

SUPPORTING STATEMENT
U.S. Department of Commerce
International Trade Administration
Aluminum Import License
OMB Control No. 0625-0279

SUPPORTING STATEMENT PART A

PLEASE NOTE: Once the collection is approved, any actions performed that are not covered in the Supporting Statement are PRA violations.

Abstract

On May 17, 2019, the United States announced joint understandings with Canada and Mexico, respectively, concerning trade in aluminum covered by the action taken pursuant to Section 232 of the Trade Expansion Act of 1962, as amended. Among other things, the understandings call for the monitoring of aluminum trade between the United States and Canada and Mexico, respectively. Consistent with the joint understandings, and to enhance U.S. Government monitoring and analysis of aluminum products more generally, Commerce published a proposed rule on April 29, 2020, to establish the Aluminum Import Monitoring and Analysis (AIM) System. The goal of the AIM system is to allow for the effective and timely monitoring of import surges of specific aluminum products and to aid in the prevention of transshipment of aluminum products.

The import license information is necessary to assess import trends of covered aluminum products. In order to effectively monitor aluminum imports, Commerce must collect and provide timely aggregated summaries about the imports. The Aluminum Import License is the tool used to collect the necessary information. The Census Bureau currently collects import data and disseminates aggregate information about aluminum imports. However, the time required to collect, process, and disseminate this information through Census can take up to 45 days after importation of the product, giving interested parties and the public far less time to respond to injurious sales.

Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The AIM System is vital to facilitate the real-time monitoring of aluminum imports in a volatile market. Commerce administers the AIM system under the authority of the Census Act (13 U.S.C. § 301(a) and 302) and 19 CFR Part 361. These authorities are attached.

In order to monitor aluminum imports in real-time and to provide the public with real-time data, Commerce must collect and provide timely aggregated summaries about imports of certain aluminum products. The collection requirements are set forth by regulation at 19 CFR Part 361. The Aluminum Import License form (ITA-4142a) collects the information required by regulation. The Census Bureau currently collects import data and disseminates aggregate information about aluminum imports. However, the time required to collect, process, and disseminate this information through Census can take up to 45 days after importation of the product, giving interested parties and the public far less time to respond to injurious sales.

In 2020, ITA's Final Rule for AIM adopted a reusable low-value opt-out license (Request for a Low-Value Aluminum Import License Number, Form ITA-4142b) defined as "covering imports valued at less than \$5,000 per entry." This is a certification document.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

The import aluminum license information is necessary for the U.S. Government to assess import trends of covered products in real time and to share summary level information with the public via a website:

<https://www.trade.gov/aluminum>.

The information listed on the Aluminum Import License form is required of all importers of subject merchandise prior to, or at the time of, entry into the United States and has been deemed necessary by Commerce and the Administration to adequately assess potential surges in imports of covered aluminum products. All entries for consumption of covered aluminum products, other than informal entries, require an import license prior to the filing of Customs entry summary documents (*see* 19 CFR 361.101(b)). Aluminum import licenses are issued to registered importers, customs brokers, or their agents through an online automatic aluminum import licensing system (19 CFR 361.103(a)). The license application can be submitted electronically via the Commerce website (<https://trade.gov/aluminum>) or completed electronically and emailed to Commerce. Note that the collection requirements for the AIM system have not changed since Commerce's last certification.

Commerce uses the information collected in an online monitoring system to display aggregate statistical trends to the public. Standard Census Bureau procedures are followed for handling business proprietary information.

The licensing system uses information already required of an importer. Commerce does not charge a fee for the license. The U.S. Customs and Border Protection (CBP) requires the license number generated by the successful submission of the license form when a broker or importer files his/her CBP entry summary (which happens within 10 business days of importation). The license can be obtained up to 60 days prior to importation or on the date of Customs summary filing (Form 7501). If the license number is not submitted to CBP with the summary documents, CBP will consider the entry summary to be incomplete and may request that the shipment be redelivered.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

The Aluminum Import License forms (ITA-4142a and ITA-4142b) are available to all importers through an Internet website. While importers without an Internet hookup can contact Commerce for further instructions, all license applications can be filled out electronically through the online licensing system. Using electronic submission as the basis for this system allows for the quickest and most efficient means for collecting the required information and aggregating the information submitted in the form.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2

The Census Bureau reports similar official import statistics that are issued on a monthly basis, but with a significant lag time after the products have entered the United States. The lag time could be up to 45 days after

importation of the covered products. The domestic aluminum industry has stated repeatedly that any remedy against injurious sales of aluminum can only be effective if information about these sales is made available quickly. The domestic aluminum industry has claimed that although the Census Bureau information is reliable, it is released too late. When the Census information is released, those sales have already had an impact on the market.

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

The vast majority of applicants are major aluminum importers, producers and brokers. There are very few small businesses that are users of the licensing system; however, for importers bringing in small amounts of aluminum, there is a low value license option (ITA-4142b) which is less burdensome.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Failure to collect information about aluminum imports before or just after importation would disrupt the goals and objectives of the AIM program, as codified in 19 CFR Part 361. As a result of unmonitored surges, U.S. aluminum producers could continue to be injured by surges of imports.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

requiring respondents to report information to the agency more often than quarterly;

Respondents must complete a form upon each importation into the United States, which may be more or less frequent than quarterly.

requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;

There are no such special circumstances.

requiring respondents to submit more than an original and two copies of any document;

There are no such special circumstances.

requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;

Respondents are not required to retain records under the AIM system, although U.S. Customs and Border Protection may impose record retention requirements independent of this information collection.

in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;

This is not a statistical survey and, as such, no special circumstances apply.

requiring the use of a statistical data classification that has not been reviewed and approved by OMB;

This is not a statistical data classification and, as such, no special circumstances apply.

that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or

Confidential treatment of the information collected on the Aluminum Import License is supported by relevant legal authority.

requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

Commerce has imposed procedures that protect the information's confidentiality.

8. If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

A Federal Register Notice was published on October 6, 2023 (Volume 88, Number 193, pg. 69,611), which provided 60 days for public comment on the information collection. Commerce received 1 comment from the Aluminum Association.

The comments received from the Aluminum Association endorsed the utility and value of the AIM system, the data collected thereunder, its continued support, as well as additional suggestions with ways to enhance the quality, utility, and clarity of the information collected. In addition, the Aluminum Association expressed agreement with the proposed estimated time and burden hours.

The International Trade Administration notes that the comments submitted by Aluminum Association underscore the practical utility of the aggregate information presented to the public under the AIM system. As set forth above, the Aluminum Import License is the tool used to collect the information that is summarized and presented in aggregate format to the public. We also acknowledge Aluminum Association's suggestions to enhance the AIM system. However, these requests do not specifically focused on the cost or burden hour estimates provided in the 60-day notice.

In addition, the Aluminum Association addressed the International Trade Administration's estimated time and cost burden, and provided that they believed the estimated time and cost burden is reasonable and the AIM system provided numerous benefits to the public. International Trade Administration agrees with the Aluminum Association that the proposed estimated time and cost burden is reasonable and the collection of information is valuable to the public. The agency plans to continue to operate the AIM system and pursuant to proposed estimated time and cost burden.

A Federal Register Notice was recently published on December 5, 2023 (Volume 88, Number 232, pg. 84,302), which provided 30 days for public comment on the information collection. Commerce received 2 comments from the American Association of Exporters and Importers (AAEI) and the National Customs Brokers & Forwarders Association of America, Inc. (NCBFAA).

The comments received from the AAEI and NCBFAA relate to guidance issued by U.S. Customs and Border Protection (CBP) in its implementation of Presidential Proclamation 10522. AAEI and NCBFAA assert that CBP's requirements are overly broad and burdensome for importers. Thus, the AAEI and NCBFAA propose certain changes to CBP's requirements, including that Commerce consider integrating CBP's ACE data with Commerce's Import licensing data to eliminate redundancies.

International Trade Administration notes that these comments relate to CBP's information collection requirements, which are outside the scope of this renewal. Because AAEI and NCBFAA's recommendations are unrelated to Commerce's information collection requirements under the AIM system, we have made no revisions to the proposed time and cost burden estimates.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payments or gifts are being offered to the respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

To the extent that the information submitted by the parties contains trade secrets, the Department will protect such information from disclosure, including disclosure pursuant to requests under the Freedom of Information Act, as required by the Trade Secrets Act, 18 U.S.C. § 1905. Such assurance is not provided in writing, but general information regarding confidentiality and the Trade Secrets Act is available upon request.

To process the license online, at the bottom of the license form the applicant acknowledges that they recognize that this information will be aggregated and posted on the website to supplement other information publicly available about aluminum imports.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

No questions of a sensitive nature are asked.

12. Provide estimates of the hour burden of the collection of information.

It is estimated that 4,000 major brokers and importers will fill out the Aluminum Import License form. Each importer or broker must fill out the form for each entry of the subject merchandise.

We estimate that 206,917 regular licenses will be issued each year. This estimate is based on actual licenses issued in the three year period since the last information collection request was approved. To arrive at the estimate, ITA summed together the actual number of licenses issued during this period and divided by three to arrive at an annual estimate for the next three year period.

On average, each broker would apply for approximately 52 licenses each year. The average time to complete the form is estimated to be less than 10.5 minutes. This estimate includes the time necessary to complete the form using information that is necessary for the completion of the other documents required for entry of the product

into the United States. We do not expect the response time to vary widely because some of the same information is used to fill out other Customs documents filed at the time of entry. The low value “opt-out” form information is also listed below.

Form Used	Number of Respondents	Time to Complete	Total Number of Responses	Total Hours
License	4,000	10.5 min/license	200,617	35,108
Opt-out Form	650	5 min/form	6,300	525

TOTAL RESPONDENTS = 4,000 TOTAL RESPONSES = 206,917

TOTAL BURDEN HOURS = 35,633

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

There are no capital/start-up or ongoing operation/maintenance costs associated with this information collection.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

Agencies may also aggregate cost estimates from Question 12, 13, and 14 in a single table.

The average public sector salary for processing the licenses is \$25.00 per hour.

Form Used	Time to Process	Number of Responses	Total Hours
License	30 seconds	200,617	1,672
Opt-out Form	5 seconds	6,300	9

Cost to Government: Total Hours (1,681) x Avg. Salary (\$25/hour) = \$42,025

Processing and issuance of the license is done electronically.

15. Explain the reasons for any program changes or adjustments reported in ROCIS.

There are no changes to the information collection since the last OMB approval.

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

The agency plans to display the expiration date for OMB approval of the information collection on all instruments.

17. Explain each exception to the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”

The agency certifies compliance with [5 C.F.R. § 1320.9](#) and the related provisions of 5 C.F.R. § [1320.8\(b\)\(3\)](#).

SUPPORTING STATEMENT PART B

Agencies are instructed to complete Supporting Statement Part B if they are using statistical methods, such as sampling, imputation, or other statistical estimation techniques; most research collections or program evaluations should also complete Part B. If an agency is planning to conduct a sample survey as part of its information collection, Part B of the ICR supporting statement must be completed, and an agency should also complete relevant portions of Part B when conducting a census survey (collections that are sent to the entire universe or population under study). For example, an agency doing a census of a small, well- defined population may not need to describe sampling procedures requested in Part B, but it should address what pretesting has taken place, what its data collection procedures are, how it will maximize response rates, and how it will deal with missing unit and item data.

Agencies conducting qualitative research studies or program evaluations, including case studies or focus groups, should also complete the relevant sections of Part B to provide a more complete description of the use of the information and the methods for collecting the information.

B. Collections of Information Employing Statistical Methods

The collection does not employ statistical methods.