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Comments on Advanced Notice of
Proposed Rulemaking, Steel
Import Monitoring and Analysis
System

Public Document

Mr. Kelly Parkhill
Director for Industry Support and Analysis
Import Administration, Room 3713
Department of Commerce
14th Street and Constitution Avenue, NW
Washington, D.C. 20230

Re: Steel Import Monitoring and Analysis System

Dear Director Parkhill:

We are writing on behalf of the Arcelor Group ("Arcelor") in response to the Department of Commerce's ("the Department's") request for comments on the Steel Import Monitoring and Analysis ("SIMA") system.¹ Arcelor is concerned that the existing system does not adequately protect trade data and, as such, is an impediment to international commerce.

¹ See *Steel Import Monitoring and Analysis System; Advanced Notice of Proposed Rulemaking*; 69 Fed. Reg. 52211 (August 25, 2004.)

The Department has an affirmative obligation to protect trade secrets. Among the most valuable trade secrets are those dealing with marketing strategy, price, and sales volume.

Although the aggregation of import data extracted from multiple sources offers some protection from the threat presented by public release of entered value and volume data, the Department must exercise extreme caution to ensure that no harm is done.

In the steel industry, reporting data on particular HTSUS numbers can, under certain circumstances, harm both exporters and importers. For example, it is often known that only one manufacturer in a given country is capable of manufacturing specific products defined by HTS item numbers. Release of any pricing or volume data with respect to imports under such a situation can harm the exporters and importers of the product, and amounts to the release of protected trade data.

Accordingly, we ask that the Department take whatever measures are necessary to ensure that any public release of information does not improperly provide proprietary competitive data to competitors.

Thank you for this opportunity to offer these comments. If you have any questions, or require any additional information, please contact the undersigned.

Respectfully,



Christopher Ryan
Richard Moreland*

Counsel to the Arcelor Group

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