

June 9, 2020

Ms. Janice Kaye
Chief Counsel for Administrative Law
Office of the U.S. Trade Representative
600 17th Street, NW
Washington, D.C. 20508

Submitted Electronically via www.reginfo.gov/public/do/PRAMain and/or
MBX.USTR.301aircraft@ustr.eop.gov.

RE: Comments on ICR in Large Civil Aircraft Dispute Portal (ICR Reference number 202005-0350-001)

Dear Ms. Kaye:

On behalf of ABC Metals Inc. (“ABC”), we are submitting these comments on USTR’s proposed new information collection request (ICR) titled *Large Civil Aircraft Dispute Portal* in response to USTR’s request for comments published in the Federal Register on May 27, 2020.¹

ABC has previously submitted comments in connection with this proceeding, and has commented on the list of products subject to additional duties, for instance in response to the USTR’s December 12 notice (84 F.R. 67992). Based on this experience, and upon review of the Large Civil Aircraft Dispute Form, ABC respectfully submits the following comments on enhancing the quality, utility, and clarity of the ICR for the USTR’s consideration.

- Add the following request for information to the form under Product Details: “Please state whether your specific product is a final product or an input used in the production of a final product.”
- Add the following request for information to the form: “Please comment on whether maintaining or imposing additional duties on specific products of one or more specific EU member States (or former member States) block access to essential materials supporting essential US industries identified by the U.S. Department of Homeland Security’s CISA guidance on ‘Essential Critical Infrastructure Workers During COVID-19 Response,’ dated March 19, 2020.”
- Add the following request for information to the form: “Please comment on whether maintaining or imposing additional duties on specific products of one or more specific EU member States (or former member States) is critical to or needed for the current U.S. response to the COVID-19 outbreak or any future US pandemic responses.”

¹ Request for the Office of Management and Budget To Provide Emergency Clearance of a New Collection of Information Titled ‘Large Civil Aircraft Dispute Portal’, 85 F.R. 31845 (Office of US Trade Rep. May 27, 2020).



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- Modify request for information #6, as follows: “Please comment on whether maintaining or imposing additional duties on specific products of one or more specific EU member State (or former member States) would cause disproportionate economic harm to U.S. interests, including small or medium size businesses and consumers, **and would benefit only one or two participants at most.**”

ABC submits that the aforementioned proposed requests for information would enhance the quality, utility, and clarity of the ICR. For instance, knowing whether a specific product is a final product versus an input will help USTR distinguish between additional duties on imported raw materials or inputs that disincentivize high-value manufacturing in the U.S., from additional duties on imported final products that are more likely to incentivize keeping production in or shifting production to the U.S.

And importantly, given the ongoing COVID-19 pandemic, any information parties can provide relating to how additional duties might affect the U.S. response to the pandemic would be helpful. Indeed, we note that USTR previously solicited comments on particular products covered by the China Section 301 action that is needed to respond to the COVID-19 outbreak. *See* 85 F.R. 16987 (Mar. 25, 2020). ABC’s proposal to collect such information in this Section 301 action would be no different.

Thank you for your consideration on behalf of ABC Metals.

Sincerely,

Daniel Kendall

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