

August 7, 2018

The Honorable Wilbur L. Ross
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave NW
Washington, DC 20230

Dear Secretary Ross:

I am writing to seek additional information on how and why a subsidiary of United Company RUSAL PLC (UC Rusal), a sanctioned Russian company controlled by a sanctioned Russian oligarch and a “close Putin confidant,”¹ received an exemption from President Trump’s aluminum tariffs, for millions of dollars of aluminum imports, just days after President Trump met privately with President Putin in Helsinki on July 16, 2018.² It is difficult to understand how a tariff exemption for a subsidiary of a sanctioned Russian entity protects national security or benefits domestic U.S. aluminum producers. My questions about the approval of this exemption are particularly urgent because Rusal’s subsidiary has dozens of pending requests for aluminum imports.

The Commerce Department’s decision to grant this exemption on July 19, 2018 – allowing Rusal America Corporation to import more than 6.6 million pounds (3 million kilograms) of aluminum billets tariff-free for one year – was highly unusual in several ways. It is among the largest exemptions granted to date³; it was granted to a company controlled by a sanctioned Russian oligarch; it was granted despite the objection of a domestic producer; and it was granted after an initial request was apparently returned to the company by the Commerce Department for resubmission. The Rusal exemption raises a number of questions about this specific decision, about the Commerce Department’s approval process for exemptions from President Trump’s aluminum and steel tariffs, and about how the Commerce Department will treat pending Rusal America exemption applications. And connections between the Russian owners of Rusal, Paul Manafort (President Trump’s former campaign Chairman), and Michael Cohen (President Trump’s former personal attorney) also raise additional questions.

¹ Mother Jones, “Treasury May Drop Sanctions on a Company Owned by One of Putin’s Allies,” Dan Friedman, July 28, 2018, <https://www.motherjones.com/politics/2018/07/treasury-may-drop-sanctions-on-a-company-owned-by-one-of-putins-allies/>.

² CBS News, “Trump defends Putin from claims of election interference,” July 16, 2018, <https://www.cbsnews.com/live-news/trump-putin-meeting-us-russia-helsinki-finland-summit-live-updates-today-2018-07-16/>.

³ As of August 1, 2018, there were 113 exemptions granted by the Commerce Department. Only 19 of the 113 were for a larger amount of aluminum products than the 3-million-kilogram exemption received by Rusal.

The remainder of this letter provides additional details on what I have learned of the exemption and contains a series of questions about how and why it was granted. I ask that you provide a response to these questions no later than August 20, 2018.

President Trump's Aluminum and Steel Tariffs and the Commerce Department's Exemption Process

On March 8, 2018, the White House announced a ten percent tariff on aluminum products imported into the United States “from all countries except Canada and Mexico” under section 232 of the Trade Expansion Act of 1962.⁴ Australia, Argentina, South Korea, Brazil and the European Union were later excluded from these tariffs.⁵ After the tariffs were announced, the Commerce Department launched an exemption process through the Bureau of Industry and Security (BIS) in order to “further hone these tariffs to ensure they protect our national security while also minimizing undue impact on downstream American industries.”⁶ You claimed that this would be a “fair and transparent process run through Commerce’s Bureau of Industry and Security.”⁷

According to the Department, the exemption procedure allows businesses operating in the United States to submit exclusion requests for unique aluminum products not “produced in the United States in a sufficient and reasonably available amount or a satisfactory quality.”⁸ All requests, along with all objections to these requests – which can be submitted by organizations seeking to challenge the requestor’s claims - are to be processed within 90 days of submission.⁹ These requests are evaluated “taking into account national security considerations,” and are granted or denied by the Commerce Department. Throughout the exemption application process, BIS reviews and publishes each request and decision to an online database.¹⁰ My staff learned of the Rusal exemption via this online database.

Rusal America's Ownership and Sanction

Rusal America Corporation is the U.S. subsidiary of UC Rusal, a company sanctioned by the Treasury Department’s Office of Foreign Assets Control (OFAC) on April 6, 2018 due

⁴ White House, “Presidential Proclamation on Adjusting Imports of Aluminum into the United States,” March 08, 2018, <https://www.whitehouse.gov/presidential-actions/presidential-proclamation-adjusting-imports-aluminum-united-states/>.

⁵ Proclamation 9710, “Adjusting Imports of Aluminum Into the United States,” March 22, 2018, <https://www.gpo.gov/fdsys/pkg/FR-2018-03-28/pdf/2018-06420.pdf>.

⁶ Department of Commerce, “U.S. Department of Commerce Announces Steel and Aluminum Tariff Exclusion Process,” press release, March 18, 2018, <https://www.commerce.gov/news/press-releases/2018/03/us-department-commerce-announces-steel-and-aluminum-tariff-exclusion>.

⁷ Department of Commerce, “U.S. Department of Commerce Announces Steel and Aluminum Tariff Exclusion Process,” press release, March 18, 2018, <https://www.commerce.gov/news/press-releases/2018/03/us-department-commerce-announces-steel-and-aluminum-tariff-exclusion>.

⁸ Id.

⁹ Id.

¹⁰ Regulations.gov, “Requirements for Submissions Requesting Exclusions from the Remedies Instituted in Presidential Proclamations Adjusting Imports of Steel into the United States and Adjusting Imports of Aluminum into the United States; and the filing of Objections to Submitted Exclusion Requests for Steel and Aluminum, 2018,” <https://www.regulations.gov/docketBrowser?rpp=25&so=DESC&sb=commentDueDate&po=0&D=BIS-2018-0002>.

largely to its financial ties to Russian oligarch Oleg Deripaska.¹¹ Mr. Deripaska, “a member of the inner circle of the Russian president, Vladimir V. Putin”¹² who “has said he does not separate himself from the Russian state”¹³ was sanctioned by OFAC for his alleged involvement in “a range of illegal activities, including money laundering, extortion and ordering the murder of a businessman.”¹⁴ Notably, Mr. Deripaska is a long-time business associate of Paul Manafort, the former Chairman of Donald Trump’s 2016 campaign, now on trial for alleged tax evasion and money laundering. While working for the Trump campaign, Mr. Manafort allegedly offered to provide Mr. Deripaska with “personal briefings” on the 2016 election.¹⁵ These sanctions included numerous companies in which Mr. Deripaska was a significant owner or investor.¹⁶ At the time of the designation, he was a large shareholder in EN+ Group, a multi-billion dollar mining and energy holding company that held a 48 percent stake in UC Rusal.¹⁷

The Russian oligarch Viktor Vekselberg and his partners also reportedly held a significant, 26.5% stake in Rusal.¹⁸ Mr. Vekselberg, who along with Mr. Deripaska was designated by OFAC on April 6, is the largest client of Columbus Nova, and that company is run by his cousin, Andrew Intrater.¹⁹ Following the 2016 election, Mr. Intrater donated \$250,000 to President Trump’s inauguration, and he and Mr. Vekselberg were reported to have “attended the event together and met with [President Trump’s personal attorney Michael] Cohen there.”²⁰ Beginning in 2017, Columbus Nova paid about \$500,000 to a “shell company ... used to pay hush money” created by Mr. Cohen.²¹ Public reporting also indicates that Columbus Nova began paying Mr. Cohen in January 2017 and that shortly thereafter, he worked with Ukrainian

¹¹ Department of the Treasury Office of Foreign Assets Control, “General License No. 12 Authorizing Certain Activities Necessary to Maintenance or Wind Down of Operations or Existing Contracts,” April 06, 2018, https://www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine_gl12.pdf.

¹² New York Times, “Russian Once Tied to Trump Aide Seeks Immunity to Cooperate With Congress,” Barry Meier and Jesse Drucker, May 26, 2017, <https://www.nytimes.com/2017/05/26/us/politics/oleg-deripaska-paul-manafort.html>.

¹³ Department of the Treasury Office of Foreign Assets Control, “Treasury Designates Russian Oligarchs, Officials, and Entities in Response to Worldwide Malign Activity,” April 06, 2018, <https://home.treasury.gov/news/press-releases/sm0338>.

¹⁴ Politico, “U.S. eases sanctions on aluminum firm tied to Russian oligarch,” Victoria Guida, April 23, 2018, <https://www.politico.com/story/2018/04/23/us-sanctions-russia-rusal-oleg-deripaska-545660>.

¹⁵ Washington Post, “Manafort’s Russia Connection: What you need to know about Oleg Deripaska,” Andrew Roth, September 24, 2017, <https://www.washingtonpost.com/news/worldviews/wp/2017/09/24/manaforts-russia-connection-what-you-need-to-know-about-oleg-deripaska>.

¹⁶ Department of the Treasury Office of Foreign Assets Control, “General License No. 12 Authorizing Certain Activities Necessary to Maintenance or Wind Down of Operations or Existing Contracts,” April 06, 2018, https://www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine_gl12.pdf.

¹⁷ Reuters, “Chairman of En+ says working on reducing Deripaska’s stake,” Polina Ivanova, May 2, 2018, <https://www.reuters.com/article/us-usa-russia-sanctions-en/chairman-of-en-says-actively-working-on-reducing-deripaska-stake-idUSKBN1I32G1>.

¹⁸ Reuters, “Russia’s Prokhorov sells 6 pct stake in Rusal to Vekselberg,” Polina Devitt, Feb. 20, 2018, <https://www.reuters.com/article/russia-rusal-prokhorov/update-2-russias-prokhorov-sells-6-pct-stake-in-rusal-to-vekselberg-idUSL8N1Q94I4>.

¹⁹ New York Times, “At Trump Tower, Michael Cohen and Oligarch Discussed Russian Relations,” William K. Rashbaum, Ben Protess, and Mike McIntire, May 25, 2018, <https://www.nytimes.com/2018/05/25/us/politics/michael-cohen-viktor-vekselberg-trump-tower.html>.

²⁰ New York Times, “Firm Tied to Russian Oligarch Made Payments to Michael Cohen,” William K. Rashbaum, Ben Protess, and Mike McIntire, May 9, 2018, <https://www.nytimes.com/2018/05/08/us/politics/michael-cohen-shell-company-payments.html>.

²¹ Id.

politician Andrii Artemenko to hand deliver a proposal “outlining a way for President Trump to lift sanctions against Russia” to then National Security Advisor Michael Flynn.²² A press report revealed that a source indicated that Mr. Vekselberg planned to fund this effort through his “fund in New York City,” presumably a reference to Columbus Nova.²³ Mr. Vekselberg has reportedly been questioned by investigators for Special Counsel Robert Mueller, who is investigating links between the Russian government and individuals associated with the 2016 presidential campaign of Donald Trump.²⁴

The April 6 sanction notice indicated that “all assets subject to U.S. jurisdiction of [UC Rusal]... are frozen, and U.S. persons are generally prohibited from dealings with them” because Mr. Deripaska and “fellow billionaire Viktor Vekselberg – who was also sanctioned April 6 – together have a controlling stake” in UC Rusal.²⁵ As a subsidiary of UC Rusal, Rusal America is subject to the same restrictions.²⁶

Just seventeen days after the sanctions were announced, the Treasury Department provided some relief for Rusal by announcing an “extend[ed] wind-down period” for entities doing business with the company.²⁷ According to the Treasury Department, the exemption “authorizes U.S. persons to engage in specified transactions related to winding down or maintaining business with United Company RUSAL PLC (RUSAL) and its subsidiaries until October 23, 2018.”²⁸

The status of the Rusal sanctions continues to be in flux. Just this week, the Treasury Department “rebuffed a request from En+ ... to temporarily withdraw the company and Rusal from the U.S. sanctions list.”²⁹ It is unclear if Treasury will take any additional action prior to the October 23 wind-down deadline.

The Rusal Aluminum Tariff Exemption

²² *Id.*; New York Times, “A Back-Channel Plan for Ukraine and Russia, Courtesy of Trump Associates,” Megan Twohey and Scott Shane, February 19, 2017, <https://www.nytimes.com/2017/02/19/us/politics/donald-trump-ukraine-russia.html>.

²³ The Atlantic, “Senate Investigators May Have Found a Missing Piece in the Russia Probe,” Natasha Bertrand, June 7, 2018, <https://www.theatlantic.com/politics/archive/2018/06/former-gop-congressman-embroiled-in-the-russia-probe/562343/>.

²⁴ New York Times, “Firm Tied to Russian Oligarch Made Payments to Michael Cohen, William K. Rashbaum, Ben Protess, and Mike McIntire, May 9, 2018, <https://www.nytimes.com/2018/05/08/us/politics/michael-cohen-shell-company-payments.html>.

²⁵ Bloomberg, “Deripaska offers to cut En+ Stake in Bid for Sanctions Relief,” Jack Farhy and Yuliya Fedorinova, April 27, 2018, <https://www.bloomberg.com/news/articles/2018-04-27/en-says-deripaska-resigns-agrees-to-cut-stake-to-below-50>. Treasury guidance states that “Any entity owned in the aggregate, directly or indirectly, 50 percent or more by one or more blocked persons is itself considered to be a blocked person.” ; Department of the Treasury, “Revised guidance on entities owned by persons whose property and interests in property are blocked,” August 13, 2018, https://www.treasury.gov/resource-center/sanctions/Documents/licensing_guidance.pdf.

²⁶ UC Rusal owned 100% of attributable equity interest in Rusal America Corporation as of December 2017 ; United Company Rusal Plc, “Annual Report 2017,” <https://rusal.ru/upload/iblock/327/LTN20180427141%20ar.pdf>.

²⁷ Department of the Treasury, “Treasury Extends Wind-Down Period for United Company RUSAL PLC,” press release, April 23, 2018, <https://home.treasury.gov/news/press-releases/sm0365>.

²⁸ *Id.*

²⁹ BNN Bloomberg, “U.S. Extends Wind-Down Period for Rusal, En+ to Oct. 23,” Saleha Moshin and Yuliya Fedorinova, July 31, 2018, <https://www.bnnbloomberg.ca/u-s-extends-wind-down-period-for-rusal-en-to-oct-23-1.1116956>.

Rusal America initially submitted an exemption request to BIS on March 29, 2018, and resubmitted a revised application on April 30. According to this request, Rusal wanted to import three thousand metric tons (6.6 million pounds) of “Primary Homogenized Aluminum Extrusion Billets conforming to AA6005A specification 14" x 236"” – identified as product 760120945 in the Harmonized Tariff Schedule Code of the United States (HTSUS) - for use in “tubing for furniture, Railway and bus profile structures, Pylons, platforms and pipelines, Portable ladders, Sections where greater strength is needed than given by 6060 and 6063.”³⁰ The company submitted a revised request because it received “specific instructions from U.S Department of Commerce staff to revise minor aspects of the previously submitted exclusion form.”³¹

In a July 19, 2018 decision memo signed by the Deputy Assistant Secretary of Export Administration, BIS granted the requested exemption to Rusal America for three million kilograms (6.6 million pounds) of “primary homogenized aluminum extrusion billets conforming to AA6005A specification 14" x 236.”³²

According to the BIS decision memo:

“BIS has considered the evidence provided, including in the exclusion request as well as any applicable objection filings and its report to the President of January 17, 2018, has solicited and taken into account analysis provided by the International Trade Administration (ITA), and assessed other interagency comments as applicable.... ITA recommends finding, based on the all of the evidence presented, that the product referenced in the above-captioned exclusion request is not produced in the United States in a sufficient and reasonably available amount or of a satisfactory quality, and recommends granting the request for an exclusion. BIS accepts ITA’s recommended findings as to the domestic availability of the product, and finds that no overriding national security concerns require that this exclusion request be denied notwithstanding the lack of sufficient domestic availability.”³³

Based on this finding, BIS recommended “that the ...exclusion request should be granted for one year,” and the request was formally signed on July 19, 2018.

There appear to be a number of unusual features with this request.

- **Rusal America’s exclusion request was granted after an initial request was returned to the company.** Rusal initially applied for an exemption on March 29, 2018, but this exemption was returned to the company and was resubmitted on April 30. It is not clear why or how Commerce officials sought this resubmission, or how and why Rusal modified its initial submission.

³⁰ Regulations.gov, “EXCLUSION GRANTED - Rusal America Corporation - Billet - HTS 7601209045,” received April 30, 2018, posted May 22, 2018, <https://www.regulations.gov/document?D=BIS-2018-0002-0476>.

³¹ Id.

³² Regulations.gov, BIS Decision Memo - BIS-2018-0002-0476,” date signed July 19, 2018, date posted July 20, 2018, <https://www.regulations.gov/document?D=BIS-2018-0002-2796>.

³³ Id.

- **The tariff exemption was granted to a sanctioned company.** Rusal America’s exemption application clearly identified UC Rusal – the sanctioned company, based in Moscow, Russia - as Rusal America’s parent company. Guidance issued by the Treasury Department in 2014 clearly states that “any entity owned in the aggregate, directly or indirectly, 50 percent or more by one or more blocked persons is itself considered to be a blocked person.”³⁴ If Rusal America is wholly or majority owned by UC Rusal, a company designated by OFAC, this raises obvious questions about whether the Commerce Department is adequately reviewing companies for which it is approving exemptions, and about how approving exemptions for sanctioned foreign entities protects national security or benefits American manufacturers.
- **Rusal America did not try to find alternative U.S. producers.** The Commerce Department granted the exemption for the specific aluminum billet Rusal identified in part because the product “is not produced in the United States in a sufficient and reasonably available amount or of a satisfactory quality.” But in its submission, Rusal America listed two producers that were “capable of producing a substitute for the aluminum product in the United States” and admitted to not having “attempted to purchase the described aluminum product ... from a U.S. manufacturer” or “determined that there is no U.S. manufacturer that produces a near-equivalent aluminum product that would meet qualification requirements.”³⁵ Given this admission, it is not clear why the Commerce Department approved this exemption.
- **The exemption was granted over the objection of a domestic producer.** As part of the application process, BIS posted all exemption applications on a publicly accessible online database and allowed organizations – including domestic suppliers - to submit objections to requests. One American based producer, Century Aluminum Company, a Delaware-incorporated company with domestic production plants in Hawesville, Kentucky, Sebree, Kentucky, and Mt. Holly, South Carolina, submitted a detailed objection to Rusal America’s request. Century Aluminum noted that Rusal America’s parent company is subject to US sanctions and that it operates “merely as a conduit for a single foreign supplier in a country with a single producer that is effectively state-owned.”³⁶ It also noted that “Rusal provides no support for its estimates about demand and domestic supply,” is requesting an exemption for a product that possesses “nothing unique or special,” and that Rusal could import this product from “countries exempt from the tariffs or benefiting from a quota.”³⁷

³⁴Department of the Treasury, “Revised guidance on entities owned by persons whose property and interests in property are blocked,” August 13, 2018, https://www.treasury.gov/resource-center/sanctions/Documents/licensing_guidance.pdf.

³⁵ Regulations.gov, “EXCLUSION GRANTED - Rusal America Corporation - Billet - HTS 7601209045,” received April 30, 2018, posted May 22, 2018, <https://www.regulations.gov/document?D=BIS-2018-0002-0476>.

³⁶ Regulations.gov, “BIS-2018-0002-0478 - Rusal America Corporation - Billet - HTS 7601209045 - Objection 1,” <https://www.regulations.gov/document?D=BIS-2018-0002-2082>.

³⁷ Id.

It is not clear why the Commerce Department did not respond to or appear to take into consideration the objections raised by Century Aluminum, because in many other cases the Department is taking objections into consideration and denying exemptions because of them. For example, the New York Times reported on August 5 that “[t]wo of America’s biggest steel manufacturers — both with deep ties to Trump administration officials — have successfully objected to hundreds of requests by American companies that buy foreign steel to exempt themselves from President Trump’s stiff metal tariffs,” and that “to date, their efforts have never failed.”³⁸

- **Rusal America reported zero consumption of the product subject to the exclusion request for the past two years.** In its application Rusal America reported only 1 kilogram of “average annual consumption for 2015-2017 of the aluminum product that is subject of this Exclusion Request,” which would indicate that “there were no imports of [the] product during” those years. If this is correct, it is difficult to understand why Rusal America – which is facing impending sanctions – would suddenly need to import 3 million kilograms of this product in 2018, and why it would urgently need an exemption from tariffs to do so. It is also possible that Rusal did not provide accurate information on the exemption request. Century Aluminum – the domestic producer objecting to the request – claims that “Rusal seeks to import at a minimum the same annual amount of product as it has imported annually over the past three years.”³⁹ If the Century assertion is correct, then it would mean that Rusal’s exemption request contains inaccurate information about previous imports.

The April 30, 2018 exemption that was approved is not the only application that Rusal America has sent to the Commerce Department. While the company has been granted an exclusion on one request and denied on nineteen others; it has dozens more pending. For example, on May 2, 2018 Rusal America applied for an exemption on more than eleven million pounds of “Aluminum Alloy Slab 5052 (X200)”⁴⁰; on May 1, 2018 Rusal America applied for an exemption of 2.2 million pounds of “Primary Homogenized Aluminum Extrusion Billets conforming to AA6063 specification 14" x 276”⁴¹. A search of the database reveals a total of 99 applications from Rusal America.

Questions about the Rusal Exemption

In order to better understand how the Commerce Department granted an aluminum tariff exemption request to a subsidiary of a sanctioned Russian company, I ask that you provide answers to the following questions no later than August 20, 2018.

1. According to the Commerce Department, the tariff exemption process was designed to

³⁸ New York Times, “Steel Giants With Ties to Trump Officials Block Tariff Relief for Hundreds of Firms,” Jim Tankersley, August 5, 2018, <https://www.nytimes.com/2018/08/05/us/politics/nucor-us-steel-tariff-exemptions.html>.”

³⁹ Id.

⁴⁰ Regulations.gov, “Rusal America - Slab - HTS 7601209090,” <https://www.regulations.gov/document?D=BIS-2018-0002-0514>.

⁴¹ Regulations.gov, “Rusal America - Billet - HTS 7601209045,” <https://www.regulations.gov/document?D=BIS-2018-0002-0423>.

“hone [the] tariffs to ensure they protect our national security.” How does providing a tariff exemption to a Treasury-sanctioned subsidiary of a Russia-based company protect national security?

2. Please provide a detailed description of the tariff exemption request and approval process. Specifically, does the exemption process contain provisions to prevent approval of tariff exemptions for entities that are under U.S. sanction? Does it contain provisions to prevent approval for entities that are or have been found guilty of violating federal or state law?
3. Please provide all reports and background information reviewed in the approval of an aluminum tariff exemption for exclusion request BIS-2018-0002-0476 submitted by Rusal America on April 30, 2018.
4. How many aluminum tariff exemption requests have Rusal America submitted? How many have not yet been posted on Regulations.gov? How many have been granted? How many have been granted and have not been posted on Regulations.gov?
5. Did Commerce Department officials conduct a detailed economic evaluation of the impact of the tariffs – and the exemptions – on Rusal America?
 - a. If so, please provide a copy of this analysis.
 - b. What is the impact on Rusal America’s revenues and expenses? How much money will providing tariff exemptions save the company on import costs of 3,000 metric tons of aluminum billets?
 - c. How many Americans were employed by Rusal America at the time the tariff exemption was granted? How many were actively engaged in manufacturing?
6. Rusal America initially applied for the exemption on aluminum billet tariffs on March 29, 2018. The company re-applied on April 30, and then received approval. According to Rusal, the company re-applied in April after receiving “specific instructions from U.S Department of Commerce staff to revise minor aspects of the previously submitted exclusion form.”
 - a. What “specific instructions” were given to Rusal after the March 29 application was sent?
 - b. Who provided these instructions, and why did they do so?
 - c. When were these instructions provided?
 - d. Which “minor aspects” of the application were revised?
 - e. Rusal indicated having additional information “that is proprietary or otherwise confidential that is relevant and necessary” – in the April 30, 2018 application. Please provide information on the nature of the confidential information, without disclosing private proprietary information.
7. United States-based Century Aluminum Company sent a detailed objection providing seven reasons for opposing the Rusal exemption. The decision memo does not explicitly reference this objection.
 - a. Was this objection reviewed as part of the BIS decision process for the Rusal exemption? If so, by whom?
 - b. How were objections evaluated in the decision process, and why were they

ultimately ignored?

8. The Rusal application indicates that the company import only 1 kilogram of “Primary Homogenized Aluminum Extrusion Billets conforming to AA6005A specification 14" x 236.” in the years 2015-2017. The company sought an exemption from tariffs to import 3,000 metric tons in 2018.
 - a. Did the Commerce Department seek to understand why Rusal suddenly sought a large quantity of aluminum billets that it previously did not import?
 - b. What will be the ultimate disposition of the 3,000 metric tons of aluminum billets that Rusal now seeks to import?
 - c. Is there a sudden national security need that requires the import of this product, and that justifies the tariff exemptions for doing so? If so, what is this need?
 - d. Is Rusal America prohibited from exporting any of the aluminum billets after it is imported into the United States?

9. United States persons are prohibited from dealing with Rusal America, which is currently under Treasury Department sanctions. As such, the company would be unable to buy or sell any product to any American purchaser. But the company received an “extended wind-down” from the Treasury Department that “authorizes U.S. persons to engage in specified transactions related to winding down or maintaining business with United Company RUSAL PLC (RUSAL) and its subsidiaries until October 23, 2018.”
 - a. Will the product for which Rusal America received exemptions be subject to the requirements of this extended wind-down period?
 - b. If so, what provisions are in place to end the exemptions after October 23, 2018?
 - c. Did Commerce officials discuss the extended wind-down period with Treasury officials prior to approving the exemptions?
 - d. Have you or any other Commerce Department official had any discussion relating to further extending the wind-down period or ending or otherwise limiting the sanctions on Rusal America?

10. Which officials at BIS, ITA, or elsewhere in the Commerce Department were involved in the determination that Rusal America was entitled to an aluminum tariff exemption?

11. Were you involved in, or aware of, the decision to grant the exemption? If so, when did you become aware of the exemption request, and what role did you play?

12. BIS notes in its decision memo that it consulted with the ITA and “assessed other interagency comments as applicable.” Was the Treasury Department consulted during the approval process? If so, who at Treasury was consulted and when? What was the nature of the consultation?

13. Were any White House or other Administration officials, including President Trump, involved in, or aware of, the decision to grant Rusal America an exemption? If so, please identify which individuals were aware, and the nature of their involvement.

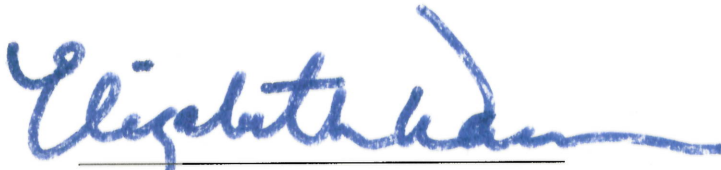
14. Did you or any other Commerce Department or Administration officials have any discussion or other communication regarding this exemption, with Mr. Deripaska or anyone else affiliated with or representing Rusal America on his behalf? If so, please

identify all such conversations, the date on which they occurred, and a detailed description of the conversation.

15. Did you or any other Commerce Department or Administration officials have any discussion or other communication regarding this exemption with Michael Cohen or anyone else affiliated with or representing Rusal America on his behalf? If so, please identify all such communications, the date on which they occurred, and a detailed description of the communications.
16. Did you or any other Commerce Department or Administration officials have any discussion or other communication regarding this exemption with Viktor Vekselberg or anyone else affiliated with or representing Rusal America on his behalf? If so, please identify all such communications, the date on which they occurred, and a detailed description of the communications.
17. Did you or any other Commerce Department or Administration officials have any discussion or other communication regarding this exemption, with any individual employed by Columbus Nova, or anyone else affiliated with or representing Rusal America on their behalf? If so, please identify all such communications, the date on which they occurred, and a detailed description of the communications.
18. Please provide copies of all email or other communications between any Commerce Department officials and any Rusal America employees or representatives related to the aluminum tariff exemption.
19. Has the Commerce Department been contacted by OFAC regarding Rusal America's aluminum tariff exemption? If so, have you cooperated with their requests?

Thank you for your attention to this matter.

Sincerely,



Elizabeth Warren
United States Senator