BIS Decision Document – Steel Duty Exclusion Request

EXCLUSION REQUEST NUMBER: BIS-2018-0006-5158

Summary:

- Requester: Steel Service Oilfield Tubular Inc.
- Product description:

Hot Rolled, Seamless Pipe, 13Cr Stainless Steel, Plain End Upset for 2-Step Connection, Quenched and Tempered, Inside Diameter Descaled, Tubing for Oil & Gas Well Completion, JFE-HP1-13Cr-110, Size label 2-3/8 x 4.70 x R2.

- HTSUS: 7304246015
- Total Requested Annual Exclusion Quantity in Kilograms: 220,000
- Date Posted: 05/22/2018

Analysis:

The Bureau of Industry and Security ("BIS") has received a request, referenced above, to exclude certain steel articles from the duties initially imposed by the President in Presidential Proclamation 9705 of March 8, 2018 ("Proclamation"), in exercise of his authority to adjust imports under Section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862). The Proclamation authorized the Secretary of Commerce, in consultation with other executive branch agencies as appropriate, to provide relief from the additional duties imposed, upon request by a directly affected party, for: 1) any steel article determined not to be produced in the United States in a sufficient and reasonably available amount or of a satisfactory quality or 2) based upon specific national security considerations.

The above-captioned request for relief ("exclusion request") has met the requirements for consideration as a "complete submission" under Supplement No. 1 to 15 CFR Part 705.

BIS has considered the evidence provided, including in the exclusion request and in BIS's report to the President of January 11, 2018, and has assessed other interagency comments as applicable. No objections have been filed to this exclusion request that meet the requirements laid out in Supplement No. 1 to 15 CFR Part 705, and therefore none have been considered.

Based on BIS's review of the evidence presented, and the absence of objectors, BIS finds that the product referenced in the above-captioned exclusion request is not produced in the United States in a sufficient and reasonably available amount or of a satisfactory quality.

BIS also finds that no overriding national security concerns require that this exclusion request be denied notwithstanding the lack of sufficient domestic availability.

Final Recommendation:

The Bureau of Industry and Security recommends that the above-captioned exclusion request should be granted for one year.

DECISION ON EXCLUSION REQUEST BIS-2018-0006-5158

_____**X**_____ I approve granting this exclusion request. The granted exclusion number is BIS-2018-0006-5158. This exclusion is granted for the merchandise described in the exclusion request and classified in the 10-digit provision of the Harmonized Tariff Schedule of the United States (HTSUS) claimed in box 1.b of the exclusion request. This exclusion is granted only in the quantities requested from each identified supplier and country of origin, as specified in the original exclusion request form. This exclusion is granted for one year from the date of signature below. The requester may consult CSMS #18-000378 for further instructions on using the exclusion number and receiving retroactive relief.

_____ I do not approve granting this exclusion request.

_____ I would like to discuss.

Matthew S. Borman
_____
Deputy Assistant Secretary of Export Administration

August 7, 2018
Date