



**American  
Iron and Steel  
Institute**



**SSINA**  
Specialty Steel Industry  
of North America



March 24, 2020

Acting Commissioner Mark A. Morgan  
U.S. Customs and Border Protection  
1300 Pennsylvania Avenue, NW  
Washington, DC 20229

Dear Acting Commissioner Morgan:

On behalf of the U.S. member companies of the five undersigned steel industry groups and the nearly two million U.S. workers directly or indirectly dependent on our industry, we write today to express our concern about a recent U.S. Customs and Border Protection (CBP) notification that importers may be granted additional days for payment of estimated duties, taxes and other fees, as a result of the COVID-19 pandemic emergency.

The steel industry in the United States appreciates the efforts the administration has been making to limit the spread and impact of the COVID-19 pandemic, particularly on businesses and the broader economy. The critical mission of CBP during this pandemic crisis cannot be underestimated as your responsibility has always been to balance the facilitation of fair and legitimate trade supporting our nation's economy with the responsibility to defend the interest of our nation and its workers from unfair trade practices. We must not allow this crisis to encourage bad actors from taking advantage of an at-risk system during this crisis period.

The communication (#42097586) posted through the Cargo Systems Messaging Service (CSMS) on March 20, 2020, notes that CBP will grant "additional days for payment of estimated duties, taxes, and fees" on a case-by-case basis as a result of the emergency situation. The CBP notification also further indicated that a more comprehensive, longer-term policy may be forthcoming through the CSMS. However, any efforts to weaken the timely collection of critical import duties – trade remedy duties (antidumping and countervailing duties), as well as Section 232 duties – is extremely troubling to the domestic steel industry.

The existing antidumping (AD) and countervailing duty (CVD) orders on steel imports are a direct result of legal action petitioned by domestic steelmakers and the relief obtained demonstrated that the domestic industry was either materially injured or threatened by material injury as a result of these unfairly-traded steel imports. During this crisis, our industry is especially vulnerable to the adverse impact of unfairly-traded

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steel imports, as the effects of this pandemic are uneven worldwide and certain major steel-producing nations continue producing steel despite softening demand that occurred before the pandemic even began.

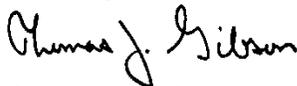
It also remains imperative that the duties collected by CBP under the Section 232 action continue without pause during the COVID-19 pandemic. As the Secretary of Commerce determined in 2018, domestically-sourced steel is critical to U.S. national and economic security, particularly during a time of crisis. It is of vital importance that CBP not exercise its discretionary authority to facilitate the entry of steel imports without requisite and timely payment of duties, taxes and relevant fees. If CBP plans to issue any further guidance on potential changes to the collection of import duties, it must immediately engage with relevant stakeholders, including the domestic steel industry, on the significant impact this action could have.

Duties imposed under Section 301 should also continue to be collected. USTR has effectively used this trade provision to combat unfair trade practices and forge a Phase One agreement with China. There are obvious concerns that a policy allowing late payment of duties could lead to a flood of imports.

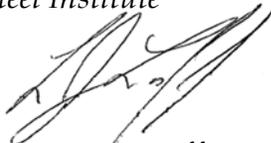
As Congress currently debates a national relief plan aimed at supporting workers and businesses across the nation during this national emergency, any efforts to delay or reduce the collection of duties on unfairly-traded steel imports or imports that threaten to impair U.S. national and economic security will ultimately hurt U.S. workers and businesses during this unprecedented moment.

Thank you for your consideration in this matter as you continue to enforce the trade laws in our country during this time of unease.

Sincerely,



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*American Iron and  
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Laurence Lasoff  
Counsel  
*Specialty Steel Industry  
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Philip K. Bell  
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