

Revisions to Administrative Protective Order Forms and Applications

The U.S. International Trade Commission (“USITC”) is revising the forms and applications related to the process by which certain parties are granted access business proprietary information (“BPI”) and confidential business information (“CBI”) when participating in antidumping and countervailing duty (“AD/CVD”) proceedings under Title VII of the Tariff Act of 1930 (19 U.S.C. Section 1671 et seq.) and safeguard investigations under sections 202 and 204(c) of the Trade Act of 1974 (19 U.S.C. Sections 2252, 2254(c)). The Commission is required by statute to make available to certain representatives of certain parties to an AD/CVD or safeguard investigation the BPI/CBI gathered in those investigations. This access is permitted subject to an administrative protective order (“APO”) which is represented by the forms attached and issued by the Secretary to the Commission (“Secretary”). Certain parties who have retained representation may qualify under the APO to submit an application to access the BPI/CBI released in that investigation. The forms and applications are designed to protect the confidentiality of the BPI/CBI.

A. The Population

These forms and applications are required to be reviewed, completed, and submitted as appropriate by any representatives of qualifying interested parties seeking access to information released under the APO of a Commission Import Injury investigation. The Commission publishes a Notice of Institution in the Federal Register for each investigation that notifies parties of the process and deadline for submitting an application for access to information under the APO.

B. Field Testing

The USITC conducted internal field testing of the forms. Representatives from the Commissioners’ Offices, the Office of Operations, the Office of the Secretary, and the Office of the General Counsel provided comments with regard to the scope and clarity of forms and applications, which were incorporated into the revisions, as appropriate.

C. Reporting Burden and Projected Cost

The reporting burden is estimated to be:

Total number of respondents:	(No.)	344 ¹
Frequency of response:	(No.)	1
Average completion time per survey:	(hours)	0.30
Total burden:	(hours)	103 hours
Total cost:	(dollars)	\$5,942 (103 hours X \$57.69/per hour)

Note: The hourly cost estimate reflects the average USITC employee hourly cost.

¹ The number of respondents is dependent upon the number of Import Injury investigations and interested parties therein. This number is an approximate average number of APO applications received per fiscal year during the most recent three-year period.