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232 Steel Investigation

Section 232 National Security Investigation of Steel Imports

Information on the Exclusion and Objection Process

Background

On March 8, 2018, President Trump exercised his authority under Section 232 of the Trade Expansion Act of 1962 to impose a 25 percent tariff on steel imports, with exemptions for Canada and Mexico, in order to protect our national security. The President's Section 232 decision is the result of an investigation led by the Commerce Department. Customs and Border Protection will begin collecting the tariffs on March 23, 2018.

In President Trump's proclamation establishing the tariff under Section 232, the President authorized the Secretary of Commerce, in consultation with other appropriate federal agency heads, to provide relief from the additional duties for any steel or steel articles determined "not to be produced in the United States in a sufficient and reasonably available amount or of a satisfactory quality and is also authorized to provide such relief based upon specific national security considerations. Such relief shall be provided for any article only after a request for exclusion is made by a directly affected party located in the United States."

Process

Exclusion Requests will be open for public review after being posted to the federal rulemaking portal. During the initial 30 days, U.S. parties may file objections to the exclusion request. After this initial 30 day period, approximately 60 days will be necessary for complete review and vetting of the Exclusion Request and any related Objection Filings. The total processing time for exclusion requests is estimated at 90 days.

A single response to each exclusion request and related objection filings will be posted in regulations.gov indicating if the exclusion request has been granted or denied.

On March 19, 2018, the U.S. Department of Commerce published the procedures to request exclusion from the steel and steel tariffs in the Federal Register. See **[Federal Register, Vol. 83, No. 53, 12106-12112.](#)**

[Filing Exclusion Requests](#)

If your organization uses steel in business activities in the United States and wishes to request an exclusion from the tariff on steel article imports:

- (1) Download the [**Request for Exclusion from Remedies from the Section 232 National Security Investigation of Imports of Steel**](#) (Exclusion Request) form.
- (2) Complete the form using Microsoft Excel and save a copy on your computer.
- (3) Go to [Docket Number BIS-2018-0006](#), complete the required information, and upload the completed Exclusion Request form.

A separate Exclusion Request must be submitted on each distinct type and dimension of steel product to be imported.

Exclusion Request Requirements: Only individuals or organizations operating in the United States that use steel products in business activities in the United States may submit an Exclusion Request.

For an Exclusion Request to be considered, the exclusion requester must provide factual information on 1) the single type of steel product they require using a 10-digit HTSUS code, including its specific dimension; 2) the quantity of product required (stated in kilograms) under a one-year exclusion; 3) a full description of the properties of the steel product it seeks to import, including chemical composition, dimensions, strength, toughness, ductility, magnetic permeability, surface finish, coatings, and other relevant data.

All exclusion requests will be reviewed for completeness. Only fully completed exclusion requests will be considered and posted for public review. All exclusion requests will be made available for public inspection and copying.

Filing Exclusion Objections

If your organization manufactures steel products in the United States and wishes to object to an existing Exclusion Request, within 30 days of the posting of the related Exclusion Request:

- (1) Download the [**Response Form for Organizations Filing Objections to Posted Section 232 Exclusion Requests – Steel**](#) (Objection Filing) form.
- (2) Complete the form using Microsoft Excel and save a copy on your computer.
- (3) Go to [Docket Number BIS-2018-0006](#), select the Exclusion Request to which you are objecting, complete the required information, and upload the completed Objection form.

Objection Filing Requirements: Any individual or organization in the United States may file an objection to an Exclusion Request. For an Objection Filing to be considered, organizations must provide factual information on 1) the steel products

that they manufacture in the United States, 2) the production capabilities at steel manufacturing facilities that they operate in the United States; and 3) the availability and delivery time of the products that they manufacture relative to the specific steel product that is subject to an Exclusion Request.

Organizations submitting an Objection Filing on an Exclusion Request should provide specific information on the product that their company can provide that is comparable to the steel product that is the subject of the Exclusion Request. This information should include 1) discussion on the suitability of its product for the application identified by the Exclusion Requestor, and 2) a full technical description of the properties of the product it manufactures relative to specifications provided in the Exclusion Request posted on regulations.gov, including information on dimensions, strength, toughness, ductility, surface finish, coatings, and other relevant data.

All Objections Filings will be reviewed for completeness. Only fully completed Objection filings will be considered and posted for public review. All Objection Filings will be made available for public inspection and copying.

Contact

Please email or call: Steel232@bis.doc.gov or 202-482-5642 for any steel related inquiries.

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