



UNITED STATES DEPARTMENT OF COMMERCE
Office of the Chief Information Officer
Washington, D.C. 20230

March 13, 2012

Mr. Alex Hunt
Chief, Information Policy Branch
Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, DC 20503

Dear Mr. Hunt:

The U.S. Department of Commerce's International Trade Administration (ITA) requests an emergency review of the information collection entitled, "Interim Procedures for Considering Requests under the Commercial Availability Provision of the United States-Korea Free Trade Agreement."

The United States and Korea negotiated the U.S.-Korea Free Trade Agreement (the Agreement), effective March 15, 2012. Under the textile provisions of the Agreement, fiber, yarn, and fabric produced in Korea or the United States and traded between the two countries are entitled to duty-free tariff treatment. The Agreement also provides for the creation of a list of specific fibers, yarns, and fabrics that the United States determines are not available in commercial quantities in a timely manner from producers in the United States. These commercially unavailable fibers, yarns, and fabrics are also entitled to duty-free treatment despite not being produced in the United States. The list of commercially unavailable fibers, yarns, and fabrics may be changed pursuant to the commercial availability of the Agreement. Under the provision, interested entities from Korea or the United States have the right to request that a specific fiber, yarn, or fabric be added to, or removed from, the list of commercially unavailable fibers, yarns, and fabrics.

Chapter 4, Annex 4-B, paragraph 11 of the Agreement requires that the United States "promptly" publish procedures for parties to exercise the right to make requests related to commercially unavailable fibers, yarns, and fabrics. The President delegated the responsibility for publishing the procedures and administering commercial availability requests to the Committee for the Implementation of Textile Agreements (CITA). The procedures will facilitate the transmission of requests; allow the market to indicate the availability of the supply of products; make available information regarding the requests for products and offers received for those products; ensure wide participation by interested parties; allow for careful review and consideration of information provided to substantiate requests and responses; and provide timely public determination of information used by CITA in making commercial availability determinations.

To date, no interested party has exercised its right to request that a fiber, yarn, or fabric be added to, or removed from the list of commercially unavailable fibers, yarns, and fabrics. If an interested party submits a request, however, CITA will be bound by the terms of the Agreement to make the necessary determination. In order to honor its international obligations and address the litigation risk it may face by not publishing these procedures as soon as possible, ITA is requesting approval by March 16, 2012.

Your assistance in handling this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jennifer Jessup', with a stylized flourish at the end.

Jennifer Jessup
Information Collections Officer