

6/3/19

Control number 0694-0138: Objections to Exclusion Requests

Modification for change in mode of collection and minimal changes to an existing collection

The U.S. Department of Commerce will soon publish the interim final rule, *Implementation of New Commerce Section 232 Exclusions Portal*. This interim final rule will change the process for requesting exclusions from the duties and quantitative limitations on imports of aluminum and steel discussed in two Commerce interim rules implementing the exclusion process authorized by the President as part of the action he took to adjust imports under Section 232 of the Trade Expansion Act of 1962, as amended (“232”). The U.S. Department of Commerce has developed a “232 Exclusions Portal” for persons submitting exclusion requests, objections to exclusion requests, rebuttals, and surrebuttals to replace the use of the Federal rulemaking portal (<http://www.regulations.gov>) and streamline the exclusions process while enhancing data integrity and quality controls.

The changes that will be made with this interim final rule will result in a change in the mode of collection for three collections currently approved by OMB, including the following control number Objections from the Section 232 National Security Adjustments of Imports of Steel and Aluminum (control number 0694-0138). On the effective date of the interim final rule, which will be 7 days after date of display on the public inspection list at the Office of the Federal Register, there will be a change in the mode of collection whereby all objections to exclusion requests submitted in the new 232 Exclusions Portal will also need to be submitted in the “232 Exclusions Portal” and no longer submitted using the website www.regulations.gov.

This rule is not expected to increase the burden hours for any of the collections associated with this rule as minimal changes are anticipated. There will be three changes to the existing collection: one related to submitting an email to create an account in the 232 Exclusions Portal and a second related to identifying the exclusion request ID # when sending confidential business information (CBI) by email to the U.S. Department of Commerce in support of an objection to a submitted exclusion request.

- For the first change the existing collection already requires the submission of an email address from the submitter when submitting an objection form to a submitted exclusion request. In order to use the 232 Exclusions Portal the first time a person submitting an objection to a submitted exclusion request is to be submitted in the new Portal, the submitter will need to create on a one-time basis an account by providing the same email address and creating a password for their use that will be used when submitting the web-based objection form, as well as any other 232 submissions, *e.g.*, surrebuttals.
- For the second change under the objection form there will be a difference between www.regulations.gov and the 232 Exclusions Portal under Question 1.a where the public will no longer need to include the [regulations.gov](http://www.regulations.gov) ID #. The 232 Exclusions Portal will auto generate the distinct ID # and associate it automatically with the related 232 submission, so this will lessen the burden on the public.

- For the third change under the email process for submitting confidential business information (CBI) under paragraph (b)(5)(iii)(B) in Supplements Nos. 1 and 2 to Part 705, the regulations.gov ID # previously was required to be provided in the email subject line, but will no longer be required for objections to submitted exclusion requests submitted in the 232 Exclusions Portal and instead the ID # received from the 232 Exclusions Portal for the objection will be submitted in the email subject line by the person submitting the CBI to the U.S. Department of Commerce in support of the objection to the submitted exclusion request.