DEPARTMENT OF COMMERCE **Billing Code [INSERT]**

International Trade Administration

[Docket No.]

RIN: TBD

Procedures for Submissions by Certain Steel and Aluminum Producers Committing to New U.S. Steel or Aluminum Production to Obtain Tariff Adjustments Under Proclamation 10984

AGENCY: International Trade Administration, U.S. Department of Commerce.

ACTION: Notice announcing procedures for seeking tariff adjustments under Proclamation 10984

SUMMARY:

In Presidential Proclamation 10984 of October 17, 2025 (Adjusting Imports of Medium- and Heavy-Duty Vehicles, Medium- and Heavy-Duty Vehicle Parts, and Buses Into the United States), the President imposed additional tariffs on imports of specified medium- and heavy-duty vehicles (MHDVs), medium- and heavy-duty vehicles parts (MHDVPs), and buses to eliminate the threat to national security posed by such imports. That Proclamation also authorized the Secretary of Commerce to reduce tariffs owed under Proclamation 9704 of March 8, 2018 (Adjusting Imports of Aluminum Into the United States) as amended, and Proclamation 9705 of March 8, 2018 (Adjusting Imports of Steel Into the United States) as amended, for certain steel and aluminum producers operating production facilities in Canada or Mexico, based on newly committed U.S. production capacity. This notice establishes procedures for submission and review of documentation substantiating new U.S. production capacity commitments and eligibility for adjusted tariffs by the Department of Commerce.

DATES: Eligible steel and aluminum producers may submit documentation as of [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Documentation must be submitted electronically to: mailto:*[INSERT]*.

FOR FURTHER INFORMATION CONTACT: Emily Davis, Director for Public Affairs, International Trade Administration, U.S. Department of Commerce, 202-482-3809, Emily.Davis@trade.gov.

SUPPLEMENTARY INFORMATION

I. Background

On October 17, 2025, the President issued Proclamation 10984 (Adjusting Imports of Medium- and Heavy-Duty Vehicles, Medium- and Heavy-Duty Vehicle Parts, and Buses Into the United States) (90 FR 48451), finding that imports of medium- and heavy-duty vehicles (MHDVs), medium- and heavy-duty vehicle parts (MHDVPs), and buses threaten to impair the national security of the United States, and determining that it is necessary and appropriate to impose specified tariffs to adjust imports of MHDVs, MHDVPs, and buses so that such imports will not threaten to impair national security pursuant to section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862). In addition, Proclamation 10984 acknowledged the close connections and overlap between part suppliers for the automobile industry and for the MHDV industry, and determined that it is necessary and appropriate to conform certain aspects of the tariff system imposed in Proclamation 10908 of March 26, 2025 (Adjusting Imports of Automobiles and Automobile Parts Into the United States) (90 FR 14705), as amended, with the tariff system imposed in Proclamation 10984 for MHDVs, certain MHDVPs, and buses. Finally, the President found it necessary and appropriate to allow modification of tariffs imposed under Proclamation 9704 of March 8, 2018 (Adjusting Imports of Aluminum Into the United States)

(83 FR 11619), as amended, and Proclamation 9705 of March 8, 2018 (Adjusting Imports of Steel Into the United States) (83 FR 11625), as amended, based on commitments to increase production of steel or aluminum products that support U.S. production capacity of key products, including U.S. automobiles and MHDVs.

To enhance the supply chain security and domestic production of U.S. MHDVs and automobiles, Proclamation 10984 authorized the Secretary to reduce tariffs owed under Proclamations 9704 and 9705 by up to half the otherwise applicable rate for aluminum or steel producers that operate production facilities in Canada or Mexico and supply U.S. automobile or MHDV manufacturers. Such adjustments are to be limited to quantities of aluminum or steel equal to newly committed U.S. production capacity, as determined by the Secretary.

Proclamation 10984 provides that the adjusted tariff rate under Proclamations 9704 and 9705 may be no less than 25 percent, and that the adjusted tariff rate is only available for imports of aluminum and steel that qualify for preferential tariff treatment under the U.S.-Mexico-Canada Agreement (USMCA) and that were respectively smelted and cast or melted and poured in Canada or Mexico.

Proclamation 10984 directed the Secretary to administer this program in a manner consistent with the need to address the national security threats the President found in Proclamation 9704, Proclamation 9705, Proclamation 9888 of May 17, 2019 (Adjusting Imports of Automobiles and Automobile Parts Into the United States) (84 FR 23433), and Proclamation 10984. The Secretary has determined that it is necessary to establish a process for firms that operate production facilities in Canada and Mexico to apply for the adjusted tariffs, as authorized in Proclamation 10984, based on the quantities of aluminum or steel equal to newly committed U.S. production capacity. The Secretary has determined that only increased commitments to produce primary steel and primary aluminum should be eligible because these commitments address key bottlenecks and will increase the supply of U.S. steel and aluminum for downstream producers of automobiles and MHDVs. For purposes of these procedures, “primary steel” means any semi-finished or finished steel product that was first produced in a liquid state in a steel making furnace and “primary aluminum” means new aluminum metal that is produced from alumina (or aluminum oxide) by the electrolytic Hall-Heroult process.

The Secretary has also determined that, for purposes of these procedures, commitments to increase production capacity of primary steel and primary aluminum that supports U.S. production capacity of key products is limited to commitments to increase capacity of primary steel and primary aluminum that supports U.S. production capacity for automobiles, MHDVs, automobile parts, and MHDV parts (MHDVPs). Proclamation 10984 identifies automobiles and MHDVs as examples of key products. As automobile parts and MHDVPs are critical inputs to MHDVs and automobiles, and as much of the steel and aluminum contained in automobiles and MHDVs is first incorporated into automobile parts and MHDVPs, the Secretary determined that automobile parts and MHDVPs are also “key products” under these procedures, consistent with the purpose of Proclamation 10984.

I. Eligibility

Only applicants that produce steel and aluminum in Canada or Mexico and that supply, directly or indirectly, U.S. producers of automobiles and MHDVs are eligible for tariff adjustment based on new production commitments (Qualified Companies). Only new production commitments from Qualified Companies that will expand U.S. primary steel and primary aluminum production capacity for key products (automobiles and automobile parts and MHDVs and MHDVPs) are eligible for consideration under these procedures (Qualifying Commitments).

Only imports of steel and aluminum that qualify for preferential tariff treatment under the USMCA and that were melted and poured or smelted and cast in Mexico or Canada are eligible for a tariff adjustment (Qualifying Imports). Any tariff adjustment granted pursuant to these procedures will be limited to quantities of Qualifying Imports equal to the projected annual new production capacity, as determined by the Department. Tariff adjustment will be limited to a fixed period of time, as determined by the Department, that reflects the resources committed, the national security benefits of the commitment, the commercially reasonable time period necessary to complete the project and begin production using the new capacity, and any other factor the Department considers appropriate.

II. Opportunity to Submit Documentation

Qualified Companies making Qualifying Commitments may submit documentation, on a project-by-project basis, outlining their proposed investment plan, including the proposed location, production details, proposed capacity, and milestone commitments.

Each submission should include documentation certified by an applicant's Chief Financial Officer, General Counsel, or an equivalent-level of senior officer that provides the following:

1. An explanation of the applicant's status as a Qualifying Company, including locations, volumes, and product types of existing production of primary steel or aluminum in Canada or Mexico, and U.S. automobile and MHDV manufacturers to whom the applicant directly or indirectly supplies primary steel or primary aluminum and the volumes supplied.
2. An overview of the proposed project, including project background information, project objectives, proposed location(s) of the project, any progress to date, and an explanation of

the applicant's engagement with local authorities on the project, including economic incentives and permitting.

3. Details about the proposed production that will occur as a result of the project, including:
   a. Details on the kind of primary steel and/or primary aluminum that will be produced at the facility, including the applicable North American Industry Classification System (NAICS) code, the Harmonized Tariff Schedule of the United States (HTSUS) code that would apply to the product if it were imported into the United States, and a written description of the steel or aluminum product;
   b. The U.S. key product(s) (automobiles, automobile parts, MHDVs, and MHDV parts) production capacity that will be supported, directly or indirectly, by the production resulting from the project;
   c. The projected annual primary steel or primary aluminum production capacity that will result from the project;
   d. A list of suppliers (or potential suppliers) for production equipment for the project, including contracts that have been entered into and quotes or estimates that have been provided by potential suppliers;
   e. A list of construction contractors (or potential contractors) that will be involved in executing the project, including contracts that have been entered into and quotes or estimates that have been provided by potential suppliers;
   f. A list of raw materials that will be needed to support production under the project, including known or expected suppliers and any contracts that have been entered into and quotes or estimates that have been provided by potential suppliers; and

g. A narrative explanation of how the applicant will increase hiring to staff the new project.

4. Milestones that the applicant commits to meeting in order to obtain and retain a tariff adjustment and the company's expectation regarding anticipated completion of the project.

    a. Applicants are required to provide targets for the following mandatory milestones:

        i. Purchase of land;
        ii. Completion of facility design;
        iii. Hiring construction team or construction contractors;
        iv. Construction start date;
        v. Purchase of equipment;
        vi. Delivery and installation of equipment; and
        vii. Completion of construction and production first heat.

    b. Applicants may also provide targets for additional, optional milestones, including:

        i. Award of significant construction contract(s);
        ii. Award of significant engineering contract(s);
        iii. Permitting application submission;
        iv. Permitting award;
        v. Finalizing financing agreements;
        vi. Hiring engineers; and
        vii. Equipment certification.

5. A project management plan that details how the applicant will hire and manage the team(s) in charge of key aspects of the project, including engineering, equipment supply,

and other relevant activities necessary to complete the project. This plan shall include the estimated cost of construction, engineering, and equipment necessary for the proposed project, as well as any other significant costs the applicant expects to incur as part of completing the proposed project.

6. A commitment to provide the Department with quarterly reports that detail the applicant's progress towards the milestones and project management plan, as well as details on the costs-to-date incurred by the applicant in executing the project. The applicant will use this quarterly report to notify the Department of any proposed changes to the milestones.

7. A statement that the applicant recognizes that substantially meeting the milestones set forth in its submission is necessary for continued eligibility for the tariff adjustment and that, if it does not substantially meet its Qualifying Commitments, the liquidation or reliquidation of entries with the imposition of outstanding tariffs on prior entries that used the tariff adjustment may result. Tariff adjustments may be paused by the Department on a quarterly basis should the Department determine that the applicant is not substantially meeting milestones. Moreover, failure to provide requested information and significant delays that are within the applicant's control and that threaten a project's timely completion may result in a determination by the Department that the applicant has failed to substantially meet its Qualifying Commitment, resulting in termination of eligibility and a requirement that the Qualifying Company take all necessary action to pay duties that would otherwise have been owed on previous entries of Qualifying Imports. The applicant is required to provide information requested by the Department and to provide the Department with access to information needed to verify the accuracy of the

application and to ensure compliance with Qualifying Commitments. Failure to do so may be treated as a failure to substantially meet Qualifying Commitments, and may result in the Department directing CBP to reliquidate entries at the duty rate that would apply without any tariff adjustment.

8. The name and importer of record number of the importer responsible for importing steel or aluminum into the United States under the tariff adjustment on behalf of the applicant. The applicant may only designate a single representative.

III. Review Process

The Department will review each submission for completeness, commercial practicalities (i.e., whether it is a bona fide and facially legitimate proposal), and compliance with these procedures. The Department may request supplemental documentation or clarification as necessary.

Upon a determination by the Department that a submission is complete, is commercially practicable, and is consistent with these procedures, the Department will notify U.S. Customs and Border Protection (CBP) of its determinations, the effective date that tariff adjustments will begin, and of the quantity of Qualifying Imports that is eligible for the tariff adjustment each quarter. The Department will provide CBP with the importer authorized by the Department to access this adjustment, including importer name and importer of record number. Once the Department notifies CBP that a Qualified Company is eligible for a tariff adjustment, the Qualified Company may through its designated importer of record begin importing Qualifying Imports subject to an additional tariff of 25% under Proclamation 9704, as amended, or Proclamation 9705, as amended, subject to the quarterly quantitative limit established by the Department.

As outlined in Section III.6, the applicant shall provide the Department with updates on a quarterly basis for each project, including whether milestones have been met. The Department may, at its discretion, request access to supporting documentation including the applicant's relevant books and records to ensure compliance and evaluate progress towards milestones.

If any developments impact or are reasonably expected to impact the Qualified Company's ability to meet milestones, the Qualified Company must promptly inform the Department, in the quarterly report outlined above.

IV. Documentation to be Provided After Approval

Once a Qualified Company's application is approved and the Qualified Company begins to enter Qualified Imports eligible for tariff adjustments, the Qualified Company must provide the following information to the Department on a quarterly basis:

1. For steel:
    a. A letter, certified by the Qualified Company's Chief Financial Officer, General Counsel, or an equivalent-level of senior officer, summarizing the total shipments, volume, and value of Qualified Imports entered during the quarter and the location of the facilities producing the Qualified Imports claiming tariff adjustment.
    b. An Excel spreadsheet and/or certified .pdf with detailed information on all shipments of Qualified Imports claiming tariff adjustment. Each listed shipment of Qualified Imports should include the country of origin, volume, value, HTSUS classification, and entry number with accompanying mill test certificates which state the country and facility of melt and pour and for each listed heat number.
2. For aluminum:

a. A letter, certified by the Qualified Company's Chief Financial Officer, General Counsel, or an equivalent-level of senior officer, summarizing the total shipments, volume, and value of Qualified Imports entered during the quarter and the location of the facilities producing the Qualified Imports.
b. An Excel spreadsheet and certified .pdf with detailed information on all shipments of Qualified Imports claiming tariff adjustment. Each listed shipment of Qualified Imports should include the country and facility of smelt, the country and facility of most recent cast, the country of origin, the value and volume of the article of aluminum, products, HTSUS classification, and a customs entry number for the import.

Qualified Companies must provide this information to the Department on a quarterly basis. A failure to provide the information in this Section will be considered a failure to substantially meet the milestones.

V. Consequences for Substantial Noncompliance with Milestones

If the Department determines that a Qualified Company has not substantially met the milestones set forth in its commitments, the Department will inform CBP that the Qualified Company is no longer eligible to receive quarterly tariff adjustments. If the Qualified Company returns to substantially meeting with the milestones, it shall inform the Department and – if the Department concurs – the Department will promptly inform CBP that the Qualified Company again may receive quarterly tariff adjustments and that Qualified Imports entered during the period after the Department halted quarterly tariff adjustments are retroactively eligible for such adjustments.

If the Department determines that a Qualified Company has failed to substantially meet its Qualifying Commitment, the Department will promptly inform CBP that previous entries of Qualifying Imports must be, as appropriate, either liquidated or reliquidated as no longer eligible for the tariff adjustment and subject to all applicable tariffs.

VI. Confidential Business Information

Submissions containing confidential business information must be clearly marked as such.

VII. Authority

This notice is issued pursuant to the authority delegated to the Secretary by Proclamation 10984 consistent with section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862).

VIII. Amendment to the Harmonized Tariff Schedule of the United States (HTSUS)

Proclamation 10984 authorized the Secretary, in consultation with the Chair of the United States International Trade Commission and CBP, to determine the modifications necessary to the HTSUS to effectuate that proclamation and to make such modifications to the HTSUS through notice in the *Federal Register*. Accordingly, the HTSUS is modified as provided for in the Annex to this Notice.

IX. Paperwork Reduction Act

A Federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with an information collection subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) unless the information collection has a currently valid OMB Control Number. The approved OMB Control

Number for this information collection is 0625-028X. Without this approval, we could not conduct this information collection. Public reporting for this information collection is estimated to be approximately 60 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information collection. All responses to this information collection are voluntary. Send comments regarding this burden estimate or any other aspect of this information collection, including suggestions for reducing this burden to the International Trade Administration Paperwork Reduction Act Program: pra@trade.gov.

William Kimmitt,

Under Secretary for International Trade,

United States Department of Commerce

Annex

Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER], subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (HTSUS) is modified as follows:

1. U.S. note 16 is modified by adding the following new subdivision (w):

   "(w) Heading 9903.82.01 applies to iron or steel products described in this subdivision, upon approval from the Secretary of Commerce. Pursuant to Proclamation 10984 of October 17, 2025 (90 FR 48451), the Secretary of Commerce is authorized to reduce tariffs owed under Proclamation 9705, as amended, for steel producers that operate production facilities in Canada or Mexico and supply United States automobile or medium- and heavy-duty vehicle manufacturers. Such adjustments are limited to quantities of steel equal to newly committed United States production capacity, as determined by the Secretary of Commerce.

   The Secretary of Commerce has established a process for approving proposals from such steel producers that are eligible to use heading 9903.82.01 and enter certain iron or steel products at the rate provided therein.

   Entry under heading 9903.82.01 is limited to imports of iron or steel subject to Proclamation 9705 as amended, that qualify for preferential tariff treatment under the United States-Mexico-Canada Agreement (USMCA) and that were melted and poured in Canada or Mexico.

   Any importer entering an iron or steel product covered by this note under heading 9903.82.01 shall provide any information that may be required, and in such form, as is deemed necessary by U.S. Customs and Border Protection ("CBP") in order to permit the administration of this heading.

   Goods for which entry is claimed under a provision of chapter 98 and which are subject to the additional duties prescribed herein shall be eligible for and subject to the terms of such provision and applicable CBP regulations, except that duties under subheading 9802.00.60 shall be assessed based upon the full value of the imported article. No claim for entry or for any duty exemption or reduction shall be allowed for iron or steel products described in this subdivision under a provision of chapter 99 that may set forth a lower rate of duty or provide duty-free treatment, taking into account information supplied by CBP, but any additional duty prescribed in any provision of this subchapter or subchapter IV of chapter 99 shall be imposed in addition to the duty in heading 9903.82.01. All antidumping, countervailing, or other duties and charges applicable to such goods shall continue to be imposed in addition to the duty in heading 9903.82.01.

2. U.S. note 19 is modified by adding the following new subdivision (u):

   "(u) Heading 9903.85.73 applies to aluminum products described in this subdivision, upon approval from the Secretary of Commerce. Pursuant to Proclamation 10984 of October 17, 2025 (90 FR 48451), the Secretary of Commerce is authorized to reduce tariffs owed under Proclamation 9704, as amended, for aluminum producers that operate production facilities in Canada or Mexico and supply United States automobile or medium- and heavy-duty vehicle manufacturers. Such adjustments are limited to quantities of aluminum equal to newly committed United States production capacity, as determined by the Secretary of Commerce.

   The Secretary of Commerce has established a process for approving proposals from such aluminum producers that are eligible to use heading 9903.85.73 and enter certain aluminum products at the rate provided therein.

   Any importer entering an aluminum product covered by this note under heading 9903.85.73 shall provide any information that may be required, and in such form, as is deemed necessary by U.S. Customs and Border Protection ("CBP") in order to permit the administration of this heading.

   Entry under heading 9903.85.73 is limited to aluminum products subject to Proclamation 9704 as amended, that qualify for preferential tariff treatment under the United States-Mexico-Canada Agreement (USMCA) and that were smelted and cast in Canada or Mexico.

   Goods for which entry is claimed under a provision of chapter 98 and which are subject to the additional duties prescribed herein shall be eligible for and subject to the terms of such provision and applicable CBP regulations, except that duties under subheading 9802.00.60 shall be assessed based upon the full value of the imported article. No claim for entry or for any duty exemption or reduction shall be allowed for aluminum products described in this subdivision under a provision of chapter 99 that may set forth a lower rate of duty or provide duty-free treatment, taking into account information supplied by CBP, but any additional duty prescribed in any provision of this subchapter or subchapter IV of chapter 99 shall be imposed in addition to the duty in heading 9903.85.73. All antidumping, countervailing, or other duties and charges applicable to such goods shall continue to be imposed in addition to the duty in heading 9903.85.73.

3. Subdivision (aa)(v)(a) of U.S. note 2 is modified by deleting "9903.81.94 and 9903.81.95" and inserting "9903.81.94, 9903.81.95 and 9903.82.01" in lieu thereof.

4. Subdivision (aa)(v)(c) of U.S. note 2 is modified by deleting "9903.85.02 and 9903.85.12" and inserting "s 9903.85.02, 9903.85.12 and 9903.85.73" in lieu thereof.

5. Subdivision (i) of U.S. note 16 is modified by deleting “Except as provided in heading 9903.96.02, 9903.02.76, and 9903.02.81” and inserting “Except as provided in headings 9903.96.02, 9903.02.76, 9903.02.81 and 9903.82.01” in lieu thereof.

6. Subdivision (f) of U.S. note 19 is modified by deleting “Except as provided in heading 9903.96.02, 9903.02.76, and 9903.02.81” and inserting Except as provided in headings 9903.96.02, 9903.02.76, 9903.02.81 and 9903.85.73” in lieu thereof.

7. U.S. note 33 modified by:

   a. deleting “the additional duties imposed on entries of iron or steel products under headings 9903.81.87, 9903.81.88, 9903.81.94 and 9903.81.95” in each place it appears and inserting “the additional duties imposed on entries of iron or steel products under headings 9903.81.87, 9903.81.88, 9903.81.94, 9903.81.95 and 9903.82.01” in lieu thereof.
   b. deleting “the additional duties imposed on entries of products of aluminum under headings 9903.85.02 and 9903.85.12” in each place it appears and inserting “the additional duties imposed on entries of products of aluminum under headings 9903.85.02, 9903.85.12 and 9903.85.73” in lieu thereof.

8. U.S. note 38 is modified by:
   a. deleting “the additional duties imposed on entries of iron or steel products under headings 9903.81.87, 9903.81.88, 9903.81.94 and 9903.81.95” in each place it appears and inserting “the additional duties imposed on entries of iron or steel products under headings 9903.81.87, 9903.81.88, 9903.81.94, 9903.81.95 and 9903.82.01” in lieu thereof.
   b. deleting “the additional duties imposed on entries of products of aluminum under headings 9903.85.02 and 9903.85.12” in each place it appears and inserting “the additional duties imposed on entries of products of aluminum under headings 9903.85.02, 9903.85.12 and 9903.85.73” in lieu thereof.

9. Subdivision (a) of U.S. note 39 is modified by:
   a. deleting “iron or steel products under headings 9903.81.87, 9903.81.88, 9903.81.94 and 9903.81.95” and inserting “iron or steel products under headings 9903.81.87, 9903.81.88, 9903.81.94, 9903.81.95 and 9903.82.01” in lieu thereof.
   b. deleting “products of aluminum under headings 9903.85.02 and 9903.85.12” and inserting “products of aluminum under headings 9903.85.02, 9903.85.12 and 9903.85.73” in lieu thereof.

10. Heading 9903.81.87 is modified by inserting “and except as provided in heading 9903.82.01,” in the article description after “9903.81.90 or 9903.81.91,”.

11. Heading 9903.85.02 is modified by deleting “9903.85.67 or 9903.85.69” from the article description and inserting “9903.85.67, 9903.85.69, or 9903.85.73” in lieu thereof.

12. The following new headings are inserted in numerical sequence, with the material in each new heading inserted in the columns of the HTSUS labeled “Heading/Subheading”, “Article Description”, “Rates of Duty 1-General”, “Rates of Duty 1-Special” and “Rates of Duty 2”, respectively:

Heading / Subheading	**Article Description**	**Rates of Duty**		
		1		**2**
		General	**Special**	
“9903.82.01	Certain iron or steel products, as provided for in subdivision (w) of U.S. note 16 to this subchapter…	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%
9903.85.73	Certain aluminum products, as provided for in subdivision (u) of U.S. note 19 to this subchapter…	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%”