

[Confrontation and Rebuttal]

International Antidumping Code:

6 (g) Throughout the antidumping investigation all parties shall have a full opportunity for the defense of their interests. To this end, the authorities concerned shall, on request, provide opportunities for all directly interested parties to meet those parties with adverse interests, so that opposing views may be presented and rebuttal arguments offered. Provision of such opportunities must take account of the need to preserve confidentiality and of the convenience to the parties. There shall be no obligation on any party to attend a meeting and failure to do so shall not be prejudicial to that party's case.

U.S. Treasury Regulations:

Section 14.8 (a) gives interested persons an opportunity to present views including new or additional information or arguments after a Notice of Tentative Determination is published in the Federal Register. Where accuracy of information before Treasury is challenged, oral presentation of information or argument in person or through counsel is possible for all parties who the Secretary decides are concerned. The Notice of Tentative Determination includes a statement of reasons on which the tentative determination is based.

S. 1726 (90th Congress):

The Bill provides that both Treasury, with regard to dumping, and the Tariff Commission, with regard to injury, give an opportunity for a fair hearing and, at any oral hearing, the right to counsel, to present evidence, to confront interested parties, and to conduct whatever cross-examination may be required for a fair disclosure of pertinent facts. Section: 6 [212(d) and (h)].

A Proposed Dumping Determination would be published indicating non-confidential specific data, concepts, and computations relied on by Treasury in making its proposed decision. Parties would have opportunity to be heard on whether relevant documents should be made part of the record. Section: 6 [212(c)].