

DEPARTMENT OF COMMERCE**International Trade Administration****Proposed Agreement Concerning Trade in Certain Steel Products From the Russian Federation**

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of proposed agreement.

SUMMARY: The United States has initialed a proposed Agreement regarding imports of certain steel products from the Russian Federation to the United States. A Notice of Public Hearing regarding the possible imposition of import restrictions consistent with this proposed Agreement was published on February 23, 1999 (64 FR 9049).

FOR FURTHER INFORMATION CONTACT: Edward Yang, Director Office IX, AD/CVD Enforcement Group III, Import Administration, International Trade Administration, Department of Commerce, at (202) 482-0406.

SUPPLEMENTARY INFORMATION: On June 1, 1990, pursuant to Title IV of the Trade Act of 1974 (the Trade Act), the Governments of the United States of America and the Union of Soviet Socialist Republics entered into the Agreement on Trade Relations Between the United States of America and the Union of Soviet Socialist Republics. On June 17, 1992, that agreement (the 1992 Agreement) became effective between the United States and the Russian Federation. Article XI of the 1992 Agreement provides that the Parties will consult with a view toward finding means of remedying or preventing actual or threatened market disruption, and it authorizes the Parties to take action, including the imposition of import restrictions, to achieve this goal.

In February 1999, the United States Department of Commerce and the Ministry of Trade of the Russian Federation entered into negotiations and consultations pursuant to Article XI of the Agreement on Trade Between the United States of America and the Russian Federation. The Parties mutually agree that the conditions of Article XI have been met with respect to U.S. imports of certain steel products from Russia.

In the initialed Agreement, Russia would establish export limits and the United States would establish import restrictions on Russian exports to the United States of the following 16 steel products:

1. Certain Cold-Rolled Carbon Steel Quality Products

2. Semifinished Steel Products
3. Galvanized Sheet Products
4. Other Metallic Coated Flat Rolled Products
5. Certain Tin Mill Products
6. Electrical Sheet Products
7. Heavy Structural Shapes
8. Rails
9. Hot-Rolled Bars
10. Cold Finished Bars
11. Pipe and Tube Products
12. Wire Rod Products
13. Tool Steel
14. Drawn Wire Products
15. Hot-Rolled Stainless and Alloy Sheet, Strip, and Plate
16. Pig Iron

Each category of steel would have a separate export limit. In addition to the issuance of export licenses by the Ministry of Trade of the Russian Federation, and consistent with the requests of the Russian officials, the United States would establish a border enforcement mechanism to ensure compliance with the export limits. The border mechanism will be in the form of denial of entry for any shipment of steel, covered by the categories listed above, which exceeds the limits or lacks the required documents.

On February 23, 1999, the Department published in the **Federal Register** (64 FR 9049) a Notice of Public Hearing pursuant to section 125(f) of the Trade Act of 1974 (19 U.S.C. 2135 (f)). The purpose of that hearing will be to provide interested parties with an opportunity to present their views on the United States' proposed imposition of import restrictions, consistent with its rights under the 1992 Agreement and with the mechanisms contemplated in the initialed Agreement.

The Department is hereby publishing as Annex I to this notice the Proposed Agreement Concerning Trade in Certain Steel Products From the Russian Federation. For convenience, the Department has also posted this initialed Agreement on its Import Administration website (http://www.ita.doc.gov/import___admin/records).

Dated: February 24, 1999.

Holly A. Kuga,

Acting Assistant Secretary for Import Administration.

Agreement Concerning Trade in Certain Steel Products From the Russian Federation

Initialed: February 22, 1999.

For the purpose of encouraging free and fair trade in Certain Steel Products (as defined in this Agreement) to establish more normal market relations, and to allow continued market access;

Considering the principles and provisions of the Agreement on Trade Relations

Between the United States of America and the Russian Federation ("Russia"), which was signed on June 1, 1990, (the "1990 Agreement");

Desiring to provide for the application of Article XI of the 1990 Agreement to exports from Russia to the United States of Certain Steel Products in a mutually agreed manner;

In pursuance of the Parties' rights and obligations contained in the 1992 Agreement;

The United States, by the U.S. Department of Commerce ("DOC"), and the Russian Federation, by the Ministry of Trade of the Russian Federation ("MOT") agree as follows:

I. Definitions

For purposes of this Agreement, the following definitions apply.

A. "Apparent U.S. Domestic Consumption" means apparent U.S. domestic consumption determined using statistics of the U.S. Census Bureau regarding imports and exports, and data from the American Iron & Steel Institute regarding domestic shipments, based on the methodology described in Appendix D of this Agreement.

B. "Certain Steel Products" means the following products, described in detail in Appendix A and not subject to antidumping suspension agreements.

Cold-Rolled Steel Products
Semifinished Steel Products
Galvanized Sheet Products
Other Metallic Coated Flat-Rolled Products
Certain Tin Mill Products
Electrical Sheet Products
Heavy Structural Shapes
Rails
Hot-Rolled Bars
Cold-Finished Bars
Pipe and Tube Products
Wire Rod Products
Tool Steel
Hot-Rolled Steel Stainless and Alloy Products
Drawn Wire Products
Pig Iron

C. "Date of Export" of entries of Certain Steel Products to the United States shall be the date on which MOT issued the Export License.

D. "Date of Sale" means the date on which price and quantity become firm, e.g., the date the contract is signed or the specification date if the price and quantity become firm on that date, as reflected in Russian producers' records kept in the ordinary course of business.

E. "Effective Date" of this Agreement means Signature Date.

F. "Export License" is the document issued by MOT which serves as both an export limit certificate and a certificate of origin. Temporary documents issued by MOT during the first 120 days after the Effective Date in the form of mill certificates with official MOT stamps and signatures shall constitute Export Licenses for the purposes of this Agreement.

G. "Export Limit Period" means one of the following periods:

First Export Limit Period—The First Export Limit Period begins on February 22, 1999 and ends on December 31, 1999, and the Export Limit for the first period will be pro-rated

from the annual limits provided for each product category in II.B.1.

Subsequent Export Limit Periods—Each subsequent year, the first of which will begin on January 1, 2000 and end on December 31, 2000

H. "Indirect Exports" means exports of Certain Steel Products from Russia to the United States through one or more third countries, including Certain Steel Products that are subject to minor processing in such third countries.

I. "Minor processing" means processing that does not result in a substantial transformation or a change in the country of origin of the product that is processed. What constitutes minor processing may vary by product. An illustrative list follows:

Flat-Rolled Products: painting; slitting; beveling/edge finishing; pickling and oiling; annealing/heat treating; surface finishing; temper rolling/temper leveling.

Pipe and Tube Products: end finish; drawing; galvanizing.

Semifinished Products: milling; scarfing; grinding.

Rails: cutting; heat treating; controlled cooling.

Structural Products: cutting to length; end milling; drilling; punching.

Wire Rod: chemical cleaning; mechanical descaling.

Hot-Rolled Bars: pickling; oiling; phosphating.

Pipes: end finishing (i.e., threading and coupling); galvanizing; painting; cold working.

Tool Steel: since based on chemistry and covers products in a variety of forms (e.g., flat-rolled sheet, bars, rods, etc.), no processing other than making the product into a specific article classified outside of Chapter 72 of the HTS would result in non-inclusion.

Drawn Wire: coating (e.g., aluminum); cladding (e.g., copper); annealing.

Cold-Finished Bars: annealing; grinding.

J. "United States" means the customs territory of the United States of America (the 50 States, the District of Columbia, and Puerto Rico) and foreign trade zones located within the territory of the United States.

K. "U.S. purchaser" means the first purchaser in the United States that is not affiliated with the Russian exporter, and all subsequent purchasers, from trading companies to consumers.

II. Market Disruption

A. Actual and prospective imports of Certain Steel Products from Russia are threatening to cause or significantly contribute to market disruption in the United States, so as to be a significant cause of threat of material injury to the United States domestic industry within the meaning of Article XI of the 1990 Agreement.

B. In order to remedy this threat of market disruption, MOT shall ensure that direct and indirect exports of Certain Steel Products from Russia to the United States do not exceed the following export limits.

1. The export limits for the first Export Limit Period are as follows:

Product	Quantity (in metric tons)
Cold-Rolled Steel Products ..	520,000
Semifinished Steel Products	385,000
Galvanized Sheet Products (of which, 60,000 hot- dipped 5,000 electrogalvanized)	65,000
Other Metallic Coated Flat- Rolled Products	1,552
Certain Tin Mill Products	5,000
Electrical Sheet Products	14,337
Heavy Structural Shapes	65,000
Rails	2,350
Hot-Rolled Bars (hot-rolled bars, reinforcing bars, light shapes)	20,000
Cold-Finished Bars	11,349
Pipe and Tube Products	3,000
Wire Rod Products	15,000
Tool Steel	800
Hot-Rolled Steel Stainless and Alloy Products	1,000
Drawn Wire Products	250
Pig Iron	575,000

These annual export limits shall be prorated for that proportion of 1999 remaining on the Date of initialing, February 22, 1999.

2. The export limit for each Subsequent Export Limit Period shall be determined by making the following adjustments:

(a) first, the export limit for the previous Export Limit Period, shall be increased by three per cent of that export limit;

(b) second, the number obtained under paragraph (a) shall be increased or decreased by the result of multiplying the export limit for the previous Export Limit Period by the percent change (up to three percent) in Apparent U.S. Domestic Consumption of Certain Steel Products during the most recent 12 months for which data is available at the time the Department of Commerce ("DOC") makes this calculation, compared to the previous 12 months (as described in Appendix D).

3. DOC shall determine export limits for each Subsequent Export Limit Period no later than 60 days prior to the beginning of that Export limit Period. DOC will provide MOT with the worksheets supporting its Export Limit calculation.

C. When Certain Steel Products are imported into the United States and are subsequently re-exported, or re-packaged and re-exported, or further processed and re-exported (provided that they remain within the scope of the same product category covered by this Agreement), the amount re-exported shall be deducted from the amount of exports that have been counted against the export limit for the Export Limit Period in which the re-export takes place. The deduction will be applied only after DOC has received, and has had the opportunity to verify, evidence demonstrating the original importation, any repackaging or further processing, and subsequent exportation.

D. MOT will not issue Export Licenses authorizing the exportation to the United States of Certain Steel Products covered by this Agreement in any half of any Export Limit Period that exceed 60 percent of the export limit for that Export Limit Period.

E. Notwithstanding any other provision of this Agreement, up to 15 per cent of the export limit for any Certain Steel Product in any Export Limit Period may be "carried over" to the Subsequent Export Limit Period and up to 15 per cent of the export limit for any Certain Steel Product for any Export Limit Period may be "carried back" to the last 60 days of the previous Export Limit Period.

III. Implementation

A. In order to remedy the threat of market disruption described in Section II.A, and acting in pursuance of its rights under the 1990 Agreement, MOT shall issue an original stamped Export License¹ for each entry into the United States of Certain Steel Products covered by this Agreement. Export Licenses shall contain, for each grade of Certain Steel Products covered by the license, the quantity in metric tons, dimensions (gauge, width, and length (for products bound in coils, length where appropriate)) unit price, and F.O.B. sales value. If necessary, additional information may be included on the Export License or a separate page attached to the Export License.

B. The U.S. Customs Service will be directed to deny entry to any imports of Certain Steel Products from Russia in excess of the export limits in this Agreement, or which otherwise fail to comply with the requirements of this Agreement (e.g., imports of Certain Steel Products unaccompanied by an Export License). The Customs Service shall require the presentation of an original stamped Export License as a condition for entry into the United States of Certain Steel Products covered by this Agreement, except where there are multiple shipments under a single license. For multiple shipments at multiple ports, the original license shall be presented at each port and deductions made upon that original license for individual entries at each Port. For multiple entries at one port, the original license will be presented and deductions made for the first entry drawn from that license. Subsequent entries at that port can be made from copies of the original license which reflect all of the deductions made from the original license.

C. DOC will monitor the levels of imports of Certain Steel Products from Russia and deduct the quantity listed on each Export License from the export limit for the Export Limit Period in which the Date of Export falls, except as provided in Paragraph II.E.

D. MOT will ensure compliance with all of the provisions of this Agreement. In order to ensure such compliance, MOT will take at least the following measures:

1. Ensure that no Certain Steel Products subject to this Agreement are exported directly or indirectly from Russia to the United States during any Export Limit Period that exceed the export limit for that Export Limit Period.

2. Establish an export limit licensing and enforcement program for all direct and Indirect Exports of Certain Steel Products from Russia to the United States no later than 120 days after the Effective Date.

¹ The validity of an Export License will not be affected by a subsequent change of HTS number.

3. Require that applications for Export Licenses be accompanied by a report specifying the identity of the original exporter and importer, the U.S. purchaser, if known, the original date of export and entry into the United States, if known, the quantity expressed in metric tons, and a complete description of the Certain Steel Products.

4. Refuse to issue an Export License to any applicant that does not permit full verification and reporting under this Agreement of all of the information in the application.

5. Issue Export Licenses sequentially, endorsed against the export limit for the relevant Export Limit Period, and reference any notice of export limit allocation results for the relevant Export Limit Period. Export Licenses shall remain valid for six months, unless DOC and MOT agree to an extension of their validity in extraordinary circumstances.

6. Issue Export Licenses in the English language and, at the discretion of MOT, also in the Russian language.

7. Issue Export Licenses no earlier than 90 days before the day on which the Certain Steel Products are accepted by a transportation company, as indicated in the bill of lading or a comparable transportation document, for export.

8. Require all Russian producers and exporters of Certain Steel Products to furnish to MOT, as a condition of obtaining Export Licenses under this Agreement, the information in Appendix C and a letter in the form set forth in Appendix E.

9. Ensure compliance with all procedures established in order to effectuate this Agreement by any official Russian institution, chamber, or other authorized Russian entity, and any Russian producer, exporter, broker, and trader of the Certain Steel Products, their affiliated parties, and any trading company or reseller utilized by a Russian producer to make sales to the United States.

10. Impose strict measures, such as prohibition from obtaining Export Licenses under this Agreement, in the event that any Russian entity does not comply in full with the requirements established by MOT pursuant to this Agreement.

11. Permit DOC to verify, on an annual basis, that the export limits in this Agreement have not been exceeded, that MOT is collecting all of the information it is required to collect under Paragraph IV.A of this Agreement, and that MOT is ensuring the collection of all information that it is required to ensure is collected under this Agreement.

IV. Monitoring and Notifications

A. MOT will collect, maintain, and provide to DOC such information as is necessary and appropriate to ensure that exports of Certain Steel Products from Russia to the United States do not exceed the export limits in this Agreement, including the following:

1. The information in Appendix B.

2. Notice of any non-implementation of any provisions of this Agreement that come to its attention and of the measures taken with respect to such non-implementation.

3. Such additional information as DOC and MOT agree, after consultations, is required.

B. MOT shall ensure that each Russian producer and exporter of Certain Steel Products shall collect and maintain, for each Certain Steel Product exported to the United States, the basic company-specific information on factors of production and U.S. sales prices described in Appendix C. In the event that Russia is determined to be a market economy for purposes of the U.S. antidumping law, these reporting requirements shall be adjusted to reflect this change. MOT shall provide this information to DOC upon request.

C. DOC shall provide MOT with the following information relating to the implementation and enforcement of this Agreement.

1. Semi-annual reports, within 120 days after the end of each semi-annual period, indicating the volume of U.S. imports of Certain Steel Products subject to this Agreement, together with such additional information as is necessary and appropriate to monitor compliance with the export limit levels.

2. Notice of any non-implementation of any term of this Agreement.

V. Consultations

A. MOT and DOC shall hold consultations each year on the anniversary date of this Agreement concerning the implementation, operation, and enforcement of the licensing program established by MOT, and the export limits established by this Agreement.

B. Additional consultations may be held at any other time upon the request of either MOT or DOC.

C. If DOC receives information indicating that any provision of this Agreement is not being implemented, DOC shall promptly request emergency consultations with MOT. Such consultations shall begin no later than 21 days after the day of DOC's request, and must be completed within 40 days after commencement. After completion of the consultations, DOC will provide MOT 20 days within which to provide comments.

VI. Implementation Issues

A. DOC will investigate any information that is brought to its attention indicating that this Agreement is not being fully implemented, both by asking MOT to investigate such allegations and by itself gathering relevant information. If DOC informs MOT of such information and requests MOT to supply information relevant to the potential non-implementation, MOT will supply DOC with the requested information within 30 days. After receiving the information from MOT, DOC will consider whether the Agreement is being fully implemented. If DOC preliminarily determines that the Agreement is not being fully implemented, it will notify MOT of its determination and provide MOT with an opportunity to engage in consultations within 15 days after MOT receives the notification of DOC's preliminary determination. DOC will make a final determination as to whether the Agreement is being fully implemented within 30 days after these consultations have been completed.

B. If DOC finally determines that this Agreement is not being fully implemented,

DOC may take any appropriate action authorized under U.S. law, which may include either or both of the following:

1. DOC may require MOT to furnish to DOC, within 14 days, the complete information described in Appendix C of this Agreement.

2. DOC may self-initiate an antidumping investigation of any Certain Steel Product from Russia for which imports into the United States have exceeded the export limits in this Agreement on an accelerated basis. If DOC self-initiates such an accelerated investigation, the information maintained pursuant to Appendix C and furnished to DOC shall constitute the complete questionnaire responses of the Russian producers and exporters in that investigation. To the extent that this information is an insufficient basis for determining dumping margins, DOC may base its determination upon the facts available, which may be adverse to the interests of the Russian producers and exporters.

VII. Antidumping or Countervailing Duty Petitions

If DOC initiates an antidumping or countervailing duty investigation of any Certain Steel Products from Russia pursuant to a petition filed by the U.S. domestic industry (as opposed to a self-initiated investigation), this Agreement shall remain in force with respect to those products. In that case, however, DOC will, using the information maintained pursuant to Appendix C and supplied to DOC by MOT, as the Russian producers' questionnaire responses, conduct the investigation on an accelerated basis, including the preliminary determination and, where appropriate under U.S. law, any suspension agreement negotiations. Any measure imposed on a Certain Steel Product pursuant to the U.S. antidumping or countervailing duty law shall substitute for the measure applied to that product under this Agreement.

VIII. Duration

A. This Agreement will enter into force on the date of signature and remain in force for five years.

B. DOC or MOT may terminate this Agreement at any time upon written notice to the other party. Termination shall be effective 60 days after such notice is given.

IX. Other Provisions

A. The consultations and negotiations that led to the conclusion of this Agreement shall constitute the consultations provided for in Articles XI.1 and XI.2 of the 1990 Agreement. These consultations and negotiations have provided Russia with the transparency and opportunity to submit its views provided for in Article XI.7 of the 1990 Agreement.

B. The English and Russian language versions of this Agreement shall be authentic, with the English version being controlling.

C. For all purposes hereunder, the signatory Parties shall be represented by, and all communications and notices shall be given and addressed to:

DOC: Assistant Secretary for Import Administration, International Trade

Administration, U.S. Department of Commerce, Washington, D.C. 20230, U.S.A.

MOT: Department for State Regulation, of External Economic Activities, Ministry of Trade of the Russian Federation, 18/1 Ovchinnikovskaya naberezhnaya, Moscow 113324, Russia.

Signed on this ____th day of _____, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration, U.S. Department of Commerce.

Roald Piskoppel,

Deputy Minister, Ministry of Trade of the Russian Federation.

Appendix A

For purposes of this Agreement, Certain Steel Products are defined as the following 16 products:

For purposes of this agreement, Hot-Rolled Steel Stainless and Alloy Products are defined as the following:

Certain stainless and other alloy hot-rolled flat-rolled steel products of a rectangular shape, neither clad, plated, nor coated with metal and whether or not painted, varnished, or coated with plastics or other non-metallic substances and in the following forms: in coils (whether or not in successively superimposed layers) with a width of 0.5 inch or greater, regardless of thickness; in straight lengths with a thickness less than 4.75 mm and of a width measuring at least 10 times the thickness; and 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.

Specifically excluded from this scope are all products which are included in the scope definitions of the *Agreement Suspending the Antidumping Duty Investigation on Certain Hot-Rolled Flat-Rolled Carbon-Quality Steel Products from the Russian Federation and the Agreement Suspending the Antidumping Duty Investigation on Certain Cut-to-Length Carbon Steel Plate from the Russian Federation*. Specifically excluded are vacuum degassed, fully stabilized (commonly referred to as interstitial-free ("IF")) steels, high strength low alloy ("HSLA") steels, and the substrate for motor lamination steels. 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. The substrate for motor lamination steels contains micro-alloying levels of elements such as silicon and aluminum.

Steel products to be excluded in the scope of this investigation, regardless of HTSUS definitions, 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 exceed the quantity, by weight, respectively indicated:

1.80 percent of manganese, or
1.50 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
0.012 percent of boron, or
0.10 percent of molybdenum, or
0.10 percent of niobium, or
0.41 percent of titanium, 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 levels listed above, are outside the scope of this agreement unless otherwise included. The following products, by way of example, are included in the scope of this agreement:

- II. Alloy hot-rolled steel products in which at least one of the chemical elements exceeds those listed above (including e.g., ASTM specifications A543, A387, A514, A517, and A506).
- III. SAE/AISI grades of series 2300 and higher.
- IV. Ball bearing steels, as defined in the HTSUS.
- V. Tool steels, as defined in the HTSUS.
- VI. Silico-manganese (as defined in the HTSUS) or silicon electrical steel with a silicon level exceeding 1.50 percent.
- VII. ASTM specifications A710 and A736.
- VIII. USS abrasion-resistant steels (USS AR 400, USS AR 500).
- IX. Hot-rolled steel coil which meets the following chemical, physical and mechanical specifications:

C	Mn	P	S	Si	Cr	Cu	Ni
0.10–0.14%	0.90% Max	0.025% Max	0.005% Max	0.30–0.50%	0.50–0.70%	0.20–0.40%	0.20% Max

Width = 44.80 inches maximum; Thickness = 0.063–0.198 inches; Yield Strength = 50,000 ksi minimum; Tensile Strength = 70,000–88,000 psi.

X. Hot-rolled steel coil which meets the following chemical, physical and mechanical specifications:

C	Mn	P	S	Si	Cr	Cu	Ni
0.10–0.16%	0.70–0.90%	0.025% Max	0.006% Max	0.30–0.50%	0.50–0.70%	0.25% Max	0.20% Max

Mo							
0.21% Max							

Width = 44.80 inches maximum; Thickness = 0.350 inches maximum; Yield Strength = 80,000 ksi minimum; Tensile Strength = 105,000 psi Aim.

XI. Hot-rolled steel coil which meets the following chemical, physical and mechanical specifications:

C	Mn	P	S	Si	Cr	Cu	Ni
0.10–0.14%	1.30–1.80%	0.025%, Max	0.005%, Max	0.30–0.5%	0.50–0.70%	0.20–0.40%	0.20%, Max

V(wt.)	Cb						
0.10, Max	0.08% Max						

Width = 44.80 inches maximum; Thickness = 0.350 inches maximum; Yield Strength =

80,000 ksi minimum; Tensile Strength = 105,000 psi Aim.

XII. Hot-rolled steel coil which meets the following chemical, physical and mechanical specifications:

C	Mn	P	S	Si	Cr	Cu	Ni
0.15%, Max	1.40%, Max	0.025%, Max	0.010%, Max	0.50%, Max	1.00%, Max	0.50%, Max	0.20%, Max
Nb	Ca	Al					
0.005%, Min	Treated	0.01–0.07%					

Width = 39.37 inches; Thickness = 0.181 inches maximum; Yield Strength = 70,000 psi minimum for thicknesses ≤ 0.148 inches and 65,000 psi minimum for thicknesses >0.148 inches; Tensile Strength = 80,000 psi minimum.

XIII. Hot-rolled dual phase steel, phase-hardened, primarily with a ferritic-martensitic microstructure, contains 0.9 percent up to and including 1.5 percent silicon by weight, further characterized by either (i) tensile strength between 540 N/mm² and 640 N/mm² and an elongation percentage ≤26 percent for thicknesses of 2 mm and above, or (ii) a tensile strength between 590 N/mm² and 690 N/mm² and an elongation percentage ≤25 percent for thicknesses of 2mm and above.

Hot-rolled bearing quality steel, SAE grade 1050, in coils, with an inclusion rating of 1.0 maximum per ASTM E 45, Method A, with excellent surface quality and chemistry restrictions as follows: 0.012 percent maximum phosphorus, 0.015 percent maximum sulfur, and 0.20 percent maximum residuals including 0.15 percent maximum chromium.

The merchandise subject to these investigations is classified in the Harmonized Tariff Schedule of the United States ("HTSUS") at subheadings: 7219.11.0030, 7219.11.0060, 7219.12.0005, 7219.12.0020, 7219.12.0025, 7219.12.0050, 7219.12.0055, 7219.12.0065, 7219.12.0070, 7219.12.0080, 7219.13.0030, 7219.13.0050, 7219.13.0070, 7219.13.0080, 7219.14.0030, 7219.14.0065, 7219.14.0090, 7219.21.0005, 7219.21.0020, 7219.21.0040, 7219.21.0060, 7219.22.0005, 7219.22.0015, 7219.22.0020, 7219.22.0025, 7219.22.0035, 7219.22.0040, 7219.22.0045, 7219.22.0070, 7219.22.0075, 7219.22.0080, 7219.23.0030, 7219.23.0060, 7219.24.0030, 7219.24.0060, 7220.11.0000, 7220.12.1000, 7220.12.5000, 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, 7225.11.0000, 7225.19.0000, 7225.20.0000, 7225.30.1000, 7225.30.3005, 7225.30.3050, 7225.30.5030, 7225.30.5060, 7225.30.7000, 7225.40.1015, 7225.40.1090, 7225.40.3005, 7225.40.3050, 7225.40.5030, 7225.40.5060, 7225.40.7000, 7225.99.0010, 7225.99.0090, 7226.11.1000, 7226.11.9030, 7226.11.9060, 7226.19.1000, 7226.19.9000, 7226.20.0000, 7226.91.0500, 7226.91.1530, 7226.91.1560, 7226.91.2530, 7226.91.2560,

7226.91.5000, 7226.91.7000, 7226.91.8000, and 7226.99.0000.

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

Hot-rolled steel is equivalent to AISI categories 31 (hot-rolled sheet), 36 (hot-rolled strip), 6A (cut-to-length plate), and 6B (plate in coils)

For purposes of this agreement, Cold-Rolled Steel Products are defined as the following:

The products covered are certain carbon, stainless and other alloy cold-rolled (cold-reduced) steel flat-rolled products, of rectangular shape, neither clad, plated nor coated with metal, whether or not painted, varnished or coated with plastics or other nonmetallic substances, in coils (whether or not in successively superimposed layers) and of a width of 0.5 inch or greater, or in straight lengths which, if of a thickness less than 4.75 millimeters, are of a width of 0.5 inch or greater and which measures at least 10 times the thickness or if of a thickness of 4.75 millimeters or more are of a width which exceeds 150 millimeters and measures at least twice the thickness. Included in this scope are flat-rolled products of nonrectangular 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.

Included in this scope is certain shadow mask steel, *i.e.*, aluminum-killed, cold-rolled steel coil that is open-coil annealed, has a carbon content of less than 0.002 percent, is of 0.003 to 0.012 inch in thickness, 15 to 30 inches in width, and has an ultra flat, isotropic surface.

The merchandise is classified in the Harmonized Tariff Schedule of the United States ("HTSUS") at subheadings: 7208.18.2510, 7209.15.0000, 7209.16.0030, 7209.16.0060, 7209.16.0090, 7209.17.0030, 7209.17.0060, 7209.17.0090, 7209.18.1530, 7209.18.1560, 7209.18.2510, 7209.18.2550, 7209.18.6000, 7209.25.0000, 7209.26.0000, 7209.27.0000, 7209.28.0000, 7209.90.0000, 7210.70.3000, 7210.90.9000, 7211.23.1500, 7211.23.2000, 7211.23.3000, 7211.23.4500, 7211.23.6030, 7211.23.6060, 7211.23.6075, 7211.23.6085, 7211.29.2030, 7211.29.2090, 7211.29.4500, 7211.29.6030, 7211.29.6080, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 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, 7225.11.0000, 7225.19.0000, 7225.50.6000, 7225.50.7000, 7225.50.8010, 7225.50.8015, 7225.50.8085, 7225.99.0010, 7225.99.0090, 7226.11.1000, 7226.11.9030, 7226.11.9060, 7226.19.1000, 7226.19.9000, 7226.20.0000, 7226.92.1030, 7226.92.1060, 7226.92.3030, 7226.92.3060, 7226.92.5000, 7226.92.7005, 7226.92.7050, 7226.92.8005, 7226.92.8050, 7226.99.0000.

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

For purposes of this agreement, Semifinished Steel Products are defined as the following:

The products covered are 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 Harmonized Tariff Schedule of the United States ("HTSUS") at subheadings: 72.12.00.10, 7207.12.00.50, 7207.20.00.25, 7207.20.00.45, 7224.90.00.45, 7224.90.00.55, 7206.10.0000, 7224.10.0075, 7206.80.0000, 7207.11.0000, 7207.19.0030, 7224.90.0065, 7207.19.0090, 7224.90.0075, 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, 7224.90.0005, 7224.90.0015, 7224.90.0025, and 7224.90.0035.

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).

For purposes of this agreement, 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 agreement is classified in the *Harmonized Tariff Schedule of the United States* ("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 agreement is dispositive.

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

For purposes of this agreement, 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 agreement is classified in the *Harmonized Tariff Schedule of the United States* ("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, 7226.91.5000, 7226.91.7000, 7226.91.8000, and 7226.99.0000.

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

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

For purposes of this agreement, 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 agreement is classified in the *Harmonized Tariff Schedule of the United States* ("HTSUS") at subheadings: 7210.11.0000, 7210.12.0000, 7210.50.0000, and 7212.10.0000.

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

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

For purposes of this agreement, 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 agreement is classified in the *Harmonized Tariff Schedule of the United States* ("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.

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

Electrical Sheet Products reflect AISI category 35 (electrical sheet).

For purposes of this agreement, 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 or cold-rolled, with a height of at least 80 mm. Included are shapes such as U, I, H, and T.

The merchandise subject to this agreement is classified in the *Harmonized Tariff Schedule of the United States* ("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.

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

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

For purposes of this agreement, Rails are defined as the following:

Rails 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 agreement is classified in the *Harmonized Tariff Schedule of the United States* ("HTSUS") at subheadings: 7302.10.1010, 7302.10.1015, 7302.10.1025, 7302.10.1035, 7302.10.1045, 7302.10.1055, and 7302.10.5020.

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

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

For purposes of this agreement, 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:

(1) 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);

(2) angles, shapes, and sections such as U, I, H, L, and T with a height of less than 80 mm.

The merchandise subject to this agreement is classified in the *Harmonized Tariff Schedule of the United States* ("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.

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

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

For purposes of this agreement, 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 agreement is classified in the *Harmonized Tariff Schedule of the United States* ("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.

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

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

For purposes of this agreement, 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 agreement is classified in the *Harmonized Tariff Schedule of the United States* ("HTSUS") at subheadings: 7304, 7305, and 7306.

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

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).

For purposes of this agreement, 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 agreement is classified in the *Harmonized Tariff Schedule of the United States* ("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.

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

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

For purposes of this agreement, Tool Steel is defined as the following:

Steel products, in the form of semifinished steel, flat-rolled products, bars and rods, and wire, meeting the following chemistries:

- (1) more than 1.2 percent of carbon and more than 10.5 percent chromium; or
- (2) not less than 0.3 percent carbon and 1.25 percent or more but less than 10.5 percent chromium; or
- (3) not less than 0.85 percent carbon and 1 percent to 1.8 percent, inclusive, manganese; or
- (4) 0.9 percent to 1.2 percent, inclusive, chromium and 0.9 percent to 1.4 percent, inclusive, molybdenum; or
- (5) not less than 0.5 percent carbon and not less than 3.5 percent molybdenum; or
- (6) not less than 0.5 percent carbon and not less than 5.5 percent tungsten.

The merchandise subject to this agreement is classified in the *Harmonized Tariff Schedule of the United States* ("HTSUS") at subheadings: 7224.10.0045, 7224.90.0015, 7224.90.0025, 7224.90.0035, 7225.20.0000, 7225.30.1000, 7225.30.5030, 7225.30.5060, 7225.40.1015, 7225.40.1090, 7225.40.5030, 7225.40.5060, 7225.50.1030, 7225.50.1060, 7226.20.0000, 7226.91.0500, 7226.91.1530, 7226.91.1560, 7226.91.2530, 7226.91.2560, 7226.92.1030, 7226.92.1060, 7226.92.3030, 7226.92.3060, 7227.10.0000, 7227.90.1030, 7227.90.1060, 7227.90.2030, 7227.90.2060, 7228.10.0010, 7228.10.0030, 7228.10.0060, 7228.30.2000, 7228.30.4000, 7228.30.6000, 7228.50.1010, 7228.50.1020, 7228.50.1040, 7228.50.1060, 7228.50.1080, 7228.60.1030, 7228.60.1060, and 7229.10.0000.

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

Tool Steel is equivalent to AISI category 17 (tool steel).

For purposes of this agreement, Drawn Wire Products are defined as the following:

Cold-drawn products in coil form, of any uniform solid cross section along their whole length, whether of alloy (other than tool steel as defined by the HTSUS) or non-alloy steel.

The merchandise subject to this agreement is classified in the *Harmonized Tariff Schedule of the United States* ("HTSUS") at subheadings: 7217.10.1000, 7217.10.2000, 7217.10.3000, 7217.10.4030, 7217.10.4090, 7217.10.5030, 7217.10.5090, 7217.10.6000, 7217.10.7000, 7217.10.8010, 7217.10.8020, 7217.10.8025, 7217.10.8030, 7217.10.8045, 7217.10.8060, 7217.10.8075, 7217.10.8090, 7217.10.9000, 7217.20.1500, 7217.20.3000, 7217.20.4510, 7217.20.4520, 7217.20.4530, 7217.20.4540, 7217.20.4550, 7217.20.4560, 7217.20.4570, 7217.20.4580, 7217.20.6000, 7217.20.7500, 7217.30.1530, 7217.30.1560, 7217.30.3000, 7217.30.4510, 7217.30.4520, 7217.30.4530, 7217.30.4540, 7217.30.4550, 7217.30.4560, 7217.30.4590, 7217.30.6000, 7217.30.7500, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7223.00.1015, 7223.00.1030, 7223.00.1045, 7223.00.1060, 7223.00.1075, 7223.00.5000, 7223.00.9000, 7229.20.0000, 7229.90.1000, 7229.90.5015, 7229.90.5030, 7229.90.5050, and 7229.90.9000.

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

Drawn Wire Products reflect AISI categories 23 (wire drawn).

For purposes of this agreement, 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 agreement is classified in the *Harmonized Tariff Schedule of the United States* ("HTSUS") at subheadings: 7201.10.0000, 7201.20.0000, 7201.50.3000, and 7201.50.6000.

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

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

Appendix B

In accordance with the established format, MOT shall collect and provide to DOC all information necessary to ensure compliance with this Agreement. This information will be provided to DOC on a semi-annual basis.

MOT will collect and maintain data on exports to the United States on a continuous basis.

MOT will provide a narrative explanation to substantiate all data collected in accordance with the following formats.

MOT will provide all Export Licenses issued to Russian entities, which shall contain the following information with the exception that information requested in item #9, date of entry, item #10, importer of record, item #16, final destination, and item #17, other, may be omitted if unknown to MOT and the licensee.

1. Export License/Temporary Document: Indicate the number(s) relating to each sale and or entry.

2. Complete Description of Merchandise: Include the 10 digit HTS category, the ASTM or equivalent grade, and the width and thickness of merchandise.

3. Quantity: Indicate in metric tons.

4 F.O.B. Sales Value: Indicate value and currency used.

5. Unit Price: Indicate unit price per metric ton and currency used.

6. Date of Sale: The date all essential terms of the order (i.e. price and quantity) become fixed.

7. Sales Order Number(s): Indicate the number(s) relating to each sale and/or entry.

8. Date of Export: Date the Export License/Temporary Document is Issued.

9. Date of Entry: Date the merchandise entered the United States or the date book transfer took place.

10. Importer of Record: Name and address.

11. Trading Company: Name and address of trading company involved in sale.

12. Customer: Name and address of the first unaffiliated party purchasing from the Russian exporter.

13. Customer Relationship: Indicate whether the customer is affiliated or unaffiliated to the Russian exporter.

14. Allocation to Exporter: Indicate the total amount of quota allocated to the individual exporter during the Relevant Period.

15. Allocation Remaining: Indicate the remaining export limit allocation available to the individual exporter during the export limit period.

16. Final Destination: The complete name and address of the U.S. purchaser.

17. Other: The identity of any party(ies) in the transaction chain between the customer and the final destination/U.S. purchaser.

Appendix C

Russian Self-Monitoring Data

MOT and relevant Russian entities will compile and maintain data on a semi-annual basis to achieve the goals of this Agreement. The data will be used for self-monitoring and possible reporting to DOC in connection with

the consultation provisions of this Agreement, a self-initiated antidumping investigation or both. MOT will ensure that data is maintained by the producers of each covered product for both normal values and U.S. sales in a form suitable for analysis consistent with the standards of U.S. antidumping law and regulations. Department officials will coordinate closely with MOT and relevant Russian entities to ensure ongoing data collection and maintenance consistent with these standards.

Categories of Self-Monitoring Data:

- I. Normal Value Data
 - A. Factors of Production
 - B. Product Codes and Characteristics
 - C. Market-Economy Inputs
- II. U.S. Sales Data
 - A. Product Codes and Characteristics
 - B. Individual Sales Data
 - C. Sales Type and Process

Appendix D

For purposes of this Agreement, U.S. Apparent Consumption will be calculated using data provided by the American Iron and Steel Institute and the U.S. Bureau of the Census. For each of the sixteen product categories covered by this Agreement, we will calculate apparent consumption based on the AISI categories specified in the relevant section of Appendix III of this Agreement. The calculation will be made in the following manner:

Apparent Consumption =
 Domestic Shipments
 + Imports
 – Exports

Appendix E

To: Ministry of Trade, Russian Federation

1. We understand that the data being provided to the Ministry of Trade of the Russian Federation may be provided to the U.S. Department of Commerce for use in a self-initiated antidumping duty investigation, pursuant to the Agreement between the Ministry of Trade and the Department of Commerce dated _____, 1999. We further understand that, if such an antidumping duty investigation is self-initiated, it may be conducted on an expedited basis with, a preliminary determination being issued as early as 60 days following initiation.

2. We acknowledge and accept that the data being provided to the Ministry of Trade will be considered to be our complete questionnaire response in such an antidumping investigation. We agree that the Ministry of Trade's requirements for periodic reporting may be considered as requests for information for purposes of any such antidumping duty investigation.

3. Consistent with these understandings, we hereby waive any right provided by U.S.

statutes or regulations to any minimum time period for responding to a questionnaire in such an antidumping duty investigation. We understand and accept that the U.S. Department of Commerce may possibly provide us with one opportunity to supplement this data. In light of our understanding that the investigation will be very accelerated, however, we recognize and accept that any time provided for supplementing the data will be very limited.

4. For all data submissions to the Russian government, we agree that we will identify data which we regard as business proprietary information. We will include with each data submission a statement that the business proprietary information contained therein may be released under an appropriately draw administrative protective order in any antidumping duty investigation in which the data is utilized consistent with our understandings in paragraph 1.

5. We understand that, to the extent the data concerning our factors of production and U.S. sales obtained by the U.S. Department of Commerce pursuant to its Agreement with the Ministry of Trade dated _____, 1999 is an insufficient basis on which to determine any actual margin of dumping, the Department of Commerce will base its determination in the accelerated investigation on the facts available, which may be adverse to our interests.

Appendix F

Section 125 of the Trade Act of 1974, 19 U.S.C. 2135

SEC. 125. TERMINATION AND WITHDRAWAL AUTHORITY

(a) Every trade agreement entered into under this Act shall be subject to termination, in whole or in part, or withdrawal, upon due notice, at the end of a period specified in the agreement. Such period shall be not more than 3 years from the date on which the agreement becomes effective. If the agreement is not terminated or withdrawn from at the end of the period so specified, it shall be subject to termination or withdrawal thereafter upon not more than 6 month's notice.

(b) The President may at any time terminate, in whole or in part, any proclamation made under this Act.

(c) Whenever the United States, acting in pursuance of any of its rights or obligations under any trade agreement entered into pursuant to this Act, section 201 of the Trade Expansion Act of 1962, or section 350 of the Tariff Act of 1930, withdraws, suspends, or modifies any obligation with respect to the trade of any foreign country or instrumentality thereof, 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. No proclamation shall be made under this subsection increasing any existing duty to a rate more than 50 percent above the rate set forth in rate column numbered 2 of the Tariff Schedules of the United States, as in effect on January 1, 1975, or 20 percent ad valorem above the rate existing on January 1, 1975, whichever is higher.

(d) Whenever any foreign country or instrumentality withdraws, suspends, or modifies the application of trade agreement obligations of benefit to the United States without granting adequate compensation therefor, the President, in pursuance of rights granted to the United States under any trade agreement and to the extent necessary to protect United States economic interests (including United States balance of payments), may—

(1) withdraw, suspend, or modify the application of substantially equivalent trade agreement obligations of benefit to such foreign country or instrumentality; and

(2) proclaim under subsection (c) such increased duties or other import restrictions as are appropriate to effect adequate compensation from such foreign country or instrumentality.

(e) Duties or other import restrictions required or appropriate to carry out any trade agreement entered into pursuant to this Act, section 201 of the Trade Expansion Act of 1962, or section 350 of the Tariff Act of 1930 shall not be affected by any termination, in whole or in part, of such agreement or by the withdrawal of the United States from such agreement and shall remain in effect after the date of such termination or withdrawal for 1 year, unless the President by proclamation provides that such rates shall be restored to the level at which they would be but for the agreement. Within 60 days after the date of any such termination or withdrawal, the President shall transmit to the Congress his recommendations as to the appropriate rates of duty for all articles which were affected by the termination or withdrawal or would have been so affected but for the preceding sentence.

(f) Before taking any action pursuant to subsection (b), (c), or (d), the President shall provide for a public hearing during the course of which interested persons shall be given a reasonable opportunity to be present, to produce evidence, and to be heard, unless he determines that such prior hearings will be contrary to the national interest because of the need for expeditious action, in which case he shall provide for a public hearing promptly after such action.

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