

USITC-1 Participation in the Automated Commercial Environment/International Trade Data System

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The United States International Trade Commission has developed the following Privacy Impact Assessment (PIA) to address its participation in the Automated Commercial Environment/International Trade Data System (ACE/ITDS) in conformity with section 208 of the E-Government Act of 2002, 44 U.S.C. § 3501 note. The Commission will participate in the ACE/ITDS in order to obtain information relating to imports to and exports from the United States necessary to accomplish the agency's mission. In particular, the Commission needs such information to conduct statutorily mandated investigations and studies, including antidumping, countervailing duty, global safeguard, and intellectual property-related investigations, and industry and economic analysis. Statutory authority for the conduct of such proceedings include 19 U.S.C. §§ 1330-1335, 1337, 1671 et seq., 2151, 2163, 2213, 2251-2254, 2436, 2451-2451a, 2482, 2704, 3204, 3353, 3372, 3381, 3804; 7 U.S.C. § 624.

The agency has sought to ensure that this PIA is commensurate with the size of the Commission information system being assessed, the sensitivity of information that appears in an identifiable form in that system, and the risk of harm from unauthorized release of that information. In developing this PIA, the Commission considered whether an alternative to the present information technology (IT) arrangement or information collection should be adopted, and concluded that use of the ACE/ITDS is necessary to the accomplishment of the agency's mission.

I. What information is to be collected?

The Commission receives from U.S. Customs and Border Protection, U.S. Department of Homeland Security (CBP), information on individuals and firms that import to and/or export from the United States, and/or that produce articles for import or export. The information includes name, Social Security number or Dun's number, organization, title or position, business role, address, telephone number, electronic mail address, website address, and information on volume and value of imports and exports.

II. Why the information is being collected?

The Commission collects the information to assist in the conduct of its statutorily mandated investigations, including antidumping, countervailing duty, safeguard, intellectual property-related investigations and industry and economic analysis.

III. What is the intended use of the information?

The information is used in the conduct of the above-listed proceedings. The Commission needs information on importers and exporters to allow it to determine the effect of certain imports on domestic industries and to carry out industry and economic analysis on issues such as

the probable economic effect on the U.S. economy of the U.S. entering into free trade agreements.

IV. With whom will the information be shared?

The Commission considers the information to be confidential business information and does not publicly disclose the information in individually identifiable form. The information may be shared with Commission employees who have a need for the information in carrying out their duties, with the Office of the United States Trade Representative in safeguard and intellectual property-related investigations, with courts and other tribunals hearing challenges to Commission determinations, and with representatives of interested parties who are parties to antidumping, countervailing duty, and safeguard investigations under administrative protective order.

V. What notice or opportunities for consent will be provided to individuals regarding what information is collected and how that information is shared?

CBP collects the information for this system, and the Commission then accesses the information from CBP. Consequently, the Commission is not in a position to provide notice or opportunities for consent. Please see CBP's PIA for the ACE/ITDS for further information on this matter.

VI. How the information will be secured?

Once the information is received from CBP's ACE/ITDS, the Commission will store the information in an internal database. That database is maintained on computer media and hard copy in a building with restricted public access, and in limited access areas within the building. Copies of portions of the database are maintained in similar storage at courts and other tribunals, and firms subject to administrative and judicial protective orders. Limitations on access are applied both to computer and hard copy storage to allow access only by authorized persons such as Commission employees with a need for the information in the performance of their duties.

Consistent with agency requirements under the Federal Information Security Management Act, the Commission follows IT security requirements and procedures required by federal law and policy to ensure that information is appropriately secured. The Commission has conducted a risk assessment, identified appropriate security controls to protect against that risk, and implemented those controls. The agency regularly re-evaluates its controls to ensure that they continue to work properly, safeguarding the information. Questions on information security may be directed to the Commission's Information Security Officer, at 202-205-2768.

VII. Is a system of records being created under the Privacy Act?

The Commission's database containing the information from ACE/ITDS constitutes a system of records under the Privacy Act. The Commission plans to publish shortly a system of records notice that describes the system.

