



United States Steel Corporation  
1201 New York Avenue, NW  
Suite 280  
Washington, DC 20005

Kaitlin McHugh Wojnar  
Corporate Counsel  
International Trade & Public Policy  
kmwojnar@uss.com  
(202) 860-7833

April 24, 2024

Seth Renkema  
Chief, Economic Impact Analysis Branch  
Office of Trade, Regulations, and Rulings  
U.S. Customs and Border Protection  
90 K Street, NE, 10<sup>th</sup> Floor  
Washington, DC 20229-1177

SUBMITTED VIA [www.reginfo.gov/public/do/PRAMain](https://www.reginfo.gov/public/do/PRAMain)

**Re: U.S. Customs and Border Protection (OMB Control No. 1651-0022) – United States Steel Corporation’s Additional Public Comments on Revision of *Entry Summary* (Form 7501)**

Dear Branch Chief Renkema:

In accordance with the procedures outlined by U.S. Customs and Border Protection (“CBP”) in its *Additional Request for Comments*,<sup>1</sup> United States Steel Corporation (“U. S. Steel”) submits these written comments in support of proposed revisions to the existing CBP Form 7501, *Entry Summary*, which would require, *inter alia*, importers to report the country of “melt and pour” (“M&P”) for steel imports entering under Harmonized Tariff Schedule (“HTS”) classifications subject to U.S. Department of Commerce (“Commerce”) steel import license applications and, in certain instances, Section 232 measures.<sup>2</sup> U. S. Steel previously responded to CBP’s initial *Request for Comments* on these proposed revisions and hereby reiterates and incorporates all views included in that submission.<sup>3</sup>

The *Additional Request for Comments* provides background on the use of Form 7501 and data collected therein, as well as existing Commerce regulations requiring steel M&P country reporting and CBP’s need for M&P country data in enforcement of Section 232 tariff rate

---

<sup>1</sup> *Agency Information Collection Activities; Revision; Entry Summary (Form 7501)*, 89 Fed. Reg. 20,673 (Mar. 25, 2023) (“*Additional Request for Comments*”).

<sup>2</sup> *Id.* at 20,673. As explained in the *Additional Request for Comments*, the M&P country for a steel product is “the original location where the raw steel [was] first produced in a steelmaking furnace in a liquid state,” “then poured into its first solid shape.” *Id.* Currently, all U.S. imports of applicable steel products are also subject to Section 232 tariffs, quantitative limitations, and/or monitoring except such imports from Australia. Regarding specific Section M&P requirements, several country-specific agreements/actions replacing the original 25 percent Section 232 tariffs with alternative measures or temporary exclusions differentiate and prefer steel imports that are melted and poured within the relevant country/region. *See infra* at section II.1, pgs. 2-3.

<sup>3</sup> *See Entry Summary (Form 7501)*, 88 Fed. Reg. 24,203 (Apr. 19, 2023) (“*Request for Comments*”). U. S. Steel’s response to the initial *Request for Comments* was submitted via email to [CBP\\_PRA@cbp.dhs.gov](mailto:CBP_PRA@cbp.dhs.gov), as stipulated in the notice.

quotas (“TRQs”) for imported steel, and solicits comments and suggestions pertaining to four specific points identified by CBP.<sup>4</sup> This submission is organized according to those four points, as they relate to steel product imports.

## **I. BACKGROUND**

U. S. Steel is a leading integrated producer of iron, semi-finished steel, flat-rolled steel, and steel tubular products in the United States. The company is headquartered in Pennsylvania and has mining and manufacturing facilities located throughout the country, including iron mines in Minnesota; blast furnace steelmaking operations in Illinois, Indiana, and Pennsylvania; electric arc furnace steelmaking operations in Alabama and Arkansas; and integrated rolling and processing/finishing plants in Alabama, Arkansas, California, Illinois, Indiana, Michigan, Mississippi, Ohio, Pennsylvania, and Texas. These facilities supply high value-added steel products to customers in the automotive, infrastructure, appliance, container/packaging, and energy industries.

Effective enforcement of U.S. trade laws and regulations is critical to U. S. Steel and its 15,000 hardworking American employees. U. S. Steel strongly supported Commerce’s 2020 revisions to the steel import monitoring analysis (“SIMA”) system, which similarly established reporting of M&P country in steel import license applications;<sup>5</sup> strongly supported CBP’s proposed revisions during the initial 60-day notice and comment period for this action;<sup>6</sup> and—as reflected below—continues to strongly support CBP’s planned changes to Form 7501.

## **II. SPECIFIC POINTS FOR COMMENT IDENTIFIED BY CBP**

### **1. Whether the proposed collection of information is necessary for the proper performance of the functions of the agency**

Collection of steel M&P country information has practical utility and is necessary for CBP to properly perform its trade enforcement functions. As explained in the *Additional Request for Comment*, the data collected in Form 7501 is used by CBP as the official record of the import transaction.<sup>7</sup> CBP relies on this official record to assess, collect, and enforce applicable duties, fees, taxes, and certifications and provides the data contained therein to the U.S. Census Bureau (“Census”) for official import statistics.<sup>8</sup> CBP’s critical role in the enforcement of trade measures—specifically regarding steel—is increasingly tied to M&P country of origin.

In 2019, agreements negotiated among the United States, Canada, and Mexico (e.g., the U.S.-Canada-Mexico Agreement (“USMCA”)) introduced steel M&P country as an important factor in

---

<sup>4</sup> *Additional Request for Comments*, 89 Fed. Reg. at 20,673.

<sup>5</sup> See *Steel Import Monitoring and Analysis System*, 85 Fed. Reg. 56,162 (Sep. 11, 2020) (“SIMA M&P Final Rule”).

<sup>6</sup> See *supra* at fn. 3.

<sup>7</sup> *Additional Request for Comments*, 89 Fed. Reg. at 20,673.

<sup>8</sup> *Id.*

U.S. trade/customs rules, mechanisms, and monitoring efforts.<sup>9</sup> As noted above, Commerce revised the SIMA system in 2020,<sup>10</sup> requiring importers to report M&P country in steel import license applications. Commerce has utilized the collected license data to create and maintain SIMA’s “Melt and Pour Dashboard,” which is a valuable resource allowing greater public visibility into where and how raw steel is being made and processed before entry to the United States.<sup>11</sup> As highlighted in the *Additional Request for Comments*, the Section 232 TRQs for U.S. steel imports from the EU, Japan, and UK, which took effect in 2022, also require M&P country information for proper enforcement.<sup>12</sup> Most recently, the suspension of Section 232 tariffs on U.S. imports of Ukrainian steel was expanded to include U.S. imports of steel articles from the EU made from steel melted and poured in Ukraine.<sup>13</sup>

In 2023, more than 58 percent of U.S. Steel imports came from sources covered by the above-referenced, country-specific, steel M&P agreements/provisions.<sup>14</sup> Public data indicates that the steel articles imported from these sources (*i.e.*, Canada, Mexico, EU member states, Japan, and the UK) were made using steel melted and poured at least 71 different countries,<sup>15</sup> with the quantity of imports made from steel melted and poured in a third country often accounting for a significant share of entries. For example, nearly half of the Mexican-origin, flat-rolled steel products that entered the United States in 2023 were manufactured from semi-finished steel slabs melted and poured overseas (*e.g.*, in Brazil or Russia).<sup>16</sup>

---

<sup>9</sup> Pursuant to May 2019 agreements, the United States removed Section 232 tariffs from U.S. imports of Canadian and Mexican steel, and the three countries agreed to prevent importation of unfairly traded steel products, transshipment of steel products, and import surges. *See Adjusting Imports of Steel into the United States*, 84 Fed. Reg. 23,987 (May 23, 2019). Joint statements issued at the time of these agreements establish that products made with steel that is melted and poured in North America may be treated separately from products that are not. *See* Joint Statement by the United States and Canada on Section 232 Duties on Steel and Aluminum (Mar. 15, 2019), available at [https://ustr.gov/sites/default/files/Joint Statement by the United States and Canada.pdf](https://ustr.gov/sites/default/files/Joint%20Statement%20by%20the%20United%20States%20and%20Canada.pdf); *see also* Joint Statement by the United States and Mexico on Section 232 Duties on Steel and Aluminum (Mar. 15, 2019), available at [https://ustr.gov/sites/default/files/Joint Statement by the United States and Mexico.pdf](https://ustr.gov/sites/default/files/Joint%20Statement%20by%20the%20United%20States%20and%20Mexico.pdf). USMCA, which took effect July 1, 2020, also implemented stricter rules of origin for qualifying automotive products, eventually requiring a significant percentage of steel to be melted and poured in North America. *See* USMCA, Chapter 4, Annex 4-B, Appendix – Provisions Related to the Product-specific Rules of Origin for Automotive Goods. This steel M&P requirement was added to USMCA during negotiations in late 2019.

<sup>10</sup> *See SIMA M&P Final Rule*, 85 Fed. Reg. at 56,171.

<sup>11</sup> The SIMA Melt and Pour Dashboard is available at <https://www.trade.gov/data-visualization/melt-and-pour-dashboard>.

<sup>12</sup> *Additional Request for Comments*, 89 Fed. Reg. at 20,674.

<sup>13</sup> *See Adjusting Imports of Steel into the United States*, 88 Fed. Reg. 36,437 (Jun. 5, 2023).

<sup>14</sup> Data published via SIMA’s U.S. Steel Import Monitor indicates that the United States imported 25,583,087 metric tons (“MT”) of steel in 2023, including 14,964,632 MT of steel from Canada, Mexico, EU member states, Japan, and the UK.

<sup>15</sup> The Melt and Pour Dashboard identifies 71 specific M&P countries, as well as an “Other Countries” group, for steel imported from Canada, Mexico, EU member states, Japan, and the UK during 2023.

<sup>16</sup> The SIMA Melt and Pour Dashboard indicates that the United States imported 993,290 MT of flat-rolled (*e.g.*, hot-rolled, cold-rolled, and corrosion-resistant) carbon and alloy steel products from Mexico in 2023. 46 percent of these imports were made using steel melted and poured outside of Mexico and, in most instances, North America.

These circumstances underscore the complexity of steel supply chains, as well as the potential challenges of administering steel-focused trade measures. Including steel M&P country information in Form 7501 would enable CBP officers to quickly review, verify, and enforce the veracity of accompanying steel import licenses, as well as the applicability of various Section 232 tariffs, TRQs, and exemptions. Such data collection would also increase the depth and reliability of Census statistical reporting and, as noted in the *Additional Request for Comments*, finally align CBP entry requirements with Commerce’s 2020 revisions to SIMA steel import licensing requirements.<sup>17</sup> Indeed, the steel M&P country information collected through Form 7501 would complement the pre-entry license information already by SIMA and facilitate the use of more accurate Census data on the Melt and Pour Dashboard.<sup>18</sup>

Finally, as CBP pursues a technologically advanced “21<sup>st</sup> Century Customs Framework,” the proposed revision would support and leverage enhanced steel supply chain transparency. For instance, as entry documentation and data analysis become more automated, additional M&P country information may reveal patterns of circumvention and/or evasion of steel-focused trade/customs laws, regulations, and remedies, enabling swift and targeted enforcement by CBP.<sup>19</sup>

In short, the proposed collection of steel M&P country information is critical to CBP’s efficient and effective administration of complex steel trade laws and regulations and, as such, is necessary for the proper performance of the functions of the agency.

## **2. The accuracy of the agency’s estimate of the burden of the proposed collection of information**

CBP’s estimates regarding the burden of completing Form 7501 in its entirety (*i.e.*, not only the proposed additional data field) generally remain under five minutes and, as such, accurately reflect the wide availability of steel M&P country information and underlying documentation to importers and/or their agents.<sup>20</sup> Steel M&P country data is easily accessible to all categories of steel importers (*e.g.*, traders, distributors, and consumers) because certified mill test reports

---

<sup>17</sup> *Additional Request for Comments*, 89 Fed. Reg. at 20,674.

<sup>18</sup> Although SIMA requires that importers reconcile pre-entry steel import license quantities with actual import quantities, license data published on the Melt and Pour Dashboard still varies from official Census import statistics, which—as explained in the *Additional Request for Comments*—are based on Form 7501 information collected by CBP. *Id.* at 20,673. For example, the Melt and Pour Dashboard indicates that the United States imported 26,116,883 MT of steel products in 2023, and Census data published via SIMA’s U.S. Steel Import Monitor indicates that the United States imported 25,583,087 MT of steel products in 2023.

<sup>19</sup> Regarding trade remedies, CBP is already enforcing multiple certification regimes designed to prevent steel originating (*e.g.*, melted, poured, and hot-rolled) in a subject country from circumventing antidumping and/or countervailing duties by undergoing minor processing (*e.g.*, cold-rolling) in a third country before entering the U.S. market. *See, e.g.*, *Certain Cold-rolled Steel Flat Products from the People’s Republic of China: Affirmative Final Determination of Circumvention of the Antidumping Duty and Countervailing Duty Orders*, 83 Fed. Reg. 23,891 (May 23, 2018). Collection of steel M&P country information would support such certification regimes and help identify additional instances of circumvention.

<sup>20</sup> *Additional Request for Comments*, 89 Fed. Reg. at 20,674.

("MTRs"),<sup>21</sup> which are generated in the normal course of business at each stage of steel production/processing, often accompany steel shipments throughout the supply chain.<sup>22</sup>

Moreover, since importers are already required to report steel M&P country to Commerce in steel import license applications, which must be filed *before* completion of CBP's Form 7501,<sup>23</sup> the additional burden of selecting the appropriate steel M&P country on an *Entry Summary* for steel product imports will be *de minimis*.

### **3. Suggestions to enhance the quality, utility, and clarify of the information to be collected**

In response to CBP's initial *Request for Comments*, U. S. Steel provided several suggestions to enhance the quality, utility, clarity, and reliability of the steel M&P country information to be collected.<sup>24</sup> Notwithstanding such enhancement opportunities (e.g., requiring additional documentation and processing details), U. S. Steel remains fully supportive of CBP's proposed changes to Form 7501, as submitted to the Office of Management and Budget ("OMB") for review and approval.

### **4. Suggestions to minimize the burden of the collection of information on those who are to respond**

As explained above, the burden of responding to the proposed collection of steel M&P country information is minimal.

## **III. CONCLUSION**

U. S. Steel recognizes CBP's significant enforcement efforts and applauds its proposed revisions to Form 7501, as recently submitted to OMB for review and approval.<sup>25</sup> As explained above, the value—to the agency's performance—of collecting additional steel M&P country

---

<sup>21</sup> These certificates/reports may also be referred to as "metallurgical test reports" or "mill test certificates," among other similar titles, but are ubiquitous in the steel supply chain and typically include a unique certificate number, production/issue date(s), manufacturer name and contact information, customer name and contact information, general steel product description, and critical chemical/mechanical properties. It is U. S. Steel's understanding that CBP is already pursuing use of blockchain technology to incorporate easily verifiable and traceable MTRs generated—often electronically—at all stages of production in administration of U.S. steel imports and that initial testing has been successful. See U.S. Department of Homeland Security, "News Release: DHS Supply Chain Traceability Startups Successfully Complete Data Exchange Testing," Oct. 18, 2023, [available at https://www.dhs.gov/science-and-technology/news/2023/10/18/dhs-supply-chain-traceability-startups-successfully-complete-data-exchange-testing](https://www.dhs.gov/science-and-technology/news/2023/10/18/dhs-supply-chain-traceability-startups-successfully-complete-data-exchange-testing).

<sup>22</sup> See, e.g., *SIMA M&P Final Rule*, 85 Fed. Reg. at 56,166.

<sup>23</sup> See *Steel Import Licensing and Surge Monitoring*, 67 Fed. Reg. 79,846 (Dec. 31, 2002) (stating that the "final rule requires all imports of steel products...to obtain a license from [Commerce] prior to completing their [CBP] import summary documentation").

<sup>24</sup> See *supra* at fn. 3 (discussing U. S. Steel's response to the initial *Request for Comments*).

<sup>25</sup> *Additional Request for Comments*, 89 Fed. Reg. at 20,673.

information substantially outweighs any additional reporting burden. U. S. Steel appreciates the opportunity to share its perspective on this important matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'KMWojnar', with a stylized flourish at the end.

Kaitlin McHugh Wojnar  
Corporate Counsel – International Trade & Public Policy  
United States Steel Corporation