

AMERICAN WIRE PRODUCERS ASSOCIATION

AGENCIES INVOLVED IN THE ENFORCEMENT OF U.S. TRADE LAWS

(1) U.S. Department of Commerce (Commerce)

Commerce conducts original antidumping (AD) and countervailing duty (CVD) investigations as well as administrative (annual) and sunset reviews (every 5-years) of AD and CVD orders, scope inquiries, and circumvention investigations. Commerce determines the rates of dumping and countervailing duties (*i.e.*, the “dumping margin” and the “subsidy margin”).

Commerce conducts investigations under Section 232 of the *Trade Expansion Act of 1962* to determine the effect of imports on national security. Final action is taken by the President following a report on Commerce’s findings and recommendations. Currently, there are Section 232 tariffs, quotas, and tariff-rate quotas on steel and aluminum imports.

(2) U.S. International Trade Commission (ITC)

The ITC determines whether imports of products subject to AD and/or CVD investigations are causing material injury or threaten to cause material injury to a U.S. industry.

The ITC determines whether revocation of AD and/or CVD orders in sunset reviews are likely to lead to the continuation or recurrence of material injury or threat of material injury to a U.S. industry.

The ITC conducts the fact-finding investigation under Section 201 of the *Trade Act of 1974* (known as a “safeguard investigation”), which authorizes the President to impose temporary duties and other trade measures if the ITC determines that a surge in imports is a substantial cause or threat of serious injury to a U.S. industry. There have been several Section 201 investigations of steel products, including wire rod, most recently during the administration of President George W. Bush.

(3) United States Trade Representative (USTR)

The USTR reviews the ITC’s findings in Section 201 investigations and makes recommendations to the President regarding the actions, if any, which should be taken.

The USTR conducts investigations under Section 301 of the *Trade Act of 1974*, which authorizes the imposition of enforcement actions, such as tariffs, on countries that engage in unfair trade practices. Currently, there are Section 301 tariffs on a wide range of products from China, including steel wire, wire products, and wire rod.

(4) U.S. Customs and Border Protection (CBP)

CBP is the tip of the sword in enforcing U.S. trade laws. CBP reviews imports for compliance with U.S. trade laws, including the collection of AD, CVD, Section 201, Section 232, and Section 301 tariffs as well as regular duties.

CBP also enforces penalties and other remedial actions for violation of trade laws. These include investigations under the *Enforce and Protect Act (EAPA)*, which are directed against importers attempting to evade the payment of AD and CVD duties.