

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

Investigation No. 332-592

USMCA Automotive Rules of Origin: Economic Impact and Operation, 2023 Report

ACTION: Notice of investigation and scheduling of a public hearing.

SUMMARY: In accordance with section 202A of Public Law 116-113, January 29, 2020 (the United States-Mexico-Canada Agreement Implementation Act or “USMCA Implementation Act”) the U.S. International Trade Commission (Commission) instituted Investigation No. 332-592, *USMCA Automotive Rules of Origin: Economic Impact and Operation, 2023 Report*.

DATES:

September 30, 2022: Deadline for filing requests to appear at the public hearing.
October 13, 2022: Deadline for filing prehearing briefs and statements.
October 27, 2022: Deadline for filing electronic copies of oral hearing statements.
November 3, 2022: Public hearing.
November 11, 2022: Deadline for filing post-hearing briefs and statements.
November 24, 2022: Deadline for filing all other written submissions.
June 30, 2023: Transmittal of Commission report to Congress and USTR.

ADDRESSES: All Commission offices are in the U.S. International Trade Commission Building, 500 E Street SW, Washington, DC. Due to the COVID 19 pandemic, the Commission’s building is currently closed to the public. Once the building reopens, persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Project Leader Mitch Semanik (mitchell.semanik@usitc.gov or 202-205-2034), or Deputy Project Leader Sharon Ford (202-204-3084 or sharon.ford@usitc.gov) for information specific to these investigations. For information on the legal aspects of this investigation, contact William Gearhart of the Commission’s Office of the General Counsel (202-205-3091 or william.gearhart@usitc.gov). The media should contact Jennifer Andberg, Office of External Relations (202-205-3404 or jennifer.andberg@usitc.gov). Hearing-impaired individuals may obtain information on this matter by contacting the Commission’s TDD terminal at 202-205-1810. General information concerning the Commission may also be obtained by accessing its website (<https://www.usitc.gov>). Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000.

BACKGROUND: As required by the USMCA Implementation Act, the Commission in its report will focus on USMCA automotive rules of origin (ROO) and their effects on the U.S. economy, impacts to U.S. competitiveness, and relevancy considering recent technology changes. In particular, the USMCA Implementation Act requires that the Commission report on:

- 1) the economic impact of USMCA automotive ROO on U.S. gross domestic product, trade, employment, and consumers, as well as economic impact on production, investment, capacity, revenues, wages, and employment in U.S. automotive industries;
- 2) the operation of USMCA automotive ROO and their effects on the competitiveness of U.S. automotive production and trade;
- 3) the relevancy of USMCA automotive ROO in light of recent technology changes in the United States; and
- 4) other matters the Commission considers relevant to the economic impact of the USMCA automotive ROO.

The USMCA Implementation Act requires that the Commission transmit its report on July 1, 2023, one year following submission of a USMCA automotive ROO report by USTR, also required by the USMCA Implementation Act. Because July 1, 2023 is a Saturday, the Commission expects to submit the report on Friday, June 30, 2023. The Commission is directed to submit reports on USMCA automotive ROO every two years thereafter until 2031.

PUBLIC HEARING: A public hearing in connection with this investigation will be held beginning at 9:30 a.m. on November 3, 2022. More detailed information about the hearing, including how to participate, will be posted on the Commission's website at (https://usitc.gov/research_and_analysis/what_we_are_working_on.htm). Once on that webpage, scroll down to Investigation No. 332-592, *USMCA Automotive Rules of Origin: Effects and Review 2023*, and click on the link to "Hearing Information." Interested parties should check the Commission's website periodically for updates.

Requests to appear at the public hearing should be filed with the Secretary no later than 5:15 p.m., September 30, 2022, in accordance with the requirements in the "Written Submissions" section below. All prehearing briefs and statements should be filed not later than 5:15 p.m., October 13, 2022. To facilitate the hearing, including the preparation of an accurate written transcript of the hearing, oral testimony to be presented at the hearing must be submitted to the Commission electronically no later than noon, October 27, 2022. All post-hearing briefs and statements should be filed no later than 5:15 p.m., November 11, 2022. Post-hearing briefs and statements should address matters raised at the hearing. For a description of the different types of written briefs and statements, see the "Definitions" section below.

In the event that, as of the close of business on September 30, 2022, no witnesses are scheduled to appear at the hearing, the hearing will be canceled. Any person interested in attending the hearing as an observer or nonparticipant should check the Commission website in the preceding paragraph for information concerning whether the hearing will be held.

WRITTEN SUBMISSIONS: In lieu of or in addition to participating in the hearing, interested parties are invited to file written submissions concerning this investigation. All written submissions should be addressed to the Secretary and should be received not later than the dates provided for in this notice. All written submissions must conform to the provisions of section 201.8 of the Commission's Rules of Practice and Procedure (19 CFR 201.8), as temporarily amended by [85 FR 15798](#) (March 19, 2020). Under that rule waiver, the Office of the Secretary will accept only electronic filings at this time. Filings

must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>). No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions regarding electronic filing should contact the Office of the Secretary, Docket Services Division (202-205-1802), or consult the Commission's Handbook on Filing Procedures.

DEFINITIONS OF TYPES OF DOCUMENTS THAT MAY BE FILED; REQUIREMENTS: In addition to requests to appear at the hearing, this notice provides for the possible filing of four types of documents: prehearing briefs, oral hearing statements, post-hearing briefs, and other written submissions.

(1) *Prehearing briefs* refers to written materials relevant to the investigation and submitted in advance of the hearing and includes written views on matters that are the subject of the investigation, supporting materials, and any other written materials that you consider will help the Commission in understanding your views. You should file a prehearing brief particularly if you plan to testify at the hearing on behalf of an industry group, company, or other organization, and wish to provide detailed views or information that will support or supplement your testimony.

(2) *Oral hearing statements (testimony)* refers to the actual oral statement that you intend to present at the public hearing. Do not include any confidential business information in that statement. If you plan to testify, you must file a copy of your oral statement by the date specified in this notice. This statement will allow Commissioners to understand your position in advance of the hearing and will also assist the court reporter in preparing an accurate transcript of the hearing (e.g., names spelled correctly).

(3) *Post-hearing briefs* refers to submissions filed after the hearing by persons who appeared at the hearing. Such briefs: (a) should be limited to matters that arose during the hearing, (b) should respond to any Commissioner and staff questions addressed to you at the hearing, (c) should clarify, amplify, or correct any statements you made at the hearing, and (d) may, at your option, address or rebut statements made by other participants in the hearing.

(4) *Other written submissions* refer to any other written submissions that interested persons wish to make, regardless of whether they appeared at the hearing, and may include new information or updates of information previously provided.

There is no standard format that briefs or other written submissions must follow. However, each such document must identify on its cover (1) the type of document filed (i.e., prehearing brief, oral statement of (name), post-hearing brief, or written submission), (2) the name of the person or organization filing it, and (3) whether it contains confidential business information (CBI). If it contains CBI, it must comply with the marking and other requirements set out below in this notice relating to CBI. Submitters of written documents (other than oral hearing statements) are encouraged to include a short summary of their position or interest at the beginning of the document, and a table of contents when the document addresses multiple issues.

CONFIDENTIAL BUSINESS INFORMATION: Any submissions that contain confidential business information must also conform to the requirements of section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). Section 201.6 of the rules requires that the cover of the document and the individual pages be clearly marked as to whether they are the "confidential" or "non-confidential" version, and that the confidential business information is clearly identified by means of

brackets. All written submissions, except for confidential business information, will be made available for inspection by interested parties.

As requested by the USTR, the Commission will not include any confidential business information in its report. However, all information, including confidential business information, submitted in this investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel for cybersecurity purposes. The Commission will not otherwise disclose any confidential business information in a way that would reveal the operations of the firm supplying the information.

SUMMARIES OF WRITTEN SUBMISSIONS: Persons wishing to have a summary of their position included in the report that the Commission sends to the USTR should include a summary with their written submission and should mark the summary as having been provided for that purpose. The summary should be clearly marked as “summary for inclusion in the report” at the top of the page. The summary may not exceed 500 words, should be in MS Word format or a format that can be easily converted to MS Word, and should not include any confidential business information. The summary will be published as provided if it meets these requirements and is germane to the subject matter of the investigation. The Commission will list the name of the organization furnishing the summary and will include a link to the Commission’s Electronic Document Information System (EDIS) where the full written submission can be found.

By order of the Commission.



Katherine M. Hiner
Acting Secretary to the Commission

Issued: August 4, 2022