

## MEMORANDUM FOR THE ADMINISTRATIVE RECORD

**FROM:** Elena Love, 232 Exclusions Program Manager

**DATE:** July 21, 2021

**SUBJECT:** Ex Parte Discussion with Rustavi Steel & America-Georgia Business Council

On July 21, 2021, the following officials from the Department of Commerce: **Matthew Borman**, BIS Deputy Assistant Secretary for Export Administration; **Elena Love**, BIS 232 Exclusions Program Manager; **Christopher Kozak**, BIS 232 Exclusions Process Lead; **Aamina Usman**, BIS 232 Exclusions Process Lead; and **Garret Mitchell**, International Trade Specialist in the ITA Office of Russia, Ukraine, & Eurasia participated in a videoconference with the following representatives of Rustavi Steel and the America-Georgia Business Council: **Nugzar Kachukhashvili**, CEO of Rustavi Steel; **Archil Melikadze**, CFO of Rustavi Steel; **Ambassador Richard Burt**, Managing Partner at McLarty Associates; **Claire Kaizer**, Director at McLarty Associates; **George Tsereteli**, Senior Associate at McLarty Associates; and **Mamuka Tsereteli**, President of the America-Georgia Business Council. The videoconference was arranged by ITA at the request of the America-Georgia Business Council.

Rustavi Steel and the America-Georgia Business Council expressed their desire to gain tariff-free access to the United States for imports of steel from Rustavi Steel in Georgia. The America-Georgia Business Council stated that Rustavi Steel is the largest steel manufacturer in the Caucasus with key oil industry customers such as ExxonMobil and Chevron and yet it accounts for only a small fraction of overall steel imports to the United States. Rustavi Steel noted that it previously filed Exclusion Requests from the 232 Tariffs but received Denials following Objections by U.S. Steel, despite presenting evidence that the requested product allegedly has not been manufactured in the past two decades by U.S. Steel. Rustavi Steel also noted that several of its Exclusion Requests have been “pending” for well over a year with BIS.

BIS stated that it appreciates hearing feedback from all companies impacted by the 232 Tariffs. BIS emphasized that any country-wide exemption from the 232 Tariffs for imports from Georgia would be the purview of the Office of the U.S. Trade Representative and referred Rustavi Steel to direct any such inquiries to USTR. BIS pointed out that the 232 Exclusions Process lays out specific criteria used to adjudicate whether an Exclusion Request should be Granted or Denied, but noted that Requestors may always refile with additional information if they can document that an Objector was unwilling or unable to supply the requested product after filing an Objection to a previous Exclusion Request. BIS noted the publicly reported discussions with the European Union regarding the 232 Tariffs. Finally, BIS requested that Rustavi Steel identify the Exclusion Requests it believes remain “pending” with BIS to ensure that there are no procedural issues with the 232 Exclusions Process.