



**U.S. Customs and
Border Protection**

JUN 13 2012

MEMORANDUM FOR: Directors, Field Operations
Assistant Directors, Trade, Field Operations
Office of Field Operations

FROM: Executive Director, Trade Policy and Programs Division
Office of International Trade

SUBJECT: Public Distribution of Information on Use of Single
Transaction Bonds as Additional Security for Anti-Dumping and
Countervailing Concerns

On May 1, 2012 the Office of International Trade (OT) issued a memorandum to provide guidance to the field on how to protect the revenue when the port has developed a reasonable belief that acceptance of a transaction secured by a continuous bond would place the revenue in jeopardy because of Anti-dumping/Countervailing Duty (AD/CVD) concerns. This may be done through cash payment with live entry, or obtaining additional security in the form of a Single Transaction Bond (STB).

These guidelines provide for the appropriate use of the port's authority to require additional bonding in a uniform manner. Each import transaction will be judged on its own merits. Only on a case-by-case basis will the STB be required.

The guidelines address the following areas:

- Making determinations that there is a reasonable belief of possible revenue risk.
- STB use in conjunction with a continuing review or investigation risk pertaining to AD/CVD orders.
- How to determine the amount of the STB. The amount, in general, will be based on the value of the merchandise times the AD/CVD rate that would apply if the goods were subject to AD/CVD. Should that rate not be known, the highest AD/CVD rate for that commodity will be used. The amount of the continuous bond will always be considered before requiring the STB.
- Importers/brokers will be provided written notice of the STB requirement. The notice will include:
 - The amount of the STB.
 - The general reason why the STB is being required.
- When to discontinue the requirement of STBs and how to return the STB if no revenue risk is determined to exist.
 - The STB requirement will be discontinued when the review is completed and compliance is determined.

- When the review concludes that there was no revenue risk, the STB will be returned.
- The importer will be given written notice when the requirement for the STB is discontinued.
- All of the ports will be made aware when one port requests an STB to address possible placement of the revenue in jeopardy involving AD/CVD so that it will be required uniformly at each port.

DISTRIBUTION:

Please ensure that this notice is passed to all port directors, assistant port directors (Trade), import specialists, CBP officers, entry specialists and other interested parties such as brokers and importers.

Questions from the importing community regarding this message should be referred to the local CBP port. The port may refer questions to Mr. William Scopa, Chief, Revenue Policy and Programs Branch at 202-8763-6554, or via email william.r.scopa@dhs.gov.



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cc: OFO Trade Operations