



ALERT

MARCH 2018



President Trump Announces Steep Tariffs on Imports of Steel and Aluminum

On March 1, 2018, President Trump announced his intention to impose tariffs of 25 percent on steel imports and 10 percent on aluminum imports. These tariffs may go into effect immediately upon or shortly after signing of the order, which could be as early as this week. The announcement came approximately two weeks after the Secretary of Commerce released reports pursuant to Section 232 of the Trade Expansion Act of 1962 finding that the quantities and circumstances of steel and aluminum imports threaten to impair U.S. national security. President Trump announced harsher tariffs than those recommended in the reports. It is unclear whether the tariffs would apply to all imports or target specific countries.

For U.S. companies that import steel or aluminum subject to the tariffs, the reports recommend an appeal process by which affected U.S. parties can seek an exclusion from the tariffs. Although it is not clear whether President Trump will implement that recommendation and, if so, what the process for seeking such an exclusion would look like, the reports indicate that the Secretary of Commerce could grant exclusions based on: (i) lack of sufficient U.S. production capacity of comparable products; and (ii) specific national security based considerations. The reports also note that the appeal process would include a public comment period on each exclusion request and generally would be completed within 90 days.

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