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BUREAU OF INDUSTRY AND SECURITY
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BIS MAKES VANADIUM SECTION 232 PETITION PUBLIC AND REOPENS PUBLIC COMMENT PERIOD

The Bureau of Industry and Security (BIS) of the Department of Commerce has released redacted public versions <https://www.regulations.gov/docket?D=BIS-2020-0002> of the initial application and supplemental information from the applicants requesting a Section 232 investigation into the imports of vanadium. The Federal Register Notice: <https://www.federalregister.gov/documents/2020/09/25/2020-21243/reopening-of-comment-period-for-section-232-national-security-investigation-of-imports-of-vanadium> published today also opens an additional 14-day public comment period for the vanadium investigation, with a deadline for written comments of October 09, 2020. These actions, designed to enhance transparency in the 232 investigative process, respond to commenters' requests that the Department make the application and supplemental information available to the public. The application to initiate the investigation contained business confidential information and previously was not made public.

In November 2019, domestic producers AMG Vanadium LLC and U.S. Vanadium LLC requested that the Department of Commerce launch an investigation under Section 232 of the Trade Expansion Act of 1962 into whether the present quantities or circumstances of vanadium imports into the United States threaten to impair the national security. The applicants asserted that domestic industry has been adversely impacted by unfairly traded low-priced imports, limited export markets due to value-added tax regimes in other vanadium producing countries, and the distortionary effect of Chinese and Russian industrial policies. On June 2, 2020, Secretary Wilbur Ross announced that the Department of Commerce would initiate a Section 232 investigation into the effect of imported vanadium on the national security.