/or Mexico instead of purchasing U.S.-produced freight rail couplers? Respond for each subject country.

Source	Yes (also respond to parts (b) and (c))	No (If "No" for all countries, skip to next question)
China	☐	☐
Mexico	☐	☐

- (b) If you responded "Yes" to part (a), was the imported product priced lower than the domestic product?

Source	Yes	No
China	☐	☐
Mexico	☐	☐

- (c) If you responded "Yes" to part (a), was price a primary reason for importing and/or purchasing subject imports rather than domestic product?

Source	Yes	If Yes, estimate the quantity of imports purchased and/or imported instead of domestic product since January 2019 (in 1,000 pounds)	No	If No, please indicate the reason your firm imported and/or purchased imports instead of domestic product
China	☐		☐	
Mexico	☐		☐	
If the quantity reported above exceeds the total quantity reported in II-1, please explain.				

4. U.S. producers and import competition.--

- (a) Since January 1, 2019, in connection with a sale or offer to sell freight rail couplers to your firm, did U.S. producers reduce their prices of domestically produced freight rail couplers in order to compete with lower-priced imports of freight rail couplers from the subject countries? Respond for each subject country.

Source	Yes (also respond to question part (b))	No (If "No" for all countries, skip to next question)	Don't know
China	☐	☐	☐
Mexico	☐	☐	☐

- (b) If your firm responded "yes" to any of the above countries, please provide an estimate of the reduction in U.S. producers' prices and any additional explanations.

Source	Estimated reduction in U.S. prices (percent)	Additional explanation, including such information as timing (e.g., months/years), frequency of price reductions, or other market/competitive factors
China	%	
Mexico	%	

5. Purchases of freight rail couplers by type.--How frequently did your firm purchase freight rail couplers as standalone couplers, freight rail couplers attached to a railcar other out-of-scope system parts, by coupler "assembly" or "fit", and individual components (i.e., knuckles and bodies)?

Type	Always	Frequently	Sometimes	Infrequently	Never
Standalone	☐	☐	☐	☐	☐
Attached to railcar or other out-of-scope system parts	☐	☐	☐	☐	☐
Coupler "assembly" or "fit"	☐	☐	☐	☐	☐
Components	☐	☐	☐	☐	☐

6. **Major purchasing factors.**--Please list, in order of their importance, the main factors your firm considers in deciding from whom to purchase freight rail couplers.

1.	
2.	
3.	
Please list any other factors that are very important in your purchase decisions:	

7. **Other explanations**--Please provide any additional comments in this box.

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8. **Stock symbol information.**-- If your firm or parent firm is publicly traded, please specify the stock exchange and trading symbol: _____.

9. **External counsel.**-- If your firm or parent firm is represented by external counsel in relation to this proceeding, having filed an entry of appearance, please specify the name of the law firm and the lead attorney(s).

Law firm:	
Lead attorney(s):	

OMB INFORMATION

10. **OMB statistics.**--Please report the actual number of hours required and the cost to your firm of completing this survey.

Hours	Dollars

The questions in this survey have been reviewed with market participants to ensure that issues of concern are adequately addressed and that data requests are sufficient, meaningful, and as limited as possible. Public reporting burden for this survey is estimated to average 4 hours per response, including the time for reviewing instructions, gathering data, and completing and reviewing the survey.

We welcome comments regarding the accuracy of this burden estimate, suggestions for reducing the burden, and any suggestions for improving this survey. Please attach such comments to your response or send to the Office of Investigations, USITC, 500 E St. SW, Washington, DC 20436.

HOW TO FILE YOUR SURVEY RESPONSE

Please do not attempt to modify the format or permissions of the survey document.

Please submit the completed survey using one of the methods noted below. If your firm is unable to complete the MS Word survey or cannot use one of the electronic methods of submission, please contact the Commission for further instructions.

- **Upload via Secure Drop Box.**—Upload the MS Word survey along with a scanned copy of the signed certification page (page 1) through the Commission’s secure upload facility:

Web address: <https://dropbox.usitc.gov/oinv/>

Pin: **RAIL**

- **E-mail.**—E-mail the MS Word survey to Craig.Thomsen@usitc.gov; include a scanned copy of the signed certification page (page 1). *Submitters are strongly encouraged to encrypt nonpublic documents that are electronically transmitted to the Commission to protect your sensitive information from unauthorized disclosure. The USITC secure drop-box system and the Electronic Document Information System (EDIS) use Federal Information Processing Standards (FIPS) 140-2 cryptographic algorithms to encrypt data in transit. Submitting your nonpublic documents by a means that does not use these encryption algorithms (such as by email) may subject your firm’s nonpublic information to unauthorized disclosure during transmission. If you choose a non-encrypted method of electronic transmission, the Commission warns you that the risk of such possible unauthorized disclosure is assumed by you and not by the Commission.*

If your firm did not purchase this product, please fill out page 1, print, sign, and submit a scanned copy to the Commission.