

MTBPS: Quick Guide

The Statute and Commission Rules and Procedures

- We **recommend you read the American Manufacturing Competitiveness Act of 2016** (the Act), which sets forth the process for consideration of miscellaneous tariff bills.
- The Commission has issued interim rules for the filing and consideration of petitions for duty suspensions and reductions. We recommend that, as an initial step before filing a petition, **you read through the rules and the “Before You File” help document** to familiarize yourself with Commission requirements and the process.

Timing and Deadlines

For Petitioners

- The Commission’s web portal opens on **October 14, 2016**. Petitions may not be submitted before that date.
- Petitions may be submitted between October 14 and December 12. The final deadline for filing a petition is **5:15 PM, December 12, 2016**. **Late petitions will not be accepted**. 19 CFR 220.4.

For Commenters

- No later than January 11, 2017, the Commission will issue a *Federal Register* notice soliciting public comments on petitions accepted for processing by the Commission. This notice will contain the beginning and closing dates for filing comments and the requirements for filing. If you intend to file comments on a petition, you should **remember to watch for publication of this notice in the Federal Register and on the Commission’s MTB website**.
- Comments may be submitted during the 45-day period following publication of the notice. The portal will not permit **comments to be filed before the 45-day period begins or after it ends**. 19 CFR 220.10(b).

Using the Portal

- **Petitions and comments must be submitted through the Commission’s web portal, the MTB Petition System (MTBPS)**. Users must register with the MTBPS in order to use the portal.
- You must complete the petition or comment submission process in one session. You cannot save and return to your work at a later date. Accordingly, you should **have all information ready when you log in**.
- In order to submit a petition or comment, **you must consent to the Commission’s sharing of petition information** with the Department of Commerce, U.S. Department of Agriculture, and U.S. Customs and Border Protection. 19 CFR 220.13(b)(2)

- The portal will not permit you to submit a petition or comment unless all required information and certifications have been provided. Please read the Commission rules and “**Before You File**” guide to learn what information and certifications are required.
- Please review the Commission’s “**Handbook on MTB Filing Procedures**” for instructions.

Petition/Comment Submission Contents

- **Review “Before You File” and the associated “Petition Checklist.”** In conjunction with the Act and Commission rules, these documents explain what information you need to file a petition or comment.
- Pay careful attention to the fields where you are allowed to claim confidential business information (“CBI”). **Do not provide CBI unless the portal provides you with the opportunity to identify it as such.** If you file CBI in a public field on the petition or comment forms, it will be treated as public information.
- If you discover that you inadvertently filed CBI in a public field, please contact 202-205-3238 immediately.

Submission Attachments

Generally

- Attachments must be PDF files and not contain active, embedded web links.
- Please review the Commission’s “**Handbook on MTB Filing Procedures**” for more information regarding attachments.

For Petitioners

- Each PDF attachment cannot exceed 25 megabytes in size or 10 pages in length.
- With certain exceptions, all the attachments filed with the petition will be made public (the exceptions include copies of certain Customs and import documentation).
Therefore, **supplementary documentation provided with your petition must not contain CBI or be labeled as CBI**, including in headers, footnotes, etc.

For Commenters

- You will be permitted to attach one PDF file that must not exceed 25 megabytes in size or 5 pages in length.
- **Comment attachments must not contain CBI.**

Improperly Filed Submissions

Generally

- The Commission will consider the following types of petitions or comments as improperly filed:
 - ❖ Petitions or comments that do not contain the information required by the Commission’s rules.

- ❖ Petitions or comments that do not otherwise comply with the Commission's rules and Handbook on MTB Filing Procedures regarding CBI. 19 CFR 220.7
- The Commission will notify the filer that the submission is not properly filed.

For Petitioners

- The Commission will **also** consider petitions as improperly filed for which a duplicative or overlapping petition has been previously filed by the same petitioner and not withdrawn. 19 CFR 220.7(b)
- The **Commission will not publish for public comment those petitions not properly filed.** 19 CFR 220.10

Withdrawing a Petition

- You **may withdraw a petition any time before the Commission's final report** is delivered to Congress. 19 CFR 220.9(a)
- To withdraw a petition, the registered user ("the filer") who filed the submission must log-in to the portal and select the "Withdraw" option next to the appropriate petition(s).
- **Withdrawals may only be initiated by the registered user who filed the petition.** If the registered user has since left the firm or organization, contact MTBInfo@usitc.gov to discuss how to withdraw the submission.

Amending a Submission

- **You will not be able to correct or edit a petition or comment once it has been submitted.** In order to amend a petition or comment, it is necessary to withdraw the original petition or comment and file a new petition or comment with the corrected information. 19 CFR 220.9
- Please pay close attention to the *Federal Register* notice and the Commission's website for information about deadlines. **Late filings that purport to amend or correct a petition or comment will not be accepted.**
- If you withdraw a petition or comment after the window for filing a petition or comment submissions has closed, you will not be permitted to file a corrected or amended submission. 19 CFR 220.9(b)

Consolidated Petitions

- The **Commission may consolidate duplicative or overlapping petitions** filed by different petitioners for the purposes of Commission analysis and recommendation. 19 CFR 220.8
 - ❖ **Search the database for other petitions on your product or closely related products before you file,** such as those petitions with the same HTS number. Use a wide variety of search terms, including, for chemicals, the Chemical Abstract Service registry number.
 - ❖ **Search the database for other petitions with the same HTS number.**