

**SUPPORTING STATEMENT
U.S. Department of Commerce
International Trade Administration
Procedures for Importation of Supplies
for Use in Emergency Relief Work
OMB Control No. 0625-0256**

A. JUSTIFICATION

This is to request an extension of the Office of Management and Budget approval.

1. Explain the circumstances that make the collection of information necessary.

The mission of the International Trade Administration (ITA) is to create prosperity by strengthening the competitiveness of the U.S. industry, promoting trade and investment, and ensuring their trade and compliance with trade laws and agreements. The Import Administration (IA) enforces the Antidumping and Countervailing Duty laws to help ensure fair competition in the global market. The primary responsibility of IA's Office of Operations is to administer the antidumping and countervailing duty laws to ensure that domestic industries are not injured by unfair foreign competition in the U.S. market.

The regulations for this information collection were implemented to facilitate the flow of supplies for use in emergency relief work that were subject to antidumping or countervailing duties. The regulations established a clear procedure for seeking a waiver of duties on supplies for use in emergency relief work and were developed to address problems that arose with our informal process during Hurricane Katrina. Since the regulations issuance, no waiver request has been submitted.

The regulatory citation is 19 C.F.R. §§ 358.101-104. The procedures outlined in the regulations are as follows:

(1) Before importation, a written request shall be submitted to the Secretary by the person in charge of sending the subject merchandise from the foreign country or by the person for whose account it will be brought into the United States. Three copies (original and two) of the request should be submitted to the Secretary of Commerce, Attention: Import Administration, Central Records Unit, Room 1870, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230.

(2) The request shall state:

- (a) Department antidumping and/or countervailing duty order case number;
- (b) Producer of the merchandise;
- (c) Detailed description of the merchandise;
- (d) Current Harmonized Tariff Schedule number;
- (e) Price in the United States;
- (f) Quantity;
- (g) Proposed date of entry;
- (h) Proposed port of entry; the
- (i) Mode of transport;
- (j) Person for whose account the merchandise will be brought into the United States;
- (k) Destination;
- (l) Use to be made of the merchandise at the designated destination; and
- (m) Any other information the person would like the Secretary to consider.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

Any information gathered will be used by IA/Office of Operations in its administration of the antidumping and countervailing duty laws. The frequency is completely dependent on outside events (e.g., natural disasters) and the subsequent voluntary application of outside parties.

The request is reviewed by the Department to determine whether a waiver is warranted. A public version of the request will be available for review in Import Administration's Central Records Unit. Per 19 C.F.R. § 358.103(b), if the Department determines that a waiver is warranted, the Department will notify the person who submitted the request, instruct U.S. Customs and Border

Protection to allow entry of the merchandise identified in the request without regard to antidumping and countervailing duties, and post notification of the determination on the Department's website.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

Not Applicable.

4. Describe efforts to identify duplication.

Import Administration is the only government office that determines this waiver. The information is also specific to the emergency event. There is no duplication.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

The information collected is the minimum required to make a determination, no matter the size of the business.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

If this collection was not conducted, a return to the more cumbersome and unclear process that existed prior to the issuance of these regulations. It would also mean that those in need of supplies for use in emergency relief work could face increased costs for, or shortages of, these supplies if those products are subject to dumping or countervailing duties.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

Not Applicable.

8. Provide information of the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response

to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of

instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice soliciting public comments was published on January 18, 2013 (78 FR 4125). No comments were received in response to the notice.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

Not Applicable.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

The respondents read the regulations before submitting a request and the following information is included: Release of proprietary information is subject to the Department's Administrative Protect Order (APO) process and regulations.

Final APO regulations are available at 19 CFR § 351.304-306 and are available on Import Administration's website.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

Not Applicable.

12. Provide an estimate in hours of the burden of the collection of information.

Estimated number of respondents/responses = 5

Estimated time per response = 2 hours

Estimated total of burden hours = 10

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).

The request is mailed to IA and it is estimated that the cost is \$30 per response x 5 responses = \$150.

14. Provide estimates of annualized cost to the Federal government.

The annualized costs to the Federal government are minimal. Annualized costs are completely dependent upon the number of waiver requests. The time needed to review and process the request and take the necessary steps to implement a waiver, if it should be granted, is fairly small, probably less than 15 total hours per application for all Import Administration officials involved in the process. Taking into account the various salary levels of the officials likely to be involved, the cost to the Federal government per application is likely to be between \$500 and \$750. This results in an estimated annual cost to the Federal government of between \$2500 and \$3750.

However, to date, there have been no requests and the cost to the Federal government has been \$0.

15. Explain the reasons for any program changes or adjustments.

There is an adjustment increase due to higher cost of postage to submit a request. .

16. For collections whose results will be published, outline the plans for tabulation and publication.

Not Applicable. Neither the collected information, nor the waiver determination is published in the Federal Register. Per 19 C.F.R. § 358.103(b), if a waiver is granted, the Department will notify the person who submitted the request and post notification of the determination on the Department's website.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

Not Applicable.

18. Explain each exception to the certification statement.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATICAL METHODS

This collection does not employ statistical methods.