

Presidential Documents

Title 3—**Proclamation 7210 of July 22, 1999****The President****Imposition of Restraints on Imports of Certain Steel Products From the Russian Federation****By the President of the United States of America****A Proclamation**

1. Article XI of the June 1, 1990, Agreement between the United States of America and the Russian Federation on Trade Relations (“the 1990 Agreement”), which was entered into pursuant to title IV of the Trade Act of 1974, as amended (“the Trade Act”), provides that the Parties will consult with a view toward finding means of preventing market disruption, and authorizes the Parties to take action, including the imposition of import restrictions, to achieve this goal.

2. The Government of the United States and the Government of the Russian Federation (“Russia”) have mutually agreed that the conditions of Article XI of the 1990 Agreement have been met with respect to U.S. imports of certain steel products from Russia described in the Annex to this proclamation. Further, the Governments have concluded an Agreement Concerning Trade in Certain Steel Products from the Russian Federation (“the 1999 Agreement”) on remedial and preventative measures to address market conditions with respect to such products.

3. Section 125(c) of the Trade Act (19 U.S.C. 2135(c)) provides that whenever the United States, acting in pursuance of any of its rights or obligations under any trade agreement entered into pursuant to the Trade Act, withdraws, suspends, or modifies any obligation with respect to the trade of any foreign country or instrumentality, the President is authorized to proclaim increased duties or other import restrictions, to the extent, at such times, and for such periods as he deems necessary or appropriate, in order to exercise the rights or fulfill the obligations of the United States.

4. In pursuance of its rights under the 1990 Agreement, the United States Government is withdrawing, suspending, or modifying its obligations under Article I of the 1990 Agreement with respect to the certain steel products described in the Annex to this proclamation by establishing import restrictions to address market conditions with respect to these products.

5. I have determined that, effective immediately and continuing so long as the 1999 Agreement remains in effect, it is appropriate to proclaim import restrictions as set forth in the Annex to this proclamation in order to exercise the rights and fulfill the obligations of the United States under the 1990 Agreement.

6. Section 125(f) of the Trade Act (19 U.S.C. 2135(f)) requires the President to provide an opportunity for interested parties to present views at a public hearing prior to taking action pursuant to section 125(b), (c), or (d) of the Trade Act (19 U.S.C. 2135(b), (c), or (d)). Interested parties presented their views at a hearing held on March 2, 1999.

7. Section 301 of title 3, United States Code, authorizes the President to delegate his authority to the head of any department or agency in the executive branch to perform without approval, ratification, or other action by the President any function that is vested in the President by law.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to section 125(c) of the Trade Act (19 U.S.C. 2135(c)) and section 301 of title 3, United States Code, do proclaim that:

(1) Pursuant to U.S. rights under the 1990 Agreement and to implement and enforce the 1999 Agreement, imports of certain steel products from Russia are restricted as provided in the Annex to this proclamation.

(2) The Secretary of Commerce ("the Secretary") is authorized to exercise my authority to administer the import restrictions on certain steel products consistent with the 1999 Agreement as proclaimed herein. The Secretary shall provide instructions and any necessary interpretive guidance to the Commissioner, U.S. Customs Service, concerning the import restrictions set forth in this proclamation.

(3) Such restrictions shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date set forth in the Annex and shall remain in effect during the period of the 1999 Agreement.

(4) All provisions of previous proclamations and Executive orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of July, in the year of our Lord nineteen hundred and ninety-nine, and of the Independence of the United States of America the two hundred and twenty-fourth.

A handwritten signature in black ink, reading "William J. Clinton". The signature is written in a cursive style with a large, stylized "W" and "C".

Annex

IMPORT RESTRICTIONS

Section A: Export Limits

Effective July 12, 1999, the United States Customs Service shall deny entry to any imports of certain steel products from Russia, in excess of the export limits established below, or which otherwise fail to comply with the instructions issued by the Secretary of Commerce.

The export limits for the certain steel products from Russia to the United States for the calendar year 1999 are as follows:

<u>Certain Steel Product</u>	<u>Quantity (in metric tons)</u>
Cold-Rolled Flat-Rolled Carbon Quality Steel	340,000
Certain Cold-Rolled Stainless, Alloy and Other Carbon Steel Products	15,356
Semifinished Steel Products	950,000
Galvanized Sheet Products	55,000
Other Metallic Coated Flat-Rolled Products	0
Certain Tin Mill Products	0
Electrical Sheet Products	15,356
Heavy Structural Shapes	65,000
Rails	0
Hot-Rolled Bars (hot-rolled bars, reinforcing bar, and light shapes)	85,000
Cold-Finished Bars	36,000
Pipe and Tube Products	40,000
Wire Rod Products	0
Hot-Rolled Steel Stainless and Alloy Prods.	25,073
Pig Iron	575,000

Section B: Definitions

References to the provisions of the Harmonized Tariff Schedule of the United States, annotated ("HTSUS"), as of June 30, 1999.

(1) Certain Cold-Rolled Stainless, Alloy and Other Carbon Steel Products are defined as the following:

Certain stainless, alloy, and iron or non-alloy cold-rolled (cold-reduced) flat-rolled steel products, of rectangular shape, neither clad, plated, nor coated with metal, but whether or not annealed, painted, varnished, or coated with plastics or other non-metallic substances, both in coils, 0.5 inch wide or wider, (whether or not in successively superimposed layers and/or otherwise coiled, such as spirally oscillated coils), and also in straight lengths, which, if less than 4.75 mm in thickness having a width that is 0.5 inch or greater and that measures at least 10

times the thickness; or, if of a thickness of 4.75 mm or more, having a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular or other shape, and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process (i.e. products which have been "worked after rolling") -- for example, products which have been beveled or rounded at the edges.

Specifically excluded from this scope are vacuum degassed, fully stabilized (commonly referred to as interstitial-free ("IF")) steels, high strength low alloy ("HSLA") steels, and motor lamination steels if in coils and of a width greater than 0.5 inches, regardless of thickness, and if less than 4.75 mm; if in straight lengths, 4.75 mm or more in thickness and of a width which exceeds 150 mm and measures at least twice the thickness. IF steels are recognized as low carbon steels with micro-alloying levels of elements such as titanium and/or niobium added to stabilize carbon and nitrogen elements. HSLA steels are recognized as steels with micro-alloying levels of elements such as chromium, copper, niobium, titanium, vanadium, and molybdenum. Motor lamination steels contain micro-alloying levels of elements such as silicon and aluminum.

Steel products to be excluded from the scope of this action, unless otherwise provided, regardless of definitions in the HTSUS, are products in which: (1) iron predominates, by weight, over each of the other contained elements; (2) the carbon content is 2 percent or less, by weight, and; (3) none of the elements listed below exceeds the quantity, by weight, respectively indicated:

- 1.80 percent of manganese, or
- 2.25 percent of silicon, or
- 1.00 percent of copper, or
- 0.50 percent of aluminum, or
- 1.25 percent of chromium, or
- 0.30 percent of cobalt, or
- 0.40 percent of lead, or
- 1.25 percent of nickel, or
- 0.30 percent of tungsten, or
- 0.10 percent of molybdenum, or
- 0.10 percent of niobium (also called columbium), or
- 0.15 percent of vanadium, or
- 0.15 percent of zirconium.

All products that meet the written physical description, and in which the chemistry quantities do not exceed any one of the noted element levels listed above, are excluded from the scope of this action unless specifically included. The following products, by way of example, are included in the scope of this action:

- I. SAE grades (formerly also called AISI grades) above 2300;

- II. Ball bearing steels, as defined in the HTSUS;
- III. Tool steels, as defined in the HTSUS;
- IV. Silico-manganese steel, as defined in the HTSUS;
- V. Silicon-electrical steels, as defined in the HTSUS, that are grain-oriented;
- VI. Silicon-electrical steels, as defined in the HTSUS, that are not grain-oriented and that have a silicon level exceeding 2.25 percent;
- VII. All products (proprietary or otherwise) based on an alloy ASTM specification (sample specifications: ASTM A506, A507).

The covered merchandise may be reported under the following HTSUS categories: 7217.10.1000, 7217.10.2000, 7217.10.3000, 7217.10.7000, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7219.31.0010, 7219.31.0050, 7219.32.0005, 7219.32.0020, 7219.32.0025, 7219.32.0035, 7219.32.0036, 7219.32.0038, 7219.32.0042, 7219.32.0044, 7219.32.0045, 7219.32.0060, 7219.33.0005, 7219.33.0020, 7219.33.0025, 7219.33.0035, 7219.33.0036, 7219.33.0038, 7219.33.0042, 7219.33.0044, 7219.33.0045, 7219.33.0070, 7219.33.0080, 7219.34.0005, 7219.34.0020, 7219.34.0025, 7219.34.0030, 7219.34.0035, 7219.34.0050, 7219.35.0005, 7219.35.0015, 7219.35.0030, 7219.35.0035, 7219.35.0050, 7219.90.0010, 7219.90.0020, 7219.90.0025, 7219.90.0060, 7219.90.0080, 7220.20.1010, 7220.20.1015, 7220.20.1060, 7220.20.1080, 7220.20.6005, 7220.20.6010, 7220.20.6015, 7220.20.6060, 7220.20.6080, 7220.20.7005, 7220.20.7010, 7220.20.7015, 7220.20.7060, 7220.20.7080, 7220.20.8000, 7220.20.9030, 7220.20.9060, 7220.90.0010, 7220.90.0015, 7220.90.0060, 7220.90.0080, 7223.00.5000, 7225.11.0000, 7225.19.0000, 7225.99.0010, 7225.50.6000, 7225.50.7000, 7225.50.8010, 7225.50.8015, 7225.50.8085, 7225.90.0090, 7226.11.1000, 7226.11.9030, 7226.11.9060, 7226.19.1000, 7226.19.9000, 7226.92.5000, 7226.92.7005, 7226.92.7050, 7226.92.8005, 7226.92.8050, 7226.99.0000, 7229.90.1000.

Cold-rolled steel is equivalent to AISI categories 32 (cold-rolled sheet), 37 (cold-rolled strip), and 28 (black plate).

(2) Semifinished Steel Products are defined as the following:

Certain iron and steel products (whether or not stainless, other alloy, or non-alloy) in the following forms: ingots and other primary forms; semifinished products (whether or not of rectangular cross-section, and whether or not with a width measuring at least twice the thickness).

The merchandise is classified in the HTSUS at subheadings: 7206.10.0000, 7206.90.0000, 7207.11.0000, 7207.12.0010, 7207.12.0050, 7207.19.0030, 7207.19.0090, 7207.20.0025, 7207.20.0045, 7207.20.0075, 7207.20.0090, 7218.10.0000,

7218.91.0015, 7218.91.0030, 7218.91.0060, 7218.99.0015, 7218.99.0030, 7218.99.0045, 7218.99.0060, 7218.99.0090, 7224.10.0005, 7224.10.0045, 7224.10.0075, 7224.90.0005, 7224.90.0015, 7224.90.0025, 7224.90.0035, 7224.90.0045, 7224.90.0055, 7224.90.0065, and 7224.90.0075.

Although the HTSUS subheadings are provided for convenience and Customs purposes, the written description of the merchandise is dispositive.

Semifinished steel is equivalent to AISI categories 1A (ingots and steel for castings) and 1B (blooms, billets, and slabs).

(3) Galvanized Sheet Products are defined as the following:

Hot-rolled or cold-rolled flat-rolled products, either in coils (regardless of dimension) or in straight flat-rolled lengths (if of a thickness less than 4.75 mm are of a width measuring at least 10 times the thickness or if of a thickness of 4.75 mm or more are of a width which exceeds 150 mm and measures at least twice the thickness), with a metallic coating of zinc, regardless of any additional coatings (e.g., paint, varnish, or plastics).

The merchandise subject to this action is classified in the HTSUS at subheadings: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0090, 7210.70.6030, 7210.70.6060, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7225.91.0000, 7225.92.0000, 7226.93.0000, and 7226.94.0000.

Although the HTSUS subheadings are provided for convenience and Customs purposes, the written description of the merchandise under this action is dispositive.

Galvanized Sheet Products reflect AISI categories 33A (hot-dipped galvanized sheet/strip) and 33B (electrolytic galvanized sheet/strip).

(4) Other Metallic Coated Flat Rolled Products are defined as the following:

Hot-rolled or cold-rolled flat-rolled products, either in coils (regardless of dimension) or in straight lengths (if of a thickness less than 4.75 mm are of a width measuring at least 10 times the thickness or if of a thickness of 4.75 mm or more are of a width which exceeds 150 mm and measures at least twice the thickness), with a metallic coating (other than zinc, tin, chromium oxides, or chromium and chromium oxides), or clad, with metals such as aluminum, lead, aluminum-zinc alloys, and nickel, regardless of any additional coatings (e.g., paint, varnish, or plastics).

The merchandise subject to this action is classified in the HTSUS at subheadings: 7210.20.0000, 7210.61.0000, 7210.69.0000, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.99.0090, and 7226.99.0000.

Other Metallic Coated Flat-Rolled Products reflect AISI category 34 (metallic sheet and strip).

(5) Rails are defined as the following:

Rails, whether or not used, for railway and tramway construction and replacement. This includes load-bearing rails such as standard T, light, crane, and girder rails, and conductor or electrical rails.

The merchandise subject to this action is classified in the HTSUS at subheadings: 7302.10.1010, 7302.10.1015, 7302.10.1025, 7302.10.1035, 7302.10.1045, 7302.10.1055, 7302.10.1065, 7302.10.1075, 7302.10.5020, 7302.10.5040, and 7302.10.5060.

Rails reflect AISI categories 7 (standard rails), 8 (other rails), and 41 (used rails).

(6) Certain Tin Mill Products are defined as the following:

Hot-rolled or cold-rolled flat-rolled products, either in coils (regardless of dimension) or in straight lengths (if of a thickness less than 4.75 mm are of a width measuring at least 10 times the thickness or if of a thickness of 4.75 mm or more are of a width which exceeds 150 mm and measures at least twice the thickness), with a metallic plating of tin, chromium oxides, or chromium and chromium oxides, regardless of any additional coatings (e.g., paint, varnish, or plastics).

The merchandise subject to this action is classified in the HTSUS at subheadings: 7210.11.0000, 7210.12.0000, 7210.50.0000, and 7212.10.0000.

Certain Tin Mill Products reflect AISI categories 29 (tin plate) and 29A (tin-free sheet).

(7) Electrical Sheet Products are defined as the following:

Cold-rolled flat-rolled alloy steels, or that contain by weight at least 0.6 percent of silicon but not more than 6 percent of silicon and not more than 0.08 percent of carbon. They may also contain by weight not more than 1 percent of aluminum but no other element in a proportion that would give the steel the characteristics of another alloy steel.

The merchandise subject to this action is classified in the HTSUS at subheadings: 7225.11.0000, 7225.19.0000, 7226.11.1000, 7226.11.9030, 7226.11.9060, 7226.19.1000, and 7226.19.9000. Electrical Sheet Products reflect AISI category 35 (electrical sheet).

(8) Heavy Structural Shapes are defined as the following:

Angles, shapes, and sections having a uniform cross section across their length, of alloy (other than tool steel as defined by the HTS) or non-alloy steel, whether hot-rolled, hot-formed, or hot-extruded, with a height of at least 80 mm. Included are shapes such as U, I, H, and T.

The merchandise subject to this action is classified in the HTSUS at subheadings: 7216.31.0000, 7216.32.0000, 7216.33.0030, 7216.33.0060, 7216.33.0090, 7216.40.0010, 7216.40.0050, 7216.50.0000, 7216.99.0000, 7222.40.3020, 7222.40.3040, 7228.70.3020, 7228.70.3040, and 7301.10.0000.

Heavy Structural Shapes reflect AISI categories 4 (structural heavy shapes) and 5 (steel piling).

(9) Hot-Rolled Bars are defined as the following:

Hot-rolled products, not in coils, whether of alloy (other than tool steel as defined by the HTSUS) or non-alloy steel, with a uniform solid cross section along their whole length, that do not meet the definition for flat-rolled products outlined in the HTSUS, in the following shapes:

- a. circles, segments of circles, ovals, rectangles (including squares), triangles, or other convex polygons, which do not include indentations, ribs, grooves or other deformations produced during the rolling process ("hot-rolled bars");
- b. circles, segments of circles, ovals, rectangles (including squares), triangles, or other convex polygons, which include indentations, ribs, grooves or other deformations produced during the rolling process ("reinforcing bars" or "rebars");
- c. angles, shapes, and sections such as U, I, H, L, and T with a height of less than 80 mm ("light shapes").

The merchandise subject to this action is classified in the HTSUS at subheadings: 7213.10.0000, 7213.20.0000, 7213.99.0060, 7214.10.0000, 7214.20.0000, 7214.30.0000, 7214.91.0015, 7214.91.0060, 7214.91.0090, 7214.99.0015, 7214.99.0030, 7214.99.0045, 7214.99.0060, 7214.99.0075, 7214.99.0090, 7215.90.1000, 7216.10.0010, 7216.10.0050, 7216.21.0000,

7216.22.0000, 7221.00.0005, 7221.00.0045, 7221.00.0075,
7222.11.0005, 7222.11.0050, 7222.19.0005, 7222.19.0050,
7222.40.3060, 7222.40.3080, 7227.20.0000, 7227.90.6005,
7227.90.6050, 7228.20.1000, 7228.30.8005, 7228.30.8050,
7228.40.0000, 7228.60.6000, 7228.70.3060, 7228.70.3080, and
7228.80.0000.

Hot-Rolled Bars reflect AISI categories 14 (hot-rolled bars), 15 (reinforcing bars), and 14A (light shapes).

(10) Cold Finished Bars are defined as the following:

Cold-finished (e.g. cold-rolled, cold-drawn, turned) products, not in coils, whether of alloy (other than tool steel as defined by the HTS) or non-alloy steel, with a uniform solid cross section along their whole length, that do not meet the definition for flat-rolled products outlined in the HTS, in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, or other convex polygons, regardless of whether they include indentations, ribs, grooves or other deformations produced during the rolling process (rebar).

The merchandise subject to this action is classified in the HTSUS at subheadings: 7215.10.0000, 7215.50.0015, 7215.50.0060, 7215.50.0090, 7215.90.3000, 7215.90.5000, 7222.20.0005, 7222.20.0045, 7222.20.0075, 7222.30.0000, 7228.20.5000, 7228.50.5005, 7228.50.5050, and 7228.60.8000.

Cold-Finished Bars reflect AISI category 16 (cold-finished bars).

(11) Pipe and Tube Products are defined as the following:

Hollow steel products of either circular or non-circular cross section, of alloy (e.g. stainless) or non-alloy steel, whether seamless or not seamless (e.g. welded, open seam), whether plain end or finished (e.g. upset, threaded, coupled), regardless of size.

The merchandise subject to this action is classified in the HTSUS at subheadings: 7304, 7305, and 7306.

Pipe and Tube Products reflect AISI categories 18 (standard), 19 (oil country tubular goods), 20 (line pipe), 21A (mechanical tubing), 21B (pressure tubing), 21C&D (stainless pipe and tubing), 21E (pipe and tube, not classified), 22A (structural pipe and tubing), and 22B (structural pipe and tubing for piling).

(12) Wire Rod Products are defined as the following:

Hot-rolled bars and rods, whether of alloy (other than tool steel as defined by the HTSUS) or non-alloy steel, in irregularly wound

coils, which have a solid cross section, generally round in cross-sectional shape.

The merchandise subject to this action is classified in the HTSUS at subheadings: 7213.91.3000, 7213.91.4500, 7213.91.6000, 7213.99.0030, 7213.99.0090, 7221.00.0015, and 7221.00.0030.

Wire Rod Products reflect AISI category 3 (wire rod).

(13) Pig Iron is defined as the following:

Iron-carbon alloys that are not usefully malleable, containing more than 2% by weight of carbon.

The merchandise subject to this action is classified in the HTSUS at subheadings: 7201.10.0000, 7201.20.0000, 7201.50.3000, and 7201.50.6000.

Pig Iron is equivalent to AISI categories 65 (pig iron).