

matter was formed early in the conduct of the five-year reviews. By 2008, however, the Commission had conducted more than 175 reviews. With regard to the factors outlined in OGE's regulations defining "same particular matter," experience had shown that a review differs in important respects from the underlying original investigation. In particular significant changes often have occurred in the markets and industries during the lapse of time between the original investigation and the review.

In five-year reviews, the Commission must take into account the volume, price effect, and impact of the subject imports on the industry before the order was in place. However, the Commission's experience has been that most of the key information for making the required forward-looking determination is the most current information developed on the record as part of the five-year review process.

When making his determination that five-year reviews of the same underlying original investigation are all different particular matters, the DAEO considered issues such as whether expedited and full reviews should be distinguished or whether the five-year reviews should all be considered the same particular matter. The DAEO's conclusion that neither five-year reviews nor the underlying original investigation are the same particular matter was based on a number of factors. First, those factors listed in OGE's regulations defining "same particular matter" support the finding. OGE's regulations provide that "all relevant factors should be considered, including the extent to which the matters involve the same basic facts, the same or related parties, related issues, the same confidential information, and the amount of time elapsed." 5 CFR 2641.201(h)(5). The analysis used by the Commission in reviews relies primarily on the newly developed record to determine not what has happened in the past but rather what is likely to happen if the order under review is revoked. The focus in the reviews is generally not the information from the record of the original investigation or previous reviews, but rather new information developed for the record of the current five-year review. Five years elapse between each review, during which economic and marketplace developments can change the basic facts and confidential information considered by the Commission. In the five years between reviews, the identity of the relevant parties, such as domestic and foreign manufacturers and purchasers, could also change. The DAEO also

considered the fact that each review of an underlying original investigation is treated as a different case upon judicial review.

In accordance with the DAEO's interpretation of both the statute and the Commission's experience in five-year reviews, appearances of former employees in Commission five-year reviews will be treated under 18 U.S.C. 207 as appearances that are not in the same particular matter as either the underlying investigation or any other five-year review stemming from the same underlying original investigation. In addition, the Commission has traditionally applied 19 U.S.C. 201.15(b) consistently with the application of 18 U.S.C. 207, and therefore, for that provision, will not consider a review to be the same matter as the underlying original investigation or any other review based on that underlying investigation. Consequently, former employees no longer need to seek approval from the Commission to appear in a review even if the underlying original investigation or an earlier review of the underlying investigation had been pending while they were employees.

Issued: January 13, 2014.

By order of the Commission.

Lisa R. Barton,

Acting Secretary to the Commission.

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DEPARTMENT OF JUSTICE

[OMB Number 1124-0002]

Agency Information Collection Activities: Proposed Collection; Comments Requested: Supplemental Statement (Foreign Agents)

ACTION: 30-Day Notice.

The Department of Justice (DOJ), National Security Division (NSD), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 78, Number 218, page 67396 on November 12, 2013, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until February 18, 2014. This

process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to The Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503. Additionally, comments may be submitted to OMB via facsimile to (202) 395-7285.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension of currently approved collection.

(2) *Title of the Form/Collection:* Supplemental Statement (Foreign Agents)

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: NSD-2. National Security Division, U.S. Department of Justice. Pursuant to Section 212 of Public Law 110-81, the Honest Leadership and Open Government Act of 2007 (HLOGA), the FARA registration forms recently submitted to OMB for 3 year renewal approvals, contain fillable-fileable, and E-signature capabilities, and the FARA e-File system in operation since March 1, 2011, permits registrants to file their registration forms electronically to the FARA Registration Unit, 24 hours a day,

seven days a week. FARA e-File is accessed via the FARA public Web site located at <http://www.fara.gov/> and provides instruction to assist registrants in completing, signing and submitting the required FARA registration forms, as well as instruction on how to electronically pay the required registration filing fees via online credit or debit card payments.

(4) *Affected public who are asked or required to respond, as well as a brief abstract:* Primary: Business or other for-profit, not-for-profit institutions, and individuals or households. The form is required by the provisions of the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. 611, *et seq.*, must be filed by the foreign agent within thirty days after the expiration of each period of six months succeeding the original filing date, and must contain accurate and complete information with respect to the foreign agent's activities, receipts and expenditures.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average response:* The estimated total number of respondents is 491, who will complete a response within 1.375 hours (1 hour and 22 minutes) 675 hours semi-annually.

(6) *An estimate of the total burden (in hours) associated with the collection:* The estimated total public burden associated with this information collection is 1,350 hours annually.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Policy and Planning Staff, Justice Management Division, Two Constitution Square, 145 N Street NE., Room 1407B, Washington, DC 20530.

Dated: January 14, 2014.

Jerri Murray,

*Department Clearance Officer for PRA,
United States Department of Justice.*

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DEPARTMENT OF JUSTICE

[OMB Number 1124-0001]

Agency Information Collection Activities: Proposed Collection; Comments Requested; Registration Statement (Foreign Agents)

ACTION: 30-Day notice.

The Department of Justice (DOJ), National Security Division (NSD), will be submitting the following information collection request to the Office of Management and Budget (OMB) for

review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** at 78 FR 67395, on November 12, 2013, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until February 18, 2014. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to The Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503. Additionally, comments may be submitted to OMB via facsimile to (202) 395-7285.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension of currently approved collection.

(2) *Title of the Form/Collection:* Registration Statement (Foreign Agents).

(3) *The agency form number and the applicable component of the Department of Justice sponsoring the collection:* Form Number: NSD-1. National Security Division, U.S.

Department of Justice. Pursuant to Section 212 of Public Law 110-81, the Honest Leadership and Open Government Act of 2007 (HLOGA), the FARA registration forms recently submitted to OMB for 3 year renewal approvals, contain fillable-fileable, and E-signature capabilities, and the FARA e-File system in operation since March 1, 2011, permits registrants to file their registration forms electronically to the FARA Registration Unit, 24 hours a day, seven days a week. FARA e-File is accessed via the FARA public Web site located at <http://www.fara.gov/> and provides instruction to assist registrants in completing, signing and submitting the required FARA registration forms, as well as instruction on how to electronically pay the required registration filing fees via online credit or debit card payments.

(4) *Affected public who are asked or required to respond, as well as a brief abstract:* Primary: Business or other for-profit, not-for-profit institutions, and individuals or households. The form contains registration statement and information used for registering foreign agents under the provisions of the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. 611, *et seq.*

(5) *An estimate of the total number of respondents and the amount of time estimated for an average response:* The estimated total number of respondents is 67 respondents at 1.375 hours (1 hour and 22 minutes) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated total public burden associated with this information collection is 92 hours annually.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Policy and Planning Staff, Justice Management Division, Two Constitution Square, 145 N Street NE., Room 1407B, Washington, DC 20530.

Dated: January 14, 2014.

Jerri Murray,

*Department Clearance Officer for PRA,
United States Department of Justice.*

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