



UNITED STATES DEPARTMENT OF COMMERCE
Under Secretary for Industry and Security
Washington, D.C. 20230

April 29, 2025

MEMORANDUM FOR: Dominic J. Mancini
Deputy Administrator, Office of Information and Regulatory
Affairs
Office of Management and Budget

FROM: Eric Longnecker
Deputy Assistant Secretary for Technology Security,
Bureau of Industry and Security

SUBJECT: Request for OMB Emergency Review and Approval of
Information Collections for Inclusions to the Section 232 National
Security Adjustments to Imports

On behalf of the Bureau of Industry and Security (BIS), I am seeking approval for emergency Paperwork Reduction Act (PRA) clearances to allow the Department of Commerce (DOC), as represented by BIS, to publish a Federal Register Notice (FRN) announcing the method by which inclusions to the Section 232 National Security adjustments to imports of steel and aluminum may be requested.

BACKGROUND

On February 10, 2025, the President issued Proclamation 10895 “Adjusting Imports of Aluminum into the United States”, and Proclamation 10896 “Adjusting Imports of Steel into the United States” which imposed a 25 percent ad valorem tariff on imports of aluminum and steel articles and certain derivative steel and aluminum articles, respectively. These Inclusions Proclamations terminated the aluminum and steel exclusions process as authorized in the clause 3 of Proclamation 9705, clause 1 of Proclamation 9777, and clause 2 of Proclamation 9980, as well as a number of country exemptions and alternative arrangements to the steel and aluminum duties implemented in subsequent Presidential Proclamations. The Inclusions Proclamations also required the Secretary of Commerce (the Secretary) to establish within 90 days a process for including additional derivative aluminum and steel articles within the scope of the ad valorem duties proclaimed in Exclusion Proclamations, Presidential Proclamation 9704, Proclamation 9705, Proclamation 9980, clause 4 of the Proclamation 10896, and clause 5 of Proclamation 10895, respectively.

Section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. § 1862), provides authority for the Department of Commerce (Commerce) to conduct investigations to determine the effects of imports of an article on the national security of the United States and authorizes the President to adjust the imports of the article and its derivatives based on such an investigation and affirmative determination by the Department of Commerce that the article is being imported

into the United States in such quantities or under such circumstances as to threaten to impair the national security of the United States. The Department of Commerce previously concluded Section 232 investigations into imports of steel and aluminum articles in 2018 that led to the implementation of the Section 232 Steel and Aluminum Duties in the Exclusions Proclamations. These duties were extended to apply to imports of certain derivative steel and aluminum articles in Presidential Proclamation 9980 of January 29, 2020, as well as Presidential Proclamations 10895 and 10896 of February 10, 2025.

Presidential Proclamations 10895 and 10896 set several requirements for the Department of Commerce to include certain derivative articles of steel and aluminum under the Section 232 Steel and Aluminum Duties established by the Exclusions Proclamations. It authorizes the Secretary to include additional derivative steel or aluminum articles within the scope of the tariffs unilaterally, or at the request of a producer of steel or aluminum articles or derivative articles within the United States, or an industry association representing one or more such producers. Applications for the inclusion of derivative articles must establish that imports of a derivative article have increased in a manner that threatens to impair the national security of the United States or otherwise undermine the objectives set forth in the 2018 Section 232 investigations or any Proclamations issued pursuant thereto. The Inclusions Proclamations direct that the Secretary of Commerce shall issue a determination on any such request within 60 days of its receipt by the Department.

JUSTIFICATION

As the President has decided to adjust imports and allow inclusion requests, BIS will need OMB's clearances to collect the information that would be required for parties to request inclusions. This will allow BIS to publish a *Federal Register* notice informing the public how to submit inclusion requests as soon as possible, allowing for earlier decisions on the requests giving parties certainty on the effect of the remedies on their business.

Sincerely,

Eric Longnecker