

United States Senate

WASHINGTON, DC 20510

January 10, 2005

Deborah A. Garza, Chair
Jonathan R. Yarowsky, Vice-Chair
Antitrust Modernization Commission
1120 G Street, N.W.
Suite 810
Washington, D.C. 20005

Dear Ms. Garza and Mr. Yarowsky:

We write today regarding the January 13, 2005 meeting of the Antitrust Modernization Commission.

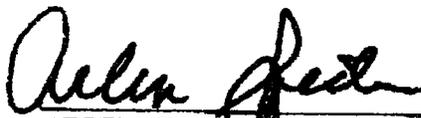
We have been informed that the Commission's International Working Group recommended that the Commission conduct further studies on the issue of whether the antidumping laws should be "reevaluated."

If such a study is commissioned, we are concerned that it will exceed the Commission's statutory mandate. Pursuant to the Antitrust Modernization Commission Act of 2002, the duties of the Commission are to: (1) "examine whether the need exists to modernize the antitrust laws and to identify and study related issues"; (2) solicit the views of all parties concerned with the operation of the antitrust laws; (3) evaluate proposals with respect to the issues identified; and (4) prepare and submit a report to Congress and the President regarding such issues. Therefore, we are concerned that the "reevaluation" of the antidumping laws may not be concerned with or related to the modernization of the antitrust laws.

Additionally, we are aware that a "reevaluation" of the antidumping laws is not within the expertise of the Commission. In accordance with the intent of Congress and the statute creating the Commission, it is a body comprised of experts in the area of antitrust law that may not have representatives uniquely suited to make judgments concerning antidumping laws.

We urge you not to exceed your statutory mandate by including any "reevaluation" or consideration of the antidumping laws as part of your work plan for further study. We appreciate your attention to this matter.

Sincerely,



ARLEN SPECTER
United States Senator



MIKE DeWINE
United States Senator