Del-Nat
TIRE CORPORATION

September 28, 2010

Mr. Andrew McGilvray
Executive Secretary
Foreign-Trade Zones Board
1401 Constitution Avenue, NW
Room 2111
Washington, D.C. 20230

Re: Foreign-Trade Zones (FTZ) Board Docket No. 20-2009 (Dow Corning – Kentucky)—Rebuttal Comments

Dear Mr. McGilvray:

We appreciate the opportunity to submit rebuttal comments for the record of this proceeding. I am writing to express my concern about certain comments submitted in support of the Preliminary Recommendations of the Foreign-Trade Zones Board staff in the above referenced matter.

We are concerned that these comments failed to examine the reality we face in striving to increase employment and investment in the United States. While we support the enforcement of trade laws, including the antidumping and countervailing duty laws, we also support export promotion. Because the AD/CVD laws do not cover goods that are used as inputs outside the United States, it should not be a "circumvention" to allow their use in an FTZ when the finished product is exported to another country.

We do not agree with opponents who argue that U.S. law and policy should restrict the use of AD/CVD merchandise for export manufacturing. Board regulations adopted in 1991 clearly state that merchandise subject to AD/CVD if entered into the U.S. Customs territory may be admitted to zones, utilized in production and then either be entered into the Customs Territory with AD/CVD payment or exported without AD/CVD payment. Since 1991, the Board's uniform and consistent policy is that AD/CVD duties should be paid on merchandise entering the Customs territory of the U.S. but not on exported merchandise.

We need to compete in export markets and the policy of the Foreign-Trade Zones Board has supported this important purpose. Given these facts, the Board should maintain its longstanding policy requiring AD/CVD duties to be paid on merchandise entered into the Customs territory and no payment of AD/CVD for exports. Especially now, with 10 percent unemployment and the National Export Initiative, the competitive realities of the global economy should be recognized. As I see firsthand every day in my community, foreign-trade zones support U.S. investment and employment.

Sincerely,

Donna Quinn

Donna Quinn
Custom Compliance and Purchasing Manager
Del-Nat Tire Corporation

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